



# MISHNAS CHAYIM

# משנת חיים

## MISHNAH ON THE PARSHAH

פרשת כי תצא תשס"ח 5768

### GREAT MEN

Rava was distressed. Observing the behavior of his fellow Babylonians, he minced no words in expressing his consternation:

“People are such dunderheads!” Rava exclaimed. “They stand up for a *sefer* Torah, but remain seated when a Torah sage goes by!” (*Makkos 22b*)

Why did Rava find this situation so preposterous? Perhaps his neighbors were merely ignorant of the requirement to stand for a *talmid chacham*?

In fact, Rava himself delineates the source of his dismay further on in the same Gemara (*ibid.*). In order to fully appreciate his words, however, a little background information is useful.

### THE MEANING OF ‘FORTY’

According to Torah law, one who violates a prohibition (e.g. eating milk and meat together) is subject to corporal punishment. In such cases, *beis din* would administer *malkos* (lashes). However, there appears to be somewhat of a ‘discrepancy’ regarding the exact number of lashes meted out to the sinner. The Torah in this week’s *parshah* appears explicit enough, stating plainly, “He shall whip him forty times,” (*Devarim 25:3*). However, the Mishnah contends that the actual count is thirty-nine. The Mishnah (*Makkos 3:10*) states:

כַּמָּה מִלְקִין אוֹתוֹ, אֶרְבָּעִים חֹסֵר אֶחָת. שֶׁנֶּאֱמַר (דְּבָרִים כה) בְּמִסְפַּר אֶרְבָּעִים, מִנֵּן שֶׁהוּא סְמוּךְ לְאֶרְבָּעִים.

“How many lashes is the perpetrator given? One less than forty (i.e. thirty-nine), as it says, ‘(the judge... shall administer lashes... as per his violation)... numbering... forty’ (*Devarim 25:2-3*). This we interpret to mean, that number which immediately precedes forty.”

In other words, upon focusing on the written Torah, recorded in an actual *sefer* Torah, one would get the impression that a full forty lashes are to be given. However, the Oral Torah, safeguarded, transmitted, and clarified by the Rabbinic scholars, reveals the true intent of the Torah: the perpetrator is to receive thirty-nine lashes, and not forty.

In light of all of the above, Rava (quoted in the aforementioned Gemara in *Makkos*) concludes: If one stands for a *sefer* Torah, he surely must stand for a Torah sage. “For in a *sefer* Torah, it is written ‘forty’, and the *chachamim* were able to ‘subtract’ one.”

(Of course, no one is ‘changing’ the Torah here, *chas v’shalom*, nor is there an ‘argument’ between the Torah and the *chachamim*. From the *sugya* in *Makkos* it is clear that Rava’s intent is to merely point out the deductive power and exegetical tools of the *chachamim*. Through Divinely-ordained exegetical rules, they are able to uncover the true meaning of the Torah. Following their research and ultimate rulings, there remains an appearance of the Rabbis ‘overruling’, so to speak, the apparent meaning of the Scripture. Because of the *chachamim*’s ability to have the ‘final say’ in Biblically ordained strictures, Rava expressed his bewilderment that people would accord greater overt respect to the embodiment of the Writ over its Rabbinic expounders. Please excuse the technospeak; we didn’t want to leave any grossly mistaken impressions. And now on with the subject at hand.)

Rava’s ‘explanation’ itself seems to beg for elucidation. What exactly is going on here with this thirty-nine/forty ‘debate’? As stated, it cannot be that the *chachamim* are challenging the Torah’s position on the matter. So what point does Rava mean to bring out by using this matter as proof?

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# משנת היום

פרשת כי תצא תשס"ח • Parshas Ki Seitzei 5768

The Maharal (*Nesivos Olam, Nesiv Hatorah, ch. 11*) provides a much-needed clarification of this issue. In so doing, he reveals that Rava is actually touching on one of the basic fundamentals of Torah Judaism.

## WHAT ARE 'GEDOLIM'

'Gedolim,' or 'Gedolei Torah' (pre-eminent Torah sages and leaders), are terms which are frequently used but often under-defined. The Maharal provides us with an eye-opening definition, which will help us understand Rava's teaching, as well.

People sometimes assume that a 'gadol b'torah' is someone who possesses a great store of Torah knowledge. While this is true, the definition of a *gadol* goes well beyond this description.

A *gadol* is a lot more than a mere individual who knows a lot of Torah.

A *gadol* is the Torah.

When Hashem gave the Torah to the Jewish people at Har Sinai, He included more than just the laws and words of the Torah. The giving of the Torah included another aspect in the 'package' — the gift of Torah sages. They are part and parcel of the Torah itself.

The Maharal concludes that Rava's teaching stems from this fundamental concept. Indeed, if the Torah states that a sinner is to receive forty lashes, how can the *chachamim* go ahead and claim that the actual number is thirty-nine? What gives them the right to apply a *seemingly* disparate interpretation to the apparently unambiguous words of the text? The answer is that truthfully, a separate body could *not* advance such a novel interpretation. Only because the *chachamim* are *part of the Torah itself* do they have such a right. Only the Torah could interpret 'itself' in such a way, to reveal the hidden meaning lying in its words.

It is for this reason that Rava was so taken aback by the behavior of his fellow Babylonians. Ignorance of a law — while not praiseworthy — is one matter.

In this case, however, Rava realized that something else was at play. A fundamental principle of Judaism was being overlooked. Rising for a *sefer* Torah, while neglecting to do so for a *talmid chacham*, is an indication that people did not know what Torah and Torah sages are really all about. Apparently, the Babylonian Jews were under the misimpression that Torah was Torah, and that sages were merely people who knew a lot of Torah. They were unaware of the fact that the sages are a part of the Torah's very essence.

Just as the Torah is eternal, so is the stature of its sages. *Baruch Hashem*, we bear witness today to an almost unprecedented, widespread dedication to Torah study. Many people love, learn, support, and respect the Torah. Let us not forget to accord our sages with the same level of esteem and appreciation.

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