

CHAPTER 5, LAW 7(C) - UNDERSTANDING MAN, PART II

by Rabbi Dovid Rosenfeld

(Middle of Law 7; beginning quoted in class 7(a))

If [the Torah scholar] sees his words will benefit [others] and be heard, he should say [them]; if not, he should be silent. How is this? He should not [attempt to] appease his fellow when [his fellow] is angry. He should not ask about his [fellow's] oath [in order to absolve it] right at the time [his fellow] swore -- until his mind has cooled and become composed. He should not comfort his fellow when his dead [relative] is still placed before him -- as he is dazed (lit., 'confused') -- until they bury him. So too anything similar to these. He should also not appear before his fellow at the time of his disgrace, but should rather avert (lit., 'hide') his eyes from him.

Last week we began discussing this part of Law 7. As we explained, the basic theme is that it is not sufficient that the Torah scholar possess mastery over Torah texts and rabbinic literature. He must equally understand man, recognizing when his wise words will benefit his fellow and when they are better left unsaid.

We then conjectured that perhaps the Rambam felt this advice (which is actually a mishna in Pirkei Avos (4:23)) was particularly relevant to scholars. It is not difficult to imagine a learned, book-smart rabbi who is more at home with texts and commentators than human beings, who simply lacks the bedside manner to make a truly warm and caring spiritual mentor. And to such a person the Rambam felt need to offer special warning. To truly be a true scholar among men, the sage must understand man and human nature as well as he does the Torah.

However, as we noted at the end of last week, far more often the truly great rabbi masters both. The great amount of effort he expends studying and unraveling theoretical law surprisingly does not distance him from the masses but endears them to him -- and him to them. Last week we suggested a few possible reasons for this. This week I'd like to get to what I feel is the crux of the issue.

People tend to think Torah study involves a lot of theology and theoretical inquiry, in which students spend great deals of time defining and clarifying fine points of religious doctrine -- who is G-d, what is He, where is He, how does He relate to the world, etc. Years ago, an old friend of mine told me that during the course of his years studying for the rabbinate, he took a summer job in America. His (mostly non-Jewish) coworkers, who were actually quite intrigued at the thought of a rabbi-in-training among them, naturally assumed he spent many hours and semesters contemplating his navel. They were rather surprised when he told him that philosophy constitutes virtually no part of

rabbinic training (although to be sure there are several basic works on Jewish ethics and theology any serious scholar-in-training will be sure to study).

What Torah study actually is (and rabbinic training is in particular) is the very practical study of the how-to's of Judaism. It is the application of abstract principles to real-life situations. How must one observe the Sabbath? How does one maintain a kosher kitchen -- separating between meat and dairy, and what does one do if the two become mixed? How do husband and wife properly observe the laws of family purity? A rabbi must be far more than a good preacher. He must know all the answers, the day-to-day nuts and bolts of Jewish living. He must be prepared to answer the myriad questions conscientious laymen will ask him about properly observing Jewish law. He must be able to decipher complex real-life situations, ferret out the underlying legal or technical issues, and pronounce authoritative decisions based upon classic Jewish texts. To be sure, philosophy plays no small role in understanding what it means to be a Jew. But Judaism is a religion far less interested in understanding G-d than in understanding man.

On one level, this is one simple reason why scholars and scholars-in-training are not distanced from the masses. Their study is of a very practical nature. They learn how to solve the problems of man and how to instruct them in the spiritual life. In fact, they serve as the bridge between theoretical knowledge and practical day-to-day living. They determine how general principles and directives apply on a case-by-base basis, and how to bring down the Torah's abstract wisdom to the world of man.

King David lauded himself that whereas other kings sit around in groups pampering themselves, his hands are filthy with blood. What sort of blood? Of bloodstained garments women bring him to determine if they are permitted to their husbands (Talmud Brachos 4a). David's true eminence was in his involving himself with the needs of the nation in the most personal manner.

But there is a far more profound idea here. Deciding matters of Jewish law is hardly a matter of opening a source book and reciting dry rulings from the past. The truly great rabbi must well understand his audience. To properly ascertain matters of Jewish law, the rabbi must understand with whom he is dealing -- who the questioner is, where he comes from, what his background is, and what he is ready for. For surprisingly, Jewish law contains far more leeway than most people realize, as we will see shortly. Let me begin by way of illustration.

I was once told that R. Yisrael Zev Gustman, one of the great rabbis of Jerusalem until his passing in 1991, was once posed a tragic question. A Israeli soldier, in the heat of battle, mistakenly fired on and killed his own fellow soldiers. (What we term a "friendly fire" incident -- a phrase which always sends shivers down my spine, such a benign-sounding phrase for such heartrending tragedy.) Needless to say, the soldier was devastated ever since, realizing the destruction he had caused.

But there was more. The soldier was a priest (Kohen -- a descendant of Aaron the High Priest), and he knew that the Talmud states that one who has murdered may not offer the Priestly Blessings

(Brachos 32b). (Birkas Kohanim -- the blessings the priests offer the congregation at a point during the services. This is performed daily in the Holy Land and by most in the Diaspora only on the holidays. It is one of the few remaining privileges of being a member of the Priesthood today.) He thus posed the question to the rabbi if he was now permanently invalidated from performing this service.

R. Gustman answered that the man could still officiate as a priest, and he offered a proof based upon another case of Jewish law. I'll spare the precise details of the case, but others who were present were decidedly unconvinced by the rabbi's reasoning, noting that the "proof" he cited was a far cry from the case at hand.

The rabbi responded, basically as follows: "You don't understand. Sometimes you **know** how you have to decide a case in advance. The man was devastated, he would have gone through the rest of his life feeling he is a murderer. I had to rehabilitate him; it was a simple matter of saving a human life. As for the details of the case, those we can discuss later."

(I write this with an important disclaimer. Obviously it takes a great rabbi to know the limits of Jewish law and how and when they may be pressed -- and when they cannot. We cannot play around with Torah law for emotional or sentimental reasons. Only one with total command of all the principles and details can make such a judgment call.)

The example above, though extreme, is illustrative. The true job of a rabbi is not merely to understand Jewish law. He must understand man. Most of the world of man just does not tidily fit into well-formulated Talmudic principles. Deciding matters of Jewish law requires an understanding of the people for whom the rabbi is ruling -- to understand precisely how the law applies to each and every one of them. Thus, the rabbi must enter the lives of others -- and learn to understand and value them -- so that he can truly bring the Torah to their level.

This raises another important issue, one I'll touch upon briefly, because it clears up a serious misconception people have about Judaism. People not familiar with the workings of Jewish law assume it is very rigid, very structured, and harbors zero room for differences between people and groups. And Orthodox Judaism is often stereotyped as monolithic, stifling and wholly intolerant of individual expression.

Those of us, however, who have seen the Torah and the workings of Jewish law close up know that this could not be further from the truth. To be sure, Jewish law is very structured and is hardly a free-for-all (which would hardly offer mankind the discipline and boundaries required for productive living). Yet regarding almost every issue there are a wealth of opinions, some more stringent, some more lenient. A truly great rabbi will not offer generic, brand-x answers to anyone who poses a question. He will recognize the background and needs of the questioner in order to provide the guidance most appropriate for him. For one person he will offer a more strict ruling. For another he'll adopt a more lenient approach. And to a third he may recommend only keeping the basics, perhaps

to undertake a little more only later, when he or she is ready.

Thus to conclude, the vast majority of great rabbis are equally proficient scholars of human beings as they are of Torah. The son of my teacher R. Yochanan Zweig once mentioned to me that people who hear his father earned a secular degree naturally assume it was in psychology. (He actually graduated law school (Univ. of Maryland, late 1960's).) For Torah study to a very great extent is not about abstractions but about people -- understanding them, guiding them, and bringing them closer to G-d.

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