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ON VAESCHANAN - 5763

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RABBI YAAKOV NEUBURGER  
OLD SIN AND NEW OPPORTUNITY

It was Moshe Rabbeinu himself beginning his final charge to the generation whom he nurtured and he correctly suspected that his children were not quite ready to listen. According to the medrash, as Moshe recalls debacles and setbacks his people openly question that perhaps his advanced age was finally catching up with their leader. Sadly enough it is expecting their skepticism that Moshe, according to Rashi, had waited saving these words for the end. Thus Moshe would be spared the aggravation of seeing himself ignored and avoid the attendant embarrassment. Rashi further tells us that Moshe wants all his people gathered together to eliminate any "if only I had been there" challengers, that he is sure there would be.

As disappointing as this may sound, especially of our fathers who merited to see the miracles of Yehoshua, I can understand them quite well. After all, they may have honestly felt that Moshe's litany of failures did not speak to them at all. Why should this generation, eager to enter Israel and too young to have a significant role in the sin of the meraglim or the chet ha'egel or even ba'al peor, have to hear about the sins of the past? It is precisely this sentiment that Yirmiyahu apparently fears and therefore addresses in one of the closing pesukim of Eicha (5,7): "Our fathers sinned and are no longer and we suffer their sins. (see Targum)". Yirmiyahu has the "next" generation understanding that they are not suffering the punishment thrust upon them, rather they are suffering i.e. tolerating the elders' failures and flaws. In contemporary terms, we and those before us may not have created the divisiveness that brought down the second Beis Hamikdash but we certainly have not found the formula for national harmony.

Similarly Moshe realized that later generations would fall prey to the same lapses and errors and thus found it appropriate to recall these difficult events. Unfortunately we learn that the energies to conquer all of our G-d given land did peter out during Yehoshua's time. Ultimately they did make peace with sharing the land with the native pagans and are censured for that. True they were too young to shoulder any responsibility for the chet hameraglim, yet they - as we too - must be wary that our love for our land never lose its depth or the profound passion that it deserves. Furthermore, those gathered to listen to Moshe may have never complained about the manna, yet all future generations should be concerned to be fully appreciative of Hashem's blessings and the obligations that they entail. Finally, Moshe refers to the sin of the golden calf as the sin of "enough gold" to raise in our minds that

though we did not smelt golden images we may at times suffer from the complacency that comes with comfort. In Moshe's words as well, I think we can find how he responds to his children who would rather not hear him out. Looking carefully at the parsha we note that Moshe closes his critical description of the sin of the spies with a seeming incomplete pasuk: "(2,16) And it was when all the men of military age died from amongst the nation." Why does the Torah give this thought an entire pasuk and thus close an episode whereas we would expect it as an introduction to a new parsha?

It would seem to me that the point of this pasuk is simply to put that moment into historical perspective. That the nation fated to die in the desert had passed on was well known, and yet keeping it in mind creates an attitude that gives singular direction. Moshe in this one pasuk gives the most disturbing and energizing tochecha possible. How can one not be inspired knowing that one is being granted opportunities that eluded those who came before? Clearly a generation that approaches the conquest of Israel understanding that this opportunity has been denied to their parents will focus on Israel with unprecedented strength. Thus Moshe Rabbeinu begs his children to study the foibles of the past so that they will internalize the opportunities and responsibilities that lay ahead.

Thus this unfinished pasuk is not a hanging thought, but rather a pregnant phrase waiting for the next generation to write its conclusion.

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From: [torahweb@zeus.host4u.net](mailto:torahweb@zeus.host4u.net) Sent: August 07, 2003 To: [weekly1@torahweb.org](mailto:weekly1@torahweb.org) Subject: Rav Mayer Twersky - The Consolation of Shabbos Nachamu to subscribe, email [weekly@torahweb.org](mailto:weekly@torahweb.org) to unsubscribe or for anything else, email: [torahweb@torahweb.org](mailto:torahweb@torahweb.org) the HTML version of this dvar Torah can be found at: <http://www.torahweb.org/thisWeek.html>

RAV MAYER TWERSKY  
THE CONSOLATION OF SHABBOS NACHAMU

Shabbos Nachamu is an enigma. The theme of the Shabbos, as indicated by its haftarah and nomenclature, is consolation. But what is the source of our consolation? The Beis Hamikodsh has not been rebuilt; things have not changed.

In the case of aveilus chadasha, mourning the death of one of the seven immediate relatives, time alleviates grief, as the mourner becomes reconciled to his lot. The pain of his loss diminishes as time elapses. But with regard to aveilus yeshana, our aveilus for the Beis Hamikodsh, the lapse of time is not supposed to have a consoling, ameliorating effect. On the contrary, our obligation during the three weeks is to overcome the passage of time and acutely experience the anguish of churban. Why then do we feel consoled on Shabbos Nachamu?

Mourning for the Beis Hamikodsh is redemptive rather than cathartic. The aveilus of the three weeks is designed to awaken our emotions and sensitize our hearts to the tragic reality of churban and its insidious causes. Accordingly, the aveilus of the three weeks is a period of repentance and yearning - repentance for the sins which caused churban, yearning for the Beis Hamikodsh in its full glory.

Repentance and yearning are also the keys to the restoration of the Beis Hamikodsh, to geulah (1). As long as we do not sincerely repent and genuinely yearn for the Beis Hamikodsh, it will not be rebuilt. Thus the aveilus of the three weeks, properly observed, brings us closer to the geulah. And this provides the consolation that we experience on Shabbos Nachamu.

1. This idea underlies the Gemora in Ta'anis 30b which teaches that one who mourns for Yerushalayim will merit and participate in its future joy.

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From: Shlomo Katz [skatz@torah.org] Sent: Wednesday, August 06, 2003 9:47 PM To: hamaayan@torah.org Subject: HaMaayan / The Torah Spring - Parashat Vaetchanan  
Hamaayan / The Torah Spring Edited by SHLOMO KATZ  
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The haftarah, which gives this Shabbat the name "Shabbat Nachamu," opens: "Nachamu, nachamu / Comfort, comfort My people - says your G-d. Speak to the heart of Yerushalayim and proclaim to her that her time [of exile] has been fulfilled, that her iniquity has been conciliated, for she has received from the hand of Hashem double for all her sins."

R' Yitzchak Isaac Halevi Herzog z"l (Ashkenazic Chief Rabbi of Israel) commented on these verses as follows in a 1948 address: How are these verses different when we read them today from when they were read in the past? In the past, the fulfillment of these verses was in the distant future. Today, these verses relate all at once to the present, the near term, and the distant future. How so?

Chazal comment on these verses, "She [i.e., Yerushalayim] sinned doubly, she was doubly punished, and she was doubly consoled." Yisrael / the People of Israel has a double nature. On the one hand, it is a nation; anyone who says that Judaism is only a religion is mistaken. On the other hand, anyone who thinks that Yisrael is a nation like any other nation is mistaken and is misleading others. Yisrael is a holy nation, with the loftiest mission, given from G-d, of any nation. Therefore, when Yisrael sins, its sin is a double sin.

Yisrael is not the only nation that has been exiled from its land; many nations, large and small, have experienced this fate. However, those nations, once they were destroyed, disappeared. They assimilated and no memory remains of them, and, at the same time, their suffering has ended. Such is not the lot of Yisrael. An invisible "hand" forced Yisrael not to assimilate, but rather to remain apart and dispersed, and to suffer without end. Why? Because Yisrael is a nation destined for greatness, specifically, for moral greatness - for that greatness which in the awesome future will be the lot of all of mankind. Therefore, they were doubly consoled: In the future, there will be open miracles. For now, the time for open miracles has not yet come, but certainly miracles have taken place and will continue to take place . . . (Ha'techukah Le'Yisrael Al Pi Ha'torah III p.258)

"Now, O Israel, listen to the decrees and to the ordinances that I teach you to perform, so that you may live, and you will come and possess the Land that Hashem, the G-d of your forefathers, gives you." (4:1)

R' Moshe Sofer (the preeminent Hungarian posek and rosh yeshiva; died 1839) writes: Our Sages teach, "Words that come from the heart enter the heart." A corollary to this is that the higher the teacher's spiritual level, the more successful he will be in imparting his lessons. And we are taught, "One who studies Torah in order to put it into practice is greater than one who studies in order to teach."

At this point in the Torah, Moshe arguably had the status of one who was studying in order to teach. Since he would not enter the Land, he would not have the opportunity to put many of the laws into practice. This could have negatively affected how much Bnei Yisrael learned from him. Therefore Moshe said, "Now, O Israel, listen to the decrees and to the ordinances that I teach you to

perform." I, Moshe, have not given up hope of entering the Land, and we can therefore study together "in order to perform." [Ed. note: This may also explain the introductory word, "Now!" This verse follows immediately after Moshe's description of his prayers to be allowed to enter Eretz Yisrael. "Now," while I am still hopeful that I will enter the Land and perform the mitzvot, "listen to the decrees . . ." ] (Torat Moshe)

"When you are in distress and all these things have found you, at the end of days, you will return to Hashem, your G-d, and hearken to His voice. For Hashem, your G-d, is a merciful G-d . . ." (4:30-31)

R' Ovadiah Hadayah z"l (1890-1969; halachic authority and kabbalist in Yerushalayim) asks several questions about these verses:

(1) Why does the Torah say, "when all these things [i.e., punishments] have found you" rather than "when all these things have come upon you" (as in Devarim 28:15)? (2) Why will the punishments spoken of come specifically "at the end of days"? (3) What is it about these punishments that will cause us to return to Hashem? (4) How is the statement, "For Hashem, your G-d, is a merciful G-d," a reason for what came before?

In interpreting the verse in Tehilim (32:6), "For this let every devout one pray to You when [misfortune] finds him . . .," Midrash Tanchuma states that this is a reference to disease. Says R' Hadayah: Here, too, the phrase, "when all these things have found you," refers to disease. This verse is foretelling that at the end of days, there will be horrible diseases that man, with all his ingenuity, will not succeed in conquering.

Why? The Gemara (Pesachim 56a) states that in the time of the first Bet Hamikdash, there was a Book of Cures in which one could find a cure for any illness. However, when King Chizkiyah saw that people no longer recognized illness as a message from G-d to improve their ways, he hid the Book of Cures so that people would have to pray. In our times, too, says R' Hadayah, too many people place their trust in medicine rather than in G-d. Therefore, to remind us that He is the one who brings illness and Who cures the ill, Hashem causes the "natural" cure for some terrible illnesses to remain undiscovered.

This is particularly important "at the end of days," for Chazal say that if we do not repent on our own, Hashem will force us to repent so He can bring about the Final Redemption. He does this because He is a merciful G-d, who wants us to repent so we can attain the ultimate reward. (Shalom Avdo)

"And you shall repeat them to your sons and speak of them, when you sit in your homes . . ." (5:7)

R' Daniel Movshovitz z"l hy"d (head of the yeshiva in Kelm, Lithuania; killed in the Holocaust) writes in a letter that the reference here to the home does not refer to the wood and stone structure. It refers to the family. The beginning of a person's judgement in Heaven will address whether he set aside times for Torah study and, in particular, whether he dedicated times to study Torah and discuss the subjects of faith and trust in G-d with his family.

It doesn't matter so much what one learns at these times. R' Yerucham Levovitz z"l, a great teacher of mussar, used to read the Tze'edah u'Re'edah (a Yiddish translation and commentary on the Torah) at meals. The simple lessons of faith contained in that work often make a more long-lasting impression than do complicated discourses. (Kitvei Ha'Saba Mi'Kelm V'talmidav p. 610)

"Honor your father and your mother . . ." (5:16)

R' Eliyahu Capsali z"l (16th century rabbi in Candia, Crete) writes: R' Yehuda Hachassid z"l (Germany; author of Sefer Hachassidim; died 1217) quotes an otherwise unknown midrash, as follows:

When G-d said, "Honor your father and your mother," the guardian angels of each and every nation stood up and said (Shmot 15:18), "Hashem will reign for all eternity." Therefore, continues R' Yehuda Hachasid, one should take great care not to transgress the will of his parents. Merely for walking alone at night in a place where his parents will worry that he could be killed, one will not escape the judgment of Gehinnom, unless, of course, he repents and honors his parents doubly over how he honored them before.

R' Capsali adds: I do not know the source of the quoted midrash, so I cannot be certain of its meaning. However, it appears to refer to the fact that honoring one's parents is a logical mitzvah. Accordingly, when Hashem gave the Torah, this mitzvah alone was accepted by all of the nations. Each angel accepted this mitzvah on behalf of the nation that he represented.

Alternatively, writes R' Capsali, the angels' exclamation reflects the fact that one who honors his parents is likely to honor Hashem as well. Therefore, when the angels heard Hashem command that parents be honored, they said, "If people honor their parents, Hashem will reign for all eternity." (Meah Shearim, Ch. 51)

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Bar-Ilan University's Parashat Hashavua Study Center Parashat Vaethanan 5763/ August 9, 2003  
Parashat Vaethanan 5763/ August 9, 2003  
THE COMMANDMENT OF TALMUD TORAH ACCORDING TO MAIMONIDES

DR. ALEXANDER KLEIN Department of Mathematics  
It is well known that the commandment to study the Torah, talmud Torah, is one of the principal commandments, if not the principal commandment, enjoined on the observant Jew.[1] Considering that this is attested by many sources,[2] it is surprising that the Torah does not contain an explicit reference to this commandment; rather, the precept is only deduced obliquely. Apparently the main thrust of the commandment is none other than to teach others. Indeed, Maimonides wrote:[3]  
[The commandment of talmud Torah] is the precept by which we are commanded to learn the wisdom of the Law and to teach it - and this is what is called talmud Torah, for it is said, "Impress them upon your children" (Deut. 6:7). As it is said in Sifre: "Impress them upon your children - this refers to disciples; thus one finds that everywhere disciples are called sons... It is also said there, Impress them (ve-shinantam) - that they be sharp in your mouth [a play on the word shen, meaning "tooth"].[4] If someone asks you something, do not answer with a stammer, but tell him forthwith.

Thus we see that according to Maimonides we are commanded to teach others, principally our children, and by extension, disciples in general. From this follows the commandment to know the Torah, for one could not possibly teach properly without having

full command of the material being taught. Moreover, from the father's obligation to teach his child, we can deduce that the child is obliged to learn and know; for when he grows to adulthood, he in turn will have to continue improving his knowledge of the Torah himself. But, as follows from the sources, the gist of the commandment is to teach one's children in order to transmit the tradition from one generation to the next. It is not a matter of research in-depth or academic study, but simply of faithfully transmitting a body of material well-defined from the outset. In Mishneh Torah, Maimonides presents another reason for studying Torah. In the first two halakhot concerning talmud Torah Maimonides sets forth the obligation to teach others, and in the third halakhah he adds:

Someone whose father has not taught him is obliged to teach himself, realizing that it is written: "Study them and observe them faithfully" (Deut. 5:1). Thus, everywhere one finds that study precedes action, since learning leads to doing, but doing does not lead to learning."

Here Maimonides placed the commandment of talmud Torah on an instrumental foundation: there is an obligation to observe the commandments, and they cannot possibly be observed properly without knowing them; therefore, someone whose father has not taken the trouble to teach him Torah sufficiently is obliged himself to make up for what he lacks. Indeed, in the fifth halakhah Maimonides sums up: "Just as a person is commanded to teach his children, so too he is commanded to teach himself." Further on in the fifth halakhah he states:

Every Jew is obliged to study Torah, be he rich or poor, be he in good physical condition or handicapped, be he young or worn out and old, even be he so poor that he subsists on charity and begging, even if he have a wife and children - he must set aside a time to study Torah day and night, for it is said: "recite it day and night" (Josh. 1:8).

Maimonides was not basing the commandment of talmud Torah on the verse in Joshua, since a commandment of the Torah cannot be substantiated by a verse appearing in the Prophets or Writings. The normative basis for this commandment is the collection of arguments presented above, and the verse, "recite it day and night," was only cited by Maimonides as an illustration of this obligation.

The Sages developed a homily on the same verse from our parasha to deduce what the program of study should include (Kiddushin 30a):

Rabbi Safra said in the name of Rabbi Joshua ben Hananiah: What is the meaning of Scripture, "Impress them upon your children" (Deut. 6:7)? Do not read this as ve-shinantam, but as ve-shelashtem [playing on the words shnayim = two and shalosh = three]. A person should always divide his years in three, spending a third studying Scripture, a third studying Mishnah, and a third studying Talmud. But how does one know how long one will live? That is not necessary, for one should divide one's time daily.

The Tosafists there in Kiddushin wrote:[5] Rabbenu Tam explained that the support for this comes from Sanhedrin 24a where the Talmud plays on the word Babel, meaning mix - the Talmud of Babylonia (Babel) contains a mix of Scriptures, Mishnah and Gemara.

Following the above gemara, Maimonides ruled in Hilkhos Talmud Torah as follows:[6] He must divide his studying time in three, one third to the Written Torah, one third to the Oral Law, and one third to acquiring wisdom to understand the outcome from the start, to deduce one thing from another, to compare one thing to another, and to understand the techniques by which the Torah is interpreted, until he know how to identify the principle virtues, how to deduce what is forbidden and what permitted, etc., from things

which he received through oral transmission - and this is what is called gemara.

Note that Maimonides used the term Oral Law instead of the words Mishnah and Gemara found in Kiddushin and Sanhedrin as cited above. He considered the Oral Law to be:[7]

All the things heard, all the deliberations, explanations and interpretations heard from Moses, and those that were learned by the religious courts throughout the generations, pertaining to the entire body of Law... Ravina and Rav Ashi and their colleagues among the last of the Sages were the ones who committed the Oral Law to writing.

According to this statement of Maimonides, the Oral Law does not refer only to the Mishnah in the narrow sense of the word, i.e., the compendium which was edited by Judah ha-Nasi, but includes also what today we call Talmud or gemara. Apparently Maimonides was of the opinion that in every generation innovations are necessary in rules of halakah and new decrees need to be issued, "understanding the outcome from the start," in a never-ending process - and it is this which he called gemara. When the new conclusions eventually are committed to writing, the new work becomes part of the Oral Law, leaving room for other new deliberations and interpretations, until these, too, be written down and become part of the composition of Oral Law, and so on, repeating the process ad infinitum.

The authors of the halakhic codes Tur and the Shulhan Arukh copied what Maimonides said here. Later rabbinic commentaries on these works no longer made the distinction between subjects of study according to Maimonides' system, as we explained it above, and took his use of the word gemara, or Talmud in other editions, as referring to none other than the six orders of the Mishnah. This interpretation is invalid since it contradicts what Maimonides himself said in the introduction to his work.[8] Rema[9] cites the opinion of Rabbenu Tam - which was contrary to Maimonides' view - that the obligation of talmud Torah is considered to be fulfilled, after the fact, even if the person only studied the Babylonian Talmud, since that Talmud is an admixture of the Torah, Mishnah and gemara.

Thus Maimonides' view on the obligation to study Torah, which differs from that of other posekim, can be summed up as follows: \*The main point of the commandment is none other than to teach one's children in particular and others in general, and the obligation of a person to study himself is only deduced from the main thrust of the commandment, or a result of the need to know how to observe the commandments pertaining to the practice of Judaism.

\*A person should divide his energies, giving one third to studying Scripture, one third to the Oral Law, consisting of Mishnah and gemara, and one third to independent study and analysis.[10]

[1] This article is based on the forthcoming book by Yitzhak Isaac and Alexander Klein, *Be-Nivhei Talmud Torah, He'arot u-ve'urim al hilkhot talmud Torah shel ha-Rambam*. [2] See Bialik and Ravnitzky, *Sefer Ha-Aggadah*, Tel Aviv 1970, pp. 315-320. [3] *Sefer ha-Mitzvot*, pos. commandment 11. [4] Rabbi Mordechai Yehudah Leib Zaks in his notes to *Sefer Ha-mitzvot* points out that this is the formulation found in *Kiddushin* 30. However, *Sifre Deuteronomy* interprets *veshinantam* as: "that they be ordered or arranged in your mouth." [5] *Loc. cit.*, s.v. "la tzerikha le-yomi." [6] 1.11. [7] From Maimonides' introduction to *Mishneh Torah*. [8] Cf., for example, Shach, *Yoreh De'ah* 246.6. [9] *Yoreh De'ah* 246.4. [10] This part apparently includes more advanced subjects which only the most gifted are required to study in order to achieve perfection, i.e., study of theological and metaphysical subjects pertaining to the first five commandments appearing at the beginning of *Hilkhot Yesodei Ha-Torah*: "To know that there is a G-d; not to conceive that there could be any G-d other than the Lord; to proclaim His oneness; to love Him; and to fear Him." Cf. *Hilkhot Yesodei Ha-Torah* 4.13.

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Sent: August 07, 2003

#### PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBAUM

#### PARSHAS VO'ESCHANAN

Safeguard the Shabbos day to sanctify it. (5:12) Shabbos is more than a mitzvah in the Torah; it is a staple of our religion. Yet, it is one of the first mitzvos that was reneged during the waves of the European immigration to America. "Shabbos was important," the immigrants agreed, "but if you cannot make a living, its significance takes second place to survival." Consequently, *shemiras Shabbos*, Shabbos observance, was identified with the European *shtetl*. Much of Orthodoxy and the moral, ethical and social behavior that was endemic to Orthodox Judaism in Europe was discarded along with Shabbos. They were, however, wrong then as they are wrong today. A Jew identifies with Shabbos as Shabbos identifies with the Jew. It sustains him physically and spiritually. I recently came across a story that emphasizes the protective power of Shabbos *Kodesh*.

It is a story about a twelve-year-old girl at the beginning of the twentieth century, leaving Europe for America. Of her nine siblings, she was chosen to come to the *goldeneh medinah*, golden land. Life in Poland was difficult, hunger a constant companion. After much scraping and penny-pinching, her family saved enough for a single, one-way ticket. Miriam, as the youngest in the family, was chosen to go.

It was not easy to send away a child in those days. Who knew if they would ever see each other again? Furthermore, would she remain faithful to her religion? With trembling hands and a breaking voice, Miriam's father said, "Miriam, mein kind, my child, remember that Hashem is watching you every step of the way. Remember His laws and keep them well. Especially observe the Shabbos. Never forget that Shabbos protects the Jewish People. It will be difficult for you in the new land. Never forget who you are. Keep the Shabbos - regardless of the sacrifices you must make."

They both wept as she ascended the steamship. As the ship steamed away from the *shtetl* life in Poland, for many it was also the end to their religious observance. For this young girl, the trip was crammed with questions and uncertainty. Would her relatives extend themselves to her, or would she be all alone in a strange land? Would the new land fulfill its promise of hope, freedom and wealth? Would her relatives meet her, or was she now homeless?

Miriam should not have worried. Her family was there waiting for her. They welcomed her to their home with love. It was not long before she found a job as a sewing-machine operator. Life in America was quite different from her European home life. Polish mannerisms, together with religion, were quickly shed. Modesty, *kashrus* and the Torah were slowly abandoned. Miriam's relatives insisted that religion was simply not in vogue; it was an unnecessary accessory in America. The young girl, however, never forgot her father's parting enjoyment. She was prepared to dress the part of an American, but she would never give up Shabbos.

Every week she gave a different excuse to her employer. Once, it was a stomach ache; another time it was a toothache. After a few weeks, the foreman, an assimilated Jew, grew wise. He called her over and said, "Miriam, you are a nice girl and I like your work, but this Shabbos business has got to stop. You are in America. Shabbos is a European holiday. In America - everybody works on Shabbos, or they do not eat. Either you come to work this Shabbos, or you can look for a new job." Miriam's relatives were adamant. She must work on Shabbos. They applied pressure, but in the back of her mind her father's words kept echoing in her head. What could she do? The week went by in a daze. Back and forth, she argued with herself. Should she listen to her father? After all, what did he know about America? On the other hand, how could she give up the beauty that her father had taught her?

Back and forth, the questions, the answers - they all kept gnawing at her! By Shabbos morning, she had decided. She was not going to turn her back on thousands of years of commitment and dedication. Jews had sacrificed their lives for the Torah. She was prepared to sacrifice her livelihood. It was a cool day. She walked all over the Lower East Side, and continued on towards Midtown. She finally stopped at a park and watched the pigeons for the rest of the day. She was not going to desecrate the Shabbos. Her father said that Shabbos would protect her. She was sure that it would. Three stars had risen in the sky. She made a *Baruch Hamavdil*, the blessing said at the departure of Shabbos, and prepared to face the scorn of her relatives. She trudged homeward, dreading the nasty scene that was

sure to greet her when her relatives learned that she had not been to work that day.

As she neared home, a shout broke her reverie, "Miriam, is that you? Oh, how are you? Thank G-d, you are alive!" Miriam looked up at her cousin Joe with a sad expression. "I am sorry. I kept Shabbos, and I lost my job. Now everyone will be angry and disappointed. They will think I am ungrateful. I could not let my father down. I will keep Shabbos!"

Joe looked at her strangely. "Miriam, didn't you hear what happened at the factory?"

"Hear what? I did not go to the factory. I kept Shabbos," she said.

"Miriam, there was a terrible fire at the factory, and only forty people survived. There was no way out of the building. People even jumped to their deaths." Suddenly, Joe's voice became quiet and he began to cry.

"Miriam, don't you see? Because you kept Shabbos, you are alive. You survived because of Shabbos!"

Out of 190 workers of the infamous Triangle Shirtwaist Factory fire on Saturday, March 25, 1911, only 44 workers survived; 146 immigrants who came to this country in search of a new life perished. Because it was Shabbos, Miriam was not at work. After all, her father had taught her that the Shabbos would always protect her.

Honor your father and your mother, as Hashem, your G-d, commanded you, so that your days will be lengthened. (5:16)

Rashi says that the commandment to honor one's parents was first given at Marah. Does it really make a difference where Hashem first commanded Klal Yisrael in regard to this mitzvah? Perhaps this teaches us that our entire approach to the mitzvah of Kibbud Av v'Eim is wrong. There are those who think that we have an obligation to honor our parents out of a sense of gratitude for what they have done for us. They bring us into the world, clothe and feed us, arrange our education and provide for our basic material needs. This is not the Torah's perspective on the mitzvah. One is obligated to honor his parents, regardless of the benefit - or lack thereof - that he has received. We are enjoined in the mitzvah because "it was commanded to us at Marah." What occurred in Marah that was so unique, yet endemic to the mitzvah of Kibbud Av v'Eim?

In Marah, Hashem began sustaining us - miraculously: water from a stone; quail from Heaven; our clothes did not become ruined, the manna descended from Heaven. In short, everything came to us "special delivery" from Hashem. There was no need for the medium called "parents." They did not have to labor to earn a living to support their children, because everything was served to them on a silver platter from Hashem. They were commanded in the mitzvah of honoring their parents, specifically in Marah - in a place in which their parents did not have even a supporting role in sustaining their children. Hashem's miracles were overtly manifest, so that all would see and benefit from them. Our relationship to our parents has nothing to do with what we receive from them; it has to do with Hashem. He commanded us to honor them.

This thesis is especially crucial in today's society, when some children might feel that their parents neglect them. Let us ask ourselves; Are they really wrong? Do we spend as much time with our children as our parents spent with us? Today's society makes great demands on our time. The economy leaves much to be desired, making it much more difficult to earn a living. The result is less time at home, and a father and mother who are under greater pressure - with less patience for their children. In the larger communities where Judaism flourishes, we sometimes have a wedding, Bar-Mitzvah, parlor meeting or Chinese auction every night of the week. For those who are not that socially inclined, or simply cannot afford the expense, being "stuck at home" becomes a source of depression. Then there is always a shiur to attend, a chavrusa with whom to study, a lecture that will change our life. There is always something. Who loses out in the shuffle? Our children. While it is indeed true that Kibbud Av v'Eim is a mitzvah, when we are in need of their time and good will, our children will remember how much time we had for them.

Rarely does the Torah emphasize the concomitant reward for performing a mitzvah. Kibbud Av v'Eim is an exception. The Torah tells us that for honoring our parents, we will merit longevity. The word used by the Torah is *yaarichun*, lengthen [your days]. Interestingly, the Torah does not write *yosifun*, which would mean adding days. Is there a significant lesson to be derived from here? I recently heard a practical explanation for this choice of words from my uncle. To lengthen one's days is to maintain the youthful vibrance that one had when he was younger. To add days, however, means to add years to one's life. Growing "old" is not the same thing as growing "older."

The aging process can be invigorating, challenging and satisfying. It can also be depressing - both physically and emotionally. *Arichas yamim* should be defined as lengthening one's days, giving added life to the youthful exuberance of one's youth. When you see an octogenarian who is both healthy in mind and body, whose visage and perspective on life bespeaks a man twenty years younger - that is *arichas yamim*. His days of youth were lengthened. This is a reward for a son or daughter who has dedicated him or herself to serving their parents appropriately, to seeing to it that their parents were able to maintain their own youth without being overwhelmed with responsibilities and obligations.

What does *kavod/kabed*, honor, really mean - especially in the context of contemporary society? *Horav S. R. Hirsch, zl*, suggests that *kavod*, which is also related to the word *koveid*, heavy, is the expression of the spiritual and moral worth of a being. Thus, *kabed* would mean demonstrating our estimation of the value of our parents. The *mitzvah* of *Kabed es avicha v'es imecha* instructs us to demonstrate in every way in our entire demeanor to our parents how thoroughly we are permeated by the great significance that Hashem has given our parents in our lives. Parents, as Hashem's emissaries for carrying out His wishes in regard to their offspring, are granted importance by virtue of this transmission.

We suggest that *kabed* goes one step further. With the same idea in mind, I think the Torah is teaching us to add weight to our parents by seeking to raise our estimation of them. All too often we hear of children commenting derogatorily about their parents in comparison to someone else. "My father's job is not as important as his neighbor's." "My mother does not do very much" and so on and so forth. We are enjoined to look for the good, the significant, the praiseworthy, the honorable aspects of our parents, so that we can add weight to them. Thus, as they increase in the weight of our esteem and estimation of them, we give them *kavod*.

Quite possibly, the most difficult aspect both physically and emotionally of giving proper respect to parents is when they age, become ill, or infirm. For a child to view his once strong, proud parent in a situation of extreme pain, weakness, or infirmity can be devastating. The pain is magnified when the illness is of an emotional nature. That is the price, however, we pay for love - the love we have received and the love we are to give. It is not a duty that we are allowed to renege, regardless of the pain associated with it. When I once returned from an exhausting trip to Chicago to spend some time with my mother, AH., a friend once told me, "Remember, your children are watching you." When we carry out our responsibility towards our parents with a sense of gratitude, reverence, affection and admiration, we can aspire that our children will do the same for us - someday. And it shall be, when Hashem, your G-d brings you into the land... to give you great and goodly cities that you did not build, and houses... which you did not build, and wells dug, which you did not dig, vineyards and olive trees, which you did not plant... Then beware lest you forget Hashem. (6:10,11,12)

The Torah seems to emphasize that *Eretz Yisrael* is a land of abundance, for which we can take no credit. The cities are great, but we did not build them. The houses are filled with all sorts of good things, but we did not fill them. The wells, vineyards, olive trees are all great and wonderful. Material abundance is everywhere, but we had nothing to do with it. Does it really matter whether we had a hand in preparing this incredible abundance? The primary problem is that when people have too much, they might forget about Hashem, the Source of everything. What difference does it make whether these cities and houses were acquired from others, or whether they were created by the people themselves?

*Horav Mordechai Rogov, zl*, explains that one who works to develop the world around him is acutely aware of the many obstacles and challenges that he has had to overcome in order to succeed with his endeavor. He has plans and he is willing to toil, but he is confronted with life's challenges. Without warning, all of his plans are for naught. He finds himself unable to solve the problems which he has encountered. Unanticipatedly, a solution appears out of the clear blue, and his problems are solved! In such a situation, a person with the slightest modicum of intelligence can readily recognize the *Yad Hashem*, Hand of the Almighty, guiding, directing and assisting him in overcoming the difficulties he had faced. In such an instance, there is no ambiguity in perceiving that Hashem has guided his destiny.

However, when a person is handed everything on a silver platter, without having to confront the difficulties, the frustrations and the threat of failure, he lacks the clarity of vision to see the hand of G-d. Just as he lacks the challenges, so, too, does he lack the opportunity to feel the triumph that comes with Hashem's direct intervention on his behalf.

The Torah alludes to this danger when it tells us that when we arrive in Eretz Yisrael, everything will be prepared for us. Fields, houses, cities filled with goods - what more can one ask for? Consequently, there was a direct concern that the people would not appreciate the "Hashem factor" in all of their bounty. The very fact that the gifts were to be obtained without any effort of their own could result in their overlooking the fact - and eventually forgetting - that it all has come from Hashem. This is often the case: we forget Who the Benefactor is until we almost lose the benefit.  
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From: Rabbi Berel Wein [rbwein@torah.org] Sent: August 07, 2003 To: rabbiwein@torah.org  
RABBI WEIN - VAESCHANAN  
BY JEWISH DESTINY  
Aug 08 2003

The basic tenet of all of Jewish life, history, culture and civilization appears in this week's Torah reading: "Hear O Israel the Lord is our G-d, the Lord is uniquely one." Jews have lived by this credo, died with these words on their lips and in their souls and sustained themselves through all times of adversity by the knowledge and faith of G-d's existence and relationship to Israel represented by the simple words of the sh'ma. Throughout Jewish history, as Moses himself attests to in this Book Dvarim, there have been differing shades of Torah piety and observance amongst Jews. Again, as Moses points out in his words of challenge to the Jews, there have been occasions when Jews, many Jews, who willfully ignored or betrayed G-d's commandments and assignments. But, even when Jews in the Biblical and later Greco-Roman eras succumbed to the local practices of social idolatry then prevalent, they remembered and in their heart of hearts believed that "the Lord is our G-d, the Lord is uniquely one." The Jews were the ones who pioneered in human society the belief in the existence of an unseen, omniscient, omnipotent, personally interrelated G-d of justice, compassion and eternity. In short, the Jews were not only the "people of the Book," they were more importantly the people of a monotheistic and universal G-d.

The ravages of nineteenth and twentieth century secularism gutted this core belief of Judaism for many Jews. Blinded by the false light of the promise of a better world, vast numbers of Jews forsook "the Lord is our G-d" for new slogans, Marxist, secularist, Bundist, nationalist and assimilationist in their outlook. But, now at the end of the bloodiest century in human history, when all of the ideologies and empires that began this century as all-powerful and progressive now lie in the ash bin of history, all of these slogans and certainties are mockingly hollow. There have therefore arisen new "Judaisms" that somehow attempt to preserve the Jewish people. Jewish history and purpose, without a belief in the divinity of the Torah and G-d of Israel. Thus the "new" types of Judaism have abandoned "the Lord is our G-d, the Lord is uniquely one." Whether a Jewish society can long survive without the sh'ma as its basic credo is certainly the basic question of our modern world. All of Jewish history indicates that such a secular, non-observant, assimilationist form of Jewish life will lead only to the extinction of Jewish civilization that the proponents of "secular Judaism" are attempting to preserve. And that is the source of much of the divisive wrangling that the Jewish world is currently witnessing.

Every Jew, every human being, should consider what the purpose of life is.

This basic question is the one that modern man, now so technologically and educationally advanced, must answer satisfactorily in order for life and society to progress. The words of the Torah, "the Lord is our G-d, the Lord is uniquely one" is certainly the basis for the future of Israel.

Shabbat Shalom Rabbi Berel Wein

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From: Ohr Somayach [ohr@ohr.edu] Sent: Wednesday, August 06, 2003 1:30 AM To: weekly@ohr.edu Subject: Torah Weekly - Parshat Va'etchanan  
TORAH WEEKLY - For the week ending 9 August 2003 / 11 Av 5763 - from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)  
Parshat Va'etchanan -- <http://ohr.edu/yhiy/article.php/1148>

A Little Shabbat Song

"Guard the Shabbat to sanctify it." (5:12)

Everything we do in Judaism has deeper levels of meaning - even a little Shabbat song.

Imagine the Shabbat table of the holy Chafetz Chaim - as close an approximation to the next world as this world gets! Rabbi Elya Lopian writes of such an experience:

The Chafetz Chaim starting to sing the well-known zemer (Shabbat song) Kol Mekadesh (The English translation, unfortunately, is as pedestrian as a policeman on the beat):

"Whoever sanctifies the seventh day as befits it, whoever safeguards the Shabbat properly from desecrating it - his reward is exceedingly great in accordance with his deed."

The Chafetz Chaim stopped singing and said: "There are two kinds of Shomer Shabbat (people who keep Shabbat). There's the person who "sanctifies Shabbat as befits it" - someone who sanctifies his Shabbat with purity and holiness, with a higher, more sanctified level of prayer, with Torah learning of greater insight and depth, a person who sets aside more time for introspection and self-examination. On the other hand, there's the kind of person who "safeguards the Shabbat properly from desecrating it." He makes sure not to profane Shabbat by breaking its laws but no more. His Shabbat is still lacking something. It lacks the experience of the holiness of Shabbat, and the delight of Torah and serving G-d. Rather he sleeps his Shabbat away, resting from his weekday toil.

However, when the song says: "...his reward is exceedingly great in accordance with his deed," it is referring to both types of people. For even the person who merely "keeps" Shabbat will receive a huge reward for not profaning it. The song continues however, "Every man in his own camp, every man under his own banner." In the world of truth, these two will dwell in very different "camps." They will sit under very different banners. And certainly the shomer Shabbat will not be able to enter the portal of the one who is mekadesh Shabbat, one who makes the Shabbat holy. Shabbat is a most precious gift of G-d. A day when we can be close to Him. That's what holiness means. A day that is a precise reflection of the "world that is entirely Shabbat". To the extent that we make our Shabbat a reflection of that world, so too will our eventual experience of that world mirror that reflection.

And all that in a little Shabbat song.

Source:

- Based on Lev Eliyahu

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From: National Council of Young Israel [YI\_Torah@lb.bcentral.com] Sent: August 04, 2003 To: List Member Subject: Parshat V'etchanan Parshat V'etchanan 11 Av 5763 August 9, 2003 Daf Yomi: Zevachim 61

Guest Author: RABBI MORDECHAI WEISS

Young Israel of Margate, NJ

This Shabbat, besides its usual designation as a Shabbat in which we read a certain Parsha (in this case, Va'etchanan) is also called Shabbat Nachamu. The name is derived from the first words of the Haftarah "Nachamu Nachamu Ami", "Comfort, comfort My people, says HaShem". This Parsha and Haftarah always fall out on the Shabbat immediately following the fast of Tisha B'av and has thus been given the name Shabbat Nachamu, the Shabbat of consolation. After we devote an entire day fasting and mourning the destruction of both Temples on Tisha B'av, the Jewish people need a respite and a time for consolation. Hence we begin seven Shabbatot which we designate as the "Shabbatot d'Nechemta", the seven Shabbatot of consolation.

I have often wondered why there are seven Shabbatot of consolation after Tisha B'av yet, only three Shabbatot before Tisha B'av, which we call the Shabbatot d'Purinita, the Shabbatot recalling the tragic events leading up to the destruction of the Beit HaMikdash. Why do our Sages designate only three Shabbatot to remind us of the tragedy and seven Shabbatot of consolation?

Often in life we are confronted with a formidable task of organizing or building something when before there was nothing. The building of the Beit HaMikdash spanned over a period of seven years. King Solomon gathered together artisans from all over the world to construct and beautify the Beit HaMikdash. Thousands of workers were engaged in the process. It was a time of intense building in which King Solomon had to lovingly attend to

every detail of the construction. Yet in one day the Beit HaMikdash was burned to the ground. Years of dedication to a task were obliterated in a single day. To destroy takes only minutes or hours, but to build is a painstaking and intricate process.

One could only compare this in our times to the destruction of the Twin Towers on 9-11. The construction of these buildings took years of assiduous labor. Yet with one act of violent terrorism these two beautiful massive structures fell to the ground in just hours. All that work, destroyed in a fraction of the time it took to build.

Perhaps this is the reason that our Sages set aside only three Shabbatot to recall the destruction of the Beit HaMikdash, yet seven Shabbatot for consolation. Anyone can destroy. But to build requires much more dedication and devotion. At least seven weeks of consolation is necessary to undo the terrible destruction that occurred. It takes much longer to build than to destroy.

In life as well, relationships take years to nurture and build. Yet with one mean and cruel word a relationship can be compromised and even obliterated. There is a famous saying in Yiddish describing this exact phenomenon. "A shmais dergeit, ober a vort derbleibt", a slap could with time be forgotten, but an unkind word remains forever ingrained in the consciousness of the individual.

Tisha B'av is dedicated to the power of our speech and the destruction that is caused by speaking "Lashon Harah". Our Sages expound that the second Temple was destroyed because of blind hate and the lack of sensitivity and compassion. When we are unable to speak a kind word to our neighbor the end result is destruction and havoc. It is therefore logical that a person who speaks Lashon Hara is inflicted with leprosy and must remove himself from society. If you can't control your mouth than you don't deserve to be a part of the community and hence, your abode is outside the camps of Israel.

It is appropriate therefore that this week's Parsha begins with the words "Va'ethcanan el HaShem", "and Moshe beseeched Al-Mighty G-d in prayer". To survive the forces of destruction one must first control one's tongue and the words that we utter. What better way to do this than to focus our words in prayer to Al-Mighty G-d?

Moshe began this week's portion with beseeching Al-Mighty G-d. May the prayers that we recite this year herald the time of our redemption and the building of the third Temple speedily in our day.

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From: Jeffrey Gross [jgross@torah.org] Sent: Thursday, August 07, 2003 12:49 AM To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Vaeschanan  
WEEKLY-HALACHA FOR 5763 A discussion of Halachic topics. For final rulings, consult your Rav

By RABBI DONIEL NEUSTADT Rav of Young Israel in Cleveland Heights  
AN EARLY START TO SHABBOS: HOW and WHEN

During the summer months, when the sun sets late in the evening, it is common practice in many communities to daven Ma'ariv and begin Shabbos early, long before sunset. There are a number of halachic issues associated with this practice that require review and clarification.  
IS IT "PROPER" TO BEGIN SHABBOS EARLY?

The idea of extending the Shabbos by ushering it in earlier than required has its roots in the Biblical mitzvah of tosefes Shabbos.<sup>1</sup> Indeed, as far back as the Rishonim Shabbos was ushered in early,<sup>2</sup> and the custom persisted in many European communities for centuries.<sup>3</sup> As we will explain, the poskim even permitted davening Ma'ariv before its proper time in order to begin Shabbos earlier. Many people feel that an early Shabbos enhances their oneg Shabbos and shalom bayis as it allows the family to enjoy the Shabbos meal at a reasonable hour and thus be imbued with the spirit of Shabbos.<sup>4</sup> Nowadays, early Shabbos begins when the congregation recites mizmor shir l'yon ha-Shabbos in shul. Once that psalm is recited, it is considered as if Shabbos in all its aspects has begun even though it is still bright daylight outside.<sup>5</sup> Thus one may no longer daven the Friday Minchah,<sup>6</sup> but instead, he may daven Shabbos Ma'ariv, recite Kiddush and eat the Shabbos meal.<sup>7</sup> Obviously, he may no longer transgress any of the forbidden Shabbos Labors, neither Biblical nor

Rabbinic.<sup>8</sup> It is permitted, however, to instruct a non-Jew - or even another Jew who has not yet begun Shabbos - to do a forbidden Shabbos Labor on his behalf.<sup>9</sup> Women accept Shabbos when they light the Shabbos candles at home. L'chatchilah, they should daven the Friday Minchah before lighting candles,<sup>10</sup> but b'diavad they may rely on the poskim who permit women to daven Minchah even after lighting candles.<sup>11</sup>

Note: Starting Shabbos early means that one accepts upon himself the sanctity and all of the halachos of Shabbos; it does not necessarily mean that it is no longer Friday and the calendar day of Shabbos has begun. Therefore:

1. The Friday evening Kerias Shema, which was recited during Ma'ariv, must be repeated at home after tzeis ha-kochavim, since the evening Kerias Shema is invalid if recited before nightfall.<sup>12</sup>
  2. The Shabbos Sefiras ha-omer should not be counted until night falls,<sup>13</sup> so one should count the omer at home after tzeis ha-kochavim. B'diavad, though, some poskim hold that if the omer was counted before nightfall, it is a valid count, and the counting may continue on the following days with a blessing.<sup>14</sup>
  3. B'diavad, Friday's Sefiras ha-omer may be counted [without a blessing] after davening Ma'ariv on Friday night, if it is not yet sunset.<sup>15</sup>
  4. A woman who failed to make her hefsek taharah before ushering in the Shabbos may, b'diavad, do so until sunset.<sup>16</sup>
  5. A baby born on Friday evening before sunset but after the parents began Shabbos will still have his bris the following Friday morning. His bar mitzvah, and a girl's bas mitzvah, will be based on their Friday birth date.
  6. The yahrtzeit of a parent who died on Friday before sunset but after Shabbos was begun, will be held on the Hebrew date of that Friday.<sup>17</sup>
- HOW EARLY MAY SHABBOS BEGIN?

Early Shabbos may begin at any time after plag ha-minchah. Shabbos candles, which were mistakenly lit before plag ha-minchah, are not valid even b'diavad;<sup>18</sup> they must be extinguished and rekindled, and the proper blessing repeated.<sup>19</sup> One who davened Ma'ariv before plag ha-minchah must repeat his Ma'ariv.<sup>20</sup>

When is plag ha-minchah? While it is agreed upon that plag ha-minchah takes place one and a quarter seasonal - a seasonal hour is one twelfth of the day - hours before the end of the day, there is disagreement as to what exactly is considered "day." Some poskim<sup>21</sup> maintain that the day begins at alos ha-shachar and ends at tzeis ha-kochavim. Plag ha-minchah, then, is an hour and a quarter before tzeis ha-kochavim.<sup>22</sup> But others<sup>23</sup> hold that "day" begins at sunrise and ends at sunset, which makes plag ha-minchah an hour and a quarter before sunset. Most calendars and luchos have adopted the second opinion as basic halachah,<sup>24</sup> and this is the custom today in most communities.<sup>25</sup>

HOW MAY ONE DAVEN MA'ARIV BEFORE SUNSET? ISN'T THIS THE TIME FOR MINCHAH?

On weekday nights, one should not daven Ma'ariv before sunset since this is the time designated for davening Minchah. Since each of the tefillos has its own time slot, davening Minchah and Ma'ariv during the same time period in the day is considered a "contradiction" which should be avoided. Still, on Friday night, most poskim permit davening Ma'ariv even before sunset, since by doing so we are gaining the benefit of extending the Shabbos.<sup>26</sup> But in order to avoid a direct contradiction with Minchah, the poskim suggest that Minchah be davened before plag ha-minchah and Ma'ariv after plag ha-minchah, thus retaining for each of the tefillos an exclusive time period.

L'chatchilah, one should make every effort to follow this ruling.<sup>27</sup> For technical reasons, however, congregations sometimes find this time-frame difficult to adhere to, and they daven both Minchah and Ma'ariv after plag ha-minchah on Friday night. Some poskim have found grounds to justify this practice.<sup>28</sup>

IF A COMMUNITY OBSERVES THE EARLY SHABBOS MUST EACH INDIVIDUAL COMPLY WITH THE EARLIER ONSET OF SHABBOS?

Yes. In a small community, e.g., a Yeshiva, camp, hotel or bungalow colony that has only one congregation which ushers the Shabbos in early, all members of the community are obligated to begin Shabbos at that time.<sup>29</sup> But in communities which feature several congregations, some of which accept Shabbos early and others which do so on time, each household may join the congregation of its choice with the following provisions:

1. An individual must accept the Shabbos at the time "his" congregation does. "His" congregation means the shul where he is planning to daven this Friday night.<sup>30</sup> An individual may rotate from week to week, sometimes beginning Shabbos early and sometimes on time.<sup>31</sup>

2. Although an individual must refrain from transgressing any forbidden Shabbos labors once the community Shabbos begins, he may still privately<sup>32</sup> daven the Friday Minchah.<sup>33</sup>
3. A temporary or a permanent minyan which meets in a private home is not considered a separate congregation. Therefore, a private minyan may not make Shabbos on time if the rest of the community accepts Shabbos early.<sup>34</sup>
4. Many poskim hold that if a husband accepts Shabbos early, his wife and children must do so as well.<sup>35</sup> Others hold that a wife and children may accept Shabbos whenever they wish regardless of when the husband or father began the Shabbos.<sup>36</sup>
5. Poskim debate the status of a shul where the majority of the congregants wants to accept the Shabbos early and a minority wants to make a second minyan in the same shul which will begin Shabbos on time. Some authorities do not allow for such an arrangement,<sup>37</sup> while others are more lenient.<sup>38</sup>

WHAT IS THE RATIONALE FOR NOT BEGINNING SHABBOS EARLY  
Many communities, especially in Eretz Yisrael, do not begin Shabbos early under any circumstances.<sup>39</sup> There are several halachic reasons for their stance. To name but a few:

The opinion of the Gaon of Vilna<sup>40</sup> and other poskim, that even on Friday night Ma'ariv should be davened only<sup>41</sup> after tzeis ha-kochavim.<sup>42</sup> As stated earlier, there is a difference of opinion as to the exact time of plag ha-minchah. According to the first opinion quoted, plag ha-minchah is actually much later than the one that is published in most calendars. Thus a woman who lights candles after the earlier plag but before the later one, and men who daven Ma'ariv and recite Kiddush at that time, subject themselves to a possible brachah l'vatlah.<sup>43</sup>

Some opinions hold that the Shabbos meal must be eaten on Shabbos proper, not on the extended part of Shabbos.<sup>44</sup>

In addition to the basic rationale for starting Shabbos on time, there are a number of specific situations where some poskim recommend - as an extra stringency - that Shabbos not begin early. Among them:

1. When Rosh Chodesh falls on Friday night, it is questionable whether or not yaaleh v'yavo can be said before Shabbos proper begins.<sup>45</sup>
2. One, who is commemorating a Shabbos yaahrtzeit by reciting Kaddish and serving as the sheliach tziibur, should do so on Shabbos proper and not on the extended period of Shabbos.<sup>46</sup>
3. A bar-mitzvah boy who is turning thirteen on Shabbos should wait until he becomes a certified adult - which does not take place until Shabbos proper sets in - before reciting Kerias Shema and davening Ma'ariv.<sup>47</sup>

FOOTNOTES: 1. See O.C. 261:2 and Beir Halachah (s.v. yesh). [Although not all Rishonim require tosefos Shabbos, all would agree that one may begin Shabbos early; see explanation in Meishiv Davar 1:18.] 2. See Terumas ha-Deshen 1. See also Tosfos, Berachos 2a (s.v. m'eimosai). 3. As is reported by Beir Halachah 60:5 (s.v. v'chein) and Aruch ha-Shulchan 235:8 and 267:8. 4. See Chayei Adam 6:1. 5. The poskim debate whether an early Shabbos is considered Shabbos min ha-Torah or only mi-derabanan; see Rav Akiva Eiger's commentary to Magen Avraham 253:26 and Beir Halachah 261:2 (s.v. miplag). 6. O.C. 263:15. 7. O.C. 267:2. 8. O.C. 261:4. Once Shabbos was accepted [by reciting mizmor shir] it cannot be retracted in any way; see Minchas Shabbos (Minchah Chadashah 76:1); Aruch ha-Shulchan 263:28 and Kaf ha-Chayim 263:22. 9. O.C. 261:1 and 263:17. 10. Mishnah Berurah 263:43. 11. See Minchas Yitzchak 9:20 and Shemiras Shabbos K'hilchasa 43, note 128. 12. Mishnah Berurah 267:6. 13. See O.C. 489:3 and Beir Halachah (s.v. v'yevarech) and Aruch ha-Shulchan 489:7. 14. See Beir Halachah 489:3 (s.v. mi-beod yom). See Shraga ha-Meir 6:41 who quotes some Rishonim who did so even l'chatchilah. 15. Igros Moshe O.C. 4:99-3. 16. Chochmas Adam 117:5; Aruch ha-Shulchan Y.D. 196:21. 17. Pischei Teshuvah Y.D. 375:6. Concerning sitting shivah, however, the halachah is that a mourner who found out about the death of a relative after davening Ma'ariv, does not start sitting shivah until the following morning; Y.D. 375:11 and Shach 14. 18. Mishnah Berurah 261:25 and 263:18. 19. Beir Halachah 263:4 (s.v. kodem). 20. Mishnah Berurah 267:4. See Aruch ha-Shulchan 263:19 for a dissenting opinion. 21. O.C. 263:4 as explained by Mishnah Berurah 19. 22. According to this opinion, the day beginning with alos ha-shachar and ending with tzeis ha-kochavim is divided into twelve parts, and one and a quarter parts before tzeis ha-kochavim is plag ha-minchah. But the exact moment of plag ha-minchah will depend on two more unresolved factors: 1) When, exactly, is alos ha-shachar - is it always 72 minutes before sunrise, or is it when the center of the sun is 16.1 degrees below the horizon? 2) When, exactly, is tzeis ha-kochavim, is it 42, 50, 60 or 72 minutes after sunset? 23. This is the view of the Levush and strongly endorsed by Beir ha-Gra O.C. 459. 24. While Chayei Adam 33:1 and Mishnah Berurah 233:4, 261:25, 263:19 and 443:8 quote both views without rendering a clear decision, Shulchan Aruch ha-Rav 443:4, Kitzur Shulchan Aruch 69:2 and Aruch ha-Shulchan 233:14, 267:3; and 443:5 rule in accordance with the second opinion. 25. Harav M. Feinstein (oral ruling, quoted in Sefer Hilchos Chanukah, pg. 21). See Minchas Yitzchak 4:53. 26. O.C. 267:2. See Magen Avraham for an additional reason to distinguish between Friday night and weekday nights. 27. See Mishnah Berurah 267:3. Note, however, that Kitzur Shulchan

Aruch does not mention this preference altogether, which explains why many communities are lax about davening Minchah before plag. 28. See Mishnah Berurah 233:11, Kaf ha-Chayim 233:12 and Ketzos ha-Shulchan 77:3. But only congregations are entitled to do so; individuals who davened Minchah after plag may not daven Ma'ariv until after sunset. 29. O.C. 263:12-13. See Igros Moshe O.C. 3:38 who questions - and remains undecided - whether or not this ruling applies nowadays, when accepting early Shabbos is made for the sake of convenience, and not for the sake of extending the sanctity of Shabbos. But other poskim, including Harav S.Z. Auerbach (addendum to Shulchan Shelomo O.C. 263, pg. 22), Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak vol. 8, pg. 234) and Shevet ha-Levi 7:35, reject this distinction. 30. Sha'ar ha-Tziyun 551:56. 31. Shulchan Aruch ha-Rav 263:19. See, however, Machatzis ha-Shekel 263:24 who holds that one is obligated to accept Shabbos at the time designated by the congregation where he regularly davens [even if he davens elsewhere that particular week]. Harav Y.S. Elyashiv is quoted (Shevus Yitzchak, vol. 8, pg. 237) as ruling that an individual who regularly davens with the early minyan in his shul must accept early Shabbos even if he is planning to daven in a later minyan which will meet in the same shul. 32. In his home or in the shul hallway. 33. O.C. 263:15 and Beir Halachah (s.v. shel). See explanation in Chayei Adam 33:4. 34. Mishnah Berurah 263:51. For a definition of a congregation, see Beir Halachah 468:4 (s.v. v'chumrei). 35. Mekor Chayim 263:17; Pri Megadim Mishbetzos Zahav 263:1; Aruch ha-Shulchan 263:22; Ketzos ha-Shulchan 76 (Badei ha-Shulchan 5); Shevet ha-Levi 7:35. 36. See Teshuvos R' Yonasan Shteif 42; Igros Moshe O.C. 3:38; Be'er Moshe 2:16. 37. Minchas Yitzchak 1:24; 10:20-2. See also Igros Moshe O.C. 5:15 and She'arim Metzuyanim B'halachah 75:1. 38. Be'er Moshe 2:19; Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak, vol. 8, pg. 237). 39. Indeed, Harav Y.S. Elyashiv (Koveitz Teshuvos 23) writes that he advises against making Shabbos in Eretz Yisrael early except in special cases. This also seems to be the view of Harav S.Z. Auerbach; see Shemiras Shabbos K'hilchasa 43, note 63. Many Chasidic communities, especially, do not begin Shabbos early. 40. Ma'asei Rav 15, quoted in Beir Halachah 235:1 (s.v. v'im). 41. Even if it means davening with no minyan. 42. Still, in order to satisfy this opinion, one can begin Shabbos early and daven Ma'ariv after Kiddush and the Shabbos meal; Mishnah Berurah 271:11. See Ma'asei Rav 117 and Peulos Sachir. 43. See Mishnah Berurah 261:25 who seems to rule like the second opinion only l'chumrah but not l'kulah. 44. Mishnah Berurah 267:5. 45. Eretz Tzvi 1:25 quoting the Imrei Emes. See also Teshuvos v'Hanahagos 1:87. 46. Chelkas Yaakov 3:149. 47. Minchas Yitzchak 10:17. Weekly-Halacha,

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From: Menachem Leibtag [tsc@bezeqint.net] Sent: Wednesday, August 06, 2003 10:13 AM To: Pareg; Lite1; NEW1 Subject: [par-new]Parshat Ve'etchanan - shiur #1

\* Mazel Tov to Rabbi Doniel & Aviva Schreiber, upon the birth of a baby girl - Gila

\* Mazel Tov to Rabbi David and Emily Jacobson, upon the bar mitzvah this weekend of their son Elchanan

THE TANACH STUDY CENTER [<http://www.tanach.org/>] In Memory of Rabbi Abraham Leibtag Shiurim in Chumash & Navi  
RABBI MENACHEM LEIBTAG  
PARSHAT VA-ETCHANAN - shiur #1

The first two parshiot of 'kriyat shma' surround us each and every day of our lives. Not only do we recite them at least twice daily, but we also attach them to 'our doorposts' ['mezuzot']. In this week's shiur, our study of the overall structure of the main speech of Sefer Devarim will help us appreciate why these two parshiot are so important.

INTRODUCTION Last week's introductory shiur showed 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.
2. The main speech (chapters 5-26); in which Moshe reviews a special set of laws (originally given at Har Sinai) that Bnei Yisrael must keep as they establish their nation after they conquer the Land. 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 In chapter five, Moshe Rabbeinu began his main speech with the story of how and when these mitzvot (which he is about to teach) were first given. Even though the first Ten Commandments were given directly by G-d, afterward the people became fearful and

requested to hear the remaining laws via Moshe instead (see 5:4-28, especially 5:20-26 & last week's shiur). As you review that story, pay careful attention to G-d's response to the people's request, for its wording will set the framework for the remainder of the speech: "Go say to them: 'Return to your tents', but you remain here with Me and I will give you: the mitzva & the chukim u-mishpatim which you shall teach them..." (see 5:27-28).

Note the key words - ha-mitzva, chukim & mishpatim. Even though they define three different categories of laws, as we continue our study of Sefer Devarim we will show how this phrase actually introduces two sections of laws that will follow: A) - ha-mitzva B) - chukim & mishpatim To see how this develops, let's follow the continuation of Moshe's speech from this point. Recall how Moshe just explained to the people how G-d responded positively to their request that he become their intermediary (see 5:25-28). Before actually telling the people what those laws were, Moshe first interjects a few words concerning their importance: "You shall keep [these laws] to do them as G-d has commanded you...in all the way which G-d 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).

Now, Moshe is finally ready to 'tell over' those laws which he received on Har Sinai, as 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 G-d had commanded me to teach you to observe on the land which you are about to inherit" (6:1).

Compare this pasuk 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 delineate, based the story he re-told in 5:28. 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 G-d, 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 G-d has promised you - in the land flowing with milk and honey" (see 6:2-3).

THE FIRST LAW [or the 'eleventh commandment'] 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).

This most basic principle of faith is followed by the important mitzva of proper attitude toward G-d and His laws: "And thou shalt love the Lord thy G-d 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 some 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 if you have ample time, it is recommended that you take a few minutes to scan through chapters 6 thru 26 to verify.] 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 G-d 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 Tetzeh, & 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 G-d 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 G-d gave to your forefathers..." (see 12:1).

As you review chapter 12, note how this pasuk 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 pasuk (what we call a 'footer') for this entire unit: "On this day, G-d 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 'ki' & 'lo', typical for a set of laws (as we found in Parshat Mishpatim)!]

This 'header' and 'footer' for the "chukim u-mishpatim" were quite easy to find. 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 G-d... and you shall love G-d 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 G-d ['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] mitzva. 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-ahava...'; 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 G-d... 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 G-d. Furthermore, this section serves as an appropriate summary, for here the Torah promises should Bnei Yisrael keep the proper attitude of ahavat Hashem, then G-d 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 in regard to these psukim is quite 'sloppy'.]

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 'Shema Yisrael' says it all: "Shema Yisrael... and you shall love G-d with all your heart and soul... and these laws which I 'metzaveh' you..." (see 6:4-6).

Note how this general theme of 'to love G-d 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 G-d... (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 G-d 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 G-d 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 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 G-d with the proper attitude: "If, then, you faithfully keep - ha-mitzva ha-zot - that I command

you, to love G-d.... to follow His laws... then G-d 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 G-d 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).] ly"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 shema (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. Again, note 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: "These are the chukim & mishpatim that you are to keep in the land which G-d gave to your forefathers..." (12:1)

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: "G-d 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 G-d, 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 G-d" (see 26:16-19). [In the shiurim to follow, we will deal with the nature of the mitzvot of this unit in more 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 G-d 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, G-d 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 G-d 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

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