

SHOFTIM (DEUTERONOMY 15:18 21:9)

Fuhgettaboutit!

2005 · Rabbi Yerachmiel Sepowitz

THE MONTH OF ELUL

The Month of Elul is upon us once again. On the first day of the month of Elul, Moses climbed Mount Sinai to beg G-d to forgive the People of Israel for the sin of the Golden Calf. Forty days later, on the first Yom Kippur, Moses returned with a second set of Tablets, and forgiveness for the Israelites.

This final month before Rosh Hashanah is a time for introspection and preparation for the High Holidays. It is a time to ask G-d to grant us a year of peace, security, health, and prosperity. It is a time for getting our spiritual house in order. It is the time for us to make sure we are doing what's right. (See the suggestions at the end of “Advice for the Foxholes of Life”.)

“Fuhgettaboutit!”

Our tradition is that the Torah was given to Moses on Mount Sinai, and then transmitted from Moses to Joshua. We are the current link in the unbroken chain of Tradition from Sinai. It is our obligation to see to it that the next generation receives it as well.

Unbroken chain? Is it really unbroken? Have you ever played “Telephone”? One person whispers something to the person next to him. That person whispers to his neighbor, who whispers to his neighbor. The end result is often totally unrelated to the original message.

Could this have happened to the Torah over the millennia? Would Moses recognize Judaism as it is practiced today? Would he recognize THE TORAH as it is written today?!

It has been observed that every major ancient written work has developed different textual versions. When manuscripts are copied by hand, invariably the copiers make mistakes. Later copiers make their own mistakes while copying the earlier mistakes. This has not happened to Torah scrolls. Different Jewish communities, separated from other communities for generations, have identical Torah scrolls. It has been suggested that this is one of the proofs of the divinity of Torah. (For further elaboration of this concept, [click here](#).)

What about Oral Torah? Have the unwritten traditions of Torah fared as well over the years as the written segment?

Yes and no. The Oral Torah was originally supposed to remain oral, handed down from teacher to student, generation after generation. Rabbi Yehudah the Prince saw that Torah scholarship was waning, and he feared that the Oral Torah would be forgotten. Therefore, he wrote the Mishnah, putting on paper the basis of all of Jewish Law.

The Torah recognizes that sometimes there will be a lack of clarity as to matters of Law. That is why G-d established the Sanhedrin:

If a matter is beyond your comprehension, whether involving capital punishment, litigation, leprosy marks, matters of dispute in your communities, then you must set out and go to the place that G-d will choose. You must approach... the court that will exist at that time... You must follow the Torah as they interpret it for you... Do not stray to the right or the left from the word that they declare to you.
(Deuteronomy, 17:8, 9, 11)

The Torah gives the Sanhedrin the right to interpret Torah Law, as well as legislating Rabbinic Law. There is a Biblical Commandment to follow rabbinic rulings.

But what if the Sanhedrin makes a mistake? What if this council of the 71 greatest sages of Israel vote on how to apply Torah Law, and their interpretation is not in concert with what Moses handed down to Joshua from Sinai?

There is no such thing. *“You must follow the Torah as they interpret it for you. . . Do not stray to the right or the left from the word that they declare to you.”*

Rabbi Aryeh Kaplan writes, based upon Nachmanides’ explanation of the above verse, that “...By definition, their decisions represent the will of G-d.”

In other words, even if, in theory, the Sanhedrin vote differently than Moses would have, Torah Law requires that we follow the ruling of the duly appointed judges.

(It is important to note that these judges must meet very specific qualifications. My references to the Sanhedrin should not be confused with a recently established group in Israel using the same name. As far as I can tell, today’s Torah leaders have generally chosen to ignore this self-appointed body.)

Although the Torah has given us a means of dealing with a lack of clarity in Jewish Law, such a lack of clarity is, obviously, something we wish to avoid. In discussing 18 matters of Jewish Law over which the great Sages Shammai and Hillel argue, the Talmud laments that “. . . That day was as difficult for Israel as the day that the Golden Calf was created.” (Shabbos, 17a)

The Chasam Sofer sees this passage in the Talmud as a reference to the cause of forgetting Torah. Moses came down from Mount Sinai with the Tablets with the Ten Commandments engraved on them. When he saw Israel worshiping the Golden Calf, he took the Tablets and smashed them on the ground.

G-d later endorsed Moses' decision to break the Tablets. However, permanent damage had been done. As a result of the shattering of these words of Torah, a new concept was created; the concept of forgetting words of Torah. The Ten Commandments were engraved in stone; they should have been permanent. Somehow, this unthinkable tragedy, the disintegration of "permanent" words of Torah, has led to the tragedy of the forgetting of words of Torah. (In fact, the broken Tablets are symbolic of forgetting Torah learning. We learn from the fact the broken set of Tablets was stored in the Ark with the new set, that a Talmudic scholar who has forgotten his learning must still be accorded the honor due a scholar.)

What caused this event in the first place? Why did Moses begin this pattern of a losing our grasp of Torah? Why did he break the Tablets? He broke them because there was disharmony in the Camp of Israel. There was rebellion and idol worship.

That disharmony caused the degradation of Torah. That disharmony caused Torah to be forgotten. That disharmony caused Shammai and Hillel to have conflicting traditions in 18 areas of Jewish Law. That disharmony led to a day that the Talmud says "... was as difficult for Israel as the day that the Golden Calf was created."

Let us reread the quote from the Torah that we cited above:

If a matter is beyond your comprehension, whether involving capital punishment, litigation, leprosy marks, matters of dispute in your communities...

The Chasam Sofer suggests a novel reading of this verse. "*If a matter is beyond your comprehension . . . matters of dispute in your communities.*" Do you want to know, asks the Chasam Sofer, why "*a matter is beyond your comprehension*"? Do you want to know why you don't remember the Law? Do you want to know why Torah is forgotten?

It's because of "*matters of dispute in your communities.*"

The Golden Calf led to the breaking of the Tablets, which led to forgetting Torah, which led to a lack of clarity between Shammai and Hillel.

If strife in the desert can cause such a ripple effect, imagine what it does in your home!

People don't always see eye to eye. We can agree to disagree. And that is fine. Or, we can agree to consult with a third party to help us come to an accommodation. That, too, is fine.

The problem is when disagreement leads to discord. Anger clouds the mind and destroys reason. The Tablets were obliterated, and we shatter our loved ones' self esteem. Is it any wonder that the Talmud compares anger to idolatry?!

The days leading up to Rosh Hashanah are a time of introspection. A few weeks from now we will stand before the Judge Who forgets nothing. Let us remain calm and give our loved ones the respect they deserve.

G-d remembers everything. If we remember to treat other people with the respect they deserve, G-d will certainly remember to treat us as we deserve (or, hopefully, better!)

And, as an additional result, we may just discover more success in remembering our Torah studies as well!

Have a great Shabbos.

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