



There is no equation between Judaism and man-made religions. For example, their "love of god" demands they murder the innocent - vile by Judaic principle. G-d's Torah laws make sense to our minds.

Elaborated in "Truth vs Politics"

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Dedicated to Scriptural and Rabbinic Verification
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JewishTimes

Volume III, No. 30...June 4, 2004

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Weekly Parsha

Naso

RABBI BERNARD FOX

"If there is no relative to whom to return the dishonest gain, it must be returned to Hashem and given to the Kohen. This is in addition to the atonement offering through which he atones for the sin." (BeMidbar 5:8)

The meaning of our pasuk is not readily apparent. Our Sages discuss

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FREEDOM IS NOT FREE

RABBI RUVEN MANN

Congregation Rinat Yisrael of Plainview, New York



PRESENTED AT THE ANNUAL PARADE & MEMORIAL SERVICE

Hicksville Veteran's Mem. Park, NY
May 31st, 2004

"Almighty G-d, we have gathered here today at a crucial moment in our history to honor the memory of all those who fought and made the ultimate sacrifice in defense of our nation and its ideals of freedom, compassion and the highest cultivation of the human spirit. We came not only to honor but also to affirm the lesson of their sacrifice: Freedom is not an entitlement; it does not come for free, it is something which has to be fought for. With humbleness and gratitude let us acknowledge a simple truth: we owe these heroes everything. Without them, we would have lost our freedom long ago.

Yet, many people do not feel this way and take what we have here for granted believing that the American way of life is somehow

(continued on next page)



Truth vs Politics

RABBI MOSHE BEN-CHAIM

Reader: While you and I know (very well) that Mohamed was indeed a FALSE PROPHET, this issue may not be so simple. I am in contact with a group of Islamic B'nai Noah. Let me explain. They realize the inaccuracies of their religion but still feel there is a base underneath that recommends going to Orthodox Rabbis as its final ruling on issues. This has to do with verses in the Koran that speak of asking the house "Beit" for rulings. Also, they interpret verses about the murder of Jews mentioned in the Koran to refer to idolatrous Jewish tribes – not Jews who believe in Hashem. They base this in linguistic analysis of the original language. And there is other suggestive evidence in their "Hadith" that this may indeed be the case.

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FREEDOM IS NOT FREE

RABBI REUVEN MANN

"coming" to them. 9/11 was a wake up call - which happened, to a large extent because nobody believed it could happen. Let us admit it: we were afflicted with the cancer of complacency and blinded by the illusion of invincibility. Suddenly our country was under attack by a merciless, barbaric enemy who wanted us destroyed. 9/11 was a wake up call, but all too many decided to push the snooze button and go back to sleep

The enemy does not sleep. He continues to remind us of his barbarism and cruelty by beheading innocent Americans and proudly recording his sadism on camera. 9/11 was a wake up call and the message is: if we do not appreciate our freedom and are not willing to fight for it, there is no guarantee that we will always have it. Therefore, I call on all of you to renew your appreciation for our country and its values for we are at war and every war requires the full support of the home front.

We have gathered here today to honor the heroes past and present

whose valiant dedication makes our freedom possible. I would be remiss if I did not include among them the civilian heroes of 9/11, the firefighters, police and first responders, who charged into the line of fire to save thousands on that dark day. They wrote a new chapter in the history of bravery and self-sacrifice, and they will never be forgotten.

Almighty G-d, Creator of the Universe, may their selfless service inspire us to appreciate all the blessings that You have bestowed on this nation. Let their memory be for a blessing - motivating us to become better people: more productive, compassionate, and respectful of the dignity of all men and women who were created in Your Image. And may Your Guidance and Protection be with our men and women who are right now in harms way, to give them the strength, courage and dedication to complete the mission in which they have performed so magnificently. May they speedily return in good health to their country, their homes and loved ones. And let us say: Amen." □



Now we know that Islam has many different Hadiths (their equivalent of our Oral Law/ lehavdil). So while it may be convenient for us to just read the Koran's verses and decide it as written on the surface, it may not have been so simple in the beginning of Islam – which many of them are trying to get back to.

Bottom line: they are trying to follow the Noahide Laws – one of which is not to spill blood. The potential here for reconciliation with Jews – in terms of their not slaughtering us anymore here – should not be dismissed. They are also disgusted with their leadership. Plus, there are trying to bring Islam into conformance with the Noahide Laws.

Anyway, my goal is to disperse the Temani psak...which most of the time matches the RAMBAM. But need we be so blatantly HONEST about everything?

You are the only site on the web I see that comes out and says Mohamed is a Navi Sheker. WE KNOW THAT... But is this the wisest course. I am not saying to be dishonest.

Here is my response to the Islamic B'nai Noah regarding their query about Mohamed as a Prophet:

"Here is the answer for a Jew: The Christian beliefs that Jesus was G_D incarnate and mediator between G_D and man are clearly idolatrous (Yad, Avodath Kokhavim 2:1, MN 1:36). A Jew must therefore be martyred rather than embrace Christianity (according to most opinions). However, since Islam is not idolatrous... one need not be martyred rather than accept Mohammed as a Prophet (Rambam, Iggereth HaShmad). But in the Jewish sense of the word, a Prophet had to be recognized through certain tests in an official capacity. Accordingly, after the Prophet Micah, there were no more Prophets as 'true Prophecy' had been officially closed. This doesn't mean that someone (Jew or non-Jew) cannot still possess characteristics of Prophecy that actually exhibit themselves as real Prophecy. It's just that they cannot be called 'Prophets' anymore.

For Benai Noah: It seems obvious that Jewish Law (and Noahide Law) has no problem with a B'nai Noah believing someone to be a prophet - regardless of what us Jews believe or don't believe about him."

I just don't see the point in telling the entire non-Jewish world that we think their leader was a false – especially as they are not idolatrous and are attempting to follow the Noahide Laws as Muslims under an Orthodox Bet Din. But most importantly, is this the wisest thing to publish for the JEWISH PEOPLE? We are just thinking as Jews with over 1,600 years of experience living with the Arabs and thinking about the Jews still left in Arab countries. The Rambam risked death saying the things you are freely publishing on the web. Will this make the lives our brothers and sisters in Arab lands better or worse?

Mesora: You write: "...This doesn't mean that someone (Jew or non-Jew) cannot still possess characteristics of Prophecy that actually exhibit themselves as real Prophecy. It's just that they cannot be called 'Prophets' anymore."

This misleads the reader to believe in prophecy - to some extent. You should have removed all possibility by not writing this sentence.

There must be no apologetics when striving to teach truth. That which is essential is not compromised. Sparing the truth to foster peace with fallacy is not G-d's goal; hence, it cannot be ours. Life is useless when truth is compromised.

And no, I do not suggest we walk over to a Moslem and denounce his god to his face. It is both foolish, and probably useless in such a design. Proper teachings have a time, place and approach. Our goals as Jews must include a genuine concern for all people, making G-d's Torah knowledge available to them, with the proper delivery.

Understand that our goal is to teach those who desire to learn. If faced with the choice of removing material offensive to false religionists, or maintaining it online so seekers of truth may learn, I opt for the latter. Honesty opts for the letter. Abraham, Maimonides and all genuine teachers opted for the latter. There is never an excuse for concealing truth.

Condoning False Religions – at all – is Destructive

But I am most troubled by you desire to condone the Koran. You wrote:

"This has to do with verses in the Koran that speak of asking the house "Beit" for rulings. Also, they interpret verses about the murder of Jews mentioned in the Koran to refer to idolatrous Jewish tribes – not Jews who believe in Hashem. They base this in linguistic analysis of the original language. And there is other suggestive evidence in their "Hadith" that this may indeed be the case.

Now we know that Islam has many different Hadiths (their equivalent of our Oral Law/ lehavdil). So while it may be convenient for us to just read the Koranic verses and decide it is written on the surface, it may not have been so simple in the beginning of Islam – which many of them are trying to get back to."

If you have read through even a small portion of the Koran, you will see the book is as absurd as a childhood fable. I was astounded that any person would have the gall and revisionist stupidity to lay claim to taking the Jews out of Egypt, giving Judaism the man Moses, giving Jesus to the Christians, and an enormous amount of other fabrications. Intelligence is not found in such a work, and as it was not G-d's word, I am dumbfounded as to why you seek to condone any part of it. We know the Torah is G-d's single system intended for all mankind. Validating even a single letter of the Koran, the New Testament, or any other religion's book, is a direct denial of G-d's will that Moses' Torah is G-d's only word.

The Koran's Strategy

What the Koran's author desired was to create a religion that would "rate" when compared to Judaism and Christianity - Judaism's first knockoff. The author saw Judaism and Christianity as widely accepted. He was faced with opposing what was accepted by the world at large. In my opinion, the author's plan was to create a religion that rated, not by Christianity's sin of cannibalizing Judaism, but by a new sin: claiming authority of both of the world's

(Truth vs Politics *continued from previous page*)

greatest religions. Through statements like, “we gave you Moses”, “we took you out of Egypt”, and “we gave Jesus to the Christians”, the Koran attempts to place itself higher on the totem pole - by sidestepping competition with others, and claiming authority over them all. Such an approach is both haughty and transparent. Christianity mimics Judaism, while Islam attempts to lay claim to authoring all religions.

If these people you are in touch with seek the truth, then they will recognize it...but only if you present the truth. You are compromising what you teach due to a false premise, i.e., to create harmony by condoning some of their cherished beliefs. You shoot yourself (and them) in the foot by hiding G-d's truths. In your concern not to offend those child-reared in fable, the Koran, you hide the truth from them. You allow politics to reign supreme over truth, and destroy their ability to learn what G-d desires all people know: there is only one Torah.

The Magnetism of Truth

There is an important point I wish to convey to you. If you appreciate its truth, I feel you will follow the true path. It is this: Only the absolute, undiluted truth possesses its unique ‘appeal’. Our minds are designed to appreciate reason, rationale, sound argumentation and proofs. The more precise and succinct a lesson, the quicker the mind will recognize it, and the easier it will be for one to attach himself to it, and live by it. If the stark truth is not presented to someone's mind, he will always remain with dissatisfaction, regardless of the packaging. Be convinced, “truth” needs no advertising, and no salesman. It is inherently appealing. This is how G-d designed the human mind and soul to react when faced with profundity. Do not be insecure about how your teachings will be received.

“Truth” has already been designed to resonate in us. Winning over people with anything but the idea itself, is contrary to teaching that idea. “Teaching an idea”, means you wish the student to be impressed with its truth, not with your delivery, and not with your friendship.

If one does not understand a given matter, he uses his mind, which works by laws...the laws of reason. To arrive at knowledge, it follows, that you must present undiluted ideas and arguments. To truly achieve your goal of benefiting others with G-d's word, refer only to His word! Do not dilute it. By suggesting that there is some truth in the Koran, you have destroyed the exclusive nature of the Torah. You have also violated “Do not add to the Torah” as you claim G-d's word is not limited to the Torah - you say it may be found elsewhere. This is the crime of that Rabbi in England who said there are “many paths to G-d”. This is the crime of those who say all religions are correct for their respective religionists.

Fearing the rebuke of others should not dampen our efforts. We receive negative and hostile emails at times. When we inquire of their rational defense for their views, we usually never receive a reply. As Jews, we are obliged to learn Torah, which carries with it the obligation to teach our brothers and sisters G-d's singular system. The Internet is a wonderful means to achieve this goal, and we are most definitely making more of a positive impact through this medium, than if we don't speak at all, or if we were to soften our tone.

Perhaps also, some other religions may, for a moment, lay down their swords and ponder an idea or two. However, only if ideas are presented undiluted, will they be afforded the opportunity to see the truth. ▣

*The tragic
result of
man-made
religion*



Psychics & Judaism

Response to Jewish Week – May 28, 2004

RABBI MOSHE BEN-CHAIM

Excerpt from original article, "The Psychic Connection":

"The author, who grew up in Rockaway, says she first showed signs of her psychic power when she was a young girl. At age 4, she told her father that one of the customers in his grocery store was going to die. Her father responded by saying impossible, that the man was healthy as two horses. Four days later, the man died of a heart attack.

When she was around 9, she began to be asked to leave friends' homes when she would make comments about things like impending divorces. "It wasn't that I was trying. It was as if I had already been told, as though someone had a conversation with me."

Her grandmother was able to look into a woman's eyes, and tell if she was pregnant. And she could look at the whorls on someone's fingertips and tell if that person were prone to certain diseases.

Shapiro says that she feels an affinity with biblical figures who had visionary powers, like Joseph, in his interpretation of dreams.

"What people like about me is that I'm the thinking person's psychic. I'm educated," she says, "I won't be telling them hokey stuff and curses."

My opening sentiment is not to offer Jackie Mason new material. But a response is required to the "The Psychic Connection"(The Jewish Week, May 28). Despite many of the flock, flocking to the John Edwards and Rochelle Shapiros of the world, in addition to other self-professed seers, psychics, witches, warlocks, enchanters, palm readers, magical rebbes, pop-kabbalists, red-bendelists, ad nauseum...doesn't



anyone wonder why not one of the aforementioned have ever won the New York Lottery? No, you are right, that is not fair...any lottery. And why, when someone calls their 800 numbers, do they first say, "Who is calling?" Makes you think? Good. Because Judaism is about just that – thinking and reason. It is a rational system bereft of mysticism and belief in any powers, other than the One G-d. Our Sages never accepted anything lacking reason and proof. This is why Revelation at Sinai forms the basis of Judaism – millions witnessed it. And G-d created this event as He desires that reason and proof form our religious code. He gave us intelligence for a reason.

Ibn Ezra, whose writings Maimonides praised, said we are commanded against seeking out fortunetellers and the like because they are absolute fallacy. Torah prohibitions are against falsehoods. Conversely, our positive commands are in line with what is true. G-d desires we are

not misled by man's inventions, to claim fame, and attract followers. False messiahs were a frequent occurrence for this reason, that man functions out of insecurities like these. Even in Judaism today and years gone by, fools think, what is massively accepted must be truth – and if accepted by the religious sect, even more so. Maimonides dissected that false notion. That rule fails to impress 'logic'.

Reason should teach that our limitation to five senses restricts our perception to sensory material alone, and nothing more. I challenge any psychic to defend their imagined capabilities, and prove otherwise by picking the New York Lottery's winning numbers for the next 10 consecutive weeks. Failure to do so will conclusively dismiss their claims.

If one would study the Torah for a few decades, they will only scratch the surface of the genius of Joseph, never arriving at G-d's complete discussion of his life. Therefore, equations between psychics and our patriarch Joseph are absurd, and haughty. As the wise Sage Radak said commenting on the enchantress who feigned raising Samuel, "Those who want to see things, will see them. And those who want to hear things, will hear them." Our patriarch Joseph lived a life beyond compare. G-d's providence of Joseph, in the form of dreams telling the future, find no parallel in today's psychics' claims.

The Talmud clearly states, "Prophecy has ended". And psychics have never commenced, nor will they. It is the greatest crime when pop culture displaces G-d's Torah wisdom that commands against these lies, and those wowed by smoke and curtains follow liars, instead of reason. For when lies become cultural phenomenon, as they sadly have, they mislead not just the practitioner, but also the unfortunate, future generations. ■

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

Proverbs

DOUG TAYLOR WITH RABBI MORTON MOSKOWITZ

We had started out talking about rational thinking. But somehow the conversation had shifted to proverbs.

Not Biblical proverbs. American proverbs.

"Look," he said. "People say these things all the time without thinking about them. They're repeated so often that everyone assumes everyone else knows what they mean."

I wasn't convinced. "Give me an example," I challenged.

"Okay," he said. "How about 'early to bed and early to rise makes a man healthy, wealthy, and wise'?"

"What about it?" I asked.

"Well what does it mean?" he countered.

"It means exactly what it says."

"And what is that?"

"Well, it means that if you go to bed early and get up early, you'll be healthy, wealthy, and wise." I suddenly had the uneasy feeling of a chess player who senses he has just moved exactly as his opponent expected.

"Come now," he replied. "What does going to bed early and getting up early have to do with health, wealth, and wisdom?"

"And," he continued, "what is 'early'?"

"Well it's—." I stopped in mid-sentence, realizing I didn't have a clue as to how to answer either question.

"You see," he said, without bothering to announce 'checkmate,' "we don't think these things through."

He went on. "The only way this proverb makes any sense is if we interpret 'early' to mean 'on time.' On time implies a plan. So, early to bed and early to rise means two things. First it means you have some type of plan or schedule. It also implies that you follow it."

"Now why is it important to have a plan?" he asked.

I was wary. I didn't want to get trapped a second time. "So you can get more done?" I said cautiously.

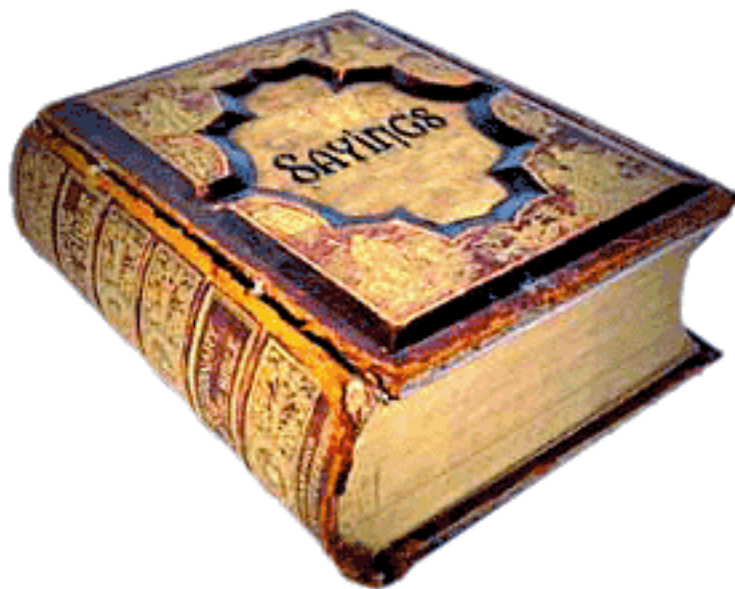
"Right," he said. "Health, wealth, and wisdom don't usually happen by accident. For health, we must exercise regularly, prepare good meals, eat well, and get enough rest. For wealth, we must develop incomes to meet our needs, budget our expenditures, and prepare for the future. For wisdom, we must study the works of scholars. All of these activities require planning. We must develop a schedule and then follow it."

"At least, most of the time," he added.

I pondered his logic and began to understand why he was known to his friends as the King of Rational Thought. I kicked myself for missing something so obvious. At least, it seemed obvious once he explained it to me.

"But isn't that a pretty basic message?" I asked.

"Sure it is," he replied. "Vast amounts of time management literature



have been written around this very point. In fact, other proverbs have developed around it - for example, 'Plan your work and work your plan.'"

"You see," he said, "in order to have success in a given area of life, you have to work out whether you have enough time to do everything needed. That means developing a plan. Following that plan gives you the best chance of achieving your goal. But if you don't develop a plan, then you likely won't use your time as effectively as you could, and you're unlikely to achieve your goal."

"That's what the proverb is trying to get across," he concluded.

"Well it seems simple enough," I said.

"Yes, but the problem is we don't think these issues through rationally, step by step," he said. "We just repeat phrases without seriously analyzing them. Of course, emotionally that can be very appealing. Platitudes sound great. They're music to our ears. But the question is, do they really make any sense?"

"By the way," he added, smiling, "this problem is especially rampant in political rhetoric."

I decided to try some rational analysis on my own. I picked a well-known phrase which, although not a proverb, certainly has been used enough to make it one... Buy Now And Save.

I decided it's an oxymoron. □

Naso / Behaalotecha

RABBI BERNARD FOX

the passage. They explain that the passage deals with a person who has been accused of owing money to another individual. The accused has taken an oath that no money is owed. Based on this oath, the court released the accused of any liability. Subsequently, the accused admits that he does owe the money. He is required to restore the dishonest gain, add an additional 20%, and offer a sacrifice.

Our passage discusses a special application of this law. The law is predicated on the assumption that the accused can make restoration to the wronged person or an heir. If the wronged party has died without heirs, how does the accused make restitution? To whom does the accused give the dishonest gain and the 20% fine?

Before we consider our passage's solution to this dilemma, we must consider another issue. How is it possible for a person to die without any heir? Certainly, through tracing the victim's ancestry we can find some distant heir! Our Sages respond that the passage deals with a victim who is a convert and dies without children. Those that were related to the convert prior to conversion do not qualify to receive the funds. This person truly has no heirs!

Now, let us return to our passage's response. Who receives the money? Our pasuk answers that both the principle amount of the wrongful gain and the 20% fine are given to the Kohen.

Why does the Kohen receive the money? Gershonides offers a very important answer. He explains that the Torah apparently wishes to associate the convert with the Kohen. In effect, the Torah makes the Kohen the heir of the convert. The Kohanim are the most honored group within the nation. Creating an association between the convert and the Kohen elevates the status of the convert.

Why does the Torah wish to elevate the status of the convert? Gershonides proposes that the Torah is concerned with the welfare of the convert. The convert does not have extensive family ties within Bnai Yisrael. This might mark the convert as an attractive victim for the unscrupulous. In order to protect the convert from such scheming, the Torah assigns to the convert the most respected relatives in the nation. In short, the message communicated by this law is that one who steals from this lonely convert will have to answer to the honorary relatives – the Kohanim![1]

“The priest shall prepare one as a Chatat and one as Olah to atone for his inadvertent defilement by the dead.” (BeMidbar 6:11)

Parshat Naso describes the laws governing the Nazir. The Nazir is a person who takes a vow to separate oneself from material pleasures. The Nazir may not drink wine or cut his hair. The Nazir is also prohibited from defilement through contact with a dead body.

A Nazir who does come in contact with a dead body is defiled. The Nazir must bring a series of sacrifices as atonement. One of these sacrifices is a Chatat – a sin offering. Rashi explains that this sin offering is required because the Nazir did not exercise adequate care in keeping the vow.[2]

Rashi offers a second interpretation of the Chatat offering. He quotes the comments of the Talmud in Tractate Nazir. Rebbe Eliezer HaKafar explains that the sin of the Nazir is not merely unintentional contact with a dead body. The sin of the Nazir is the self-affliction one has accepted. The Nazir vowed to abandon the pleasure of drinking wine. The Talmud further comments that we can learn an important lesson from this law. The Nazir is obligated to bring a Chatat because of a vow not to drink wine. A person who, as a general practice, abandons the material pleasures is even more guilty.[3]

This explanation of the Chatat is clearly supported by another law. A Nazir who successfully completed the vow must also bring a Chatat.[4] In this case, the vow has not been violated. Why is a Chatat required? Rebbe Eliezer HaKafar's explanation resolves this issue. Even the successful Nazir requires atonement. The Nazir must atone for the self-affliction and deprivation.

This interpretation raises an obvious question. According to Rebbe Eliezer HaKafar, the Nazir has acted improperly. Yet, the Torah created the mitzvah of Nazir! How can the Torah define an inappropriate behavior as a mitzvah?

Maimonides deals with this question in his introduction to Perikai Avot. He explains that for virtually every behavior or emotion there exists an opposite extreme. We must attempt to achieve moderation in all of our behaviors. This means we should strive for to conduct ourselves in a manner that is balanced between the two natural extremes. A person should not be a spend-thrift. Neither should one be stingy. We are not permitted to act cowardly. We also may not endanger ourselves unnecessarily. The same pattern applies to all

behaviors. We must seek the middle road.

Inevitably, we all have areas of behavior in which we are at an extreme. Some of us may be overly shy. Others may be egotistical. How does one correct a flaw? Maimonides explains that the Torah suggests that we temporarily force ourselves to adopt the behavior of the opposite extreme. The stingy person practices being a spend-thrift. The glutton adopts a very restricted diet. With time, this practice will enable the person to break the original attachment. One will be able to adopt the moderate behavior required by the Torah.

Maimonides explains that the mitzvah of the Nazir should be understood in this context. The Nazir is a person who was overly attached to the material pleasures. The Nazir makes a vow to adopt the behavior of the opposite extreme. The ultimate goal is to free the personality from the attachment to material pleasures. This will allow one to adopt a life of moderation.

However, the Torah did not want us to mistakenly view the Nazir's behavior as an ideal. We must recognize that the Nazir's vow is intended as a cure for a personality illness. How was this message communicated? This was accomplished through the Chatat of the Nazir. The Chatat teaches that the life of the Nazir is not inherently proper. The vow is necessary in order to help the Nazir achieve moderation. The ultimate goal is balanced conduct, not the extreme behavior of the Nazir.[5]

Maimonides seemingly contradicts this interpretation of the Nazir and the Chatat in his Moreh Nevuchim. There, Maimonides explains that one of the goals of the Torah is to completely distance oneself from the material desires. Furthermore, Maimonides asserts that the Nazir is considered a sanctified individual. How did the Nazir earn this status? Maimonides responds that the Nazir has given up wine![6]

These comments seem to contradict completely the position Maimonides outlined in his introduction to Perikai Avot. In the Moreh Nevuchim, Maimonides endorses extreme behavior. He also asserts that the Nazir's abandonment of wine is laudable! How can these two positions be reconciled?

In these two texts Maimonides is dealing with two completely separate issues. In his introduction to Perikai Avot, he is discussing the basis for a healthy personality. He explains that psychological health requires, and is manifested, in moderation in behavior and in seeking pleasure.

However, the objective of the Torah is to guide an individual to truth and spiritual perfection. As a person grows spiritually and embraces the truth, the individual begins to re-evaluate the meaning of life. Material pleasures lose their glamour and attraction. This does not mean that the material world is abandoned through the acceptance of

(continued on next page)

Naso / Behaalotecha

RABBI BERNARD FOX

artificial vows. The tzadik simply loses interest in material affairs. This tzadik is the individual Maimonides describes in the Moreh Nevuchim. The tzadik is a truly spiritual person guided solely by truth and reality.

The Nazir is not the tzadik described in the Moreh Nevuchim. This tzadik does not require a vow. The tzadik does not create artificial restrictions. Instead, the Nazir is a person attempting to move away from an extreme attachment to material pleasure. The Nazir is striving to achieve the middle road. The Torah constructed a mitzvah to help this person – the mitzvah of Nazir. However, this mitzvah is not merely a set of restriction. The Nazir adopts the behaviors of the tzadik. He experiments with the behaviors of the truly spiritual individual. He learns that although he is not nearly ready to be this exalted person, he can live without the material pleasure to which he is fixated. In short, the Nazir is not the perfected individual described in the Moreh Nevuchim. However, he does adopt the behaviors associated with the tzadik.

[1] Rabbaynu Levi ben Gershon (Ralbag / Gershonides), Commentary on Sefer BeMidbar, 5:5.

[2] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer BeMidbar 6:11.

[3] Mesechet Nazir 19a.

[4] Sefer BeMidbar 6:7.

[5] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Commentary on the Mishne, Introduction to Perkei Avot, chapter 4.

[6] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Moreh Nevuchim, volume 3, chapter 34.

“Then when they are fifty years old they shall retire from the work force and not serve any more.” (BeMidbar 8:25)

The members of Shevet Leyve – the Leveyim – were assigned to assist the Kohanim. They had various responsibilities. These included singing in the Mishcan and guarding it from all ritual impurity. Our pasuk indicates that the Leveyim were required to retire from their responsibilities upon reaching the age of fifty.

What responsibilities could the Leyve no longer perform when reaching the age of fifty? In order to answer this question, we must be aware of an important detail in the transport of the Mishcan. How was the Mishcan transported? Most of the Mishcan was transported by wagon. However, the most sacred components were carried directly by the Leveyim – specifically, by the member of the family of Kahat. These components included the altars, the Shulchan, Menorah, and the Aron.

Rashi explains that a Leyve reaching the age of fifty was only disqualified from direct carrying. He could not participate in the transport of the Aron and those components that were carried directly by the Leveyim. His age implied declining strength. This rendered him unfit for this physically challenging task. However, he still participated in other tasks performed by the Leveyim. He sang in the Mishcan, opened and closed the entrances, and assisted in loading the wagons used to transport other portions of the Mishcan.[1]

Nachmanides differs with Rashi. He maintains that, upon reaching the age of fifty, the Leyve was also disqualified from participating in the songs of the Mishcan.[2] Nachmanides, in his commentary on Maimonides’ Sefer HaMitzvot,

offers an interesting explanation for his position. He explains that, once the Leyve reached the age of fifty, he was no longer fit to carry heavy burdens. In order to avoid confusion, he was also disqualified from participating in song. Participation in song would create the impression that the elder Leyve was fit for all service – even carrying portions of the Mishcan.[3] In other words, age rendered the Leyve fundamentally unfit for carrying heavy burdens. His disqualification from participating in the song of the Temple was the result of a secondary consideration. He was restricted from song in order to avoid confusion.

The Torah is composed of 613 – Taryag – mitzvot. Should this restriction upon the Leyve be included within the 613 mitzvot? The answer depends on the criteria for including a command among Taryag. Taryag is a permanent system. It applies in all generations. Therefore, one of the criteria for inclusion in Taryag is that the commandment must not be fixed to a particular historical moment or circumstance. For example, Hashem gave Bnai Yisrael various commandments in preparation for Revelation on Sinai. One of these was that the people could not approach or ascend the mountain. These instructions only applied during the period of Revelation. These restrictions cannot be counted as elements of Taryag.[4] Therefore, in order to answer our question regarding this restriction on the Leyve, we must ask another question. Does this restriction apply in all generations, or was this restriction only relevant during the sojourn in the wilderness?

Halachot Gedolot includes the restriction upon the Leyve’s service among the Taryag Mitzvot. Apparently, he maintains that this restriction applies in all generations. Maimonides objects. He argues that this restriction only applied during a specific historical period. Therefore, it is not appropriate to include this restriction within Taryag.[5]

Nachmanides supports the opinion of Halachot Gedolot. However, before we consider Nachmanides’ argument, we must consider two related issues.

First, as we have explained, during the sojourn in the wilderness, the Mishcan was transported on a regular basis. Once Bnai Yisrael entered the land of Israel, this changed. At first, the Mishcan was placed at a permanent location. Later, the Bait HaMikdash in Yerushalayim replaced the Mishcan. In other words, the Mishcan was no longer regularly transported in its entirety, or even partially. However, the Aron was moved on a few occasions. One of these occasions was the transfer of the Aron to Yerushalayim. King David arranged for this operation.

Maimonides acknowledges that there is a

(continued on next page)

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mitzvah that regulates the transport of the Aron. This mitzvah is included in Taryag. It stipulates that the Aron must be carried directly. It cannot be transported by wagon or some other conveyance.[6]

Second, in the wilderness, the Leveyim were responsible for the transport of the Aron. However, according to Maimonides, this is no longer the case. The Kohanim are now responsible for this task. No other member of Shevet Leyve can perform this task. Maimonides explains that during the period of the sojourn in the wilderness, there were few Kohanim. It was not feasible to charge this small group with this responsibility. Therefore, the task of transporting the Aron was assigned to the Leveyim. However, when the number of Kohanim increased, this task was permanently assigned to the Kohanim.[7]

We can now understand Nachmanides' objection to Maimonides' position. Maimonides maintains that the restriction upon the Leveyim's service beyond the age of fifty is not one of the Taryag Mitzvot. Nachmanides raises an obvious objection. The restriction upon the Leyve who reaches the age of fifty against carrying the Mishcan was a commandment during the sojourn in the wilderness. It was, essentially, a parameter. It defined who was fit and who was disqualified from performing this task. This restriction dictated that one over the age of fifty was not permitted to directly carry any component of the Mishcan – including the Aron. The task of carrying one component of the Mishcan, the Aron, is a mitzvah counted among Taryag. It is reasonable that the parameter of who is qualified and who is disqualified from performance of this task should remain in force. True, the restriction should now apply to the Kohanim and not the Leveyim. Nonetheless, the restriction should continue to be regarded as a mitzvah that defines a fundamental parameter regarding the transport of the Mishcan.[8] It should also be noted that Maimonides does not only refuse to count this parameter as a mitzvah. He does not even regard this parameter as in force. It simply no longer applies!

How can we explain this dispute between Maimonides and Nachmanides? It seems that Maimonides and Nachmanides argue over the fundamental nature of the restriction upon the Leyve. There are two ways to understand this restriction. One approach is that this restriction is

a law governing the transport of the Aron or Mishcan. The transport of the Aron requires physical strength. The job demands a robust person. A person who is over the age of fifty is simply not assumed capable of performing this duty. In other words, this is not a law directly governing the functions of the Leyve. It is a law regarding the transport of the Mishcan. The second approach is that the Leveyim were assigned a number of tasks. One of the most important was the transport of the Mishcan or Aron. If a person could no longer fulfill this difficult task, he was disqualified from serving as a Leyve. In other words, this law governs the qualifications for serving as a Leyve.

Nachmanides maintains that this law is merely a restriction in who can carry the Aron. Therefore, as long as there is a mitzvah to transport the Aron, this restriction continues to function. It deserves to be counted among Taryag.

Maimonides disagrees. He maintains that the restriction placed upon the Leyve in the wilderness was far more than a parameter defining whom could carry the Mishcan and Aron. The law in the wilderness defined who was included and counted among the Leveyim, and who was not completely included. The responsibility for transporting the Aron and Mishcan was a fundamental aspect of the Leyve's job. A Leyve that could no longer perform this task could not be completely counted as a Leyve.

We can now respond to Nachmanides' objection to Maimonides' position. The age restriction that applied to the Leyve was only reasonable because the task of transporting the Mishcan was a fundamental aspect of his job. He could not perform this task.

Therefore, he could not be completely counted among his brethren.

Maimonides maintains that this responsibility was transferred to the Kohanim. Therefore, it is no longer part of the Leyve's job description. It follows that the inability of the Leyve to perform

this task should no longer disqualify the Leyve. This task is no longer his responsibility. His fitness can no longer be evaluated on the basis of his ability to carry heavy burdens.

The responsibility for carrying the Aron has been transferred to the Kohen. However, this is a very minor aspect of the Kohen's role. It is not reasonable to disqualify a Kohen from being counted among his brethren because he cannot perform this task. The task is not fundamental to the role of Kohen.

In short, according to Maimonides, a law that disqualifies a Leyve of Kohen on the basis of advanced age is no longer feasible. It presumes that the person's primary role is impacted by age. This is no longer the case with the Leyve. He has been relieved of his responsibility to carry the Mishcan or Aron. This is also not the case with the Kohen. Albeit that he is responsible for transporting the Aron, this is a minor aspect of his job. □

[1] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer BeMidbar 8:25.

[2] Rabbaynu Moshe ben Nachman (Ramban / Nachmanides), Commentary on Sefer BeMidbar 8:25.

[3] Rabbaynu Moshe ben Nachman (Ramban / Nachmanides), Critique on Maimonides' Sefer HaMitzvot, Third Principle.

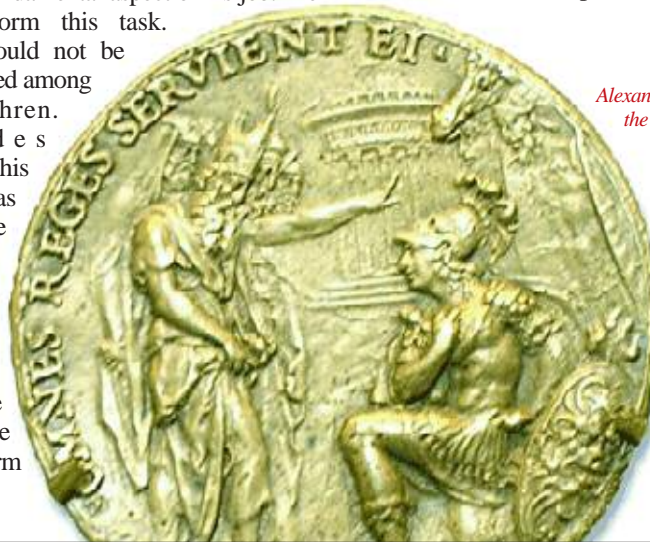
[4] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Sefer HaMitzvot, Third Principle.

[5] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Sefer HaMitzvot, Third Principle.

[6] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Sefer HaMitzvot, Mitzvat Aseh 34.

[7] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Sefer HaMitzvot, Mitzvat Aseh 34.

[8] Rabbaynu Moshe ben Nachman (Ramban / Nachmanides), Critique on Maimonides' Sefer HaMitzvot, Third Principle.



Alexander meeting
the High Priest

the KILLING of INFANTS II

Reader: Dear Mesora,

I was just reading your response to a question by a reader. It is titled "Killing Infants: G-d's Justice".

You gave an explanation, which you mentioned should suffice alone. Then you added as an additional thought- "...Below thirteen, Maimonides teaches, "...such a child is considered as man's property, and may be taken from his parent(s) as a punishment." (Laws of Repentance, 6:1) You continued, "This child has not reached an age where he is responsible, so he is not meritorious, nor is he guilty. His death is not a punishment to him, but to his parents."

My question is, if it is true that a child under the age of thirteen years is neither meritorious nor guilty...how can we explain young Ishmael in the desert? Wasn't it G-d himself who heard the boy's cries and asked the angels of Ishmael's merit at the time when they reminded him what Ishmael would do to Israel in the future? My understanding was that G-d allowed Ishmael to live because at that very moment, he was a good soul.

Thank You, James

Mesora: James, Primary to your question is an essential fact you have overlooked. At this time, after Abraham had sent Hagar and their son Ishmael, and the water had run out causing Ishmael to cry, Ishmael was well older than thirteen years of age. We know this, as it is distinctly stated earlier, (Gen. 17:25) that Ishmael was already thirteen when Abraham circumcised him. As Abraham sat in his tent, in pain of his circumcision performed together with Ishmael, the angels announced Isaac's birth to Abraham. Isaac was to be born a year after Abraham circumcised his household, himself, and Ishmael. In our story, Isaac is now present. Ishmael is then above fourteen years of age, and may be

judged based on his own merits and sins. We now understand G-d's response to the angels regarding the merit or sin of Ishmael.

As always, we must refer to the sources and study the exact phraseology, as G-d - in His Torah - and the Rabbis, wrote with an exactitude, which teaches additional ideas. Let us examine the texts to learn of any additional concepts.

When Ishmael cried out of thirst, the Torah states as follows:

(Gen. 21:17) "And G-d heard the voice of the lad, and there called an angel of G-d to Hagar from the heavens and he said to her, 'What is to you Hagar? Do not fear, for G-d has heard the voice of the lad, as he is there.'"

The angel assures Hagar that no harm will befall Ishmael. On the last words, "as he is there", Rashi comments as follows:

"As he is there, (means) in accord with his current actions he is judged, and not in accord with that which he is yet to do in the future. For the ministering angels accused and said, 'he whose seed (Ishmael's seed) will eventually kill your children (Israel) with thirst, You elevate a well?' And G-d responded, 'Right now, what is he, righteous or wicked?' The angels said 'righteous.' G-d said to them, 'in accord with his present actions do I judge.'" G-d then proceeded to show Hagar a well. Ishmael was saved.

We have a few questions: What was the accusatory argument of the angels, and what was G-d's response? G-d cannot be wrong, but how can G-d's creation, the angels, possess faulty reasoning? We must also endeavor to understand the senses of justice belonging to both G-d and the angels.

We do notice a similarity to this medrash (metaphor) and another. When G-d was drowning the Egyptians in the Red Sea, the angels desired to sing. G-d responded, "The works of My hands are drowning in

the sea, and you desire to sing?" Again, the angels sought to condemn the wicked and G-d came to their 'defense' in a manner. True, in Ishmael's case he was not yet wicked, but I sense the general parallel applies.

Following the credo that saying the least is safest, I would suggest this one idea to explain the apparent conflict between the angels and G-d: Nothing in 'creation' possesses absolute knowledge - and angels are created things. G-d lays exclusive claim to this knowledge. G-d alone possesses the ultimate truth about justice, and all areas. Even the angels - whatever they may be - have deficient knowledge. This is the concept that we can safely derive, making no assumptions.

Now, there are two roads to take when interpreting "angels"; 1) we may view them as intelligent beings, as we see instances where angels praise G-d with speech, "And they called to one another, and said, 'Holy, Holy, Holy, G-d of hosts, the entire earth is full with His honor'", or 2) we may view them as inanimate creation, as David says, "He makes the wind (nature) His angels, and His ministers, burning flames." (Isaiah 6:3, and Psalms 104:4 respectively)

Here, we must take the first approach that angels are meant to imply intelligences. Therefore we understand these two medrashim as follows: Even these angels cannot fathom G-d's knowledge, as we see they required correction on these two occasions - at the least. In Ishmael's case, the angels new the future and sought punishment even before it occurred. What is this theory of justice? It would appear that the angels held that although Ishmael's descendants had not yet committed a crime, the seeds of corruption were already realized in Ishmael - at this early point. For if even these seeds were not present, there would be no justice imaginable by the angels

demanding Ishmael die without sin. "Each man I his own sin shall die" cannot be violated. (Deut., 24:16) The angels would only desire punishment when a flaw is in reality already.

Perhaps, G-d foresaw the sentiment man would have, when reading of G-d saving Ishmael with the well. Years later, when Ishmael's descendants would kill the Jews with thirst, some subsequent generations would read of G-d's salvation of the murderers' forefather Ishmael. These Jews might be troubled with G-d's kindness to a progenitor of evil, and feel that G-d should have left Ishmael to die. As G-d was not killing Ishmael "with His hands", but only passively allowing thirst to take its course, some Jews might feel G-d is justified in His lack of producing water, which kills a known cause of evil. However, G-d's justice must be what we ascribe to, so G-d's Torah cites the words "as he is there", referring to why G-d saved Ishmael. "as he is there" means that "at that time", Ishmael had not sinned. The Rabbis then formulated this medrash to clarify this right philosophy. They interpreted G-d's words into a discussion between G-d and His angels.

At the Red Sea the angels desired to praise G-d for the destruction of the wicked. Now, although the Jews were correct in following Moses' Song of praise, this is because as humans, we function in a relative framework. It was indeed a good that the Egyptians did not attack us, and that they were destroyed...from our perspective. But G-d's rebuke of the angels is simultaneously proper, and not contradictory to our praises. G-d was telling the angels that in the ultimate reality, it is an evil that G-d's creations - the Egyptians - had not reached their potential as intelligent beings. They lost their chance to come close to G-d. This, G-d told the angels, cannot be responded to with song. ■

the MORALS *of* WAR

Reader: I am a college student and I was wondering if you could offer me any advice about a question a Christian friend of mine at school posed to me.

With the Palestinian/Israeli conflict receiving so much publicity we got into a discussion about whether a religion has a right to kill for what they believe in. We mentioned Jihad & the Crusades. I mentioned that Judaism doesn't have anything like that...and he asked me about the fact that we are allowed to kill idol worshipers etc....and that in the bible we killed the people living in Canaan if they didn't convert. So I was wondering, how are we different? Aside from proving that our religion is true and if we have the right, is there any difference?

Thanks, David

Mesora: The right to kill - and all morality - can only be decided based on one source: He who gave life and rights to man. Once one proves who gave life and rights, then he may consult with that 'Giver' to determine when life must be spared, when it must be sacrificed, and when to kill others. As the Torah alone stands as the only proven word of G-d, it alone determines when killing is necessary, and all other moral truths. Conversely, if one creates a religion or any code, there is no "absolute truth" in such man-made system. So the question of whether a man-made religion possesses rights is

inherently flawed.

To answer you, Judaism does have parameters as to when it is justified by G-d to kill another person or people. This knowledge will be gained by studying the cases in G-d's Torah; when He killed, or instructed Jews to kill. But in no case do we find the murder of innocent people condoned. For example, the prophet Samuel beheaded Agag for his evils. Many other murderers were killed for obvious reasons. But the good are to be protected from harm as displayed by Abraham's courageous rescue of lot, and certainly from death. It is a good to prevent the death of the righteous and the innocent. It is also a good to wipe out those who would destroy others, as seen in the Flood, in Sodom and at the Red Sea. But as all laws stem from G-d's wisdom, great study is required to fully understand and adhere to all His parameters. We must strive to learn who must be defended, who must be killed, and who must be offered a chance for repentance and perfection. It is not a simple matter, and when left to man's subjective morality, catastrophe ensues.

Society must be secure from evil for it to function properly - as a haven for Torah study and practice. This applies to both Jew and Gentile, as there is but one Torah system for both - although various laws apply to just the Gentile, just the servant, just the woman, just the Levite and just the Israelite. □



The prophet Samuel killing Agag by G-d's word