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## INTERNET PARSHA SHEET ON CHUKAS - 5767

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**Rabbi Michael Rosensweig** - Zot Chukat haTorah: The Role of Chukim in Torah Study and Commitment "TorahWeb.org"  
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Rabbi Michael Rosensweig Zot Chukat haTorah: The Role of Chukim in Torah study and Commitment

The Torah begins parshat Chukat by declaring "Zot Chukat ha-Torah asher tzivah Hashem leimor". Instead of immediately elaborating the aforementioned chok by delving into the laws of parah adumah, the Torah pauses to indicate that Benei Yisrael should be apprised of the laws that are to follow ("daber el Benei Yisrael"). Only then does the Torah actually enumerate the laws of the parah adumah (red heifer). This brief interruption establishes the general concept of chok as an important dimension of Torah observance and study. This broader theme is then dramatically exemplified by parah adumah. Why is it important to depict the Torah as a repository of chukim?

Chukim test the purity of our commitment to Torah. Rashi cites the comment of the midrash and gemara Yoma that one is not permitted to challenge the validity of mysterious chukim ("Chukim chakakti ve-ein reshut le-harher acharai"). This is true even when the chok constitutes an apparent paradox. The mefarshim note that parah adumah is the quintessential chok because the process that purges one individual of ritual impurity also triggers another's impurity. Accepting this mystery with equanimity constitutes an impressive act of faith and commitment.

The rishonim debate the ideal approach to chukim. R. Yehudah ha-Levi (Sefer ha-Kuzari) argues that one should ideally accept the chok on faith without even attempting to fathom its purpose. This approach accentuates the importance of submission in avodat Hashem. On the other hand, the Rambam (end of Hilchos Meilah) and Ramban (Chukat and especially Devarim 22:6 regarding kan tzipor) strongly advocate that one try to penetrate the mystery of the chok. However, this perspective, too, is actually rooted in the concept of faith and surrender. The Rambam emphasizes that the Torah often gives priority to chukim over mishpatim (laws whose logic is evident) precisely because they unambiguously reflect the Divine authority that is the foundation of the entire Torah.

In light of this perspective, the effort to fathom the chok should also be perceived as the ultimate act of intellectual-spiritual surrender and submission. The obligation to strive to comprehend the chok does not primarily reflect man's intellectual sovereignty even in the esoteric realm of the chok. It is instead a testament to man's awareness that even his intellect has to be shaped and refined by Torah commitment. Chazal identify the concept of chok with intensive Torah study when they interpret the pasuk (Vayikra 26:3) "Im Behukotai Teileichu" as a reference to total immersion in the study of Torah (shetihayu ameilim baTorah). In Torah study, we are challenged to penetrate the inner logic of the Torah even when that requires that we set aside popular and pragmatic modes of conventional

thinking. Thus, Torah study is the most powerful method of avodat Hashem.

The emphasis on the authority and inner logic of chukim is the perfect response to Korach's rebellion. Chazal explain that Korach instigated against Moshe Rabbeinu in numerous ways, some of which seem contradictory. On one level, he invoked pragmatic common sense arguments (why would one need a mezuzah for a room filled with sefarim, or string of techelet for a techelet garment...) to undermine halachic traditions as a way of undercutting halachic authority. At the same time, he questioned Moshe's capacity to independently apply his halachic instinct and understanding beyond what he had specifically received from Hashem (the decision to appoint Aharon as kohen gadol, to test with the ketoret etc.) His mantra was "kol ha-edah kulam kedoshim" based on the common experience of mattan Torah in which all of Klal Yisrael passively experienced Hashem's presence. The nation had rapidly strayed significantly from the ideological foundations encapsulated by "naaseh ve-nishmah" (See TorahWeb, Mishpatim)

The Torah provides a succinct but forceful and profound rebuttal of these ideologies by developing the idea of chukim as exemplified by the parah adumah. "Zot chukat ha-Torah" demonstrates that halachic authority is not contingent upon common sense or comprehension, that authentic kedushah demands intense involvement, personal sacrifice, and true commitment, not merely passive participation, and that internalizing the unique values and inner logic of Torah is the only basis for creative contribution in halachic life.

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From: [ravfrand-owner@torah.org](mailto:ravfrand-owner@torah.org) on behalf of **Rabbi Yissocher Frand** [[ryfrand@torah.org](mailto:ryfrand@torah.org)] Sent: Friday, July 07, 2006 9:42 AM To: [ravfrand@torah.org](mailto:ravfrand@torah.org) Subject: Rabbi Frand on Parshas Chukas "RavFrاند" List - Rabbi Frand on Parshas Chukas

The Multiplier Effect of One Pure Person Sprinkling On Many Impure Ones

There is an interesting comment in Talmud Yerushalmi [the Jerusalem Talmud] on Tractate Demai: Rav Yehoshua ben Kablah stated: All my life I interpreted the pasuk [verse] The pure person (tahir) should sprinkle on the impure person (tameh) [Bamidbar 19:19] to mean that the pure person can only sprinkle the purifying ashes of the Parah Adumah [Red Heifer] onto one person at a time, until I learned in the treasure house of Yavneh that in fact one pure person can purify many impure people.

Rav Eliezer Schach recollected once hearing Rav Meir Shapiro discussing this passage at a Convention (Kenessiah Gedolah) of Agudas Yisrael in Europe. Rav Schach said he could not exactly recall the interpretation given at the time, but he himself understood this Talmud Yerushalmi as follows:

What happened in Yavneh? Rabbi Yochanan ben Zakai was granted a certain number of wishes by the Romans. He requested — among other things — "Yavneh and its Sages." Although Yerushalayim [Jerusalem] was ultimately destroyed, the remnant that was preserved in the Yeshiva in Yavneh allowed Judaism and Torah as we know it today to survive and even flourish during the long years of exile.

Despite the fact that Yavneh itself was a small Yeshiva, those students taught others until Torah was once again brought back to a state of glory.

Rav Schach interpreted that when Rav Yehoshua ben Kabalah taught that he used to think that one tahir could only sprinkle on one tameh person, he was saying that the greatest effect one individual could have would be on another single individual. I as a teacher, he reasoned, could only pass on my learning to a single disciple who would be my equal. From Yavneh, I saw the possibility of a geometric effect. A handful of students could influence many more disciples — each of whom could in turn have many more disciples and so on and so forth. Through this multiplier effect, a whole generation can become pure again.

If we are looking for a historical proof to this concept, we do not need to look further than what happened here in the United States. It was literally a question of "a single pure individual sprinkling on many impure souls." Consider what happened to the Torah that existed in Europe, where the cream of the crop of Judaism was destroyed. Literally a handful of Rabbanim and Roshei Yeshiva remained -- a remnant of the remnant -- who made it to these shores.

If we look around today and see Yeshivas and Kollelim and Beis Yaakovs and communities that are renowned and laden with glory, this is an example of what Rabbi Yehoshua ben Kablah meant when he said "until I learned from the treasure house of Yavneh that a single tahor can purify many temeim."

This is what happened in America. We can count those original "pure ones" -- if not on one hand, then two hands, maybe four hands at most -- but that is it! Today, Baruch Hashem, we witness the "multiplier effect" -- akin to what was demonstrated in Yavneh of old.

### We Should Appreciate People When We Have Them

There is poetic symmetry to the fact that the Jews' sojourn in the Wilderness began with a Song (in Parshas BeShalach) and basically concludes with a Song (here in Parshas Chukas). Although we read Parshas Chukas only a couple of weeks after Parshas Shlach, the historical narrative in Parshas Chukas jumps ahead almost 40 years to the very end of the period of wandering decreed in the aftermath of the episode of the Spies.

This week's Parsha contains the Shiras HaBe'er [Song of the Well]. There are two significant differences between the Song after Kriyas Yam Suf [the splitting of the Red Sea] and the Shiras HaBe'er. The first difference is that the Shiras HaYam begins "Then Moshe and the children of Israel sang this song." [Shmos 15:1] The Shiras HaBe'er begins "Then the children of Israel sang this song" [Bamidbar 21:17] with the notable absence of the name of Moshe Rabbeinu.

The second difference is that this is a song about the miraculous Be'er [Well] that was with them virtually the entire time that they were in the Wilderness, rather than about Kriyas Yam Suf, which was a singular event. The Shiras HaYam was sung spontaneously, in "real time", so to speak. Why did it take them 40 years to first now sing about the Be'er that was with them for these many decades?

I saw an insight that addresses both these issues. This week's parsha contains the death of Miriam. Chazal say that the Be'er was given to the Jewish people in Miriam's merit. When Miriam died, the Be'er disappeared. It required another miracle from Moshe Rabbeinu to restore their water supply.

Klal Yisrael only saw in very real terms what Miriam had done for them after the Be'er Miriam disappeared. It is the tendency of human beings to take things and people for granted. We go to the faucet and we turn on the water. We expect the water to be there. We do not realize that we have the water because of an entire geological and engineering infrastructure that allows the water to become available to us. We don't think about the "miracle" involved in receiving our water.

Now imagine if we went to a Rock-Well in the middle of the desert and were able to get water whenever we wanted. We would get used to that as well. Certainly our children would think that this is the way it is supposed to be. When Miriam died and they saw the Be'er was gone, they first "got it." They said, "Look what Miriam did for us all these years."

Therefore, the Shiras HaBe'er is not just a tribute to the Be'er. It is a tribute to Miriam. People take people for granted. The only time they begin to appreciate people is in their absence. They think people are just there to turn the water on for them and that the water will always be there. Sometimes, the person leaves and then you finally "get it": It was only because of that person that we ever had the water.

That is the nature of people. In his righteousness and his wisdom, Moshe Rabbeinu appreciated Miriam's role all along. He did not need the absence of the Be'er to realize what she was doing for the Jewish people all these

years. It did not take him 40 years to appreciate Miriam. He was not suddenly inspired to sing 40 years later. It was only the rest of us that first sang after the belated recognition -- "Then Israel sang this song..." It is very sad when we do not appreciate people while we have them.

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #555, Women Fasting on 17th of Tamuz, Tisha B'Av and Yom Kippur The complete list of halachic portions for this parsha from the Commuter Chavrusah Series are:

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100th Issue of the Weekly Halacha Overview- The Obligation to Recite One Hundred Berachot Each Day

Halacha <noreply@yutorah.org> to me

### **RABBI JOSH FLUG**

#### **The Obligation to Recite One Hundred Berachot Each Day**

The One Hundredth Issue of the Weekly Halacha Overview

The Gemara, Menachot 43b, states that there is an obligation to recite one hundred berachot each day. This article will discuss the reason for the obligation, its parameters and special circumstances that arise.

#### The Source for the Obligation

The source of the Gemara's statement regarding the obligation to recite one hundred berachot each day is from a Beraita quoting Rabbi Meir. Rabbi Meir supports his statement from a verse in the Torah (Devarim 10:12) which states "V'ata Yisrael mah Hashem Elokecha sho'el me'imach" (And now Israel, what does G-d Almighty ask of you?). Rashi, Menachot 43b, s.v. Mah, explains that the verse serves as the source because the word "mah" is read as "me'ah" (one hundred). Tosafot, ad loc., s.v. Sho'el, suggest that this verse serves as the source because there are one hundred letters in the verse. Tosafot also provide a number of explanations.

Tur, Orach Chaim no. 46, notes that regardless of the explanation for Rabbi Meir's source, the verse is only a support (asmachta) for a rabbinic enactment. Tur cites R. Natronai Gaon, that this obligation was originally instituted by King David during a certain plague that was killing one hundred people on a daily basis. King David instituted that one hundred berachot should be recited each day and this caused the plague to cease. [This idea is also found in Midrash Tanchuma, Korach no. 12, with one slight variation. According to Midrash Tanchuma, King David himself based the institution on the aforementioned verse.]

### How to Tally the One Hundred Berachot

The Gemara, op. cit., states that on a weekday, one should have no problem reciting one hundred berachot. Beit Yosef, Orach Chaim no. 46, explains that there are nineteen berachot in the Amidah, which is itself recited three times each day, for a total of fifty-seven berachot. Additionally, there are thirty-two berachot recited as part of the morning and evening prayers (including the berachot on tzitzit and tefillin). The count of one hundred is thus complete so long as one recites eleven additional berachot associated with eating. [Beit Yosef assumes that one normally recites sixteen berachot associated with eating. On the minor fast days, one would be short a few berachot. Beit Yosef suggests that one should don talit and tefillin at Mincha in order to close the gap. This is practiced in certain Sefardic communities.]

On Shabbat and Yom Tov, there are only seven berachot in the Amidah. The total number of berachot recited during the Amidah prayers of Shabbat including Musaf is twenty-eight. The Gemara states that R. Chiya b. R. Avia would eat additional snacks on Shabbat and Yom Tov in order to reach the count of one hundred berachot. According to Beit Yosef, it is reasonable to complete the count using food items if one factors in the additional berachot recited at Kiddush and Seudah Shlishit. However, other Rishonim are of the opinion that even with the additional snacks, one must still rely on other factors in order to bring the count to one hundred. Shiblei HaLeKet, no. 1, cites one of the Geonim who suggests that one may count the berachot before and after the reading of the Torah and the Haftarah, adding an additional twenty-seven berachot on Shabbat and twenty-three on Yom Tov. Maharil, Hilchot Yom Kippur, suggests that on Shabbat and Yom Tov, one gains an additional twelve berachot by reciting Ein K'elokeynu (see the comments of Maharil for the explanation).

The most difficult day on which to recite one hundred berachot is Yom Kippur. On Yom Kippur, there are no berachot associated with food. There are thirty-five berachot of the various Amidah prayers including Musaf and Ne'ilah. Additionally there are thirty-three berachot recited during the rest of the prayers (including Shehechyanu) [See Mishna Berurah 46:14, for the exact tally]. If one counts the berachot on the Torah and Haftarah, one can add an additional twenty-nine berachot. This leaves the number at ninety-seven. Magen Avraham 46:8, recommends reciting a few berachot on smelling various spices in order to complete the count. Mishna Berurah 46:14, adds that one may also count the beracha of Asher Yatzar (the beracha that is recited after one uses the restroom).

### May One Create Situations that Allow for Additional Berachot?

One solution to complete the count of one hundred berachot would be to try to create situations where one would be required to recite additional berachot on food items. What stands in the way of this solution is the concept of beracha she'aina tzricha (reciting a beracha unnecessarily). The Gemara, Yoma 70a, implies that it is prohibited to cause a situation where one recites a beracha that could have otherwise been avoided. As such, Magen Avraham 46:8, rules that one should not create situations that would require one to recite additional berachot in order to fulfill the obligation to recite one hundred berachot. In fact, Magen Avraham 215:6, cites the Gemara in order to reject the opinion of Shelah that it is permissible to cause a situation where one would recite additional berachot in order to recite one hundred berachot.

### When Does the Count Begin?

Regarding almost all Jewish events that relate to days, the day starts at night and ends the next night. Ostensibly, the same should apply to the obligation to recite one hundred berachot each day. It is evident from the comments of many Rishonim who deal with the problem of how to recite one hundred berachot on Shabbat and Yom Tov, that they assume that the count starts when the halachic day begins. However, there is an opinion cited by R. Yehuda ben Barzilai, Sefer HaItim no. 195, that for the

purposes of the obligation to recite one hundred berachot, the count starts in the morning and finishes the next morning.

R. Shimon Sofer, Hitorekut Teshuva 3:502, queries regarding the berachot that are recited if one accepts Shabbat early and recites the Ma'ariv prayer prior to sundown. He concludes that if one accepts Shabbat early, all of the berachot recited thereafter are counted for the tally of Shabbat. R. Betzalel Stern, B'tzel HaChochma 4:155, also discusses this issue and concludes that those berachot are counted for the previous day. According to R. Stern, if someone accepts Shabbat early, he must replace an additional eleven berachot (seven from the Amidah and four from the berachot of K'riat Sh'ma) from the standard tally. Additionally, all of the food-related berachot from the Shabbat meal will not count if they are recited prior to sundown. [Perhaps one can deduce from the widespread practice to accept Shabbat early that common practice follows R. Sofer's opinion. Otherwise, it would be extremely difficult to fulfill the obligation to recite one hundred berachot.]

### Are Women Obligated to Recite One Hundred Berachot?

R. Shmuel Vosner, Shevet HaLevi 5:23, notes that one can infer from Beit Yosef's tally of the one hundred berachot that women are exempt from the obligation to recite one hundred berachot. Included in Beit Yosef's tally are berachot that women do not recite. If women were obligated in the mitzvah, Beit Yosef would have mentioned that women must complete the tally with snacks on a regular weekday. R. Shlomo Zalman Auerbach (cited in Halichot Beitah ch. 13, note 2) also rules that women are exempt from this obligation. He explains that since many of the berachot necessary to complete the count are berachot that women are not obligated to recite, one should assume that the original institution never obligated women to recite one hundred berachot daily. [See Halichot Beitah, ibid, for a discussion as to whether the concept of mitzvah aseh shehazman gerama (the concept that women are exempt from positive time-bound commandments) is applicable to exempt women from this obligation.]

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From: ZeitlinShelley@aol.com Sent: Thursday, July 20, 2006 9:47 AM  
Subject: Why Must We Remember? by Rabbi Moshe Meir Weiss

### **Why Must We Remember?**

**By Rabbi Moshe Meir Weiss**

Once a year, we read the Torah portion called Parshas Parah. In Shulchan Oruch, it states that the reading of the burning of the red cow is [a commandment] of Biblical origin. While the Magen Avraham says that he does not know the source for this Biblical directive, the Yalkut HaGershuni on Shulchan Oruch offers a fascinating source for this commandment. He explains that the Torah mandates, "Zachor eis asher hiksafta es Hashem Elokecha badorech – Remember how you angered Hashem, your G-d, on the road." This is a reference to the terrible sin of the golden calf and it is a Divine directive to never forget it.

Since something is considered to be forgotten from the mind if we don't mention it for twelve months, we must make a conscious effort to read it annually so it should be perpetually upon our minds. Concludes the Yalkut HaGershuni, this is the reason why we say Parshas Parah once a year, for the red cow came to atone for the sin of the golden calf and therefore would incidentally keep that sad affair from being forgotten from our minds.

We might wonder, however, if the objective is to remember the eigel hazav, the golden calf, why don't we simply read the episode of the golden calf? Why ensure its remembrance in such a roundabout way? One simple answer is that we probably don't want to cause a kitrug, a prosecution, for

Klal Yisroel by invoking the incident directly. Therefore, we only hint to it by way of the parah adumah, the red cow, which comes as its atonement.

There is, however, a much greater mystery. As Jews, we have the famous 'sheish zechiros,' the six ideas that a good Jew is never allowed to forget. They include such basics as remembering the Shabbos [1], G-d's revelation at Har Sinai when He gave the Torah [2], the miraculous exodus from Egypt [3], the lesson of Miriam when she contracted leprosy for saying lashon hara on her brother Moshe [4], and the directive to eradicate Amalek [5]. The remaining perpetual remembrance is our subject – never to forget the sin of the golden calf [6].

I consider this mystifying. Of the many lessons that a Jew should always keep on his or her mind, we might turn to the dangers of jealousy which we saw in the incident of Kayin and Hevel, the repercussions of parental favoritism as witnessed by Yaakov giving the multi-colored cloak to Yosef, or perhaps the poison of quarreling as witnessed by Korach, or even the ugliness of pride as one can see from Yerovum ben Navat. One would not think that keeping always in mind the sin of the golden calf is so urgent. As a matter of fact it is such a blot in our history that, at first glance, we would think we'd be better off forgetting about the whole affair. The ArtScroll, in its footnote on the sheish zechiros, suggests simply that sin of the golden calf is a reminder to never again deviate from Hashem's ways, even though we might think there's a better way.

I would like to suggest, however, two profound and fundamental lessons from this horrific episode in our history. The first is that we should never be confident of our spiritual well being. Klal Yisroel, before the golden calf, was on a spiritual high. We had just experienced the ten plagues, the miraculous exodus and the even more wondrous splitting of the Red Sea. The Torah testifies about them at that point, "Vayaminu ba' Hashem u'vMoshe avdo – They truly believed in Hashem and Moshe, His servant." We then experienced the zenith of creation, the Divine Revelation at Har Sinai. There, we achieved – perhaps for the only time – complete national unity and reached the incredible spiritual height of the forty-ninth degree of kedushah, holiness. And yet, very shortly thereafter, we plummeted to spiritual depravity with the heinous crime of the golden calf. It is this lesson that we need to remember perpetually. As the Mishnah in Pirkei Avos teaches us, "Al taamin b'atzmecha ad yom mosecha – Don't trust yourself until the day of death." In spirituality we can never rest upon our laurels. Rather, eternal vigilance is the key to spiritual success. When things are going well, we should always check ourselves to ensure that we don't fall prey to habit or to pride.

The second lesson, I believe, lies in a Gemora that informs us that the generation that left Egypt was not on a level wicked enough to do the sin of the golden calf. Rather, Hashem, so to speak, orchestrated it in order to teach us the power of teshuvah, repentance: that one can do such a terrible act against G-d and succeed in winning back favor in His eyes. This is a very reassuring message – that Hashem wants us to constantly remember. As we say in the blessing of repentance in the Shemone Esrei, "Baruch Atah Hashem, harotze b'teshuvah – Blessed are You, Hashem, Who desires our repentance." No matter how far we've strayed, Hashem always pines for our return and sincere repentance. This then is a perfect reason why we choose to recall the event of the golden calf indirectly – through the episode of the parah adumah – for since the reminder is about repentance, it's only fitting that we jog our memories concerning this episode with the red cow that came to atone for the sin of the golden calf.

May it be the will of Hashem that we always remember the right things in life and learn how to forget the petty grudges, enmities, and feuds that clog our minds with such sinful waste. In this zechus, may Hashem bless us all with long life, good health and everything wonderful.

To receive a weekly cassette tape or CD directly from Rabbi Weiss, please write to Rabbi Moshe Meir Weiss, P.O. Box 140726, Staten Island, NY 10314 or contact him at RMMWSI@aol.com.

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(Sheldon Zeitlin transcribes Rabbi Weiss' articles. If you wish to receive Rabbi Weiss' articles by email, please send a note to ZeitlinShelley@aol.com.)

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Parshat Chukat Kerem B'Yavneh Online <feedback@kby.org>

Attached is KBY's parsha sheet, Eshkolot Parshat Chukat

### **The Tension of the Water Above and Below Heaven**

**Rav Adi Nussbaum** (Translated by Rav Meir Orlan)

With the first appearance of water in the Torah, we find a strong hint to the tension and conflict that water is destined to bring to the world: "G-d said: Let there be a firmament in the midst of the waters, and let it separate between water and water." (Bereishit 1:30) The firmament, which is a heavenly item that enters within the water and separates between those above and below, comes to allude partly to what the Ramban writes: "Just as there is distance between the firmament and the water that is on earth, there is also distance between the upper waters and the firmament - this teaches that they are suspended by His word," something that we call "tension in the air." It further alludes to the words of R. Chanina in the Midrash, who explains the lack of the phrase "that it is good" on the second day: "On it conflict was created ... If even about separation which is for the improvement and habitation of the world, it does not say, "it is good," dispute which makes the world turbulent - all the more so!"

Conflict and tension connected with water, which symbolize lack of peace and eternal movement, bring with them this state, in regards to both positive things and those that are not, as we see in our Parsha over and over. The lack of quiet, and the spiritual and physical quarrels related to water, accompany us in reading this parsha, openly and as an undercurrent.

The first tension that appears in the parsha is the tension between life and death, between purity and defilement. A live person who touches a corpse or is defiled in the tent of a corpse, encounters this tension. This spiritual tension bring defilement, that of tum'at met, and is removed through the ashes of the red cow that is mixed with mei nidah - fresh spring water, that will be sprinkled on the defiled person on the third and seventh day. If he does not do so, he will remain defiled, and will even defile the Mishkan of G-d when entering - "for the water of nidah was not sprinkled on him." (19:13)

"They shall take for the contaminated person some of the ashes of the burning of the purification [animal], and put upon it fresh [spring] water in a vessel." (19:13) "The water should be poured to the vessel first ... afterwards 'put upon it' - put the ashes into the water, but he should not leave the ashes floating on the water, but rather mix it in the water through stirring, so that the water is now above the ashes. (R. Shimshon R. Hirsch) This mixture of earth-ashes of the cow, which comes from destruction and death, with fresh spring water is the meeting of life and death. In one vessel opposing forces are mixed: ashes vs. water, death vs. life, and black vs. white. The water, in the end, will overcome and bring purification, but not to all.

R. Shlomo Ephraim b. R. Aharon, in his commentary Kli Yakar explains the resolution of this contradiction with the principle: "Something is elicited only by its opposite." The contrast, in particular, elicits response and arouses. Therefore, the opposing items sprinkled on the one who is defiled will arouse within him a response of purity. The ashes of the cow, which are entirely impure, and the water, which is entirely pure - are mixed together and sprinkled on the impure. He is not affected by the defiled ashes which are of his type, but rather he is inspired and influenced by the water that is opposite to him, which overcomes the impurity and he is purified. The opposite process occurs to a pure person who carries the water of sprinkling He is not affected by the pure water, which is of his kind, but rather by the ashes that are his opposite, and they defile him. However, despite all this, the water for the purification of the defiled is not enough by

itself, because one needs to know the source of defilement - which is represented by the ashes. Therefore, this particular kind of defilement needs to be mixed with pure water.

This same water, later in the parsha, was lacking after the death of Miriam, who waited for Moshe at the water to see what will be of him, and in this merit earned the well of fresh water for Israel. (R. Bachya) She left after her death a great lack and thirst for water by the "congregation" (eidah). However, the argument was aroused by the "people" (am) - generally the part of Am Yisrael of lesser quality - who were lead to arguments and screaming: "The people quarreled with Moshe ... Why have you brought the congregation of Hashem to this wilderness to die there, we and our animals?" (20:3-4) The forces of the desert - "the desert of death," is elicited by the lack of fresh water and leads to quarrel; quarrel with Moshe, and, on a deeper lever, quarrel with G-d.

This nation, which quarreled in the past with Moshe on this same issue, upon leaving Egypt, and already tested G-d: "The people thirsted there for water, and the people complained against Moshe, and it said: Why is this that you have brought us up from Egypt to kill me and my children?" (Shemot 17:3) However, there we are dealing with a younger, less mature nation, with less experience; a blunt nation that left Egypt. Therefore, the solution is: "Strike the rock and water will come forth from it." Striking the rock with the staff will bring it to give water, something that can occur also naturally when a rock is split from a mighty strike and water is aroused to come out from the depths of the ground.

Forty years after leaving Egypt another miracle is required, to a new generation, more mature, "for it is not proper to hit with a stick only a young fool, but when he is old, a rebuke will land on one who understands." (Kli Yakar 20:8) This time the water needs to be higher, more spiritual. It should not come from breaking, hitting and force, but instead through talking, the ability that connects material and spiritual. It will connect between the upper and lower water that separated and were distanced, and this time the people would merit spiritual water - upper water. "Therefore, G-d command that the rock should turn into water, as it says, 'it should give its water' - i.e., that water should be from the rock - not drawn from some other source to it. This is possible only through turning the form of rock into the form of water ... and this nature has never done under any circumstance." (Sforno 20:8) The rock, which represents the most inanimate physical item - was destined through Moshe's speech to turn into fresh water that move, spiritual water. However, they did not merit all this, on account of striking the rock.

Israel's self-defense before Edom, and the promise, "We will not drink well-water" (Shemot 20:7), do not reduce the tension between Am Yisrael and Edom, and even their agreement to buy with cash, "If we drink your water ... I will give their cost" (20:19) - is of no avail, until "Israel turned away from him."

Towards the end of the parsha, the song of the water - "Then Israel sang this song," which replaces "Then Moshe sang" - is a result of maturity. Before, when leaving Egypt, Moshe did not leave them to sing alone, but rather like a child who says with his teacher. (Based on Yalkut Shimoni Chukat and Tanchuma.) When they were young they could not say song because even something for water - needs guidance. A child can thank, but will be drawn to thank on the material and small and temporary things, but does not know to appreciate and thank for the proper points. His inner tension between the pure and important and the impure and secondary - is great. In the child's mind different thoughts are mixed, forces of more importance with those less important, that don't have place here in thanking G-d. He still needs to be directed in the correct path, in a proper spiritual direction. This song needs to be clean and pure without taint. After maturing forty years, it is possible to say a new song of a new generation. This time it is a song clean and pure with much less tension and conflict. This time it is a live song, pure and clean like pure spring water - the pure upper water.

May we merit soon that stream of water issuing from the Holy of Holies and near it all kinds of fruit. (Sanhedrin 110a, based on Yechezkel 47:12) This alludes to the world to come that is full of spiritual force, which still has eating and drinking - spirit and body one beside the other.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

**Sir Jonathan Sacks**

**Chief Rabbi** of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5765]

<http://www.chiefrabbi.org/tt-index.html>

Chukat

Our sedra opens with a concept that gives it its name: "This is the statute of the Torah . . ." Chukkim, statutes, constitute a specific category of biblical law. Traditionally they refer to the commands that seem to have no obvious reason - either in terms of social justice or historical memory. They include such laws as the prohibition against eating meat and milk together, wearing clothes of mixed wool and linen (shaatnez), and sowing a field with two kinds of grain (kilayim).

The most striking example of a 'statute' is the law with which the sedra begins: the red heifer. This ritual - based on the idea that death defiles - involves an elaborate system of purification. In temple times someone who had become impure through contact with or proximity to a corpse, had to undergo this rite, taking seven days, before he or she could enter the temple precincts again.

The sages were fully aware that the chukkim seemed to defy any analysis in terms of social utility. They said of them that they were laws of which 'Satan and the nations of the world made fun'. They had the appearance of irrationality, even superstition.

There is a famous passage in the rabbinic literature in which Rabban Jochanan ben Zakkai was challenged by a Roman who thought that the law of the red heifer was just that: superstition, magic. Artfully, Jochanan explained it to him in terms of exorcism. The person who comes into contact with death undergoes a form of demonic possession. He or she is affected by an "impure spirit". The ritual, he said, was intended to drive the spirit away. It was - as we might put it today - cathartic or psycho-therapeutic.

The Roman went away satisfied. What makes the passage so fascinating is that it does not end there. Rabban Jochanan's students, who had witnessed the encounter, challenged the master once the Roman had left. 'You drove him away with a straw' they said, meaning: you gave him an answer he could understand and relate to. 'But what will you answer us?' In effect, they were saying to Rabban Jochanan: Romans, too, are superstitious. They have their own irrationalities. You gave the man an answer that appealed to him, but you were engaging in rhetoric rather than the pursuit of truth. We, your disciples, know there are no such things as spirits. What then will you say to us?

Jochanan's reply is breathtaking in its honesty. 'Do not think that it is death that defiles, or the waters [of the red heifer] that purify. Rather, G-d says this: I have ordained a decree, I have issued a statute, and you have no right to question my decision [le-harher achar middotai]. Do not believe - he is saying - that every aspect of the Torah is fully comprehensible to us. There are elements in Jewish life that are not fully amenable to logic, at least insofar as we can apply it. As Shakespeare put it: There are more things in heaven and earth than are dreamed of in your philosophy. There are some laws (not all) that exist because G-d commanded them. We cannot understand them; all we can do is obey.

What is fascinating in this exchange is less Jochanan's answer than the tension we feel in the entire story. That a religion might contain laws we cannot fully understand is a cliché. Every religion has irrational elements,

rituals that to an outsider seem strange, illogical, arbitrary. What we sense in the story is the opposite: the rationalism of Jochanan's students. After all, it was their master, Rabban Jochanan himself, who was one of the great proponents of taamei ha-mitzvot, the search for 'reasons for the commandments'. They were not content with easy answers - explanations that might make sense to a Roman. They wanted nothing less than the truth.

To this, in effect, Rabban Jochanan responded by saying: Yes, I have taught you to insist on rationality, logic, philosophical explanations. But now I must teach you something no less fundamental: the limits of reason. The human mind must learn humility. We cannot understand everything at once. There are elements of existence that, at any given time, are opaque to reason. Wisdom, if it is truly to be wise, must respect its own boundaries.

Strangely, it was a self-confessed agnostic, Friedrich Hayek, one of the great liberal thinkers of the twentieth century, who at the end of his life came to the same conclusion. He called his last book *The Fatal Conceit*. In it he argued that the great failures of the modern world - socialism, communism and other attempts at social engineering - came about because of the 'fatal conceit' that we can plan human destiny in advance by the application of rationality: science, technology, bureaucracy, utilitarianism and so on.

We cannot. All social engineering is subject to the 'law of unintended consequences'. Things go wrong. They do not turn out as we planned. A programme devised to eliminate poverty is discovered, a generation later, to have made poverty worse, not better. A revolution undertaken in the name of freedom results in a new form of tyranny. The saddest words in history are: It seemed like a good idea at the time. Meanwhile, outcomes that were entirely unintended turn out to be benign. That is what Adam Smith discovered about the economics of the free market. A large number of individuals pursuing their own interests create a process that enhances the common good. No one intended this. It just happened. Smith himself - in a strikingly religious phrase - called this 'the invisible hand'.

What we need, said Hayek, is a series of rules - 'Thou shalt not's' - that we obey simply because they are rules, and because societies observing these rules survive. We may never fully understand why and how they contribute to survival. They just do. They are our greatest protection against the fatal conceit of rationality when applied, not to nature, but to human beings and their interactions.

Hayek was no irrationalist. Nor, nineteen centuries earlier, was Rabban Jochanan ben Zakkai. What they taught was similar to the famous theorem proved by Godel: that for any system there are truths unprovable within the system. Logic has limits. Reason has boundaries. A failure to observe these limits results in tragedy. In Judaism those limits are called *chukkim* - laws that cannot be explained in terms of social engineering or immediate consequences.

Jochanan did not counsel a life of blind obedience. He taught his disciples to search for reasons for the commandments. But he also taught them to respect what they could not understand - and that there are some rules whose logic is beyond us. Sometimes a law that seems unfathomable to one generation becomes lucidly self-evident to the next. That is what has happened in the case of many of the *chukkim*. Only recently has concern with for the environment and the danger of genetically modified crops alerted us to the importance of respect for nature that lies at the core of the Torah's laws against crossbreeding and the mixture of species. Only since Freud have we come to understand the irrational death instinct - Freud called it *thanatos* - against which the law of the Red Heifer and the idea that death defiles is a protest. Often the logic of biblical law, opaque for centuries, becomes clear in the course of time.

The concept of a *chok* tells us not to reject what we do not yet comprehend. There are aspects of life that call for faith in a wisdom greater than ours. We must strive to understand what we can, but we must also have the humility to make space in our lives for that which we cannot.

## **Peninim on the Torah by Rabbi A. Leib Scheinbaum**

- Parshas Chukas

Shema Yisrael Torah Network <shemalist@shemayisrael.com> to Peninim

### **PARSHAS CHUKAS**

And they shall take to you a completely red cow, which is without blemish. (19:2) Rashi cites his rebbe, Rabbi Moshe HaDarshan who explains that symbolically, the Red "Cow" came to atone for the sin of the Golden "Calf," as if to imply, "Let the mother come and clean up the mess left by her child." This explains why the commandment was directed to Aharon, the one who contributed to the creation of the molten calf. This explanation begs elucidation. What does making the Golden Calf have in common with the mitzvah of Parah Adumah, which serves as the paradigm of a *chok*, a mitzvah for which the rationale is not even remotely discernable. If so, how does the "mother" clean up for her "child?"

The commentators explain that we must first delve into the nature of the Golden Calf and Klal Yisrael's sin in creating it. Moshe ascended Har Sinai due to return in forty days. According to the people's calculations, he was late in returning. Immediately, the people conjectured that he was not coming back. Moshe was gone. They could not wait, and they proceeded to replace him with a golden calf, which they subsequently served amid frolic and debauchery. What do these unconscionable actions teach us? It tells us that during this time, *machshavah*, rational thought, *seichel*, common sense, was suddenly suspended. They did the irrational and absurd. Without thinking, they allowed their emotions, their inclinations, to take hold and guide them. Had the people stopped to think - even momentarily - they would have realized that Moshe would return. He was late, but he would return.

It is not as if they did not have other potential leadership. Aharon was available, and so was Yehoshua. Why ignore them in order to create a golden calf? Is this not ludicrous? The people were not thinking. They had lost all sense of rationality.

Hashem rewards and punishes *middah k'neged middah*, measure for measure. Thus, when the people acted in an irrational manner, Hashem gave them a mitzvah which is beyond human comprehension, one for which there is no sensible rationale. Hashem gave Klal Yisrael a mitzvah which they cannot question, which they have to accept with complete equanimity. It is as if Hashem is telling the Jewish People, "When you were prepared to sin with the Golden Calf, you did not think; you did not care; you just acted. I am giving you a mitzvah which you will not question; you will act in accordance with My wishes."

There are many acts in life which we perform without knowing or understanding the reason. We take medicine without knowing how it works. Yet, we take it because we trust our physician. Are mitzvos any different? This should be especially true when we place our trust in the true Physician, the One Who truly heals us all.

And the people settled in Kadeish; and Miriam died there, and was buried there. (20:1)

The Midrash *Tanchuma* notes the juxtaposition of the death of Miriam upon the laws of the Parah Adumah, Red Cow. They suggest that it comes to teach us that just as the ashes of the Red Cow procure atonement, so, too, does the death of the righteous bring about forgiveness. How are we to understand this relationship? Horav Mordechai Rogov, zl, offers a meaningful explanation. The Torah teaches us that "a ritually clean man (Kohen) should collect the cow's ashes and they should be guarded for purification waters" (ibid. 19:9). Likewise, it is understood that the passing of a *tzaddik*, righteous person, leads to atonement only when the nation stops to "collect itself" to compose themselves and think about the impact this great individual has had on their lives and what mitzvos his life

epitomized. Otherwise, there is no effect. We must take a cognitive approach to his death.

We should remember the life of an outstanding and devout person. His trials and challenges, his achievements and successes, as well as how he reacted to failure, should all be preserved in our minds. Otherwise, it is like burning an object such that all that remains are the useless ashes. The memory of such a consummate life, a life that epitomized Judaism at its zenith, should be eternally placed before the nation and forever maintain a special place in the hearts and minds of the people. In this sense, death is not considered as someone's demise, but rather as his being gathered in to the spirit and lives of the nation. In this manner, the passing of a tzaddik parallels the procedure of bringing the Red Cow, including the atonement it engenders.

We find that Chazal make two statements regarding the passing of a tzaddik, which seem to contrast each other. The Talmud in Rosh Hashanah 18b describes the death of a tzaddik to be as great a loss as the burning of the Bais Hamikdash. In contrast, we find the Midrash Eichah 1:39 asserting that when a tzaddik is "removed from the world," it is considered to be worse than the destruction of the Bais Hamikdash. Which one is accurate?

Rav Rogov explains that the difference lies in how much of the memory of the tzaddik is assimilated into our lives. When a righteous person passes from this world, but his memory is still guarded in our souls, we remember his achievements, and they serve as a source of inspiration, Chazal compare this to the burning of the Bais Hamikdash. The structure may be gone, but its influence endures. This is not true, however, when we forget a tzaddik, when his memory becomes a blur, and we relegate his many accomplishments to antiquity. This is a catastrophe of epic proportions, much like the complete loss of the Bais Hamikdash. Memories are a wonderful vehicle for preserving the past, but only if one takes the time to learn from the lessons of the past and the achievements of those who preceded him. By immortalizing their lives, we give greater meaning to our own lives.

There was no water for the community. The people quarreled with Moshe. "And you shall speak to the rock in full view of the people, and it will produce water". And he (Moshe) said to them, "Listen now, o' rebels! From this rock shall we bring forth water for you!". and he (Moshe) struck the rock twice with his staff. "Because you did not believe in Me to sanctify Me, therefore you will not bring this congregation to the Land." (20: 2,3,8,10,11,12)

The sin of Mei Merivah, the waters over which the people quarreled with Moshe, is recorded as the sin for which Moshe lost the opportunity to enter Eretz Yisrael. When we read the account of the events, we find it difficult to discern the actual sin which Moshe perpetrated. Various opinions abound among the commentators. We will focus on four of these opinions. Rashi posits that Moshe disobeyed Hashem's command to speak to the rock. He had no right to lift up his staff and strike the rock. His action diminished the sanctification of Hashem's Name, for had the people received water through an act of speech, the nation would have derived a powerful moral lesson. They would have seen one of Hashem's creations willingly responding to a command without coercion or physical force. By extrapolation, they would have applied this lesson to their personal lives. Each person would have understood his obligation to serve the Almighty with acquiescence and enthusiasm, unbidden and unforced. Moshe's act of striking the stone aborted the potential for this heightened spiritual understanding.

The Rambam takes issue with Rashi's reasoning, suggesting that the sin lay in Moshe's critical response to the people's request. The derogatory terminology used, "Listen now, o' rebels," was too strong an expression to use against the nation.

Rabbeinu Chananel focuses upon a grammatical nuance which he feels is in concert with Moshe's error: *Notzi lachem mayim*, "Shall we bring forth water for you?" With these words, Moshe was subtly implying that he had some sort of power through which he could bring forth water. Certainly

Moshe did not mean to convey such a message, but in the mind of the trusting Jew, it might have left room for erroneous belief.

The Ramban supplements his explanation commenting that Moshe had hit the rock twice. One might not think that one time represents a human achievement, but twice leaves room for an unsuspecting person to err. In explaining this further, Horav Yosef Leib Bloch, zl, suggests that we might recognize striking the rock once as a miraculous feat. In contrast, since he struck the rock twice, it gave the impression that it was the force of hitting the rock that caused the water to flow. Thus, people might have thought that Moshe played a role in catalyzing the flow of water.

Sforno delineates three categories of miracles: The first class is a *nes nistar*, concealed miracle. Basically, this refers to the "laws of nature," such as rainfall, the curative powers of medications, etc. in what we refer to as natural occurrences veil the miracle. Veritably, nature is a miracle in which Hashem conceals His Divine manipulation.

The second form of miracle is clearly a supernatural occurrence, which takes place only after certain actions have been performed. These actions, such as the transformation of Moshe's staff into a serpent, serve to conceal the Divine element of this occurrence.

The third type of miracle harbors no secrets or hidden strings. It is clearly and unequivocally a miracle, with no foreshadowing action.

The fundamental distinction that seems to be discernable is the premise that a miracle that nature obscures is not usually recognized as a miracle. A miracle which needs an action as a precursor is clearly a miracle, but it can lead the innocent bystander to believe that the agent who performs the action has also contributed toward the success of this miracle. People then view the agent with awe and reverence. In the final type of miracle, the people respect only Hashem, since it is clear to all that He is the sole initiator of this extraordinary event.

This principle has great significance as it relates to Moshe and Aharon's sin. Klal Yisrael's distinguished leadership felt that the people lacked the complete worthiness to experience a miracle that was totally without restriction and human participation. The mere fact that they were dissatisfied with their journey in the desert, their complaining about a lack of water, indicated that they were not yet on the elevated spiritual rung necessary for this commitment. This is why Moshe addressed the people in such a derogatory manner. A miracle of the second type, whereby an agent participates in the miracle's initiation, would be more congruous with their present spiritual level. It was necessary to obscure subtly the intense illumination manifest by an overt miracle, creating the impression that, to a limited extent, this experience reflected human involvement. Hashem chastised Moshe for this assumption and his consequent "participation" in the miracle. Apparently, Klal Yisrael was ready for a miracle in which the fuller sanctification of Hashem's Name could be manifest.

There seems to be some overlap between the four explanations. They all apparently suggest that either Moshe minimized the sanctification of Hashem's Name or his Kiddush Hashem could have been greater had he acted differently. Horav Mordechai Miller, zl, suggests that Sforno's explanation actually encapsulates the other explanations. Rashi's view that Moshe's sin lay in striking the rock, rather than speaking to it, can now be understood with added depth. Indeed, Moshe's action transformed the entire character of the miracle. It became a second degree miracle, instead of the third degree, the overt miracle. The fundamental change was effected as a result of Moshe's lowered estimation of the nation's spiritual standing.

The Rambam focuses on the words, "Listen now, o' you rebels!" as the catalyst for Moshe's punishment. Moshe reflected his feeling that the higher degree of miracle could not be affected due to the nation's spiritual deficiency. Thus, he hit the rock reducing overtly the supernatural character of the event. He, in turn, expressed himself to the people, "You have caused this change as a result of your lack of total conviction. Otherwise, the miracle would have been even greater."

Rabbeinu Chananel's explanation adds an additional dimension to the picture. By attributing power to himself, Moshe played an active role in the miracle in a manner deemed inappropriate by the Almighty.

Last, the Ramban's interpretation, which asserts that the sin was Moshe's hitting the rock twice, leads one to believe that the actions of the agent have some bearing on the final result, thus veiling the clarity of the miracle.

All four of the interpretations are based in the words expressed by Sforno. Each, however, views the event from a different perspective. In one way or another, they each imply that Moshe's actions reduced the effect of the miracle. This is the story of life. Hashem has messengers and agents who do His bidding. We make the grievous error of attributing the positive results to the intermediary and, regrettably, when the conclusion is not positive, we attribute it to Hashem. We must learn to integrate into our minds that the intermediaries are nothing more than an illusion. Only Hashem has the power to effect and achieve results.

Rav Miller relates a humorous, yet penetrating, anecdote about a man who had been childless for many years. He approached a Chasidic Rebbe for a blessing. Not satisfied with merely one blessing, he approached a second Rebbe for his blessing. One year later, the man and his wife were blessed with a child. Upon hearing the wonderful news, the chasidim of each respective Rebbe celebrated their Rebbe's incredible powers. This, of course, led to a heated dispute between the chasidim concerning whose Rebbe was the real miracle worker. They decided that they would consult with a gadol, Torah giant, to settle their dispute. This gadol would, once and for all, tell them which Rebbe's blessing had achieved fruition. The answer they received was terse and eye opening: "The man was blessed with a child because of the Almighty's blessing. Unfortunately, the Almighty does not have any chasidim!"

The people spoke against G-d and Moshe. Hashem sent fiery serpents against the people. The people came to Moshe and said, "Pray to Hashem that He remove from us the serpent" . "Make yourself a fiery (serpent).so that if the serpent bit a man, he would stare at the copper serpent and live." (21:5,6,7,8)

The text of the people's request is enigmatic. Upon asking Moshe to pray to Hashem to remove the serpents, they say, "that He remove from us the serpent," in the singular. Hashem sent more than one serpent against them. The Chafetz Chaim, zl, explains that the sin for which Hashem was punishing them was the sin of lashon hora, slanderous speech. It is well known that one's sinful activity creates a prosecuting counsel. This "prosecutor" does not need to articulate his criticism of the sinner. His mere presence at the "trial" before the Heavenly Tribunal is sufficient to incur a verdict of guilt. When Hashem is filled with compassion, He removes the kateigor, prosecutor, thereby allowing His boundless mercy and kindness to find the defendant innocent.

This concept applies only when the prosecuting counsel is created by any sin other than that of lashon hora. The kateigor that is created by slanderous speech has a "mouth" and a "tongue." Since it has been created through the medium of speech, it stands up and, without inhibition, declares and describes the sin to its fullest, darkest, essence. Thus, such a prosecutor cannot simply be removed. When the prosecutor just stands there quietly, he can be glossed over. Not so, when he is screaming for attention. One cannot ignore such a prosecutor. The Heavenly Tribunal must listen to his appeals and, regrettably, find the defendant guilty.

We now understand why the people asked to have the "serpent" (in the singular) removed. They were referring to the proverbial serpent created by their sin of lashon hora. When that kateigor is removed, the fiery serpents will also disappear. Hashem replied that such a prosecuting counsel cannot simply be removed. He stands there and demands that justice be done. He neither is interested in compassion nor an advocate for kindness. "Guilty! Guilty!" he screams! The only advice that can help the people at this point is to make a copper serpent which will serve as a medium for them to look upward to Hashem and subjugate their hearts to their Father in Heaven.

While, indeed, they could have been healed without the copper serpent, they would have thought they had been cured through natural means. It is important that "natural" cures do not effect a cure for the sin of speaking lashon hora. It is a sin that defies the physical dimension, both in punishment and in its remedy. The power of speech distinguishes man from all of the other creatures. To defile that ability is to denigrate the spiritual gift which Hashem has given him for the purpose of expressing himself in a manner that honors his Creator.

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