

Do you follow blindly

or seek understanding?

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JewishTimes

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

Volume IX, No. 28...July 23, 2010

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Weekly Parsha

Vaetchanan

RABBI BERNIE FOX

The Torah's system of justice indicates its Divine source

For what nation is so great that it possesses righteous laws and statutes, as this Torah that I have given before you today. (Devarim 4:8)

(continued on next page)

After the 3 Weeks

Tisha B'Av

Zecher L'Churban

RABBI DR. DARREL GINSBERG

The recitation of Eicha and the kinos inspire deep thinking and evoke powerful emotions; these thoughts and subsequent sentiments are particularly appropriate for the experience of Tisha B'Av. But, regardless of how powerful this experience is, once the day passes, we tend to be relieved and return to our daily routine, and of course meals, leaving all thoughts of that cataclysmic destruction behind. And yet, the importance of remembering the churban (the Temple's destruction) is actually supposed to be a constant part of our lives. Chazal recognized how important this concept was, and instituted a number of practices that would ensure that the reality of the churban was and is ever-present. The evolution of how this would be accomplished, as recorded in the Talmud, is quite fascinating.

The Talmud (Bava Basra 60b) offers an interesting debate based on a custom that emerged after the destruction of the second Bais Hamikdash:

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Fundamentals

WHAT YOU MUST KNOW

RABBI MOSHE BEN-CHAIM

Deuteronomy is Moses farewell address, exhorting the nation in the Torah's fundamentals. Our parsha contains the second account of the Ten Commandments. Prior to repeating them to the nation, Moses emphatically asks the nation if God ever spoke to a people from amidst fire, or performed miracles, selecting one nation from another as He performed in Egypt. Moses means to say that God benefited Israel in two manners: 1) He demonstrated that He has a will for mankind – His Torah communicated through fire; and 2) He demonstrated that He protects those who follow Him, as

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**Belief is insufficient:
knowledge is what Torah
demands – from Moses
through our great sages.**

(Vaetchanan cont. from pg. 1)

Weekly Parsha

JewishTimes

Weekly Journal on Jewish Thought



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Rabbaynu Ovadia Sforno explains that careful analysis of the Torah's statutes and laws provide evidence of their Divine source. A system of law devised by humans will inevitably benefit some groups and neglect the needs and interests of others. Even if the person or group that developed the system set as a goal the formulation of equitable and just laws, it would be impossible to remove the influence of personal bias. It is not surprising that a human created legal system may favor the wealthy or the ruling class. Another system may neglect the needs of certain minorities or create an underclass. Furthermore, even if it were possible for the framers to eliminate all person bias, a society is made of many elements; it is not realistic to expect these lawmakers to understand and appreciate everyone's needs.[1]

The Torah is unique in this regard. No group's interests are treated above all others. For example, the kohanim have special privileges. They receive material support and respect from the people. However, they also are governed by unique restrictions. They do not receive a portion in the Land of Israel. Instead, they are required to devote themselves to the service of Hashem. This obligation precludes involving themselves in extensive agricultural endeavors. The laws regarding the king reflect this same phenomenon. The king has tremendous authority. Yet he is not above the law. He reminded of his obligation to observe and enforce the Torah through a special command. Upon becoming ruler, he must write a Sefer Torah. He is restricted in his ability to make decisions. In many areas, he is required to consult the prophet, Kohen Gadol or Sages. The Navi is replete with examples of prophets rebuking the king for overstepping his authority or laxity in observance. The first King, Shaul, was dismissed because he failed to follow the prophet Shemuel's instructions.

The same analysis can be applied to every class or group governed by Torah laws and statutes. Rights and privileges are always accompanied by responsibilities, limits, and restrictions. A master's treatment of his servant is strictly regulated in order to assure the material and spiritual welfare of the servant. The courts have vast authority but are severely restricted in their legislative prerogatives. For example, the courts are not permitted to create an original and fundamentally novel law that is not closely related to one of the six hundred thirteen commandments of the Torah.

Sforno observes that this remarkable characteristic of the Torah reflects its Divine source. It would not be possible for a human-created system to achieve this level of equity and justice. Any human-

designed system will bear the imprint of its creator in some suggestion of bias or ignorance reflective of its creator's prejudices and limited knowledge. It is this characteristic – optimal equity and justice – to which Moshe refers in this passage.

For now inquire of the first days that preceded you – from the day that Hashem created Adam upon the earth, from one end of the heavens to the other. Has any great thing like this occurred or has anything like it been heard? (Devarim 4:32)

This portion of our parasha is read during the morning service on Tisha B'Av. Moshe foretells Bnai Yisrael's future. He tells Bnai Yisrael that they will settle the Land of Israel. The nation will become complacent. The people will begin to take for granted the blessings bestowed upon them by Hashem. Eventually, the nation will sin and adopt idolatrous practices. Hashem will punish Bnai Yisrael. They will be exiled from the Land of Israel. In exile, they will be persecuted and oppressed. The nation's population will dwindle. However, Hashem will not forsake the Jewish nation.



Although He punishes evil, He is a merciful G-d. He will remember the covenant that He made with the Avot – the forefathers. Eventually, Bnai Yisrael will return to Hashem. The people will be redeemed. They will be restored to the Land of Israel.

Then, Moshe tells Bnai Yisrael to consider the history of humanity. He observes that no other nation has shared the experiences of Bnai Yisrael. Bnai Yisrael experienced Divine revelation at Sinai. They communed with Hashem. No other nation was redeemed from bondage through wonders and miracles – an unequaled display of Hashem's omnipotence. Moshe ends this address by telling Bnai Yisrael that they are uniquely prepared to realize that Hashem is the only G-d. He has no equal.

In summary, Moshe's address includes three elements:

- He begins with two predictions. Bnai Yisrael will sin and be exiled. Moshe then tells the people that because of Hashem's covenant with the Avot, they will repent and be redeemed.
- Moshe instructs the nation to survey the history of humanity and recognize the special relationship between Hashem and Bnai Yisrael.
- Moshe reminds Bnai Yisrael that they are uniquely equipped to appreciate Hashem.

In reviewing this address, an obvious question emerges. How are the components of the address related? One component seems especially difficult to explain. Moshe instructs the people to review the

(continued on next page)

history of humanity. Apparently, this review is designed to confirm some aspect of Moshe's message. What element of Moshe's lesson is reinforced by this survey of history? What lesson are the people to learn from history? The commentaries offer various answers to this question. We will consider some of these answers.

Some of the commentaries contend that Moshe's admonition to study history is related to his predictions. He is suggesting that the credibility of his prophecy regarding the nation's future is supported by historical fact. However, in order to understand Moshe's contention, further analysis is needed. Moshe made two predictions. He predicted exile and subsequent, eventual redemption. Does history reflect on both of these predictions or on only one of them? If history is relevant to only one prediction, then which prediction is supported through history?

Nachmanides suggests that Moshe's instruction to review history is related to his first prediction. Moshe predicts that the nation will sin, and as a result, be exiled. This is an astounding prediction. Moshe is positing the existence of a firm, causal relationship between the religious devotion of Bnai Yisrael, and the national well being. This phenomenon is not commonly observable in history. Nations arise to power and fall into the abyss of obscurity. The process is influenced by some Divine calculation and design. Yet, there does not seem to be a concrete causal relationship between a nation's religious conduct and its historical fate. Why is Bnai Yisrael different? Moshe responds that no other nation experienced Divine revelation. No other people were miraculously redeemed from oppression through an overt display of Hashem's omnipotence. Bnai Yisrael is a unique phenomenon in history. Therefore, Hashem treats it differently.[2]

Chizkuni explains this concept in more specific terms. He explains that Hashem revealed Himself to Bnai Yisrael through redemption from Egypt and the Sinai experience. Therefore, He expects more from Bnai Yisrael. The nation's religious convictions are based on clearly established facts known through personal experience. The nation's knowledge of Hashem demands a higher standard of conduct and justifies a more strict measure of judgment. Hashem will not overlook the iniquities of the Jewish people.[3]

In short, according to Nachmanides and Chizkuni, Moshe predicts that sin will be punished by exile. He then instructs the nation to study history. This study provides the reason for Hashem's strict treatment of Bnai Yisrael.

Rabbaynu Avadia Sforno adopts a similar approach to explaining the components of Moshe's

address. According to Sforno, Moshe's directive to consider the lessons of history is related to Moshe's second prediction. This prediction is that Bnai Yisrael will eventually be redeemed from exile. Essentially, this prophecy posits that Hashem will never forsake His relationship with Bnai Yisrael. The covenant with the Avot is permanent. The experiences of Bnai Yisrael confirm the significance of this covenant. Because of this covenant, Hashem redeemed Bnai Yisrael from Egypt. He revealed Himself at Sinai. No other nation experienced such a relationship with Hashem. Through remembering these experiences, Bnai Yisrael is assured of the permanence of their relationship with Hashem. In the depths of exile and oppression, the people can confidently anticipate eventual redemption.[4]

Siach Yitzchak adopts a slightly different approach to explaining Moshe's address. He agrees that Moshe's admonition to consider history is related to his predictions. However, Nachmanides, Chizkuni, and Sforno maintain that history confirms or elucidates Moshe's predictions. Siach Yitzchak contends that Moshe did not intend to support his predictions through history. Instead, Moshe's intention was to address a dilemma that would confront Bnai Yisrael during the predicted exile.

Bnai Yisrael will experience a protracted period of exile and oppression. During this period of suffering, the people must not give up hope. They must remain confident of their eventual redemption. However, the redemption that Moshe predicts is a singular, unique event. Moshe contends that a dispossessed nation, after a period of oppression extending over an indefinite period, will eventually be rescued from mighty enemies. The nation will be restored to its land and greatness. Such an event does not have extensive historical precedent. Moshe's prediction describes a miracle – a unique and singular historical event. Most historical events are not unique. Instead, history consistently repeats itself. Nations rise and fall according to a pattern that is constant.

In short, a nation in the depth of exile and oppression must affirm that the patterns of history can be contravened by an unprecedented event. Moshe tells Bnai Yisrael that, paradoxically, history itself confirms that singular, unique events are possible and do occur. Prior to Bnai Yisrael's redemption from Egypt, no other nation had been rescued from oppression through a manifest expression of Hashem's omnipotence. Before revelation at Sinai, no nation experienced direct communion with G-d. These events were unprecedented and inconsistent with the pattern of history. These events prove that singular, unique events do occur.

Recalling these events will help Bnai Yisrael to overcome the inevitable temptation to respond to prolonged oppression with despondency and hopelessness. Through recalling these events, Bnai Yisrael will remain convinced of the plausibility of redemption.[5]

Maimonides discusses Moshe's address in his *Eggeret Taiman*. He seems to take a different approach to explaining Moshe's instruction to consider history. The commentators previously discussed contended that Moshe directed Bnai Yisrael's attention to history in order to support some aspect of his predictions. Maimonides contends that Moshe instructed Bnai Yisrael to consider history in relation to the last component of his address. In this last component, Moshe tells Bnai Yisrael that they are uniquely prepared to appreciate Hashem. In order to understand Maimonides' explanation of Moshe's address, we must begin with a new question. How is this last statement related to the rest of Moshe's address?

Maimonides observes that exile and suffering are naturally difficult to accept. People experiencing persecution will ask, "Where is Hashem?" Personal suffering can lead to a crisis of faith. The afflicted victim feels abandoned and questions the existence of G-d or His involvement in the affairs of humanity. How can a just G-d allow such suffering? Moshe prophesied that Bnai Yisrael would experience exile and oppression. How was the nation to remain committed to Hashem and Torah? Moshe responded that Bnai Yisrael is uniquely equipped to face this challenge. He explains that no other nation witnessed Hashem's omnipotence. No other nation received a revealed Torah directly from Hashem. Why did Hashem expose Bnai Yisrael to these unprecedented experiences? These experiences were designed to create the basis for a firm conviction in Hashem and His Torah. Only on the basis of this conviction can the nation remain committed to Hashem and observance of His Torah even in the darkest times.[6] ■

[1] Rabbaynu Ovadia Sforno, Commentary on Sefer Devarim 4:8.

[2] Rabbaynu Moshe ben Nachman (Ramban/Nachmanides), Commentary on Sefer Devarim 4:32.

[3] Rabbaynu Chizkiya ben Manoach (Chizkuni), Commentary on Sefer Devarim 4:32.

[4] Rabbaynu Ovadia Sforno, Commentary on Sefer Devarim 4:32.

[5] Rav Yitzchak Meltzer, Siach Yitzchak, Commentary on Siddur Eshai Yisrael, p 89.

[6] Rabbaynu Moshe ben Maimon (Rambam/Maimonides) *Eggeret Taiman*, Chap. 1.

evidenced in the miracles of the Exodus. In other words, the Torah lifestyle is a reality, as it is God's will. It is the purpose of our having been created. But it is also beneficial; to such an extreme that God shields those who follow Him, providing great wonders for our good. Moses emphasized what great good God had bestowed upon this nation.

Moses then says this, "You have been shown to know that Hashem is God, there is no other aside from Him." Shown to "know"...not believe.

The Ten Commandments' first law, and Maimonides' first Principle states that we must "know" that God exists. This demands that man intellectually grasps what we mean by God. It is also not a matter subject to belief, as Moses teaches, "You have been shown to know". God demonstrated His existence, and did so in a manner that allows us to "know" and not merely believe. But is belief beneficial, if we have not yet arrived at knowledge?

Belief is Meaningless

Let us assume a friend tells us that inside a closed box, there rests an item called "X". Now, as I do not know what X is, does my agreement with him that X is inside, have any meaning? Is it of any worth at all, if I "agree"?

Well, what do I mean that I "agree"? It cannot mean that I have ascertained proof, since the box is closed, and I have not witnessed what this X is. I can "trust" my friend isn't lying, but that trust offers me no knowledge whatsoever. I am still blind to what X is, regardless of my verbal statements.

Similarly, if my Rabbi were to tell me any idea, an idea that I have no way of proving, I am again no more informed if I say "I agree with you, since you are my Rabbi". In halacha, yes: we must follow our Rabbis, as this is concerning how we "act", not how we think. But in philosophy, an area not subject to a psak or ruling, if even our Rabbi tells us an idea that we do not comprehend, my saying "I agree with you" is a meaningless statement. I cannot "agree" with that which my mind does not grasp. So if someone says any idea about God, an idea I do not see clearly as true with my mind, any agreement or belief is worthless. Furthermore, I have not performed any mitzvah with my agreement, my agreement is also a lie, as I have not increased my knowledge; nor have I become any more devout to God. The converse is true: I have rejected reason and allowed myself to be fooled that I know something, which I do not. Torah is about truth. To say I agree with that, which I do not understand, is a lie.

The truth is; you, the reader, know the difference between knowledge and belief. You "know" who your parents are. But you only "believe" your neighbor is wearing a blue shirt right now. You would not be any more informed by saying you agree that he's wearing a blue shirt. You don't know this is true and real. So your agreement is meaningless. Belief is meaningless. You must also feel it is equally meaningless to agree with any person, if you don't see the idea as true with your mind.

You even possess knowledge – and not belief – of historical events, as you know that George Washington was the first president. Had this been a lie, it would not be the singular account found in history books, unopposed by the "real" story. There would – at least – be two stories circulating. But there isn't. This explains how God can say that His Revelation at Sinai would be a proof for "all time": "Behold I come to you in thick cloud, so that the nation hear when I speak with you, and also in you will they be convinced forever". (Exod. 19:9)

Moses was following God; just as God wished that man have a proof, Moses too reminded the people of what they saw, "You have been shown to know".

Proof

Moses goes so far as to demand that we not only listen to an idea, but we consider it until it becomes a conviction in our hearts: "And you shall know today, and place upon your hearts..." The Rabbis teach that this verse teaches two steps: 1) we know something by way of transmission from our Torah and Rabbis; and 2) that we place it on our hearts, meaning that we use reason to prove the matter to our minds. Rabbi Bachhya ben Joseph ibn Paquda (Duties of the Heart) teaches that if we fail to use reason to prove something to our minds, and simply rely on the authority of the Rabbis, we commit a sin to our Creator:

"Without knowledge of the fundamentals and foundations, and without practicing them, one simply cannot fulfill the commandments".[1]

"It is forbidden for one affirming Torah as true, to remain without knowledge, for the Torah warns on this, as it is written, 'And you shall know today and place upon your hearts...' "[2]

"Whomever has the intellectual capacity to very what he receives from tradition, and yet is prevented from doing so by his own laziness or because he takes lightly God's commands and Torah, he will be punished for this and held accountable for negligence." [3]

"If however, you possess intelligence and insight, and through these faculties your are capable of verifying the fundamentals of the religion and the foundations of the commandments which you have received from the sages in the name of the prophets, then it is your duty to use these faculties until you understand the subject so that you are certain of it – both by tradition and force of reasoning. If you disregard and neglect this duty, you fall short in the fulfillment of what you owe your Creator". [4]

Torah has no room for doubt, as God gifted us all with the ability to ascertain proof. Maimonides teaches[5] concerning someone who errs in any of the 13 Principles, that he/she is not entitled to Olam Haba:

"And when one stumbles in a principle of these Principles, he is excluded from Klal Yisrael, he denies the essence [kofer b'ikkur], he is considered a heretic and an apikores, and it is a mitzvah to hate and destroy him".

This harsh statement must waken us all to the severity of these principles and the urgency of our immediate study and intelligent grasp of all 13 Principles.

God of Heaven and Earth

Now, who is our God? Moses makes it clear, "For God is Governor [Elohim] in heaven above, and on the land below, there is no other". Moses means to teach that in all of creation, nothing exists that controls the universe. This must be so, since in all of creation, all is "created" and by definition, not the Creator! God alone created and runs the world...both realms, heaven and Earth.

This is so clear, that it boggles then mind when we find Jewish leaders and Rabbis, suggesting the heretical: they say "God fills up all space", "God is everywhere", and "a piece of God is in every man". This violates the exact warning Maimonides gave, calling these people heretics with no world to come. Sadly, "Rabbis" teach this heresy, as does the Tanya. Yet, people are led to accept what is in print or repeated by those with Rabbinic titles and famous reputations. They fail at Moses' teaching, to see truth. However, the truth is what God says through His prophets:

"And (God is) not like one man that may be divided into many individual parts' and also, 'the Chachamim (wise men) denied God as being composite or subject to division', and, 'the prophet said (Isaiah, 40:25), 'To what shall your

(continued on next page)

(KNOW continued from page 4)

Fundamentals

equate Me that I should be similar, says God?" (Principle III)"

As God is dissimilar to anything in creation, God cannot occupy space; God cannot be divided where "parts" of Him are inside humans. Absurd. Moses does not mean God is "in" heaven or "on" Earth. He means that God's "control" is exclusive over both realms.

"There is No Other"

This must be clear. We do not accept any intelligent being aside from God. This means we must reject notions of idolatry, superstition, omens, forces, amulets, mysticism, and all suggestions that there are "controlling" or "ruling" forces, other than God. We must equally reject the practice of seeking protection and success by asking blessings from Rabbis. Why? Because Maimonides includes Reward and Punishment as one of these principles, which is throughout Torah. No Jew ever asked Moses for a blessing. They understood they can pray directly to God, and that Moses too, was a mortal, unable to do anything other than God's commands.

God rewards the righteous and punishes the wicked, regardless of Rabbis' blessings, which have no affect. This is a righteous and just system, not one where a wicked person gains success through a Rabbi. Jacob told this to his wife, "Am I in God's place?" Jacob was angry with Rachel for seeking him, instead of God.

The Silence

Yet, despite the severity of Moses' teachings and Maimonides terrifying threats...few Jews take seriously these fundamentals. How many Jewish organizations, teachers and Rabbis insist these fundamentals be taught in every medium, until others possess this knowledge, and not belief, and no longer stumble? I also wonder why very few Rabbis fail to oppose heretical teachings that still go unchallenged within orthodox groups? If leaders fear man more than God, and desire positions instead of truth, we are in a sorrowful time. This appears the case, clearly marked by the absence of the Temple, "Any generation in which the Temple is not rebuilt, is considered as if it was destroyed in its time"[6]. That means we need much repair. And education of Torah fundamentals must be where we start.

We all must take a lesson from Moses. He did not fear admonishing the Jews. He possessed genuine concern for the notions each Jew possessed. I am gratified that one of my friends has continued to speak out against an erring, noted Rabbi and author on Torah fundamentals, as we all must. Others should take his courageous lead,

insisting on truth, paying attention to God's words alone with no concern for reputations. We must care that others are no longer misled. We must act to ensure the most vital teachings are spread.

In the end, we learn from Moses and our great Rabbis that we must search for proof, and not simply rely on what we are taught. This is a sin. This violates God's words in our parsha. We must know that no human has a monopoly on truth, and that Rabbis and books can – and do – transmit heresy. To confirm we do not harbor heretical notions, our only recourse is study and reason, as Rabbi Bachya teaches. We must be clear that God is unlike anything on Earth: He is not "in space",

nor is "part" of Him "in" us. We must know that nothing but God alone has any power. We must dismiss all fables of amulets, spirits, omens, horoscopes, blessings, consulting the dead, and the like.

We must seek and support truth. ■

[1] Duties of the Heart, Feldheim English edition pg. 21

[2] ibid pg. 23 [3] ibid pg. 25 [4] ibid pg. 27

[5] Maimonides' Peirush Hamishnayos, Sanhedrin: chap. 10 (13th Principle)

[6] Talmud Yerushalmi, Mesechet Yoma 1:1

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Reader: In our tefilos on Rosh Hashanna and Yom Kippur we say “k’rachem av al habonim”, “as a father has mercy on his children”. We refer to Hashem as our father, asking for His mercy. Today it is Tisha B’Av when we remember the string of tragedies over the millennia. If Hashem is our father, why the death of millions of his children? A human father does not kill his children, even if they behave in the worst way for an endless number of years. Yet our father in “shomayim” doesn’t appear to be a benevolent as a human father. Please explain.

Rabbi: I will quote Rabbi Israel Chait verbatim, “God does not kill his children. If they do not keep the Torah, they are under natural law - they have the ability to protect themselves as does everyone else.”

Reader: This answer is not reconcilable. What do you mean “natural law”? It’s still Hashem’s law. “Hakol bidday shomayim, chutz m’yiras shomayim”, “All is in God’s hands excluding fear of God”. If children die it’s because Hashem’s desire is that they die. Once again my question is why would Hashem kill his own children. I understand punishment but you can’t be a father and kill your own children. It just doesn’t make sense.

Rabbi: Rabbi Chait explained that God created a system. If we follow the Torah – for our own benefit – He will protect us from all mishap. If we rebel, we are left to natural law, wherein we can defend ourselves. God does not hurt, nor does he help those whom reject Him. As our enemies always exist, once God removes His protection, we are left to what might occur. Let us understand why this must be so.

In the Temples’ eras, the Jews sinned. The Torah maps out the precise tragedies for rejecting God, and they took place. The reason the Jew over all others is subject to such devastation that astounds the nations is because God set up the Jewish nation as a means to instruct the world. Our great fortune and miraculous salvations teach the world that God is the only power in the universe. When we adhere to His system, the Torah’s promises come true and we enjoy protection, in the form of Abraham’s salvation from the furnace; Isaac’s protection from evil rulers salvation from the Akeida and a divinely-provided wife; Jacob’s fortune while in Lavan’s home and his protection from Esav and the Canaanites and Prizzites; Joseph’s elevation from prison to viceroy; our Egyptian exodus for our having heeded His command to destroy Egypt’s god and many other victories throughout recorded history.

When we sin, the Torah’s tragedies come about, again teaching the nations that it was due to our

Letters

GOD’S JUSTICE

abandoning God, “And all the nations will say, ‘For what reason did God do this to this land [of Israel], what caused this great, furious anger?’ And they will say, ‘On account that they forsook the treaty of God, the God of their fathers, which He made treaty with them when He took them out of the land of Egypt.’” (Deut. 29:23,24) In this manner, God’s words are validated in both the positive and the negative.

Quoting King David, Maimonides (“Guide”, book III, chap. xvii) teaches God’s system of justice, that those who rebel against God are left like animals, where individuals are not under divine providence:

“The relation of Divine Providence is therefore not the same to all men; the greater the human perfection a person has attained, the greater the benefit he derives from Divine Providence. This benefit is very great in the case of prophets, and varies according to the degree of their prophetic faculty: as it varies in the case of pious and good men according to their piety and uprightness. For it is the intensity of the Divine intellectual influence that has inspired the prophets, guided the good in their actions, and perfected the wisdom of the pious. In the same proportion as ignorant and disobedient persons are deficient in that Divine influence, their condition is inferior; and their rank equal to that of irrational beings: and they are ‘like unto the beasts’ (Ps. xlix. 21). For this reason it was not only considered a light thing to slay them, but it was even directly commanded for the benefit of mankind. This belief that God provides for every individual human being in accordance with his merits is one of the fundamental principles on which the Law is founded.”

Nothing protects or shields one beast from devouring another. God does not instruct this lion to devour that antelope. As the antelope is subject to natural law, a rebellious person too has no

providence. We must also agree that when an enemy destroys us, God does not act upon his free will, coercing the enemy. For this would be an injustice for God, that the enemy has no choice in his actions. God desires all individuals earn their reward, and suffer their punishments, due exclusively to their own will.

The famous Rashi depicts this well: two people attend an inn – one who murdered and one who killed accidentally. The one who murdered sits under the ladder, while the unintentional killer ascends it, and then falls, killing the murderer below. The murderer received his proper sentence of death, while the accidental killer must now be banished to the cities of refuge, this time having witnesses when he kills through negligence. God does not coerce the accidental killer to kill again...it is his own will to ascend the ladder. And it is the murderer’s will to be sitting beneath. But God, in his wisdom, can arrange the multitude of variables so each person’s free will brings about a just response. The same applies to Israel when we sin. God does not force our enemies to act against their will, but He can if He wills in certain cases, to align the variables to bring about a result.

But we must also appreciate Maimonides’ words that at times the tragedies that occur are not arranged by God, but are the result of nature. All depends on the level of the individual. Maimonides says this:

“The following verse describes how Providence protects good and pious men, and abandons fools, ‘He will keep the feet of his saints, and the wicked shall be silent in darkness: for by strength shall no man prevail’ (I Sam. ii. 9). When we see that some men escape plagues and mishaps, whilst others perish by them, we must not attribute this to a difference in the properties of their bodies, or in their physical constitution, ‘for by strength shall no man prevail’: but it must be attributed to their different degrees of perfection, some approaching God, whilst others moving away from Him. Those who approach Him are best protected, and ‘He will keep the feet of his saint’; but those who keep far away from Him are left exposed to what may befall them; there is nothing that could protect them from what might happen; they are like those who walk in darkness, and are certain to stumble.”

Note that last remark “they are like those who walk in darkness, and are certain to stumble”. Meaning, due to God’s removal of His providence, natural laws are free to affect an unprotected person. Maimonides was well aware that God knows all and that through His removal of providence evils will affect man. Yet, Maimonides says this is “nature” and not God that causes the evil. ■

“Our Rabbis taught: When the Temple was destroyed for the second time, large numbers [of people in] Israel became ascetics [perushim], binding themselves neither to eat meat nor to drink wine. R. Joshua got into a conversation with them and said to them: My sons, why do you not eat meat nor drink wine? They replied: Shall we eat flesh which used to be brought as an offering on the altar, now that this altar is in abeyance? Shall we drink wine which used to be poured as a libation on the altar, but now no longer? He said to them: If that is so, we should not eat bread either, because the meal offerings have ceased. They said: [That is so, and] we can manage with fruit. We should not eat fruit either, [he said,] because there is no longer an offering of firstfruits. Then we can manage with other fruits [they said]. But, [he said,] we should not drink water, because there is no longer any ceremony of the pouring of water. To this they could find no answer...”

With the logical breakdown complete, the Talmud continues:

“...so he said to them: My sons, come and listen to me. Not to mourn at all is impossible, because the blow has fallen. To mourn overmuch is also impossible, because we do not impose on the community a hardship which the majority cannot endure.”

The Talmud then introduces four halachos instituted by Chazal for one purpose: to remember the destruction of the Bais Hamikdash. The first of these is to leave an area of one amah by one amah un-plastered/un-painted across from one's front door. The second (using the Rambam's explanation – Hilchos Taanis 5:13) is to set aside an empty place at a meal attended by guests. The third requires that a woman, when donning her jewelry, leave off one piece (per Rashi's explanation). Finally, there is the halacha of placing ashes on the forehead of a groom at his wedding.

As is clear, the Talmud did not merely state these four halachos, but rather offered the prelude of the perushim to track how these halachos developed. This must lead one to ask, what was so wrong with the self-imposed stringency of the perushim? Today's brand of Judaism is fully entrenched in the mentality of chumra, the concept of stringency being viewed by many in the Jewish world as the truest and finest representation of halacha and Torah. The stringencies they imposed on themselves seem to be a wonderful demonstration of the sadness felt by the generation of the churban. Furthermore, R' Yehoshua offers two different attacks against their minhag. One is the ad infinitum approach, meaning that, following their

logic, there could be no end to their stringency – complete starvation would be where they would draw the line. The other is that Bnai Yisrael could not tolerate such a severe minhag. Why both answers? Finally, how do the different edicts of Chazal resolve the issues raised by R' Yehoshua?

The development of these halachos, as portrayed in the Talmud, is of utmost importance in understanding the concepts. When analyzing the establishment of a chumra, one must be acutely aware of the motivation behind it. At times, it serves an important function, safeguarding the halachic system. Other times, it can aid a person in achieving perfection. As long as it is attached to the greater ideal of improving our role as ovdei Hashem, it has inherent value. However, when one is guided by their emotions, whether fear or guilt, seeking to fill a void or to feel more religious for its own sake, the chumra becomes destructive.

The time after the devastation of the second Bais Hamikdash must have been horrific. The overall sense of despair naturally hung over the nation as a whole, the reality of the galus settling upon them. What emerged in many was a sense of guilt in continuing to enjoy life after the catastrophe. How could anyone from Bnai Yisrael be happy at a time like this, or ever again? To even experience any sense of simcha would produce extreme feelings of guilt and regret. In order to assuage this, many decided to forego meat and wine, known in halacha as the ultimate vehicles for simcha. They justified it with the rationale brought by the Talmud – how could they eat meat, when meat was used in the Bais Hamikdash. When an emotion like guilt drives someone to be machmir, the logical errors naturally emerge. R' Yehoshua neatly exposed the inherent defect in their thinking and demonstrated that their entire methodology in remembering the churban was flawed. This was his first approach. However, he, along with the rest of Chazal, recognized the importance of memorializing the churban. They realized the powerful effect this trauma must have had on Bnai Yisrael and while those feelings are important, Bnai Yisrael could not perpetually exist under that cloud of emotion. R' Yehoshua explained to them that regardless of their emotional drive, the construct of their halacha could never work for the entire nation. Its sheer magnitude would doom it to failure. His second approach demonstrated to them that their chumra lacked the halachic wherewithal to become integrated into Jewish practice.

With this in mind, Chazal introduced these four halachos. Rather than remove that which inherently brings someone to happiness, they decided to ensure that in common celebrations, one's simcha would always be lacking just a bit. For example, they mandated that people set aside a



**Breaking the glass:
recalling the destroyed Temple**

place setting at a meal with guests, a social event. A large seuda, with friends, is naturally a happy event – yet seeing the one empty plate draws away from the experience. A person gains tremendous happiness from the sense of accomplishment in building one's house – yet one area remained incomplete, visible to all. Women naturally take great care in their appearance, attaching a sense of happiness to it. We see this in the concept of simchas Yom Tov (see Rambam, Hilchos Yom Tov 6:18), acquiring and wearing jewelry being a vehicle of simcha. Therefore, leaving off one piece of jewelry is a recognition of the incomplete nature of our experience of simcha. And finally, at the paradigm event of simcha, a wedding, there is an action that demonstrates it cannot be complete. The chassan, the kalah, and all those attending must reflect at that moment on our current state. These actions all lead to one conclusion – there can never be complete simcha after the destruction of the Bais Hamikdash.

As we know, our present state of galus is the product of the churban. While this event is recalled on Tisha B'Av, Chazal realized that reflecting on the loss of the Bais Hamikdash must remain a part of our consciousness. We must not become complacent, so entrenched in our day-to-day routines that we forget what we are ultimately striving for. And yet, forgoing simcha completely is not the answer, certainly not when motivated by a sense of guilt. The system of halacha allows for a rational and succinct means of ensuring that this remembrance becomes integrated in our lives. We can and should be b'simcha – but at the same time remember that our simcha cannot by definition be complete. May we merit seeing the building of the Bais Hamikdash. ■

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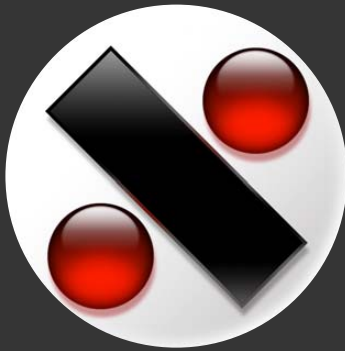
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