

# JewishTimes

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## LETTERS

### Pesichas Ha'Aron & Easy Birth

**Yaakov:** Do you know a clear source in the mishneh Torah which would prohibit segulas, such as the "custom" of giving an expectant father pesicha, the opening of the Ark, to ease his wife's pregnancy? I of course know that it is foolish, but it doesn't seem to fit into the categories that the Rambam lists in hilchos Avoda Zara. Thanks, Yaakov.

**Rabbi:** Avoda Zara 11:4 cites the sin of Nichush, where someone assumes an effect will occur from an unrelated

"cause." Examples are remaining home from fear that a seen black cat will cause bad fortune. This is exactly the case of the common pesicha you cite. Stupid individuals think opening the ark has a power... as if a righteous woman will receive unjust pain if this foolish and idolatrous act is not performed. Such people deny God's fundamental of Reward and Punishment, assuming there are methods to skirt God's decrees.

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## Slavery Condoned?

**Reader:** Why has Divine Law, the Torah, failed morality as to not clearly forbid slavery, one of the most horrible characteristics of human behavior? But, instead, regulates and teaches also about how much one owner of one slave would be able to beat his slave (another human being just like him) as to not get punished for it? How do we understand this horrible behavior being endorsed by the Torah? Thanks.

**Rabbi:** Torah does not say "how far one can beat a slave." It says what compensation is paid, if one harmed his slave. But this in no way condones brutality. Just the opposite is true. Freedom granted to the slave for brutality shows that brutality is abhorrent.

## Why do a "Rational People" say "Mazel Tov"?

**Reader:** If the Jewish people do not ascribe powers to the stars, then explain why we say "mazel tov, siman tov?"

**Rabbi:** "Mazel Tov" is used today to merely say "congratulations." But a purist would be correct to congratulate another person by simply saying, "I am very happy for you! Congratulations!" or better, "May you continue in your uprightness", and omit "Mazel Tov," meaning a good star.

## Are Chukim Rational?

**Reader:** If the torah is completely rational, why do we have chukim?

**Rabbi:** All God created is based in intelligence. One difference between chukim and mitzvos, is that the latter are matters man would develop on his own, like laws against stealing and murder. But man would not develop the idea of black boxes (tefillin) or strings (tzitzis) which are chukim. Man's mind is incomparable to God's mind; man on his own cannot arrive at the perfected design of tefillin and other chukim. Chukim are God's creations and reflect His brilliance. This brilliance however, is not readily seen, but can be discovered, with study. King Solomon understood all chukim, except one. This teaches that chukim can be grasped by us.

**Reader:** Can you also tell me how to understand Bamidbar 20:15 the Rashi that says that the Avot know what is happening on the

earth after they are dead, in contradiction with Shlomo Hamelech who says the dead know nothing? Thank you.

**Rabbi:** Nothing prevents God from informing the dead tzadikim of events on Earth. But without God's intervention, they will not know, as King Solomon says. This idea is cited in Tosfos (Sota 34b) "Avosai".

## One Who Blesses Jews

If one blesses a Jew, he already has the correct ideas of who is worthy of blessing. Therefore, "he is already blessed" means, he already attained a perfection in thought: the intelligence that he knows whom God values. Therefore, he blesses them too.

## "Talmidei Chachamim are Like Women, and Perform Might like Men"

Mishlei 8:4 depicts wisdom personified, as she calls to "ishim", men. She calls not to "anashim", but to "ishim" – a term connoting femininity (isha) – meaning ishim are wisdom's primary target (bnei adam are merely secondary in that verse). The true audience to whom wisdom appeals, are those men who refrain from "empire building." They are toshaish koach, weak, when it comes to this emotion, like a woman whose energies are sublimated and not conquerers. The Talmud chacham had to learn what a woman intuitively naturally. Talmidei chachamim have sublimated their strengths to the more real pursuit of wisdom, and not accomplishing grand matters. Thereby they become wisdom's prime audience, a group undistracted by the lure of fame.

With this desire for self-aggrandizement restrained, talmidei chachamim can focus on wisdom better than all others. But, they are giborim, strong, since they are no less weak than the man of accomplishment. That's why the gemara adds this next, for one might think talmidei chachamim who are akin to women, are meek and weak. No. They are giborim. Relative to "conquering man", woman is toshaish koach, but his is not physical weakness, just like talmidei chachamim are not weak.

## Joshua's Yud

There are two different types of leadership, and depending on the situation, either one of these types is preferred. 1) a reserved and modest leadership, 2) an outward, bold and open type of leadership. Sarai initially represented a quiet, reserved leadership until God directed that as a future matriarch of Israel, she had to begin to assert her leadership in an open way. (This is represented by the medrash that God said, "until now you were "my princess" [Sarai], but now you will be a leader for all"). We see the result of this change, for example, in the way that Sarah handled the banishment of Hagar and Yishmael, by overriding Avraham's objections. With Yehoshua, it was just the opposite. Until that point, based on the few encounters we have in the Torah about Yehoshua, Moshe saw that he was a very bold and outspoken leader. He was the one who went out and vanquished Amalek. He was the one who urged Moshe to kill Eldad and Meidad when he was that they were prophesizing in the camp. When Moshe saw that the mission of the spies might end badly, he recognized that Yehoshua's outspoken leadership style might get himself in trouble when he opposed the other spies. In this sense, the intent of Moshe's tefila that "God should save you from the counsel of the spies" was not as most people assumed - that he was afraid Yehoshua would be persuaded by the Spies. Rather, he knew his prize student would remain faithful to the emes, but he was afraid that by protesting too vociferously, the spies would harm him.

The plan evidently worked, because when they came back and gave the bad report, the one who immediately objected was not Yehoshua, as would be expected. It was Calev. Yehoshua apparently inculcated the lesson that Moshe taught him by changing his name - that sometimes bold leadership is appropriate but at other times, it is better to be more reserved and let things play out.

The idea of taking the yud from Sarah's name and putting it in Yehoshua's represents the notion that from that moment, Yehoshua's bold leadership was tempered with the former qualities of Sarah; that the best form of leadership is to find a balance between a bold and reserved style, and determine the appropriate situations in which to apply the two.

—Rabbi Yossi Azose





# Eichah & Unexpected Concepts

## Teshuva & Tefila

Rabbi Dr.  
Darrell Ginsberg

The themes of Eichah focus for the most part on the downfall of the Jewish people and the destruction of the Beis Hamikdash. The poetic exposition found throughout the verses is one that paints the bleakest of pictures. Often, people tend to only see Eichah as this vehicle of depression and sadness. In many instances, this indeed is the message. There are times, though, when fascinating fundamental concepts emerge through the study of Chazal's discourses on the above themes.

A perfect example of a "sad" verse in Eichah is as follows (Eichah 3:44):

*"Thou hast covered Thyself with a cloud, so that no prayer can pass through"*

The literal understanding of this verse would seem to fit into the overall tragic subjects of Eichah – we were so far removed from God that our own prayers were meaningless. However, thinking into this just a bit presents an interesting problem. It would seem that no matter what, our prayers were closed off from God. How can one posit that our tefilos are "worthless", no matter the situation? If one is motivated by the correct ideas, should not his tefilah be productive?

There is a fascinating Midrash that tackles this issue (Midrash Rabba Eichah 3:60). The question is raised as to what the meaning of this verse is. R' Shmuel bar Nachman offers an analogy to help understand this verse. Tefilah, he says, is like a

mikveh, whereas teshuva is like the sea. A mikveh is sometimes open and sometimes closed; so too are the gates of tefilah, sometimes open and sometimes closed. On the other hand, the sea is always open, and the gates of teshuva are always open as well. R' Anan argues with the notion of the gates of tefilah being subject to opening and closing. Instead, he maintains that they are always open. Another opinion is then presented, that of R' Yossi bar Chalifta. He explains that there are set times (itim) to tefilah. Dovid Hamelech, when praying, would ask to include in his tefilah that his tefilah be accepted as one done during the appropriate time.

This is an extremely difficult and opaque Midrash to understand. Putting aside the difficulty of accepting the notion of "gates" at face value, one would assume that these gates should always be open to those who approach them with the correct assumptions. In other words, if I have the right comprehension, or kavana, in my tefilah, how are we to understand that my tefilah is "closed off" from God? One might respond by saying that the closure of the gates means that my prayers were not done correctly. If that is so, then how can R' Anan maintain the gates are always open? Is this the case even when my tefilah is not done appropriately? Then there is the third opinion, that of R' Yossi bar Chalifta. Is he qualifying the former two positions? What idea is he conveying with these "times" for tefilah?

When approaching a Midrash such as this, it is important to establish certain methodological parameters. This is not a debate within the realm of halacha. It is more of a philosophical discussion, where there is no clear answer; rather there are competing ideas of considerable validity. As we develop the ideas, this will become more apparent.

One concept we see from the outset is the proposed relationship between tefilah and teshuva. The basis for this relationship stems from the analogy to the mikveh and the sea. When we look at these two locales of water, there is one obvious similarity – both are bodies of water! In other words, these is an essential idea they share in common, and differ in a more secondary way. Of course, when looking at teshuva and tefilah, one might not be inclined to think any difference to be "secondary". What, then, is the critical point they share? It could be that these two actions both have an engagement with God as part of their very definition. When someone involves himself in tefilah, he must be in an active state of recognizing God, offering Him praise and thanks, requesting his personal needs. He is speaking to God, in a sense; this certainly is not a passive mindset. Teshuva as well requires this type of engagement with God. Without recognition of his sin before God – ana Hashem chatasi – it cannot be defined as teshuva. This does not mean other mitzvos are "devoid" of God. With other mitzvos, a person must have an awareness of God, as this is an essential component of any commandment. But the performance is not an engagement with God. This idea is the unique kesher between tefilah and teshuva.

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Yet, as we saw above, they diverge at a certain point. With teshuva, the gates are always open. On the other hand, the status of the gates of tefilah are up for debate. What does this mean? If we rely on a literal interpretation of “gates”, we will find ourselves in some serious philosophical hot water. Both tefilah and teshuva involve a perfection of man. Teshuva is the obvious one – a person recognizes his sin, and changes his ways. Tefilah, though, is also an act of perfection. Through man’s recognition that he is an essentially dependent existence, reliant on the Creator for his needs, he concretizes the correct perspective of who he is vis-à-vis God. This is an important state of mind for man to possess. It could be that the gates are referring to the effectiveness of his tefilah on the self (rather than the physical boundaries a gate presents against the “travelling” prayer).

Changing the viewpoint to how these actions impact man does not solve all of our problems. The implication of the gates being opened or closed is that there are times when tefilah accomplishes its appointed task, and times it does not. Why can’t the same be said for teshuva? This is the divergence point between the two acts. As long as one is motivated by the correct reasons, entering and completing the process of teshuva as prescribed, it is a certainty that it will affect him positively. On the other hand, if he does not immerse himself appropriately in teshuva, it is not just a failure; it lacks the very definition of teshuva. In other words, one cannot have a defective teshuva experience – either it is teshuva, or it is not. Thus, as long as the conditions are met, he will be impacted in the correct manner. This idea necessarily implies that such a defective state can exist within tefilah. Indeed, it is possible this is the crux of the debate. According to one opinion, it can still be considered tefilah when the defect exists, meaning the positive impact will still be apparent. According to the other opinion, once the defect is present, the tefilah becomes compromised. It is important to stress that both opinions agree that if his motivation to be mispallel is guided by a defect, it will not be defined as tefilah (for example, if he views God as some type of physical deity).

What exactly is this “defect” that can allow for tefilah to still be expressed? Tefilah is one of the most important activities that man participates in. It drives home the idea of his dependency. And, it is fraught with danger. Tefilah is the ultimate quandary. Man is no better than the dirt and dust, afar v’efer, stripping from him any means of standing before the Creator. Yet, with his tzelem Elokim, he has a right to stand before God. This tension means certain distortions can emerge. One of them stems from this very concept of “conversing” with God. It can lead man to think that he is deserving of this conversation, an expectation that he have an audience with God. It is a sense of self importance that creeps into this tefilah experience. Herein lies the question. On the one hand, one could argue that

as long as his motivation was guided by his knowledge that he is a dependent existence, and that such an idea is evident in his tefilah, the presence of this incorrect notion does not uproot the entire impact of the tefilah. It still can be somewhat of a perfection to man. At the same time, one can see how the tefilah experience itself, the act of engagement, is compromised once a sense of self-importance enters into the scene. If this is the case, the tefilah is rendered a failure. As we said above, there is no clear answer, no right or wrong. However, the sense of the Midrash becomes a little more apparent with the above explanation.

This leads us to the third opinion. It would seem that this opinion is in some way qualifying the prior debate. What do we mean by set times? What does Dovid mean in his request about the timing of his tefilah? It is important to emphasize that the notion here of set times is not referring to shacharis, mincha and maariv. Instead, the concept of itim implies a restriction of sorts. As we mentioned above, tefilah can be a dangerous activity. Another problem that can emerge has to do with tefilah being a constant experience. While the focus of tefilah has been, to this point, on its impact on man, one cannot discount the hope that we merit a response from God. Every time we engage in tefilah, we are asking that God respond to our requests. However, we must understand that this is not a childish wish fulfillment fantasy, that good behavior means God will reward accordingly. What would happen if tefilah were being done on a constant basis? What could potentially emerge, as a friend put so eloquently, is a sense of control over the give-and-take. Man could come to feel like he is personally engaged in the process itself, that somehow he has knowledge of God’s plans. His sense of control leads to an assumption that this phenomenon operates in a manner he can understand. He cannot allow the process to become familiar to him, as this is what produces this distortion. This could be the idea of times as restrictions. Tefilah can never seem to be familiar to the person involved in it. When Dovid asks God that his timing of his tefilah be acceptable, he is not concerned about whether God is “available”. He is recognizing that each time he is involved in tefilah, he cannot know anything of the potential outcome. When tefilah is presented as an unfamiliar experience, it helps dispel man of this incorrect notion.

This brings us back full circle to Eichah. Yes, the primary messages of Eichah surround the destruction of the Beis Hamikdash and the annihilation of the Jewish people. Yet, we must recognize that the path back requires us to be involved in tefilah and teshuva, to possess the correct ideas that can help repair the defective state we currently exist in. This is the message of the Midrash, a theme of Eichah, and it should be in our minds as we first hear the verses being read. ■



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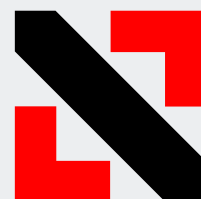
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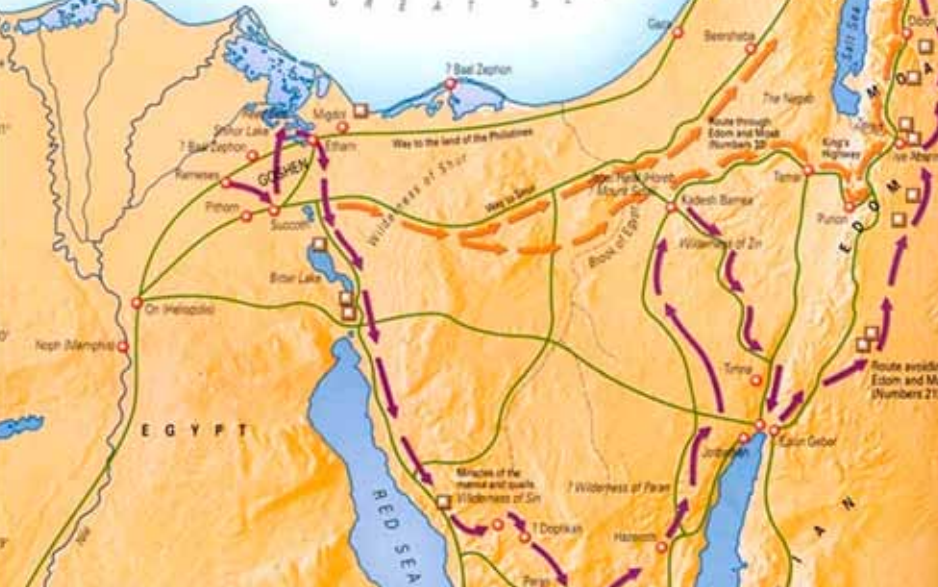
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# Tisha B'Av: Let Us Not Commit the Sin of Edom

**RABBI BERNIE FOX**

*For the violence done to your brother Yaakov shame shall cover you, and you shall be cut off forever. On the day that you did stand aloof, on the day that strangers carried away his substance, and foreigners entered into his gates, and cast lots upon Jerusalem, even you were as one of them. But you should not have gazed on the day of your brother on the day of his disaster. Neither should you have rejoiced over the children of Judah on the day of their destruction. Neither should you have spoken proudly on the day of distress. (Ovadiah 1:10-12)*

## 1. Ovadia's prophecy of the destruction of Edom

The prophet Ovadia foretold the punishment that will be brought upon Edom for its iniquity. What was the sin of Edom? In the above passages, Ovadia explains that Edom was complicit in the destruction of Yerushalayim and the Bait HaMikdash – the Sacred Temple. Rabbaynu David Kimchi – Radak – explains that Ovadia, in his description of Edom, sin, is referring to events that will occur long after his own death. He foresees that the Roman general and future emperor Titus will lay siege upon Yerushalayim. He will ultimately breach the city's walls and destroy it and the Bait HaMikdash. Ovadia does not accuse Edom of directly participating in this tragedy. According to Radak, Edom's complicity will be expressed in its rejoicing in the destruction of Yerushalayim, the razing of the Bait HaMikdash, and the persecution and exile of Bnai Yisrael.

*And command the people, saying: You are to pass by the border of your brethren the children of Esav, that dwell in Seir. They will be afraid of you. Take good heed unto yourselves therefore. Contend not with them for I will not give you of their land not so much as for the sole of the foot to tread on, because I have given Mount Seir to Esav for a possession. (Sefer Devarim 2:4-5)*

## 2. The fraternal bond between Esav and Bnai Yisrael

Radak adds that Edom's behavior is especially egregious because of its relationship with Bnai Yisrael. The nation of Edom is comprised of the descendants of Esav, the brother of Yaakov. Edom and Bnai Yisrael share a fraternal bond. Esav's joy at the destruction of Bnai Yisrael was a repudiation of

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this fraternal relationship. Radak contrasts Esav's treatment of Bnai Yisrael and the attitude implicit in that behavior with the instructions that Hashem gave to Bnai Yisrael regarding its treatment of Edom.

In the above passages, Moshe reminds the nation of the instructions received from Hashem as Bnai Yisrael approached the Land of Edom. Edom's territory – the Land of Seir – was located to the south-east of the Land of Canaan. The direct path into the Land of Canaan lay through the territory of Edom. Hashem forewarned Bnai Yisrael that Esav's descendants were the sovereign rulers of this territory. Bnai Yisrael were forbidden from violating these border or even threatening and intimidating Edom. Of course, these instructions were scrupulously obeyed. Bnai Yisrael extended its journey in order to travel around the territory of Edom.

Radak explains that Bnai Yisrael respected its fraternal relationship with Edom. It respected the sovereignty of Edom and acted toward this brother nation with deference. This behavior sharply contrasts with the behavior of Edom toward Bnai Yisrael. Bnai Yisrael treated Edom as a brother and with the respect and consideration due to a brother. Edom rejoiced in the destruction of Yerushalayim and the Bait HaMikdash. Edom observed with glee the agony of its brothers.<sup>1</sup>

### 3. Esav's implicit repudiation of its own rights

Rashbam, in his comments on the above passages from Parshat Devarim, provides the basis for an alternative interpretation of Edom's sin.



of Edom's iniquity. He notes that Hashem explains to Moshe that Bnai Yisrael are to respect the sovereignty of Edom within the borders of its land because He has given this territory to Edom. In other words, just as Hashem granted Bnai Yisrael sovereignty over the Land of Israel, the Land of Seir was given to Edom as its homeland. He adds that Edom received this special treatment from Hashem because the nation is comprised of the descendants of Esav and therefore, they are the descendants of Avraham. It is because of its relationship with our patriarch Avraham that Edom has been given as its legacy the Land of Seir.

Rashbam explains that the instructions that Hashem provided to Bnai Yisrael regarding Edom were also a timely reassurance that it will soon conquer the Land of Canaan.

The people may have been tempted to become despondent in response to the directive to delay their march into the promised Land of Canaan. They may have been tempted to feel some element of doubt and despair. When would the long-postponed conquest occur? Hashem's instructions include a reassuring explanation of the detour. The sole reason for the detour is that Edom is comprised of Avraham's descendants. Hashem says to Bnai Yisrael that the legitimacy of Edom's rights to the Land of Seir is derived from the same source as Bnai Yisrael's right to the Land of Israel. The detour is actually an affirmation of the promise to Bnai Yisrael that it will receive the legacy promised to Avraham, Yitzchak, and Yaakov – the Land of Israel.<sup>2</sup>

Rashbam's comments suggest an alternative interpretation of

Edom's sin. Edom rejoiced over the destruction of the Land of Israel and the exile of its people. In its rejoicing, Edom implicitly denounced its rights to its own ancestral homeland. Edom should have wailed and mourned the destruction of the Land of Israel and the exile of its people. If Bnai Yisrael could be separated from the Land of Israel, then what security did Edom have in its own homeland? Edom's sin was that rather than seeing the implications of the tragedy of the Jewish people and mourning this tragedy as the harbinger of its own potential exile and suffering, Edom rejoiced in the tragedy of Bnai Yisrael.

### 4. Not being like Edom

Both of these interpretations are relevant themes to contemplate with the approach of Tisha B'Av. Bnai Yisrael is a nation of brothers. We are dispersed to the corners of the earth but we form a single community. Regardless of the distances that separate us we must remember that we are brothers. We may be separated by miles, mountains, or oceans. We may be separated from one another by divergent perspectives, and outlooks. These distances and differences of opinion must not and cannot breach the fraternal bond that makes us one people.

We must also recognize that how we treat one another is an expression of how we expect to be treated by others. Edom failed to understand that in rejoicing over Bnai Yisrael's exile from its legacy it implicitly denounced its own right to the Land of Seir. When we treat another person with insensitivity or worse, we denounce our own right to be treated with sensitivity and dignity. ■





# TISHA B'AV & JUSTICE: PAYING FOR THEIR SIN?

RABBI MOSHE BEN-CHAIM

**T**almud Sanhedrin 104b states God's sentiment, "You cried an unwarranted cry, (therefore) I will establish for you a cry throughout the generations." The Rabbis suggested this was God's sentiment addressed to the Jews on the ninth of the month of Av – Tisha B'Av – when the Jews cried at the spies' divisive report. The spies spoke against God's promise that He would conquer the land of Canaan, Israel. The spies incited a riot, declaring the Jews could not succeed over Canaan's mighty inhabitants, despite God's age-old promise to Abraham. The Talmud says that as a response, God established Tisha B'Av as a day of crying for many years to come.

Many questions emerge. Why would future generations pay the price for a former generation's sins? And didn't God punish that former generation with 40 years in the desert? If so, why is additional crying necessary? How is a crying for many generations justified; why not just one generation? What was the sin of the spies, and of the Jews? What is meant by, "you cried an 'unwarranted cry'..."? And finally, we are taught that the latter generation's sins of immorality, idolatry and baseless hatred are what brought upon us the destruction of both Temples respectively, not the sin of the spies. So which is the cause for the mourn-

ing of Tisha B'Av: the spies, or the latter generation's sins?

Our first step is to note that the Talmudic statement does in fact tie the sin of the spies and the Jews' cry, to both Temples' destructions, "You cried an unwarranted cry, (therefore) I will establish for you a cry throughout the generations." The Rabbis teach there is a direct relationship. We must analyze the sin of the Jews' cry.

Why did they cry at the spies' report? They did so out of a fear of destruction. This fear was caused by their overestimation of their enemy's strength. But the Jews failed to include one more essential element into their military equation: God's promise. The Jews' cry was baseless, as they were already guaranteed victory, despite the strength of their opponent! God's word should have outweighed any other consideration, and should have been all they heeded. As we read at Mincha (afternoon prayers) of fast days, "As the heavens are higher from the land, so also is My way higher than yours, and My thoughts from your thoughts (Isaiah, 55:9)."

Digging deeper, we discover that "tragedy" is directly proportional to one's sense of the good. If 'A' is greater in importance than 'B', the loss of 'A' is a greater tragedy than the loss of 'B'. In other words, God was saying that with your cry, you display you

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value system – and your system does not include Me. This must be corrected. A life where God is not part of our daily considerations is not the life God planned for man. He did not give us intelligence to gather riches, create fame, or overindulge in pleasures. The gift of intelligence has but one aim: knowledge of the Creator. What is God's remedial action? The destruction of both Temples, on the same date. How does this address the problem?

What is "Temple"? Without understanding its purpose, we cannot mourn its loss. According to Sforno, the Temple was given as a response to the Golden Calf, with which the Jews displayed a distorted approach to God. With the Golden Calf, man displayed his inability to approach God bereft of religious practice. They did not feel the Calf was God, rather, a means to reach Him. Their corruption required a fix. "Temple" was the answer: it came to realign man's approach to God, to conform with real and true ideas, not man's imagined, idolatrous emotions displayed via the Calf. However, when man is left to his own devices, he creates golden calves and idolatry. Man's religious expressions require guidance, and Temple's strict and meticulous system of laws

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satisfies this need. Additionally, the Temple's presence indicates God's continual acceptance of our worship, and thus, His providence over the nation. Conversely, its destruction indicates God's absence.

The Jews cried over their imagined defeat, had they attempted combat against Canaan's inhabitants. They discounted God's guarantee of success. In response, God destroyed the Temples to correct a few errors: their destructions indicated that His absence is what the Jews should view as a true loss. God is the most essential factor for one's happiness. During the epoch of the spies, the Jews did not view God's promise as a reality, as much as their own prowess. Therefore, God used Temple – His 'presence' – as an indicator that herein lays the greatest factor in our lives.

But how would the Jews accept that this destruction is God's will? Primarily by the element of duplicate dates. Both Temples fell on the Ninth of Av. This cannot be coincidence. God must have executed this judgment. Not only that, but this devastation recalled the spies' crime committed on this date: the Jews reliance on the "self", omitting of God from their view of reality. All three tragedies falling on the same date teaches God's hand is evident: it is Divine Punishment.

It is true, that latter crimes of immorality, idolatry, and baseless hatred demanded their own, exclusive punishment, without the sin of the spies. But perhaps the exact punishment of the Temples' destruction, and on duplicate dates, would not have been the selected measure, had the spies never sinned. The Talmud's exact words "I will 'establish' crying throughout the generations", might be understood as God duplicating a date alone to link the spies' sin with latter evils, not the 'nature' of the punishments. The spies determined the date, while the punishment was determined by latter generations. However, the Meharshah disagrees with this theory, stating that based on the spies' and the Jews' cry alone, was the date fixed, and the Temples were marked for destruction.

Even subsequent to the 40-year term in the desert, this corruption in the Jews was not yet removed. Certainly the original offenders have passed on. The Temples' destructions can only address latter generations. We are forced to conclude that those Jews descendants – we today – still cleave to remnants of the sin. Even during the times of the Talmud, the Talmud says that latter generations lacked faith in God's ability to provide, so they worked most of the day, and learned little, instead of the Torah's prescription cited by Maimonides of the exact opposite (Hilchos Dayos 2:14). Man still limits his equations to natural law, disbelieving that which does not compute based on cause and effect. But Chanina ben Dosa displayed the correct philosophy. His daily activities included the possibility of God's assistance. He did not

rely on miracles, which we must not do. But he also did not rely on his own knowledge as the sole determinant of how a successful life is achieved. He knew of God's unlimited abilities, and His wish for man to learn, above all else. Chanina ben Dosa's learning taught Him his belief in God, and this was not an abstract belief, but one by which he lived each day. Chanina ben Dosa incorporated the Torah's lessons of the Sabbath, the sabbatical and the Jubilee years, when work is forbidden and we rely on God's promises that He will create greater yield to sustain us.

God wills the best life for man. He addresses our shortcomings, beginning with a lack of Torah study, which can teach us the proper way the world operates, what to value, and how to achieve true happiness. It is outright foolishness for man to continue in the sin of the spies, to abandon the one invaluable tool – Torah knowledge – that can open doors which as of yet, remain closed to many, and prevent man from working within God's reality instead of fighting it, all for temporal wealth, fame, or lust.

To mourn for the Temples' losses properly, we must first realize the loss from which we all suffer: an incomplete Torah system, one if sustained today, would offer us the most rewarding and enlightening existence, with God's providence, unparalleled by anything else you can imagine. King Solomon was one of the wisest men to ever live. Overnight, God miraculously granted him extreme wisdom. He experimented with every conceivable lifestyle and desire. He concluded that the Torah system provides man with the best life: "All desirous things do not compare to her (Torah)." (Prov. 8:11)

"Return to Me, says God of hosts, and I will return to you (Zech. 1:3)." We must take the first step. ■



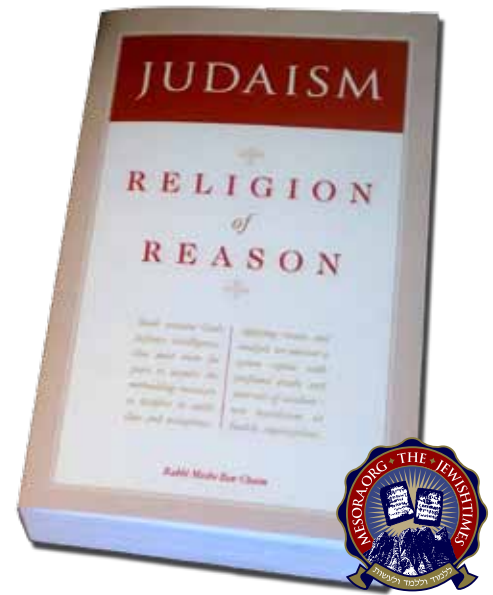
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# THE 9TH OF AV

## UNDER-APPRECIATED

RABBI REUVEN MANN



There are many holidays on the Jewish calendar. Some of them have more *mazal* (good fortune) than others. In my unscientific opinion, I would rate the three most popular ones as Passover, Chanukah, and, yes, surprisingly, Yom Kippur. The theme of Passover, liberation from bondage and man's intrinsic right to freedom, strike a chord in the heart of every Jew. Indeed, these ideas are so universally compelling that many Gentiles also celebrate the holiday and participate in some form of Passover seder.

Chanukah (known in the popular vernacular as Hanukkah) also gets a lot of attention. Its celebration of the victory of the few against the many, as well as the miracle of the lights in the Holy Temple, are upbeat and inspiring. To this day, the Maccabees are a symbol of Jewish pride and courageous dedication to the preservation of Jewish ideals.

At first glance, the popularity of Yom Kippur is difficult to comprehend. It's a day of deprivation and abstention from all the basic creature comforts, the most significant being food and drink. Fasting and endless praying are the primary obligations of the day. The popularity of this holiday is because it is the Day of Atonement. There is nothing that a person desires more fervently than the approval of G-d. We are all creatures of conflict. We have powerful instinctual desires and emotional cravings. No matter how hard we try, we fall prey to seduction and commit sins. At the same time, we have a conscience that gnaws at us. We make all kinds of excuses and rationalizations for our sinful behavior. However, at bottom, we long for understanding and forgiveness.

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Yom Kippur is the perfect remedy for this dilemma of the human condition. It offers us a pardon we can't refuse. Renounce all pleasures and spend one day in fasting and prayer, and you will be forgiven. It is also a day on which every Jew, no matter how far he has strayed, can renew his membership in the chosen people. Without a sacrifice, we would not feel that we had made a sincere expression of Jewishness. For modern man, there is no greater sacrifice than going, for 25 hours, without food or drink and, in addition, being cut off from his computer, iPad, and cellphone.

There are other holidays that do not have much mazal and are observed only by a small number of the extremely religious. Perhaps the least popular holiday of our religion is Tisha B'Av. Like Yom Kippur, it demands a full day and night of abstention from food and drink, as well as other basic comforts, such as washing and wearing leather shoes. One can understand the lack of excitement about Tisha B'Av. It occurs smack in the middle of summer, when we are all in vacation mode. This is a time for partying, not mourning. Moreover, there is no obvious payoff for the suffering that the day engenders. At the conclusion of Yom Kippur, we obtain forgiveness and a clean slate. What do we get in exchange for the afflictions of Tisha B'Av?

The day is painful, its point is not obvious, and it solicits little interest, except among the most religiously committed.

The unpopularity of Tisha B'Av is a shame because, in many ways, it is the most important of our holidays. What is it that we "celebrate" on this day? We celebrate what we, who are supposed to be G-d's chosen people, had, but lost because something went terribly amiss. Tisha B'Av is a day of commemoration, which really means acknowledgment of a painful truth, i.e., that we are not, now, the nation we were intended to be. On Tisha B'Av, we recount all the major tragedies of Jewish history, including the destruction of both Temples, exile, dispersion, endless persecution, and the Holocaust. We do not do this out of any sense of self-pity, not are we interested in condemning our enemies.

A major theme that permeates the prayers is that of Tziduk HaDin (the righteousness of G-d's judgment). This means that we must eschew all complaints against G-d and not give vent to any anger against our many tormentors. We say, "Unto You, Hashem, is righteousness and to us, shame of face." Tisha B'Av demands that we confront the reality of Jewish subjugation, powerlessness, and persecution—and affirm its true cause. We must acknowledge that this has

happened, that we have been abandoned by G-d because we have not been faithful to the Covenant. Hashem has not abrogated the Covenant, which is eternal, nor has He disbanded His people, who are eternal. We are experiencing the "downside" of the Covenant, i.e., the perils that will engulf us when we are cast away from our Protector.

Tisha B'Av is the most important holiday, because it is the one in which we confront the existential condition of the Jewish people. Anyone who cares about Judaism and is perplexed by the dichotomy between our claim to be G-d's chosen people, the "apple of His eye," and the reality of the indignity of our historical suffering, must observe Tisha B'Av in order to resolve this dilemma.

Tisha B'Av is, for us, a day of mourning for the loss of the ideal relationship with Hashem that we were destined to have, but lost, due to our sins. The objective of the fast is to rectify our ways, return to Hashem, and resume our true role as the Jewish people. What is the payoff for a long day of fasting and deprivation? It is nothing less than the rebirth of the Jewish people and its restoration to its glorious status.

Tisha B'Av is the time when we mourn our past, only to facilitate the redemption of the Jewish people and, as a necessary result, all of mankind. Shabbat shalom. ■

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## AGUR BIN-YAKEH



# PSHAT VS. DRASH

## PART I

The terms "pshat" and "drash" are frequently used but seldom defined. In my opinion, the key to understanding the difference between pshat and drash lies in a principle explained by the Ibn Ezra in his introduction to the Aseres ha'Dibros (Ten Commandments):

### Ibn Ezra on Shemos 20:1

As a general rule, the masters of the Holy Language, will sometimes explain their words very clearly, and other times they will say what is necessary in a few concise words, from which the listener can derive their meaning. Know that words are like bodies and meanings are like souls, and the body to the soul is like a vessel. Therefore, the general rule of all wise men in any language is to preserve the meanings without regard to a change of words, so long as the meanings remain the same.

The Ibn Ezra's message is clear: there are words and there are meanings. Words are merely the vehicle through which meanings are conveyed. For this reason, the same meaning can be communicated through different words or different combinations of words.

In light of this distinction, we can now define the difference between pshat and drash:

- To "give the pshat of a pasuk" is to uncover the meaning of the pasuk as intended by its author (i.e. Hashem, in the case of the Chumash, or the Neviim in the case of Nach).
- To "give a drash on a pasuk" or to "darshin a pasuk" is to use the words of that pasuk as a platform to express an extrinsic idea, which may or may not bear any relation to the pasuk's actual meaning.

The Ralbag expresses this very clearly in his critique of commentaries which consist largely or exclusively of midrashic material:

### Ralbag on Shir ha'Shirim: Introduction

*[We] have seen that all the commentaries which our predecessors have made upon it and which have reached us adopt the midrashic approach, including interpretations which are the opposite of what was intended by the author of Shir ha'Shirim. These midrashic explanations, even though they are good in and of themselves, ought not to be applied as explanations of the things upon which they are said midrashically. For this reason one who wishes to explain these and similar things ought not to apply to them the midrashic explanations regarding them; rather, he should endeavor to explain them according to their intention.*

A simple litmus test can be used to figure out whether a statement of Chazal was intended as pshat or as drash. This litmus test can be expressed in the form of the following question: "Is this idea in the words or on the words?" To say that the idea is "in the words" means that it is a faithful restatement of the meaning intended by the author. To say that the idea is "on the words" means that the purveyor of the idea has used the author's words as a springboard for his

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own idea - an idea that may have nothing to do with the meaning of those words as used by the author.

Some examples will help to illustrate the difference between pshat and drash. The Radvaz explains that the Torah was written without vowelization in order to maximize the potential for drash; the example he cites serves as an excellent model for all drash:

#### **Shailos u'Teshuvos ha'Radvaz 3:643**

*Know that vowelization is like a form and soul to the letters. Therefore, the Sefer Torah is made without vowels, in order that it encompass all of the panim (facets) and deep ways, and all of them can be expounded using each and every letter . . . If we were to vowelize the Sefer Torah, it would have a limit and a finite measure, like a material which has been endowed with a particular form, and it would not be possible for it to be expounded except in accordance with the particular vowelization of that word. But because all types of perfections are incorporated and mixed into the Sefer Torah, and each and every word is a book for thousands upon thousands [of ideas], we do not make it vowelized in order that all of these perfections can be expounded.*

*Therefore, Chazal say, "Do not read such-and-such, rather such-and such" - and if [the vowelization] were specific, we wouldn't be able to say this. Chazal were moved by this in many places by way of superior drash. [For example,] "You shall have a yased (shovel) in addition to your azeinecha (weapons)" (Devarim 23:14). [Chazal expound by way of drash,] "Do not read 'azeinecha' (weapons), but rather 'oznecha' (ears) - this teaches us that if a person hears something inappropriate, he should put his finger in his ear [like a yased (peg)]."*

*In this place, Chazal have indicated to us the secret reason why the Sefer Torah is not vowelized. The midrash (expounding) of this pasuk was given as bran bread for simpletons, and it was given to the wise as nutritional bread - and all from the pshat of the pasuk. The entire Torah follows this method. Therefore, Chazal said: "shivim panim la'Torah." Understand this.*

The example cited by the Radvaz is clear. Devarim 23:14 is undoubtedly talking about shovels and weapons - not fingers and ears. When Chazal said, "Do not read 'azeinecha' (weapons), but rather 'oznecha' (ears)" they were saying this by way of drash, not pshat. If a person were to actually interpret the word as oznecha, he would be missing the pshat.



The Shiltei ha'Giborim (on Avodah Zarah daf 6 in the dapei ha'Rif) gives another excellent example which reflects the proper understanding of the distinction between pshat and drash:

#### **Shiltei Ha'Giborim: Avodah Zarah Daf 6a b'dapei ha'Rif**

There is another category of midrashim in which Chazal aimed to expound the pasuk in accordance with every idea they were able to expound. They relied on that which is written, "One thing God has spoken, these two have I heard" (Tehilim 62:12), and on that which is written, "Behold, My word is like fire etc." (Yirmiyahu 23:29). They learned from here that many meanings can emerge from one pasuk . . . Do not be astounded by this, for we see in many cases that even an ordinary person speaks his words with a double meaning [that can be interpreted] in two ways - all the more so the words of the wise, which were stated with ruach ha'kodesh. In this manner, Chazal expound Scripture in every manner that is possible to expound, but they said, "No pasuk can depart from its pshat," which is the root. Of all these midrashim which are expounded - some of them are essential and

close to the pshat, whereas others contain only a small allusion.

You can see what was expounded by one of the Sages in the first chapter of Taanis, for he said, "Yaakov Avinu didn't die." One of the other Sages responded, "Did the eulogists eulogize him in vain? Did the embalmers embalm him in vain? Did the gravediggers bury him in vain?" The first Sage answered back, "Mikra ani doresh (I am merely expounding upon a verse)." This means to say, "I, too, know that he died, but my intention is to expound this verse in every manner that is possible to expound, and if it is impossible for the midrash to be in accordance with the [simple] meaning, it nevertheless contains an allusion [to another idea]. For one can say, "he didn't die" along the lines of that which was stated, "Tzadikim, even in death, are [considered] alive" (Berachos 18a) for their reputation, their memory, and their deeds last forever.

Unfortunately, the widespread ignorance of the distinction between pshat and drash has led many people to false and harmful conclusions about Chazal and Torah. The Rashba (commentary on Berachos 32b) writes that "some people are confused because they think that the Sages in their aggados are coming to explain the true meanings of the pesukim" when, in truth, they are only expounding on the words themselves, without intending to uncover the intended meaning of the pesukim. As a result of this misunderstanding, certain factions of the population "incline towards heresy, due to their [mistaken] belief that the Sages were actually interpreting these pesukim in an erroneous manner; some are led to an even greater error than this, for they conclude that even Chazal erred in their explanations of the Torah and mitzvos as well."

I have seen with my own eyes that the Rashba is correct. Many of my students were never taught to distinguish between pshat and drash. Consequently, they labored under the impression that Chazal's midrashim were intended to convey the actual meaning of the pesukim. When faced with fantastical or far-fetched drashos, the more rationally inclined students rejected these "interpretations" due to their perceived irrationality. This led them to believe that Chazal were stupid and irrational, which in turn, led them to view the Torah itself as stupid and irrational.

In my opinion, students should be taught to differentiate between pshat and drash, and this distinction should be continually emphasized - especially when learning midrashim or midrashic commentaries on Chumash. ■



Hebrew University: This is the earliest alphabetical written text ever uncovered in the city.



## TORAH & SCIENCE

# Temple Mount: Oldest Ever Artifact Discovered in Jerusalem

**Gil Ronen**  
(israelnationalnews.com)

Working near the Temple Mount in Jerusalem, Hebrew University of Jerusalem archaeologist Dr. Eilat Mazar has unearthed the earliest alphabetical written text ever uncovered in the city.

The inscription is engraved on a large pithos, a neckless ceramic jar found with six others at the Ophel excavation site. According to Dr. Mazar, the inscription, in the Canaanite language, is the only one of its kind discovered in Jerusalem and an important addition to the city's history.

Dated to the tenth century BCE, the artifact predates by two hundred and fifty years the earliest known Hebrew inscription from Jerusalem, which is from the period of King Hezekiah at the end of the eighth century BCE.

A third-generation archaeologist working at the Hebrew University's Institute of Archaeology, Dr. Mazar directs archaeological excavations on the summit of the City of David and at the southern wall of the Temple Mount.

The discovery will be announced in a paper by Dr. Mazar, Prof. Shmuel Ahituv of Ben-Gurion University of the Negev, and Dr. David Ben-Shlomo of the Hebrew University, following their extensive research on the artifact. Prof. Ahituv studied the inscription and Dr. Ben-Shlomo studied the composition of the ceramic materials.

The press release issued Wednesday did not specify what the inscription actually says.

Archaeological finds in Jerusalem, and specifically in the Temple Mount region, are also of political significance. Some of the finds, like the recent discovery of evidence corroborating contemporary accounts of the Roman siege of the Second Temple, or the possible site of the Tabernacle at Shilo, fly in the face of Muslim Arab attempts to deny that the Jewish Temple ever existed.

While the anti-Israeli propaganda machine is sophisticated and heavily funded, the Israeli counter-effort has been relatively ineffective. However, every few weeks or months, it appears that the Jews' ancestors, along with modern archaeologists, are there to lend a hand in the campaign to prove that Zion was indeed the historical homeland of the Jews, long before Mohammed was born in Arabia. ■



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