

הַרְשָׁעִים בְּרִשׁוֹת לִבָּם...

אַבְל הַצְדִּיקִים לִבָּם בְּרִשׁוֹתָם.

The wicked are controlled by their conscience...

*The righteous control their conscience.*¹

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1. All translations here are original to this *devar torah*. This saying (with the ellipses omitting prooftexts from Psalm 14:1 [“אָמַר נְבִל בְּלִבּוֹ,” “A scoundrel says in one’s conscience...”], Genesis 27:41 [“וַיֹּאמֶר עֵשָׂו בְּלִבּוֹ,” “Esau said in his conscience...”], I Kings 12:26 [“וַיֹּאמֶר יְרֵבֶעִם,” “Jeroboam said in his conscience...”], Esther 6:6 [“וַיֹּאמֶר הָמָן בְּלִבּוֹ,” “Haman said in his conscience...”])—proving a wicked person always speaks “in one’s conscience,” (“בְּלִבּוֹ”) is a direct quote from Esther Rabbah 10:3 on Esther 6:6. (Following the second half of the quote above are prooftexts from I Samuel 1:13 [“וַחַנָּה הִיא מְדַבֵּרַת עַל-לִבָּהּ,” “Hannah was speaking of her conscience”] and 27:1 [“וַיֹּאמֶר דָּוִד אֶל-לִבּוֹ,” “David said to his conscience”], Daniel 1:8 [“וַיִּשֶׂם דָּנִיֵּאל עַל-לִבּוֹ,” “Daniel placed upon his conscience”], and Genesis 8:21 [“וַיֹּאמֶר ה’,” “God said to God’s conscience”])—all proving that the righteous do interact with their conscience, but never “in one’s conscience,” (“בְּלִבּוֹ.”) This teaching also appears (sometimes with minute differences in phraseology and spelling—most significantly, yet still relatively insignificantly: הַרְשָׁעִים הֵן בְּרִשׁוֹת לִבָּן... אַבְל הַצְדִּיקִים לִבָּן בְּרִשׁוֹתָן; a mere reflection of different trends in the grammar of Rabbinic Hebrew) in Genesis Rabbah 34:10 on Genesis 8:21, Genesis Rabbah 67:8 on Genesis 27:41, and, later in the history of Jewish literature, Ecclesiastes Rabbah 5:1 on Ecclesiastes 5:2 (with the addition of Psalm 37:15, speaking of the

All of Jewish history can be summed up as one war that has never ended. For as long as there have been rabbis, rabbis have alluded to this never-ending war. In the ancient collection of rabbinic wisdom *Pirkei Avot* (פְּרֻקֵי אָבוֹת), the sage Ben Zoma asks:

אִיְהוּ גִבּוֹר?

Who is a hero?

הַכּוֹבֵשׁ אֶת יְצֵרוֹ!

The one who conquers their [evil] nature!²

There is an ongoing war the rabbis talk about called *Milhemet HaYetzer* (מִלְחַמַּת הַיְצֵר), “The War of Nature”—a war between the *Yetzer HaRa* (יְצֵר הָרַע), humanity’s “Evil Nature” and the *Yetzer HaTov* (יְצֵר הַטוֹב), humanity’s “Good Nature.” When a person chooses the Good, the *Yetzer HaTov*, and rids one’s self of the Evil inclination with which we are born, the *Yetzer HaRa*, is the moment when the Good *Yetzer HaTov*

wicked—“תְּבוֹא בְּלִבָּם” “their sword shall enter into their heart” [“into their heart” and “in their conscience” each being able to be understood from the Hebrew “תְּבוֹא בְּלִבָּם”]).

2. 4:1.

begins to win in the battle of *Milhemet HaYetzer*.

One of the greatest opponents of the *Yetzer HaRa*, Rabbi Aaron Samuel Tamares, lived towards the end of the 19th Century and the beginning of the 20th Century—around the time when Zionism began to activate, leading Jews from the lands of their birth, towards the Land of Israel. At the turn of the 20th Century, such active Zionism came at a cost, of which our hero in *Milhemet HaYetzer* disapproved. Jews were moving into parts of the Holy Land where locals, already settled, were resistant to and even violent in response to the influx of Jewish newcomers. Whether it was how Jews entered the land, or how Arabs held onto their land, realizing this Zionist dream meant Jews and Arabs would break into war—an aggression that epitomizes the worst of the *Yetzer HaRa*.

Calling Lithuania his home, and guarded by the shield of *Torah*, Rabbi Tamares authored a book that focused on what once might have been hypothetical in nature, but was now a serious question with practical implications: *Keneset Yisra'el UMilhamot HaGoyim* (כְּנֶסֶת יִשְׂרָאֵל וּמִלְחָמוֹת הַגּוֹיִם)

ישראל ומלחמות הגוים), *The Assembly of Israel & Wars of the Nations*. The

very title of the book alludes to his assertion that war is what he calls

“עבודת אֱלִילִים מוֹדֵרְנִית” (“the modern worship of false gods”).³

His opposition to Zionism⁴ was not uncommon in the Jewish world when he was writing. We might like to think that common Jewish public opinion on the necessity of a Jewish homeland would have changed by the time the Holocaust had demonstrated that a post-Enlightenment Europe is no cure for anti-Semitism. Yet, even in 1948, Professor Louis Finkelstein of the Jewish Theological Seminary—where I am in Rabbinical School today—refused students’ request for permission to sing “*HaTikvah*,” the unofficial anthem of the newly formed Zionist

3. Warsaw: 1920, p. 16; הרב אהרון שמואל תמרת.

4. His opposition may have also been rooted in what he saw as a secular movement. In the same book, he writes, “כָּל-בַּיִת שֶׁאֵין דְּבַרֵי תוֹרָה נִשְׁמָעִים בּוֹ... סוֹפוֹ נִחָרֵב” (“Any home in which words of *Torah* are not heard... will in the end be destroyed”), and explains that he means this to refer also to the building of nations, not simply physical homes (p. 17). It is possible that his disillusionment with political Zionism may have even be based in his own understanding of *Torah* differing from the religious political Zionist peers of his.

State. Finkelstein was one of the many Jewish leaders who felt that the militancy involved in maintaining a Jewish state in the Land of Israel was antithetical to Jewish religious values.

Yet, today we are dealing not with a hypothetical question of whether or not we should set up a State of Israel. There already is a State of Israel in the Middle East. Israel proclaims itself a Jewish state. And that begs those of us concerned with the Jewish values of a Jewish state to ask the question: Where are we now?

Ari Shavit, a relative leftist in the Israeli political sphere, wrote recently that, despite whatever ways we might be able to critique Israel, we must confess that “Israel is in the right.” Shavit writes that the terrorist organization Hamas has become a bunch of “neo-Nazis.” In the few years since Israel’s disengagement from Gaza, Hamas has become a totalitarian government, oppressing Gazan women, oppressing the gay and lesbian people of the Gaza Strip, and—quite frankly—oppressing everyone in Gaza. Instead of directing their attention to providing the resources that are so sorely lacking in Gaza, Hamas spends millions of

dollars on weapons to be used against Israel. On top of that, whenever they go to war against Israel, Hamas uses Gazan civilians as human shields.⁵

A nation that has worked so hard to become who it is today is not so quick to leave. If Israelis' strategy for surviving Hamas' constant rockets is anything other than leaving Israel, the Israel Defense Forces must work towards demilitarizing the untrustworthy terrorists of Hamas, who even fire at Israel during mutually agreed upon "time-outs" from armed activity.

In demilitarizing Hamas, Israel is left with the terrible quandry of how to remove missiles from an organization who uses innocent Palestinians as human shields to protect their weaponry. Indeed, a *midrash* in the Mishnah (Sanhedrin 4:5) teaches that, in Genesis Chapter 2, Adam was created alone to teach us a very important lesson: Were anyone to kill a single human being in the time that Adam walked the

5. "In this sad war story, Israel is in the right," *Haaretz*, July 24, 2014, accessible at

<http://tinyurl.com/o93y5q6>.

Earth alone, that would have been the end of human life on Earth. And so it is with any single human being today. We destroy all the humanity of the universe whenever we bring one person's life to an end.

Because murder is forbidden—and the stakes of the humanity of the universe are so high at war—we must be careful in any instance when human life is in our hands. We might want to resort to claiming the value of *Pikku'ah Nefesh* (פיקוּחַ נֶפֶשׁ, literally “the guarding of a soul”)—the principle whereby Jews are permitted to commit acts that would be considered sins were our lives not in danger at that moment. But, *Pikku'ah Nefesh* is a principle that the rabbis generally permit—but not always. The three common exceptions are:

(1) גילוי עריות (*gilluy arayot*)—sexual impropriety: Rather than be forced into conducting a sexually immoral act, this tradition tells Jews that they should prefer death.

(2) עבודת זרה (*avodah zarah*)—pagan worship: Rather than worship a foreign god—when we are told, “Bow down to this God, or die,”—we Jews must say, “I'd rather die.”

(3) שְׁפִיכוֹת דָּמִים (*shefikhut damim*)—the spilling of blood: Rather than spill the blood of our neighbors, we Jews are commanded that we should, instead, take our own lives. Better that they should spill our blood than we spill an ounce of theirs.

So, if spilling anyone else's blood is worse than us permitting ourselves to be killed in the name of the Jewish tradition, we must find another way of defending the work of the IDF. And their work can be—from a Jewish legal, Halakhic, perspective—defensible. After all, the lives of soldiers in the IDF are not merely the only lives that are in danger. The lives of all Israelis are endangered when the IDF fights. The IDF soldier does not choose between one's own life or an enemy's life; the IDF soldier chooses between the destruction of all inhabitants of the State of Israel or the destruction of enemies. Moreover, *Pikku'ah Nefesh* still applies for the other *mitzvot* that are being threatened during war in Israel: for example, all the *mitzvot* that are connected with settling in the land of Israel. We have a basis on which to say that *Pikku'ah Nefesh* can still apply in the doings of the IDF.

Yet, we must not gloat over the right to self defense. Having to perform one *aveirah* (עֲבִירָה)—one transgression—in order to fulfill a *mitzvah* is never the ideal way to perform a *mitzvah*. The Gemara imagines, for example, Sukkot is coming up, and someone needs to shake a *lulav* and *etrog*—the special species of the holiday—but the person can't afford a *lulav*, so that person steals one. The Gemara asks: Did this Jew fulfill the *mitzvah* of shaking a *lulav*? The answer: Our protagonist shook the *lulav* but did not fulfill the *mitzvah*.⁶ *Mitzvah habba'ah ba'aveyrah eynah mitzvah* (מִצְוָה הַבָּאָה בְּעֲבִירָה אֵינָה מִצְוָה)—“a *mitzvah* that is made possible only by way of a transgression does not count as a *mitzvah*”). Going through the physical motions of the *mitzvot* does not suffice. The IDF should not have to rely on *Pikku'ah Nefesh*—the permission to kill—in order to defend Israel. When we rely on *Pikku'ah Nefesh* to permit the performance of other *mitzvot* while bystanders are killed, we can bring to life only a non-ideal, adulterated *Torah*. Bringing *Torah* to life is not about the exception to the rule; the

6. See in the Babylonian Talmud, Sukkah 30a.

Torah of shalom—of peace—is about bringing the rule to life.

The vitality of Judaism depends on our ability to strive towards *shalom*. The Mourner's Kaddish, the Amidah and *Birkat Ha-Mazon* all conclude with prayers for peace—*Oseh shalom bimromav* (עוֹשֵׂה שְׁלוֹמִים בְּמִרְוַמֵי), “The One who makes peace up high”), *Sim shalom* (שִׂים שְׁלוֹמִים, “Bring peace”), and *Yevarekh et ammo vashalom* (יְבָרֵךְ אֶת עַמּוֹ בְּשְׁלוֹמִים, “God will bless God's people in peace”)—because *Torah* itself must be a means towards the ends of *shalom*. Moreover, the rabbis of the Middle Ages debated matters of Jewish law that often resulted in specific legal decisions intended to be upheld *mippeney darkhey shalom* (מִפְּנֵי דַרְכֵי שְׁלוֹמִים “because of our concern for peace”). When we are living a form of *Torah* that prevents us from experiencing *shalom*, we are living a compromised *Torah*—a *Torah* of the exception, not the rule.

In the *Parashah* we read today, *Mas'ey* (מַסְעֵי) we read about the journeys of the Israelites as they leave Egypt and venture into the wilderness. The Hasidic master Rabbi Kalonimos Kalman Epstein (1751-1823) of Krakow, known best for the anthology of his teachings

on the *Torah*, *Ma'or VaShemesh* (מאור וְשֶׁמֶשׁ), highlights several pieces of the Israelite itinerary recounted in our *Parashah*. He notes that, before embarking on a journey towards Sinai, where the *Torah* would soon be received, the Israelites set up camp in a place called *Refidim* (רִפְיִדִים). Though *Refidim* is not a name of a place we would recognize today, *Ma'or VaShemesh* identifies *Refidim* as a spiritual lowland and sees the Hebrew letters of *Refidim* as an abbreviation for, and an allusion to, *Rippuy Yadayim* (רִפּוּי יָדַיִם), “a weakness of the hands.” *Ma'or VaShemesh* sees this *Rippuy Yadayim* as a lackluster handiness: that is to say, laziness. He imagines the soul of the Israelite nation sitting in *Refidim*, the land of *Rippuy Yadayim*, all too slothful to be able to take in any words of *Torah*.

In a way, this conjures up the scene that Rabbi Tamares paints in the beginning of *Keneset Yisra'el UMilhamot HaGoyim*: Two Jews sit across from each other at a house of *Torah*. Their *Gemara* lies open in front of them, and the two friends are positioned, ready to study the words of the tradition. But the words that exit their mouths are not words

of the book in front of them; their mouths merely whisper anxiously about the war going on outside their Lithuanian hometown. War dominates, and it dominates their opportunity to seek new spiritual heights and insights. War is the only thing that they can talk about, and all the *torah* that lies in front of them remains dormant until the Jewish soul can overcome the temptation of the *Yetzer HaRa*—that selfsame *Yetzer HaRa* from which war is promulgated, and by which the study of *Torah* is obstructed. The war on the physical battlegrounds has brought *Milhemet HaYetzer*—the war between the good nature and the evil nature of humanity—into the house of study. Though the words of the sages sit exposed, waiting to be read, the house is filled with the quietly whispered words of violent fear, of nationalist pride, of gossip, of distraction.

This moment that *Ma'or VaShemesh* would call the moment of untapped potential, of the weak hands of *Rippuy Yadayim*, will finally come to an end when the Israelites are ready for Sinai. For Rabbi Tamares, Sinai will be the moment when the words we say are

exclusively the words of *shalom*.

Revelation at Mount Sinai will be the moment when *shalom* is not the exception. Sinai will be the moment when *shalom* is the rule.