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## Upcoming Events:

May 30-June 20  
**Rabbi Dr. Yaakov Elman at the JCC in NYC on "Modern Orthodoxy—the Fourth Century Version"**  
7:00-8:15 pm

May 30-June 13  
**Dr. Lawrence Schiffman at the JCC in NYC on "A Brief History of Heresy"**  
8:30-9:45 pm

June 18  
**Edah mini-conference at the JCC**

## The Blasphemer: Struggle Between Mercy And Justice By Rabbi Saul Berman

Parshat Emor ends with a dramatic narrative about a blasphemer, one who cursed God. In Chapter 24, verses 10-12, the Torah tells us of a Jewish man in the camp of the Jewish people struggled with another Jewish man. In consequence of that struggle, one of the men blasphemed the name of God, he cursed God. The people brought him before Moses for trial, at which point the Torah notes that his mother's name was Shlomit the daughter of Divri of the tribe of Dan. The interpolation of her name at that particular point in the narrative is of enormous significance.

The Torah continues in verse 12, "They put him in prison that it might be declared unto them at the word of the Lord." Moses was unwilling to decide this case on his own and insisted on consulting with God. God tells Moses to take out the blasphemer to be executed.

There are three questions that beg to be raised. Firstly, what was the fight about between the two men? Secondly, whatever that fight was about why did this man then curse God rather than cursing his human protagonist with whom he had been doing battle? Thirdly, in relation to verse 12, what was Moses's uncertainty? It could not have been as to whether blaspheming is a crime. After all, not only is that one of the Ten Commandments as a prohibition, it is even one of the seven Noahide Commandments. Certainly, Moses could have had no doubt that this was a crime or as to what the penalty would be.

Rashi in commenting on this narrative, cites the Midrash which offers an explanation of who the blasphemer was. The Midrash says that Shlomit has already appeared in the biblical narrative, albeit only by implication in Moses's initial entry into the Jewish community. As a young man Moshe comes upon the scene of an Egyptian slave master beating a Jewish slave. Moses, fearing for the life of the man being beaten, intervenes, with loss of life to the Egyptian resulting. Says the Midrash, the Egyptian was beating that Jewish man because the Egyptian had raped the man's wife. He had raped Shlomit the daughter of Divri of the tribe of Dan, a married woman. And Shlomit's husband stood up against the Egyptian and attacked him for having done that cruel and inhuman act. As a result of which the Egyptian was beating down the husband of Shlomit. Moses intervenes, kills the Egyptian, according to the Midrash, both for his attempt to kill Shlomit's husband and for his having raped Shlomit.

The Midrash says that Shlomit had become pregnant in consequence of the rape, had borne a child, and that child had come to be known in the community as the son of Shlomit who had been conceived through rape by the Egyptian. Time passed, says the Midrash, and the various areas of the Jewish encampment were assigned to the different tribes. There was a separate area of the encampment that was assigned to the tribe of Dan. And this man, the son of Shlomit, wanted to settle with that tribe, his mother's tribe. The people of the tribe of Dan did not want him there and objected to his settling there on the grounds that tribal identity follows the father not the mother. And therefore, they said, he should reside the area of the camp where persons who are of no tribe may reside.

The son of Shlomit insisted that he had a right to settle there with the tribe of Dan. Thus the case came before Moses. Moses tried the case and decided in favor of the tribe of Dan. Moses said that they had the right to exclude this man from residence within the tribe area,

because he was not a member of the tribe of Dan.

We can now understand why the man did not simply curse the elders of the tribe of Dan or Moses, but cursed God for the addition of insult to injury. His objection was against God whose standards were excluding him from his proper share amongst the Jewish people. He cursed God, the author of those exclusionary laws, and the punishment is clear.

Why does Moses await a direct response from God? Not because of his uncertainty as to the law or the punishment for its violation, but Moses thought that perhaps *rachamim* should be applied here due to this man's background. Perhaps, in consequence of the provocation that he had suffered, the law should overlook the deed. Moses has the courage to reevaluate: not uncertainty, but reevaluation.

Moses is saying to himself is that if a law produces such pain, then perhaps it is not really God's will and perhaps he, Moses, was mistaken as to what God would want under these circumstances. What happens when the apparently revealed laws stands in conflict with our reason as to what is just. Said Moses, I have to look first as to whether my standards of justice are correct. He examines the situation and says, the provocation here is so powerful that the circumstances called for the application of mercy. Perhaps then I misconstrued what God would want in this situation, says Moses, let me turn to God. And so he does.

God's response has two parts. Firstly, says God, you're quite right Moses, the social background is a shame. It's criminal that someone should have to grow up with the community knowing of the fact that he was conceived in an event of rape. This man deserves our mercy, but says God, that does not justify his breach of the law. The Torah insists on individual responsibility whatever the social circumstances, a person must be held responsible for his own behavior. *Rachamim*, yes, but responsibility also.

So you'll say, says God, this is fundamentally unfair. Look what's happened to this man. Look what has happened to him in consequence of these particularistic laws: his exclusion from the tribe of Dan in consequence of what?, toward what social interest? Says God, depriving him identity as a member in the tribe of Dan does not deny his humanity and does not deny his Jewishness and, therefore, does not entitle him to blaspheme.

Indeed, God's response is a fundamental assertion of the coexistence of particularism and universalism within Jewry. Not losing either is a vital Jewish affirmation. To be able to understand that our particularism does not demand the denial of universalism and that our acceptance of God's universal covenant with all of mankind does not deny the particularistic covenant that God has with the Jewish people is an essential human affirmation which emerges from this narrative.

Were the circumstances of his life tragic? Yes, unquestionably so. Do they warrant the denial of God? No. Do we owe *Rachamim* toward that person for the conditions under which he was raised? Yes. Do we owe exemption to him from responsibility for his own behavior? No. Individual responsibility remains the critical determinant of the order of Jewish society, essential for the survival of the Jewish people and of all of humanity.

*Rabbi Saul J. Berman is the Director of Edah.*

# Darwin Is Not The Enemy

## By Larry Yudelson

David Klinghoffer wonders why the Jewish community hasn't joined the struggle against Darwin. He asserts high theological stakes: If it cannot be proven that the origin of life is a scientific impossibility, then Judaism cannot be believed.

Klinghoffer seems unaware that an Orthodox Jewish response to Darwin was offered a century ago by Rabbi Abraham Isaac Kook.

Rav Kook, who was to become the chief rabbi of prestate Palestine, saw no need to disprove evolution. Indeed, he saw Darwin's theory as pointing to "the unfolding of the spiritual dimension of existence, which does not show a hiatus of a single wasted step."

The problem raised by evolution, said Rav Kook, was based on its conflict with the religious views of the masses, not on the inner truth of Judaism.

"For this," he wrote, "there is need of great illumination, which is to penetrate all strata of society, until it reaches with its agreeable harmonization even the simplest circles of the masses" (Orot Hakodesh II 556-560).

Rav Kook's faith-filled response to science contrasts with that of Klinghoffer and his colleagues in the Intelligent Design movement, desperately seeking God at the final line of the scientific enterprise. It is a challenging search, in part because our understanding of biochemistry and molecular genetics has deepened in recent years. Whether Klinghoffer likes it or not, we are simply understanding more about how the world works.

That is why Intelligent Design is ridiculed for worshiping a "God of the gaps," a deity whose existence is found in the failure of scientists to fully explain every natural phenomenon. The majesty of such a God decreases with every new scientific study.

Certainly the Catholic Church did itself no favors when it placed its theological bets against the astronomical discoveries of Copernicus and Galileo.

The Church, like Klinghoffer, would have done well to follow the path of Maimonides, who opposed his contemporaries who preached the eternity of the world simply because "the theory has not been proved" (Guide II 25), while allowing that were it to be proved, it would not contradict the core Jewish beliefs.

(Maimonides' willingness to interpret the Torah figuratively places him at odds with today's haredi Creationists, who insist the world is less than 6,000 years old and ban dinosaurs from their classrooms.)

The true beauty of Rav Kook's approach, however, is not its pragmatism but its piety. He believes that God is the premise, not the conclusion. His God is not ascertained in scientific arguments but through perception and faith.

In marked contrast to Klinghoffer's fear, Rav Kook reacted to those who postulate a purely physical world with equanimity, regarding "this childish construction as one which fashions the outer shell of life while not knowing how to build life itself" (Igrot I 44).

Rav Kook explicitly rejects the very moral logic of seeking God through the scientific means: "We do not base our faith in God on an inference from the existence of the world, or the character of the world, but on inner sensibility, on our disposition for the divine (ibid.)."

Rav Kook's perspective, for all its poetic majesty, is self-evident for any Jew who takes the prayerbook seriously.

In the morning, when we praise God for "mercifully shining light on the Earth and those who dwell on it," we are not claiming that physics is inadequate to explain the sunrise. Rather, we see the nuclear furnace 93 million miles away as a reflection of God.

The next line tells us a key fact for a believing Jew: God constantly renews the work of creation. Our prayerbook does not deny any materialistic mechanism to the sunrise, be it the chariot of Apollo or the laws of gravity. It asserts only that the rising of the sun reflects God's will, constancy and love.

We believe that God maintains each spinning electron not because we can think of no better explanation for physics but because that is our core belief about God. And our belief in God does not preclude our working to examine and understand the workings of His world as fully as is possible.

In fact, for Rav Kook the developing conception of science is important because it fosters a developing conception of God. Conversely, Rav Kook would argue that atheism among evolutionary theorists is not a sign that something is wrong with the structure of biological science, but rather as a sign that something is wrong with religion.

Rav Kook would argue that Klinghoffer should not be toiling in the journals of biological research, but should be seeking to penetrate the inner meaning of Torah's mystical core: "In general this is an important principle in the conflict of ideas, that when an idea comes to negate some teaching in the Torah, we must not, to begin with, reject it, but build the edifice of the Torah above it, and thereby we ascend higher, and through this ascent, the ideas are clarified" (Igrot I 124).

Klinghoffer is right in one respect: As a key architect of our modern world, Darwin presents a challenge to religion. But the real challenge we religious Jews face is not to destroy what Darwin built but to build what Rav Kook envisioned, a living religion as dazzling in its way as Darwinian science is in its way.

*Larry Yudelson is editorial director of Ben Yehuda Press, which recently reprinted "The Essential Writings of Abraham Isaac Kook," translated and edited by Rabbi Ben Zion Bokser.*