

Parashat Ki Tetze 5776, 2016:

Miriam and Chodesh Elul

Rabbi David Etengoff

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yechiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, Yehonatan Binyamin ben Mordechai Meir Halevi, Avraham Yechezkel ben Yaakov Halevy, HaRav Yosef Shemuel ben HaRav Reuven Aharon, David ben Elazar Yehoshua, the *refuah shlaimah* of Devorah bat Chana, Yitzhak Akiva ben Malka and Leah bat Shifra, and the safety of our brothers and sisters in Israel and around the world.

Our *parasha* contains two instances in which the term, “*zachor*” (“remember”), is used, namely, Amalek’s attack and Miriam’s punishment. In Miriam’s case the Torah states:

Be cautious regarding the lesion of *tzara’ath*, to observe meticulously and you shall do according to all that the Levite priests instruct you; as I have commanded them, [so shall you] observe to do. Remember (*zachor*) what the L-rd, your G-d, did to Miriam on the way, when you went out of Egypt. (*Sefer Devarim* 24:8-9, this and all Bible and Rashi translations, *The Judaica Press Complete Tanach*)

Rashi (1040-1105), in his midrashically-based comment on our second verse, suggests the following interpretation:

Remember what the L-rd, your G-d, did to Miriam: If you wish to take precautions against being stricken with *tzara’ath*, then do not speak *lashon hara* [slander, derogatory remarks]. Remember what was done to Miriam, who spoke against her brother [Moses] and was stricken with lesions [of *tzara’ath*].

Rashi’s language suggests that this is a narrative passage, rather than a declarative one.

Therefore, “Remember what was done to Miriam” is not a command; instead, it is a statement of what will ensue if one speaks *lashon hara*.

The Rambam (Maimonides, 1135-1204) disagrees with Rashi by intimating that Miriam did not actually speak *lashon hara* against her beloved brother. At the same time,

however, he agrees with Rashi by viewing our verses as descriptive, and not prescriptive, in nature:

The Torah warns about this [i.e. *tzara'ath*], stating: “Take care with regard to a *tzara'ath* blemish.... Remember what G-d your L-rd did to Miriam.” Now, this is what the Torah is implying: Contemplate what happened to the prophetess Miriam. She spoke about her brother. She was older than he was; she had raised him; and she had endangered herself to save him from the sea. She did not speak pejoratively of him; [instead,] she merely erred in equating him with the other prophets. Moses did not object to any of this, as [the Torah] relates: “And the man Moses was exceedingly humble.” Nevertheless, she was immediately punished with *tzara'ath*. [Therefore, this will certainly be the case regarding those people who are not on her level]... (*Mishneh Torah, Sefer Taharah Hilchot Tum'at Tzara'ath* 16:10, translation, Rabbi Eliyahu Touger with my underlining and emendations)

In stark contrast to the Rambam, the Ramban (Nachmanides, 1194-1270), in his critical glosses on the Rambam's *Sefer Hamitzvot*, opines that the words, “Remember (*zachor*) what the L-rd, your G-d, did to Miriam,” constitute a divine imperative that is included in the *Taryag Mitzvot* (613 Commandments). Moreover, Nachmanides follows Rashi, rather than Maimonides, by maintaining that Miriam did, in fact, speak *lashon hara* against her beloved brother:

The seventh positive commandment [that Maimonides “forgot” to include in his classification of the *Taryag Mitzvot*], which we are commanded to perform, is to remember (*zachor*) what the Holy One did to Miriam when she spoke against her brother. This must be done through oral recitations and imprinting Hashem's action upon our minds. [We must remember that Miriam acted as she did] even though she was a prophetess, and had performed overwhelming kindness by saving him [from potentially drowning in the Nile River]. The purpose of this *mitzvah* is to distance us from *lashon hara*. (*Critical Notes to Maimonides' Sefer HaMitzvot, Positive Commandments Uncounted by Maimonides*, number 7, translation and markings my own)

The Ramban believes that the Torah's warning against speaking *lashon hara* is of such singular import that it outweighs the prohibition of publicly embarrassing otherwise righteous individuals who have committed a sin. Thus, he writes in his *Commentary on the Torah*:

[Just like there is a *mitzvah* to remember Amalek's heinous actions,] so, too, in regards to Miriam, we are commanded to make her actions known to our children, and to speak of them throughout the generations. We must do this, even though it would have been proper to hide her behavior, since it is generally proscribed to speak negatively and embarrassingly about righteous individuals. The Torah, however, commanded us to make her actions known and to reveal them, in order to place the warning against *lashon hara* in "our mouths." [This mandate was issued,] since *lashon hara* is such a great sin that causes overwhelming amounts of evil in the world – yet, people constantly fail [and fall prey to violating this prohibition]. (*Sefer Devarim* 25:17, translation and markings my own)

We are in the midst of *Chodesh Elul*, the time that is preeminently dedicated to introspective analysis. It is the period wherein we evaluate what we have accomplished and where we have fallen short. Perhaps most importantly, it is the time when we review the commitments we have made to Hashem, and those that we have unfortunately broken, so that we may rededicate ourselves to changing our conduct toward Him and others. As Nachmanides so powerfully notes, "*lashon hara* is a great sin that causes overwhelming amounts of evil in the world;" therefore, it surely demands our undivided attention as we approach the *Yamim Noraim*. Hopefully, with a deeper understanding of the underlying meaning of the *pasuk*, "Remember (*zachor*) what the L-rd, your G-d, did to Miriam on the way, when you went out of Egypt," we will be in a better position to alter our manner of speech and remove *lashon hara* from our repertoire of behaviors.

Dovid Hamelech (King David) gave voice to this focus in two of the best-known *pasukim* in *Sefer Tehillim*: "Who is the man who desires life, who loves days to see goodness? Guard your tongue from evil and your lips from speaking deceitfully." (34:13-14) May our remembrance of Miriam's punishment and heightened sensitivity help us cease speaking *lashon hara*, and may we thereby merit to be inscribed in the *Sefer HaChaim* (the Book of Life). *V'chane yihi ratzon*.

Shabbat Shalom and *kativah v'chatimah tovah*.

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They may also be found on YUTorah.org using the search criteria of Etengoff and the parasha's name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdbe718@gmail.com>.

*** My audio *shiurim* for Women on “*Tefilah: Haskafah* and Analysis,” may be found at: <http://tinyurl.com/8hsdpyd>

*** I have posted 164 of [Rabbi Soloveitchik's](#) English language audio *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link.