

LISTENING TO THE TORAH AND THE RABBIS

by Rabbi Yissocher Frand

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: CD #1041 – Finding Out If "It" Is A Boy Or A Girl? A Good idea? Good Shabbos!

Shlomo Knew That the Law Prohibiting Bribes Applied To Him As Well

Parshas Shoftim contains the *mitzvah* of appointing a king. The Torah sets certain restrictions for the Jewish monarch. One of these restrictions is that he may not accumulate too many horses. In those days, the supply of horses came from Egypt and a king who acquired "too many horses" would have to engage in extensive commercial relationships with Egypt. The Torah wanted to avoid that. [Devarim 17:16]

A second restriction prohibited the accumulation of too many wives. A king was forbidden to take more than eighteen wives "lest they make his heart turn astray" [Devarim 17:17]. The Talmud teaches [Sanhedrin 21b] that King Shlomo violated both these prohibitions. He accumulated many horses and many wives. In fact, he took 1000 wives. Disastrous results ensued. Scripture tells us that at the end of his life, his wives had a deleterious effect on his righteousness.

Why did King Shlomo knowingly violate these commandments? He argued "These laws do not apply to someone with my wisdom. I can take many horses and wives without sinning. I can handle it. The multitude of wives and horses will not affect me."

The Talmud observes that there are two places where the Torah tells us the reason for a prohibition. The Torah says (1) do not have too many horses because it will bring you back to Egypt and (2) do not have too many wives because they will make you stray. In these two cases, the Torah uncharacteristically writes the rationale for a negative commandment. Look what happened. The wisest of all men felt it did not apply to him. He considered the reasons given and with self-confidence decided that the reasons did not apply to him. In the end he sinned, with grievous consequences.

However, there appears to be a glaring contradiction -- right in our parsha -- to this rule that "in only two places the Torah stated a reason for a prohibition". At the beginning of Shoftim, the Torah says

"Judges and officers shall you appoint in all your cities..." In the context of that instruction, the Torah says, "Do not take a bribe, for the bribe will blind the eyes of the wise and make crooked the words of the righteous." [Devorim 16:18-19]. So what does the Gemara mean that it only states the reasons for prohibitions in two places (regarding too many horses and too many wives)? The Torah also gives a reason regarding the prohibition against taking bribes: "For the bribe will blind the eyes of the wise and make crooked the words of the righteous!" Thus, there appears to be a third place where the Torah gives a reason for a prohibition, and it is in our very parsha!

Furthermore, why was it that Shlomo's self-confidence only allowed him to violate the prohibition against acquiring too many horses and too many wives? Why did not he say, "I'm going to take bribes" as well? Why did not he feel "the fear that bribes will blind a person does not apply to me"?

The Chidushei HaRim addresses this question. He answers that the pasuk [verse] states specifically "for the bribe will blind the eyes of the WISE and make crooked the words of the righteous." Shlomo's argument why he thought he was immune from the prohibition of having too many horses and too many wives was "I am the wisest of all men. These laws were made for kings of average intelligence." However he knew that the Torah specifically warned that the prohibition to take bribes was aimed even at the wise ("for bribes blind the eyes of the wise"). This warning stopped even King Shlomo in his tracks.

Listening To The Words Of The Rabbis

The Torah teaches "You shall come to the Kohanim, the Levites, and to the judge who will be in those days; and you shall inquire and they will tell you the word of judgment. You shall do according to the word that they will tell you, from that place that Hashem will choose, and you shall be careful to do according to everything that they will teach you." [Devorim 17:9-10] The Torah here strongly warns future generations to follow the words of the Sages of their respective eras. We are exhorted "...You shall not turn from the word that they will tell you, right or left." [Devorim 17:11]. We must listen to them in all situations.

There is an interesting dispute between the Vilna Gaon and earlier authorities as to whether or not the rulings of the rabbis of earlier generations apply for all future generations:

A Mishna teaches: "Three beverages are prohibited if they are left uncovered (for fear a poisonous snake left some venom in the liquid while drinking therefrom): water, wine, and milk" [Mishnayos Terumos 8:4]. The Shulchan Aruch [Yoreh Deah 116:1] rules that nowadays when poisonous snakes are not found amongst us, this fear of drinking exposed liquids does not apply and it is permitted to drink uncovered beverages. This is an exception to the rule. Usually rabbinic decrees are immutable, however here the Shulchan Aruch itself rules that the law does not apply today because

we do not have poisonous snakes in our vicinities.

The Vilna Gaon, however, was particular NOT to drink uncovered water! In spite of what the Shulchan Aruch ruled and in spite of what earlier authorities (Tosfos in Tractate Beizah) had ruled, he was not prepared to say that the Mishnaic ruling was no longer in effect. The Gaon felt that when the Sages stated a prohibition – even when they told us a reason and the reason no longer applies – many times there were additional hidden reasons for the laws the Sages introduced.

This same issue comes up in Chapter 19 of Tractate Shabbos [Rav Eliezer d'Milah]. The Talmud mentions that after a circumcision, the mohel is supposed to do "*metziza*" [sucking] to extract residual blood from the place of the wound, for the health and safety of the child. There are those who suggest that today the medical facts have changed and therefore the practice of "*metziza*" mentioned in the Talmud no longer needs to be done today because the concerns of the Gemara – swelling or whatever it was – no longer apply today.

When analyzing this discussion, we mentioned the idea that many times the words of the Sages have **various** reasons behind them. Some of the reasons are mystical and based on Kabbalistic ideas. Even though the practical reason may no longer apply, the mystical reason may still exist. Therefore, the Gaon argued that even though based on "revealed Torah" (*Toras haNigleh*) the prohibition against drinking uncovered beverages was because of poisonous snakes and we no longer have poisonous snakes however the words of the Sages are so profound and so deep with so much behind them that we may not understand. That is why the Gaon was not prepared to say they have become inapplicable.

I saw an interesting observation in the *sefer Bei Chiyah*. The Talmud teaches [Eiruvim 47a] that the *halacha* follows Rav Meir in his decrees (*b'gezeiros*). Even though we do not *pasken* like Rav Meir regarding *halachos* (for example – in a *machlokes* between Rav Meir and Rav Yehudah we follow Rav Yehudah's opinion), but if Rav Meir promulgated a *gezeira* [decree], we follow his ruling. What is the reason for this dichotomy?

The *Bei Chiyah* answers that early in Tractate Eiruvim [13b] we learn "Rav Acha bar Chanina taught: It is revealed and known before the One who spoke and the world came into existence [i.e. – G-d] that there was no one in Rav Meir's generation who was his peer. Why then did they not establish the *halacha* in accordance with his opinion? It is because his companions could not follow the depth of his analysis (*she'lo yachlu chaveirov l'amod al sof da'ato*).\" He was so great that his friends did not grasp his "*lomdus*" [Talmudic analysis]. They could not grasp his arguments.

Since they did not grasp Rav Meir's logic, they argued with him. There is a rule in *halacha* that when the many argue with an individual the majority opinion prevails. However, this dynamic only applied to his *halachos*. We accept his decrees (*gezeiros*) because we do not need to know the reasons. They are edicts. Rav Meir has his reasons for these edicts and we accept them even if we do not understand them. *Halacha* must be logical. It needs to work. It must emerge from the consensus of

the group of scholars. A decree is an edict, which does not need to be logical.

The lesson in this to all of us is that perhaps there are times when we do not understand the depth of the words of the Sages. There are things we learn in the Talmud that do not make sense to us. Nonetheless, we need to have this abiding faith in the words of the Sages. This was the attitude of the Gaon. G-d willing, if we listen to the words of Chazal, no harm will come our way.

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