

When do we follow our minds, and when do we rely on the Rabbis?

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In this Issue:

PARSHA: BEHALOTECHA	1,5,6
TRUST IN THE RABBIS	1-4
NOAH AND EATING MEAT	4

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Weekly Parsha

Behalotecha

RABBI BERNARD FOX

“And Miryam and Aharon spoke about Moshe regarding the beautiful woman he had married – for he had married a beautiful woman.” (BeMidbar 12:1)

One of the most popular Torah topics is lashon hara – speaking negatively about another person. It seems that it is universally recognized that this behavior is prohibited by the Torah in the strongest terms. Yet, recognition of the fact that the

(continued on page 5)

Emunas Chachamim

Trust in the Rabbis

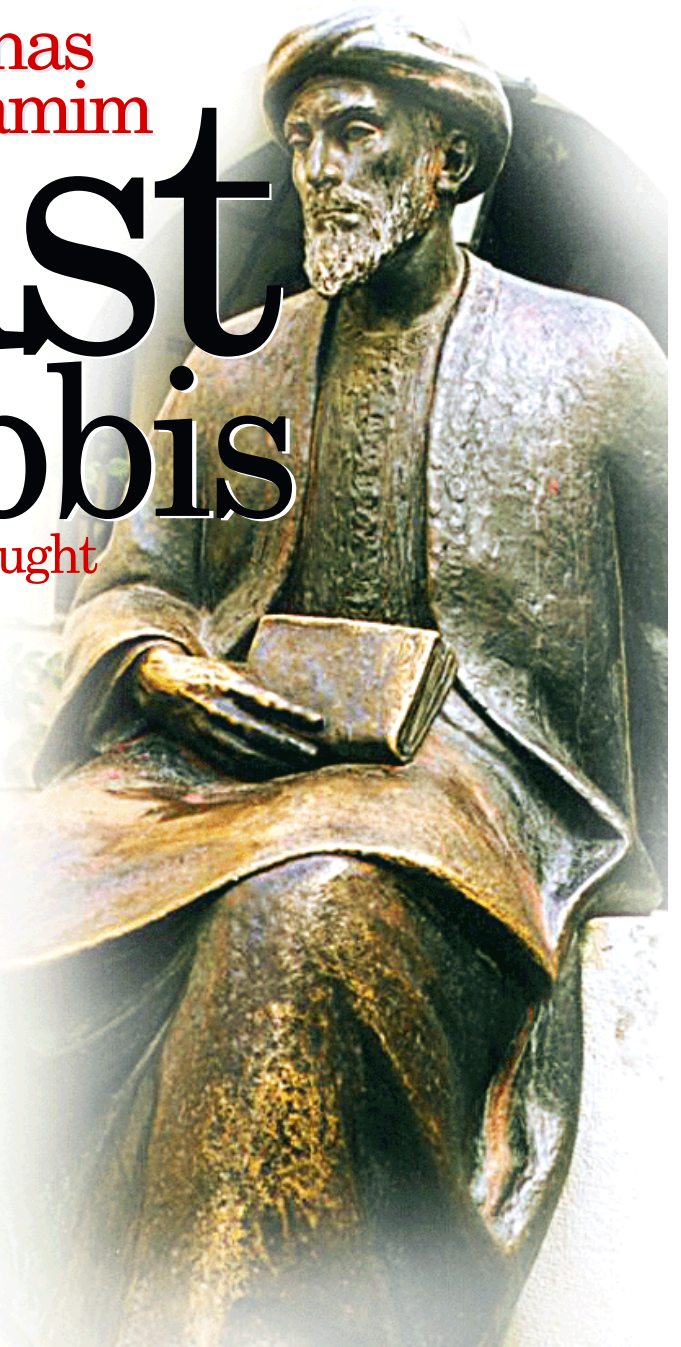
& Independent Thought

RABBI MOSHE BEN-CHAIM

Sarah: I’ve not yet read or heard everything on your web site, but I noticed something, which leads me to ask your staff’s philosophy on “emunas chachamim”, “trust in the wise Rabbis”. Would you be able to present a united front on this subject? I don’t have time now to go back to the site and find the exact article, but I will try to do it after Yom Tov. Since there is probably widespread misunderstanding of this subject, may I suggest that you reconcile the concept of emunas chachamim with the importance of informed, independent thinking. What is “emunas chachamim”, and how does one know that his/her idea or philosophy is a valid one, in line with the Mesora, the Torah’s Oral Traditions?

Respectfully, Sarah

(continued on next page)



(Trust cont. from page 1)

The Rabbis

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Moshe Ben-Chaim: Sarah, your question is an important one, and one that I am glad you brought up. It must be addressed. You write, "What is emunas chachamim – trust in the Sages – and how does one know that his/her idea or philosophy is a valid one, in line with the Mesora?" What you ask is this: "When may a Jew invoke 'emunas chachamim'?" My response is that emunas chachamim – trust in the wise Rabbis – varies in each case. There are but two categories in which a Jew makes decisions: 1) Jewish life, and 2) secular life. And within Jewish life, there are, A) Jewish law: "Halacha", B) Jewish beliefs: "Hashkafa", and C) Jewish thinking; methods of analysis crucial for arriving at true Torah thought. All three are essentially dependent on the Oral Transmission, the "Mesora".

Jewish Law

In Jewish law, when one has not fully studied an area, he is wise to rely on the Rabbis in the Shulchan Aruch for a decisive position on how to act. The Shulchan Aruch, compiled by Rabbi Yosef Caro, embodies the final legal positions derived from the Talmud, the source of all legal views. Using the same methods with which we prove Sinai, we also prove the Talmud's accuracy as reflecting God's words transmitted to Moses. Therefore, "Trust in the Sages" in the sense you use it, does not come into play here, as we have absolute proofs as to what is Oral and Written Law. "Faith" is unnecessary when we have proof.

Philosophy

But your question is truly asked in reference to philosophical views. In philosophy, the case is much different. First of all, there is no "psak" (legal ruling) when it comes to one's philosophy. This is because no one – not even a great Rabbi – can tell you what you actually "think". He can only tell you what to "do", and "doing" is limited to the first case, Jewish Law alone. But philosophy is about one's beliefs. Asa Rabbi once commented, "Either one believes something to be true, or he does not. No one can tell you that you believe something as truth, if you do not." Therefore, one cannot have "emunas chachamim", or "trust in the sages" in this area. Meaning, if I do not know if God is physical or not, and some Rabbi tells me to 'believe' him that God is not physical, my belief in that Rabbi's view does not reflect at all on my own convictions: I simply parroted him, and I might have well remained silent. For the act of parroting reflects nothing about my convictions.

I will illustrate the uselessness of parroting a Rabbi in philosophy. Let us say someone, we'll call Michael, encounters the disputes in philosophy between Ramban and Maimonides regarding the philosophy of sacrifice, or the World to Come. What does he do? How does Michael select a

position? Well, how did these great minds select their OWN positions? The fact that they disputed each other clearly teaches that they each held a theory. Otherwise, why didn't each one accept the other's view? Thus, we see from their examples, and even more so from reason, that a person is not to simply accept a view because someone great said it. But as these Rabbis exemplified, one must hold a view based on his own thinking. Only then is one truly acting in line with truth; only then is he supporting a position based on a conviction, and not faith, which is useless here. "Even if Joshua the son of Nun said it, I would not accept it." (Talmud Chulin 124a)

Now, our Michael is confronted with two great thinkers who are at opposite poles with each other. Either Ramban is right, or Maimonides is right, or they are both wrong...they cannot both be right simultaneously in this case. If Michael would say, "I believe Ramban", Michael has not achieved anything more with his empty utterance. He still does not "know" who is right. Michael's only option is to study both sides and arrive at a conclusion based on how his mind sees matters. Emunas chachamim plays no role here. Now, in matters more serious, that enter heresy for example, like God's nature being physical vs. non-physical, Michael must not avoid such a decision as he may regarding sacrifice, but he must think and prove to himself how impossible it is that God be physical. He cannot simply state, "God is not physical" if such a statement is meaningless to him. Even if he means to quote Maimonides, his statement is of no value, as he is not clear as to what he means. So we see, that emunas chachamim is of no relevance in selecting a position in philosophy.

But what of a case when Michael is "convinced" of something, and it opposes the tenets of Judaism, what does he do? What if he truly feels "convinced" that God is actually "located", that he is "in" the sky, but he then reads that all the Rabbis clearly said that God is not physical and takes up no space, or he reads King Solomon's divinely inspired words, "the heavens, and the heavens of heavens cannot hold You" (Kings I, 8:27) How does Michael proceed from here? Now, Michael must follow those with greater minds – now he must engage his emunas chachamim, trust in the Rabbis. Since all of the Rabbis maintained a unified view on Judaism's tenets, Michael must be the one in error.

Michael must trust in the transmission of the Torah, that God kept His promise that Torah would always be with us. (Isaiah, 59:20-21) He must rethink his position and see where he made an error.

Our emunas chachamim is in fact, a trust in God's very oath in Isaiah. With those words, we may feel absolutely secure in our knowledge that the Rabbis' unified position in Torah is in fact God's word. Man is subject to error, so perhaps this

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(Trust in the Rabbis continued from previous page)

explains why God made such an oath: to afford us this “absolute security” in what is Torah. We need to feel convinced that our Torah positions – in all generations – are accurately God’s words. Our emunas chachamim ends up as an “emunas Hashem.” That is, our trust in what the Rabbis have transmitted as Torah ends up to be a trust in God’s oath in Isaiah that “Torah will never be removed from your mouths, or the mouths of your seed, or the mouths of your seed’s seed for ever.” Here, we engage emunas chachamim.

Undecided

When Michael maintains an undecided view, or a wrong view, he must rethink matters and strive to arrive at conclusions in line with the unified views of the Rabbis. How do we know when we are in line with the Mesora? When we comply with the Rabbi’s unified views. On Judaism’s tenets, there is no dispute, so we are secure that we have the truth. Transmission, and then ultimately reason and proofs are what told the Rabbis what is true about God, and is also what teaches this to us. Nothing in Judaism violates reason; all is perfectly in line with it.

Therefore, emunas chachamim is not an “ends”, but a means by which we may realize that we require further investigation, until we too possess conviction in Judaism’s tenets, as did the Rabbis. And at that point where we arrive at 100% conviction, emunas chachamim is of no use any further: belief is then supplanted by proof. The very fact that the Rabbis argued on each other was due to their convictions, and absence of emunas chachamim in that area. Since they already came to their own convictions based on their own thinking (which is all any of us have) there was no place for “belief” in other chachamim, any further. Emunas chachamim is the first step, not the last, and is to steer us towards seeking convictions. We are not to remain with emunas chachamim, but our Torah study must ultimately eventuate in conviction.

Validity of Our Theories

Independence in thought is a human right. Rabbis and Talmudic students today arrive at theories not expressed by the great Sages, like Maimonides, Rashi, Baalei Tosafos, or Ibn Ezra. This is because no human being may possess all the answers, not even these great minds. The fact that Rashi wrote different ideas than Maimonides, teaches this very point. No human being ever pondered every idea that exists...this is impossible for the limited and frail human intellect to achieve. However, when we arrive at a new idea or theory on a given area, does this justify our own thoughts as truths? When we invariably think up new explanations in the Torah or in the Talmud that differs from the famous commentators, are these valid? Are we (Rabbis and Talmudists today included) justified to add to,

or even oppose Rashi’s explanation of a given Torah verse? The answer is yes...but, a highly “qualified” yes.

The saying goes, “There are 70 faces to the Torah”. Meaning, there is not one explanation to the words of God, and many ideas are available from a single verse, provided they all follow the text and make sense, legitimately explaining an issue. Provided we do not oppose Torah fundamentals, we are not only allowed, but we are also encouraged to study the Torah and seek our own ideas. Psalms 1:1,2 reads, “Happy is the man who walks not in the counsel of the wicked, and stands not in the path of sinners, and in the gathering of scorners he does not sit. But in God’s Torah is his desire, and in his Torah he is accustomed day and night.” We notice it first refers to “God’s Torah”, and then “his Torah”. This teaches that one makes his studies “his own” after much toil. (Rashi) Metsudas Dovid states that one should ponder the Torah at all times to bring forth new reasoning. Metsudas Dovid condones our creativity.

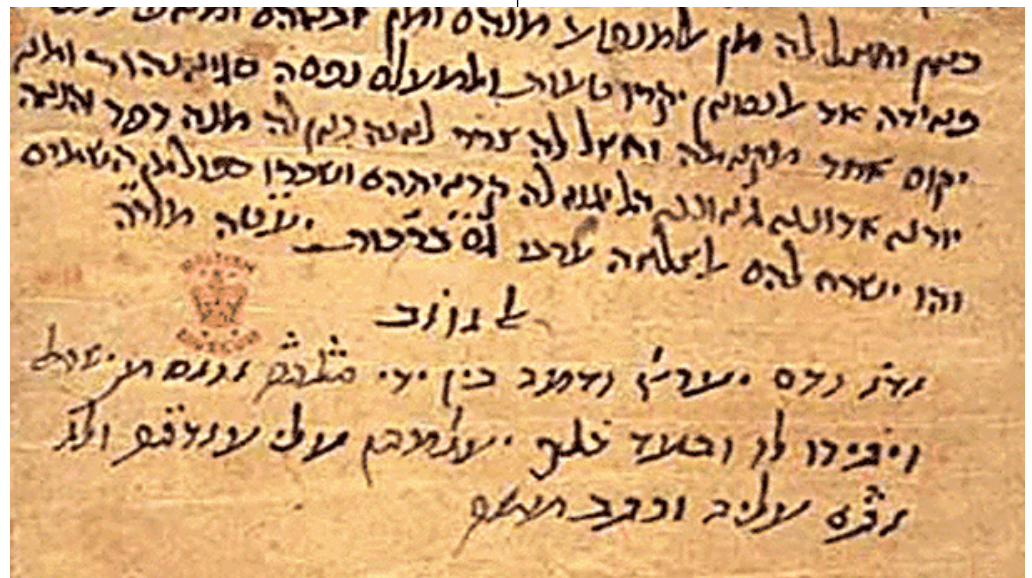
Case and point: Rashi’s idea here differs from that of Metsudas Dovid; this is because no man has all the answers. There are many ideas that we can derive. Sometimes explanations will offer additional insight as is the case here, and sometimes they will refute one another, as with the dispute over sacrifice and the World to Come between Maimonides and Ramban. But in all cases, the Rabbis commentaries will follow Torah fundamentals, and the precise method of analysis and interpretation. These great Rabbis received their method of understanding from their teachers, all the way back to Moses. Someone today cannot simply open a Torah and offer his own commentary without years upon years of tutelage under a teacher trained in the methods of Torah analysis, and fundamentals. This is an essential

point: the methods of understanding Torah – the Mesora – are, by very definition, a “transmitted” entity, including methods of thinking and factual truths. Without receiving this transmission, one is virtually lost as to what the Torah wishes to communicate. (Rabbi Reuven Mann)

So yes, we may arrive at new understandings, and this is what every commentator displays. It is not that they sought to “differ” with other commentators, but it is the natural course of reality that independent thought results in independent findings. In this area, we also engage in emunas chachamim, trusting they had the “correct” traditions, and if we oppose the unified ideals they expressed, then we are in error. Although here, we are involved in philosophy and theory, matters that we cannot be “obligated” to accept, we cannot deviate from fundamentals, and must trust that the Rabbis (supported by Isaiah) possessed these fundamentals. But in specific explanations, we may cautiously disagree with them. In these areas, we may indulge our own creativity and analysis, and this is the real joy of learning: to enter new areas and explore with our own paths of thought. We cannot “trust” what Maimonides says on a given area in Chumash for example, we have to study it and see for ourselves what it means to us. But we cannot oppose a unified explanation or an accepted transmission. Our new insights must conform to fundamentals and proper thinking, and they must be borne out of the very verses, not free-floating hypotheses.

We may read, and find Maimonides and Rashi differ, and then we must choose one or the other, as we cannot agree with two mutually exclusive views. Or, we may disagree with both, and arrive at our own understanding, just as they exemplified. It is only in Judaism’s Tenets, methods of analysis and in Halacha – Jewish law – that we may not

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(Trust in the Rabbis cont. from page 3)

The Rabbis

oppose. But we may suggest our own understanding for Torah verses and theories in Talmud, provided they do not oppose fundamentals, and also comply with the area in accord with Torah and Talmudic methods, and again, only after years of properly, guided study. These are very general rules, and it is mandatory that we subject our subjective ideas to a wise Torah scholar for scrutiny. Certainly, without years if not decades of training, one is fooling themselves if they feel they may simply read the Torah and doffer their own commentary. Wisdom is earned through toil, as Rashi stated, not imagined. But we must also realize the level of a Maimonides and be alarmed and alerted towards introspection if we find ourselves disagreeing with his philosophy. What basis do we have to disagree, unless we have

mastered all that he has considered before speaking? King Solomon's words are fitly heeded on this, "Do not be excited on your mouth, and (on) your heart do not hurry to bring forth a matter before God, because God is in heaven, and you are on Earth, therefore let your words be few." (Proverbs, 5:1)

Daily Life

One may also rely on emunas chachamim when it comes to other decisions. As Rabbis are well trained in analytical thought, they are best to rely on when we are faced with life's decisions. Although they may not be as well versed in investing, medicine, architecture, etc. as are others, one may convey facts to them, and with their keen understanding and analytical skills, they may provide solutions at which we may not have arrived. Although a Talmudic mind is incomparable, we don't have to follow their words, other than in Jewish Law, but we are wise to heed them. We may then compare their counsel to that of others better trained, and then ultimately decide for ourselves what we see as the best course of action. All things being equal, emunas chachamim would be advised. Certainly when their advice makes sense to our minds, we should follow them.

"Her ways (the Torah's ways) are pleasant ways, and all her paths are peaceful." (Proverbs, 3:17) This means that Torah is completely pleasant to our minds: Judaism follows reason, not belief, and is synonymous with truth, with reality. Our objective as Jews is to arrive at truth using reason. Thus, emunas chachamim – trust in the wise Rabbis – is a means by which we may eventually arrive at truth, as they possess the analytical skills and the Transmitted Torah to guide us there. Ultimately we are to agree to truths not based on faith of the Rabbis, but on our own, clear convictions, as they exemplified. □

Letters



Noah & Eating Meat

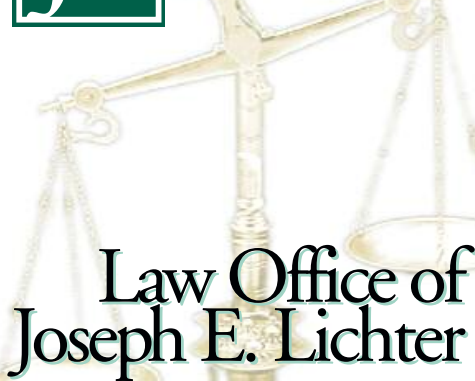
Reader: Many of us learned in the past that before Noah's time, eating animals were completely forbidden. But once Noah saved all the animals, Hashem gave him permission to eat any animal he wanted. My question is as follows: where's the direct cause and effect relationship between saving ones life and being able to eat that life later on? If I saved your life from drowning, would I be allowed to Chas VeShalom eat your flesh? Does that really make sense? I'm NOT a vegetarian, but I would like to understand this entire case a little better. Any suggestive answers would be helpful.

Mesora: One error is assuming that Noah saved the animals. He did not, God did. More primary, is your assumption that the salvation of animal life and Noah's subsequent permission to eat flesh is related; these may not be related at all, although the latter follows the former on its seeming coattails. Proximity in time does not indicate a real relationship.

A Rabbi once explained that according to the Medrash, man used to walk across the Earth in a few steps, uprooting cedars, and beasts were to him as fleas. The Torah itself conveys that man used to live to 1000. In other words, he was formerly of great stature. This undoubtedly caused his self-aggrandizement, allowing him to rape, steal and violate other people's rights; the reason for the Flood. God's response was a destruction of that helpless generation, and a sharp decrease in man's years and stature. Thus, he now required flesh to compensate for his physical deterioration. Meat – a nutrient – was not permitted due to the salvation of animals, but due to God's decrease in man's original physical perfection. □



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(Behalotecha continued from page 1)

behavior is unequivocally prohibited seems to have little impact on the prevalence of the behavior. This suggests that we may need some guidance in dealing with the urge to speak and participate in lashon hara. In this week's Thoughts we will discuss the nature of the prohibition against lashon hara and hopefully this discussion will provide a useful insight in dealing with this behavior.

The above pasuk tells us that Miryam and Aharon spoke about their brother Moshe. The Torah does not provide many details regarding the specific conversation that took place between Moshe and Aharon. But our Sages provide some details. They explain that Miryam initiated the conversation. Aharon participated by listening. Miryam told Aharon that she understood from Moshe's wife – Tziporah – that Moshe was not longer intimate with her.[1] Miryam and Aharon found this astounding. They too were prophets. Yet, they had not abandoned intimacy with their spouses.[2] By engaging in this conversation, Miryam and Aharon violated the prohibition of lashon hara – speaking in a derogatory manner about another person.

The Torah explains that as a result of this sin, Miryam was stricken with tzara'at. Tzara'at is a skin disease described in Sefer VaYikra. From the account in Sefer VaYikra it is apparent that tzara'at is a punishment. However, it is not clear from that account what sin precipitates this punishment. Based on this incident in our parasha, it is clear that lashon hara is one of the sins that result in tzara'at.

The connection between tzara'at and lashon hara is also indicated by another set of passages. In Sefer Devarim (Devarim 24:8-9) the Torah tells us to carefully follow the directions of the Kohen in the diagnosis and treatment of tzara'at. Then the Torah admonishes us to remember the incident of Miryam.[3] According to our Sages, the message is that to avoid tzara'at we must refrain from the behavior of Miryam. In other words, one must avoid lashon hara.[4]

All behaviors that are prohibited or required by the Torah are included in one of the 613 mitzvot. What mitzvah prohibits speaking lashon hara? In order to answer this question, we must first define our terms.

Maimonides in his code of Halacha – the Mishne Torah – in Hilchot Dey'ot explains that lashon hara is one type of prohibited speech. It is not the only form or speech about others that is prohibited. There are three types of speech that are prohibited. The first is rechilut. This is gossip. It need not be negative. It is merely the act of discussing someone's affairs with a third party. Lashon hara is a special case of rechilut. It is negative gossip – speaking in a disparaging manner about someone. However, there is one interesting qualification that must be met. Lashon hara involves imparting disparaging information that is true. Lashon hara

does not include making up outright lies. Spreading disparaging, false rumors is motzi shem ra. In short, gossip is rechilut; lashon hara is speaking about someone in a disparaging manner – albeit that the statement is true. Spreading false, disparaging rumors is motzi shem ra.[5]

We can now identify the mitzvah violated by lashon hara. According to Maimonides no mitzvah specifically prohibits lashon hara. Instead, the Torah prohibits rechilut and this includes the special case of lashon hara.

Nachmanides disagrees with Maimonides. He insists that there is a specific mitzvah prohibiting lashon hara. It is derived from our parasha and the Torah's latter admonition – in Sefer Devarim – to guard ourselves from tzara'at and to remember this experience of Miryam.

Nachmanides argues that our Sages regarded lashon hara as a serious sin. They went so far as to compare lashon hara to the spilling of blood.[6] It is incomprehensible that there is no specific command prohibiting the behavior! He adds that the Torah prescribes a very serious punishment to lashon hara – tzara'at. We would expect that this serious consequence would be in response to the violation of a specific commandment. Based on these considerations, Nachmanides argues that lashon hara is prohibited by a specific commandment. It is either a negative commandment communicated in the admonition to avoid tzara'at or a positive command contained in the admonition to remember the experience of Miryam.[7]

In summary, Maimonides and Nachmanides agree that lashon hara is prohibited. However, according to Maimonides, it is included in the general mitzvah prohibiting gossip. Nachmanides insists that there is a separate mitzvah that specifically prohibits lashon hara.

Let us take a moment to understand the basis of this argument. Each position seems to have its merit. It seems that Nachmanides' argument is rather compelling. Lashon hara is a serious sin. Does it not make sense that it deserves its own mitzvah? How might Maimonides respond to this issue? However Maimonides' position is also reasonable. Maimonides maintains that lashon hara is a form of gossip and is included in the general prohibition against gossip. What is so objectionable to including the prohibition against lashon hara in the more general mitzvah prohibiting rechilut?

It is clear that the Nachmanides' basic premise is that lashon hara must be assessed in view of the damage and hurt that it causes. Our Sages compare the lashon hara to the spilling of blood. Clearly, they are evaluating lashon hara from the perspective of the damage it causes. From this perspective it does not make sense to compare lashon hara to innocent gossip. Gossip is



inappropriate. But from the perspective of damage it is a very different activity than lashon hara. Unlike gossip, lashon hara is an explicit attack against a person's reputation. It is not appropriate to include the damaging behavior of lashon hara in the general mitzvah prohibiting senseless gossip. Therefore, Nachmanides argues that lashon hara deserves its own mitzvah and should not be included in the general prohibition against rechilut.

So, why does Maimonides include lashon hara within the mitzvah prohibiting rechilut? It is important to note that Maimonides includes the laws of rechilut in the Hilchot Dayot section of the Mishne Torah. What is the subject matter of Hilchot Dayot? In this section of the Mishne Torah, Maimonides outlines the perimeters of general emotional and physical health. The inclusion of the mitzvah prohibiting rechilut in this section implies that engaging in gossip represents a personally destructive behavior. The person that engages in gossip is undermining his or her own emotional well being. From this perspective it is appropriate to include lashon hara within the mitzvah prohibiting all forms of gossip. All of

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(Behalotecha continued from page 5)



these forms of gossip cause harm to one's own emotional well being.

We can now understand the dispute between Nachmanides and Maimonides. According to Nachmanides, the essential aspect of lashon hara is the harm caused to others. Therefore, lashon hara cannot be included in the general mitzvah prohibiting gossip. Maimonides maintains that essential component of lashon hara is the harm caused to oneself. From this perspective it is appropriate to include lashon hara in the general mitzvah prohibiting rechilut.

However, it must be noted that Maimonides does acknowledge that lashon hara is a special case of rechilut. This acknowledgement implies that the harm caused by lashon hara to one's personal well being is somewhat different from the harm associated with general rechilut. However, it is not clear from Maimonides' comments exactly wherein the difference lies.

If we pursue this issue we may discover that Maimonides' position provides an essential insight into the behavior of lashon hara. We notice that despite the widespread desire to curtail our engagement in lashon hara, this determination does not easily translate into an actual change in behavior. Why is this behavior so difficult to modify and correct? Part of the answer may lie in the traditional method used to address the problem. We notice that the most common method for addressing the problem of lashon hara is to read more about the gravity of the sin. Books about lashon hara are Judaic best sellers. But it seems that in the long-run learning more about the specific laws of lashon hara and the gravity of the sin has limited impact on the behavior.

In fact this outcome is not surprising. If a person wants to change ones eating habits does one seriously think that reading diet books will foster this change? One who wishes to be less of a couch potato will probably not meet this challenge simply by reading about exercise. This reading may provide temporary inspiration. But in the long run this approach does not usually lead to permanent

results.

Instead one must identify and address the root source of the behavior. In the case of eating one must discover why one overeats. What is the attraction? What function is food serving in the person's life?

It makes sense that the same is required to effectively approach to problem of lashon hara. What causes us to engage in this behavior? Our Sages provide an amazing insight into this issue. They tell us the when we depreciate others we are really reflecting upon our own inadequacies.[8] In other words, we speak about others in order to deflect our attention – or the attention of others – from our own insecurities, failing and faults.

Let us consider this assertion more closely. We can all acknowledge that one of the greatest challenges we face in achieving personal growth is the need to critically evaluate our own attitudes and behaviors. The more deep-set and behavior or attitude, the more difficult it is to recognize and acknowledge. But this does not mean that we are not in some sense aware or our personal faults. We are frustrated with these imperfections and yet, we are unwilling to completely acknowledge them and confront them. How do we deal with this frustration? Our Sages are suggesting that we self-medicate. We escape our frustration by transferring our attention to the shortcoming of others. Rather than focus on ourselves, we change the focus of our attention to the other person. We evaluate that person and dissect the person's behaviors and attitudes with the precision that we should direct towards the more painful and difficult task of introspection.

This is the reason the Maimonides regards rechilut as a behavior that undermines our own personal health. We are diverting our attention from ourselves and attaching it to another person. Lashon hara is an extreme manifestation of this mechanism. Gossip is a simple diversion. In speaking lashon hara we are actually aware – at some level – of a personal deficiency. But rather than acknowledging our personal shortcoming, we

focus our attention on this failing as manifested in someone else. In this manner, we actually engage in denial of our own faults.

This insight of our Sages suggests an approach to dealing with the urge to speak and participate in lashon hara and rechilut. The urge is apparently, motivated by the presence of an awareness of some personal failing. But this awareness is evokes an unhealthy response. We transfer our focus from ourselves to the other person. If this is correct, then each time we feel the urge to participate in lashon hara or rechilut, we need to respond with a question. What is bothering me about myself? What and I trying to avoid considering? Rather than allowing our attention to be diverted, we need to sharpen our focus on ourselves and allow for a moment of introspection.

This is not an easy solution to apply. But it seems to respond to the fundamental motivations behind lashon hara and rechilut. Perhaps, if we keep our Sages insight in mind, we will be better able to overcome the urge to participate in lashon hara and rechilut. □

[1] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer BeMidbar 12:1.

[2] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer BeMidbar 12:2.

[3] Sefer Devarim 24:8-9.

[4] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 24:9.

[5] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Dey'ot 7:1-2.

[6] Mesechet Erechim 15b.

[7] Rabbaynu Moshe ben Nachman (Ramban / Nachmanides), Commentary on Sefer Devarim 24:9.

[8] Mesechet Kedushin 70b.

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