

Breaking Shabbat

by: Rabbi Jeremy Rosen

After the Children of Israel panic at the prospect of invading Canaan, they are sent back into the wilderness for another forty years. Soon afterwards we read about a man (his identity is not revealed in the text though the Midrash names him as Zelopchad) who went out in public to gather wood on Shabbat in contravention of two principles the Torah had already given. One was that work is forbidden. And secondly one should stay within the "city limits" on Shabbat. Was it neglect or defiance?

The man is brought to Moses who, it seems, does not know what to do. He goes to consult God. This is one of several cases in the Torah where Moses turns to God for advice. This, after Sinai, where according to tradition he received the whole of the constitution. One Midrashic tradition is that although Moses knew the law, in principle. He was not sure which of the various punitive options applied here.

But the Midrash often gives alternatives. One version is that this man was really righteous. He knew there was some uncertainty about the punishments. The law was unclear. He sacrificed himself for the sake of becoming an example for future generations. This is problematic. Jewish Law in principle does not approve of self-sacrifice this way. And if Moses had to go back to consult, maybe there were other issues that needed further consultation or would later require interpretation and innovation.

The Midrash offers another explanation. This episode illustrates how low the people had sunk, not only in morale but religious observance. That they were happy to ignore Moses, his instructions and his law. This man was typical of the sad state of affairs. This was why the people needed more time to recover from the debacle over the spies. They needed to learn the disciplines and the limitations that at first sight seemed harsh and petty. Yet in the end, firmness helped produce a people with self-control, discipline and a moral mission.