

## Tze U'Imad—Go and Learn

Weekly Talmud Learning with Rabbi Mordecai Schwartz, director of admissions, The Rabbinical School, JTS.

### Talmud Shabbat 128b

אמר רב יהודה אמר רב בהמה שנפלה לאמת המים מביא כרים וכסתות ומניח תחתיה ואם עלתה עלתה ... והא קא מבטל כלי מהיכנו! סבר מבטל כלי מהיכנו דרבנן עזר בעלי חיים דאורייתא ואתי דאורייתא ודחי דרבנן.

Rav Yehuda said in the name of Rav, "If an animal falls into an irrigation ditch [on a festival], one may bring and place pillows and blankets under it, so that it can rise up [from the ditch] on its own . . . [Problem: In doing so] does he not nullify the [blankets and pillows] from their Shabbat use!?! [Solution: Rav Yehuda] claims that nullifying an object from its Shabbat use is a Rabbinic prohibition, while relieving an animal's pain is a Torah requirement. The Torah requirement comes and defers the Rabbinic prohibition.

As we move into the summer months, I wanted to revisit this source that we saw earlier in the year. As we mentioned the last time we saw it, this source limns the boundaries of our responsibility to protect our animals on Shabbat. According to this source, one may violate a Rabbinic commandment to preserve an animal from suffering on Shabbat. Here we see that the destruction of the blankets and pillows (usually forbidden on Shabbat) is legitimate if the purpose is to preserve the animal from harm.

I received an email from a close reader the last time we saw this source. She noted that I did not mention whether or not one may violate a *Torah* prohibition to save an animal on Shabbat. Clearly, our Sages felt that one may desecrate Shabbat in any way to save the *human* members of our communities. However, the implication of Rav Yehuda's reasoning is clear: in his view one may violate a Rabbinic prohibition to save an animal on Shabbat, but one may not violate a Torah prohibition to do so.

Do we find this troubling? Our Sages clearly held that the preservation of human life in our communities was a greater value than preserving the sanctity of an individual Shabbat. However, they (or at least Rav Yehuda) believed that Shabbat trumped the value of preserving animal life. This fact is perhaps a window into the importance that they ascribed to the sanctity of Shabbat.

### Questions

1. Would you violate Shabbat to save the life of an animal? Why or why not?
2. What do you think of Rav Yehuda's "compromise" position? Have our values changed about the importance of animal life? About the value of Shabbat?

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# Torah from JTS

Parashat Hukat/Balak

Numbers 19:1–25:9

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12 Tammuz 5769

### Parashah Commentary

**This week's commentary was written by Dr. Deborah Miller, associate director, Melton Research Center for Jewish Education, and adjunct assistant professor of Jewish Education, JTS.**

Everyone knows how *Romeo and Juliet* ends, and yet we still cry when they die. The same is true of the first of the two Torah portions we read this week, Parashat Hukat/Balak. In this portion, we learn that Moses will not enter the Promised Land. We have heard or read this story every year, and yet we are still upset, still angry that, on the threshold, Moses is denied admission to the Land to which he has been leading the Israelites for forty years.

Every year we plow through the many possible explanations for God's decision to disallow Moses entry to Canaan. I would like to propose an explanation that is connected with what we already know about the Israelites and with the way the story is structured.

This story takes place during the fortieth and final year of the Israelites' consignment to the wilderness before entering the Land of Promise. The generation of those who, by their own admission, were not prepared to enter the Land has died off, and only those men who were nineteen years old or younger at the Exodus (and the tribe of Levi) will enter. The only named survivors of the previous generation are the leaders: Miriam, Aaron, Moses, Joshua, and Caleb. Early in this parashah, Miriam dies without explanation, successor, or national mourning.

The very next verse says, "The community was without water . . ." (Num. 20:2).

But wait. Didn't we already learn a similar story back in Exodus? In fact, the first story of thirst came very soon after the crossing at the Sea of Reeds (Shemot 17:4). Since that was at the very beginning of the sojourn in the wilderness, before the events that led to God's decision to delay the Israelites' entry to the Land—and this story is at the end of the forty years—we can see the two stories as forming a kind of a framework around the whole saga of the wandering. In the first story, the Israelites were the first generation of those who left Egypt. In this story, they are the children and grandchildren of that generation. When we see this kind of framework, we look for the similarities and differences between the bracketing stories. At the same time, we understand that they suggest a theme for the stories between them.

First the comparison: this generation's complaint about the lack of water is very different from that of the first generation. Although in both cases the people ask rhetorically why they have been brought out of Egypt, in this case, they bitterly object that in " . . . this wretched place, a place with no grain or figs or vines or

pomegranates. There is not even water to drink!” (Num. 20:5). This is a generation that is ready to enter the Land, and is worried that it will not live to do so.

Another difference is this: in the earlier story, Moses pleaded for help from God; here, Moses does not say a word. God reacts directly to the people’s complaints. Another bit of evidence that this crisis is unlike other crises is that the word *test*, which is used in other stories of complaint, does not appear here. These differences signal to us that this story is different from the first one—and therefore Moses’s reaction should be different.

And here is the clue to what went wrong in this critical story: God says, “You and your brother Aaron take the rod and assemble the community, and *before their very eyes order the rock to yield its water*. Thus you shall produce water for them from the rock and provide drink for the congregation and their beasts” (Num. 20:7–8). When the time comes, Moses does speak, but what he says is ambiguous in tone and intent. Here is the very short story:

“Listen, you rebels, shall we get water for you out of this rock?” And Moses raised his hand and struck the rock twice with his rod. Out came water, and the community and their beasts drank. But God said to Moses and Aaron, “Because you did not trust Me enough to affirm My sanctity *before the eyes of the Israelites*, even so you shall not bring this assembly to the Land that I have given them.” (Num. 20:10–12)

In this very short story we see a second framework: the phrase “before the eyes” emphasizes both the importance of what the Israelites witness, and the logical nature of Moses’s punishment. Why is it so important that Moses speak “before the eyes of the Israelites”? To answer that, we need to recall their past.

The Israelites had a history of trusting in God because of what they saw. The most famous example, which we repeat in the daily morning service, quotes their experience after the crossing of the Sea of Reeds: “Israel saw the wondrous power which God had wielded against the Egyptians, the people feared God; they had faith in God and in God’s servant, Moses” (Exod. 14:31). They have needed this public, indisputable evidence of their eyes ever since. God knows that what they see is what is most important. And what he wants them to see is Moses speaking—not striking the rock, as he was commanded to do on the former occasion.

God seems to be trying to wean the Israelites from one kind of perception to another: from dependence on the visible and tangible to reliance on speech in connecting with God. At Sinai, all their senses were engaged, but the revelation itself was auditory. When Moses retells and reframes the story (Deut. 4:12), he reminds the people, “The sound of words you did hear, but *no image did you see* except the sound.” There is a grave danger in relying on the visible. The word for *image* in the verse above is *temunah*—the same word that is used in the Ten Commandments in the warning against idolatry (Exod. 20:4).

What God wants the people to see is that Moses *speaks* in performing the miracle at the rock. It is a potentially powerful transitional moment in which Moses’s publicly perceived action would be speech. What he would say would become part of the people’s religious consciousness—part of the repeated narrative of the people—a way of adducing to God a caring relationship with God’s people, and conveying that care to the people. We can imagine the speech Moses might give, performing the quintessential task of a prophet, in bringing God and the people closer together. Instead, he calls them “rebels,” distancing the people from himself and, by association, from God; disdaining their legitimate needs; and losing the opportunity to attribute the provision of water to God.

Instead, Moses does what he did in the first story, ignoring the fact that he is not dealing with the same population. He acts as though he is saying to himself, “They are just like their parents! Always quarreling!” In fact, they are a new generation, and by reverting to an action that was appropriate forty years earlier, and not now, Moses shows that he is not the person to bring them into the Land.

And so, although we commiserate with Moses, we understand that his relationship with the people, his repertoire for responding to their needs, and his modus operandi for connecting them with God will not be sufficient for the future.

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## A Taste of Torah

### A Commentary on Ramban by Rabbi Matthew Berkowitz

**Numbers 23:6–10** So Balaam returned to Balak and found him standing beside his offerings, and all the Moabite dignitaries with him. He took up his theme, and said: “From Aram has Balak brought me, Moab’s king from the hills of the East: Come, curse me Jacob, come, tell Israel’s doom! How can I damn whom God has not damned, how doom when the Lord has not doomed? As I see them from the mountain tops, gaze on them from the heights; they are a people that dwells apart, not reckoned among the nations, who can count the dust of Jacob, number the dust-cloud of Israel?”

**Ramban: “As I see them from the mountain tops,”** Balaam referred to them by the name of their ancestor Jacob, meaning to say that they are a people alone, and have names befitting them from their ancestors . . . and the further meaning of his words are that just as I see them dwelling alone now, so will they dwell in safety, the fountain of Jacob alone, and they will always be at the head, for no nation will ever prevail over them and they will never become assimilated to the nations.

#### Commentary

Balaam the diviner and Balak the king of Moab take center stage in the second of the two parashiyot, joined together this coming Shabbat: Parashat Hukat/Balak. Having heard the Israelites were headed toward his country, Balak hires Balaam to curse the infant nation. Yet, no matter how determined Balak is in sending his messenger to curse the Israelites, Balaam seems only able to utter praise and blessing (of course with the strategic intervention of the God of Israel). Quite poignantly, Balaam utters fateful words that will characterize the destiny of the Jewish people throughout history: “they are a people that dwells apart, not reckoned among the nations” (Num. 29:9). What does Balaam teach us about the place of Israel among the nations? And specifically, how can we relate to his first oracle?

Nahmanides gives an important lens through which to understand Balaam’s words. Ramban underscores the appearance of Jacob’s name. In this respect, the nation becomes unique and “set apart” by virtue of their Hebrew names that connect them to their ancestors. Second, Ramban teaches that Balaam’s words allude to divine protection, Israelite triumphalism, and preservation of identity.

Both our parashah and Ramban challenge us to a delicate dance between loyalty to one’s identity and acculturation. A “people apart,” both in Ramban’s lexicon and Balaam’s oracle, is a positive good. We link back to our ancestors, preserve identity, and look forward to the future.

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