YESHIVAT HAR ETZION

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**STUDENT SUMMARIES OF SICHOT OF THE ROSHEI YESHIVA**

**Parashat Ki Tetze**

**GUEST Sicha BY rAV Yair Kahn**

**"To Counter the Evil Inclination"**

Summarized by Mordechai Sambol

Translated by David Strauss

**Introduction**

 *Parashat Ki Tetze* opens with the surprising laws of an *eishet yefat to'ar*, a non-Jewish woman captured in war, describing how the captor can legitimize a relationship with her. The Gemara in *Kiddushin* states that "the Torah speaks only to counter the evil inclination (*yetzer ha-ra*)" (*Kiddushin* 21b), and Rashi in his commentary to the Torah adds and explains: "For if the Holy One, blessed be He, would not permit her to him [as a wife], he would nevertheless marry her although she would then be forbidden to him" (Rashi, *Devarim* 21:11).

While the entire Torah relates to the tension that exists between the evil inclination (*yetzer*) and the Creator (*yotzer*), in the extreme case of someone who is at war and sees blood and death all around him – the Torah "gives in" a little to the evil inclination and permits actions which are forbidden in other contexts. How can we understand this?

**The Evil Inclination and the Good Inclination**

The expression, "the Torah speaks only to counter the evil inclination," is not limited to the extreme case of a man who is out at war, but appears in other contexts as well. First, when the Gemara in tractate *Kiddushin* (21b) explains that in the case of an *eishet yefat to’ar*, "the Torah speaks only to counter the evil inclination," it further explains: "It is better for Israel to eat the flesh of [animals] about to die, yet [ritually] slaughtered, than flesh of dying animals which have perished." That is to say, sometimes the Torah chooses to permit an action under certain conditions because an absolute prohibition cannot be implemented in that case. The Ramban understood the words, "It is better for Israel to eat the flesh of [animals] about to die, yet [ritually] slaughtered, than flesh of dying animal which have perished," not only as a metaphor for an *eishet yefat to’ar*, but also in its plain sense. He explains that while the people of Israel were traveling in the wilderness, only sacrificial meat was permitted; however, when they entered the Promised Land, the allowance to eat "meat of desire" was renewed – because as with the *eishet yefat to’ar*, here too, "the Torah speaks only to counter the evil inclination" (*Chidushei ha-Ramban*, *Chullin* 11b, s.v., *ve-khi teima hakhi nami pesach*).

The Abravanel (*Devarim* 17:14) similarly compares the mitzvaof appointing a king to the laws of an *eishet yefat to’ar*, using the same expression. He explains that there as well, "the Torah speaks only to counter the evil inclination."

We can also find another, similar phrase in several places: "the Torah speaks to the inclination." This expression, however, is directed towards strengthening the good inclination, rather than giving in to the evil inclination.

For example, the Torah assures us that "neither shall any man covet your land, when you go up to appear before the Lord your God three times in the year" (*Shemot* 34:24) – meaning that traveling to Jerusalem on a pilgrimage festival will not cause a security danger – and the *Mekhilta de-Rashbi* (34, 24) explains that "the Torah speaks to the inclination." Another *midrash* (*Sifra* *Kedoshim*, *parasha* 3, end of chap. 5, letter *tet*) uses the same phrase to explain the Torah's promise that observing the prohibition of *orla* will bring blessing to the crop, and will not bring about economic loss. This is also how the *Midrash Tannaim* (*Devarim* 15:18) explains the blessing promised to one who fulfills the mitzvaof *ha'anaka*, or severance pay, given to a Hebrew slave upon his release.

The expressions "the Torah speaks only to counter the evil inclination" and "the Torah speaks to the inclination" are then quite understandable, especially in light of related expressions, such as "Scripture speaks in the present [reality]" and "the Torah speaks the language of humans." Nevertheless, how can the Torah apparently "yield" to man's evil inclination? And furthermore, what is the meaning of the emphasis placed on "speaking" in all these expressions?

**The Language of Humans**

 The Rambam addresses the expression "the Torah speaks the language of humans" in his *Guide for the Perplexed* (I, 26) and explains that the Torah is formulated in a way that humans can understand it, though that understanding comes at the cost of precision. For instance, the Torah uses expressions in a borrowed sense (i.e., metaphors) to describe God – e.g., "strong hand," "fierce anger," "God's wrath" – even though God has no body, or image of a body, as the Rambam asserts in his formulation of the fundamentals of faith.

 However, speaking the "language of humans" is not just a response to human difficulties with understanding a text; it is an answer to man's difficulties in general. The Torah speaks to man and for man – and it does this with human language.

Thus, in the Torah, we do not find the expression, "the ten commandments (*dibrot*)," but only "the ten *devarim*" (*Shemot* 34:28 and elsewhere). The term "*devarim*" denotes matters or topics, whereas the term "*dibrot*," the plural of "*diber*," indicates commandments. It is surprising that *Chazal* insisted on using the term "*dibrot*" to describe this set of ten, even though there are many more than ten commandments. Why did *Chazal* make an effort to use the term "*dibur*"? It stands to reason that they understood that when the Torah commands us to do something, it is essentially speaking to us. There is a dialogue involved, a response to man's difficulties.

**The Heavenly and Earthly Torah**

 In order to delve more deeply into the meaning of "speaking" in the Torah, we turn to a *midrash* that describes a disagreement between Moshe and the angels when Moshe ascended on Mount Sinai, in which the angels argued against bringing the Torah down to earth:

Rabbi Yehoshua ben Levi said: When Moshe ascended on high, the ministering angels spoke before the Holy One, blessed be He: "Sovereign of the Universe! What business has one born of woman among us?" He said to them: "He has come to receive the Torah." They said to him: "That secret treasure, which has been hidden by You for nine hundred and seventy-four generations before the world was created, You desire to give to flesh and blood?!” …

The Holy One, blessed be He, said to Moshe: "Give them an answer!" …

He said to Him: "Sovereign of the Universe! The Torah which You give me, what is written in it? 'I am the Lord your God, who brought you out of the Land of Egypt.'" He said to them: "Did ye go down to Egypt; were you enslaved to Pharaoh: why then should the Torah be yours?" Again, "What is written in it? 'You shall have no other gods': do you dwell among peoples that engage in idol worship?" Again, "What is written in it? 'Remember the Sabbath day, to keep it holy': do you then perform work, that you need to rest?" Again, "What is written in it? 'You shall not take [*tisa*] [the name ... in vain]': are there any business dealings [*masa u-matan*] among you?" Again, "What is written in it? 'Honor your father and your mother': have you fathers and mothers?" Again, "What is written in it? 'You shall not murder. You shall not commit adultery. You shall not steal'; is there jealousy among you; is the evil inclination among you?"

Immediately, they conceded to the Holy One, blessed be He. (*Shabbat* 88a-b)

Moshe points out to the angels that the Torah is surely intended for man and not for angels, because it refers to events and situations that occur specifically on earth; therefore, the Torah must be brought down to the earth.

However, another look at the *midrash* points to an apparent contradiction: If the Torah was really meant for humans from the outset, why did the angels object to it being given to Moshe? Were they not aware of this? On the other hand, even if we emphasize the fact that the Torah existed "nine hundred and seventy-four generations before the world was created," it is not clear what meaning this existence has – if it was intended for humans, then what was the meaning of this "theoretical," heavenly, existence of the Torah?

Perhaps there is no real contradiction here, but merely tension between two true principles. On the one hand, "the entire Torah consists of the names of the Holy One, blessed be He" (Ramban, introduction to his commentary to the Torah). The Torah is, as it were, a "garment" of God, and this is something that man is unable to understand or grasp. We are dealing with something that is beyond human ability, something sublime and lofty that is fit only for angels, something we cannot even express with our lips. On the other hand, ultimately, the Torah must be given to man, and so it must speak the language of humans. When the letters of the Torah (which, as stated, "are all names of the Holy One, blessed be He") join to form words, they form the ten "commandments," expressing a message that is intended specifically for human beings.

The Gemara in tractate *Sukka* (5a) states that "the *Shekhina* never descended below… ten handbreadths," and man never rose up "above ten handbreadths." It learns this from the Ark of the Covenant, which together with the ark-cover was ten handbreadths high; the Torah is the speech that connects the two worlds.

**"The Torah Speaks," and Repentance**

We have seen, then, that the Torah and its words are intended for humans and are addressed to humans. That is why the Torah speaks the language of humans, and it therefore relates to the world of man – to the reality in which man is found, and to all of man's weaknesses. This is the meaning of the emphasis on "the Torah speaks."

In light of this, we can also understand the Torah's apparent "giving in" to the evil inclination. The Torah does not actually, God forbid, "give in" to the evil inclination; rather, it merely acknowledges the existence of such an inclination, and offers man guidance about how to redeem and elevate his life.

All this is especially relevant in the month of Elul. The concept of repentance is a novel idea, for humans cannot change things that have already happened. God, however, has that ability: He relates to where man is; He relates to man's abilities and as well as his limitations, and He speaks directly to man. He gives him a way to redeem himself and to take his life to a better place.

[This *sicha* was delivered by Rav Kahn on Shabbat *Parashat Ki Tetze* 5781.]