

Parshas Shoftim

BILAM'S CURSE

Bilam was a prophet who had the abilities and potential to match Moshe, but usurped his skills and talents for personal gain and celebrity. He was hired by Balak to curse the Jews because his utterances were famously effective.

Chazal understood that he could identify a certain moment of the day in which God is “angry”, and in that moment, release God’s anger on his target.

What does that even mean?

The Midrash teaches that originally, God sought to create the world through a prism of strict justice; evil would be instantly punished, and good would be instantly rewarded. But existence would be untenable this way, and could never last. It was decided that an equal measure of mercy would be fused to creation, and the two balanced into equilibrium.

What Bilam could identify was the moment of indignance and outrage at the literal “injustice” of existence not being held to account.

Tosfos in Brachos wonder how much someone could really manage to squeeze in to a brief and transient moment, answering that he could cast his gaze on targets and say “כלם” – “Destroy them”. This was the curse he would have attempted to lay on the Jews..

The Maharal analyses how potent this curse would truly be. כלם is the reverse anagram of מלך – king, a critical function in Judaism; in Devarim, Moshe’s final speech to the people, he tells them the mitzva of appointing a king when they settle the land of Israel – שׁוּם תְּשִׂים עֲלֵיךְ מֶלֶךְ – Appoint a king over yourselves (17: 15). The function of the king is a hierarchy that organises and implements a governmental structure. He organises the system.

The Maharal explains that מלך is the initial letters of כבוד, לב, מח, – brain, heart, liver. These are metaphors for the procedure and development of action. There is a thought, a feeling, and an instinct. The order is critical – the intellect has to operate the system, and everything follows suit. This is the charge of every Jew – to become a master of the self – מלך – like an actual king, to perfect the structure of the self and surroundings.

In the book of Shmuel, the prophet is approached and asked for a king “like the tribes and nations have”, and the

people are rebuked. But weren't they correct; was it not one of things Moshe told them?

What the Jews asked Shmuel was not for such a king – they wanted a king “like the tribes and nations have”. This is not the monarch function that is critical to Jewish makeup.

What Bilam tried to do was invert this capacity – he wanted to curse the Jews with “כלם” – the reverse of לב, מח, כבוד, and the order would degenerate into לב, מח, כבוד – where the instinct is dominant, and intellect and soul are enslaved to it – the antithesis of the Jews' charge, and truly the ultimate curse.

BROTHERHOOD

One of the laws of a witness who presents evidence in a capital crime, is that if he is caught lying under certain circumstances, he is subject to the punishment he attempted to implicate the innocent man of:

וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאָחִיו וּבַעֲרַתְּ הָרַע מִקֶּרְבֶּךָ – You shall do to him as he plotted to do to his brother. (19: 19)

Rashi notes that the Gemara in Makos deduces that this only occurs if the liar is caught before his plot succeeds, and the innocent man has not yet been framed and killed. The underlying assumption is that the word ‘brother’ implies the innocent man still lives, as ‘brotherhood’ refers to living people.

The Ritva queries out that Yibum references brotherhood, and can only exist when a brother has died, and that Nadav and Avihu are also referred to as brothers after their deaths.

Clearly the answer lies in the definition of brotherhood. What is the difference?

R' Ezriel Hildesheimer explains that there is a difference between a biological brother and a fraternal brotherhood. A biological brother remains so after death – the relationship is in the blood. It then makes sense for the Torah to refer Yibum and Ahron's sons as brothers after death.

However, witnesses intrinsically cannot have any blood relationships to people they testify about, as a condition of testimony. The brotherhood then, can only mean the ideological kind – they are brothers in being bound to observe the Torah, the fraternity of the Jewish people. However, once deceased, they are free from the mitzvos – there is nothing binding them as brothers.

This can only mean that וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאָחִיו refers to a still living person!

PERSONAL AGENDAS

The spies returned from their expedition on the 9th of Av, culminating in what became the crucible and precursor of Jewish tragedy. The Gemara in Taanis teaches that when the Jews began to cry at the “reports” of what they were heading towards, Hashem pledged that the calendar date would be designated for genuine reasons to cry, for all generations.

Moshe sensed that they would plot some kind of scheme – evidenced by the foresight to change his disciple's name and pray for him:

אֵלֶּה שְׁמוֹת הָאֲנָשִׁים אֲשֶׁר שָׁלַח מֹשֶׁה לְתוֹר אֶת הָאָרֶץ וַיִּקְרָא מֹשֶׁה לְהוֹשֵׁעַ בֶּן נוֹן הַוֹשֵׁעַ – These are the names of the men

Moshe sent to scout the Land. Moshe called Hoshea, son of Nun, “Yehoshua”. (13: 16)

The people who were sent were not the average rank and file; they were leaders of their respective Tribes – senior members in the camp. The Zohar says that what motivated them to exaggerate was the fear of losing their positions and office on entry into Israel. The perceived threat distorted their perception of Israel, and everything they saw was cast under a negative shadow.

This poses a difficulty. Note that when Eldad and Medad started prophesying that Yehoshua would take up the leadership, Yehoshua exclaimed that they should be imprisoned – he was furious at the mere suggestion that he would become leader.

If the spies false reports were predicated on a desire to lead, and Yehoshua had no interest in leading the Jews, then he would not lie to preserve the status quo. So what danger was he in, that Moshe changed his name and prayed for his well-being?

The Kozhnutzer Maggid explains that whilst Moshe intuited that the spies may manipulate what they saw out of a desire to retain their position, he was equally concerned that Yehoshua would see things the way they did for the opposite reason; Yehoshua might try to delay entry into Israel, to avoid Moshe’s death and his own resultant rise to leadership. His humility could be his undoing!

It doesn’t take too much to notice that negative traits cloud perceptions, and murk clarity, decisions and outlook. But perhaps positive traits can be equally harmful if imbalanced. The idea that a person can also be affected negatively by a positive characteristic is counterintuitive – and therefore frightening.

An agenda is an agenda, no matter how altruistic the underlying motivation may be. If a person’s traits – whether humility, kindness, love of peace – create a preconceived parameter of how something out to transpire, then their vision is clouded, and facts will be perceived out of context. There is a figure of speech “rose-tinted spectacles...”. People often say “Personal interest aside...”, under the impression that such a thing can be done – but the Torah teaches that this is not so:

לֹא תִקַּח שֹׁחַד כִּי הַשְׁחָד יְעוֹרֵר עֵינֵי הַחֲכָמִים וַיְסַלֵּף דְּבָרֵי צְדִיקִים – you shall not accept a bribe, for bribery blinds the eyes of the wise and perverts just words.” (Devarim 16: 19).

The bribe referenced is not necessarily cash – the Torah takes injury not at the bribe itself, but the result. Anything that clouds an objective view of reality, whatever “blinds the eyes of the wise and perverts just words,” is called a bribe.

R’ Yissocher Frand notes that a person with perfect vision still won’t be able to see through frosted glass. Similarly, an agenda, even as noble as keeping Moshe Rabbeinu in power, could distort reality.

If Yehoshua was susceptible to error due to personal agenda, it speaks volumes of us. But avoiding it is as simple as following Yehoshua’s lead – his teacher’s foresight saved him from succumbing to sin.

The Mishna in Avos (1: 6) says: עֲשֵׂה לָךְ רֵב, וְקַנֵּה לָךְ חֵבֵר – Assume for yourself a master, acquire for yourself a friend. We are enjoined to seek out a teacher or friend who sees through ourselves and our self-interest.

Someone who can analyse and break down something complicated into its components is a worthwhile person to have around. They will remove many pitfalls.

WHAT GOES AROUND COMES AROUND

Lavan caught up with Yakov after he and his family escaped Lavan's ranch, and they agreed a pact to not harm each other. The pact was to have a signature:

...עד הנגל הזה – This pile of stones shall bear witness... (31: 52)

The Midrash adds that Yaakov also thrust a sword into the wall, as a second witness. The Da'as Zkeinim points out that Bilam ben Be'or's downfall was through these two, a wall and a sword. What does Bilam have to do with Yakov and Lavan's agreement?

There is a Gemara in Sanhedrin that the figure called Be'or is in fact the same person as Lavan, and Kushan Reshasaim (a wicked king in Judges). Simply put, Bilam was Lavan's son.

Bilam was injured by a wall, and died by the sword, as it says in Bamidbar:

וַתִּלַּחץ אֶת-רַגְלוֹ בַלְעָם, אֶל-הַקִּיר (22: 25) – his foot was crushed against the wall.

וְאֵת בַּלְעָם בֶּן-בְּעוֹר, הָרַגוּ בַחֶרֶב (31: 8) – also Bilam son of Be'or was slain by the sword.

There is a story told by the Gemara in Taanis that a boy found a girl who'd tripped into a pit, and agreed to rescue her on the condition that they marry. She consented, and they made the pit and a nearby animal witnesses. They went their separate ways, and years later he married another woman, who bore him two sons. But one died by falling into a pit, and another was killed by an animal. His wife asked lamented the bizarre misfortunes that had befallen them, and he recalled the vow and his witnesses. His wife told him to divorce her and find the girl, which he did.

This is similar to the case of Bilam in that the witnesses came back to "remind" them of their duties, a clear demonstration of measure for measure.

When Yakov entered Lavan's house, Lavan clearly had no sons, as otherwise he would not send his daughters to tend the sheep, a man's job. Yet by Yakov's departure, he has since had sons: וַיִּשְׁמַע, אֶת-דִּבְרֵי בְנֵי-לָבָן לְאִמּוֹ – he listened to Lavan's sons... (31: 1). Lavan only had daughters until Yakov arrived. Years later, Bilam, his own son, broke the pact that nothing befall his daughters.

The witnesses to the pact upheld it, and he was crippled by a wall, and killed by the sword. These are a fulfillment of the law that when witnesses give key testimony that sentence someone to death that יָד הָעֵדִים תְּהִיָּה בּוֹ בְּרִאשׁוֹנָה – The hand of the witnesses shall be first upon him to put him to death.

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