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

Devrei Torah are now Available for Download (normally by noon on Fridays) from www.PotomacTorah.org. Thanks to Bill Landau for hosting the Devrei Torah. New: a limited number of copies of the first attachment will now be available at Beth Sholom on the Shabbas table!

As we quickly approach the closing chapters of Sefer Devarim, with Rosh Hashanah less than two weeks ahead, numerous strands from earlier in the Torah come together. Rabbi Linzer's beautiful Devar Torah from 2012, which I am including this week, summarizes many of the themes from earlier parts of the Torah. The ceremony of first fruits, which opens Ki Tavo, is part of our effort to keep fresh and reinforce our relationship with our Creator. Just as a relationship between a husband and wife requires ongoing communication to remain fresh and vital, our relationship with Hashem also requires daily reinforcement. As an Israeli brought his first fruits to the Temple, he would express his joy with God's bounty and share some of his crop with Hashem. Rabbi Linzer reminds us of Rashi's lesson that if we do not thank God for the good in our lives, we have stolen from Hashem. The theft is not the goods themselves but the blessing that we must give to God to avoid being a thief.

In his Devar Torah, Jack Nussbaum reminds us that the new song we sing every day (psalm 149) must be new, even if the words are the same, because we are different (in mood or situation, at a minimum) each day. When we visit with our Creator, we must share where we are each day as well as presenting our gratitude for what He has given to us. Shmuel Yosef Agnon, the Israeli Nobel Laureate, recognized that life is a gift from Hashem even when Jews are in exile and face pogroms, violence, hatred, and enemies seeking to kill us.

Rabbi Lord Jonathan Sacks, z"l, summarizes that we are what we remember. With the first fruits, we remember and redeem Yaakov's pledge to build a matzevah and tithe to Hashem once he returned to the land and was able to live in peace. Yaakov was never able to live in peace in Israel, so Moshe reminds us in Ki Tavo that we must redeem this pledge once we capture the land and are settled with peace from enemy attacks.

Anyone who has been reading my weekly messages will realize that nothing I have written this week is new. The God who created a world for us out of love wants a close relationship with each of us. To earn this close relationship, we must do our part by communicating with Him (including by davening and obeying His mitzvot) and by sharing the bounty that He makes available to us. We must share especially with the less fortunate members of society, especially widows, orphans, converts, and immigrants. This message should sound familiar, because it is all over in the Torah and other parts of Tanach. During the High Holy Days, we shall see these themes many more times. As Rabbi Singer reminds us, the joy we are to feel when bringing some of our bounty to share with our Creator is the joy we are to feel entering Rosh Hashanah. We approach our judgment with joy knowing that the God who loves us wants us to succeed and does whatever He can to help us in life.

As the High Holy Days draw near, I remember the blessings of family and friends who are no longer with us. I follow and observe yahrtzeits of beloved grandparents, parents, sister, numerous aunts, uncles, and cousins. My beloved Rebbe, Rabbi Leonard Cahan, z"l, is always in my mind, and our family members all remember how much he taught all of us (not only during holy days but whenever we needed him). Virtually every day we see messages about dear friends who are also losing loved ones. As we mourn the loss of these special people, we must remember better times with each of them and thank God for the precious life that each of us has had.

Hannah and I have travel and other obligations for parts of the next two weeks. I cannot promise to be able to send my Devrei Torah packets the next couple of weeks because of travel, other obligations, and short weeks with the holy days. If you do not receive a posting from me, my Devrei Torah from last year are available to download from www.PotomacTorah.org . The Institute for Jewish Ideas and Ideals has a High Holy Day reader available to download at https://www.jewishideas.org/article/holiday-reader-institute-jewish-ideas-and-ideals

Many yeshivot and other Jewish organizations will also have High Holy Day readers, and many synagogues have copies available during the holidays. Look around or on line to find additional sources for inspiring messages for the holy days.

Shabbat Shalom and Shanah Tovah,

Hannah & Alan

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

Please daven for a Refuah Shlemah for Mordechai ben Chaya, Hershel Tzvi ben Chana, David Leib ben Sheina Reizel, Uzi Yehuda ben Mirda Behla, Dovid Meir ben Chaya Tzippa; Zvi ben Sara Chaya, Eliav Yerachmiel ben Sara Dina, Reuven ben Masha, Meir ben Sara, Oscar ben Simcha, Ramesh bat Heshmat, and Regina bat Simcha, who need our prayers. I have removed a number of names that have been on the list for a long time. Please contact me for any additions or subtractions. Thank you.

Hannah & Alan

Drasha: Ki Savo: Soul of Approval

By Rabbi Mordechai Kamenetzky

[Please remember Mordechai ben Chaya for a Mishebarach!]

In this week's portion, Hashem asks us to follow in His ways and assures us that "He will confirm you as his holy people – if you uphold His laws and go in His ways. "Then all the people of the earth will see that the name of Hashem is proclaimed over you and they will revere you" (Deuteronomy 28:4-5).

The Torah tells us that our association with Hashem's name will improve our approval rating. Is it the fact that His blessing will make us successful and the success will bring reverence? Or is it simply stating that if one is righteous then his presence will inspire awe? Or perhaps the promise is greater. Hashem assures us that His guidance and His name, will stand behind our every action. And they will be touched with awe, reverence and immortality.

In 1923, when Rabbi Meir Shapiro was but 37 years old, he had a revolutionary idea. If all Jews were to learn the same folio of the Talmud and follow a set calendar, not only would Jews complete the Talmud after seven years, but world Jewry would have one unifying thread to bind it together. Thus the concept of the Daf Yomi (the daily Talmud page) was formulated.

Selling this idea was not easy. Many rabbinic leaders felt that a two-sided page a day was too quick a pace for complex Talmudic issues. It often took weeks to analyze even one side of a page! However, the idea was received

warmly by the great sage and tzaddik, the Chafetz Chaim, who encouraged Rabbi Shapiro to present it at the first Knessiah (World Congress) of Agudath Israel held in Vienna, Austria in 1923.

The Chafetz Chaim also understood that Rabbi Shapiro perhaps would be looked upon as too young to present such a revolutionary idea. He was worried that the relatively young iluy (genius) would not be able to garnish the respect from older, more conservative Rabbis, whose support was needed for his idea to be accepted. But the Chafetz Chaim had a plan.

"I'd like you to introduce your idea at the Knessiah," he told him. "But walk in to the hall at least one hour late. I'd like you to arrive after the session is already in full swing."

Rabbi Meir did not understand what the Chafetz Chaim had in mind, but agreed to follow his directive.

On the day of the main session, the room was packed. The Chafetz Chaim, as one of the elders of the generation and one of the most revered sages of the century, sat on the dais which faced the huge crowd. As planned, about an hour after the opening remarks, Rabbi Shapiro entered at the back of the hall.

Immediately, the Chafetz Chaim noticed him and leaped to his feet. "Rabbi Shapiro has arrived!" he exclaimed as he rose from his chair in respect. Shocked at the Chafetz Chaim's actions, the entire dais, too, arose. In a few moments, the entire assembly stood in honor of the man whom the Chafetz Chaim so honored.

With an expression of disbelief, Rabbi Meir, his head bowed with humility and awe was led to the dais.

The Chafetz Chaim turned to him in the presence of the entire assemblage and proclaimed. "Now the Rav will address us with a novel idea." History tells us the rest of the story.

More than seventy years later, on September 28th, 1997, more than 100,000 Jews, world over, will attend the tenth siyum (completion) of the Daf Yomi. They will fill Madison Square Garden, Nassau Coliseum, and assembly halls and convention centers across the globe. Together they will not only celebrate the tenth completion of the entire Talmud by rabbi and layman alike, they will also celebrate the tremendous feat inspired by one man's idea and the almost-divine encouragement of a great sage that stood up to the challenge.

The Torah tells us this week that every idea needs a divine handler. Hashem's blessing assures that the world will appreciate that seemingly mortal ideas are actually His ideas – and they will become eternal. In addition to the blessing of wisdom, Hashem gives the blessing that wise words and advice will be heard and revered. It is not only what you know, but Who you know. And when that someone is G-d Almighty, then the blessing is assured. As the Torah tells us that "the people of the earth will see that the name of Hashem is proclaimed over you – and they shall revere you." Because when G-d's name speaks – people listen.

Good Shabbos!

https://torah.org/torah-portion/drasha-5779-ki-seitzei/

Keeping the Relationship Alive

by Rabbi Dov Linzer, Rosh HaYeshiva, Yeshivat Chovevei Torah © 2012, 2021

How do we keep a relationship alive? It starts with not taking the other person for granted, with regularly appreciating what that other person gives to you, what he or she means to you. We must also give expression to them through our words and through our actions, so that these feelings become real for the other person and real for us. Another key component is sharing. Ongoing sharing connects you to the other person and makes them an integral part of your life. If you share the significant and insignificant moments in your life with this person, then he or she will become a part of all that you do, of all that you experience. In fact, a recent article in Psychology Today entitled "4 Ways to Keep Your Relationship Alive," reports that based on scientific findings, two of the key ways to sustain a relationship are exactly this: to cultivate gratitude and an to celebrate triumphs.

Thousands of years before Psychology Today, the Torah already informed us that these behaviors play a critical role in sustaining our relationship with God. Each year, we must bring our first fruits, the bikkurim, to the Temple. We gives these fruits to the Kohen and express our gratitude for all that God has given us: "And God brought us to this land, a land flowing with milk and honey. And now, behold, I have brought the first fruit of the ground which the Lord has given me." (26:9-10). We articulate in word and in deed our gratitude. Significantly, this expression of thanks is not just about some recent act, that God has helped you with this year's produce. It is about the whole relationship, about everything God has done and will do for you: "We went down to Egypt and dwelled there few in number, and we became there a great and mighty nation… We called out to God, the God of our forefathers. and God heard our voice and God saw our suffering… and God took us out of Egypt… " (26:5-7). God has always been there for us, and God will always be there for us.

After we have given this gift, we share our joy with God: "And you will rejoice in all the good that the Lord your God has given you and your household, you, and the Levite, and the sojourner in your midst." Because we have connected to God, we have made God part of our story, part of our lives, God continues to be part of our story, part of our lives.

When we now partake of the bounty of the land, it will not just be a simple eating and satisfying our appetites, it will be a partaking of God's bounty, it will be a rejoicing in what we have received from God. And once the experience is shared with God, the nature of the experience is changed. If we are eating just our food, then we have worked for it and it all belongs to us. No one else deserves it. But if we are partaking of God's bounty, then this is something to be shared with all those God cares about, it is something to be shared with the poor, the hungry, and the stranger in our midst.

So it was in the time of the Temple. And not just the first fruits. We brought to the Temple, or to the Kohanim, a gift to God from all the material blessings that God had given us. From the fruit, not only were the first fruits each year brought to the Temple, but also the entire produce of the fourth year was brought to Jerusalem and eaten there in the presence of the Temple. From the animals, the first born was brought as a sacrifice, and the first sheerings of the sheep and portions from every slaughtered animal were given to the Kohanim. From the grain, the terumah was given to the Kohanim and when that grain was made into dough, into bread, the very staple of life, a special portion was given to the Kohen as well. The same can be said about the ma'aser, tithes from the grain. In some years, the ma'aser was brought up and eaten in Jerusalem in the presence of the Temple, and even the ma'aser which was given to the Levites and the poor are an expression of our relationship to God. For, as we have seen, once we experience our bounty as it truly is, a gift from God, we will share that bounty with others, with those who serve God and with those who are most in need.

In all that we did, God was thanked. In all that we did, God was a partner. But what about now? With no Temple, with none of these gifts, how do we continue to sustain the relationship? Part of the answer is ma'aser kesafim, tithing our income, a practice that started when the economy shifted from agriculture to commerce. While this is not a Biblical mitzvah, this practice embodies the principle that lies at the foundation of the ma'aser of grain, namely, not taking God for granted. By sharing our success with others, we are seeing God as the source of our material success, we give expression to this gratitude, and simultaneously reinforce this sense of appreciation.

But there is another day-to-day way which can help keep the relationship alive. It is the saying thank you for the small things. It is the making of blessings before and after we eat food. Blessings that say "Blessed are you, God, Who creates the fruit of the tree." Blessings whereby we tell God, we tell ourselves, that we see this apple, this pear, this tomato as a wonderful gift from God, that we don't take it, or God, for granted.

This week [in 2012], the Daf Yomi began learning the section of Berakhot that deals with the blessings before food. The Talmud suggests that the bringing of the fruit in the fourth year to Jerusalem and the praising of God that was a part of that experience. Making a blessing nowadays becomes our way of presenting our fruit and giving thanks to God. The fruit itself is not given, but then neither was the fourth year fruit given to the Kohen. It was eaten by the owner in the presence of the Temple, in God's presence, and this can become a reality for us as well when we make the blessing.

And perhaps something is given. We give our words, our blessing, to God. What is it that we are always told? It is not the gift that matters, it's the thought that counts. Sometimes we don't, or can't, give a gift. At those times what we can give is our words of gratitude, our words of appreciation. If heartfelt, such words mean so much more than a gift given devoid of feeling.

At the end of its discussion, the Talmud states that if one eats food without making the blessing, he steals from God and from the Jewish People. Rashi explains that the stealing from God is not – as others understand – stealing the fruit which is God's property. Rather, it is the stealing of the blessing that is owed to God. When we withhold expressing our thanks,

we not only fail to do something good, something positive. We actually do something harmful. We harm the other and we harm the relationship. Those words are a necessary part of what will keep this relationship going.

What does it mean in this context to steal from the Jewish People? Rashi explains further. It is to cause God to withhold God's blessing from our fruit and produce. The relationship is reciprocal. As we have seen with the first fruits, the cycle is clear. God blesses our work, we thank God in word and in deed, and then God continues to bless us and we continue to partake in God's blessing. When we do our part to sustain the relationship, God responds in kind. When we see it is God's blessing, when that is a part of the planting and the harvesting, when that is a part of the partaking and the sharing, then it will truly become God's blessing and God's blessing will continue to flow.

Our blessings, even if heartfelt, still fall short of the ideal. Appreciation is expressed, but there is nothing that parallels the recitation and historical recapping that accompanied the first fruits. There is no placing of this act in a larger narrative. There is no connecting of this to the story of our ongoing relationship with God. This is perhaps a function of exile. Without a Temple, without living in our own country, we do not live our lives in a society that structures and embodies our national and religious narrative. In exile, we are more on our own. We have to write our own personal narrative and bring that into our conversation and relationship with God. Those living in the State of Israel are blessed to live in a society that embodies our ongoing relationship with God. For the rest of us, we will continue to keep the relationship going with our small, daily expressions of gratitude until such a time when we can say "I declare before the Lord that I have come to the land which the Lord our God has sworn to our fathers to give to us."

Shabbat Shalom!

https://library.yctorah.org/2012/09/keeping-the-relationship-alive/

The Survivor's Journey

by Rabbi Mordechai Rhine © 2021 Teach 613

The speech that the farmer makes is a simple one. He is a landowner, and for that he is grateful. But a careful read of his simple speech reveals that the Jewish farmer is really quite a fellow.

Speaking in the name of the national Jewish experience, the farmer references his experiences with Lavan and with Paroh. He talks of people who "tried to kill me," and of people who "abused me" and tried to "blame me for the ills," by portraying me as the bad one (see Oznayim Latorah). The farmer, in his sweet voice of appreciation, is -- between the lines -- describing intense national trauma; he has every reason to play the role of victim.

Yet, emerging from these experiences is not the Jew as a victim. Instead, the Torah records his speech as someone who somehow emerges as "Bosi -- I have arrived." The Jewish farmer is a person who is emotionally healthy, grateful, and proud of his focus to give to others.

As we begin Selichos this Motzoei Shabbos and enter the countdown towards Rosh Hashana, it is helpful to reflect and consider the many past experiences that may be holding us back from being the best that we can be. There may have been people who put us down and attributed to us deep, uncorrectable flaws. We might be justified in blurting out incredulously about the people who tried to kill us. We could be excused for thinking of those who abused us… and Hashem allowed it!

Yet somehow the Jew has the power to emerge, despite, or perhaps because of those past experiences, into the trustworthy, upbeat, and generous person described in the Parsha. It is quite a journey, one that may well include a range of emotions including anger, hurt, and grief over perceived loss. But it is also a journey of hope and renewal, a journey that is full of love and appreciation, a journey that senses that the past is part of a long story that includes the present as well as the future.

This, by the way, is the quality and attitude of the Jew upon which the Pesach Haggada is based. It includes an intense awareness of the past, but also an intense awareness of our personal value, and an intense awareness of our glorious future.

The simple farmer captures the deepest message of the Jew. It is a message of national and personal experience. It is the Jew who has emerged from an intense part of his or her journey and has perspective. It is not a perspective of denial or forgetfulness; we have an exceptional national memory. It is a perspective of balance, knowing who we are and the greatness to which we are headed.

And so, as we approach Rosh Hashana, we smile, as the farmer of the Parsha smiles, and we say, as the farmer of the Parsha says, “Gaze down from Your holy abode and bless your people as You have promised.”

I take this opportunity to wish everyone a happy, healthy, and productive, new year. May it be a year of blessing, peace, prosperity, and serenity for us and all humanity.

With best wishes for a wonderful Shabbos.

Parashat Ki Tavo and Rosh HaShana: A Chance to Renew

By Jake Nussbaum *

Rav Mordechai Machlis, a Rabbi at Yeshivat Lev Hatorah, spoke about the value of renewal in Judaism, particularly within the context of Rosh Hodesh, the beginning of a new month. The word “hodesh” has the root of “hadash,” meaning new. He also spoke of renewal everyday, every week and every year. Each Kabbalat Shabbat, we chant the words (Psalms 96:1 and 98:1) “Sing to the Lord a new song.” The question is: what is the new song we sing on Shabbat? We are singing the same songs to the Lord as on every Shabbat of our lives! Rav Machlis explains that we don't sing a new song of different words, rather we sing the same words with a different fervor, a different concentration. The Baal Shem Tov said that if your prayer today is the exact same as your prayer yesterday, then you didn't really pray today. Although the prayers one says are going to have just about all the same words every day, the important thing is to build upon the prayers of the past, or to focus on one aspect that has been lacking.

This week’s Parasha, Parashat Ki Tavo, opens with the Mitzvah of Bikkurim, the obligation to take the first fruits from the seven species of the Land of Israel and bring them to offer on the altar to Hashem. The Sefer Hachinuch (Mitzvah 606) writes that the reason for this mitzvah is that it is important for a farmer to be reminded that the success of his crops comes from Hashem, not himself. Every year, when it comes time to bring the bikkurim, the farmer will think of how blessed he was in the past year. The purpose of the mitzvah is to entrench a constant renewal of appreciation for Hashem.

Rabbi Daniel Hartstein, a Rabbi at Lev HaTorah, quoted Rav Avraham Pam Z’l, who pointed out the contemporary relevance of this Mitzvah even if we are not farmers and even if there is no Beit Hamikdash. The Torah presents the statement the farmer was to make when offering the Bikkurim. This statement reviewed the history of Israel, and how God redeemed us from years of servitude in Egypt. The lesson: review Jewish history, be grateful that we now have a renewed Jewish State of Israel.

Nowadays, we have a tremendous blessing to be able to visit Israel in mere hours, while for generations the journey was long and treacherous. The obvious upside is that so many more Jews have a chance to visit our homeland with little inconvenience. However, the easier something is to achieve, the harder it is to appreciate. The Mitzvah of Bikkurim reminds us of the challenges the Israelites went through to reach the promised land even after being driven out of Egypt. All the more so should we appreciate our return to the land sworn to our forefathers after centuries of exile! What the Mitzvah of Bikkurim offers us each and every year is to renew our inspiration and thankfulness to Hashem for the blessings and opportunities we have been given.

It is no coincidence that this Mitzvah is read in the Torah two weeks before Rosh HaShanah, the special time of renewal. Every year, we are faced with the challenge of finding a new way to bring in the year. This could be picking a Mitzvah to focus on deeply during the coming year; it could be setting out to learn something new. Whether big or small, accepting upon oneself something before Rosh Hashanah can make saying the same selihot and prayers “a new song to the Lord.” With the Mitzvah of Bikkurim on our mind, may we be blessed to renew our inspiration for serving Hashem in the coming year and to make sure to constantly try to “Sing to the Lord a new song."

* Summer Intern at the Institute for Jewish Ideas and Ideals and student at Yeshiva College

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

S. Y. Agnon: Thoughts on a Great Israeli Writer

By Rabbi Marc D. Angel *

On December 10, 1966 Shmuel Yosef Agnon, the great Israeli Hebrew writer, delivered a speech at the Nobel banquet on the occasion of his having been awarded the Nobel Prize for Literature. Quoting from the Bible, the Jewish Prayer book and rabbinic tradition, Agnon was as clear as possible that he was a Jew, a faithful Jew steeped in Judaism. He pointed out the dilemma of the Jewish People living centuries in Exile, and now struggling to find their way back to their ancient homeland in Israel. "As a result of the historic catastrophe in which Titus of Rome destroyed Jerusalem, and Israel was exiled from its land, I was born in one of the cities of the Exile. But always I regarded myself as one who was born in Jerusalem." As he concluded his remarks, he said: "If I am proud of anything, it is that I have been granted the privilege of living in the land which God promised our forefathers to give us."

Agnon (1887-1970) was born in Buczacz, then part of the Austro-Hungarian Empire, now Buchach, Ukraine. His original family name was Czaczkes. In 1908 he emigrated to Jaffa in the land of Israel. In 1913 he moved to Germany where he married Esther Marx; they had two children. The businessman and publisher, Salman Schocken, became Agnon's literary patron and freed him from financial worries. In 1924, a fire broke out in Agnon's home, destroying his manuscripts and library. Shortly thereafter he and his family moved to Jerusalem where he continued his career as a prolific Hebrew writer.

Agnon's work is laced with biblical and Talmudic passages. His stories and novels did not always have powerful or complicated plots; rather, it was his style of writing that engages the reader. He is calm, wise, gentle. He tells his stories as though he is talking to you in his living room over a cup of tea, without pretensions or pomposity. The reader comes to see Agnon as an older, wiser friend…someone whose memories and thoughts have weight.

In his book, A City in its Fullness, he offers a nostalgic account of the town in which he was born and raised. His stories were about "former days, when the town stood in peace." Agnon comments: "I was able to tell the things calmly and not in sorrow, and one would not have known from my voice what had happened to my town — that all the Jews in it had been killed. The Holy One, blessed be He, has been gracious to Israel: even when we remember the greatness and glory of bygone days, our soul does not leave us out of sorrow and longing. Thus a man like me can talk about the past, and his soul doesn't pass out of him as he speaks" (p. 10).

There is irony in his words. He notes that all the Jews of the town were murdered, but then refers to the graciousness of the Holy One, blessed be He! How was the Almighty "gracious to Israel?" He lets them recount the past, including the tragedies, without dying of sorrow! Is Agnon speaking piously, in profound resignation to the will of God? Or is he mocking the notion of God's being "gracious to Israel?" Agnon was indeed a religious man; but he was not at peace with God's treatment of the Jews.

In spite of their sufferings in Buczacz, the Jews loved their birthplace. But after World War I, life became increasingly unbearable. Poverty was rampant. The government made constant decrees to the detriment of the Jews. "The old took comfort in the fact that they would soon die and not much longer have to endure their afflictions; they would be buried in the city where their ancestors were buried. The young looked toward the four corners of the earth for a place where they would be allowed to live. And the fewest of these few prepared to emigrate to the Land of Israel in order to work its land and to establish for themselves and their descendants a haven where they could be free of the yoke of Exile, which has been Israel's burden since the day it left its land. Meanwhile, each saw himself living in the land of his birth as but a guest for the night" (pp. 560-61). This was the eternal Jewish dilemma — to be living in places of Exile for generations but

always feeling as strangers. Agnon saw the return to the Jewish homeland in Israel as the key to Jews finally feeling really at home in the world.

In his book, A Guest for the Night, he describes having returned to his old town in Europe, that was now in terrible straits after the first World War. “I went to the Beit Midrash and stood before the locked door. Many thoughts passed through my mind in a short time, and this is one of them: the Beit Midrash still exists, but I am standing outside, because I have lost the key and cannot get in” (p. 83). He found a locksmith to make a new key for the Beit Midrash. He hired someone to keep the fire burning in the fireplace so that the place was warm. Slowly, men began to gather again in the Beit Midrash, if only to stay warm on cold winter days. The Jews had been living in this town for generations; the Beit Midrash was coming back to life.

And yet, this was still the Exile. The authorities had the power to oppress the Jews, even to expel them. “I was born in this town and spent most of my youth here — but an official, who was not born here and has done nothing here but enjoy the best the town can give, may come along and tell me: Go, you belong to another country and you have no permission to stay with us. I thought of my forefathers, whose bones are interred in the town’s graveyard….I thought of my other relatives who had bestowed many benefits on the townsfolk — and now the authorities, who inherited all these benefits, could come and expel me from the town” (p. 110).

When he ultimately returned to the land of Israel, he had inadvertently also brought a key to the Beit Midrash with him. He put the key in a box and locked it; he made a necklace and wore it around his neck. He recalled the Midrash that in messianic days, the synagogues and study halls of the diaspora will be miraculously transported to the holy land of Israel. But when will the messiah bring this redemption? The key “is made of iron and brass, and it can wait, but I, who am flesh and blood, find it hard to endure” (pp. 508-9).

Agnon wonders about the sense of security felt by some Jews living outside the holy land. He tells the story of Mr. Lublin who lived in Leipzig and became a German citizen. Mr. Lublin wasn’t particularly observant religiously, and worked hard in his store to make a living and be a good citizen. Mr. Lublin believed that “Germany sees that all of us, all Germany’s Jewish citizens, sacrifice our children and our wealth for its war against the enemy, and is it possible that after all this they will still deprive us of our rights? Isn’t this so? Why are you looking at me like that?” (In Mr. Lublin’s Store, p.189). Why? Because the narrator (Agnon) thought Mr. Lublin was naïve to trust that the Germans would actually treat Jews fairly, as loyal citizens. No matter how many sacrifices Jews made on behalf of Germany, they were still always going to be victims, always strangers, always mistrusted. Exile was exile. Period.

Agnon has a particular nostalgia for authentic prayer. In his story “Hemdat the Cantor,” he describes how Hemdat ascended the prayer desk on the night of Yom Kippur. “And when he came to the pulpit he gripped it with his two hands, and cried out “’Oi!’ As if it were all-devouring fire. A sudden awe fell upon the entire congregation and all rose and stood and trembled….Hemdat raised his head, his eyes closed and compressed, groping in the air, his eyeglasses swimming in tears….He covered his face with his tallit down to his heart, and he began to give voice, every time in a melody sweeter than the last. Then I understood what Father meant when he said, He who has heard the Kol Nidrei of Hemdat, knows what Kol Nidrei is” (p. 58). The people were uplifted by Hemdat’s prayers. “For Hemdat prayed in awe and fear and feeling and with a broken heart, for Israel the holy nation, who sought to return to Him with a whole heart” (p. 59).

In reminiscing about his hometown of Buczacz, he tells of a man who recited the Musaf and gave him “a real taste of prayer.” The prayer leader had a pleasant voice, but “it wasn’t a voice we heard; it was prayer” (p. 100). The heartfelt longing and yearning of sincere prayer was what inspired Agnon. He was not impressed with external shows of praying, but with actual reaching out to God. In his book, To This Day, he quotes a woman: “’An intellectual’”, she said, ‘is someone who can recite Psalms without tears.’ I couldn’t have put it any better myself” (p. 53).

Agnon was prayerful, even as he realized that he was living in an unredeemed world, where God’s mercy was not always evident. He named one of his books To This Day “in the language of thanksgiving for the past and of prayer for the future. As it says in the Sabbath morning service: To this day have Thy mercies availed us and Thy kindness not failed us, O Lord our God. And mayst Thou never abandon us ever” (p. 175).

Agnon’s writings are sprinkled with wise insights that invite us to ponder his words. In describing a young man who rediscovered the Hebrew language and his connection with the land of Israel, Agnon writes: “he is meticulous with language and meticulous in all his actions. His hair is wild, but his thoughts are orderly. His clothes are in tatters, but his soul is intact” (Shira, p. 176). In his short story, “The Night,” he notes: “But there are guests who come no matter how

tightly one's door is shut, as they are the thoughts surrounding our actions." And in his story "Between Two Towns" he meditates: "The good Lord created a vast world, with many people in it whom He scattered wide, giving each place its singular quality and endowing every man with singular wisdom. You leave home and meet people from another place, and your mind is expanded by what you hear."

And poignantly, he writes of "two Austrians who meet outside of town and one says to the other, 'where are you going? And the other replies, 'I'm off to the forest to be alone.' 'Why, I also want to be alone,' exclaims the first. 'Let's go together'" ("In the Prime of Her Life"). This might serve as Agnon's invitation to readers: I want to be alone, but I want you to come along with me so we can be alone together.

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https://www.jewishideas.org/article/s-y-agnon-thoughts-great-israeli-writer

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Ki Savo: Finding Joy in The Day of Judgement

by Rabbi Yehoshua Singer * © 2021

As Moshe nears the end of his final speech to the Jewish people, he instructs them in three different obligations for the day when they will cross the Jordan River and enter the promised land. One is to erect large stones which have the entire Torah written upon them. The second is to construct an altar, bring sacrifices and rejoice before Hashem. The third is to enter another covenant with G-d over Torah and mitzvos, through the acceptance of blessings and curses at the mountains of Eival and Grizim. (Devarim Chapter 27)

The second command, to rejoice before G-d, is readily understood. The Jewish people had spent two hundred and ten years in Egypt, and eighty of those years were under conditions of intense and bitter slavery and oppression. We were miraculously redeemed and told we would be brought to G-d's chosen land and establish our own country. After forty years of wandering in the desert, when the day finally came to enter the promised land, there was a great miracle -- the Jordan River stood straight up, allowing us to cross on dry land. One can only imagine the joy felt by our ancestors as they crossed into the promised land. The day was finally here. The final stage of our redemption from Egyptian bondage was beginning.

Surprisingly, the Sforno (Devarim 27:9) teaches that this was not the joy which required us to celebrate before G-d. It was the third obligation of entering into a covenant with G-d which we were to be celebrating. Why would the focus of our celebration be entering into a covenant, when we had already entered into a covenant with G-d forty years earlier? How could that event overshadow the joy of the moment as we finally entered the promised land guided again by miracles?

Perhaps this Sfrono is teaching us a deeper meaning of these three mitzvos. It was specifically as we entered the promised land that we were to renew our covenant with G-d, because our redemption from slavery, all of the miracles in the desert and our success in the promised land, were all a reflection of our covenant with G-d. G-d redeemed us because He chose us to be His nation, and it is only as His nation that we succeed. All three of the obligations which Moshe instructed us are reminding us of this. We erected huge stones with all of Torah upon them as soon as we entered, rejoiced to have a covenant with G-d, and renewed that covenant. This joy of renewing our covenant with G-d was exactly the joy we felt as we entered the promised land guided by miracles. It was the joy of truly living as G-d's nation in G-d's chosen land.

With this understanding, one could ask why Moshe needed to instruct us to rejoice? Wouldn't the joy have been only natural? What greater joy could there be then entering into fulfillment of a pact with Master of the World, to be His nation and live in His chosen land?

Perhaps Moshe was instructing us to stop and reflect on the joy in order that we should recognize the full import of what was happening. We were now beginning the final stage in a committed relationship with G-d Himself. After redeeming us, He cared for us for decades in the desert and was miraculously bringing us into His chosen land. We were renewing not only our commitment to G-d, but also G-d's commitment to us.

This message can help us to better understand the joy of Rosh Hashana. It is a Day of Judgement, when each of us is individually judged for who we are and for who we want to be. Yet, we are commanded to rejoice on this day. For we are commanded to recognize that Hashem is committed to our success. Just as we accepted the obligation to be G-d's nation, so too has G-d accepted to care for us. We are judged because we have to do our part. If we still have to do our part, then our covenant with G-d still stands. With this in mind, we enter Rosh Hashana knowing that G-d is eternally committed to caring for us and to ensuring our success. May we merit this year to recognize Hashem's commitment to us and truly experience the joy of Rosh Hashana.

* Rabbi, Am HaTorah Congregation, Bethesda, MD.

The High Holidays – No Need to Over Complicate

By Rabbi Moshe Rube *

1) Someone once came to the renowned Jewish Rabbi, ethicist, and leader Rabbi Yisrael Salanter (1810-1883) to ask him a question.

"Rabbi Yisrael", he said, "I have been hired by a synagogue to lead the services for the High Holy Days. While reviewing the poetry and psalms in our liturgy, I came across different Kabbalistic intentions and ways of thinking about the Divine Name during different sections of the prayer. I have found various opinions among the Kabbalists about which names to focus on. Do you have any guidance as to which tradition to follow?"

Rabbi Salanter looked him square in the eye and said, "The shul has hired you so they can experience a beautiful service. So all you should focus on is practicing singing and learning the correct tunes for the prayers."

2) The famed Chassidic master Rabbi Yisroel Baal Shem Tov (1698-1760) had his own small service in his town of Medzhiboz over Rosh Hashanah and Yom Kippur. At the close of Yom Kippur, he was leading the prayers but he would not stop. He kept praying and crying and would not finish even as night fell. His followers knew something was wrong.

All of a sudden, they heard a shot from the back. "ALEPH BET GIMMEL DALED". A young man had come in. He was known as the town shepherd. A good man but someone who never learned all the prayers. All he knew was the first four letters of the Aleph Bet that he remembered from a rabbi who had come out to his pasture one day to teach Hebrew. The young man had come to shul, began to sing whatever Hebrew he knew, and hoped this would be enough. As he continued chanting the letters he knew, the Baal Shem Tov seemed to calm down. Rabbi Yisrael finished up the prayers and everyone got together for the breakfast. At the meal, the Baal Shem Tov got up and announced to everyone,

"As Yom Kippur drew to a close I felt that our prayers were not being accepted and that we were sealed for something bad to happen this year. That is why I refused to finish and kept praying. But what I could not accomplish with my prayers, this young man accomplished with his sincerity."

Shabbat Shalom and Shanah Tovah!

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Rav Kook Torah
Ki Tavo: Studying Together

The word has-keit — "pay attention" — is unusual. The Talmud gives the following homiletic interpretation:

> *"Form groups (asu kittot) and study Torah; for Torah knowledge is only acquired through group study."* (Berachot 63b)

Intolerance, Ignorance, and Iniquity

Rabbi Yossi went even further. He warned that scholars who study alone are liable to acquire three negative traits: intolerance, ignorance, and sin.

What is so terrible about studying by oneself?

This question may be addressed both on a practical level, and in terms of the essential nature of Torah study.

There are three practical benefits when scholars study together. The first advantage is that they become accustomed to hearing opinions different than their own. This trains them for greater openness and tolerance. Scholars who study by themselves are not exposed to their colleagues' views and ideas. They grow to be intolerant of any opinion that differs from their own interpretation. This intolerance is a major factor in disputes, and can lead to verbal and even physical violence.

Secondly, scholars who study alone or in small groups will not succeed in properly analyzing matters of faith and fundamental Torah views. In terms of these basic subjects, such reclusive scholars remain ignorant and misinformed.

And finally, a lack of clarity in legal issues will cause those who study by themselves to err in Halachic decisions. As teachers and leaders, these scholars are judged according to their negative impact on the people. Furthermore, their solitude may lead to unnecessary stringencies, which are referred to as 'sinful,' as in the case of the Nazarite.

Torah of Life

On a fundamental level, there is a contradiction between a Torah lifestyle and a life of reclusiveness and rejection of the world. The Torah is a Torat chaim, a Torah of life. It values those proper enjoyments which enrich life and bestow happiness. By its very nature, the Torah and its mitzvot require a framework of social and communal living. This approach leads to a healthy society, and an appreciation for friendship and camaraderie.

The pursuit of solitude and isolation from society — which many mistakenly think leads to closeness to God — is alien to the Torah's viewpoint. This outlook is so contrary to the Torah, that even the acquisition of Torah knowledge may not be properly accomplished by solitary study.

(Adapted from Ein Eyah vol. II, pp. 389-390.)

http://www.ravkooktorah.org/KITAVO60.htm

We Are What We Remember (Ki Tavo 5776)

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

One reason religion has survived in the modern world despite four centuries of secularisation is that it answers the three questions every reflective human being will ask at some time in his or her life: Who am I? Why am I here? How then shall I live?

These cannot be answered by the four great institutions of the modern West: science, technology, the market economy and the liberal democratic state. Science tells us how but not why. Technology gives us power but cannot tell us how to use that power. The market gives us choices but does not tell us which choices to make. The liberal democratic state as a matter of principle holds back from endorsing any particular way of life. The result is that contemporary culture sets before us an almost infinite range of possibilities, but does not tell us who we are, why we are here, and how we should live.

Yet these are fundamental questions. Moses' first question to God in their first encounter at the burning bush was "Who am I?" The plain sense of the verse is that it was a rhetorical question: Who am I to undertake the extraordinary task of leading an entire people to freedom? But beneath the plain sense was a genuine question of identity. Moses had been brought up by an Egyptian princess, the daughter of Pharaoh. When he rescued Jethro's daughters from the local Midianite shepherds, they went back and told their father, "An Egyptian man delivered us." Moses looked and spoke like an Egyptian.

He then married Zipporah, one of Jethro's daughters, and spent decades as a Midianite shepherd. The chronology is not entirely clear but since he was a relatively young man when he went to Midian and was eighty years old when he started leading the Israelites, he spent most of his adult life with his Midianite father-in-law, tending his sheep. So when he asked God, "Who am I?" beneath the surface there was a real question. Am I an Egyptian, a Midianite, or a Jew?

By upbringing he was an Egyptian, by experience he was a Midianite. Yet what proved decisive was his ancestry. He was a descendant of Abraham, the child of Amram and Yocheved. When he asked God his second question, "Who are you?" God first told him, "I will be what I will be." But then he gave him a second answer:

> *Say to the Israelites, 'The Lord, the God of your fathers—the God of Abraham, the God of Isaac and the God of Jacob — has sent me to you.' This is My name forever, the name you shall call Me from generation to generation.*

Here too there is a double sense. On the surface God was telling Moses what to tell the Israelites when they asked, "Who sent you to us?" But at a deeper level the Torah is telling us about the nature of identity. The answer to the question, "Who am I?" is not simply a matter of where I was born, where I spent my childhood or my adult life or of which country I am a citizen. Nor is it answered in terms of what I do for a living, or what are my interests and passions. These things are about where I am and what I am but not who I am.

God's answer – I am the God of your fathers – suggests some fundamental propositions. First, identity runs through genealogy. It is a matter of who my parents were, who their parents were and so on. This is not always true. There are adopted children. There are children who make a conscious break from their parents. But for most of us, identity lies in uncovering the story of our ancestors, which, in the case of Jews, given the unparalleled dislocations of Jewish life, is almost always a tale of journeys, courage, suffering or escapes from suffering, and sheer endurance.

Second, the genealogy itself tells a story. Immediately after telling Moses to tell the people he had been sent by the God of Abraham, Isaac and Jacob, God continued:

> *Go, assemble the elders of Israel and say to them, 'The Lord, the God of your fathers — the God of Abraham, Isaac and Jacob — appeared to me and said: I have watched over you and have seen what has been done to you in Egypt. And I have promised to bring you up out of your misery in Egypt into the land of the Canaanites, Hittites, Amorites, Perizzites, Hivites and Jebusites — a land flowing with milk and honey.'* (Ex. 3:16-17)

It was not simply that God was the God of their ancestors. He was also the God who made certain promises: that He would bring them from slavery to freedom, from exile to the Promised Land. The Israelites were part of a narrative extended over time. They were part of an unfinished story, and God was about to write the next chapter.

What is more, when God told Moses that He was the God of the Israelites' ancestors, he added, "This is My eternal name, this is how I am to be recalled [zichri] from generation to generation." God was here saying that He is beyond time – "This is my eternal name" – but when it comes to human understanding, He lives within time, "from generation to generation." The way He does this is through the handing on of memory: "This is how I am to be recalled." Identity is not just a matter of who my parents were. It is also a matter of what they remembered and handed on to me. Personal identity is shaped by individual memory. Group identity is formed by collective memory.[1]

All of this is by way of prelude to a remarkable law in today's parsha. It tells us that first-fruits were to be taken to "the place God chooses," i.e. Jerusalem. They were to be handed to the priest, and each was to make the following declaration:

> *"My father was a wandering Aramean, and he went down into Egypt with a few people and lived there and became a great, powerful and populous nation. The Egyptians mistreated us and made us suffer, subjecting us to harsh labour. Then we cried out to the Lord, the God of our ancestors, and the Lord heard our voice and saw our suffering, our harsh labour and our distress. The Lord then brought us out of Egypt with a strong hand and an outstretched arm, with great fearsomeness and with signs and wonders. He brought us to this place and gave us this land flowing with milk and honey. I am now bringing the first-fruits of the soil that you, Lord, have given me."* (Deut. 26:5-10)

We know this passage because, at least since Second Temple times it has been a central part of the Haggadah, the story we tell at the Seder table. But note that it was originally to be said on bringing first-fruits, which was not on Pesach. Usually it was done on Shavuot.

What makes this law remarkable is this: We would expect, when celebrating the soil and its produce, to speak of the God of nature. But this text is not about nature. It is about history. It is about a distant ancestor, a "wandering Aramean", It is the story of our ancestors. It is a narrative explaining why I am here, and why the people to whom I belong is what it is and where it is. There was nothing remotely like this in the ancient world, and there is nothing quite like it today. As Yosef Hayim Yerushalmi said in his classic book Zachor,[2] Jews were the first people to see God in history, the first to see an overarching meaning in history, and the first to make memory a religious duty.
That is why Jewish identity has proven to be the most tenacious the world has ever known: the only identity ever sustained by a minority dispersed throughout the world for two thousand years, one that eventually led Jews back to the land and state of Israel, turning Hebrew, the language of the Bible, into a living speech again after a lapse of many centuries in which it was used only for poetry and prayer. We are what we remember, and the first-fruits declaration was a way of ensuring that Jews would never forget.

In the past few years, a spate of books has appeared in the United States asking whether the American story is still being told, still being taught to children, still framing a story that speaks to all its citizens, reminding successive generations of the battles that had to be fought for there to be a "new birth of freedom", and the virtues needed for liberty to be sustained.[3] The sense of crisis in each of these works is palpable, and though the authors come from very different positions in the political spectrum, their thesis is roughly the same: If you forget the story, you will lose your identity. There is such a thing as a national equivalent of Alzheimer's. Who we are depends on what we remember, and in the case of the contemporary West, a failure of collective memory poses a real and present danger to the future of liberty.

Jews have told the story of who we are for longer and more devotedly than any other people on the face of the earth. That is what makes Jewish identity so rich and resonant. In an age in which computer and smartphone memories have grown so fast, from kilobytes to megabytes to gigabytes, while human memories have become so foreshortened, there is an important Jewish message to humanity as a whole. You can't delegate memory to machines. You have to renew it regularly and teach it to the next generation. Winston Churchill said: "The longer you can look back, the further you can see forward."[4] Or to put it slightly differently: Those who tell the story of their past have already begun to build their children's future.

Shabbat Shalom

FOOTNOTES:

[1] The classic works on group memory and identity are Maurice Halbwachs, On Collective Memory, University of Chicago Press, 1992, and Jacques le Goff, History and Memory, Columbia University Press, 1992.

[2] Yosef Hayim Yerushalmi, Zakhor: Jewish History and Jewish Memory. University of Washington Press, 1982. See also Lionel Kochan, The Jew and His History, London, Macmillan, 1977.

[3] Among the most important of these are Charles Murray, Coming Apart, Crown, 2013; Robert Putnam, Our Kids, Simon and Shuster, 2015; Os Guinness, A Free People's Suicide, IVP, 2012; Eric Metaxas, If You Can Keep It, Viking, 2016; and Yuval Levin, The Fractured Republic, Basic Books, 2016.

[4] Chris Wrigley, Winston Churchill: a biographical companion, Santa Barbara, 2002, xxiv.

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

https://rabbisacks.org/ki-tavo-5776/

Sounding the Great Shofar

by Chaya Mushka and Nechama Krimmer *

In the month of Elul, we rush to greet the King as He draws close to us and makes Himself readily available to receive our prayers, our mitzvos, and our sincere conviction to return to Him, thus returning to our true essence and our purpose in creation.

After our preparations during the month of Elul, on Rosh Hashana, the King returns to His palace, graciously allowing us to follow Him inside where we joyously, yet with trepidation, coronate Him as King. On this day of coronation, the King opens the Book of Life and decrees the fate of all living souls and all nations.

As one of the central prayers in the Rosh Hashana Machzor recounts, “On Rosh Hashana it is inscribed, and on Yom Kippur it is sealed. Who shall pass away and who shall be born, who shall live and who shall die, who in good time, and who by an untimely death…"

Although these words inspire fear, and it's not unusual to see red eyes and wet cheeks during the Rosh Hashana prayer service, we trust in Hashem to bless us, and the seventy nations of the world, with revealed goodness.

We coronate Hashem as King, of course, through the mitzva of the day: the blowing of the shofar. As it is written in the Torah, "And in the seventh month, on the first of the month, it shall be declared a holiday for you, a day of sounding a terua for you," the terua being nine short blasts of the shofar (Bamidbar 29:1).

There are three essential meanings behind the blowing of the shofar which mirror the three main focuses of the day, recounted in the Musaf prayers: Malkiyos (kingship), Zichronos (remembrance), and Shofros (sounding the shofar).

We sometimes refer to Rosh Hashana as the "birthday of the world," but more accurately, it is the sixth day of creation when Hashem breathed the breath of life into Adam HaRishon, the first man. Adam's creation, and his acknowledgment that Hashem is the Creator, King, and the Master of the World, was the first coronation of the King. This represents Malkiyos.

On Rosh Hashana, Hashem recounts our individual thoughts, speech, and actions in the following year and also recounts the history of the world. In particular, Hashem recalls his covenant with the Jewish people and pivotal events in Jewish history.

Hashem remembers the Akeida, the binding of Isaac by our forefather Avraham, and the ram sacrificed in his stead. He remembers the shofar being blown on Mount Sinai when the Jewish people received the Torah, changing the nature of the world forever.

Hashem remembers the tragedy of the destruction of the Holy Temples and the trumpets of those who overcame us. And he remembers the words of the Prophets who foresaw the coming of Moshiach, the ingathering of the exiles, and the resurrection of the dead, all three miracles heralded by the sounding of the shofar. This is Zichronos.

Shofros, the sounding of the shofar, is intertwined with Hashem's Malkiyos (kingship) and His Zichronos (remembrances) as they all are accompanied by the sounding of the shofar, both events in the past and the glorious things to come.

The Tanya, in the section Iggeres HaTeshuva (Letters of Repentance/Return), recounts an even deeper level of the blowing of the shofar.

On Erev Rosh Hashana, the light of the previous year returns to its source. The world is held in suspension and the night is a flurry of anticipation, which some of us may palpably feel. When the shofar sounds on the day of Rosh Hashana, an "ohr chadash," a new light, springs forth from the heavens.

As the Tanya explains, "by means of the sounding of the shofar and by means of (our) prayer, a new and superior light is elicited" a light that is from a higher realm than has ever shown before (Iggeres HaTeshuva, Epistle 14).

The potentiality of this new light is beyond our ability to comprehend. One can imagine this new light as a shimmer of vivid colors flowing throughout the spiritual and physical worlds, covering the earth with its majesty.

As we enter the last twelve days of Elul, it is tradition to focus on our actions in the last twelve months. Each day we focus on one month until we come full circle to the present day.

May we utilize these last twelve days to wholeheartedly prepare for the blowing of the shofar, ushering in a new year, a new light, and a new chance to infuse the world with G dliness.

May we all be written in the Book of Life for a happy and healthy new year.

https://www.chabaddayton.com/templates/articlecco_cdo/aid/5229026/jewish/Sound-of-the-Shofar.htm

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The Obligation to Emulate G-d

By Yossi Ives * © Chabad 2021

Is having good character traits one of the 613 mitzvot of the Torah? If you read the Five Books of Moses you may struggle to find such a commandment, but Maimonides includes it in his count.1 He argues that when the Torah urges us to "walk in His ways,"2 it means that we are obligated to emulate G d's noble characteristics to the best of our ability.

Maimonides quotes the early Midrashic text, the Sifrei:

> *Just as G d is called merciful, so too, you must be merciful. Just as G d is called kind, so too, you must be kind. Just as G d is called righteous, so too, you must be righteous. Just as G d is called pious, so too, you must be pious*.3

There is a significant problem with this position, however. Maimonides4 makes it clear that a "general commandment" – an overarching rule that encompasses a multitude of smaller obligations – can never be counted among the 613 mitzvot. Living one's life ethically is surely the dictionary definition of a general commandment. Therefore, according to Maimonides' own rules, it should not be possible for "walking in His ways" to be counted as one of the 613.

This question was presented to Maimonides' own son, the illustrious Rabbi Abraham. He acknowledged that the verses that implore us to "walk in His ways" often employ the broadest of terms. But he insists that the sages already defined the obligation to walk in G d's ways as a reference to cultivating virtuous character traits, and not to good behavior in the wider sense. As such, he argued, it is incorrect to call it a general commandment, since it only addresses ethical matters such as compassion and kindness. This makes it sufficiently narrow to be regarded as one of the 613 commandments.

But what about the well known Biblical exhortation to "love your fellow as yourself"?5 What does that commandment demand of us if not to act with kindness and compassion? Maimonides himself explicitly says so! "We are commanded to have mercy and compassion, to be charitable and kind, which is what is stated by the verse 'You shall love your fellow as yourself.' " But if compassion and kindness are already covered, what does the instruction to "walk in His ways" tell us that we don't already know?

To answer this question, the Rebbe introduces a foundational concept in Jewish theology: acting ethically is not sufficient; intention is vital. While the verse to love others covers the practical obligation to treat people with compassion and kindness, the commandment to walk in His ways obligates us to do so with the explicit intention of emulating G d.

Some may act with compassion because it seems logical, but that is inadequate. Others may act kindly in compliance with the commandment to love others, but that too is unsatisfactory. According to Maimonides, the Rebbe explains, when the Torah obligates us to "walk in His ways" it means that our intention when being kind and compassionate must be specifically to emulate G d's ways.

Maimonides bases this ruling on the way the earlier sages interpreted the verse to "walk in His ways" to mean, "Just as G d is called merciful, so too, you must be merciful. Just as G d is called kind, so too, you must be kind…" The rabbis seem to be saying quite clearly that the idea is not just to be merciful and kind, but to do so in order to emulate our Creator.

But why, we may ask, should our intention matter? Don't our actions matter most?

It turns out that the motivation behind our behavior actually does make a huge difference.

In his code, Maimonides adds an additional aspect to the meaning of walking in G d's ways. He sets out at length how a person should avoid extremes of any sort, opting instead to pursue a more moderate path. A person should not indulge, nor deny his basic needs. A person should avoid getting annoyed over trivialities, but also not gloss over important matters.

Maimonides concludes this point by saying: "We are commanded to walk in these intermediate paths – and they are good and straight paths – as it states: 'you shall walk in His ways.' "
One may ask: What is the connection between taking the moderate route and walking in G d's footsteps?

In his Guide for the Perplexed,6 Maimonides explains why avoiding extremes is important. Extremes, he says, are profoundly illogical. Going too far towards one side of anything is proof that the person is motivated by his emotions, rather than by an understanding of what is right. G d, Maimonides adds, is not subject to emotions and is simply the essence of truth. Thus, someone whose conduct is an imitation of G d's perfect ways will always steer towards the truth and avoid wild extremes.

That is why it is important that one's intention and goal in acting with kindness and compassion is to walk in G d's ways. This is how a person avoids making poor choices, driven by their emotions, and instead remains focused on the morally superior middle way.

And so it turns out that we have a revolutionary idea: Aside from the commandment to act with compassion and kindness, there is a commandment to do so with the appropriate motivation. The reason: the only way to ensure that one truly behaves ethically is to ensure one's goal in doing so is to model one's own conduct after of highest virtues attributed to the Almighty.

Having seen how a seemingly cultured nation could be driven to perpetrate the ghastliest crimes during the Nazi era, it is clear that we need morality to be inspired by Divine purpose. Without an explicit commitment and a sense of obligation to "walk in His ways," our own ethical sense is far too corruptible.

Adapted from Likutei Sichot, vol. 34, Parshat Ki Tavo II.

FOOTNOTES:

1. Sefer HaMitzvot, Positive Commandment Number 8.

2. Deuteronomy 11:22, 13:15, 28:9.

3. Sifrei to Deuteronomy 11:22.

4. Introduction to Sefer Hamitzvot, Principle Four.

5. Leviticus 19:18.

6. Guide for the Perplexed 1:54.

https://www.chabad.org/parshah/article_cdo/aid/5219148/jewish/The-Obligation-to-Emulate-G-d.htm

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Ki Tavo: Flowing With Milk and Honey

An insight by the Rebbe of Blessed Memory © 2021

> *In the merit of the gifts we have given the poor, Look down favorably upon us from Your holy dwelling, from the heavens, and bless Your people Israel and the land that You have given to us as You swore to our forefathers—a land flowing with milk and date-and fig-honey*(Deuteronomy 26:15).

Look down from your holy dwelling

The person who makes this declaration is testifying that the Jewish people are devoted to G-d passionately, beyond the limits of what would be dictated by logic. In return for this "irrational" devotion, we ask that G-d treat us "irrationally", as well—crowning our efforts with success that surpasses what would rationally be expected.

We should not consider such irrational devotion to G-d to be voluntary or supplementary; G=d requires us to constantly challenge ourselves, to prove to Him and to ourselves that our devotion to Him and to our life's mission knows no bounds.

In return, He showers us with His unbounded blessings, transforming even dire situations into revealed good.

* From the Kehot Chumash

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Covenant and Conversation
Rabbi Jonathan Sacks, z"l

A Nation of Storytellers

Howard Gardner, professor of education and psychology at Harvard University, is one of the great minds of our time. He is best known for his theory of "multiple intelligences," the idea that there is not just one thing that can be measured and defined as intelligence but many different facets – which is one dimension of the dignity of difference. He has also written many books on leadership and creativity, including one in particular, Leading Minds, that is important in understanding this week's parsha of Ki Tavo.[1]

Gardner's argument is that what makes a leader is the ability to tell a particular kind of story – one that explains ourselves to ourselves and gives power and resonance to a collective vision. So Churchill told the story of Britain's indomitable courage in the fight for freedom. Gandhi spoke about the dignity of India and non-violent protest. Margaret Thatcher talked about the importance of the individual against an ever-encroaching State. Martin Luther King Jr. told of how a great nation is colour-blind. Stories give the group a shared identity and sense of purpose.

Philosopher Alasdair MacIntyre has also emphasised the importance of narrative to the moral life. "Man," he writes, "is in his actions and practice, as well as in his fictions, essentially a story-telling animal."[2] It is through narratives that we begin to learn who we are and how we are called on to behave. "Deprive children of stories and you leave them unscripted, anxious stutterers in their actions as in their words."[3] To know who we are is, in large part, to understand the story or stories of which we are a part.

The great questions – "Who are we?" "Why are we here?" "What is our task?" – are best answered by telling a story. As Barbara Hardy put it: "We dream in narrative, daydream in narrative, remember, anticipate, hope, despair, believe, doubt, plan, revise, criticise, construct, gossip, learn, hate and love by narrative."[4] This is fundamental to understanding why Torah is the kind of book it is: not a theological treatise or a metaphysical system but a series of interlinked stories extended over time, from Abraham and Sarah's journey from Mesopotamia to Moses' and the Israelites' wanderings in the desert. Judaism is less about truth as system than about truth as story. And we are part of that story. That is what it is to be a Jew.

A large part of what Moses is doing in the book of Devarim is retelling that story to the next generation, reminding them of what God had done for their parents and of some of the mistakes their parents had made. Moses, as well as being the great liberator, is the supreme storyteller. Yet what he does in parshat Ki Tavo extends way beyond this.

He tells the people that when they enter, conquer and settle the land, they must bring the first ripened fruits to the central Sanctuary, the Temple, as a way of giving thanks to God. A Mishnah in Bikkurim[5] describes the joyous scene as people converged on Jerusalem from across the country, bringing their first-fruits to the accompaniment of music and celebration. Merely bringing the fruits, though, was not enough. Each person had to make a declaration. That declaration become one of the best known passages in the Torah because, though it was originally said on Shavuot, the festival of first-fruits, in post-biblical times it became a central element of the Haggadah on Seder night:

My father was a wandering Aramean, and he went down into Egypt and lived there, few in number, there becoming a great nation, powerful and numerous. But the Egyptians ill-treated us and made us suffer, subjecting us to harsh labour. Then we cried out to the Lord, the God of our ancestors, and the Lord heard our voice and saw our misery, toil and oppression. So the Lord brought us out of Egypt with a mighty hand and an outstretched arm, with great terror and with signs and wonders. (Deut. 26:5-8)

Here for the first time, the retelling of the nation's history becomes an obligation for every citizen of the nation. In this act, known as vidui bikkurim, "the confession made over first-fruits," Jews were commanded, as it were, to become a nation of storytellers.

This is a remarkable development. Yosef Hayim Yerushalmi tells us that "only in Israel and nowhere else is the injunction to remember felt as a religious imperative to an entire people."[6] Time and again throughout Devarim comes the command to remember: "Remember that you were a slave in Egypt." (Deut. 5:15; 15:15; 16:12; 24:18; 24:22); "Remember what Amalek did to you." (Deut. 25:17) "Remember what God did to Miriam." (Deut. 24:9) "Remember the days of old; consider the generations long past. Ask your father and he will tell you, your elders, and they will explain to you." (Deut. 32:7)

The vidui bikkurim, though, is more than this. It is, compressed into the shortest possible space, the entire history of the nation in summary form. In a few short sentences we have here "the patriarchal origins in Mesopotamia, the emergence of the Hebrew nation in the midst of history rather than in mythic prehistory, slavery in Egypt and liberation therefrom, the climactic acquisition of the land of Israel, and throughout – the acknowledgement of God as lord of history." [7]

We should note here an important nuance. Jews were the first people to find God in history. They were the first to think in historical terms – of time as an arena of change as opposed to cyclical time in which the seasons rotate, people are born and die, but nothing really changes. Jews were the first people to write history – many centuries before Herodotus and Thucydides, often wrongly described as the first historians. Yet biblical Hebrew has no word that means "history" (the closest equivalent is divrei hayamim, "chronicles"). Instead it uses the root zachor, meaning "memory."

There is a fundamental difference between history and memory. History is "his story,"[8] an account of events that happened sometime else to someone else. Memory is "my story." It is the past internalised and made part of my identity. That is what the Mishnah in Pesachim means when it says, "Each person must see themselves as if they (personally) escaped Egypt." (Mishnah Pesachim 10:5)

Throughout the book of Devarim, Moses warns the people – no less than fourteen times – not to forget. If they forget the past they will lose their identity and sense of direction and disaster will follow. Moreover, not only are the people commanded to remember, they are also commanded to hand that memory on to their children.

This entire phenomenon represents are remarkable cluster of ideas: about identity as a matter of collective memory; about the ritual retelling of the nation's story; above all about the fact that every one of us is a guardian of that story and memory. It is not the leader alone, or some elite, who are trained to recall the past, but every one of us. This too is an aspect of the devolution and democratisation of leadership that we find throughout Judaism as a way of life. The great leaders tell the story

of the group, but the greatest of leaders, Moses, taught the group to become a nation of storytellers.

You can still see the power of this idea today. As I once wrote,[9] if you visit the Presidential memorials in Washington, you will see that each carries an inscription taken from their words: Jefferson's 'We hold these truths to be self-evident . . .', Roosevelt's 'The only thing we have to fear, is fear itself', Lincoln's Gettysburg Address and his second Inaugural, 'With malice toward none; with charity for all . . .' Each memorial tells a story.

London has no such equivalent. It contains many memorials and statues of historical leaders, each with a brief inscription stating who it represents, but there are no speeches or quotations. There is no story. Even the memorial to Winston Churchill, whose speeches rivalled Lincoln's in power, bears only one word: Churchill.

America has a national story because it is a society based on the idea of covenant. Narrative is at the heart of covenantal politics because it locates national identity in a set of historic events. The memory of those events evokes the values for which those who came before us fought and of which we are the guardians.

A covenantal narrative is always inclusive, the property of all its citizens, newcomers as well as the native-born. It says to everyone, regardless of class or creed: this is who we are. It creates a sense of common identity that transcends other identities. That is why, for example, Martin Luther King Jr. was able to use it to such effect in some of his greatest speeches. He was telling his fellow African Americans to see themselves as an equal part of the nation. At the same time, he was telling white-Americans to honour their commitment to the Declaration of Independence and its statement that 'all men are created equal'.

England does not have the same kind of national narrative because it is based not on covenant but on hierarchy and tradition. England, writes Roger Scruton, "was not a nation or a creed or a language or a state but a home. Things at home don't need an explanation. They are there because they are there."[10] England, historically, was a class-based society in which there were ruling elites who governed on behalf of the nation as a whole. America, founded by Puritans who saw themselves as a new Israel bound by covenant, was not a society of rulers and ruled, but rather one of collective responsibility. Hence the phrase, central to American politics but never used in English politics: "We, the people."[11]

By making the Israelites a nation of storytellers, Moses helped turn them into a people bound by collective responsibility – to one another, to the past and future, and to God. By framing a narrative that successive generations would make their own and teach to their children, Moses turned Jews into a nation of leaders.

[1] Howard Gardner in collaboration with Emma Laskin, Leading Minds: An Anatomy of Leadership, New York, Basic Books, 2011.
[2] Alasdair MacIntyre, After Virtue, University of Notre Dame Press, 1981.
[3] Ibid.
[4] Barbara Hardy, "An Approach Through Narrative," Novel: A Forum on Fiction 2 (Durham, N.C.: Duke University Press, 1968), 5.
[5] Mishnah Bikkurim 3:3.
[6] Yosef Hayim Yerushalmi, Zakhor: Jewish History and Jewish Memory, Schocken, 1989, 9.
[7] Ibid., 12.
[8] This is a simple reminder, not an etymology. Historia is a Greek word meaning inquiry. The same word comes to mean, in Latin, a narrative of past events.
[9] Jonathan Sacks, The Home We Build Together: Recreating Society (London: Bloomsbury Academic, 2009).
[10] Roger Scruton, England, an Elegy, Continuum, 2006, 16.
[11] See "We, the People", the Covenant & Conversation essay on Behar-Bechukotai, for further discussion on the power of this phrase.

Shabbat Shalom: Rabbi Shlomo Riskin

"You must then make the following declaration before the Lord your God: "I have removed all the sacred portions from my house. I have given the appropriate ones to the Levite and to the orphan and widow, following all the commandments You prescribed to us. And I did not forget." (Deut. 26:13)

Although the Torah commands us regarding a number of commandments "to remember," such as "Remember the Sabbath day to keep it holy" (Ex. 20:8), we do not find that someone observing the Sabbath must declare that he has not forgotten to fulfill that mitzvah. This makes the abovementioned verse from our portion, Ki Tavo, all the more curious.

Why must the Israelite farmer make this declaration upon fulfilling all of his tithing obligations? It seems superfluous. After all, if he has given his tithes, it is apparent that he has not forgotten to do so!

Rashi suggests that the farmer is affirming that he did not forget to make the appropriate blessing (Deut. 26:13). However, why is this the case only regarding this commandment and not others, some of which may be even more difficult to fulfill? Moreover – notwithstanding the importance of blessings – even if one forgets to recite a blessing, the commandment is nevertheless considered to have been fulfilled. So why did the Torah single out this mitzvah?

Perhaps what Rashi had in mind was the necessity for us to give our charity gladly and full-heartedly, even praising the Almighty for the privilege of being among the donors and not among the recipients. Hence, Rashi highlights the importance of not forgetting the blessing of thanksgiving for giving tithes!

I would like to suggest an additional explanation of the significance of the phrase "I did not forget," which I believe is closely tied to the Biblical words themselves. Recall the closing words of last week's portion: "… obliterate the memory of Amalek…do not forget (lo tishkach)."

Why must Amalek and the philosophy of Amalek-ism must be obliterated? Because they are the antithesis of the morality of the Torah:

"Remember what Amalek did to you on your way out of Egypt, when they encountered you on the way, and you were tired and exhausted…. They cut off those weak and infirm, lagging to your rear, and they did not fear God…. You must obliterate the memory of Amalek from under the heavens. Do not forget" [ibid., 25:17–19].

Amalek is identified with evil incarnate because he represents that cruel and diabolical force within humanity that takes advantage of and preys upon the weak and the disadvantaged. Over the centuries his name changes, but his motto remains the same: might makes right. He aims his poisonous hate toward the weakest members of society: the stragglers, the lame, the blind, the old, and the sick.

Amalek's attack of the weak represents the very opposite of the message that God has just given the Jewish people. If anything, the moral code of this nation of ex-slaves is to never forget its origins, to never inflict upon others what it once suffered on its own flesh at the hands of its Egyptian taskmasters.

Throughout the Torah, the ethical ideal of the Jewish People is to manifest an exquisite sensitivity to the needs of others, especially the disadvantaged other, a landless Levite, a homeless stranger, a defenseless widow, a bereft orphan; the very people Amalek seeks to exploit.

Indeed, Amalek's attack is not only directed toward a few weak, defenseless stragglers, but is hell-bent upon inflicting the death blow to the people who revere a God of compassion and loving-kindness. Amalek is the quintessence of immorality. Hence the Israelites are commanded not only to wipe out the physical presence of Amalek, but also to obliterate the very memory, or remnant, of his message. Remember what Amalek did to you. "Do not forget."

The true significance of the strange phrase ("I did not forget") in our portion now becomes evident. The sins of Amalek and the tithes to the Levites, the stranger, and the poor are intimately connected. In our portion, when the farmer declares, "I did not forget," the simplest, most straight-forward understanding of this term is that he is referring to the previous command regarding Amalek: he did

not forget to give to the widow, to the stranger, to the orphan, to the Levite. After all, if he did not "forget" to help these underprivileged, he did indeed remember to destroy Amalek.

In effect, he is demonstrating to the Almighty that he has internalized the commandment to destroy Amalek and not to forget; in giving his tithes to the disadvantaged he is truly destroying any remnant of the spirit of Amalek.

The Person in the Parsha
Rabbi Dr. Tzvi Hersh Weinreb

To Each His Language

There was a time when the literary treasures of the Jewish people were accessible only to those with a reading knowledge of Hebrew. This is no longer the case. I know of no major Jewish religious work which has not been translated into English in recent years and, in most instances, into many other languages as well. The past several decades have witnessed the publication of multiple editions of the Bible and the Talmud, commentaries ancient and modern, liturgical works, historical tomes, biographies, and even cookbooks with recipes of our ancestors.

I must confess that when this phenomenon of translation began, I was not all that happy. I am a bit of a purist and have long clung to the belief that sacred Hebrew books should be read in the original. I was willing to make exceptions for those religious classics which were originally written in languages other than Hebrew, such as those works of Maimonides, Saadia Gaon, and Bahya ibn Paquda, which were originally written in Arabic and translated into Hebrew and eventually English as well. But for me, the Bible and classical commentaries were to be read only in the language in which they were written.

I was guided in my opposition to translation by the classic Italian motto, "traduttore traditore", "the translator is a traitor." No translation is exactly accurate, and ideas expressed in one language inevitably lose some of their meaning when rendered into another language. Every translation compromises beauty and forfeits subtlety and nuance.

Ironically, in recent years, I myself have become a translator. My first professional effort was with the elegies that are recited on the solemn day of Tisha b'Av, when Jews recall the seemingly endless chain of catastrophes that have marked Jewish history. Translating these poignantly tragic poems was a difficult challenge. But I undertook the task in the belief that an English translation was better than no translation, and that I was doing a public service by bringing these poems to the public, albeit in a far from perfect form.

Since then, and to this day, I have been involved in the process of translating classical Jewish works, and have come to terms with the fact that translations, although far from perfect, bring Torah study to multitudes of individuals who would otherwise be deprived from so much of our tradition.

These reflections bring us to this week's Torah portion, Parshat Ki Tavo (Deuteronomy 26:1-29:8). The relevant verses read, "As soon as you have crossed the Jordan into the land that the Lord your God is giving you, you shall set up large stones. Coat them with plaster and inscribe upon them all the words of this Teaching…On those stones you shall inscribe every word of this Teaching most distinctly" (Deuteronomy 27:2-3, and 8).

What does this phrase, ba'er heitev, translated as "most distinctly," mean? The Babylonian Talmud Tractate Sotah 32b suggests that the inscription of the "Teaching," that is, the Torah, should be done in seventy languages, in every language known to mankind. How fascinating! Moses himself, speaking on behalf of the Almighty, instructs the people to engage in that "traitorous" task of translation. He seems unconcerned with the difficulties of rendering the word of God from sacred Hebrew into the languages of all mankind.

Why? Why was it necessary to translate the Torah into languages which were incomprehensible to the people of Israel? Our Sages offer two very different answers to this question.

The Jerusalem Talmud takes a universalistic approach and suggests that these translations were to bring the teachings of the Torah to the entire world.

The Zohar, the basic text of the Kabbalah, notes that the members of the Jewish High Court, the Sanhedrin, knew all seventy languages. But the Zohar does not take this literally. Instead, the Zohar understands the seventy languages to be a metaphor for the seventy facets of Torah, the seventy different avenues of interpretation with which the sacred text is endowed. The members of the Sanhedrin were thus not linguists, according to the Zohar, but experts in probing the depths of the Torah's meaning. Perhaps, the seventy languages inscribed on the stones in the River Jordan were also not the languages for the peoples of the world, but were seventy codes enabling so many different approaches to the Torah's interpretation.

Permit me to offer a somewhat different approach. I prefer to understand the word "language" more broadly. The word need not be restricted to its literal meaning, referring to French, Spanish, Swahili, and Portuguese. Rather, "language" can refer to a cognitive modality, or to a learning style. Thus, some of us prefer the language of humor, while others prefer the language of logic and reason. We speak of angry language, soothing language, and the language of love. Music is a language, play is a language, and there is even the language of war.

Every teacher worth his salt knows that he must use different "languages" for different students. This does not mean that he speaks to some students in English and to others in Yiddish. No. This means that some students will respond to clear and logical explanations. Others will require anecdotes and stories. Still others will require humor, or perhaps visual illustrations of the subject matter being taught. This is the lesson which every successful teacher learns sooner or later: no two individuals learn in the same way. Woe to the teacher who delivers his or her prepared lecture once, and expects all thirty pupils to learn the material. The successful teacher discerns the learning styles of each pupil and develops strategies and modalities that facilitate the learning of every member of the class.

Perhaps this is what the Talmud in Tractate Sotah is really teaching. Inscribed on those stones in the River Jordan were seventy different teaching strategies, seventy pedagogical tools, which would enable every recipient of the Torah to learn its messages in his or her own idiosyncratic way. Some would learn best by reciting the words by rote until they were memorized. Others would learn by breaking the text down into small phrases and reflecting on them, and still others would learn by using visual imagery to "see" the meaning of the text.

Indeed, the phrase "seventy facets of Torah" could be the Zohar's way of referring to seventy different learning styles, encouraging teachers to identify a "stone in the River Jordan" to match every pupil, even those who on the surface appear unteachable.

If I am at all correct in this interpretation of "the seventy languages" I am asserting that our Sages were very aware of a basic lesson in education. That lesson is that there is a need for individualized curricula so that diverse populations can all learn well.

This lesson is reflected throughout Talmudic literature. Here is one example:

"Observe the excellent advice given to us by the Tanna Rabbi Yehoshua ben Perachya: 'Make for yourself a teacher, and acquire for yourself a friend…' If you do this you will find that your teacher will teach you mikrah, mishnah, midrash, halachot, ve'aggadot. Whatever is not conveyed in mikrah (Scripture) will be conveyed in mishnah; whatever is not conveyed in midrash will be conveyed in the halachot; whatever is not conveyed in the halachot will become clear in the study of the aggadot. Thus, the student will sit in place and fill himself with all that is good and blessed." (Avot DeRabbi Nathan, 8:1)

In this passage our Sages are advocating a richly variegated curriculum. They know that not every student will be fully informed by the

study of one subject. The student who fails to gain from the study of mikrah, will gain instead from a very different type of text, mishnah, the early rabbinic codification of the Oral Law. And similarly for midrash, rabbinic lore; halachot, rules and regulations, and aggadot, legends and stories.

There are many erudite quotations that I could cite to summarize the point of my brief essay. But I prefer to conclude with a remark I hear from my teenage grandchildren: Different strokes for different folks. Arguably, this is an apt motto for getting along with people in all situations. But it is especially apt for teachers. And as I have repeatedly stated in this column, we are all teachers!

Torah.Org: Rabbi Yissocher Frand

A Tale of Two Speeches—One Out Loud and One in Silence

In the beginning of Parshas Ki Savo, there are two mitzvos that involve making a speech. One of them is Mikra Bikurim, the formal declaration a person makes upon bringing the first fruits of his crop to the Beis HaMikdash. In addition to the mitzvah of bringing the first fruits, in most situations there is a second mitzvah of reading the pesukim found in our parsha beginning with the words: "Then you shall call out and say (v'anisa v'amarta) before Hashem your G-d…" [Devorim 26:5-11]

What follows is a brief synopsis of the history of the Jewish people. We had to go down to Egypt. The Ribono shel Olam took us out of Egypt. He brought us to this place, a land flowing with milk and honey. And now, behold, I have brought the first fruit of the ground that You have given me, O Hashem. In short, we extol the praises of all the things the Almighty did for us, and we acknowledge our privilege of now being able to bring the first fruits of our wonderful land as a gift offering to the Kohen.

In connection with this Mikra Bikurim declaration, the Torah writes: "V'Anisa v'Amarta." Rashi writes that this specific idiom indicates that the declaration is to be made "b'kol Ram" – in a loud voice. The Biblical passages read on this occasion are not to be said as one says the Shmoneh Esrei – silently. They are to be said out loud.

There is a second declaration associated with agricultural mitzvos that are performed in the Land of Israel. That declaration is contained in the pesukim found in the section of Vidui Ma'aser [Devorim 26:13-15]. At the end of each of the three-year mini-cycles that take place during the first six years of the seven year Shmitah cycle, the Jewish farmer makes a declaration testifying to his observance of the laws of separating and properly distributing Teruma and Ma'aser to the Kohanim, the Leviim, and the poor during the past three-year cycle. "I have eliminated the holy things from the house, and I have also given it to the Levite, to the convert, to the orphan, and to the widow, according to the entire commandment that You commanded me; I have not transgressed any of Your commandments, and I have not forgotten. I have not eaten of it in my intense mourning; I have not consumed it in a state of impurity, and I have not given of it to a dead person; I have listened to the voice of Hashem my G-d; I have acted according to everything You have commanded me.".

However, the Torah does not specify that Vidui Ma'aser must be said in a loud voice. Why is it that Mikra Bikurim must be said "b'kol Ram" and Vidui Ma'aser is apparently said silently?

The answer is obvious. The declaration of Mikra Bikurim extols the praises of the Almighty. The Jewish farmer is not praising or patting himself on the shoulder for his diligent observance of the laws. He recounts what the Ribono shel Olam did for him. At such a time it is appropriate that everyone should hear what is being said: Kol Rom. Vidui Ma'aser, on the other hand, is what I have done. I have done everything the Almighty has told me to do. When I am saying what I did right, it is not appropriate to give a klop in the Beis Medrash and say "I came to minyan every day for the last seventeen years…." We do not do that. We do not publicly pat ourselves on the back.

This is the simple answer to our question. However, I saw a very interesting insight from Rav Shlomo Kluger, which applies this dichotomy of silent recitations versus out-loud recitation to another area of Jewish practice.

The halacha is that Shmoneh Esrei should be said silently. There is one exception to this rule. It says in Shulchan Aruch that on Yomim Noraim, a person can say the Amidah louder than he recites it the whole year. This does not mean that every congregant should pretend to be the chazzan and sing the whole nussach of Rosh HaShannah and Yom Kippur while reciting his private Amidah. However, a person is allowed to say it louder than normal. Why is that?

The commentaries to the Shulchan Aruch give a couple of reasons: First, on the Yomim Noraim everyone davens out of a Machzor. During the year, people sometimes daven by heart (especially in the times of the Shulchan Aruch, not everybody had a Siddur). When Reuven is davening by heart and Shimon suddenly says something out loud, it can cause Reuven to become derailed and lose his mental place in davening. When everyone is reading out of a Machzor on Rosh HaShannah and Yom Kippur, it is much less likely for a person to get mixed up in his own Amidah recitation as a result of someone else davening out loud.

However, says Rav Shlomo Kluger, there may be another reason as well: Just like we say that Mikra Bikurim is said out loud because we speak there about the praises of the Ribono shel Olam, this too can explain the Shulchan Aruch's distinction between Yomim Noraim davening and the normal daily davening. The hallmark of the Yomim Noraim Amida is "Meloch al kol ha'Olam kulo bichvodecha..." It is all about the Kingship of the Ribono shel Olam. We acknowledge the Sovereignty of the Almighty. It is about Him, it is not about me.

The whole year the overriding themes of Shmoneh Esrei are "Almighty I need sustenance, I need cures, I need this, I need that." It is all about "me". When it is all about "you", you do that quietly. But Yomim Noraim, we are asking the Almighty to become King of the world. It is all about Him. That is the equivalent of Mikra Bikurim where we apply the principle of "V'Anisa v'Amarta" and we proclaim it aloud, rather than in silence.

Cursed Be the Faker

Later, the parsha mentions a very unique ceremony that occurred only once in the history of Klal Yisrael. When they came into Eretz Yisrael there were two adjacent mountains—Mt. Gerizim and Mt. Eval. Six Tribes stood on one mountain and six Tribes stood on the second mountain. A series of Blessings and Curses were recited, to which everyone needed to respond Amen.

The Torah mentions which tribes were to be positioned on each mountain, and then it proceeds to list the eleven "Curses" (Arurim) which were to be part of this recitation. These are eleven sins for which a person who transgressed them should be cursed. It was like a national Kabbalas Shevuah (acceptance of a binding oath) not to be in violation of these eleven transgressions.

The specific sins for which it was proclaimed "Accursed be he who…" include the following:

Makes a graven image and places it in secret.
Degrades his father or mother.
Moves back the boundary of his fellow.
Causes a blind person to go astray on the road.
Perverts a judgment of a convert, orphan, or widow.
Lies with the wife of his father.
Lies with any animal.
Lies with his sister.
Lies with his mother-in-law.
Strikes his fellow in secret.
Takes a bribe to kill an innocent person.

Let me ask something: Are these eleven things the worst sins in the Torah? It does not say "Cursed be one who desecrates the Shabbos." It does not say "Cursed be one who eats chametz on Pesach." Some of the things mentioned do not involve the serious Kares penalty, nor even the less serious penalty of makkos (lashes). If we had to pick a list of "the worst eleven," maybe we would have listed some of the eleven items, such as those involving Avodah Zarah or Arayos. But most of them do not seem to be "all that bad" that

they should be worthy of this unique curse. So why were these eleven singled out?

The Sefer Darash Mordechai suggests a common denominator to all eleven items. These sins are all done behind closed doors in which a person can act hypocritically (Echad b'fnim, v'echad b'Chutz). A person can act as the biggest Tzadik out in public, and behind closed doors he can treat his parents with utter disrespect.

"Cursed be he who encroaches on the boundary of his fellow man." A person can promote himself as one of the most honest businessmen there are, and yet in the stealth of night he will move the boundary demarcation a couple of inches, and no one will know the difference.

"Cursed is he who leads the blind man astray on the road." The commentaries dispute what this applies to, but according to Rambam this refers to giving bad advice. You tell a person "Listen, you invest in this deal and you will make a fortune!" when you are purposely giving him bad advice, for your own advantage. All of these things, a person can in fact externally promote himself as a most upstanding citizen, but in secret – behind closed doors – (v'sam ba'seiser) it is quite a different story.

Chazal say that in the times of Yoshiyahu haMelech, the king thought he succeeded in cleaning out all the Avodah Zarah that existed in Eretz Yisrael. The King had guards going to people's houses searching for idols. The wicked people hid their idols on the back of their doors, so that when the doors were open the idols would be hidden. As soon as the guards closed the doors behind them, the idols reappeared. That is an instance of "and emplace it in secret" (V'sam ba'seiser) [Devorim 27:15].

So, what is this unique ceremony all about? It is about being fakers. That is why these are Arur (cursed behavior). A person needs to be "Tocho k'Baro"—the same on the inside as on the outside. A person must be who he is everywhere—in the privacy of his home and in the public arena. All these people here are acting behind closed doors, secretively. Such behavior is intolerable. The Ribono shel Olam cannot suffer such hypocrisy.

One of the themes of the Yomim Noraim is "V'Taher Leebeinu l'Avdecha b'Emes" (Purify our hearts to serve you in truth). We must be honest. We must act with integrity. What you see is what you get. What is apparent to people must be what you really are. When you are "one way with your mouth and one way with your heart" or "one way outside and one way inside" then you are a faker. This is what the Torah condemns as deserving the Arur curse. That is why these eleven things—although perhaps not the most egregious of Aveiros—nevertheless have this element of fakery which the Torah singles out for explicit condemnation.

Dvar Torah
Chief Rabbi Ephraim Mirvis

Why are stones so important in our tradition? In Chumash, we find numerous examples of the significance of stones. One is in Parshat Ki Tavo. The Israelites were just about to enter into the land of Cana'an, Hashem commanded us to take stones "וְכָתַבְתָּ עַל־הָאֲבָנִים אֶת־כָּל־דִּבְרֵי הַתּוֹרָה הַזֹּאת" Hashem asked us to engrave within the slabs of the stones all the words of the Torah. Why particularly stones? In Parshat Vayechi, Yaakov, who was about to pass away summoned his children. Of his son Yosef, he said "אבן ישראל – he is the stone of Israel". What did Yaakov mean? Targum Onkelus, the Aramaic translation, explains that the word 'אבן' is a composite term. It is made up of two words, 'אב' and 'בן' meaning father and son – together making 'אבן'. So Yaakov was saying of Yosef that he was the אבן ישראל – he sustained the family of Israel in Egypt. Parents and children alike – everybody together.

Emerging from this peirush of Onkelus we have a very profound message. In the same way as an אבן – a stone is indestructible in the face of natural elements, so too the Jewish people will never be destroyed for as long as parents convey the lessons of our tradition through to their children who, in turn, will pass it on to the generations to come. This is what we are being reminded of when Hashem tells us to engrave words of Torah on stone – it implies that we have a responsibility to keep Torah alive through the successful education we give to our children. And now we can understand the significance of the matzevah – a monument of stone to the deceased – because the stone inspires us to remember that everything that those who passed away lived for, can be kept alive if we convey their traditions successfully from parents to children and onto the generations to come.

We now have added insight into an important verse in Tehillim, which we recite in Hallel. " אֶבֶן מָאֲסוּ הַבּוֹנִים הָיְתָה לְרֹאשׁ פִּנָּה – the stone that the builders have rejected has become a cornerstone" We're referring here, of course, to the tragic manner in which our enemies have so often sought to reject the Jewish people. But nonetheless, we have continued to give a contribution of immense value to societies right around the globe.

Perhaps there is an added meaning: "אֶבֶן מָאֲסוּ הַבּוֹנִים" – even where those who are building the future of our world reject the notion of 'אבן', if they reject the possibility that an ancient tradition can be just as fresh and just as relevant today as it always was because it has been passed down from generation to generation and from parents to children – "הָיְתָה לְרֹאשׁ פִּנָּה" – Am Yisrael will still triumph. We have prevailed and today, thanks to our values, thanks to our morals and our ethics we are the cornerstone of our civilisation.

Ohr Torah Stone Dvar Torah

Etching the Torah in Stone
Rabbi Shay Nave

For the Jewish people to return to its land, they must undergo a process of interpreting and clarifying the Torah. This is the process that occurred during the first return to Zion, led by Joshua, the son of Nun.

The same happened during the second return to Zion, led by Ezra and Nehemiah, and, God willing, will recur during the third return to Zion, an event we are fortunate to have been a part of in our lifetimes.

In this week's parasha, Moses commands the nation to do the following, as we read in Deuteronomy 27, verses 1-8:

Moses and the elders of Israel charged the people, saying… As soon as you have crossed the Jordan into the land that Hashem your God is giving you, you shall set up large stones. Coat them with plaster and inscribe upon them all the words of this Teaching… Upon crossing the Jordan, you shall set up these stones, about which I charge you this day, on Mount Ebal, and coat them with plaster. And on those stones you shall inscribe every word of this Teaching most distinctly.

Sure enough, when Joshua enters the land, he acts precisely as instructed (Joshua 8 vs. 30-33):

At that time Joshua built an altar to Hashem, the God of Israel, on Mount Ebal… And there, on the stones, he inscribed a copy of the Teaching that Moses had written for the Israelites.

Writing of the Torah "most distinctly" is a vital stage in the process. At times when the state of the Jewish people, and their lifestyles, quality of life, pace and values undergo such fundamental change, as they face new challenges and come across unfamiliar territory, a new, creative way of thinking about the Torah is in order. This is the most pressing and straightforward task of the Jewish sages: to clarify and interpret the Torah, bringing it closer to the times they live in and the language they speak.

About a millenium later, during the second Return to Zion, Ezra and Nehemiah did something very similar, as described in chapter 8, verses 4-8 of the Book of Nehemiah:

Ezra the scribe stood upon a wooden tower made for the purpose… Ezra opened the scroll in the sight of all the people, for he was above all the people; as he opened it, all the people stood up… and the Levites explained the Teaching to the people, while the people stood in their places. They read from the scroll of the Teaching of God clearly, with the application

of wisdom; and they helped [the people] understand the reading.

The words "…they read from the scroll… clearly, with the application of wisdom, and they helped [the people] understand the reading" are an indication of reading the text, while applying their wisdom, education and insight – three concepts that embody a more expansive and novel way of studying the text. This must be done when the nation returns to Zion – it is vital if we wish to see the Torah persevere and remain relevant to our lives, our country, and our land.

When the sages of the Talmud read these verses, they placed Moses and Ezra on the same pedestal, as recounted in the words of our Talmudic sages, in Tractate Sanhedrin, page 21b of the Babylonian Talmud:

It is taught in a beraita: Rabbi Yosei says: Ezra was suitable, given his greatness, for the Torah to be given by him to the Jewish people, had Moses not come first [and received the Torah already].

With regard to Moses the verse states: "And Moses went up to God", and with regard to Ezra the verse states: "This Ezra went up from Babylon… Just as the going up stated here, with regard to Moses, is for the Torah [which he received from God and transmitted to the Jewish people], so, too, the going up stated there, with regard to Ezra, is for the Torah [as he taught Torah to the Jewish people and was suitable to have originally merited to give it].

With regard to Moses the verse states: "And the Lord commanded me at that time to teach you statutes and ordinances", and with regard to Ezra the verse states: "For Ezra had set his heart to seek the Torah of the Lord his God and to do it and to teach in Israel statutes and ordinances", and even though the Torah was not given literally by him, the script of the Torah was changed by him, as it is stated…"

This magnificent excerpt from the Talmud makes a comparison between Ezra and Moses, one that serves to highlight the differences between them. Both Ezra and Moses "went up". They both taught the people of Israel laws and jurisprudence. Yet aside from those similarities, there is one tremendous difference between them. Moses "went up to Hashem", while Ezra "went up from Babylon" – i.e. Ezra made aliyah, to the Land of Israel. Moses transmitted the laws and ordinances he was commanded to teach by Hashem, from heaven, while Ezra prepared his heart for teaching the children of Israel the laws and ordinances "from the world", i.e. from his own heart.

These two monumental characters – Moses and Ezra – had roles to fulfill, and each of them took the initiative and assumed responsibility, as appropriate to each in his own time and setting, for ensuring the continuation of the covenant and establishing the presence of the Torah in the Land of Israel. One of them reached this point through prophetic power, while the other, through interpretive power. Yet both had focused their hearts on implementing the word of God in an Israelite reality that was constantly in flux.

We have merited, in our own generation, to witness the third Return to Zion. We live at a time of fast-paced changes, a time that pits Judaism against a world of shifting values and technology bordering on science fiction, compounded with the return of the Jewish people to its land after an exile that lasted two thousand years – a return to a reality in which the Jewish people now live in its land and have assumed responsbility for the economy, have raised an army and settled new towns and cities, and have created universities and museums, movie theaters and fine art. All of these changes present both a challenge and an opportunity – an opportunity to grow and modernize.

We pray for the Torah scholars of our generation to assume responsibility and bring about a renewal of the Torah, inspired by their encounter with a reality that is alive and kicking. We pray for the complete fulfillment of the third Return to Zion.

Dvar Torah: TorahWeb.Org

Rabbi Zvi Sobolofsky

Teshuva, Love, and Joy

Joy is an integral part of our avodas Hashem. The absence of such joy is clearly indicative of a deficiency of our appreciation for the great gift of Torah which Hashem has bestowed upon us. In this week's parsha the performance of mitzvos without this enthusiasm is strongly critiqued. After a long, harsh description of the terrible tragedies that will befall the Jewish people, the Torah concludes that these will occur because we are not serving Hashem with joy and goodness of our hearts. There are times during the year when it is relatively easy to be in a state of joy. Particularly during the Shalosh Regalim, when there is actually a mitzvah to rejoice, our avodas Hashem naturally takes on the spirit of joy. However, as we approach the Yomim Noraim it becomes more difficult to instill the proper level of joy into our avodas Hashem.

The Rambam highlights this by explaining that the very reason we don't recite Hallel on Rosh Hashana is because they are not days of abundant joy. The poskim note that the Rambam did not say there is no mitzvah to rejoice on these days. Rather, because of the appropriate fear and trepidation that accompany the Days of Judgment, the joy that would normally be present on yom tov is mitigated. Nevertheless, a degree of rejoicing is not only appropriate on the Yomim Noraim, according to many including the Rambam it is actually a fulfillment of simchas yom tov. What is the essence of this simcha that does accompany the otherwise awesome Days of Awe?

Chazal elaborate in Maseches Yoma about the two paths of teshuva. The lower level is teshuva that results from fear. Teshuva achieved out of love, however, is a significantly higher form of teshuva. On Rosh Hashana and Yom Kippur it is almost impossible not to be stirred to perform teshuva out of fear. Simply contemplating the ramifications of the Days of Judgment will instill the feelings of awe and trepidation necessary for this level of teshuva. We are expected, however, to reach a higher level. A sincere desire to come closer to Hashem as we contemplate His endless kindness for us will be a catalyst for teshuva out of love. Culminating on Yom Kippur when Hashem extends His mercy and compassion to us, we complete our teshuva that began out of fear and return to Hashem with love.

It is this higher level of teshuva that is a source of great joy. Perhaps that is why the Torah warns us in this week's parsha about avodas Hashem that is lacking joy. Such an avodas Hashem may enable teshuva out of fear, but the height of avodas Hashem will never be reached. May we merit during the upcoming days to begin the teshuva process and reach its culmination by returning to Hashem out of love and an abundance of joy.

OU Dvar Torah

The Hidden Light: Ki Tavo – The Restoration of Self - Jerry Hochbaum

Parashat Ki Tavo contains the tokhaḥah, one of the most foreboding chapters in the Torah, in which the Torah relates all the tragic events that will befall the Jewish people if they do not observe its precepts. It is such a sorrowful description of the events that will befall the Jewish people that it is read sotto voce and very quickly by the ba'al keriah in the synagogue.

Is there anything that we can learn from this chapter describing the composite tragedies that will befall us if we – as individuals or as a community – deviate from the Torah? I believe the answer is provided in two verses of the tokhaḥah.

The first verse explains why the events described in the tokhaḥah will occur: "Taḥat asher lo avadeta et Hashem Elokekha b'simḥah," because you have not served God with joy. It is very interesting that in the parshiyot that precede Ki Tavo, the Torah describes a multitude of mitzvot relating to man's required behavior toward his fellow man and God. Yet in the tokhaḥah, there is little specific mention of any of the lapses from those mitzvot. The Torah states explicitly that all the tragic events contained therein result from our failure to serve God in simḥah, joy.

From this text it appears that joy should be the underlying disposition in our service of God. "Ivdu et Hashem b'simḥah," contends the Psalmist. We are required to serve God in a state of joy. The Kotzker Rebbe makes this

same point cogently in his own unique fashion. He raises this pertinent question in Yiddish: "Vi kricht min arous fun der blota?" How does one escape the quicksand of tragedies confronting the Jewish people? His response is also drawn from the Psalms. "Ki b'simḥah tetze'u," go forth in joy. Simḥah is the exit vehicle.

So we are advised by the Torah and the Psalms, via the Kotzker Rebbe, that joy is the indispensable disposition for Jews in the service of God. It is the ultimate prophylactic against the potential tragedies enumerated in the tokhaḥah.

The question remains: How do we achieve this disposition of joy individually and collectively as Jews? The answer, I believe, is provided in a second text in the tokhaḥah: "Hager asher b'kirbekha ya'aleh . . .mala mala, v'ata tered mata mata," the alien who is with you will rise higher and higher, and you will descend lower and lower. The simple interpretation of this sentence is that the foreign leaders who will rule the societies in which the Jews will be dispersed in the Diaspora will grow more and more powerful, while the Jews, on the other hand, will simultaneously decline, falling lower and lower.

This verse can also be understood in an even more powerful, psychologically incisive manner. In Western civilization today, Jews fill many roles in the secular societies in which we live, as Jews but also as professionals and citizens. Harav Avraham Yitzchak Hakohen Kook wisely advised us that our existence in the Diaspora can – and often does – distort the importance, priority, and commitment we assign to these different roles. That is to say, the culture and values of the societies in which we reside, which are often foreign to our traditions, can undermine our deportment and behavior in our role as Jews and the priority we should assign to it.

The "ger" in our midst – that is, the alien influences inherent in the roles we play in secular society as citizens, in our professional work, and in our social interactions – may become the dominant focus of our lives. Those alien elements may rise and grow to such importance that they become more valued by us than our Jewish selves.

And as a result, our true identity as Jews – reflected in our traditions, culture, and, indeed, the Torah itself – becomes more and more minimal in our lives. Those alien elements which envelop us on a regular basis in the Diaspora can weaken, offset, or even invalidate our identity as Jews, that which constitutes our essential selves.

This is the greatest tragedy that can befall us. Even if we retain some exterior aspects of our previous lives, when the alien elements become the dominant force in our personalities, the simḥah that provides emotional meaning and depth to our service of God will become progressively constrained, diminishing us inalterably. If we are not who we really are or should be, we inevitably become joyless.

The Maharal explains the difference between matzah and ḥametz in the manner in which we celebrate our liberation on Passover. Matzah, unleavened bread, contains only flour and water. To ḥametz we add additional spices and liquids to enrich the bread. Matzah, the metaphor for liberation on Passover, requires us to eliminate our consumption of ḥametz because of those alien elements it contains. We consume only matzah because it only retains just the essential ingredients of bread.

The antidote to the tokhaḥah is the reduction of those alien elements from our personalities and communities. In restoring our essential selves, we ultimately also revive our joy in His service.

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date: Aug 26, 2021

Parshas Ki Savo

Vidui for What Could Have Been and Should Have Been

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Series on the weekly portion: #1260 Mezzuzah – Case of No Case; Kissing the Mezzuzah – Good Idea or Not? Good Shabbos!

Parshas Ki Savo contains Parshas Vidui Maaser. At the end of the third and sixth year of the seven-year Shmita cycle, a person needs to make a declaration that he has fulfilled all the halachos regarding the various Terumos U'Maasros obligations. He has given them to the correct people, he has given them at the right time, he treated the Maaser like the halacha demands. At the conclusion of this declaration he states, "I have fulfilled and kept all the halachos… I have done all that You have commanded me." [Devorim 26:14].

One of the more famous questions asked about this parsha is – Why is this called the Parsha of Vidui Maaser (literally, the Confession of tithing). Vidui is a confessional. We are familiar with the term from the Vidui recited on Yom Kippur. The recitation of full compliance with all the tithing requirements as specified here does not sound anything at all like "Al Chet, we have done this; Al Chet, we have done that." Ashamnu, Bagadnu, Gazalnu, and Al Chet, Al Chet, Al Chet… are confessions. "I have done all that You have commanded me" sounds just the opposite!

What did he do wrong here that this is called "Vidui"? On the contrary he claims he did everything right!

Many commentaries are troubled by this question – including the Sforno. The Sforno writes that when a person states that he has taken the tithes and given them to the Levi and to the poor and to all who are supposed to get them, that is an admission of a terrible situation: If things were like they were supposed to have been, the First-born would be the Divine Servants in the Beis HaMikdash. The First-born son in each family would be the family's own "built-in Kohen/Levi."

Every family would have an in-house family member to whom to give the Maasros. Why do we give it to the Levi? The answer is, the Sforno writes, "Because of our sins, the duties of the Bais Hamikdash were removed from our forefathers." Things are not the way they were supposed to be. When we admit that things are not the way they were supposed to be, that itself is a Vidui.

This means a person can be doing everything correctly—and indeed did do everything correctly—but yet the situation is strictly a b'di'eved (ex-post-facto) situation. This is not the way things should be. The way things should be is that I should never need to say "I removed the holy foods from my house" [Devorim 26:13]. I should never need had to take them out of the house, because I could have just given it to my oldest son.

The "confession" that he now needs to give the tithes to the Levi is an admission – says the Sforno – that "my sin is great for I have caused the departure of this holy produce from my house. Even though I have done what I am supposed to do at this time, I pray for your Mercy that you will give me blessing, rather than the punishment I deserve for my past sins which brought this situation about."

This is perhaps a very appropriate message for us at this time of year. I look around at a crowd like this, and bli ayin Ha'Rah, everyone here observes mitzvos meticulously. In this crowd, there is no need to speak about Shmiras Shabbos and there is no need to speak about Kashrus. We do not even have to talk about Talmud Torah – everybody here "learns".

Here it is, we go into Yomim Noraim and we cry out "Woe! We have sinned, we are full of iniquity, we have rebelled before You!…Ashamnu, bagadnu, gazalnu," Fine, maybe we should daven a little more with kavanah. Maybe we slip up with Lashon HaRah every once in a while. But, look at us – especially relative to the state of Judaism among the masses today. Relatively speaking, this audience is full of Tzadikim! So where is the place for the Vidui?

I believe the answer is that – yes, we are all great, but it is still not the way it should be. It is not shanim k'tiknan. It is not k'shanim kadmoniyus. (Years the way they should be; times the way they once were).

This past summer, I was on a tour in Europe and I spent many hours on a bus getting from place to place. Before I left, someone gave me a very interesting book called My Father's Journey: A Memoir of Lost Worlds of Jewish Lithuania. It is written by Sara Reguer, chair of the Department of Jewish Studies in Brooklyn College, based on a written Hebrew memoir of her father. This is not an Artscroll book. This personal memoir does not contain any sugarcoating of life in Jewish Lithuania.

Sara Reguer's father was Moshe Aharon Reguer, son of Rav Simcha Zelig Reguer. Rav Simcha Zelig Reguer was the Brisker Dayan. He was extremely close to Rav Chaim Soloveitchik. They lived in the same two-family house. Rav Simcha Zelig paskened all the shaylos in Brisk. This family was literally the "Real McCoy Litvaks!" and they were proud of it.

What is this book about? It is the story of Rabbi Doctor Moshe Aharon Reguer, who eventually became a professor of Judaic Studies at Yeshiva University. He was a typical Yeshiva bochur in Lithuania at the beginning of the twentieth century. If I remember correctly, he left Lithuania in 1927. He attended some of the great Yeshivos in Europe, including Slabodka (from which he was thrown out for not being a "typical Slabodka student.") If someone wants to know what it was like to be a Yeshiva bochur in Europe in those tumultuous times when "new ideas" of communism and socialism were sweeping Jewish society, the Russian Revolution, and the First World War – this book really gives you a taste of what Europe was like.

One of the Yeshivas he studied in was the Yeshiva in Slutsk. The Rosh Yeshiva in Slutsk was Rav Isser Zalman Meltzer (father-in-law of Rav Aharon Kotler). Moshe Ahron Reguer described what the month of Elul was like in Slutsk. One day in shiur this year, I read this page to my students: What was Elul like in Slutsk? We are not talking five hundred years ago. We are talking about just 100 years ago – the twentieth century!

Meanwhile, the month of Elul approached. In that month, issues of the Day of Judgement darkened the Yeshiva. The walls of the Yeshiva and the people within took on a new form – that of pain and suffering and weeping. In every corner, you could feel that it was a season of repentance and that all were breathing with a difficulty borne of internal danger, fear for the soul and knowledge that the future was covered in fog.

In those days, Rav Isser Zalman himself dedicated himself to rousing repentance. He was an expert in this work. Morning and night he would speak of the approaching Day of Judgement and the preparations for it that had to be done in our hearts. With himself as an example, he roused us. One example he gave rings in my ears – even today – that of a poor lamb ready for slaughter who bleats loudly and feels that this is her last moment. Who knows who this lamb is? "Who is going to die?" he would ask us. He would look at us for an answer and there would come only sobbing. Our tears wet the floors of the houses.

That was Elul in Slutsk, circa 1915. There is not a Yeshiva in the world today where anything like this takes place. Those of us who are old enough and have the image of Rav Dovid (Kronglas), zt"l, and the Rosh Yeshiva (Rav Yitzchok Ruderman), zt"l, have such an image of people who were literally afraid of the Yom HaDin. My students do not have that image.

This is what the Sforno is alluding to. Yes, we are all Shomer Torah U'Mitzvos, etc. etc. But look how low we have sunk compared to what was only a hundred years ago. In fact, it is not even a hundred years ago. I am sure that in the Mir in Europe and in Shanghai it was also like this. Shanghai is not a hundred years ago! Therefore, when we are finished patting ourselves on the back and we say, "Ah! What do we have to worry about? Remember this Sforno: If we are not up to snuff of what could have been and should have been, then we need to recite a Vidui. And remember this story from "My Father's Journey" of what Yeshiva life was like a mere hundred years ago in Europe. The bochurim would literally cry out of fear. That is a generation that no longer exists.

The Gaon's Fear of Speaking Lashon HaRah

Among the list of "Aruruim" (curses) mentioned in the parsha is someone who smites his fellow man in secret [Devorim 27:24]. How does someone hit his friend "secretly"? Rashi says the reference is to Lashon HaRah. Speaking gossip about one's fellow man behind his back can cause him untold damage. His business can be ruined, his marital prospects can be ruined, his life can be ruined. This is known as "Makeh es Ray'ei'hu b'Saser."

I recently came across an amazing story in a sefer on Chumash by Rav Eliyahu Baruch Finkel, who cites an incident which I would like to share, about Lashon HaRah.

This incident has a pedigree which testifies to its veracity:

The Chofetz Chaim (1838-1933) wrote the story in the Kisvei Chofetz Chaim.

He heard it from Rav Yehoshua Heller, the Choshen Yehoshua (1814-1880),

who heard it from his Rebbe, the Nachlas Dovid (Rav Dovid Tebel) (1794-1861),

who heard it from Rav Chaim of Volozhin (1749-1821),

who heard it from the Vilna Gaon (1720-1797).

This is not just a "Bubba ma'aseh" – this is a ma'aseh with documented yichus!

The Gaon was going somewhere and hired a wagon driver. The wagon driver was driving the horse and buggy. The driver fell asleep. Today, when someone falls asleep at the wheel, the consequences are likely to be fatal. What happened then? The driver fell asleep, so the horse drifted off to the side of the road and started eating some of the produce that was growing in the field on the side of the road.

The non-Jewish owner of the field saw the horse of a Jewish wagon driver helping itself to supper at this Gentile's expense and he became all angry. He ran over to the wagon and saw one person sleeping and one person studying out of a book. He figured the person who was sleeping was the passenger and the person who was up reading the book was the driver. In other words, he assumed that the Gaon of Vilna was the Ba'al Ha'Agalah who owned this horse. The farmer beat him up. He physically let him have it.

Somebody asked the Gaon – "Why didn't you say something? You should have protested – 'It is not me who is at fault. It is this other person!'" The Gaon answered, "I did not say that because it would have been Lashon HaRah." He went on to add "And if I would have said Lashon HaRah, all the Torah that I have written in my life would not save me, and I would come back to this world in a gilgul (transmigration of the souls) as a barking dog!"

This story needs to give us a lot of pause. Cursed be he who smites his fellow in secret. Such was the fear the Gaon had from something which might not even have been Lashon HaRah.

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Series on the weekly Torah portion. A listing of the halachic portions for Parshas Ki Savo ... A complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit http://www.yadyechiel.org/ for further information.

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Covenant & Conversation

Ki Tavo (Deuteronomy 26:1-29:8)

by Rabbi Lord Jonathan Sacks zt"l

A Nation of Storytellers

Rabbi Sacks zt''l had prepared a full year of Covenant & Conversation for 5781, based on his book Lessons in Leadership. The Rabbi Sacks Legacy Trust will continue to distribute these weekly essays, so that people all around the world can keep on learning and finding inspiration in his Torah.

Howard Gardner, professor of education and psychology at Harvard University, is one of the great minds of our time. He is best known for his theory of "multiple intelligences," the idea that there is not just one thing that can be measured and defined as intelligence but many different facets – which is one dimension of the dignity of difference. He has also written many books on leadership and creativity, including one in particular, Leading Minds, that is important in understanding this week's parsha of Ki Tavo.1

Gardner's argument is that what makes a leader is the ability to tell a particular kind of story – one that explains ourselves to ourselves and gives power and resonance to a collective vision. So Churchill told the story of Britain's indomitable courage in the fight for freedom. Gandhi spoke about the dignity of India and non-violent protest. Margaret Thatcher talked about the importance of the individual against an ever-encroaching State. Martin Luther King Jr. told of how a great nation is colour-blind. Stories give the group a shared identity and sense of purpose.

Philosopher Alasdair MacIntyre has also emphasised the importance of narrative to the moral life. "Man," he writes, "is in his actions and practice, as well as in his fictions, essentially a story-telling animal."2 It is through narratives that we begin to learn who we are and how we are called on to behave. "Deprive children of stories and you leave them unscripted, anxious stutterers in their actions as in their words."3 To know who we are is, in large part, to understand the story or stories of which we are a part.

The great questions - "Who are we?" "Why are we here?" "What is our task?" – are best answered by telling a story. As Barbara Hardy put it: "We dream in narrative, daydream in narrative, remember, anticipate, hope, despair, believe, doubt, plan, revise, criticise, construct, gossip, learn, hate and love by narrative."4 This is fundamental to understanding why Torah is the kind of book it is: not a theological treatise or a metaphysical system but a series of interlinked stories extended over time, from Abraham and Sarah's journey from Mesopotamia to Moses' and the Israelites' wanderings in the desert. Judaism is less about truth as system than about truth as story. And we are part of that story. That is what it is to be a Jew.

A large part of what Moses is doing in the book of Devarim is retelling that story to the next generation, reminding them of what God had done for their parents and of some of the mistakes their parents had made. Moses, as well as being the great liberator, is the supreme storyteller. Yet what he does in parshat Ki Tavo extends way beyond this.

He tells the people that when they enter, conquer and settle the land, they must bring the first ripened fruits to the central Sanctuary, the Temple, as a way of giving thanks to God. A Mishnah in Bikkurim5 describes the joyous scene as people converged on Jerusalem from across the country, bringing their first-fruits to the accompaniment of music and celebration. Merely bringing the fruits, though, was not enough. Each person had to make a declaration. That declaration become one of the best known passages in the Torah because, though it was originally said on Shavuot, the festival of first-fruits, in post-biblical times it became a central element of the Haggadah on Seder night:

My father was a wandering Aramean, and he went down into Egypt and lived there, few in number, there becoming a great nation, powerful and numerous. But the Egyptians ill-treated us and made us suffer, subjecting us to harsh labour. Then we cried out to the Lord, the God of our ancestors, and the Lord heard our voice and saw our misery, toil and oppression. So the Lord brought us out of Egypt with a mighty hand and an outstretched arm, with great terror and with signs and wonders. (Deut. 26:5-8)

Here for the first time, the retelling of the nation's history becomes an obligation for every citizen of the nation. In this act, known as vidui bikkurim, "the confession made over first-fruits," Jews were commanded, as it were, to become a nation of storytellers.

This is a remarkable development. Yosef Hayim Yerushalmi tells us that "only in Israel and nowhere else is the injunction to remember felt as a religious imperative to an entire people."6 Time and again throughout Devarim comes the command to remember: "Remember that you were a slave in Egypt." (Deut. 5:14; 15:15; 16:12; 24:18; 24:22); "Remember what Amalek did to you." (Deut. 25:17) "Remember what God did to Miriam." (Deut. 24:9) "Remember the days of old; consider the generations long past. Ask your father and he will tell you, your elders, and they will explain to you." (Deut. 32:7)

The vidui bikkurim, though, is more than this. It is, compressed into the shortest possible space, the entire history of the nation in summary form. In a few short sentences we have here "the patriarchal origins in Mesopotamia, the emergence of the Hebrew nation in the midst of history rather than in mythic prehistory, slavery in Egypt and liberation therefrom, the climactic acquisition of the land of Israel, and throughout – the acknowledgement of God as lord of history."7

We should note here an important nuance. Jews were the first people to find God in history. They were the first to think in historical terms – of time as an arena of change as opposed to cyclical time in which the seasons rotate, people are born and die, but nothing really changes. Jews were the first people to write history – many centuries before Herodotus and Thucydides, often wrongly described as the first historians. Yet biblical Hebrew has no word that means "history" (the closest equivalent is divrei hayamim, "chronicles"). Instead it uses the root zachor, meaning "memory."

There is a fundamental difference between history and memory. History is "his story,"8 an account of events that happened sometime else to someone else. Memory is "my story." It is the past internalised and made part of my identity. That is what the Mishnah in Pesachim means when it says, "Each person must see themselves as if they (personally) escaped Egypt." (Mishnah Pesachim 10:5)

Throughout the book of Devarim, Moses warns the people – no less than fourteen times – not to forget. If they forget the past they will lose their identity and sense of direction and disaster will follow. Moreover, not only are the people commanded to remember, they are also commanded to hand that memory on to their children.

This entire phenomenon represents are remarkable cluster of ideas: about identity as a matter of collective memory; about the ritual retelling of the nation's story; above all about the fact that every one of us is a guardian of that story and memory. It is not the leader alone, or some elite, who are trained to recall the past, but every one of us. This too is an aspect of the devolution and democratisation of leadership that we find throughout Judaism as a way of life. The great leaders tell the story of the group, but the greatest of leaders, Moses, taught the group to become a nation of storytellers.

You can still see the power of this idea today. As I once wrote,9 if you visit the Presidential memorials in Washington, you will see that each carries an inscription taken from their words: Jefferson's 'We hold these truths to be self-evident . . .', Roosevelt's 'The only thing we have to fear, is fear itself', Lincoln's Gettysburg Address and his second Inaugural, 'With malice toward none; with charity for all . . .' Each memorial tells a story.

London has no such equivalent. It contains many memorials and statues of historical leaders, each with a brief inscription stating who it represents, but there are no speeches or quotations. There is no story. Even the memorial to Winston Churchill, whose speeches rivalled Lincoln's in power, bears only one word: Churchill.

America has a national story because it is a society based on the idea of covenant. Narrative is at the heart of covenantal politics because it locates national identity in a set of historic events. The memory of those events evokes the values for which those who came before us fought and of which we are the guardians.

A covenantal narrative is always inclusive, the property of all its citizens, newcomers as well as the native-born. It says to everyone, regardless of class or creed: this is who we are. It creates a sense of common identity that transcends other identities. That is why, for example, Martin Luther King Jr. was able to use it to such effect in some of his greatest speeches. He was telling his fellow African Americans to see themselves as an equal part of the nation. At the same time, he was telling white-Americans to honour their commitment to the Declaration of Independence and its statement that 'all men are created equal'.

England does not have the same kind of national narrative because it is based not on covenant but on hierarchy and tradition. England, writes Roger Scruton, "was not a nation or a creed or a language or a state but a home. Things at home don't need an explanation. They are there because they are there."10 England, historically, was a class-based society in which there were ruling elites who governed on behalf of the nation as a whole. America, founded by Puritans who saw themselves as a new Israel bound by covenant, was not a society of rulers and ruled, but rather one of collective responsibility. Hence the phrase, central to American politics but never used in English politics: "We, the people."11

By making the Israelites a nation of storytellers, Moses helped turn them into a people bound by collective responsibility – to one another, to the past and future, and to God. By framing a narrative that successive generations

would make their own and teach to their children, Moses turned Jews into a nation of leaders.

QUESTIONS (AROUND THE SHABBAT TABLE) Why do you think stories can be so effective in teaching and passing on identity to future generations?

Why is this an important part of the role of a teacher and leader?

Who do you know in your life who is a great storyteller? What kind of things have you learned from their stories?

NOTES

1. Howard Gardner in collaboration with Emma Laskin, Leading Minds: An Anatomy of Leadership, New York, Basic Books, 2011. 2. Alasdair MacIntyre, After Virtue, University of Notre Dame Press, 1981. 3. Ibid. 4. Barbara Hardy, "An Approach Through Narrative," Novel: A Forum on Fiction 2 (Durham, N.C.: Duke University Press, 1968), 5. 5. Mishnah Bikkurim 3:3. 6. Yosef Hayim Yerushalmi, Zakhor: Jewish History and Jewish Memory, Schocken, 1989, 9. 7. Ibid., 12. 8. This is a simple reminder not an etymology. Historia is a Greek word meaning inquiry. The same word comes to mean, in Latin, a narrative of past events. 9 Jonathan Sacks, The Home We Build Together: Recreating Society (London: Bloomsbury Academic, 2009). 10 Roger Scruton, England, an Elegy, Continuum, 2006, 16. 11 See "We, the People", the Covenant & Conversation essay on Behar-Bechukotai, for further discussion on the power of this phrase.

From: Rabbi Shafier <rebbe@theshmuz.com> via theshmuz.ccsend.com reply-to: binny@theshmuz.com date: Aug 26, 2021, 1:05 PM

The Shmuz

Rabbi Ben Tzion Shafier

Ki Savoh

THE DESTINY OF THE JEWS

The Mitzvah to be Happy "Because you did not serve HASHEM, your G-d, amid gladness and goodness of heart when everything was abundant." Devarim 28:47

At the end of a long prophecy of what will befall us if we don't follow the ways of HASHEM, the Torah seems to lay the blame on one issue: because you did not serve HASHEM, your G-d, amid gladness and goodness of heart when everything was abundant. It seems the pivotal point of these two extremes is based on simcha.-- Implying that serving HASHEM with happiness is critical to our success as a nation.

Rabbeinu Bachya explains that this is because the mitzvahs must be done with joy and complete devotion. When the mitzvahs are done without joyfulness, they are lacking in their effect, and this can be part of the spiral downward. He then gives an example of a mitzvah that wasn't done with complete motivation. The Medrash tells us that when Reuvain attempted to save Yosef from his brothers, he said, "Let us put him in the pit." His intention was to buy some time to eventually save him. However, had he realized that he would be recorded in history as the one who saved Yosef, he would have put him on his shoulders and carried him home to his father. From here we see the importance of doing a mitzvah with complete dedication and commitment.

 THE POWER OF SIMCHA This Rabbeinu Bachaya is difficult to understand on two levels. First, how can the Torah command me to be happy? Being happy isn't an emotion that we can turn on and off like a light switch. And second, how can we compare the effect of doing a mitzvah joyfully to the case of Reuvain? We are well aware that honor is one of the most powerful driving forces in the human condition. Granted Reuvain was a tzaddik, but the fact that he would have been titled the savior of Yosef for eternity is something that would propel a man to extremes. How can that be compared to something as minor as joy in the performance of a mitzvah?

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OU Torah Dimensions in Chumash

Fruit for Thought – The Mitzvah of Bikkurim

Rabbi Immanuel Bernstein

וְהָיָה כִּי תָבוֹא אֶל הָאָרֶץ אֲשֶׁר ה' אֱלֹקֶיךָ נֹתֵן לְךָ... וְלָקַחְתָּ מֵרֵאשִׁית כָּל פְּרִי הָאֲדָמָה

*And it will be, when you come to the land that Hashem, your God, is giving you… You shall take from the first fruits of the land.**[1]***

Introduction: When Commandments are Key

The mitzvah which opens our parsha is *bikkurim*, bringing the first fruits to the Beis Hamikdash. Commenting on the introductory words in our verse, "*And it will be when you come to the land*," the Midrash[2] says:

עשה מצוה האמורה בענין שבשכרה תכנס לארץ

Perform the mitzvah that is mentioned in this section, for in its merit you will enter the land.

Understandably, these words of the Midrash raise a basic question. The mitzvah of first fruits can only be performed once the Jewish people have *already entered* the land. How, then, can we say that this is a mitzvah whose performance *allows us* to enter? Clearly, the intent of the Midrash that the bringing of *bikkurim* once we are in the land retroactively justifies our entry, and enables us to stay there.

What is so special about this mitzvah that makes it the key to successfully maintaining our presence in the Land of Israel?

Praising the Land – The Magnificent Seven

Although the verse states generally that the first fruits should be brought as *bikkurim*, the halachah stipulates that this mitzvah applies specifically to the seven species through which the Land of Israel is praised, as enumerated in Parshas Ekev.[3] A fascinating dimension in this stipulation is revealed by the Arizal, who explains that the mitzvah of *bikkurim* serves as a rectification of the sin of the spies. Since they spoke ill of the land, the Torah commands us, in response, to bring the fruits which bring praise to the land.

It is quite fascinating to note, in this regard, that the concept of bikkurim is actually mentioned explicitly in the episode of the spies. Just before they set off on their journey to spy out the land, the verse informs us that the time of year was, "יְמֵי בִכּוּרֵי עֲנָבִים – *the days of the first fruits of the grapes*."[4] This seemingly technical piece of information takes on entirely new significance in light of the Arizal's comment; for the very season during which they maligned the land was the one that, in time, would be the basis for its praise!

Resonance in the Mishnah

The Mishnah in *Maseches Bikkurim*[5] describes the beginning of the process that culminates in the fruits being brought to the Beis Hamikdash:

כיצד מפרישין את הביכורים: יורד אדם לתוך שדהו, ורואה תאנה שביכרה, אשכול שביכר, רימון שביכר; וקושרן בגמי ואומר, הרי אלו ביכורים.

How does one set aside bikkurim? A person goes down to his field and sees a fig that has ripened, a cluster of grapes that has ripened, a pomegranate that has ripened; he ties a reed around them and says, "These are for bikkurim."

As we have mentioned, the mitzvah of *bikkurim* applies to all the seven species associated with the Land of Israel. Why, then, does the Mishnah specifically choose these three species as examples of how the Mitzvah begins?

R' Menachem Ziemba, *Hy"d,* offers a stunning explanation, based on the statement of the Arizal, that *bikkurim* comes to rectify the sin of the meraglim. The Torah relates that the spies brought back fruit through which to malign the land, specifically: a cluster of grapes a fig and a pomegranate![6] Accordingly, these three fruits receive special mention in the Mishnah as examples for how the mitzvah of *bikkurim* is performed.

There is room to ask: Aside from the fact that it involves fruit that brings praise to the land, is there anything about the mitzvah of *bikkurim* itself that makes it the appropriate vehicle through which to counter the slander of the spies?

To answer this question, we will need to look a little deeper into both the sin of the spies and the mitzvah of *bikkurim*…

The Sin of the Spies – Alone in Battle?

One of the striking features of the sin of the spies is their firm conviction that they would be unable to enter the land, stating that its inhabitants were too strong, and impossible to conquer. It is hard for us to relate to this assertion,

for, as Yehoshua and Calev exclaimed, if Hashem is with the Jewish people how can anyone be too strong for them?

Clearly, the spies felt – and the people believed – that, somehow, Hashem would *not* be with the Jewish people in the land, at least not in the way He had been with them in the desert. As we know, life in the desert and life in the Land of Israel represent two very different modes of existence. Life in the desert was virtually free of all physical concerns – with the people's sustenance and wellbeing being provided for directly and miraculously by Hashem. Manna fell from heaven, Miriam's well followed them on their journeys, and they were protected from their surroundings by the Clouds of Glory. Once they cross would the Jordan River and enter into Israel, all that would change, and existence would become much more physical. The notion among the people was that this meant that they would be "on their own" in the physical world from that point. In other words, they made the equation between Divine Providence and open miracles, so that if the latter would cease, it meant that the former was likewise no longer present. Based on this perspective, left by themselves, they felt they stood no chance against the mighty nations of Canaan.

We should recognize that actually, from their point of view, the people were absolutely correct. Their error lay in concluding that Hashem would not be them in the physical setting of the Land of Israel. It was this error that Yehoshua and Calev battled to correct, proclaiming that Hashem would be guiding them in the land *through* the laws of nature as surely as He had guided them until that point *outside* the laws of nature. However, the people were not receptive to this point, and the result was the tragedy with which we are all familiar.

Setting the Tone

This brings us back to the mitzvah of *bikkurim*. As we mentioned, the Jewish people's move from the desert to the Land of Israel meant that their mode of existence will become much more physical, as they will need to become involved in earthly matters on a day-to-day basis. The ideal, of course, is to implement all the Torah values absorbed in the desert and use physical existence as a basis for higher Torah living. This, however, is easier said than done. Occupation with physical pursuits can easily become pre-occupation. There is a very real danger that over the course of time, involvement in the natural order of things will cause people to forget Who it is that is providing their sustenance. As consciousness of the Divine hand fades from the picture, physical living, which should be a means toward a higher end, is in danger of becoming an end in itself.

The antidote to this attitude is the mitzvah of *bikkurim*. By bringing the first fruits to the Temple, one is acknowledging Hashem as the Source of his sustenance, as the One who guided the agricultural cycle and provided the harvest. This pilgrimage to the Temple, and the declaration of awareness of Hashem's role in guiding the forces of nature should serve to set the tone for one's attitude toward his crops the rest of the year.

Needless to say, this awareness is absolutely crucial to life in Israel being considered a successful venture, and thus we can understand why the Midrash says that the Jewish people's presence in the Land of Israel hinges on the mitzvah of *bikkurim*.

Letters, Lines and Circles

The Baal Haturim in our parsha makes the enigmatic observation that of all the letters in the *aleph beis*, the letter *samech* is missing from the section dealing with *bikkurim*. What is the significance of this omission?

The Hebrew word for a letter is אות (*os*). The word אות also means a sign. This is because every letter of the Hebrew alphabet is also a sign that represents a concept. The idea of being trapped inside the natural cycle, with no way of seeing beyond it, is represented by the letter *samech*. Why? The shape of the letter itself is round, representing a cycle with no perceivable beginning or end. Moreover, the numerical value of *samech* is sixty, which is an expanded expression of the number six, representing physical movement and activity, as per the six days of physical creation. The letter which has the numerical value of six is *vav*, which represents the straight line from A to B. Indeed, the letter *vav* means "and", denoting the way that one activity naturally follows on from the next. The *samech* is thus the sum total of all of those activities; all of those individual lines join together and angle round to form a large circle which brings one back to the first act.[7]

First Impressions

The Talmud informs us that we can tell a lot about the character of a letter by observing the first time it appears in the Torah.[8] In our case, the Midrash points out that the letter *samech* first appears in the verse describing the four branches of the river which came out of the Garden of Eden. The first branch is called Pishon, and is described by the verse as, "הַסֹּבֵב אֵת כָּל אֶרֶץ הַחֲוִילָה — It surrounds the Land of Chavila."[9] We see that the first appearance of the letter *samech*, in the word "*hasovev*," is in the context of surrounding something. The Midrash further points out that the first time we find the letter *samech* in the context of human experience is when Hashem takes Eve from Adam's flesh, and then "וַיִּסְגֹּר בָּשָׂר תַּחְתֶּנָּה — and He closed the flesh beneath it." The *samech* here features in the capacity of Eve's origin's being closed off and unidentifiable. This is the effect of the *samech* circle. It renders a person unable to see beyond it and attain a sense of where things really come from.

In light of this, we can understand why the letter *samech* is missing from the section dealing with *bikkurim*, for it is, in a sense, the "anti-letter" of that mitzvah, representing the circle of sixty that we are looking to break out of. The goal of *bikkurim* is to see Hashem as the One Force behind the manifold natural forces. Indeed, the halachah requires that the amount of first fruits that we bring as *bikkurim* be "one from sixty", for it is looking to draw out the One from the enveloping circle of sixty.[10]

Between the Gaps

Interestingly, the Baal Haturim further points out that while the letter *samech* itself is not present in relation to *bikkurim*, the number sixty is still represented by the word טנא, a basket, which is the vessel the Torah instructs *bikkurim* to be brought in.[11] It is very interesting that the Torah makes a point of telling us what vessel to bring *bikkurim* fruits in, something it does not do with other mitzvos. Why emphasize and insist on this seemingly purely logisitcal point? How is a basket different than any other vessel?

A basket has a significant characteristic; since it is woven together, there are gaps in the walls of the vessel. This means that although a cursory glance will show only the walls of the vessel, if one looks closer one can see through it. This is an amazing portrayal of us as we bring the *bikkurim* fruits. We are addressing the questions of "What contains us? What surrounds us? What are the forces ultimately responsible for our physical sustenance?" The forces of nature are the basket. The goal of *bikkurim* is to look closer and see through those walls to that which is beyond them.

Semichus Parshiyos – Bikkurim and Amalek

With this in mind, we can appreciate the juxtaposition of *bikkurim* at the beginning of our parsha, with the final topic dealt with in last week's parsha – remembering Amalek.[12] How are these two matters connected?

Amalek represents a refusal to recognize Divine interaction in human affairs. Amalek's attack against the Jewish people is described with the words " אֲשֶׁר קָרְךָ בַּדֶּרֶךְ — *who happened upon you along the way*". The commentators explain that the word קָרְךָ is the motif term that represents Amalek's position. Nothing is supervised or guided, things just "happen." The events which immediately preceded Amalek's attack were in a place called Refidim where, in our thirst, we wondered aloud, "הֲיֵשׁ ה' בְּקִרְבֵּנוּ אִם אָיִן — *Is Hashem in our midst or not*?"[13] We were not questioning Hashem's existence. We were questioning His involvement "in our midst," in our everyday affairs. The next thing that happened was we were attacked by Amalek.[14] By giving voice to their credo, we empowered them to damage us.

Part of the mitzvah to remember Amalek and ultimately eradicate them is to remember the attitude which empowered them and to eradicate that as well. A decisive step in countering this attitude of Amalek thus follows immediately in the next section — the mitzvah of *bikkurim*.

In light of all this we can understand on a deeper level why *bikkurim* were chosen as the rectification of the sin of the spies, as discussed by the Arizal.

It is not just a matter of praise rectifying slander. The awareness of – and sense of connectivity with – Hashem in the physical world that is reflected in *bikkurim* is the core refutation of the opposing thesis that led to the sin of the spies!

Postscript: Bikkurim and Prayer

Having discussed at length the crucial lesson to be derived from the mitzvah of *bikkurim*, we must ask: From where are we to derive this message when *bikkurim* are no longer brought? After all, the message is ultimately about all physical living, and is as relevant to the Jewish people in exile as it is when they are in Israel!

The Midrash Tanchuma in our parsha states:

צפה משה ברוח הקודש וראה שבית המקדש עתיד ליחרב והבכורים עתידים ליפסק, עמד והתקין להם לישראל שיהיו מתפללים שלש פעמים בכל יום.

*Moshe saw through Divine inspiration that in the future the Temple would be destroyed and the mitzvah of bikkurim (bringing the first fruits) would be discontinued, therefore he instituted for the Jewish people that they should pray three times every day.**[15]***

If the Temple will be destroyed, then every aspect of the Temple service will be discontinued, not just the mitzvah of *bikkurim*! Why does the absence of *bikkurim* specifically result in the institution of daily prayers?

R' Moshe Chaim Luzzato in his classic work, *Derech Hashem*,[16] describes the descent of the soul into the physical world, a place where conditions are not conducive to spiritual pursuits, in order to achieve greater merit by fulfilling the Divine will under such adverse conditions. He then adds: *However, as much as this descent is necessary for the soul in this world, on the other hand, it is crucial that the soul not descend further than is appropriate. For the more it gets caught up in matters of this world, the more it distances itself from the ultimate Light. Now, the Creator has prepared an antidote for this concern, namely, that first a person should draw close and stand before Him, and ask of Him all his needs, and cast upon Him his lot. This will be the beginning point (ראשית) for all his earthly involvement, so that when he then goes about his endeavors, which are the various pathways of human involvement, he will not become overly enmeshed in physicality and earthliness, having preceded them by ascribing all to God.*

This presentation of the idea of prayer is most profound. Through praying at the three crucial junctures of the day, a person checks in with Hashem and establishes his awareness that it is Hashem who governs the world. This should serve to set the tone for the portion of the day which follows, much as *bikkurim* set the same tone for the agricultural year. The *bikkurim* are taken from the ראשית, the first of the fruits, the very word R' Luzzato uses to describe the effect of prayer. We thus understand why the Midrash stated that the institution of prayer was in response to the absence of *bikkurim*, for their function is one and the same. Prayer is to the day what *bikkurim* are to the year.

What is so noteworthy about this understanding of prayer is that it emphasizes that the value of prayer does not end when the person finishes praying. Rather, it continues to reverberate in every activity he engages in afterwards, until he returns to pray again. Indeed, the hallmark of a successful prayer should be that its effects are felt hours afterwards.

All of this should give us a new appreciation of the mitzvah of *bikkurim*, as one whose theme and message extend far beyond their particular context and reverberate in every aspect of our day-to-day living in the physical world.

[1] Devarim 26:1. [2] Sifrei, beginning of Ki Savo. [3] Devarim 8:8. [4] Bamidbar 13:20. [5] 3:1. [6] Bamidbar 13:23. [7] The verse in Tehillim (32:9) exhorts: "אַל תִּהְיוּ כְּסוּס כְּפֶרֶד אֵין הָבִין – *Be not like a horse, like a mule who has no understanding*." The Hebrew word for horse is סוס, which has a *samech* at the beginning and end and a *vav* in the middle. This depicts the mindset of the horse that goes through life with each individual act (*vav*) forming part of a closed circle (*samech*), beyond which he cannot see. [8] The Gemara (*Bava Kama* 55a) states that if one sees the letter *tes* (ט) in a dream it is a good sign, for the word טוב, *good*, begins with the letter *tes*. The Gemara challenges this by pointing out that there are a number of negative words which also begin with the letter *tes*; how, then, do we know that the letter itself is positive? To this the Gemara responds that since the first time the letter appears in the Torah it is at the beginning of the word טוב, we know that the essential connotation of the letter is positive. [9] Bereishis 2:11. [10] *Mima'amakim*, *Ki Savo*. [11] Verse 2. [12] Devarim 25:17. [13] Shemos 17:7. [14] Ibid., verse 8. [15] Cf. *Berachos* 26b, where other sources for the three daily prayers are presented. [16] Sec. 4, chap. 5.

From: **Peninim on the Torah** <peninim@hac1.org> subject: Parashas Ki Savo 5751 1991

Rabbi A. Leib Scheinbaum

"And you shall build there (on Mount Evol) an altar to Hashem your G-d." (27:5)

It seems rather peculiar that Mount Evol, the place where the curses were uttered, was chosen as the site for the erection of an altar for offering peace sacrifices and great rejoicing in tribute to Hashem. Would not Mount Gerizim, which was the site where the blessings were pronounced, have been a more suitable place? Rabbi Moshe Feinstein Zt"l points to expediency by which the curses brought about Jewish observance rather than to that of the blessings. Hashem in His infinite compassion employs disciplinary and punitive methods only as a means to induce us into the correct observance of His mitzvos. If there would be only reward and no punishment then people would be more easily swayed into transgression. They would think that the monetary and other physical pleasures to be accrued, override the everlasting rewards one would reap in the world-to-come. Therefore it is indeed the curses and punishments which have greater influence, and are the insurance that we will continue to serve Hashem. Mount Evol was therefore appropriately chosen as the site for rejoicing.

The commentaries reflect upon the aesthetic contrast between these two mountains. Mount Gerizim, covered with weeds and nettle, was bleak, and desolate, nurturing only thorns and thistle. In contrast Mount Evol was like a garden, where beautiful plants and trees sprouted all over its fertile land. Rabbi Zalman Sorotzkin Zt"l explains the blessings and curses which a person receives from Hashem, are by no means dependent on his place of dwelling. Whether he lives in an aesthetically attractive and culturally refined environment, or he resides in an underdeveloped and distasteful place, it is his actions, which ultimately determine his spiritual success or failure, and his being worthy of curse or blessing.

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from: **Rabbi Chanan Morrison** <chanan@ravkooktorah.org> via gmail.mcsv.net date: Aug 26, 2021, 3:07 AM

subject: **Rav Kook Torah Ki Tavo: The Splendor of Tefillin**

During the first day of mourning, there is one mitzvah that a person should not observe: the mitzvah of tefillin.

Why are mourners exempt from wearing tefillin?

Tefillin and Mourning The Sages explained that tefillin have a unique quality of majesty. Thus we find that they are called pe'er (פאר), meaning splendor or beauty. When Ezekiel was instructed not to observe the customary practices of mourning after his wife's death, he was told: "bind your splendor (pe'ercha) upon yourself" (Ezek. 24:17). Despite his personal loss, the prophet was commanded to continue to wear his beautiful tefillin.

Similarly, our custom on Tisha B'Av is not to wear tefillin during the morning hours, when our grief over the destruction of the Temple is the most intense (see also Mishneh Torah, Laws of Fasts 5:11).

Why is wearing tefillin inappropriate during times of mourning?

"They will be in awe of you" The key, Rav Kook explained, lies in this description of tefillin as pe'er. Beauty serves to make an impression on others. When we perform a mitzvah in a beautiful way (hiddur mitzvah), we intend to engage our emotions and sense of aesthetics. When we speak of the spiritual beauty of tefillin, this indicates that they have the potential to inspire and make an impact on others.

This quality of tefillin is supported by Rabbi Eliezer's explanation of the verse:

וְרָאוּ כָל־עַמֵּי הָאָרֶץ כִּי שֵׁם ה' נִקְרָא עָלֶיךָ וְיָרְאוּ מִמֶּךָּ׃

"All the nations of the world will see that God's Name is called upon you and they will be in awe of you." (Deut. 28:10)

In what way will the nations of the world see that "God's Name is called upon you"? Rabbi Eliezer in Berachot 6a explained this in a literal fashion. He taught that the verse refers to the tefillin worn on the head. Tefillin, containing passages from the Torah mentioning God's Name, are a visible sign for others that "God's Name is called upon you."

Rabbi Eliezer saw tefillin as a vehicle for influencing and inspiring others: "and they will be in awe of you."

A Time to Draw Inwards How does this explain the Halachah that a mourner should not wear tefillin?

To influence others, the soul must be in a state of strength and joy. By drawing upon our inner joy, we are able to demonstrate a path of enlightenment for others.

Bereavement and sorrow, of course, have their place; there are times when we need to mourn. But when the heart is heavy with pain and grief, we cannot reach out to others. It is wrong to influence others while feeling bereaved and embittered. No good will come from spreading sorrow to others.

For this reason, when we are overcome with grief, it is not a suitable time to adorn ourselves with tefillin and their spiritual splendor. It is a time to draw inwards, not radiate outwards. We should wait until God dispels the darkness and we are able to return to Him with the complete teshuvah of love. Then we will may reach out to others and illuminate them with a path of light and joy.

(The Splendor of Tefillin. Adapted from Ein Eyah vol. I, 1:157 on Berachot 11a)

From: Rabbi Yochanan Zweig <genesis@torah.org> to: rabbizweig@torah.org date: Aug 25, 2021, 5:51 PM subject: Rabbi Zweig on the Parsha - The Kohain Connection

Rabbi Zweig on the Parsha

By Rabbi Yochanan Zweig

Parshas Ki Savo

The Kohain Connection

"You shall come to whomever will be the Kohain in those days…" (26:3)

The Torah teaches us that we are obligated to give the first fruits to "whomever will be the Kohain in those days". It would appear that the words "who will be in those days" are superfluous. Should the Torah not have stated plainly that we must give to "the Kohain"? Is it not obvious that this could refer only to the Kohain who is alive at that time?

Rashi explains that a person should not say that the Kohain of his time is not of the same caliber as the Kohanim of old, thus labeling him as undeserved of the Priestly gifts. Rather, a person should give the gifts to the Kohain of his generation.1 The Ramban disagrees with Rashi's interpretation of the verse. Although a similar teaching is found in connection with the mention of going to the judge who resides at the time, the Ramban argues that it would be logical to assume that later generation judges may not be qualified, since the judges of the later generations did not possess the wisdom and intellect of earlier generations. Therefore, the Torah must teach us that we should rely upon the judges of our day. However, why should we need such a teaching concerning the Priestly gifts? 2

After stating the requirement of bringing the first fruits to the Kohain, the verse records the statement which the landowner makes to him: "I declare today to Hashem your G-d…" Why does the landowner say your G-d, and not my G-d or our G-d?3

There are two components involved in giving Priestly gifts, the first being to ensure that the Kohanim have enough to sustain themselves. However, the second component is a benefit to the giver. Having a relationship with the Kohain is an elevating experience, for connecting to the Kohain, who is the representative of Hashem, serves to concretize our relationship with Hashem; the gifts are the vehicle through which we create this bond with the Kohain.

It would be possible to think that a Kohain of our generation cannot offer us the connection to Hashem which we desire, and therefore, we may think we are exempt from giving the Priestly gifts. Therefore, the Torah emphasizes that in every generation we are obligated to give the Priestly gifts, for this relationship can still be attained.4 The verse alludes to this notion by recording the statement of the landowner to the Kohain, "I declare to Hashem your G-d", intimating that there is a special relationship between the Kohain and Hashem. It is to this relationship that the landowner wishes to connect.

1.26:3 2. Ramban ibid. 3.See Seforno 4.This explains the statement made by the Talmud that one should avoid giving the Bikkurim to a Kohein who is ignorant.

Making Room For The Boss "Blessed shall you be in the city and blessed shall you be in the field" (28:3)

The Torah teaches that among the blessings which Hashem bestows upon us is that we are blessed in the city and in the field. The Midrash states that the blessings in the city result from the mitzvos of tztitzis, sukkah, lighting Shabbos candles and "challah", a portion of dough removed for the kohein. The blessings in the field result from the performance of "leket", grain which falls from the harvester and "shikcha", grain which is forgotten by the harvester, both of which must be left for the poor, as well as "pe'ah", a corner of the field which is also left for the poor.1 There are many other mitzvos which can be performed in the city and in the field. Why does the Midrash specify these?

The rest of the blessings in this chapter are phrased with possessive pronouns, i.e. "blessed shall be the fruit of your womb and the fruit of your land…your fruit basket…your storehouses".2Why is the blessing in this verse recorded differently, "the city…the field"?

The Talmud records an apparent contradiction; one verse states "La'Hashem ha'aretz u'melo'a" – "the world in its entirety belongs to Hashem" while another states "ve'ha'aretz nasan livnei adam" – "He has given this world to man".3 The Talmud reconciles these two verses by explaining that prior to reciting a blessing, i.e. acknowledging Hashem as the source of all existence, man is not permitted to partake from this world. However, once man recognizes Hashem as the source of all existence he is permitted to partake of this world, and due to this acknowledgment he is the recipient of Hashem's generosity. Receiving blessing as a reward is not independent of the actions which precede it. Rather, blessing is a consequence of a connection to the Source. By connecting to Hashem the channels of blessing are opened to us. The highest level of connection occurs when we perform acts which create a place for the Divine Presence to manifest itself in this world as well as identify Hashem as the source of all existence.

The unifying thread between all of the precepts recorded by the Midrash is that they are effective in creating a place for the Divine Presence in this world and acknowledge Hashem as the source of all existence. Rashi in Parshas Emor cites a Midrash which states that one who observes the mitzvos of leket, shikcha and pe'ah is considered to have built the Beis Hamikdosh, the ultimate location for the manifestation of the Divine Presence. 4 The Talmud teaches that a person who wears tzitzis connects the elements of this world to the throne of the Almighty.5 The sukkah, which represents the "ananei Hakavod" – "clouds of glory" creates an enclosure meant to house the Divine Presence.6 Challah and lighting Shabbos candles are precepts which are intended to foster "shalom bayis", marital harmony.7 When a household is permeated by shalom bayis, this indicates that the Divine Presence is an active participant in the marriage.8

The two blessings that the Midrash identifies particularly express the aforementioned notion. Since the verse does not describe the city or field

with possessive pronouns, a situation is being presented whereby man understands "La'Hashem ha'aretz u'melo'a" – "the world in its entirety belongs to Hashem"; By acknowledging Hashem's place in this world man merits to partake of its abundance.

1.Devarim Rabbah #7 2.28:4-11 3.Berachos 35a 4.Shemos 23:22 5.Menachos 43b 6.Sukkah 11b 7.Shabbos 34a 8.Sotah 17a

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From: Rabbi Kaganoff <ymkaganoff@gmail.com> to: kaganoff-a@googlegroups.com date: Aug 25, 2021, 4:05 PM subject: A Shmittah Glossary

This Shabbos is parshas Ki Savo, 10 days before Rosh Hashanah of shmittah year.

A Shmittah Glossary

By Rabbi Yirmiyohu Kaganoff

We are at the end of the sixth year of the shmittah cycle. Most chutz la'aretz residents are not that familiar with the laws of shmittah that will affect those who live in Eretz Yisroel every day next year. Actually, the laws can and do affect people living in chutz la'aretz also. This article will focus on explaining a basic glossary of shmittah-related terms.

Among the terms that we will learn are the following: Biur Havla'ah Heter mechirah Heter otzar beis din Issur sechorah Kedushas shvi'is Ne'evad Otzar beis din Pach shvi'is Sefichin Shamur Tefisas damim

First, let us discuss the basics:

Basic laws of the land In Parshah Behar, the Torah (Vayikra 25:1-7) teaches that every seventh year is shmittah. We are prohibited from plowing, planting or working the land of Eretz Yisroel in any way and must leave our land fallow. It is even prohibited to have a gentile work a Jew's land (Avodah Zarah 15b), just as one may not hire a gentile to do work on Shabbos that a Jew may not do. The owner of a field or orchard must treat whatever grows on his land as ownerless, allowing others to enter his field or orchard to pick, without charge, as much as their families can use. The landowner himself also may pick as much as his family will eat (see Rambam, Hilchos Shmittah 4:1).

The landowner should make sure that others know that they may help themselves to the produce. One may not sell, in a business manner, the produce that grows on its own.

Kedushas shvi'is The Torah declared vehoysah shabbas ha'aretz lochem le'ochlah, "the produce of the shmittah should be used only for food" (Vayikra 25:6), thereby imbuing the fruits and vegetables that grow in shmittah year with special sanctity, called kedushas shvi'is. There are many ramifications of this status, such as, the produce that grows during shmittah year should be used only for consumption and should be eaten (or drunk) only in the usual way. For example, one may not cook foods that are usually eaten raw, nor may one eat raw produce that is usually cooked (Yerushalmi, Shvi'is 8:2; Rambam, Hilchos Shvi'is 5:3). One may not eat raw shmittah potatoes, nor may one cook shmittah cucumbers or oranges. It would certainly be prohibited to use shmittah corn for gasohol or any other form of biofuel.

Contemporary authorities dispute whether one may add shmittah oranges or apricots to a recipe for roast or cake. Even though the fruit adds taste to the roast or cake, many poskim prohibit this cooking or baking, since these types of fruit are usually eaten raw (Shu"t Mishpat Cohen #85). Others permit this if it is a usual way of eating these fruits (Mishpetei Aretz page 172, footnote 10).

Similarly, juicing vegetables and most kinds of fruit is considered "ruining" the shmittah produce and is prohibited, although one may press grapes, olives and lemons, since the juice and oil of these fruits are considered superior to the fruit itself. Many contemporary authorities permit pressing oranges and grapefruits, provided one treats the remaining pulp with kedushas shvi'is. Even these authorities prohibit juicing most other fruit, such as apples and pears (Minchas Shlomoh, Shvi'is pg. 185).

Food and not feed One may feed shmittah produce to animals only when it is not fit for human consumption, such as peels and seeds that people do not usually eat (Rambam, Hilchos Shmittah 5:5). Last shmittah, a neighbor of mine, or perhaps his turtle, had a problem: The turtle is fond of lettuce, and won't eat grass. One may feed animals grass that grew in Eretz Yisroel during shmittah, but one may not feed them lettuce that grew during shmittah.

Jewish consumption Shmittah produce is meant for Jewish consumption; one may not give or sell kedushas shvi'is produce to a gentile, although one may invite a gentile to join your meal that includes shmittah food (Rambam, Hilchos Shmittah 5:13 as explained by Mahari Korkos).

Although some authorities rule that there is a mitzvah to eat shmittah produce, most contend that there is no obligation to eat shmittah food – rather, the Torah permits us to eat it (Chazon Ish, Hilchos Shvi'is 14:10).

Don't destroy edibles One may not actively destroy shmittah produce suitable for human consumption. Therefore, one who has excess shvi'is produce may not trash it in the usual way.

Peels that are commonly eaten, such as apple peels, still have kedushas shvi'is and may not simply be disposed. Instead, we place these peels in a plastic bag and then place the bag in a small bin or box called a pach shvi'is, where it remains until the food is inedible. When it decomposes to this extent, one may dispose of the shmittah produce in the regular garbage.

Why is this true?

Once the shmittah produce can no longer be eaten, it loses its kedushas shvi'is. Although the concept that decay eliminates sanctity seems unusual, this is only because we are unfamiliar with the many mitzvos where this principle applies. There are several other mitzvos where, in theory, this rule applies – meaning that the items have kedushah that governs how they may be consumed, but once they are no longer edible, this kedushah disappears. The mitzvos that this rule applies to are terumah, challah, bikkurim, revai'i and maaser sheini. However, although this rule applies to these mitzvos, in practice we cannot observe it since produce that has kedusha cannot be consumed by someone who is tamei (Rambam, Hilchos Terumos Chapter 11; Hilchos Maaser Sheini 3:11). This explains why most people are unfamiliar with the rules of kedushas shvi'is.

When eating shmittah food, one need not be concerned about the remaining bits stuck to a pot or an adult's plate that one usually just washes off; one may wash these pots and plates without concern that one is destroying shmittah produce. However, the larger amounts left behind by children, or leftovers that people might save should not be disposed in the garbage. Instead, they can be scraped into the pach shvi'is.

Issur sechorah – commercial use One may not harvest the produce of one's field or tree in order to sell it in commercial quantities or in a business manner (Tosefta, Shvi'is 5:7; Rambam, Hilchos Shmittah 6:1). For example, shmittah produce may not be sold by weight or measure (Mishnah, Shvi'is 8:3), nor sold in a regular store (Yerushalmi, Shvi'is 7:1).

Tefisas damim If one trades or sells shmittah produce, the food or money received in exchange becomes imbued with kedushas shvi'is. This means that the money should be used only to purchase food that will itself now have the laws of shmittah produce. The original produce also maintains its kedushas shvi'is (Sukkah 40b).

Havla'ah At this point, we must discuss a very misunderstood concept called havla'ah, which means that one includes the price of one item with another. The Gemara (Sukkah 39a) describes using havla'ah to "purchase" an esrog that has shmittah sanctity, without the money received becoming sanctified with kedushas shvi'is. For example, Reuven wants to buy an esrog from Shimon; however, Shimon does not want the money he receives to have kedushas shvi'is. Can he avoid this occurring?

Yes, he may. If Shimon sells Reuven two items at the same time, one that has kedushas shvi'is and the other does not, he should sell him the item that does not have kedushas shvi'is at a high price, and the item that has kedushas shvi'is accompanies it as a gift. This method works, even though everyone

realizes that this is a means of avoiding imbuing the sales money with kedushas shvi'is.

Shamur and ne'evad According to many (and perhaps most) rishonim, if a farmer did not allow people to pick from his fields, the shmittah produce that grew there becomes prohibited (see Ra'avad and Ba'al Ha'maor to Sukkah 39a). This produce is called shamur. Similarly, many authorities prohibit consuming produce that was tended in a way that violated the agricultural laws of shmittah (Ramban, Yevamos 122a). This produce is called ne'evad.

Shmittah exports The Mishnah (Shvi'is 6:5) prohibits exporting shmittah produce outside Eretz Yisroel. Some recognized authorities specifically permit exporting shmittah wine and esrogim, although the rationales permitting this are beyond the scope of this article (Beis Ridbaz 5:18; Tzitz Hakodesh, Volume 1 #15:4). This approach is the basic halachic reason to permit the export of esrogim that grow during shmittah next year for Sukkos, 5783. (The esrogim for this coming year will all be from the pre-shmittah crop and not involve any shmittah concerns.)

Sefichin As explained in last week's article, the prohibition of sefichin does not refer to perennials that do not require planting every year. Although trees and other perennials definitely thrive when pruned and cared for, most will produce even if left unattended for a year and the farmer has less incentive to violate shmittah by tending his trees.

Thus, tree fruits, nuts, strawberries and bananas do not involve the prohibition of sefichin. (If they grew in a field whose owner was not observing shmittah, they might involve the prohibition of shamur.)

Biur shevi'is At this point in our discussion, we need to explain the concept of biur shvi'is. The word biur literally means elimination, as in biur chometz, which refers to the eradication of chometz performed each year before Pesach. One of the laws that applies to shmittah produce is that once a specific species is no longer available in the field, one can no longer keep shmittah produce from that species in one's possession. At this point, one must perform a procedure called biur shvi'is. Although there is a dispute among the rishonim as to the exact definition and requirements of biur shvi'is, we rule that it means declaring ownerless (hefker) any shmittah produce in one's possession (Ramban, Vayikra 25:7; cf. Rashi, Pesachim 52b s.v. mishum and Rambam, Hilchos Shmittah 7:3 for alternative approaches.) For example, let us say that I picked shmittah apricots and canned them as jam. When no more apricots are available in the field, I must take the remaining jam and declare it hefker in the presence of three people (Yerushalmi, Shvi'is 9:5). I may do this in front of three close friends who will probably not take the jam after my declaration; it is sufficient that they have the right to take possession. If someone fails to perform biur, the shmittah produce becomes prohibited.

Otzar beis din What is an otzar beis din? Literally, the words means "a storehouse operated by beis din." Why would a beis din be operating a storehouse? Did they need to impound so much merchandise while doing litigation? No, let me explain.

As mentioned above, the owner of an orchard may not harvest his produce for sale, and he must allow individuals to help themselves to what their family may use. But what about people who live far from the orchard? How will they utilize their right to pick shmittah fruit?

Enter the otzar beis din to help! The beis din represents the public interest by hiring people to pick and transport the produce to a distribution center near the consumer. Obviously, no one expects the pickers, sorters, truckers, and other laborers to work as unpaid volunteers; they are also entitled to earn a living. Similarly, the managers who coordinate this project are also entitled to an appropriate wage for their efforts. Furthermore, there is no reason why beis din cannot hire the owner of the orchard to supervise this massive project, paying him a wage appropriate to his significant skills and experience in knowing how to manage this operation. This is all legitimate use of an otzar beis din.

Who pays for otzar beis din services? The otzar beis din divides its costs among the consumers. The charges to the user should reflect the actual expenses incurred in bringing the products to the consumers, and may not include any profit for the finished product (Minchas Shlomoh, Shvi'is 9:8 pg. 250). Thus, otzar beis din products should cost less than regular retail prices for the same items, since there should be no profit margin. (See Yerushalmi, Shvi'is 8:3 that shvi'is produce should be less expensive than regular produce.)

Please note that all the halachos of kedushas shevi'is apply to otzar beis din produce. Also note that acquiring from an otzar beis din is not really "purchasing" since you are not buying the fruit, but receiving a distribution – your payment is exclusively to defray operating costs. Therefore, the money paid for otzar beis din produce does not have kedushas shvi'is, because it is compensation for expenses and not in exchange for the shmittah fruit (Minchas Shlomoh, Shvi'is 9:8 pg. 250).

Produce still in the possession of an otzar beis din at the time of biur is exempt from biur. The reason is that this product is still without an owner – the otzar beis din is a distribution center, not an owner. However, produce originally distributed through an otzar beis din and now in private possession must be declared hefker.

Heter otzar beis din The modern term "Heter otzar beis din" is used pejoratively. The purpose of an otzar beis din is to service the consumer, not the producer, as I explained above. Unfortunately, unscrupulous individuals sometimes manipulate the rubric of otzar beis din to allow a "business as usual" attitude and violate both the spirit and the halacha of shmittah. If the farmer is operating with a true otzar beis din, he will allow people to enter his field and help themselves to the produce. If he bars people, then he is violating the basic laws of shmittah and his produce distribution is not according to otzar beis din principles. Similarly, if the field owner treats the produce as completely his own and charges accordingly, this contradicts the meaning of otzar beis din. These cases are disparagingly referred to as heter otzar beis din; meaning they reflect abuse of the concept of otzar beis din.

Conclusion Those living in chutz la'aretz should be aware of the halachos of shvi'is and identify with this demonstration that the Ribbono Shel Olam created His world in six days, thereby making the seventh day and the seventh year holy.

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PARSHAT KI TAVO

Saying 'thank-you': Ask any mother - it's not enough to 'think' it - a child has to **say** it. For some reason, a verbal declaration, be it of gratitude or regret, is of paramount importance not only for the listener, but - even more so - for the person who utters it.

In Parshat Ki Tavo, we find two such examples of obligatory declarations, precisely where the main speech of Sefer Devarim reaches its conclusion. In this week's shiur, as we study the concluding section of the 'main speech,' we attempt to explain why.

INTRODUCTION

As usual, we must begin our shiur with a quick review of the three basic components of the main speech in Sefer Devarim:

* Introduction - the events at Ma'amad Har Sinai (chap. 5)
* The **mitzva** section - (chapters 6-11)
* The **chukim** u-mishpatim section - (chapters 12-26)

Our last several shiurim have focused on the mitzvot in the **chukim** u-mishpatim section, which began in Parshat Re'eh with the commandment to establish the National Center at **ha-makom asher yivchar Hashem**, then continued in Parshat Shoftim with mitzvot relating to national leadership and waging war, and concluded with a wide variety of civil laws ('mitzvot bein adam le-chavero") in Parshat Ki Tetzeh.

Now, in Parshat Ki Tavo, we find:

A) two final mitzvot, which conclude the **chukim** & **mishpatim** section;
B) Moshe Rabbeinu's concluding remarks (26:16-19);
C) a special ceremony to take place on Har Eival (chapter 27);
D) the 'Tochacha' - a lengthy rebuke (in chapter 28).

Off this backdrop, we will discuss these topics in three "mini-shiurim" into which our shiur will be divided.

PART I - THE TWO LAST MITZVOT OF THE MAIN SPEECH

Review the opening section of Parshat Ki Tavo (26:1-15), noting how it contains two mitzvot:

1) MIKRA BIKKURIM (26:1-11)
A special declaration made upon the presentation of one's first fruits.

2) VIDDUI MA'ASER (26:12-15)
A special declaration recited once every three years, when 'ma'aser sheni' [the second tithe] is given to the poor (rather than to the 'makom asher yivchar Hashem').

Then, review the next short 'parshia' (26:26-19), noting once again how it forms the concluding remarks of the 'main speech'. [To verify this point, simply review the opening psukim of chapter 27, noting how they are written in third person narrative, and hence form the beginning of a new section.]

Based on this short analysis, it becomes quite clear that these two mitzvot were specially chosen to conclude the **chukim** & **mishpatim** section of the main speech of Sefer Devarim. In our shiur, we will attempt to explain why.

WHERE THEY 'REALLY' BELONG!

Before we discuss what is special about these two mitzvot, we must first take into consideration that both of them should have been recorded earlier in the speech, back in Parshat Re'eh. Let's explain why.

Recall how Parshat Re'eh discussed numerous mitzvot relating to "**ha-makom asher yivchar Hashem**" (note how that phrase appears over fifteen times in that Parsha and in the beginning of Parshat Shoftim, see 12:5,11,14,18,21,26; 14:23; 15:20; 16:2,6,7,11,15,16; and 17:8). Afterward, that phrase doesn't appear again until the mitzva of bikkurim at the end of the speech (see 26:1-2)!

Furthermore, back in Parshat Re'eh, we already found laws relating to bringing other produce to ha-makom asher yivchar Hashem (see 14:22-23). Hence, it certainly would have made more sense to record the laws of **bikkurim** back in Parshat Re'eh.
[In fact, if we compare this to the pattern established in Parshat Mishpatim (see Shmot 23:14-19, especially 23:19), then the mitzva of **mikra bikkurim** should have been recorded in Devarim chapter 16 (in Parshat Re'eh), together with (or immediately after) the laws of shalosh regalim (compare Devarim 16:9-12 with Shmot 23:14-19).]

Similarly, the laws of **viddui ma'aser** also should have been recorded in Parshat Re'eh, for the simple reason that all the other laws of the three year cylce of ma'aser sheni are found there (see 14:22-29).

Yet for some reason, Sefer Devarim prefers to uproot these mitzvot from Parshat Re'eh and record them instead as part of the finale of the entire speech.

MATCHING BOOKENDS

One could suggest that the relocation of these mitzvot yields a chiastic structure for the entire chukim u-mishpatim section of the main speech. In other words, the mitzvot of **ha-makom asher yivchar Hashem** serve as 'bookends' for the entire **chukim** u-**mishpatim** section (chapters 12-26), as it both begins **and** ends with mitzvot relating to this theme.
[In a previous shiur, we offered a similar explanation for the structure of the earlier **mitzva** section of Moshe's main speech. We suggested that the parshiyot of **shma** and **ve-haya im shamo'a** serve as 'bookends' for this section (i.e. chapters 6-11), thus emphasizing the section's overall theme, 'ahavat Hashem' (see shiur on Parshat Va-etchanan).]

Nonetheless, a more basic question remains: i.e. Why were specifically these two mitzvot - **mikra bikkurim** and **viddui ma'aser** - selected (over all the others) to form this closing 'bookend'?

To answer this question, we must show how both of these mitzvot relate to thanking God for the Land of Israel, and how that concept is an underlying theme in the main speech.

To start, note how both mikra bikkurim and viddui maser contain declarations of gratitude for the fertile land granted to us by God:

1. MIKRA BIKKURIM
"You shall then recite: ...and God brought us to this place and gave us this **land**, a land flowing with milk and honey. Therefore, I now bring my first fruits of the **soil** which You have given me" (26:9-10).

2. VIDDUI MA'ASER
"When you set aside your **ma'aser**...you shall declare before Hashem: I have [fulfilled all my obligations]... Look down from heaven and bless Your people Israel and the **soil** You have given us, a **land** flowing with milk and honey, as **You swore to our fathers**" (26:12-15).

Note as well how both declarations thank God not only for the Land but also recall His covenant with the Avot (which included God's original promise of the Land).

This element emerges explicitly in **viddui ma'aser** (see quote above / 26:15), and is expressed more subtly in **mikra bikkurim**, as that proclamation reflects thanksgiving for God's fulfillment of his covenant at 'brit bein ha-btarim' - when the land was promised to Avraham's offspring (see Breishit 15:18 / also compare Breishit 15:13-16 w/ Devarim 26:5-8!.

[See Further Iyun section for a more complete explanation.]

Recall as well how the primary purpose of the main speech was to teach Bnei Yisrael the various laws which they must keep when they enter the land. For example,:
"And **these** are the **mitzva**, **chukim** u-mishpatim that God has commanded me to impart to you, to be **observed in the land** that you are about to enter and conquer..." (6:1).

[See also 5:28 and our introductory shiur to Sefer Devarim.]

These observations suggest that Sefer Devarim intentionally 'saved' these two 'declarations' for the conclusion of the main speech - because both of these mitzvot relate to the need for Am Yisrael to recognize why God gave them the land of Israel. Hence, it becomes most appropriate that the final mitzvot of this speech include expressions of gratitude to God for the **land** He has given us.

In this sense, one could understand the mitzva of **mikra bikkurim** in a slightly different light. Instead of viewing this mitzva as a yearly thanksgiving to God for our fruits, it should be viewed instead as a yearly thanksgiving to God for the Land. In other words, we thank God for the Land and bring a sampling of our first fruits as a 'token of our appreciation'! [To verify this, carefully read 26:3-8 once again.]

[This may also explain why we quote **mikra bikkurim** in the **Haggada** on Pesach as part of the mitzva of retelling the story of Yetziat Mitzrayim and thanking God for His fulfillment of brit bein ha-btarim. Whereas the primary purpose of this mitzva is to thank God for fulfilling His covenant, this declaration is appropriate as well for **maggid**, in which we thank God for His fulfillment of brit bein ha-btarim. (See Shmot 13:8 and compare with Devarim 26:3, noting the use of '**ve-higgadeti**' in both contexts!)]

Recalling God's covenant with the Avot serves another purpose, as well. The farmer not only thanks God for fulfilling His promise to our forefathers, but also reminds himself of the reason **why** God gave us the land - to become a great nation to represent Him in the world. [See Breishit 12:1-3 and our shiur on Parshat Lech Lecha.]

As such, these declarations are significant in that they emphasize the reason for keeping **all** the mitzvot of the main speech in Sefer Devarim - that Bnei Yisrael become an 'am kadosh' (a holy nation), a model for all nations to follow. [See Devarim 4:5-8.]

PART II / THE FINALE - MOSHE'S CONCLUDING REMARKS

This same theme continues in Moshe Rabbeinu's concluding remarks of the main speech (which follow these two mitzvot):
"On this day, God commands you to observe these **chukim** u-mishpatim... God has affirmed this day that you are His '**am segula'** (treasured nation) and He will set you high above all the nations, that you shall be, as He promised, a '**goy kadosh**' (a holy nation)..." (see 26:16-19)

Moshe concludes the main speech by reiterating the primary purpose behind keeping these mitzvot: that Am Yisrael becomes an **am kadosh**, a holy nation, worthy of representing God.

BACK TO HAR SINAI

Moshe's concluding remarks also feature a striking parallel to God's original charge to Bnei Yisrael at Har Sinai. Recall that when Bnei Yisrael first arrive at Har Sinai, God summons Moshe to the mountain and proposes a special covenant with Bnei Yisrael:
"And now, if **you will listen to my voice** and **keep my covenant**, then you shall become for Me a '**segula**' amongst all the nations...and you shall be for Me a kingdom of priests and a **goy kadosh**..." (Shmot 19:5-6).

This proposal, which actually forms the prelude to the Ten Commandments, explains the central function of Matan Torah - that Am Yisrael will become a **goy kadosh** to represent God.

At the conclusion of the main speech, in which Moshe Rabbeinu repeats those mitzvot which were **originally given at Har Sinai** (immediately after the dibrot - see our introductory shiur to Sefer Devarim), this very same theme is repeated:
"And God has affirmed this day that you are, as He promised you [at Har Sinai!], His **am segula** who shall **observe** all of His commandments, and that He will set you, in fame and renown and glory, high above all the nations that He has made; and that you shall be, as He promised [at Har Sinai!], a **goy kadosh**..." (26:18-19).

Moshe's concluding remarks thus appropriately close his presentation of the mitzvot that will facilitate Bnei Yisrael's development into a **am segula** and an **am kadosh**, just as He had originally promised at Har Sinai!

THE PROPER BALANCE

Moshe's concluding remarks also beautifully tie together the two sections of the main speech. Recall that the **mitzva** section, whose primary topic is ahavat Hashem, opened with the commandment to love God - 'be-chol levavcha u-vechol nafshecha' - with all your heart and soul. Now, at the conclusion of the **chukim** u-mishpatim section, Moshe explains how these two sections relate to one other:
"The Lord your God commands you this day to keep these **chukim** u-mishpatim; observe them faithfully - 'be-chol levavcha u-vechol nafshecha' - with all your heart and with all your soul..." (26:16).

In other words, the numerous specific mitzvot recorded in the **chukim** u-mishpatim section must be observed with the proper attitude, as explained in the **mitzva** section. Thus, Moshe's speech has come full circle. The general values of faith and love of God outlined in the **mitzva** section must combine with the practical, day-to-day details and guidelines of the **chukim** u-mishpatim section, to form a mode of behavior capable of producing God's special nation in His special land.

PART III - THE COVENANT AT ARVOT MO'AV AND HAR EIVAL

The thematic and textual parallel to Ma'amad Har Sinai at the conclusion of the main speech continues in the next parshia as well:
"Moshe and the elders charged the people, saying: Observe everything that I command you today... for when you cross the Jordan, you must erect large stones and coat them with plaster [in order that] you shall write on them all the words of this Torah [the mitzvot of Sefer Devarim]... erect these stones on Har Eival... And you shall build there a **mizbeiach**... (note parallel to Shmot 20:22), and you shall offer upon it **olot** and **shlamim**..." (Devarim 27:1-8).

You might recall that an almost identical ceremony was conducted some forty years earlier, at Ma'amad Har Sinai, immediately after Moshe taught Bnei Yisrael the laws he was taught after the Ten Commandments:
"And Moshe came [down from Har Sinai] and told the people all of God's commandments and the **mishpatim**... Moshe then wrote down all of God's commandments. Then, he woke up early in the morning and built a **mizbeiach** at the foot of the mountain and erected twelve large stones... and they offered **olot** and **shlamim**..." (Shmot 24:3-8).

Furthermore, the requirement that a tochacha be read as part of the ceremony on Har Eival (see Devarim 27:11-28:69) parallels the tochacha delivered at Har Sinai (Vayikra 26:3-46, see also 25:1).

Thus, this ceremony on Har Eival, which consists of the writing and teaching of the mitzvot of Sefer Devarim, the construction of a **mizbeiach** and offering of **olot** and **shlamim**, parallels the covenantal ceremony at Ma'amad Har Sinai, when Bnei Yisrael proclaimed 'na'aseh ve-nishma' (see Shmot 24:3-11).

The reason behind this parallel is simple. Since this generation (which stands on the brink of entry into the Land to fulfill these mitzvot) was not present at the original ceremony, a **new** ceremony is required for the new generation to reaffirm their commitment to the covenant.

This ceremony will take place on Har Eival, where Bnei Yisrael will 'relive' the experience of Har Sinai by studying the mitzvot of

Sefer Devarim, which will guide them towards the establishment of their new nation.

TODAY

It is not often in our history that a generation is granted the opportunity to fulfill a destiny originally intended for an earlier generation. Aware of the immense potential latent in such an opportunity, Moshe encourages the new generation in the desert to rise to the challenge of establishing an **am kadosh** in the Promised Land, as God had originally planned for their parents.

Although this challenge by Moshe Rabbeinu to Am Yisrael is some three thousand years old, it takes on additional significance today, as our own generation has been granted the opportunity to fulfill this very same destiny, a privilege that had remained but a dream for so many years.

The tragedies of this past week in Yerushalayim and Tzrifin, that cut short the lives of wonderful people who had dedicated their entire lives to the realization of these ideals, certainly cloud those dreams. Yet their memory must serve as our source of inspiration to continue.

shabbat shalom,
menachem

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FOR FURTHER IYUN

A. Carefully compare the declaration in **mikra bikkurim** with God's covenant with Avraham Avinu at brit bein ha-btarim (Breishit 15), the original covenant with Avraham, which includes God's promise of the Land to his offspring.

Pay particular attention to Breishit 15:7-21 and relate these psukim to Devarim 1:7-11, Moshe's opening remarks in his introductory speech. Note the use of the word 'yerusha' and/or shoresh y.r.sh. in both contexts, and specifically 've-rishta' in 26:1!

Also, note the historical process described in Breishit 15:13-16 and how it relates to 26:5-8. Relate this as well to Shemot 6:2-8.

Finally, see the dispute among the mefarshim as to whom the introduction to mikra bikkurim - 'Arami oved avi' refers. See Rashi and the Haggada, as opposed to Ibn Ezra, Chizkuni and Seforno - these are the two most common interpretations. Then look at Rashbam's peirush (which appears as well in the commentary of Rabbenu Yosef Bechor Shor). Explain why Rashbam's explanation fits best into our reading of mikra bikkurim. If 'arami' does refer to Lavan, could we still associate 'arami oved avi' with brit bein ha-btarim? Compare Breishit 15:13 and 31:40-42. See also 'Da'at Mikra' on Breishit 15:13 and the Netziv's peirush ('He'amek Davar') on Dvarim 26:5.

B. Regarding the importance of a verbal declaration, see Rashbam on 26:13 and Sefer Hachinuch on both mikra bikkurim and viddui ma'aser.

C. In terms of the connection between viddui ma'aser and the bet hamikdash: Several Rishonim maintain that viddui ma'aser must take place in the bet hamikdash - see Sefer Hachinuch, Tosfot Sota 33a 'birkat' and Ra'avad Hilchot Ma'aser Sheni 11:4. How would the other Rishonim (Rambam and others) explain the clause 'lifnei Hashem Elokecha' in 26:13?

D. Many people have questioned why the declaration after distributing ma'aser is called viddui ma'aser - the "confession" of ma'aser. The expression viddui usually has to do with confession of wrongdoing. Here, the individual does just the opposite - he declares, "I have done everything You have commanded me." Why, then, do Chazal refer to this declaration as viddui? See Rashi and Metzudat David in Divrei Hayamim II 30:22 who translate the word 'mitvadim' as 'expressing gratitude'. (See the two versions of the Targum there, as well.) Relate this to viddui ma'aser and the above shiur.

D. How many stones are taken from the Yarden in Sefer Yehoshua (4:1-10)? What is done with these stones?

How does this relate to Shmot 24:3-10?

What other parallels exist between Sefer Yehoshua and the generation of Yetziat Mitzrayim?

As you answer this question, pay particular attention to chapters 3 & 5 in Sefer Yehoshua!

See Yehoshua 8:30-35. Is this the fulfillment of the mitzva in Devarim 27:1-11? Why is this mitzva performed only after the battle against Ha-Ai? [Or is it? Three opinions exist as to when this ceremony actually took place. See Sota 36a (quoting the Tosefta) that Bnei Yisrael performed this ceremony immediately upon crossing the Yarden, as opposed to Rabbi Yishmael's view in Yerushalmi Sota 7:3, that this occurred only after the 14 years of 'kibbush ve-chiluk' (conquest and settlement). In 'pshat,' of course, this ceremony occurred after the war with Ha-Ai, and this is the shitta of Abarbanel and the Malbim.]

E. If the blessings and curses of Har Grizim and Har Eival serve as a reenactment of Ma'amad Har Sinai, then we would perhaps expect the blessings / curses to correspond to the Ten Commandments. (Hopefully you're not yet fed up with asseret hadibrot parallels from last week's shiur.) While some of them are more obvious than others, it might just work. Let's give it a try:

1) "Cursed be anyone who makes a sculptured or molten image… " A clear parallel to the first two dibrot ('Anochi' and 'lo yihyeh lecha').

2) "Cursed be he who insults his father or mother" - honoring parents.

3) "Cursed be he who moves is fellow countryman's landmark" - stealing (see Rashi here).

4) "Cursed be he who misdirects a blind person on his way" - a bit more tricky. Rashi explains this as referring to intentionally misleading someone with bad advice, which seems to relate to Rashi's interpretation of 'lifnei iver' - see Vayikra 19:14. There, Rashi explains the case as involving one who persuades another to sell property in order to acquire it himself. If so, then this curse may correspond to 'lo tachmod', excessive desire for the property of others.

5) "Cursed be he who subverts the rights of the stranger, the orphan and the widow." Take a careful look at the Torah's presentation of the mitzva of Shabbat in Shmot 23:12, and consider the role played by Yetziat Mitzrayim as a basis for this mitzva (Dvarim 5:15) and Seforno there in Shmot and in Dvarim 5:12. See if this curse could thus correspond to at least one element of the fourth commandment - Shabbat.

6) "Cursed be he who lies with his father's wife… who lies with any animal… who lies with his sister… who lies with his mother-in-law…" - 'lo tin'af'.

7) "Cursed be he who strikes down his fellow countryman in secret" - 'lo tirtzach'.

8) "Cursed be he who accepts a bribe" - "lo ta'aneh be-re'acha" (dishonesty in the courtroom).

9) "Cursed be he who will not uphold the terms of this Torah… " See Rashi's comment that this curse constitutes an oath to keep the Torah, perhaps corresponding to 'lo tisa'.

F. The ceremony at Har Grizim & Har Eival may have served another purpose, beyond the reenactment of Ma'amad Har Sinai. Note the geographic location of these mountains as described in Parshat Re'eh (Dvarim 11:30) and compare closely with Breishit 12:6. Now see Rashi there in Breishit, as well as the next pasuk (12:7 - note especially the mizbeiach!!). Explain why this parallel takes on particular significance according to the view of the Gemara in Sota cited above (in B). [See also Da'at Mikra on Yehoshua, introduction to 8:30-35.] Is this necessarily a different explanation from the one presented in the shiur?

G. A note regarding methodology: Throughout our series on Parshat Ha'shavua, we have seen numerous examples of how a specific parsha can be better understood by studying not only its **content** but also its **location** within the framework of an entire Sefer. Use the above shiur on Parshat Ki Tavo to support this approach.

Parshas Ki Savo: Declaration and Confession: The Convert and the Land

By Rabbi Yitzchak Etshalom

I. MIKRA BIKKURIM

The first section in this week's Parashah involves two Mitzvot - the bringing of Bikkurim (first fruits) and the "Mikra Bikkurim" (Bikkurim declaration) which sometimes accompanies the gift of those fruit:

When you have come into the land that Hashem your God is giving you as an inheritance to possess, and you possess it, and settle in it, you shall take some of the first of all the fruit of the ground, which you harvest from the land that Hashem your God is giving you, and you shall put it in a basket and go to the place that Hashem your God will choose as a dwelling for His name. You shall go to the priest who is in office at that time, and say to him,

"Today I declare to Hashem your God that I have come into the land that Hashem swore to our ancestors to give us."

When the priest takes the basket from your hand and sets it down before the altar of Hashem your God, you shall make this response before Hashem your God:

"A wandering Aramean was my ancestor; he went down into Egypt and lived there as an alien, few in number, and there he became a great nation, mighty and populous. When the Egyptians treated us harshly and afflicted us, by imposing hard labor on us, we cried to Hashem, the God of our ancestors; Hashem heard our voice and saw our affliction, our toil, and our oppression. Hashem brought us out of Egypt with a mighty hand and an outstretched arm, with a terrifying display of power, and with signs and wonders; and He brought us into this place and gave us this land, *Eretz Zavat Halav uD'vash* (a land flowing with milk and honey). So now I bring the first of the fruit of the ground that You, Hashem, have given me."

You shall set it down before Hashem your God and bow down before Hashem your God. Then you, together with the Levites and the aliens who reside among you, shall celebrate with all the bounty that Hashem your God has given to you and to your house. (D'varim 26:1-11)

There are two independent Mitzvot which seem to be mutually interdependent:

A) " you shall take some of the first of all the fruit of the ground, ... and you shall put it in a basket and go to the place" - i.e. the Mitzvah of *Hava'at Bikkurim* (bringing the Bikkurim to the Beit haMikdash)

B) "You shall go to the priest who is in office at that time, and say to him, 'Today I declare...to give us.'... you shall make this response before Hashem your God: 'A wandering Aramean...So now I bring the first of the fruit of the ground that You, Hashem, have given me.' " - i.e. the Mitzvah of *Mikra Bikkurim* (reciting the Bikkurim declaration)

Even though the presentation of the text implies a concomitant obligation, the Oral tradition maintains that it is possible to be obligated to bring Bikkurim, yet not be obligated (or even allowed) to recite Mikra Bikkurim. (The opposite option is, of course, out of the question - it is unthinkable that someone would make the declaration without having brought Bikkurim). The details of those obligated to "bring and recite," those who "bring but do not recite" and "those who do not bring at all" are delineated in the first chapter of Massechet Bikkurim.

The long and short of "those who bring but do not recite" is that any Jew who owns land in Eretz Yisra'el who has grown fruit (of the seven species) that was exclusively grown on his own land - obtained legally - is obligated to bring Bikkurim to the Beit haMikdash. Yet, if that person cannot honestly make the declaration - i.e. if any of the phrases or words of the declaration do not ring true for the declarant - he cannot recite the Mikra Bikkurim. In the third section, we will analyze an example of this "split" obligation.

II. VIDUI MA'AS'ROT

The second section of this week's Parashah, immediately following parashat Bikkurim, is commonly known as Vidui Ma'as'rot - "the confession of the tithes."

[A word of introduction: Produce grown in the Land is liable for certain Halakhic taxation. In order:

a) T'rumah (approx. 1/50) must be separated - that belongs to the Kohen and must be given to a member of that family.

b) Ma'aser (lit. "a tenth" - 1/10 of what's left after T'rumah is taken) is then separated and designated as a gift for the Levi.

b') T'rumat Ma'aser (1/10 of the Ma'aser) is taken by the Levi and given to the Kohen.

c) Ma'aser Sheni (lit. "second tenth" - 1/10 of what's left after T'rumah and Ma'aser are taken). This is taken to Yerushalayim and is used for celebration with family and friends. In case it cannot be taken there, it's "holy status" is transferred to coins of that value (plus 1/5) and those coins are taken to Yerushalayim, where they are spent on food and drink with which to celebrate.

c') Ma'aser 'Ani (lit. "poor-man's tenth" - 1/10th of what's left after T'rumah and Ma'aser are taken). This is given to the poor

wherever they are.

Note that c) and c') seem to overlap. Keep in mind that the Land works on a seven-year cycle known as the "Sh'mittah cycle." For years 1,2,4 and 5 of the cycle, Ma'aser Sheni is taken. For years 3 and 6, Ma'aser 'Ani is taken in its stead.

The Torah obligates us, in this Parashah, to "clean out our house" on Erev Pesach of the third year and to make sure that all tithes we owe are paid up, after which we make a declaration/confession relating to those tithes.]

The Torah tells us: When you have finished paying all the tithe of your produce in the third year (which is the year of the tithe), giving it to the Levites, the aliens, the orphans, and the widows, so that they may eat their fill within your towns, then you shall say before Hashem your God:

"I have removed the sacred portion from the house, and I have given it to the Levites, the resident aliens, the orphans, and the widows, in accordance with Your entire commandment that You commanded me; I have neither transgressed nor forgotten any of Your commandments: I have not eaten of it while in mourning; I have not removed any of it while I was unclean; and I have not offered any of it to the dead. I have obeyed Hashem my God, doing just as You commanded me. Look down from Your holy habitation, from heaven, and bless Your people Israel and the ground that You have given us, as You swore to our ancestors *Eretz Zavat Halav uD'vash*." (D'varim 26:12-15)

Note that here, just like in Parashat Bikkurim, there is a Mitzvah to give the fruit to its appropriate recipient (the poor, the Levi etc.) and a separate Mitzvah to make a declaration regarding that fruit.

III. QUESTIONS OF STYLE AND LOCATION

I would like to pose two questions about these selections - followed by a third.

1) Why is Mikra Bikkurim exclusively praise and thanks - with no mention of Halakhic restrictions and obligations - whereas the exact opposite is the tone of Vidui Ma'as'rot?

2) As we have noted several times in our earlier shiurim in Sefer D'varim, the Sefer is divided into three sections:

a) Historic Recounting (Chapters 1-11)

b) Law Compendium (Chapters 12-26)

c) Re-Covenanting (Chapters 27-33).

Why were these two selections placed at the very end of the Law Compendium?

THE THIRD QUESTION

As noted above, there are some people who are in the class of "bringing Bikkurim but not making the declaration" (*M'vi'in v'lo Korin*) - and, as noted, this would be because the wording of the declaration does not apply in their case.

An example of this set is the convert, as the Mishnah states: There are some who bring [Bikkurim] and recite [Mikra Bikkurim], some who bring and do not recite and some who do not bring at all... These bring but do not recite: The convert, because he cannot say: "the land which Hashem swore to our fathers to give to us." (Bikkurim 1:1,4).

As the Mishnah understands, the words which actually form the preface to Mikra Bikkurim, "Today I declare to Hashem your God that I have come into the land that Hashem swore to our ancestors to give us.", exclude the convert due to genealogical considerations. The patriarchs to whom God promised the Land are not, technically speaking, his ancestors; for that reason, although he may own land in Eretz Yisra'el and be obligated to bring Bikkurim, he cannot honestly state the declaration.

This Mishnah is followed by a Halakhah in the same spirit, to wit: When a convert prays, he says: "our God and God of the fathers of Israel" and, if he is leading the service, he says: "our God and God of _your_ fathers" (instead of the familiar "God of our fathers").

The Talmud Yerushalmi, in a rare "intrusion," overrules the author of that Mishnah, as follows:

"It was taught in the name of R. Yehuda: The convert himself brings and recites. What is his reason? '...for the father of a multitude of nations have I made you' (said to Avraham in explaining his name change - B'resheet 17:5) [meaning:] Until now, you were the father of Aram, from now on, you are the father of all nations (for an explanation, see the quote from Rambam's Mishneh Torah below). R. Yehoshua ben Levi said: The Halakha follows R. Yehuda." (JT Bikkurim 1:4)

This is indeed how Rambam rules. Here is the relevant ruling from the Mishneh Torah: "The convert brings and recites, since it was said to Avraham: '...the father of a multitude of nations have I made you,' Avraham is the father of the entire world that comes under the wings of the Shekhinah. And Avraham was the first to receive [God's] oath that his children will inherit the Land." (MT Bikkurim 4:3)

So far, so good. Although the wording of the verse seems to exclude the convert, the retroactive inclusion of the convert in the family of Avraham serves to allow him to refer to the Patriarchs as " _our_ fathers", both in prayer and in the Mikra Bikkurim.

The problem begins when we examine the parallel Halakhah regarding Vidui Ma'as'rot. Here is the statement of the Mishnah:

" '...as You swore to our ancestors - a land flowing with milk and honey.' Based on this source, the Rabbis said: Yisra'el...recite the confession, but not converts...because they do not have a portion in the Land." (Ma'aser Sheni 5:14)

Until this point, we would not be surprised, considering the ruling of the Mishnah in Bikkurim. Our surprise begins, however, when we look at the relevant Halakhah in Rambam's code:

"Yisra'el and mamzerim recite the confession, but not converts or freed slaves, because they do not have a portion in the Land, as the verse says: '...and the Land which You gave to us...' " (MT Ma'aser Sheni vNeta' R'vai 11:17)

Our third question is, therefore:

3) Why is the convert included in Mikra Bikkurim - but excluded from Vidui Ma'as'rot?

(R. Moshe Soloveitchik zt"l addressed this question in an article included in "Kovetz Hiddushei Torah" compiled by his son, Rav Yosef Dov Soloveitchik zt"l. This shiur uses his question as a starting point but takes a different approach - grounded in P'shuto Shel Mikra - to solve the problem. The interested reader is strongly encouraged to read R. Moshe's resolution.)

IV. *ERETZ ZAVAT HALAV UD'VASH*

Before addressing these questions, I would like to point out an anomaly in the last line of Vidui Ma'as'rot:
"Look down from Your holy habitation, from heaven, and bless Your people Israel and the ground that You have given us, as You swore to our ancestors *Eretz Zavat Halav uD'vash*."

We generally assume, in any reference to God's promise to our ancestors (especially as regards the gift/inheritance of the Land) that those ancestors to whom the text refers as our Patriarchs, Avraham, Yitzchak and Ya'akov. That assumption does not hold up very well in this particular instance - if we check through all of the promises, oaths and covenants in B'resheet, nowhere is the Land described as "flowing with milk and honey". The first reference to the Land with that well-known adjective is in Sh'mot 3:17, when God charges Mosheh Rabbenu with his mission to the elders of Yisra'el. What, then, are we to make of this phrasing in Vidui Ma'as'rot?

Ramban, in his commentary to D'varim 26:15, addresses this question and suggests two answers:

"Now, do not find it difficult here that in the oaths made to the patriarchs, "A Land flowing with milk and honey" is not mentioned.

(1) Since at that time the Land was a Land flowing with milk and honey, [it would have been redundant to describe it explicitly. Therefore it was as if] He swore to them about a Land flowing with milk and honey.

(2) Or it may be that "unto our fathers" [here does not mean the patriarchs] but those who came forth from Egypt, for it was to them that it was said: "unto a Land flowing with milk and honey"...

Ramban, in his second answer, provides the starting point for us to answer our third question.

V. TWO DIMENSIONS OF KEDUSHAH

The Ramban, in the commentary quoted above, alludes to the notion that besides the covenant with the Patriarchs (B'rit Avot), there was a later promise, given to the generation of the Exodus (and, by extension, to the generation that entered the Land - see our shiur at http://www.torah.org/advanced/mikra/5757/dv/dt.57.5.01.html where we discussed the connection and association between the two) - known as "B'rit Yotz'ei Mitzrayim". The Land was not only promised to Avraham and to his seed - for which purpose Avraham himself walked the length and breadth of the Land as a form of acquisition (see B'resheet 13:17 and BT Bava Batra 100a in the name of R. Eliezer). The Land was also promised to the generation of the Exodus - a promise that was first pronounced at the onset of Mosheh's mission.

This "doubled promise", however, seems a bit superfluous; if we were already given the Land by virtue of the promise to the Patriarchs, what need is there for a further, second promise?

The answer to this lies in an understanding of the basic dialectic which underscores several areas of Halakhah relating to "Kedushah".

For example, the firstborn of the flock and herd is sanctified (Sh'mot 13:2) - yet, there is a Mitzvah to declare the holiness of a B'khor (D'varim 15:19). R. Yehudah haNassi teaches that even though the B'khor is "sanctified from the womb" (i.e. from its birth), nevertheless, it is a Mitzvah to sanctify it (BT N'darim 13a). Why is there a Mitzvah to sanctify something which is already holy?

Similarly, even though Shabbat is already holy from sunset, there is a Mitzvah to declare its sanctity via Kiddush (and to declare the end of its sanctity via Havdalah, even though Shabbat is already over; see MT Shabbat 29:1 for an interesting insight into the relationship between Havdalah and Kiddush). Again, why is there a Mitzvah to declare Shabbat to be holy?

It seems that the Torah is interested in having us participate in the process of Kedushah, such that instead of playing the role of passive recipients, beneficiaries and observers of that which is holy - we can claim a stake and feel a sense of active participation in that process.

This perspective intensifies when we examine the topic of the sanctity of Eretz Yisra'el - and our claim to the Land.

Although the Land was promised to our forefathers - and certainly had a "special quality" to it from that point on (if not earlier), it was not yet Halakhically considered "Eretz Yisra'el". That only took place - vis-a-vis the various obligations which obtain only in the Land - when the B'nei Yisra'el, under the leadership of Yehoshua and organized into camps, tribes and ancestral homes, came into the Land (when some obligations "kicked in") - and conquered it (the rest of those obligations came into force).

Unlike the sanctity of the B'khor or Shabbat, where the level of sanctity is not enhanced via the individual's declaration (but that declaration does allow the individual to participate in the process of sanctification after a fashion), the sanctity of Eretz Yisra'el was dependent on two independent factors. First, there had to be a Divine promise, a gift from God, of the Land. Secondly, those heirs who stood to conquer and settle that Land had to fulfill an act of sanctification - via conquest.

[Note that although the same principle applies to the sanctity of Yerushalayim - that the place of the Mikdash became sanctified through human action - the nature of that sanctification was significantly distinct from the sanctification of the Land. That is the reason that when the Land was conquered by the Assyrians and later by the Babylonians, the sanctity became nullified - but the sanctity of Yerushalayim remained. Rambam's explanation is for this distinction will serve us well:

"Why do I maintain that regarding the [sanctity of the] Mikdash and Yerushalayim 'The first sanctification was valid for the future', yet regarding the sanctity of the rest of the Land of Yisra'el...it was not sanctified for the future? Because the sanctity of the Mikdash and of Yerushalayim is on account of the Shekhinah - and the Shekhinah is never nullified...however, the obligation of the Land with regards to Sh'mittah and tithes is only on account of the National Conquest; once the Land was taken from their hand, the Conquest was rendered null and void." (MT Beit haB'hirah 6:16)]

To recap: In several areas of Halakhah, we have discovered that there are two dimensions of Kedushah: Passive Kedushah (it is sanctified before we approach it) and Active Kedushah (our role in sanctification). Although the Land was promised to our forefathers, the generation of the Exodus (through their children), faced with a fait accompli, nevertheless played an active role in sanctifying the Land and completing the process of that gift.

This is why the Ramban refers to a second oath regarding the Land - because the generation of the Exodus was charted to complete an active part of the fulfillment of that Divine promise.

VI. TWO LEVELS OF INCLUSION

We can now return to the problem of the convert. Although someone who converts becomes a (retroactive) descendant of Avraham - he is not considered a member of any particular tribe (which would, of course, be impossible). In other words, as much as the call "you shall be a father of multitudes" allows the convert in to the nation as a whole, he cannot be considered a member of a particular grouping within the nation.

That being the case, the convert shares, along with all of the B'nei Yisra'el, a membership in the "seed of Avraham" who are destined to inherit the Land. As such, he can claim a piece of the Land (besides being able to call the Patriarchs "our fathers") in the most general way.

On the other hand, he cannot claim a piece of the Yehoshuan inheritance, divided by lottery and by conquest among the nine and a half inheriting tribes.

When we look at the text of the Mikra Bikkurim, we note that the declarant refers to the Land as "a land flowing of milk and honey" - not in the context of the Divine promise, rather as a real-life description of the good Land. This is not the case with Vidui Ma'as'rot, where the phrase is mentioned in the context of the oath.

Following Ramban, we can make the following distinction: Mikra Bikkurim is a celebration and thanksgiving for the fulfillment of the Divine promise to Avraham, Yitzchak and Ya'akov to give their children the good Land (which, practically speaking, flows with milk and honey). That is why the convert can participate in this declaration - he is as much a part of the inheritance of Avraham as is any member of the B'nei Yisra'el.

On the other hand, the Vidui Ma'as'rot focuses on the oath given to the generation of the Exodus - an oath which includes the description of "flowing with milk and honey". That is why a convert cannot make this declaration - because, no matter how much retroactive imagination we employ, we cannot "plug him in" to a particular camp, tribe and ancestral home that he should be considered part of the conquest and division of the Land under Yehoshua.

This distinction helps us answer the first two questions we asked:

These two sections are the final sections in the Law Compendium because they demonstrate the dialectical relationship we have towards the Land - on the one hand, the Land is already ours, already special and already (in some sense) a sanctified place. On the other hand, the sanctification process is in our hands to complete. Since the entire Sefer D'varim was Mosheh's charge to the generation about to enter the Land, it was imperative that they understand the dual nature of our relationship to that Land - the Avrahamic legacy and the Sinaitic covenant.

This also explains why Mikra Bikkurim is exclusively a matter of praise, whereas Vidui Ma'as'rot focuses on the Halakhic details and restrictions of Ma'as'rot. Mikra Bikkurim, being a thanksgiving and celebration of the fulfillment of the Avrahamic promise, is simply an opportunity for praise. Vidui Ma'as'rot, on the other hand, is focused on the fulfillment of our role in that sanctification, which demands proper action - the subject of that Vidui.

This also explains one further distinction. Mikra Bikkurim takes place in the "place where God chooses to place His Name" (i.e. the Beit haMikdash), whereas Vidui Ma'as'rot takes place at home. Mikra Bikkurim is geared to that aspect of our relationship to the Land in which all of 'Am Yisra'el is "equal" and has no divisions by tribes or families. The only place where this can reasonably take place is in the place where God places His Name - the central locus of worship which belongs to all tribes.

Vidui Ma'as'rot is about our role in the conquest and sanctification of the Land - as specific members of specific tribes and families - and, as such, takes place in our own homes.

VII. VIDUI MA'AS'ROT - WHY THE "CONFESSION"?

Although we have already answered the questions we originally proposed, there are two ideas relating to the texts we analyzed that are worth sharing.

S'forno (in his commentary to D'varim 26), comments on the nature of Vidui Ma'as'rot. He wonders why there is a "confession" (trans. of "Vidui") when apportioning the tithes to all of their proper recipients.

S'forno answers (and this answer works quite well with our analysis) that the "confession" relates to the entire reason for tithes and why they must be taken out of the house. Originally, the first born of each family were to be the "Priests"; this is the meaning of the sanctification of the first born during the Exodus. Had that remained status quo, no one would have had to take any tithes out of their houses; they would have just given them to their own first-born children. Since the behavior of the first-born (of the non-Levi tribes) at the incident of the golden calf caused God to remove their special status and transfer it to the Levites, we now have to remove the tithes from our houses and give them to the proper recipients. This is, according to S'forno, the reason for the confession - it is an extended confession for the sin of the golden calf. (This supports our analysis in that it focuses the Vidui Ma'as'rot on the generation and events of the Exodus).

VIII. POSTSCRIPT

One further and final note: The statement from the Yerushalmi which creates a genealogical fiction and declares all converts to be children of Avraham has its echoes in common practice. When someone converts and comes under the wings of the Shekhinah, he becomes known as "Ben Avraham Avinu" (for purposes of an Aliyah etc.).

We could ask the question - why are "born-Jews" known as "B'nei Yisra'el" or "Beit Ya'akov"; yet "Jews by choice" (converts) are called "B'nei Avraham"?

If we examine Avraham's life (something we are surely going to do in detail in a couple of months), we see that his entire life was made up of isolation, turning his back on family and on everything he knew. Ya'akov, on the other hand, had the fortune of being born into the tradition of father and grandfather, which it was his job to absorb and maintain.

This is a crucial distinction between those of us fortunate enough to be born as B'nei Yisra'el - we are indeed followers of Ya'akov, who must absorb our ancestral tradition. Those who have the unique blessing to voluntarily come under the wings of the Divine Presence and convert are truly children of Avraham. They have turned their back on everything familiar, family, customs, faith and tradition - to embrace the Truth. Someone who has taken this bold step is surely a child of Avraham.