

CENTER FOR MODERN TORAH LEADERSHIP

Center for Modern Torah Leadership



חירות ואחריות

www.TorahLeadership.org

"Taking Responsibility for Torah"

GETTING LOST ON THE HIGHWAY TO HEAVEN

by Rabbi Aryeh Klapper

The final sentence of the haftorah for Shabbat *Shuvah* reads: "For the ways of Hashem are straight, and the righteous will walk in them, but *posh'im* will lose their way (*yikashlu*) in them". This idea seems puzzling: Why would anyone lose their way on a straight path?

Targum Yonatan takes the simple way out: "The righteous who walk in them will live in them an eternal life, but the wicked (*reshaya*) will be given over to Gehenom for not walking in them".

This interpretation solves any theological or logical problem. But Chazal apparently found it literarily unsatisfying.

R. Eliezer of Beaugency suggests that the stumble will be intellectual. The ways of Hashem lead straight to eternal life, but *posh'im* are incapable of seeing past this-worldly benefits and losses. They accordingly perceive the ways of Hashem as crooked. RADAK suggests that the *posh'im* in question may be bothered not by their own failure to prosper, but rather by the broader question of why good things happen to bad people and vice versa.

This seems a peculiar interpretation of "*yikashlu*".

Abravanel offers a wonderfully creative analogy and psychological approach.

Just as the straight path is a protection for those walk it with innocent intentions,

so that peaceful people are glad to walk it because it has crowds going back and forth, but the murderers are afraid to walk it and walk twisted roads instead –

so too the paths of Hashem, because they are straight – the righteous walk in them and don't lose their way.

but the *posh'im* see their own blemishes in them, therefore they are tripped up by them and are unable to walk on them.

I have trouble following the analogy though. Violent criminals prefer crooked roads so they can escape surveillance – how does this play out with regard to the paths of Hashem?

The Talmud offers four different explanations. The first three, each of which is also presented via analogy, are on Nazir 23a:

1) (Offered by Rabbah bar Bar Channah):

Two people roasted their Paschal sacrifice.

One ate it for the sake of fulfilling the mitzvah; one ate it for the sake of gluttony.

The one who ate it for the sake of fulfilling the mitzvah = *and the righteous shall walk in them*; the one who ate it for the sake of gluttony = *and the posh'im shall lose their way in them*.

Abravanel, (and in his footsteps Akeidat Yitzchak), understands this as making a radical claim, which he seems to agree with:

They intended by this that the Divine mitzvot require proper intent, without which they have no substance, because they are unlike character traits and intrinsically praiseworthy deeds, rather all the perfection and Divine influence of these mitzvah actions occur when a person does them because Hashem commanded them.

However, Resh Lakish rejects Rabban bar Bar Channah:

You call this man a *rasha*¹? Granted that he did not perform an ideal mitzvah, he nonetheless made a Paschal sacrifice!?

2) Resh Lakish himself offers a quite astonishing analogy:

Two people, each accompanied by their wife and their sister.

One of them (sexually) encounters his sister, the other (sexually) encounters his wife.

The one who encounters his wife = *and the righteous shall walk in them*;

the one who encounters his sister = *and the posh'im shall lose their way in them*.

I have no idea what message this analogy was intended to convey. The anonymous Talmud rejects it as inapt:

How is this comparable (to our verse)!? We are speaking of one path (which some people walk in, and others lose their way in), but here (in your analogy) there are two paths!?

3) The anonymous Talmud then offers an analogy which seems radical in exactly the opposite direction from Rabbah bar Bar Channah:

Lot, accompanied by his two daughters (who get him drunk and have sex with him on consecutive nights)

¹ I very tentatively and entirely speculatively suggest emending פשע to רשע.

They, who intend (the sex) for the sake of a mitzvah = *and the righteous shall walk in them;*

He, who intended (the sex) for the sake of a sin = *and the posh'im shall lose their way in them.*

The idea that Lot's daughters were idealistically motivated, "sinning for the Sake of Heaven" as the Talmud puts it elsewhere, seems a plausible read of the story; presumably the author of this analogy believed that Lot should have realized what they planned, at least on the second night, even though the Torah seems to emphasize that he recalled nothing of the first night. But while this is indeed "one path", I don't see how it is a "path of Hashem".

Unless Resh Lakish means that G-d arranged for them to be alone with each other in the belief that they were the only humans alive, so that the outcome was inevitable, and they only controlled their intent? This would fit with the vision of teshuvah offered by Rav Tzadok Hakohen MiLublin and I believe the Izhbitzer, in which repentance means accepting a deterministic perspective on the physical universe. (I thank Tzvi Ginsberg for clarifying to me that this does not entail believing that determinism is the only true perspective). But it strikes me as an extraordinarily unlikely read of the verse, and I hope it was not the intent of the Talmud.

4) On Bava Batra 89b, Rav Yochanan ben Zakkai agonizes about whether to publish detailed regulations against fraudulent weights and measures. The righteous, he says, will walk in them and avoid committing fraud; but others will learn from them new and better ways to commit fraud.

The Talmud asks: In the end, did he publish the regulations or not? Rav Shmuel bar Yitzchak replies that he did. Why? Because he understood our verse as saying that this is a risk the Torah took as well – even the "ways of Hashem" can be twisted by human ingenuity. Every formal statement of the law invites the discovery of exceptions, and those exceptions can either sustain the law or undermine it. Halakhic principles, whether found directly in the Torah or in subsequent layers of tradition, can become the refuge of scoundrels.

This is a sobering end to a call for repentance. One might think that repentance requires only will power, not thought; all we must do, as individuals and as a community, is to make sure that we stop following our own desires when they contradict Torah and halakhah. The truth is that it may be just as important, or more important, to ensure that we are not misusing Torah and halakhah to achieve our own ends.

However, CHIDA in Shu"t Yosef Ometz # 103 has a somewhat more playful read. The historically fascinating responsum deals with whether to renew a five-year communal *cherem* against mixed dancing. Those arguing against renewal

contended that it turned accidental sinners into open scoffers; those supporting renewal contended that it discouraged people from sinning, as many people took *charamim* more seriously than the standard halakhic prohibitions against mixed dancing.

CHIDA notes that Rabban Yochanan ben Zakkai offers a different reason in favor of speaking out: "Lest the (frauds) say: The scholars are not well-versed in our techniques". He suggests that maybe RYBZ supported speaking out only when there are two reasons to do so, and only one against. On this logic perhaps the *cherem* should have provided detailed choreographic instructions for the dances it forbade.

CHIDA's serious conclusion is that concern about how the wicked will misuse a law can be paralyzing, and it is more important to give clear direction to the non-wicked. This approach points up the verse's failure to address how *beinonim*, people neither righteous nor wicked, are likely to react to detailed and informative guides to sin couched as regulations against sinning.

It seems true that every instruction as to how to respond to the tactics used by spouses who weaponize gittin necessarily also instructs the weaponizing spouse. Every explicitly stated justification for an otherwise criminal act instructs criminals how to plead. Every warning against sophisticated online scams provides a blueprint for previously unsophisticated scammers. In the end, G-d's ways encompass the whole world, and leave room for humans to choose good or evil. It is illusory to believe that all sin is the product of policy errors.

But it is a denial of responsibility to believe that our choices have no effect on other people's choices. I don't think Rabbi Yochanan ben Zakkai was wrong or *chas veshalom* silly to worry about how much detail to include in his campaign against fraud.

Shabbat shalom!