

## Potomac Torah Study Center

Vol. 10 #39-40, July 21, 28, 2023; 3, 10 Av 5783; Devarim, Tisha B'Av, Vaetchanan 5783

**NOTE: Devrei Torah presented weekly in Loving Memory of Rabbi Leonard S. Cahan z"l, Rabbi Emeritus of Congregation Har Shalom, who started me on my road to learning more than 50 years ago and was our family Rebbe and close friend until his untimely death.**

---

**Devrei Torah are now Available for Download (normally by noon on Fridays) from [www.PotomacTorah.org](http://www.PotomacTorah.org). Thanks to Bill Landau for hosting the Devrei Torah archives.**

---

I am working as fast as possible to complete my Devrei Torah package before my deadline – much more difficult than normal, because I had no Internet access and very slow computer response for the past three days, until Thursday afternoon. I did not have time to write a new message, so I am posting my messages from three years ago for Devarim and Vaetchanan. (With Tisha B'Av Wednesday evening and Thursday, I cannot prepare a new packet next week.) Because of these constraints, I am sending a double issue (Devarim, Tisha B'Av and Vaetchanan). My next posting, M"H, will be for Eikev.

### Message for Devarim

We Jews must learn to switch moods in a flash. Consider, for example a Rabbi who starts a day with a bris at Shacharit, then rushes to officiate at a funeral, and returns to participate in a wedding a few hours later. Many families in mourning after a death in the family must host a wedding or Bar Mitzvah, because one is not to delay a simcha, even while in mourning.

This Shabbat, as we begin Sefer Devarim, we are in the midst of a period of mood changes. Sefer Bemidbar, which started with high hopes and spirits, ended with the story of shattered dreams for all but two adults of the generation of the Exodus. The gloom continues with Parashat Devarim, when Moshe wonders "Eicha" – how could he possibly carry the bad feelings, burdens, and quarrels of the people (1:12). Our mood hits bottom on Tisha B'Av a few days later, the anniversary of numerous of the worst disasters in Jewish history. Fortunately, we soon recover from the gloom of Tisha B'Av. Next Shabbat, we read Vaetchanan, an upbeat parsha that includes the Aseret Dibrot (Ten Commandments) and first paragraph of the Shema. Six days after Tisha B'Av, we have Tu B'Av, one of the most joyous days of the year.

In Parashat Devarim, Moshe presents a selective review of the Jews' experiences during the 40 years since the Exodus. Rabbi David Fohrman has a unique interpretation of why Moshe selects specifically two incidents to discuss – the episode of the Meraglim and his father-in-law's suggestion that he appoint judges to help him resolve inter-personal disputes. Moshe uses the same language repeatedly to connect the issue of the judges with the episode of the Meraglim.

In this parsha, Rabbi Fohrman says that Moshe seems to consider the Meraglim as the real reason why God would not permit him to enter the land. Moshe states that God has carried the Jews the way that a father carries his child for 40 years in the Midbar – and He will carry and protect them when Moshe is gone and the people enter the land. Moshe, however, had put down his children (the people looking to him for a connection to God) when he asked for judges to help him. After Moshe put down his children, the people had a lack of faith in God at crucial times. To Rabbi Fohrman, this analysis explains why Moshe seems to have felt, upon reflection at the end of his life, that God would not let him enter the land. Moshe's pep talk in this parsha tries to compensate for his lacking years earlier. (This interpretation is novel but worth considering closely.)

Despite Moshe's deep unhappiness at not being able to enter the land, he does everything he can to prepare the people to enter and continue to deserve to remain in the land. Parashat Devarim is essentially a pep talk to prepare the people to go forward. Miriam and Aharon are both dead, and Moshe will die soon. The family that had led the people for 40 years will soon be gone. God will end His direct involvement with the people when they enter the land. They will need to cultivate and gather food from the land. They will need to initiate all military actions, both offensive and defensive, because God's involvement will only be behind the scenes. Moshe tells the people that they are ready for these challenges. He warns them not to think that any success comes from their greatness, but to understand that everything good comes because God is with them and helping them. The people must obey the mitzvot and keep a daily relationship with their Creator. In the remainder of Sefer Devarim, Moshe will prepare the people with detailed instructions for keeping God with them.

Being able to see God's presence in ones life is not always easy. One of the most important roles of parents and teachers is to help children learn how to find God in their lives. Often a person's Rebbe is his most important teacher – and a reason why our tradition holds that a person's Rebbe is like a father. My beloved Rebbe, Rabbi Leonard Cahan, z"l, taught and reinforced this lesson for me for nearly 50 years. Since his untimely passing, I have been fortunate to develop a close relationship and continue my learning with a few other Rebbes. As we prepare for Tisha B'Av and then switch moods toward hope and joy, may we continue to learn and build our individual relationships with Hashem.

### **Vaetchanan Message**

Is there a more challenging timing in our religion than having Tisha B'Av on Wednesday night through Thursday? After breaking the fast late Thursday evening, one is often too exhausted from a 25 hour fast (with most of the day spent in prayers, kinot, and seminars) to do anything but collapse. Since many of the Tisha B'Av restrictions continue until mid day on 10 Av (Friday this year), there is little time for more than shaving, getting a haircut, putting on a load of laundry for the first time in 11 days, and preparing food for Shabbat. Those rabbis who prepare Devrei Torah on Thursday and Friday certainly do not have time to prepare and send me advance copies in time for my deadline. For this reason, much of what I have this week consists of archived material.

Moshe repeats the Aseret Dibrot (Ten Commandments) in chapter 5, repeating (with some modifications in details) the laws that God originally gave to the generation of their parents 40 years earlier. Moshe also weaves in musar (rebukes) among frequent reminders that the people must obey the mitzvah (commandment), chukim (decrees) and mishpatim (ordinances). Moshe's speech in Vaetchanan fits in thematically with Tisha B'Av. If we fail to follow God's laws, the result ultimately will be that God will throw us out of the good land that He has set aside for us. However, if we keep the proper attitude of loving Hashem, God will assist us with the conquest of the land. We are to read the beginning and end of the mitzvah section every day. The opening is the Shema and V'Ahavta (6:4-8), and the end (in Eikev) is the second paragraph of the Shema (11:13-21). (The chukim and mishpatim unit, ch. 12-26, specific laws that the Jews were to follow upon entering the land, starts in Reeh, in two weeks. To earn the right to remain in the land, we need to follow the chukim and mishpatim as well as the mitzvah.)

As in other instances, many specific laws connect to incidents earlier in Jewish history. For example, the word for marriage in the Torah is chatan, which means inter-mingling of the families of the wife and husband. Moshe specifies that upon entering the land and encountering other nations, the Jews were to destroy them completely, not to seek a covenant with them, and not to inter-marry with them (7:1-5). The only other place in the Torah that uses l'hitchatein (the infinitive form of chatan) is in the story of Dinah, daughter of Yaakov and Leah. Shechem (a Canaanite prince) takes Dinah, consummates with her, and tells Yaakov's family that his tribe would like to welcome and inter-marry with Yaakov's. Shimon and Levi convince the men to circumcise themselves and then come on the third day, kill all the men, and take spoils. Yaakov is horrified that two of his sons have made enemies of another nation and created a bad reputation for the Jews. Yaakov tells his sons (and their families) to get rid of all the idols (apparently acquired as spoils from the people of Shechem), moves his family far away (for safety), and rebukes Shimon and Levi when blessing his sons before his death. This incident returns as commandments not to inter marry, not to take idols from other nations, and to destroy all their places and articles of worship.

While Vaetchanan has passages of both hope and rebuke, six days after Tisha B'Av we celebrate Tu B'Av, which the Talmud considers the happiest day in our calendar.

Moshe reminds us that God is here whenever we want Him, always waiting for us to seek a personal relationship with Him. We must learn to see God's hand in unexpected blessings that come to us. For example, I was single when I moved from California to this area. A year later, my beloved Rebbe, Rabbi Leonard Cahan, z"l, introduced me to the niece of former congregants of his from Detroit – and Hannah and I have now been together for 46 years. I became an economist when a senior high school class I wanted was full, and the person taking class assignments suggested that I try economics, with a new teacher coming from UCLA. My son Evan was single when he moved to Birmingham, AL for medical school. Orthodox families in Birmingham send their children to New York or Atlanta to look for spouses. How was Evan to find a wife in Birmingham? Fortunately, friends from Baltimore arranged for Evan to consider shidduch dating with a woman from their community. Evan and Heather started dating, became engaged on Tu B'Av, and are now approaching their "Bar Mitzvah" anniversary. (In Rabbi David Fohrman's language, these are examples of listening when Hashem sends us a private message.) As Moshe repeats over and over, if we love and trust in Hashem, and if we observe His chukim and mishpatim, then He will arrange positive opportunities for us. What a wonderful message to come right after Tisha B'Av, and to lead into Tu B'Av!

Shabbat Shalom,

Alan & Hannah

---

**Much of the inspiration for my weekly Dvar Torah message comes from the insights of Rabbi David Fohrman and his team of scholars at [www.alephbeta.org](http://www.alephbeta.org). Please join me in supporting this wonderful organization, which has increased its scholarly work during and since the pandemic, despite many of its supporters having to cut back on their donations.**

---

**Please daven for a Refuah Shlemah for Arye Don ben Tzivia, Reuven ben Basha Chaya Zlata Lana, Yoram Ben Shoshana, Leib Dovid ben Etel, Asher Shlomo ben Ettie, Avraham ben Gavriela, Mordechai ben Chaya, Hershel Tzvi ben Chana, Uzi Yehuda ben Mirda Behla, David Moshe ben Raizel; Zvi ben Sara Chaya, Eliav Yerachmiel ben Sara Dina, Reuven ben Masha, Meir ben Sara, Oscar ben Simcha; Sharon bat Sarah, Noa Shachar bat Avigael, Kayla bat Ester, and Malka bat Simcha, who need our prayers.** Please contact me for any additions or subtractions. Thank you.

Shabbat Shalom,

Hannah & Alan

---

### **The Three Weeks: What Are We Missing On Tisha B'Av?**

By Rabbi Label Lam © 5764

*Woe to them, the children that have been exiled from the table of their father. (Talmud Brochos 3A)*

Amongst the things we refrain from on the 9th of Av are food, friendship, learning Torah, music and more. What are we meant to get out this exercise of fasting and looking forlorn?

Yitzchok Blazer ztl., was invited by a group of young scholars to their town to deliver a lecture. He ascended the platform wrapped in his talis and began; "A Jew once lost his way in a forest. The harder he tried to get out of it the more it closed in on him. After wandering for about two days, he almost gave up hope of finding his way out when he found another Jew coming toward him. Joyfully he ran over to the other Jew and asked him to show him the way out of the forest. The second Jew asked him, "How long have you been lost in the forest?" "Two days!" answered the first. "I have been blundering here for a few weeks already" exclaimed the second Jew, "and I have not yet found the way. You who have

been lost for only two days are asking me?"

Yitchok Blazer raised his voice and cried, "Gentlemen! You are young men who have been lost in life for just a short time, but I am already old and have been lost for years. I am still looking for a way out of the forest of tangled character and you ask me to show you the way? With that Reb Itzele broke into loud sobbing and the congregation cried with him.

Was Reb Itzele really more lost than they? Was it then all futility the lifetime he dedicated to self improvement? Was he just being dramatic or overly modest? No!

On Erev Rosh HaShana a number of years ago I made haste to head to the local Mikvah (ritual bath) to beat the rush. There was only one other person there and he was just entering the "pool." He shouted repeatedly, "OHHHH! The fires of Gehinom (Hell)," as he inched into the extra hot waters of the Mikvah. A little scared but still determined, I prepared for my entry and found out that he had been right. It was hot but there was no turning back. I crept continually forward until I was almost entirely immersed and lo and behold there was the other fellow, his head bobbing like a beach ball. Steam rising all around and he had this serene grimace on his face. I couldn't resist. I said to him, "We get used to Gehinom, don't we!"

On the 9th of Av we are like little children sent away from the table. The child sent to his room can artfully distract himself. His parents wait for the breaking point. He might then even be willing to admit his faults like fighting with his siblings etc. That time never comes. Why? He's found some candies, there's a cell phone, a computer and a treasure of other goodies. He's forgotten that he's being punished.

The father realizing that the child is too busily engaged in his "things" forbids him for a time to play with these toys and those. Suddenly, he feels alone and isolated from the family. Tears begin to stream. He cries out longingly to his father and is invited to the table again with a pleasant mixture of joy and humility.

On the 9th of Av, we are to realize that we are lost, lost in exile. In so doing and to that extent we become candidates to be found. Therefore for a day we are removed from those things that give us either comfort or consolation in our present station. And so while we find ourselves deprived of Torah, the company of good friends, music, and food, we might begin to wonder profoundly: "What are we missing on Tisha B'Av?"

<https://torah.org/torah-portion/dvartorah-5764-3weeks/>

---

## When Does the Oral Torah Begin?

by Rabbi Dov Linzer, Rosh HaYeshiva, Yeshivat Chovevei Torah © 2015, 2023

What happens when we repeat a story or lesson in our own words? Does it improve with the retelling, or does it worsen? Is the message lost, or is it made more relevant? What is the point of retelling? Why not repeat things verbatim? Parsha Devarim opens with an epic retelling: a speech that took Moshe Rabbeinu more than a month to deliver. He retells three books of the Torah — Shemot, Vayikra, and Bamidbar — using his own words, not those of God.

The Midrash makes special note of the person doing this retelling (Devarim Rabbah 1:1). It is Moshe, the very man who said of himself, "*lo ish devarim anokhi*," "*I am not a man of words*," who now expounds on the entire Torah, opening with "*eloh ha'devarim*," "*These are the words*" (Shemot, 4:10). Why is a man who is not an "ish devarim" relating the entire book of Devarim? We might just as well ask why Moshe was chosen to be God's spokesperson. Why not pick an ish devarim?

The simple answer is this: A person of words might contaminate God's message with his own words or ideas. Moshe, being challenged in speech, was certain to communicate God's word without embellishment or change. By the same token, a person such as Moshe is most suited to tell over the Torah in his own words. With Moshe Rabbeinu — with his humility, his desire to act only as a vessel for the Divine, his reluctance to love the sound of his own voice, and his general lack interested in asserting himself and his ideas — the message was sure to remain pure. God's words would be communicated through Moshe's. Hence, Moshe's words became part of the Torah itself, which became, in essence,

God's own words.

Yet something did change in the retelling. The Gemara tells us, for example, that even if the literary juxtaposition of two mitzvot is not significant in the rest of the Torah, it is in Sefer Devarim (Berakhot 21a). Why is this so? The Shita Mikubetzet (ad. loc.) explains that, with Moshe now reordering previously given mitzvot, the reordering itself communicates a particular message. When we retell a story, it is shaped by choices we make in the organization of material, the order in which we put things, what we choose to emphasize, and even what we choose to omit. All these become part of the message.

Thus, we find that an enormous percentage of Torah she'b'al Peh, the Oral Law, focuses on the verses — on the wording of the mitzvot — in Sefer Devarim. The Oral Law emerges naturally from Devarim because Devarim is already part of Oral Law. It is the engagement of a human being — Moshe — with the Divine Word of the Torah. As the Sefat Emet states:

*This is the essence of Mishne Torah, the interconnection of the Written Torah and the Oral Torah. Moshe Rabbeinu was in the category of the Written Torah, and those about to enter into the land were in the category of the Oral Torah. Thus, the Mishne Torah contains both of these; it is the passageway connecting them.*

To retell the Torah was to take it out of the context of those who left Egypt and bring it into the context of those who were about to enter into the land. It took the Torah away from Mount Sinai and out of the wilderness and brought it into society, into the daily lives of the people. Moshe's retelling of the Torah was true to God's word, but it was also a reframing of God's word. It was the beginning of the Oral Torah, the religious enterprise of engaging God's word with integrity while using our own, in each generation and for each generation.

The act of translating is another form of retelling. We are told at the beginning of our parsha that “*Moshe began to expound this Torah*” (1:5). Rashi, quoting Tanchuma, comments on this: “*He explained it to them in seventy languages.*” When we translate, there is the risk of things getting lost or changed. But there is also opportunity. Translations allow a message to reach the widest possible audience. In fact, echoing Moshe's seventy-language translation, we find that many rabbis allowed the Torah scroll itself to be written in any language (Megillah 8b). People have been translating the Torah into the vernacular for millennia, and with every translation, the Torah becomes more accessible and more widespread.

However, translation can do more. It not only disseminates the Torah, it can also provide a fuller, truer realization of its meaning and its essence. When something is written in a person's native tongue, it becomes intelligible to him or her. When words are relayed in a way that person can relate to and understand, metaphorically, in one's own language, they become not only comprehensible, but meaningful. Such words can resonate and enter into our mind, our heart, and our soul.

The Sefat Emet uses the metaphor of clothing in discussing the translation of the Torah. Language, he says, is a type of outer garment to the meaning, the essence, of what is being conveyed, which is itself beyond language. Hebrew is one of these garments. On the one hand, clothing conceals; it covers our naked bodies. But clothing can also reveal; we wear different clothes for different occasions or moods, revealing different parts of ourselves. With every garment we put on we give a distinct expression of who we are.

The same is true for the Torah. When the Torah is translated into other languages, its meaning can be expanded, more fully actualized and revealed. To again quote the Sefat Emet:

*For to the degree that the light of the Torah has spread into other external garments, the more everything gets closer to the inner essence.*

Retelling the Torah is critical to reaching people, and it is critical to the Torah's fullest realization. In fact, sections from the retelling in Sefer Devarim form the essence of our daily religious lives. The two paragraphs of Shema — shema and v'haya im shamoa — are both from Devarim (6:4-9, 11:13-21). These verses make up the Shema prayer, they are written on the mezuzah scroll, and they are two of the four chapters that constitute the tefillin scrolls. These are some of the most central components of our religious observance.

Our daily affirmations of faith in words, on our homes, and on our bodies are all from Moshe's retelling. His translation revealed a part of the Torah's essence, and it has entered into our homes and our hearts. To retell the Torah and to translate it into our own words is to partner with God, making the Torah that is written into a Torah that is spoken and heard, a Torah that is lived.

Shabbat shalom!

<https://library.yctorah.org/2023/07/when-does-the-oral-torah-begin/>

---

## Angel for Shabbat -- Parashat Devarim

By Rabbi Marc D. Angel \*

The great Israeli writer, S. Y. Agnon, has a story in which a sofer (scribe) writes a beautiful Torah scroll. Wishing to glorify God, he veered from the halakha that requires a Torah to be written entirely in black ink. Instead, every time God's name is mentioned in the Torah the sofer wrote it in golden ink.

When he completed his work, he brought the Torah to the sages. Without hesitation, they declared the Torah to be invalid and ruled that it had to be stored away never to be used.

Of course, the sages were correct according to the halakhic rules pertaining to Torah scrolls. But what about the sofer's feelings? Assuming that his pure intention was to glorify God, mightn't the sages have bent the rules a bit to allow use of the beautiful Torah scroll with golden names of God?

Again, the answer is no. If the sages accepted the validity of this Torah scroll, this might lead other scribes to make their own innovations and "improvements" by adding different colored inks to highlight people or events. All Torah scrolls — including all mentions of God's name — must be only in black ink.

But this begs the question: why, in fact, does the Torah have to be written only in black ink? Yes, we have an ancient tradition that this is the rule, but what might be the underlying reason for this? Why should God's name be written with precisely the same ink that is used to write every other name, event and law?

Perhaps this ancient tradition is teaching something important about how we relate to God.

Philosophers and theologians remind us that God is Eternal, infinitely beyond our comprehension. Rabbis remind us that God must not be — and cannot be — represented by any physical entity i.e. idols, pictures. If God is so vastly remote and beyond visualization, how are we to connect with God?

The law requiring black ink for the Torah — including God's name — suggests an answer. God is to be perceived as part of the ongoing texture of life, not as a Being remote and beyond us. God's presence is woven into the everyday fabric of our lives. God is to be sought primarily within our own experience. God's name is written in black ink, not gold ink; God is part and parcel of the reality in which we live.

In this week's Torah portion, Moses begins his concluding remarks to the Israelites before he is to die. We are told that Moses provided explanations of the Torah (Devarim 1:5); and yet, he proceeds to give a historical review of the Israelites' experiences. Moses's explanations do not focus on theological principles or legal rulings; rather, he points out how God's providence was manifested in historical events, in the everyday life of the people.

Psalms (16:8) teaches: "*I have set (shiviti) God before me always.*" Kabbalists created a design known as "Shiviti," often hung in synagogues and homes. The message is: God isn't just Eternal and Infinite, Unseen and Unseeable: God is also ever-present.

It seems, then, that God's name in black ink is more powerful and more profound than God's name in gold ink.

\* Founder and Director, Institute for Jewish Ideas and Ideals.

**The Institute for Jewish Ideas and Ideals has experienced a significant drop in donations during the pandemic. The Institute needs our help to maintain and strengthen our Institute. Each gift, large or small, is a vote for an intellectually vibrant, compassionate, inclusive Orthodox Judaism. You may contribute on our website [jewishideas.org](https://jewishideas.org) or you may send your check to Institute for Jewish Ideas and Ideals, 2 West 70th Street, New York, NY 10023. Ed.: Please join me in helping the Institute for Jewish Ideas and Ideals at this time.**

<https://www.jewishideas.org/node/3143>

## **Hear O Israel: Thoughts on Parashat Va-et-hanan**

By Rabbi Marc D. Angel \* © 2010

This week's Torah reading includes the Shema – the classic statement of Jewish faith: Hear O Israel, the Lord is our God, the Lord is One. We are commanded to recite this passage each morning and each evening as a confirmation of our "accepting the yoke of the kingdom of Heaven."

This passage must be recited with devotion and concentration. The general custom is to place one's hand over the eyes while reciting the first verse of the Shema, as a way of increasing one's level of concentration. Among many Sephardim, the custom is to hold the hand over the eyes in such a way that one's fingers are formed into the Hebrew letters shin, dalet, yod – spelling out the name of God, Shaddai. (The three middle fingers form a shin, the bent thumb forms a dalet, and the bent little finger forms a yod.)

Given the centrality of this mitzvah, we would naturally expect the recitation of the Shema to be a highlight of Jewish spirituality. In reciting the Shema, we focus intently on the Unity of God and on our vital relationship with the Almighty.

The Talmud, though, reports a surprising story (Berakhot 13b):

*Rav was an outstanding student of Rabbi Yehuda haNasi, the famed compiler of the Mishnah. Rabbi Yehuda was known as the leading sage of his generation, a man of impeccable erudition and piety. Rav attended Rabbi Yehuda's classes every day, and was attentive to his teacher's words and gestures. But he was perplexed. He commented to Rabbi Hiyya that he never saw Rabbi Yehuda haNasi "accepting upon himself the yoke of the kingdom of Heaven" i.e. he never saw Rabbi Yehuda saying the Shema. Rabbi Hiyya replied: when Rabbi Yehuda brushes his hand over his eyes – that's when he recites the Shema and accepts upon himself the yoke of the kingdom of Heaven.*

We learn that the great Rabbi Yehuda haNasi performed this central mitzvah of faith in such an inconspicuous way that even his devoted student didn't notice him doing so! His spirituality was so deep and so internal that it did not manifest itself in a manner visible to others.

It is sometimes mistakenly believed that a "spiritual" person is someone who "looks" or "acts" in a distinctively "spiritual" manner. People sometimes think that to be spiritual one must shake and shudder, pray in a loud voice, close one's eyes in prolonged meditation etc. The story about Rabbi Yehuda haNasi's recitation of the Shema teaches us that true spirituality can be (should be!) entirely natural and unnoticed by others. The goal of spirituality is not to impress others, but to come close to God in a personal way. True spirituality requires privacy – a private and intimate sense of being in God's presence.

Jewish folk tradition speaks of 36 hidden righteous people in each generation, upon whom the existence of the universe depends. Significantly, these 36 righteous people must be "hidden" – no one can tell who these individuals are; even they

can't tell if they're among the 36. The most righteous people are those whose righteousness often goes undetected, who conduct themselves with modesty, who shun the public spotlight. Righteousness, like spirituality, flourishes in an environment of privacy and humility.

The prophet Micah taught (6:8): *"And what does the Lord require of you: only to do justly, and to love mercy, and to walk humbly with your God."*

\* Founder and Director, Institute for Jewish Ideas and Ideals.

<https://www.jewishideas.org/hear-o-israel-thoughts-parashat-va-et-hanan-july-24-2010>

## **Lamentations: Putting the Mouth before the Eye**

By Rabbi Hayyim Angel \*

*[Ed.: I ran this outstanding explication of Eicha last week and repeating it again, hoping that everyone will have a copy for Tisha B'Av.]*

### **INTRODUCTION**

For over forty years preceding the destruction of the first Temple (627-586 B.C.E.), Jeremiah incessantly warned his people that Jerusalem, the Temple, and their lives were in the gravest jeopardy. The people mocked, threatened, and physically mistreated the prophet. Most scorned his message, thereby sealing their own doom.

Finally, Jeremiah's nightmarish visions became a reality. The Babylonians breached the walls of Jerusalem, killing and plundering, and burning the city to the ground. Other nations, including spurious allies, mocked Israel, looted her wealth, and even turned Jewish captives over to the Babylonians. The Temple was destroyed, and most of the humiliated survivors were dragged into captivity, wondering if they would ever see their homeland again.

The Book of Lamentations describes this calamity from the perspective of an eyewitness. It contains five chapters. Chapters 1, 2, 4, and 5 contain twenty-two verses each, and chapter 3 contains sixty-six verses (three verses per letter). Chapters 1-4 are arranged in aleph-bet acrostics. There is meaning in the content of Lamentations, and in its structure. Both make the book particularly poignant.

Chapter 1 casts the destroyed Jerusalem as a woman whose husband has abandoned her. While this initial imagery evokes pity, the chapter then adds that she took lovers and therefore deserved this abandonment. Israel admits that she has sinned and asks for mercy and for God to punish her enemies.

Chapter 2 asks: how could God be so harsh? The tone shifts from one of shame and despair to one of anger. There also is a shift of emphasis from Jerusalem as a victim to God as the Aggressor. At the end of the chapter, there is another plea for God to help.

Chapter 3 presents the voice of the individual who begins in a state of despair but who then regains hope. He expresses a desire to restore order and return to the pre-destruction state.

Chapter 4 is a painful step-by-step reliving of the destruction. It also contains lamenting over how the destruction could have happened, and it curses Israel's enemies.

Chapter 5 depicts the people left behind as looking at the ruins, absolutely miserable. They call on God for help, but conclude with disappointment and uncertainty as to what the future will bring.

### **REFLECTIONS ON THE TRAGEDY[1]**

Chapter 1 acknowledges that the destruction of Jerusalem is God's work (1:12-15). While the main theme of chapter 1 is mourning, the author repeatedly vindicates God for the disaster, blaming it squarely on Israel's sins (see 1:5, 8, 14, 18, 20, 22).

Throughout chapter 1, the author adopts a rational, transcendent perspective. Reflecting an ordered sense of the world, the aleph-bet order is intact, poetically showing a calculated sense of misery.[2]

While chapter 1 acquits God, chapter 2 adopts a different outlook. Suddenly, the author lashes out at God:

How has the Lord covered the daughter of Zion with a cloud in his anger, and cast down from heaven to the earth the beauty of Israel, and remembered not His footstool in the day of his anger!...He has bent His bow like an enemy...He has poured out His fury like fire... (Lam. 2:1-4)

Chapter 1 gave the author a chance to reflect on the magnitude of this tragedy: death, isolation, exile, desolation, humiliation. In this context, the point of chapter 2 is clear: although Israel may be guilty of sin, the punishment seems disproportionate to the crimes. Nobody should have to suffer the way Israel has. The deeper emotions of the author have shattered his initial theological and philosophical serenity.

This emotional shift is reflected in the aleph-bet order of chapter 2. While the chapter maintains the poetic acrostic order, the verse beginning with the letter peh precedes the verse beginning with ayin. Why would Lamentations deviate from the usual alphabetical order? At the level of peshat, one might appeal to the fluidity of the ancient Hebrew aleph-bet, where the order of ayin and peh was not yet fixed in the biblical period. If this is the case, then there is nothing unusual or meaningful about having different orders since each reflects a legitimate order at that time.[3]

On a more homiletical level, the Talmud (Sanhedrin 104b) offers a penetrating insight. The Hebrew word peh means "mouth," and ayin means "eye." The author here put his mouth, that is, words, before what he saw. In chapter 1, the author evaluates the crisis with his eyes, in that he reflects silently, and then calculates his words of response. But in chapter 2, the author responds first with words (peh) that emerge spontaneously and reflect his raw emotions.

In the first section of chapter 3, the author sinks further into his sorrow and despairs of his relationship with God (verses 1-20). However, in the midst of his deepest sorrow, he suddenly fills with hope in God's ultimate fairness (3:21-41). The sudden switch in tone is fascinating:

*And I said, My strength and my hope are perished from the Lord; Remembering my affliction and my misery, the wormwood and the gall. My soul remembers them, and is bowed down inside me. This I recall to my mind, therefore have I hope. The grace of the Lord has not ceased, and His compassion does not fail. They are new every morning; great is Your faithfulness. The Lord is my portion, says my soul; therefore will I hope in Him. (Lam. 3:18-24)*

The final section of chapter 3 then vacillates between despair, hope in God, and a call to repentance:

*Let him sit alone and be patient, when He has laid it upon him. Let him put his mouth to the dust — there may yet be hope. Let him offer his cheek to the smiter; let him be surfeited with mockery. For the Lord does not reject forever, but first afflicts, then pardons in His abundant kindness. For He does not willfully bring grief or affliction to man...Let us search and examine our ways, and turn back to the Lord; Let us lift up our hearts with our hands to God in heaven: We have transgressed and rebelled, and You have not forgiven. You have clothed Yourself in anger and pursued us, You have slain without pity. (Lam. 3:28-43)*

In chapter 4, there are further details of the destruction. Horrors are described in starker terms, climaxing with a description of compassionate mothers who ate their own children because of the dreadful famine preceding the destruction (4:9-10). The author blames God for the destruction (4:11), blames Israel for her sins (4:13), and expresses anger at Israel's enemies (4:21-22). In both chapters 3 and 4, the poetic order remains with the peh before the ayin, reflecting the author's unprocessed painful feelings. The author's conflicting emotions create choppiness in the thematic

order and logic:

*Those who were slain with the sword are better than those who are slain with hunger; for these pine away, stricken by want of the fruits of the field. The hands of compassionate women have boiled their own children; they were their food in the destruction of the daughter of my people. The Lord has accomplished His fury; He has poured out His fierce anger, and has kindled a fire in Zion, which has devoured its foundations...It was for the sins of her prophets, and the iniquities of her priests, who have shed the blood of the just in the midst of her. (Lam. 4:9-13)*

Chapter 5 opens with a desperate appeal to God, a profound hope that He will restore His relationship with Israel. After further descriptions of the sufferings, the book ends wondering whether the Israelites would ever renew their relationship with God:

*You, O Lord, are enthroned forever; Your throne is from generation to generation. Why do You forget us forever, and forsake us for so long? Turn us to You, O Lord, and we shall be turned; renew our days as of old. But You have utterly rejected us; You are very angry against us. (Lam. 5:19-22)*

Such a painful confusion leaves the reader uneasy. The author does not propose any solutions or resolution to the state of destruction. Reflecting this passionate plea, chapter 5 has no aleph-bet acrostic at all. With no clear end of the exile in sight, the author loses all sense of order. Perhaps the fact that chapter 5 still contains 22 verses suggests a vestige of hope and order amidst the breakdown of the destruction and exile.

To review: the aleph-bet pattern goes from being completely ordered in chapter 1, to a break in that order for three chapters. The last chapter does not follow the controlled aleph-bet order at all, signifying a complete emotional outburst by the community. The book ends on a troubling note, questioning whether or not it is too late for Israel to renew her relationship with God.

## CONCLUSION

Although Lamentations attempts to make sense of the catastrophe of the destruction, powerful and often conflicting emotions break the ordered poetic patterns. This sacred work captures the religious struggle to make sense of the world in a time of tragedy and God's ways and the effort to rebuild damaged relationships with God following a crisis.

Our emotional state in the aftermath of tragedy often follows the pattern of Lamentations — we begin with an effort to make sense of the misfortune, but then our mouths come before what we see — that is, our deeper turbulent emotions express themselves. Ideally, we come full circle until we again turn to God. Our expression of persistent hope has kept us alive as a people.

In the wake of catastrophe, people have the choice to abandon faith, or hide behind shallow expressions of faith, but even while emotionally understandable, both are incomplete responses. We must maturely accept that we do not understand everything about how God operates. At the same time, we must not negate our human perspective. We must not ignore our emotions and anxieties. In the end, we are humbled by our smallness and helplessness — and our lack of understanding of the larger picture. Through this process, the painful realities of life should lead to a higher love and awe of God.

## END NOTES:

[1] The remainder of this chapter was adapted from Hayyim Angel, "Confronting Tragedy: A Perspective from Jewish Tradition," in Angel, *Through an Opaque Lens* (NY: Sephardic Publication Foundation, 2006), pp. 279-295. This chapter is predicated on the assumption that the Book of Lamentations is a unified poem that should be treated as a literary unit. For a scholarly defense of this position, see Elie Assis, "The Unity of the Book of Lamentations," *CBQ* 71 (2009), pp. 306-329.

[2] Walter Bruggemann observes that Psalms 37 and 145 also are arranged according to the aleph-bet sequence and

similarly display orderliness (*Praying the Psalms: Engaging Scripture and the Life of the Spirit* [Oregon: Cascade Books, 2007], p. 3).

[3] See Aaron Demsky, "A Proto-Canaanite Abecedary Dating from the Period of the Judges and its Implications for the History of the Alphabet," *Tel Aviv* 4:1-2 (1977), pp. 14-27; Mitchell First, "Using the Pe-Ayin Order of the Abecedaries of Ancient Israel to Date the Book of Psalms," *JSOT* 38:4 (2014), pp. 471-485. First notes that in the Dead Sea text of *Lamentations*, the peh verse precedes the ayin verse in chapter 1, as well. For an attempt to explain the intentional deviation of the acrostics based on word patterns, see Ronald Benun, "Evil and the Disruption of Order: A Structural Analysis of the Acrostics in Ekha," at [http://www.jhsonline.org/Articles/article\\_55.pdf](http://www.jhsonline.org/Articles/article_55.pdf).

\* National Scholar of the Institute for Jewish Ideas and Ideals. He teaches advanced Tanakh classes at Yeshiva University, and is the author of many books and articles on Tanakh topics.

<https://www.jewishideas.org/article/lessons-goses-dying-person>

---

## **Va'eschanan -- Can You Do It?**

By Rabbi Mordechai Rhine \* © 2015

Following the remarkable revelation at Sinai, Hashem offered to continue communicating directly with the entire people. It was the chance of a lifetime. But the people turned it down.

Looking back at that moment, Moshe declares, "*You turned me into a woman.*" What did Moshe mean by that?

When we consider the partnership between parents and a Rebbe, the mother in particular symbolizes the nurturing of the child so that the child has the capacity to do great things. The mother imbues the child with the capacity to love, to trust, and with the confidence to succeed. Once the child has developed these capacities, the Rebbe or mentor can guide the student to greatness.

Sometimes, the development of a child is dramatically delayed. The student may never have developed the capacity to love, for example. He may truly believe that love is something we experience with pizza or ice cream. The Rebbe or mentor will encounter a formidable challenge in guiding a student to love a fellow student or to love Hashem if the child has simply never developed the capacity to love. Similarly, if a child was not nurtured in a trusting environment, they will have trouble processing ideas of trust in interpersonal or religious applications.

Moshe was a great believer in personal potential. On a personal level, Moshe ascended to the level of personal communication with Hashem. As a leader and as a mentor of the Jewish people he believed they could do it too. Yet, when the offer came, they cried to Moshe that they couldn't do it. They felt they needed Moshe to be the conduit of Hashem's Word. Of that moment Moshe declared, "*You turned me into a woman,*" meaning:

*"I thought you had already been imbued with the capacity to grow, to become great, and to believe in your potential. I thought that my task was to guide you to that greatness. But now I see you do not have confidence in yourselves. I feel like I have to start from the beginning. I need to be your mother; I need to give you the confidence that you can succeed."*

I recall at one time I started an advanced Mishnah Berurah shiur in a certain community. Although it was well advertised, and the people who came were very pleased with class, very few new people were willing to join.

One day when I invited a certain man to join, I got a phenomenal insight. When asked to join the class, he replied:

*"Listen Rabbi, its not that I am not committed. And it is not that I am not interested. I just can't imagine that I would be able to understand the Mishnah Berurah plus the contemporary rulings of Rabbi Auerbach, Rabbi Elyashiv, and Rabbi Karelitz. You don't really expect me to come to a class that I won't understand?!"*

Indeed, I didn't want him to come to a class that he wouldn't understand. But first I would have to play the symbolic role of mother, to nurture him with the confidence that he could succeed, and that he would be able to understand the class.

For parents it is important to nurture children in basic life skills and values. Love, trust, and confidence in personal potential are qualities that are prerequisites for success. For mentors it is necessary to realize that if a student is presented to us who does not yet have such a foundation, we must be willing to take a step back and provide the mother's touch of encouragement and guidance that will make future success possible.

With best wishes for a wonderful Shabbos.

\* Rabbi Mordechai Rhine is a certified mediator and coach with Rabbinic experience of more than 20 years. Based in Maryland, he provides services internationally via Zoom. He is the Director of TEACH613: Building Torah Communities, One family at a Time, and the founder of CARE Mediation, focused on Marriage/ Shalom Bayis and personal coaching. To reach Rabbi Rhine, his websites are [www.care-mediation.com](http://www.care-mediation.com) and [www.teach613.org](http://www.teach613.org); his email is [RMRhine@gmail.com](mailto:RMRhine@gmail.com). For information or to join any Torah613 classes, contact Rabbi Rhine.

Rabbi Rhine is on summer vacation for some weeks. During this time, with his blessing, I am posting some of his outstanding archived Devrei Torah. To find more of Rabbi Rhine's Devrei Torah, go to Teach613.org and search by parsha.

<http://www.teach613.org/vaeschanan-can-you-do-it/>

---

## Parshas Devarim – Shabbos Chazon

by Rabbi Yehoshua Singer \* © 2020

Perhaps one of the most difficult elements of the Nine Days is appreciating what we are mourning. In Torah Judaism we do not mourn and focus on the past. Rather, we are mourning the present, that we still do not have the Temple and that we are still in exile. Yet after two thousand years the Temple, the Messiah, and the end of the exile are foreign to our minds. It is hard to imagine how it could come to pass and what such a time would look like. While we make an honest effort, it can be a great struggle to truly believe with conviction that such a time will come. If we struggle to understand how and when it would come to be, it is even harder to understand that we are already missing that part of ourselves and that we currently have what to mourn.

At the end of the Parsha, Moshe relates the recent wars with Sichon and Og and the division of their lands to the tribes of Reuven, Gad and half of Menashe. The Parsha concludes with Moshe recounting his charge to Yehoshua at that time: *"Your eyes have seen all that Hashem, your G-d, has done to these two kings, so Hashem will do to all of the kingdoms that you are crossing over there."* (Devarim 3:21)

Rabbeinu Bechaya notes that Moshe's remarks are being directed to the nation as a whole. Moshe felt it was important for everyone else to hear the charge he had given Yehoshua. Moshe wanted to strengthen the belief and courage of the nation. He therefore referenced the battles with Sichon and Og and how he had encouraged Yehoshua with those battles. This encouragement would enable them to recognize that Hashem would continue to fight for them in the same manner as they battled the thirty one kings of Canaan.

It is hard to understand why Moshe felt this would help. All those who were older than forty had experienced the year of the plagues in Egypt and the Splitting of the Sea. Everyone standing here had been living in the desert literally eating bread from Heaven and drinking the waters flowing out of a rock. They had comfortably traveled through the desert, surrounded by clouds. They had experienced the wars with Sichon and Og themselves, and the Medrash Tehillim (136) tells us were even more powerful than the Egyptians. If after all this, they still did not understand that Hashem was taking care of them and would watch over them in every way, then how would it help for Moshe to remind them of the battles? Trust and faith, though based on logic, have an emotional component. The more we trust and recognize that someone is there for us, the more tranquility we feel. It is from within this tranquility, this feeling that it will be okay, that we find the strength and courage to face our challenges. Moshe was encouraging them to focus on and consider the import of what

they had recently experienced. For in order to reach that deeper level of trust, they needed to bring that awareness from their minds into their hearts.

Jewish history is replete with the miraculous continuity of our nation, a miracle itself on par with the miracle of a nation surviving in the desert. Now, as we find ourselves in the times before Moshiach, we again have seen miraculous Jewish battles. As is well known, the Isreali wars defy all military science. Anyone who has studied the prophecies regarding the time before Moshiach comes sees these prophecies coming true before our eyes. The barren wasteland of Israel, which stayed desolate throughout our exile, has begun to flourish and thrive upon our return as prophesied by Yechezkel thousands of years ago (Yechezkel 36:8-12).

Perhaps, if we follow Moshe's advice to our ancestors, we can understand why we are mourning. If we consider the import of the miracles and wonders we have witnessed in recent times, if we consider the import of ancient prophecies coming true before our eyes, perhaps we can begin to understand the truth of swords turned into plowshares and lions laying with lambs. We can begin to bring these concepts from our minds into our hearts and find that faith. Then, perhaps, we can begin to understand what it is that we are mourning.

\* Rabbi, Am HaTorah Congregation, Bethesda, MD. Note: Rabbi Singer is leaving our community at the end of July to become the Rosh Kollel of the Savannah Kollel, associated with Congregation B'Nai Brith Jacob. The Savannah Kollel is one of the treasures of the South, and Rabbi Singer will be a distinguished Rosh Kollel. Hopefully Rabbi Singer will continue to instruct us from his new position at one of the great synagogues and kollels in the South.

---

### **Devarim, Tisha B'Av, Vaetchanan**

By Rabbi Herzl Heftner \*

[Rabbi Heftner did not send a Devar Torah this week. Watch for future Devrei Torah from Rabbi Heftner in this spot.]

\* Founder and dean of the Har'el Beit Midrash in Jerusalem. Rabbi Heftner is a graduate of Yeshiva University and was ordained at Yeshivat Har Etzion. For more of his writings, see [www.har-el.org](http://www.har-el.org). To support the Beit Midrash, as we do, send donations to America Friends of Beit Midrash Har'el, 66 Cherry Lane, Teaneck, NJ 07666.

---

### **Vaetchanan: My 515 Prayers**

By Rabbi Haim Ovadia \*

*– I was pleading with God at that time...*

That sentence always struck me as very personal. Its first word gives the Parasha its name, which is the only one spoken in first person )VaEra is a quote of God addressing Moshe(. Those few words are heartbreaking, because we have learned to know Moshe as a brave and determined leader, who faces and overcomes many obstacles and opponents. Moshe does not hesitate to refuse God's appointment, to criticize God after his first failed mission to Pharaoh. He argues with God and even threatens to quit his position and to have his name erased from the Torah if God does not accept his ultimatum and forgive the sin of the Israelites. Yet now we see Moshe pleading with God, begging not for his life but rather to just be allowed to cross the Jordan to the Promised Land. And his request is denied. Moshe feels that God is angry with him, punishing him for the subordination of the people, but there is no way he can change God's mind this time.

I believe many of us identify with Moshe because we have done the same. We have pleaded with God. Begging and asking for mercy, hoping for Him to change His mind or change the situation, and feeling desperate and frustrated when we were turned down. One Midrashic source )draws a dramatic and extreme picture of Moshe pleading with God:

*When Moshe realized that his verdict was sealed, he declared a personal fast ]or a hunger strike[. He drew a circle ]in the desert's sand[ around him and said ]to God[ I will not move from here until*

*You nullify the decree... he wore sackcloth and ashes, rolled in the dust, and pleaded with God five hundred and fifteen times, as it is written ימְלֹאת ימָיו וְלֹא ]the numerical value of which is 515[.*

For many years I thought that this was a bit of an exaggeration. While I could imagine Moshe's emotion and his interaction with God, I felt that five hundred and fifteen prayers might be a bit too much. But as I have been recently reflecting on Tefila and focusing on personal experience I realized that this idea is not farfetched. My memories take me to one dreadful night when I was maybe eleven or twelve years old.

I woke up around midnight, startled by the wailings of my older sisters. I was upset that they were making such a ruckus and not letting me sleep, until I was able to make through their broken voices the horrible news. My cousin Yehoshua, who was a year younger than me, was scheduled for anesthesia and surgery that evening. He never woke up. I was in shock and, now I know, in denial, and tried to roll to the other side and fall asleep again as if nothing happened. As much as I tried, I was not able to erase my memory or to alter reality.

Yehoshua Ftaya, named after our shared great-great-grandfather, was my very close friend. He was the firstborn, and I was the youngest of five, so in a way, I became his older brother. We would spend hours playing with his huge toy car collection or the Israeli game Five Stones. We would walk together to school, and he would listen to the fantastic tales I invented. He especially loved the ones featuring a giant dog, whom we called 'כלבי' – Kalbi [I didn't know Clifford back then], who would rescue those in need and fight evil all over the world. His father, my uncle Carmi, loved quizzing us on Torah and Tanakh, and we would compete to see who could sing Iraqi liturgy on a higher note, especially the last stanza of a poem about the Akedah, the binding of Yitzhak, in which his brother Yinon's name was mentioned. Losing Yehoshua so suddenly and inexplicably tore away parts of my life I would never be able to recover. I remember the guilt I felt at my Bar Mitzvah as I was thinking of his parents who would never see their Yehoshua celebrating his Bar Mitzvah.

That year was also the year I prayed 515 prayers, or maybe more. It was the year I started paying attention, for the first time in my life, to the second blessing of the Amidah:

*You are mighty for eternity, God. You revive the dead, O mighty redeemer... You revive the dead with great mercy... You keep Your promise to those slumbering in the dust... O King who brings death and life and who springs forth redemption. We trust that You will revive the dead. Barukh Ata HaShem, who revives the dead.*

The promise that God will revive the dead is mentioned in this blessing six times. I have been saying it for a while and maybe started understanding it when I was seven or eight, but the words seemed archaic and almost meaningless. It was only after Yehoshua died that I really connected to the words. I also saw his name 'יהושע' in the words 'ישועה' and 'ליהושע', especially since our ancestor's name was 'ישועה'. When I realized that this blessing might be the key for bringing Yehoshua back from the dead, I started reciting it with great fervor, and not only during the Shiva or Sheloshim. I remember clearly walking down the narrow alley of Shadal street in Jerusalem, coming back from my grandfather's synagogue, thinking about the words of the blessing, and pleading with God.

I pleaded with Him in every prayer and in between prayers. I told him that I was devastated by Yehoshua's death and that surely He did not consider how this would affect me. I know it sounds selfish, but I felt that was my leverage with God. Yehoshua has already passed away, but I was alive and suffering, and I was telling God that if He was waiting for a worthy opportunity to show His amazing might, to fulfill His promise, to show me that I can trust Him, to raise His mighty right arm and declare that all those who died will spring back to life, now is the time. I asked God to listen to me, and I believe I did it more than 515 times that year.

Do I have to tell you whether my request was granted? You already know the answer. Were my prayers worth it? They helped me cope with a very difficult period on my life. I still cannot understand why God did not intervene to save Yehoshua, and I cannot fathom the sorrow that his parents and siblings still feel, but during that year of prayers I slowly learned to adjust to reality. I have learned to pay more attention to what is happening around me, and to understand other people's difficulties and challenges. It drove me to fight for a better world and to realize that when I plead with God I am actually making a commitment to be the best person I can be. It did not work for Moshe at the end of his journey, and I

would have loved for the Torah to end on a happy note and to see Moshe crossing the Jordan, taking a moment to drink in the beauty of the Promised Land and of his personal great achievement, and then rest in peace.

God tells us the story through Moshe's lenses, and maybe He sends us a message. We all struggle with tragedies and losses, and we most probably do not agree with what is happening, but we should not give up. We can shut down and accept the verdict without questions, or walk away from faith, but God is pleading with us to argue and plead. He doesn't need it, but we do. He might not answer our call, at least not in a way we can intercept, but we will.

Shabbat Shalom

\* Torah VeAhava. Rabbi, Beth Sholom Sephardic Minyan )Potomac, MD( and faculty member, AJRCA non-denominational rabbinical school(. **New: Many of Rabbi Ovadia's Devrei Torah are now available on Sefaria:** <https://www.sefaria.org/profile/haim-ovadia?tab=sheets> . The Sefaria articles usually include Hebrew text, which I must delete because of issues changing software formats.

---

### **Shavuon Devarim**

by Rabbi Moshe Rube\*

At the Astor Foundation lunch this past Wednesday, I and other Jewish community members had the opportunity to hear from David Ferrar, a friend of the Jewish community and well known media personality from Wellington. Out of the many interesting things we heard, one was his statement that even if Jesus came back, people would still be divided over him, and his approval rating would not necessarily be positive.

Translating that into a more Jewish context, I wonder if Moses came back whether the Jewish community would rally behind him. Or would we still be divided because Moses would not be wearing the right Kippah, the right hat, or be able to emulate all the contradictory cultural tropes that identify all the segments of our Jewish community. In the beginning of Deuteronomy, Moses had the attention of the people for over a month as he delivered his final words. If he came back today, Moses would probably have our attention for the time it takes to read one tweet. Or maybe not. Maybe if Moses came back we would all unify behind him and a new era of peace would be upon us. Who knows.

The world can seem so polarised and divided today. But it is not the only time it's been this way. The Talmud tells of all the division and inner turmoil that led to the destruction of the Temple. The Zealots fighting the Sadducees fighting the Pharisees fighting this one and that one. This is why we mourn on Tisha B'av. We sit on the ground and moan together over the destruction that happened because we couldn't come together. It's our way of learning from history and our hope that when we do that, we can choose a different path when the situation comes up again. Because that's our Godly power as human beings. We are not bound by fate. We can build our awareness and choose another path.

Shabbat Shalom!

\* Senior Rabbi of Auckland Hebrew Congregation, Remuera )Auckland(, New Zealand. Formerly Rabbi, Congregation Knesseth Israel )Birmingham, AL(.

---

### **Rav Kook Torah**

#### **Three Weeks: Rebuilding the World with Love**

##### **Rectifying Baseless Hatred**

Why was the Second Temple destroyed? The Sages in Yoma 9b noted that the people at that time studied Torah, observed mitzvot and performed good deeds. Their great failure was in sinat chinam -- baseless hatred. It was internal strife and conflict that ultimately brought about the Temple's destruction.

How may we rectify this sin of sinat chinam? Rav Kook wrote, in one of his most oft-quoted statements:

*"If we were destroyed, and the world with us, due to baseless hatred, then we shall rebuild ourselves, and the world with us, with baseless love — ahavat chinam." (Orot HaKodesh vol. III, p. 324)*

This call for baseless love could be interpreted as following Maimonides' advice on how to correct bad character traits. In the fourth chapter of *Shemonah Perakim*, Maimonides taught that negative traits are corrected by temporarily overcompensating and practicing the opposite extreme. For example, one who is naturally stingy should balance this trait by acting overly generous, until he succeeds in uprooting his miserliness. Similarly, by going to the extreme of ahavat chinam, we repair the trait of sinat chinam.

This interpretation, however, is not Rav Kook's line of thought. Ahavat chinam is not a temporary remedy, but an ideal, the result of our perception of the world's underlying unity and goodness.

### **The Source of Hatred**

Why do we hate others? We may think of many reasons why, but these explanations are not the real source for our hatred of other people. They are merely signs and indications of our hatred. It is a lack of clarity of thought that misleads us into believing that these are the true causes of hatred.

The true source of hate comes from our *otzar hachaim*, our inner resource of life. This fundamental life-force pushes us to live and thrive, and opposes all that it views as different and threatening. Ultimately, our hate is rooted in sinat chinam -- groundless and irrational animosity, just because something is different.

Yet even in hatred lies a hidden measure of love. Baseless love and baseless hatred share a common source, a love of life and the world. This common source hates that which is evil and destructive, and loves that which is good and productive.

How can we overcome our hatred? If we can uncover the depth of good in what we perceive as negative, we will be able to see how good will result even from actions and ideas that we oppose. We will then recognize that our reasons for hatred are unfounded, and transform our hatred into love and appreciation.

### **"I Burn with Love!"**

This idea of ahavat chinam was not just a theoretical concept. Rav Kook was well known for his profound love for all Jews, even those far removed from Torah and mitzvot. When questioned why he loved Jews distant from the ideals of Torah, he would respond, *"Better I should err on the side of baseless love, than I should err on the side of baseless hatred."*

Stories abound of Rav Kook's extraordinary love for other Jews, even those intensely antagonistic to his ways and beliefs. Once Rav Kook was publicly humiliated by a group of extremists who showered him with waste water in the streets of Jerusalem. The entire city was in an uproar over this scandalous act. The legal counsel of the British Mandate advised Rav Kook to press charges against the hooligans, promising that they would be promptly deported from the country. The legal counsel, however, was astounded by the Chief Rabbi's response.

*"I have no interest in court cases. Despite what they did to me, I love them. I am ready to kiss them, so great is my love! I burn with love for every Jew."*

### **Practical Steps towards Ahavat Chinam**

In his magnum opus *Orot HaKodesh*, Rav Kook gave practical advice on how to achieve this love.

Love for the Jewish people does not start from the heart, but from the head. To truly love and understand the Jewish people -- each individual Jew and the nation as a whole — requires a wisdom that is both insightful and multifaceted. This intellectual inquiry is an important discipline of Torah study.

Loving others does not mean indifference to baseness and moral decline. Our goal is to awaken knowledge and morality, integrity, and refinement; to clearly mark the purpose of life, its purity and holiness. Even our acts of loving-kindness should be based on a hidden Gevurah, an inner outrage at the world's — and thus our own — spiritual failures. If we take note of others' positive traits, we will come to love them with an inner affection. This is not a form of insincere flattery, nor does it mean white-washing their faults and foibles. But by concentrating on their positive characteristics — and every person has a good side — the negative aspects become less significant.

This method provides an additional benefit. The Sages cautioned against joining with the wicked and exposing oneself to their negative influence. But if we connect to their positive traits, then this contact will not endanger our own moral and spiritual purity.

We can attain a high level of love for Israel by deepening our awareness of the inner ties that bind together all the souls of the Jewish people, throughout all the generations. In the following revealing passage, Rav Kook expressed his own profound sense of connection with and love for every Jewish soul:

*"Listen to me, my people! I speak to you from my soul, from within my innermost soul. I call out to you from the living connection by which I am bound to all of you, and by which all of you are bound to me. I feel this more deeply than any other feeling: that only you — all of you, all of your souls, throughout all of your generations — you alone are the meaning of my life. In you I live. In the aggregation of all of you, my life has that content that is called 'life.' Without you, I have nothing. All hopes, all aspirations, all purpose in life, all that I find inside myself — these are only when I am with you. I need to connect with all of your souls. I must love you with a boundless love....*

*Each one of you, each individual soul from the aggregation of all of you, is a great spark from the torch of infinite light, which enlightens my existence. You give meaning to life and work, to Torah and prayer, to song and hope. It is through the conduit of your being that I sense everything and love everything." )Shemonah Kevatzim, vol. I, sec. 163(*

)Silver from the Land of Israel. Adapted from Orot HaKodesh vol. III, pp. 324-334; Malachim K'vnei Adam, pp. 262, 483-485.(

<https://www.ravkooktorah.org/TISHA-AV-70.htm>

---

### **Devarim: The Teacher as Hero (5779)**

By Lord Rabbi Jonathan Sacks, z"l, Former Chief Rabbi of the U.K.\*

Imagine the following scenario. You are 119 years and 11 months old. The end of your life is in sight. Your hopes have received devastating blows. You have been told by God that you will not enter the land to which you have been leading your people for forty years. You have been repeatedly criticised by the people you have led. Your sister and brother, with whom you shared the burdens of leadership, have predeceased you. And you know that neither of your children, Gershom and Eliezer, will succeed you. Your life seems to be coming to a tragic end, your destination unreach, your aspirations unfulfilled. What do you do?

We can imagine a range of responses. You could sink into sadness, reflecting on the might-have-beens had the past taken a different direction. You could continue to plead with God to change His mind and let you cross the Jordan. You could retreat into memories of the good times: when the people sang a song at the Red Sea, when they gave their assent to the covenant at Sinai, when they built the Tabernacle. These would be the normal human reactions. Moses did none of these things — and what he did instead helped change the course of Jewish history.

For a month Moses convened the people on the far side of the Jordan and addressed them. Those addresses form the substance of the book of Deuteronomy. They are extraordinarily wide ranging, covering a history of the past, a set of prophecies and warnings about the future, laws, narratives, a song, and a set of blessings. Together they constitute the most comprehensive, profound vision of what it is to be a holy people, dedicated to God, constructing a society that would stand as a role model for humanity in how to combine freedom and order, justice and compassion, individual dignity and collective responsibility.

Over and above what Moses said in the last month of his life, though, is what Moses did. He changed careers. He shifted his relationship with the people. No longer Moses the liberator, the lawgiver, the worker of miracles, the intermediary between the Israelites and God, he became the figure known to Jewish memory: Moshe Rabbeinu, “Moses, our teacher.” That is how Deuteronomy begins – “*Moses began to expound this Law*” (Deut. 1:5) – using a verb, be’er, that we have not encountered in this sense in the Torah and which appears only one more time towards the end of the book: “*And you shall write very clearly Jba’er hetev[ all the words of this law on these stones]*” (27:8). He wanted to explain, expound, make clear. He wanted the people to understand that Judaism is not a religion of mysteries intelligible only to the few. It is – as he would say in his very last speech – an “*inheritance of the Jentire[ congregation of Jacob]*” (33:4).

Moses became, in the last month of his life, the master educator. In these addresses, he does more than tell the people what the law is. He explains to them why the law is. There is nothing arbitrary about it. The law is as it is because of the people’s experience of slavery and persecution in Egypt, which was their tutorial in why we need freedom and law-governed liberty. Time and again he says: You shall do this because you were once slaves in Egypt. They must remember and never forget – two verbs that appear repeatedly in the book – where they came from and what it felt like to be exiled, persecuted, and powerless. In Lin-Manuel Miranda’s musical *Hamilton*, George Washington tells the young, hot-headed Alexander Hamilton: “*Dying is easy, young man; living is harder.*” In Deuteronomy, Moses keeps telling the Israelites, in effect: Slavery is easy; freedom is harder.

Throughout Deuteronomy, Moses reaches a new level of authority and wisdom. For the first time we hear him speak extensively in his own voice, rather than merely as the transmitter of God’s words to him. His grasp of vision and detail is faultless. He wants the people to understand that the laws God has commanded them are for their good, not just God’s.

All ancient peoples had gods. All ancient peoples had laws. But their laws were not from a god; they were from the king, pharaoh, or ruler – as in the famous law code of Hammurabi. The gods of the ancient world were seen as a source of power, not justice. Laws were man-made rules for the maintenance of social order. The Israelites were different. Their laws were not made by their kings – monarchy in ancient Israel was unique in endowing the king with no legislative powers. Their laws came directly from God Himself, creator of the universe and liberator of His people. Hence Moses’ ringing declaration:

“*Observe Jthese laws[ carefully, for this will show your wisdom and understanding to the nations, who will hear about all these decrees and say, ‘Surely this great nation is a wise and understanding people.’*” Deut. 4:6

At this defining moment of his life, Moses understood that, though he would not be physically with the people when they entered the Promised Land, he could still be with them intellectually and emotionally if he gave them the teachings to take with them into the future. Moses became the pioneer of perhaps the single greatest contribution of Judaism to the concept of leadership: the idea of the teacher as hero.

Heroes are people who demonstrate courage in the field of battle. What Moses knew was that the most important battles are not military. They are spiritual, moral, cultural. A military victory shifts the pieces on the chessboard of history. A spiritual victory changes lives. A military victory is almost always short-lived. Either the enemy attacks again or a new and more dangerous opponent appears. But spiritual victories can – if their lesson is not forgotten – last forever. Even quite ordinary people, Yiftah, for example (Book of Judges, Chapters 11–12), or Samson (Chapters 13–16), can be military heroes. But those who teach people to see, feel, and act differently, who enlarge the moral horizons of humankind, are rare indeed. Of these, Moses was the greatest.

Not only does he become the teacher in Deuteronomy. In words engraved on Jewish hearts ever since, he tells the entire people that they must become a nation of educators:

*Make known to your children and your children's children, how you once stood before the Lord your God at Horeb.* Deut. 4:9–10

*In the future, when your child asks you, "What is the meaning of the testimonies, decrees, and laws that the Lord our God has commanded you?" tell them, "We were slaves to Pharaoh in Egypt, but the Lord brought us out of Egypt with a mighty hand...."* Deut. 6:20–21

*Teach ]these words[ to your children, speaking of them when you sit at home and when you travel on the way, when you lie down and when you rise.* Deut. 11:19

Indeed, the last two commands Moses ever gave the Israelites were explicitly educational in nature: to gather the entire people together in the seventh year to hear the Torah being read, to remind them of their covenant with God (Deut. 31:12–13), and, "Write down for yourselves this song and teach it to the people of Israel" (31:19), understood as the command that each person must write for himself a scroll of the law.

In Deuteronomy, a new word enters the biblical vocabulary: the verb *l-m-d*, meaning to learn or teach. The verb does not appear even once in Genesis, Exodus, Leviticus, or Numbers. In Deuteronomy it appears seventeen times.

There was nothing like this concern for universal education elsewhere in the ancient world. Jews became the people whose heroes were teachers, whose citadels were schools, and whose passion was study and the life of the mind.

Moses' end-of-life transformation is one of the most inspiring in all of religious history. In that one act, he liberated his career from tragedy. He became a leader not for his time only but for all time. His body did not accompany his people as they entered the land, but his teachings did. His sons did not succeed him, but his disciples did. He may have felt that he had not changed his people in his lifetime, but in the full perspective of history, he changed them more than any leader has ever changed any people, turning them into the people of the book and the nation who built not ziggurats or pyramids but schools and houses of study.

The poet Shelley famously said, "Poets are the unacknowledged legislators of the world."<sup>1</sup> In truth, though, it is not poets but teachers who shape society, handing on the legacy of the past to those who build the future. That insight sustained Judaism for longer than any other civilisation, and it began with Moses in the last month of his life.

#### FOOTNOTE:

<sup>1</sup> Percy Bysshe Shelley, "A Defence of Poetry," in **The Selected Poetry and Prose of Shelley**, ed. Harold Bloom (Toronto: New American Library, 1996), 448.

#### AROUND THE SHABBAT TABLE:

1. Why do you think Moses made this career change at the end of his life?

2. Why do you think Moses is nowadays known to us as Moshe Rabbeinu, "Moses, our teacher" rather than as any of the other roles he played?

3. How can a teacher make an impact that will last long after they have stopped teaching the student? How did Moses do this?

4. How do you define a hero? Do you agree that a teacher can be a hero?

5. How and why did the Jewish people become a "nation of educators"?

Note: because Likutei Torah and the Internet Parsha Sheet, both attached by E-mail, normally include the two most recent Devrei Torah by Rabbi Sacks, I have selected an earlier Dvar.

---

## Can You Travel Back in Time? Kind Of...

By Aharon Loschak \* © Chabad 2023

Time travel has always fascinated humans. “What if I could go back in time and rewrite history?” and “What if I could see how things were back then and experience a totally different life?” are just some of the questions that capture our collective imagination. Full entertainment franchises are devoted to this fixation.

What if I told you that, in some ways, you really can travel back in time? OK, you won’t be able to transport yourself onto 1776 American soil and help the Revolution (if that’s what you want), but you most definitely can go back into the annals of your own life and rewrite the script.

The key to your time machine is right here, in your own mind.

### Name That Location

Parshat Devarim begins with Moses’s farewell speech to the people:

*These are the words which Moses spoke to all Israel on that side of the Jordan in the desert.*<sup>1</sup>

Why does the Torah name the location so vaguely, “*on that side of the Jordan?*” Just one verse earlier, at the conclusion of the book of Numbers, the Torah describes the same spot as, “. . . in the plains of Moab, by the Jordan at Jericho.”<sup>2</sup> Why omit the name now?

### Two Different Stories

The different names for the same location stem from a fundamental difference between the two books: Numbers and Deuteronomy. Numbers, or as it’s titled in Hebrew, Bamidbar, meaning “*in the desert*,” is the story of the Jews’ 40-year sojourn — their trials and tribulations, the lows and the highs. In that context, the final encampment within the desert deserves a unique name, as it is part of the desert story.

In contrast, Deuteronomy pivots away from the desert and towards the Land of Israel. It is the story of how Moses gathered the people and delivered his farewell speech just before bowing out. The entire thrust of the book is future-oriented, with eyes on the land.

For this reason, the location is no longer associated with the desert, but explicitly Israel-oriented — “*on that side of the Jordan.*”

### Sublimating the Desert

There’s a deeper layer here.

According to the Kabbalists, the journey into the desert was far more than just a punishment for misbehavior or due to the lack of a working GPS. Rather, it was a program for spiritual transformation.

You see, a desert is a desolate place — dry, arid, lifeless, home to harmful creatures, and too hot for human habitation.

In a spiritual sense, a desert represents an ungodly space, for God is the source of all life and vitality. The death and danger lurking in the desert are thus symbolic of the negative forces in this world that conceal God’s expression and run

counter to His will.

Dispatching the Jews to wander around the desert for 40 years was an effort to alleviate some of this negativity and introduce a bit more Goodness into the world, specifically in the places where His presence is least comfortable.

In that context, the final location represents the final struggle, the last and most difficult layer of evil that had resisted all efforts up to that point. And so, it's named in Numbers, because that particular strand of evil and the tremendous effort expended to sublimate it is an integral part of the desert story.

But in the book of Deuteronomy, our eyes are no longer focused on past efforts to combat evil. The perspective shifts towards the Promised Land, where evil no longer exists and there's only light, positivity, and purity. As such, the name of the specific brand of negativity disappears, forgotten forever. It is simply "*on that side of the Jordan*" — a slice of land on one side of Israel.

### **Jump Into the Time Machine of Your Own Life**

This "rebrand" of one location that occurs over the span of two books brings us back to our time-travel discussion.

One of the most powerful tools we humans possess is the ability to rewrite our own past by reframing the story.

It could very well be that you suffered traumatic experiences throughout your life. Or perhaps you made egregious mistakes with long-lasting ramifications. Even if your life hasn't been that dramatic, there's always one event, something that happened to you, or by you, that you wish had never happened.

It could be a moral mistake, a religious mistake, a crushing life event, or all of the above. There's hardly anyone on the planet who has a perfect, painless, and mistake-free life.

But it happened already; it's part of history. What happens now is your choice. The story you tell yourself, the baggage you carry forward throughout your life, is yours to choose. You can remember the terrible parts, the pain, the loss, the hurt, and the feelings of remorse and regret. Or you can hyper analyze it and pick out the parts that don't hurt as much. If you look hard enough, there are surely some positive elements you can whittle away from the experience, something you learned or gained that became part of the foundation of your strong and meaningful life.

There's always something, some way to jump into the time machine and reconstruct. And when you do, you are ready to forge forward with a positive, hopeful bounce instead of sad, baggage-laden drudgery.

And the amazing thing is that it's not self-delusional or untrue at all. Memory is not an exact science. Try asking 10 people who attended the same wedding, "How was it?" and you're bound to get 10 different answers; 10 different versions of ostensibly the same event. That's how it works: everyone is just going back in time and picking and choosing what best fits their own self-narrative.

So, go ahead and make the choice for yourself. You can call your past traumas and failures a yucky, desert-name, "*The Plains of Moab*" or you can call it, "*Right Next to Israel*."

I trust you'll make the right choice.<sup>3</sup>

### **FOOTNOTES:**

1 Deuteronomy 1:1.

2. Numbers 36:13.

3. This essay is based on Sefer Hasichot 5748 vol. 2, p. 566-571.

\* Writer, editor and rabbi; editor of Jewish Learning Institute's popular Torah Studies program,

[https://www.chabad.org/parshah/article\\_cdo/aid/5587714/jewish/Can-You-Travel-Back-in-Time-Kind-Of.htm](https://www.chabad.org/parshah/article_cdo/aid/5587714/jewish/Can-You-Travel-Back-in-Time-Kind-Of.htm)

---

## **Devarim: Where Are the Olives from?**

by Rabbi Moshe Wisnefsky \*

### **Where Are the Olives from?**

*Ya'ir son of Manasseh took all the territory of Og's royal palace as far as the boundaries of Geshurites and the Ma'achitites. He called Bashan after his own name, "the villages of Ya'ir," to this day. )Deut. 3:14(*

The Talmud informs us that the first choice of olives to produce oil for the Temple was those grown in the region of Tekoa, in the central mountains of the Land of Israel. The second choice was those grown near the location of the former royal palace Bashan, part of the area outside the Land of Israel proper that was conquered by Ya'ir before the Jewish people crossed the Jordan River into the land.

Allegorically, oil – the source of light – signifies Divine insight. The primary source of Divine insight is the Torah, G-d's wisdom.

Studying the Torah affords us a constant flow of new insight into reality, enabling us to progressively better understand the world and our role in it.

This knowledge is allegorically represented by the olives from Tekoa, i.e., from the intrinsically holy Land of Israel.

However, indirect knowledge of G-d's ways, gleaned by observing His providence in nature and history, can also serve as a source of Divine insight, provided we observe it through the lens of the Torah.

This knowledge is allegorically represented by the olives from the region outside the Holy Land that was conquered and annexed to the Land of Israel proper.

— from *Daily Wisdom 3*

Gut Shabbos,  
Rabbi Yosef B. Friedman  
Kehot Publication Society

You may donate here: <https://www.kehot.org/Dedicate/Sponsorships>

---

To receive the complete D'Vrai Torah package weekly by E-mail, send your request to [AfisherADS@Yahoo.com](mailto:AfisherADS@Yahoo.com). The printed copies contain only a small portion of the D'Vrai Torah. Dedication opportunities available )no fee(. Authors retain all copyright privileges for their sections.

---

#### Covenant and Conversation

**Rabbi Jonathan Sacks, z"l**

#### Why Are There So Many Jewish Lawyers?

At the beginning of the book of Devarim, Moses reviews the history of the Israelites' experience in the wilderness, starting with the appointment of leaders throughout the people, heads of thousands, hundreds, fifties, and tens. He continues:

And I charged your judges at that time, "Hear the disputes between your people and judge fairly, whether the case is between two Israelites or between an Israelite and a foreigner residing among you. Do not show partiality in judging; hear both small and great alike. Do not be afraid of anyone, for judgment belongs to God. Bring me any case too hard for you, and I will hear it.

Deut. 1:16-17

Thus at the outset of the book in which he summarised the entire history of Israel and its destiny as a holy people, he already gave priority to the administration of justice: something he would memorably summarise in a later chapter (Deut. 16:20) in the words, "Justice, justice, shall you pursue." The words for justice, *tzedek* and *mishpat*, are repeated, recurring themes of the book. The root *tz-d-k* appears eighteen times in Devarim; the root *sh-f-t*, forty-eight times.

Justice has seemed, throughout the generations, to lie at the beating heart of Jewish faith. Albert Einstein memorably spoke of Judaism's "pursuit of knowledge for its own sake, an almost fanatical love of justice, and the desire for personal independence – these are the features of the Jewish tradition which make me thank my lucky stars that I belong to it." In the course of a television programme I made for the BBC, I asked Hazel Cosgrove, the first woman to be appointed as a judge in Scotland, and an active member of the Edinburgh Jewish community, what had led her to choose law as a career, she replied as if it was self-evident, "Because Judaism teaches: Justice, justice shall you pursue."

One of the most famous Jewish lawyers of our time, Alan Dershowitz, wrote a book about Abraham,[1] whom he sees as the first Jewish lawyer, "the patriarch of the legal profession: a defence lawyer for the damned who is willing to risk everything, even the wrath of God, in defence of his clients,"[2] the founder not just of monotheism but of a long line of Jewish lawyers. Dershowitz gives a vivid description of Abraham's prayer on behalf of the people of Sodom ("Shall the Judge of all the earth not do justice?" [Gen. 18:25]) as a courtroom drama, with Abraham acting as lawyer for the citizens

of the town, and God, as it were, as the accused. This was the forerunner of a great many such episodes in Torah and Tanach, in which the prophets argued the cause of justice with God and with the people.

In modern times, Jews reached prominence as judges in America – among them Brandeis, Cardozo, and Felix Frankfurter. Ruth Bader Ginsburg was the first Jewish woman to be appointed to the Supreme Court. In Britain between 1996 and 2008, two of Britain's three Lord Chief Justices were Jewish: Peter Taylor and Harry Woolf. In Germany in the early 1930s, though Jews were 0.7 per cent of the population, they represented 16.6 per cent of lawyers and judges.

One feature of Tanach is noteworthy in this context. Throughout the Hebrew Bible some of the most intense encounters between the prophets and God are represented as courtroom dramas. Sometimes, as in the case of Moses, Jeremiah, and Habakkuk, the plaintiff is humanity or the Jewish people. In the case of Job it is an individual who has suffered unfairly. The accused is God himself. The story is told by Elie Wiesel of how a case was brought against God by the Jewish prisoners in a concentration camp during the Holocaust.[3] At other times, it is God who brings a case against the Children of Israel.

The word the Hebrew Bible uses for these unique dialogues between heaven and earth[4] is *riv*, which means a lawsuit, and it derives from the idea that at the heart of the relationship between God and humanity – both in general, and specifically in relation to the Jewish people – is covenant, that is, a binding agreement, a mutual pledge, based on obedience to God's law on the part of humans, and on God's promise of loyalty and love on the part of Heaven. Thus either side can, as it were, bring the other to court on grounds of failure to fulfil their undertakings.

Three features mark Judaism as a distinctive faith. First is the radical idea that when God reveals Himself to humans He does so in the form of law. In the ancient world, God was power. In Judaism, God is order, and order presupposes law. In the natural world of cause and effect, order takes the form of scientific law. But in the human world, where we have freewill, order takes the form of moral law. Hence the name of the Mosaic books: *Torah*, which means 'direction, guidance, teaching,' but above all 'law.' The most basic meaning[5] of the most fundamental principle of Judaism, *Torah min haShamayim*, 'Torah from Heaven,' is that God, not humans, is the source of binding law.

Second, we are charged with being interpreters of the law. That is our responsibility as heirs and guardians of the Torah she-be-al peh, the Oral Tradition. The phrase in which Moses describes the voice the people heard at the revelation at Sinai, *kol gadol velo yasaf*, is understood by the commentators in two seemingly contradictory ways. On the one hand it means 'the voice that was never heard again'; on the other, it means 'the voice that did not cease,' that is, the voice that was ever heard again.[6] There is, though, no contradiction. The voice that was never heard again is the one that represents the Written Torah. The voice that is ever heard again is that of the Oral Torah.

The Written Torah is *min ha-shamayim*, "from Heaven," but about the Oral Torah the Talmud insists *Lo ba-shamayim hi*, "It is not in Heaven."<sup>[7]</sup> Hence Judaism is a continuing conversation between the Giver of the law in Heaven and the interpreters of the law on Earth. That is part of what the Talmud means when it says that "Every judge who delivers a true judgment becomes a partner with the Holy One, blessed be He, in the work of creation." (Shabbat 10a)

Third, fundamental to Judaism is education, and fundamental to education is instruction in Torah, that is, the law. That is what Isaiah meant when he said, "Listen to Me, you who know justice, the people in whose heart is My law; do not fear the reproach of men, nor be afraid of their insults." (Is. 51:7)

This is what Jeremiah meant when he said, "This is the covenant I will make with the house of Israel after those days, says the Lord: I will put my law within them, and I will write it on their hearts; and I will be their God, and they shall be My people." (Jer. 31:33)

This is what Josephus meant when he said, nineteen hundred years ago, "Should any one of our nation be asked about our laws, he will repeat them as readily as his own name." The result of our thorough education in our laws from the very dawn of intelligence is that they are, as it were, engraved on our souls. To be a Jewish child is to be, in the British phrase, "learned in the law." We are a nation of constitutional lawyers.

Why? Because Judaism is not just about spirituality. It is not simply a code for the

**To sponsor an issue of Likutei Divrei Torah:  
Call Saadia Greenberg 301-649-7350  
or email: [sgreenberg@jhu.edu](mailto:sgreenberg@jhu.edu)  
<http://torah.saadia.info>**

salvation of the soul. It is a set of instructions for the creation of what the late Rabbi Aharon Lichtenstein zt"l called "societal beatitude." It is about bringing God into the shared spaces of our collective life. That needs law: law that represents justice, honouring all humans alike regardless of colour or class; law that judges impartially between rich and poor, powerful and powerless, even in extremis between humanity and God; law that links God, its Giver, to us, its interpreters, the law that alone allows freedom to coexist with order, so that my freedom is not bought at the cost of yours.

Small wonder, then, that there are so many Jewish lawyers. [5775, 5782]

[1] Alan Dershowitz, *Abraham: The World's First (But Certainly Not the Last) Jewish Lawyer*, New York, Schocken, 2015.

[2] Ibid., 11.

[3] Elie Wiesel, *The Trial of God*, Schocken, 1995. The story is believed to be fictional, although on one occasion Wiesel said that it happened and that he was there.

[4] On the subject in general, see Anson Laytner, *Arguing with God: A Jewish Tradition*, Jason Aronson, 1977.

[5] Not the only meaning, to be sure. See Rambam, *Hilchot Teshuvah* 3:5.

[6] Deut. 5:19, and see Rashi ad loc., who gives both interpretations.

[7] *Bava Metzia* 59b.

#### **Shabbat Shalom: Rabbi Shlomo Riskin**

"Zion shall be redeemed because of her moral justice and her children shall return to her because of her compassionate righteousness" (Isaiah 1:27).

The Shabbat before the bleak day of Tisha Be'Av, the fast commemorating the destruction of both Holy Temples, is called Shabbat Hazon, the Shabbat of Vision. This title is based on the prophetic reading of that day which starts: "The vision of Isaiah the son of Amoz which he saw concerning Judea and Jerusalem..." (Isaiah 1:1).

A "vision" usually refers to a positive sight intensified with a Divine revelation, a manifestation of the Divine presence as when "the elite youth of Israel... envisaged the Almighty" (Exodus 24:11). Likewise, in our liturgy, we pray in the Amida: "May our eyes envisage Your return to Zion in compassion."

Isaiah's vision, however, is one of moral turpitude and religious hypocrisy: "Woe to the sinning nation, people heavy with transgression... My soul despises your festivals... your hands are filled with blood...."

Where is the positive "vision" of Divine grace?

The answer may be found in last week's portion, where we read about the journeys of the Israelites through the desert – perhaps a metaphor for the journeys of the Israelites throughout history: "And Moses transcribed

the places of origin toward their places of destinations and these are the places of destinations toward their places of origin" (Numbers 33:2).

This verse contains an internal contradiction: Where do we ever find a point of destination leading to a point of origin?

If your point of origin is the place where you discovered your personal or national destiny, you must always return to it, no matter how many places you settle along the way, in pursuit of your original destiny.

Israel began her historic journey with Abraham in Hebron, where God charged the first Hebrew with our universal mission: "Through you shall be blessed all the families of the earth" (Genesis 12:13). God, likewise, revealed what it was that Abraham was to teach the world: "I have known him in order that he command his children ... to observe the path of the Lord, to do compassionate righteousness and moral justice" (Genesis 18:19). This is the Abrahamic mission and destiny, and so wherever Israel may travel, she must always return to her roots and purpose – being in Hebron, where her journey began.

It is fascinating that in Hebrew past and future tenses are inextricably bound together; a single letter vav can transform a verb in the past tense into the future tense, and vice versa.

Similarly, when used in the context of time, the word "lifnei" means "before" (as in "Simeon was born one year before [lifnei] Reuben"), whereas, when used in the context of space the same word means "ahead" (as in "Simeon is walking one step ahead of [lifnei] Reuben").

Temporally, the Hebron experience came before our Babylonian experience, but Hebron and its message – as well as its geographic locus – was always in Israel's future; the Cave of the Patriarchs is both the fount of Israel's mission and the guidepost for Israel's ultimate destiny. It serves both as a burial site (kever) and a womb (rehem) – and both of these words are used interchangeably by the Talmudic Sages.

Hence, when Moses makes reference to God's command that we inherit and conquer the land of Israel (Deuteronomy 1:8), it is immediately followed by the necessity to establish a proper moral judicial system; and when Moses deals with the rebellion of the scouts, he excludes Caleb from punishment, since he was in favor of conquering the Land of Israel. What made him stand virtually alone with God, Moses and Joshua? Our Sages explain that he began the reconnaissance journey with a side trip to Hebron to garner inspiration from the patriarch who established the mission in the first place.

Caleb went back in order to properly forge ahead.

## **Likutei Divrei Torah**

The true vision in the first chapter of Isaiah is not the tragedy of Israel's backsliding or the reality of Israel's hypocritical sacrifices. The inspiring prophetic vision – from which this tragic Shabbat is named – is the vision which concludes the prophetic reading, "Zion shall be redeemed because of her moral justice, and her children shall return to her because of her compassionate righteousness" (Isaiah 1:27).

God guarantees that Israel will return to her Abrahamic mission and that she will ultimately arrive at her point of origin. At that time, with the Third Temple, the entire world will be blessed by Israel's message of a God of moral justice and compassionate righteousness.

#### **The Person in the Parsha** **Rabbi Dr. Tzvi Hersh Weinreb**

##### **The Jewish Obsession**

The popular media often accuses the Jewish people of an obsession. Some accuse us good-humoredly of an obsession with food. Others maliciously accuse us of being obsessed with money. I agree that there is a Jewish obsession. I maintain that it is justice with which we are obsessed.

I define an obsession as an idea which dominates our thinking even when there are other important concerns that we need to address. Thus, the person who is truly obsessed with a particular idea cannot ignore that idea even when he is busy working, playing, or attending to other personal needs. Naturally, this can reach the stage where the obsession is pathological and actually interferes with the necessary functions of life. But the Jewish obsession with justice is not at all pathological.

One example of a Jew obsessed with justice is Rabbi Moshe Rivkish, who lived in the late 17th century. His name is certainly not a "household name," even among individuals who are familiar with the heroes of Jewish history. Students of the codes of Jewish law, may know the name of his major work because it adorns the margins of every edition of the Shulchan Aruch. The name of his work is Be'er HaGolah, but not everyone who consults his work regularly knows the author's identity. Many more are likely to be familiar with the name of his distinguished grandson, Rabbi Elijah, the Gaon of Vilna.

Be'er HaGolah is not a commentary in the usual sense of the word. It is a reference tool, in which the author supplies the sources in the Talmud for the statements found in the code. Occasionally, but rarely, the author allows himself a phrase or brief sentence of commentary. Inevitably, these few comments express Rabbi Moshe's "obsession" with justice.

Here is one example of such a comment: "I write this for all future generations, because I have seen people who have grown wealthy from monies they derived from cheating non-Jews in business. Ultimately, they were

unsuccessful and their properties deteriorated so that they left no blessing behind. On the other hand, I have seen many who have sanctified God's name and returned profits derived from non-Jewish customers who mistakenly overpaid for merchandise. Ultimately, they were successful, became materially wealthy, and left a significant inheritance to their offspring."

What do we know about the personal concerns of this individual who was "obsessed" with justice for non-Jews? Based upon the preface to his work, we learn that he was driven, not once but several times, from his hometown of Vilna in Lithuania. Each time, he was a victim of fanatically anti-Semitic non-Jews, and each time he left with just the clothes on his back and his personal diary, forced to abandon all of his possessions, including his painstakingly accumulated library of holy books.

His critical personal concerns did not interfere with his fundamental obsession: justice for all human beings, even those at the hands of whom he suffered greatly.

This late 17th-century Moshe learned to be obsessed with justice from the first Moshe, Moses our Teacher, and from the words he speaks in this week's Torah portion, Parshat Devarim (Deuteronomy 1:1-3:22). Moses begins his lengthy and eloquent valedictory to the Jewish people with his predominant concern. He is nearing the end of his life and his duty was to prepare the people to enter the Promised Land. But instead of instructing them about the methods to be used in entering the land, conquering it and settling it, we find him addressing the people with these words:

"So I took...wise and experienced men, and appointed them heads over you... I charged your magistrates at that time as follows, 'Hear out your fellow man, and decide justly between any man and a fellow Israelite or a stranger... You shall not be partial in judgment: hear out low and high alike...'"

Moses too is obsessed with justice, to the extent that he interrupted his final instructions to the Jewish people and prefaced them with his plea that they establish a fair and equitable judiciary that would mete out justice to all, even the "stranger," the non-Jew.

This week is a special Shabbat. It is the Shabbat that precedes the major fast day of Tisha B'Av. We follow the reading from the Torah portion with a selection from the very first chapter of the Book of Isaiah. It is called Shabbat Chazon, or the Sabbath of the "prophetic vision" of Isaiah.

Here, too, the prophet has numerous concerns, not the least of which is his critique of the sinfulness of the Jewish people. But he does not fail to express his obsession, which like the

biblical Moses and the 17th-century Moshe Rivkish, was the cause of justice. So he concludes his vision of what the final redemption will look like: "I will restore your magistrates as of old...After that you shall be called City of Righteousness...Zion shall be saved by justice."

We are confident that Zion will indeed be saved, imminently and gloriously, and that the justice we practice will be acknowledged by all mankind, thereby resulting in the universal blessing of the Almighty God of Justice and Mercy.

### Dvar Torah

#### Chief Rabbi Ephraim Mirvis

What is the one word advertisers always try to use? At the beginning of Sefer Devarim 1:1, we find: "Eileh hadevarim," – "These are the words that Moshe delivered to the nation immediately prior to his death,"

and most of his message included words of tochacha, through which he denounced the inappropriate behaviour of the people. In this opening verse, we find that a number of places are mentioned where Moshe delivered his message and two of those places are, "Tofel v'Lavan".

This is intriguing because nowhere else do we find a reference to these two places! Where is Tofel? Where is Lavan?

Rashi brings a peirush from the Talmud indicating that in fact there were no such places, but rather these two words are an allusion to the sin of the people with regard to their attitude to the manna which fell from heaven.

It was absolutely miraculous – there was enough for them every day. The taste of the manna was whatever the person wanted, and there was never any waste in the body from it! So what was wrong with it? It was tofel velavan, you see, the appearance was the same every day. The manna was always white ('lavan'). It looked the same, and as a result, it was 'tofel' – it was of secondary importance in their eyes.

Rav Yosef Dov Soloveitchik would teach that in the world of advertising, the one word that advertisers would want to use is the word 'new' and also where possible 'improved.' They recognise that appearances count. When something looks new, fresh, an improved model – we'll go for it.

That, he said, is because people can easily become bored. As parents and as educators we know that the one word we just don't want to hear from our children or our pupils is, "I'm bored." So too, our boredom with a product can prompt us to want to change it for something different, for something new. The manna from Heaven was the greatest possible

## Likutei Divrei Torah

gift from Hashem over 40 years in the Wilderness, but because it always looked the same, we became bored of it.

But what is the greatest antidote to boredom? In Psalm 119 verse 77 we say,

"Ki toratcha sha'ashuai," – Hashem, "Your Torah is my delight."

If something is delightful or if a person is delightful we'll never become bored of them. The Torah is the greatest possible delight in our eyes, because there are always fresh ways of looking at a verse; always greater depth to our previous understanding; new elements of knowledge which come our way. In addition the Torah provides us with the greatest possible delight in life through the mitzvot which we can follow as a result of our study of Torah.

So therefore let us learn such a powerful and relevant lesson from the opening words of Sefer Devarim from the names of two places which have never existed! First of all, let's not just judge a person or a situation on appearances alone. Let's look at the substance and then we'll really appreciate the gifts of life and in addition let's recognise the greatest gift of them all which is the Torah through which our entire lives can be a continuous delightful experience.

### Rabbi Dr. Nachum Amsel Encyclopedia of Jewish Values\*

#### Tisha B'Av

The low point in the Jewish calendar, marked by commemorations of tragedies that befell the Jewish people throughout their history, will be observed this week on Tisha B'Av. The most central of these is the destruction of the First and Second Temples, both occurring on the Ninth day of the Hebrew month Av, commonly known as Tisha B'Av. The second destruction not only ended the glory days of Temple service but also marked the beginning of the Galut – Exile. This day's laws and customs are both instructive and a bit strange, even for the observant Jew. Let us examine the ideas and values behind these customs, and how these practices and values can help make each person a better Jew and a better individual. The limits of space will only allow a cursory observation of some of the practices and ideas.

The Deep Significance of the Beit Hamikdash – Temple To The Jewish People – Only if we understand the true significance of the temple to the Jews, can we appreciate the pain we are supposed to feel on Tisha B'Av. The Temple was not just a large synagogue – it was the center of Jewish life. Therefore, its destruction markedly changed the practice of Judaism. Life without a Temple has left the Jewish people so profoundly bereft that Jews have never ceased to mourn its loss. But what, specifically, was so special about this place? Why is this spot so holy (to other religions too) that it also makes Jerusalem holy? How is the

Temple's destruction reflected in Jewish practice today?

According to Jewish tradition, the spot located under the Holy of Holies in the Temple is the Foundation Stone (Even Shtiyah), the very place from which God created the entire world (Midrash Bamidbar Rabbah 12:4, Tanchuma Pikudei 3). The earth from which man was created comes from this area of the Temple (Yerushalmi, Nazir 35b). All of the ancients mentioned in the Torah who brought sacrifices to God, brought them from the Temple area, which was already known to be the holy place where Heaven and Earth meet. This included the sacrifices of Adam, Cain and Abel, Noah, and the place of the binding of Isaac by Abraham (Maimonides, Hilchot Beit HaBechira 2:2). The location of the Temple marks both the geographic and spiritual center of the world (Midrash Tanchuma, Kedoshim 10).

Because of the specialness of this place, the Code of Jewish Law instructs every God-fearing Jew, at the very beginning of the Shulchan Aruch, to be aware of the Temple's destruction repeatedly throughout each day of the year (Shulchan Aruch, Orach Chaim 1:3). Every time an observant Jew eats a cookie or a piece of cake, the concluding blessing of thanks includes mentioning the Temple, with the hope of its rebuilding (Shulchan Aruch, Orach Chaim 1:3). A similar reference is made in the Grace After Meals following any full meal that includes the required amount of bread (Grace After Meals, third blessing). In the Shmoneh Esreh – a silent prayer that a Jewish male says three times daily (and which women also recite), a Jew faces Jerusalem and the Temple. In the weekday version of the prayer, a special blessing is recited asking God to return to Jerusalem and erect the third and final Temple (Blessing #14 of the weekday Shmoneh Esreh). One specific blessing of the Torah service should be dedicated to the Temple, according to the Talmud, and following the Haftorah, mention of the Temple is indeed one of the blessings recited (Sotah 41a, Blessing after the Haftorah).

At the height of joy, a Jew remembers that it is incomplete without a rebuilt Temple. Thus, when making the largest purchase or investment in one's life, i.e., when building or buying a home, it is customary to leave one square in the house unpainted, as a reminder of the destruction (Shulchan Aruch, Orach Chaim 560:1). And at the greatest moment of joy in a person's life, when he or she gets married, one of the seven blessings at the wedding ceremony tries to comfort those who mourn for the Temple's destruction (Blessing #4 of the seven blessings at a Jewish wedding). Similarly, before the wedding ceremony is complete, it is a custom for the groom to sprinkle ashes on his forehead as a reminder of our loss, even at a joyful moment. A more well-known custom at a Jewish wedding ceremony is the breaking of the glass

(Shulchan Aruch, Even HaEzer 65:3), following the singing of "If I forget Jerusalem, let my right hand be forgotten ... Jerusalem must be above my greatest joy" (Psalms 137:5-6). All these practices show how grave the Temple's destruction was for the Jews and how it must be imprinted on the Jewish psyche forever.

**Why Mourn for a Building of Stone and Wood?** - This question has been asked many times throughout Jewish history, and much more often in the recent past: why mourn each year for the destruction of a building, albeit an important building like the Temple, when so many Jews have perished over the millennia simply because they were Jews? Especially after the Holocaust, why is there no similar day or ritual mourning for the six million murdered Jews, as there is for the destruction of the Temple? And now that Jerusalem is a bustling city filled with hundreds of thousands of Jews, why continue to mourn the destruction of the Temple and Jerusalem? The answer to these questions will help us understand the underlying meaning of the Temple to the Jewish people and the implication of its destruction until this day.

Numerous answers have been given to this difficult question:

1) The Temple was the unifying force of the Jewish people, and it brought them together. The old joke about "two Jews, three synagogues," became the reality and the norm of Jewish existence only after the Temple's destruction. So too, the disunity we experience today continues a pattern that was formed after the Temple's destruction. While the Jewish people were not always completely unified when the Temple stood, the divisions and (baseless) hatred between Jews has continued and deepened since its destruction: Orthodox vs. Conservative vs. Reform, Sephardim vs. Ashkenazim, Chassidim vs. Misnagdim; the list goes on and on. Many of the deaths of Jews throughout the ages can be attributed to this hatred among Jews. On the Three Festivals, following an Aliyah to the Torah, we conclude the blessing for the person honored (the Misheberach) with the following words: "May he merit to go up to the future Temple together with all other Jews, his brothers." Therefore, the concept of going to the Temple is equated with the unification of the entire Jewish people (Misheberach blessing following the Aliyah to the Torah on Pesach, Shavuot, and Sukkot). The story is told about the Rabbi of Brisk (Brest-Litovsk) who on one occasion received this blessing after an Aliyah to the Torah, but the Gabbai-Sexton inadvertently forgot the words "together with all other Jews, his brothers," and the Rav of Brisk asked the Gabbai to repeat the entire blessing. Thus, the mourning is not over a building, but rather over a concept of lack of unity among the Jewish people, which still exists today, and has often resulted in tragedy.

## Likutei Divrei Torah

2) Rabbi Zev Leff ("Festival of Life," page 271) explains that we do not even realize, and we are incapable of realizing, what the Jewish people truly lost when the Temple was destroyed. He compares us to people who have lived their entire lives in a ward where everyone is physically handicapped, and move around in wheelchairs. If such people were to suddenly see someone walking on two legs for the first time, they would either consider that person weird or the product of a miracle because for them a handicapped world is the norm. Similarly, in a spiritual sense, we have become accustomed to the handicapped, deprived, post-Temple world, so that we cannot fathom or feel the true mournful effect of the lack of a Temple. We also have become desensitized to the spiritual calamity that engulfs us as a result of the Temple's destruction. Thus, we cannot even understand what we are mourning.

3) The Midrash, in a play on words, described the Mishkan--Tabernacle as a Mashkon -- financial guarantor (Midrash, Eicha Rabbah 1:24). This implies that God wanted to destroy the Jewish people for their sins. But the Mishkan -Tabernacle acted as their guarantor, and He destroyed the Tabernacle or Temple rather than the Jewish people themselves, who deserved destruction. Thus, the mourning for the Temple is for the decline in standards of the Jewish people, who deserved to be destroyed but were saved by the destruction of the stones and wood of the Temple in their stead. This idea is also highlighted by a chapter in Psalms (Psalms 79:1-6) in which Asaf describes, in graphic detail, the terrible destruction of the Temple. Tosafot commentaries (Tosafot on Kiddushin 31b, "Istiya") ask why this psalm is called a song to Asaf, rather than a Lamentation (Kinah). They answer that Asaf realized that the Jewish people should have been killed for their actions, as the inanimate Temple could not have done anything to deserve destruction. But for the Jewish people to survive, something of great value to them – their holy Temple - had to be destroyed. It is for this we mourn. The psalm is a song and uplifting because, in the end, the Jews did survive as a people. This idea also helps explains another difficulty of the day of Tisha B'Av. We know that in the era of the Second Temple, the torching of the building began at the end of Tisha B'Av, in the afternoon. Yet it is the custom after midday on Tisha B'Av to relax the prohibitions of mourning and to sit on a chair and wear Tefillin. Why, at the moment of greatest destruction, do we mourn less, rather than increase mourning? It is because we know that as the building burns, we have been saved and survived as a Jewish people. It is an expression of relief that it was "only" the Temple and not us. Thus (among other reasons), the laws of mourning are relaxed in the afternoon of Tisha B'Av.

4) Numerous sources (Me-am Lo-aiz 52:20 quoting Torat Ha-Olah) bring down a

conversation that took place between Jeremiah, the Jewish prophet at the time of the First Temple's destruction, and Plato, the famous Greek philosopher, in which Plato asked Jeremiah this very question. Plato accompanied Nebuchadnezzar to Jerusalem and saw Jeremiah crying very deeply over the Temple's destruction. Plato asked Jeremiah why he was crying about the past and about wood and stone. Jeremiah answered Plato that undoubtedly he (Plato) had many philosophical issues and doubts that were as yet unresolved. Plato proceeded to share his doubts about issues that he said were unresolvable by any human being. Jeremiah, in short order, resolved all of Plato's issues and doubts. Astounded, Plato asked Jeremiah how a human being could be so wise. Jeremiah replied that all his wisdom was derived from those "stones and wood" that he mourned over. Thus, we see that the Temple was also the source of Torah knowledge which was greatly diminished after the Temple's destruction. We mourn for that diminished knowledge of Torah. As further proof of this idea, Jews say at the very end of the Shmoneh Esreh three times daily, "May it be Your will, Lord our God and God of our forefathers that Your holy Temple be speedily rebuilt in our days, and grant us a share in Your Torah, and may we serve You there with reverence..." (Very end of Shmoneh Esreh) What is the connection between rebuilding the Temple and "a share in Your Torah"? The link is that rebuilding the Temple will enhance our share in God's Torah, our understanding of it, and restore us to the level of Torah learning that existed before the Temple's destruction.

5) Jews have always assumed that since the Temple was destroyed, we are waiting for God to rebuild a new and final Temple. They are mourning that destruction and the severing of God's relationship with the Jewish people. But these facts may not necessarily be the case. The very first verse in Eicha – Lamentations, describes the city "as a widow," and we can infer that is why we are crying (Lamentations 1:1-2). But it says the city is "as" a widow, not an actual widow, implying that God did not truly leave forever, as a widow loses her husband in actuality, and that the Temple is not really destroyed. Based on another verse in Lamentations, we believe that the walls and gates of the Temple, as well as the Holy Ark, were not destroyed; rather, they have sunk underground where they lie in wait for the Final Redemption (Lamentations 2:9 with Rashi commentary). Thus, the Temple somehow still exists, and God wants to return to His people. While it is forbidden in Jewish law to mourn longer than a year for a parent, as it is improper to keep mourning after that (Moed Katan 27b, Shulchan Aruch, Yoreh Deah 394:1-2), most Jews assume that this law does not apply to the Temple. That is why the Jews have mourned its loss for over 1900 years. But what if the laws of mourning for the Temple follow the same pattern as those for human beings? We know that when Jacob was

told that his son Joseph died, he could not stop mourning or be consoled (Genesis 37: 33-35) for the twenty-two years he did not see Joseph. Why? The sources tell us that a person cannot be consoled for someone who is living, even if it is reported that the person died. Thus, the fact that Jacob could not be consoled was an indication that Joseph was still alive (Midrash, Beraishit Rabbah 84:21, Tanchuma Vayeshev 8). Perhaps this principle is also true concerning the Temple. The Jewish people cannot be consoled by the Temple's destruction because somehow it still exists in some form, but they are simply disconnected from it. Something is missing in the lives of Jews, some form of spirituality that the Temple provided. That is why it says (Taanit 30b) that "whoever mourns for Jerusalem merits to see its joy." It does not say "will merit" to see its joy, implying that only when The Temple is rebuilt will the Jews be joyous. It says "merits" in the present tense, indicating that mourning now sensitizes Jews to the spiritual Temple -- to the fact that it is not lost forever, but waiting in abeyance for recognition of what is lacking. All this enables the Jew to become aware now of the ultimate joy, which is satisfying.

Preparation - Every holiday in Judaism requires preparation (Bechorot 58a) to heighten the feeling and impact of the day when it finally arrives. (See the chapter about Shavuot for an expansion of this theme). But when it comes to the Three Weeks and Tisha B'Av, preparation becomes much more crucial. Rabbi Joseph Soloveitchik amplifies the Talmud's concept of differentiating between "Old Mourning" and "New Mourning" - i.e., public mourning and private mourning (Yevamot 43b). In private mourning for one's deceased relative, the feeling of pain is immediate, strong, and overwhelming. One does not need to teach such a mourner to feel something or to cry. The purpose of the mourning process is for a person to gradually re-enter society and begin to live again as normally as possible. Therefore, first comes the Shiva, the most intense period of mourning, followed by the Shloshim - the thirty-day period, where mourning is less intense, and (for a parent) this is augmented by a twelve-month mourning period in which the laws are even less intense, until they disappear completely after a year.

But for public mourning (Aveilut Yeshana), the goals of the Rabbis were just the opposite. It is almost impossible to ask anyone, even a traditional Jew, to wake up one day and begin to cry for the Temple that was destroyed over 1900 years ago. This is not natural. So, the Rabbis began a gradual preparation that takes three weeks, beginning from the 17th of Tammuz, when Jerusalem's walls were breached. Thus, the laws and prohibitions of the Three Weeks mimic approximately the twelve-month period of a private mourner. Therefore, weddings are forbidden, as are haircuts and joyous music (Yevamot 43b), much like the twelve-month prohibitions for a

## Likutei Divrei Torah

private mourner. Once the month of Av commences, nine days before Tisha B'Av, the symbols of mourning and prohibitions intensify. Ashkenazim do not do laundry, eat meat, or drink wine (somewhat but not exactly parallel to the Shloshim mourning period). (Shulchan Aruch, Orach Chaim 551:9, 1, 2) On the week of Tisha B'Av itself, the customs of mourning become more intense, including for Sephardic Jews (Maimonides, Hilchot Taaniyot 5:6, Shulchan Aruch, Orach Chaim 551:3). Finally, after all the buildup, the laws of Tisha B'Av itself parallel the laws of Shiva -- i.e., it is the most intense mourning of all. Only a gradual buildup and preparation such as this allows for the possibility that Jews truly feel the pain and sorrow of the destruction of the Temples, the pain of the day of Tisha B'av, and can cry so long after the event took place.

\* This column has been adapted from a series of volumes written by Rabbi Dr. Nachum Amsel "The Encyclopedia of Jewish Values" available from Urim and Amazon. For the full article or to review all the footnotes in the original, contact the author at [nachum@jewishdestiny.com](mailto:nachum@jewishdestiny.com)

### Ohr Torah Stone Dvar Torah

"And these are the words which Moshe spoke" – Moshe's spiritual legacy to the People of Israel - Rabbanit Renana Birnbaum  
The portion of Devarim opens the fifth and final book of the Torah, the Written Law, and focuses largely on Moshe's departure from the People, as well as on how Moshe prepared them for entry into the Land.

"And these are the words which Moshe spoke" – the words in question constituted Moshe's final address to the People, and encompassed the entire history of the nation – from the moment of its inception until the very end of the long journey in the desert – summarizing the period of Moshe's leadership, peak moments and low points included. Moshe wishes to elaborate upon the true essence of this nation, albeit young in years, all too familiar with hardships and crises, and more particularly, to highlight the eternal covenant that exists between the People of Israel and its God.

The same leader that said of himself when he was initially appointed that he was "not a man of words" but rather "slow of speech and slow of tongue" appears before us, on the eve of his death, as a great orator. Through his words, Moshe directs the People of Israel to learn from every single event in the desert.

"These are the words which Moshe spoke unto all Israel beyond the Jordan; in the wilderness, in the Arabah, over against Suph, between Paran and Tophel, and Laban, and Hazeroth, and Di-Zahav. It is eleven days journey from Horev unto Kadesh-Barnea by the way of mount Seir" (Devarim 1:1-2).

Moshe specifies a long list of places where the Israelites had stumbled and sinned during the

course of the turbulent journey through the desert, from the time of the giving of the Torah henceforth: the sin of the complainers; Kivrot Ha'ta'ah (the sin of those who desired meat); the sin of Miriam; the sin of the spies and the resulting punishment; the calamity that befell those who wished to enter the Land unlawfully; the sin of Korach and his congregation; the waters of Meriva and the hitting of the rock; the terrible moral downfall at Shitim with the daughters of Moab and the idolatry that ensued, culminating in the public sin of Zimri ben Salu with the Midianite woman.

Moshe does not erase the People's failings, nor does he try to embellish them. On the contrary, he feels responsible for rebuking them and instructing them. Coming closer to God includes downfalls, and these are a natural part of the Redemption process. Moshe guides the People on how to illuminate these failures.

Rabbi Kook writes: "...one's ingrained morality holds one to do justice, act benevolently and aspire to wholeness. Moral perfection is not easily achieved, for it is difficult for man to channel every single deed to purity and unblemished justice! So how can one aspire to that which is unachievable? The answer is that this is the nature of man, but it is also what makes man whole. If man has a natural tendency to fail and to flaw justice and morality, this still does not mean he is not whole. The reason for this is that man's wholeness is based on man's constant yearning for that which is whole and perfect..." (Orot HaTeshuva 5: 6).

This state of wholeness becomes all the more apparent with each crisis that ensued along the way. The craving for perfection is a prerequisite for free choice. Reality is not static. As such, it must, by its very definition, contain downfalls and failures. By overcoming these, the special trait of the People of Israel is put into effect – the ability to move forward. The failings and flaws in the desert are also an expression of the profound processes which take place in the innermost parts of every individual. One can liken the desert to a womb, in which the People of Israel take shape and form before their birth as a sovereign nation in its homeland. The growing pains experienced in the womb are only natural, and are also crucial for the development of the fetus. Pain is considered to be a natural symptom of healthy development.

Similarly, the downfalls of the People of Israel were vital for their very inception as a People. Moshe was concerned that the nation standing at the edge of the desert, on the verge of entering the Land of Israel, would lose its mental and emotional capacity, as well as its faith in its ability to complete the journey out of the womb and into the Promised Land.

The Even Shoshan dictionary defines the word "failure" as "the state of not achieving the goal". Moshe Rabeinu wanted to teach the People of Israel that failures are an inherent part of the ultimate goal, a crucial component for achieving growth and an integral part of the learning process. On every journey one undertakes there is a lesson to be learned. As is written in the tractate of Gittin (43:1): "One can only acquire full understanding of the Torah if one has fallen and stumbled first."

Moshe wishes to teach the People of Israel that Torah study comes through falls, trials and tribulations in all areas of life. No matter in which area of life – food, war, social conflicts, emotional distress or otherwise – we all have our blunders and our failings. However, we must learn to turn these into a springboard for living a meaningful Torah life that takes root in one's heart during times of crisis. Having the insight that God wants man to truly realize his inner self in this world helps one accept the fact that in order to achieve this "discovery of the self", one has to set forth on a long journey across the desert. Nineteenth Century British writer and philosopher George Bernard Shaw said, "Life isn't about finding yourself. Life is about creating yourself."

Roman Gary, a Jewish novelist, wrote a book called Little Failure. Gary, quite openly, shares with his readers that Little Failure was a nickname given him by his own mother. She started calling him thus when he immigrated to the USA from Leningrad, and she was sure he would be a total failure. But as it turned out, the degrading label had actually helped Gary harness the strength needed to cope with any situation. Ultimately, it pushed him to grow and succeed. Roman Gary wished to change his mother's old-fashioned "shtetl mentality", proving to her, to the world and large and even to himself that failures will not dampen his spirit nor make him fainthearted. Rather, they gave him a whole new awareness. Failure is a crucial factor of life, so there is no reason to fear it.

In our times, too, there are a great many pains and crises, and oftentimes these evoke feelings of doubt and loss of faith. Nothing would be more befitting than learning from Moshe Rabeinu, the greatest of all prophets, by adopting his philosophy and understanding his legacy: Despite the downfalls, the defeats and the tribulations – whether on the personal or national level – we must never despair. Rather, we should pick ourselves up, even if we are rock bottom, and view the human condition as one that, by definition, is comprised of pain. If we are able to adopt this worldview, we will be able to overcome the obstacles which often blur our vision and prevent us from coping with the situation. In turn, we will know how to find inner happiness even in times of great crisis, turning these into formative moments of faith.

## Likutei Divrei Torah

"Rabbi Abahu said: Whenever [the Torah] uses the word ve'eleh ["And these"] it wishes to add to the events mentioned earlier; however, if the word eleh ["these" without the "And"] is used, the new events that follow cancel out the previous events" (Midrash Rabbah on Devarim).

The Book of Devarim begins with the words "Ve'eleh hadevarim – And these are the words which Moshe spoke". This choice of words denotes that what is to follow adds to all that has already happened, and is not detached from it. In other words, Moshe's words give insight into all the historical events that had taken place, in keeping with the notion that robust development is only possible where there are also hardships and defeats. It is our job to make the best of these and learn from every pitfall, without letting the fear of failure hinder our progress.

### Dvar Torah: TorahWeb.Org

#### Rabbi Zvi Sobolofsky

##### Above the Letter of The Law

In the parshiyos of Devarim and Va'eschanan there are two different descriptions of monetary law. Parshas Devarim begins with Moshe appointing judges and commanding them to be absolutely honest in all of their dealings. Mishpat - strict justice - is presented as the way Hashem rules His world "כִּי הַמְשֻׁפֵּט אֶלְקָנָם הָאֵלֶּה". Yet, in next week's parsha we are instructed to act in a way that is described as "וְעֶשֶׂת הַיְשָׁרָה וְהַטּוֹב" - a path of righteousness and goodness. Chazal interpret this to be referring to בְּנֵים מְשֻׁרְתָּה הָדִין - going above and beyond the actual letter of the law. We are supposed to sometimes forego our actual rights in monetary cases. The ideal is portrayed as not insisting on what is due to me, but rather to compromise and act in a wahts://www.torahweb.org/torah/2022/parsha/rsob\_devarim.html that is שָׁר וְטוֹב. Strict justice as well as kindness and goodness have their roots in the very beginning of the world. Chazal comment that in Parshas Breishis Hashem is described as creating the world in two different ways.

"בראשית ברא אלוקים" - the name of Hashem is synonymous with מִדְתַּת הָדִין - the Divine trait of justice. "עשָׂת ה' אֱלֹקִים אָרֶץ וּשְׁמִים" - both the name ה' and are used together to describe creation. In contrast to the name ה', נִזְתַּת הָרְחַמָּם אֱלֹקִים represents נִזְתַּת הָרְחַמָּם - the Divine trait of mercy. Chazal explain that in theory the world should have been created according to the rules of strict justice, but Hashem tempered that justice with mercy and compassion. We are commanded to emulate Hashem in how we deal with our fellow man. Although "כִּי הַמְשֻׁפֵּט אֶלְקָנָם הָאֵלֶּה" - Justice is divine, we must follow Hashem's model. We are expected to combine that truth with loving kindness and often look the other way. Not being so insistent on what we think we are entitled to is the highest level of following in Hashem's ways.

The two worlds of justice and compassion are the very basis for the Beis Hamikdash and the korbanos that are offered in it. Throughout the

book of Vayikra the name **נ'** is used. All of the korbanos are predicated on the Divine trait of compassion. The Ramban (in his introduction to Vayikra) elaborates upon how, according to the strict rules of justice, there would be no place for korbanos. Any sin even done unintentionally would warrant immediate punishment. It is only because Hashem created the world also through the trait of mercy that we are granted the opportunity to do teshuva and offer korbanos as an atonement for our misdeeds.

The great gift of korbanos, which is the ultimate expression of Hashem's compassion for us, is predicated on our acting in a similar fashion to our fellow man. It is therefore not surprising that Chazal teach us that one of the reasons the Beis Hamikdash was destroyed was because people were too insistent on their monetary rights. Rather than going above and beyond the actual law and compromising, they only followed the strict rules of justice. By not tempering justice with compassion to others they lost the opportunity for Hashem to do so as well. Tragically, the destruction of the Beis Hamikdash and the cessation of korbanos was a direct result of not acting in a way reflective of the traits of kindness and compassion to others. Perhaps it is not coincidental that Tisha B'Av always occurs between the parshiyos of Devarim and Va'eschanan. If we only focus on the justice of Devarim and never reach the compassion of Va'eschanan, tragically, the result is Tisha B'Av. Let us learn the lessons of both parshiyos as we interact with our fellow man as Hashem relates to us. May we learn these lessons and thereby merit that Hashem returns to us the Beis Hamikdash and showers upon us His love and kindness once again.

---

#### **Torah.Org Dvar Torah by Rabbi Label Lam**

##### **A Great Day**

Korah Alai Moed... He summoned an assembly against me ... (Eicha 1:15)

Somebody asked me this week why Tisha B'Av is called a Moed, like it's a Yom Tov, a Good Day. Moed means a meeting as in Ohel Moed, which was the Tent of Meeting, the Mishkan. A Yomim Toving, Holidays are also referred to as Moed. It can be a meeting in place or a meeting in time. It's an appointment.

Tisha B'Av is a different type of meeting. It's like being called into the principal's office. A serious conversation has to take place. Corrections need to be made. What happens in that meeting will impact how the rest of the educational process will unfold or fold up. I have been to many of these types of meetings from all sides of the equation.

Sometimes, as a principal, I have had a child come in all defensive and deny that he had done anything wrong, and pointing fingers and blaming, and lots of other deflecting strategies. I have two very effective strategies that I have used very often to get to the heart of the

matter. I will tell the child, "I was not there and I do not know what happened but let's figure this thing out together. First of all, you are not in trouble!" (The child relaxes somewhat but remains skeptical)

"Let me explain please. If you learn something from what happened today and from what we are doing here then today was a good day because you learned something. If you don't learn anything then you are in trouble, but you are not in trouble from me or with me. You are in trouble with yourself, because what happened is likely to happen again and repeat itself until you learn what to do or what not to do." The child is more open and ready for part two.

I continue, "Again I don't know if anything happened but let me ask you this question. You don't have to answer me. Answer yourself for yourself. Here is the question to determine if you were really doing the right thing, "If everybody was doing what you were doing would it be a better class? Would it be a better school? Would it be a better world?"

I have witnessed 7 years olds thinking reflectively and shaking their heads "NO" to each question. I remind them, "You don't have to answer me. Answer yourself for yourself. If the answer is 'YES' then keep up the great work, but if the answer is 'NO' then stop and make a better choice! Can you think of anything you would have done differently?" Now a healthy and helpful discussion begins! Tisha B'Av is not just a day to be sad and feel arbitrarily guilty.

Yes, it is that uncomfortable meeting in the principal's office, hopefully, with the right type of introspection, we can exit this episode with some constructive strategies to make things better.

Actually, Tisha B'Av is a day which is loaded with awesome potential. It was originally set aside as a glorious and beautiful appointment. When the spies returned after scouting out the Land of Israel for 40 days, it was on the eve of Tisha B'Av. Had they delivered positive and uplifting news then that would have been the time when the Jewish People excitedly and confidently prepared to enter the Holy Land. That night Tisha B'Av would have such a grand national celebration, like a wedding.

However, those spies brought a discouraging report. The people's hearts were broken. They cried that night on Tisha B'Av, what the sages called a "Bechia Shel Chinum" – "a cry for nothing". It was based on a false report. What a waste of emotion! That night set a template for generations. Now we cry on Tisha B'Av but not for nothing. We weep for that which is most significant. Because Tisha B'Av could have been a such giant cause for joy, when it was frustrated, it became a huge calamity. We fell prey to a false report and abandoned

## **Likutei Divrei Torah**

HASHEM, as a jilted bride standing alone under the Chupa.

This would have been the anniversary of something special, a beautiful appointment but it has become a day of disappointment. We need to remember that we are not in trouble. It's a teachable moment. We are only in trouble if we fail to learn what it is that we can do better. If we do, then even Tisha B'Av can be a great day.

---

#### **Mizrachi Dvar Torah**

##### **Rav Doron Perz**

##### **Why So Many Judges?**

Every year, Parshat Devarim falls on the Shabbat immediately prior to Tisha B'Av. There is a deep connection between the beginning of the parasha and Tisha B'Av.

The Seforno says something remarkable – what is the first topic Moshe recalls to the generation about to go into the Land? He recalls the advice of his father-in-law, Yitro, who says that he will crumble under the pressure of judging on his own and that he should bring in a whole judicial system. The Seforno asks why this is the topic he chooses to open with, and with such a level of rebuke? After all, Moshe accepted the advice of his father-in-law. What is so bad about it?

He explains – how is it that the Jewish people went from having only one judge, Moshe Rabbeinu, to having a judge for every ten people?! Every few families needed a judge between them! Were the squabbles so deep that people argued about everything? He says everyone needed their own private judge, and this shows that something is wrong. When people argue about everything, when we become the 'litigation nation' and get stuck in the courts, never wanting to resolve issues, there is something wrong with your ability to get on with other people.

We need to put our relationships and getting on with other people before everything else, then we will merit the rebuilding of the Beit HaMikdash as the pinnacle of a healthy, functioning, spiritual society.

## Weekly Internet Parsha Sheet

### Devarim 5783

#### Home Weekly Parsha DVARIM

#### Rabbi Wein's Weekly Blog

This week's parsha, Dvarim, is a continuation of last week's parsha of Maasei. This is because it also forms a narrative review of events that occurred to the Jewish people during their forty years of life in the desert of Sinai. Just as last week's parsha reviewed for us the stations where the Jews encamped during those forty years, so does this week's parsha review for us key events that befell the Jewish people during those decades of supernatural life and wanderings.

But there is a fundamental difference between these two narrative views of past events. The review in parshat Maasei is essentially presented in an objective, even detached manner. It is full of facts, names and places but it is basically an unemotional and factual report regarding a long forty-year journey of the people of Israel. This week's parsha contains a review of facts and events by Moshe. It is a personal and at times emotional and painful review of those years in the desert. Moshe bares his heart and soul and shares his frustrations and emotions with us.

Parshat Dvarim, in fact all of Chumash Dvarim, is a record of how Moshe personally saw things and it records his impressions and feelings regarding the events of the desert of Sinai. In many ways it is one of the most personal and emotional books in the entire canon of the Bible. It is not only Moshe's words that are on display before us in the parsha. It is his viewpoint and assessment of the Jewish people and its relationship to God that is reflected clearly and passionately in his words.

Opinion and passion are key to the service of God according to Jewish tradition. Judaism does not condone "holy rollers" in its midst but the entire idea of the necessity of kavanah/intense intent in prayer and the performance of mitzvoth speaks to a personal view of the relationship to God and Torah and a necessary passion and viewpoint. Everyone is different and everyone's view of events is also different one from another. Thus, everyone's service of God and Torah, albeit within the parameters of established and recognized halacha, must contain nuances of difference.

The importance of the Torah emphasizing to us that the book of Dvarim is Moshe's personal record of events is to stress to us this recognition of individuality that exists within every human being and how that affects one's view of everything, spiritual and physical, in life.

Moshe's recorded personal anguish at witnessing the sins of Israel in the desert is a greater indictment of those sins than just the description and listing of the sins themselves would have been. Life is personal, never objective. Moshe's personal view of the events of the desert makes these events real and tangible to us. We are also involved in the narrative because of our empathy with Moshe. This

is what makes the entire book of Dvarim so real and important to us. People speak to people. Moshe speaks to us.

Shabat shalom.

Rabbi Berel Wein

---

#### To 120: Growing Old, Staying Young

#### DEVARIM

#### Rabbi Jonathan Sacks

On 27 March 2012, to celebrate the diamond jubilee of the Queen, an ancient ceremony took place at Buckingham Palace. A number of institutions presented Loyal Addresses to the Queen, thanking her for her service to the nation. Among them was the Board of Deputies of British Jews. Its then President, Vivian Wineman, included in his speech the traditional Jewish blessing on such occasions. He wished her well "until a hundred and twenty."

The Queen was amused and looked quizzically at Prince Philip. Neither of them had heard the expression before. Later the Prince asked what it meant, and we explained. A hundred and twenty is stated as the outer limit of a normal human lifetime in Genesis 6:3. The number is especially associated with Moses, about whom the Torah says:

"Moses was a hundred and twenty years old when he died, yet his eyes were undimmed and his strength undiminished."

Deut. 34:7

Together with Abraham, a man of very different personality and circumstance, Moses is a model of how to age well. With the growth of human longevity, this has become a significant and challenging issue for many of us. How do you grow old yet stay young?

The most sustained research into this topic is the Grant Study, begun in 1938, which has tracked the lives of 268 Harvard students for almost eighty years, seeking to understand what characteristics – from personality type to intelligence to health, habits, and relationships – contribute to human flourishing. For more than thirty years, the project was directed by George Vaillant, whose books Aging Well and Triumphs of Experience have explored this fascinating territory.[1]

Among the many dimensions of successful aging, Vaillant identifies two that are particularly relevant in the case of Moses. The first is what he calls generativity,[2] namely taking care of the next generation. He quotes John Kotre who defines it as "to invest one's substance in forms of life and work that will outlive the self." [3] In middle or later life, when we have established a career, a reputation, and a set of relationships, we can either stagnate or decide to give back to others: to community, society, and the next generation. Generativity is often marked by undertaking

new projects, often voluntary ones, or by learning new skills. Its marks are openness and care.

The other relevant dimension is what Vaillant calls keeper of the meaning. By this he means the wisdom that comes with age, something that is often more valued by traditional societies than modern or postmodern ones. The “elders” mentioned in Tanach are people valued for their experience. “Ask your father and he will tell you, your elders, and they will explain to you,” says the Torah (Deut. 32:7). “Is not wisdom found among the aged? Does not long life bring understanding?” says the book of Job (12:12).

Being a keeper of the meaning means handing on the values of the past to the future. Age brings the reflection and detachment that allows us to stand back and not be swept along by the mood of the moment or passing fashion or the madness of the crowd. We need that wisdom, especially in an age as fast-paced as ours where huge success can come to people still quite young. Examine the careers of recent iconic figures like Bill Gates, Larry Page, Sergey Brin, and Mark Zuckerberg, and you will discover that at a certain point they turned to older mentors who helped steer them through the white-water rapids of their success. *Asseh lecha rav, “Acquire for yourself a teacher”* (Avot 1:6, 16) remains essential advice.

What is striking about the book of Devarim, set entirely in the last month of Moses’ life, is how it shows the aged but still passionate and driven leader, turning to the twin tasks of generativity and keeper of the meaning.

It would have been easy for him to retire into an inner world of reminiscence, recalling the achievements of an extraordinary life, chosen by God to be the person who led an entire people from slavery to freedom and to the brink of the Promised Land. Alternatively he could have brooded on his failures, above all the fact that he would never physically enter the land to which he had spent forty years leading the nation. There are people – we have all surely met them – who are haunted by the sense that they have not won the recognition they deserved or achieved the success of which they dreamed when they were young.

Moses did neither of those things. Instead in his last days he turned his attention to the next generation and embarked on a new role. No longer Moses the liberator and lawgiver, he took on the task for which he has become known to tradition: *Moshe Rabbeinu, “Moses our teacher.”* It was, in some ways, his greatest achievement.

He told the young Israelites who they were, where they had come from and what their destiny was. He gave them laws, and did so in a new way. No longer was the emphasis on the Divine encounter, as it had been in Shemot, or on sacrifices as it was in Vayikra, but rather on the laws in their social context. He spoke about justice, and care for the poor, and consideration for employees, and love for the stranger. He set out the fundamentals of Jewish faith in a more systematic way than in any other book of Tanach. He

told them of God’s love for their ancestors, and urged them to reciprocate that love with all their heart, soul, and might. He renewed the covenant, reminding the people of the blessings they would enjoy if they kept faith with God, and the curses that would befall them if they did not. He taught them the great song in *Ha’azinu*, and gave the tribes his death-bed blessing.

He showed them the meaning of generativity, leaving behind a legacy that would outlive him, and what it is to be a keeper of meaning, summoning all his wisdom to reflect on past and future, giving the young the gift of his long experience. By way of personal example, he showed them what it is to grow old while staying young.

At the very end of the book, we read that at the age of 120, Moses’ “eye was undimmed and his natural energy was unabated” (Deut. 34:7). I used to think that these were simply two descriptions until I realised that the first was the explanation of the second. Moses’ energy was unabated because his eye was undimmed, meaning that he never lost the idealism of his youth, his passion for justice and for the responsibilities of freedom.

It is all too easy to abandon your ideals when you see how hard it is to change even the smallest part of the world, but when you do you become cynical, disillusioned, disheartened. That is a kind of spiritual death. The people who don’t, who never give up, who “do not go gentle into that good night,”<sup>[4]</sup> who still see a world of possibilities around them and encourage and empower those who come after them, keep their spiritual energy intact.

There are people who do their best work young. Felix Mendelssohn wrote the Octet at the age of 16, and the Overture to a Midsummer Night’s Dream a year later, the greatest pieces of music ever written by one so young. Orson Welles had already achieved greatness in theatre and radio when he made *Citizen Kane*, one of the most transformative films in the history of cinema, at the age of 26.

But there were many others who kept getting better the older they became. Mozart and Beethoven were both child prodigies, yet they wrote their greatest music in the last years of their life. Claude Monet painted his shimmering landscapes of water lilies in his garden in Giverny in his eighties. Verdi wrote Falstaff at the age of 85. Benjamin Franklin invented the bifocal lens at age 78. The architect Frank Lloyd Wright completed designs for the Guggenheim Museum at 92. Michelangelo, Titian, Matisse, and Picasso all remained creative into their ninth decade. Judith Kerr who came to Britain when Hitler came to power in 1933 and wrote the children’s classic *The Tiger who came to Tea*, recently won her first literary award at the age of 93. David Galenson in his *Old Masters and Young Geniuses* argues that those who are conceptual innovators do their best work young, while experimental innovators, who learn by trial and error, get better with age.<sup>[5]</sup>

There is something moving about seeing Moses, at almost 120, looking forward as well as back, sharing his wisdom with the young, teaching us that while the body may age, the spirit can stay young ad me'ah ve'esrim, until 120, if we keep our ideals, give back to the community, and share our wisdom with those who will come after us, inspiring them to continue what we could not complete.

[1] George Vaillant, *Aging Well*, Little, Brown, 2003; *Triumphs of Experience*, Harvard University Press, 2012.

[2] The concept of generativity is drawn from the work of Erik Erikson, who saw it – and its opposite, stagnation – as one of one of the eight developmental stages of life.

[3] John Kotre, *Outliving the Self: Generativity and the Interpretation of Lives* (Baltimore: Johns Hopkins University Press, 1984), p. 10.

[4] The first line of Dylan Thomas' poem of that title.

[5] David Galenson, *Old Masters and Young Geniuses*, Princeton University Press, 2007.

## **The Answer to Our Enemies – Birth and Aliyah**

### **Revivim**

#### **Rabbi Eliezer Melamed**

As long as there are not enough Jews in the Land of Israel, our enemies continue to live here, and murder us \* If Jews had immigrated to the Land one hundred and twenty years ago, the demographic situation within the borders of the Promised Land would have been an overwhelming majority of Jews \* Dispute harms the size of the People of Israel, as happened in the Hungarian communities that split, and thus caused accelerated assimilation

Sometimes youth ask big questions honestly, and open a door to deep thought. When I recently met with youth for a conversation, one of the youngsters asked seriously, and painfully: Why are there terrorist attacks? Why are righteous Jews killed?

#### **Because There Are Not Enough Jews in Israel**

I answered: Because there are not enough Jews in Eretz Yisrael in general, and in Judea and Samaria, in particular, as the Torah says: "But if you do not dispossess the inhabitants of the land, those whom you allow to remain shall be stings in your eyes and thorns in your sides, and they shall harass you in the land in which you live" (Numbers 33:55). Some think the problem is external – if there are no enemies in the land, the troubles will end. However, from the Torah we learn that the reality is the exact opposite: if there are no enemies, greater troubles may arise from the desolateness. It's unpleasant to admit, but the fight against the enemy forges and unites Israel, and who knows what crises and civil wars we would have gotten into without it. In other words, as long as there are not enough Jews to settle the entire land, its' length and breadth, until there are no desolate places remaining, God sees to it that in a natural way that enemies will remain in the land. As the Torah says: "I will not drive them away

from before you in one year, lest the land become desolate and the beasts of the field outnumber you. I will drive them out from before you little by little, until you have increased and can occupy the land" (Exodus 23:27-31).

After Am Yisrael increases and become stronger, physically and spiritually – the enemies will leave. Conceivably, some of them will join us, and thus, turn from enemies to allies. And there will probably be those who will fight and be defeated, and others who will prefer to emigrate to another country.

Why were the Borders of the Land Reduced in the Torah Portion Masei?

The borders of the Land of Israel are from the River of Egypt to the Euphrates River. However, in practice, in the Torah portion Masei, when God commanded Israel to occupy the land and settle it, He commanded to conquer only the western part of the Jordan. This is because the mitzvah of Yishuv Ha'Aretz (settling the Land of Israel) must be fulfilled according to Am Yisrael's capability. And since the number of Israelites was not sufficient to settle the entire Land of Israel, the mitzvah was to first conquer the more inherently sacred area – the western side of the Jordan River. Only after increasing in numbers, would they be able to gradually expand towards the eastern side of the Jordan River, and to all the territories of the Promised Land of Israel (Ramban, Bamidbar 21:21; Malbiim, ibid.).

#### **The Eastern Side of the Jordan River**

Consequently, from the outset, Israel did not intend to conquer the land of Sichon and Og, and only after they did not accept the peace offer and waged war against Israel, Am Yisrael conquered their land. Even so, there was still no intention to settle there; therefore, when the sons of Reuven and Gad asked to inherit the eastern side of Jordan, Moshe Rabbeinu was very annoyed with them, but reluctantly granted their request after they promised to be the first in conquering the holier, principal portion, located on the western side of the river. In practice, there were not enough Jews to inherit the western side of the Jordan River, and there remained sovereign enclaves of Gentiles, who caused great trouble to Israel for about four hundred years, as recounted in the Book of Judges.

#### **The Value of Israel's Large Population**

Chumash Bamidbar is called the Sefer Ha'Pikudim (the 'Book of Counting'), because it describes the counting of battle-worthy young men. Unfortunately, during the forty years in the desert, the Israelites did not increase – their number remained the same as at the beginning, approximately 600,000. In Egypt, over the course of 210 years, the Israelites multiplied from seventy people to 600,000 men of military age; if they had continued to observe the mitzvah of Puru u'revu (procreation), in the desert they would have multiplied more than double. In other words, the Sin of the Spies led to despair from the vision of Yishuv Ha'Aretz, and also from the desire to procreate and multiply. And as the Torah says repeatedly,

the blessing of reproduction and inheritance of the Land are correlated, and dependent on one another.

#### The Effect of the Sin of the Spies on Our Generation

About a hundred and twenty years ago, at the time of the establishment of the Zionist movement, the Jewish people numbered approximately eleven million, while the Arabs who lived in all areas of the Biblical borders, including Lebanon, Syria and Iraq, numbered a little more than five million, with a little more than half a million Arabs living on both sides of the Jordan. At that point, the Jewish nation had the opportunity to return to the Land of Israel, in which to flourish and multiply. However, the majority of our nation decided to remain in the Diaspora, suffered increasing hardships under the rule of Communist oppression, until the climax was reached in the Holocaust. At that moment in time, the despair of the rebirth of the People in its Land, led to the cessation of reproduction, and assimilation.

As a result of this, today, there are about fifteen million declared Jews in the world, and in Israel, approximately seven million. In contrast, the Arabs in the vicinity of Eretz Yisrael benefited from the fruits of the industrial revolution, the growth of food production, and the improvement of medicine, and grew from five million, to more than eighty million.

Blessed are the Jews who chose to immigrate to Eretz Yisrael, and settle in it. They continue the vitality, they inherit the Land and multiply, and they are the future of the entire nation.

#### Disputes – Swords in the Heart of the Nation

The controversy between Korach and his followers is one of the most serious consequences of the Sin of the Spies, as indeed, it appeared immediately following it. Connection to the Land of Israel unites the people, and betrayal of it, leads to disputes, which also drains vitality from the people, and causes the cessation of proliferation.

Thus we find in modern times, that partnership in the settlement of the Land created a union between all the factions – religious and secular, left and right, Sephardim and Ashkenazim, Hasidim and Mitnagdim. Even the few Reform Jews who supported the settlement of the Land were united with all the Zionists, including the religious. Although Yishuv Ha'Aretz itself was accompanied by huge disputes, in the end, unity prevailed. In Chutz le'Aretz (abroad), on the other hand, disputes created rifts that led to despair, and the acceleration of assimilation.

#### The Difficult Example from Hungary

The most difficult and deep controversy was among Hungarian Jewry. As a result of the Law of Equality of Rights for Jews, in 1870, a severe split occurred between the Orthodox and Neologs. The Orthodox saw the Equality Law as a danger, and tried to manage with it, while the Neologs saw the law as a blessing which would enable the expansion of emancipation (giving equal rights to Jews).

Many compare Neologists to Conservatives who took an intermediate position, between the Orthodox and Reform, but this is not accurate. What the Neologs had in common was that they advocated a great openness to modernity, and wanted the Jewish community to include both the secular and the religious, consequently, under the label Neologs, there were also a few modern religious, alongside communities that resembled Conservative and Reform. The Neologists began to form a community in 1830, and at the time of the division, forty years later, their number was already close to half of the Hungarian Jews.

#### The Result of the Division in Hungary – Terrible Assimilation

According to documented material, during the 19th century, 10,056 Jews converted to Christianity in Hungary. The rate of conversion to Christianity increased over the years, and in the decade around the year 1896-1907, 5,148 Jews converted to Christianity (the number of converts was about a fifth of the number of converts to Christianity).

In the years 1919-1941, the number of converts to Christianity kept increasing, and a total of 36,648 converts were recorded in twenty-two years.

At the same time, the rate of intermarriage between Jews and Christians in Hungary was also increasing. In 1895, the rate of intermarriage was about three percent, and about forty years later – about 12 percent.

It is difficult to estimate numerically the loss caused to the Jewish population from intermarriage, but it can be learned from the Nazi (may the name be blotted out) census in 1941. The number of Christians who were registered as 'racial Jews' according to the Jewish laws was 89,640, about a fifth of the entire Jewish population. This number was composed of three main groups: converts, their descendants, and the descendants of mixed-marriages who were registered as Christians.

There were many more Jews who converted to Christianity who immigrated to the West. It can be estimated that their number is at least as high as the number of those remaining in Hungary, since those who converted to another religion emigrated more easily to a different country. True, Jews who remained in their identity also emigrated, but after everything is taken into account, it can be estimated that until the Holocaust, close to half of Hungary's Jews assimilated.

#### Hungary As Opposed to Galicia and Germany

It is difficult not to notice the huge difference between the rate of assimilation in Hungary, where the separation of communities was practiced in all its severity, and its rate in neighboring Galicia, where the Jewish community, despite the disputes, maintained its unity. In terms of modernity, there was no real difference between them – both were part of the Austro-Hungarian Empire, but compared to Hungary, the rate of mixed-marriages in Galicia was less than a tenth, and the rate of converts to Christianity – about a quarter.

Not only that, but even in relation to Germany, the process of conversion to Christianity in Hungary was faster. Indeed, intermarriage in Germany reached 28 percent before the Holocaust, while in Hungary it reached 12 percent, but in Germany, secularization began about three generations beforehand, so if you compare the rate of intermarriage in Hungary to the rate in Germany at the corresponding stage according to the level of secularization, about thirty to forty years earlier, it emerges that the rate of intermarriage in Hungary was higher than in Germany.

#### The Division also Caused Assimilation in Religious Families

It can be assumed that the considerable majority of conversions to Christianity and intermarriage were from among the Neological community, but it is clear that even among the Orthodox communities, the rate of conversion to Christianity and intermarriage was significantly higher compared to the rate in the corresponding Orthodox Jewish communities in Europe. It must be said that the division of the communities harmed Jewish resilience, and caused the disaster of conversion to Christianity and intermarriage, at extremely high rates.

#### Swords in the Heart of the Nation

And this is what our mentor and rabbi, Rabbi Tzvi Yehuda HaKohen Kook ztz"l, frequently taught in the name of the Netziv of Volozhin, who said concerning the separation of the religious and reform communities: "This suggestion is terrible, like swords to the body and existence of the nation." And he would also quote the Rabbi of Lviv, the capital of eastern Galicia, Rabbi Aryeh Leib Broida, who opposed the separation of the communities and said "this is not the correction of religion, rather, the greatest damage of religion – to divide between the adherents of Israel's communities."

#### Herzl

This week, on the 20th of Tammuz, is the day of the passing of one of the greatest Jews from Hungary. Who knows, perhaps precisely because of the terrible rift, which, in Herzl's great sensitivity, he felt deeply, at first, he despaired of the future of Judaism. But then, when he returned to his Jewish identity, the absolute understanding formed in his heart, that the salvation of the Jewish people depended on the establishment of a state in the Land of Israel. In doing so, he corrected the Sin of the Spies and united the people, and founded the Zionist movement, by means of which, salvation was achieved for the Jewish people in recent generations.

Rabbi Eliezer Melamed

her children shall return to her because of her compassionate righteousness" (Isaiah 1:27).

The Shabbat before the bleak day of Tisha Be'Av, the fast commemorating the destruction of both Holy Temples, is called Shabbat Hazon, the Shabbat of Vision. This title is based on the prophetic reading of that day which starts: "The vision of Isaiah the son of Amoz which he saw concerning Judea and Jerusalem..." (Isaiah 1:1).

A "vision" usually refers to a positive sight intensified with a Divine revelation, a manifestation of the Divine presence as when "the elite youth of Israel... envisaged the Almighty" (Exodus 24:11). Likewise, in our liturgy, we pray in the Amida: "May our eyes envisage Your return to Zion in compassion."

Isaiah's vision, however, is one of moral turpitude and religious hypocrisy: "Woe to the sinning nation, people heavy with transgression... My soul despises your festivals... your hands are filled with blood...."

Where is the positive "vision" of Divine grace?

The answer may be found in last week's portion, where we read about the journeys of the Israelites through the desert – perhaps a metaphor for the journeys of the Israelites throughout history: "And Moses transcribed the places of origin toward their places of destinations and these are the places of destinations toward their places of origin" (Numbers 33:2).

This verse contains an internal contradiction: Where do we ever find a point of destination leading to a point of origin? If your point of origin is the place where you discovered your personal or national destiny, you must always return to it, no matter how many places you settle along the way, in pursuit of your original destiny.

Israel began her historic journey with Abraham in Hebron, where God charged the first Hebrew with our universal mission: "Through you shall be blessed all the families of the earth" (Genesis 12:13). God, likewise, revealed what it was that Abraham was to teach the world: "I have known him in order that he command his children ... to observe the path of the Lord, to do compassionate righteousness and moral justice" (Genesis 18:19). This is the Abrahamic mission and destiny, and so wherever Israel may travel, she must always return to her roots and purpose – being in Hebron, where her journey began.

It is fascinating that in Hebrew past and future tenses are inextricably bound together; a single letter vav can transform a verb in the past tense into the future tense, and vice versa.

Similarly, when used in the context of time, the word "lifnei" means "before" (as in "Simeon was born one year before [lifnei] Reuben"), whereas, when used in the context of space the same word means "ahead" (as in "Simeon is walking one step ahead of [lifnei] Reuben").

Temporally, the Hebron experience came before our Babylonian experience, but Hebron and its message – as well as its geographic locus – was always in Israel's future;

---

#### Shabbat Shalom: Devarim (Deuteronomy 1:1 – 3:22)

By Rabbi Shlomo Riskin

RSR Head Shot Gershon Ellinson creditEfrat, Israel – "Zion shall be redeemed because of her moral justice and

the Cave of the Patriarchs is both the fount of Israel's mission and the guidepost for Israel's ultimate destiny. It serves both as a burial site (kever) and a womb (rehem) – and both of these words are used interchangeably by the Talmudic Sages.

Hence, when Moses makes reference to God's command that we inherit and conquer the land of Israel (Deuteronomy 1:8), it is immediately followed by the necessity to establish a proper moral judicial system; and when Moses deals with the rebellion of the scouts, he excludes Caleb from punishment, since he was in favor of conquering the Land of Israel. What made him stand virtually alone with God, Moses and Joshua? Our Sages explain that he began the reconnaissance journey with a side trip to Hebron to garner inspiration from the patriarch who established the mission in the first place.

Caleb went back in order to properly forge ahead.

The true vision in the first chapter of Isaiah is not the tragedy of Israel's backsliding or the reality of Israel's hypocritical sacrifices. The inspiring prophetic vision – from which this tragic Shabbat is named – is the vision which concludes the prophetic reading, "Zion shall be redeemed because of her moral justice, and her children shall return to her because of her compassionate righteousness" (Isaiah 1:27).

God guarantees that Israel will return to her Abrahamic mission and that she will ultimately arrive at her point of origin. At that time, with the Third Temple, the entire world will be blessed by Israel's message of a God of moral justice and compassionate righteousness.

Shabbat Shalom

הענית כט, ב: בתשעה באב נגור על אבותינו שלא יכנס הארץ... והשא כל העדה ויתנו את קולם ויבכו העם בלילה ההוא. אמר רבה אמר ר' יוחנן תשעה באב היה. אמר להם הקב"ה אתם בכתם בכתה של חنم ואני קובע לכם בכתה לזרות.

The Torah—in Numbers and again in this week's portion of Devarim—relates how when the twelve spies returned from scouting the Land of Canaan they frightened the Israelites from entering it.

This is what the spies said:

We came to the land that you have sent us, and indeed, it flows with milk and honey; this is its fruit. However, the people who dwell in the land are strong, and the cities are fortified and very great; we also saw giants there. The Amalekites dwell in the Negev, the Hittites, the Jebusites, and the Emorites in the hills, and the Canaanites at the sea and on the banks of the Jordan... We cannot go up against these people, for they are mightier than we...

They spread a negative report about the land which they had scouted, telling the children of Israel, 'The land we passed through to explore is a land that consumes its inhabitants, and all the people we saw in it are men of stature. There we saw the giants, the sons of Anak, descended from the giants. In our eyes, we seemed like grasshoppers, and so we were in their eyes.'

As a result of this, the Torah relates:

The entire community raised their voices and shouted, and the people wept on that night. All the children of Israel complained against Moses and Aaron, and the entire congregation said, "If only we had died in the land of Egypt, or if only we had died in this desert. Why does the Lord bring us to this land to fall by the sword; our wives and children will be as spoils. Is it not better for us to return to Egypt?"

Comes the Talmud and teaches us that the spies, who were sent on the 29th day of Sivan, returned after forty days on the 8th of Av. The mass weeping of the entire nation thus occurred on the night of the 9th of Av. G-d declared to them, "You wept in vain, I will establish this day as a time of weeping for all generations."

Indeed, that day—the 9th of Av—has become a day of tears and grief, for the terrible calamities that occurred on this day throughout our history. Jews have been crying on this day since.

Yet, G-d's response seems amiss and unfair. Just because someone cries in vain, is it a reason to penalize them and make them cry in earnest over real pain for generations to come? The act is incommensurate with the punishment. Just because someone weeps over delusional misery, is it a reason to "take revenge" and make them suffer real misery which would illicit real tears? What is the connection between the two? How could "vain tears" alone warrant such a dramatic punishment—that for all generations this would become a night of tears and grief?

The answer of course is that this was not a punishment. G-d was stating a prediction and a natural one. He was

## Rabbi YY Jacobson

[ The Thing I Fear Most Is Fear

We Are Living in An Age of Empowerment and Healing

By: Rabbi YY Jacobson

Tears

A man and woman were recently celebrating their 50th wedding anniversary.

While cutting the cake, the wife was moved after seeing her husband's eyes fill with tears.

The wife took his arm and looked at him affectionately.

"I never knew you were so sentimental," she whispered.

"No . . . No . . ." he said, choking back his tears, "That's not it at all. Remember when your father found us in the barn and told me to either marry you or spend the next 50 years in jail?"

"Yes," the wife replied. "I remember it like yesterday."

"Well," said the husband, "Today I would have been a free man."

Vain Tears

At the surface, it seems like a very unfair response, recorded in the Talmud:

attempting to explain to the people the tragic ramifications of their behavior. Your crying tonight in vain is what will cause you to cry for generations. Why?

#### Helplessness

Why were the Jews weeping that night? Because they saw a hopeless and doomed future for themselves and their children. They have been through so much; they have finally made it out of Egypt, only to meet their cruel deaths upon entering Canaan.

Yet there is something strange here. In all of history, it would be difficult to find a generation whose lives were more saturated with miracles than the generation which left Egypt. Egypt, the most powerful nation on earth at the time, was forced to free them from slavery when "the mighty hand" of G-d inflicted ten supernatural plagues. When Pharaoh's armies pursued them, the sea split to let them pass and then drowned their pursuers. In the desert, miracles were the stuff of their daily lives: manna from heaven was their daily bread, "Miriam's well" (a miraculous stone that traveled along with the Israelite camp) provided them with water, and "clouds of glory" sheltered them from the desert heat and cold, kept them clothed and shod, destroyed the snakes and scorpions in their path, and flattened the terrain before them to ease their way. Above all of this, this nation witnessed—the only time in history—the revelation of G-d Himself at Mt. Sinai sharing with them the ultimate truth of existence.

For these people to doubt G-d's ability to conquer the "mighty inhabitants" of Canaan seems nothing less than ludicrous. Yet this very people embraced the notion, "We cannot go up against these people, for they are mightier than we" and even He!

#### The Power of Fear

This is the disturbing power of fear. It is not always rational. Sometimes, it proves more powerful than all of your previous success stories. The fear may be baseless from a rational and empirical point of view, yet this does not prevent fear from paralyzing you and freezing you in your tracks. Roosevelt was quite correct in his quip that "we have nothing to fear but fear itself."

This is what happened to our people on that fateful night of the ninth of Av. Despite all rational and compelling evidence that they can do it; despite the fact that G-d—the singular master of the world—has instructed them to do it, they were overtaken by titanic fear. They concluded that their future was bleak and cruel. They were powerless. They could do nothing but weep.

Their weeping in vain on that night was not the reason for the punishment; it was the factor that revealed what might come in the future. They wept in vain because they did not appreciate that G-d was with them and He has given them the power to confront their challenges and overcome their obstacles. When you lose sight of your inner emotional and spiritual power, you indeed become a victim to forces and people beyond your control. And then you cry for real.

#### The Experiment

Psychology Today published some time ago an experiment conducted by a Harvard psychologist named Dr. Robert Rosenthal on a group of students and teachers living in Jerusalem. The experiment went as follows: a group of physical education teachers and students were randomly chosen and randomly divided into three groups.

In the first group, the teachers were told that previous testing indicated that all the students had an average ability in athletics and an average potential. The teachers were told: "Go and train them!"

The second group of teachers was told that students in their group, based on previous testing, exhibited an unusually high potential for excellence in athletic... "Go and train them!"

And the third group of teachers was told that their group of students had exhibited, based on previous testing, an extremely low potential for athletic training. "Now go and train them!"

The teachers were given several weeks to work with and interact with their student athletes. At the end of the training period, the results were the same for male and female students, and for male and female teachers. All of those students who had been randomly identified as being rather average in ability performed about average on the tests. All of those students who were randomly identified as being above average, performed above average. All those students who were randomly identified as below the average, performed below the average by a considerable margin. The results of the test indicated that what the teachers thought their students' ability was, and what the students themselves thought their ability was, went a long way toward deciding just how well they performed as athletes.

"Psychology Today" took special note of this experiment because it confirmed in the physical arena what psychologists had long claimed to be true in the educational and emotional arena: The concept of the self-fulfilling prophecy. Students in classrooms, workers in shops, and patients in therapy, all do better when the person in charge expects them to do well, when they themselves expect to do well. One's own self-esteem, one's own self-image, what someone thinks of themselves and thinks himself capable of, is an extremely crucial factor in deciding what can be, of what one is to make of himself or herself, and the way we see ourselves plays an important role in the way others see us as well.

#### The Circus

Did you ever go to the circus? Remember those huge elephants that weighed several tons and were held in place by a small chain wrapped around one of their huge legs, and held to the ground by a small wooden stake? If those huge elephants wanted to, they could walk right through those small chains and that small wooden stake like a hot knife going through butter. But they don't. Why is that?

When they were little baby elephants, they were chained down by those same small chains and the small wooden stakes. But to them, as babies, they couldn't move. They tried and tried and tried again and could not release themselves from those chains and stakes. And then, an interesting thing happens. They stop trying. They gave up. They developed a belief system.

Now, as adult elephants, they don't try because they are programmed to believe that their efforts would be useless – in vain. As huge, adult elephants, they don't even try. They're held in prison by their beliefs.

The same is true with so many of us. The spies declared: "We were like grasshoppers in our own eyes, and so were we in their eyes." As a result, the nation wept in vain. The spies caused the Jews to perceive themselves as hopeless, small, and futile "grasshoppers." Thus they also came to believe that everyone looks at them as mere grasshoppers. When you think you are weak, you indeed become weak, and you believe that everyone considers you the same.

Part of leaving exile and being worthy of redemption is that we must stand firm, united, and filled with resolve. We must never capitulate. As individuals and as a community, we must dismiss the sense of powerlessness. We can and will rid ourselves, our families, and our communities of toxicity, abuse, falsehood, and deception. We can heal our world from confusion and deception. Israel can heal itself from fear and capitulation, inviting more terror. Every one of us, in our own lives, can confront our deepest skeletons and work them through.

This is the age of healing. We ought to remember that in every situation we are empowered by G-d to create light out of darkness and to continue our march to bring healing and redemption to our world, with the coming of Moshiach, so that this Tisha B'av is transformed into a grand festival. Amen.]

---

In honor of Aharon's yahrzeit--

### **Fasting and Feasting on a Yahrzeit**

**By Rabbi Yirmiyahu Kaganoff**

Question #1: "My father's yahrzeit falls during the week of sheva brachos for my grandson. May I attend the sheva brachos?"

Question #2: "My yahrzeit falls on Shabbos this year. Do I fast on Friday or Sunday instead?"

Question #3: "I usually fast on my father's yahrzeit, but someone is honoring me with sandaka'us on that day. Do I fast, and do I need to be matir neder in the event that it is permitted to eat?"

Answer:

We are all aware that one commemorates a yahrzeit by kindling a 24-hour candle, by visiting the gravesite (if possible), and that men recite kaddish and lead the services in shul. The questions asked above center on observances that were at one time very common on a yahrzeit, but have

fallen into disuse. Specifically, they refer to the practices of commemorating a yahrzeit by fasting from morning until nightfall and by refraining from attending or celebrating weddings and similar semachos.

Although fasting on a yahrzeit is not a required practice, it was apparently widely accepted, as we see from the way the rishonim and the Shulchan Aruch (Orach Chayim 568:1, 7) refer to it. The words of the Rama are: It is a mitzvah to fast on the day that his father or mother died (Yoreh Deah 376:5; 402:12), meaning that although not technically required, it is a strongly recommended practice. *Celebrations on a Yahrzeit*

The Rama also cites a ruling prohibiting eating at a celebration on the evening of one's yahrzeit (Darkei Moshe, Yoreh Deah 391:3, quoting Maharyo; and in his notes to Shulchan Aruch Yoreh Deah, at the end of Chapter 391 and at the end of Chapter 402). The assumption is that the Rama specifically forbids celebrating on the eve of the yahrzeit, because the commemorator was presumably fasting on the day of the yahrzeit itself.

The Levush (Yoreh Deah 391) disagrees that there is a prohibition to eat at a simcha on a yahrzeit, noting that he never saw such a custom. The Shach retorts that since this is a relatively infrequent occurrence, the fact that the Levush never saw this practice does not demonstrate that such a prohibition does not exist.

Other authorities quote, in the name of the Ari, that the prohibition against eating at a wedding applies only on the first yahrzeit, not in future years. However, both the Shach (Yoreh Deah 391:8 and 395:3) and the Taz (Yoreh Deah 395:3) agree with the Rama's view that this prohibition exists at future yahrzeits, as well.

What types of celebrations are prohibited?

The prohibition includes weddings, sheva brachos and other celebrations where music usually accompanies the occasion; but, one is permitted to participate in a seudah celebrating a bris milah, pidyon haben or siyum mesechta (Pischei Teshuvah, Yoreh Deah 391:8, quoting Shu"t Makom Shemuel #80; see also Elyah Rabbah 288:18). However, the Chachmas Adam (171:11) prohibits eating at a bris milah seudah, although he permits eating at a siyum.

What type of participation is prohibited?

The Rama discusses this proscription in three different places, and in all three places he records simply that it is forbidden to eat at the celebration, and not that there is a prohibition to attend, if one does not eat. This is different from the laws that a mourner must observe, which forbid him from attending a simcha. Thus, it appears that the reason for these yahrzeit observances is not because there is a requirement to mourn, but for other reasons, which I will explain shortly.

It is interesting to note that the Rama prohibits eating at a simcha on the yahrzeit, whereas his description of the daytime fast implies that, although it is a recommended observance, it is not required. The presumable explanation

for the difference is that everyone is physically able to refrain from a celebration; therefore, this custom was accepted by Klal Yisroel. Fasting, which depends on an individual's health and stamina, was never accepted as a requirement, only a recommendation.

How strict is this fast?

From several authorities, we see that fasting on a yahrzeit was viewed very seriously. For example, the Taz (Orach Chayim 568:5) treats the fast on a yahrzeit more strictly than the fasts that were universally observed on Behab, (Monday, Thursday and Monday following Rosh Chodesh Marcheshvan and Rosh Chodesh Iyar). The Hagahos Maimoniyos and the Rama rule that one who attends a bris seudah on Behab is not required to fast, even though they are assuming that the entire community is, otherwise, fasting. The Taz rules that someone making a bris on the day that he has yahrzeit does not fast, but that someone attending this bris who has a yahrzeit on that day should fast. Thus, he treats the fast on a yahrzeit stricter than that of Behab.

The Pri Megadim (Orach Chayim, Mishbetzos Zahav 444:9) notes that, based on the comments of the Taz, the fast observed on a yahrzeit is stricter than that which the firstborn observe on Erev Pesach, which we customarily set aside after attending a siyum, bris or other seudas mitzvah. He contends that someone who is fasting because he is observing a yahrzeit, should not break his fast to join a siyum, bris or other seudas mitzvah.

Furthermore, the Pri Megadim (Mishbetzos Zahav 568:5) rules that the yahrzeit fast is stricter than the fast of Tisha B'av nidcheh, when the Ninth of Av falls on Shabbos and is postponed to Sunday. In the event of a bris, the Tur and the Shulchan Aruch (Orach Chayim 559:9) rule that the parents of the baby, the mohel, and the sandak daven Mincha as early as one can, make havdalah and then eat in honor of the fact that this day is a Yom Tov for them. However, the Pri Megadim rules that only the father has this leniency when observing a yahrzeit, but someone honored with being sandek or mohel on a day that he is observing a yahrzeit is required to observe the fast that he would usually keep. The Pri Megadim suggests that if he is the only mohel in town, he can consider this his personal Yom Tov, also, and eat, although he is inconclusive about it. He does not explain what difference it makes whether there are other mohalim in town.

Accept the day before

Several distinctions result from the fact that fasting on a yahrzeit is recommended but not required. Whenever someone decides to keep a fast that halachah does not require, he must accept the fast during Mincha of the day before. This "acceptance" is usually done at the conclusion of the Elohai Netzor, reciting a text that is printed in many siddurim. Since fasting on a yahrzeit is not required, the individual must accept it from the day before.

However, someone who usually fasts on his parent's yahrzeit is required to fast that day anyway, unless he specified on the first year that he does not intend to fast every year (Chachmas Adam 171:11). Such a person is required to fast whether or not he remembered to accept the fast at Mincha the day before. Should he decide one year that he does not want to fast, he must perform hataras nedarim to release himself from the custom he has accepted. We will soon discuss what he should do if the yahrzeit falls on Shabbos.

The authorities dispute whether someone who took ill on the yahrzeit requires hataras nedarim. The Mishnah Berurah (581:19) notes that the Magen Avraham (581:12) does not require hatarah, explaining that we can assume that he never accepted fasting on yahrzeits under these circumstances. However, the Shach (Yoreh Deah, 214:2) rules that he is required to perform hataras nedarim. The Chachmas Adam (171:11) concludes that he should do hataras nedarim in this situation.

Why fast on a yahrzeit?

The earliest source that I discovered who records this custom is the Sefer Chassidim (#231, 232), who notes that, throughout Jewish history, people have fasted in memory of the passing of a great individual. Thus, we find that Dovid Hamelech fasted upon hearing that Shaul had died, and also when he heard of Avner's assassination (Shemuel II, 1, 12; 3:35). Similarly, the Yerushalmi (Moed Katan 3:7) reports that Rabbi Avahu fasted on the day that he saw a talmid chacham die, and that when Rabbi Yonah heard of the passing of the son of Rabbi Eliezer, he fasted the rest of the day. The Shulchan Aruch records this practice in Yoreh Deah 378:4.

Although these sources reflect fasting on the day of the death only, the Sefer Chassidim cites Scriptural basis that there is halachic reason to be sad when the date of a sad event recurs in a future year.

What is the reason for fasting on a yahrzeit?

The Sefer Chassidim presents two reasons for fasting on a parent's yahrzeit:

(1) As a sign of respect. A similar idea is quoted by other authorities: fasting on the yahrzeit provides atonement (kapparah) for the parent (Shu't Mahari Mintz #9 at end; Shu't Chasam Sofer, Orach Chayim 161).

(2) A person's soul is linked to that of his parents, and, therefore, the son himself suffers on the day of the yahrzeit. Later authorities explain that on the yahrzeit day, the child's mazel is not good, and he should fast to protect himself (Shu't Mahari Mintz #9 at end; Shu't Maharshal #9; Levush, Yoreh Deah 402:12; Shach, Yoreh Deah 402:10).

Some later authorities understand that these reasons are not complementary, but conflicting reasons for the fast, and that there are resultant differences in halachah (Shu't Chasam Sofer, Orach Chayim 161). For example, if the reason is to protect oneself because one's mazel is not

good, it is dependent on the person's concern. One who is unconcerned does not need to fast (Shu"t Chasam Sofer, Orach Chayim 161).

#### Fasting on the yahrzeit of one's rebbe muvhak

Here is another situation in which the decision as to whether to fast or not is dependent upon the reason for the fast. The Mishnah Berurah (568:46), quoting the Shelah Hakadosh, says that one should fast also on the yahrzeit of one's rebbe muvhak, the person from whom he learned most of the Torah that he knows. The Shelah explains that one fasts this day because he owes more honor to his rebbe muvhak than to his parent, as is mentioned in several places in halachah. However, this reason requires one to fast only if we assume that fasting on a yahrzeit is because of honor or as a kapparah for the departed. If the observance is to protect the one fasting, the requirement to show respect to one's teacher should not affect his mazel, and there is no reason for a disciple to fast on the yahrzeit of his rebbe (Elyah Rabbah, Orach Chayim 288:18 and 568:15).

#### Why not feast?

Although I did not find any authorities who explain why it is prohibited to eat at a celebration on a yahrzeit, it would seem that the basis for this prohibition is the same as the reasons for fasting: either it is considered disrespectful to one's parent to be celebrating on such a day, or that since one's mazel is not good on this day, one should refrain from celebration.

#### Reciting Aneinu

Someone who fasts on his yahrzeit should recite Aneinu in his private Shemoneh Esrei, but not in the repetition of Shemoneh Esrei, unless coincidentally there is a minyan of people fasting.

#### When does one not fast?

Notwithstanding the importance attached to the fast on a yahrzeit, there are many days that halachah prohibits fasting, because this desecrates the sanctity of the day. For example, the Levush says that one should not fast on any day that we do not recite tachanun. As we will soon see, there is a dispute among authorities whether one should fast in this instance on the day or two before or after the yahrzeit (assuming that this is a day when it is permitted to fast), or whether since one is not fasting on the yahrzeit itself, there is no reason to fast at all.

#### What happens if the yahrzeit falls on Shabbos?

If the yahrzeit falls on Shabbos, the Maharik ruled that one should fast on a different day instead. The Shulchan Aruch (Orach Chayim 568:9) follows this approach and rules that one should fast on Sunday; and if the yahrzeit falls on Rosh Chodesh, that one should fast on the second of the month. When the second of the month falls on Shabbos, some authorities contend that one should fast on Sunday, the third of the month (Kaf Hachayim 568:93, 96, quoting Shelah and Elyah Rabbah 568:15).

Others follow the approach of the Maharik, but disagree with the Shulchan Aruch's decision to postpone the fast, contending instead that the fast should be before the yahrzeit. They contend that the fast should be on Erev Shabbos or Erev Rosh Chodesh (Kaf Hachayim 568:94, quoting Kavod Chachamim and Penei Aharon).

On the other hand, other authorities (Shu"t Mahershal #9) dispute the Maharik's conclusion, ruling that when a yahrzeit falls on a day that one cannot fast, the custom is not to fast at all. The Rama follows this ruling. Some Sefardic poskim also follow this ruling, unlike the conclusion of the Shulchan Aruch (Kaf Hachayim 568:94, quoting Leket Hakemach).

The authorities dispute whether one whose yahrzeit falls either on Rosh Chodesh Nisan or on Rosh Chodesh Av should fast on those days, even though they are days when we recite Musaf and do not say tachanun (Kaf Hachayim 568:97). The reason that these two days are exceptions is because they are mentioned as days when it is permitted to fast. The Chachmas Adam (171:11), however, rules that the accepted custom is to refrain from fasting on any Rosh Chodesh, and that is the prevalent custom among Ashkenazim.

If the yahrzeit falls on Friday, the Mahershal rules that, on the first yahrzeit, he should not complete the day's fast, whereas if he already fasted in a previous year, he must complete the fast.

#### Those who do not fast

In the last centuries, we find many sources that do not encourage fasting when it might cause someone to study Torah with less diligence. Instead, one should dedicate all his strength to the study of Torah on the yahrzeit. For this reason, Rabbi Akiva Eiger, in his *tzava'ah*, instructed his descendants to study Torah assiduously on his yahrzeit and not fast, and this is recorded to have been the practice of the Chasam Sofer, the Kesav Sofer, the Chazon Ish and the Steipler. Rabbi Akiva Eiger instructed his descendants not to sleep at all on his yahrzeit, but to study Torah through the night.

I have seen it recorded that the Chasam Sofer made a siyum when observing a yahrzeit, but served a milchig meal, so that it not appear that he was celebrating on the day. This also accomplished the seudas mitzvah's preempting the requirement to fast, and fulfilled chesed by providing a meal to the poor.

In most Chassidic circles, a practice developed of performing chesed on a yahrzeit –specifically to make sure that the poor people in town had a proper meal on the day of the yahrzeit. The brachos recited thereby created a tikun for the departed soul, and therefore, this practice became called tikun. This developed into a custom of serving schnapps and mezonos on the yahrzeit.

With time, some had concerns about this practice, particularly the kashrus of the foods and beverages served. Rav Avraham Meir Israel, a rosh yeshiva in Yeshivas

Chasan Sofer in Brooklyn, wrote to Dayan Yitzchak Weiss, saying that he would like to stop the custom of tikun that had developed, primarily because of concern that the whiskey was often chometz she'avar alav hapesach; it had been owned by Jewish storekeepers, distributors or manufacturers on Pesach and had not been sold, thus rendering it prohibited. In his response, Dayan Weiss agrees with Rabbi Israel's concerns, particularly since this custom of tikun has extremely weak halachic foundations. Nevertheless, Dayan Weiss quotes numerous Chassidic sources that support this custom. In conclusion, he feels that one should not change the custom where it is practiced. However, where there are kashrus concerns, he suggests providing very detailed instructions as to where one may purchase the products being served. (This author is aware that many kashrus concerns have been raised recently on liquor; however, we will discuss that topic a different time.)

The Sedei Chemed (Volume 5 page 241 #40) voices strong opposition to the minhag of tikun for a different reason: that people celebrate the tikun in the shul or Beis Medrash, and it is prohibited to eat or drink in shul, except for talmidei chachamim who are permitted to eat in a Beis Medrash while they are in the middle of their studying. This problem can be avoided by celebrating the tikun in a room adjacent to the shul which is not used regularly for prayer. In a later edition, included now in the current editions of Sedei Chemed (Volume 5, page 335 #4), he quotes subsequent correspondence from the Brezhaner Rav, who wrote him that it is permitted to conduct any seudas mitzvah in a shul, and therefore it is permitted to have tikun there. The Sedei Chemed further quotes the Spinker Rebbe, who wrote him that all the admorim conduct their tishin in the Beis Medrash on the basis that our shullen are built with the understanding that these activities may be conducted there.

#### Conclusion

However one observes a yahrzeit, one should always remember that the day be used for reflection, introspection and teshuvah. Ultimately, this is the best tool to use, both as a tikun neshamah for the departed and as a protection for the person commemorating the yahrzeit.

---

#### **TORAH SHORTS: Devarim**

#### **Weekly Biblical Thoughts**

**by Rabbi Ben-Tzion Spitz**

Commentary based on the Bat Ayin

Divine Megaphone (Devarim)

Moses, since the Exodus from Egypt, through the wandering in the desert for forty years and their final encampment by the eastern banks of the Jordan River, is constantly addressing the people of Israel. We know that the people of Israel had over 600,000 men of military age

and likely comprised a total population of a few million people.

A question I always had was, how did Moses physically communicate with the entire nation at once? Even if a few million people squeezed into as tight an area as possible, we would be talking about an area that would comprise thousands upon thousands of acres. Remember, we are talking about a time before any electronic voice amplification technology existed. Was there some rudimentary Egyptian bullhorn used to address large crowds? Was there some forgotten Mesopotamian technology that amplified voices?

Before the age of electricity, it was presumed that a crowd of 5,000 was a natural limit that could be addressed, not including a stadium or some other enclosed and acoustically enhanced location. Benjamin Franklin tested a particularly powerful preacher, George Whitefield, who successfully addressed a crowd of 30,000 people in Philadelphia. Whitefield spoke from the top of the Court House steps on Market Street. Franklin was able to hear him up until about Front Street, half a mile away, at which point he could no longer hear him. The question still remains, how did Moses address a crowd that was one hundred times larger, over presumably a much larger area?

The Bat Ayin on Deuteronomy 1:1 wonders the same thing. The verse states that Moses addressed ALL of Israel. So how did he accomplish such a herculean task? How did he address millions of people at once? The Bat Ayin answers that God was Moses' megaphone. God consistently and supernaturally amplified Moses' voice whenever he wanted to address all of Israel. That in a sense, it was really some aspect of God's voice that was coming out of Moses' throat. Not only was Moses speaking the words that God put into his brain, but God was using Moses' mouth and raising the reach and volume to divine levels. Moses' attachment to God was so strong that he became a full and complete conduit to transmit God's words to Israel. Moses faithfully transmitted both the words and the voice of God.

May we always appreciate the divine nature of the Torah that's in our hands.

Shabbat Shalom,

Ben-Tzion

Dedication

To Herzog's Yemei Iyun (Bible Study Days) in Alon Shvut. It constantly amazes me how so much relevant and new material can be gleaned from something so old. Rabbi Eliezer Melamed

---

#### **Drasha**

**By Rabbi Mordechai Kamenetzky**

Parshas Devarim

A Meaningful Approach

Forty years of desert wanderings are coming to a close. Moshe knew that his end was near and wanted to leave the children of Israel with parting words that were filled with love, direction, guidance, and admonition.

He discussed many of the events of the past 40 years; the triumphs and tragedies. Though he did not mince words, there are many details that are added in Moshe's review that shed more light on the previously related incidents.

One story in particular is the story of the meraglim, the spies, who returned to the Jewish camp from Canaan with horrific tales and predictions of sure defeat. But it is not the end of the failed mission that I would like to focus on, rather its conception.

Moshe recounts: "You all approached me saying, 'let us send spies and they shall seek the land.'" Rashi is quick to comment on the words "all of you." "In confusion. The young pushed the old," explains Rashi, "and the older pushed ahead of the leaders!" Rashi adds that at the giving of the Torah, however, the elders and the youth came in orderly fashion to present their needs.

Two questions arise. Why does it make a difference, in the actual reporting of the spies, how the request was presented? In addition, why did Rashi deem it necessary to contrast this conduct with what occurred at the giving of the Torah?

During the first weeks of the Civil War, newspaper editorials from across the nation were filled a plethora of criticisms, advise, and second guessing of President Lincoln's handling of the crisis. Eventually, the editors asked for a meeting with the President, which he granted. During the meeting, each one of the editors interrupted the other with their ideas, suggestions, and egos.

Suddenly Mr. Lincoln stood up. "Gentleman," he exclaimed, "this discussion reminds me of the story of the traveler whose carriage wheel broke right in the middle of a thunderstorm during the black of night. The rain was pouring, the thunder was booming and the carriage was sinking as he furtively tried to fix his wagon. He groped and grappled in the wet darkness to find a solution to his problem.

"Suddenly the sky lit up with a magnificent bolt of lightning that lit the countryside like daylight. Seconds later the ground shook from a clap of thunder that reverberated for miles with a deafening boom.

"The hapless traveler looked heavenward and tearfully pleaded with his creator. 'Lord,' he begged, is it possible to provide a little more light and a little less noise?" "

In defining the sin of the spies, Rashi notices very consequential words. "All of you converged." He explains that particular phrase by contrasting it with a scenario that occurred at Sinai. When the Jewish nation wanted to modify the manner in which the revelation transpired, the request for Moshe's intervention was done in an orderly manner.

A few years before his passing, my grandfather visited Israel and was asked to deliver a shiur (lecture) in a prominent Yeshiva on a difficult Talmudic passage. Upon his arrival at the Yeshiva, he was shocked to see hordes of students and outsiders clamoring to get front row seats in order to hear the lecture. There was quite a bit of pushing and shoving. After all, at the time, Reb Yaakov was the oldest living Talmudic sage and this lecture was an unprecedented honor and privilege for the students and the throngs that entered the Yeshiva to get a glimpse of the Torah he was to offer. It was even difficult for him to approach the lecture, because of the chaotic disarray.

The goings on did not bear well with him. He discarded his planned lecture and instead posed the following question to the students: "In Parshas Shelach, the portion of the spies, the Torah tells us that each shevet (tribe) sent one spy. The Torah lists each spy according to his tribe. Yet, unlike ordinary enumeration of the tribes, this one is quite different. It is totally out of order. The Torah begins by listing the first four tribes in order of birth, but then jumps to Ephraim who was the youngest then to Benyamin then back to Menashe. Dan and Asher follow, with the tribes of Naftali and Gad ensuing. Many commentaries struggle to make some semblance of order out of this seeming hodgepodge of tribes. It is very strange indeed.

"But," explained Reb Yaakov as he gazed with disappointment upon the unruly crowd. "Perhaps Rashi in Devorim explains the reason for the staggered enumeration. The reason they are mentioned out of order is simply because there was no order! The young pushed the old and moved ahead to say their piece. And from that moment, the mission was doomed." Many of us have ideas and opinions. The way they are presented may have as much impact on their success as the ideas themselves.

Dedicated by Burt Usdan and Daughters in Memory of Roslyn Usdan  
Good Shabbos!

---

### Rav Kook Torah

#### Devarim: The Book that Moses Wrote

The Book that Moses Wrote

Di Zahav – Too Much Gold

Right versus Might

Mipi Atzmo

Already from its opening sentence, we see that the final book of the Pentateuch is different from the first four. Instead of the usual introductory statement, "God spoke to Moses, saying," we read:

"These are the words that Moses spoke to all of Israel on the far side of the Jordan River ..." (Deut. 1:1)

Unlike the other four books, Deuteronomy is largely a record of speeches that Moses delivered to the people before his death. The Talmud (Megillah 31b) confirms that the prophetic nature of this book is qualitatively different

than the others. While the other books of the Torah are a direct transmission of God's word, Moses said Deuteronomy mipi atzmo — "on his own."

However, we cannot take this statement — that Deuteronomy consists of Moses' own words — at face value. Moses could not have literally composed this book on his own, for the Sages taught that a prophet is not allowed to say in God's name what he did not hear from God (Shabbat 104a). So what does it mean that Moses wrote Deuteronomy mipi atzmo? In what way does this book differ from the previous four books of the Pentateuch?

#### Tadir versus Mekudash

The distinction between different levels of prophecy may be clarified by examining a Talmudic discussion in Zevachim 90b. The Talmud asks the following question: if we have before us two activities, one of which is holier (mekudash), but the second is more prevalent (tadir), which one should we perform first? The Sages concluded that the more prevalent activity takes precedence over the holier one, and should be discharged first.

One might infer from this ruling that the quality of prevalence is more important, and for this reason the more common activity is performed first. In fact, the exact opposite is true. If something is rare, this indicates that it belongs to a very high level of holiness — so high, in fact, that our limited world does not merit benefiting from this exceptional holiness on a permanent basis. Why then does the more common event take precedence? This is in recognition that we live in an imperfect world. We are naturally more receptive to and influenced by a lesser, more sustainable sanctity. In the future, however, the higher, transitory holiness will come first.

#### The First and Second Luchot

This distinction between mekudash and tadir illustrates the difference between the first and second set of luchot (tablets) that Moses brought down from Mount Sinai. The first tablets were holier, a reflection of the singular unity of the Jewish people at that point in history. As the Midrash comments on Exodus 19:2, "The people encamped — as one person, with one heart — opposite the mountain" (Mechilta; Rashi ad loc).

After the sin of the Golden Calf, however, the Jewish people no longer deserved the special holiness of the first tablets. Tragically, the first luchot had to be broken; otherwise, the Jewish people would have warranted destruction. With the holy tablets shattered, the special unity of Israel also departed. This unity was later partially restored with the second covenant that they accepted upon themselves while encamped across the Jordan River on the plains of Moab. (The Hebrew name for this location, Arvot Moav, comes from the word 'arvut,' meaning mutual responsibility.)

The exceptional holiness of the first tablets, and the special unity of the people at Mount Sinai, were simply too holy to

maintain over time. They were replaced by less holy but more attainable substitutes — the second set of tablets, and the covenant at Arvot Moav.

#### Moses and the Other Prophets

After the sin of the Golden Calf, God offered to rebuild the Jewish people solely from Moses. Moses was unsullied by the sin of the Golden Calf; he still belonged to the transient realm of elevated holiness. Nonetheless, Moses rejected God's offer. He decided to include himself within the constant holiness of Israel. This is the meaning of the Talmudic statement that Moses wrote Deuteronomy "on his own." On his own accord, Moses decided to join the spiritual level of the Jewish people, and help prepare the people for the more sustainable holiness through the renewed covenant of Arvot Moav.

Moses consciously limited the prophetic level of Deuteronomy so that it would correspond to that of other prophets. He withdrew from his unique prophetic status, a state where "No other prophet arose in Israel like Moses" (Deut. 34:10). With the book of Deuteronomy, he initiated the lower but more constant form of prophecy that would suit future generations. He led the way for the other prophets, and foretold that "God will establish for you a prophet from your midst like me" (Deut. 18:15).

In the future, however, the first set of tablets, which now appear to be broken, will be restored. The Jewish people will be ready for a higher, loftier holiness, and the mekudash will take precedent over the tadir. For this reason, the Holy Ark held both sets of tablets; each set was kept for its appropriate time.

---

#### Office of the Chief Rabbi Mirvis

#### Tisha b'Av: A good leader gives us hope

Parshat Devarim is always read on the shabbat prior to Tisha B'Av, and in this parsha, Moshe Rabbeinu, who is just about to pass away, gives reproof to the nation as he recalls the 40 years of their travels in the wilderness.

Moshe commences his words of criticism with the term 'eicha' — the same word with which we commence the book of lamentations ('Eicha') that we read on Tisha b'Av. Moshe declares (Devarim 1:12), "Eicha esa levadi tarchachem umasaachem verivchem." — "How impossible it has been for me alone to endure your troubles, the burdens you've placed upon me and your arguments."

Moshe here acknowledges the deep weaknesses of the people and the dangers they face as a result. But prior to his 'eicha', he had declared (Devarim 1:11),

"Hashem, Elokei avoteichem, yosif aleichem kachem eilef pe'amim, viyvarech etchem k'asher diber lachem." — "The Lord your God will increase your number a thousandfold and will bless you as he has promised you."

Although the nation is facing numerous challenges, Moshe here gives them hope, and what a wonderful message that is for all of us. Regardless of our circumstances, there is always room for hope.

Furthermore, the great thing about the destiny of the Jewish people is that we're guaranteed a positive outcome because of the blessings of Hashem in the Torah. That's why, against all odds, we continue to exist to this day.

This is the tone that is set for the fast of Tisha B'Av, the saddest day of the year, which is also called a 'moed' or festival by our prophets. Just as Moshe realised that we have to be true to the challenges that face us, and we have to recognise the dangers that we experience, nonetheless we must be filled with hope. So too, on Tisha B'Av we mourn the suffering of the past with much pain and grief, but we also pray that this day of sadness will ultimately become the greatest yom tov of the year.

No wonder therefore that our sages predicted that Moshiach will be born on Tisha B'Av. Let's hope it will be Tisha B'Av this year and, please God, may we only face a happy and wonderful future.

---

## Torah Weekly

### Parshat Devarim

by Rabbi Yaakov Asher Sinclair

[www.seasonsofthemoon.com](http://www.seasonsofthemoon.com)

#### PARSHA OVERVIEW

This Torah portion begins the last of the Five Books of The Torah, Sefer Devarim. This Book is also called Mishneh Torah, "Repetition of the Torah" (hence the Greek/English title "Deuteronomy"). Sefer Devarim relates what Moshe told the Jewish People during the last five weeks of his life, as they prepared to cross the Jordan River into the Land of Israel. Moshe reviews the mitzvahs with the people, stressing the change of lifestyle they are about to undergo — from the supernatural existence of the desert under Moshe's guidance, to the apparently natural life they will experience under Yehoshua's leadership in the Land.

The central theme this week is the sin of the spies, the meraglim. This Torah portion opens with Moshe alluding to the sins of the previous generation who died in the desert. He describes what would have happened if they had not sinned by sending spies into Eretz Yisrael. Hashem would have given them, without a fight, all the land from the Mediterranean to the Euphrates, including the lands of Ammon, Moav and Edom.

Moshe details the subtle sins that culminate in the sin of the spies, and reviews at length this incident and its results. The entire generation would die in the desert and Moshe would not enter Eretz Yisrael. He reminds them that their immediate reaction to Hashem's decree was to want to "go up and fight" to redress the sin. He recounts how they would not listen when he told them not to go, and that they no longer merited vanquishing their enemies miraculously.

They had ignored him and suffered a massive defeat. They were not allowed to fight with the kingdoms of Esav, Moav or Ammon. These lands were not to be part of the map of Eretz Yisrael in the meantime. When the conquest of Canaan will begin with Sichon and Og, it will be via natural warfare.

#### PARSHA INSIGHTS

##### Seeds for the Future

"These are the words that Moshe spoke to all Israel on the other side of the Jordan, concerning the Wilderness, concerning the Aravah, opposite the Sea of Reeds, between Paran and Tophel and Lavan, Chatzerot and Di Zahav..."

"You know. You're such an idiot. I don't know why you did that. Didn't you realize that you would hurt his feelings? Why aren't you more sensitive to other people?"

It always surprises me how the most sensitive people to their own feelings are sometimes the least sensitive to others.

Even when offering constructive advice to someone, the worst way to do is by a direct confrontation, for immediately the listener will rise against the perceived attack with all manner of self-justification: "I couldn't help it"; "You think you could have done better?" etc. etc.

Better, by far, is to allude to the matter at hand, subtly planting an inference into the mind of the listener. In this way, his front-line early-warning defenses are not triggered, and the idea lodges in his subconscious to grow like a seed.

This is what Moshe does in the opening lines of the Book of Devarim. The place names that are mentioned here are locations of various sins and rebellions of the Jewish People: "...concerning the wilderness..." their lust for the flesh pots of Egypt; "...concerning the Aravah..." their immorality with the daughters of Moav; "...opposite the Sea of Reeds..." their lack of trust in Hashem at the crossing of the sea; "...between Paran and Tophel and Lavan..." their complaints about the miraculous food — the Manna; "...and Chatzerot..." the rebellion of Korach; "and Di Zahav" the golden calf.

Moshe is addressing the Bnei Yisrael in the last five weeks of his life. He wants to leave them a strong and lasting message: To beware of inherent tendencies that have already brought them into trouble.

Rather than tackle them directly and risk rejection, Moshe plants the seeds of self-examination into the collective psyche of the Jewish People so that long after his departure they will still bear fruit.

Sources: Rashi; Chasam Sofer, heard from Rabbi Naftali Falk

© 2020 Ohr Somayach International - all rights reserved

---

#### Parshas Devarim

Rabbi Yochanan Zweig

This week's Insights is dedicated in loving memory of Avram Abish ben Menachem Mendel.

### Everyone's a Critic

These are the words that Moshe spoke to Israel, on the other side of the Yarden, in the desert, in the plain, between Paran and Tophel [...] (1:1).

This week's parsha opens with Moshe addressing the entire nation. Both Rashi and Targum Yonason (ad loc) point out that Moshe isn't merely speaking to Bnei Yisroel – he's actually criticizing them. In fact, all the places listed in the possuk are locations where the Jewish people transgressed and angered Hashem.

The Talmud (Bava Metzia 30b) states that the reason Jerusalem was destroyed was because the inhabitants went according to the strict letter of the law and didn't act in ways that would have gone beyond the letter of the law. In other words, they didn't treat one another any better than the Torah required of them. Tosfos (ad loc) asks that the reason given for the destruction seems to contradict the Gemara (Yoma 9b), which states that the reason for the destruction was because of "baseless hatred." Tosfos answers that both those reasons played into the cause for the destruction. Seemingly, Tosfos is explaining that the baseless hatred led them to only do for each other what was required and nothing beyond the strict letter of the law.

Yet, the Gemara in Shabbos (119b) states that the reason for the destruction was because people failed to criticize one another. This, once again, seems to contradict the Gemara in Yoma that states the destruction stemmed from baseless hatred. Presumably, if baseless hatred was rampant in the city of Jerusalem then harsh criticism couldn't be far behind. What does the Gemara mean when it says that people didn't criticize each other?

Almost everyone is familiar with the Torah command "hocheach tocheach es amisecha" – the obligation of criticizing a fellow Jew. Sadly, many people have no idea what this really means or when to apply it. As an example: Most of us feel it is our sacred obligation to (loudly) shush the person in shul who is talking too loudly or is disruptive in some way. However, this does not fall under the obligation of criticizing a fellow Jew.

Maimonides (Hilchos Deyos 6:7) lays out very clearly what this mitzvah entails: "It is a mitzvah for a person who sees that his fellow Jew has sinned, or is following an improper path, to return him to proper behavior and to inform him that he is causing himself harm by his evil deeds – as the Torah (Vayikra 19:17) states: 'You shall surely admonish your colleague.'"

Clearly, according to Rambam, the prime motivation for criticism of another Jew should be your interest in his well being. In fact, as Rambam points out, one of the key elements of criticism is the explanation of how the person's behavior is harmful to themselves. In other words, the main driving force of criticism of another has to be your love of them and your desire that they don't hurt themselves.

Most of us only criticize the behaviors of others that bother us, not the behaviors that are harmful to them. We would prefer to blithely ignore the behaviors of our friends that are clearly detrimental to them – unless, of course, their behavior or something they do is disruptive to our own lives. At that point, we jump into action. But until that point is reached we would rather ignore their shortcomings and "leave well enough alone." In other words, we effectively only criticize when their behavior is about us, not when their behavior is about them. In addition, we should carefully consider what that says about our "friendships."

That's what the Gemara means by saying that Jerusalem was destroyed because we didn't criticize one another. This was a direct result of the baseless hatred. Because of the baseless hatred we had for one another we didn't care about each other and therefore didn't make any attempt to prevent other people from harming themselves.

### The Death of Disconnection

How can I alone carry your trouble and your burden and your quarrels? (1:12)

Parshas Devarim is read every year on the Shabbos before Tisha B'Av. In this parsha Moshe laments: "eicha esa levadi - how can I myself bear the burden of Bnei Yisroel's quarrels and arguments." It is customary to read this possuk in the special melody of Megillas Eicha. Chazal, in the prologue of Midrash Eicha, give an interpretation to the meaning of the word eicha and the connection to Tisha B'Av:

"R. Abbahu taught 'But they like men [Adam] have transgressed the covenant' (Hoshea 6:7). This refers to Adam Harishon, of whom Hashem said, 'I brought him into the Garden of Eden and I imposed a command upon him, but he transgressed it so I punished him by driving him out and sending him away.' 'V'kinati alav eicha – and lamented over him,' [...] as it is said, Therefore Hashem God sent him forth, and lamented over him. 'Where art thou? (ayeka).' Similarly with his descendants. I brought them into the land of Israel, [...] I gave them commandments, [...] they transgressed my laws [...] so I punished them by driving them out, and by sending them away, and I lamented over them, how (eicha) she (referring to Yerushalayim) sits solitary" (Eicha 1:1).

This, of course, refers to Adam's sin of eating from the Tree of Knowledge and violating the only commandment given to him at the time, which led to his banishment from Gan Eden. The parallel to Adam's sin is the sins of Bnei Yisroel that caused them to be driven out of Eretz Yisroel. These two words, eicha and ayeka, appear identical in the non-vowelized text as they are the exact same letters. Just as Hashem used the word ayeka when He banished Adam, He uses the word eicha when He banished Bnei Yisroel from Eretz Yisroel.

Maimonides (Hilchos Teshuvah 6:1-3) states that one of the core tenets of understanding Hashem's providence is

the knowledge that all evil that befalls us, whether individually or as a community, comes from consciously using our free will to transgress sins. These punishments often come to us in the most horrific ways, but they are all meted out in accordance to Hashem's divine knowledge of the proper way to exact punishment to fit the sin. But all of these punishments are only if the person doesn't do teshuvah. However, if a person repents in a conscious manner and of his own free will, then this acts as a shield to protect him from punishment.

In light of this, we must examine how we, as a people, react to the devastating loss of the Beis Hamikdosh, the destruction of Jerusalem, and the death and banishment of the Jewish people, which is poignantly memorialized by the three weeks and Tisha B'Av.

Our sages instituted the custom to begin a period of mourning on the 17th of Tammuz. This gets progressively more intensive, culminating with Tisha B'Av. Towards the end of Tisha B'Av we begin to console ourselves, and over the next seven weeks we experience what is known as the "seven weeks of consolation." This is highlighted as such by the weekly haftorahs. Only after this process do we begin to embark on the teshuvah process. This seems a little backwards. According to Maimonides it seems we should be immediately embarking on teshuvah. What is this process of mourning? What are we trying to internalize?

Most people think that the period of mourning is the process of internalizing the terrible tragedies that happened to the Jewish people and feeling a sense of loss. This is really only part of the purpose, and perhaps, only a small part of it.

Of course Maimonides is right, we need to constantly focus on doing teshuvah. But the real issue in doing teshuvah is that we are often distracted from the root cause of our

problem. We often look at teshuvah as our apology for a transgression, as in "please don't punish me (i.e. my family, my business) for my sins, I am sorry that I behaved in such a terrible manner." This is, at best, an incomplete perspective.

What we really should focus on is the severing of the relationship with Hashem due to our misbehavior. We need to begin to fathom the true effect of our transgressions – the disconnection from our source. When we are disconnected from Hashem that is when all the terrible things happen to us. Being disconnected from Hashem is literally death, because we are now merely finite beings. That is why when Adam sinned he brought death to the world and that is what Hashem said to him "ayeka – where are you?" If we are disconnected from Hashem we are nowhere. Gone. Banished. The loss of the Beis Hamikdosh and Eretz Yisroel is the manifestation of the severing of the relationship with Hashem that had been restored, in part, after the sin of the Golden Calf.

This is also why it is prohibited to study Torah on Tisha B'Av; the Torah and its infinite connection to Hashem masks this sense of disconnection. It is this death, the severing of our relationship with Hashem, that we must mourn during this time period. We have been banished from the relationship. It is for this reason that all the stories of the destruction, those that we are permitted to study on Tisha B'Av, appear in the tractate of Gittin – laws of divorce.

Only after suitably internalizing this loss, and its ramifications, do we begin to console ourselves. Even after all that we have done to Hashem, He still wants a relationship with us. When we begin to understand his yearning for us to return, then we can properly return to him with a complete teshuvah – a return to the relationship.

---

לע"ג

שרה משה בת ר' יעקב אליעזר ע"ה  
ቢילא בת (אריה) לייב ע"ה  
אנא מלכה בת ישראל ע"ה

## Parshas Devarim: Moshe Becomes "Moshe Rabbenu" by Rabbi Yitz Etshalom

### I. INTRODUCTION

Sefer D'varim is divided into three sections (just like Bamidbar – see our Siyyum on Sefer Bamidbar):

- A) Historical Recounting (Chapters 1-11)
- B) Mitzvot (Chapters 12-26)
- C) Covenant Ceremonies (27-33)

(Chapter 34, describing Mosheh's death, is a topic for a separate discussion)

Although we will focus our discussion on a few of the elements mentioned in the historical recitation/recounting (specifically those mentioned in the first three chapters; i.e. Parashat D'varim), we will also suggest, in broad strokes, some overarching themes of the entire Sefer – along with its purpose.

### II. WHY ARE JUDGES MENTIONED HERE?

Near the beginning of our Parashah (1:13-17), Mosheh recounts the story of his delegating judges to handle the many complaints and disputes among the people.

[There is an anomaly in our practice worth pointing out here: When we read the Torah on Shabbat afternoon and on Monday and Thursday mornings, the general custom is to read the first "Aliyah" of the upcoming Shabbat morning Parashah. Only when that first Aliyah is too short to make three Aliyot (less than 10 verses), such as Parashat Nitzavim, or when it is too long (e.g. Ki Tissa), do we do otherwise.]

During the week leading up to Shabbat Parashat D'varim, we read the first 11 verses, ending just before the verse which starts with the word Eikhah. These 11 verses are divided into 3 "mini"-Aliyot. On Shabbat morning, however, we end the first Aliyah after verse 10. This is done so that we don't begin the next Aliyah with the word Eikhah; which, even though it doesn't necessarily have a "tragic" implication here, carries the saddest associations for us – it is the banner word of Yirmiyah's book of dirges, known as Eikhah or "Lamentations". Since Parashat D'varim is always read on the Shabbat just prior to Tish'ah b'Av, we don't want to begin an Aliyah with a word that has such sad and immediate associations – so we begin the Aliyah one verse "early".]

After reminding the people that he had told them (almost 40 years ago) that they have become numerous and blessed by God – and blessing them that God should increase their numbers a thousand-fold – he notes that this burden was too much for him to bear. In response, he approached them, as follows:

Choose for each of your tribes Anashim (men) who are wise, discerning, and reputable to be your leaders." You answered me, "Tov haDavar Asher Dibarta la'Asot (The plan you have proposed is a good one)." So I took the leaders of your tribes, wise and reputable Anashim, and installed them as leaders over you, commanders of thousands, commanders of hundreds, commanders of fifties, commanders of tens, and officials, throughout your tribes. I charged your judges at that time: "Give the members of your community a fair hearing, and judge rightly between one person and another, whether citizen or resident alien. You must not be partial in judging: hear out the small and the great alike; you shall not be intimidated by anyone, for the judgment is God's. Any case that is too hard for you, bring to me, and I will hear it." (1:14-17)

[Note that this story seems to be a blending of two distinct events: Yitro's advice to Mosheh to delegate judicial responsibility (Sh'mot 18:19-26) and Mosheh's complaint to God that the burden of the people is too great to bear (Bamidbar 11:11-15). In addition to the "blurring", Yitro's role is omitted here. Addressing this "slant" in historic retelling is beyond the scope of this shiur and will be dealt with in a future shiur.]

This narrative raises (at least) two questions:

- A) Why is the mention of the delegation of judicial responsibility worthy of mention right at the beginning of Mosheh's

historical recounting? Wouldn't it have been more reasonable to mention the Exodus, the Stand at Sinai or the Construction of the Mishkan at this point?

B) Why is Mosheh sharing his charge to the judges with the people? ("I charged your judges...")

The same question may be asked in reference to a later verse in our Parashah:

Even with me Hashem was angry on your account, saying, "You also shall not enter there. Yehoshua bin Nun, your assistant, shall enter there; Oto Hazek (give him strength/encourage him), for he is the one who will secure Israel's possession of it." (1:37-38)

Why is Mosheh sharing God's "personal" charge (to him regarding Yehoshua) with the people?

### **III. THE FIRST ANSWER: PROPER VS. IMPROPER LEADERSHIP**

I would like to suggest an answer which will only satisfy our first problem – the very mention of the judges. It is predicated upon a methodological approach which we regularly utilize. The Torah will often use common language to create an association between two narratives (or areas of Halakhah). The result may be a newly discovered similarity (such as we found in our Siyyum on Sefer Bamidbar) – or a deliberate contrast (such as the Bil'am-Avraham association, mentioned in this year's shiur on Parashat Balak).

We begin with an assumption that is fairly safe – that Mosheh was going to mention the story of the scouts (M'raglim) in this historic recitation. This is a safe assumption because that one event (solely, if not chiefly) is what caused the present situation – only now were we prepared to enter the Land, instead of having been there for nearly 39 years.

That being the case, Mosheh may be telling us about the judges in order to draw an "inverted parallel" with the disaster of the M'raglim. Note how he describes the genesis of the mission of the scouts (again, this telling is different than that in Parashat Sh'lach – see the note above):

I said to you, "You have reached the hill country of the Amorites, which Hashem our God is giving us. See, Hashem your God has given the land to you; go up, take possession, as Hashem, the God of your ancestors, has promised you; do not fear or be dismayed." All of you came to me and said, "Let us send Anashim ahead of us to explore the land for us and bring back a report to us regarding the route by which we should go up and the cities we will come to." vayiTav b'Einei haDavar (The plan seemed good to me), and I took from you twelve Anashim, one from each tribe. (1:20-23)

The association with the "judges" narrative is clear – the common Anashim is one connection, as well as the reaction (Mosheh's in one case, the people's in the other) – which includes the phrase Tov haDavar (albeit with some grammatical variation). Now that we see the association of these two stories, we can immediately spot the difference, as per this chart:

#### **JUDGES – SCOUTS**

Whose Idea? – Mosheh – The People

Who Approved? – The People – Mosheh

Who Selected the Anashim? – Mosheh – The People

As we can see, the M'raglim incident, which led to a disaster of great proportions, was handled in the opposite manner of the appointment of judges (which was, from everything we know, a successful process). This teaches us a valuable lesson about leadership – one which was indispensable advice to the people as they were about to enter the Land and come under new leadership (Yehoshua).

Ideally, the leader actually leads – he inspires the people and directs them. Nevertheless, he cannot act without their approval and support – hence, even though Mosheh suggested the idea of the judges, the people's approval was a necessary step in the success of this venture. Afterwards, however, it was Mosheh who selected the right people for the job.

When the opposite direction is taken, disaster is inevitable and imminent. In the story of the scouts, the people made the demand and Mosheh approved (but we get the sense that it was more of a "rubber stamp", realizing that the people would

rebel if he didn't give in) – and then the people selected their representatives for the mission. (Look carefully at the difference between the beginning of v. 15 and the beginning of the second half of v. 23 – it will only be clear if you look in the Hebrew).

In other words, **by telling us the story about the judges (in apposition to the scouts), Mosheh is teaching us about leadership. The leaders must be the ones who direct, with the support and approval (referendum) of the people – and they must execute their decisions. If, on the other hand, the people are leading the leader, who has no choice but to approve and leave the execution up to them – disaster is the assured result.**

Valuable as this lesson is, we are still “stuck” with the second question – why Mosheh shared his charge to the judges (and God's charge to him regarding Yehoshua) in this recounting.

In order to answer this, we need to ask a more general question about the first 11 chapters of D'varim.

#### **IV. WHY THE HISTORICAL RECOUNTING?**

As we noted, the first 11 chapters are devoted to a historical recounting of some of the events of the past 40 years – with a focus on the Stand at Sinai. This recounting is interspersed with Mussar – rebuke and warnings about the potential for “backsliding” waiting for the B'nei Yisra'el in the Land.

Why did Mosheh engage in this recounting? Didn't the people already know what they had gone through?

The first answer which comes to mind – and which is valid – is that indeed this group had not experienced these events. Keep in mind that the generation which had left Egypt, stood at Sinai and constructed the Mishkan (and rejected the Land) had died out in the desert and Mosheh was addressing the next generation. This explains the recounting – but not the style of that recounting. If we look through the entire recitation, we note that it is entirely presented in the second person:

“All of you came to me...and I took from you twelve Anashim...” and so on. See, especially, the following citation: But take care and watch yourselves closely, so as neither to forget the things that your eyes have seen nor to let them slip from your mind all the days of your life; make them known to your children and your children's children, how you once stood before Hashem your God at Horeb, when Hashem said to me, “Assemble the people for me, and I will let them hear my words, so that they may learn to fear me as long as they live on the earth, and may teach their children so”; (D'varim 4:9-10)

The entire stand at Sinai is presented to this generation as if they were there!

This strange (and technically inaccurate) recitation surely demands more explanation.

#### **V. SUMMARY OF QUESTIONS – AND ONE MORE**

In summary, we have the following questions with which to contend:

- \* Why did Mosheh mention the “judges” at the beginning of this historical recitation?
- \* Why did Mosheh share his charge to the judges with the B'nei Yisra'el?
- \* (Likewise) why did Mosheh share God's charge to him regarding Yehoshua with the B'nei Yisra'el?
- \* What is the purpose of this recitation, in which Mosheh recounts all of the events that happened to his audience's parents – but presents it in the second person, without mentioning the previous generation?
- \* What is the purpose of Sefer D'varim?

Before addressing these, we need a quick brush-up on the notion of “themes” within each Sefer of the Humash.

#### **VI. THEME OF SEFER D'VARIM**

As we discussed in our introductory shiur to Sefer Bamidbar, each of the five Humashim of the Torah reflect our

relationship with God through a different vehicle. Here is the relevant “clip” from that shiur (with some editing):

## **FIVE UNIQUE BOOKS**

Unlike the division into chapters, which is a foreign “overlay” onto the Torah (generally credited to Stephen Langton, an English churchman, who created this division in 1205 CE), the division into five books is inherent in the text itself. Not only does every Sefer Torah contain four blank lines between each Sefer, but each begins and ends in a style that is appropriate for a beginning or ending (as the case may be); case in point is the end of Vayyikra, the beginning of D’varim etc.

Each of these books reflects our relationship with haKadosh Barukh Hu through a different perspective:

### **B’RESHEET: THE PEOPLE AND THE LAND**

In his first comment on the Torah, Rashi asks the famous question in the name of R. Yitzchak : Why did the Torah begin with the story of Creation – it should have begun with the first Mitzvah given to the Jewish people? His answer gives us an insight into the nature of the entire book of B’resheet: By committing the Creation to writing, our “deed” to Eretz Yisra’el becomes affirmed. In the future (!), when the nations of the world will come to dispute our claim on Eretz Yisra’el, we will show them that the Land is not theirs – nor is it ours. The Land belongs to God (as demonstrated in the Creation narrative); He gave it to whom He favored and then took it from them to give it to us. B’resheet is the only book of the Torah which takes place in the Land; it is the description of our well-anchored past there and the development of the covenant with the Patriarchs which gives us title to the Land. The final statement of this book is Yoseph’s reminder to his brothers that one day, God will remember them and take them out of this land to bring them back to the land that He promised to the Avot. In summary, B’resheet is a description of our relationship with the Almighty through Eretz Yisra’el.

### **SH’MOT: THE PARADIGM OF JEWISH HISTORY**

As we see through the rest of T’nakh – and in literature and liturgy until this day – all of Jewish history is viewed through the prism of the Egypt-Sinai- experience, known broadly as Y’tziat Mitzrayim. Whether the focus is on the oppression of slavery, the miracles of salvation, the Song of thanksgiving, the faithfulness of the desert experience, the stand at Sinai or the intimacy with the Divine realized in the Mishkan, the events of Sefer Sh’mot serve as the all-encompassing paradigm for Jewish history. In summary, Sh’mot is a description of our relationship with God through history.

### **VAYYIKRA: THE MISHKAN-RELATIONSHIP**

As is easily evidenced, the entire focus of the book of Vayyikra is our relationship to God as it is realized through the vehicle of the Mishkan. Here, unlike in Sh’mot, the Mishkan is not an end in and of itself, rather it is that place of offering Korbanot, coming close to God – with all of the attendant restrictions and considerations. Vayyikra is, indeed, a description of our relationship with God through the Beit haMikdash/Mishkan.

### **BAMIDBAR: THE BOOK OF K’LAL YISRA’EL**

Bamidbar is the description of our relationship with the Ribono shel Olam through K’lal Yisra’el – the interactions of the Jewish people. That is why there is so much emphasis on our numbers (two full censuses), the placement of each tribe, the division of the Land – and the numbers lost through the plague at P’or. This also explains the inclusion of the interactions between the tribal leaders and Mosheh Rabbenu (especially at the end of the Sefer), and the dramatic challenges to Mosheh’s leadership.

### **D’VARIM: “ASEH L’KHA RAV”**

Unlike the first four books, Sefer D’varim is not said in God’s “voice”; the voice of this book is Mosheh’s. God is presented in the “third person”.. From the introductory line: “These are the words that Mosheh spoke...” to the finale, the eulogy for Mosheh, D’varim is a book in which our Master and Teacher, Mosheh Rabbenu, takes center stage. D’varim is a description of our relationship with God through a Rabbi – through our association with tradition via our teachers.

## **VII. THE JOB OF A REBBI: THE PERSONIFICATION OF MESORAH**

The job of Sefer D’varim can best be understood through this light.

The original Divine plan was to take the B'nei Yisra'el out of Egypt and to bring them directly into Eretz Yisra'el. In other words, the generation of the Exodus (Dor Yotz'ei Mitzrayim) would be the same as the generation of the Conquest (Dor Ba'ei ha'Aretz). As a result of the tragedy of the M'rاغlim, this plan was subverted and these two events, Exodus and Conquest, were "spread" between two generations. Mosheh, then, had an awesome task – to tie these two generations together, such that the distance between Sinai and Tziyyon would be bridged.

This is where Mosheh "earned" the title by which he is forever known – Mosheh Rabbenu – "Mosheh, our Rabbi". Indeed, the job of a Rabbi is more than instructive, even more than inspirational or exhortative. The Rabbi is the bridge with previous generations, taking us back to Sinai (along with taking us back to the Beit haMikdash, to Yavneh etc.). In simple terms, the Rabbi's job is to turn the past into the present. [I recall experiencing this first-hand when participating in the shiur of Rav Soloveitchik zt"l, seeing the Tannaim, Amoraim and Rishonim all sitting around his table as he orchestrated their debates. It was a marvelous experience, one which he describes beautifully in "uVikkashtem Misham" (pp. 231-232).]

The first person to set out to do this job was Mosheh, as he turned the generation of the Conquest into the generation of the Exodus. Indeed, the Plains of Mo'av was the first "Beit Midrash" and Sefer D'varim the first "Shiur". (See Abravanel's resolution of the challenges to Divine authorship of D'varim [in the moving introduction to his commentary on D'varim] originally taught D'varim orally and then God commanded him to commit it to writing.)

How did Mosheh do it? One simple device which he utilized is one that became the staple of the Haggadah – talking about the past in the present and talking to the people as if they had experienced these events first-hand. In other words, by saying "You approached me..." etc., they were drawn in to the sense of "being there."

[Note that Mosheh barely mentions any of the events which this generation "really" saw – the majority of the events mentioned belong to the previous generation] Mosheh was indeed "Rabbenu" – to the second generation! He was the first to perform this function – a function which guaranteed the potential for the eternity of the Jewish people. If it can be done once, it can be replicated every time! If one generation can be "brought back" to Sinai, so can every subsequent generation.

### **VIII. THE "THREAT" OF RENEWAL**

This successful "education" project brought a terrifying danger in its wake – one to which the master teacher, Mosheh Rabbenu, was acutely aware. He was poised to bring them back to Sinai, to that great moment of Revelation – after which, he would ascend Har ha'Avarim (or Har N'vo) and die. Mosheh had already been told that he would die, when God instructed him to ascend that mountain (Bamidbar 27).

Mosheh remembered well what had happened the last time he had "disappeared" atop a mountain. When the B'nei Yisra'el had just experienced (in "real time") the Revelation, Mosheh ascended the mountain to receive the rest of the Law (along with the tablets). When the people were concerned about Mosheh's disappearance (remember – they did not know how long he was supposed to be on top of the mountain), they regressed to the idolatry of the golden calf.

How could Mosheh avoid the same pitfall? How could he insure that the B'nei Yisra'el would not achieve a "complete" return to Sinai, including the tragic aftermath of idolatry after his "one-way" ascension of the mountain?

### **IX. THE SOLUTION**

Here is where the master teacher utilized his wonderful talent for education. In advance of retelling the people about their most glorious moments (Chs. 4-5, including the stand at Sinai and the Exodus), he instilled in them the understanding that he would not completely be leaving them. He told them about the two major functions which he held – leadership and instruction – and how he empowered others to continue his role. He immediately told them about the judges and how he charged them, such that even in his absence, there would be judges who would be an extension of Mosheh-as-instructor. We now understand why Mosheh introduced the judges at the beginning of his historical recitation – to reassure the people (as they felt closer to their past) that his leadership would still be their guide as they conquered and settled the Land. We also understand why Mosheh shared his charge to the judges: The people needed to hear for themselves about the close relationship he had with those judges, such that they were not just filling a position, but really continuing his role. We can also understand why Mosheh shared God's command to him vis-a-vis Yehoshua: Just as the people needed to hear about his connection with the judges, they needed to hear about how his "presence" would be felt through Yehoshua. The phrase Oto Hazek (give him strength/encourage him), said about Yehoshua, reminds us of the empowerment which is

the purpose of the S'mikhah (laying on the hands), by which Mosheh Rabbenu transferred the mantle of leadership to Yehoshua. (See this year's shiur on Parashat Vay'chi).

## X. AFTERWORD

In section VI, I alluded to the difference between Sefer D'varim and the first four books. I'd like to share the observations of an old friend, Uzi Weingarten ([benuzi@isracom.co.il](mailto:benuzi@isracom.co.il)), as published in the insightful weekly "Judaic Seminar" (which can be accessed through Shamash):

That Deuteronomy is called "Moses's book," as opposed to the other four books of the Torah, is substantiated by comparing two passages in Nehemiah that describe public readings of the Torah. On each occasion, a mitzvah that had fallen into disuse was "found." The first was the mitzvah of sitting in the sukkah during Sukkot, which appears only in Leviticus (23:42-43), and the second was the prohibition on an Ammonite or Moabite entering God's community, which appears only in Deuteronomy (23:4-7).

There is a crucial difference in how the two readings are described. Concerning sukkah, the author tells us: They found written in the Torah, that God commanded through Moses that the Israelites sit in sukkot... (Nehemiah 8:14). Regarding who can enter God's community, the author tells us:

On that day the Book of Moses was read to the people, and it was found written in it that an Ammonite or a Moabite should not enter God's community forever. (ibid. 13:1).

So a clear distinction is made: Leviticus is part of "the Torah that God commanded through Moses," and Deuteronomy is "the Book of Moses." The people did not consider the latter any less authoritative, and act on both commandments immediately. But there is still a difference in the linking to a source.

Text Copyright © 2011 by Rabbi Yitzchak Etshalom and Torah.org. The author is Educational Coordinator of the Jewish Studies Institute of the Yeshiva of Los Angeles.

## **SEFER DEVARIM Introduction**

What is Sefer Devarim?

Most everyone would answer - a review or repeat of Chumash, just as its 'nickname' - 'Mishneh Torah' - seems to imply.

Is this really so?

As we now demonstrate, it won't take more than a minute to show how that popular answer is simply incorrect!

Let's quickly review the first four books (of Chumash), noting which of their primary topics are either included or missing from Sefer Devarim:

\* Sefer Breishit: Sefer Devarim makes almost no mention of any of its stories - be it the story of Creation, the Flood, the Avot, or the brothers, etc.

\* Sefer Shmot: We find only scant details of the Exodus, and not a word about the mishkan; even though we do find the story of Ma'amad Har Sinai & chet ha-egel.

\* Sefer Vayikra: Here again, Sefer Devarim makes almost no mention of any of its mitzvot or stories, aside from a few laws that 'ring a bell' from Parshat Kedoshim, and some kashrut laws; but hardly a summary.

\* Sefer Bamidbar: Indeed Sefer Devarim does tell over the stories of the 'spies' and the defeat of Sichon & Og (with some major 'minor changes'). However, there is barely a mention of the remaining stories found in Bamidbar (and there are many), nor do we find a review of any of its mitzvot (e.g. nazir, sota, challa, etc.).

Furthermore, Sefer Devarim contains numerous mitzvot that had never been mentioned earlier in Chumash! Certainly, if the book was a summary, then we should not expect for it to contain totally new material. [To clarify this point, simply imagine that you are a teacher who assigns the class to summarize the first four books of Chumash. How would you grade a student who handed in Sefer Devarim as his assignment? ]

Even though it took us only a few minutes to prove that Sefer Devarim is not a review of Chumash - it will take us much longer to explain what Sefer Devarim is, and why Chazal refer to it as "Mishneh Torah".

### **INTRODUCTION**

Like many good books, Sefer Devarim can only be fully understood after you have read it. So for those of you who are not patient enough to read the entire book first (and analyze it), the following shiur will 'spill the beans'.

As usual, our shiur will focus on identifying its structure and theme. It is recommended that you study this shiur carefully, as its conclusions will provide the basis for our entire series on Sefer Devarim (in the weeks to follow).

### **A BOOK OF SPEECHES**

The key to understanding Sefer Devarim lies in the recognition that it contains a very important (albeit long) speech delivered by Moshe Rabeinu, prior to his death; as

well as several 'shorter' speeches; one which introduces that 'main speech', and others that form its conclusion.

Therefore, the first step of our shiur will be to identify those speeches. To do so, we must first note how the style of Sefer Devarim is unique, as it is written almost entirely in the first person - in contrast to the first four books of Chumash, which are written in 'third person'. [Recall (from when you studied grammar) that speeches are recorded (or quoted) in first person, while narrative (stories) are usually written in third person.]

Therefore, to determine where each speech begins (and ends), we simply need to scan the book, noting where the narrative changes from third person (i.e. the regular narrator mode of Chumash) to first person (i.e. the direct quote of Moshe Rabeinu, as he speaks).

If you have ample time (and patience/ and of course a Tanach Koren handy), you should first try to do this on your own. On the other hand, if you are short on time - you can 'cheat' by reading at least 1:1-7, 4:40-5:2, 26:16-27:2, 28:69-29:2, & 30:19-32:1, noting the transition from third person to first person, and hence where and how each speech begins.

### **IDENTIFYING SPEECH #1**

For example, let's take a quick look at the opening psukim of Sefer Devarim (1:1-7). Note how the first five psukim are written in third person:

"These are the devarim (words / speeches) which Moshe spoke to all of Israel... In the fortieth year on the first day of the eleventh month... in Arvot Mo'av, Moshe began to explain this Torah saying..." (see 1:1-5);

This introduces the speech that begins (in the next pasuk) with the first sentence of Moshe Rabbeinu's speech:

"God, our Lord, spoke to us at Chorev saying..." (see 1:6).

[Note how this pasuk, and those that follow are written in first person.]

Then, scan the psukim that follow, noting how this speech continues from 1:6 all the way until 4:40 (i.e. the next four chapters). This entire section is written in first person, and hence constitutes Moshe's opening speech.

### **IDENTIFYING SPEECH #2 [the 'main speech']**

In a similar manner, note how the first pasuk of chapter five introduces Moshe's next speech. Here again, the opening pasuk begins in third person, but immediately changes to first person, as soon as the speech begins: "And Moshe called together all of Israel and said to them [third person] - Listen to the laws and rules that I tell you today... - [first person]" (see 5:1).

Where does this second speech end? If you have half an hour, you could scan the next twenty some chapters and look for its conclusion by yourself; otherwise, you can 'take our word' that it continues all the way until the end of chapter 26!

This observation (even though it is rarely noticed) will be the key towards understanding Sefer Devarim - for this twenty chapter long 'main speech' will emerge as the primary focus of the book!

After this 'main speech', in chapters 27-30 we find two more short speeches that directly relate to the main speech. Finally, from chapter 31 thru 34, Sefer Devarim 'returns' to the regular narrative style of Chumash, as it

concludes with the story of Moshe Rabbeinu's final day.

The following table summarizes the division of Sefer Devarim into its four speeches:

SPEECH #1
Chaps. 1-4
Introductory speech
SPEECH #2
Chaps. 5-26
Main speech
SPEECH #3
Chaps. 27-28
Tochacha & Covenant
SPEECH #4
Chaps. 29-30
Teshuva

## THE MAIN SPEECH

As this table indicates, Speech #2 is by far the longest, so we'll begin our study by trying to figure out its primary topic. [Afterward, we will show how Speech #1 actually introduces this main speech.]

To help us identify the primary topic of the main speech [without the need to read it in its entirety], let's assume that Moshe Rabeinu will employ the 'golden rule' for an organized speech, i.e. he will:

- (1) 'Say what you're gonna say' -
- (2) 'Say it' - & then
- (3) 'Say what you said.'

[We'll soon see how Moshe Rabeinu beautifully follows this golden rule in this speech.]

Let's take a careful look at how Moshe's begins this main speech, noting how he explains to the people what to expect:

"Listen Israel to the chukim & mishpatim which I am teaching you today, learn them and keep them..." (5:1).

This 'opener' immediately tells the listener that this speech will contain chukim & mishpatim [laws and rules] that must be studied and observed; and indeed that is precisely what we will find (when we will study the content of this speech).

However, these laws - that we now expect to hear (based on 5:1) - don't begin in the next pasuk. Instead, Moshe Rabeinu uses the first section of his speech (chapter five) to explain how and when these laws (that will begin in chapter six) were first given.

In other words, instead of beginning his speech immediately with this set of laws, he will preface these laws by first explaining why everyone is obligated to keep them (5:2-5), followed by the story of how he first received them at Har Sinai forty years earlier (5:20-30).

To appreciate this introductory chapter, and to understand why it contains a 'repeat' of the Ten Commandments, let's carefully review its flow of topic.

## INTRO TO THE MAIN SPEECH - OBLIGATION & COVENANT

As his first point, Moshe emphasizes how these laws (that he is about to teach) were given as an integral part of the covenant between God and Bnei Yisrael at Har Sinai: "Hashem made a covenant with us at Chorev. Not [only] with our forefathers did God make this covenant, but [also] with us

- we, the living - here today..." (5:2-3).

Even though (and because) most of the members of this new generation were not present at Ma'amad Har Sinai, Moshe must first remind Bnei Yisrael that their obligation to keep these laws stems from that covenant at Har Sinai (forty years earlier)!

Recall as well how God had spoken the Ten Commandments directly to Bnei Yisrael as part of that covenant.

[Hence - the two tablets upon which they were inscribed are known as 'luchot ha-brit' - i.e. tablets of the Covenant.]

It is for this reason that Moshe Rabeinu first reviews the Ten Commandments (in 5:6-19), before he begins his teaching of the detailed 'chukim' 'mishpatim' - for they form the key guidelines of this "brit" between God and His nation. Note however that the Ten Commandments are presented as part of the story of 'how the laws were given' - the detailed laws, referred to in 5:1, don't begin until chapter six (and continue thru chapter 26).

## WHY MOSHE IS TEACHING THE LAWS

Now comes the key story in this introductory section, for Moshe (in 5:20-30) tells the story of how Bnei Yisrael immediately became fearful after hearing the 'Dibrot' and asked Moshe that he become their intermediary to receive the remaining laws. As we shall see, this story explains when and how the laws (that Moshe is about to start teaching) were first given.

To clarify this, let's careful study these psukim, for they will help us understand the overall structure of the main speech: "When you heard the voice out of the darkness, while the mountain was ablaze with fire, you came up to me... and said... Let us not die, for this fearsome fire will consume us... you go closer and hear all that God says, and then you tell us everything that God commands, and we will willingly do it..." (5:20-26).

[Keep in mind that from this pasuk we can infer that had Bnei Yisrael not become fearful, they would have heard additional mitzvot directly from God, immediately after these first Ten Commandments.]

Note how God grants this request (that Moshe should act as their intermediary) by informing Moshe of His 'new plan:

"Go, say to them: 'Return to your tents.' But you remain here with Me, and I will give you the mitzvah, chukim & mishpatim... for them to observe in the land that I am giving them to possess..." (5:27-28).

Read this pasuk once again, for it is key towards understanding how the 'main speech' first came about. The mitzvot that Moshe will now teach (in this speech) are simply the same laws that God had first given to him on Har Sinai, after Bnei Yisrael asked him to become their intermediary.

In fact, Moshe himself states this explicitly in the next set of psukim that clearly introduce this set of laws: "And this ('ve-zot') is the mitzvah, chukim & mishpatim that God has commanded me to teach you to be observed in the land you are about to enter..." (see 6:1-3).

Recall from 5:28 that God told Moshe that he should remain on Har Sinai to receive the mitzvah, chukim & mishpatim. This pasuk (6:1), explains how Moshe's lecture is simply a delineation of those mitzvot.

## THE ELEVENTH COMMANDMENT

Based on this introduction (i.e. 6:1-3), we conclude that these laws (that begin with 6:4) are simply those mitzvot that God had given to Bnei Yisrael - via Moshe Rabbeinu - as a continuation of the Ten Commandments at Ma'amat Har Sinai. If so, then the first mitzvah of this special unit of laws is none other than the first parshia of 'kriyat shema': "Shema Yisrael, Hashem Elokeinu Hashem Echad, ve-ahavta... ve-hayu ha-devarim ha-eileh..." (see 6:4-7). [This can help us appreciate why this parsha is such an important part of our daily prayers - to be discussed in our shiur on Va'etchanan.]

This first parshia of kriyat shema begins a lengthy list of mitzvot (and several sections of rebuke) that continues all the way until Parshat Ki Tavo (i.e. chapter 26). [That is why this speech is better known as 'ne'um ha-mitzvot' - the speech of commandments. Just try counting how many mitzvot are indeed found in these 21 chapters - you'll find plenty!]

Note as well that after the first two cardinal mitzvot - belief in God and the commandment to love Him with all your heart - we find a statement that serves as yet another introduction to the mitzvot that will now follow: "ve-hayu ha-devarim ha-eileh..." - And these words [clearly, this refers to the laws that will now follow in the speech] that I am teaching you today must be kept in your heart - (see 6:6-7)

We will soon return to discuss this pasuk in greater detail; however, we must first clarify an important point. Even though the core of this speech consists of the mitzvot that Moshe initially received at Har Sinai, it is only natural that Moshe Rabbeinu will add some comments of his own, relating to events that have transpired in the interim. [See, for example, chapters 8-9.] Nonetheless, the mitzvot themselves were first given forty years earlier.

Furthermore, as the psukim quoted above explain, these mitzvot share a common theme - for they all apply to Bnei Yisrael's forthcoming entry into the Land of Israel (see 5:28 & 6:1). [In next week's shiur we will discuss how these mitzvot divide into two distinct sections, the mitzva section (chapters 6 thru 11) and the chukim u-mishpatim section (chapters 12 - 26).]

## WHEN THIS SPEECH WAS FIRST GIVEN

So when did Bnei Yisrael first hear these mitzvot?

If they were given at Har Sinai, then certainly Moshe should have taught them to the people at that time.

The answer to this question is found in Parshat Ki Tisa. There, in the story of how Moshe descended from Har Sinai with the second luchot, the Torah informs us: "And it came to pass, when Moshe came down from Mount Sinai with the two tables of the testimony in his hand... and afterward all the children of Israel came near, and he [Moshe] commanded them all of the laws that God had spoken with him on Mount Sinai.

(See Shmot 34:29-32)

Clearly, Moshe had already taught these laws to Bnei Yisrael when he came down from Har Sinai. Yet, Sefer Shmot only tells the story of when Moshe first taught them, but doesn't record all of the actual laws that he both received and taught at that time. Instead, the Torah prefers to record some of those laws in Sefer Devarim, others in Sefer

Bamidbar, and others in Sefer Vayikra.

In other words, Moshe Rabbeinu reviews an entire set of laws in Sefer Devarim; laws that he had already taught to the first generation when they were encamped at Har Sinai. Hence, the laws in Sefer Devarim are indeed a review of a set of laws that Bnei Yisrael had already received. However, they are not a review of the laws that Chumash had already recorded.

[This point clarifies why so many people misunderstand what is meant when Sefer Devarim is referred to as a 'review of laws'. It is indeed a review of laws that Moshe Rabbeinu had already taught Bnei Yisrael, but it is not a review of the first four books of Chumash.]

One could also suggest a very logical reason for why the Torah preferred to record these laws in Sefer Devarim, rather than in Sefer Shmot. As we shall see, these mitzvot will focus on how Bnei Yisrael are to establish their nation in the Land of Israel (see 5:28 and 6:1: 'la'asot ba-aretz' - to keep in the land). Hence, the Torah prefers to record them as they were taught by Moshe to the second generation - who would indeed enter the land; and not as they were given to the first generation - who sinned, and hence never entered the land.

This background will now help us understand why Chazal refer to this Sefer as "Mishneh Torah", and why this name is so commonly misunderstood. While doing so, we will also explain the 'simple meaning' of the famous psukim of kriyat shema that we recite every day.

## MISHNEH TORAH

Let's return to the opening psukim of kriyat shema (6:4-8), which form the opening set of commandments that Moshe first received on Har Sinai (to relay to Bnei Yisrael) - soon after the Ten Commandments were given to the entire nation.

Moshe begins this set of laws with an opening statement that reflects a tenet of faith:

"shema Yisrael Hashem Elokeinu Hashem Echad" (6:4)

This is followed by the most basic mitzva regarding attitude, which in essence is a way of life for every Jew:

"ve-ahavta..." - to love God with all your heart... (see 6:5),

Then, Moshe introduces the laws that he now plans to teach in a very interesting manner:

"ve-hayu ha-devarim ha-eileh...

- And these words [i.e. laws that will now follow] that I am teaching you today must be kept in your heart - ve-shinantam - and you must repeat them (over and over) to our children and speak about them constantly, when at home, when you travel, when you lie down and when you get up..." (see 6:5-8).

Note the Hebrew word 've-shinantam' - which means more than simply to teach, but rather to 'repeat' [from the 'shoresh' (root) - 'leshanen' [sh.n.n.]. Moshe instructs the nation that these forthcoming laws (i.e. the laws of the main speech of Sefer Devarim), need not only to be taught, but they also require constant repetition!

Thus, the word 'mishneh' - in the phrase "mishneh Torah" also stems from this same root - "l'shanen" - to repeat. Hence, the name "Mishneh Torah" implies a set of laws that require constant repetition!

This explains the confusion in regard to the meaning of this alternate name for Sefer Devarim. Mishneh Torah does not

imply that Sefer Devarim is a repeat (or review) of what has been written in Chumash thus far; rather, it refers to a special set of laws that requires constant repetition - i.e. when we sit in our homes etc. / see 6:6-7,

In other words, the mitzvot of the main speech of Sefer Devarim are special, insofar as they must be constantly repeated and taught ('ve-shinantam'), as its name - Mishneh Torah - implies. In fact, we fulfill this mitzva each day by reciting the first two parshiyot of kriyat shma.

Further proof of this interpretation is found in the sole pasuk in Sefer Devarim that contains the phrase mishneh Torah, in regard to the King in Parshat Shoftim: "And when the King is seated on his royal throne, he must write this mishneh ha-torah in a book... and it must be with him and he must read from it every day of his life, in order that he learns to fear God..." (see 17:18-19).

Clearly, in this context, the term "Mishneh Torah" does not refer to a repeat of earlier laws, but rather to a set of laws that need to be repeated. [Similarly, the word 'mishna' (as in Torah she-ba'al peh) has the same meaning. The mishnayot require 'shinun'; they must be repeated over and over again - hence they are called Mishna.]

#### BACK TO PARSHAT DEVARIM

This interpretation can help us understand the opening psukim of Sefer Devarim - which otherwise appear to be rather cryptic. Before we continue, it is suggested that you read Devarim 1:1-2, noting the difficulty of its translation. "These are the devarim that Moshe spoke to Bnei Yisrael in Transjordan, in the desert, in the Arava, opposite Suf, between Paran and Tofel, and Di Zahav" (1:1).

First of all, what does the word devarim refer to: the entire book? - the first speech? - all the speeches?

It's not clear. Secondly, what is the meaning of this long list of places?

The location of 'ever ha-yarden' [Transjordan] makes sense, for Bnei Yisrael are now encamped there (see 1:5); but the remaining list of places - ba-midbar, ba-arava, mul suf, bein paran u-tofel etc. - seems to be totally disjoint from the first half of this pasuk.

Are these many places, or just one place? What happened at all of these places? Again, it is not clear.

The next pasuk is even more enigmatic! "Eleven days from Chorev, via Mount Se'ir, until Kadesh Barnea" (1:2).

This pasuk doesn't even form a complete sentence. What does it describe? What does it have to do with the previous pasuk?

Nonetheless, the next pasuk appears to be quite 'normal', and could easily have been the opening verse of the book:

"And it came to pass in the fortieth year on the first day of the eleventh month, Moshe spoke to Bnei Yisrael in accordance with the instructions that God had given him for them [after he had defeated Sichon ]" (1:3-4).

This third pasuk seems to form an introduction to Moshe's speech. But this only strengthens our questions on the first two psukim. Why doesn't the Sefer just begin with the third pasuk?

Indeed, one who never studied Sefer Devarim should find himself terribly confused when reading these psukim.

However, based on our shiur, it is possible to suggest a very simple explanation (that will find support in Ibn Ezra and Ramban as well).

#### A SUPER INTRO

Recall how the main speech (i.e. ne'um ha-mitzvot / chapters 5-26) forms the focal point of Sefer Devarim, including a lengthy set of mitzvot that Bnei Yisrael must keep as they enter the Land of Israel. As we explained, Moshe had first taught these mitzvot to Bnei Yisrael when he came down from Har Sinai with the second luchot (see Shmot 34:32). However, since these laws require constant repetition [mishneh torah], it would only make sense that Moshe would have taught them numerous times.

Recall as well that the Torah uses this very same word 'ha-devarim' to introduce the mitzvot of the main speech / see 6:6 -ve-hayu ha-devarim ha-eileh asher anochi metzaveh "

Therefore, one can assume that the phrase 'eileh ha-devarim' (in 1:1) refers to the same mitzvot that 've-hayu ha-devarim' refers to in 6:6) i.e. to the mitzvot of the main speech!

If so, then the first pasuk of the Sefer introduces this main speech! Hence, the first two psukim of Sefer Devarim can be understood as follows:

"These are the devarim [i.e. the mitzvot of the main speech] that Moshe delivered in Arvot Mo'av, [just as he had already delivered a similar speech in] the midbar, and arava, opposite suf, between Paran and Tofel, and at Di-zahav. [Furthermore, these mitzvot were also taught by Moshe to Bnei Yisrael during] their eleven day journey from Har Chorev to Kadesh Barnea." [Then] in the fortieth year... Moshe taught these laws (one last time) after the defeat of Sichon..." (see Devarim 1:1-4)

[See commentary of Ibn Ezra on 1:1-2.]

This explanation fits in beautifully with both Ibn Ezra's & Ramban's interpretation of the word "devarim" in the first pasuk of Sefer Devarim, as both commentators explain that the word "devarim" refers specifically to the mitzvot that Moshe will teach later on in the main speech. [Ramban explains that these devarim begin with the Ten commandments (i.e. from chapter 5), while Ibn Ezra explains that they begin with the chukim & mishpatim in Parshat Re'eh (see 12:1). The underlying reason for this controversy will be explained in our shiur on Parshat Va-etchanan. The reason why Rashi explains that devarim refers to the 'rebuke' will be discussed in our shiur on Parshat Ekev.]

When we consider this setting, the Torah's emphasis in the second pasuk on the eleven day journey from Har Sinai to Kadesh Barnea becomes quite significant. Recall, that this eleven day journey was supposed to have been Bnei Yisrael's final preparation before conquering the land (had they not sinned)! As such, Moshe found it necessary to teach and review these important laws several times during that journey. [Again, see Ibn Ezra inside.]

Now, in the fortieth year on the first day of the eleventh month, Bnei Yisrael find themselves in a very similar situation - making their final preparations for the conquest of the land. Therefore, Moshe gathers the people in Arvot Mo'av to teach and review these mitzvot one last time.

In this manner, the first four psukim of Sefer Devarim actually form the introduction to the main speech (chapters 5-26).

However, before Moshe begins that main speech, he

first makes an introductory speech that is introduced by 1:5 and continues until 4:40. That speech will be discussed iy'h in our next shiur (on Parshat Devarim).

Until then,  
shabbat shalom  
menachem

---

## FOR FURTHER IYUN

### A. FROM HAR SINAI TO SEFER DEVARIM

In our shiur, we showed how the main body of Sefer Devarim contains the mitzvot that Moshe Rabbeinu originally received on Har Sinai. However, Moshe received many other mitzvot on Har Sinai. Therefore, it appears that even though Moshe received all of the mitzvot on Har Sinai, each book of Chumash focuses on a different category. Therefore, the important question becomes - what characterizes the mitzvot found in other books of Chumash? Or, more directly, on what basis were the mitzvot distributed among the five books?

To answer this question, we simply need to review our conclusions from previous shiurim.

First of all, let's review the main themes of each Sefer that we have found thus far:

\* BREISHIT - God's creation of the universe and His choice of Avraham Avinu and his offspring to become His special nation.

\* SHMOT - The Exodus of Am Yisrael from Egypt; their journey to Har Sinai; Matan Torah; chet ha-egel, and building the mishkan.

\* VAYIKRA - Torat kohanim, the laws relating to offering korbanot in the mishkan, and various other laws that help make Am Yisrael a holy nation.

\* BAMIDBAR - Bnei Yisrael's journey from Har Sinai (with the mishkan at its center) towards the Promised Land; and why they didn't enter the Land.

With this in mind, let's see how the laws in Sefer Devarim may relate to what we have found thus far.

Recall that God's original intention was to take Bnei Yisrael out of Egypt, bring them to Har Sinai (to receive the Torah), and then immediately bring them to Eretz Canaan, where these mitzvot are to be observed.

At Har Sinai, Bnei Yisrael entered into a covenant and heard the Ten Commandments. As we explained, they should have received many more mitzvot after hearing the first Ten Commandments. However, they were overwhelmed by the awesome experience of Ma'amat Har Sinai and thus requested that Moshe act as their intermediary.

It is difficult to ascertain the exact chronological order of the events following their request. However, by combining the parallel accounts of this event in Sefer Shmot (see 20:15-21:1, & 24:1-18) and Sefer Devarim (see chapter 5), we arrive at the following chronology:

\* On the day of Ma'amat Har Sinai, God gives Moshe a special set of laws, better known as Parshat Mishpatim (i.e. 20:19-23:33), which Moshe later conveys to Bnei Yisrael (see 24:3-4). Moshe writes these mitzvot on a special scroll ['sefer ha-brit' (see 24:4-7)], and on the next morning he organizes a special gathering where Bnei Yisrael publicly declare their acceptance of these laws (and whatever may follow). This covenant is better known as 'brit na'aseh ve-nishma'. [See 24:5-11. We have followed Ramban's peirush; Rashi takes a totally different approach. See Ramban 24:1 for a more detailed presentation of their machloket.]

\* After this ceremony, God summons Moshe to Har Sinai to receive the luchot & additional laws ['ha-Torah v-

hamitzva'; see 24:12-13], and so Moshe remains on Har Sinai for 40 days and nights to learn these mitzvot. It is not clear precisely to what 'ha-Torah ve-hamitzva' refers, but we may logically assume that it is during these 40 days when Moshe receives the mitzvot he later records in Sefer Devarim. [Note the use of these key words in the introductory psukim of Sefer Devarim: Torah in Devarim 1:5, 4:44; ha-mitzva in 5:28 & 6:1.] [Moshe most likely received many other mitzvot as well during these forty days, possibly even the laws of the mishkan. (see famous machloket between Rashi & Ramban - and our shiur on Parshat Teruma.)]

\* As a result of chet ha-egel, the original plan to immediately conquer the land of Israel requires some modification. Consequently, we never find out precisely which mitzvot were given to Moshe during the first forty days and which were transmitted during the last forty days. Either way, Bnei Yisrael themselves do not hear any of these mitzvot until Moshe descends with the second luchot on Yom Kippur (see Shmot 34:29-33). At this point, Moshe teaches Bnei Yisrael all the mitzvot he had received, though they are not recorded at that point in Sefer Shmot (see again Shmot 34:29-33).

\* During the next six months, Bnei Yisrael build the mishkan and review the laws they had just received from Moshe. Once the mishkan is built in Nissan and the korban Pesach is offered (in Nissan & Iyar), Bnei Yisrael are ready to begin their 11 day journey from Har Sinai to Kadesh Barnea', the excursion that was to have begun their conquest of the land. Instead, the people fail with the incident of the meraglim, and the rest is history.

This background can help us appreciate how the mitzvot are divided up among the various sefarim of Chumash, even though most all of them were first given to Moshe at Har Sinai, or at the Mishkan in Midbar Sinai.

Let's discuss them, one book at a time:

### SHMOT

Sefer Shmot records the Ten Commandments and Parshat Mishpatim since they comprise an integral part of Ma'amat Har Sinai, i.e. the covenantal ceremony in which Bnei Yisrael accept the Torah. Although Sefer Shmot continues with the story of Moshe's ascent to Har Sinai, it does not record the specific mitzvot that he received during those forty days! Instead, the remainder of Sefer Shmot focuses entirely on those mitzvot relating to the atonement for chet ha-egel (34:10-29) and the construction of the mishkan (chapters 25-31, & 35-40 / plus the laws of Shabbat which relate to building the mishkan).

The exclusive focus on these laws at the end of Sefer Shmot is well understood. The theme of the second half of Sefer Shmot revolves around the issue of whether or not God's Shchina can remain within the camp of Bnei Yisrael. Whereas the mishkan provides a solution to this dilemma, its taking center-stage in the latter part of Sefer Shmot is to be expected. [See Ramban's introduction to Sefer Shmot, ve-akmal.]

What about the rest of the mitzvot transmitted to Moshe on Har Sinai?

As we will see, some surface in Sefer Vayikra, others in Sefer Bamidbar, and the main group appears in Sefer Devarim!

### VAYIKRA

Even though Sefer Vayikra opens with the laws given from the ohel mo'ed (see 1:1), many of its mitzvot had already been presented on Har Sinai. This is explicit in Parshat Tzav (see 7:37-38); Parshat Behar (see 25:1); and Parshat Bechukotai (see 26:46 & 27:34). Certain parshiyot of mitzvot

such as Acharei Mot obviously must also have been given from the ohel mo'ed, but there is good reason to suggest that many of its other mitzvot, such as Parshat Kedoshim, were first given on Har Sinai.

So why are certain mitzvot of Har Sinai included in Sefer Vayikra? The answer is quite simple. Sefer Vayikra is a collection of mitzvot dealing with the mishkan, korbanot and the kedusha of Am Yisrael. Sefer Vayikra, better known as torat kohanim, simply contains all those parshiyot that contain mitzvot associated with its theme. Some were given to Moshe on Har Sinai, while others were transmitted from the ohel mo'ed. [See previous shiurim on Sefer Vayikra for more detail on this topic.]

#### BAMIDBAR

Sefer Bamidbar, we explained, is primarily the narrative describing Bnei Yisrael's journey from Har Sinai towards Eretz Canaan. As we explained in our shiurim on Sefer Bamidbar, that narrative is 'interrupted' by various parshiyot of mitzvot, which seem to have belonged in Sefer Vayikra. [For example: nazir, sota, challa, nsachim, tzitzit, tum'at meit, korbanot tmidim u-musafim, etc.] These mitzvot were probably first given to Moshe on Har Sinai (or some possibly from the ohel mo'ed, as well). Nonetheless, they are included in Sefer Bamidbar because of their thematic connection to its narrative.

#### DEVARIM

Now we can better understand Sefer Devarim. The books of Shmot, Vayikra, and Bamidbar contained only a limited sampling of the mitzvot that God had given to Moshe on Har Sinai, each Sefer recording only those mitzvot related to its theme. Sefer Devarim, as it turns out, is really our primary source of the mitzvot taught to Moshe on Har Sinai. As we explained above, this is exactly what chapter 5 indicates. [Recall that chapter 5 is the introductory chapter of Moshe's main speech, the presentation of the mitzva, chukim & mishpatim.]

Expectedly, these mitzvot of Har Sinai recorded in Sefer Devarim are presented in an organized fashion and share a common theme. To identify that common theme, let's take a look once again at the introduction to this collection of mitzvot:

"And this ('ve-zot') is the mitzva, chukim & mishpatim that God has commanded me to teach you to be observed in the land which you are about to enter..." (6:1-3 / see also 5:28).

The mitzvot of Moshe's main speech are simply a guide for Bnei Yisrael's conduct as they conquer and settle the land. [As we study the Sefer, this theme will become quite evident.] Therefore, practically speaking, this speech contains the most important mitzvot that Bnei Yisrael must follow as they enter the Land and establish their society. As these laws are so important, they must be studied 'over and over' again [= mishneh Torah].

Hence, it is only logical that Moshe decides to teach these mitzvot at a national gathering (as he is about to die and Bnei Yisrael are about to enter the Land). This also explains why these mitzvot will be taught once again on Har Eival, after Bnei Yisrael cross the Jordan (see Devarim chapter 27), and then again thereafter, once every seven years at the hakel ceremony (see 31:9-13; notice the word Torah once again!).

#### B. BETWEEN THE NARRATIVES IN DEVARIM & BAMIDBAR

This understanding of the purpose and theme of each sefer helps explain the many discrepancies between the details of various events as recorded in Shmot and Bamidbar,

and their parallel accounts in Sefer Devarim. (A classic example is chet ha-meraglim.) Neither book records all the details of any particular event; instead, each sefer records the events from the unique perspective of its own theme and purpose.

In the shiurim to follow, this understanding of the nature of Sefer Devarim will guide our study of each individual Parsha. Our shiur on Parshat Devarim (to follow) will be a direct continuation of this shiur. Till then,

#### C. TORAH SHE-BA'AL PEH

In the above shiur, we showed how the various mitzvot that Moshe received on Har Sinai are distributed among the various sefarim of Chumash, based on the theme of each Sefer. What about the mitzvot which Moshe received on Har Sinai that, for one reason or other, 'never made it' into Chumash? One could suggest that this is what we call 'halacha le-Moshe mi-Sinai' in Torah she-ba'al peh (the Oral Law). This suggestion offers a very simple explanation of how the laws that Moshe received on Har Sinai are divided up between the Oral Law and the Written Law. Based on our shiur, that Moshe must have received many other laws on Har Sinai which were not included in any sefer in Chumash is almost pshat!

Obviously, the division between what became the Oral Law and the Written Law was divinely mandated and not accidental. Our above explanation simply makes it easier to understand how this division first developed. It also helps us understand why Torah she-ba'al peh is no less obligatory than Torah she-bichtav.

[See also Ibn Ezra to Shmot 24:12, re: "ha-Torah ve-hamitzva...", which may refer to the Written and Oral Laws.]

Furthermore, the prominent view in Chazal that all the mitzvot were first given on Har Sinai, repeated from the ohel mo'ed, and then given one last time at Arvot Mo'av. Our discussion shows how this statement actually reflects the 'simple pshat' in Chumash, once one pays attention to the story that Moshe tells as he begins his main speech in Sefer Devarim!

#### PARSHAT DEVARIM

[shiur revised 5765]

Why are there so many details in Parshat Devarim that appear to contradict what was written earlier in Chumash?

[For example, the story of: the "meraglim" (1:22-40 vs. Bamidbar 13:1-22), whose idea it was to appoint the judges (see 1:12-18 vs. Shmot 18:13-26), and how we confronted Edom in the fortieth year (see 2:4-8 vs. Bamidbar 20:14-).]

In contrast to the 'heretical' solutions offered by the 'bible critics' - in the following shiur we suggest a very simple and logical reason for these discrepancies - based on our understanding of the overall theme and structure of Sefer Devarim, as discussed in our introductory shiur.

Therefore, we must begin our shiur with a quick review of the conclusions of that shiur - in order to understand the purpose of Moshe Rabeinu's first speech, which comprises the bulk of Parshat Devarim.

[If you didn't read that shiur, it is available on the website at [www.tanach.org/dvarim/dvarint.pdf](http://www.tanach.org/dvarim/dvarint.pdf).]

#### INTRODUCTION

In the first four chapters of Sefer Devarim, Moshe Rabeinu delivers a speech to Bnei Yisrael, which serves as an introduction to his 'speech of Mitzvot' - the main speech (chapters 5 thru 26).

In that 'main speech', Moshe teaches a complete set of laws that Bnei Yisrael must keep as they conquer the Land, and establish their nation. Even though Moshe first received (and taught) those laws forty years earlier, he must teach them one last time, before his death - as the new generation now prepares to enter the Land.

Our shiur will demonstrate how the first speech introduces the main speech, which will then enable us to explain why its details may differ from their parallel accounts in Sefer Shmot and Bamidbar.

We begin our study by noting how and where the first speech begins.

### THE OPENING LINE

In our introductory shiur, we explained how the first four psukim of Parshat Devarim (1:1-4) serve as an intro to the entire book, and hence introduce the main speech (that doesn't begin until chapter five). It is specifically the fifth pasuk that introduces the first speech:

"In Transjordan in Moav, - 'ho'eel Moshe' - Moshe BEGAN explaining this TORAH saying:'" (See 1:5, and Rashi!)

[The phrase "ha'Torah ha'zot" refers to the main speech (that begins in chapter five), as Sefer Devarim consistently uses the word "torah" in this context - see 4:44, 17:18 and 27:3 & 8.]

Hence, the next pasuk begins the actual speech - with Moshe telling Bnei Yisrael:

"Hashem spoke unto us in Chorev [=Har Sinai] saying: 'You have dwelt long enough in this mountain; "turn you, and take your journey, and go to the hill-country of the Amorites and unto all the places... the land of the Canaanites, as far as the great river, the river Euphrates. "

Behold, I am giving you the land: **go in and possess it**, which Hashem swore unto your forefathers..." (see 1:6-8)

When Moshe begins his speech by retelling how Bnei Yisrael left Har Sinai, it may appear that he is simply beginning a short historical review of everything that happened during their journey in the desert. However, as we read on, we'll see how the details that Moshe Rabeinu recalls, relate directly to the topic of the main speech. Let's explain why he begins with 'leaving Har Sinai'.

### DEJA - VU

Recall that the mitzvot of the main speech were first given to Moshe at Har Sinai, and they were taught at that time, because Bnei Yisrael were supposed to travel from Har Sinai directly to the Land of Israel. Now, it is forty years later, and the new generation is in a very similar situation, i.e. ready to enter the land. Just as Moshe had taught their parents' generation these laws at Har Sinai - now he is teaching the new generation.

As the laws of the main speech relate to what Bnei Yisrael must do when they enter the land, Moshe begins his speech by explaining to the nation why forty years have passed since these laws were first given.

[Note that even though this may sound like a similar account Parshat Yitro (see Shmot 18:13-26), based on the context, the primary parallel is to Bamidbar chapter 11. See also Ibn Ezra (and Rashi) in Shmot 18:13, who explain that this story of the appointment of judges actually took place after the Torah was given, and hence, that chapter is out of place. Note as well how Shmot 18:27 may be parallel to Bamidbar 10:29-33!]

But what is the thematic importance of Moshe's discussion about the appointment of these judges? Even if those events took place 'at that same time' [see 1:9], these details don't appear to share any

This neatly explains why the story of the spies emerges as the primary topic of chapter one (see 1:19-45) - for that sin was the principal reason for this forty year delay. [If Sefer Devarim was a simply a review of Chumash, then there are many other stories that Moshe should have mentioned beforehand!]

However, before Moshe retells the story of the spies, he inserts a short 'digression' regarding the appointment of judges, as detailed in 1:9-18, which at first glance appears to be superfluous.

Let's take a look at what this 'digression' includes; afterward we will suggest a reason for its inclusion.

### WHAT DO JUDGES HAVE TO DO WITH ALL THIS?

Review 1:6-22, noting how it would have made much more sense for Moshe to go from 1:8 directly to 1:19 (please verify this on your own). Nonetheless, this more logical flow is 'interrupted' by what appears to be an unrelated statement:

"And I spoke unto you 'at that time', saying: 'I am not able to lead by myself..." (1:9)

Moshe's statement, even though it sounds at first bit negative, does not have to be understood as a complaint. In fact, the next two lines come precisely to counter that impression:

"Hashem has multiplied you, and, behold, you are this day a multitude as the stars of heaven. Hashem, the God of your fathers, should make you a thousand times so many and bless you, as He promised you! (1:10-11)

[btw, note the parallels to Breishit 15:5-7!]

Moshe's inability to carry the burden of the entire nation stemmed from their population growth, which Moshe now explains was the fulfillment of a divine blessing.

In fact, based on the context of 1:6-8, the phrase "b'et ha'hi" [at that time] in 1:9 must relate to the time when Bnei Yisrael first left Har Sinai - as recorded in chapter 11 in Sefer Bamidbar. And sure enough, we find almost that identical wording in a statement that Moshe had made precisely 'at that time':

"lo uchal anochi l'vadi la'set et kol ha'am..." - I myself am not able to lead this nation... (see Bamidbar 11:14!)

In response to Moshe's 'complaint', God commanded Moshe to share his leadership with the 'seventy elders' (see Bamidbar 11:16-29). That response is reflected in Moshe next statement in his speech in Sefer Devarim, explaining how his burden of leadership was alleviated by the appointment of judges, in a hierarchical system of leadership:

"How can I alone bear your cumbrance, and burden, and disputes? [Therefore,] Get you, from each one of your tribes, wise men, and understanding, and full of knowledge, and I will make them heads over you... So I took the heads of your tribes, wise men, and full of knowledge, and made them heads over you, captains of thousands, and captains of hundreds, and captains of fifties, and captains of tens, and officers, tribe by tribe. And I charged your judges at that time, saying: 'Hear the causes between your brethren, and judge righteously between a man and his brother, and the stranger that is with him... and the case that is too hard, you shall bring unto me, and I will hear it'. (See 1:12-17.)

thematic connection to the story of the spies, nor to the laws of main speech! So why does Moshe mention it at all?

### JUDGES AND/OR TEACHERS

The answer to this question lies in the next (and final) pasuk of this 'digression':

"And I commanded **you** [the people] 'at that time' - et kol ha'DEVARIM - all the things which you should do." (see 1:18)

Pay attention to the phrase "va'atzave **etchem**" - which must refer to the people, and not the judges.

[You can prove this by simply comparing "v'atzave **et shoftechem**" in 1:16, to "v'atzave **etchem**" in 1:18!]

This short pasuk, even though it is often 'overlooked', connects everything together. Moshe explains that at that time, i.e. after appointing the judges, as Bnei Yisrael prepared to leave Har Sinai, he had commanded the people in regard to all the - DEVARIM - which they must do.

But what are those 'DEVARIM'?

Based on our introductory shiur, the answer should be obvious! These are the same 'devarim' that:

- the opening pasuk of Sefer Devarim refers to (see 1:1)
- "v'hayu ha'devarim ha'eyleh" refers to (see 6:6)
- which are none other than the laws of the main speech of Sefer Devarim! [See Ibn Ezra & Chizkuni on 1:18.]

This makes perfect sense, for that special set of laws (that require constant repetition ("mishne Torah")) relate to what Bnei Yisrael will need to keep when they enter the land. Therefore, when Bnei Yisrael first left Har Sinai forty years earlier, Moshe had taught the people these laws - **with the help of these judges**; and now forty years later, he reminds the people of those events, as he is about to teach them those laws one last time.

As it is the responsibility of the appointed judges to assist with the teaching of these laws (and their implementation /see 27:1-8!), Moshe includes those events at the beginning of his introductory speech.

Unfortunately, that generation failed. It is now Moshe's hope [and goal], that this generation will fare much better.

As Moshe's introductory speech focuses on Bnei Yisrael's need to be prepared for their conquest of the land, and their need to study the relevant laws, it actually makes sense that he mentions the appointment of judges first - for they will be the key towards the success of this endeavor. [Note as well 16:18 in the main speech.]

Finally, this interpretation of the word "devarim" in 1:18, explains why Moshe continues his speech by returning to their journey from Chorev to Kadesh Barnea (see 1:19). Based on our understanding that 1:2 describes how the laws of the main speech were taught and studied during the eleven day journey from Chorev to Kadesh Barnea (see Ibn Ezra), then the detail in 1:18-19 refer to this very same point!

### WHERE'S YITRO?

This interpretation can also explain why Yitro himself is not mentioned in this speech. Even though Devarim 1:15-17 may sound very similar to Shmot 18:14-22, the purpose of Moshe's speech is not to give a complete historical review of every event that transpired in the desert. Instead, it focuses on this special set of laws that Moshe is about to teach.

Therefore, there is no need to mention (at this time) whose original idea it may have been to set up this hierachal judicial system.

Instead, it is important to know that the judicial system that has been set up is there to serve the people, and it will facilitate their ability to establish themselves as God's nation in the land. [See again 27:1-8, noting again the parallel to Bamidbar chapter 11.]

### WHO SENT THE SPIES?

Moshe continues his speech with the story of the "meraglim" [the spies]. As we explained, his purpose is to explain to the new generation why the first generation failed, in hope that they will

To summarize, we have shown the underlying logic behind the flow of topic in Moshe's opening speech (through at least the middle of chapter two), by considering the purpose of that speech .

### THE PEP-TALK

Let's show now how the next section of this speech forms a reasonable continuation for this 'pep talk'.

In contrast to all the events that people may have viewed as a sign of

fare better. Therefore, Moshe retells those events from that perspective, blaming the people (more than their leaders) for the failure of that generation - for he wants to make sure that the people do not become fearful again (as their parents did).

Note how critical this point is; for if one understands Sefer Devarim as a review of Chumash, then he is confronted with unachievable task of resolving the obvious contradictions between these two accounts. However, once it is understood that Moshe is telling over those events as part of a 'pep-talk', it makes perfect sense that he emphasizes only the details that are relevant to the theme of his speech.

For example, as leadership is an underlying theme is Sefer Bamidbar, Parshat Shelach highlights the fault of the nation's leaders in those events. In contrast, as Moshe is worried that the nation may 'chicken out' once again, he will emphasize that generation's fear and lack of faith & motivation.

[To ascertain what really happened would require a lot of 'detective' work, but recording those events in their entirety was neither the goal of Sefer Bamidbar nor Sefer Devarim!

You could compare this to twoTV cameras (one in the end zone and one on the sideline) filming a football game. Even though each camera is filming the same game, each one only shows the game for its own angle.]

### THE MAAPILIM

Moshe includes the story of the "maapilim" (see 1:40-45), for it forms the conclusion of the "mergalim" incident. However that specific story, and those that follow, may have been included for an additional reason.

Moshe Rabeinu seems to be quite fearful (and rightly so) that the nation may 'chicken out' once again. In fact, realistically speaking, the people have some very good reasons to worry. Let's review them. First of all, the last time they tried to conquer the land of Israel (see Bamidbar 14:40-45), they suffered a whopping defeat. Now Moshe may have explained that this was because God was not in their midst. However, surely the skeptics among them may have retorted that the very idea of conquering the land of Canaan was futile from the start (see Bamidbar 13:31-33).

Furthermore, only less than a year earlier, the entire Israelite nation was challenged by the army of Edom, demanding that they not dare trespass their land (see Bamidbar 20:14-21). Instead of fighting, Moshe led them though a lengthy 'by-pass road'. Surely, many of the 'right-wingers' among the people viewed this as a sign of weakness. If they couldn't stand up to the threats of Edom, how could they stand up to the threats of all the nations of Canaan!

Finally, it may look a little suspicious that Moshe's encouraging words that the time has now come to conquer the land just so happens to coincide with his announcement of retirement!

Any (or all) of the above reasons may have raised doubts among the people. Therefore, in his opening speech, Moshe must allay these fears by explaining the divine reason for those actions:

- 1) The 'maapilim' lost because God was not in their midst (see 1:42)
- 2) We didn't trespass Edom, for 'family' reasons (see 2:4-8)
- 3) We didn't trespass Moav for similar reasons (see 2:9-12)
- 4) We waited forty years because of "chet ha'mergalim" (see 2:13-17)
- 5) We didn't attack Amon for divine reasons as well (see 2:18-23)

weakness, Moshe now goes into minute detail of how Bnei Yisrael achieved remarkable success in their military campaign against Sichon & Og (see 2:24 thru 3:20).

Note how in Moshe's account of the war against Sichon and Og, we find many more details than were recorded in Sefer Bamidbar. The reason why is simple, for that battle is Moshe's best proof (for this new generation) that God is indeed capable of helping them, and hence - 'no need to fear'.

Even the settlement of the two and half tribes in Transjordan (see 3:12-20) is presented in a positive light, for it provides additional support to Moshe's claim that it is indeed possible to successfully conquer the mighty nations of Canaan. Moshe presents those events to show that battle against Canaan has already begun, and thus far has been quite successful! Crossing the Jordan, and entering the land won't be something 'new', but rather a continuation of the task that has already been partially fulfilled.

Simply note, how Moshe concludes this section of this speech with these words of encouragement:

"And I commanded Yehoshua at that time, saying: 'Your own eyes have seen all that Hashem has done unto these two kings; so shall the LORD do unto all the kingdoms where you go. You shall not fear them; for the LORD your God, He it is that fights for you.' (see 3:21-22)

In case you didn't notice, we've already reached the conclusion of Parshat Devarim.

In Parshat Ve'etchanan, Moshe will continue this speech, by explaining why he himself will not be coming with them (once again, for divine reasons/ see 3:23-27).

Ly"h we will continue this study of Moshe's opening speech next week. Till then,

shabbat shalom  
menachem

#### =====

#### FOR FURTHER IYUN

1. Based on the shiur, attempt to explain the actual differences between the Torah's account of "chet ha'meraglim" here in Sefer Devarim and in Parshat Shelach.
2. Compare the account of the Bnei Yisrael's battle against Sichon and Og here in contrast to the account in Parshat Chukat. Explain why the account in Devarim lays more emphasis on the nature of these battles as conquest.
3. Recall our study of 1:9, and the phrase "ba'et ha'hee":  
"And I told you AT THAT TIME saying: 'I can no longer carry the burden of leading you by MYSELF.' (1:9)

Even though this may sound like Yitro's observation that Moshe is working too hard (see Shmot 18:13-18), it can't be for two simple reasons:

- 1) Moshe says that it was his own complaint.
- 2) The pasuk says "b'et ha'hee" - AT THAT TIME, i.e. the time that they left Har Sinai on their journey to Eretz Canaan, and Yitro came almost a year earlier (or at least some six months earlier, see Rashi Shmot 18:13).

However, there is a much better source in Parshat B'haalotcha that matches this pasuk not only chronologically, but also thematically and textually! Recall that immediately after Bnei Yisrael left Har Sinai (note Bamidbar 10:33-36), we encountered the sin of the "mitavim" (see Bamidbar 11:1-10). Let's take a look now at Moshe's reaction to that sin:

"And Moshe said to God: Why have you been so evil to me by putting the BURDEN of leading this people ("masa ha'am") upon me! Did I give birth to them? I MYSELF CAN NO LONGER CARRY THE BURDEN [to lead] this nation for it is too much for me!" (see 11:11-15)

Note how (1) this story takes place "ba'et ha'hee" - at this exact time - as Bnei Yisrael leave Har Sinai on their journey. (2) Moshe Rabeinu himself complains that he can no longer carry the burden of their leadership; and (3) we find the identical Hebrew words "lo your punishment should you not follow these forthcoming mitzvot, and the eternal option to do 'teshuva'.

uchal anochi L'VADI LA'SET et kol ha'am ha'zeh" (Bamidbar 11:14/ compare Devarim 1:9)!

Furthermore, recall God's reaction to Moshe's complaint - He takes from Moshe's spirit ["ruach"] and divides it among the seventy elders of Israel, i.e. the nation's religious leadership.

Thematically, this fits in very nicely with Moshe's opening speech, for now (in Sefer Devarim) we find Moshe's leadership being passed on to a new generation of leaders. Furthermore, it is precisely the job of these national leaders to teach and clarify the laws that Moshe will now teach them in his main speech. As noted in 1:18:

"And I commanded you at that time - all of the DEVARIM that you must do."

=====

#### A SUMMARY OF THE FIRST SPEECH

The following outline reviews the main points of the first speech. It can serve as a review of this week's shiur, and preparation for next week's shiur:

##### A) INTRO

1:1-5 Opening narrative explaining background of the main speech. (what, when, where, etc.)  
[the 'double introduction']

##### B) FROM HAR SINAI TO ARVOT MOAV

The reason for the 40-year delay.

1:6-11 The original trip from Har Sinai to Eretz Yisrael, (what should have happened back then, instead of now).

1:12-18 Moshe's leadership shared with the elders etc. (they will help lead, judge, and teach the laws)

1:19-40 "Chet ha'Meraglim" - the REASON why that generation did not enter the Land, and why forty years have passed.  
[Accented in this account is not to fear nations of Canaan like the previous generation had feared them.]

2:1-23 The journey from Kadesh, around Har Seir until Nachal Zared. The death of "Dor HaMidbar" (2:14-16)

Explaining why Edom, Moav & Amon were not trespassed.  
[Edom, Moav, and Amon were not attacked due to a divine command and NOT because Bnei Yisrael were not able to fight them!]

2:24-30 The challenge of Sichon to battle, God's involvement /2:30)

2:31-3:22 The war against Sichon, and Og King of Bashan, Conquest of most of Transjordan, Inheritance of Reuven and Gad, and Menashe', and their promise to assist in the conquest of Canaan.  
[Note God's assurance to assist the people, based on these events in 3:20-22.]

3:23-29 Moshe's final request to see the Land.

##### C) INTRODUCTION TO THE MITZVOT

4:1-24 General principles regarding mitzvot in forthcoming speech,

i.e. not to add or take away, their purpose- to be a example for other nations, not to worship God through any type of intermediary after Moshe dies.

4:25-40 a 'mini- tochacha',

4:41-49 - A short narrative explaining how Moshe designated the three cities of refuge in Transjordan, followed by several introductory psukim for the forthcoming main

speech.]

=====

## **Lamentations: Putting the Mouth before the Eye**

By Rabbi Hayyim Angel \*

### **INTRODUCTION**

For over forty years preceding the destruction of the first Temple (627-586 B.C.E.), Jeremiah incessantly warned his people that Jerusalem, the Temple, and their lives were in the gravest jeopardy. The people mocked, threatened, and physically mistreated the prophet. Most scorned his message, thereby sealing their own doom.

Finally, Jeremiah's nightmarish visions became a reality. The Babylonians breached the walls of Jerusalem, killing and plundering, and burning the city to the ground. Other nations, including spurious allies, mocked Israel, looted her wealth, and even turned Jewish captives over to the Babylonians. The Temple was destroyed, and most of the humiliated survivors were dragged into captivity, wondering if they would ever see their homeland again.

The Book of Lamentations describes this calamity from the perspective of an eyewitness. It contains five chapters. Chapters 1, 2, 4, and 5 contain twenty-two verses each, and chapter 3 contains sixty-six verses (three verses per letter). Chapters 1-4 are arranged in aleph-bet acrostics. There is meaning in the content of Lamentations, and in its structure. Both make the book particularly poignant.

Chapter 1 casts the destroyed Jerusalem as a woman whose husband has abandoned her. While this initial imagery evokes pity, the chapter then adds that she took lovers and therefore deserved this abandonment. Israel admits that she has sinned and asks for mercy and for God to punish her enemies.

Chapter 2 asks: how could God be so harsh? The tone shifts from one of shame and despair to one of anger. There also is a shift of emphasis from Jerusalem as a victim to God as the Aggressor. At the end of the chapter, there is another plea for God to help.

Chapter 3 presents the voice of the individual who begins in a state of despair but who then regains hope. He expresses a desire to restore order and return to the pre-destruction state.

Chapter 4 is a painful step-by-step reliving of the destruction. It also contains lamenting over how the destruction could have happened, and it curses Israel's enemies.

Chapter 5 depicts the people left behind as looking at the ruins, absolutely miserable. They call on God for help, but conclude with disappointment and uncertainty as to what the future will bring.

### **REFLECTIONS ON THE TRAGEDY[1]**

Chapter 1 acknowledges that the destruction of Jerusalem is God's work (1:12-15). While the main theme of chapter 1 is mourning, the author repeatedly vindicates God for the disaster, blaming it squarely on Israel's sins (see 1:5, 8, 14, 18, 20, 22).

Throughout chapter 1, the author adopts a rational, transcendent perspective. Reflecting an ordered sense of the world, the aleph-bet order is intact, poetically showing a calculated sense of misery.[2]

While chapter 1 acquits God, chapter 2 adopts a different outlook. Suddenly, the author lashes out at God:

How has the Lord covered the daughter of Zion with a cloud in his anger, and cast down from heaven to the earth the beauty of Israel, and remembered not His footstool in the day of his anger!...He has bent His

bow like an enemy...He has poured out His fury like fire... (Lam. 2:1-4)

Chapter 1 gave the author a chance to reflect on the magnitude of this tragedy: death, isolation, exile, desolation, humiliation. In this context, the point of chapter 2 is clear: although Israel may be guilty of sin, the punishment seems disproportionate to the crimes. Nobody should have to suffer the way Israel has. The deeper emotions of the author have shattered his initial theological and philosophical serenity.

This emotional shift is reflected in the aleph-bet order of chapter 2. While the chapter maintains the poetic acrostic order, the verse beginning with the letter peh precedes the verse beginning with ayin. Why would Lamentations deviate from the usual alphabetical order? At the level of peshat, one might appeal to the fluidity of the ancient Hebrew aleph-bet, where the order of ayin and peh was not yet fixed in the biblical period. If this is the case, then there is nothing unusual or meaningful about having different orders since each reflects a legitimate order at that time.[3]

On a more homiletical level, the Talmud (Sanhedrin 104b) offers a penetrating insight. The Hebrew word peh means "mouth," and ayin means "eye." The author here put his mouth, that is, words, before what he saw. In chapter 1, the author evaluates the crisis with his eyes, in that he reflects silently, and then calculates his words of response. But in chapter 2, the author responds first with words (peh) that emerge spontaneously and reflect his raw emotions.

In the first section of chapter 3, the author sinks further into his sorrow and despairs of his relationship with God (verses 1-20). However, in the midst of his deepest sorrow, he suddenly fills with hope in God's ultimate fairness (3:21-41). The sudden switch in tone is fascinating:

*And I said, My strength and my hope are perished from the Lord; Remembering my affliction and my misery, the wormwood and the gall. My soul remembers them, and is bowed down inside me. This I recall to my mind, therefore have I hope. The grace of the Lord has not ceased, and His compassion does not fail. They are new every morning; great is Your faithfulness. The Lord is my portion, says my soul; therefore will I hope in Him. (Lam. 3:18-24)*

The final section of chapter 3 then vacillates between despair, hope in God, and a call to repentance:

*Let him sit alone and be patient, when He has laid it upon him. Let him put his mouth to the dust — there may yet be hope. Let him offer his cheek to the smiter; let him be surfeited with mockery. For the Lord does not reject forever, but first afflicts, then pardons in His abundant kindness. For He does not willfully bring grief or affliction to man...Let us search and examine our ways, and turn back to the Lord; Let us lift up our hearts with our hands to God in heaven: We have transgressed and rebelled, and You have not forgiven. You have clothed Yourself in anger and pursued us, You have slain without pity. (Lam. 3:28-43)*

In chapter 4, there are further details of the destruction. Horrors are described in starker terms, climaxing with a description of compassionate mothers who ate their own children because of the dreadful famine preceding the destruction (4:9-10). The author blames God for the destruction (4:11), blames Israel for her sins (4:13), and expresses anger at Israel's enemies (4:21-22). In both chapters 3 and 4, the poetic order remains with the peh before the ayin, reflecting the author's unprocessed painful feelings. The author's conflicting emotions create choppiness in the thematic order and logic:

*Those who were slain with the sword are better than those who are slain with hunger; for these pine away, stricken by want of the fruits of the field. The hands of compassionate women have boiled their own children; they were their food in the destruction of the daughter of my people. The Lord has accomplished His fury; He has poured out His fierce anger, and has kindled a fire in Zion, which*

*has devoured its foundations...It was for the sins of her prophets, and the iniquities of her priests, who have shed the blood of the just in the midst of her.*  
(Lam. 4:9-13)

Chapter 5 opens with a desperate appeal to God, a profound hope that He will restore His relationship with Israel. After further descriptions of the sufferings, the book ends wondering whether the Israelites would ever renew their relationship with God:

*You, O Lord, are enthroned forever; Your throne is from generation to generation. Why do You forget us forever, and forsake us for so long? Turn us to You, O Lord, and we shall be turned; renew our days as of old. But You have utterly rejected us; You are very angry against us. (Lam. 5:19-22)*

Such a painful confusion leaves the reader uneasy. The author does not propose any solutions or resolution to the state of destruction. Reflecting this passionate plea, chapter 5 has no aleph-bet acrostic at all. With no clear end of the exile in sight, the author loses all sense of order. Perhaps the fact that chapter 5 still contains 22 verses suggests a vestige of hope and order amidst the breakdown of the destruction and exile.

To review: the aleph-bet pattern goes from being completely ordered in chapter 1, to a break in that order for three chapters. The last chapter does not follow the controlled aleph-bet order at all, signifying a complete emotional outburst by the community. The book ends on a troubling note, questioning whether or not it is too late for Israel to renew her relationship with God.

## CONCLUSION

Although Lamentations attempts to make sense of the catastrophe of the destruction, powerful and often conflicting emotions break the ordered poetic patterns. This sacred work captures the religious struggle to make sense of the world in a time of tragedy and God's ways and the effort to rebuild damaged relationships with God following a crisis.

Our emotional state in the aftermath of tragedy often follows the pattern of Lamentations — we begin with an effort to make sense of the misfortune, but then our mouths come before what we see — that is, our deeper turbulent emotions express themselves. Ideally, we come full circle until we again turn to God. Our expression of persistent hope has kept us alive as a people.

In the wake of catastrophe, people have the choice to abandon faith, or hide behind shallow expressions of faith, but even while emotionally understandable, both are incomplete responses. We must maturely accept that we do not understand everything about how God operates. At the same time, we must not negate our human perspective. We must not ignore our emotions and anxieties. In the end, we are humbled by our smallness and helplessness — and our lack of understanding of the larger picture. Through this process, the painful realities of life should lead to a higher love and awe of God.

## FOOTNOTES:

[1] The remainder of this chapter was adapted from Hayyim Angel, "Confronting Tragedy: A Perspective from Jewish Tradition," in Angel, *Through an Opaque Lens* (NY: Sephardic Publication Foundation, 2006), pp. 279-295. This chapter is predicated on the assumption that the Book of Lamentations is a unified poem that should be treated as a literary unit. For a scholarly defense of this position, see Elie Assis, "The Unity of the Book of Lamentations," *CBQ* 71 (2009), pp. 306-329.

[2] Walter Bruggemann observes that Psalms 37 and 145 also are arranged according to the aleph-bet

sequence and similarly display orderliness (*Praying the Psalms: Engaging Scripture and the Life of the Spirit* [Oregon: Cascade Books, 2007], p. 3).

[3] See Aaron Demsky, "A Proto-Canaanite Abecedary Dating from the Period of the Judges and its Implications for the History of the Alphabet," *Tel Aviv* 4:1-2 (1977), pp. 14-27; Mitchell First, "Using the Pe-Ayin Order of the Abecedaries of Ancient Israel to Date the Book of Psalms," *JSOT* 38:4 (2014), pp. 471-485. First notes that in the Dead Sea text of *Lamentations*, the peh verse precedes the ayin verse in chapter 1, as well. For an attempt to explain the intentional deviation of the acrostics based on word patterns, see Ronald Benun, "Evil and the Disruption of Order: A Structural Analysis of the Acrostics in *Ekha*," at [http://www.jhsonline.org/Articles/article\\_55.pdf](http://www.jhsonline.org/Articles/article_55.pdf).

\* National Scholar of the Institute for Jewish Ideas and Ideals. He teaches advanced Tanakh classes at Yeshiva University, and is the author of many books and articles on Tanakh topics.

<https://www.jewishideas.org/article/lamentations-putting-mouth-eye>

## PARASHAT VA-ET'HANAN

by Rabbi Eitan Mayer

This week's shiur will be unusually brief.

Usually, our discussions of the parasha pose analytical questions and work toward analytical answers. This is because the messages of the Torah are often not explicit. When the Torah tells us stories, it usually does not pause to give us the moral of the story as well. It is our job to make meaning of the events the Torah reports. Similarly, the Torah does not often provide rationales for the mitzvot it legislates; it is our job to speculate educatedly on what values lie behind the Torah's commands (always remembering that our rationale for a particular mitzva may be incorrect and therefore should not affect our performance of the mitzva) and to try to internalize those values.

In general, in the four sefarim (books) through which we have already learned, the Torah addresses primarily us, the readers, and expects us to take the time and trouble to unpack the narratives and mitzvot for their meaning. We assume the Torah is a text packed with complex meaning: why does the Torah tell Story A or Story B the way it does? Why does it include details X and Y but leave out detail Z? What key words appear with significant frequency in this or that account? What does Hashem want us to understand when He commands us to "be holy"? Is there some way we can grasp the point of the korbanot (sacrifices), or the status of tum'a (impurity) and tahara (purity)?

Most of Sefer Devarim, on the other hand, primarily addresses Moshe's listeners. We, later readers of the text of Moshe's speeches, are a sort of secondary audience. Because Moshe means for his listeners to quickly understand what he is saying as he says it, he does a lot of the "work" for them. Instead of simply recounting the few events he thinks are important for the people to reflect on, he recounts the events *\*and\** often explicitly gives them meaning. Often, his goal is to remind the people of past failures in order to warn them against repeating these mistakes, or to remind them of critical national experiences which they might forget. Recountings of these types fill our parasha. What, then, is there to think about in these parshiot?

One tactic is to compare Moshe's version of the stories he tells to the original version as reported in earlier sefarim. We have used this approach in considering the story of the appointment of judge-officers and the story of the meraglim (spies). This approach could also keep us busy this week, comparing the Aseret Ha-Dibberot (Decalogue) as reported here by Moshe to the original version in Parashat Yitro. But we will not be focusing on that issue.

Another tactic -- quite different than the comparison strategy described above -- is to focus on the particular textual characteristics of Sefer Devarim. Much of the material of this week's parasha and the adjacent parshiot is not fully encompassed by the kind of analytical scrutiny to which we normally subject the week's parasha. These parshiot present us with aspects which do not bear much analysis or explication: the aesthetic, literary, and affective characteristics of the text. These aspects are best discerned not by reading short sections of text, or even whole parshiot -- they become most apparent when you read quickly through really large sections of the text of Sefer Devarim, particularly from 1:1 to 11:32. (This occurred to me the first time I acted as a Ba'al Korei -- Torah reader -- for these parshiot. Practicing the reading, which forced me to cover large sections of text rapidly, made me aware of the "flow" of the text on a large scale.) From 12:1, Moshe's speech becomes much more halakhic, and although his style in this halakhic section bears similarities to the more exhortatory section which begins Sefer Devarim, the literary features are perhaps less noticeable there.

Nehama Leibowitz often said that teachers should never ask students to "repeat what Rashi is saying in your own words." The student would not be made to think and would simply restate -- in worse Hebrew -- what Rashi had said coherently. The same, it seems to me, applies here. I could give you examples of what I mean about the aesthetic, literary, and affective characteristics of the text in our parasha, but I would do a much poorer job than the Torah itself. So there is nothing for it but to grab a Humash and see for yourself.

Let me just give you an idea of the kind of reading I'm referring to. You are standing with your family and friends among a crowd of hundreds of thousands. Moshe Rabbeinu stands on a makeshift platform before the crowd, his voice rising majestically above the throng. Behind him, in the distance, you can see the rising peaks beyond the Jordan, the river you are soon to cross without Moshe. You listen as he speaks passionately, reminding you of where you have been and what you and your parents have done, both good and bad. He warns you of the dangers you will face -- the lure of idolatry, the

weakness of cowardice, the arrogance of self-sufficiency -- and drives home again and again that the most important thing of all is to remain faithful to Hashem. He delivers Hashem's promises of reward, reminds you of what Hashem has done and will do for you . . . with deep pathos, he reveals his overpowering desire to enter the Land and Hashem's almost cruel refusal to entertain his request. "But you -- you are going to the Land! You will cross the Jordan and merit the one thing I desire above all else."

Moshe tells the people of Eretz Cana'an, its physical beauty and bounty and its intimate connection with Hashem's providence through rainfall. He repeats many times that the Land is given to the people only so long as they remain faithful to Hashem; if not, exile.

Moshe is engaged, above all, in an effort to convince: Keep the Torah. Be faithful to Hashem. You owe it to Him. It will be good for you. The other nations will admire you for it.

(See? I said I wouldn't paraphrase, and then I went and paraphrased. But only to show you how poorly my summary encompasses the original: go and read it through yourself in one sitting.)

### **LOYALTY TO HASHEM:**

Being "loyal" usually does not imply anything very specific. In some contexts, loyalty does take on specific connotations -- a "loyal" or "faithful" spouse, for example -- but usually, loyalty means being supportive and faithful in general terms. In describing the kind of loyalty that Hashem demands of us, Moshe specifies both specific and general loyalty. With relentless frequency, Moshe urges us to be faithful to Hashem by keeping halakha, Hashem's laws:

4:1 -- "Now, Yisrael, hear the LAWS and STATUTES which I am teaching you to do . . . ."

4:5 -- "See, I have taught you LAWS and STATUTES, as Hashem, my God, commanded me, [for you] to do in the Land to which you are going to inherit it.

4:14 - "Hashem commanded me at that time to teach you STATUTES and LAWS, to do them in the Land to which you shall pass to inherit it.

4:40 -- "You shall keep His STATUTES and COMMANDMENTS which I command you today . . . ."

5:1 -- "Listen, Yisrael, to the STATUTES and LAWS which I speak in your ears . . . ."

5:28 -- "You shall guard, to do as Hashem, your God, COMMANDED you . . . ."

6:1 -- "This is the COMMAND, the STATUTES and the LAWS which Hashem, your God, commanded . . . ."

There are many more such examples, but these should demonstrate the point. Being loyal to Hashem does not imply only a general faithfulness to Him (or to the "golden rule"), it means, quite particularly, obeying everything He has commanded us. It does not mean just a commitment to justice, or social justice, or kindness, or charity, or national unity, or morality, or equality, or to any other value, however important. It does not mean having concern for spirituality, holiness, sanctity, piety, or anything else. It means doing the mitzvot, plain and simple, not just because they contain and express positive values which are "right," but simply because Hashem has commanded them and we are His loyal servants.

It follows that you cannot violate the mitzvot as an individual or as part of a group and be a loyal servant of Hashem. You cannot create (as some groups have) a Jewish religious structure which abrogates Hashem's laws and still consider yourself loyal to Hashem. If there is one message of this week's parasha, it is that Judaism is not a "do-it-yourself" religion. We don't replace the Torah's expression of Hashem's will with what we feel is right, because Judaism is not only about values, it is about serving Hashem. Certainly, human beings are meant to participate in deciding what the halakha should be, but they are meant to do so with a deep and across-the-board acknowledgment of the absolute binding nature of Hashem's law. One of the highest praises accorded to people in Tanakh is "eved Hashem" -- "the servant of Hashem." An eved Hashem is not just someone who does the right thing, he does it as a faithful, loyal servant of Hashem, submitting to His will. This appellation is accorded to only a select few: Moshe, Ya'akov, David, and several others -- including the Messiah.

The other side of loyalty to Hashem is the general, non-halakhic meaning of the word: faithfulness, fealty, support. This is expressed by Moshe in our parasha in several formulations. One of the most common expressions of this sort of fealty is Moshe's frequent warnings about serving false gods. Interestingly, avoda zara ("worship of strange gods," or "strange worship") is often formulated as a form of ingratitude, not simply as a theological falsehood:

4:19-20 -- "Lest you lift your eyes heavenward, and see the sun, the moon, and the stars, all the host of heaven, and you shall be misled, and bow down to them, and serve them . . . but Hashem took you and brought you out from the iron furnace, from Egypt, to be to Him a people of inheritance."

Our rejection of Hashem and embrace of false gods is not simply foolish and false, it is ungrateful: Hashem has chosen us as His nation, bringing us out of slavery and granting us a homeland. We are bound to remain faithful to Him in return.

\*\*\*\*\*  
**THE TANACH STUDY CENTER** [www.tanach.org](http://www.tanach.org)  
*In Memory of Rabbi Abraham Leibtag*  
**Shiurim in Chumash & Navi by Menachem Leibtag**  
\*\*\*\*\*

**for PARSHAT VA-ETCHANAN & EKEV**

The first two parshiot of 'kriyat shema' surround us each and every day of our lives. In the following shiur, as we begin our study of the main speech of Sefer Devarim, we'll explain why these two 'parshiot' are so important, [This shiur will also serve as a continuation to our introductory shiur on Sefer Devarim, as it discusses in greater detail the overall structure of the main speech.]

### INTRODUCTION

Our introductory shiur on Sefer Devarim discussed how the first 26 chapters of Sefer Devarim divide into two speeches:

#### 1. The introductory speech (chapters 1-4);

- explaining why forty years have passed, followed by a short 'pep-talk' to prepare the nation for their conquest of the land, and the laws that they'll need to keep.

#### 2. The main speech (chapters 5-26);

- in which Moshe reviews the actual set of laws (originally given at Har Sinai) that Bnei Yisrael must keep as they establish their nation after they conquer the Land, adding some 'rebuke' as he reviews them.

The following shiur will focus more directly on the internal structure of this main speech, showing how and why its commandments neatly divide into two distinct sections:

### SETTING THE FRAMEWORK

Recall how Moshe Rabbeinu began his main speech with the story of how and when these mitzvot (which he is about to teach) were first given (see 5:1-28). In that story, we find an important detail that will help us understand why this speech divides into two sections.

As you review that story, pay careful attention to God's response to the people's request that Moshe should teach them laws, instead of hearing them directly from God:  
"Go say to them: 'Return to your tents', but you [Moshe] remain here with Me and I will transmit to you:  
- the **mitzva** & the **chukim u'mishpatim** -  
which you shall teach them..." (see 5:27-28).

Note the key phrases "**ha-mitzva**" & "**chukim u'mishpatim**" in this pasuk. As we continue our study of Sefer Devarim we will show how often these two phrases are repeated, and how they will introduce the two key sections of main speech:

- A) - **ha-mitzva** [chapters 6 to 11]
- B) - **chukim & mishpatim** [chapters 12-26]

To see how this develops, we must carefully follow the continuation of Moshe's speech (from this point).

Now that Moshe has told the story of how he received these laws, he is now ready to teach them, but first - he interjects a few words of encouragement concerning their importance:  
"You shall keep [these laws] to do them as God has commanded you....in all the way which God has commanded you, in order that you may live and be well, and prolong your days in the land which you shall possess" (5:29-30).

At this point, Moshe is finally ready to 'tell over' those laws which he received on Har Sinai, as he explained in 5:28. Note Moshe's next remark:

"ve-zot ha-mitzva, ha-chukim ve-hamishpatim..."

"And **this** is the **mitzva** and the **chukim u-mishpatim** that God had commanded **me to teach you** to observe on the land which you are about to inherit" (6:1).

Compare this pausk with 5:28, noting how Moshe refers once again to this very same phrase- '**ha-mitzva, chukim & mishpatim**'. Clearly, 6:1 serves as the introduction [note the word 'zot'] to the mitzvot that he will now teach.

Even though the mitzvot should begin in the next pasuk, Moshe once again grabs this opportunity to explain their importance:

"[Keep these laws] so that you will fear the Lord your God, to keep **all** His statutes and commandments, which I command you... so that your days may be prolonged. Hear therefore, O Israel, and observe them - so that you will prosper... as God has promised you - in the land flowing with milk and honey" (see 6:2-3).

### THE OPENING STATEMENT

With these introductory comments finally complete, Moshe is now ready to begin the mitzvot themselves - which begin with the famous pasuk of:

"shema Yisrael, Hashem Elokeinu, Hashem echad" (6:4).

Now we can appreciate why this pasuk is so important, for it serves as the opening statement that begins that entire set of laws that continues through chapter 26.

Even though we all know this pasuk by heart, it's not so simple to translate - for it is not clear whether it is making two points, i.e.

- (1) Hashem is OUR God [and nobody else's]
- (2) Hashem is ONE - i.e. He is the ONLY God

Or, if it is making only one point, that:

- (1) Hashem WHO is our God - He is the ONLY God

The difference between these two translations is immense. The first implies that 'our God' is the best; sort of like - we have the true God, and every other religion is wrong. The second implies that the God who we have a special covenant with - He is the only God - hence it becomes incumbent upon us to represent him properly.

In the context of Sefer Devarim, the second understanding makes much more sense - for this opening statement of the law section is thematically linked to Moshe Rabbeinu's introductory statement - at the beginning of this speech:

"**Hashem Elokeinu** karet imanu brit b'Chorev"

[Hashem, our God make a covenant with **us** at Mount Horev /=Mount Sinai] (see 5:2)

Therefore, it makes sense that "Hashem Elokeinu" (in 6:4) relates to that same theme. If so, then Moshe is prefacing the laws that will follow with an important statement explaining why it is so important for the nation to keep these laws. The God with whom Am Yisrael has joined in covenant [to represent Him as a nation] - He is the only God - and hence, these laws must be kept meticulously.

Recall as well that Moshe had made a similar statement - relating to this same theme - earlier in his first speech (in chapter four), when he explained their underlying purpose:

"See [comprehend] that I am teaching you [in the speech that will follow] **chukim u-mishpatim** that God had commanded **me to teach you** to observe on the land which you are about to inherit [compare with 6:1]

Observe them & keep them; for this is your wisdom and your understanding in the eyes of other nations, so that when they hear all these laws, shall say: 'Surely this great nation is a wise and understanding people.' For what great nation is there, that had God so close to them, as Hashem our God when ever we call upon Him... (see 4:5-8)

## THE FIRST LAW

This most basic principle of faith and purpose - of "Hashem Elokeinu Hashem Echad" - is followed by one of the most important mitzvot - for it is a law that relates to one's overall attitude toward serving God and keeping His laws:

"And thou shalt love the **Lord** thy God with all your heart, and all your soul... And these words [i.e. the laws of the main speech] which I command thee this day, shall be upon thy heart. And you shall teach them repeatedly to your children, and speak about them..." (see 6:5-7).

[Review 6:4-6, noting how they introduced by 6:1-3.]

From this point on, we find a complete set of laws, interspersed with many words of rebuke, which continue all the way until the end of chapter 26. [This overall structure was discussed in last week's shiur, but it is recommended that you take a few minutes to scan through chapters 6 thru 26 to verify this point.]

## THE TWO SECTIONS

These laws cover a wide range of topics; however, we will now show how they divide into two distinct sections. To explain why, let's return to the key phrase, which was repeated in 5:28 and 6:1, that sets the stage for this division.

"ve-zot ha-mitzva, ha-chukim ve-hamishpatim..."  
"And **this** is the **mitzva** and the **chukim u-mishpatim** that God had commanded me to teach you..." (6:1).

We posit that this entire speech divides into **two** sections, corresponding to these two headers:

- A) the **Ha-mitzva** section - chapters 6-11  
[Parshiot Va-etchanan thru Ekev]
- B) the **Chukim & Mishpatim** section - chapters 12-26  
[Parshiot Re'eh, Shoftim, Ki Tetze, & Ki Tavo]

To explain how this division works, let's start with the unit that is easy to identify.

## 'HEADERS' & 'FOOTERS'

Towards the beginning of Parshat Re'eh, we find a short introduction to a specific set of laws that is clearly referred to as '**chukim u-mishpatim**'. To verify this, review these psukim: "For you are about to pass over the Jordan to go in to inherit the land which God is giving you... [There] you shall observe to keep all these **chukim & mishpatim** that I set before you this day" (see 11:31-32).

"**These** are the **chukim & mishpatim** that you are to keep in the land which God gave to your forefathers..." (see 12:1).

As you review chapter 12, note how this opening pasuk (12:1) **introduces** a lengthy list of laws that Bnei Yisrael must keep upon entering the land - which continues on all the way until the end of chapter 26!

To 'balance' this 'header', towards the end of the speech we find another special pasuk that forms a very appropriate summary (what we refer to as a 'footer') for this entire unit:

"On this day, God is commanding you to keep these **chukim & mishpatim**, keep them with all your heart..." (see 26:16).

[Again, if you have time, scan chapters 12 thru 26, noting how there are no 'new headers' in the interim. Note also how many parshiot begin with the word 'ki' [when/if] and 'lo' [do not...], typical for a set of laws (just as we found in the set of laws in Parshat Mishpatim)!]

It was rather easy to identify this matching 'header' and 'footer' for the "**chukim u-mishpatim**" section. Now, we must work 'backwards' to identify the less obvious 'header' & 'footer' for the '**ha-mitzva**' section.

Let's start by taking a closer look at the pasuk that opens the mitzvot of the main speech (as we explained above, i.e. 6:4): "Hear o Israel, the Lord is our God... and you shall **love** God with all your heart and all your soul... and **these** instructions which I '**metzaveh**' [command] you today, teach them to your children..." (see 6:4-6).

This paragraph certainly sounds like an introduction to a set of mitzvot. But to understand what makes this unit special, we consider its opening commandment - to love God ['ahavat Hashem' / see 6:5].

Recall that the Torah refers to this unit as "**ha-mitzva**" - which implies **the** mitzva - or possibly **the** most important mitzva! [In Hebrew grammar, this type of 'heh' is known as 'heh ha-yedi'a' - which stresses the word that follows.]

We posit that the Torah refers to the commandment of 'ahavat Hashem' as - **ha-mitzva** - for it is **the** [most important] mitzvah.

Note as well how the phrase that follows the mitzva of ahavat Hashem is: "ve-hayu ha-devarim ha-eileh asher anochi **metzaveh** etchem..."

Thus, we conclude that the 'header' for the **ha-mitzva** section is 'shema Yisrael... ve-ahavta...'; now we must locate its 'footer'.

As we would expect to find the 'footer' before the next section begins, let's take a look towards the end of chapter 11.

At the conclusion of Parshat Ekev we find a very 'worthy candidate' for a closing pasuk for this section: "If, then, you faithfully keep – **ha-mitzva ha-zot** - that I command you, to **love** God... to follow His laws and to attach yourselves to Him. Then I will help you conquer the Land..." (see 11:22-25, noting its context!).

Here, not only do we find our key word – **ha-mitzva**, but the same context as well in regard to ahavat Hashem - loving God. Furthermore, this section serves as an appropriate summary, for here the Torah promises should Bnei Yisrael keep the proper attitude of ahavat Hashem, then God will surely assist them with the conquest of the Land.

[As you review 11:26-30, notice how these psukim form a small 'buffer' between these two sections, as the chukim u-mishpatim clearly begin with 11:31-32 which lead right into 12:1. / Note as well how the chapter division seems to have missed this rather obvious point.]

Up until now, we have found textual support for dividing the mitzvot of the main speech into two distinct sections. Now, we must find the primary theme of each section by examining their contents.

## SECTION #1 - HA-MITZVA: 'Ahavat Hashem'

The theme of the **ha-mitzva** section is quite easy to identify, for its opening pasuk - as the famous pasuk of 'Shma Yisrael' says it all:

"**Shma Yisrael**... and you shall **love** the Lord your God with all your heart and soul... and these laws which I "**metzaveh**" - command you this day..." (see 6:4-6).

Note how this general theme of 'to love God in every walk of life' continues in each subsequent parshia which follows.

For example:

\* Upon conquering the land, you may inherit an entire city with houses already built and vineyards already planted, etc. Don't let this affluence cause you to forget God... (6:10-15).

\* When your children (who did not go through the desert experience) will ask you **why** we have to keep all these mitzvot, remind them and teach them about all the events of Yetziat Mitzrayim... (6:20-25).

\* When you conquer your enemy, don't intermarry! etc. (7:1-5).

- \* If you become fearful of your enemy, don't worry, remember what God did to Mitzrayim, He can help you as well. (7:17-25).
- \* Don't act in a rebellious manner as your forefathers did in the desert (see chapters 8-10).
- \* As Eretz Canaan does not have a constant water source (like the Nile in Egypt), you will be dependent on the rainfall in this new land. Therefore, recognize that it is God who gives you rain (and not any other god / see 11:10-15).

In fact, when we examine this unit more carefully, we find that these mitzvot simply apply this theme of "ahavat Hashem" [the love of God] to the various situations which will arise as Bnei Yisrael will enter the land. To verify this, see 6:10,18; 7:1,13,16,22; 8:1,7; 9:1,4-6; 11:10-12,13-17, & 22-25!

Furthermore, note how the concluding parshia of this section promises Bnei Yisrael with a reward, should they indeed follow God with the proper attitude:  
 "If, then, you faithfully keep – **ha-mitzva ha-zot** - that I command you, to **love** God.... to follow His laws... then God will help you **conquer** these nations... every foot step that you take will become your land [to its widest borders]. No man shall stand up against you..." (see 11:22-25).

This promise forms an appropriate conclusion to this **ha-mitzva** section, as God promises Bnei Yisrael His assistance in their conquest of the land, should they indeed keep the proper attitude towards Him.

And for a finale, the final psukim of chapter 11 (see 11:26-30) conclude this section by promising a **blessing** or a **curse** on the land, depending if Bnei Yisrael will continue to keep this "ha'mitzvah", once they settle the land.

[Note how the topic of this buffer section in 11:26-30 continues in chapter 27 (after the main speech is over); iy'h, we'll deal with this structure in the shiur on Parshat Ki Tavo.]

## KRIYAT SHEMA

With this background, we can better appreciate Chazal's choice of the first two parshiot of kriyat shma.

Recall that the opening parshia of the **Ha-mitzva** section was none other than the **first parshia** of kriyat shma (6:4-9). Recall also that this section ended with the 'concluding psukim' in 11:22-25.

With this in mind, note now how the 'parshia' which precedes these finale psukim is none other than the **second parsha** of kriyat shma - 've-haya im shamo'a...'. [To verify this, review 11:10-22.]

In other words, the first two parshiot of kriyat shma form the **bookends** of the **ha-mitzva** section, for it begins with 'Shma Yisrael... ve-ahavta' (6:4-8) and ends with 've-haya im shamo'a..' (11:13-21).

This could explain why Chazal chose that we read **both** these parshiot to fulfill our daily obligation of Torah study [which is based on 6:6 - 've-hayu ha-devarim ha-eileh asher anochi metzaveh...'].

Based on this pasuk alone, one could conclude that we are required to read the entire **ha-mitzva** section on a daily basis. However, since this section is too lengthy, it is sufficient if we recite only its opening and closing parshiot. However, by reading these two parshiot, it is as though we have read (and hopefully internalized) all of the mitzvot included in this entire section. [The Mishna at the end of the seventh perek of Masechet Sota arrives at a similar conclusion in regard to reading Sefer Devarim at the **Hakhel** ceremony (see Sota 41a). There, instead of reading the entire speech, the custom was to read the first parsha of **Shema** (6:4-8) and then skip to the last parsha of **Shema** (11:13-21).]

## SECTION # 2 - THE CHUKIM & MISHPATIM UNIT

Review once again the concluding psukim of chapter 11, noting the smooth transition from the **mitzva** section - to the **chukim** u-mishpatim section, noting the key phrases and theme: "... Now that you are crossing the Jordan to inherit the Land... keep these **chukim & mishpatim** that I am teaching you today" (11:31-32).

With this transition, we flow right into the opening pasuk of **section # 2**, which details these laws (see 12:1):  
 "These are the **chukim & mishpatim** that you are to keep in the land which God gave to your forefathers..."

The many chapters which follow this opening pasuk contain numerous laws that Bnei Yisrael must keep upon entering the land. However, in contrast to the laws relating to proper attitude in the **ha-mitzva** section, the laws in Section #2 are more specific in nature. For example, here we find laws concerning when and where to build the permanent bet ha-mikdash (chapter 12), dietary laws (chapter 14), laws of 'aliya la-regel' on the Holidays (chapter 16), laws about appointing judges and political leaders (chapter 17), and a full assortment of civil laws (see chapters 19-25). This list continues until the end of chapter 26. [Recall, that chapter 27 begins a new speech.]

As we should expect, this unit also contains a very appropriate conclusion:

"God commands you today to keep these **chukim & mishpatim**, keep them with all your heart and soul. You have affirmed this day that the Lord is your God, that you will walk in His ways... The Lord has affirmed this day that you are, as He promised, His **am segula**... and you shall be, as He promised [at Har Sinai] a **holy** nation to the Lord your God" (see 26:16-19).  
 [The shiurim to follow will discuss the nature of this unit in greater detail.]

In summary, we have identified the two very distinct sections of the main speech of Sefer Devarim and explained the nature of their distinction:

(A) The **Ha-mitzva** section (chapters 6 thru 11) contains several mitzvot and various rebukes that encourage Bnei Yisrael to keep the proper attitude toward God as they conquer the land.

(B) The **Chukim & Mishpatim** section (chapters 12 thru 26) contains an assortment of more specific laws that Bnei Yisrael must follow once they inherit the land.

Now, we can suggest a reason for this manner of presentation.

## THE PROPER BALANCE

So which section is more important? The **ha-mitzva** section - which deals with proper attitude [sort of like a **musar** sefer], or the **chukim & mishpatim** section - which details the specific mitzvot that one must keep [sort of like a **Shulchan Aruch**]?

[Any 'yeshiva bachur' faces this dilemma every time he sets up his daily schedule. How much time to dedicate to **musar** and how much time to **halacha**.]

The summary pasuk of Section #2 (quoted above) alludes to the proper balance between them:

"This day, God commands you to keep these **chukim & mishpatim**, and you should keep them with **all your heart** and all your soul..." (26:16).

This 'finale' closes not only the **chukim & mishpatim** section, but also beautifully relates it back to the **ha-mitzva** section. These chukim u-mishpatim must be kept **with all your heart and soul** - 'be-chol levavcha u-vechol nafshecha'.

[Note once again the textual parallel between this closing pasuk and the opening pasuk of the first section:

"ve-ahavta et Hashem Elokecha - be-chol levavcha u-vechol nafshecha" - and you shall **love** God with all your heart and all your soul..." (see 6:5, compare with 26:16).]

This obvious parallel stresses how the specific laws of the **chukim u-mishpatim** section must be kept with the proper attitude of "**ahavat Hashem**", as explained in the first section!

Only with the solid base of "**ahavat Hashem**" is it possible to fulfill the more specific laws in the proper manner. And only with a comprehensive set of specific laws is it possible to maintain "**ahavat Hashem**" as a daily way of life.

shabbat shalom,  
menachem

=====

## FOR FURTHER IYUN

### A. BACK TO HAR SINAI

To better appreciate this entire unit and its concluding remarks, we must recall that the mitzvot of this main speech should actually be considered an integral part of Ma'amad Har Sinai. [Recall from last week's shiur that God's original intention was to give these mitzvot directly to Bnei Yisrael immediately after the Ten Commandments!]

With this in mind, carefully read the final psukim of the speech, noting their thematic (and textual) parallel to the Torah's description of Ma'amad Har Sinai in Sefer Shmot (especially Shmot 19:3-6).

Note how these psukim reflect the covenant made between God and Bnei Yisrael at Har Sinai:

"... You have taken upon yourselves today that **He will be your God** and that you will follow His ways and laws..."

- God has affirmed on this day that **you will be His special people- 'am segula'**... as He spoke to you [at Har Sinai (see Shmot 19:5-6)]. And to set you above all nations to be His glory and Name (reputation)... that you shall be an "**am kadosh**" as He spoke to you [at Har Sinai]" (26:16-19).

Considering that these mitzvot are an integral component of Ma'amad Har Sinai, it is only fitting that Moshe concludes this speech by summarizing the most basic elements and purpose of that covenant.

### B. SOME 'ADDITIONS'

Go through the **Ha-mitzva** section of Sefer Devarim (i.e. chapters 6-11) and try to determine which parshiot were 'added' now by Moshe in the fortieth year and which parshiot seem to be a word for word repeat of what God had first commanded him on Har Sinai forty years earlier.

1. Note that many mitzvot sound as though Moshe Rabbeinu is speaking to Bnei Yisrael as they left Egypt, and as though they themselves went out of Egypt and witnessed the plagues etc.

Does the above distinction explain this?

See 6:16, why is 'masa' the only or best example of a rebellion against God? When did this rebellion take place? Wasn't here a more recent rebellion? (e.g. Mei meriva...)

Compare 7:7-11 to 9:4-7, use the above observation to explain the apparent discrepancy between these psukim.

Why is chapter 8 clearly an 'add on'? Does this 'add on' fit in thematically to the main topic of the **Ha-mitzva** section?

### C. TWO TYPES OF 'YIR'A' - A mini-shiur

As we discussed in last week's shiur, chapter 5 details the events which took place at Ma'amad Har Sinai when Bnei Yisrael were overcome with fear. In Sefer Shmot (see 20:14-18), we find what appears to be a parallel account of the same event. Let's compare them.

We begin with the account in Sefer Devarim, when Bnei Yisrael request that Moshe Rabbeinu act as an intermediary immediately after the completion of the Ten Commandments: "Let us not die, then, for this fearsome fire will consume us; if we hear the voice of God any longer, we shall die! For what mortal ever heard the voice of the living God speak out of the fire, as we did, and lived? You go closer and hear all that Hashem says;

then you tell us everything that Hashem tells you, and we will listen and do it" (5:22-24).

God concedes to this request [note the positive aspect attributed to this fear]:

"I have heard the plea that this people made to you; they did well to speak thus. **May they always be of such mind**, to revere Me and follow all my Commandments..."

Sefer Shmot records a very similar incident that took place immediately following the Ten Commandments, which according to some commentators (see Ibn Ezra) describes the same event: "All the people saw the thunder and lightning..., and when the people saw it, they fell back and stood at a distance and asked Moshe: You speak to us and we will listen, but let not God speak to us, less we die. Moshe answered them: **Be not afraid**, for God has come only in order to test you, and in order that the fear of Him may be with you forever..." (Shmot 20:15-17).

Although Rashi and Ramban explain that this event (in Shmot) took place either before or during the Ten Commandments, for the purpose of this mini-shiur, we will follow Ibn Ezra's shitta which understands that both accounts describe the same event.

There is one major discrepancy between these two accounts: In Sefer Shmot, Moshe is not pleased with this fear, while in Sefer Devarim, God praises it!

It seems as though Moshe prefers that Bnei Yisrael confront God directly during Ma'amad Har Sinai, while God Himself endorses a more distanced relationship. Could this discrepancy reflect a dispute between Moshe and God regarding the value of fearing God?

An understanding of the two forms of 'yir'at Hashem' - the fear of God - can help us appreciate this controversy.

#### TYPE I: Positive (or Constructive) Fear

When one recognizes God's infinite greatness, even though he may be enthralled with the possibility of encountering the Almighty, out of humility he feels that it be improper to confront Him directly. This fear is commendable, for it reflects an ideal balance between possible closeness and necessary distance.

#### TYPE II: Negative Fear

On the other hand, a person not interested in any relationship with God would view a divine encounter such as Har Sinai as a nuisance, for it is meaningless to him. Fearful of its inherent danger, he prefers distance and limited responsibility. This type of fear of God, like a 'child running away from school', can ruin a relationship.

#### THE MACHLOKET

It seems that Moshe Rabbeinu, based on his experience with Bnei Yisrael since the time of the Exodus, is concerned that the people's fear stems from the latter reason. Therefore, he is unhappy with Bnei Yisrael's request that he act as their intermediary. He encourages them to stay at Har Sinai.

God, on the other hand, aware of the nature of man's haughtiness, stresses the positive aspect of this fear. He agrees with Bnei Yisrael's request, sends them to their tents, and gives the mitzvot to them thru Moshe instead.

Nonetheless, when the mitzvot of the main speech actually begin, we find a beautiful resolution of this conflict.

Because God is indeed aware of Moshe's worry that there is a danger of the distance caused by yir'at Hashem, God chooses to begin the mitzvot, which He gives via Moshe to Bnei Yisrael with the commandment of **ahavat Hashem** - the love of God! "Shema Yisrael... and you must love the Lord your God with all your heart and with all your soul and with all your might" (6:4-5). To counter this potential danger of 'too much **yir'a**', God begins with the mitzva of **ahavat Hashem**! The love of God and the

proper appreciation of His laws assure that one's fear will strengthen his relationship, rather than weaken it.

## **PARSHAT VA-ETCHANAN - shiur #2**

On his final day, why is Moshe Rabbeinu eager to see Lebanon?

And when he ascends the mountain for a final view, why does God show him a view of Saudi Arabia?

And why do Chazal interpret all of this as Jerusalem?

In this 'mini shiur', we'll attempt to answer these questions as we uncover the very first 'virtual' Jerusalem!

### **INTRODUCTION**

In the opening psukim of this week's Parsha, Moshe Rabbeinu begs God to allow him to cross into the Holy Land (see 3:23-26). However, note how the manner in which he states his request is rather peculiar:

"Let me pass over and see this good land that is on the other side of the Jordan, this good mountain **and the Lebanon**" (3:25).

We can understand why Moshe wants to see the 'good land', for that seems to imply the Land of Israel - as it was described in 'spy-report' by Yehoshua and Kalev:

"The land that we have passed to scout it, the land is very very **good**" (see Bamidbar 14:7).

[Note also 'asher avarnu'; compare 'evra na' in 3:25!]

But why does Moshe express interest to see Lebanon as well? True, Lebanon is located on the northern border of Eretz Canaan, but Moshe doesn't ask to see any of the other borders. Furthermore, why is Moshe only interested in seeing mountain ranges? What about the Negev, the Shefeila, and the coastal plain?

In fact, when he is shown the land (as recorded later on in Devarim 34:1-4), God shows him the Negev, the mountain ranges, and even the Mediterranean. Yet, in those psukim, Lebanon is not even mentioned!

In the following shiur, we attempt to explain deeper motivation behind Moshe Rabbeinu's request.

### **A GREAT VIEW**

As we all know, God does not grant Moshe's request. Instead, he instructs Moshe to climb to the top of a mountain to get a glimpse of the land that he is not permitted to enter. However, here we find yet another difficulty. Note the directions that God tells Moshe to look:

"Climb to the top of the mountain, and **lift up** your eyes to the **west, north, south** and **east** - and see with your eyes, for you will not cross the Jordan" (3:27).

Recall that Moshe now stands on Mount Nevo in the Moabite Mountains, directly east of Eretz Canaan. Hence, it makes sense that he should look towards the west, and even to the north and south, for that could be understood as northwest and southwest; but why would he look to **east**? After all, to the east, the only area in sight would be wide plains and desert areas of modern day Jordan, Iraq and Saudi Arabia.

So why does God tell Moshe to look to the East?

The answer can't be that God wanted to show him the fullest borders of the Land of Israel, for Moshe had already seen them in his battle against Sichon, and furthermore, Moshe's request dealt specifically with the **other** side of the Jordan.

To answer these questions, we must note an interesting parallel between these psukim and similar psukim in Sefer Breishit.

### **THE SAME TOUR GUIDE**

In our study of Sefer Breishit, we discussed the centrality of Bet El in Avraham Avinu's first journey to the Land of Israel.

His arrival in Canaan from Aram climaxed with his building of a **mizbeach** in Bet El, where he called out in God's Name (see Breishit 12:1-8). Similarly, upon Avraham's return to Canaan from Egypt, he ascended once again to his **mizbeach** in Bet El - to call out in the Name of God.

At that same time, Lot had decided to leave him, choosing instead the Jordan valley. After Lot's departure, God appeared to Avraham once again in Bet El, and reiterated His promise that this Land will one day become the homeland of his offspring.

However, note the special preface that God adds to this promise, and its similarity to our pasuk in Sefer Devarim: "And God said to Avram after Lot had left him: **Lift up your eyes** and **SEE** from the place where you are - to the **north** and **south**, **east** and **west**, for this land that you see I will give to you and your offspring" (see Breishit 13:14-16).

Note how God tells Avraham to lift up his eyes and look in all **four** directions from Bet El, just as He later tells Moshe Rabbeinu to look in all four directions from Har Nevo.

Of course, this parallel could simply be incidental, for this is usually the directions that one looks when he is on a high place. However, we find one additional instance where these four directions are mentioned, and once again in relation to Bet El.

### **THE FIRST BET ELOKIM**

Recall when Yaakov Avinu was running away from Esav on his way to Aram, he stopped overnight at Bet El. There, God appeared to him in a dream, confirming that Yaakov would be the inheritor of His covenant with Avraham. In that blessing, note how we find once again all four directions:

"...And your offspring will [numerous] be like the dust of the earth, and you spread out to the **west** and **east**, **north** and **south**, and through you will be a blessing to all the nations on the earth" (see Breishit 28:10-15).

Here once again we find all four directions, and in fact these three sources are the only times in Chumash where these 'four directions' are found. However, this source concerning Yaakov is most significant, for when he awakes from his dream Yaakov makes a special promise concerning this site.

"And Yaakov awoke in the morning and took the rock that was by his head and erected it as a monument and anointed it with oil. Then he named this spot **Bet El**... and he vowed that when he returns... this monument will become a **Bet- Elokim** [House for God]..." (see 28:18-21).

These psukim establish a connection between this special site of Bet El and a House for God - a **Bet Elokim**. [In case you didn't notice, that's why it is called Bet El.]

This site was destined to house the bet ha-mikdash - that would become the symbol of the very purpose of God's choice of the Jewish nation. A site where man will be able to focus on perfecting his connection [through prayer] to God.

### **VIRTUAL JERUSALEM**

With this background, we can suggest an alternate reason for both Moshe's request and for God's response.

Surely, Moshe wants to see the land, but not simply as a tourist; rather Moshe wants to see the achievement of the ultimate goal for Am Yisrael, as reflected in Yaakov's dream at Bet El and Avraham's vision from Bet El. When Moshe requests to see 'ha-har ha-tov' - the **good mountain** (3:25), one could suggest that he wants to 'see' the Temple Mount [note 'tov' in Breishit 1:4,10,12 etc.], and when he requests to see Ha-**Levanon** - he may be hinting not only to that northern mountain range, but to the bet-ha-mikdash that will one day be constructed

from the wood of the cedars of Lebanon (see I Melachim 5:16-32!).

In a similar manner, we can now understand God's response to Moshe. He instructs Moshe to climb to the highest mountain and to look out in all four directions, just as Avraham Avinu had done at the dawn of Jewish History. Moshe wishes to see the dream of God's promise to Avraham Avinu fulfilled, and God allows Moshe an experience that would reflect its fulfillment.

Moshe looks in all four directions for God has 'virtually' placed him in Jerusalem. With that vision, he can proceed to charge Yehoshua, for he will lead Bnei Yisrael into the land (see Devarim 3:28), and it will be his responsibility to make Moshe's dream come true.

Not only is this week's Haftara ('Nachamu') most fitting for the shabbat after Tisha Be-av, so too are its opening psukim of the Torah reading from Parshat Va-etchanan.

shabbat shalom,  
menachem

=====

#### FOR FURTHER IYUN

**A.** See Rashi on Devarim 3:25. Note how our shiur attempts to explain the pshat of the drash that Rashi quotes!

See also Chizkuni on 3:25. How is his peirush different? How does he explain the connection between Levanon and the bet ha-mikdash (based on Yoma 39b!).

**B.** In your opinion, does Moshe also want to remain the leader of Bnei Yisrael, or does he just want to enter as [sort of a] 'rabbi emeritus', while allowing Yehoshua to lead the nation?

Which possibility does 3:28 support?

Relate your answer to Bamidbar 20:12 [& our conclusion in regard to this topic in our shiur on Parshat Chukat.]

Does God explain to Moshe why His answer is no?

If so, what is that answer? [Does it relate to 1:36?]

If not, can you explain why He doesn't?

**C.** Note the use of the 'shoresh' ayin.bet.reish. in both 3:25, 3:26 and 3:28. Does this shoresh have the same meaning in each of these psukim, or different meanings? Explain.

Now read Bamidbar 27:12-14 (see also 27:15-23).

In your opinion, is this the same story or a different one?

[How do these two accounts complement each other?

See Rashi & Chizkuni on 27:12.]

Now, note the name of the mountain that Moshe is instructed to ascend - 'Har Ha-avarim'. Note again the shoresh ayin.bet.reish!!

What is the 'real name' of this mountain - see Devarim 32:49!

Based on the above questions, why do you think that the Torah refers to it as Har Ha-avarim instead of Har Nevo?

Is there a geographical reason as well for this name?

See Ramban 27:12.

[Note also the use of ayin.bet.reish. in Bamidbar 27:6-11!]

Note also the use of verb 'latet' - to give - both in 27:7 and 27:12! (cute?)

Relate your answer to this question to the above shiur.

## Parshas Vaeschanan: V'ZOT HATORAH, THIS IS THE TORAH

By Rabbi Yitzchak Etshalom

### I. BACK TO SINAI

As we discussed in last week's shiur, the first third of Sefer D'varim (Chapters 1-11) is essentially a historic retelling of some of the major events which happened to the previous generation - the generation of the Exodus (Dor Yotz'ei Mitzrayim). In the first three chapters (Parashat D'varim), Mosheh Rabbenu recounts some of the military and conquest data, including those which this new generation -the generation of Conquest (Dor Ba'ei ha'Aretz) - had experienced.

Over the course of the next 8 chapters (4-11), Mosheh intersperses a long speech relating to the Stand at Sinai with exhortative and inspirational instruction, commonly called Mussar. Although we would certainly expect the Revelation to play a central role in his retelling, the style and method of that recitation raises several questions.

[The reader is strongly encouraged to have a Tanakh open for the rest of the shiur].

Note that there is not one seamless account here; rather, we have several descriptions of the Stand at Sinai, as follows:

- 1) 4:9-15
- 1') 4:32-36
- 2) 5:2-29
- 3) 9:7-10:11

This division is accurate if we look at the specific verses which are direct explications of the Sinai experience. If, however, we look at each description through a wider lens, we can divide them into larger speeches. In order to do so, we need to note that each description is prefaced with necessary introductions (as will be clarified below) as well as the implications of the Stand at Sinai, which reverberate through many more verses than those outlined. I would like to suggest that there are three description-sets here, as follows:

- 1) 4:1-40
- 2) 5:1-6:3
- 3) 9:7-10:11

[Again, I suggest that the reader follow each section with a Tanakh in hand; these divisions will become apparent at first inspection. Not only are the Parashiot broken up this way in the text, but the speeches flow rather seamlessly within these divisions. There is yet another "text-clue" which points to this division - but more on that later.]

### II. 'AREI MIKLAT: (CITIES OF REFUGE)

For purposes of our shiur, we will direct our analysis to the two speeches in Parashat Va'Et'hanan - 4:1-40 and 5:1-6:3. Note that these two descriptions are interrupted with a brief narrative about Mosheh's activities - he assigns the three 'Arei Miklat (cities of refuge) on the East Bank of the Jordan. Why are Mosheh's speeches interrupted with this narrative?

In addition, there is a peculiarly significant verse placed in the middle of the 'Arei Miklat narrative. Significant because it is a broad statement about Torah and Mosheh's rule in teaching Torah to the Jewish people. Peculiar because of its location:

Then Mosheh set apart on the east side of the Jordan three cities to which a homicide could flee, someone who unintentionally kills another person, the two not having been at enmity before; the homicide could flee to one of these cities and live: Bezer in the wilderness on the tableland belonging to the B'nei Re'uven, Ramoth in Gilead belonging to the B'nei Gad, and Golan in Bashan belonging to the B'nei Menasheh.

V'Zot haTorah Asher Sam Mosheh liPh'nei V'nei Yisra'el

(And this is the Torah that Mosheh placed before the B'nei Yisra'el)

These are the decrees and the statutes and ordinances that Mosheh spoke to the Israelites when they had come out of Egypt, beyond the Jordan in the valley opposite Beth-P'or, in the land of King Sihon of the Amorites, who reigned at Heshbon, whom Mosheh and the Israelites defeated when they came out of Egypt. They occupied his land and the land of King Og of Bashan, the two kings of the Amorites on the eastern side of the Jordan: from Aroer, which is on the edge of the Wadi Arnon, as far as Mount Sirion (that is, Hermon), together with all the Arabah on the east side of the Jordan as far as the Sea of the Arabah, under the slopes of Pisgah. (D'varim 4:41-49)

Why is this central verse (which we declare every time the Sefer Torah is raised for us to see) placed in the middle of a Parashah about 'Arei Miklat?

### III. SH'MA YISR'AEL

Before responding to our questions - two more are in order. We are all familiar with what is perhaps the most famous and central verse in the Torah - Sh'ma Yisra'el, Hashem Eloheinu, Hashem Echad (6:4) Note that this verse comes immediately after the second "Sinai speech". What is the significance of its placement here? Moreover, what is the meaning of the two introductory words - Sh'ma Yisra'el?

...and one final question. Note that the beginning of each of the "Sinai-speeches" begins with a curiously similar phrase (one which shows up a number of times in D'varim - and only in D'varim):

4:1 - So now, Yisra'el, give heed (Yisra'el Sh'ma) to the statutes and ordinances that I am teaching you to observe, so that you may live to enter and occupy the land that Hashem, the God of your ancestors, is giving you.

5:1 - Mosheh convened all Yisra'el, and said to them: Hear, O Yisra'el (Sh'ma Yisra'el), the statutes and ordinances that I am addressing to you today; you shall learn them and observe them diligently.

Why does each speech begin with the familiar Sh'ma Yisra'el (albeit in inverted fashion in the first instance)?

### SUMMARY

In all, we have asked seven questions regarding Mosheh's speeches and the one narrative in our Parashah:

- \* Why are the two major speeches both about the Stand at Sinai?
- \* Why is that speech divided into two via the 'Arei-Miklat interruption?
- \* What is the import of the 'Arei Miklat narrative here?
- \* Why is the "banner-verse" v'Zot haTorah... placed in the middle of the 'Arei Miklat narrative?
- \* What is the rationale behind the placement of the "famous" Sh'ma Yisra'el... section?
- \* What does Sh'ma Yisra'el mean?
- \* Why does each of the first two Sinai-speeches begin with Sh'ma Yisra'el?

### IV. MOSHEH "RABBENU" IN ACTION

In last week's shiur, we discussed the job of a Rabbi and how Mosheh earned his reputation as "Mosheh Rabbenu" (Moses our Teacher), his eternal title, when he brought the past into the present for the second generation. This was, as we described, the first task of a Rabbi - to bridge generational gaps and to bring the students back to Sinai. Mosheh began this mission in Parashat D'varim with his educationally sophisticated history lesson.

The second job of a Rabbi - is to be the "Shadchan" between his students and haKadosh Barukh Hu. He must inspire his charges to seek out their own relationship with God and he must continue to guide them in the development of that relationship.

After Mosheh established the bridge between the Dor Yotz'ei Mitzrayim (generation of the Exodus) and Dor Ba'ei ha'Aretz (generation of the Conquest), he began to instruct the people about their personal (and individual) relationships with God.

This process, however, can never be accomplished in one single lesson. There are various sophisticated steps which must be taken to guide others to the Ribono shel Olam (Master of the Universe) - and each of them is a lesson in and of itself. This is as true about Mosheh and his students as it is today.

Just like any relationship, the person endeavoring to enter into an interaction with God must learn about two things - the nature of the "Other" (in this case, God) and the medium of that relationship (in this case, Mitzvot).

With one introductory hypothesis, we will see how these lessons are presented by Mosheh in an educationally sequential format.

## **V. SH'MA YISRA'EL: INTRODUCTION OF A LESSON**

The hypothesis is as follows: The phrase Sh'ma Yisra'el which introduces each of the three major speeches in our Parashah, is indeed an introduction - of a new lesson. This explains the unique relationship between this phrase and Sefer D'varim, which is (as we explained in last week's shiur), a session in Mosheh Rabbenu's Beit Midrash. This also explains the division of the various lessons in our Parashah, as follows:

### **THE FIRST LESSON: Hashem IS THE ONE TRUE GOD**

The first Sinai-speech (4:1-40) is about the Revelation - as an explanation of the Nature of God (as much as can be understood). True to the "negative theology" popularized by Rambam (in which all that we can know about God is what we can negate about Him - e.g. He is not weak etc.), most of this Parashah is a warning that we should not confuse any of the manifestations we experienced at Sinai with God Himself:

Since you saw no form when Hashem spoke to you at Horeb out of the fire, take care and watch yourselves closely, so that you do not act corruptly by making an idol for yourselves, in the form of any figure - the likeness of male or female, the likeness of any animal that is on the earth, the likeness of any winged bird that flies in the air, the likeness of anything that creeps on the ground, the likeness of any fish that is in the water under the earth. And when you look up to the heavens and see the sun, the moon, and the stars, all the host of heaven, do not be led astray and bow down to them and serve them, things that Hashem your God has allotted to all the peoples everywhere under heaven. (D'varim 4:15-19)

Indeed, the end of this speech is a reminder of God's singular and unique existence and that He alone is the one God:

To you it was shown so that you would acknowledge that Hashem is God; there is no other besides him...So acknowledge today and take to heart that Hashem is God in heaven above and on the earth beneath; there is no other. (4:35,39)

The focus of this speech is about who God is, as it were, and who He is not. [Note how Rambam, in the beginning of *Hilkhot Avodah Zarah* (Laws of Idolatry), outlines the "history" of idolatry.]

### **THE SECOND LESSON: THE VALIDITY OF MOSHEH'S PROPHECY**

Reading through the second Sinai-speech (5:1-6:3), we see that the implications of the Revelation are not about the essence of God and the dangers of idolatry attendant upon confusion arising from that Revelation; rather, it is a retelling of the people's reaction in response to that great moment:

[Immediately after the "review" of the Decalogue...] These words Hashem spoke with a loud voice to your whole assembly at the mountain, out of the fire, the cloud, and the thick darkness, and He added no more (or He never ceased - see Rashi). He wrote them on two stone tablets, and gave them to me. When you heard the voice out of the darkness, while the mountain was burning with fire, you approached me, all the heads of your tribes and your elders; and you said, "Look,

Hashem our God has shown us his glory and greatness, and we have heard His voice out of the fire. Today we have seen that God may speak to someone and the person may still live. So now why should we die? For this great fire will consume us; if we hear the voice of Hashem our God any longer, we shall die. For who is there of all flesh that has heard the voice of the living God speaking out of fire, as we have, and remained alive? Go near, you yourself, and hear all that Hashem our God will say. Then tell us everything that Hashem our God tells you, and we will listen and do it." Hashem heard your words when you spoke to me, and Hashem said to me: "I have heard the words of this people, which they have spoken to you; they are right in all that they have spoken. If only they had such a mind as this, to fear me and to keep all my commandments always, so that it might go well with them and with their children forever! Go say to them, 'Return to your tents.' But you, stand here by me, and I will tell you all the commandments, the statutes and the ordinances, that you shall teach them, so that they may do them in the land that I am giving them to possess." You must therefore be careful to do as Hashem your God has commanded you; you shall not turn to the right or to the left. You must follow exactly the path that Hashem your God has commanded you, so that you may live, and that it may go well with you, and that you may live long in the land that you are to possess. Now this is the commandment... (D'varim 5:22-6:1)

As is readily seen, the focus of this speech is the people's reaction to the Revelation (fear) and their appointment of Mosheh as their "go-between" to receive the rest of God's commandments.

This established Mosheh as the "Lawgiver" (Mehokek - see D'varim 33:21) - and enabled him to then instruct the B'nei Yisra'el regarding all of the other Mitzvot (besides the Decalogue) which they had not directly heard from God.

In summary, we have two lessons in our Parashah, each based on the experience at Sinai - and each introduced with the Sh'ma Yisra'el formula.

The first lesson is about God - and the second is about Torah. In other words, the first introduces the B'nei Yisra'el to the object of their relationship, while the second describes the vehicle for that relationship.

Why then is the narrative regarding 'Arei Miklat placed between these two speeches?

## **VI. THE "HIDDUSH" (NOVELTY) OF 'AREI MIKLAT**

We take it for granted that intention (Kavvanah) plays a central role in religious behavior - that our attitude and focus while performing Mitzvot affects the spiritual impact (and, in some cases, the Halakhic consequences) of those actions. There is, however, very little indication of this central religious component in the first four books of the Torah. The one exception is in relation to the Mishkan - specifically in the world of Korbanot (offerings). Outside of this, we only find out about prohibited actions (e.g. stealing, eating Hametz on Pesach) and obligations (returning a theft, eating Matzah on Pesach) - but we do not hear very much about the role of intent in Halakhah.

The one powerful exception to this is the rule of manslaughter, as outlined in Bamidbar 35 (although it is alluded to in Sh'mot 21:13 - see Rashi ad loc.). In case someone intentionally murders a fellow, he is liable for death. On the other hand, if it is an unintentional act ("manslaughter"), the killer has the benefit of the protection of the city of refuge - and the blood relative may not go there and exact vengeance for his dead relative.

The laws of murder/manslaughter are complex and demand a serious investigation, to understand the various shades of intent and how they apply to the case before the Beit Din.

The reason that, with this exception, the first four books of the Torah do not address the issue of intent is that they are the "instructions" about our relationships with each other and with God. Sefer D'varim, on the other hand, is Mosheh's instruction on HOW to relate to God - not just which actions to take, but which attitudes should accompany them.

Mosheh, therefore, interrupts his lessons about that relationship and does what every great teacher does - he demonstrates (instead of just preaching) how to put this lesson into action.

This is a critical piece of Torah - Mosheh has just taught a philosophical piece about the nature of God. Yet Judaism is not just philosophic speculation and meditation - it demands action. Therefore, Mosheh acts to demonstrate this component. Yet - the Mitzvah he chooses to demonstrate shows us the integration of intent/attitude and action.

And...Zot haTorah - "This is the Torah". In the middle of his lesson, Mosheh stops to perform a Mitzvah which

demonstrates, better than any other, the complementary nature of action and attitude - and this is, indeed, the Torah. To borrow from Hillel - all the rest is commentary. In other words, the lesson of 'Arei Miklat is a lesson about the entire Torah.

After teaching this valuable lesson (by example), Mosheh goes on to teach that Torah (the Decalogue) and now, instead of introducing God, he introduces the Mehokek - himself!

Mosheh is now "set up" to teach them how to fully develop their relationship with God.

## **VII. SH'MA YISRA'EL: THE TELOS OF TORAH**

Now we come to the third lesson - the "famous" Sh'ma Yisra'el. What is the essence of this lesson?

Sh'ma Yisra'el: Hashem is our God, Hashem is One. You shall love Hashem your God with all your heart, and with all your soul, and with all your might. Keep these words that I am commanding you today in your heart.

We are commanded to do more than follow a series of actions - and obey restrictions - ordained by God. We are called to be in a relationship with God, a relationship of love, commitment, constancy and much more. The next 6 chapters are replete with Mosheh's reminders to love God, to fear Him, to cleave to Him, to swear by His Name etc. None of this was mentioned anywhere earlier in the Torah - again, Mosheh is acting as the consummate Rebbi, bringing his students into the full sense of the relationship with God.

This is the third lesson - once we have been "introduced" to God and to his lawgiver (who can accurately convey His commands), we are taught about the ultimate goal of these commands - to love God, to fear Him, to walk in His ways etc.

We can now go back to our original questions and answer:

\* Why are the two major speeches both about the Stand at Sinai?

- each teaches us about a different implication of that experience; the first teaches us about WHO God is, the second about the vehicle for entering into a relationship with Him (Torah) and the "Shadchan" (Mosheh Rabbenu).

\* Why is that speech divided into two via the 'Arei-Miklat interruption?

- as above, each teaches a distinct lesson.

\* What is the import of the 'Arei Miklat narrative here?

- Mosheh Rabbenu is teaching, by example, the importance of integrating intent/attitude with action in fulfilling Mitzvot.

\* Why is the "banner-verse" v'Zot haTorah... placed in the middle of the 'Arei Miklat narrative?

- this is a central lesson of Torah - that action alone is not enough and that the consequences of a person's actions depend on the approach with which he acts.

\* What is the rationale behind the placement of the "famous" Sh'ma Yisra'el... section?

- after teaching us about God and about the vehicle for entering into a relationship with Him, Mosheh teaches us about the ultimate goal of those Mitzvot.

\* What does Sh'ma Yisra'el mean?

- it is the introduction of a new "lesson"

\* Why does each of the first two Sinai-speeches begin with Sh'ma Yisra'el?

- as above, each is a lesson in and of itself.

## VIII. POSTSCRIPT

One question which remains is about the order of these lessons - wouldn't it have been more appropriate to teach about the "love" for God before our commitment via Mitzvot? Aren't we motivated to action because of our feelings for the one (or One) on whose behalf we are acting?

I once heard a beautiful explanation of this - albeit in a slightly different context - from Mori haRav Yosef Dov Soloveitchik zt"l. The Rov compared the two statements of Hazal regarding "Imitatio Dei":

- A) "Just as He is gracious, you should be gracious; just as He is compassionate, so should you be compassionate etc." (BT Shabbat 133b)
- B) "Just like He comforted the bereaved, so you comfort the bereaved; just as He visited the sick, so you visit the sick etc." (BT Sotah 14a)

He noted that in the first statement we are called to imitate Divine characteristics, as it were. The second statement, on the other hand, challenges us to imitate Divine actions, so to speak.

Instead of seeing these as either contradictory or parallel (but unrelated) statements, the Rov explained that the two of them are linked in series.

Unlike the way that the "world" thinks, that we act on behalf of someone because we care about them, the Torah is teaching us how to develop that compassion - by acting on their behalf. We do not develop good character by being born with it or waiting for it to come to us - we become compassionate by behaving compassionately. The second statement, imitating Divine actions (which the Torah mandates - see MT Evel 14:1), comes first, as it were. The second mandate, imitating Divine character, is the result of fulfilling the first.

In the same way, we understand why the Torah prefaced the "emotional" connection with God with the "mechanical" one. We come to love and fear God (and desire to cleave to Him) not as a motivation for fulfilling Mitzvot - rather as the result of that fulfillment.

We can also see this in the Parashah of K'riat Sh'ma:

Sh'ma Yisra'el: Hashem is our God, Hashem is One. You shall love Hashem your God with all your heart, and with all your soul, and with all your might. Keep these words that I am commanding you today in your heart.

(and how do we come to this intense level of commitment and love?)

Recite them to your children and talk about them when you are at home and when you are away, when you lie down and when you rise. Bind them as a sign on your hand, fix them as an emblem on your forehead, and write them on the doorposts of your house and on your gates.

(See Sifri Va'Et'hanan #8, where the command to study is seen as a method for achieving love for God)

Text Copyright © 2012 by Rabbi Yitzchak Etshalom and Torah.org. The author is Educational Coordinator of the Jewish Studies Institute of the Yeshiva of Los Angeles.