

Psychological Argument – JewishClarity.com – Rabbi Asher Resnick

The Torah is clearly one of the greatest works of literature and moral instruction was ever written. If the Torah's author was a human being, he must have been one of the greatest geniuses and literary artists that ever lived. Therefore, the fact that there are several sections of the Torah which a sane, intelligent person would never have written is quite astonishing. If G-d were the Author of the Torah, however, laws and instructions whose fulfillment depends on miracles, and stories which strongly criticize the Jewish people — to name two categories of perplexing sections — are completely understandable.

A. The *Shmita* (Sabbatical) Year

“Six years you shall sow your field, and six years you shall prune your vineyard, and gather in its produce. But in the seventh year, a Sabbath of solemn rest it shall be for the land. Your field you shall not sow, and your vineyard you shall not prune. That which grows by itself you shall not reap, and the grapes of your vine you shall not gather .” (Leviticus, 25:1-4).

The Jewish People are commanded to refrain from working the land of Israel — plowing, planting, harvesting — one entire year out of every seven. Even today, with modern agriculture, technology, commercial storage facilities and international trade, it would seem to be an enormous hardship and risk for Israel to attempt to fulfill this commandment. Ancient Israel, like virtually every other nation of the time, was completely dependent on its agriculture for its sustenance. An entire year with no new cultivation would, by definition, have resulted in a famine. At best, with rationing, organized distribution, cooperation and calm, the casualties could have been minimized, but it would still have been a tremendous difficulty for the nation.

Given that the Torah insists upon this *Shmita* law, we would at least expect that it would encourage the Jewish Nation to plan ahead and store crops in anticipation of the seventh year. Instead, the Torah responds to this problem by promising a miracle. Incredibly, the Torah guarantees that in the sixth year, preceding the *Shmita* year, there will be a full double crop!

“And if you will say: ‘What shall we eat in the seventh year? Behold, we may not plant nor gather in our produce!’ I will command My blessing upon you in the sixth year, and it will bring forth produce for the three years. And you will plant in the eighth year and eat of the old produce until the ninth year until her produce comes in, you will eat the old produce.” (Leviticus 25:20-22).

Unable to plant new crops until the eighth year, the Jewish People would not be able to reap the post-*Shmita* eighth year's planting until the autumn of the ninth year. Therefore, the author (or Author) promised them two full crops in the sixth year. This would be large enough to sustain them the latter half of the sixth year, the entire seventh year and the first half of the eighth year; two full years in all, spread out over a three-year period.

For a human author to make this type of a promise, which he had to know would fail, since he could never supply a miraculous double crop, would be complete stupidity. It would almost certainly destroy the religion that he was working to get the Jewish People to accept as the word of G-d.

It is important to keep in mind that the miraculous double crop is promised to appear in the sixth year before the Jewish nation is commanded to refrain from active agricultural work. If a human being wrote this promise, it is a virtual guarantee that the sixth year would come and go with no exceptional harvest. The Jewish People would then face a dilemma. If they would still attempt to fulfill the *Shmita* law — and, with trust in the Torah's promise of a double crop, they would have refrained from storing up any food in advance — there would certainly be a nationwide famine in the eighth year.

If, on the other hand, the Jewish People would simply ignore this law from the beginning, thereby averting any type of a famine, the credibility of the entire Torah system would be strongly undermined. All of these negative consequences would occur simply because of a ridiculous law, completely beyond the ability of any nation to accept, and whose promised miracles would be impossible for any human being to deliver once every seven years.

If, however, the Author of the Torah was G-d, then the entire picture would be dramatically different. Since G-d could certainly fulfill the Torah's promise of a double-crop in the 6th year, the idea of a Sabbatical year (as any college professor might tell you) is a very beautiful concept. The entire nation receives a twelve-month vacation once every seven years — to learn, to travel, to refocus on spiritual goals, just as the *Shabbat* gives the Jewish People the opportunity to rest and refocus one day out of every seven. The only problem with Shmita is the obvious practical one — how could the entire nation survive a full year without planting any new crops?

But if G-d, the Creator, Sustainer, and Supervisor of the entire universe, wrote the Torah's promise of a miraculous double crop, then this practical issue is obviously no difficulty at all.

B. The Yovel (Jubilee) Year

As difficult as it is to attribute the Shmita law to a human author, there is another law in the Torah which is just as puzzling and is dependent upon even greater miracles for its fulfillment. The Yovel (Jubilee) year occurs once every 50 years and requires the Jewish People to observe most of the same restrictions on planting and harvesting crops as during the Shmita year (see Leviticus 25:8-17). This means that at the end of every 48th year, the Jewish People would begin a period of prohibition on agricultural work which would last for two full years, until the end of the 50th year. Beginning in the middle of the 49th year, barring miracles, the Jewish Nation would begin to experience food shortages and famine conditions that would last at least through the 51st year as a result of these prohibitions. Any non-miraculous means that might conceivably help the Jewish People to survive a single Shmita cycle would clearly be insufficient to deal with this two-year prohibition. But if, as we discussed previously with Shmita, the Creator, Sustainer and Supervisor of the Universe is the Author of the Torah, then these extra restrictions are no difficulty at all to understand. G-d could just as easily deliver on His promise of a triple crop during the 48th year as He could have ensured a double crop during the sixth year.

C. Don't think this Proof is based on Miracles

Our focus in this argument is on the authorship of the Torah. For a human being to have set up an agricultural system for the Jewish People to follow, and then make its successful operation dependent upon miracles which he could not possibly fulfill, would have been unworkable and illogical. Whether the Jewish People ever actually observed these laws of *Shmita* and *Yovel*, and whether the miraculous double and triple crops promised by the Author were ever delivered, is an entirely separate issue. If it were possible (which it isn't) to definitively demonstrate that double and triple crops occurred every 7th and 50th years while the Jewish People observed the laws of Shmita and Yovel, then that would form the basis of a separate proof based on miracles.

Nevertheless, according to Jewish historical sources, prior to the destruction of the First Temple, the Jewish People did, in fact, observe the laws of *Shmita* and *Yovel* for approximately half of the time that they were in the land of Israel. From the Jewish year 2503 (1257 B.C.E.), when the Jewish People first became obligated to observe the agricultural laws, until the destruction of the First Temple in 3338 (422 B.C.E.), when the Torah obligation of *Shmita* and *Yovel* ceased, there was a total of 835 years. During this time period, the Jewish People failed to properly observe the laws of *Shmita* and *Yovel* for 436 years. This, of course, means that, according to our records, they did observe *Shmita* and *Yovel* for 399 years. It is inconceivable that they would have been able to have done this had they not received the double and triple crops that the Torah promised.

So, while based on our sources, we do have some evidence that double and triple crops actually did occur during those years, this is not at all the point that we are trying to establish. Our concern is solely with the Torah's authorship; in other words, the inconceivability of a human being having written the laws of *Shmita* and *Yovel* in the first place.

D. The Three Yearly *Regalim* (Pilgrimages) to Jerusalem

Try to picture the following scenario. The Jewish People are preparing to begin their military campaign to conquer the land of Israel. There are seven different nations of idol-worshipping enemies that the Jewish army will have to defeat or drive out of the area. The Jews will be continuously surrounded by hostile neighbors on all of their borders. And in the Torah, which they just received through Moshe, the following mitzvah is found:

“Three times in the year all your men shall appear before the L-rd G-d, the L-rd of Israel. I will throw out the nations before you and enlarge your borders: neither shall any man desire your land, when you go up to appear before G-d your L-rd three times during the year.” (Exodus 34:23-24)

The Jewish men were commanded to come to Jerusalem three times each year, for the holidays of *Pesach*, *Shavuot*, and *Sukkot*. In addition, a Rabbinical decree required fathers to bring along all of their sons from the age of eight or nine, for the purpose of educating them in their responsibilities.

The *Regalim* were a tremendous time of growth for the entire Jewish Nation. Three times a year the Jewish People had an opportunity for spiritual rejuvenation, a break from their routine, unity, a festival of rejoicing in their closeness to G-d, and re-dedication of their commitment to G-d on a national level. The *Regalim* were a great idea which benefited the Jewish Nation in numerous ways.

However, these various benefits could occur only if the Torah were of Divine origin. If the Torah's author was human, then fundamental logistical difficulties would far outweigh the benefits. Depending upon where a person lived in the land of Israel, the journey to Jerusalem could have easily taken a few days in each direction. This travel time, in addition to the time spent in Jerusalem for the holiday, would, therefore, equal at least a week or two for each of the three holidays during the year. During this time, the Jewish men are, in effect, obligated to be away from their homes. Every man, therefore, had the following choice to make three times every year:

- 1) Travel alone to Jerusalem and leave his wife and children alone for one or two weeks OR
- 2) Take his family with him to Jerusalem and leave his property completely unguarded.

For Jews living in Israel today to attempt to keep this commandment without open miracles, even with modern military weaponry, communications, and transportation, would be disastrous. Three thousand years ago, the surrounding armies, thieves, bandits and armed mercenaries would have had a field day — raping, looting and pillaging the defenseless country every time the men would have been foolish enough to have followed this law.

Incredibly, the author (or Author) of the Torah felt confident enough to give a guarantee that the Jewish People would have nothing to fear when observing this commandment, “neither shall any man desire your land when you go up to appear before G-d your L-rd”. Does it make sense that a human being would have made such a far-reaching promise which he knew had absolutely no possibility of being fulfilled? Just as with the *Shmita* and *Yovel* commandment, if the author of the Torah was human, he would never have created a situation in which one of the Torah's laws would have undermined the entire Torah system.

If the Jewish People would have simply ignored the *Regalim* laws, thereby passing up the promised miraculous surveillance and security arrangements, then three times every year they would have been reminded of their lack of trust in G-d, as well as their disregard for Torah law. If on the other hand, they would have attempted to follow this law, the consequences — given the fact that a human author could never have delivered this guaranteed security — would have been disastrous.

Once again, this is not a Proof based on Miracles

The *Regalim*, just like the *Shmita* and *Yovel* laws, is either a genius idea which is completely workable, or it is a suicidal law which is absolutely impossible to fulfil. Which one it is, of course, is completely dependent on our central question: Is G-d the Author of the Torah or not?

Just as with *Shmita* and *Yovel*, the degree to which the Jewish People actually observed the *Regalim* is absolutely irrelevant. Our point is whether or not it is reasonable to suggest that a human being would ever have written a law like the *Regalim*. Nevertheless, according to Jewish historical accounts, the Jewish People did, in fact, observe the *Regalim* at varying levels during most of the time that the Temples in Jerusalem stood (see Baba Metzia 28a, Pesachim 64b). In fact, there even exists an eyewitness account of the entire Temple service during the Passover holiday, as recorded by a Roman official who was stationed in Jerusalem near the end of the Second Temple period:

“When the beginning of the month, which they call Nissan, arrives, couriers and messengers are sent out by order of the king and the judges, to all the areas surrounding Jerusalem, that whoever possesses sheep and cattle should hurry to bring them to the capital so that there be a sufficient supply for the pilgrims, both for their sacrifices and for their food. When they reach the mountains around Jerusalem, they are so numerous that the grass cannot be seen. It appears to have become completely white because of the many sheep there. For it is considered a great disgrace among the Jews if one does not bring the Pesach offering at the correct time. They sing joyfully while they eat, and their voices can be heard from afar. No one locks his door that night in Jerusalem out of respect for the many strangers passing through the streets.” (quoted in *The Book of Our Heritage*, p.236-9).

This account is from the Second Temple period, when the number of Jews living in Israel, and their level of Torah observance, was considerably less than during the First Temple period. As impressive as the above described pilgrimage sounds, according to Jewish historical sources and records, the *Regalim* of the first Temple period must have certainly involved much larger numbers.

In any case, it is important not to lose the focus of our argument: Why would a genius human lawmaker have included laws which are impossible to keep in the midst of an entire system of laws that he very much wants to be kept? What would be the point of it?

E. Intentional and Unintentional Damage to Temple Property

Jewish law, just like Western law (which derives many of its fundamental principles from the Torah), obligates a person to pay even for unintentional damage to property. We would certainly expect that if this protection was established for a civil property, that the property of the Holy Temple in Jerusalem would be protected at least as carefully. The contrast between our logical expectation, and the reality of the Torah’s instructions on how this actually is dealt with are so startling that Rabbi Samson Raphael Hirsch, in his commentary on the Torah, uses this law as his own “psychological” evidence for the Divine authorship of the Torah.

“Tradition teaches the important principle (that) even for direct damage done (to Temple property) by the man himself, no compensation in any form is imposed. Whether the idea is that one who does such damage is to be told: ‘In doing this destruction you did not hurt G-d but yourself,’ or

that G-d does not wish any human hand to be raised to represent Him with regard to His property; or that making actual material restitution would do away with the real nature of the crime, in any case, the fact is certain that under the regime of this law, anybody could break the Holy Ark of the Covenant, tear the Holy Veil, destroy the vessels of the Temple, and demolish the whole treasure of the Temple, without finding any judge in the world who would be empowered to make him pay one penny for damages. This law is surely quite unique among all the legal systems of the world. Even this one, single, unique fact is a striking proof that in dealing with this Torah system of Law we have before our eyes the work of no human brains, and that most certainly it is not the product of a priestly hierarchy to which people are so inclined to relegate the Jewish Law. Priests and those of high hierarchic positions would certainly have stamped the perpetrators of such sacrilege, as criminals of the worst type and would have appointed the secular arm to make it their first duty to protect and avenge their sacred treasures.” (Exodus 21:36).

In terms of punishment or culpability for one who caused damage to Temple property, Rav Hirsch continues:

“Damaging the altar or any part of the building of the Temple is simply forbidden by a prohibition, and as such, [just like any negative commandment in the Torah like eating non-Kosher food] is punishable by lashes. Involuntary, unintentional — or even wanton and mischievous damage, if it lacks the necessary legal warning — is not punishable at all, whereas unintentional damage to private buildings is unconditionally liable for full compensation.”

The Holy Temple in Jerusalem is the spiritual heart and center of Jewish life. The Torah's guidelines call for exceptionally minimal consequences for someone who, even deliberately, vandalizes this most holy, of places. If the Torah is from G-d, and consequences in the next world are just as real or even “more real” than any consequences in this world, then we can certainly understand the logic of this law. If, however, the author of the Torah's system of civil and criminal law was a human being, it is very difficult to imagine that he would have left all punishment for such a serious crime in the hands of a “next world court.” If a human author himself was the sole source of the Torah's authority, then there would clearly be no next world consequences backing up Torah law. This is, therefore, another example of a Torah principle which can be completely understood from the perspective of Divine authorship and is very difficult to understand if there had been a human author.

F. The Torah System of Military Conscription

To appreciate the uniqueness of this next law, imagine its application in a modern context. The year is 1965 and you are listening to the following news bulletin over the radio:

“The House of Representatives of the United States of America today voted to formally declare war on the Republic of North Vietnam. The House and the Senate also passed an emergency War Powers Act, enabling the President to dispatch additional military equipment and personnel to Southeast Asia. Most significantly, a military draft has been instituted and call-ups are expected to begin soon. There are, however, a number of unusual aspects to the call-up legislation enacted by Congress. Any man who has recently built a house or planted a vineyard will be exempted from military service for an entire year. Similarly, a full deferment will be given to anyone who got married within this past year. Most unusual of all these conditions, another category of men who are entirely exempted from military service by the new legislation includes anyone who is afraid to fight! The Pentagon further announced today that special precautions will be taken to protect the identities of those who are granted deferments based on fear. Pentagon spokesman Bud Blasthem explained that the secrecy was necessary to protect these men from any embarrassment or repercussions, both to themselves as well as to their families.”

As incredible as it may seem, a Torah government must actually conduct a war based on these guidelines:

“When you go out to battle against your enemies, and you see horses and chariots, and a people greater than you, you shall not be afraid of them, for G-d your L-rd is with you, Who brought you up out of the Land of Egypt. And the officers should speak to the people, saying: ‘What man is there that has built a new house, and has not begun to live in it? Let him go and return to his house, lest he die in battle, and another man lives in it. And who has planted a vineyard, and has not used its fruit? Let him go and return to his house, lest he die in battle, and another man use its fruit. And what man is there that has betrothed a wife, and has not married her? Let him go and return to his house, lest he die in the battle, and another man take her.’” (Deut. 20:1, 5-7).

And, incredibly enough, the Torah continues:

“And the officers shall speak further to the people and they shall say, ‘Who is fearful and faint-hearted? Let him go and return to his house, lest his brethren’s heart melt like his heart’.” (Deut. 20:8) See also Rashi on 20:8 and 24:5, and Rambam – “The Laws of Kings and Their Wars” – Chapter 7.

The compassion and sensitivity of the Torah’s military system are so striking and unique among the nations and their military systems, that this law alone makes it virtually impossible to imagine that the Torah was written by a human author or authors.

Moreover, the obvious impracticality of these exemptions raises, even more, questions. What human author could possibly afford to grant so many loopholes, and actually expect to win a war? What human military leaders would have agreed to such exemptions? Could a human author have had so much confidence in the level of patriotism of the Jewish People that he would have allowed so many people to have avoided military service? What would have happened in an unpopular war?

If G-d were the Author of the Torah, however, then there is no problem with this military system whatsoever. The Torah instructs us that it is not military strength, as measured by numbers of soldiers (or even sophisticated weaponry), that determines success or defeat on the battlefield. The Jewish view is that G-d runs the world and, therefore, the Jewish People’s ability to defeat their enemies depends on their listening to G-d and following the instructions set forth in His Torah. If the Jewish People are living properly, then a small army of theirs can defeat their enemies much more easily than a great army can if they are ignoring G-d.

The physical impracticality of these laws, combined with the compassion and sensitivity which they exhibit, makes it very difficult to imagine that they could have originated from a human author or authors. Even today, in the modern world, where many societies are at least theoretically committed to liberal and humane values, it is almost inconceivable that any nation in the world would allow these various exemptions from military service during wartime. In the world situation of 3,000 years ago — barbaric, cruel, and pagan — the Torah’s military system is so obviously out of context, that we are compelled to conclude that it could not have come from a human author.

G. The Torah is a Uniquely Honest and Critical Historical Document

The researching and writing of history is an inherently subjective exercise. Historical accounts invariably reflect the biases and assumptions of the historian’s society as well as his personal worldview. When the historian is a member of the group or nation that he is describing, the result (certainly up until the past 100 or so years) usually more closely resembles national myth and inspirational legend than history as it should be.

The Torah, on the other hand, is so full of negative, painfully honest, accounts of Jewish history, as well as criticism of the entire Jewish People, that it is very difficult to imagine a Jewish human historian writing it.

In the theological accounts of other religions, the main prophet or leader is almost always presented as a flawless human being, or even as some sort of a deity. In contrast, the Torah's presentation of Moshe, the greatest prophet and leader the Jewish People ever had, is uniquely human. If we compare the Torah's account of Moshe's death with the accounts of the deaths of the leaders of other religions, we see a number of surprising differences. In Islamic tradition, for example, Mohammed, upon his death, is said to have risen to Heaven while riding upon his horse. Judaism also happens to have accounts of individuals that never died — that went directly to the next world or are considered, in some sense, to still be alive. We might expect, therefore, that the Torah's description of Moshe's death would be a similarly glorious climax to his tremendous career. Perhaps something along the lines of the righteous Chanoch, where G-d "took him from the world" before his time, for his own good, so he wouldn't end up succumbing to the influences of the evil all around him (Gen. 5:21-24).

Remarkably, the Torah not only tells us that Moshe died a normal death, it informs us that the reason he had to die and not enter the land of Israel, was because he "didn't believe in G-d" (see Bamidbar 20:12 with Rashi's commentary). While it is obvious that the Torah can't mean this literally, why would a human author present any negative view at all of the man that had achieved the ultimate relationship with G-d (Ex. 34:5-8)? It is also striking that shortly after the Torah introduces Moshe and Aharon, and immediately before it describes the miracles that they were both about to perform, the Torah makes a special point of tracing their very normal human lineages (Exodus 6:13-27). Perhaps the Torah was trying to preempt any later generation from deifying these two most exceptional leaders.

The Torah's account of the death of Moshe Rabeinu is only one of several instances in which the Torah, with its penetrating honesty, casts less than a favorable light upon him:

1. Five women argue with Moshe in terms of what Jewish law should be regarding the inheritance of daughters. He checks with G-d and finds out that they were, in fact, correct.
2. Moshe's father-in-law, Yisro, who was not Jewish at the time, criticizes Moshe's administration of the Jewish People. Largely in response to his criticism and proposals for change, Moshe institutes sweeping changes in judicial administration, as well as in his relationship with the Jewish People.
3. Moshe incorrectly attempts to rebuke Aharon's two sons. When Aharon points out his error, Moshe silently acknowledges his mistake.
4. He criticized the Jewish People unjustly, and was punished for his slander with a special disease.
5. When Moshe passed away at the end of the forty years in the desert, the Torah tells us that a smaller percentage of the Jewish People mourned for him than had mourned for his brother Aharon.
6. Moshe and Aharon were, on one occasion, accused of being murderers by the Jewish People.
7. Both of Moshe's siblings committed very serious transgressions, and the Torah makes a special point to spell them out. Aharon was the one who built the Golden Calf, and he was reprimanded, along with Moshe, for "not believing" in G-d. Miriam slandered Moshe and was punished by G-d with a special disease for seven days.

8. Although Moshe was the greatest prophet in our history, as well as the leader of the Jewish People during the 40 years in the desert, the Torah points out that he had a serious stuttering problem.

Sources: (1) Num. 27:1-11; (2) Ex. 18:13-27; (3) Lev. 10:12-20; (4) Ex. 4:1-7; (5) Deut. 34:8; Num. 20:29; (6) Num. 17: 6-8; (7) Ex. 32:1-6,21-25,35; Num. 20:12; Num. 12: 1-16; (8) Ex. 4:10-12; 6:12; 6:30.

Additional Sources in terms of the entire Jewish people:

Exodus 32:1-35, 5:19-21, 6:9, 6:12, 14:10-14, 15:24-25, 16:2-3, 16:19-20, 16:24, 16:25-27, 17:1-4, Numbers 11:1-3, 11:4-34, 13:25-14:25, 14:26-45, 15:32-36, 16:1-35, 17:9-15, 17:27-28, 20:1-11, 21:4-9, 25:1-9, 31:9-20.

And in terms of other Jewish ancestors: Genesis 15:8, 25:19-28:9, 31:32, 37:1-36.

Amidst the brilliance and perfection of the Torah, we find a whole myriad of unenforceable laws, humanly impossible to keep promises, as well as demands and requirements far beyond what any aspiring human leader would be likely to impose. Furthermore, we find a degree of candor and criticism of the Jewish people and their leaders which were unprecedented in the world up until quite recently. In sum, the more that one becomes acquainted with the Torah, the more difficult it becomes to believe that any human being could possibly have written it.