

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 mitzvot 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,”^[4] 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.^[5]

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 desolation. 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; Malbim, *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 Neologs 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 Neologs 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

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

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.

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

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:

תענית כט, ב: בתשעה באב נגזר על אבותינו שלא יכנסו לארץ... ותשא כל העדה ויתנו את קולם ויבכו העם בלילה ההוא. אמר רבה אמר ר' יוחנן תשעה באב היה. אמר להם הקב"ה אתם בכיתם בכיה של חנם ואני קובע לכם בכיה לדורות.

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

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 Yirmiyohu 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 *Elokai 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 Maharshah #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 Maharshah 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 yearzeit, 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 yearzeit.

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

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 lusting 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

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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 week 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"נ

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