

Parashat Ki Tetze 5782

Our parasha this week takes us further into the Mishneh Torah – Moshe’s highly detailed reflection on the history and mitzvot which had gone before. This sedra contains a large number of mitzvot, covering a substantial variety of situations, often involving relationships between people (‘ben adam l’chaver). One example of which is the mention of Tzara’at (24:8-9), the punishment for lashon hara (evil speech) which reads:

Beware of a tzara’at affliction, to be very careful and to act; according to everything that the Kohanim, the Levites, shall teach you – as I have commanded them – you shall be careful to perform. Remember what Hashem your G-d, did to Miriam on the way, when you were leaving Egypt.

In sefer Vayikra we learned at length the reasons for Tzara’at, as well as how it is necessary to seek guidance from the Kohen in trying to certify the condition and tackle it; confirming that while tzara’at is certainly a physical condition, it nevertheless arises following spiritually inappropriate behaviour.

In Oznaim LeTorah, Rav Zalman Sorotzkin draws our attention to the fact that the first of these verses contains three admonitions relating to tzara’at, which corresponds to the three things which become defiled when tzara’at arises, being:

- Beware of tzara’at affliction – where the skin is affected
- Be very careful – one’s clothing is affected
- You shall be careful to perform – one’s house is affected

Rav S R Hirsch uses the verse to remind us of a critically important point: one part of our status as the ‘Chosen People’ is that all of our social relationships, including even conversations between people, are subject to Divine jurisdiction, even to the extent that a warning of inappropriate behaviour can be put onto the body, clothing or home of someone who forgets to those around him with brotherly love.

Miriam’s situation Our second verse reminds us that, as Rashi points out, if one wishes to avoid being stricken with tzara’at, one must avoid speaking slander. In showing that even Miriam, a significant leader of the Jewish people such as Miriam, who had brought up Moshe and was a prophetess in her own right, remained subject to the tzara’at laws when she spoke slander against her brother Moshe, demonstrates the great importance of guarding one’s tongue. Rav Sorotzkin mentions that the fact that she had been immediately and forcefully punished should be a reminder to those who

are themselves wicked and foolish and speak abundant and exaggerated stories which they know to be false.

Regarding verse 9 stating ‘on the way, when you were leaving Egypt’, Rav Sorotzkin points out that Moshe is reminding the Jewish People why it was so important to wait the full week for Miriam to be clear of disease before they continued to travel through the wilderness.

Ramban’s position In considering this verse, Ramban first considers Rashi’s commentary, as stated below, but having done so, he then takes the view that the message of the verse is far stronger than that presented by Rashi: rather, Ramban argues that it is a specific positive commandment to remember what happened to Miriam. He supports his position by referring to other Torah verses which require us to remember something specific and which constitute a commandment, examples being below:

- Remember the Sabbath day to sanctify it (Shemot 20:8)
- Remember this day on which you departed from Egypt (Shemot 13:3)
- Remember what Amalek did to you (Shemot 13:3)

Ramban finds further support for his position in the Siphra, from where he understands that although the verses detailed above contain the phrase ‘Remember the...’ it is not sufficient to just remember the matter in one’s heart. Rather, it is necessary to review each matter orally, and in the case of tzara’at to follow the commandment to avoid lashon hara in order not to experience the condition.

Ramban further argues that the sin of lashon hara is comparable to that of shedding blood – as compared in TB Masechet Arachin 15b – hence it would be logical for there to be a specific verse defining the prohibition in terms of a mitzvah. However, he also recognises that his perspective is not reflected by the Ba’al Halachot Gedolot (an early halachic compendium from the Geonic era) – yet his response is that this mitzvah was not counted among the 613 mitzvot by those preparing the compendium, perhaps because of the many disagreements between the medieval sages in preparing their lists of the mitzvot.

The significance of avoiding lashon hara, and the trouble and sadness it brings with it, should be clear to us. By seeking to further raise the profile of this restriction Ramban draws our attention again to an avoidable and potentially very nasty situation in interpersonal relationships.