

CONFRONTING "I"

by Rabbi Aron Tendler

This week's double Parshios begin with laws pertaining to personal vows and the process through which a father can annul his daughter's vows and a husband can annul his wife's vows. This week's double Parshios and Sefer Bamidbar conclude with the Cities of Refuge and a final note regarding the Daughters of Tzlaphchad. Is there a connection between the annulment of vows and the Cities of refuge? Why did G-d conclude the fourth book of the Torah with a final note regarding the daughters of Tzlaphchad?

This week's Parshios conclude the 40-year experience in the desert. The remaining Book of Divarim is focused on the transition from the desert into the land and the attendant changes and concerns facing the nation. The 40 years in the desert were intended to set forever in the minds of the nation the awareness of G-d's constant caring and love. Armed with that knowledge, the Jews would be undefeatable. However, G-d's protection is conditional. It depends upon the acceptance of our dependency upon G-d and our trust in Him. If we trust G-d we will do as He instructs. If we do not trust G-d, meaning, we do not truly believe that he always does what is in our best interest, we will ignore G-d's commandments in favor of our own limited comprehension.

History proves that dependency on G-d is the prerequisite for being undefeatable.

As we near Tisha B'Av (9th of Av) we focus on remembering the destruction of the first and second Temples. In 3285 - 476 b.c.e. Yoshiyahu was proclaimed king of Yehudah. Yoshiyahu was a righteous king who renewed the faith of the nation in G-d and reversed King Menashe's (his grandfather) policy of idol worship and the destruction of Torah learning and observance. The Prophet refers to Yoshiyahu as singular and unique in his devotion to G-d and Torah. The greatest of his accomplishments was the Baal Teshuva (literally - One Who Repents) movement that he sparked. It was the greatest Baal Teshuva movement the world had ever seen. However, he was less successful than he thought and there were many Jews who continued to secretly serve idols.

In 3316 - 445 b.c.e., 22 years before the destruction of the first Bais Hamikdash, Yoshiyahu made a tragic strategic error. "In the last year of Yoshiyahu's reign, Pharaoh Necho, king of Egypt, decided to wage war against Assyria which was northeast of Israel. He asked Yoshiyahu permission to march his troops through his land, (Egypt being southeast) as this was the fastest and shortest route to Assyria. However, Yoshiyahu refused because G-d promised that when the Jewish people do His will, '...a sword will not pass through your land.' (Vayikra 26:6)" (ArtScroll Complete Tisha B'Av Service: pg. 183) However, G-d's promise was predicated on the entire nation doing His will and not serving idols.

Because there were many people who had not repented and continued serving idols, the above promise from Leviticus did not yet apply. Yirmiyahu, the leading prophet of the time, told Yoshiyahu to let Pharaoh pass through Israel on route to Assyria because the nation was not as deserving as Yoshiyahu believed. Yoshiyahu did not listen to Yirmiyahu and in the end Pharaoh went to war against Israel and Yoshiyahu was killed in battle.

On Tisha B'Av we recite the lamentation (#11) that Yirmiyahu wrote at the time of Yoshiyahu's death. For Yirmiyahu, the death of his beloved king and student was one more nail in the coffin of Israel's sovereignty. Had Yoshiyahu listened to Yirmiyahu and trusted the word of G-d, the destruction of Judah and the Bais Hamikdash may have been averted. However, instead of trusting G-d and listening to the instructions of his teacher and Navi, Yoshiyahu did as he saw fit. He did as his mind and heart dictated, not as G-d commanded.

(Please note that Rabbi Yisroel Reizman teaches that Yirmiyahu (Jeremiah) never instructed Yoshiyahu regarding Pharaoh. The sin of Yoshiyahu was that he didn't confer with Yirmiyahu before going to battle. Had he done so, Yirmiyahu would have told him to allow Pharaoh lead his army through the land of Israel.)

When the Bnai Yisroel entered Israel under Yehoshua's (Joshua) leadership they were given specific instructions regarding the inhabitants of the land. The Seven Nations occupying Canaan were to be given three choices. 1. Accept the absolute sovereignty of Israel and whatever designation and position Israel would grant them. 2. Leave the land and settle elsewhere. 3. Refuse to be subject to Israel, refuse to leave, and be destroyed. Had the Bnai Yisroel listened to the word of G-d, Israel's place in the Promised Land would have been secured and many eventual problems would have been averted. Instead, for a myriad of reasons, the Jews "outthought" G-d and left pockets of resistance throughout the land that later proved to be destructive and fatal. In retrospect, G-d knew what He was doing, even if at the time the Jews thought otherwise. The Jews should have trusted G-d more and themselves a whole lot less.

People have a tendency to promise and make vows. They usually do so for good and noble reasons believing that they will be able to fulfill their promises. At the same time the Torah provided a system that can absolve an individual of his vows and promises. I would like to suggest that the institution of absolution underscores G-d's general disfavor with making promises and taking vows and should force us to carefully reconsider before making a promise or vow.

Some examples.

Inspired by global events, a daughter vows to serve G-d and humanity in some specific way. However, because of her age and immaturity she did not take into account all the ramifications of her vow. Therefore, G-d gives the father the power to annul the vow.

A wife, independent of her husband and desiring to obligate herself in service to G-d and humanity, makes a vow. "From now on I will pray three times a day." The husband, in consultation with his

spouse sees beyond the immediate emotion and spiritual need and faces reality. "Will you really have the time to do so? Will you be able to juggle kids, home, and work every day and keep your promise?" G-d provided the wife with an easy out and permits the husband to release her of her commitment.

The Torah is not opposed to individual's committing himself or herself to greater and more intense devotion. However, the Torah is opposed to formalizing the commitment in the form of a vow. As King Solomon says in Koheles (Ecclesiastes) 5:4, "It is better not to make a vow than it is to make a vow and not fulfill the commitment."

The mechanism for annulling a vow, whether for a wife, daughter, or anyone else (who can always go to a Jewish court for an annulment) teaches us that our intense emotions, whether noble or otherwise, are subject to the scrutiny of G-d's law. The fact that we feel like doing something or committing ourselves to something should not be done in a vacuum. What we say and do has ramifications that go beyond our limited selves. It is a Chesed (kindness) on the part of G-d that He provided the legal mechanism for annulment. Therefore, G-d prefers that we not make promise and vows. He prefers that we evaluate our emotions and intentions from the perspective of Halacha (Jewish law) before we act on them.

The scenario of the inadvertent murder and the institution of the Cities of Refuge is another example of G-d's intentions vs. our emotions.

The tragedy is obvious. A man chopping wood neglected to check the stability of the ax head. (Note: inadvertent murder presumes some level of negligence on the part of the perpetrator.) While chopping, the ax-head flew off its shaft killing an innocent bystander. The courts investigated and determined that it was truly an inadvertent murder and instructed the murderer to flee to one of the Cities of Refuge. So long as he remains within the city of refuge he is protected from the relatives of the victim who might be seeking revenge. However, if he leaves the City of Refuge before the set time, he would be at the mercy of the victim's relatives.

Most discussions on the law of the City of refuge focus on the murderer and the consequences for his negligent behavior. The fact that he did not properly check the safety of his equipment before beginning to chop is a fault for which exile to a City of Refuge is the atonement. However, few commentaries focus on the "blood relatives" of the victim. It seems they are granted pre-immunity for killing the inadvertent murderer if he ventures beyond the walls of his refuge, even though his act was determined by the courts to be unintentional.

The truth is that the blood relatives have permission to vent their anger and pain, even at the expense of the inadvertent murderer's life. However, if they put their loss, pain, and anger under the scrutiny of, "What does G-d really wish from us?" it is clear from the fact that G-d provided Cities of Refuge that He desires forgiveness and understanding for the murderer, rather than revenge and blood shed. (Just as we explained G-d's disfavor for vows because He provided a method for their

annulment.)

On the one hand, the murderer showed a lack of respect for the value of human life. Had life been of paramount importance to him, he would have made certain that his equipment was in safe working order. The fact that he did not check beforehand reveals a fatal flaw in his character deserving of exile and even capital punishment. On the other hand, the crime was unintentional rather than intentional. Therefore, if the law does not demand capital punishment, neither should the victim's family.

The final scene of the Parsha is the endnote regarding the daughters of Tzlaphchad. As explained in previous issues, the daughters of Tzlaphchad are the quintessential example of individuals who placed their trust in the truth of G-d's word and law. In this week's Parsha, as the last scene in Sefer Bamidbar, the Torah added restrictions to their inheritance that were unique only to them. Because of the circumstances of being sole heirs to their father's inheritance, they were restricted to marrying within their tribe.

Once again the Torah directed the daughters of Tzlaphchad in the most personal of life's choices. Once again the daughters of Tzlaphchad are presented as individuals who absolutely trusted G-d's law in every arena and circumstance of life.

The annulment of vows, the Cities of Refuge and the Daughters of Tzlaphchad challenge us to accept the totality of our dependency of G-d and our willingness to trust Him even at the moments of our greatest passions and emotions. They perfectly reflect the message of Sefer Bamidbar and the intended lesson of the 40-year experience in the desert.

The Nine Days

The Nine days begin on Rosh Chodesh Av, Tuesday evening July 9th, and end Thursday night, July 18. This interval of time imitates the period of "shiva" with some of its restrictions.

Washing and Cleaning Clothing: It is forbidden to wash or iron clothing during the 9 Days even if done by a non-Jew. You may give clothing to the cleaners before the 9 Days even if they will be cleaned during the 9 Days. However, one may not pick up the clothing until after the 9 Days.

Freshly laundered clothing: It is forbidden to wear new or freshly laundered clothing during the 9 Days, except for undergarments and socks. All garments to be worn during the 9 Days should be worn for a short time before the 9 Days begin. If clothing becomes soiled and you do not have a clean change, you may wash only that which you need. Small children's clothing that constantly get dirty may be washed during the 9 Days. Bed linens should not be washed or changed, except when truly needed. Purchasing new clothing, even if they will first be worn after the 9 Days, is forbidden. Sewing and all types of alterations are not allowed during the 9 Days. If needed, minor tears and buttons may be mended.

Eating Meat, Chicken and drinking wine: Eating meat or chicken is prohibited during the 9 Days.

Drinking wine or grape juice is also prohibited. These prohibitions do not extend to Shabbos or a Seudat Mitzvah such as a Bris, Pidyon Haben or Siyum. The custom is to have a young child drink the wine from Havdalah; however, if there is no young child, the one making Havdalah may drink.

Bathing and washing: Among the more difficult restrictions to keep during the 9 Days is the prohibition against washing and bathing. Being that we are imitating the period of "Shiva", the expected attitude is one that "does not care" due to the enormity of the loss suffered. It is obvious that the Rabbis wanted us to act as if we are affected by the absence of the Bais Hamikdash in a manner that reflects a deep sense of loss in our relationship with G-d. Our culture, much more so than other cultures, places a priority on personal hygiene - the Halacha takes this into account.

The criterion established by the Halacha is: bathing for pleasure vs. bathing for necessity. The degree of "necessity" changes from person to person, so the Halacha expects some modification in our personal hygiene depending on the individual. Saunas, steam rooms, swimming, and other forms of pleasurable bathing activities are certainly prohibited during the 9 Days for every one. Small children are permitted to swim, bathe, etc.; however, we are especially vigilant during this period of time in supervising any activity that might contain risk.

Each of us must seriously assess our level of "necessity"; however, everyone can take a quick, lukewarm shower, rather than a leisurely hot one, and still accommodate our "need to be clean". Women preparing for the Mikvah are permitted to do so in the usual manner.

Copyright © 2002 by [Rabbi Aron Tendler](#) and Project Genesis, Inc.

The author is Rabbi of Shaarey Zedek Congregation, Valley Village, CA.
