

The Speech of the Torah By Rav Yair Kahn

I. The Treatment of a Captive Woman

Parashat Ki Tetzei begins with a section known as “*eshet yifat toar*,” which deals with a warrior who wants to marry a captive woman. The Torah permits this woman, but only according to very specific guidelines, through which the woman is converted to Judaism. This section raises very serious philosophic and legal questions. Does this treatment of captives correspond to the Torah’s moral code? Should a vanquished woman be forced to marry her captor against her will? What legal validity does a forced conversion and marriage have?

Due to these problems, our Sages concluded ([Kiddushin 21b](#)) that this section is an example of the principle, “*Lo dibra Torah ela keneged yetzer ha-ra*” (the Torah is relating itself to the evil inclination); if one is going to eat meat anyway, it is better to eat slaughtered meat than that of a *neveila* (a dead animal that was not slaughtered and whose meat is not kosher). In other words, due to human frailty and weakness, the Torah chose to bend the normal rules and allow what would normally be unacceptable.

At first glance, this principle is shocking. Isn’t the Torah a blueprint for the redemption of man? Isn’t the purpose of the *mitzvot* to help man control his carnal desires and lead a moral life? Shouldn’t the Torah encourage man to overcome his human frailties? In today’s *shiur*, we will explore this exceptional concept.

II. The Torah Speaks *Keneged Yetzer Ha-Ra*

Perhaps we can limit this rule to the specific case of a captive woman. After all, we are dealing with a very extreme situation of war, when a soldier is forced to face the fleetingness of human life in all its horror. Removed from friends and family, he is struck by his own finitude and overwhelmed by feelings of vulnerability and loneliness. In desperate need for compassion, he sees a captive woman, frightened and defenseless. Perhaps he approaches her and gives her some water to drink. Shyly, she smiles at him. In his desperate loneliness, he can’t remove that smile from his mind. In this weakened and vulnerable state, can the Torah demand abstinence? This demand is especially difficult to uphold while trying to simultaneously maintain the morale of the armed forces (see *Torah Temima*).

Admittedly, I have painted a touching and romantic portrait. We can assume there are cases in which the relationship was more about the soldier’s sense of power and conquest, rather than delicate sensitivity. Moreover, we find additional cases where the principle of “*lo dibra Torah ela keneged yetzer ha-ra*” is applied. In the *shiur* on *Parashat*

Re’eh, we discussed the permissibility of submitting to one’s desire to eat meat. While in the wilderness and living nearby the *Mishkan*, if one wanted to eat meat, he was required to sacrifice the animal to Hashem, thereby elevating the meal into an act of divine worship. However, upon entering Canaan, eating meat without sacrifice was permitted due to the distance from the *Mikdash*. Some opinions consider this another example of “*lo dibra Torah ela keneged yetzer ha-ra*,” as in the example offered by the *gemara*: “For it is better to eat slaughtered meat than the meat of a *neveila*.” (See Rashba [Chullin 11b](#)).

We find another famous application of this principle regarding the institution of the *melekh* (monarchy). In *Parashat Shoftim*, the Torah seems to approve of the *melekh*. However, when Yisrael ask the prophet Shmuel for a king, he admonishes the people. There are various answers to this apparent contradiction. One famous solution is suggested by the Abarbanel, who served as treasurer for the king of Portugal, but was nonetheless critical of the monarchical system. He argued that the *parasha* in *Shoftim* was not an expression of approval; the Torah simply tolerated the institution of *melekh* based on the principle “*lo dibra Torah ele keneged yetzer ha-ra*.”

Thus, we see that according to many commentators, the principle of “*lo dibra Torah ela keneged yetzer ha-ra*” is not limited to the case of the captive woman. In fact, the phrase itself seems to refer to a broader trend. Our Sages did not say, “This *parasha* is *keneged yetzer ha-ra*,” which would indicate a limit in application, but rather that “the Torah speaks *keneged yetzer ha-ra*.” Moreover, “*lo dibra Torah ela*” means “the Torah speaks **only**,” which seems to indicate a norm, rather than an exception.

III. The Torah Speaks in the Language of Man

There is a disagreement among the Tanna’im regarding whether or not the Torah speaks in the language of man. For example, in the introduction to the *parasha* of the *nazir*, the Torah states ([Bamidbar 6:2](#)): “*Ish o isha ki yafli li-ndor neder nazir le-hazir ...*” – “A man or a woman who shall clearly utter a vow to become a *nazir*.” The Torah repeats the term *neder* (“*li-ndor neder*”) and the word *nazir* (“*nazir le-hazir*”). According to one opinion, this unnecessary repetition comes to teach us something; after all, it would have been sufficient to write “*ki yafli li-ndor le-hazir*.” The additional terms must thus have some imbedded meaning. However, according to another opinion, generally associated with R. Yishmael, the Torah speaks in accordance with normal human speech patterns, which are not so exact. According to this opinion, we can derive nothing from a redundancy that corresponds to normative human jargon, even if the repetition is unnecessary (see [Nedarim 3a](#)).

The Rambam maintained that this Tannaitic debate was limited to the question of unnecessary repetitions. However, as a matter of principle, all concede that the language of the Torah corresponds to that of man. This broader

application comes up in the discussion of the incorporeality of Hashem, which the Rambam included as one of the principles of faith. The Rambam was very troubled by various biblical references that seem to imply that Hashem has some physical body or is involved in some physical act. The Rambam explained these references can all be explained based on the principle that the Torah speaks in the language of man. It is therefore legitimate for the Torah to use physical language that can be easily comprehended by the human ear (see *Moreh Nevuchim* 1:26).

IV. *Dibbur*

On the one hand, the Torah is the word of Hashem, and as such, it totally transcends the world of finite man. On the other hand, Hashem gave His Torah to Yisrael in order to be applied in the physical world of flesh and blood. *Dibbur* is speech, a form of communication; the *dibbur* of the Torah is the conduit through which Hashem communicates His word to man. The *dibbur* of the Torah is the bridge that spans the infinite gap between finite man and infinite God; it is the interface of the God-man encounter.

Consider the Ten Commandments, which Yisrael received during the momentous encounter at Sinai, when they experienced Hashem's prophecy face to face. It is instructive that our Sages referred to these as "ten *dibbrot*," not "ten commandments".

In order for man to be able to comprehend the divine word, it must be clothed in garments that man can grasp. Our Sages therefore referred to the *dibbur* of the Torah as being patterned after human speech, thereby enabling man to comprehend the unfathomable word of Hashem.

V. Not in Heaven

In order that the Torah may guide the life of man, it is not enough that it be clothed in human words and language patterns audible to the human ear. The Torah must also relate to human reality; it must consider human frailties and weaknesses. Our Sages proclaimed that the Torah was not given to the heavenly angels, but rather to man. Therefore, man is not judged by objective criteria – he is judged only according to the limitations of human discernment (see [Yoma30a](#)).

Our Sages expressed this idea in the famous *midrash* relating to the transfer of the Torah to Moshe at Har Sinai. According to the *midrash* (quoted in [Shabbat88b](#)), the heavenly angels were upset that the Torah was being handed to a human being:

When Moshe went up to receive the Torah the ministering angels remarked in the presence of *Hakadosh Barukh Hu*: Master of the universe, what is a one born of woman doing amongst us? He answered them: He came to receive the Torah. They said in His presence: The precious treasure that has been stored for You nine hundred and seventy four generations before the world was created You wish to give to flesh and blood? Who is man that should be considered? ... Hashem our Lord, how great is Thy name in the entire world ...

Hashem instructed Moshe to respond to the angels. Moshe then reviewed the ten *dibbrot* one by one and proved to the angels that the Torah relates to the world of man:

What is written in it? "I am Hashem your God that took you out of the land of Egypt." Did you go down to Egypt? Were you slave to Pharaoh? Why should the Torah be for you? ... What else is written in it? "Honor your father and your mother." Do you have a father and mother? What else is written in it? "Do not kill. Do not commit adultery. Do not steal." Is there jealousy amongst you? Is there evil inclination amongst you?

Based on these arguments, the angels concede, and Moshe receives the Torah on behalf of Yisrael.

It is clear that the main issue of the *midrash* is the tension between the Infinite divine word of Hashem, which transcends time and space, and the limited world of finite man. The conclusion of the *midrash* is that although the Torah contains perfect, objective, timeless, and infinite truth, it nevertheless speaks specifically to finite man and his imperfect state.

VI. *Keneged Yetzer Ha-Ra*

Based on the above, the statement "*lo dibra Torah ela keneged yetzer ha-ra*" is not limited to the captive woman section, but is typical of the entire Torah. Although the Torah is an expression of absolute perfect divine truth, the speech of the Torah relates to the human condition, with all its frailties and imperfections. The *dibbur* of the Torah, which is the interface between an ideal absolute reality and the imperfect human condition, is always taking the *yetzer ha-ra* into account.

For instance, when one frees his Hebrew slave after six years, he is prohibited from sending him off without bestowing upon him certain commercial goods. In order to convince the slave owner to abide by this law, it is written:

This shall not seem hard to you, when you let him go free from you; for he served you six years the double of the hire of a hireling; and Hashem your God will bless you in all that you do. ([Devarim 15:18](#))

The *medrash* comments that this *pasuk* was inserted *keneged yetzer ha-ra*. In other words the Torah is aware that a slave owner, who frees his slave following the six years allowed by the Torah, will be very hesitant to bestow commercial goods upon him. Therefore the Torah must go out of its way to convince him to conform to this command. This is an example where the Torah takes the *yetzer ha-ra* into account and helps man defeat it.

In most cases, the Torah enables man to elevate himself above his desires and passions. The *mitzvot* are usually a blueprint for a redemptive life that frees man from the physical bonds that would otherwise enslave him. However, there are some exceptional situations where the Torah, acutely aware of man's limitations, allows for human behavior that does not correspond to normative Torah values. It is these exceptions that indicate the rule that the Torah always considers the frailties of the human condition.

VII. Repentance

Before closing, let us apply the above to the area of *teshuva* (repentance). R. Elchanan Wasserman *Hy"d* discusses the mechanism of *teshuva* in *Kovetz Ma'amarim*. According to one opinion, forgiveness following *teshuva* is deserved; if a sinner undergoes a real and profound *teshuva* process, he is in a different state and no longer deserves the punishment of his initial sinful act. The other opinion argues that forgiveness is a result of Hashem's *middat ha-rachamim* (attribute of loving kindness). This opinion argues that the past can never be altered and a sin never erased. Forgiveness, this opinion maintains, is therefore the result of *middat ha-rachamim* alone, whereby Hashem, in an unsolicited expression of *rachamim*, voluntarily chooses, as it were, to pardon the sinner.

Based on the above, I would suggest that even if forgiveness is not deserved, it nevertheless cannot be considered as a divine 'gift'. Since the Torah created man with an evil inclination, man is bound to fail. Therefore, there also must be some way to achieve atonement for those sins.

According to our Sages, the world was originally created along the lines of strict justice. However, Hashem realized, as it were, that the world could not exist under those conditions, and He combined justice with *rachamim*. Obviously, our Sages are not suggesting that Hashem erred in His judgment. Rather, they are again noting the tension between ideal reality and human reality. The ideal world might exist along the lines of pure justice, but the world of humans cannot exist without *rachamim* and the possibility of forgiveness. Therefore, the *teshuva* option is a **must** within the imperfect context of human reality. Thus, the concept of *teshuva* is yet another example of the general principle that the Torah relates itself to the reality of the *yetzer ha-ra*.