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Edah Happenings:

Israel Conference- Sun. Oct. 23rd in Jerusalem

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Regional Conference in Boston- Nov. 18th -20th

Torah for Elul @ JCC in Manhattan Sept. 20th, and 27th

Parashat Ki-Tetzei

Rabbi Dr. B. Barry Levy

With some 74 *mitzvot* in 110 verses, *Parashat Ki-Tetzei* is not the most concentrated presentation of laws in the entire Torah; *Parashat Shoftim*, for example, offers 71 *mitzvot* in 97 verses. But *Ki-Tetzei* is still the largest single grouping of them, and therefore one may wonder why such an important legal text appears so close to the end of Deuteronomy. While some of the laws are linked to earlier ones – hence the book's Hebrew and Greek names *Mishneh Torah* and Deuteronomy, which mean "second law" – earlier chapters have been heavily dedicated to Moses' warnings, encouragements, and exhortations and somewhat less to the details of legal requirements, civil or ritual.

One possible explanation for their late appearance lies in the role of the laws, poetry, oaths, blessings and curses, and other passages that form and legislate commitment to the covenant. These units are paralleled in ancient treaty texts, the literary analogues to the biblical covenant materials. Both the treaties and the covenant contain stipulations to be observed by each agreeing party, an historical background, requirements for public deposit and review, blessings and curses, etc. Accordingly, the law is only one literary component of the covenant text and must share its place with the others.

Given the evolution of Judaism since the enactment of this covenant, the law or Halakhah seems to have become the covenant's central component (at least in Orthodox thinking), because it is only through the law's observance that one keeps the covenant and thus merit its rewards. Recently, this seems to have continued at the expense of the legacy of philosophy, Bible interpretation, creative religious poetry, mystical speculation, and even synagogue art and music, which are expressions of other components of the same covenant. Ideally, they should not be ignored or disparaged in favor of the law but merged with it as respected contributions to religious life.

Still, one must ask why so many of these laws were left to so late in the Torah. A cynic might suggest that Moses slipped them into the mix after everything else had been settled and only right before his death, because his other difficulties with the people led him to conclude that presenting them during the earlier years of the wilderness experience might have so alienated many of the people that they would have rejected the covenant outright. A preacher might opine that he needed to motivate the people properly before they could adopt in reality what they had already accepted in principle. A literary analyst might conclude that, because many of these other covenantal elements are clustered near the end of Deuteronomy, the laws (or at least a major selection of laws) should be there too. A teacher might suggest that the people already knew the laws (given on Sinai and throughout the forty years), but now they needed to be organized and reviewed. Indeed, Ramban, Rabbi David Ibn Zimra, and many others have discussed at length the relationship of Deuteronomy to the other pentateuchal books, and the Netziv actually suggested that it is a commentary on the earlier books.

The parallels between the covenant and ancient Near-Eastern treaties reinforce the Torah's claim of the centrality of law, and they validate our eternal commitment to them. Their appearance in the middle of the book of Exodus establishes them as an essential aspect of the biblical covenant. Yet by leaving so many of them for the end of Deuteronomy, the Torah is suggesting a second, no less essential point. The law is the basis of the covenant and the quintessential aspect of its observance. But during its initial establishment, other aspects of the populace's commitment to the covenant, what we now call Halakhah and unfortunately often see as only law but which is really part of a broader intellectual construct – including belief, commitment, understanding, and the like, motifs that are repeated over and over in the other chapters of Deuteronomy – required equal treatment and in some cases preliminary presentation.

In point of fact, maintenance of the covenant never was and cannot be solely a function of following laws, and people who are trying to locate themselves in a more strictly covenantal community – and this includes many well intentioned children and adults – often find the contemporary fixation on the details of legal requirements and behavior an obstacle to the more spiritual, intellectual, and even social aspects of halakhic living. In the final analysis, we use Halakhah as a means to serve and worship God; worship and service of God are not the catalyst for attaining greater observance of Halakhah. Individual needs and patterns of personal growth must influence how the law is followed in the service God, and, as everyone who has ever studied Halakhah in depth realizes but rarely mentions, this often includes more than the codified lists of prescriptions and proscriptions.

We all know stories like that of the person who wanted to borrow a friend's ring to place in his mouth while doing *netilat yadaim* (because he had none and saw that everyone else seemed to do this) or the man who told his son during Maariv that now everyone bangs on the seat (to remind congregants to add *Yaaleh Ve-yavo* in the evening *Amidah*). How many silly events of this sort are needed before we, as a community, realize that all religiously motivated behavior is not ritual, is not meaningful, is not halakhically required, and is not even a healthy expression of piety, and that such misunderstandings are the collateral damage from too much emphasis on things that do not matter and on a mindset that says "just do it," rather than "come to do it as a result of reasoned study, reflection, and personal growth"?

Parashat Ki-Tetzei is about the details of law and behavior, and its details are essential elements of the Halakhic expression of the biblical covenant. But they are not the sole component of either the covenant or the Torah. Attention to the details of law and behavior is important but, when done to the exclusion of all other concerns, is a perversion of the covenantal ideal and ultimately a contribution to its undoing. Let us resolve to ensure that other considerations and commitments do not mask this sometimes under-appreciated principle. To fail in this task could lead to thinking that is far indeed from the Torah's overall message.

Rabbi Dr. B. Barry Levy, Professor and Dean of the Faculty of Religious Studies at McGill University and a member of the Edah Advisory Council.

What God Wants Us to Learn From Katrina

by Rabbi Chaim Steinmetz

**“God does not need a defense attorney;
He can make a case for himself.”**

The images of suffering are overwhelming. Watching TV coverage of Hurricane Katrina, you can feel the anguish of the victims of this awful disaster. An unpredictable confluence of circumstances brought about a “perfect storm” that killed thousands and left hundreds of thousands homeless. Katrina is a true human catastrophe.

As unpredictable as this hurricane may have been, the human reactions to it are all too predictable. Immediately, there is finger pointing. On the political front, President Bush is blamed for a variety of failures ranging from a slow response to the disaster to having caused the global warming which led to the hurricane. Religious authorities with agendas of their own come to speak in God’s name and blame the catastrophe on their opponents. A group called Repentance America said it was God’s retribution for New Orleans being a “sin city”. Repentance America did not issue any explanation why somehow, the hurricane managed to miss Las Vegas. On the Internet, a popular Israeli Rabbi is sure that this catastrophe is retribution for American support for the disengagement from Gaza. I found this opinion curious; the sobbing woman I watched on CNN who lost her daughter and was searching for her missing sons didn’t strike me as a supporter of the disengagement. An of course, radical Islam couldn’t miss this opportunity to dump on America either. A high-ranking Kuwaiti official, Muhammad Yousef Al-Mlaifi, said: “It is almost certain that this is a wind of torment and evil that Allah has sent to this American empire.” This confident explanation was issued a day after hundreds of Muslims were stampeded to death in Iraq.

These finger pointing explanations are not only deeply flawed, they are also deeply insensitive. The Talmud says that anyone who gives a grieving person an explanation that the victim’s sins caused his own suffering has violated the prohibition of verbal abuse. Many Jewish philosophers wrestle with the question “Why bad things happen to good people? Some explanations do consider man’s culpability. However, what is misunderstood is that their explorations are meant to defend God’s goodness, not to torment victims of suffering by blaming them for the crime.

In fact, even the entire project of defending God’s goodness is suspect. First of all, God does not need a defense attorney; He can make a case for himself. And God continues to make a case for himself in every sunrise, every leaf, every breath we take. Furthermore, any explanation we can offer will seem meaningless to sufferers. Those who are suffering feel their pain on a personal level, and abstract explanations will in no way alleviate their pain.

Rabbi Joseph B. Soloveitchik offers a very different view of a Jewish

response to suffering. He says the question, why bad things happen to good people, is unfathomable. Even worse, any answer offered will imply that we should passively accept our fate and assume that God did everything for the best. Soloveitchik points out that on the contrary, Judaism actually refuses to make peace with death and tragedy. When someone dies, Jewish law requires that we mourn bitterly and tear our clothes. This is because Judaism demands that we be enraged by tragedy. To R. Soloveitchik, the real question that has to be asked is: How do I respond to tragedy? Our obligation in the face of a catastrophe is to act: to comfort and aid those who have suffered, and to use human creativity to prevent future catastrophes. The only Jewish response to tragedy is to restore human dignity and rebuild the world.

The response to this tragedy is to join hands in rebuilding the world, rather than point fingers. The most important lesson of any large scale disaster is the commonality of all human beings; we have all have the same vulnerabilities and the same aspirations. Most importantly, we are all created in the same image of God. It is up to us to learn how to live together as brothers and sisters, and help each other with their burdens.

I am hopeful that besides the noisy finger pointers, most people will respond properly to this catastrophe. In the past, I have witnessed how disasters have the unique ability to unite anyone, even antagonists, in a common cause. Last January, Jews, Christians, Muslims, Hindus, Sikhs and Buddhists gathered together in my Montreal synagogue for a service on behalf of the victims of the Asian tsunami. Representatives of the warring Sinhalese and Tamil communities both attended, and a representative of the largest Muslim country in the world, Indonesia, thanked the Jewish community for their efforts on behalf of the disaster victims. People who normally do not talk to each other joined together in common cause. And just today, students at Montreal’s Hebrew Academy, moved by the news reports they have heard, have begun mobilizing fundraising and letter writing campaigns for people they have never met, the victims of Katrina.

I am too uncomfortable to issue prophetic statements. But if I have to guess what God wants in the wake of Katrina, it is a recognition that every human being shares God’s image, and that every person, whether they live in Indonesia or New Orleans or Kuwait or Israel, should learn how to join hands in rebuilding the world rather than point fingers.

Rabbi Chaim Steinmetz is the spiritual leader of Tifereth Beth David Jerusalem in Montreal, Quebec, and is a member of Edah’s editorial board.