

6-07-25 Message to Roeh Israel Abilene – *Naso* (elevate!)
Double Torah Portion: Numbers 4:21 – 7:89
Haftarah: Judges 13:2-25
Suggested Acheron K'tuvim: Matt 18:15-17

Biblical Dispute Resolution 10 – Common Failures Part 2

Central question: What are some common ways we fail in applying the Constructive Purpose exception?

We are today in parasha *Naso*, which means “Elevate!” This parasha’s name comes from the 8th word in the English and the 6th word in the original Hebrew.

Num 4:21-23

21 Then the Lord spoke to Moses, saying, 22 "Take a census of the sons of Gershon also, by their fathers' households, by their families; 23 from thirty years and upward to fifty years old, you shall number them; all who enter to perform the service to do the work in the tent of meeting.

וַיִּדְבֹּר

וְיִהְיֶה

אֶל־

מֹשֶׁה

לֵאמֹר:

And spake

the Lord

unto

Moses,

saying,

1696

3068

413

4872

559

נָשָׂא

אֶת־

רָאשׁ

בְּנֵי

גֵרְשֹׁן

גַּם־

הֵם

לְבֵית

Take

the sum of

the sons of

Gershon,

also

throughout the houses of

5375

853

7218

1121

1648

1571

1992

1004

אֲבֹתָם

לְמִשְׁפַּחָתָם:

their fathers,

by their families;

1

4940

מִבֶּן

שְׁלֹשִׁים

שָׁנָה

וְנִמְעָלָה

עַד

בֶּן־

חֲמִשִּׁים

שָׁנָה

From old

thirty

years

and upward

until

old

fifty

years

1121

7970

8141

4605

5704

1121

2572

8141

תִּפְקֹד

אוֹתָם

כָּל־

הַבָּא

לַעֲבֹד

צָבָא

לַעֲבֹד

עֲבֹדָה

shalt thou number

them;

all

that enter in

to perform

the service,

to do

the work

6485

853

3605

935

6633

6635

5647

5656

בְּאֹהֶל

מוֹעֵד:

in the tabernacle of

the congregation.

168

4150

Before continuing with our series, I wish to address a translational choice in this passage. Here is how it reads in English.

Num 4:25-26

25 they shall carry the curtains of the tabernacle and the tent of meeting with its covering and the covering of porpoise skin that is on top of it, and the screen for the doorway of the tent of meeting,

Here is how it is in the Hebrew.

אֶהָל	וְאֶת־	הַמִּשְׁכָּן	יְרִיעֹת	אֶת־	וְנָשְׂאוּ	25
the tabernacle of	and	the tabernacle,	the curtains of		And they shall bear	
<u>168</u>	<u>853</u>	<u>4908</u>	<u>3407</u>	<u>853</u>	<u>5375</u>	
עָלָיו	אֲשֶׁר־	הַתַּחֲשׁ	וּמִכְסֵּה	מִכְסֵּהוּ	מוֹעֵד	
upon it,	that	the badgers' skins	and the covering of	his covering,	the congregation,	
<u>5921</u>	<u>834</u>	<u>8476</u>	<u>4372</u>	<u>4372</u>	<u>4150</u>	
מוֹעֵד:	אֶהָל	פֶּתַח	מָסָךְ	וְאֶת־	מִלְּמַעְלָה	
the congregation,	the tabernacle of	the door of	the hanging for	and	above	is
<u>4150</u>	<u>168</u>	<u>6607</u>	<u>4539</u>	<u>853</u>	<u>4605</u>	<u>9999</u>

As you can see, the NIV translates the term as “badger skins” rather than “porpoise skins.” That alone tells you that this term is subject to considerable translational error.

The Hebrew word is:

OT:8476 תַּחֲשׁ **tachash** (takh'-ash);
probably of foreign derivation; a (clean)
animal with fur, probably a species of
antelope:

And you can see that the definition in Strongs Concordance offers even a third possible translational choice.

It is difficult (if not impossible) for me to believe that the covering for the Mishkan (Tabernacle) – representing the “clothing” of the holiest place on earth – would be made from the skins of an unkosher animal.

There is some discussion among the Sages that this was the skin of a now-extinct kosher animal which existed in that area at the time.

The name suggests a multicolored nature of the covering. Some say the skin itself had many colors. Others suggest that the skins of this animal were possibly cut into strips, and woven together with the red-dyed ram's skins. This might suggest it was similar to a covering of many colors, which might be similar to a pattern we have seen in Scripture before with Joseph.

These explanations are far more satisfying to me. Now, back to our study.

The application of the concept of *toeles* requires balancing of potential harm versus certain benefit. If the scales are tipped strongly toward the beneficial side, then the speech is not *loshan hara*.

We have been discussing some of the ways that people fail to properly apply the exception to *loshan hara* known as *toeles*. Last week we explored the idea of avoiding hearsay, and to avoid prejudgment of a situation without getting more facts. We saw how a presumption of innocence is important while gathering facts upon which you might reach a conclusion.

I wish to now discuss a few more of the more common failure points in application of the principles of *toeles*, and in avoiding *loshan hara*.

Going to the Other Person First

It seems that the default action people take when hearing or seeing something done or said by another person which is offensive (or sinful), is to privately chew on the matter a bit, then to seek-out others to tell the story. Notice what is conspicuously missing – going to the other person to engage in a conversation. And notice what is conspicuously present – gossip (as a minimum).

Have you seen or heard something from someone else which offends you? Even if it is not a sin, you should still consider going to that person and telling them about what happened, and how you feel. You might be able to help a brother or sister govern themselves a bit better in this area.

If the event actually is a sin (meaning you can demonstrate through Scripture the sinful nature of it), then it is imperative that you do what you can do to go to the person and have a conversation. And that conversation should be a private one.

The confrontation of the sinner with his sin should lead to a conversation in which you avoid the two failures we have already discussed. Beyond that, the one being confronted with the sin will have the opportunity to repent, and the matter needs go no further.

Although the process is a bit more involved than what Yeshua said, He did summarize it to His followers.

Matt 18:15-17

15 "And if your brother sins, go and reprove him in private; if he listens to you, you have won your brother. 16 "But if he does not listen to you, take one or two more with you, so that by the mouth of two or three witnesses every fact may be confirmed. 17 "And if he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, let him be to you as a Gentile and a tax-gatherer.

There are some times when it is impossible to go to the other person one-on-one, and in those instances there are alternatives and even excuses for not doing so. But the general rule is – go to the person in love, and have a conversation.

Adding Unnecessary Derogatory Information

If all the other previous steps have been accomplished, and the conditions still exist where a witness needs to give a report which falls within one of the exceptions to evil speech, then there is one more thing that he must consider before making any statement to others. That is to limit his words to the minimum needed to achieve the intended good result.

We have already examined the pitfall of “connecting the dots” (some of which are supplied by your imagination) to add more to the facts, so that you reach a conclusion – which might be very wrong.

But there is another ditch on the other side of this safe road, and that ditch is adding to the facts you do know some additional facts (not related to the issue) which will tend to make the person’s actions or words seem to be far worse than they are, standing alone.

There is a temptation to make the report somewhat of an “overkill” to assure that the listener will take the intended action upon the other person. It is wise not to fall into this temptation, because the unnecessary words do not fall within the exceptions.

Thus, the report itself may begin as protected speech, but end up as *loshan hara*.

Here is an example of a report of a congregation member to the Rabbi:

“I saw [name] taking for himself some of the canned goods we have collected for the poor. And this is not the first time he’s done this. He is always stealing from the tzedakah fund, and you should punish him severely!”

Assuming that [name] did take the canned goods, and assuming that the person making the report determined that the taking was wrongful, what part of this is a proper report, and what part turns it into *loshan hara*?

Sometimes a witness knows of additional information which might be helpful for the listener. It would be best for the reporting person to direct the listener to where he might find the information he thinks is relevant.

The next category of failure is closely akin to adding unnecessary derogatory information.

Exaggerating

A famous television detective who was featured in the program “Dragnet” during the 1960s regularly cautioned witnesses by saying, “Just the facts, ma’am. Just the facts.” He said this in response to the witness’s natural tendency to exaggerate or elaborate upon the facts with his or her own perceptions and conclusions. The same caution applies to this failure as well.

Humans have an unfortunate tendency to convert the facts that they have seen into a story that they can tell. Sometimes witnesses use hyperbole in order to influence the hearer to consider his words with greater weight.

As a witness, one does not have the right to modify the facts by overstating them, even when speaking to achieve a proper purpose.

An example would include a report made to the Rabbi as follows:

“So, I saw [name] beating his little child mercilessly. I have never seen such cruelty to a child in my entire life. The baby was screaming in horror, and will be forever scarred because of this. You have got to do something about this!”

So, when the Rabbi does a further investigation, he discovers the following:

The child is a 10 year old boy. The child was defying the father when the father told the child to sit at the table properly at oneg. The child kept jumping out of the chair and going under the table. There are a number of ladies seated at that table that are uncomfortable with having a boy under the table in a way that might allow him to see a bit more of them than he should. After three repeated admonishments of the boy, the father took him out of the oneg to the parking lot, and gave him a spanking using his hand. The boy did cry loudly, but that was mostly in an attempt to cause a scene so the father would be rebuked for this action. The father then brought the boy back into the oneg room, and the boy behaved from then on. The person who reported this whole thing to the Rabbi was a lady who was in a different location in the oneg room, and who didn't see all of what happened leading up to the spanking of the boy. Others who saw the entire event testified to the Rabbi that the father was patient, but firm, and the spanking was not overly severe.

What of the report of the lady who first came to the Rabbi would have been legitimate, and proper? What crossed the line and became *loshan hara*?

As you can see, accuracy is the key, and we must not either add to, nor detract from, the bare truth. We should simply remember our report must contain, “Just the facts...” Failure to do so makes the witness a “false witness” who has not offered accurate testimony.

What is the law regarding a false witness?

Deut 19:16-20

16 "If a malicious witness rises up against a man to accuse him of wrongdoing, 17 then both the men who have the dispute shall stand before the Lord, before the priests and the judges who will be in office in those days. 18 And the judges shall investigate thoroughly; and if the witness is a false witness and he has accused his brother falsely, 19 then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you.

Having a Hard Heart

If all of the preliminary steps of assuring that a proper purpose is achievable when speaking harmful words, there is still a place where we

can fall outside the protection of the exceptions. That is when our heart is impure in the matter.

It is somewhat easier to make a report of a harmful fact when the person about whom the witness is speaking is deeply disliked. It is important to recognize that there is a bit of personal satisfaction in placing a sinner in a bad light.

But when that is done, it is easy to lose sight of the fact that the offender was created, as all of us were, in the likeness of G-d. If a witness delights in debasing the offender, then the witness – to a degree – also debases G-d Himself. Each of us has fallen short of the glory of G-d.

Unless the circumstances require immediate action, it is probably best to give the report a bit of time for contemplation and prayer. The witness should use that time to test his own heart.

If the witness's heart is broken because of the offense which he personally feels, he will be urged by the evil inclination to make some of the mistakes listed above, and also fall into sin.

But if the witness's heart is broken because of this other person's failure to honor G-d and His instructions, accompanied by the other person's

loss because of his failure, then the witness is closer to having the correct heart to move forward.

Once you have the right heart, the truth can be clothed in love, and accompanied with no *loshan hara*.

Ps 15:1-4

15 O Lord, who may abide in Thy tent?

Who may dwell on Thy holy hill?

2 He who walks with integrity, and works righteousness,
And speaks truth in his heart.

3 He does not slander with his tongue,
Nor does evil to his neighbor,
Nor takes up a reproach against his friend;

4 In whose eyes a reprobate is despised,
But who honors those who fear the Lord;
He swears to his own hurt, and does not change;

Ps 24:1-6

24 The earth is the Lord's, and all it contains,
The world, and those who dwell in it.

2 For He has founded it upon the seas,
And established it upon the rivers.

3 Who may ascend into the hill of the Lord?
And who may stand in His holy place?

4 He who has clean hands and a pure heart,
Who has not lifted up his soul to falsehood,
And has not sworn deceitfully.

5 He shall receive a blessing from the Lord
And righteousness from the God of his salvation.

6 This is the generation of those who seek Him,
Who seek Thy face — even Jacob.

A heart that is not humbled before G-d is prone to lying.

Zech 8:16-17

16 'These are the things which you should do: speak the truth to one another; judge with truth and judgment for peace in your gates. 17 'Also let none of you devise evil in your heart against another, and do not love perjury; for all these are what I hate,' declares the Lord."

And the next category is a cure for most of the former failures.

Not Consulting the Spiritual Leader

As is clearly seen from our discussion thusfar, the pathway to properly fit within the exception of *toeles*, runs through rocky and dangerous terrain. A misstep can turn an action intended for good into a sinful one. The good news is that there is a guide. If the witness is part of a synagogue, consult the Rabbi. If in a church, consult the Pastor. If in a faith-based organization, consult the person in that organization charged with responsibility for such matters. The overseer have charge over the souls of those in their charge, and if they give advice or a ruling on this topic, then it is usually binding. If their ruling is improper, they will stand before the throne of judgment for the actions taken in accordance with their direction. But if the witness neglects their counsel, or opposes it, then the witness will stand before the throne in judgment.

Since this is “Humility month” I wish to finish with a few verses focusing on that theme.

Prov 16:5-6

5 Everyone who is proud in heart is an abomination to the Lord;

Assuredly, he will not be unpunished.

6 By lovingkindness and truth iniquity is atoned for,
And by the fear of the Lord one keeps away from evil.

Isa 2:12

12 For the Lord of hosts will have a day of reckoning
Against everyone who is proud and lofty,
And against everyone who is lifted up,
That he may be abased.

Ps 10:16

17 O Lord, Thou hast heard the desire of the humble;
Thou wilt strengthen their heart,

James 4:5

10 Humble yourselves in the presence of the Lord, and He
will exalt you.