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Edah Happenings:

**Israel
Conference-
Sun. Oct. 23rd
in Jerusalem**

**Regional
Conference in
Montreal- Nov.
11th -13th**

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

**Torah for Elul @
JCC in
Manhattan
Sept. 13th, 20th,
and 27th**

Forbidden Magic: False or Just Forbidden by Eric Grossman

“Let no one be found among you who consigns his son or daughter to the fire, or who is an augur, a soothsayer, a diviner, a sorcerer, one who casts spells, or one who consults ghosts or familiar spirits, or one who inquires of the dead.”

Deuteronomy 18:10-11

The prohibition against augury and magic in Parshat Shoftim embodies one of the great revolutions in the history of religion. Living in the post-enlightenment world of science and reason, it is often difficult to appreciate the radical nature of such legislation in an ancient world dominated by the fear and worship of ghosts, spirits, demons, and other malevolent forces. This war of attrition against pagan culture was not won in the days of the Bible, but was fought in generation after generation, and it is doubtful whether we can declare victory even today.

Perhaps the most interesting intellectual battleground was medieval Spain where Rambam and Ramban fought for two particularly narrow understandings of these difficult verses. The language used by each thinker to denounce the other's view is shocking even to those who tune into cable news. Briefly, Rambam takes Deut. 18 to be a complete repudiation and refutation of the stupidity inherent in these forbidden practices and their dull-witted practitioners. Not to be outdone, Ramban berates the religious self righteousness of anyone (one can assume here he means Rambam) who would question the basic efficacy of soothsayers, or their ability to alter the future with spells, incense, and a knowledge of astrology.

To those of us with a taste for the modern (Orthodox or otherwise), Rambam is unquestionably the hero, swooping down and saving Judaism yet again from the clutches of superstition. This reading of the debate, however, is overly facile, and ignores both the difficulty of Rambam's position and the profound similarities in the approach of these two Torah giants. Rambam's prooftexts, adduced in Hilchot Avodah Zarah 11:16, are not a compelling proof of his reading. Ramban, in fact, hews closer to the *peshat* when he suggests that the Torah does not deny that magic and augury work — only that they are forbidden. More importantly, neither actually turns to the *pesukim* to discover their meaning. Rambam, according to the methodology he sets forth in

the Guide II:25 looks to Reason to determine that magic *cannot* be true: if the Torah seems to suggest otherwise, we must be misreading scripture, for Torah cannot deny Truth. In response, Ramban does not deny Reason, but avers instead that reality trumps Reason: even if logic would suggest that augury *cannot* exist, *experience* tells us that it does. In the Ramban's own words, "... we cannot deny what has been demonstrated before the eyes!" The argument between the sages is therefore not reason versus tradition or even rationalism versus mysticism, but rationalism versus empiricism: Do we trust our minds to deduce reality, or do we trust our senses to induce Truth?

Both Ramban and Rambam agree then on the need for an external lens through which to view the word of God. To understand the truth of Torah it is not enough to accept the divinity of the text; we must search for the right tools to determine its meaning. Their argument with each other in this instance is not so extreme, invective aside. Herein lies the difficulty: our eyes can often deceive us and lead us to theories of reality that are not in fact correct (it does, for instance, seem obvious if we gaze heavenward that the sun is circling the earth). Few today would cede to Ramban the obvious veracity of fortune telling (though we may admit to the occasional temptation to peruse the supermarket tabloids for a peek at the future). But if our eyes can deceive us, so can our minds. Our brains, Bacon argued, are wont to fly off in all directions, spinning webs of reasoned arguments that are nonetheless false. We must admit in this vein that while Rambam has stood the test of time, the physics and metaphysics of Aristotle that he equated with scientific truth have not.

The unreliable nature of both our minds and our eyes has led many in the Orthodox world to despair of the human element in deciphering Torah. God does not let us off so easily. The answers to the mysteries of the Torah are not found at the back of the book. The nature of Torah is such that we must always be searching for the right lens through which to view its truth and beauty. There is no way to escape our mission. The "modern" of Modern Orthodoxy is therefore not a willingness to compromise with a world that stands at odds with our traditions, but is rather a call to arms to seek in the modern world a clearer lens that will allow us to view Torah ever more precisely. We look to modernity and the challenges it poses to Judaism to help us focus on those aspects of Torah that we have ignored or misunderstood, and that will help us to create a faith that reflects the greatness of what Torah represents.

Eric Grossman is the Department Head of Bible at the Jewish Academy of Metropolitan Detroit and is currently working on his Ph.D. in Bible and ancient Near Eastern Studies .

Divestiture: An Evil Misapplication

By Rabbi Saul J. Berman

“Halakha teaches us that economic investment can also carry moral weight.”

I basically like divestiture campaigns.

Such campaigns alert citizens to the consequences of their investments. People usually think about investments solely as economic instruments. The Halakha teaches us that economic investment can also carry moral weight. Leviticus 19:18 forbids us from “... placing a stumbling block before the blind.” Implementation of that law, Maimonides teaches, following the Talmud, bans the sale of weapons to criminals and evil minded states. It bans the sale of defective, life threatening toys and it bans the sale of cigarettes.

Is the gun merchant who sold the marksman's rifle to John (Williams) Muhammad, the Baltimore mass murderer, thereby culpable for the deaths of thirteen people? No, says the Talmud, but he is legally and morally accountable for having enabled the performance of those acts of terror. The economic behavior of the merchant, or of the investor, is not cleansed of its moral filth by the intervening voluntary action of another person. The manufacture or sale of an inherently dangerous device bears with it the taint of moral responsibility for the injury which eventually results from its use.

This awareness is particularly essential for religious and educational institutions because they are properly viewed as models of integrity and of values for their constituents. Powerful life lessons are taught unwittingly by the administrative ethics, or lack thereof, of the institutions which young people respect. Synagogues, Colleges, Federations and youth movements, like parents, teach by what they do more than by what they preach.

With due recognition of the complexities of economic decision making, financial investments in companies which manufacture hand guns, which exploit child labor, which practice racial discrimination, ought to be avoided by institutions which claim to represent the moral voice of the society. Indeed, they ought to be avoided by anyone with a commitment to the creation of a more ethical world.

Nevertheless, as a faculty member at the Law School, I signed the petition against Columbia University divestiture from companies doing business with Israel. I am deeply opposed to the various Protestant Church divestiture efforts now being implemented. Because, even good instruments can be used for evil purpose. The divestiture campaign against companies doing business with Israel is precisely such a manipulatively evil misuse of a potentially good instrument.

Why is this divestiture campaign so wrongheaded? Firstly, because it makes no claim of wrongdoing by the businesses themselves. The

targeted companies do not exploit Palestinians, they do not destroy the homes of terrorists, they do not even build settlements; they do nothing remotely comparable to the moral wrongdoing of companies doing business in apartheid South Africa during that earlier campaign. Thus, divestiture from these companies is a corrupt form of vicarious liability, in which the businesses will be punished for the alleged “crimes” of Israel.

Secondly, there is no proportionality in the campaign. Why is there no demand to divest from companies doing business with Saudi Arabia, due to its denial of religious freedom, its denial of women's civil rights and its support of the terrorist madrasas all through the Arab world? Why no call for divestiture from businesses with relations to Syria for its decades long occupation of Lebanon? Why no call for divestiture from companies doing business in Egypt, for its suppression of democracy and its promotion of virulent anti-Americanism and anti-Semitism? Why is there no call for economic withdrawal from the Palestinian Authority for its abuse of children in the encouragement of their being suicide bombers, and for their summary executions of suspected collaborators and their explicit targeting of civilians in violation of all civilized standards of the conduct of war? Why is there no call for divestiture from those doing business in Yemen, due to its being the world's largest slave trader?

For that matter, why is there no call for divestiture from companies doing business with Russia, due to its occupation and suppression of Chechnya; and from those doing business with China due to its decades long, murderous occupation of Tibet?

That this bizarre coalition between Islamic Fundamentalists and liberal American Church activists, groups with radically opposite utopian visions, could be formed to attack the sole democratic country in the entire region, beggars the imagination. I'll leave an explanation of that perverse alliance for psychiatrists of deviance, sociologists of anti-Semitism and historians of American self-hatred. Living as we do in an era of Democracy and Terror, perhaps it was inevitable that some misguided claimants to the crown of democracy would turn their energies in support of the exponents of terror.

For me as for all Zionists, the situation is clear and unequivocal, we love Israel with all of her imperfections, and will battle against the attempt to demonize and damage her.

Rabbi Saul J. Berman, Director of Edah, teaches Jewish Law at Stern College and at Columbia University School of Law.

Edah

36 West 45th Street
10th Floor
New York, NY 10018

www.edah.org

1-212-244-7501