

BS"D



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**INTERNET PARSHA SHEET
ON VAESCHANAN - 5767**

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EMES LIYAAKOV

Weekly Insights from MOREINU

HORAV YAAKOV KAMENETZKY ז"ל

Weekly Insights from Moreinu HaRav Yaakov Kamenetzky ז"ל

"Please, let me pass and I will see the land..."

Chazal say in Meseches Sota that "For what reason did Moshe want to enter Eretz Yisroel so badly? Was it so he could eat from its bountiful fruit, or to be satisfied from its goodness? No, it is neither of these reasons. It was because Moshe said to himself that since there are certain mitzvos which can only be kept in Eretz Yisroel, I want to be able to enter the land and fulfill all the mitzvos in the Torah."

HaRav Yaakov Kamenetzky ז"ל says that at first glance, we would say this reason is good, that Moshe wanted to enter the land so that he would be able to fulfill all the mitzvos. However, we could have answered a more simple answer! How? We could have just said that the reason Moshe wanted to enter was in order that he could fulfill the mitzvah of living in Eretz Yisroel! Why say it more complicatedly, by saying it was so he could manage to fulfill all the commandments of Hashem stated in the Torah?

Rav Yaakov mentions two possible answers to this question. First, that the mitzvah of living in Eretz Yisroel can be fulfilled on the far side of the Yardein, the Jordan River. However, you can't fulfill other mitzvos there. That is why we say Moshe's reasoning was to be able to fulfill all the other mitzvos of Eretz Yisroel, and not just living in the holy land.

The second answer Rav Yaakov gives is that it might be possible to say that the reason why Moshe didn't care for the specific mitzvah of living in Eretz Yisroel was because that mitzvah only applies to someone who has a division, an inheritance, in the land. However, Moshe, being from the tribe of Levi, did NOT have a special portion designated for him and his family. Hence, this mitzvah didn't apply to him! That is why we say that Moshe's reason for the prayers was to be able to fulfill all of Hashem's commandments in the Torah.

<http://www.heartherav.org/Transcript.htm>

From: "Yoni Mozeson" <2yonim@gmail.com> Date: Sat May 6, 2006 11:57pm
Subject: Hear Rav Soloveitchik (public lecture) in English at www.heartherav.org
For those who have never heard Rav Soloveitchik (and for those that have) I have posted an Yahrzeit shiur of the Rav at <http://www.heartherav.org> along with a Word file containing a complete transcript of the shiur.

You can download the shiur or play it off the site.

Special thanks to Lenny Moskowitz for digitizing and running noise reduction software on this tape (may it be a zechut for your Mom Z"TL) and to Rabbi, Dr. Simchah Katz for financing the transcription.

The site is dedicated in memory of my mother, Bracha bas Rachel Z"TL (Tunis) Mozeson.

Please spread the word about this website so more people can experience hearing the Rav.

Sincerely,

Yoni Mozeson

Rabbi Yoseph Dov Halevi Soloveitchik ZT"l

TheTeffilin of Rabbeinu Tam

Yahrzeit Shiur March 2, 1975 at Yeshiva University

I Introduction

(Please e-mail 2yonim@gmail.com any spelling mistakes so we can reload a more accurate transcript)

The point of departure of tonight's lecture is what we call shitas Rabbeinu Tam - the doctrine of Rabbeinu Tam. Pertaining to the problem of which order the scriptural sections should be placed in their respective compartments. You know very well, and many of among you, perhaps all of you, I hope so, know that there are Teffilin shel Rabbeinu Tam and Teffilin shel Rashi. There are Teffilin in the accordance with the opinion of Rashi and there is a pair of Teffilin in accordance to the opinion of Rabbeinu Tam. I want to discuss the shitas Rabbeinu Tam, the opinion of the Rabbeinu Tam. But don't get frightened! I'll of course I'll have to, to resolve the problem in halachic terms first- I mean I can't help it- it will take just 5 minutes. And the rest, the balance of the time, I'll utilize for explaining the halachic terms in a philosophical experiential idiom which will be understandable and comprehensible to all of you. I'll try to describe 2 basic aspects of our religious awareness, which find expression in the shitas Rabbeinu Tam, in Rabbeinu Tam's doctrine. I'm not going to make great discoveries tonight and whatever I'm saying is known to you. But I have formulated differently and the emphasis will be new. Sometimes, the doctrine is the same but the emphasis is new. It is very important. Now let me start.

II Talmudic Source

The Gemorah in Menachot, Talmud, daf lamed daled amud beis, I'll read first the 2 lines, I mean, in Hebrew and then I'll translate. "Tanu Rabbanan, keitzad sidran, kadesh li kol bechor, vehaya ki yeviacha meyamim, vehaya im shamo'a mismol...shema, vehaya im shamo'a mismol. Vehatania ipcha! Amar abbaya lo kashia, kan meyamino shel koreh, kan meyamino shel maniach, vehakoreh koreh kesidran." Our Rabbis taught, what is the order of the four scripture portions in the Teffilin shel rosh, the Teffilin which one wears on his head? The order is as follows; kadesh, the parshas "Kadesh li kol bechor," sanctify unto me; "vehaya ki yeviacha," the next parsha are on the right, while Shema and Vehaya im shamo'a are on the left. But, there has been brought just the reverse, that Kadesh, Vehaya ki yeviacha, are on the left and Shema, Vehaya im shamo'a on the right. Abbaya said this is no contradiction, for in the one case the reference is to the right of the reader. That means the person facing the other person who wears the Teffilin, whereas in the other it is the right of the person who wears the Teffilin. The reader thus reads them according to their order. This is not important now for our lecture in the problem of where you start, from the right of the person who wears the Teffilin or from the right of the person who confronts the wearer of the Teffilin. What's important is the order in which the Parshiot are placed in their respective compartments.

III Rashi VS. Rabbeinu Tam

Rashi interpreted the word "Kesidran," "Vehakoreh koreh kesidran," literally. When reading the portions from the reader's viewpoint, or from the reader's right to his left, the Parshiot appear in the order in which they are found in the Torah, in Exodus and in Deuteronomy. The reader starts with Kadesh continues with Vehaya Ki Yeviacha next to Vehaya...Kadesh, Vehaya ki yeviacha, next Shema and at last Vehaya im shamo'a. We follow the order of the Parshiot in the Pentateuch, in the Torah. Kadesh, Vehaya Ki Yeviacha we find in Parshas Bo in Exodus. Shema, Vehaya Im Shamo'a in Deuteronomy, in Devorim. Kadesh, Vehaya ki yeviacha come first, next comes Shema which we find in Parshas V'eschanan, next to Shema comes Vehaya im shamo'a which we find in Parshas Eikev. I repeat, according to Rashi the Parshi are placed in the four compartments of the Teffilin shel rosh. The order in which the Parshios are placed in the four compartments of the

Tefillin shel rosh is identical with the order in which we find them in the Torah. Let us say again. It is from my right, Kadesh, from my left, from the right of the reader it is Kadesh first compartment, Vehaya ki yeviacha second compartment, Shema third compartment, Vehaya im shamo'a fourth compartment.

The Rabbeinu Tam disagreed with Rashi. He argues with Rashi's interpretation. If you were correct then the Braita, the "Tanu Rabbanan" the Braita would've said: "Keitzad sidran? Kadesh li kol bechor, vehaya ki yeviacha, Shema, Vehaya im shamo'a". But the Braisa doesn't say it like that. The Braisa expressed itself differently- "Keitzad sidran? Kadesh li kol bechor, Vehaya ki yeviacha me'yamin; Shema, Vehaya im shamo'a mismol." We must assume according to the Braisa that the continuity breaks up in the middle between the second and the third compartment. You start Kadesh, Vehaya ki yeviacha and you stop. Then you start Shema from the other side. From the right- Shema, Vehaya im shamo'a. So according to Rabbeinu Tam the order is as follows: Kadesh, Vehaya ki yeviacha, Vehaya im shamo'a and Shema. According to Rashi, on the extreme right compartment, in the extreme right compartment is Kadesh and the extreme left compartment is Vehaya im shamo'a. According to Rabbeinu Tam in the extreme right is Kadesh and the extreme left compartment is Shema. This is what the Rabbeinu Tam calls havayos b'emtzta. The two parshios which begin, {START OF PART 2} commence with Vehaya are in the center, in the middle according to Rabbeinu Tam it is Kadesh, Vehaya ki yeviacha, Vehaya im shamo'a, Shema and that is how Rabbeinu Tam interprets the Braisa. Kadesh li kol bechor, vehaya ki yeviacha me'yamin; Shema, vehaya im shamo'a mismol. You start from the extreme right or left and then you place two parshios and then you start from the other extreme, either right or left and you place two parshios.

According to Rashi the word kesidran is quite understandable. It means kesidran in a textual way. The way the text, the way we find the parshios are integrated into the text of the Torah, the same order I have to place them in the compartments. According to Rabbeinu Tam we don't understand what kesidran means. It is not kesidran- it is Kadesh, Vehaya ki yeviacha, Vehaya im shamo'a, Shema. It is not kesidran- so what is the kesidran there?

IV The Four Parshiot: One Entity or Two

It is self evident, let me say, that Rashi and Rabbeinu Tam disagree on a basic question: how are we to treat the four sections, the four parshiot; as one entity or as two entities? Do the four parshiot belong, I would say identically to one uniform order of thought and commitment? Let's not forget- what do the four parshios narrate? What do they narrate, the four parshios? There is a story to the four parshios and there is a kerygma. There is a tale which the four parshios narrate. What is it about? With what are the parshios concerned? People who lay Tefillin should know that, should know that, because Tefillin according to the Rambam is not only a mitzvah shebeyad, a technical mitzvah, but it is a mitzvah shebelev. It is an experiential performance as well. It is an emotion, it's a thought, it's a commitment. What is the story which the four parshios at least try to tell us? Whether we do listen to the story, in deed they try to tell us. It is the story of kabolas ole malchus shamayim. According to Rashi all four parshios narrate the identical great story of kabolas ole malchus shamayim. It is one entity, one unit, one order. If it is one entity, one unit, one order then how does the order start? It has to start with the first parsha where mitzvas Tefillin is mentioned. This is Kadesh, continue with the second, which entails a mention of mitzvas Tefillin, then pick up the third one in a different book, in Deuteronomy, again mitzvas Tefillin was mentioned, and finish with the last parsha where mitzvas Tefillin is mentioned- Vehaya im shamo'a. There is no doubt, it is quite obvious that Rashi holds the view that we deal with one entity, consisting of four compartments, component parts, excuse me, consisting of four component parts which the reader encounters one by one the way we find them while reading the Torah. The term order, kesidran, according to Rashi signifies a technical, textual arrangement. The story contained in the four sections begins with Kadesh and ends with Vehaya Im Shamo'a.

V Rabbeinu Tam – Kesidran

What would you suggest about Rabbeinu Tam? The Rabbeinu Tam apparently thinks differently. He held a different view. The four parshios according to him, to his view represent two entities. Each entity embraces two sections. The sections from Exodus: Kadesh, vehaya im shamo'a is one unit and the sections from Deuteronomy, from Mishnah Torah, form another unit. These two units of thought and commitment are related to two orders. One order runs from the right of the reader to his left. The other order, the order of Exodus, the Exodus order extends in the opposite direction, from the left of the reader to, to. On the contrary, excuse me, I made a mistake. One order, the Deuteronomy order runs from the right, no from the left, from the left of the reader to his right. The other order, the Exodus extends in the opposite direction, from the left of the reader, from the right of the reader to his left. Correct. Each order has a separate point of departure. The term kesidran according to the Rabbeinu Tam, the term kesidran according to the Rabbeinu Tam,

what does it signify? Not textual sequence of order, they know it's not a textual but a conceptual or experiential arrangement. There are two units, two stories, two commitments, two kerygmas, two contents. One content which is the Exodus unit consists of two parshios these two parshios are placed in the proper order Kadesh, Vehaya ki yeviacha. Then there is another unit with another tale, with another story, with another commitment and those parshios are also placed in the proper order. But you start from the extreme compartment, from the compartment which is on the extreme left or on the extreme right. So that's why Kadesh, Vehaya ki yeviacha comes in one order and Shema, Vehaya im shamo'a comes in another order. The parshios extend in two opposite directions.

VI The Duality of Tefillin

That there is a duality of content and order and commitment in Tefillin can be corroborated by another fact. Namely, who could suggest it to me? Rashi thinks that the order of the four parshios is a uniform, identical order- identical means the same story. There is continuity, complete continuity from Kadesh to Vehaya im shamo'a. According to Rabbeinu Tam there are two orders, two ideas, are represented by {START OF PART 3} the four sections. The Exodus unit represents one idea, the Deuteronomy unit represents another idea. Of course, (inaudible) rishonim, a machlokes rishonim. I believe there is a raya in support of the opinion of the Rabbeinu Tam because our whole lecture will be completely devoted to this problem. What are the two units according to the Rabbeinu Tam? What are the two stories that the Tefillin tell us? It is very important not only from a philosophical viewpoint, from a viewpoint of hashkafa, but simply for the kiyum, for the fulfillment of mitzvas Tefillin. Because mitzvas Tefillin requires not only a physical performance but an experience, an experiential inner performance as well. You cannot experience a mitzvah if you do not know the content of the mitzvah, what the mitzvah stands for. So to interpret the two units of the Rabbeinu Tam in the proper idiom is of great relevance to us. I say the Rabbeinu Tam's opinion was that the four parshios are classified, are grouped into two units, entities. Each entity represents a separate idea, and I say there is support for the Rabbeinu Tam in another halacha, or rather I would say a kabbalah, however you want to say, perhaps. The Gemorah says "Shin shel Tefillin halacha l'Moshe m'Sinai." There is a halacha l'Moshe m'Sinai that on the Tefillin shel rosh the shin should be engraved or carved. The Shimusho Rabbi, the Shimusho Rabbi is, actually, this is not a sefer, it's a document consisting of the piskei halacha of the decisions of the geonim pertaining to Tefillin, they say not one shin is halacha l'Moshe m'Sinai but two shinim. The Shimusho Rabbi requires two shinim instead of one. While the Talmud mentioned only one shin, shin shel Tefillin, the Shimusho Rabbi added another one and speaks of two. As a matter of fact the shinim differ. There is one shin on our right and there is one shin on our left. They differ in what regard? One shin consists of four heads and the other shin of three heads. What do the two shinim represent? To what do they bear witness, to what, to what fact do they bear witness? To the duality of order and eidetic content of Tefillin that the Rabbeinu Tam emphasized so much.

VII Medrash Rabbah: Korban Pesach vs. Parah Aduma

In order to understand the Rabbeinu Tam in the proper idiom and to formulate his idea in philosophical categories and in experiential terms I would suggest that we should put Rabbeinu Tam's opinion aside for a while, for a short while, and instead pick up a passage in Medrash Rabbah, in Shemos Rabbah (parsha 19) related to the verse "Zos chukas haPesach kol ben necher lo yochal bo" (shemos 12; 43). I'll read it, I'll read it in Hebrew; I have the translation. Then our whole lecture will just revolve around the interpretation of that passage in the Medrash. The Medrash starts as follows: "Yehi libi tamim bechukecha lema'an lo eivosh, zeh chukas haPesach." I'll read it in Hebrew first. Chukecha means two. It means two chukot. What two chukot did David have in mind when he said, "Yehi libi tamim bechukecha," let my heart be undivided to your statutes? What statutes did he refer to? So the Medrash says, "Zos chukas haPesach ve-chukas parah aduma. Lama? Sheshneyhen domin zeh lazeh. Bazeh ne'emar chukas haPesach ubazeh ne'emar chukas haTorah. Ve'iy atoh yodeah eizeh chukah gedolah mizu. Mashal leshnai matronot," I'll translate it, "Domot shehayu mehalchos, shteyhen ke-achas nir'os shavos, mi gedolah mizu? osa shechavirtah melaveh osa ad beisa veholeches achareha gedolah mizu. Kach ne'emar b'Pesach chukah uv'para ne'emar chukah.. Mi gedolah? H'parah, sheochlei Pesach tzerichin lah shene'emar 'v'lakchu latamei me'afar sreifas hachatas'".

Let us start with the Medrash: "Let my heart be undivided..." it's very important the word tamim, in thy statutes in order that I may not be put to shame. As a matter of fact I told the boys to print the translation of the verse on the tickets. Does it appear on the tickets? Alright. David, David referred to 2 statutes: chukecha, "Yehi libi tamim Bechukecha"- two statutes. Chukecha plural. The statute of Pesach and the statute of Parah Adumah. I have to say it, say it in a phrase which I dislike. The red heifer, I dislike, it's verbatim perhaps correct it just, it just is destructive as far as the meaning is concerned. Which are similar to one another for in reference to the

first it says, "this is the statute of the Passover" and in reference to the other it says, "this is the statute of the Law". Zos chukas HaTorah. Moreover, one does not know which statute is greater than the other it measures greatness, the other statute. It is like the case of 2 ladies, noble ladies who were walking side by side together. Apparently, apparently on a footing of equality? . Who then is the greater? She who her friend accompanies to her house and so is really following her. Similarly, in the case of the Passover we find the term statute- chukas haPesach. And in the case of the red heifer we also come across the word statute. Which then is the greater? The red heifer. The parah adumah. For those who eat the Passover, I mean the, who participate, share in the Korban pesach- the paschal lamb, need its purifying ashes. As it is said, "and for the unclean, and for the unclean they shall take of the ashes of the burning of the chatas ". And in Hebrew: "Osah shechaverta melaveh osah ad beisa veholeches achareha kach ne'emar bepesach chukah ubeparah ne'emar chukah. Mi gedolah? Haparah, sheochlei pesach tzerichin lah shene'emar 'velakchu latamei meafar sreifas hachatas' ".

Do you understand it? {START OF PART 4} I know that you don't! Let us first understand the Medrash verbatim, I mean just technical, verbatim. The chukas haTorah, for instance, last Shabbat, yesterday we read parshas parah, correct?...read parshas parah, we still have to read what- the 4th parsha- Parshas hachodesh. Parshas parah deals with parah adumah, parshas hachodesh deals with what? With Korban pesach, correct. The chukas haTorah is never, and that was exactly what transpired also during the time of the beis hamikdash. First, what did the Jew do? He submitted himself to the sprinkling of the mei chatas in order to clean himself of tumas meis, correct. Then, after he got through with the sprinkling of the mei chatas, the hazayah mei chatas, he fulfilled his duty of offering the Paschal lamb and eating the pesach. The chukas haTorah is never left alone because one cannot fulfill the precept of pesach without attending to the cleansing with the mei chatas. It's impossible! The chatas is always in the company of another chukah, namely pesach. After cleansing with the mei chatas one is still duty bound to offer the pesach. Consequently, the pesach or chukas haPesach is only the escort or the maid, the parah adumah or the chukas haTorah is the mistress. Do you understand me? What is, what is difficult here?! As far as sequence of time is concerned, it's correct. When you, when you, when you are concerned with the chukas haTorah, chukas parah adumah you are also concerned with what? With chukas haPesach. So, chukas parah adumah is never left alone. It's always accompanied by what, by chukas haPesach. While after attending, having attended to the cleansing with the mei chatas, so I still have to attend to what...Korban shel Pesach is alone. So apparently Pesach is the maid, the escort, the lady in waiting and the chukas haparah is the mistress or the noble lady. What is difficult here is that talking in terms of sequence, of temporal sequence is correct, but analyzing the situation in Halachic, conceptual terms- the reverse is true. Why is the reverse true? Because why do, why do you, why do you attend to cleansing with mei chatas? For what purpose? The cleansing with the mei chatas is not a purpose in itself- it's not a mitzvah per se', an independent mitzvah, it's in order to qualify the person for another performance, namely the sharing in the Korban pesach. So conceptually, pesach should be considered the mistress, the leading lady, I mean the noble lady, the queen and the mei chatas, the attendant, the escort, because teleologically my concern with mei chatas is due to what? To the mitzvahs pesach. But anyway I cannot argue with the Medrash, arguing would be useless, this is the way the Medrash says. The Medrash interprets it in terms of sequence in time. The sequence in time is the parah always comes first and the Korban pesach next. But let us understand, let us understand, this is not important per se', what's important is to understand the whole problem in Medrash "mi gedolah mizu". Who is the greater one, who is more outstanding, who is more important, who is more significant. What bothered the Medrash? There was a philosophical problem apparently which the Medrash wanted to resolve, I mean, it's typical of the times in which the Medrash was written and edited and perhaps it is also important to our times.

VIII Chukah – Inalterability, Universality

The semantics- and I'm going to tell you something which you all know. What I told you in the beginning, I'll formulate it differently and the emphasis of mine will be new. But the thought itself is very old and is known to you. The semantics of the term chukah, is according to our tradition- to the Torah sheba'al peh tradition. It appeared the first time, the interpretation of chukah in the manner in which I'm going to explain in Toras Kohanim quoted by Rashi at the beginning of parshas chukas (bemidbar 19; 2). And by Maimonides in the last halacha of where? Last halacha of hilchos me'ilah (chapter 8 halacha 8). The semantics, semantics of chukah in accordance with the tradition, I mean initiated by the Toras Kohanim and quoted by all the rishonim is the following. Chukah refers...Rashi, Rashi says the following, excuse me, Rashi says the following in the beginning of chukas and there is almost, and I, and the same language used by the Rambam.

Chukah refers to precepts, which the Satan and our enemies scoff at and ridicule saying, "what is this command and what is the reason for it?" Shehasatan veumos haolam meishivin aleyhen. On this account, because of that, the scripture

uses the term chukah, the term chukah, zos chukas haTorah, implying it is a law ordained by Me, Me capital. And you have no right to examine or criticize it. V'ein lachem reshush leharev achareha. Consequently, so what is chukah? Chukah is related to the absolute norm or to the ultimate imperative. {START OF PART 5} Now let me see, what do you understand by an absolute norm or an ultimate imperative? What do you understand by it? I believe that we understand under the term chukah, absolute norm, ultimate imperative we understand 2 things. 1) inalterability and 2) universality. The validity of the chukah, of the absolute norm is independent of situational factors. You know we speak now of a situational ethic, you know that. Whoever takes a course in philosophy knows about it. The chukah is completely independent of situational factors. Be the factor, be they, be they political/ economic, be they sociological/ cultural, the chukah is independent of them.

The transient mood of society or the volatile intellectual climate and the fluid value structures, all of those factors have no bearing upon the chukah. The chukah persists, survives. The latter is valid in all circumstances. Always and everywhere. This is a description of a term chukah, if chukah is to be equated with the absolute norm, and the Toras Kohanim did equate the chukah with the absolute norm. It means what is the first trait of that chukah, what is the first characteristic of that chukah? What is it? An inalterability and universality. And I believe a certain verse in Tehilim would be, would describe what universality means and what inalterability means. David says: "Anah eilech meruchecha v'anah mipanecha evrach. Im esek shomayim sham atah v'atziah she'ol heinecha." (Tehilim 139; 7-8) "Where shall I go from Thy spirit..." and I would add one word, 'and from Thy chukah'. "and wither shall I flee from Thee and Thy law. If I ascend up into heaven and I land on a distant star, millions and billions of miles away, Thou art there and so is Your command. If I make my bed in the bottomless depth Thou art there and so is Thy precept." It is impossible to flee from G-D, it's also impossible to flee from His law. The law catches up. One tried to flee and it caught up to him. You know to whom I am referring? To Yonah Hanavi. The philological reason for this equation, which can be traced to Chazal, to Toras Kohanim, the philological reason for this equation by our Rabbis of chukah and absolute known, is in my opinion the following. "Chokek" in Hebrew, the verb Chokek, the verb signifies what? Carving or engraving or forming by incision figures or letters on a hard, tough surface such as metal or stone. "Hein al kapayim chakosich" (Yeshayahu 49; 16). 'Kapayim' doesn't mean on our hand, our hands are soft, it's not a hard surface, it means on the hands of the Almighty, and they are pretty hard! Hein al Kapayim chakosich "I have engraved it upon the palms of My hand". "Chokeki b'selah mishkan lo" (Yeshayahu 22; 16) - engrave a habitation for thyself, for thyself in the rock.. Or, there is a passuk in Ivov: "Mi yiten (eifo) veyikasvun milai, (mi yiten basefer) veyuchaku b'eit barzel v'oferet lo'ad btzur yechotzvun" (Iyov 19; 23-24). Oh, that my words were now written, they were graven in rock, and the most important is this word- forever. What does it mean, a script by incision upon a hard surface is relatively, relatively, of course, protected against the destructive hand of time. It persists, it lasts a long, long time. Millennia. Chakak means, allegorically, to engage in legislation, permanently binding legislation of uninterrupted validity. Job says, "Lo'ad btzur yechotzvun". It should be engraved in the rock forever. So the word Chokek is to be understood as forever. If one deals with a transient script he will not use the term Chokek. He will use the simple term koseiv. Chokek means permanent script, permanent script is symbolic of what? Of permanent Law, unchangeable, unalterable law. The Asseret Hadibrot, the Decalogue was engraved on 2 tablets of stone. Why? Couldn't Hakadosh Baruch Hu find some lighter material? Why did he charge Moshe with the mission of climbing the mount and carrying 2 heavy tablets of stone? What did the Luchot represent? The idea of stability and permanency. It's quite interesting, once Moses was confronted with the primitive, wild, wild pagan dance around the golden calf, he smashed the Luchot, he broke the Luchot. Again why? For the following reason: the people forgot the first commandment- "I am thy G-D" (shemos 20; 2) within 40 days. So what is the use of presenting them with this commandment engraved, engraved in stone, since they lacked the basic, the basic trait of a Jew, namely loyalty, commitment.

Therefore, the term chok or chukah, it's the same whether it's masculine or feminine, is related not only to the moral Law but to the natural Law as well.

IX Chukah: Natural and Moral Law

{START OF PART 6} The Bible identifies the natural law with the moral law by calling both orders, moral order and the natural order chukah. You have a passuk, do you remember a passuk?...Yes, correct. Or for instance "bisumo layom chuko" (mishlei 8; 29)- when he gave to the sea its decree. It's a proverb in Mishlei. "bechuko mosdai aretz" (ibid), when he appointed the foundations of the earth. The reason for this equation between the moral law and the natural law is in my opinion a twofold one. Nature functions in accord with a cosmic moral law. Nature as such is a moral being, when I speak nature, I mean, mean the universe, the cosmos as such is a moral being. Whoever studied Moreh Nevuchim came across, I believe, if I don't make a mistake, 72nd chapter in the first volume of the Moreh Nevuchim, where the Rambam declares the whole cosmos as macroanthropos as a

big great man, as an individuality, as a personality. This is supported by the Chazal's term Sar Ha'Olam (see yebamos 16b), the angel of the world is the world itself. Of course Maimonides spoke in terms of pan, that the world as a whole, as a totality, is a living being, not only living being but a moral being. And the law of gravitation according to Maimonides - we understand it something technical, which is reduced a mathematical equation - according to Maimonides the law of gravitation is a moral law as far as the cosmos is concerned, the universe. We don't understand the transition, the transition from the natural law to the moral law. This is the great secret which Moses prayed for, for, for...Moses declared (hareini) [hodi'eini] na es drachecha (shemos 33; 13). Means Moses, as Maimonides says in moreh nevuchim (see vol.1 ch. 54) that Moses wanted to understand the transition from the cosmic law into moral law, or visa versa- the transition from the moral law into the cosmic law. The law, the natural law, which was imposed upon the universe by the Maker at creation is a moral law at the same time. God's moral law is implemented by the fall of the stone, by the rising of the tide, and by the explosion of a distant star somewhere on the outskirts of the cosmos. It's not only a mechanical performance, it's a moral fulfillment according to Maimonides. Would you (inaudible) to support Maimonides? Is it new to you, that? You look all surprised! The old, the old medieval expression by the medieval scholars and, and later by philosophers in Italy of the renaissance that the cosmos is [not] a macroanthropus, and on the contrary, and that man is a little cosmos. It goes back to this view, it can be traced back to Maimonides and to Chazal and to my opinion to the chumash itself: vayare elokim es kol asher asah v'hinei tov me'od (bereishit 1; 31). What does it mean tov? What does it mean tov? Tov is an adjective, which is applied to moral action, not to mechanical action. Vayare elokim es kol asher asah, the whole cosmic structure, the cosmic order is at the same...is a moral order at the same time. That is why chok is applicable to the moral law. It is also applicable to gravitation or to any other physical law. According to Maimonides the book of physics is the code of morality for the stone, for the electrical current, for the magnetic field. Then it is superfluous to say that nature has never violated that law. And that's why you see many times, as pointed out to Yisroel, the stability which prevails in nature and the instability which prevails among the people.

The second reason why the natural law was also termed...was termed chok is that, because the natural law is unalterable. There are no exceptions, no surprises. The natural law is reliable, predictable and universal. The law prevailing here in my backyard, determines events on a distant star. That's why the chok, the word chok is applicable to the moral law and the natural law because both are unalterable and universal.

This one of the things I said I understand by the word, by the term chukah, by, by the term an absolute norm. It means inalterability and universality. It's completely irrelevant when and where.

X Chok: Total Commitment & Paradoxality

Now there is a second thing which I understand which comes under the term chukah, an absolute norm. I mean as a matter of fact what do you understand by chukah? What do you understand by chukah? You all know chukah is ein lecho reshus leharher achereha, what do you understand by it? I said one aspect I explained, the static stable character of the law which the changing, the changes in society have no bearing upon. But this is not exactly what is understood at a popular level by chukah. What's understood by chukah at a popular level? ...I beg your pardon...what...unexplainable, yes! I didn't hear it. The second thing I understand is the total, that the...the chukah, the absolute law requires total commitment and total commitment entails a strange paradoxical act {START OF PART 7} of surrender of, not to, of or suspension if I may use a Kierkagardian phrase, he didn't use it in this context, this connection, suspension of the logos, of the human logos of the human ratzio. The commitment to the chukah is total, and if it is total it is unintelligible. I'll give you an example in life. The commitment of a son to a father, or a daughter to a mother is not a total one, it is qualified and depends on many circumstances. The commitment of a parent to a child is almost total. The commitment of a parent to a child is the most unintelligible commitment there is. And the commitment which the Almighty requires of us to his chukim is total, and total means unintelligible. I commit myself, I commit myself to a chok, a law even though this law has been vetoed many times by my reason. The cause that motivates, motivated the legislature to request the people to comply with such a law is a mystery, remains a mystery. What a chok demands from us basically, what does the chok demand from us, and lets not forget we too are rational beings, what does the chok demand from us, from a rational being, beings? What does it demand, to be non rational and to act unreasonably. This is at least, I mean prima-facie at first glance, beyond reasonable, don't act like a rational being! A rational being will always consult his... his reason, reason, will always consult the logos. Don't consult, accept, surrender, suspend, and if the logos makes trouble suspend. At this point I wish to correct something I said just a short while ago. I said then that chukah as an absolute norm has two characteristic traits. One, inalterability, the

second one now, paradoxality. Basically they are not two traits, it's one trait. Namely what trait is it? What is it? Paradoxality. Namely the surrender to the paradoxal and enigmatic which the total commitment entails. As a matter of fact that is the reason why the chok is unalterable, because it is unintelligible. Since the chok belongs in a non-cognitive dimension it is not subject to change. Only laws motivated by the intellect are vulnerable to modification and correction, or even invalidation. If a law is motivated by the intellect. The intellect likes, the intellect in general likes to build and tear down, to create and destroy. What is the history of science if not a story of uninterrupted construction and destruction, of affirmation and, and negation. The chok being a unique entity, free from the whimsicality of the motivational apparatus in man, can afford to be steady and persistent.

XI Problem of Human Personalism

At this juncture we are faced with a very serious problem of human personalism, which plays a great prominent role in Judaic thought. Because the idea that man was created in the image of God, imago dei, the idea that man is an individuality, a spiritual personality was given to the world by the Jews. Is in light of our definition of chok, the problem of human personalism, I mean, arises. Man, tells us the Bible was created in God's image. In other words, G-d dwells in man, or abides in him. And the divine presence manifests itself through what? Through the singularity and otherness of man, and his being different from the entire cosmos. His being different. To be human means to be different. I don't mean to bar machlokes (inaudible), I mean to be different, to be existentially different, different from the animal, different from the brute, different from the savage, different from the plant, that means to be human. What reflects the divine presence within man, and what reflects dignity of man which is a result of divine presence in man? Of course the usual answer given is well known. As a matter of fact, Maimonides (Moreh Nevuchim book 1 chapter 2) insisted upon that. Singularity of man is, you know that, is identical with what? With the logos which abides within him, or with the cognitive capacity of man. Man is capable to know, to acquire knowledge. The animal is incapable of acquiring knowledge. Whatever the reason be, but it's a basic difference. And this was accepted by man, for instance, when the medieval philosophy, philosophized the universe on the 4 categories, mineral- domem, plant- tzomeach, chai, and then it comes to man they'll use the term medaber- with speech. What does speech express? The human thought, it means his rational ability, or his cognitive, noetic capacity. To think as Maimonides expresses himself, to think along {START OF PART 8} abstract conceptual lines, to think in concepts. It's very strange that Maimonides guessed hundreds of years ago that science will speak in concepts. I'm speaking about mathematical science, like physics. Physics, is a discipline which operates in concepts, with abstraction, nothing else. That was the answer which was given by Maimonides. I mean I want to reinterpret Maimonides, but its not important now.

XII Intellect: Logos vs. Sovereign Will

If this equation were true, that humanitas, singularity equals humanitas, humanitas equals cognitive capacity in man, if this were true, then man's commitment through precepts who's rational eludes him and who's significance he fails to grasp, would contradict his very dignity. How can man surrender his dignity which is identical with his singularity, with his humanitas, by committing himself to a law which his own logos has...God would not, would have never tolerated an answer such as na'aseh v'nishmah meaning total commitment if the identity of man would exhaust itself in its cognitive conceptual capacity. G-d would have never demanded from man to act non rationally, since to act non rationally means to act in a manner which is not human, and G-d Himself created man to be human! And so you must conclude that the highest endowment in man, which manifests the latter's humanitas and imago dei is not the logos, what you call logos, not reason, what you call reason, but the sovereign will. The sovereign will...I'll come to it, let me say the Hebrew the ratzon elyon, which is above and beyond man's intellectual selfhood... are you following me? It's good! But I'll explain...I don't want to repeat, we'll explain. I mean this is the central axis of my lecture. This mysterious will, this sovereign will, this will which is free...when Maimonides speaks about freedom of will he doesn't mean the pragmatic will, but the sovereign will which is free to make decisions without consulting the logos. In a word, the center of the spiritual personality, the sovereign, the sovereign pure will abides, not the proud pragmatic intellect. The human center is to be understood in voluntaristic categories, not rationalistic categories. I am man because I will, not because I understand. Understand is very important, but it's next to will. Because I will, I have the capacity to will, and I can implement my will. That's what makes me man. Not always, this is a matter of experience, not always does man allegedly, a rationale being act intelligibly. Sometimes he acts unintelligibly. Everybody knows about experiences, such experiences, if, of course, intelligibility be interpreted, in utilitarian, mercantile pragmatic terms. As a matter of fact the most basic decisions in man's life are made spontaneously, suddenly, within a split second. In response to what? We don't know exactly, to another original command which comes from within, not from

without, but from within! To an intuition which goes on like a light on a far horizon in the bleak dreary night. Somehow I can't figure it out, I can't understand it, I can't explain it, I can't even explain it to myself, but I am determined to do so. Some, some light on the far horizon is giving me direction and guiding me. And this will, this intuitive will defies stubbornly all attempts of rationalization or perceptualization. Decisions for instance pertaining to marriage, but now I see it's a young crowd, decisions pertaining to law, following law, or profession, choosing a profession, those are basic decisions in a man's life. Choosing a profession, or selection of friends, is also a basic decision. Or major financial problems when they have to be resolved. Or military plans or state affairs. All those decisions are reached intuitively without addressing oneself, without addressing any inquiry, without addressing any inquiry to the intellect. Later the intellect comes and tries to explain. But he is what do you call it, 'Johnnie come late'?! This exactly, the intellect is a 'Johnnie come late'. There is will, it's impossible to understand. In fact, only peripherally, second or third grade decisions are reached after a long, long consultation with the intellect. And they are always wrong! The intellect is sedate, sedate, slow, calculated. {START OF PART 9} The intellect sees things in terms of loss and profit. To decide for the intellect means to figure out, or, or to compare many alternatives. To foresee results...and this takes a long time. The will is dynamic, the sovereign will, passionate, aggressive and moves with dizzying speed. The will does not choose between two alternatives or many alternatives. It does not choose at all. There is only one possibility- either I accept this possibility, there is no substitute for it. That's why his decisions are radical in nature, by nature...Man is a rational being, and the sovereign will which abides in man is above, above his intelligence, above the intellect, above the logos, above the news. This will inspire and in many cases points out the path leading to deeper understanding and more exalted knowledge. The will as I said before blazes and illuminates a path for the logos to follow, to come, and to understand at a higher level. Without this sovereign will great minds would've never made the discoveries which revolutionized science. I don't believe that the law of gravitation by Newton, there is a story, the story is an apple fell and...alright a story, it's a nice story, a nice legend what is it indicative of? A summer night, he's tired, a summer night you know how this story is, a summer night and he was sitting under an apple tree, I mean all the romanticism. What does it mean however, what does it mean? It means the discovery came in a split second. The sovereign will was discovered in a split second. The greatest discoveries come in a split second. Because the intellect is not so much involved as the will, the sovereign will. The sovereign will is very dynamic, fast, it moves, as I told you with dizzying speed. The greatest discoveries were made by sovereign will, not by the slow intellect. Slow intellect is a bore actually.

XIII Ratzon Elyon

In the kabalistic, Chassidic lingo, don't laugh, this is, this is perhaps the center of, of chassidus chabad (see sefer HaTania section 1, chapter 22-24), I don't know, but its not limited to chabad, it's Rav Chaim Vital (see Eitz Hachaim sha'ar Hashabbat ch. 22), in what century? 16th? 16th century knew about it. The kabalistic Chassidic lingo, this lingo, the sovereign will that reigns supreme is called ratzon elyon. The latter is above thought, is above thought, above thought and cognitive analysis. It motivates the intellect, but is never motivated by the intellect. It wills because it does will, not because it wants to, to get something outside of the will. It wills because it, it does will, there is no need for an explanation, why the sovereign will wills. The mystics frequently employ the phrase: "k'sheolah birtzon hapashut" - when the pure sovereign will wills. I am speaking now about the divine will, that the world emerge. The realization of the will is the final goal, the ultimate end. Nothing else outside of the will matters. It's a non-motivated will, it's a will which motivates others, but itself it wills. This ratzon elyon according to the cabalists flows from keser elyon, the highest sfira. The crown resting on the head, if the crown rests on the head, so the crown is above chochmah, binah, da'as knowledge. Because chochmah, binah, da'as are centered in the cerebrum, in the brain. And if I take the keser and I put it on my skull, so it means the keser towers over chochmah ubinah, over knowledge. And what is the keser if not what, if not the pure sovereign will. Which wills because and it wills, and there is no need for any motivation.

Of course, that's why the, the mystics spoke of two retzonos, of two wills. The ratzon elyon, which flows from keser, and the ratzon hatachton which flows from chochmah, binah, da'as. The first one is a non-motivated will, the second one is a motivated will by chochmah, binah, da'as. Of course the two wills, the two retzonos merge into one absolute unity in the Almighty. The two opposites find their reconciliation in Him. That's why they call it 'retzonei hapashut'. There is no conflict as far as the Almighty is concerned. However, as regards man, the Almighty has granted him the ratzon hatachton as well as the ratzon haelyon, of course. The intelligible, motivated will and the unintelligible, unmotivated will and in man the two wills quite often are in conflict, clash! They collide with each other. It depends upon man, if he wants to identify himself with the ratzon hatachton, with the lower will, the motivated will, then his existential experience would, will be, would be

utilitarian, pragmatic, practical. However, if you want to be, if he is out for greatness so he has to identify himself with the, with the supreme will, with the sovereign will which does not look, which does not reach out for any pragmatism, for any business, for any profit. It decides because it decides, it wills because it wills. The realization of the will is the ultimate end. Do you have time?! Because otherwise I'll skip...

XIV Conflicting Wills in Halacha

{START OF PART 10} As a matter of fact the split man between ratzon elyon, sovereign will and the pragmatic will is, is, is not just a kabalistic theory. In my opinion, the doctrine on the (inaudible) in halacha. Take for instance an institution, halachik institution, such as asmachtah, what does that, what does asmachtah mean? What does asmachtah mean? Asmachtah is overconfidence and this overconfidence validates any transaction which had my consent and full approval, I was not forced, I was not constrained to do so, there was no mistake, there was no error. It was an element of overconfidence in his ability In his skill, and this element of overconfidence invalidates an agreement, a contract which had my consent. I agreed for instance to play cards, for high stakes. I played, of course lost! No never mind that, forget about the underworld, the underworld collects, but the gemorrah does not collect! Why, why should the agreement pertaining to my indebtedness to the winner not be enforceable? Why shouldn't the halacha enforce the agreement? There was no coercion, there were no errors, no misinformation. What was wrong, what was wrong asmachtah lo kanyah? What was wrong? Huh...what you say, you didn't want to lose? This is no excuse! This, this is not even mitigating circumstances. What is wrong?

Let me give you another example, not asmachtah. We have an institution of hatoras nedarim, correct? The solution of a vow. The question is, I took upon a vow upon myself, my mind was clear, I knew what I was doing and I wanted, I mean, to obligate myself to observe the vow, but again I could not foresee circumstances and I took upon myself the vow, I took the vow upon myself and I, later I realized that the fulfillment of the vow will, will be a hardship on me, so I come before a chochem or a beis din and I ask for the solution of the neder and beis din asks me had you known that such and such circumstances will prevail you would've never taken the vow, the vow and so for the (inaudible) questions and answers, what right does the rabbinic court have to dissolve a vow which was taken by a free man with a clear understanding of the situation, he was anxious to serve and to fulfill the vow, but later the developments, I mean, made it either impossible or hard for him, to, I mean, to, to fulfill the vow. Why is, why is this solution granted, or absolution call it, whatever you want, what kind of an institution is hatoras nedarim? Chazal say "hatoras nedarim poroches ba'avir", there is no foundation, nevertheless we practice it! What is the idea behind hatoras nedarim? The same is about asmachtah. I have agreed, I gave my consent, there was a (inaudible) agreement into which both parties...and the conditions were met, no cheating, I mean I'm not speaking about, about Las Vegas, but I'm speaking about other place, gambling. No cheating. And still this asmachtah is asmachtah lo kanya.

XV How Is Teshuva Possible?

Then I'll give you a third case. The third case is teshuvah, repentance. Teshuvah is possible, of course, desirable because, why? Alright if I made a mistake, the avera I committed b'shogeg, in a state of ignorance, I understand. But I committed a sin, I committed a crime, not because of ignorance, not because I was in error, there was an error of judgment on my part, but simply I wanted to kill, I wanted to steal, I wanted to rob, and yet he is sincere...in his contrite heart...in his penitential feelings, he may appear before the Almighty, and the Almighty will grant him atonement. On what is this atonement based? Hashofet kol haoretz la'asot mishpat, why does a criminal deserve such consideration. I give you three institutions: asmachtah, hatoras nedarim and teshuvah. What is the explanation, is a common explanation for all of them...explanation, you should say. Because the real "I", the real "I", the real personality, the center of the personality was not involved in either of those transactions. The sovereign will did not consent, we assume so. The pragmatic will which figures out, which, who's decision is based upon motives of, of, of profit and loss, this will told him to sign the agreement, to gamble, because I'll make a lot of money. But the sovereign will stood aside. So the central personality of man was not involved either in the asmachtah transaction, or in the neder, or in sin. Because you have to understand that the real (inaudible) is hidden and sometimes (inaudible) to him, to himself. The real genuine I did not participate in the orgy, it remained above and beyond pragmatic man who rebelled against his maker, who is it? Who is the real I? The sovereign will. He hardly makes a mistake because he doesn't figure out his decisions in terms of profit and loss.

XVI The Torah is a Chukah

Now, the whole Torah, the whole Torah is a long, long, long chukah. And our commitment to her is total in both, in both respects. In the respect of the inalterability of the Torah. So a Jew who davens says every morning, among other articles of faith, ani ma'amin be'emunah shlaima, I, I, I, I believe shezos hatorah lo

tehai muchlefos, that this Torah will not be replaced by any other Torah, philosophy, or doctrine. (45:00)

XVII Naaseh Venishma

{START OF PART 11} ...solemnly every morning the inalterability and the persistence of the Torah. Correct? And then the Jew basically, the good Jew or the scholarly Jew has never asked the why question. There are quite a number of questions which a person may ask. Basically there are three questions. One question is why, which metaphysics asks, asks. Another question is how, which science asks and the third question is what which the religious person asks, the homoediosos asks. We never ask the question why, why kriyas shema, why teffilah, why, why, why kashrus, why taharas hamishpacha, why Shabbat. We never ask these questions. We have never asked this question. Why, even in the face of disaster when we were confronted with evil and distress, we have never raised this question why. One person did raise the question of why and he obtained, he got no answer. But he was told not to ask this question, but instead to ask the question of what. This was Job, you know. The Jew has never asked questions of why with regard to the law. He never asks a question of why with regard to his destiny. He was heroic and the great hero never asks why, the lazy man, the coward always asks the question why. Why this and why that, why am I supposed to, why am I obligated. This is the question of the pragmatic will. But this is not the question of the sovereign will. We've never said let us find out what motivated a particular piece of religious legislation. When G-d offered the Torah to us we did not request to be shown a sample, we did not ask for a demonstration, the way which the sons of Esau, of Yishmoel, Lot demanded. Our immediate response conveyed to the Almighty was one of total commitment. Namely, there is no better expression than that, than this response which the Jews gave to the Almighty when the Torah was offered to them: Na'aseh V'Nishmah. Why is it total commitment? Why does this answer consisting of two simple words express the philosophical ideas we have explained before total commitment as to inalterability and as to paradoxolity, we accept everything forever, everywhere because Na'aseh- we will decide V'Nishmah- we will understand later. Decision is prior to acting, I mean to understanding. This is exactly what the sovereign will requires of us, to decide, means to act and then to interpret. Don't make any mistake, I'm not recommending obscurantism. I'm very far from it. We have to understand what we do. But first the decision is reached and then the intellect intervenes and tries to interpret what the sovereign will has decided. Our acceptance suspended the authority of the logos, that's why chazal, our Rabbis, attributed so much significance to the phrase of "Na'aseh V'Nishmah". Chazal thought that Na'aseh V'Nishmah was the most wonderful way that every Jew, that the Almighty has bestowed upon every Jew the two crowns upon every Jew- one crown corresponding to Na'aseh, the second crown corresponding to Nishmah. The crown of the sovereign will, the crown of the valutas, of the high will, of the supreme valutas and the crown of Nishma. The question is only is related to the order, to the sequence, of what comes first decision or knowledge. Yahadus has always been the same, decision comes first, then knowledge. This is the secret, the mystery of Na'aseh V'Nishmah.

XVIII No Distinction Between Chok and Mishpat

In fact, in a word, Zos chukas hatorah. In fact, we have observed even the Mishpatim, the so called rational commandments. In a manner, in the same manner in which we kept the chukim, we did not distinguish between chukim and mishpatim. We have never distinguished between mishpatim, precepts acceptable to the logos and chukim, unintelligible laws. We have never distinguished at all. There has been throughout the ages or the millennia, total commitment on our part, even as regard b'mishpatim- social laws. There are no special sections in the torah for mishpatim and special sections in the Torah for chukim. Do you have such a division in the Torah? You certainly don't. The Torah, we have the impression as if the torah wanted to intermingle the chukim with the mishpatim, as if they represented the same kind of religious, religious legislation and demanded the same total commitment. Let us take for instance parshas Kedoshim, let us take parshas Kedoshim as an example. "Ish aviv v'imo tirau" what is it, mishpat or chok? Mishpat. "v'chi zizbechu zevach todah lahashem lerezonchem tizbochu" what is it, chok. "imachem yoachel b'yom hashlishi", pigul hu, chok. "uvekutzrechem es kzir artzechem" what is it? It's continuous text I want you to know. "Uvekutzrechem es ktzir artzechem" what is it? "Lo sechaleh pasoscha lifsol"- mishpatim. "lo signovu, velo sekachshu"- mishpatim. "Lo sasu avel bamishpat", "lo sekalel cheresht", "lo sisneh es achicha bilvavecha", "veohavtah lereyacha kamocha"- mishpatim. "Behemtecha lo sarbiya kelayim, ubeged kelayim lo ya'aleh olecha"- chukim.

XIX Border Cases – The danger of the Logos Deciding Law

For no civilized society can exist on mishpatim alone, this is perhaps the basic mistake or the most critical mistake that modern society is committing, is making. If the logos is all powerful, call it logos, call it cultural, consciousness, call it conscience- I mean this is the same bride, the same ugly bride the veil is different. But the deed there is no difference. If the logos is very powerful and is given authority to determine what is good and what is bad, {START OF PART 12} and

has the authority the authority or the power to veto moral legislation or to introduce new legislation. If every law must be sanctioned by the logos then we are frequently confronted with border cases. And please listen carefully to what I am going to say- border cases. With regard to which the logos is not sure whether, whether this particular moral law is applicable or not, in many situations the logos or our conscience is confused, perplexed. We don't know it whether or not the moral law applies to such a situation or not. Since the reaction on the part of the logos is slow in coming, and the logos in general is very slow in moving, man begins to nibble at the law on its periphery, like you nibble a cake. You know, how do you nibble a cake, how you eat up the cake bit by bit, you take just a little bit, just a little bit. No, no I can't gain weight, the doctor told me not to, not to gain one ounce. So you begin to nibble, to eat up the cake bit by bit, over a period of a couple of days the cake disappears! It disappeared. That's modern man nibbles at the moral law, of course, he begins to nibble at the periphery only. The marginal problems, the border cases. Gradually he eats up the moral law bit by bit and the very center of the law becomes affected. Chaos replaces moral orderliness and simply savage man emerges from the cave which we thought is not in existence anymore, but it is still in existence, apparently.

XX Murder – Where are the Boundaries?

Let us take a simple law prohibiting murder- thou shalt not murder. Is there a more intelligible prohibition than this law? Everybody will agree, sovereign will, pragmatic will, the intellect, logos, news, everybody will agree. Modern man, the sophisticated man, everybody in full agreement- murder is an ugly business. It certainly enjoys the sanction and the approval of the logos. This is true as regards in murder of a young working mother burdened with the upbringing of 5 little children. Everybody will condemn it. Everyone will exclaim in horror how terrible murder is. What about killing an old, mean, cruel, miserly woman who has not given a penny to the poor and who's heart no one enjoyed, to kill her in order to save a girl from the clutches of traders in white slavery? What does the logos say about such a case? It's a problem isn't it?! It's a problem- the logos is not sure, not sure. If the logos is not sure so the writer Dostoyevsky tells us that Kasconicov, the hero of the novel, decided in favor of murder. The logos did not say no! It didn't say murder is prohibited no matter how worthless the person who is about to be murdered is. Murder is prohibited there is total commitment to the prohibition against murder. Since the logos didn't say it so the one who was involved in the matter decided in favor of killing because killing was profited. Of course, I mean, and he showed great liberality in this matter. What's about killing a baby? Alright, you may call it fetus or embryo. It's a matter of semantics nothing else, but a fetus, an embryo is a baby, it's a living being. It is of course, it is still in the mother's womb yeah, just an incubator, it could've been in an external, in another room, I mean incubator. It's just nothing else. Of course, the logos is inclined to accept this kind of murder. It'll agree that it is permissible. What's the reason? The reason is because a woman has a right to decide whether or not she wants to be a mother- a basic right, it's an inalienable right. But that should've decided, I mean, a few months before! Now I'll ask another question- and I'll ask another question, and I'm afraid it will, it is slow in coming, but it will come. And what's about slaying a little infant who already got out of the mother's womb. One we called was just born. And the mother because she's very brilliant and pursues her own career and is about to get the Pulitzer prize is unable to nurse and she simply can not afford to spend time with such a baby- why shouldn't such a baby be killed? What's the difference between a baby who is in the mother's womb or a baby who is in the incubator, in the hospital? If you say A you have to say B and if you say B you have to say C. And the logos is in doubt, it's really doubt. So the logos begins to, to, to define, the logos is out to find a new definition for a human being. And the new definition which the logos has invented, and this definition played an important role in the fight for the legalization of abortion, is as follows. Who is a human being, who has a genetic code, I mean I'm not joking now, who has a genetic code and is capable of communication with fellow man, with fellow beings. We understand very well, the fetus has a genetic code but he is not capable of communicating with friends, you understand. So hence, what is the conclusion? Fetus is not a human being. And the same definition can be applied to a baby who was born yesterday and finds itself in an incubator; yeah, it has a genetic code certainly, no doubt about it! However, speak about communications, friendships, social bonds, it is a little too, too soon. Why not, why shouldn't this baby be killed in order to enable the mother to develop her talents, her potential and to pursue her career? I'm not scoffing at the desire of women, I mean, to pursue a career if she is capable, {START OF PART 13} not stupid-yes. Of course she is entitled the way a man is entitled. But this is no excuse for murder, not even in mitigating circumstances. Where are the bounds? Where are the bounds? If the logos takes over, where are the bounds separating murder from an act of mercy? The logos does not know, it is perplexed, confused. In words, if the mishpat is not accepted as a chok totally, unqualifiedly, unconditionally, unreservedly, as a chok, then the whole world will turn into a big sophisticated jungle. And isn't New York a jungle now? And how beautifully the Torah said, "ushmartem es chukosai v'es

mishpotai asher ya'aseh osem ha'adam v'chai bahem". You shall keep, therefore, keep my chukim and my mishpatim which if he does, if a man does he shall live by them. It means if you want to keep the mishpatim properly you have to learn how to keep what, the chukim, because without total commitment the mishpat becomes worthless. Of course you cannot exist without mishpat, "asher yaseh ha'adam v'chai bahem", but in order to live a civilized life we must surrender to the sovereign will and the intellect must step aside for a while. Man should be, should simply learn the art of committing himself totally, unreservedly, unconditionally. Then the chukim will be carried out as well, and the mishpatim will be kept.

XXI Private Life vs. the Pesach Destiny

This is "Zos chukas haparah, hatorah". The parah, parshas parah symbolizes what? Symbolizes a total commitment on the part of the Jew to chukim and mishpatim. The suspension of the logos for a while and the surrender to the sovereign will. This is "Zos chukas haparah". And of course, chukah means legislated and accepted by the ratzon elyon, by the sovereign will. This kind of total commitment to the ratzon elyon encompasses the entire area of human individual activities. Morality practiced in once private lives. The area include dietary habits, sex relations, with particular emphasis upon marital relations, business transactions, human relations, and all of these activities come under the category zos chukas hatorah. Mishpatim and chukim; there is basically no difference with mishpatim and chukim. Zos chukas hatorah symbolizes, symbolized by parshas parah includes the whole of our religious commitment, as single beings, as private persons, as individuals. However, there is another chukah and the other chukah is called zos chukas hapasach. Which is related to man not as a single being but as a community belonging, a nation or fellowship affiliated being, a history making being, a being which is a part of an entity which is history creative and history making. It means a community belonging being. In other words, the Torah requires commitment to the paradoxical and enigmatic not only in our private life but in the collective experiencing of our historical destiny as a people or a nation. There are chukim and mishpatim not only with which we are confronted in our private lives, there are also chukim and mishpatim with which we are confronted in our experiencing Jewish history, in our involvement in destiny. We have to speak, we have, let me explain it.

XXII The Paradoxical, Dialectic Nature of Jewish History

We have to speak colloquially, a peculiar history, it's a very strange history. Events, strange events, paradoxical developments, incomprehensible episodes bordering at the same time on the, on the absurd, on the tragic and on the comical, comprise our historical experience. What is unique? What is strange basically, what is paradoxical about our history? What do you say? What is paradoxical about our history? And I don't belong to those Jews who like to complain. I'm not a, I'm not a complaining type. But what is paradoxical about our history, what is unique, what is strange, what is peculiar? It sometimes it borders on the absurd! What do we say, what do you say, I don't hear, I don't hear...of course the answer. Just a moment...I know the classical answer to this question: the sinas Yisroel. People don't like us, which is true, they simply don't like us! The enemy say so, the friends don't say so! But, I'll tell you, I don't know, I have the feeling, I have the feeling that the presence of a Jew in a gentile society irritates the goyim. I don't say you don't like us, we irritate them. I don't know, I don't know why, I don't know I've never been a goy... so it's hard for, it's hard me simply, to gage the gentile mind. But I have a feeling it is not so much hatred, they are irritated. It is like, I don't know, like it's a foreign body in an organism. Of course, sinas Yisroel as a fact cannot be denied, however, sinas Yisroel is not the main characteristic feature of our historical experience, particular, our unique historical experience. What is most? Of course sinas Yisroel does exist, it was initiated with Amalek: "v'yavo amalek vayelachem yisroel bapherech". It was continued by Haman and, and it is, and, and today, what's his name... Arafat continues the mesorah, the tradition of Amalek, of course Arafat is amalek, even though officially they are Yishmoel but he belongs to Amalek. {START OF PART 14} However, as I said sinas yisroel is not the main characteristic feature of our historical experience. What is most unique and central, and central in our experience, in the experiencing of our destiny is the dialectical emergence of our historical destiny. It is full of contradictions, contradictions. As we say it in Hebrew, "shnei hafochim b'nes echod". It is a contradiction adyektor, I mean that is exactly what our history is... it is dialectical, it is full of contradictions. The general historical destiny of man, of civilized man has traveled more or less along a straight path. How our history has been moving since its very inception, is Abraham, along a zigzag line. In defiance of the geometric postulate the shortest distance between 2 points is the straight line. Our history has defied it. Anyway, it hasn't traveled along that line. At times, at times we seem to be making progress, to be approaching our destination slowly but surely. Suddenly, we are thrust aside by some mysterious force and forced to deviate from the straight course. Suddenly, positions are abandoned, accomplishments of generations, quite often, wiped off. Frequently when we take a look at the landscape by traveling in a speeding vehicle and we find

ourselves traveling, moving in the opposite direction to the point of departure we had just left. We do not understand why we had to be pushed off the main track, nor do we know when we will return to the original course. And yet, we keep on moving, we don't give up; and yet we don't jump out of the vehicle. It's an absurd vehicle a very irritating vehicle. Travels all along a zigzag. We stay in the vehicle and we travel. G-d knows when we will reach our destination. From the very inception of our history, we have been engaged in this kind of zigzag movement, detour and being thrust off the route. This paradoxical movement which defies all laws of mechanics and physics is the very essence of our historical experience. This is the dialectic experience.

XXIII Yetsiat Mitsrayim – Our Zigzag Destiny

Yitzias mitzrayim is typical of our zigzag destiny. Let us just review the case. G-d promised the land of Canaan to Abraham. A covenant was concluded to that effect—you all know that. "V'ha'aretz asher atah yarei leco etena ulzarecha." Had our history moved along a straight line, the shortest distance between promise and fulfillment, we would've inherited the land immediately. There would be no need for a presidents council in the United States, should intervene with Kissinger with reference to Eretz Yisroel. However, there was no need, excuse me, there was no need for Jacob and his household to move to Egypt, and to sojourn there in slavery and oppression for hundreds of years. And interesting is how beautifully we say it solemnly on the night of Passover at the seder: "vayomer yehoshua ko amar hashem, b'ever hanar yashvu avosecha eilav, terach avi avraham v'avi nachor, v'ekach es avichem es avraham m'ever hanar vayelech osi b'chol eretz canan, v'eten lo...v'arbeh es zaro, v'eten lo es yitzchok, v'eten leiytzchok es yaakov v'es eisiv, v'eten l'esav es har seir lareshes oso, v'yaakov uvanav yardu mitzrayim".

Your fathers dwelled in a full time beyond river, even Terach the father of Abraham and the father of Nachor. I took your father Abraham from beyond the river and led him through all the land of Canaan and gave him Isaac and I gave unto Isaac Jacob and Esau. And I have unto Esau Mt. Seir to possess it and Jacob and his children went down to Egypt.

Two promises were made by Hakadosh Baruch Hu. One promise was made to Esau. What was the nature of the promise? You possess the mount of Saier. Another promise was made to Abraham, to Isaac and Jacob. Namely, they will possess the land of Canaan. How long did it take for the promise made to Esau to be fulfilled? A very short time. When did Esau move to Har Saier- you know? You should know if you know Chumash Beraisheis. When did he move to Har Saier? When did he take over Har Saier? No one knows Chumash Beraisheis! While Yaakov was sojourning in Charan and quarreling with Lavan. So the passuk tells us that Esav took his children and his cattle and everything he had and he moved out, moved away from Canaan and took over and conquered the mount of Saier. When Jacob came back to Canaan the promise made to Esau was already fulfilled. Took a very very short time, just years. How long did it take for the promise made to Abraham to be fulfilled? Hundreds of years spent in bondage. V'etayn l'Esav es Har Saier l'reshes oso immediately, and what's about the promise you made to Yaakov, to Jacob? V'Yaakov u'bonov yardu Mitzraimah. ...symbolizes promise. Havaya symbolizes realization, fulfillment. Abraham, Isaac and Jacob they received promises from me but was a long road that they had to travel. They had to travel a long road in order that the promise be fulfilled. And it's quite very characteristic V'yeche b'shalach Paroah es h'am v'lo nacham Elokeim derech eretz Plishteim, ki karov hu, ki amar Elokeim pen inchaym h'am v'shavu Mitzraimah. Those words tell us what is unique about history. G-d led them not by the way of the land of Philistines although that was near, for G-d said. But G-d led the people about, led the people about by the way. It's a very funny, it's a very strange word, He led the people about by the way of the wilderness, by the Red Sea. Jewish history chooses not the shortest but the longest route. We move along a zigzag. {START OF PART 15} Our historical experience is of a dialectical nature. It consists of accomplishments and reverses, of advance and retreat, of approach and withdrawal. Our history is led by G-d about the way, not straight along the way. It's a difference, about the way and along the way. Our best word in history is, you know what? V'yahsif Elokeim. You led us about, not straight. This is the mysterious chukah in Jewish history. It's as mystifying as the chukah of parah adumah or kelayim or soeir l'azazel. Always v'yahsif Elokeim es Bnai Yisroel. He led them about by another way. Why not straight along the way? Why shouldn't Kail Shadai, why should Kail Shadai be separated from Havaya? Why should there be a long, should pass a long, why should there pass a long long time of expectation and waiting? Why not fulfill the promise immediately the way G-d fulfilled the promise made to Esau?

XXIV Chukas Hapesach : Waiting and Remaining Committed

Our historical experience belongs into the realm of chukah, mystery. A people guided by the pragmatic rational will, the Jewish people were guided, have been guided through out history by the rational will they could have never survived. All the pit holes, zigzags we would have given up long ago. You know where, you know where? In Mitzrayim. The Jew had a choice in Mitzrayim to integrate himself into

Egyptian society and be a free man. We refused because we are guided not by the pragmatic will, by the sovereign will and the sovereign will, the sovereign will is sometimes very stubborn. Defeat does not exist in the sovereign will. You'll fight (inaudible) and continue to fight until the promise will be fulfilled. All we are total commitment, community commitment, to the historical chukah and the power of the sovereign will is spurred us to accept the paradoxality of our destiny. Proclaim every morning. Every morning! A Jew should have lost patients proclaiming every morning. V'af al pei she'yismamayah, even though, even though the Messiah is slow in coming, and believe me it is slow, indeed it is slow but never the less b'chol ais, achakeh lo b'chol yom sheyvo. Never the less I am waiting, expecting him, waiting, waiting, and waiting! Aren't we waiting now for him? Is there a better solution than the arrival of the Messiah, much better thing? Kissinger's solution.

This community commitment to our dialectical destiny and this waiting. Henrik Ibsen said once, and it's very well said, that the main characteristic of the Jewish people is their capacity for waiting, to wait. As a matter of fact this waiting portrayed in his Parguit, Solvak is waiting for Pierre to come. And he said that he was inspired by the capacity for waiting of the Jewish people. We also know a story of waiting. Where's this story? Somebody waits for somebody with great patience, perseverance and to speak colloquially - the guy doesn't drop. Shir Ha'shirim, Shulamite is waiting for a friend, Shulamite is waiting for her friend. He doesn't drop at all. But she's waiting. That's exactly what we do. And this is the most unique feature of our history, the waiting. V'af al pei she'yismamayah, never the less in spite of that, b'chol zeh achakeh lo b'chol yom she'yavo. And this total commitment to our dialectical destiny is symbolized not b'chukas ha'torah, v'yikchu olecha parah adumah but by what chukah is it symbolized, by chukas ha'pesach. What is poseach? Me, semantically! What is poseach? Is not poseach jumping? Is not poseach leaping? Isn't poseach skipping? In a world moving along curves and corners not along a straight line. Poseach means to be slowed down at times and, and at other times to come to a halt. And never the less, never the less, af al pei kain to keep on, to keep moving ahead. This is chukas hsa'pesach. The Jewish involvement, paradoxical involvement, in history.

XXV A Jew's Double Commitment: Private Life & Community Life

V'haya leibi tamim b'chukechah, zeh chukas parah v'chukas ha'pesach. The Jew in total makes a double total commitment. The Jew as a whole, not a split Jew, but the Jew as a whole, the Jew as a complete personality is committed to chukas. One chukah which determines his private life- the Jew complies with laws which he doesn't understand. He lives in a manner which many times arouses his doubts, but he lives, he doesn't give up. He suspended the logos he surrendered his cognitive capacity, he lives by the dictates of the keser elyon of the sovereign, sovereign, supreme will. This is zos chukas hatorah. The Jew is not only individual, the Jew is not only single being, the Jew is a community belonging being, he's gregarious. He belongs somewhere, to a nation. And the nation is, is committed to another chukah, to another mysterium magnum, a mystery which is, it cannot be resolved. The mystery of zigzag existence of waiting and waiting and waiting. The mystery of zos chukas hapesach, of jumping, leaping and moving along corners and curves. The Jew is committed to that mystery (inaudible). Yehi libi tamim- I want a full heart, a complete heart. And a complete heart is dedicated to two what...to two chukos, to two paradoxes, to two ways of life. The individual way of life and the community way of life. Both are mysteria. We have no answer why we do so. The sovereign will in us tells us to do so. We don't ask why because if the sovereign will wills, is the realization of this will, is a good enough motivation for us. And interesting is when a, ger, a candidate for conversion to Judaism appears before the beis din, and declares his intentions to join the fold. So the first, first question which beis din asks him is, mah roeisah sh'basah l'hisgayer? What is the reasonableness of your decision to join us? V'ain atah yodeah, don't you know, sheyisroel b'zman hazeh, that the Jews now are Brooim U'schufim, persecuted, oppressed, abused. Everybody handles them, treats them with contempt. Is it worthwhile to join our fold? This first question he must answer. And the answer is one answer, the same answer we give in the ani ma'amin- af al pi sheyismameha b'chol zeh. The answer is v'af al pi ken- nevertheless I want it. (46:07)

{START OF PART 16} Then kabalas ol mitzvos comes, about his private life. So then you inform him, you communicate to him mitzvos shabbos, issur avodah zara, and tzedaka, I mean, our unique way of life as single beings. So it means the ger makes a double total commitment, a twofold total commitment. To live as a Jew as a single being, in loneliness and in seclusion, every being, every man lives in loneliness and seclusion. And live as a Jew, this means to be totally committed as a member of the community, as a community belonging individual. That's what Ruth said amech ami v'elokayich Elokai. One commitment is amech ami and the second commitment is velokayich elokai.

XXVI Which Commitment is Paramount?

There is one question which the Medrash raised and I am concluding my lecture with this. Which of these two total commitments is more significant? Chukas hapesach, involvement in our destiny, in our strange destiny. The paradoxical

surrender to this sovereign will which challenges the Jew to live at the level of history heroically. What does the sovereign will want from the Jew? The Jew as a level of history, as a community belonging member should live heroically. Or the chukas hatorah is the chukas hapesach greater or the chukas hatorah is greater? The sovereign will which require of the individual a heroic way of life in his private chambers, in his bedroom, in his dining room, in his office, when he is entertained, when he is engaged in conflict, everywhere and always. What is more important, chukas hatorah, total commitment as far as our private lives are concerned, or chukas hapesach, total commitment as far as our history making and history shaping role is concerned? Both levels the sovereign will requires of us heroism. But which kind of heroism is more significant? Which one is more important and more relevant to the survival of the Jew? It's a pretty acute problem nowadays. In both cases decisions are made without subjecting them to the logos in defiance of the practical will. However, the question is which ratzon should reign supreme? Doesn't mean to eject one of them, but which ratzon is the supreme one? The historical ratzon, the historical will, the sovereign historical will of the people, or the privately sovereign will of the individual? And the answer was given by the Medrash in non equivocal terms. Chukas hatorah. First man must commit himself totally to a heroic life as a simple being. He has to exhibit heroism in his daily life, in his routine actions and in a myriad, in a myriad of details, and so called trivialities he has got to be a hero in every, in every situation. The halacha in general knows nothing about trivial matters. Everything is important and in every occasion, in every occasion, small or big the ratzon elyon challenges man to act heroically, not like a coward. Only then is the man, is the Jew a man, as private, has committed himself as a single individual, as one who lives in seclusion to the sovereign will, to live heroically. Only then comes the second commitment, namely zos chukas ha'pesach. The historical one pertaining to the community, to people, to nation, and to the state. Chukas ha'torah precedes chukas hapesach. Chukas ha'torah is the most distinguished lady and chukas ha'pesach is also distinguished, also important, also significant. However, it follows the most distinguished lady, who is her mistress, she's the escort. I've always said state is important, no doubt about it, because through the state the Jew will be able to act heroically, not only at the level of collective experiencing of history, but at the level of individual living in his private home, in seclusion and in loneliness. This relationship between the individual and the Almighty is in the center of everything Jewish, of the Torah and everything it stands for.

XXVII Why Chukas HaTorah Precedes Chukas HaPesach?

You'll ask me why, and this is the decision of the Medrash, zos chukas hatorah is the most distinguished lady, next comes chukas hapesach. You'll ask me why, and there is a simple answer to that, even though it does not require an answer. Basically man is a brute, I mean civilized man. He is selfish, practical to the point, pragmatic and practical to the point of being a cynic, pleasure hunting and power oriented. Man is in need of cleansing, of purging, of redeeming. The fact that he is born with the say, the genetic code does not make him man. What makes a man, when he is later redeemed? Purged, it is before Passover, we speak about ha'agolas keilim purging of utensils. It is a simple procedure, it doesn't require much. You have hot water, you dip the vessel or the utensil and it's purged. But there is another ha'agolah, another process of purging, purging of man! Man is a brute, man is unclean, man is dirty. I don't mean in a physical sense, in a moral sense. Man is still a (inaudible), man is still just emerged out of the jungle in spite of his, spite of his miracles at the level of technology. Man requires redemption. How can man be redeemed; how can man be purged? I mean a vessel you purge in hot water, how can you purge man? You won't put him in the boiling boiling hot water! How can he be purged? How can he be cleaned? The historical experience cannot cleanse, the historical experience is not cathartic. The historical experience is, cannot purge. It does not redeem, it might inspire, it might elevate, it might raise but it cannot cleanse- it is not ha'agolas ha'odom. We just read that man must be cleansed and redeemed and purged and purified. How do we know that? We just read it yesterday. Man, we just read that everyone must ransom his soul kofer nefesh, giving kofer nefesh. Man must redeem himself. You know what redeems man? The divine disciplines which were given to us. The divine disciplines which are concerned with man in all walls are capable of purging man of the ugly and brutish in him and raising to a new (inaudible) height. Only that, not the collective experience. If man, after man had redeemed himself, then the collective, historical experience raises him to dizzying heights. But you cannot start with the collective experience, you must begin with the individual experience, is the total commitment of the individual. And how beautifully the Medrash says "tovah gedolah she'emar v'lokchu latomeh meafar sreifas hachatas," and for the unclean, they must take from the ashes of the chatas in order to clean the defiled, he should be qualified to experience history in order to purge the contaminated person, the man is chatah, he has got to be, the water of the toras chatas must be sprinkled upon him. This means the divine discipline which regulates man's life in all his roles in all situations, at all levels.

XXVIII The 2 Entities of Rabbeinu Tam's Tefillin 58:16

Let us now finish with Rabbeinu Tam. The Rabbeinu tam, I haven't forgotten it...the Rabbeinu Tam, what did the Rabbeinu Tam say, let me ask you? That the four parshios in Tefillin are divided into 2 groups. Each group, each group has a message of its own. Each entity has a charisma of its own. Each entity strands for an order of its own. What are the two orders? Tefillin and such the four parshios according to Rabbeinu Tam are composed of two entities. One entity is taken from what book? From what book? From Exodus! This is the entity which represents zos chukas hapasach. This is the entity of zos chukas hapasach. This is the entity which carries the message to the Jew to live historically as a hero, to experience history in total, to commit himself to the survival of the people, and to its elevation to great metaphysical heights. What does the Deuteronomy entity, what message does the Deuteronomy entity, I mean, put across? Mitzrayim is not mentioned, chukas hapasach is not mentioned. What is mentioned, what is mentioned in the Shem Yisroel? It's a dialogue with the individual in his private chambers, he should love G-d, love him, sacrifice your life in order to sanctify His name, in order to teach thy children to send the tradition, the divine disciplines, be a hero, live heroically as a private person. And that's what the Rabbeinu Tam said that the four parshios fall apart. Two parshios give us the message, tell us a beautiful story of kabolos ole malchus shomayim and that story, that drama, is acted out, played by man in his private chambers. This is the unit from Deuteronomy, from Mishnah Torah. There is another unit, then comes the next unit, the unit from Exodus the unit from zos chukas hapasach. "Hayome atem yotziim me'erez mitzrayim." This is the collective commitment of man, his community commitment, and as far as this commitment is concerned again a Jew must live heroically and sacrifice, offer himself for the people. The last thing: which one comes first, which next? Which one is on the right side, on the right side of the wearer of the Tefillin? Shmos. And what is on the left side of the wearer of the Tefillin? Left the kadesh, no. Yeah, on the right side the wearer is shema yisroel, of course. On the right side, right side is shema yisroel, vehaya im shamao. On the left side is kadesh, vehaya ki yeviecha.

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Prologue: Recently, there has been serious debate as to how to translate the word "Shema" as it appears in the Kriyas Shema. The most basic translation – and probably the best known, is that Shema means “to hear” as in Hear o Israel – a call to Israel to lend an ear to an important message that is about to be offered. Namely, that Hashem our God, is whole, unique and matchless forever more.

Of course there is so much more to the process of hearing than a call to attention. After all, The Torah highlights the fact that we HEARD the voice of Hashem at Har Sinai but did not see him (Devarim 4:12-19). Rav Dovid Cohen ztl, famed Nazir of Yirushalayim (Kol HaNevuah: father of the Chief Rabbi of Haifa and father in law to Rav Goren ztl) noted that there is a vast difference between seeing and hearing. Seeing leads to idolatry – for eyes play tricks upon us. Hearing leads to obedience for one obeys the voice that he heard.

The Bnei Yissoschar (3 Adar, Drush 2) also distinguishes between the faith derived through rationalization which he call faith of ‘seeing’ (Dr. Lamm once explained this idea as the predecessor of the adage “Seeing is believing”) and the faith that is based upon received tradition –represented by hearing. To the Bnei Yissoschor, the latter is more enduring and of greater merit.

Rav Saadia Gaon (cited in N. Lamm’s “the Shema”) notes that there are actually two issues implied by the selection of the word Shema. The first is a sense of knowledge – similar to Da (as in Naaseh V’ nishma) while the second is akin to acceptance (as similar to the word Kabbel). Dr. Lamm notes that the reason for the twofold logic is clear. When we pray to Hashem we do not engage him merely intellectually (to hear) but rather fully, obediently and forever more. Dr. Lamm notes that Shema is thus not only a summoning to listen, but rather to listen TO.

Sh ema YISROEL – faith is not only something that is between individual man and his G-d but rather between man and his collective Kehilla and Hashem. This week’s Chaburah examines this connection closely especially as it pertains to the timing of the declaration. It is entitled:

***** Kriyas Shema: The “Right time” *****

The Talmud is pretty clear when it comes to the recitation of Shema. Indeed the Gemara (Berachos 10b) notes that the recitation of Shema in its proper time is more important than the study of Torah. The Midrash (Koheles Rabba 4:18) values it more than 1000 offerings (of a fool) on the Mizbeiach. Even if Hashem had to rely on the recitation of Kriyas Shema day and night as the sole reason for the creation of the world, it would have been enough (Mishna Berurah 58:11). Perhaps for this reason, it is often noted that in times of tremendous peril, one of the best bits of advice we have, is to accept O I Malchus Shomayim (the yoke of heaven) through the recitation of Shema in order to counteract the plan of our enemies (See Sefer Aron haEidus, parshas Ki Sisa, based upon Sotah 42a).

This should come as no great shock. The recitation of Shema is a Biblically ordained Mitzva (Shulchan Aruch 67:1 based upon Berachos 21) twice a day. The only question is how much needs to be recited to fulfill the biblical commandment. Some suggest that only the first verse is Biblical (See Rema O.C. 46 and Beis Yosef end of O.C. 63) while others argue that the entire first paragraph must be recited to fulfill Biblical obligations (Rabbeinu Yonah Berachos 9b). Still others maintain that the Second paragraph must also be considered as part of the obligation on a biblical level (See Pri Chadash O.C. 67 that this is the Rambam’s opinion but the Shaagas Aryeh <2> argues the point). At the far end of the spectrum, the Aruch HaShulchan maintains that the position of the Rambam and Tosafos as well as the Rosh would all agree that the obligation to recite all three paragraphs is Min hatour orah (Biblically ordained).

Once we settle the question of what the obligation to recite Shema is, we also need to know the extent of the obligation. Indeed, the Torah tells us B’ shochbecha U’ B’ Kumeicha – when one lays down and when one arises. The Kesef Mishneh (Hil. Kriyas Shema 1:13) argues that since the obligation to recite Shema at night can be fulfilled all night (biblically), the time of Shema during the day must be all day. The Mogen Avraham (58:7) and Taz (59:4) take issue with this position noting that although one has one position when sleeping (Shechiva) one has multiple positions in his waking hours (Sitting, standing etc.) and arising (B’ Kumeicha) is only a short time of these. Thus, L’ Halacha, we hold that one must complete the Shema by the end of the first quarter of the day (O.C. 58:1).

But what must be completed when one considers the Zman of Shema? Ideally, one should complete the Berachos that surround Kriyas Shema together with the recitation of Shema in its proper location within the proper time to fulfill the obligation (Mishna Berurah 46:32). In fact, Rabbeinu Yona cites Rav Amram Gaon who felt that reciting Kriyas Shema without the Berachos is wrong – similar to those who perform other Mitzvos without a Beracha before them. In fact, in extenuating circumstances, the Shut Pri Yitzchak (1) maintains that one should recite a Beracha “(Al Mitzvas Kriyas Shema) prior to reciting the Shema when not offering the traditional Tefillos with the Shema. Rav Sternbuch (Teshuvos V’ Hanhagos) disagrees, maintaining that Birkas Hatorah should suffice in this situation – as the obligation for Shema comes with an obligation of Torah study.

L’ Halacha, the Aruch Hashulchan sharply castigates the Shuls that do not recite Kriyas Shema within the proper time frame with the Berachos (See Aruch HaShulchan 58:13, 58:20). He adds that any Heter to say Kriyas Shema out of order (sans Berachos) is only permissible “Derech Arayi” (46:15). This is specifically so, for the young people and Bnei Hayeshivos who must be Makpid to learn the rules properly (Shut Yeshuas Moshe III:7).

Why then, do we find so many other places where this mitzvah is not observed in its entirety, particularly on Shabbos? Perhaps many places rely upon the writings of Maharam Shick (cited in Darkei Moshe 58:75) who noted that the Baalei Batim would learn early on Shabbos morning and recite Tehillim then. Maharam Shick thought he might be able to be lenient in these cases in order not to violate the Torah Study. Of course, a shul

without such a practice would be better served reciting Shema with the Berachos properly.

The Talmud (Chagiga 9a) notes the grave sin in not reciting Kriyas Shema in its proper time. Indeed the Talmud compares the sin to many others that fall into the category of a "Horrible sin that cannot be corrected."

Elsewhere, the Talmud notes that this sin leads one to death (See Avos D'Rabbi Natan 21 for this interpretation of Sheina Shel Shachris). The maharsha (Shabbos 119b) notes that one of the causes of the destruction of Yerushalayim was due to the nullification of Zman Kriyas Shema. May Hashem protect us from these challenges and help us keep our obligation – giving us a chance to recite Kriyas Shema properly B'Tzibbur B'Zman – V'hu Rachum Yichaper Avon (Aruch HaShulchan end of issue in 58).

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Rabbi Mayer Twersky

Hashem Echad and Love of Hashem

The verse shema Yisroel teaches us the mitzvah (imperative) and principle of Hashem's unity, His oneness. This verse is immediately followed by the mitzvah of ahavas Hashem (love of God). Let us, b'ezras Hashem, try to gain a measure of understanding into each of these mitzvos. This understanding will in turn, im yirtse Hashem, afford us a measure of understanding into the relationship between these two mitzvos.

On its most basic level the principle of shema Yisroel teaches that Hashem is one in an absolutely simple sense. He is not, G-d forbid, one of two or more (there is only one Hashem); He is not one composed of parts, etc. The principle of shema, however, is even more profound than already described. Rav Soloveitchik zt"l summarizes the Rambam's (Maimonides') exposition of shema as follows. "Maimonides formulates the idea of existing in God. Since He is the absolute Being, no other existence is possible without sharing His Being. ... The world was created as a separate substance (Judaism categorically rejects pantheism, as the Rav subsequently explains in this passage, MT), but not, however, as a separate existence. Creation is as act of tolerance on the part of God; He bestowed grace upon something by allowing it to share His reality" (Worship of the Heart, pp.126-7). We exist not only because of Hashem, but through Hashem.

Rambam describes ahavas Hashem as a state of being totally preoccupied with the love of Hashem. The love of Hashem completely dominates a person's consciousness. Accordingly, Rambam writes, "It is known and certain that the love of G-d does not become closely knit in a man's heart till he is continuously and thoroughly possessed by it and gives up everything else in the world for it; as Hashem commanded us, 'with all your heart and with all your soul'" (Hilchos Teshuva 10:3,6). In other words, to attain ahavas Hashem one must devote all one's energies to that sublime goal. Any and all other independent interests must be put aside. Ahavas Hashem requires exclusiveness.

The relationship between the mitzvos of shema and ahavas Hashem is now apparent. The mitzvah of shema establishes and teaches the principle of Hashem's exclusiveness. Since Hashem exists absolutely, only He exists. We exist through Him. This obligates us in ahavas Hashem: to put aside any and all independent interests and focus exclusively upon Hashem.

The attribute of ahavas Hashem is a lifelong quest. A person obviously can not attain such lofty heights overnight. But it is critical that we appreciate that the sacrificing of interests unrelated to avodas Hashem (service of God) is a sine qua non for the pursuit of ahavas Hashem. Consider the following mashal (analogy). A bachelor has time to pursue many hobbies.

When he assumes familial responsibilities, out of necessity and love for his family, he curtails his hobbies. If we genuinely want to pursue ahavas Hashem, we must be ready to make the necessary (and infinitely worthwhile) sacrifices.

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Va'Etchanan

Efrat, Israel -- What does it mean to 'fear' G-d?

What does it mean to "fear" G-d? This Sabbath, which follows the black fast of Tisha B'Av, is called the Sabbath of Comfort, derived from the first words of the prophetic reading "Comfort you, comfort you My people..." (Isaiah 40:1). We read in the Biblical portion, "there is none (no one or no thing) besides Him (Deut 4:35) and then "this is the commandment, the statutes and the ordinances which the Lord your G-d commanded... in order that you may fear the Lord your G-d." (Deut. 6:1-3) How can single-minded service to the one and only G-d whom we are supposed to fear according to the biblical text possibly bring us comfort? Once again, I understand the importance of loving G-d but find it difficult to be commanded to fear Him.

The Midrash provides a marvelous analogy which enables us to understand the biblical import. Love is a very inclusive emotion; I first learned to love and to feel loved from my parents, and those who have received such love and have offered such love are able to continue to love others. And the truth is that aside from the exclusiveness of the sexual relationship that one has with one's spouse, the healthy individual is capable of many sincere loves. The Midrash then describes the situation of an individual who seems to be running directly towards a dog; he is stopped by his friend, who cries after him, "You are so afraid of dogs, how come you are running towards them?" The hapless individual, who never stopped running, cries backwards at his friend, "but just look at the lion who is chasing me from the other direction! My fear of the lion cancelled out my fear of dogs."

Fear of G-d has the power to truly make the individual free; if one fears G-d, He will then fear no individual - whether that individual be his employer, his totalitarian leader, or even someone whom he would like to please in order to get ahead. The only one whom we will try to please is G-d. Such emotion will prevent anyone's moral compass from going off course and will enable him to feel free and truly human despite the difficulties of the environment in which he may find himself.

From that backdrop I would like to revisit a passage from the Talmud which we generally study on Tisha B'Av, the passage which gives the reason for the destruction of the Holy Temple (B.T. Gittin 55 b 56 a,b) The Talmud first tells of a mix-up in invitations to a fancy dinner which found the host's enemy, Barkamza, in the position of having been an invited guest. The host asks his enemy to leave; Barkamza is willing to pay for his own portion and then to pay for half the feast and then to pay for the entire feast, but all to no avail. Since he was publicly ejected from the dinner and Rabbi Zecharia ben Avkulas was present at the event and said nothing, the humiliated Barkamza decided to bring ruin upon the Jewish community. He informs the Emperor of Rome that the Jews are rebelling against him - and proves his charge by telling the Emperor that any offering that he will give to the Holy Temple of Jerusalem will not be accepted by the Priests. The skeptical Emperor gave a choice calf to Barkamza who immediately caused there to be a blemish on the lips or the eyes of the offering - a kind of

blemish considered of no consequence by the Romans but ordinarily rejected by the Hebrews.

The Holy Temple authorities initially intended to offer the sacrifice despite the blemish in order to prevent strife between the Roman Emperor and the Jewish community. Said Rabbi Zecharai ben Avkulas, "They will say that we sacrifice blemished offerings on our altar." The Kohan Priests then thought to have Barkamza killed before he had a chance to return to Rome and report to the Emperor that indeed his offering had not been sacrificed. Said Rav Zecharia ben Avkulas, "They will say that individuals who place a minor blemish on an animal meant to be sacrificed is killed by the Temple authorities." They neither offered a sacrifice nor did they kill Barkamza; the Roman armies were dispatched to destroy the Holy Temple. The Talmudic passage at this point concludes, "The humility (Hebrew, Anvetanuto) of Rav Zecharia ben Avkulos caused our sanctuary to be burnt and our Temple to be destroyed." Rav Yedidya Frankel, a former Chief Rabbi of Tel Aviv Yaffo, gave the following interpretation: The humility of Rav Zecharia ben Avkulas was his greatest tragedy and a cause of his undoing and the Temple's destruction. He is paralyzed, incapable of rendering a halakic decision. On the one hand, he is frightened of what the right-wingers will say if he allowed the blemished animal to be offered; they will charge the Holy Temple with liberal reformism because they sacrificed a blemished animal. On the other hand, he is frightened by what the left-wingers will say if he has the informant killed. He pictures in his mind's-eye all sorts of demonstrations against a Temple leadership which finds a human being worthy of death for merely having blemished a potential sacrificial offering. Because he does not have the courage of his convictions and he doesn't understand that a true rabbi only seeks to please G-d and is therefore oblivious to what various political factions might say, he is the real cause of the destruction of the Temple.

This is the same Zecharia ben Avkulas who remained silent at the famous dinner which ejected the mistaken invitee. Why did he remain silent? What was a rabbi doing at such a dinner, especially when this was the period before the destruction and a time of grave poverty within a heavenly taxed Judean community. Might it have been that the party host was an important supporter of Rav Zecharia's Yeshiva, and so he was afraid to risk the donation by angering the insensitive host? Clearly, this was one rabbi who did not truly fear G-d and so he greatly feared the people. A rabbi who is truly free looks not to the right, not to the left, and not to the wealth but only to what he truly believes is G-d's will and the honest conclusion of Jewish Law. I always advise my rabbinical students that when having to choose between pleasing G-d and pleasing the people, they are better off attempting to please G-d. G-d has a much longer memory than people do.

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Covenant & Conversation
Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British
Commonwealth

[From 2 years ago - currently 5765]

<http://www.chiefrabbi.org/tt-index.html>

Va'etchanan

One of the most profound disagreements in Judaism is that between Moses Maimonides and Judah Halevi on the meaning of the first of the Ten Commandments.

For Maimonides (1135-1204), the first command is to believe in G-d, creator of heaven and earth:

The basic principle of all basic principles and the pillar of all sciences is to realise that there is a First Being who brought every existing thing into being. If it could be supposed that He did not exist, it would follow that nothing else could possibly exist. If however it were supposed that all other beings were non-existent, He alone would still exist . . . To acknowledge

this truth is a positive command, as it is said: "I am the Lord your G-d" (Ex. 20:2, Deut 5:7). (Yesodei ha-Torah, 1: 1-5) Judah Halevi (c. 1080-c.1145) disagreed. The greatest of medieval Hebrew poets, Halevi also wrote one of Judaism's philosophical masterpieces, *The Kuzari*. It is framed as a dialogue between a rabbi and the King of the Khazars. Historically, the Khazars were a Turkish people who, between the seventh and eleventh centuries, ruled a considerable area between the Black Sea and the Caspian Sea, including southern Russia, northern Caucasus, eastern Ukraine, Western Kazakhstan, and northwestern Uzbekistan.

Many Jewish traders and refugees lived there, and in 838 the Khazar King Bulan converted to Judaism, after supposedly holding a debate between representatives of the Jewish, Christian, and Muslim faiths. The Arabic writer Dimashqi writes that the Khazars, having encountered the Jewish faith, "found it better than their own and accepted it". Khazaria thus became, spiritually as well as geographically, an independent third force between the Muslim Caliphate and the Christian Byzantine Empire. After their conversion, the Khazar people used Jewish personal names, spoke and wrote in Hebrew, were circumcised, had synagogues and rabbis, studied the Torah and Talmud, and observed the Jewish festivals.

The *Kuzari* is Judah Halevi's philosophy of Judaism, cast in the form of the imagined conversation between the King and a rabbi that led to the King's conversion. In it, Halevi draws a portrait that is diametrically opposed to what would later become Maimonides' account. Judaism, for Halevi, is not Aristotelian but counter-Aristotelian. The G-d of the prophets, says Halevi, is not the G-d of the philosophers. The key difference is that whereas the philosophers found G-d in metaphysics, the prophets found G-d in history.

This is how Halevi's rabbi states his faith:

I believe in the G-d of Abraham, Isaac and Israel, who led the children of Israel out of Egypt with signs and miracles; who fed them in the desert and gave them the land, after having brought them through the sea and the Jordan in a miraculous way . . . (*Kuzari* I:11) He goes on to emphasise that G-d's opening words in the revelation at Mount Sinai were not, "I am the Lord your G-d, creator of heaven and earth" but "I am the Lord your G-d" "I am the Lord your G-d, who brought you out of Egypt, out of the land of slavery." (*Kuzari* I: 25).

Halevi lived before Maimonides. Nachmanides (R. Mosheh ben Nachman, 1194-1270) lived after, but he too disagreed with Maimonides' interpretation of the opening verse of the Ten Commandments. His objection is based on a passage in the *Mekhilta*:

"You shall have no other gods besides me." Why is this said? Because it says, "I am the Lord your G-d." To give a parable: A king of flesh and blood entered a province. His servants said to him, "Issue decrees for the people." He, however, told them, "No. When they accept my sovereignty, I will issue decrees. For if they do not accept my sovereignty, how will they carry out my decrees?" According to Nachmanides the verse, "I am the Lord your G-d, who brought you out of Egypt, out of the land of slavery" is not a command, but a preliminary to the commands. It explains why the Israelites should be bound by the will of G-d. He had rescued them, liberated them, and brought them to safety. The first verse of the Decalogue is not a law but a statement of fact, a reason why the Israelites should accept G-d's sovereignty.

Thanks to a series of archeological discoveries in the twentieth century, we now know that Nahmanides was right. The biblical covenant has the same literary structure as ancient near eastern political treaties, of which the oldest known are the "Stele of the Vultures" (before 2500 BCE), recording the victory of Eannatum, king of Lagash, over the people of Umma, both in southern Mesopotamia, and the treaty of Naram-Sin, king of Kish and Akkad, with the people of Elam (c. 2280 BCE). Other, later treaties have also been discovered, involving Hittites, Arameans and Assyrians. One details a pact between the Hittite king Hattusilis III and the Pharaoh Rameses II, regarded by some scholars as the Pharaoh of the exodus.

These treaties usually follow a six-part pattern, of which the first three elements were [1] the preamble, identifying the initiator of the treaty, [2] a historical review, summarizing the past relationship between the parties, and [3] the stipulations, namely the terms and conditions of the covenant. The first verse of the Ten Commandments is a highly abridged form of [1] and [2]. "I am the Lord your G-d" is the preamble. "Who brought you out of Egypt, out of the land of slavery" is the historical review. The verses that follow are the stipulations, or as we would call them, the commands. Nachmanides and the Midrash are therefore correct in seeing the verse as an introduction, not a command.

What is at stake in this difference of opinion between Maimonides on the one hand, Judah Halevi and Nachmanides on the other? At the heart of Judaism is a twofold understanding of the nature of G-d and His relationship to the universe. G-d is creator of the universe and the maker of the human person "in His image". This aspect of G-d is universal. It is accessible to anyone, Jew or gentile. Aristotle arrived at it through logic and metaphysics. For him, G-d was the "prime mover" who set the universe into motion. Today, many people reach the same conclusion through science: the universe is too finely tuned for the emergence of life to have come into being through chance (this is sometimes called the anthropic principle). Some arrive at it not through logic or science but through a simple sense of awe and wonder ("Not how the world is, but that it is, is the mystical" said Wittgenstein). This aspect of G-d is called by the Torah, Elokim.

There is, however, a quite different aspect of G-d which predominates throughout most of Tanakh, the Hebrew Bible. This is G-d as He is involved in the fate of one family, one nation: the children of Israel. He intervenes in their history. He makes a highly specific covenant with them at Sinai - not at all like the general one He made with Noah and all humanity after the Flood. The Noahide covenant is simple and basic. The sages said it involved a mere seven commands. The Sinai covenant, by contrast, is highly articulated, covering almost every conceivable aspect of life. This aspect of G-d is signaled by the use of the four-letter name for which we traditionally substitute (since the word itself is holy and could only be pronounced by the High Priest) the word Hashem (on the two aspects and names, see Kuzari IV: 1-3; and Ramban to Exodus 3: 13).

Maimonides, the philosopher, emphasized the universal, metaphysical aspect of Judaism and the eternal, unchanging existence of G-d. Judah Halevi and Nachmanides, the one a poet, the other a mystic, were more sensitive to the particularistic and prophetic dimension of Judaism: the role of G-d in the historical drama of the covenant. Both are true and valid, but in this case, Halevi and Nachmanides are closer to the meaning of the biblical text.

of Ayalon, indicates this lesson of non-indispensability. Moshe and Yehoshua, the sun and the moon, can be "stopped" – they can disappear and no longer be active, but eventually the battle must be fought, in any case, by the people of Israel.

No reliance on the sun and the moon is justified. The bitter lesson of life in all of its enormity is that every generation, every person, has to fight the battle of life and spirit and triumph even if we are not the equal of the generations that preceded us and even if our leadership pales in comparison to the type of leadership that went before us in Jewish life.

Jewish life after the death of Moshe must have been terribly different from the time of his life. A leader and prophet like Moshe occurred only once in human history. But a new generation arose that did not know Moshe personally. Had Moshe survived to lead this new generation there would have been the clear and present danger that Moshe, who was now treated as a great but still human being, would be treated as a god.

Leaders are matched to their times and generations. They are never to be viewed in the abstract or absolute. The generation of Moshe perished in the desert of Sinai. That great generation of our ancestors that stood at Sinai and received and accepted the Torah never came to the Land of Israel. And if they never arrived in Israel then Moshe also could not arrive. The leader and the generation that he leads are permanently intertwined.

That is the essence of the story in the Talmud about Choni Hamaagel who after waking from a seventy year sleep asked for his death since his generation and peer group no longer lived. No one is indispensable and every generation passes from the scene. The leader of one generation, no matter how great and wise he is, is not necessarily the proper head of the next generation. And that is the lesson that Moshe himself comes to realize and understand in today's parsha.

This is implicit in God's statement, so to speak, not to discuss the matter of entering the Land of Israel with Him further. The secrets and mysteries of human social existence remain hidden from human view and understanding.

Shabat shalom.

Rabbi Berel Wein

<http://www.rabbiwein.com/Weekly-Parsha/2007/07/177.html>

Weekly Parsha

RABBI BEREL WEIN

VAETCHANAN

Saturday, July 28, 2007 Printer Friendly

The most cogent lesson from this week's parsha is that there are no indispensable human beings in this world. Human beings are not replaceable and no two are alike, but they are not indispensable. One generation leaves and the next one arrives but somehow the world continues to exist.

There was no greater leader or prophet than Moshe. He cannot be replaced per se. But the world generally and the Jewish people particularly are able to exist and accomplish even after his demise and absence. Moshe, the rabbi of the Talmud tell us, was the sun while Yehoshua, his beloved disciple and successor, was only the moon. But the moon was sufficient to conquer and settle the Land of Israel for the Jewish people and to prevent any form of idolatry to compromise the faith of Israel.

I think that the symbolism of the great miracle of Yehoshua in "stopping" the sun and moon at the time of his battle with the Canaanites in the Valley