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Center for Modern Torah Leadership



חרות ואחריות

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"Taking Responsibility for Torah"

FOR THOSE WHO CAN'T HANDLE THE TRUTH

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May one give misleading Torah answers to someone who 'can't handle the truth'?

Exodus 23:7 commands us: "From a matter of falsehood you must distance yourself." R. Chaim Paltiel neutralizes the peculiar formulation, seeing this as a straightforward prohibition against speaking falsehood. Most other commentators, however, acknowledge that the verb "distance" must have a specific valence. Thus *Pesikta Zutrata* records a prohibition against sitting on a court together with an ignoramus judge, and another against reading the work of fellow scholars' hypercritically in order to increase one's own reputation. Rashbam obligates a judge to withdraw from a case in which procedural justice seems likely to yield substantive injustice, and Ibn Ezra sees a mandate to examine witnesses carefully.

All these readings see the obligation of distancing as above and beyond a direct obligation to tell the truth. I want to suggest, however, that it may have the reverse implication as well. Sometimes direct truth-telling exacerbates the reign of falsehood, because the audience will hear it as a lie. In such cases the obligation of distancing may require one to utter an untruth for the sake of the truth.

Here is an example from my classroom experience. Students who understand the openings of *Genesis* literally are often bothered by the question of where Cain's wife came from. Such students generally and properly cannot turn on a dime when a teacher suggests that these narratives are best understood as metaphors. For their sake, I would suggest that G-d was creating other human beings "off-screen" in Polynesia while Cain and Abel grew up, and that they built balsa-wood rafts and sailed to the Middle East just in time to provide Cain with a spouse. This enabled the students to believe that *Genesis* was not the complete literal history of the human race, but at the price of supporting their literalism.

Talmud Shabbat 31b seems to support the idea that Torah can be taught in accordance with the false assumptions of students, when directly confronting those assumptions seems fruitless.

They also sought to sequester the Book of Proverbs, because its words contradict each other.

Why didn't they sequester it?

They said: Did we not analyze the Book of Kohelet and find a rationale (for its apparent contradictions)? Here too let us analyze!

In what way did its words contradict each other?

One verse reads "Do not answer a fool in accord with his foolishness", But the next verse reads "Answer a fool in accord with his foolishness"!? There is no difficulty – this refers to matters of Torah, that to ordinary matters.

With the possible exception of Meiri, all commentators (and the print editions of the Talmud) assume that "answer a fool in accord with his foolishness" applies to matters of Torah. But what sort of answer is that?

This refers to a case like that time Rabban Gamliel sat and expounded:

"In the future, a woman will give birth daily, as Scripture says: "Pregnant and giving birth together."

A certain student mocked him and said: "Does not Scripture say "There is nothing new under the sun"?!"

Rabban Gamliel said to him: "Come and I will show you an analogue in this world."

He went out and showed him a chicken.

(The same conversation then takes place regarding two other *derashot* of Rabban Gamliel; in each case, the student mocks a claim about Future agricultural fertility on the grounds that "There is nothing new under the sun," and Rabban Gamliel shows him analogues in the existing physical world.)

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Now without the Talmud's programmatic introduction, we might not realize that the student was a fool, and we might take Rabban Gamliel's response as serious and substantive. The initial claim that the physical world will become abundantly more productive seems to contradict *Kobelet's* assertion, and the response is that *Kobelet* did not mean that old possibilities could not have dramatic new instantiations.

But the student is a fool. That suggests to me that he fundamentally misread Rabban Gamliel as making a literal claim, based on a genuine reading of *Yirmiyah* 31:7. But in fact Rabban Gamliel was fully aware that the verse meant referred to different women coming together, and he was using physical hyperbole as a metaphor for the joy and creativity of the world of redemption.

Rabban Gamliel has no hope that the student will understand this, and indeed, his rhetoric is aimed at precisely those students who cannot grasp the advantages of redemption in any terms other than physical. So when the sophomore asks the question from Scripture, he gives an answer within the student's framework. The price he pays for not challenging the student's core assumption is that he has to answer essentially the same question over and over. (The student demonstrates his foolishness by continuing to mock.)

Yad Ramah to *Sanhedrin* 39a makes this point explicitly regarding a similar story.

He answered him imprecisely, so as to fulfill Scripture's saying "Answer a fool in accordance with his foolishness." Meaning: 'According to your own argument . . .

Thus far in the realm of *aggada*. Does this apply to *halakhah* as well? Should one answer the halakhic question of a fool within the fool's frame of reference, or should "the law pierce the mountain" regardless of whether the audience can genuinely understand it?

Responsa Tashbetz 3:304 concludes as follows:

הוצרכתי להשיב על זה אף על פי שהוא פשוט משום דבד"ת כתיב ענה וכו':

I was compelled to respond to this critique, even though the issue is obvious, because regarding matters of Torah Scripture writes "Answer . . .

The reference to *Shabbat* 31b is clear; but does he mean to tell us that his arguments do not reflect his true opinion?

In *Responsa Shoel UMeishiv* 2:1:13 we read:

In the matter of the cabal formed by the Jewish educators of our city Lvov, who turned the educators who came from other cities over to the (secular) authorities on the claim that they were harming their livelihoods

and then came to ask for a verdict on their behavior.

I screamed like a rooster: Those who do wrong – after they act they ask for an opinion?!

Now they say they acted in accordance with the law.

Now because the Sages said that in matters of Torah it is written "Answer a fool in accord with his foolishness"

I therefore showed them that in Shulchan Arukh Choshen Mishpat 176:6 Rav Moshe Isserles makes clear that elementary educators have the same legal status as scholars meaning that they can establish themselves in any place, as is the rule regarding scholar-peddlers . . .

Shoel uMeishiv's citation is perfectly accurate, but arguably irrelevant. *Shulchan Arukh's* point is that we give elementary educators the same unrestricted right as scholars to compete with non-scholarly locals in other businesses; he says nothing about their right to compete with other educators and scholars in the business of education.

My contention is that Shoel uMeishiv objects to the whole idea that Jewish education can be seen as private business, rather than as a social responsibility. (I hope to discuss some other week whether this objection is compelling in either pragmatic or Talmudic terms). However, he recognizes that his interlocutors would reject this contention out of hand, and so answers in accordance with their assumptions.

We would be grievously mistaken to attribute their assumptions to him. But – recognizing this, can we also argue that he did not intend his citation of *Shulchan Arukh* to reflect his legal reading of that text?

This question has implications for a yet more serious halakhic issue. Chatam Sofer cites the phrase "Regarding matters of Torah it is Written: 'Answer . . .'" in three responsa. In one of them, *Even haEzer* 1:100, he offers several creative leaps to justify viewing a couple as married even though the designated witnesses at their *chuppah* were invalid; this responsum poses a challenge to those who seek to free *agunot* on the same grounds. Now without Chatam Sofer's authority, the argument he makes would be rapidly dismissed in such cases. My suggestion is that attention to this phrase at least raises the possibility that Chatam Sofer's authority does not attach to the argument at all; perhaps he was merely pointing out Rabban Gamliel's chicken. *Shabbat Shalom!*

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