

Man is Partner in Determining His Own Fate

SUFFERINGS A MAN BRINGS UPON HIMSELF
and
SUFFERINGS THAT ORIGINATE FROM THE OUTSIDE

“This is what God has commanded the daughters of Tslofhad: ... To whoever finds favor in their eyes, let them be wives. Only to the family of their father’s tribe let them be wives.” (Bamidbar 36:10)

The Ramban apparently senses a contradiction between “to whoever finds favor in their eyes, they will be wives” and “only to the family of their father’s tribe they will be wives.” It seems according to the Ramban that there is no sweeping prohibition against any Jewish daughter marrying any man of Israel that she chooses. However, if [having no brothers] she marries [someone from another tribe], then her father’s *nahala*, hereditary landholding, will not pass to her husband’s family but rather to her father’s family.

The Malbim interprets the intention of the scripture as allowing marriage only and solely within the same tribe.

The Ramban derives a guiding principle from this pasuk, regarding the involvement of the Supreme Providence in the natural processes that determine which babies are born: “And according to the opinion of our masters, in Bava Batra 102, who taught, ‘this practice would not apply except in this generation alone’, it is possible that there were no daughters inheriting landholdings, in any of that whole generation coming into the Land, other than the daughters of Tslofhad...and the Name [of God] Whose Hand holds the life force of every living being, need not be concerned from this point onward.” “And none of this was practiced except in the generation inheriting the Land during the period of the *haluka*, when the land was being divided among the tribes.”

There is some difficulty with this interpretation by the Ramban: If this was a one-time event, why was it mentioned in the Torah? As is our way in dealing with the sacred, we seek the guiding principle that will lead to and bestow the deeper meaning.

As an introduction to this principle, our parasha sets a number of issues before us, threaded together in a beaded chain, created in order to make this principle tangible.

It seems the previous parasha, *Matot*, deals with this topic as well:

Hatarat nedarim, Releasing the vows.

A vow is an expression of prohibition or restriction that a person takes upon himself for any reason whatsoever. It expresses personal initiative within the system of prohibitions that the Torah has placed upon human beings. It is free choice, within the framework of private life.

To teach you that the goal of a prohibition is not to impose upon man or to restrict him. It is not to impose a system upon him from outside, or from on high, in order that he be swallowed up by the system.

To teach you that the restrictions a man forces upon himself are not forced upon him except in order to fulfill his own needs.

The truth is that a man needs this self-expression, in which he asserts his own powers, even when these are expressed by imposing restrictions. These are restrictions whose purpose is to direct one's powers, so that they run along a clearly defined channel, rather than wasting one's energies and resources, which tend to spread out in all directions, and to become enslaved to the stimulations of the outside. This is the purpose of restrictions.

For this reason, a man is obligated to find personal restrictions for himself, according to his character and according to his unique role and task and duty – within the system of restrictions imposed from on high, which, too, have come to serve that same purpose.

This explains the extraordinary flexibility of the power to breach or cancel vows. The basis for this is the fundamental principle that a woman, like a man, needs to cultivate a direction of belonging, which will carve out the framework and the channel that are crucial to the personal expression of their own creative activity.

The Torah fathoms the depths of the woman's mind: Her need to belong requires a human expression, and not merely the abstract expression of values.

The rules of belonging demand reciprocity between man and wife. Belonging is conditional, first and foremost, on the principle of reciprocity. This is the reason for the husband's (or the father's, in the case of a single woman who is being supported by her father) right to waive his wife's vow – though of course only when the wife's vow could have a negative influence on the relationship between them.

We have before us a principle that is systematic and global, but that is limited in its power to sweep away everything in its path, because it is arrested – it comes to a halt – before the Holy of Holies of the private space, of individual rights.

God's vengeance / Israel's vengeance against the Midianim: This is a test of the emotional tendencies, that sweep one away, that prevent one from making distinctions between different human qualities. The nature of emotions is that they sweep one away by their sheer power, for better or for worse.

“And Moshe grew angry at the commanders of the troops...: “Have you kept any female alive?” Here is a dangerous encounter between conflicting emotions: Vengeful wrath encounters a lustful craving to renew the forbidden connection with the females who had caused them to stumble, on Bilam's advice.

The dividing of the spoils, too, must be severed from any attachment to brute force emotions such as “whoever is more violent prevails”. Those who have stood guard over the camp must be considered equally and not deprived of their share.

Needless to point out the essential distinction, critical in halting the tendency to be enslaved to “my strength and the power of my hand.” The portion of the booty set aside for God. For the Levi'im, who guard the guardianship of the sacred. Here too, meaningful content is considered, and values, rather than the general sweeping shape of events. Sacrificing, renouncing the jewelry that has served the purposes of seduction: “In order to atone for the heart's thoughts about the daughters of Midian.” (Shabat 64)

The condition imposed on the children of Gad and Reuven: “Will your brothers go forth to war and you will sit here?” Moshe rebukes them. There is a clash between personal/material interests and national interests. Between the obligations of the individual and the obligations of the group. Concluding with a fertile bridging between the two interests, through a vision both lucid and human, that refuses to renounce either interest, contradictory as they may appear.

“These are the travels of the children of Yisrael.” Wherefore all this excessive detail, which is all mere review of what is already known from previous parshiot? “And they traveled...and they camped.”

An emphasis upon the past as history is not among the Torah’s interests. The Jew is commanded to see the past through a view of his present situation. A past that is not in the context of a present has no importance. Only when it is possible to learn a lesson and to draw a conclusion from the events of the past, should one cultivate a national memory that holds practical implications for the private individual.

“Every day, a man is obligated to view himself as though he himself had gone out of Egypt.” Indeed, this is the way one must study the details of the travels of b’nei Yisrael – according to the events and according to the failures that took place during each and every journey.

Yerushat Ha’arets, The Inheriting of the Land was not mere conquest for its own sake, but rather as the fulfillment of an imperative from on high – for the sake of *kidush hahomer*, “sanctifying the physical.” Man is called upon to participate in determining his own fate. It is from here that we derive an understanding of the necessity for *hishtadlut*, for investing one’s utmost efforts, for exerting oneself, for devoting one’s life to the fulfillment of the Godly imperative:

Reciprocity. The sufferings of love. Personal involvement, out of caring, is the price one pays for reciprocity. There is no receiving without giving, and there is no giving without receiving. It is about suffering and exertion out of free choice, and the desire and will to bear the burden and take the share of responsibility. This was the case

with the children of Gad and Reuven, and this was the case with every *milhemet mitsva* that was undertaken in order to inherit the Promised Land.

The lands of the Levi'im, and *arei miklat*, the cities of shelter. Here too we find a sharing of responsibility – between the criminal and the community, between the criminal and the high priest who found it necessary to pray for his generation, that its sinners would not multiply, and that no terrible mishap, such as bloodshed, would occur in his day.

“And the murderer shall not die, until he has stood before the congregation in judgment.” “The blood redeeming” is not a need for relief and release of rage. Rather it is the blood redeemer’s responsibility toward the victim and toward the community. Nevertheless, and in spite of this, it is not an obligation but only an option; the blood redeemer is permitted to kill the killer. This option does not merit a great deal of encouragement. Rather, it is an indicator of the Torah’s consideration for a man’s feelings of responsibility towards his close ones, toward whom he feels responsible – his active, responsible participation in his own fate, and in the fate of those subject to him and dependent upon him.

Finally, the matter with which we began – the halacha dealing with the daughters of Tslofhad.

Here we find a new principle, dealing with the place and the rights and privileges and obligations of the private individual within the larger framework. We find that objective situations do not determine human experience: On the one hand, “there is no poverty in a place of wealth” (meaning that when the public honor is at stake, one does not spare expenses) yet on the other hand, the Talmud asks which is worse: The trial of wealth or the trial of poverty. (See our discussion on Behukotai Tashas where we find that neither trial has autonomous status.)

Neither condition holds inherent validity. Each one’s value depends on the benefit a human being derives from it. The difference poverty and wealth does not stand on its own as an objective experience. For one person, the trial of wealth is appropriate, and

for another, the trial of poverty. This is how the law is tested as well: The rules of the law are assessed by their application to practical, human reality.

“The words of someone on the verge of death have the weight of a written document.” The Gemara (Bava Batra 149) discusses the various implications and possibilities regarding the question of how to do a financial estimate of the intention of the one who was on the verge of death. Such an estimate cannot be proven by psychological assessment, for they have no reality-based evidence to support them. A financial estimate of intention based on psychological assessment has no validity in the sense that no money can be extracted on the basis of it. The will and intention of the one who was on the verge of death must be buttressed by reality-based data. Psychological assessment is not a tangible, reality-based factor, as it exists only in the mind of the psychologist.

Hence the halachic principle: “We do not punish according to legal theory.” We do not punish a person because of a theoretical consideration, as perfectly logical as it may be. “We do not derive a comparable decree from one judgment that imposes a penalty, to another case, even if the other case contains a similar principle.

The difference between an individual case and a public case is as vast as the distance between darkness and light. As is the distance between mass opinion and Torah opinion. As distant as the accepted dishonest conventions of society from the truth.

The ratings do not determine the value of reality, as people believe. It is not important what others think of you but rather what you think of yourself. It is not important what you think of yourself but rather “your actions will bring you closer, or your actions will distance you [from God].” It is not important what you think, but what you do. It is not important what is in the past and what is in the future but what is in the present. The more faithful you will be to your qualitative self, and the less to your ego, the vaster the existential reality of your present moment will be, expanding to embrace your past and your future, binding it together as one complete unit that is actively and uniquely yours.

This perception of man as occupying the center establishes man as a partner, as an ally with rights and responsibilities, toward the Holy One and toward the universe. This universe spreads itself in a circle, at the center of which is your self. The greater your quality, the wider the circle of your personality. Within this circle, it is your influence that is decisive - your influence acquired by your attaching (belonging) – through commitment – to your own Godly source.

Free choice must find its free expression only within the framework of the existential circle to which you attach (belong). In this circle, an encounter is created between the rules that apply to the general public and the unique quality that characterizes the individual.

Thus does man create, and actualize, a new Godly Presence within the general Godly Presence. Thus does man create a new Godly Presence when he fulfills a mitsva, and it may even happen that he himself becomes included within the mitsva.

Hence the difference in phraseology between brachot. For example we say “...Who has sanctified us with His commandments and commanded us regarding...” whereas we say “and commanded us to...affix a mezuzah,” for example, if it is within your own home. Whereas we say, “regarding the affixing of a mezuzah” if it is in another’s home. (HaMe’iri)

It is the same with the attitude to suffering. The sufferings that are painful are those that have been imposed upon man from outside (from above) as a decree from on high. These are defined as sufferings that are not the sufferings of love. The sufferings of love are those that man himself chooses, for his own needs, for his own welfare – such as the restrictions one adopts through a vow, by compelling oneself, as a protective barrier against harmful temptation or in order to arrest the deterioration that results from mere weakness.

Similarly when man brings upon himself suffering by turning himself into a cog within a larger machine, into a mere instrument which has no intrinsic absolute value, other than the service it performs: The Creator “assists” man in his choice to become an instrument, as He had done with the generation of the Flood.

They chose “freedom from” as opposed to “freedom to”. The second is a mitsva, whereas the first is mere wanton abandon.

Freedom through belonging is freedom to...bear responsibility.

A prayer requesting something of God: This is done in order to fill the vacuum that has been created in the Godly Presence because of existential distress. It passes from man to God. From an existential need it becomes a need for Presence. See the Gemara’s (Eruvin 16) examples of *yi’surim*, suffering: being measured by a tailor and experiencing discomfort, or reaching into one’s pocket and extracting two coins instead of three...to teach you that suffering is relative to each person’s specific and separate sensitivity to his own existential needs.

Reciprocity in suffering: The Shechina is with Israel in the exile. Suffering creates a vacuum in one’s experience of existing inside the Godly Presence. Mutual empathy is then created as a dialogue between the Creator and man – with both aspiring to fill the vacuum.