BS"D
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Potomac Torah Study Center
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Tisha B'Av starts immediately after Shabbat; next Shabbat is Nachamu & Tu B'Av.

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

Devrei Torah are now Available for Download (normally by noon on Fridays) at www.PotomacTorah.org. Thanks to Bill Landau for hosting the Devrei Torah archives.

May Hashem protect Israel and Jews everywhere. May Hashem's protection shine on all of Israel, the IDF, and Jews throughout the world. May the remaining hostages soon come home, and may a new era bring security and rebuilding for both Israel and all others who genuinely seek peace. May Tisha B'Av soon become a day of rejoicing, speedily in our time.

Immediately after Shabbat this week, we go directly to Tisha B'Av, the day of an incredible amount of evil in Jewish history. Chabad has provided a list of seven tragic events on Tisha B'Av in history. The Meraglim return from touring Canaan on 9 Av 1313 BCE. Ten of the Meraglim give an evil report and say that B'Nai Yisrael could not defeat the people in the land. Only Yehoshua and Calev argue that with the help of Hashem, we could defeat the people and take over the land immediately. Almost all the adults accept the majority (evil) report and cry all night, refusing to enter the land and looking for someone to take them back to Egypt. Hashem is furious that the people reject His special gift to B'Nai Yisrael, vows that He will give the people reasons to cry for real, and rules that all the adults except Calev and Yehoshua will die in the desert over the next forty years – but that their children will enter the land at that time.

Tisha B'Av becomes a date of disasters. Enemies of the Jews destroy both holy temples in Jerusalem on Tisha B'Av: in 423 BEC and 69 CE. The Romans defeat the rebellion of Bar Kochba in 133 CE. At the final battle at Betar, the Romans brutally butcher the Jewish rebels. A year later, the Romans plow over the Temple Mount. England expels the Jews on Tisha B'Av in 1290. Queen Isabella and her husband Ferdinand expel the Jews from Spain on Tisha B'Av in 1492. Germany declares war on Tisha B'Av in 1914, an event that energizes the mass killings of millions of soldiers and civilians during World War I.

As Sefer Devarim opens, Moshe soon wails *"Eicha,"* – how can I carry your disputes, burdens, and quarrels alone (1:12)? We always read this parsha and Isaiah's wail of affliction (1:1-27) on Shabbat Devarim, the final Shabbat before Tisha B'Av. Rabbi Dr. Katriel (Kenneth) Brander relates Eicha to a natural feeling during recent times. Israel has endured a very long war against Hamas, with opportunistic additional struggles in Lebanon, Syria, Iran, and Yemen. These struggles have already continued for an amazing and depressing 22 months.

Along with the wars in the Middle East, Jews face an explosion of anti-Semitism all over the world. Several "friendly" countries now blame Israel and Jews everywhere for the greatly exaggerated "suffering" of the people of Gaza. Even the Wall Street Journal shows periodic photos of obviously ill children in Gaza – but Israeli journalists have demonstrated that the children in these photos are actually victims of cystic fibrosis and other long term immune suppressed illnesses, not victims of anything that the IDF has caused. When the photos of the "poor starving" children contain adults, all the adults in the photos appear healthy and well fed. Media in many countries blame Israel for blocking distribution of donated food through the UN. However, the Gaza Humanitarian Foundation (which Israel and the United States support) has been

trying to convince the United Nations to distribute food and other aid, even offering the UN five different routes to deliver the aid. The UN has not accepted any of these offers and even rejects the Foundations' offer to distribute the food for no cost.

Eicha – how can a Jew understand England, France, Belgium, and Canada accepting the lies from Gaza and vowing to recognize "Palestine" as a legitimate country. Where is Palestine? Such a country does not exist and has no land. None of the Arab countries since 1948 have offered land to "Palestinians." The official position of the Arab countries is that these people belong in Israel, and that Israel should be renamed "Palestine." Eicha, how could we Jews accept such a political solution – it would mean no more Israel, and it would take us back to the situation in the 1930s and 1940s, when no country in the world would accept displaced Jews.

God promised us that He would give us a wonderful land and that out enemies would swarm up to our gates. Should we not obey Hashem's mitzvot, our enemies would be ready to take over our land and kill us. Most non-Jews in the world believe the lies of our enemies. Eicha, how can we survive if our own people do not support us? We must increase our levels of mitzvot and do more to help the widows, orphans, poor, and displaced Jews in the world. We must educate our people to the truth and ask them to reject the lies of our enemies. We must educate the non-Jews who do support us – small in percentage but large in total number. May the time come when our enemies will be quiet and we can move forward in a more peaceful world, one more accepting of what the Jews can offer.

In Sefer Devarim, Moshe reminds us often that Hashem is always here, waiting for each of us to increase our mitzvot and maintain a personal relationship with Him. We must learn to see God's hand in unexpected blessings that come to us. I became an economist when I could not enroll in a different senior social studies class in my last semester of high school. An advisor suggested that I try economics, with a new teacher from UCLA. That class convinced me to become an economist. I had accepted a job with the Labor Department when I moved to Washington, DC. A sudden hiring freeze meant that the job disappeared. Since I had also interviewed with the FTC and found it appealing, I switched to antitrust and have counted my blessings for that unexpected change for the rest of my career. I have several other examples how unexpected "taps on the shoulder" (Rabbi David Fohrman's term for messages from Hashem) guided me to better opportunities than I would ever have expected. Despite bad times when our enemies cause problems in the world, God finds a way to help us find the best possible paths forward – if we only listen to His messages. My beloved Rebbe over fifty years of our lives, Rabbi Leonard Cahan, z"l, helped teach me that God is in this world – we only need to learn how to find Him. I hope that my children and grandchildren will all learn this lesson too.

Shabbat Shalom,

Hannah and 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 and since the pandemic, despite many of its supporters having to cut back on their donations.

Please daven for a Refuah Shlemah for Velvel David ben Sarah Rachel; Moshe Aaron ben Leah Beilah (badly wounded in battle in Gaza but slowly recovering), Daniel Yitzchak Meir HaLevy ben Ruth; Ariah Ben Sarah, Hershel Tzvi ben Chana, Reuven ben Basha Chaya Zlata Lana, Avraham ben Gavriela, Mordechai ben Chaya, David Moshe ben Raizel; Zvi ben Sara Chaya, Reuven ben Masha, Meir ben Sara, Oscar ben Simcha; Miriam Bat Leah; Yehudit Leah bas Hannah Feiga; Miriam bat Esha, Chana bat Sarah; Raizel bat Rut; Rena bat Ilsa, Riva Golda bat Leah, Sharon bat Sarah, Kayla bat Ester, and Malka bat Simcha, and all our fellow Jews in danger in and near Israel. Please contact me for any additions or subtractions. Thank you.

Shabbat Shalom,

Hannah & Alan

Parshat Devarim: Tisha B'Av – From Grief to Empowerment

By Rabbi Dr. Katriel (Kenneth) Brander * 5785 / 2025
President and Rosh HaYeshiva, Ohr Torah Stone

Dedicated in memory of Israel's murdered and fallen, for the return of our hostages still in Gaza, for the refuah shlayma of our wounded in body or spirit, and for the safety of our brave IDF soldiers.

Every year we read the haftarah for Parshat Devarim on the final Shabbat before Tisha B'av, called Shabbat Chazon. This haftarah is read from the first chapter of Isaiah, but there are varying traditions concerning exactly which verses to read. The prevalent custom is to start from the first verse through verse 27, the opening of the prophecy. The Yemenites, however, only begin from verse 21: *"How]eikha[like a prostitute is she now, the faithful metropolis."*

The word eikha rings in our ears. It echoes not only the first word of the Megillat Eikha, the Book of Lamentations, which we read on Tisha B'av, but also, serendipitously, is a word found in the parsha itself. In chapter 1, verse 12 of Deuteronomy, Moshe despairs of being able to manage the quarrels and complaints of the Israelites by himself: *"How]eikha[can I bear alone all your problems, your burdens, your disputes?"*

The way we hear Eicha in the haftarah, parsha and the approaching reading of Lamentations conveys a sense of despair, helplessness and overwhelm. It is something that Am Israel has felt at many points throughout its history, including during its difficult journey to the Promised Land, after the destruction of the Temples as well as persecutions, expulsions, crusades, and blatant acts of antisemitism in the halls of academia. It is what we are feeling today amid the ongoing war and other challenges both in Israel and the Diaspora. It is natural to feel overwhelmed, that we cannot bear this any longer, and to feel helpless.

Often asking this question *"eicha,"* How can this have happened, is the first step to finding the answers we need — -we express our emotional exhaustion and recognize that we are in a challenging place, hopefully as the first step to growth and finding a solution, or finding the strength to accept the present reality. In fact, this word, when examined more carefully, can help guide us on this journey from despair, fear and questioning to a place of more productive thinking and deeper faith.

Rabbi Soloveitchik taught us that when we wish to truly understand any word in the Torah, we should begin by noting the first form that word takes. When we search for the word איכה, we find, to our surprise, that in its first appearance in the Torah, in Genesis 3:9, the word is vocalized differently altogether – *ayekka* – and it carries a different meaning: *"Where are you?"* This was the gentle question God asked of the ashamed Adam and Eve after they ate the fruit from the forbidden tree and tried to hide. This alternative vocalization of the same Hebrew letters can also teach us a new way of looking at the eikha – *"how can this have happened?"* – that we repeat throughout the liturgy surrounding Tisha B'av.

When confronted with tragedy, after expressing **eikha**, *"How could we have gotten here?* It is important that we also then face the calamity and ask **ayekka** – *"Where are we?"* This will help us move from being immersed in the sadness of the moment, in misery and find the courage to be part of the process of picking ourselves back up and transforming the current reality in our personal, communal or national life.

In every generation, in every life, individual and collective tragedies occur. It is our opportunity to prevent ourselves and each other from being sucked into the whirlpool of despair, and instead to ask ourselves **ayekka***:* What can we do to make a difference? What role will we play in the great drama taking place in us and around us, to help transform Tisha

B'av from a day of sadness to a day of joy and redemption, as expressed in the words of the prophet Zecharia)8:19(: *"The fast of the fifth month…will be for the House of Yehuda joy and happiness, and a time set aside for good. Therefore, love truth and peace!"*

Special note: In the wake of October 7th, something remarkable has happened: an unprecedented surge of religious young women stepping forward to serve in the IDF. Indeed, last year, close to fifty percent of the women graduating from Religious Zionist high schools enlisted, with an astonishing ten percent of these seeking roles in combat units. In response, the IDF requested a partnership with Ohr Torah Stone's *Maaminot BeMadim* program to create the first-ever combat unit exclusively for religious women — ensuring these trailblazers could serve their country without compromising their values.

* President and Rosh HaYeshiva of Ohr Torah Stone, a modern Orthodox group of 32 institutions and programs. Rabbi Dr. Shlomo Riskin is the Founding Director, and Rabbi Dr. Brander is President and Rosh HaYeshiva. For more information or to support Ohr Torah Stone, contact ohrtorahstone@otsyny.org or 212-935-8672. **Ohr Torah Stone is in the midst of its fund-raising drive. Please support this effort with Donations to 49 West 45th Street #701, New York, NY 10036.**

Dvar Torah: Devaraim: That is the Question (5776)

By Rabbi Label Lam

And HASHEM called to man, and He said to him, – "AYECHA" -Where are you?")Breishis 3:9(

Now after Adam ate what he was commanded not to eat, he became spiritually distant from HASHEM. We understand that HASHEM knew where he was geographically like a GPS satellite, but he wanted Adam to consider where he had moved to in relationship to his Creator. HASHEM asked Adam so Adam would understand what happened. The Midrash here is sensitive to the language and detects that the very same letters used in asking that dramatic question are the very same letters that compose the name- the title for the Megilla we read on Tisha B'Av- *"Eicha"*- How!? How did it happen that a nation became so dislocated from its source? It's the same gnawing question that echoes through the cosmos till today! *"Where are you!?"*

Exactly 24 years ago, while running a program for prisoners, I brought a colleague of mine who travels widely as a guest speaker. Because the prisoners crave to know what's going on *"out there"* and they live vicariously through the adventures of others, they nudged the Rabbi with desperation to tell them where he had been recently. He answered glibly, *"I was just in the world's largest prison and there I confronted the most- fierce warden of them all!"* Some started to guess which place and which person he was referring to.

After they got quiet, he told them:

> *"The largest prison in the world is the whole world!"* I felt an awkward silence in the room and I glanced up sideways signaling that he ought not to continue peddling these soft parables or this was going to be a long night or a short night. As I expected, they chorused *"All of us would love to go to that prison! Let us go out there!"* The second answer shed light on the first and his words became poignantly clear. *"Who's that fierce warden? Myself!"* He explained *"This guard keeps you from going a few feet to your left and right! This one stops you from getting beyond that point! I have my limitations too. If I travel north I cannot go south. Of course my limitations are far more expansive than yours."*
>
> *On the horizontal plane, but who keeps us from going up, from climbing vertically, transcending the confines of this place and reaching the fullness of our real potential, even here in prison? Nobody stops us but ourselves!"*

I know it was exactly 24 years ago, because my wife gave birth a week later, on Shabbos Tisha B'Av, to a baby boy who is turning 24 this Tisha B'Av. Thirty seconds into the world, I held him for the first time. Maybe it was the footprint reminding me of the finger printing when entering prison but the first unrehearsed words that escaped my mouth at that time was, *"Welcome to the prison!"*

My wife looked up at me with bewilderment. I owed her an explanation but I needed to explain it to myself first. It dawned on me that here, this lofty soul, a breath from The Almighty Himself, bigger and brighter than anything in this universe, aware of the whole Torah on some sublime level has just been crushed into this tiny body, sans teeth and sans vocabulary. He thinks he wants soda and pizza but deep-deep down he wants much-much more. We pray for the wisdom of the warden.
After that visit to the prison we launched a new orientation program for anyone entering the prison system. We would ask him, *"Where do you live?"* The fellow would answer, *"Green Haven!"* The question would persist, *"Where do you live?"* The answer would expand to *"New York."* Again the question and then, *"America"* and next the *"world?"!* Very nice but where are you???

The answer we repeated till it was real: *"We are in front of HASHEM!"* If that's your mind-set then you are not in prison! Sure your feet are here in this shoe but that's not where you need to be a whole day! The Baal Shem Tov said, *"Wherever a person's thoughts are, that is where he is entirely!"*

Now back to the question of the day, the question for all time, *"Where are we?"* Are we in New York or Jerusalem? In a cell phone or with family?! Are we in a prison cell or are we living with HASHEM? **That is the question!**

https://torah.org/torah-portion/dvartorah-5776-devarim/

Tisha B'Av, Tragedy and a Personal God

By Rabbi Dov Linzer*
Rosh Yeshiva, Yeshivat Chovevei Torah © 1998

On the Ninth of Av we mourn over the destruction of the Temple and over other great tragedies that have befallen the Jewish people. It is a day marked by great sadness and sorrow, a day on which we are all mourners. The rituals unique to this day – not shaving, not bathing in hot water, not donning tfillin, not learning Torah, not greeting one another – all manifest our state as mourners. There is one practice, however, that appears incomprehensible in this context – we do not say tachanun, the penitential prayer. Why, of all days of the year, do we omit tachanun on Tisha B'Av, when such ommision is usually reserved for Shabbos and holidays? The rabbis explain this practice, saying that Tisha B'Av is called "mo'ed," an "appointed time" in the verse: *"Call for Me (God) a 'mo'ed', an appointed time, to shatter my young men"* (Lamentations). This term, *"mo'ed"* is the same term applied to Shabbos and the holidays, and hence Tisha B'Av is a day like them, a day which we consider, at least in one respect, to be like a holiday.

This explanation, far from explaining, really sharpens the question. How is it that we should consider Tisha B'Av to be like a holiday just because it is called a "mo'ed"? The context is altogether different! Unlike the holidays, it is not an appointed time for rejoicing; it is an appointed time for destruction! What is the meaning of this expression of joy – omitting tachanun – amidst all the expressions of mourning?

I believe that the answer to this question comes from an understanding of the nature of tragedy, and of how we as Jews relate to tragedy. This year, I have been giving a number of classes that deal with philosophical topics, among them, the question of Divine justice: why do bad things happen to good people? This question presents itself to almost all of us, particularly when we have personally experienced tragedy. The answer that we arrive at depends to no small degree on our world view: is it rationalistic or religious? Or, to put it in other words, to what degree do we see God involved in the world?

A rationalistic view tends to see God as very rarely involved in world events. God stands back and allows the world to run its natural course, and He will only interfere when absolutely necessary. This type of approach certainly presents an easy answer to the question of Divine justice: things are indeed unfair; God does not mete out justice in this world. The problem with this approach is that while solving a philosophical problem, it gives birth to a host of religious problems. For to accept a world without God's involvement not only contradicts many verses in the Torah, but would also lead to an empty, meaningless religious life. Why would we pray three times a day, if not that we believed that God answers – or at least listens to – our prayers? What type of a life would we be living if we did not see – or at least attempt to see – God within our world? Isn't that part of our religious obligation: to have a relationship with God, to see God in our world?

The answer is of course, yes, this is our obligation, this is Judaism's unique teaching, that there is a God who is not only Creator of Heaven and Earth, but who is also the Lord your God who took you out of the Land of Egypt. This is why we struggle so much with the question of divine justice, because we firmly believe that God is involved in this world, and thus we look for an explanation in tragedy, in evil.

When we look for explanations, for answers, they will not always be forthcoming. They may elude us for many years, or for our entire life. But whether we find the answers or not, our view of the world and of ourselves will be profoundly different than if we had never asked. For far from living in a meaningless world, a world of random and often cruel events, we will approach the world as a purposeful place, a place where things happen for a reason. And we will understand that our existence is likewise meaningful. We will understand that God brings about events because he cares for us, and that God does relate to us on a personal level.

As I said, we may never find the answers to our questions, but that should not change our faith in the nature of reality. We are not always privileged to know why things happen, even when they happen for a reason. The rabbis traditionally explain tragedy, as the Torah does, as a punishment: either a form of justice, or a spur for us to introspect and repent. These explanations are often appropriate and helpful. However, when it comes to national tragedy, and to tragedies of immense scope, they are sometimes hard to accept. Was all of this really necessary as a punishment, did we truly deserve this much? This, of course, is the cry of Lamentations: how could such a tragedy have occurred? How does it all make sense? And, just as obviously, this is the cry of our and the previous generation in response to the Holocaust: how could anyone say that this is a form of Divine punishment?

It is when faced with profound tragedies such as these that our faith is really brought to the trial. It is at these times that we must muster the strength to continue to believe in a God that is involved in the world, in a God who cares, while at the same time not trivializing or lying to ourselves about the immensity, and hence, incomprehensibility, of the tragedies that we have experienced. We cannot understand what happened, but we nonetheless continue to believe that the world is a meaningful place, that God does care.

This then is the message of Tisha B'Av as a *"mo'ed."* It would have been possible to look at the destruction of the Temple as a natural, historical event, as one nation – first the Babylonians, and then the Romans, striving for world domination, and the little country of Israel just having gotten in the way. The destruction of the Temple would then have been a meaningless tragedy. We, as Jews, refuse to believe this. *These things happen because God wanted them to happen: "call for Me a "mo'ed" – an appointed time – to destroy My young men."*And hence, the destruction of the Temple, far from being a sign of God's abandonment of the Jewish people, is in fact as sign of his relationship with them.

We mourn these events not only to express our grief, but because we believe that there are lessons that can be learned, that God was speaking to us through these events. While different people will hear different voices of God in these events, while some will strain to hear any voice at all, we believe there was a purpose, that it was a *"mo'ed,"* an appointed time. And if God cares enough to bring tragedy upon us, He certainly cares enough to bring happiness and goodness upon us. We mourn our tragedies with the belief that they are part of our relationship with God, part of the process that will end in great joy. Whoever mourns over Jerusalem will merit and see in its rebuilding.

From my archives.

How and Why: Thoughts for Parashat Devarim

By Rabbi Marc D. Angel *

The people of Israel had wandered in the wilderness for forty years and were now on the verge of entering the Promised Land. Moses had been their leader, their liberator, their link with the Almighty. Now, during the last days of his life, Moses re-emphasized his role as teacher — Moshe Rabbeinu. The book of Devarim records Moses's memories, chastisements, and his hopes for the future of his people.

Rabbi Jonathan Sacks wisely observed that Moses's last messages to the Israelites went beyond instructing them on how to conduct themselves. He sought to inspire them with the underlying meaning of their covenant with God. He addressed not only the How of Torah life — but the Why. He reminded them that *"they are God's people, the nation on whom He has set His love, the people He rescued from slavery and gave, in the form of the commandments, the constitution of liberty. They may be small but they are unique. They are the people who, in themselves, testify to something beyond themselves. They are the people whose fate will defy the normal laws of history. Other nations, says Moses, will recognize the miraculous nature of the Jewish story."*

Moses set an example for rabbis, teachers, parents, grandparents…all who are involved in the transmission of the Torah tradition. We need to communicate a sense of mission, a deep awareness that we are part of an amazingly powerful worldview that is life-transforming. Judaism is an adventure. It addresses every aspect of our daily life but puts things into a cosmic perspective.

Moses taught us to strive to go beyond our *"ordinary selves"* and aspire to live according to our *"best selves."* It's not only a matter of how we live…but why. Without the spark of idealism and striving for transcendence, life becomes insipid.

Rabbi Abraham Joshua Heschel lamented the decline in religiosity among moderns. For some Jews, religion has become a matter of rote. People follow the rules by habit, not by inner spiritual connection. For others, Judaism is honored for its past, but not granted a serious role in life today. And yet for others, religion is disconnected from the ongoing crises of everyday living, the challenges facing society at large. He wrote:

> *"When faith is completely replaced by creed, worship by discipline, love by habit; when the crisis of today is ignored because of the splendor of the past; when faith becomes an heirloom rather than a living fountain; when religion speaks only in the name of authority rather than with the voice of compassion — its message becomes meaningless"* (A. J. Heschel: *Essential Writings,* p. 49).

A story is told of a Rosh Yeshiva who was overseeing his class of Talmud students. As the young men pored over the texts and engaged in heated discussion, the Rosh Yeshiva suddenly slammed his hand on his desk with a loud thud. He called out: *"There is a God!"* The students were startled…and surprised. Of course there is a God; why was the Rebbi shouting what we all know? But the Rebbi explained: **it often happens that we are so engrossed in the texts we forget why we are studying, we forget the divine source of our studies, we need to be reminded: There is a God.** An important lesson for the students, and for all of us. [emphasis added]

Moses taught the Israelites: There is a God. Life must be lived with awareness of this grand reality. We study and observe Torah not only to learn How. We study and observe to know Why.

* Founder and Director, Institute for Jewish Ideas and Ideals and rabbi emeritus of the historic Spanish and Portuguese Synagogue of New York City.

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What Unifies the Jewish People? Thoughts for Tisha B'Av

By Rabbi Marc D. Angel *

Elias Canetti, a Sephardic Jew who won the Nobel Prize for Literature in 1981, offers some interesting observations about Jews in his book, *"Crowds and Power"*: *"Fools may tell stories of their sameness everywhere, but anyone who knows them well will be inclined to think that there are more varied types among them than among any other people...Jews are different from other people, but, in reality, they are most different from each other."*

Given the tremendous diversity among Jews, what is the unifying factor that makes us consider ourselves to be one people? Canetti writes: *"One is driven to ask in what respect these people remain Jews; what makes them into Jews; what is the ultimate nature of the bond they feel when they say "I am a Jew"....This bond...is the Exodus from Egypt."* Canetti suggests that the Israelites' formative experience as a vast crowd leaving Egypt is the key to understanding the nature of Jewish peoplehood. As long as Jews — however different they are from each other — share historical memories of the Exodus from Egypt, they continue to identify as members of one people. We are bound together by the shared experience of redemption.

While Canetti touches on a vital point in Jewish identity, his explanation is incomplete.

In his magnificent Haggadah, the artist David Moss has provided another vital ingredient in the mystery of Jewish peoplehood. The Passover seder is, of course, the classic recounting of the Exodus experience. Yet, early in his Haggadah, Moss incorporates a dirge chanted on Tisha B'Av, the quintessential day of Exile and tragedy for the Jewish people. The dirge contrasts the feelings of elation at the Exodus with the sense of despair at the Exile. (On a related note, the evening service of Tisha B'Av at Congregation Shearith Israel in New York features a poignant elegy — "Mah Nishtanah" — which highlights the contrasts between Passover and Tisha B'Av.)

Thus, the Jewish people are unified by two great national experiences: Redemption and Exile. [emphasis added]

These experiences are not merely singular historical events, but are prototypes that imbue the entire span of Jewish history — past, present and future. We are supposed to experience the Passover seder as though we ourselves were redeemed from Egypt. We are supposed to experience Tisha B'Av as though we ourselves witnessed the razing of our Temples in Jerusalem and were forced into a long and distressing Exile. Our thousands of years of history are marked by periods of elation and mourning, redemptions and exiles. It is the personal connection with both of these themes that serves to unite us as one people. If one ceases to feel connected to the shared experiences and ramifications of Exodus and Exile, he/she ceases to identify as a Jew.

Just as we recall Tisha B'Av on Passover, so we remember Passover on Tisha B'Av. Even as we mourn the sufferings of Exile, we maintain perfect faith in our ultimate Redemption.

If Exodus and Exile are unifying factors in defining our Jewishness, the Torah itself is the ultimate source of our peoplehood.

In Parashat Devarim, read on the Shabbat before Tisha B'Av, we are told that Moses took it upon himself to expound the Torah to the Israelites (Devarim 1:5). A Midrash suggests that Moses explained the Torah to them in seventy languages.

But why would Moses need to explain the Torah in seventy languages, since the Israelites could not possibly have known all these tongues?

The Midrash is obviously alluding to something of deeper significance. Perhaps it is suggesting that the Israelites would ultimately find themselves scattered throughout the world, and would learn many new languages. The scattered communities would become very different from each other, unable even to communicate clearly with each other. **Moses explained the Torah in seventy languages so that the Israelites would know that they had a unifying foundation in the Torah. No matter what language they would speak, the Torah would be accessible to them in that language**. No matter how separate they seemed to be from other communities of Jews, the Torah bound them together as one people. [emphasis added]

As we prepare for the observance of Tisha B'Av, let us take time to ponder the mystery and the wonder of Jewish peoplehood. The Exodus was the formative experience that propelled our people into history, with the principles of freedom and human dignity. The Exile was the experience that underscored our national courage, resilience, compassion and determination. The Torah was — and is — the foundation of our spiritual teachings, our ideas and our ideals.

Those who shed the mournful tears of Exile will ultimately shed the joyful tears of Redemption. And the Torah is, and will be, our light.

* Founder and Director, Institute for Jewish Ideas and Ideals and rabbi emeritus of the historic Spanish and Portuguese Synagogue of New York City.

https://www.jewishideas.org/index.php/past-preludethoughts-matot-masei

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Parshas Devorim – Devorim – Reconciliation Walk

By Rabbi Mordechai Rhine * © 2017

The Jewish world is plunged each year into a three week season of mourning, occurring during the summer months, and preceding the High Holy Days. Concluding with Tishah B'Av, the day on which both the first and second Temples in Jerusalem were destroyed, these days are days of introspection regarding relationships, both interpersonal and spiritual.

Appropriately for the theme of the season, the readings of the prophets are readings of rebuke and nostalgia. G-d raised His children up and blessed them greatly, but they did not live up to the noble role that He envisioned. A terrible falling-out resulted in the relationship between G-d and His people, leading G-d to cause the Temples to be destroyed and His beloved people to be exiled from their land.

The pain resulting from the exile has been enormous. Over years, scattered throughout the lands, the Jewish people have managed to maintain serenity in the face of adverse environments. We have managed to come through both physically and spiritually; but the experiences have taken a significant toll in pain and suffering. Who can forget the Inquisition, the Cossack brutality, and the Holocaust? Even today with our own State, we sense that we are still in exile as impossible expectations are pressed upon us.

One can imagine that the Jewish people might be angry, and allow the falling-out to escalate. Indeed there is an attitude which says: If G-d abandons us, then we have every right to abandon Him.

Yet, the time of Tishah B'Av is not one of anger, and it is not one of increasing distance. Instead it is a time of thoughtfulness and reconciliation.

The story is told of a great and holy Rabbi, who told his students the night before Rosh Hashana that he wished them to accompany him to the outskirts of town. *"The 'holy ones' have informed me that something momentous will happen tonight. I would like to be there."*

The students went with him and eventually arrived at a little hovel, the home of a middle-aged man who was somewhat affiliated with their congregation. It was here that the great Rabbi stopped and stood by the window to witness developments. The man who lived there was oblivious to the fact that he had left the curtains wide open. In fact he seemed not to have a care in the world, except for the table that he was setting for two.

"Why is he setting for two?" one of the students asked in a hushed whisper. *"Doesn't he live alone?"*

But the great Rabbi motioned for quiet. Something momentous was about to occur.

So they watched silently as the man set two glasses out, and then filled them generously with vodka. He held his glass up, fervently expressed himself, and then with a clink of *"L'Chayim"* he drank his glass. Then, as he sat back with a smile on his lips, the great Rabbi said it was time to go.

The students wondered to themselves why their Master found it necessary to watch one of the least involved congregants get drunk on the night before Rosh Hashana. But, as they saw no explanation was forthcoming, they decided to keep their questions to themselves.

The next morning in synagogue they noticed that the man had come for services. They were a bit surprised to see him, and during a break they approached him to ask what was up. At first he didn't let on to anything. But finally he said, *"Let's sit down. It is good that I should talk about it."*

> "You see," he began, "I used to be one of the wealthiest and most prestigious people in town."
>
> "One day a business deal didn't go my way, and I got angry with G-d. I said, "If that is what You do to me, then I will not continue to be so fervent in my prayers."
>
> "So I stopped coming regularly during the week, and things got worse.
>
> "I continued being angry. As things got worse, I lessened my charity giving, my Torah studies, and even my relationships in the congregation. Over the years I have had to sell my house three times to downgrade, until now I live in a little place on the outskirts of town.
>
> "Finally, this last week, I made a decision. I realized that G-d wasn't giving in. So, if things were to improve I would have to take the first step. So I decided that starting with Rosh Hashana I would do my best, and I would have confidence that G-d would do His best too.
>
> "So what do Jews do when they have a falling-out, and want to makeup. They make a "L'Chayim." So I poured two glasses full, and I declared that we would once again be friends. I would start coming to services again, and G-d would reach out and make things right."

Sometimes in life, relationships experience downturns. The Jewish attitude is that although there may be enormous pain, reconciliation is possible.

I was recently consulted by the father of a teenage boy who told me that he had a terrible falling-out with his son. *"He won't speak to me anymore,"* he told me. *"Rabbi, will you please speak to him."*

I met with the young man and heard him out. The boy acknowledged that he was consistently out of turn, but insisted that his father was overreacting. “So I shut him out,” the boy stated plainly. “I give him the silent treatment, and now things are okay.”

I could plainly see that things were not okay, and I told him, “I see that you have gone through a lot of pain. There are things that your dad says which you feel are way off base. You need to tell him that you are angry. You need to tell him what ticks you off. You need to go for a reconciliation walk.”

Tishah B’Av is a thoughtful time, a time on the Jewish calendar that is the gateway to the High Holy Days. It is a time when even G-d Himself is looking to set things right.

“Therefore,” G-d says (Hoshea 2:16-17), *“I invite the Jewish people for a walk, to have a heart to heart talk. I will change the depths of destruction to a gateway of hope. It shall be like the song of youth at the time of the Exodus.”*

Are we ready for a song of youth, during the season of Tishah B’Av? Perhaps the song might have to wait for the holidays of Succos and Simchas Torah.

But we certainly are ready for a good and meaningful walk, a walk on which we can talk and we can listen, a walk of reconciliation.

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Rabbi Rhine is on vacation, so I am reprinting a Dvar Torah from his archives:

https://www.teach613.org/devorim-reconciliation-walk/

Haftoras Mas'ei - Is Punishment Really Bad?

by Rabbi Yehoshua Singer * © 2020

Although the Haftorah usually relates to the weekly Torah reading, during the Three Weeks of Mourning we read Haftorah portions relating to the destruction of the Temple to stir us to reflect upon our own actions and upon our current situation in exile. Despite the harsh and painful tones of these prophecies, it was established that each week we should end on a positive note. Each week’s Haftorah ends with a focus on the promise of G-d’s everlasting love for us and the promise of future redemption and return to Israel.

To find the positive note for this week’s Haftorah, we conclude with Chapter 3 verse 4. This verse, though, does not appear to present a very positive note. In Chapter 3, Jeremiah is speaking of a time when G-d has brought a drought due to our sins. At that time we continued to deny our sins or that we had done anything wrong. Verse 3 states*, “Did you now call me your Father,)saying(You are my Powerful Master since my youth?”* The commentaries explain that G-d was rebuking us for not recognizing His dominion over us even after He had brought the drought. How is the verse presenting a positive note? Where is the message of G-d’s everlasting love or His promise of a future redemption?

Perhaps we can understand the positive message if we look at the verses at the beginning of Chapter 2, which precede Jeremiah's prophecy of rebuke that we read this week.)These verses are read as the concluding verses for last week's Haftorah.(G-d prefaces the prophecy of rebuke by instructing Jeremiah, *"Go and call out in the ears of Jerusalem saying, 'So says G-d, 'I remember for you the kindness of your youth the love of your bridal days, how you walked after Me in the desert in a land that was not planted.'' Holy is Israel to G-d the first of His produce, all those who consume him will be found guilty, evil will come upon them" The word of G-d."*)Jeremiah 2:2-3(Before G-d even begins to rebuke us and warn us of destruction, He makes His never ending love for us known and declares that all who bring about our destruction will be punished.

The Malbi"m notes that this message is intended as a general introduction for all of the prophecies of rebuke throughout the Book of Jeremiah. G-d is telling us here that through all of the rebuke and punishments that would be brought upon us, His love for us is forever intact. The Malbi"m compares this to the sentiments of a father with a wayward child. The father may willingly hand the child over to harsh educators or reform centers to rebuke and straighten out the child's path in life. Yet, at the same time, the father would feel great pity for the child and great anguish at the child's plight while he is at the reform center. This was G-d's introduction to the prophecies of rebuke and calamity. He was telling us that no matter what happens, He will always love us and be concerned for us. So much so that He would even take retribution from those who would willingly choose to be our tormentors and bring about those punishments.

From this perspective, perhaps we can understand why the verse of rebuke from Chapter 3 provides a positive note. There are two types of punishment and rebuke. Sometimes rebuke and punishment can be given as an expression of rejection. It can be a statement that one is no longer wanted. However, rebuke and punishment can also be given for a constructive purpose. It can be given as a means of guiding someone to something greater. It is then a statement of belief in the potential of the one being punished. It is a statement that I care enough about you to do whatever it takes, so you can become the best you.

This is the message of the verse in Chapter 3. The rains were stopped for a purpose. G-d wants us to understand that He is involved in our lives and loves us, and for us to reciprocate. He knows we can realize it and act on it. He believe in us and He won't give up on us. Can there be a more positive message than knowing that G-d believes in us and our potential for spiritual greatness even when we don't believe in ourselves?

* Co-founder of the Rhode Island Torah Network in Providence, RI. Until recently, Rabbi, Am HaTorah Congregation, Bethesda, MD., and associated with the Savannah Kollel.

Devarim -- The Love of Torah, the Torah of Love, Part I

By Rabbi Haim Ovadia *

]I hope to include additional parts of this long essay by Rabbi Ovadia in future weeks[

> *"The master in the art of living makes little distinction between his work and his play, his labor and his leisure, his mind and his body, his information and his recreation, his love and his religion."*)From James Michener's autobiography, quoted in Stuart Brown's *Play*, p. 155(

Every year, during the three weeks leading to Tisha B'Av, the Jewish world is abuzz with calls for unity, love and compassion. Rabbis deliver speeches about the destructive power of baseless hatred and how it can tear communities apart. People avoid beaches, roads and other dangerous places, fearing that the ominous power of ancient negativity will affect them as well. This heightened level of awareness to the needs of the community and to accepting all of our brethren without discrimination could have really been a wonderful socio-religious movement with a far reaching impact, but unfortunately, it comes and goes. It's the annual ebb and flow of feel-good which dissipates after a while, just like the seasonal hike in spirituality and Teshuva around the High Holidays.

To remedy that oscillation and create a steady ascent in our path to spirituality, observance and community building, we must follow the beautiful dictum of R. Avraham Yitzhak HaCohen Kook: *"true righteousness is to not complain about hatred but rather nurture and create more love."* In that spirit, I would like to examine the role love plays in our religious life, but first, if you don't mind, take a quick look at these two word lists which contain each 15 concepts or words and think which one of them you would associate more with your religious lifestyle.

> A: Fun; joy; happiness; love; singing; heart palpitations; excitement; anticipation; thrill; yearning; aesthetic; awestruck; enthusiasm; dance; thought provoking;
>
> B: Duty; law; tradition; ritual; obligation; reward; punishment; commandment; repent; seriousness; just; righteous; obedience; heritage; hierarchy;

Now, please consider the following questions:

> 1. How often to you feel overjoyed, exuberant, excited to tears or walking on sunshine, in a way that you don't want to let go of the moment?)If the answer is never, we have a problem(
>
> 2. How often does that feeling stem from being in love with your spouse, being with your children, friends and family, engaging in your favorite sport activity, listening to great music, watching the night sky or contemplating the beauty of creation?
>
> 3. How often does that feeling stem from religious activity such as praying, putting on Tefillin, reading Tehillim or learning Torah?
>
> 4. If there is a discrepancy between the frequency described in answer 2 and 3, is it in favor of the general or the religious activity?

Please do not reveal or email me your answers now, as we shall return to them later.

Let us now read how Maimonides describes the concept of loving God in his seminal work, *Mishne Torah*, the laws of Teshuva)10:3(:

> *"Which is the appropriate love towards God? It is to love God with great, excessive and passionate love to the point that one's soul is bonded by love to God. As a result, that person will always contemplate his love just like one who is love sick and whose mind is filled with love to his love's subject. He will think of her while awake or sleeping, eating or drinking. The love to God among His followers should be greater than that as He has commanded us to love Him with all our heart and all our soul. This is why King Salomon referred allegorically to this love by saying "I am love sick" and all of the Song of Songs is an allegory for that matter."*

Was the analogy chosen by Maimonides, following in the footsteps of King Solomon, a quantitative or a qualitative one? Were they just trying to show an example of total obsession with an idea, a concept or an object which leads a person to forget everything else, or were they saying that the intensity and quality of our emotions while performing a mitzvah or feeling close to God should be the same as those experienced between two people who are deeply in love?

The answer is clear, as our rabbis have demonstrated in many places: the choice of words and analogies has a very deep meaning. Even a slip of the tongue, which has been popularized as the Freudian slip, reveals hidden intentions and thoughts, and even more so a divinely inspired work such as the *Song of Songs* or the methodically and philosophically authored masterpiece of R. Moshe ben Maimon, *Mishne Torah.*

Maimonides and King Solomon both suggest that when we think of our connection to God and of our feelings while performing Mitzvoth, we are supposed to experience the same emotions we feel when falling in love, nay, when being madly in love. But let us be honest, how many of us or of our kids feel that way? Can we substitute the protagonists of Romeo and Juliette with Joey and the Tefillin? Is there really a love story in our current, modern Jewish life? Is it the fault of technology and changing family values or is it a problem which plagued our ancestors as well? How is it possible that

so many good, observant Jews cannot feel inspired or excited in their Judaism, and how can we change this sad reality? Why is it that when I asked honor students in a prestigious Los Angeles school to write letters to an imaginary non-observant friend and convince him to become religious, the common response was *"I am stuck with it because I was born into a religious family, why should I impose it on others?"* Why is there a gaping hole in many young men's and women's synagogue attendance from mid-teens to mid-twenties? Where are the happiness, love and joy which are supposed to be associated with a religious lifestyle? Is there something missing in our life, our education or our understanding of what it means to be a Torah observing Jew? More importantly, I would like to know if there is a solution, if there is a way to bring back the excitement and the exuberance described in the *Song of Songs* and in Maimonides' codex; to make people thrilled about praying, helping others and creating a spiritual bond with God and with their surroundings.

This topic, obviously, will require more than one weekly bulletin, so let us take advantage of our summer break and do some homework. By next Thursday, please read the following chapters in the bible and think whether they represent raw, emotional and passionate love or logical, calculated and farseeing one:

Genesis 29:1-30:15; Genesis 46:28-30; Ruth 1:7-18; Song of Songs 1:1-8:14.

Enjoy reading and Shabbat Shalom

Now analyze your answers. If you chose list A or if you experience great joy at the same frequency for religious and non-religious activities, and if it is at least once a week for both, then you are a great Tzaddik and an accomplished human being. Please stop reading right now and return to your regular schedule. If, however, you chose list B or you experience little or no excitement in keeping Torah and Mitzvot, you can find solace in the fact that you belong with the majority, but should also ask whether it must be so.

]To be continued[

Shabbat Shalom.

** Judaic faculty, Ramaz High School, New York; also Torah VeAhava. Until recently, Rabbi, Beth Sholom Sephardic Minyan)Potomac, MD(. Faculty member, AJRCA non-denominational rabbinical school(.

Many Devrei Torah from Rabbi Ovadia this year come from an unpublished draft of his forthcoming book on Tanach, which Rabbi Ovadia has generously shared with our readers. Rabbi Ovadia reserves all copyright protections for this material.

Devarim: The Worst Sin in the World

by Rabbi Moshe Rube*

Do you know what the worst sin in the world is? Our Sages tell us it is something called *Chanifah.* This means to say one thing but actually work toward the exact opposite. One example is showing a friendly and loving face to someone while stabbing them in the back.

I don't think the Sages meant to discredit murder and theft as horrible sins. But Chanifah can be more dangerous long term. If someone murders and steals, we can stop them, and there's no doubt they should be stopped. But masters of Chanifah? They can lie, cheat, steal and kill the innocent all while showing the friendliest face and shouting and crying for justice and peace.

It's the tragedy we face today as Jews. We fight for our existence against the evil terrorists who invaded on October 7th. Instead of standing with us, it seems most of the powers of the world keep trying to stop us, thereby rewarding the terrorists. This, in turn, contributes to a public climate where Jews around the world are attacked for being Jews, Israeli or not. The international media are masters of Chanifah, sowing damage, destruction and Jew-hatred all while under the

innocent disguise of love and peace.

This is what we all should be mourning this coming Saturday night on Tisha B'Av, the fast day when we remember and mourn our exile from Jerusalem. We also mourn the global tragedy of a world gone mad, a world that preaches love and peace for everyone but Jews.

However, our Sages also say that those who mourn for Jerusalem will merit to see it rebuilt. Let us hope that by mourning this Chanifah tragedy, we will merit to see it fall away. May the disguise of Chanifah come off so people see the charlatans of the world for what they really are. Only then can we enter a time of true peace and love.

Please join us for the Tisha B'Av services, Saturday night at 6.30pm and Sunday morning at 9am.

Shabbat Shalom,

Rabbi Rube

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Rav Kook Torah
Devarim: The Book that Moses Wrote

Mipi Atzmo

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

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

Unlike the other four books, Deuteronomy is largely a record of speeches that Moses delivered to the people before his death. The Talmud)Megillah 31b(confirms that the prophetic nature of this book is qualitatively different than the others. While the other books of the Torah are a direct transmission of God's word, Moses said Deuteronomy mipi atzmo — *"on his own."*
However, we cannot take this statement — that Deuteronomy consists of Moses' own words — at face value. Moses could not have literally composed this book on his own, for the Sages taught that a prophet is not allowed to say in God's name what he did not hear from God)Shabbat 104a(. So what does it mean that Moses wrote Deuteronomy mipi atzmo? In what way does this book differ from the previous four books of the Pentateuch?

Tadir versus Mekudash

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

One might infer from this ruling that the quality of prevalence is more important, and for this reason the more common activity is performed first. In fact, the exact opposite is true. If something is rare, this indicates that it belongs to a very high level of holiness — so high, in fact, that our limited world does not merit benefiting from this exceptional holiness on a

permanent basis. Why then does the more common event take precedence? This is in recognition that we live in an imperfect world. We are naturally more receptive to and influenced by a lesser, more sustainable sanctity. In the future, however, the higher, transitory holiness will come first.

The First and Second Luchot

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

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

The exceptional holiness of the first tablets, and the special unity of the people at Mount Sinai, were simply too holy to maintain over time. They were replaced by less holy but more attainable substitutes — the second set of tablets, and the covenant at Arvot Moav.

Moses and the Other Prophets

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

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

In the future, however, the first set of tablets, which now appear to be broken, will be restored. The Jewish people will be ready for a higher, loftier holiness, and the mekudash will take precedent over the tadir. For this reason, the Holy Ark held both sets of tablets; each set was kept for its appropriate time.
)Gold from the Land of Israel, pp. 287-290. Adapted from *Shemuot HaRe'iyah,* Devarim 1929.(

https://ravkooktorah.org/PINHAS58.htm

Devarim: Why Are There So Many Jewish Lawyers? (5775, 5782)

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

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

> *I charged your judges at that time: "Hear the disputes among your people and judge fairly, between one person and another, whether the case is between two Israelites or between an*

> *Israelite and a foreigner residing among you. Do not show partiality in judgment: listen equally to the small and the great. Do not be intimidated by any man, for judgment belongs to God. Any case that is too difficult for you, bring to it me and I will hear it.* Deut. 1:16-17

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

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

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

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

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

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

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

Second, we are charged with being interpreters of the law. That is our responsibility as heirs and guardians of the Torah she-be-al peh, the Oral Tradition. The phrase in which Moses describes the voice the people heard at the revelation at Sinai, kol gadol velo yasaf, is understood by the commentators in two seemingly contradictory ways. On the one hand it

means ‘the voice that was never heard again’; on the other, it means ‘the voice that did not cease,’ that is, the voice that was ever heard again.]6[There is, though, no contradiction. The voice that was never heard again is the one that represents the Written Torah. The voice that is ever heard again is that of the Oral Torah.

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

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

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

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

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

Small wonder, then, that there are so many Jewish lawyers.

FOOTNOTES:

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

]2[Ibid., 11.

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

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

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

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

]7[Bava Metzia 59b.

AROUND THE SHABBAT TABLE:

]1[Can you bring examples from the Torah to demonstrate that justice is a central Jewish value?

]2[How can we hold God to justice? Is God not just?

]3[Why do you think there are so many Jewish lawyers?

https://rabbisacks.org/covenant-conversation/devarim/why-are-there-so-many-jewish-lawyers/ 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 Devar.

Criticism: Constructive or Counter Productive?

By Yossy Goldman *

What's the best way to influence people to modify their behavior?

The Book of Deuteronomy begins:

> *These are the words which Moses spoke to all of Israel on that side of the Jordan in the desert, in the plain opposite Paran and Tofel and Lavan and Di Zahav*.1

*"These are words of reproof,"*2 explains Rashi. The verse lists the places where the Israelites sinned, without specifying the details. Moses only alluded to their misdeeds, without elaborating on all the gory details, so as not to humiliate them.

Rashi adds that Moses waited to rebuke the people until shortly before his passing for two important reasons: Firstly, so he wouldn't become a nudnik having to rebuke them repeatedly; and secondly, so that they wouldn't keep seeing him and being embarrassed every time.3

Clearly, even if we must criticize someone, we should take care to do it delicately, in a way that maintains their dignity.

Moses did not say, *"You lousy idolaters! How could you do such a thing?! You saw G d at Sinai and now you prance in front of a Golden Calf?!*"

No. Not at all. Moses said but two words, and even those two words were ever so subtle.

Di zahav.

It sounds like a place, but Rashi tells us it is actually a subtle reference to the Israelites' sin of the Golden Calf. Di can be understood as dai *)" it is enough"*-- as in Dayeinu(, and zahav means gold. Even in his rebuke, Moshe was defending his people. Why did they sin? Because of an overabundance of gold.4

Or, as Rabbi Jonathan Sacks put it, *"Moses' criticism of his people was accepted by them because they knew that he was also their greatest defender."* Having argued their case before G d Almighty Himself, Moses had credibility. They knew he loved them, and they trusted him.

He was always extremely careful not to humiliate the people when he rebuked them.
A few weeks ago, I wrote about *"fire and brimstone"* sermons not being the most effective way to reach people today. Well, it seems that even at the beginning of our history, over 3,000 years back, Moses had already adopted that position.

I am grateful to Rav Asher Weiss for bringing to my attention the Talmudic passage where Rabbi Eliezer ben Azariah asks, *"I wonder if there is anyone in this generation who knows how to rebuke?"*5

It's easy to criticize. Some people seem to do it quite naturally. But being critical of others requires deep wisdom,

sensitivity, respect, and consideration. We cannot just “fly off the handle” and let rip. G d forbid! Embarrassing and putting people to shame publicly is not only a grave offense in its own right,6 but it will more than likely fail to achieve the desired purpose. On the contrary, after such a royal dressing-down, the offended offender will probably only go back to his old ways with a vengeance.

To be effective, criticism must be constructive. If we allow it to become a personal attack or vendetta, it will only fan the fires of dissension. It may not be done in public and must be dispensed very gently. The Torah teaches us that while it is a mitzvah to admonish someone who behaves inappropriately,7 it must be done with tremendous respect and understanding, lest it cause the rebuker to himself commit a sin by embarrassing the person he is rebuking.8

On the other hand, the same section in the Talmud also quotes Rabbi Tarfon who asked, *“I wonder if there is anyone in this generation who knows how to accept rebuke.”*

We need to be wise and sensitive to give rebuke, and we also need to be intelligent and humble to accept rebuke.

My late mother, of blessed memory, had a genuine, natural talent. She was able to tell it like it was, and she could criticize people without causing them to become defensive or angry. How? Because she did it with such genuine sincerity and love. The recipients knew that she was right, and that she meant it for their own good. She always remained the best of friends with the people she had reprimanded.

How I wish I had her gift!

These are the words which Moses spoke to all of Israel.

The Seer of Lublin said that Moshe speaks to all of Israel, then and now. Each of us can learn from Moshe. In all our criticisms, to be constructive, gentle, subtle, and sensitive.

As to knowing how to receive and accept criticism with wisdom, humility, and even-temperedness, the Previous Rebbe said in the name of his father, the Rebbe Rashab, *“Cherish criticism because it will raise you up to new heights.”*9

At the end of the day, did anyone sum it up better than King Solomon?

Do not chastise a fool, lest he hate you. Chastise a wise man, and he will love you. 10

FOOTNOTES:

1. Deuteronomy 1:1.

2. Rashi, Devarim 1:1.

3. Rashi, Devarim 1:3.

4. Rashi, Devarim 1:1.

5. Erchin 16b.

6. *Ethics of the Fathers* 3:15.
7. Leviticus 19:17.

8. Rashi ibid.

9. Hayom Yom 12 Sivan.

10. Proverbs 9:8.

* Life Rabbi Ereritus of the iconic Sydenham Shul in Johannesburg, South Africa and president of the South African Rabbinical Association.

https://www.chabad.org/parshah/article_cdo/aid/5587715/jewish/Criticism-Constructive-or-Counter-Productive.htm

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Devarim: Turning Northward

by Rabbi Moshe Wisnefsky

You have circled this mountain long enough; turn northward.)Deut. 2:3(

On the one hand, the north is allegorically associated with menacing evil, as the prophet Jeremiah warns, *"evil will break forth from the north upon all the inhabitants of the land."*

On the other hand, the north is also allegorically associated with the Torah. King Solomon, in the Book of Proverbs, says, "*The eternal Torah was hidden"* – the word for *"hidden"*)יצפן(being related to the word for *"north"*)צפון(. In addition, the north alludes to the coming of the Messiah, as indicated in King David's words, *"How great is the goodness that You have hidden צפנת[for those who fear You."*

The reason for this paradox is that the Torah teaches us how to reveal the inner core of good within everything, including elements of reality that appear to be evil, and this process will be completed with the coming of the Messiah.

Thus, in this verse, G-d is telling each of us: Now that you have received the Torah, My instruction manual for refining yourselves and the world at large, it is time to turn "northward" – to engage the world, even confronting evil when necessary, applying the Torah's lessons to life. In this way, you will do your part toward bringing the world to its purpose and hastening the advent of the Messianic redemption

– From *Daily Wisdom* #3

* An insight by **the Lubavitcher Rebbe** on parshaot Matot-Masei from our *Daily Wisdom #3* by Rabbi Moshe Wisnefsky.

May G-d grant continued wisdom, strength and peace in the Holy Land.

Gut Shabbos,

Rabbi Yosef B. Friedman
Kehot Publication Society

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Shabbat Shalom

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Covenant and Conversation
Rabbi Jonathan Sacks, z"l

The Book of the Covenant

As we begin reading the fifth and final book of the Torah, I would like to discuss three questions. First, why does the book of Devarim have the structure it does: a mix of history and law, recollection and anticipation? The Sages knew that Devarim had a clear structure. Elsewhere in the Torah some rabbis used the principle of semichut haparshiyot – that we can learn something from the fact that passage Y occurs immediately after passage X. Others however did not, because there is a rule, Ein Mukdam Umu'achar BaTorah, meaning, the Torah does not always follow a strict chronological sequence. So we cannot always attach significance to the fact that the passages are in the order they are. However, everyone agrees that there is precise order and structure in the book of Devarim.[1] But what is the order?

Second: the Sages originally called Devarim "Mishneh Torah", meaning a "second law". Hence the Latin name "Deuteronomy", which means, the second law. But in what sense is Devarim a second law? Some of the laws Moses states in the book have appeared before, others have not. Is it a repetition of the laws Moses received at Sinai and the Tent of Meeting? Is it something new? What exactly is the meaning of Mishneh Torah?

Third: what is the book doing here? It represents the speeches Moses delivered in the last month of his life to the generation who would cross the Jordan and enter the Promised Land. Why is it included in the Torah at all? If the Torah is a history book, then we should proceed directly from the end of Bamidbar (the arrival of the Israelites at the banks of the river Jordan), to the book of Joshua when they crossed the river and began their conquest of the land. If the Torah is a book of law, then Devarim should just be a collection of laws without all the historical reminiscence and prophecy it contains. What kind of book is Devarim and what is its significance to the Torah as a whole?

A number of relatively recent archaeological discoveries have however thrown new light on all these questions. They are the engraved records of ancient treaties between neighbouring powers. Among them are the "Stele of the Vultures" commemorating the victory of Eannatum, ruler of Lagash in southern Mesopotamia, over the people of Umma, and that of Naram-Sin, king of Kish and Akkad, with the ruler of Elam. Both date from the third millennium BCE, before the time of Abraham.

The treaties are of two kinds: between parties of roughly equal power ("parity treaties"), and those between a strong one (a precursor of the modern idea of a superpower) and a weak one. These latter are known as "suzerainty treaties", suzerain meaning the dominant power in a particular region.

Another name for treaty is, of course, brit, or covenant, and we now see its significance for an understanding of Judaism. Covenant was the basic structure in the ancient Middle East of treaties between neighbouring powers. Abraham, for example, makes a brit with Avimelech, king of Gerar, at Beersheva (Gen. 21:27-32). So does Isaac (Gen. 26:28). Jacob does so with Laban (Gen. 31:44-54).
What the newly discovered treaties show is the precise form of ancient covenants. They had six parts. [1] They began with a preamble, establishing the identity of the person or power initiating the covenant. This was followed by [2] a historical prologue, reviewing the history of the relationship between the two parties to the covenant. Then came [3] the provisions of the covenant itself, the stipulations, which were often stated in two forms, [a] general principles, and [b] detailed provisions. There then followed [4] a provision for the covenant to be deposited in a sacred place, and read on a regular basis. Next came [5] the sanctions associated with the covenant, namely the blessings that would follow if it was adhered to, and the curses that would occur if it is broken. Lastly there is [6] a statement of the witnesses to the agreement – usually the gods of the nations involved.

The entire book of Devarim is structured as an extended covenant, on precisely these lines. This is how it works:

Preamble: Announces the time and place, and sets out that the person initiating the covenant is Moses, on behalf of God (Devarim 1:1-1:5).

Historical prologue: Moses recapitulates the history that has brought them to where they are, mostly recalling the events described in the book of Bamidbar (Dev.1:6-4:49).

Stipulations: [a] general provisions: Ten Commandments, Shema, etc. Recapitulation of events surrounding the making of the covenant at Sinai (Devarim chs. 5-11). [b] specific provisions: the details of the law, with special reference to how they are to be carried out by the people as a whole in the land of Israel (Devarim chs. 12-26).

Deposition and regular reading: The law to be inscribed on stone (stele) at Mount Ebal; the Torah written by Moses and placed in the Ark; to be read in public at a national assembly by the king every seven years (Devarim 27, 31).

Sanctions - The blessings and the curses: Chapter 28 states the blessings and curses; Chapters 29-30 form the actual covenant renewal, together with a statement that even if the people break the covenant and the curses come to pass, return (teshuvah) is still possible (Devarim 28-30).

Witnesses: "Heaven and earth" (Dev. 4:26, Dev. 30:19, Dev. 31:28, 32:1), "This song" (Dev. 31:19).

In other words, apart from Moses 'song and blessing of the tribes - with which the book and Moses 'life come to an end - the entire book of Devarim is a covenant on a monumental scale. We now see the extraordinary nature of the book. It has taken an ancient political formula and used it for an entirely new purpose.

What is unique about the covenant in Judaism is, first, that one of the parties is God Himself. This would have been unintelligible to Israel's neighbours, and remains extraordinary even today. The idea that God might bind Himself to human beings, linking their destiny to His, making them His ambassadors – His "witnesses" – to the world, is still radical and challenging.

Second, the other party to the covenant is not, as it was in the ancient world, the king or ruler

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of the relevant nation, but the people as a whole. Every Israelite, as we saw in Exodus 19 and 24, and throughout Deuteronomy, is party to the covenant, and co-responsible with the people as a whole for its being kept. From this flows the idea of Kol Yisrael arevin zeh lazeh, "all Jews are responsible for one another", as well as the much later American idea of "We, the people." This transformation meant that every Jew had to know the law and teach it to their children. Every Jew had to know the story of their people, reciting it on Pesach and when bringing first-fruits to Jerusalem.

This is covenantal politics, a unique form of political structure based not on a hierarchy of power but on a shared sense of history and destiny. It is a moral politics, dedicated to creating a just and gracious society that honours the dignity of all, especially the downtrodden, the poor, the powerless and the marginal: the widow, the orphan, and the stranger.

The structure of the book is now clear. It follows precisely the structure of an ancient suzerainty treaty between a strong power, God, and a weak one, the Israelites. Politically, such treaties were well known in the ancient world, but religiously this is unique. For it means that God has taken an entire nation to be His "partners in the work of creation" by showing all humanity what it is to construct a society that honours each individual as the image of God.

We now understand what Mishneh Torah means. It means that this book is a "copy" of the covenant between God and the people, made at Sinai, renewed on the bank of the Jordan, and renewed again at significant moments of Jewish history. It is the written record of the agreement, just as a ketubah is a written record of the obligations undertaken by a husband toward his wife.

We now also understand the place of Devarim in Tanach as a whole. It is the axis on which all Jewish history turns. Had the generation who left Egypt the faith and courage to enter the promised land, all Jewish history would turn on the revelation at Sinai. In fact, though, the episode of the spies showed that that generation lacked the spirit to do so. Therefore the critical moment came for the next generation, when Moses at the end of his life renewed the covenant with them as the condition of their inheritance of the land. The four previous books of the Torah lead up to this moment, and all the other books of Tanach are a commentary to it – an account of how it worked out in the course of time.

Devarim is the book of the covenant, the centre-point of Jewish theology, and the project it defines is unique. For it aims at nothing less than the construction of a society that would moralise its members, inspire others, and serve as a role model of what might be achieved were humanity as a whole to worship the one God who made us all in His image.

[1] This is discussed in the Gemara, see Brachot 21b.

Shabbat Shalom: Rabbi Shlomo Riskin

Moses 'Final Farewell and the Command to be Just

"How so (Eikha) can I bear alone your contentiousness, your burdens, and your quarrels?" (Deuteronomy 1:12) The portion of Devarim, the introductory portion of the fifth book of the Pentateuch (Five Books of Moses), also known as Devarim, always falls on the Sabbath immediately preceding the solemn fast day of Tisha B'Av, commemorating the destruction of both Holy Temples; hence this opening biblical portion and the fast of Tisha B'Av are inextricably intertwined, coming together as they do year after year.

The very first verse begins with Moses addressing the entire nation on the bank of the Jordan. We are given the precise time of this address – the first day of the eleventh month in the fortieth year of their desert sojourn following their freedom from Egypt – as well as the precise place wherein this "swan song" or valedictory was delivered.

Moses then reminds the people of God's words at Horeb regarding the route they would be taking toward the Promised Land, and the boundaries of that land: "Behold, I have set the land before you. Go in and possess the land that God swore He would give to your fathers Abraham, Isaac, and Jacob, and to their descendants after them" (Deuteronomy 1:8).

After this introduction about possessing the land, the text suddenly, and inexplicably, leaves the subject of land. Moses complains that he "cannot bear [the people of Israel] alone" (Deut. 1:9), and begins addressing the subject of judges and justice: "Judge righteously between a man and his brother, and the stranger that is with him. You shall not play favorites in judgment, you shall hear the small and great alike, you shall not be afraid of any man, for the [ultimate] judgment is God's" (Deut. 1:9-17).

And then, just as suddenly and inexplicably, what follows these nine verses is a flashback to the issue of possessing the land, verses 19 and 20 referring to the route taken in the wilderness after departing from Horeb, and the following verse, which is an almost exact parallel of what we read thirteen verses earlier: "Behold God your Lord has set the land before you, go up, take possession" (Deut. 1:21). Why the seemingly disjointed intrusion of the subject of justice in the midst of two passages regarding the conquest of the Land of Israel?

Furthermore, the passage concerning the importance of righteous judges and moral justice features the same word " ⁻eikha," – "wherefore" – which opens the Scroll of Lamentations; the biblical reader of our portion Devarim is also commanded by time-honored custom to chant the verse which begins Eikha and is cited above (Deut. 1:12) with the familiar, haunting cantillation melody of Tisha B'Av when he reads this verse. What does all of this signify?

Remember that at the very dawn of Jewish history, when God elected Abraham as the first Hebrew, the patriarch of a great, covenantal nation through which "all the families of the earth will be blessed" (Gen. 12:3), God explained that He initially chose and loved Abraham because he is commanding his future household to do acts of compassionate righteousness and moral justice, tzedaka and mishpat .(18:19)

The message resonates with our prophetic reading for the Ninth of Av: Let the wise not glory in his wisdom, let the strong not glory in his strength, let the rich not glory in his riches. But let him who glories glory in this: Understand and know Me, that I am God who exercises benevolence, compassionate righteousness, and moral justice on the earth, for in these things do I delight (Jeremiah 9:22–23).

The centrality of this verse from Jeremiah in Judaism is attested to by the fact that Maimonides chose to cite it as the conclusion of the last of his great works at the end of his life, the Guide to the Perplexed; this teaching, teaches Maimonides, is the quintessence of Judaism!

Working our way backwards from the Guide to the Perplexed, to Jeremiah, to our portion about judges and justice wedged in between the two exhortations to possess the land, and then to the passage in Genesis concerning Abraham, the circle is closed and the biblical mandate for the Abrahamic vision becomes indubitably clear: "Justice, justice shall you pursue, in order that you may live and inherit the land which the Lord your God gives to you" (Deut. 16:20). Only if we establish a just society based upon compassionate righteousness and moral justice can we expect to inherit – and continue to possess – the Promised Land; only thus can we fulfill our purpose as God's covenantal nation, chosen to bring blessing to the world. Immorality, inequity, and oppression can only lead to destruction, exile, and mourning for the descendants of Abraham – and for all of humanity as well!

Now we can understand even more clearly the very first comment of Rashi in Genesis, in which he asks why the Torah begins with the creation of the world when it should have started with the first commandment given to Israel, the command that the month of Nisan, the date of the Exodus from Egypt, is to be the first of the months. Rashi's prophetic explanation is that the day will come when the nations of the world will accuse Israel of having stolen the Land of Israel from the seven Canaanite indigenous nations; at that time (which is now!), the beginning of the Bible will provide the best possible answer: "All the land on earth belongs to God; He created it and doles it out to he who is yashar in His eyes" (Rashi, Gen. 1:1).

Rashi is usually understood to mean that God – the Creator – can dispense the land to whichever nation He wishes. However, the Hebrew word "yashar" actually means righteous or just. Rashi is therefore informing us, in his very first comment, that built into the very fabric and ground rules of creation is that the Almighty will grant us sovereignty over Israel only if our righteous and just acts make us worthy of having sovereignty. Jerusalem is known as the City of Peace (Jeru-Salem) and the City of Righteousness, tzedek (Isaiah 1:27), as in "Righteousness, righteousness shall you pursue in order that you may live and inherit the land." Our right to Israel is not so much a promise as it is a challenge.

The Person in the Parsha
Rabbi Dr. Tzvi Hersh Weinreb

A Time and a Place

"He was in the wrong place at the wrong time." We have all heard this phrase, and many of us have used it. It is especially apt when it is used to describe a person with many virtues and talents who just can't use them because of the social or physical circumstances in which he finds himself. That such a person faces profound frustration is, to say the least, obvious.

Many Jewish immigrants came to the United States blessed with spiritual gifts and intellectual skills, but found themselves in the wrong place at the wrong time. For you see, America was viewed in two very different ways by the Jews back in the shtetl of the old country. On the one hand, it was seen as the goldene medina, the golden country, the land of material opportunity. But on the other hand, it was also viewed as the treifene medina, the non-kosher country, the lands of insurmountable religious challenges.

The usual "success stories" of Jewish immigration to the United States in the late 19th and early 20th centuries are narratives of "making it" financially, but utterly "losing it" from the point of view of traditional Jewish culture. American Jewish fiction, and even American Jewish history, know these narratives well and relate them in graphic detail.

Largely missing from this body of literature are the stories of those who came to these shores imbued with religious fervor, committed to traditional observance. Lacking are the stories of men and women who found it difficult, if not impossible, to live out their faith convictions in this new place and time.

Particularly lacking are the narratives of the struggles that rabbinic leaders had in coping with the treif, albeit golden, American environment. One such rabbinic leader was Rabbi Jacob Joseph, the first and only Chief Rabbi in the history of New York City, who died in 1902 on the 24th of Tammuz. How ironic it is that his yahrzeit often falls near the ultimate American holiday, July 4th.

Rabbi Jacob Joseph, a disciple of the master moralist Israel Salanter, was a rising star in the Lithuanian rabbinic constellation, a gifted orator, a noted pedagogue, and an ardent proponent of meticulous ethical behavior. He accepted a call to the New York Chief Rabbinate, and he soon found himself "in the wrong place at the wrong time."

Rabbi Joseph was certainly not the first great man to find himself in a human context in which he was misunderstood, and in which he was beset by deep disappointment, nay disillusionment. I have long insisted that the first such individual was Moses himself, which brings us to this week's Torah portion, Devarim.

This week, we begin not only a new portion but an entirely new book, the book of Deuteronomy. This book, Sefer Devarim, can be read as a personal retrospective of Moses as he reviews the highlights of his life, and particularly of his relationship with the Jewish people. Time and again he expresses the frustrations he experienced in trying to bring his followers to the ideas and practices which he espoused.

There can be no greater frustration than that experienced by one who has encountered God face to face, but who cannot convey His message to his audience. And hence we have verses such as, "I cannot bear the burden of you by myself." (Deuteronomy 1:9) Or, and this the reader intones with the classic melody of lament, "How can I bear unaided the trouble of you, and the burden, and the bickering!" (Deuteronomy 1:12)

Moses had a unique set of personal experiences, unprecedented visions of the divine, natural tendencies toward all that is just and right, and above all, unparalleled humility. And he was predestined to live in a specific time and place. But how often he must have felt that this was the "wrong time at the wrong place," and certainly, "the wrong people."

Millennia after Moses came Rabbi Jacob Joseph. He was born in Eastern Europe, educated in its old-fashioned yet positively formative schools, and began a successful rabbinic career. He spoke widely and wrote prolifically. His themes were the importance of ethical behavior and the need to be considerate of other human beings. He was, by nature, meditative and would often take his young students into the fields and forests for their lessons. He was an expert in halachah and meticulous in its observance.

And then he was thrown into the American fray. He encountered fraud where he expected honesty, and violence when he was accustomed to gentleness. He found a land where materialism and profit were primary values, and where spirituality and charity were scoffed at and mocked.

He suffered a stroke at an early age, and he died in anonymity and neglect. His funeral was attended by thousands, but it became the scene of a vicious anti-Semitic riot which made the front page of the newspapers of the time. He was indeed a great man in the "wrong place at the wrong time."

One can only speculate about what Rabbi Joseph's accomplishments would have been had he lived in a different place and a different time. For the United States of America is still a goldene medina for the Jewish people, a land of religious freedom unprecedented in our history. But it is no longer a treifene medina, for it has been transformed into a land of spiritual opportunity and religious accomplishment for our people.

Rabbi Jacob Joseph would have been proud of the "yeshiva constructed upon his grave." The Rabbi Jacob Joseph School was known as the mother of all yeshivot when it was situated on the Lower East Side of Manhattan, and when I was a student there. It has since been transplanted to a new locale and continues to educate hundreds of Jewish children.

His writings have now been compiled and are available for all to see and study. And his biography is incorporated into numerous anthologies of American Jewish history and into the history of the Mussar Movement, which tried so valiantly to emphasize the importance of ethical behavior in our religious tradition.

Like many others who experienced the frustration of being in "the wrong place at the wrong time," he left a lasting impact on our place and our time. And so did his predecessor, Moses our teacher, so very long ago.

Although in Moses' case we can only conjecture about his inner feelings, in the case of Rabbi Joseph, we know from records of his final sermons that he indeed believed he "was in the wrong place at the wrong time."

Our tradition, however, teaches us a contrary lesson, namely that none of us are in the wrong place or wrong time. Each of us has a mission in life, and the Almighty Himself chooses the time in history and the place in the world where that mission is to be accomplished. Moses was the right man at the right time. That is apparent. And even Rabbi Joseph, although he could not realize it in his lifetime, served a specific purpose as a transitional figure in American Jewish history, helping to bridge the divide between the doomed shtetls of Eastern Europe and the traif but changing New World.

That we all ultimately are in the "right place at the right time" is the deeper meaning of teaching of our sages: "Despise no one and disdain nothing, for there is no one who does not have his hour, and there is nothing that does not have its place." (Avot 4:3)

Dvar Torah: Chief Rabbi Ephraim Mirvis

Words of encouragement

From the Parsha of Devarim we have wonderful words of encouragement for the Jewish people right now.

Moshe declared 'Hashem elohei avotechem yosef aleichem kachem elef pe'amim'. May the Lord, the God of your fathers, increase your numbers 1000 times over.

The Midrash intriguingly, tells us that this is a blessing, that the numbers of the Jewish people will be from one end of the world through to the other end of the world.

We will number so very many. And why is that?

It's because Moshe didn't say 'eleph pa'am' 1,000 times, he said 'eleph pe'amim' 1000 times.

So what is the difference between 'eleph pa'am' and 'eleph pe'amim'?

In the Sefer Bina Le'atid he explains beautifully, you see, had it been eleph pa'am it would have been 1000 times more. So, there were 600,000 then and that means there would be over all the years 600 million.

But no says the Midrash, 'eleph pe'amim' means, take the current number and double it, and then double it again, and again, and do that 1000 times, and then you will get the total number of the Jewish people through the ages.

There is a fable from the 13th century in Persia, which tells us how the King of Persia summoned the creator of the game of chess, and he said to him, "I enjoy your game so much. How can I reward you? I'd like to give you just any gift you want".

The creator of chess said, "okay I have an idea. Please ask your servants to create an enormous chessboard. In the first square, place one grain of wheat and then double it on the second square, and double that on the third: from two to four to eight, to sixteen and so on. Once they've filled all sixty four squares, please ask them to put the grains of wheat in sacks and to deliver it to my home."

"Is that all you want?" asked the King?

And the man said, "yes, that will be sufficient." So they tried it.

And after a while, the chief of the granary of the Royal court came to the king, and he said, "Your Majesty, there isn't enough wheat in your entire kingdom to fill up all these squares!"

Mathematicians will tell us, that the total number of grains of wheat needed for that is eighteen quintillion – that is more than 200 times the amount of wheat that's produced in the entire world, in any given year.

That is the Bracha that Moshe Rabbeinu gives to the Jewish people over all ages.

Eleph Pe'amim – doubles a thousand times, which means there will be so many Jewish people despite the intentions of our enemies who might want to see otherwise. The Jewish nation will continue to live, to thrive, to grow with the blessings of Hashem.

What a wonderful Bracha for us to read on the eve of the fast day of Tisha b'Av.

During these exceptionally challenging times, from the Parsha of Devarim we learn yet again, Am Yisrael Chai.

Ohr Torah Stone Dvar Torah

"Zion Shall Be Redeemed with Justice"
Moriah Dayan

Parshat Devarim opens the fifth book of the Five Books of the Torah, a book that essentially serves as Moshe Rabbeinu's farewell address to the people of Israel before their entry into the land. This speech is also Moshe's credo, a manifesto, as it were, his Road Map to the people. And coming from the greatest prophet that Israel ever had, its importance is thus immense, offering many lessons through its unique emphases.

The speech begins with a brief historical recounting of the journey towards the Land of Israel and the commandment to conquer the land and settle it. Immediately thereafter follows a description of the procedure for appointing judges, and guidelines for maintaining a just legal system. It is quite clear why Moshe chooses to begin with the commandment to inherit the land on the eve of entering it after a long and arduous journey in the desert. This is the goal and the foundational basis for the existence of the people of Israel as a nation. But how is this notion related to the appointment of judges and the establishment of a judicial system? Why start specifically with this topic immediately after the commandment to inherit the land?

If we examine further in Moshe's speech in Parshat Shoftim, we find a direct link between the judicial system and the inheritance of the land, as can be seen in the verses (Devarim 16:18-20): "Judges and officers shall you appoint in all your gates… and they shall judge the people with just judgment… Justice, justice shall you pursue, that you may live and inherit the land which the Lord your God gives you."

From the plain meaning of the text, we learn that the establishment of a judicial system based on justice is a prerequisite for our existence in the land. As Rashi comments: "The appointment of worthy judges is sufficient to give life to Israel and to settle them on their land." Rav Hirsch adds: "A great thing we learn from here: Our ownership of the land is always precarious; the Jewish state must be reclaimed, as it were, every minute anew through the full exercise of justice." This implies that at every given moment, we must justify our existence as a nation in the Land of Israel by maintaining a just judicial system. Only thus do we merit the inheritance of the land.

The numerous emphases in the verses teach us that it is not enough to merely establish a judicial system; rather, we must constantly uphold a judicial system which is founded upon principles of justice. This is the key word that is repeated time and time again, appearing no less than 18 times in the book of Devarim. Rabbi Jonathan Sacks, in his book Covenant and Conversation, recounts how he once asked Hazel Cosgrove, the first woman appointed as judge in Scotland and a member of the Jewish community in Edinburgh, what led her to choose a legal career. Her simple answer was: "Because Judaism teaches 'Justice, justice shall you pursue.'" Albert Einstein also described

the "love of justice" as one of the characteristics of Jewish tradition that made him eternally grateful to the powers that be for having being born Jewish.

Indeed, even civil legal systems around the world are based on principles of justice. However, what distinguishes the Jewish judicial system from other legal systems is the belief that "Torah is from Heaven," and the binding source of law is Divine rather than human. This is a fundamental principle underlying Jewish Law, from which the rules of justice forming the basis of the judicial system are derived.

The commandments pertaining to the exercise of justice are detailed both in Parshat Devarim and later in Moshe's speech in Parshat Shoftim, where the prominent motif is an uncompromising demand for justice and equality. The commandments presented in Parshat Devarim include: "Hear between your brothers, and judge justly between a man and his brother and the stranger; you shall not show favoritism in judgment; you shall hear the small as well as the great; you shall not be afraid of any man, for the judgment is God's" (Devarim 1:16-17). The commandments appearing in Parshat Shoftim are: "They shall judge the people with just judgment; you shall not pervert justice; you shall not show favoritism; you shall not take a bribe; justice, justice shall you pursue" (ibid. 16, 20).

Each commandment unto itself expresses a specific aspect of justice in the adjudication process; together, these commandments create a fabric ensuring a fair and equitable judicial system. While the above Torah commandments are primarily directed at the judges, according to the Sages, there are also instructions directed at those who appoint the judges, and even some that pertain to the litigants themselves. Above all, there is an overarching principle defining the essence of the judicial system according to the Torah, summarized in Parshat Devarim: "For the judgment is God's." The Sages expounded on this notion (Tractate of Shabbat 10a): "Any judge who renders a judgment of utter truth is considered as if he became a partner with the Holy One, blessed be He, in the act of Creation." Indeed, the judge is granted partnership with the Creator in the act of creation when he engages in shaping social life through a just judicial system. This is a binding partnership, and it is a role of immense importance. Therefore, high standards are required of both the judges and those responsible for their appointment, so that they are worthy of partnership with God Almighty Himself.

Thus, let us consider two Torah commandments, one directed at the judge and the other at those who appoint the judge.

The first: "And you shall judge justly" – is a commandment directed at the judges and concerns jurisprudence. The Sages expounded on these words (Tractate of Sanhedrin 7b): "Verify the judgment by meticulously examining the particulars of the case, and only afterward, implement it." This instruction teaches the thought process required of the judge before issuing a ruling. Rav Hirsch explains that justice is the ideal underlying the law, while the law is the arrangement of relationships among people and objects vis-a-vis the ideal of justice. Therefore, the instruction to the judge is, in Rav Hirsch's words: "First summarize in your heart the outcome of the case at hand as is reflected by the ideal of justice, and then express it with precision." These words highlight the fact that the judge must derive the appropriate judicial outcome from the source, namely – the ideal of justice. He must examine in his heart to find the just outcome of the case before him, and then give it legal expression.

Blu Greenberg, a pioneer of Orthodox feminism and co-founder of the International Beit Din for Agunot along with Rabbi Krauss, once said: "Where there is a rabbinic will, there is a halachic way." Blu Greenberg faced harsh criticism for this famous statement, but her words should be interpreted in light of the Sages 'teachings in the tractate of Sanhedrin and the wonderful words of Rav Hirsch. Yes! The judge must first determine in his heart what the just outcome should be, and then find the halachic expression for it in the ruling.

The second commandment: "You shall not show favoritism in judgment" – an instruction directed at those who appoint the judges, concerning the great responsibility placed upon them. Rashi, in his commentary on these words, explains in accordance with the Sifrei: "This refers to the one who appoints judges, who should not say, 'So-and-so is handsome or strong; I will appoint him as a judge, 'or 'So-and-so is my relative; I will appoint him as a judge in the city, 'although he [the appointed judge] is not proficient in the laws, resulting in the acquittal of the guilty and the conviction of the innocent. I hold the one appointing the judge accountable for violating this law and showing favoritism in judgment."

This is a harsh statement indicating that the responsibility for just judgment lies as much with the one appointing the judge as with the judge himself, so that if an unworthy judge is appointed, the one who appointed him is considered to have caused a miscarriage of justice.

In these days, this teaching takes on additional significance. The committee for selecting judges convened on the eve of Passover and was supposed to choose numerous judges for both the regional courts as well as the Great Rabbinical Court. Unfortunately, it became apparent that there had been significant flaws in the committee's work, including a letter from the legal advisor to the Rabbinical Courts warning of many candidates who were relatives of committee members. The committee's work was halted by a High Court injunction, and it is currently being reviewed and examined. Indeed, the Torah places great responsibility on those responsible for appointing judges, and their role in realizing the ideal of justice is crucial.

Let us pray that we may be worthy partners with the Creator in the act of Creation, and thereby worthy of inheriting the Land and living in it, as the prophet Yeshayahu (1:26-27) says: "I will restore your judges as at the first, and your counselors as at the beginning; afterward you shall be called the city of righteousness, the faithful city. Zion shall be redeemed with justice, and those who return with righteousness."

Dvar Torah: TorahWeb.Org

Rabbi Yaakov Neuburger
We Forgot, and Continue to Pay the Price

Once again, the times in which we live explain the parsha in a fashion that previous generations could not easily see. Once more our parsha gives us the uplift that comes with living the prophecies of old. These weeks are indeed a "peirush Rashi" to an otherwise overlooked Rashi.

We, in these difficult weeks, living through another most precarious and painful episode in the unfolding birth pains of redemption, must study the parsha of Devarim with great curiosity. After all, it is the beginning of Moshe's final charge to his people; his review and rebuke that will bring the final leg of redemption to a worthy close, that will prepare for an entry in the Land of Israel which will earn Hashem's miraculous protection. It is that context that must cause us to wonder how the oft-ignored grinding review of our travels around Edom, Moav and Amon, and of our subsequent battles with the Emori, find their way into Moshe Rabbeinu's final reproach and reprimand?

I believe that this question prompts Rashi's comment (2:1) at the outset of this fifty pesukim review. He explains that this entire chapter, with all its negotiations with the surrounding nations, their fear of and cynicism towards us, and the difficulties they imposed on us, was all brought about by the sin of the spies. If not for that sin, we would have

entered Israel from the southwest, would not have encountered any nations at all until our entry, and certainly not unfriendly ones. Thus, the original sin of Tisha B'av not only caused the forty-year delay of full redemption but it also changed the nature of the final step of redemption.

True, our entry included the great miracles of the splitting of the Yarden River, the battle of Yericho and the sun standing still over Givon, and the successful military uprooting of the native leadership. Moreover, our travels were guided by pillars of clouds, Miriam's well, and the heavenly mon. And yet, plan A was that a newly minted group shaped and defined by the spirituality of Sinai and Yam Suf, entirely untested by the canvas of political reality, would rout thirty-one nations. We were to be anything but a nation among nations.

All of that changed on the very first Tisha B'av, when we erroneously perceived that despite being a kingdom of priests and a holy people, we were still a people which had to prepare for entry into Israel much as all other people do. We cried that night because we, for one night, forgot that our survival and our military prowess was assured by the Almighty, and the battlefield, the beis medrash, and the beis kenesses would activate and earn that assurance. For one night we forgot that while we were to be a people among people, we were to be entirely different and distinct - a kingdom of kohanim and light unto the nations.

And we got the plan B that we thought, albeit with Hashem's infinite kindness and the miracles of actual entry still in place. We did have to negotiate with Edom, explain that we will enhance their economy and not disrupt it, and negotiate the rights of passageway. We sent scouts and we had to sharpen our weapons.

And, apparently, we are watching the continued ramifications of the first Tisha B'av and hearing the recent echoes of Moshe Rabbeinu's poignant parting words. Instead of negotiating with Edom and soft-pedaling with Amon and Moav, our leadership needs to respond to accusations of being callous to humanitarian crises, to judgements of international "courts", to false narratives of a liberal media, and so much more.

We pray that the greater attentiveness that we pay to the Tisha B'avs of old will give us the merit to celebrate the Tisha B'av of our destined future, when it will become a yom tov. May this take place on the Tisha B'av of 5784.

Torah.Org Dvar Torah
by Rabbi Label Lam

ABBA-ABBA

It's no mistake that the name of the Hebrew month that contains the notoriously tragic day of Tisha B'Av is "AV" which means "FATHER". In many ways it provided great comfort just knowing that. Why and how? I will attempt to explain.

The famous psychiatrist and innovator of Logo Therapy, Victor Frankl, worked with a series of important formulas. S – M = D and S + M = J. Suffering, of any size and magnitude, minus meaning equals depression. We become lost and de-energized when whatever it is we are going through has no meaning. It could be a deeply personal tragedy or waiting in traffic. If we perceive that it is void of meaning then it saps us of life.

However, the inverse is also true. Suffering, of any size, plus meaning equals joy! We can endure much more in life and even become inspired when we perceive that there is meaning and purpose to whatever it is that we are going through. We don't even have to know what the specific meaning is. Just that we firmly appreciate that there is meaning is sufficient. That is where EMUNAH can contribute so much to the resilience of the human spirit.

Now let us explore this word "AV" which is the backdrop and the frame for focusing on our individual and collective sufferings. First of all, we must deal with a phenomenon having to do with words. They become dull and cliché and hollow through constant repetition. Yet, we find that, for example, the Mesilas Yesharim states in the introduction, "The only good result (of learning this Sefer) comes through continuous review." That sounds like a major contradiction. Review should wear out and dull the meaning not yield more benefit.

The difference is when we have developed associations, and pictures, and sounds, and feelings, and movies that are prompted by a word or series of words. When there are no images or feelings the words become even more hollow with use. Say, for example, the word "calculus" to someone who has not yet completed elementary school math and he will give you a blank stare. Say that same word to a mathematics professor and formulas and numbers will awaken in his mind and begin to dance.

Say "Shabbos" to someone who has never experienced a Shabbos and it will land with a thud, but to someone who delights in Shabbos week after week and an orchestra of positive neuro-associations will strike up a glorious symphony.

The more we are invested in a word, not only will it not dull with repetition but it will enter our psyche deeper and deeper. In that way, words are like apps. When pressing my photo app, worlds of precious moments are revealed. I have a diary app that I never used. No matter how many times I open it, it yields nothing. It is our task to fill it up with imagery.

I remember warmly now, as a child, my dear father rushing into the room where my brothers and I were romping around when we should have been asleep a long time ago. He pulled the dreaded belt off his waist and everyone dove under the covers quaking. For some mystical reason, even though I was the youngest, he came to me immediately, and the belt came down. The blows were softened by the covers and I found myself laughing and crying and thinking clearly within the recesses of my heart, "He chose me to be the one to get hit, because he knew I could take it!" I remember clearly taking it as a compliment from my beloved father. That it came from my father, though, made all the difference in how I accepted it.

A friend of mine in Israel was stepping forward to begin Mussaf in a Schul known for its decorum, when his 3-year-old son, Dovi started pulling on his Tallis strings, shouting, "ABBA- ABBA! My friend tried to hush him unsuccessfully. He thought to step back and interrupt his Davening because by this time everyone was turned to him and either saying or giving a look that said, "NU!?" At that moment a genius idea entered his mind. With a few motions, like a pantomime, he imitated what his son was doing, with a heavenward look and remarkably everyone got the message. What are we doing here in prayer? Are we just chewing words and spitting them out!? We are tugging on our Father in Heaven's Tallis and inside every word is a shout of. "ABBA-ABBA!" The boy didn't come to disturb the Davening. He came to teach us how to Daven! Your Father, your Abba wants you to connect to Him, ABBA-ABBA!

Mizrachi Dvar Torah
Rav Doron Perez

Who Really Destroyed the Temple?

In the book of Flavius Josephus – the well-known Jewish commander, who was part of the rebellion against the Romans, was captured and became a Roman slave, chronicler and historian – he writes about a conversation between Vespasian, his son Titus and the Roman generals.

The Roman generals came to Vespasian, at the time the head of the army in Judea, and asked him what was he waiting for? They had the city of Jerusalem under siege and surrounded, it was time to destroy the city. He said: no, the

Jewish people, the sects, will destroy themselves. How so? He answered that G-d is like a Roman general and that He is fighting for them more than anyone else – the Jews are so divided, they are fighting among themselves. If we fight them, that will unite them and fight against us.

United, they will have a chance. Disunited, they don't have a chance. Leave them to their own devices, and they will destroy themselves from within.

Shockingly, that is what happened. As the Roman army came, all the other Jewish commanders came to the city, each one carrying their own views. All the Jewish sects were so disunited that Vespasian said that they should be left – and as the Temple was being destroyed, the Jews were still fighting about who was right and who was wrong.

This was exactly the meaning of the sinat chinam, the baseless hatred, that our Sages explained destroyed the Temple.

If we want to rebuild Jerusalem today, there has to be a rectification. The political discourse has to change. When we argue with the other, delegitimize them, fight them to the death, when there is no reasonable discourse, when we are unable to hear the other person, we perpetuate the sin of the destruction.

May we come together as a people, not just in times of war, but also in times of peace. As we forge our way forward, may we be able to respect each other, engage in accepting discourse, disagree vehemently but validate the person, and through ahavat chinam we will build a common destiny together and rebuild Jerusalem and the Temple speedily in our days.

Rabbi Dr. Norman J. Lamm's Derashot Ledorot

Tisha B'Av: The Veil of God*

Tish'ah be-Av is more than the commemoration of the five specific historical events mentioned in the Talmud, foremost among them the destruction of the two Temples in Jerusalem six centuries apart. It is even more than the national threnody for a string of tragedies, beginning from the earliest times and extending through the ninth of Av, 1492—the expulsion of Jews from Spain—and the same date in 1942, the signing of the extermination order against Polish Jewry by the unmentionable leader of Nazi Germany. More than these alone, Tish'ah be-Av is a condition of the divine-human dialogue; it is a quality of the relations of God and the people of Israel.

Man does not always perceive God uniformly. Sometimes, He appears close to us, nearby, concerned, sympathetic, involved in our destiny, a loving and forgiving Father. "The Lord is near to all who call upon Him" (Ps. 145:18). It is a source of joy and comfort to man when he perceives God in this fashion. But sometimes God appears infinitely remote, distant, faraway. It seems almost as if He has vanished from the world, without leaving a trace. God appears aloof, unapproachable, forbidding, uninterested, and ready to abandon man to eternal solitude. There is no greater agony for man than when God thus veils His presence, when He performs hester panim, the "hiding of His face" from mankind. When God, as it were, withdraws from the world and leaves man to his own resources, forsaken and at the mercy of the impersonal and brutal forces of nature and history, man's life is worse than meaningless. It is this latter condition that is described in Tish'ah be-Av.

That black day was the beginning of the long, ages-old epoch in which God and Israel disengaged from each other, when a seemingly impenetrable veil cruelly separated them. The culmination of Jeremiah's Lamentations sound this very note: Lammah la-netzah tishkahenu, ta'azvenu le-orekh yamim (Lam. 5:20), "Why do You forget us for an eternity, forsake us for so long a time?"

But if so many generations were born and died under the heavy cloud of this veil, this hester panim, since that disaster 1,895 years ago initiated this agonizingly long separation, then we are faced with two questions: First, how is it that we have not disappeared as a people? According to all the laws of historical determinism, we should have disappeared long ago. If there is no longer any relation between God and Israel, how can we account for the mystery and miracle of Israel's persistence? And second, how can we pray? Is it not futile to try to arouse One who in advance resists any communication? Moreover, how can we speak of such matters as ahavah rabbah ahavtanu, of God's great love for Israel?

For an answer to these questions and a solution to the whole problem of hester panim and Tish'ah be-Av, we may turn to a remarkable insight offered by two of the earliest giants of the Hasidic movement. The Hasidic classic, the Benei Yissaskhar, records two questions asked of R. Pinhas of Koretz, the disciple-colleague of the Ba'al Shem Tov, and the one answer that both gave to the two questions. (See Ma'amarei Tammuz-Av, #3.)

The first question concerns the well-known tradition that the Messiah is born on Tish'ah be-Av (Midrash Eikhah Zuta [Buber ed., version 2] 1:2). Is it not unreasonable to assert that the purest of all souls, the exalted agent of the Almighty in the long-awaited redemption of Israel, would come into this world on the very day distinguished for infamy and grief? Is not this the single most inappropriate day for such an historic event? Second, the Talmud records a most marvelous tale. It relates that when the enemy broke into the sacred precincts of the Temple and laid low its walls, they entered the inner sanctum wherein there stood the two Cherubim, the statuettes resembling the faces of young, innocent children, and from between which the voice of God would issue forth. When the enemy beheld these Cherubim, the Talmud relates, they found that the two figurines were facing each other (Yoma 54b). Now this is most unexpected, because according to Jewish tradition, the Cherubim faced each other only when Israel was obedient to God (osin retzono shel Makom); when Jews did not perform the will of God, the Cherubim turned away from each other. The destruction of the Temple was certainly the result of Israel's disobedience and rebellion. One would expect, therefore, that they would turn their faces away from each other. Why, then, were they facing one another, the sign of mutual love between God and His people?

The answer is a profound insight into the nature of love and friendship. The attachment between two people is always strongest just before they part from each other. Two friends may continue their friendship with each other on an even keel for many years. Their loyalty requires of them no outward expression, even if they do not take each other for granted. Then one of the two prepares to leave on a long, long journey. How poignant does their friendship suddenly become! With what longing do they view each other! Similarly, husband and wife are involved in the daily struggles and trivialities that cloud their true feelings for each other. But when one is about to leave for a protracted vacation or sick leave or business trip, and they know they will not be near and with each other for a painfully long period, then they suddenly rise to the very heights of mutual love and dedication, and they behold each other with new warmth and yearning and sweet sorrow. Indeed, the Halakhah declares this to be a mandatory expression of the right relationship between husband and wife: Hayyav adam lifkod et ishto be-sha'ah she-hu yotzei la-derekh (Yevamot 62b), when one is about to take leave for a long journey, he must be especially tender and loving toward his wife.

Now the love between God and Israel follows the same pattern as genuine human love. Tish'ah be-Av was the beginning of the hester panim, the parting of the lovers. God and Israel turned away from each other, and the great, exciting, and immensely complicated relationship between the two companions, begun in the days of Abraham, was coming to an end. But before this tragic and

heartbreaking moment, there took place a last, long, lingering look, the fervent embrace of the two lovers as they were about to part. At the threshold of separation, they both experienced a great outpouring of mutual love, an intense ahavah, as they suddenly realized the long absence from each other that lay ahead of them; in so brief a time, they tried to crowd all the affection the opportunities for which they had ignored in the past, and all the love which would remain unrequited in the course of the future absence. That is why the Cherubim were facing each other. Certainly the Israelites were rebellious and in contempt of the will of God. But they were facing each other; God and Israel looked toward each other longingly and in lingering affection before they were pulled apart. And from this high spiritual union of God and Israel was created the soul of the Messiah! Mashiah was conceived in intense and rapturous love!

From this exquisitely intensified relationship before the long separation, we may gain a new insight into the relationship of God and Israel during this prolonged period of hester panim initiated by the destruction of the Temple. True and devoted friends never forget each other even if anger and offense have caused them to separate from one another. Of genuine friends it may never be said that "out of sight, out of mind." Where there was once deep and profound love between husband and wife, some spark of it will always remain, no matter how sorely their marriage has been tried. Absence, indeed, may make the heart grow fonder, and the old love may well be reawakened. Those who deal with marital problems have observed that often a couple will undergo legal separation, and that very absence from each other will make them realize how they need and yearn for each other—and thus lead to reunion. A father may be angry with his son, so angry that they no longer speak with each other. But the father's heart aches, his sleep is disturbed, and his heart lies awake at night waiting for his son to call, to write, to make some small gesture toward reconciliation. All these are instances of separation tense with love striving for reunion.

Such indeed is the hester panim that separates us from our Father in heaven. We are exiled from Him—but not alienated. We are so far—yet so close. We are separated—but not divorced. God's face is hidden, but His heart is awake. Of course, the divine love for Israel has not expired. It is that and that alone that accounts for our continued existence to this day. Certainly "with a great love hast Thou loved us"—for though we are banished, we need but call to Him and He will answer. Like a wise parent, the Almighty may punish, even expel, but never ceases to love His child!

Have we any evidence of this phenomenon in the history of Israel in our own times? I believe we do, but I approach the subject bi-dehilu u-rehimu, with trepidation. If one were to ask: was it worth experiencing a Holocaust which decimated one-third of our people in order to attain a State of Israel?, then not only an affirmative answer but even the very question is a blasphemy. Only a cruel, heartless jingoist could ever allow such thoughts to poison his mind. Yet the past is done and cannot be undone. History is irrevocable. We may protest it and bemoan it and regret it, but it is there despite us. A tremendous paradox emerged from the paroxysms of our times, and we must strive to understand it: during one lifetime, we have witnessed the nadir of Jewish history, the descent into the very pit, and the rebirth of Jewish independence in pride and glory.

The Holocaust was the most intense, the most dismal hester panim we have ever experienced. God abandoned us to the vilest scorpions that ever assumed the shape of man. From our agony and our dishonor we cried to heaven, but our cries could not pierce the metal veil, which only reflected our shrieking back upon us to mock us in our terrible loneliness and torment. Auschwitz was the device of human genius as God turned aside. Buchenwald was built by human toil and intellect as God closed His eyes.

Yet we survived the experience: crippled, maimed, decimated, disgraced, we yet trudged back from the death camps and displaced-persons camps, from the fury and the wrath, and from the shameful silence of the onlookers, to a land promised us 3,500 years ago. Providence did not allow us to be utterly destroyed. The veil of God ensconced us in misery; but through it, mysteriously, there shone a vision of love. In retrospect, right before the hurban of European Jewry, the State of Israel was being providentially prepared so that the survivors might emerge into new dignity. God too followed the Halakhah: Hayyav adam lifkod et ishto be-sha'ah she-hu yotzei la-derekh. Before He "walked out on us," before He forsook us and turned away from us, He provided for our perpetuation, for a new generation and a new life and a new spirit.

Job taught us a long time ago that there are no easy answers to the mystery of suffering. Certainly the unspeakable agonies of a whole people cannot be easily explained, much less explained away. But from the hints left to us by our Sages in the folios of the Talmud about the birth of Messiah and the position of the Cherubim, we may begin to search for direction and understanding and meaning of the history of our times and the mysterious relationship between God and Israel.

Even while intoning the sorrowful lament of Jeremiah, Lammah la-netzah tishkahenu, ta'azvenu le-orekh yamim, bemoaning God's aloofness and our forlornness, we recite the same prophet's words in the same Book of Lamentations as he senses intuitively that hasdei Hashem ki lo tamnu, ki lo khalu rahamav (Lam. 3:22), "the love of the Lord has not come to an end, His compassion has not ceased."

**Shabbat Hazon 5725 (1965) Excerpted from Rabbi Dr. Norman J. Lamm's Festivals of* Faith: Reflections on the Jewish Holidays

BS"D

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date: Jul 31, 2025, 10:02 PM
subject: **Haaros - Yiras Shomayim and the Churban**

Yirei Shomayim in Halacha

Rav Rosenberg raises the question (2), "Why does the Shulchan Aruch (O.C. 1:3) say that it's fit for a yirei shomayim (one who fears heaven) to be distressed over the Churban? Shouldn't this apply even if one is not a yirei shomayim?" He refers us to the Chidushei Harim in Sefer Haz'chus (daf beis in the current edition):

"It's fit to be worried about this alone — that he's not truly distressed over the Churban. It's a sign that he's 'outside' until Hashem has mercy on him to bring him in to Klal Yisrael — to feel their lacking and rejoice over their simcha."

The Sefer Ohel Moshe (3) explains further. The yirei shomayim are concerned throughout the year about the Churban. We have halachos during the three weeks, but if a person only keeps these laws, this is on the outside, only external. The yirei shomayim are deeply, internally concerned about Kavod Shomayim.

Let's pay attention not only to our personal losses, but to the loss for Hashem — the Galus of the Shechina. Rav Wolbe writes, "The Churban of the Beis Hamikdash is the Churban of the world. There is no corner of purity, no place of Kedusha for Hashem's Presence to reside… someone lacking Yiras Shomayim doesn't even know what to mourn for…" (4)

See further (5), "One who senses the Galus of the Shechina within himself, is pained that he cannot cleave to Hashem properly and feels the Churban Hamikdash in his heart… this is already solving the Galus of the Shechina in his heart…"

1.Avodas Yemei Bein Hamitzarim, p. 45. 2.Ibid., p. 34, in the name of the Chidushei Harim. 3.Inyanei Hamikdash V'hagalus, pp. 54-55.
4.Alei Shor, quoted in Avodas Yemei Bein Hamitzarim, p. 34.
5.Rav Dessler, Ibid. p. 37

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from: Ira Zlotowitz <Iraz@klalgovoah.org>
date: Jul 31, 2025, 7:01 PM
subject: Tidbits • Parashas Devarim - Chazon & Tishah B'Av 5785 in Memory of Rav Meir Zlotowitz ZTL

Parashas Devarim - Chazon • August 3rd • 8 Av 5785

A Shalom Zachor, Aufruf or Kiddush may be held. After chatzos on Shabbos some are stringent to study only Tishah B'Av related topics, however, one may be lenient. Some say one should not take a stroll for pleasure after chatzos on Shabbos.

There is no Seudah Hamafsekes. Rather, a regular Seudah Shelishis is eaten in a non-festive manner. Extra guests should not be invited and many Shuls do not host the usual communal Seudah Shelishis. One should not verbalize that he is eating in preparation for the fast. Time release capsules (e.g. Kalei Tzom) may be taken on Shabbos.

Eating, drinking, anointing oneself, washing and marital relations are prohibited from shekiya onward, even though it is still Shabbos. Other restrictions, including sitting on a low chair, wearing non-leather shoes and removing Shabbos clothing, are delayed until tzeis hakochavim, as they are obvious displays of mourning. Bircas Hamazon may be recited after shekiya, although mayim acharonim should preferably be washed prior to shekiya. Baruch hamavdil is recited immediately after tzeis hakochavim. After baruch hamavdil, the common practice is to then change out of Shabbos clothes, and put on non-leather shoes before heading to shul (although some change their shoes in shul at the beginning of Maariv immediately following Borchu).

The berachah of borei me'orei ha'eish is recited before Kinnos, while the remainder of Havdalah is recited on Motzaei Tishah B'Av. It is preferable for a woman to hear the berachah of borei me'orei ha'eish from a man; therefore, many make this blessing (after tzeis hakochavim) for women who are remaining at home, before heading out to shul. One who needs to eat on Tishah B'Av must recite Havdalah before eating; consult your Rav. The minhag is that a minor need not hear Havdalah prior to eating. One should not clean up after Shabbos until chatzos of the following day, unless one finds the mess unsettling. See Tidbits for Tishah B'Av 5785 for further information.

There is a dispute among the Poskim if one may take a regular hot shower this Friday, August 2nd, Erev Shabbos Chazon. Regardless, the shower should be taken as quickly as possible.

As meat may not be consumed during the Nine Days, one may not taste meat foods on Erev Shabbos. In the context of food preparation, one may taste the food but not swallow it (no berachah is recited in this case).

The haftarah of Chazon Yeshayahu is leined. It describes the nation's sins and the resulting tragic Churban and subsequent Galus. Many read it to the tune of Eichah. The Sefer Eretz Tzvi explains that this Shabbos is called Shabbos Chazon, Shabbos of Vision, as Hashem always keeps us in His line of vision. Although suffering may be meted out, we are never abandoned. Rather, divine retribution will ultimately be followed by our redemption.

There is no Pirkei Avos this week due to Shabbos being Erev Tishah B'Av. Tzidkas'cha is omitted at Mincha on Shabbos.

The prevalent minhag is to wait until Motza'ei Tishah B'Av to recite Kiddush Levana. The final opportunity is at 10:43 PM on Friday night, August 8th.

Daf Yomi - Shabbos: Bavli: Avodah Zara 45 • Yerushalmi: Pesachim 65 • Mishnah Yomis: Zevachim 6:5-6 • Oraysa (coming week): Moed Katan 13b-15b • Kitzur Shulchan Aruch: 124:21-125:End

Devarim: Moshe Rabbeinu begins his final days speaking to the Bnei Yisrael • Moshe reviews - in the manner of a veiled rebuke - the events of the past forty years, including: Klal Yisrael leaves Sinai • Judges were appointed to assist Moshe • Klal Yisrael reaches Kadesh Barnea • The incident of the Meraglim • The decree that this generation, including Moshe, would not enter the land • Klal Yisrael travels for 40 years • The history of the lands of Ammon and Moav • Sichon and Og are defeated • Reuven and Gad receive their portion East of the Yarden • Moshe encourages Yehoshua

Haftarah: The haftarah of Chazon Yeshayahu is leined (Yeshayah 1:1-27); this is the third and final haftarah of the series of the shalosh d'puranusa. The Navi bemoans the sins and the resulting downfall of the Jewish nation that led to the tragic destruction, all of which occurred primarily during The Three Weeks. The haftarah ends with the promise that we will be redeemed through righteous acts.

Parashas Devarim: 105 Pesukim • 2 Prohibitions

1.Do not appoint a judge who is unqualified. 2) Do not deviate from delivering true justice.

Mitzvah Highlight: A judge may not refrain from serving justice even if he fears for his safety. Additionally, one who has relevant information must share it with the judge and not be fearful of an angered litigant.

"וַתִּקְרְבוּן אֵלַי כֻּלְּכֶם" "All of you approached me" (Devarim 1:22)

Rashi quotes the Midrash that relates that Moshe in his rebuke noted that it was in a disorganized manner that Klal Yisrael approached Moshe with the idea of sending the Meraglim to spy out the land, with the youth pushing the elders and the elders shoving the leaders. As the magnitude of the sin of the Meraglim was exceptionally great, why was it important to note this small detail regarding the lack of derech eretz?

Rav Yitzchok M'Volozhin zt"l explains that Moshe was adjuring Klal Yisrael not to excuse themselves by saying that their original motivation for sending the Meraglim was noble and virtuous, and only went sour at a later stage. The lack of derech eretz from the onset proves that their intentions were less than virtuous from the very beginning. At times it can be difficult to discern the nobility of an action or cause. Often the proof lies in the minor details of how the initiative is being carried out. Similarly, the Baalei Mussar advise that one can confirm that he is being motivated by his yetzer hara if he finds himself acting impulsively and immediately without proper consideration. The lack of decorum should have signaled to the nation to reassess the true lowly motivation behind their actions.

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from: YUTorah <yutorah@comms.yu.edu>

date: Jul 31, 2025, 6:03 PM

subject: **Devarim and a Vision for Tisha B'av**

An Ancient Hatred and a Modern Mask: Anti-Zionism & Antisemitism

Rabbi Moshe Taragin

There are two sections of tochacha in the Torah— one in Parshat Bechukotai and one in Parshat Ki Tavo. Each details the punishments we face when we abandon Hashem's commandments and violate the covenant of Torah. Most of the bleak imagery depicts divine retribution. These punishments come from above— sometimes through natural forces like famine and plague, other times through human agents, such as invading armies.

One of the punishments described in the tochacha in Parshat Ki Tavo is antisemitism:

Vihayisa Lishama Limashal uLishnina Bechol Ha'amim Asher Yenahegcha Ha-shem Shama - "You shall become an object of astonishment, a parable, and a byword among all the nations where Hashem will lead you." (Devarim 28:37)

The oldest hatred in human history—the odious and irrational hatred of the Jew—is, in part, a divine response to our national disobedience. Had we never turned from Hashem's will, this ancient hatred may never have been born.

Yet, Chazal offer a slightly different perspective on antisemitism. The Gemara in Shabbat (88a) questions why the mountain was named Har Sinai. Of all the names associated with that mountain—such as Chorev or Har HaElokim—why has Sinai become the one enshrined in Jewish memory and culture?

Playing on the phonetics of the word Sinai, Chazal teach that hatred of the Jewish people—sin'ah—was born at the moment of Matan Torah. This approach doesn't trace antisemitism to our sins, moral failings, or religious decline. Instead, it sees this hatred as embedded in the fabric of Jewish history—a hatred that would have existed even had we remained faithful to Hashem's will and preserved our sovereignty in our own land.

Which is it? Is antisemitism a deep-rooted hatred woven into human history, or a divine punishment for our betrayals? Did it start at Sinai, or with the tragedies of Tisha B'Av? The truth is—both.

Chosen and Challenged

After two centuries of spiritual turmoil and moral chaos among the nations, Hashem chose our forefather. Through him—and through us—He tasked the building of a model nation to restore clear values lost to history. Our nation was meant to embody the twin principles of monotheism and morality. We are assigned to call a disoriented world to higher religious ground. Avraham was designated Av Hamon Goyim—not because he was the biological father of humanity, but because he was meant to be its spiritual guide. We, in turn, were chosen to be a mamlechet kohanim—a kingdom of priests—charged with embodying the nobility of a life of covenant and commitment. We were meant to live the dignity of 613, so that the world might better appreciate the nobility of 7.

Our mission carries within it an inevitable truth: we would face rejection—if not outright disdain. No one welcomes a voice that challenges their lifestyle. No one embraces a nation that calls for moral introspection. We are the whistleblowers of history, and the easiest way to silence a message is to discredit the messenger. As bearers of a divine mandate to elevate humanity, we were fated to be resisted—if not reviled.

Hashem programmed this struggle into His historical pact with Avraham Avinu. When Avraham was told, Ki Yagur Zaracha BiEretz Lo Lahem Vavadum Vi'inu Osam Arba Meos Shana - Hashem wasn't only referring to geographic exile in Egypt, but to the broader, ongoing condition of the Jewish people—called to live a godly life and tasked with educating humanity. We would always be the ger—the outsider, the different one. And as a people who stood for something different, we would always face inu'i—pain, affiction, and alienation.

Our Avot were aware of this built-in pattern of Jewish history. They embraced the nobility of the mission, while fully recognizing its fearsome cost. Even had we remained securely in our homeland, we still would have faced hostility and rejection. It is not merely the price of exile; it is the price of being chosen. This struggle was built into Sefer Bereishit, built into the Brit—and it began at Har Sinai.

The New Reality of Antisemitism

However, on Tisha B'Av, the complexion and intensity of antisemitism radically changed. Our mission—to live a distinct life and to advance humanity—did not end with Tisha B'Av. We were cast out of Israel, condemned to roam the earth—from land to land, continent to continent. Yet our mission continued. The terms of engagement, however, shifted. We would now pursue our calling as guests in foreign lands. From that point on, the hostility toward us grew fiercer. This was a divine punishment, born from a toxic blend of factors.

Typically, when a foreign nation settles among an indigenous people, one of two paths unfolds. At times, the newcomers fully integrate—adopting the language and culture of the host land, marrying into the local population, and eventually blending entirely into the surrounding society.

Other times, ethnic groups choose to preserve their distinct identity by resisting integration. To protect their heritage and traditions, they live separately from the dominant culture, often withdrawing from modern society to maintain their way of life. The Amish in North America, the Aborigines in Australia, and the tribes of the Amazon jungle are all examples of communities that have chosen extreme cultural isolation over assimilation. They preserve their culture by living apart, maintaining a complete separation from the broader society to safeguard their unique way of life.

Living Apart, Leading Forward

The Jewish people don't fit neatly into either of these models. We are tenaciously different. Halacha sets us apart—in marriage and in food, in our weekly rhythm and yearly calendar. We mark time differently. Even when halacha doesn't mandate separation, an inner sense of cultural distinctiveness drives us to protect and preserve our unique Jewish identity. Bilam's prophecy, Hein Am Livadad Yishkon Behold, a nation that dwells apart, has echoed throughout the centuries. An essential part of Jewish identity is

the awareness that our distinct heritage must be preserved—and that we must not dissolve into the culture around us.

Yet, despite our extreme cultural insularity, we have always been active participants in the societies around us. For much of our exile, we were denied equal status— barred from owning land, attending universities, or rising to classic positions of socio-political prominence. Yet even when pushed to the margins, we profoundly influenced the cultures surrounding us. Our way of life made us indispensable. We built strong families and cultivated powerful networks of trust among Jewish communities across the world. Through the discipline of Talmud Torah, we maintained high levels of literacy in a world where literacy rarely surpassed ten percent. Even while being discriminated against, we were uniquely positioned to energize local economies and drive intellectual advancement.

Over the past 250 years, since we were invited back into broader society, our influence on the human condition has grown exponentially. The Jewish mind has played a pioneering role in advancing science, politics, culture, and philosophy. If you are part of us, join us; if you choose to remain apart, do not expect to influence the course of human events. The Jewish experience defies simple classification—we insist on being distinct, yet refuse to isolate ourselves from the flow of history and the shared human journey. This tension, both our burden and our strength, continues to shape our destiny.

When we betrayed Hashem, were evicted from our land and sent into exile, our national mission continued—but under conditions that naturally invited hostility. This, too, was part of the divine punishment for our failure.

Do Not Acquit

Antisemitism is woven into Jewish history and the sentence of galut. But this does not excuse the crime or lessen the guilt of those who commit it. Every individual chooses whether to hate, attack, or surrender to darkness. The fact that antisemitism is woven into the fabric of history does not absolve anyone of responsibility or moral culpability.

Additionally, it doesn't absolve us from the responsibility to confront antisemitism and work to contain it. Even if this powerful force is embedded in Jewish history and has flared throughout exile, we are still obligated to push back, to defend ourselves, and to limit its reach whenever and however we can.

There are two distinct models of antisemitism tied to the Jewish mission. The first exists independently of exile— rooted in the fact that we are disliked precisely because of our role challenging humanity's values. The second emerges during exile, where the unique pressures of living among other nations intensify the inherent tensions woven into Jewish history.

Return and Resistance

There is also a third model of antisemitism connected to the Jewish mission. When the people of Hashem return to the land of Hashem, history shifts and quickens its pace. The trajectory of this story moves toward a world illuminated by the presence of Malchut Shamayim.

Those who oppose Hashem—whether consciously or unconsciously—oppose our return to Israel. In coming home to the land of Hashem, we have stirred a new form of antisemitism—one cloaked as anti-Zionism but rooted in the same ancient rejection of Jewish destiny. This perspective on modern antisemitism centered on the State of Israel brings us to a crucial question: is anti-Zionism merely political dissent, or does it fundamentally embody antisemitism itself?

Three Reasons That Anti-Zionism=Antisemitism Many claim that anti-Zionism and antisemitism are distinct. Theoretically antisemitism is hatred of Jews, whereas anti-Zionism is opposition to a Jewish state. There are three responses to this crucial question.

Firstly, history has taught us a painful truth—humanity cannot be trusted not to persecute Jews. Time and again, it has regressed into hatred and violence. Without a Jewish state as a haven and refuge, Jewish survival is always at risk. So while anti-Zionism may not be antisemitism in theory, in practice, it often is. Denying the right of the Jewish state to exist is effectively denying the sustainability of the Jewish people.

Secondly, when anti-Zionism becomes obsessive— when opposition to a Jewish state is wildly disproportionate—it begins to cross the line. When the same classic antisemitic tropes are recycled and weaponized against Israel, anti-Zionism becomes indistinguishable from antisemitism.

Thirdly, as stated above —at a metaphysical level—anti- Zionism resists the Jewish return to the land that Hashem promised us. Our return fulfills our historical mission and advances a better destiny for all humanity. Those who oppose our return to Zion are, consciously or not, opposing our historical mission of bringing Hashem to our world.

At its core, opposition to our presence in Israel stems from the same root as antisemitism: a refusal to accept the presence of Hashem in this world, as reflected through our people and our way of life.

Antisemitism did not begin on Tisha B'Av; it intensified as we entered exile. Now, as we return from exile and herald the unfolding of history's final chapter, it has not vanished—it has merely reemerged under a new mask..

From: **Alan Fisher** <afisherads@yahoo.com> Thu, Jul 31, 2025 at 10:42 PM

Potomac Torah Study Center Vol. 12 #41, August 1-2, 2025; 8 Av 5785; Devarim 5785; Shabbat Chazon

Tisha B'Av starts immediately after Shabbat; next Shabbat is Nachamu & Tu B'Av.

Immediately after Shabbat this week, we go directly into Tisha B'Av, the day of an incredible amount of evil in Jewish history. Chabad has provided a list of seven tragic events on Tisha B'Av in history. The Meraglim return from touring Canaan on 9 Av 1313 BCE. Ten of the Meraglim give an evil report and say that B'Nai Yisrael could not defeat the people in the land. Only Yehoshua and Calev argue that with the help of Hashem, we could defeat the people and take over the land immediately. Almost all the adults accept the majority (evil) report and cry all night, refusing to enter the land and looking for someone to take them back to Egypt. Hashem is furious that the people reject His special gift to B'Nai Yisrael, vows that He will give the people reasons to cry for real, and rules that all the adults except Calev and Yehoshua will die in the desert over the next forty years – but that their children will enter the land at that time.

Tisha B'Av becomes a date of disasters. Enemies of the Jews destroy both holy temples in Jerusalem on Tisha B'Av: in 423 BEC and 69 CE. The Romans defeat the rebellion of Bar Kochba in 133 CE. At the final battle at Betar, the Romans brutally butcher the Jewish rebels. A year later, the Romans plow over the Temple Mount. England expels the Jews on Tisha B'Av in 1290. Queen Isabella and her husband Ferdinand expel the Jews from Spain on Tisha B'Av in 1492. Germany declares war on Tisha B'Av in 1914, an event that energizes the mass killings of millions of soldiers and civilians during World War I.

As Sefer Devarim opens, Moshe soon wails "Eicha," – how can I carry your disputes, burdens, and quarrels alone (1:12)? We always read this parsha and Isaiah's wail of affliction (1:1-27) on Shabbat Devarim, the final Shabbat before Tisha B'Av. Rabbi Dr. Katriel (Kenneth) Brander relates Eicha to a natural feeling during recent times. Israel has endured a very long war against Hamas, with opportunistic additional struggles in Lebanon, Syria, Iran, and Yemen. These struggles have already continued for an amazing and depressing 22 months.

Along with the wars in the Middle East, Jews face an explosion of anti-Semitism all over the world. Several "friendly" countries now blame Israel and Jews everywhere for the greatly exaggerated "suffering" of the people of Gaza. Even the Wall Street Journal shows periodic photos of obviously ill children in Gaza – but Israeli journalists have demonstrated that the children in these photos are actually victims of cystic fibrosis and other long term immune suppressed illnesses, not victims of anything that the IDF has caused. When the photos of the "poor starving" children contain adults, all the adults in the photos appear healthy and well fed. Media in many countries blame Israel for blocking distribution of donated food through the UN. However, the Gaza Humanitarian Foundation (which Israel and the United States support) has been trying to convince the United Nations to distribute food and other aid, even offering the UN five different routes to deliver the aid. The UN has not accepted any of these offers and even rejects the Foundations' offer to distribute the food for no cost.

Eicha – how can a Jew understand England, France, Belgium, and Canada accepting the lies from Gaza and vowing to recognize “Palestine” as a legitimate country. Where is Palestine? Such a country does not exist and has no land. None of the Arab countries since 1948 have offered land to “Palestinians.” The official position of the Arab countries is that these people belong in Israel, and that Israel should be renamed “Palestine.” Eicha, how could we Jews accept such a political solution – it would mean no more Israel, and it would take us back to the situation in the 1930s and 1940s, when no country in the world would accept displaced Jews.

God promised us that He would give us a wonderful land and that out enemies would swarm up to our gates. Should we not obey Hashem’s mitzvot, our enemies would be ready to take over our land and kill us. Most non-Jews in the world believe the lies of our enemies. Eicha, how can we survive if our own people do not support us? We must increase our levels of mitzvot and do more to help the widows, orphans, poor, and displaced Jews in the world. We must educate our people to the truth and ask them to reject the lies of our enemies. We must educate the non-Jews who do support us – small in percentage but large in total number. May the time come when our enemies will be quiet and we can move forward in a more peaceful world, one more accepting of what the Jews can offer.

In Sefer Devarim, Moshe reminds us often that Hashem is always here, waiting for each of us to increase our mitzvot and maintain a personal relationship with Him. We must learn to see God’s hand in unexpected blessings that come to us. I became an economist when I could not enroll in a different senior social studies class in my last semester of high school. An advisor suggested that I try economics, with a new teacher from UCLA. That class convinced me to become an economist. I had accepted a job with the Labor Department when I moved to Washington, DC. A sudden hiring freeze meant that the job disappeared. Since I had also interviewed with the FTC and found it appealing, I switched to antitrust and have counted my blessings for that unexpected change for the rest of my career. I have several other examples how unexpected “taps on the shoulder” (Rabbi David Fohrman’s term for messages from Hashem) guided me to better opportunities than I would ever have expected. Despite bad times when our enemies cause problems in the world, God finds a way to help us find the best possible paths forward – if we only listen to His messages. My beloved Rebbe over fifty years of our lives, Rabbi Leonard Cahan, z”l, helped teach me that God is in this world – we only need to learn how to find Him. I hope that my children and grandchildren will all learn this lesson too.

Shabbat Shalom,

Hannah and 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 and since the pandemic, despite many of its supporters having to cut back on their donations.

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from: **Rabbi YY Jacobson** <rabbiyy@theyeshiva.net> info@theyeshiva.net
date: Jul 31, 2025, 10:42 PM subject: The Tragic Story of Yeshu and Shabsi Tzvi - Essay by Rabbi YY

When the Cracks Appear In Your Life, Surrender to the New Light
As One Home Was Being Destroyed, Another One Was Being Built
Rabbi YY Jacobson

Dedicated by Steven, Taryn, Estelle and Dad Grunstein in honor of their long Grandma and Nanny, Joan Hardoon - Happy Birthday, we love you!

The Jewish Contractor A building contractor wants some quotes to build two ats. The Irishman builder quotes $500,000. "How did you arrive at that gure?" asked the contractor. "Easy,” he says. “$200,000 for labor, and $300,000 for materials.” The Scottish builder quotes $600,000. “$300,000 for labor and $300,000 for materials.” The Jewish builder quotes $1 million. The contractor says, "how did arrive at that figure?" "Easy." says the Jewish builder: “$250,000 for you, $250,000 for me, and we will get the Irishman to do the job.

Confronting the Cracks in My Life Engagement. Marriage. Honeymoon. The rst years. All is bliss. Suddenly your marriage experiences cracks. Frustration and disengagement replace the romantic bliss. The marriage is crumbling, the future is uncertain.

How do you deal with the cracks? You have a good job and it pays well; your career has a promising future. Suddenly, you realize that your boss has taken a liking to someone else. You have no future in the company. How do you deal with it? You thought you were a happy person. Two years in therapy did the trick. You are calm, collective, focused. Suddenly, your psyche hits a dam. You feel unhappy yet once again. You are back at square one. How do you deal with it? You thought you were a great and loving father. But now your children are older, and they want nothing to do with you. How do you deal with it?

The answer may lay in the story of Tisha B’Av.

Contradicting Mainstream Judaism? Ask a Jew who professes basic Jewish knowledge, why is this Shabbos called “Shabbos Chazon”? He will tell you it is because of the opening of the Haftorah with the words “Chazon Yeshayahu,” the vision of Isaiah, predicting the destruction of Jerusalem. This Haorah and vision are perhaps the harshest Haftorah we read throughout the year, where Isaiah, for the very first time, prophesizes the destruction of Jerusalem and the entire country following the moral degeneration of Israel: “An ox knows his owner and a donkey his master's trough; only Israel does not know Me [1]… Your land is desolate; your cities burnt with re [2]… Alas! How has the faithful city [Jerusalem] become a harlot?!; once full of justice, in which righteousness would lodge, but now lled with murderers![3]...” Now, ask the same question to a Chassidic Jew. Why is this Shabbos called the Shabbos of Vision? He will give you a very different answer, presented by Rabbi Le Yitzchak of Berditchev (Ukraine, 1740-1809), one of the most inspiring and beloved of the early Chassidic Masters. He taught: It is on this Shabbos that every single Jew is shown a vision, a mini-prophecy if you will, of the third and future Temple to be rebuilt in Jerusalem.

Hardly can you find two interpretations more contradictory. Which one is it? A vision of destruction or a vision of rebuilding? Have the Chassidim altered Judaism yet "again?" How can the Rebbe of Barditchev interpret the very same name for the same Shabbos in complete contradiction to the actual reason the Shabbos was named? Is this a Shabbos of Isaiah’s vision of destruction, or the Barditchever’s vision of hope? Are we commemorating the tragic end of the First (and Second) Temple, or are we imagining the Third one? How can the Chassidic Rebbe come along and present an idea that although romantic, contradicts and distorts the actual facts?

The Grunt of a Cow There is a strange Talmudic tale:[4] On the day that the Holy Temple was destroyed, a Jew was plowing his eld when his cow suddenly mooed loudly. An Arab was passing by and heard the mooing of the cow. This Arab understood the language of animals. The Arab said to the Jew: "Son of Judah! Unyoke your cow, free the stake of your plow, for your Holy Temple has now been destroyed!"

The cow then lowed a second time. Said the Arab to the Jew: "Son of Judah! Yoke your cow, reset the stake of your plow, for the Redeemer has now been born...." What does this mean? If Moshiach was born when the Temple was destroyed in the year 70 CE, where is he? [5] Where has he been hiding all these years? How old is he today?[6]

The Legalities of Destruction We will understand this by raising another question. It is a well-known dictum in Judaism, that G-d is, so to speak, “bound” by Jewish law. (This is derived in the Midrash[7] from the verse in Psalms, “He shares His words with Jacob, His laws and statues with Israel.”[8] These are also His laws which oblige Him.) This raises a major question: It is a biblical prohibition to destroy the Holy Temple or any part of it. In the words of the great legal codifier of Judaism, Maimonides: "It is forbidden to smash a single stone of the Altar or the Temple or the Temple courtyard in a destructive manner ... as it says, '...You shall not do so to the Lord your G-d.'"[9] It is similarly forbidden to destroy any synagogue, which is a home of G-d.

[Even during the tragic expulsion of Gush Katif in the summer of 2005, notwithstanding the cruelty of banishing people from the homes and businesses they built with sweat, blood, and tears, only allowing Gaza to become Hamastan, still the Israeli Government did not have the audacity to destroy the synagogues there, and many of will remember the horrific images of the Arabs desecrating and burning them afterward.] How, then, could G-d destroy the Holy Temple—a clear olation of Jewish law?

To be sure, the actual burning of the First Temple was done by the armies of Babylonian emperor Nebuchadnezzar, and the Second Temple by the Roman legions of Vespasian. Yet G-d does take full responsibility for the deed. In the words of the prophet Jeremiah: "Behold, I shall dispatch the nations of the north ... and Nebuchadnezzar, king of Babylonia, My servant, and I shall bring them upon this land and its inhabitants... I shall deliver this city in the hands of the king of Babylonia...."[10]. Despite their pious intentions, G-d has used them as His instruments to destroy the Temple, an act seemingly forbidden by Jewish law.

If the Jews were undesiring of this unique structure, the spiritual epicenter of the universe, the Temple could have been dismantled and hidden (similar to Moses' Sanctuary), or the Jews simply expelled from it.

Awakening the Inner Entrepreneur You have a good job and it pays well; your career has a promising future. Suddenly, you realize that your boss has taken a liking to someone else. You have no future in the company. How do you deal with it? You can see it as a horrible destruction of your career. But you can also see it differently: The very demolition of your perceived financial future may contain within itself the opportunity of a new and much greater future. Maybe it's time to go independent. Maybe it is time to confront certain issues you were scared to confront. If not for this crisis, you could have deceived yourself much longer. Maybe it's time to allow yourself to dream far bigger and allowing your true Dine potential to emerge in all its might. The breakdown, then, is the birth of a new grand idea.

Failure as a Solution A young chemist had been working for some time at developing a new bonding agent, a glue. Aer years of hardship, the work was complete. He tried it out. It did not stick. What is the use of glue that does not stick? Most people would have called this a failure, a disappointment. Time wasted. Effort spent in vain. The young chemist thought otherwise. Instead of deciding that his work was a failure, he asked, "What if it is a success? What if I have discovered a solution? The only thing le to do is to nd the problem." He refused to give up. He kept asking himself, "What is the use of an underachieving adhesive?" Eventually, he found it. It became a huge commercial success. They're little and they stick — but not too hard. That is how the "Post-It" Notes were invented! When something bad happens we can see it as a failure or, as the chemist, we can make it a success. Whatever our fate, we always have a choice between seeing it as a crushing tragedy devoid of meaning, or as a tragedy which contains the seeds of something profoundly positive. All rebuilding is painful. To demolish a house is never fun. Lots of work, rubble, and headaches. But it is crucial if you want a new, big, and beautiful abode.

Happiness Another example is happiness. You thought you were a happy person. Two years in therapy did the trick. You are calm, collective, focused. Suddenly, your psyche hits a dam. You feel unhappy yet once again. You are back at square one. How do you deal with it?

You may become overtaken by despair. But there is another perspective: These cracks in your sense of "self" will allow you to rebuild your inner core. Till now your confidence came from external accolades and approval, hence it was vulnerable and weak, now it must come from your true core identity. The same is true with every breakdown in life. When one door closes, another one opens. We only need the courage to notice the new opening and enter it.

What Do You See? Now we will understand the Talmudic story about the double mooing of the cow, the first one expressing the destruction of the Holy Temple, and the second one expressing the birth of Moshiach. These were not two detached occurrences: one, the burning of the Temple, and the other—the birth of Moshiach. Rather, the two events were essentially one and the same. The very destruction of the Temple was also the birth of redemption.

The demolition of the Holy Temple could be seen in two ways, and they are both true: The Temple was going up in flames, and the house of G-d was disappearing. Yet within this very painful and horrific reality of destruction, one can see another drama unfolding: The Third Temple was beginning to be built! The destruction of the "human structure" was opening the space for a "Dine structure.

These two perspectives on the very same reality gave rise to two sentiments within Jewish consciousness: a sense of profound pain and grief, articulated in the institution of a collective day of mourning, the 9 of Av; and an unwavering hope and faith in the future redemption. So the interpretation of Rabbi Levi Yitzchok of Berditchov that on Shabbos Chazon we see the third Temple was not contradictory to its simple meaning that on this Shabbos we study Isaiah's vision of the destruction of the Temple. In gazing at the very destruction, we can see the beginning of the renovation of the third Temple. It is this perspective that captures the underlying "plot" behind Jewish history. It was this sion that allowed our people to emerge from every crisis stronger. They refused to give up their belief that darkness was heralding a new dawn, and that the cracks were an intation for a new light to come in.[14]

[1] Isaiah 1:1 [2] Verse 7 [3] Verse 21 [4] Jerusalem Talmud, Berachot 2:4 [5] Interestingly, this piece of Talmud was presented by the Christians in Spain in 1263 in the public disputation they imposed on the Jews. The debate was initiated in Barcelona by an apostate Jew, Pablo Christiani, and the famed Spanish Jewish sage Nachmanides (Ramban, Rabbi Moshe ben Nachman), himself an elderly man, was forced to participate. This story was brought as 'proof' that the Messiah had already come as the Christians believe, and the Ramban discussed it at length. He easily refuted this proof by showing that either way their Messiah was long dead by the year 70, and was also born around the year 0, 70 years earlier! [6] Furthermore, this Talmudic story is brought down in Halacha, Jewish law, as the reason why in the afternoon of Tisha B'av the mourning becomes less intense, since Moshiach was born on the day of the destruction. But was Moshiach really born then? What does this mean? [7] Shemos Rabah 30:9. [8] 147:19. [9] Rambam, Mishneh Torah, Laws of the Holy Temple 1:17 [10] Jeremiah 25:9, 32:3 and 7:14 [11] See all the references in Likkutei Sichos vol. 29 pp. 12-13. [12] Zohar vol. 3 221a. Cf. Zohar vol. 1 28a. [13] Although G-d came to dwell in the work of man, nonetheless, the work of man can be corrupted by the deeds of man, which eventually drove the Dine presence from its earthly abode. [14] This essay is based on a talk delivered by the Lubavitcher Rebbe, Shabbos Parshas Devarim, 5740, July 19, 1980. Published in Likkutei Sichos, vol. 29, pp. 9-1

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TISHA B'Av

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https://jewishaction.com/religion/shabbat-holidays/tisha-bav/the-ravs-commentary-on-kinot

Jewish Action

The Rav - **Tishah B'Av: Endless Sorrow, Eternal Hope**

Rabbi Joseph Ber Soloveitchik

The Rav on **Kinot**

The excerpt below from Kinah 10 in The Koren Mesorat HaRav Kinot (OU Press, 2010) expresses Rabbi Joseph B. Soloveitchik's inspiring and creative view of the fundamental nature of Tishah B'Av as a day not just of mourning, but of hope as well. And, characteristic of the Rav, he demonstrates how the specifics of halachah support his philosophical view.

"Ki chelayah chuyavti kedor hamabul—For we deserved extinction no less than the generation of the Flood." This passage sounds the recurring theme found in the kinot that the Beit HaMikdash served as a substitute, as collateral, for the Jewish people, and the physical structure of the Beit HaMikdash suffered the destruction that rightfully should have been visited upon the entire nation. The kina says that the Jewish people are responsible and are deserving of punishment; we are guilty, and we should have been

destroyed as was the generation of the Flood. G-d, however, in His mercy and grace, subjected His throne, the Beit HaMikdash, rather than the Jewish people, to disgrace, abuse and destruction. It is for this reason that Tisha B'Av contains an element of mo'ed, a festival—G-d rendered His decision on Tisha B'Av that Knesset Yisrael is an eternal people and will continue to exist. The Beit HaMikdash was humiliated, profaned and destroyed in order to save the people.

This concept is expressed halakhically in the character of Tisha B'Av afternoon. The second half of the day has a contradictory nature in halakha. On the one hand, the avelut, the mourning, is intensified because the actual burning of the Beit HaMikdash commenced in the late afternoon of the ninth day of Av, and the flames continued throughout the tenth (Ta'anit 29a). On the other hand, Nachem, the prayer of consolation, is recited in the Amida for Mincha in the afternoon, and not in Shacharit of Tisha B'Av morning or Ma'ariv of the preceding evening (Shulchan Aruch, Orach Chayyim, Rama 557:1). Similarly, tefillin are put on in the afternoon, not the morning (Shulchan Aruch, Orach Chayyim 555:1), and sitting on chairs rather than on the ground is permitted in the afternoon, not the morning (Shulchan Aruch, Orach Chayyim 559:3). In Mincha, one re-inserts in Kaddish the phrase "titkabal tzelot'hon uva'ut'hon—accept our prayers and entreaties" (see Beit Yosef, Tur Orach Chayyim 559 s.v. ve'omer kaddish belo titkabal, with respect to the recitation of Titkabal in Shacharit). This phrase is removed from Kaddish earlier on Tisha B'Av because the assertion that "satam tefillati—my prayer is rejected" (Lamentations 3:8) which prevails on Tisha B'Av, comes to an end at midday. Paradoxically, the moment the Beit HaMikdash was set ablaze was a moment of relief. At that moment, it became clear that G-d decided to take the collateral, the Beit HaMikdash, instead of pursuing the real debtor, the Jewish people. Paradoxically, once He took away the Beit HaMikdash in the afternoon of Tisha B'Av, the nechama, the consolation, could begin. Tisha B'Av is a day of limitless despair and boundless hope and faith.

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https://jewishaction.com/from-our-archives/kamtza-and-bar-kamtza-revisited

Kamtza and Bar Kamtza Revisited

Rabbi Yochanan Zweig and Joseph Rackman

Every month of Av, many Jews study the story of Kamtza and Bar Kamtza because the Talmud states that Jerusalem was destroyed because of the actions of those two men (Gittin 55b–56a). This episode is not merely a tale, but requires some analysis, since the rabbis were obviously not interested in entertaining us, but in transmitting insights.

The well-known story may be recapitulated as follows:

There was a man whose best friend was named Kamtza and whose arch enemy was named Bar Kamtza. This man decided to host a party and among those invited was his best friend, Kamtza. The host had his servant deliver the invitations, but by mistake, the servant delivered an invitation not to Kamtza, but to the host's enemy, Bar Kamtza.

When Bar Kamtza came to the party, and the host saw his worst enemy there, he asked, "What are you doing here?" Bar Kamtza replied, "I realize this must be a mistake. Your servant must have invited me by accident. But I beg you not to humiliate me. Please let me stay and I'll pay for half of your entire party."

The host nevertheless insisted that Bar Kamtza get out. Bar Kamtza then offered to pay the entire expense of the party. The host would not be moved, and he evicted Bar Kamtza. The leading rabbis of Jerusalem were present during this confrontation but did not intervene.

Bar Kamtza resolved to avenge himself on the rabbis, and he went to the Roman Emperor and said, "The Jews are rebelling." The Emperor was skeptical, but Bar Kamtza replied, "Why not test them?" So the Emperor sent a sacrifice for the Jews to bring in the Temple on his behalf. It was a beautiful animal, but Bar Kamtza made a blemish in the lips (or eyes) of the animal. This was not a disqualifying blemish for Roman sacrificial purposes, but it was under Jewish law. The Jews refused to sacrifice the animal, and the Emperor, incensed, sent his general against Jerusalem.

Thus, the Talmud records, Jerusalem was destroyed because of Kamtza and Bar Kamtza.

The problems with this tale are many. First, the host had the opportunity to exploit his arch enemy, Bar Kamtza, who had offered to pay the entire expense of the host's party. Why did the host refuse this opportunity? All Bar Kamtza had wanted was to be left alone; a small price to pay in return for the entire expense of an elaborate function.

Second, why did the rabbis fail to intervene when they saw this act of public humiliation? A subsidiary question to this is why the blame for the destruction of Jerusalem is lain only at the feet of Kamtza and Bar Kamtza, with no criticism of the rabbis?

Third, we can understand why Bar Kamtza is blamed for the destruction of Jerusalem. But Kamtza was not even at the party. How can he be held responsible for the destruction of the Temple? And yet the Talmud clearly records that Kamtza is regarded as one of the two guilty parties.

Fourth, who is the biggest villain in this story? Presumably, the host who humiliated Bar Kamtza. And yet, the name of the host never once appears in the tale.

Fifth, Bar Kamtza fails to make any effort to save himself or his family. Contrast this, for example, with the actions of Rachav who hung a red thread outside the window of her apartment so that she could be saved when Joshua conquered the city of Jericho. This act of self-preservation has no parallel in the story of Bar Kamtza. He has his revenge, but it seems not to occur to him to look out for his own safety. Why?

Rambam teaches us that a successful reprimand occurs only by a friend coming to a friend.

The final question can only be seen from an actual examination of the text of the Talmud itself. The Talmud records that the host finds Bar Kamtza at his party and says, "That man is the arch enemy of that man. What are you doing here?" This is strange. It should have simply said, "What are you doing here? You know that I can't stand you." Instead, the host spoke about both himself and Bar Kamtza in the third person. The rabbis' decision to record the awkward language was deliberate. Therefore it must hold a lesson for us. What is that lesson?

The starting point for our answers comes from the Talmud (Yoma 9b); there it is stated that the First Temple was destroyed because of three cardinal sins: idolatry, adultery and murder; the Second Temple was destroyed because of sinas chinam, hatred for no reason. The problem is that this phrase is a misnomer. Hatred always has a reason. One may be overreacting, but there is an underlying reason for the hate. Therefore, we must define sinas chinam as something else—namely, hating somebody in a senseless manner. Sinas chinam describes a situation where one takes out his vengeance on someone not for personal gain or self-aggrandizement, but in such an extreme manner that the act of vengeance is destructive not only for the recipient of the anger but for the actor himself.[1]

This is the key to the story of Kamtza and Bar Kamtza. The host is not willing to let Bar Kamtza stay even though Bar Kamtza is willing to pay for the entire party. The host would rather hurt his enemy even though he also hurts himself. This is sinas chinam. What brings a person to this level of senseless hatred? Another way to ask this question is to inquire: who does the person really hate?

A person who is willing to hurt someone even though he will hurt himself more, must truly hate himself. Examples of this are, unfortunately, not that rare. How often do people persist in behavior that is clearly unhealthy for them: the chain smoker or the diabetic person who ignores medical advice? Certain people do not mind hurting themselves because they are alienated from themselves. And to recognize this, one must listen to how one talks about oneself. Remember, the host spoke to Bar Kamtza in the third person: "That man hates that man." This is a person who is alienated from himself. The first "that man" is the host himself, the speaker of the sentence. This evidences a separation between the host and himself. The rabbis deliberately recorded this language because it shows the host's state of mind—his alienation from and hatred of himself.[2]

Thus far we have answered two of the questions concerning the story of Kamtza and Bar Kamtza. We understand why the host refused the offer of Bar Kamtza to pay for the entire party and the reason for the awkward language in the third person. The next question to answer is why the rabbis did not react.

The Bible explicitly instructs us to reprimand and correct errant behavior. "Hocheach tochiach et amitecha" (Leviticus 19:17). The word hocheach does not mean to criticize, but to show the truth, the correct way. Rambam tells us how to do this.[3] You have to go in a calm and soft manner. The reprimander takes the posture of a friend. We must understand that G-d has not appointed us as His prosecutors. One must instruct out of friendship and not out of self-righteousness.

The problem is how to criticize a person who is totally alienated from himself. Rambam teaches us that a successful reprimand occurs only by a friend coming to a friend. To say to a friend that I care about you and that your actions only hurt yourself can only work with a person who cares about himself. This explains why the rabbis did not react to the host's actions. They knew that the host was totally alienated from himself and was virtually seeking his own destruction. Therefore, the rabbis' not criticizing the host was understandable and even correct since it would have had no effect whatsoever.[4]

Now we can understand the omission of the name of the host from the story of Kamtza and Bar Kamtza. The Bible uses names to signify the essence of persons. Often, G-d intervenes and changes the names of people to more clearly demonstrate their essence or, more correctly, the change in their essence and the elevation of the person's essence to a higher level.

The word "Kamtza" means a fist. And, as in English, when we speak of a tight-fisted person, we mean a person who is not charitable. Thus, "Kamtza" means miserly.

A poor person is not a miser. To be a miser, one must have money but be unable to spend it. A miser does not spend money on himself because he is alienated from himself. He does not feel entitled to spend money on himself. Knowing this, we can see that the name of the host is really in the story. A person whose best friend is Kamtza is himself a miser and alienated from himself. By contrast, Bar Kamtza is a person who loves himself. He is a person who feels that nothing is too good for himself and is willing to spend on himself. This explains why Bar Kamtza is willing to be extravagant and was willing to pay for the entire party in order to avert his public humiliation. But after the public humiliation, with none reacting to it, he feels worthless in spirit. Only then does he experience sinas chinam, and he brings the might of the Roman Empire against Jerusalem, without any attempt to save himself or his family. Bar Kamtza has become Kamtza.

G-d finally was determined to destroy the nation because there was no chance to rehabilitate the nation. G-d chastises us when we can rehabilitate ourselves. But once we do not care about ourselves, there is no chance for rehabilitation. Then comes the total destruction. The only choice left is to save a remnant and to rebuild from that.

Notes

1. One example occurred when Hitler had invaded Russia and was trying to conquer Stalingrad. He was unable to get sufficient supplies to his troops because he was using precious trains to exterminate Jews. His hatred was so great, that even though it jeopardized the war effort, he was willing to give priority to the destruction of Jews.

2. Love, by contrast, is the feeling of being at one with someone else. In love, there is no difference between the lover and the object of the love; they are one. Indeed, the numerical equivalent of the word for love, "ahava," is "echad," one.

3. Mishneh Torah, Book of Knowledge (Madda)—Laws of Ethical Behavior (Hilchot De'ot)—Chapter 6, Law 7.

4. Another question is why the rabbis did not publicly side with Bar Kamtza, who was being thrown out of the party? The host was wrong to throw out Bar Kamtza and, arguably, the rabbis should have openly taken the side of Bar Kamtza. To do so, however, would have embarrassed the host publicly—an act equivalent to murder (Talmud Bava Metzia 58b). Of course, Bar Kamtza was being publicly embarrassed, but as between equivalent acts of murder, the rabbis chose to be passive and not interfere. This comports with the dictum of passivity when one is asked to murder or to be murdered—the rule is do nothing, shev v'al taaseh. See Pesachim 25b, the Tosafot on "Al Na'arah."

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from: **TorahWeb <torahweb**@torahweb.org>
date: Jul 31, 2025, 10:15 AM
subject**: Rabbi Mayer Twersky - Mourning the Mikdash**

The question de joure for many of us, how can we mourn for the Beis Hamikdash? How can we mourn for what we never experienced? How do we feel an aching void for something that was never a part of our lives? What follows is one of many complimentary approaches that b'siyata d'Shamaya will allow those of us who struggle with being misabeil al Yerushalayim to begin the process of mourning.

Actually, we know of examples of people feeling bereft of what they never experienced, and longing for something they never had. An orphan whose father died prior to his birth feels bereft. When he sees the fullness of his friends' two-parent homes and the loving, nurturing, enriching role their fathers play, he grieves for the father he never knew. A child growing up in a forsaken place with no formal education and no access to books may happen upon a book and, upon reading it, realize how much there is to learn and how much he does not know. And he may desperately long for the education he has never had.

The common denominator of these two examples (and others) is that a person can develop a sense of appreciation for what he has never experienced, and be given a tantalizing taste of what he never had. And, when this happens, he will grieve for what he has never experienced and long for a different reality.

The lesson is clear. In order to mourn the Beis Hamikdash we need to identify and develop an appreciation for that which is missing from our lives due to its destruction. We need to experience, albeit in the very limited fashion possible, that which the Beis Hamikdash provided in abundance.

The Mishnaic section of Pirkei Avos concludes with the tefillah, "y'he ratzon milfanecha Hashem Elokeinu shetivne ircha b'm'heira b'yameinu v'sein chelkeinu b'Torahsecha." The Gaon of Vilna beautifully explains the symmetry of the tractate and its concluding prayer. Pirkei Avos begins describing the revelation of Torah ("Moshe kibeil Torah miSinai") and concludes with a tefillah for its full and flowering restoration. This prayer is predicated upon the rebuilding of the Mikdash because, "ein Torah b'lo Beis Hamikdash k'mo shekasuv, 'malka v'sa'reiha bagoyim ein Torah' … k'mo shekasuv, 'u'mal'ah ha'aretz de'ah es Hashem'". Without the metaphysical influence of the Beis Hamikdash, Torah is significantly diminished.

Hence, after the churban, Yirmiyahu Hanavi laments, "ein Torah". And with the rebuilding of the Mikdash, Torah will be fully restored and once again flourish. Hence, Yeshayahu Hanavi, in speaking of the Messianic era, prophesies, "u'mal'ah ha'aretz de'ah es Hashem".

The Beis Hamikdash not only sustained Torah; the experience of coming to the Mikdash also fostered yiras Shomayim. In presenting the mitzvah of eating ma'aser sheini within Yerushalayim [the outermost precinct of Mikdash], the Torah explains, "l'ma'an tilmad l'yirah es Hashm Elokecha kol hayomim". Experiencing kedushas Mikdash in this context was a transformative, enduring experience which inspired abiding yiras Shomayim.

The seminal influence of the Mikdash was not limited to the realms of Torah and yiras Shomayim. For instance, the Beis Hamikdash also facilitated atonement for our sins and served as the wellspring from which Jews drew ruach Hakodesh. In our attempt to gain an appreciation for the Beis Hamikdash, we are focusing on Torah and yiras Shomayim as powerful, representative examples.

In our reality Torah and yiras Shomayim, although significantly diminished, are b'chasdei Hashem accessible. We can devote ourselves to talmud Torah. We can taste mesikus haTorah; we can cultivate ahavas haTorah. Similarly, we can cultivate yiras Shomayim and, however incompletely, experience its joyous trepidation.
If we indeed focus upon cultivating deep, genuine ahavas Torah v'yiras Shomayim, much like the orphan and uneducated child, we will feel bereft of Torah in its fullest depth and splendor and yiras Shomayim in its existential profundity which we have never experienced but for which we will desperately long. In so doing, we will be misabeil al Yerushalayim and, b'siyata d'Shamaya, be zocheh v'ro'eh b'binyana.

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from: Orthodox Union <alerts@ounetwork.org>
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The Nation Weeps
By Rabbi Moshe Hauer

Where do the tears of Tisha B'Av fit within the flood of tears recently engulfing our people?
The war that began on Simchat Torah of 2023 has completely upended the dynamic of the region in Israel's favor, hobbling Iran and its proxies, but along with that battlefield victory has come – per Hamas' intention and design – an epic human tragedy in Gaza and a precipitous loss of respect for Israel's morality. It is heartbreaking to consider the devastating impact on innocents, and we admire Israel's concerted efforts to mitigate that impact. And it is astounding to hear pundits and politicians, some ignorantly, some piously, and too many maliciously, ascribe to Israel the worst intentions and all responsibility while ignoring the simple fact that Hamas initiated this war and its suffering and could end it tomorrow – but chooses not to.
We categorically reject the accusations of genocide and deliberate starvation leveled at the only force in the region that strives to abide by internationally accepted laws of war on a battlefield never faced by another modern army and to live up to its own self-imposed higher standard of tohar ha'neshek, purity of arms. Even as Israel expands its efforts to address food insecurity in Gaza, it must be recognized that the IDF has already delivered more humanitarian aid to Gaza than any military in history has provided to an enemy population during wartime.
But the truth hardly matters. Instead of achieving the prophetic vision of Jerusalem's peace and justice radiating beyond its natural boundaries, it is the United Nations and its obsessive demonization and delegitimization of Israel that has conquered the minds and hearts of the world, darkening the light unto the nations. That is deeply painful and consequential. "Chillul Hashem is the same whether inadvertent or deliberate" (Avot 4:5). Battlefield and strategic errors committed during an incredibly complex and overwhelmingly successful military campaign can nevertheless result in the inestimable loss of moral high ground, a loss worthy of Tisha B'Av grief.
It is on Tisha B'Av that we commemorate the tragic losses of blood and treasure sustained by the Jewish people from biblical times to the Crusades to the Holocaust and now, to October 7, but the day's primary focus is on the destruction of the Temples in Jerusalem, the ultimate Chillul Hashem. That loss steeply downgraded our religious and ethical role and jeopardized the Jewish and Abrahamic mission to bring the G-d of the heavens down to earth and uplift the world's faith and morality. The light unto the nations was dimmed.
What contributed to this downgrade of our religious and ethical standing? Our tradition blames it on the libelous claims leveled against G-d and the land of Israel on the original night of Tisha B'Av, when we wept in despair after hearing from the spies sent to explore the land of Israel. "You wept over nothing; I will give you cause for weeping for generations to come." In a complete inversion of reality, we cast G-d as hateful and the land of Israel as forbidding. G-d in His ultimate kindness had rescued us from bondage and miraculously set us on the road to the promised land flowing with milk and honey, but we chose to view Him as hostile and disdained His gift of Israel, portraying the attractive, good, and generous land of Israel, the eretz chemda tova u'rchava, as overwhelming and unhospitable, consuming its inhabitants rather than nurturing their growth. We were the original CNN and New York Times, creating a false narrative of Chillul Hashem in which we told the world and each other that the hero was the villain, and the source of the world's blessing was a fount of evil. Our assault on the good name of G-d and of the land of Israel ultimately cost us our own good name when G-d's visible association with us was severed with the destruction of the Beit HaMikdash.
The Jewish people are comprised of many camps and tribes, each with its passions and priorities directing its role within our nation and holy land. Especially during the past few years, those passions and priorities have collided in profound and deeply painful ways leading us to scream out against one another and cast the other as villain, unworthy of a good name. And now we are left having lost our collective good name; the world fails to see G-d either dwelling in our midst or reflected in our values
Over this we weep; but we can also try to fix. We may justifiably scream and accuse, but perhaps on Tisha B'Av we can pause to see the value of each other and the presence of Hashem that remains within each and every one of us. In the words of the Rebbe Rav Elimelech of Lizhensk, we can pray that G-d place in our hearts the ability to see not the faults but the positive qualities of each other, "for who is like Your people Israel, a unique nation on earth?" And we can build towards a near future where Klal Yisrael as a whole and every one of us individually will be a source of strength and comfort for each other and of Kiddush Hashem, deserving of the admiration and appreciation of G-d and man, "Yisrael asher b'cha etpa'eir."
https://jewishaction.com/religion/shabbat-holidays/churban/a-tishah-bav-lament-for-october/

Churban A Tishah B'Av Lament for October 7
Rabbi Moshe Hauer

Tishah B'Av is a day when we mourn the range of tragedies that have marked Jewish history, beginning with the destruction of both Batei Mikdash. Many of these calamities from throughout the ages are represented in the book of Tishah B'Av kinot that we read in our shuls. While we are generally extremely cautious about adding contemporary prayers, the kinot are an exception, such that most shuls include a kinah commemorating the Holocaust. In this spirit, there have been efforts to write kinot for Tishah B'Av that reflect on the profound tragedy of October 7 and its aftermath. Of special note is the rich, poetic and deeply meaningful kinah composed by Rav Yosef Tzvi Rimon. While all of us will have these events on our mind during Tishah B'Av, some shuls and individuals will seek to express those thoughts in the words of a kinah. The kinah below, authored by Rabbi Moshe Hauer, executive vice president of the Orthodox Union, was composed in response to a request from those less familiar with the nuances of Jewish thought and practice. It is an adaptation of one of the existing kinot, Kinah 25, Mi Yiten Roshi Mayim, written in the 11th century. The closing stanza draws from Kinah 37. This is shared here for those who may find it appropriate, relevant and useful. A TISHA B'AV LAMENT FOR THE WAR OF OCTOBER 7TH Would my head be filled with water and my eyes a fountain of tears / I would cry all my days and nights / for the corpses of my babes and infants and the aged of our people / I ask you to respond and join me in weeping, much weeping. For the house of Israel and the people of the LORD who have fallen by the sword. ....
https://res.cloudinary.com/ouwp/images/v1753292097/Jewishaction/Orthodox-Union_October-7th-Kinnah_2025-FINAL/

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Out of the Depths: **The Story of Israel's Former Chief Rabbi Israel Meir Lau, a Child of Buchenwald**
Rabbi Israel Meir Lau, Translated by Shira Leibowitz Schmidt and Jessica Setbon

In his remarkable autobiography, Rabbi Israel Meir Lau tells his story of rising from the ashes of the Holocaust to become the chief rabbi of Israel. As a young boy nicknamed Lulek, he is saved from the Nazi inferno by his older brother Naphtali, who fulfills their father's dying wish to ensure the continuation of the

family rabbinic dynasty. At age eight, Lulek, the youngest survivor of Buchenwald, sails to Israel, where he begins his life anew. Encouraged in his studies by such rabbinic giants as the Rebbe of Gur and Rabbi Shlomo Zalman Auerbach, young Israel Meir enters the yeshivah world and is eventually appointed Ashkenazi chief rabbi of Israel. In his book, he recounts fascinating vignettes from his career that reveal his life-long mission of commemorating the Holocaust from the standpoint of deep faith. The excerpts below offer the reader a taste of Rabbi Lau's translated memoir.

First Memories: Devastation, Autumn 1942

At the beginning of the book, Rabbi Lau discusses his experiences when the Nazis invaded Poland. He speaks of the deep impression made upon him by his father, Rabbi Moshe Chaim, chief rabbi of the Polish town of Piotrkow. In this scene, the esteemed community leader maintains his dignity in the face of humiliation by the Gestapo.

The nightmare had begun to affect us in Piotrkow as well.

It is the autumn of 1942. I, Lulek, am a boy of five years and four months, short in stature, terrified. I stretch my neck as far as it will go in order to catch a glimpse of my father. He is standing in the Umschlagplatz, the assembly point for deportation, which is next to the Great Synagogue of our town, Piotrkow, Poland. Father, with his impressive beard and black rabbi's suit, stands in the center, surrounded by Jews.

We felt enormous tension that day as we stood in the assembly square in front of the synagogue. A threatening silence surrounded us. The captain of the Piotrkow Gestapo approached my father, a deadly look in his eye. He stopped, and pulling out his maikeh—a rubber club about three feet long—he began to beat my father on the back with all his might. When the first blow struck my father from behind, the force of it made him stagger forward. His body bent over as if about to fall. And then, in a fraction of a second, he straightened up to his full height, stepped back and returned to where he had been standing. There he stood erect, making a supreme effort to hide the physical pain as well as the intense humiliation. I could see Father mustering all his strength to keep his balance and avoid falling at the German officer's feet. Father knew that if he fell, the spirit of the Jews in our town would break, and he was trying desperately to prevent that.

Everyone there knew why the German had beaten him. When the Nazis had ordered the Jews to shave off their beards, many of the Jews of Piotrkow had come to ask Father whether they should follow the order. His answer was firm: do it in order to save yourselves from punishment. But he was stricter with himself; he kept his beard and sidelocks, his peyot, not only to safeguard ancient tradition but also to preserve the honor of the town rabbinate. His defiance of this order resulted in the maikeh on his back.

But the beating was for other reasons as well. The captain had singled out my father for abuse because he was the chief rabbi of the town. Father was the representative of the Jews to the Germans. Furthermore, much of the Gestapo's contact with the Jews of Piotrkow took place through him because he was fluent in German. He was a highly respected figure in the Jewish community. Beating him, and especially humiliating him, meant more to the Germans than beating just another Jew; it was an act of enormous symbolic meaning, one that had a powerful effect on morale.

Many years later, I heard the following from Dr. Abraham Greenberg, who had been standing next to my father in the synagogue square. He heard Father remark to the Jews next to him, "I don't know why we're standing here with our arms crossed. Even if we don't have weapons, we should attack them with our fingernails. I don't think standing around can save any of us. We have nothing to lose by trying to fight them." He had just finished his sentence when the maikeh of the Gestapo captain struck him on his back. As a child, I did not understand the issue of the beard so well or the significance of the order to shave it, but I did understand that they were beating my father.

I knew my father was the town's chief rabbi, and was admired and loved by all. I could not bear to see the beating or the degradation. Today, looking back on the six years of that war, I realize that the worst thing I endured in the Holocaust was not the hunger, the cold or the beatings. It was the humiliation. It is almost impossible to bear the helplessness. Throughout the war years, a Polish word went through my head—lachago, meaning "why?" What did we do to you to make you stomp on our souls in this way? How great was our crime that this is our punishment? There was no answer. Only this: we were Jews, and they, the Nazis, saw us as the source of all evil in the world.

When a child sees his father being kicked with a Nazi's boot, publicly humiliated, he carries that terrible picture with him for the rest of his life. Yet, on the other hand, I carry in my mind another memory as well—that instant in which Father, with astonishing spiritual strength, braced himself from falling and, refusing to beg for his life, stood tall once again before the Gestapo captain. For me, that image of his inner spiritual strength completely eradicates the helplessness that accompanied the humiliation.

Herded into the Synagogue

Soon after the incident with Lulek's father, the Nazis rounded up the Jews of Piotrkow and packed them into the town's main synagogue. There they called out the names of those who were allowed to leave; those remaining inside were to be deported, destined for death. Through his mother's resourcefulness, young Lulek's life is saved, but his thirteen-year-old brother, Shmuel, is condemned to a bitter fate.

As order and discipline were second nature to the Germans, one of them shouted, "One of the people whose names I called did not go out!" Then they made an exact count of all those who had left, and checked them against their lists. One person had not left: my mother. Her maternal instinct aroused, she scrutinized the narrow passage between the two guards at the door. She planned our moves quickly and precisely. She grabbed me with one hand, and Shmuel with the other. "Come here," she ordered. We jumped to her. We didn't need to be told that we must remain completely silent, and more importantly, keep as close as possible to Mother. The three of us had to meld together as one. She planned to smuggle us both out under the cover of darkness, as if we were part of her body. To keep the Germans from closing the door, she shouted while moving toward the exit, "I'm coming, I'm coming." Walking sideways as one body, we shuffled out the door. But a group of three could not possibly pass through the narrow opening the Germans had left. I went out first, with Mother close behind me, and Shmuel behind her. But one German noticed that there was a bit more movement than there should be. Facing us, he raised both his arms together, and swung them down with all his might, one to the left and one to the right. Shmuel, who was on the left side, fell to the synagogue floor and had to go back inside. On the right side were my mother and I. The force of the blow hurled us into a puddle in front of the synagogue.

The two of us were saved, but we were separated from Shmuel, and we never saw him again. Later we learned that he was sent to Treblinka that same day.

Into Hiding: 1942

Lulek's childhood becomes a nightmare of hiding and fear, leaving an indelible mark on his memory and shaping his consciousness. As an adult, Rabbi Lau recalls the taste of the honey cookies mentioned here as symbolic of his Holocaust experience.

Father was not with Mother and me when the two of us hid at 12 Jerozolimska Street, a building near our house, where he had arranged a hiding place for us. This large building had been filled with Jewish residents, who then abandoned it for reasons unknown to me. The floor of one room in the top story was littered with wooden boards; the entry to the attic was through this room. Mother and I crowded into the attic along with about ten other Jews. They were constantly darting frightened looks at me, as if threatening me to keep silent, and at my mother, as if blaming her for bringing me to the hiding place and possibly endangering their lives. At least that is how it seemed to me. I was barely five-and-a-half, and they feared I would cry noisily, or else call out "Mameh, Mameh," giving them all away to certain death. They were busy thinking of ways to make the child keep silent, but the child never even made a peep. Before leaving our house, my mother had foreseen what was ahead of us, and baked my favorite honey cookies. She knew that when I ate them they would distract me. More importantly, they would fill up my mouth so I would be unable to make a sound.

Even today, many long years after those days of horror, when I close my eyes and yearn for those honey cookies, I can remember their wonderful taste. During trying times, this memory is my consolation; it is the drop of honey with which I sweeten bitter days.

At the same time, I remember clearly that I would look at my mother, my mouth full of cookies, with a penetrating glance that seemed to say, "Mother, this whole business of using the cookies to silence me is unnecessary. I know I mustn't say a word, and therefore I intend to keep quiet. We have already been through all kinds of 'selections' and although I am a child, I understand exactly what's going on." Like an animal with an acute survival instinct, I understood that I had to keep quiet until the fury subsided, and I had no intention of behaving like a small child in our hideout.

Buchenwald: January 1945

When Lulek and his nineteen-year-old brother, Naphtali, arrived in Buchenwald, Naphtali feared that he would not be able to save Lulek's life as he had succeeded in doing so far.
The rules of the camp were ironclad, and chances were slim that they would allow a child of seven to stay with the men. But as usual, Naphtali1 did not give up. With the help of two friends, he wrapped me up in the feather quilt that Mother had supplied us with, and put me inside the sack he had carried with him ever since we had parted from her. As I was already used to transitions, to entering and exiting labor camps, he had no need to warn me to keep my mouth shut until it was safe to leave the sack. Despite my being so young, the procedure was clear to me. Like a rabbit, I jumped into the sack, curling up as small as possible, and that is how I entered Buchenwald with my brother. The Germans made the newly-arrived Jews stand in formation, arranging them in threes. From inside the sack, I heard the familiar commotion: the shouts of schnell, schnell—hurry, hurry—the maikeh club beatings and the barking of the dogs. I hunched on top of Naphtali's back, motionless as a block of ice. Then I felt Naphtali removing the sack from his back and putting it down at his feet. A strange, sharp smell reached my nose, one that I did not recognize. Later I learned that this was chlorine, which the Nazis used as a disinfectant.
The Germans placed us all into a large hall, where they began separating the inmates into groups. Controlling his growing fear, Naphtali studied what was going on around us. Very quickly he deciphered the method used in categorizing the inmates. The Nazis ordered the Jews to strip. Medical personnel inspected them and administered various inoculations. And then, to his horror, he discovered that the Germans threw all the Jews' possessions—including the clothes they had removed—into the oven, where they were incinerated. In this manner, the Germans thought, they would prevent contamination by the Jews. Naphtali would also have to dispose of his sack of belongings. I'll never forget his cry: "Lulek, hutch totai! Lulek, come here!" I peeked out in disbelief, suspecting I had not heard correctly. From the sack at my brother's feet, I raised my head carefully and looked around. Previously, I had heard the voices and smelled the odors. But now I also saw the sights from which I had been spared. The Germans waved the maikeh threateningly, their ferocious dogs barking and biting. Veteran Jewish prisoners shaved the new arrivals and disinfected them in a filthy chlorine bath. When I got out of the sack, one of the guards, also apparently a prisoner, noticed me. He approached Naphtali and asked him what a boy like me was doing in this place, which was meant for adult men. Naphtali looked into his eyes and explained that the child had neither a father nor a mother. "What was I to do?" he asked. "Leave him outside in the snow, by himself?"
That guard gave us the first authorized proof of the methods of killing in the camp. In this place, he explained to Naphtali, there are no gas chambers, but there is a crematorium. "From that furnace," he said, glancing toward it, "smoke billows twenty-four hours a day. All the muselmen, those walking, robot-like skeletons, die there. Everyone who comes to this camp becomes a muselman," he said. "It doesn't matter if he's five or fifteen, seven or thirteen. But," added the prisoner-guard, "you should know that if this child can get to block number eight, he will be okay." When he finished what he had to say, he turned his back on us, as if he had not seen a thing.
As he walked away, a German guard caught sight of me. Naphtali was terrified when he saw the German focus on me, and even more so when he asked, as the other guard did, what I was doing there. Accustomed by now to being in mortal danger, Naphtali took off his shoe and folded it in half, removing Father's gold watch from the sole. It was the last remaining item from the treasures Mother had given us for emergencies. Naphtali threw the expensive watch at the guard, who bent down as if to tie his shoelace, and picked up the watch. Then he continued his patrol, ignoring the two of us.
Other guards took me along with the entire group to block fifty-two. The sight before our eyes was horrifying. Thousands of people inhabited that crowded place, most of them muselmen, suffering from hunger and disease. People relieved themselves inside the block, and the stench was insufferable. Each morning the guards removed about forty corpses, the bodies of those who did not awaken.

Liberation: April 1945

Thanks to Naphtali and to a Russian inmate protector, Lulek survives the horrors of Buchenwald. When Buchenwald is liberated by American army forces, Lulek is discovered by Army Chaplain Rabbi Herschel Schacter.
In full army uniform, Rabbi Schacter got down from his jeep and stood before the pile of bodies. Many of them were still bleeding. Suddenly he thought he saw a pair of eyes, wide open and alive. He panicked, and with a soldier's instinct, he drew his pistol. Slowly, carefully, he began to circle the pile of bodies. Then—and this I recall clearly—he bumped into me, a little boy, staring at him from behind the mound of corpses, wide-eyed. His face revealed his astonishment: in the midst of the killing fields, from within that sea of blood—suddenly, a child appears! I did not move. But he knew that no child in this place could be anything but Jewish. He holstered his pistol, then grabbed me with both hands and caught me in a fatherly embrace, lifting me in his arms. In Yiddish, with a heavy American accent, he asked me: "Wie alt bist du, mein kindt? How old are you, my boy?"
I saw tears dripping from his eyes. Still, through force of habit, I answered cautiously, like someone perpetually on guard: "What difference does it make? At any rate, I'm older than you." He smiled at me from behind his tears, and asked, "Why do you think that you're older than I am?" Without hesitating, I replied, "Because you laugh and cry like a child, and I haven't laughed for a long time. I can't even cry anymore. So which one of us is older?"
Then he introduced himself to me, and the tension subsided. Rabbi Schacter asked who I was. "Lulek from Piotrkow," I replied.
"And who is your family?" he inquired.
"My father was the rabbi of Piotrkow."
"And you're here all alone, without your father?"
"Without my father, without my mother. But I have a brother. He collapsed and is lying sick, here in the camp."
Rabbi Schacter gained my full trust when he told me he had heard of my father. He had also heard of Father's cousin, Rabbi Meir Shapira, the rabbi of Lublin, who had initiated the Daf Hayomi daily page program of Talmud study. I was thrilled.
Then the American rabbi took me by the hand, and together, we made the rounds of the bunkers, announcing the liberation. I remember the people lying inside the bunkers, with blank stares. They did not even have the strength to get up from their beds. "Jews, you are liberated!" called out the American rabbi in Yiddish. The inmates gazed at him, incredulous, as if to ask, "Who is this crazy meshiggener standing here in uniform, screaming in Yiddish?"

Our Response to the Holocaust

Rabbi Lau often emphasizes that the "revenge" for the Holocaust is in the rebuilding of Jewish families and Jewish life. He himself sets an example.
My oldest son, Moshe Chaim, became a Bar Mitzvah on the Shabbat when we read the Biblical account of the Israelites' battle with Amalek. I spoke about the last verse in the chapter: "The Lord maintains a war against Amalek, from generation to generation" (Exodus 17:16). We cannot fight the enemy Amalek, the nation or the phenomenon, with weapons or with ammunition. Rather, we are obligated to fight this battle in every generation, each generation passing on our heritage to the next. The struggle for the continuity of generations is the true battle and the great spiritual-Divine victory of Israel against the adversary Amalek. Our victory in the war against Amalek is that my son, Moshe Chaim Lau, is continuing the heritage of his grandfather, my father, Rabbi Moshe Chaim Lau, who went up to Heaven in a tempest.
Our son Moshe Chaim is the first candle in the private Chanukah menorah I have been privileged to create. My wife is the base of that menorah, from which the candles, our eight children, went out into the world. And I am the shamash, whose role is to help light those candles so that they will spread their light and proclaim, each in a special way, the miracle of the victory of eternal Israel.

Note

1. The story of the boys' survival is told from Naphtali's point of view in his book, Balaam's Prophecy: Eyewitness to History, 1939–1989 (New Jersey, 1998).

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Tidbits for Tishah B'av 5785 in memory of Rav Meir Zlotowitz zt'l
Ira Zlotowitz <Iraz@klalgovoah.org>
Thu, Jul 31, 6:55 PM (6 hours ago)
Tishah B'av 5785
1. Hashem decreed that the generation that left Egypt would wander in the desert for 40 years, during which time nearly all men would perish. 2. The First Beis Hamikdash was destroyed. 3. The Second Beis Hamikdash was destroyed. 4. The city of Beitar was captured, and thousands were killed. 5.

The wicked Turnus Rufus plowed over the site of the Second Beis Hamikdash.
For halachos of Erev Tishah B'Av see Tidbits for Parashas Devarim - Shabbos Chazon 5785
Fasting. Adults who find it difficult to fast must consult a Halachic authority, and not be unduly lenient with their health or with Tishah B'Av. The minhag is that children who understand the meaning of Tishah B'Av should fast for part of the day, and minimize eating treats, such as candy and desserts. An adult who needs to break their fast must hear Havdalah before eating or drinking (with the exception of water). The berachos on besamim and aish are omitted. It is most ideal for Havdalah to be recited by a man and have a katan (a minor age 6+, preferably a boy) drink the wine or grape juice (in this case the man will not need to hear Havdalah again after the fast). Otherwise a woman may recite it and/or drink it herself. Some say beer or coffee should be used in place of wine/grape juice if an adult is drinking it.
Washing the Body. One may not wash their hands, face, or body. One should wash netilas yadayim up to the knuckles upon rising; there is no need to be overly careful with this measurement. After relieving oneself, one should wash until the knuckles prior to reciting asher yatzar. One may wash a part of the body that has become dirty. Those who are not fasting and are washing for bread wash their hands in the usual manner.
Creams and Lotions. One may not apply creams or lotions to the skin. Hair products and cosmetics are also prohibited. Ointments that serve an important need, such as antibiotic creams, are permitted. Deodorants are a subject of debate; consult your rav.
Leather Shoes. One may not wear leather shoes (including shoes that are partially leather). The custom is for young children to refrain from wearing leather shoes as well.
Marital Relations. Marital relations are prohibited.
Study of Torah. Studying Torah brings joy and is therefore prohibited on this day of mourning. As the basic purpose of the fast is to bring oneself to repentance, studying Mussar is allowed. Other permissible subjects include Megillas Eichah, Sefer Iyov, selected verses related to the destruction of the Beis Hamikdash in Sefer Yirmiyah, Gemara Gittin 55b-58a, the 3rd perek of Moed Katan and Hilchos Tishah B'Av.
Greeting People. Greeting people is prohibited. If one is greeted by someone, he may respond - albeit in a subdued manner - to avoid embarrassing the person. Wishing someone mazal tov is not considered a form of greeting, but rather a blessing, and is therefore permitted.
Work and Melachah. Brief acts of "melachah" (e.g., turning on a light, driving short distances) are permitted. One should not engage in business or chores that take a long time (e.g. mowing the lawn) before chatzos (1:02 PM in NYC). Ideally, cooking and cleaning should be postponed until after chatzos as well. Some are particular to not work for the entire day. One who must work should ideally pause and reflect every so often on the nature of the day.
Chairs and Beds. Until chatzos, one may only sit on a chair that is lower than three tefachim (approximately 12"), or, according to some, on the floor. Many have the minhag to sleep in a less comfortable position (e.g., fewer pillows, lying on the floor, etc.) on the night of Tishah B'Av.
Tishah B'Av Night. The lights are dimmed in Shul and the paroches is removed from the Aron Kodesh. Atah Chonantanu is added in Shemoneh Esrei. Eichah is leined, followed by several Kinnos. V'ata Kadosh is recited; Vihi Noam and V'yitein L'cha are omitted. Tiskabel is omitted from Kaddish Shaleim.
Shacharis. Tallis and tefillin are not worn; the tallis katan is donned, albeit, according to most, without a berachah. Candles are not lit at the amud. The sheliach tzibbur says Aneinu in Chazaras HaShatz; Bircas Kohanim is omitted. Avinu Malkeinu and Tachanun are omitted. Following Kerias HaTorah and the Haftarah, Kinnos are recited. Kinnos should be recited with sincerity. There is no need to keep up with the pace of the sheliach tzibur and one may end along with the congregation without reciting the complete Kinnos. After Kinnos, Shacharis resumes. Lam'natzeach is omitted, and in Uva L'tzion the verse of VaAni Zos Berisi is omitted. Tiskabel is omitted from Kaddish Shaleim. The Shir Shel Yom is not said until Minchah.
Minchah. In most Shuls, the Paroches is returned to the Aron. Tallis and tefillin are worn. The Shir shel Yom is recited (as well as Ein Keilokeinu - for Nusach Sefard). Kerias Hatorah with Haftarah. Nacheim is inserted in Shemoneh Esrei, and - for those fasting - Aneinu as well. Bircas Kohanim is recited in Chazaras HaShatz, and Sim Shalom is said in place of Shalom Rav (Nusach Ashkenaz). Tachanun and Avinu Malkeinu are not said.
Kiddush Levanah is recited (some have the custom to change into leather shoes before doing so).
As Havdalah was not recited on Motzaei Shabbos, it must be recited now before eating or drinking (with the exception of water). Just the berachos of Hagafen and Hamavdil are recited. One may drink the wine himself (with no need to give it to a child).
As the Beis Hamikdash continued to burn through the 10th of Av, the restrictions of the Nine Days remain mostly in effect until chatzos on Monday, August 4th.This includes the prohibitions against haircuts, meat, wine, laundry, and music. A warm shower for part of the body or a regular cool shower may be taken if necessary. It is recommended to abstain from marital relations, other than leil tevillah (or any other extenuating circumstances).
The following are some of the most commonly recited kinnos:
איכה תפארתי 9. " - A kinnah based on the verses of Eichah 6."שבת סורו מני" ויקונן " 11. - The frightful fulfillment of the curses of the Tochachah "מראשותי ירמיהו" - Yirmiyahu's kinnah upon the death of Yoshiyahu 16. " זכור אשר עשה צר" - The wickedness of Titus 17. "אם תאכלנה נשים פרים" - Gruesome details of the Temple destruction 21. "ארזי הלבנון" - The Asara Harugei Malchus who were executed Al Kiddush Hashem 23. "ואת נוי חטאתי" - Story of the son and daughter of R' Yishmael Kohen Gadol 25. "מי יתן ראשי מים" - Since Tishah B'Av is considered by Chazal to be the source of all major calamities that befell Klal Yisroel, we discuss in this kinnah the tragic era of the Crusades. 26. "אז בהלוך ירמיהו" - The pain of the Shechinah, and the pleas of the Avos and Imahos at the time of the churban 28. "איך תנחמוני" - The seeming impossibility of consolation from such enormous tragedies 31. " אש תוקד בקרבי" - The contrast between our triumphant exodus from Egypt, and our tragic exile from Jerusalem *. Kinnah pertaining to the Holocaust 36. "ציון, הלא תשָאלי" - Expresses the yearning to leave galus and reach the land of Eretz Yisrael. 41. "שאלי שרופה באֵש" - Describes the tragic incident of the burning of the wagon loads of Talmud in the public square in Paris in 1242. 45. "אלי ציון" - Expressing our sorrow while noting that through the pain the ultimate redemption will emerge
It is said, "It is better to say fewer passages with concentration, than to say many with little concentration" (Tur O.C. 1). One should concentrate on mourning the tragic past and inspire oneself to teshuva and a better future.
כל המתאבל על ירושלים זוכה ורואה בשמחתה (Taanis 30b)
Those who properly mourn the loss of Yerushalayim merit to see her joy.
Wishing you a meaningful Tisha B'av.

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from: **Rabbi Chanan Morrison** <chanan@ravkooktorah.org>
date: Jul 31, 2025, 2:53 AM
subject: **Rav Kook on** Tisha Be'Av and Anticipating Redemption
There are six measures, the Sages taught, by which we are judged:
"When brought for heavenly judgment, one is questioned: 'Were your business dealings honest? Did you set fixed hours for Torah study? Did you engage in procreation? Did you anticipate redemption? Did you discuss wisdom? Did you discern new insights?'" (Shabbat 31a)
Most of these questions indeed are the cornerstones of a life well-lived. But the fourth one — צָפִיתָ לִישׁוּעָה? — "Did you anticipate redemption?" - why is that so important? Don't we all hope for the best? What does this trait reveal about how one has lived one's life?
We are Part of the Nation
It is important to understand that this anticipation is not simply hoping that our personal difficulties will quickly be resolved. Rather, it means that we should anticipate the redemption of Israel and all of humanity. As Rashi

explains, one should look forward to the fulfillment of the visions of the prophets.
This demand is not a trivial one. As individuals we are easily caught up with our own personal problems and issues. In truth, we should feel that we are like a limb of a great organism. We should recognize that we are part of a nation, which, in turn, is part of all humanity. The betterment of each individual contributes to the life of the larger community, thus advancing the redemption of the nation and the universe.
The question צָפִיתָ לִישׁוּעָה? is an important measure of one's life. It is the yardstick that determines whether our lives have acquired a selfless, universal quality. By anticipating the redemption of the greater community, we demonstrate that we were able to raise ourselves above the narrow concerns of our private lives. We strive not just for personal ambitions, but also for the ultimate elevation of the nation and the entire world. We are part of the nation; its joys are our joys and its redemption is our redemption.
The Sentry
It is instructive to note that the heavenly tribunal does not ask about our hopes (tikvah) for redemption, but rather our anticipation (tzipiyah) of redemption. The word tzipiyah indicates a constant watchfulness, like a soldier posted to the lookout (tatzpit), serving at his observation post for days and even years. The sentry may not abandon his watch, even though he observes no changes.
We, too, are on the lookout. We should examine every incident that occurs in the world. With each new development, we should consider whether this is perhaps something that will advance the redemption of Israel and the entire world.
However, tzipiyah leyeshu'ah is not merely passive observation. Woe to the army whose sentries perceive a threat but fail to take action. The moment there is some development in the field, the soldiers must respond swiftly, to defend or retreat. Our tzipiyah also includes the readiness to act promptly. While these two traits — constant watchfulness and rapid response — may appear contradictory, they are both included in the obligation of tzipiyah leyeshu'ah.
(Silver from the Land of Israel. Adapted from Olat Re'iyah vol. I, pp. 279-280; Ein Eyah vol. III on Shabbat 31a (2:164).)

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DAF YOMI
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Daf Yomi Avoda Zara 43
https://www.halachipedia.com/index.php?title=Drawing_or_Sculpting_Forbidden_Images#cite_note-66
Drawing or Sculpting Forbidden Images
Items Related to Idolatry
Constructing and Keeping Idols 1. In addition to the prohibition of worshipping an idol, the Torah prohibits one from even constructing an idol[1] even if one will not worship it himself[2] as a means of distancing us from performing idolatry.[3] Whether one receives Malkot for doing so is subject to debate.[4] 2. It is similarly prohibited to construct an idol for someone else, whether it be a Jew or non-Jew who's instructing it be made.[5] 3. One may not even instruct another person to construct an idol for, and it even entails a punishment of Malkot.[6] 4. Therefore, one who constructs an idol for himself receives twice Malkot.[7] 5. All of these Issurim apply to all human beings, Jews and Non-Jews, regardless of gender.[8] 6. If one finds an object that might be an idol (a "Tzelem," which might be a "Pesel" / Avodah Zarah), if it is commonly worshipped in that area, he may not keep it. The status of the cross is debated in this contex.[9]
Symbols of Other Religions 1. It is permitted to use and look at a stamp with a cross on it.[10] 2. According to many poskim if a person is given a medallion with a cross on it as an honor it is permitted to wear it when visiting a government or Church official.[11] 3. It is permitted to have and use a chess set even though the king piece has a cross on it.[12] 4. It is discouraged and most probably assur to manufacture miniature crucifixes, crosses, and other items used lichvod Avodah Zarah.[13]
Non Idolatrous Images 1. Lo Taasun Itti:[14] The Torah prohibits constructing objects that replicate Hashem's "servants" even if it is not for idolatry but rather for décor. 2. "Servants" includes: a. Inhabitants of the upper abode (Mador HaElyon) - Malachei HaSharet, Ofanim, Serafim, and Chayot HaKodesh (the four faces - a human, eagle, bull, and lion), b. Inhabitants of the lower abode (Mador HaTachton) - sun, moon, and mazalot c. Humans[15] d. The Beit HaMikdash and its vessels 3. The Gemara presents three limits to this prohibition, which enable one to possess such an object if not make it as well: when it's made by somebody else (a Non-Jew), when it's made of many parts,[16] and when it's made for instructional purposes. Some accept all three answers,[17] while others only accept the final answer.[18] 4. Even if the item was made by someone else, if it protrudes, there is often an addition prohibiting component known as "Chashad" - that one is suspect of worshiping the image. Chashad applies to all images, not only those prohibited by function of Lo Ta'asun Itti.[19] Although the Gemara states that a public setting ("Rabbim") removes the concern of Chashad, the Poskim write how employing that leniency is frowned upon.[20] 5. An image that physically protrudes is known as "Boletet," and one that is etched into a surface is known as "Shoka'at." Some consider painted images, images drawn with ink, and embroidered images to be protruding[21], but many disagree.[22] Some argue photography is neither Boletet nor Shoka'at, because it's completely flat.[23] 6. Drawing an image of the sun to demonstrate what happens in Maaseh Bereshit to explain pesukim in the Torah is an example of instructional purposes.[24] but sculpting a sculpture in a course to learn how is not.[25]
Angels and Other Heavenly Entities 1. The Torah prohibits constructing replicas of angelic beings such as Malachei HaSharet, Ofanim, Serafim, and Chayot HaKodesh (the four faces - a human, eagle, bull, and lion).[26] 2. Some argue that the prohibition not only includes constructing these entities, but possessing them, as well,[27], but others disagree.[28] 3. The Ramban and others hold that it is prohibited to construct replicas of upper heavenly entities even if they are two-dimensional,[29] but many disagree.[30] Nevertheless, one should be strict on the matter.[31] 4. If one finds such an object, he may benefit from it but not keep it.[32]
Sun, Moon, and Stars 1. It is forbidden to draw a sun, moon, or stars whether the image is a two dimensional or a three dimensional protruding image. This is because numerous Rishonim argue that the limits of the prohibition are informed by our human perception of the object that one is attempting to replicate. Since we see humans in three dimensions, producing a three dimensional human is prohibited, but a two dimensional one is not. In contrast, as we perceive celestial bodies as two dimensional, drawing even two dimensional images of the sun and moon is prohibited.[33] Some disagree,[34] but the Halacha follows the former.[35] 2. The Rambam holds that images of the sun and moon themselves are not prohibited, but, rather, the Torah prohibits drawing images of solar and lunar deities, idolatrous symbols of the sun and moon, such as "Ra," the Egyptian sun god. The Halacha does not follow the Rambam, at least to be lenient.[36] 3. Although in general a partial/incomplete image is permitted to create or own,[37] since we as humans observe the moon in its various stages, images of all of its stages are prohibited to create according to some Poskim.[38] Some think that stringency does not apply to the sun, even though we observe a "partial" sun when it rises and sets at the horizon,[39] while others prohibit it in all stages.[40] 4. Therefore, one shouldn't teach children to draw the sun, moon, or stars in their complete form, because when they get older it will be prohibited for them, anyway.[41] 5. Some say that it is forbidden to create a temporary image of a sun, moon, or stars.[42] 6. One should not bake cookies in the shape of a moon.[43] 7. Stained glass windows in shul with the sun in the middle are a violation of both this prohibition as well as Chukot Akum.[44] 8. Taking a photo of the sun, moon, or stars and developing the negative may not be prohibited but printing it most probably is. Keeping it certainly is.[45]
Human Images Another facet of Lo Taasun Itti prohibits producing images of humans for even decorative purposes if they protrude,[46] as the word Itti is darshened to be read Oti - "Do not create Me."[47] 1. The prohibitions of construction and possession only apply to whole images of humans, also known as a "Partzuf", not partial ones.[48] That said, the Poskim debate the definition of partial. Most argue that "Partzuf" means the whole body[49] and further debate that even omitting or removing a finger or limb suffices,[50] while others argue that half the body must be removed, not just a minor appendage.[51] Others argue that "Partzuf means" any figure that has a fully etched out face.[52] This has relevance to coins with faces minted on them.[53] However, if the image is only of one full side of a human (known by some as "profile"), it is permissible according to all opinions.[54] 2. Dolls and toys that are full images of humans may be purchased even if they protrude, because some say the chashad (concern

people will suspect one) of worshipping human images no longer applies, plus everybody knows that dolls are not worshipped in general, they are not made in a permanent way, and they are "mevuzim" since they are thrown around and get dirty with play. The same goes for selling them.[55] However, some recommend ruining a limb or part of the face, such as the nose.[56] Some even permit manufacturing them, as well.[57] 3. This prohibition applies to oragami, as well.[58] 4. It is permitted to draw a two dimensional drawing of a person, therefore, it is permitted to take a picture of a person.[59] 5. Due to the Halachic debate as well as Kabbalistic concerns, when photography first became widespread, many Jews took a strict stance except when necessary or if it was a partial image,[60] but over time that stringency has faded away with only some especially righteous individuals not allowing their picture to be taken. Nowadays, the universal practice is to allow one's picture to be taken and to take pictures of others, especially if the images are not of the whole front or back of the body.[61] 6. It is prohibited to construct a wax figure in the image of a human, but one may visit a wax museum provided the figures were produced by non-Jews. If they were made by Jews, though, some Poskim forbid it due to the Chillul Hashem of religious people coming to see items created in sin.[62] 7. One could justify possessing such a human image if it is placed in a public venue, such as a synagogue or cemetery. Although relying on that leniency is discouraged by many,[63] poskim cite it to permit on to display a manikin in a store window,[64] but many disagree and only allow a bust but not a full manikin.[65] 8. Some say one would have to give up his life (Kiddush Hashem) rather than violate this prohibition.[66]

Animals and Plants 1. It is permitted to construct an image of animals, vegetation, or scenery, either etched or protruding.[67] 2. Nevertheless, tradition and a sizeable group of Rishonim and Acharonim take serious issue with images of animals in synagogues, especially if they are on the Aron Kodesh, Parochet, or windows.[68]

Replications of the Vessels of the Temple 1. The Torah prohibits one from constructing exact replicas of the Mishkan, Beit HaMikdash, and their vessels, such as the Menorah, Shulchan, and Mizbeach.[69] 2. According to some Rishonim, even possessing any such object is Assur Min HaTorah[70], while some Poskim disagree.[71] 3. The Rambam placed these Halachot in Hilchot Beit HaBechirah (7:10), not in Hilchot Avodah Zara, potentially because he saw the issur to be a function of Mora Mikdash.[72] Others suggest that it's because he includes building the vessels of the Beit HaMikdash in the grander Mitzvah of building the Beit HaMikdash itself,[73] unlike the Ramban who thinks they are separate.[74]

Drawings 1. Drawings of these are permitted, as well.[75]

For Education Purposes 1. Making a model to demonstrate what the Torah is referring to (i.e. educational purposes) is permissible.[76]

Vessels of the Bet Hamikdash 1. Ultimately, any deviation that would render a vessel invalid for Mikdash purposes renders it permissible to be construct outside of the Mikdash.[77]

Making a Seven Branch Menorah 1. It’s forbidden to make a menorah of seven branches even of other metals besides gold, even if it’s not 18 Tefachim tall, and even without the appropriate designs such as the flowers and bolts of the menorah.[78] However, it’s permissible to make it out of wood or non-metals.[79] Having curved as opposed to straight branches does not make it permissible.[80] 2. If one ends up in possession of a seven branch menorah, he should remove or add a branch.[81] If there is no trunk and just seven branches coming out of a flat base, the prohibition does not apply, especially if they're not all in a straight row.[82] 3. Many poskim permit a seven branch electrical menorah, because the variation of electric bulbs as opposed to cup of oil with wicks is significant enough to avoid the issur. On this basis, a shul is allowed to keep such a Menorah if they end up in possession of it.[83]

Replicating the Bet Hamikdash 1. It is only forbidden to make the a house the dimensions of the Hiechal, a porch the dimensions of the Ulam, and a courtyard the dimensions of the Azara of the Bet Hamikdash.[84] The dimensions of the Heichal in the second Bet Hamikdash were 60 amot by 20 amot by 40 amot tall.[85] In the first Bet Hamikdash it was 30 amot tall[86] and it is forbidden to replicate the dimensions of the first Bet Hamikdash as well.[87] The Ulam was 90 amot by 11 amot by 40 amot.[88] The Azara was 135 amot by 187 amot.[89] If one alters the dimensions even slightly it is permitted.[90] 2. The prohibition applies whether or not one makes rooms or attaches it to another house.[91] Making a structure that mimics the Ulam is forbidden whether it has 3 or 4 walls.[92] 3. There is no prohibition to make a courtyard mimicking the dimensions of Har Habayit.[93] 4. If a non-Jew made a courtyard or house according to these dimensions that replicate the Bet Hamikdash, some say that one can nonetheless live in it, while others forbid.[94]

Further Reading 1. Chut Shani, Pesach, pp. 223-241, by Rav Nissim Kareltz, Kuntress be'Assiyat Tzurot 2. The Laws of Forbidden Images, by Rabbi Michoel Zylberman 3. Halachically Speaking, Halachos of Forbidden Images 4. Halachic Aspects of Taking Photos, Din Online 5. Shiurim on Perek Kol HaTzlamim related to these Halachot Sources 1. Shemot 20:4 2. Rambam Sefer HaMitzvot (Lo Taaseh 2), Mishneh Torah Hilchot Avodah Zarah 3:9. Note the different versions of translations in the former. 3. Chinuch 27 4. The Rambam ibid writes that one does get Malkot, but the Raavad argues it’s a lav shebechlalot. 5. Rambam Sefer HaMitzvot (Lo Taaseh 3), Mishneh Torah Hilchot Avodah Zarah 3:10 6. Rambam Sefer HaMitzvot (Lo Taaseh 2), Mishneh Torah (Hilchot Avodah Zarah 3:9). The Chinuch 27 is stunned that the Rambam considers asking someone else to construct an idol to be subject to Malkot, as it’s seemingly a Lav She’ein Bo Maaseh and Ein Shaliach leDvar Averah. The Lechem Mishneh (ad loc.) writes that since a Maaseh is being done on his behalf, this is considered like Shelichut, but the Minchat Chinuch (ad loc.) rejects that interpretation in favor of deeming this a Gezerat HaKatuv, not actual Shelichut. Both Rav Moshe Feinstein (Iggerot Moshe Yoreh Deah 2:55) and Rav Shlomo Wahrman (She’erit Yosef vol. 3 pg. 385) dismiss the above answers in favor of a closer read of the Rambam. To them, the Rambam is saying that there are two issurim, constructing an idol, and keeping and idol. The act of placing the idol in one’s domain is the Maaseh required to violate the Averah and be liable for Malkot. 7. Rambam ibid, Chinuch 214 8. Chinuch 27, Minchat Chinuch 27:7 and 39:12 9. Avodah Zarah 40b, Shulchan Aruch (Yoreh Deah 141:1), Shach (Yoreh Deah 141:4) 10. Igrot Moshe YD 1:69 writes that it isn't considered a violation of Al Tifnu El Haelilim to use a stamp with a cross on it. His reasons are: 1) Since the images are just used for decorations and not actually for religious purposes it is permitted to look at them (Tosfot Shabbat 149). 2) Since it is used all the time a person is used to that symbol (Tosfot Avoda Zara 50). 3) It isn't an deity it is just a symbol to remind them of their deity. 4) Since the stamps are disgraced by being marked up and also being thrown out that isn't considered something a person would worship. 11. Rav Ovadia in Yechava Daat 3:65 permits wearing a medallion with a cross on it that was given to a person as an honor. He begins with the Rama YD 141:1 who writes that crosses are permitted in benefit since they're not avoda zara themselves. Although the Shach limits this to a case where you knew it wasn't worshiped but in general you have to assume that they were worshiped Rav Ovadia says that the Shach's concern doesn't apply to medallions. He also cites the Zera Emet 2:45 and Rav Chaim Palagi in Lev Chaim 3:100 who say that a jewelry with a cross isn't usually worshiped and can be worn if necessary. 12. Rav Asher Bush in Shoel Bshlomo 1:60:2. His proofs are: 1. Tosfot A"z 50 and Shabbat 149 by using coins with religious symbols on them say that they are muter since they are for decorative purposes and they are used all the time. Igrot Moshe YD 1:69 cites these Tosfots. 2. He also cites Rav Ovadia in Yechava Daat 3:65 who permits wearing a medallion with a cross on it for the same reasons. He has many proofs but for one the Rama YD 141:1 who says crosses are muter bhanah if they weren't worshiped since they're not a"z themselves. Although the Shach 141:6 says you have to assume that they were worshiped but Rav Ovadia quotes the Zera Emet 2:45 who says that doesn't apply to medallions. 3. He lastly cites Ritva A"Z 42b that crosses on cups are for decorative purposes and are permitted. 13. See Ben Ish Chai (Shanah II, Masei 7), the exchange between Rav Ezra Hedaya and Rav Ben Tzion Meir Chai Uziel recorded in Nachalat Ezra (vol. 1 Yoreh Deah 2) and Mishpetei Uziel 2:17), Binyan Av 1:37, and Kovetz Teshuvot 3:120 14. Shemot 20:20, Avodah Zarah 43ab, Rosh HaShanah 24b, Rambam (Sefer HaMitzvot, Lo Taaseh 4), Sefer HaChinuch 39, Shulchan Aruch Yoreh Deah 15. The Sefer HaChinuch 39 explains that this is because only Hashem can create Man and instill intellect into him. 16. the Ritva (Avodah Zarah 43b) surmises that one can even make it himself if it's in many parts, but he concludes stringently. Minchat Chinuch 39:2 opines that this is a standalone answer and it's permissible for one to even put the pieces together himself, most probably because they don't fit together so tightly. 17. Rosh, Ran (Avodah Zarah 43b), Rama (Yoreh Deah 141:4) 18. The Rif only quotes the final answer of Lehitlamed/Lehavin ul'horot (instructional purposes). Although the Rambam (Hilchot Avodah Zarah 3:11) omits all three of them, which leave the Kesef Mishneh confused. The Ran understands that he accepts the final one, but the Minchat Chinuch 39:2 thinks it's obvious that the Rambam accepts all three. Ultimately, Shulchan Aruch (Yoreh Deah 141:4) rules only like the lehitlamed answer, but the Rama fills the other two back in. 19. Shulchan Aruch (Yoreh Deah 141:5) 20. Rabbeinu Yerucham quoted in Bedek HaBayit (Yoreh Deah 141:4), Shach (Yoreh Deah 141:27) 21. Ritva (Avodah Zarah 43b), Pitchei Teshuvah (Yoreh Deah 141:6) 22. See Taz (Yoreh Deah 141:13) and Nekudot HaKesef ad loc. and Avnei Derech 5:11 23. Yabia Omer (vol. 4 Yoreh Deah 22:3, vol. 11 Orach Chaim 53), Yechave Da'at 3:63, Halichot Olam (vol. 7 pg 282, Masei 4) 24. Shevet HaLevi 7:134:8, Iggerot Moshe yd 3:33, Halichot Olam (vol. 7 page 288) 25. Chatam Sofer Yoreh Deah 128, Pitchei Teshuvah (Yoreh Deah 141:8*). That's learning to make (Lilmod Laasot). Although, leaving the last few parts for someone else to finish might be permissible 26. See Tosafot 43b the other Rishonim ad loc, Minchat Chinuch 39:3, and Iggerot Moshe (Yoreh Deah 2:55) at length regarding the overlap between Chayot and humans. 27. Ran (Avodah Zarah 43b) 28. Tur (Yoreh Deah 141) as explained by Beit Yosef 29. Ramban, Rashba, Ritva (Avodah Zarah 43b and Rosh HaShanah 24b) 30. Tosafot, Tur, Shulchan Aruch (Yoreh Deah 141:4) 31. Taz (Yoreh Deah 141:12), Nehar Mitzrayim (Avodah Zarah 5) 32. Rama (Yoreh Deah 141:4), Shach (Yoreh Deah 141:24) 33. Rabbeinu Tam, Ri, and Riva quoted by Tosafot (Rosh HaShanah 24b, Avodah Zarah 43b), Rosh (Avodah Zarah 3:5), Mordechai (Avodah Zarah 839), Ritva (Rosh Hashanah 24b), Rambam (Hilchot Avodah Zarah 3:11) 34. Ramban, Raavad (Hilchot Avodah Zarah 3:11), Rashba (Rosh Hashanah 24b), Ran (Avodah Zarah) 35. Shulchan Aruch (Yoreh Deah 141:4) 36. Rambam (Perush HaMishnah Avodah Zarah 3:3, quoted by Rama (Yoreh Deah 141:4) lehalacha, but the Shach (Yoreh Deah 141:8) and GRA (Yoreh Deah 141:7) take up arms that the Rambam's shitah is quite difficult in light of the sugya. 37. Shach Yoreh Deah 141:25 writes that any of the pictures that are forbidden to draw are only forbidden if they are done completely but not if you only draw a part of it. 38. Minchat Chinuch 39:9. Darkei Teshuva 141:38 cites a dispute between the Alsheich (teshuva 77) and Maharit YD 35 whether drawing a part of the moon is permitted, the Alsheich is lenient while the Maharit is strict. Finally he added the Shoel Umeishiv 3:71 and Amudei Esh 16:2 who are strict. See Halichot Olam (vol. 7 pg 286) who quote some who said the Alsheich said the opposite. 39. Shevet HaLevi (vo. 7 Siman 134:7 40. Minchat Yitzchak 10:72, Yabia Omer (vol. 10 Yoreh Deah 58:6, pg 372), Halichot Olam (vol. 7 pg 286) As an interesting application of these principles, Rav Chaim Palagi in Ruach Chaim YD 141:2 asks how were they allowed to have a picture of the sun on the tombstone of Yehoshua like Rashi Yehoshua 24:30 writes? Tzitz Eliezer 9:44 answers: 1) It wasn't protruding, so according to the Rishonim who permit an etched in sun, it was ok. 2) Others made it and this in public 3) The effect of causing agony of the loss of such a special person is lilmod, just like Rav Chaim Palagi writes about image of Avraham Avinu as a symbol of monotheism - they were lax in Yehoshua's hesped, so this was a teshuvah. 4) The Rambam writes that only the symbolism of the sun is prohibited, not a circle. 5) There were no solar rays included. 6) It was a piece of pottery (he was buried in Timnat Cheres, where the sun (symbolized by pottery/cheres) was worshipped), not an actual sun. See Yabia Omer ibid for some discussion of his answers. 41. Igrot Moshe OC 5:9:6 writes that once a child reached the age of chinuch they should be taught not to draw a picture of a sun, moon, or star. If their drawing is so inaccurate that most adults couldn’t tell what it was then it is permitted but still an adult shouldn’t teach children to draw that because they will grow up thinking that it is permitted and do so when their drawing skills improve. Star-K writes that perhaps making a cake in the shape of a sun (circle with cookie sticks as rays) is permitted since it isn't an accurate representation. 42. Minchat Yitzchak 10:72 writes that it is forbidden to temporarily create the image of a sun or moon since it is considered an asiya (creation). See however Darkei Teshuva 141:27. 43. Shevet HaLevi 7:134:10, Avnei Derech 9:106 44. Chatam Sofer (Yoreh Deah 129), Pitchei Teshuvah (Yoreh Deah 141:3) 45. Shevet Halevi 7:134:6. See Minchat Yitzchak 10:72 46. Shulchan Aruch (Yoreh Deah 141:7) 47. The Sefer Chinuch 39 explains that we are all created with Tzelem Elokim - not that we have Hashem's body literally, but that our intellect stems from him. Rabbeinu Bechayeh (Shemot 19:20) quotes the Rambam in Moreh Nevuchim 1:1 who says similarly, and the Ritva (Rosh Hashanah 24a) explains that Oti is a refence to the vision of Hashem that Moshe Rabbeinu saw in his Nevuah. The Shach (Yoreh Deah 141:21) notes this, as well. Some (see Rabbeinu Yehonatan and Nimukei Yosef cited in the footnotes to Sefer HaChinuch ibid) write that Oti is a reference to Moshe Rabbeinu. 48. Shulchan Aruch and Rama (Yoreh Deah 141:7). See Mabit (vol. 2 Yoreh Deah 35) and Shach (Yoreh deah 141:32) who read Tosafot as disagreeing with this principle. 49. Rosh (Avodah Zarah 3:5), Shulchan Aruch (Yoreh Deah 141:7) 50. Beit David

(Yoreh Deah 74), Chatam Sofer (Yoreh Deah 6:6), Yechave Da'at 3:64, Yabia Omer (vol. 10 Yoreh Deah 58:6) 51. Kisseh Eliyahu (Yoreh Deah 141:7), Rav Pe'alim (vol. 4 Yoreh Deah 10). Rav Ovadia (Yabia Omer vol. 10 Yoreh Deah 58:6) argues that their read of Shulchan Aruch is not correct and the Halacha follows the Beit David. 52. Ritva (Avodah Zarah 42b), Samag (Lavin 22) quoted by Maharshal, Perishah (Yoreh Deah 141:37), Taz (Yoreh Deah 141:15). Shach (Yoreh Deah 141:32) says that one is stringent is praiseworthy. The Maharit YD 35 argues that we should follow the Samag and brings a proof from Tosfot Yoma 54b. 53. Pitchei Teshuvah (Yoreh Deah 141:10) quotes She'elat Yaavetz 170 is who is very strict based on his readings of the aforementioned Rosh, Avnei Yashfeh 1:151 54. Ben Ish Chai (Shanah II, Masei 10), Halichot Olam vol. 7 pg 285, Masei 4-5, Yalkut Yosef (Kitzur Shulchan Aruch Yoreh Deah 141:2, 7) 55. Yabia Omer (vol. 3 Yoreh Deah 8, vol. 10 Yoreh Deah 58:6 page 372), Yechaveh Da'at 3:64, Halichot Olam (vol. 7 pg 281, Masei 3), Mekor Chaim 265:7, Binyan Av 1:37 based on Nachal Eshkol 3:50, Maharit YD 35, Pri Hasadeh 3:38, and Netsiv (Emek Shaylah 57:3). 56. Shiurei Beracha (Yoreh Deah 141:2), Nehar Mitzrayim (Hilchot Avodah Zarah 2), Teshuvot veHanhagot 1:804, Shevet Halevi 7:134:1, Avnei Derech 6:112 57. Rav Ovadia (Yabia Omer (vol. 3 Yoreh Deah 8) originally prohibited manufacturing them, but then seems to have retracted and permitted manufacture as well (Halichot Olam vol. 7 pg 281, Masei 3). See also , Binyan Av 1:37. 58. Avnei Derech 6:113 59. The Ramban Avoda Zarra 43b s.v. dakshinan holds that it is forbidden to draw a two dimensional image of a person. However, the Rambam Avoda Zara 3:11 holds that it is only forbidden if it is three dimensional. That is also the opinion of the Rosh Avoda Zara 3:5. Shulchan Aruch 141:5 codifies the opinion of the Rambam. 60. See Darkei Teshuvah (Yoreh Deah 141:35) who writes that both Rav Yaakov Emden and Rav Yonatan Eibeshitz were machmir not to allow people to draw their images even though people would benefit from seeing their face, photographs of even gedolim pictures are terrible, and that one should stay away. This is especially prohibited given the view of the Ramban and Ritva that even flat images are prohibited. The Mahari Azsod famously did not allow anyone to take his picture. This feeling is echoed by Rav Ovadia Hedaya (Yaskil Avdi (vol. 2 Kuntress Acharon, Yoreh Deah 11) who instructed a community in Poland whose leader wanted to have all of the kollel member's pictures taken to ensure only those who are identifiable and attending receive their stipends. He agreed that those who do not wish to have their picture taken should not be forced to forgo their stringent custom. The Ben Ish Chai (Shanah II, Masei 9 and Rav Berachot (Maarechet Tzadi, page 130b)) writes similarly that it is permitted according to the letter of the law, but for Kabbalistic reasons one should not be meikel. 61. Nehar Mitzrayim (Hilchot Avodah Zarah 3). Yabia Omer (vol. 4 Yoreh Deah 22:3, vol. 11 Orach Chaim 53), Yechave Da'at 3:63, Halichot Olam (vol. 7 pg 282, Masei 4), Yalkut Yosef (Kitzur Shulchan Aruch, Yoreh Deah 141:6), Teshuvot veHanhagot 3:263. Rav Ovadia argues that the Ritva was discussing dyed/painted images, because they protrude slightly, but even the Ritva would permit photos, as they are completely flat. He also testifies that the Rabbanim in Yeshivat Porat Yosef were lenient, except apparently Rav Ovadia Hedaya who was missing from a certain group picture. See Shevet HaLevi 7:134:5 who is unsure if a photo is the same as adam that's not protruding, because it happens on its own and Minchat Yitzchak 10:72 who thinks it's obviously prohibited to photograph the sun. 62. Teshuvot veHanhagot 3:263, Avnei Yashfeh 1:151 explaining a ruling of Rav Elyashiv 63. Chatam Sofer (Yoreh Deah 6:4) see also ibid 6:6. See Beit David Yoreh Deah 75. 64. Az Nidberu 8:59 relying on the Chochmat Adam that there is no chashad of Adam nowadays 65. Halichot Olam (vol. 7 page 285, Masei 4-5), Yalkut Yosef (Yoreh Deah 141:2, 7). Nevertheless, since we're discussing matters of Issurei Deoraita, the Ben Ish Chai (Shanah II, Masei 10) recommends being Machmir. 66. Kol Mevaser 1:14 writes that creating a protruding image of a human is a biblical prohibition of Lo Tasun Itti which is a detail of Avoda Zara. Therefore, he writes that one should give up one's life to avoid violating that prohibition. He cites the Minchat Chinuch 39. He also cites a story in Josephus (Antiques of the Jew v. 18 ch. 3 n. 1) about a town that opposed the Cesar's decree to put up flags with his image on them and were killed because of that. 67. Rambam (Sefer HaMitzvot, Lo Taaseh 4; Mishneh Torah, Hilchot Avodah Zarah 3:11), Tosafot Yoma 54a, Shulchan Aruch (Yoreh Deah 141:6) 68. Mordechai Avodah Zarah 840 quotes a Machloket Rabbeinu Ephraim and Rabbeinu Elyakim who seemingly disagree on whether or not one may install images of animals in synagogues. Rabbeinu Ephraim argues that animals are not included in Lo Taasun Itti, so they may be constructed, and they're not worshipped, so there's no chashad issue. Rabbeinu Elyakim rereads the sugya to prohibit owning images of animals, as well, so he had them remove the images of lions from the shul in Cologne. The Mordechai adds how the Rambam is lenient, and Maharam (Tosafot Yoma 54a) says how they may be distracting, but they're not assur. Plus, there's no chashad when they're flat, and even a Jew can make them, as we see from many instances in Shas. See Ohr Zarua (Avodah Zarah 203-204) and Hagahot Asheri ad loc, as well. The Beit Yosef (Yoreh Deah 141:6) paskens like R' Ephraim and resolves many of the objections R' Elyakim raises, and that is what he seems to pasken in Shulchan Aruch. However, in Avkat Rochel Siman 63, he adamantly argues that the Halacha follows R' Elyakim completely and arguing based on Teshuvot of the Rambam and the Rosh that anything distracting is forbidden to introduce into a shul setting, contradicting himself in Beit Yosef. Even more puzzling is that in Avkat Rochel Siman 66, he writes to be lenient like R' Ephraim! Many Acharonim attempt to resolve the blatant double contradiction, with a variety of resolutions and suggestions. At the end of the day, they all urge one to keep the images out of shul, especially if they protrude. Sephardic authorities report how they did not have this issue as much in their home countries. See Yaskil Avdi (vol. 1 Yoreh Deah 5, vol. 2 Yoreh Deah 9, and vol. 7 Siman 17), Tzitz Eliezer 3:24, Mishpetei Uziel 9:21-22, Nehar Mitzrayim (Hilchot Avodah zarah 1-6), Mikveh HaMayim (vol. 3 Yoreh Deah Siman 19), Yechaveh Daat 3:62, Yalkut Yosef (Yoreh Deah 141:9, 11; Orach Chaim 90:45), Emek Yehoshua (vol. 1 Yoreh Deah 20-21, vol. 2 Yoreh 19, vol. 6 Orach Chaim 30), Magen Avot (Lebhar, Yoreh Deah 141), Heichal Yitzchak (Orach Chaim 11), Iggerot Moshe YD 2:55, Rav Joseph B. Soloveitchik in Community, Covenant, and Commitment page 3, and Tefillatam Shel Yehudim, in Maayanot 8 pp 9-11 (reprinted in Mipninei HaRav page 34) 69. Shemot 22:19, Avodah Zarah 43a, Rosh Hashana 24a, Shulchan Aruch (Yoreh Deah 141:8). Rav Moshe Feinstein (Iggerot Moshe Yoreh Deah 3:33) notes how the measurements of all versions of the Mishkan and Beit HaMikdash are included. Halichot Olam vol. 7 pg 288 70. Rashba as quoted by the Ritva (Rosh HaShanah 24b and Avodah Zarah 43b) and Ran (Avodah Zarah 43b). 71. Pitchei Teshuvah (Yoreh Deah 141:12) 72. Minchat Chinuch 39:1 73. Rambam Sefer HaMitzvot (Aseh 20), Shevet HaLevi 3:106 74. Hasagot leSefer HaMitzvot Shoresh 12, Aseh 33. See Beis Yitzchok 29 pg. 454. 75. Ritva Avodah Zarah 43 and Rosh Hashanah 24a 76. Iggerot Moshe (Yoreh Deah 3:33), Halichot Olam vol. 7 pg 288 77. Ritva Avodah Zarah 43 and Rosh Hashanah 24a 78. Avodah Zarah 43a, Rosh HaShanah 24a, Shulchan Aruch (Yoreh Deah 141:8) 79. Shach (Yoreh Deah 141:35 80. Bechor Shor quoted in Pitchei Teshuvah (Yoreh Deah 141:14) 81. Shiurei Beracha (Yoreh Deah 141:8) 82. Mishpetei Uziel 2:18, Shevet HaLevi 10:129 83. Rav Ben Tzion Meir Chai Uziel (Misheptei Uziel 2:18) and Rav Ovadia Yosef (Yabia Omer vol. 2 Orach Chaim 12, Yechaveh Daat 3:61 and 7:142, Halichot Olam vol. 7 pg 288) were lenient because it's significantly different from the Menorah in the Mikdash, plus it's made by other people, even though the Shoel Meshiv thinks that a shinui in nerot isn't me'akev to be posel. Also, when used as a decoration in shul, the good intentions of wanting to adorn the miniature House of Hashem and the lack of intention to copy the Mikdash are additional reasons to be lenient. Yaskil Avdi (vol. 7 Yoreh Deah 16) quotes Rav Herzog who thought that the lack of beit kibbul is enough to be mattir, but he recommends one be strict since it's a Torah level prohibition. Yesodei Yeshurun R' Gedalia Felder vol. 1 page 47 (Maarechet Beit HaKnesset #31) quotes the Machloket. Rav Schachter (oral communication) recommends staying away. See also Rabbi Eli Mansour's Daily Halacha on iTorah 84. Rosh Hashana 24a, Avoda Zara 43a, Shulchan Aruch Y.D. 141:8 85. Mishna Middot 4:7, Rambam Bet Habechira 4:3. See there for the thicknesses of the walls. 86. Melachim 1:6:2, Bava Batra 3a 87. Pitchei Teshuva YD 141:13 citing Bet Efraim OC 10, Mikdash Dovid Kodshim 1:3 88. Mishna Middot 4:7, Rambam Bet Habechira 4:4. See there for the thicknesses of the walls. 89. Mishna Middot 5:1, Yoma 16b, Rambam Bet Habechira 5:4 90. Rashi Avoda Zara 43a, Shach 141:33 91. Darkei Teshuva 141:54 citing the Torat Moshe 92. Shach 141:34 based on Tosfot 93. Mikdash Dovid Kodshim 1:3 94. Pitchei Teshuva YD 141:12 citing the Tiferet Lmoshe is lenient, while the Darkei Teshuva 141:52 is strict. Darkei Teshuva quotes the Maharam Rotenberg cited by Bet Yosef s.v. vhashta, Pri Haadama v. 3 a"z ch. 3, Gra 141:21, and Shiurei Bracha 141:8 are strict. He does quote the Dvar Moshe 1:122 and Mekor Mayim Chaim who are lenient.

Parshas Devarim: Moshe Becomes ”Moshe Rabbenu”

by Rabbi Yitz Etshalom

I. INTRODUCTION

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

A) Historical Recounting (Chapters 1-11)

B) Mitzvot (Chapters 12-26)

C) Covenant Ceremonies (27-33)

(Chapter 34, describing Mosheh’s death, is a topic for a separate discussion)
Although we will focus our discussion on a few of the elements mentioned in the historical recitation/recounting (specifically those mentioned in the first three chapters; i.e. Parashat D’varim), we will also suggest, in broad strokes, some overarching themes of the entire Sefer – along with its purpose.

II. WHY ARE JUDGES MENTIONED HERE?

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

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

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

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

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

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

This narrative raises (at least) two questions:

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

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

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

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

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

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

III. THE FIRST ANSWER: PROPER VS. IMPROPER LEADERSHIP

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

We begin with an assumption that is fairly safe – that Mosheh was going to mention the story of the scouts (M'raglim) in this historic recitation. This is a safe assumption because that one event (solely, if not chiefly) is what caused the present situation – only now were we prepared to enter the Land, instead of having been there for nearly 39 years.
That being the case, Mosheh may be telling us about the judges in order to draw an "inverted parallel" with the disaster of the M'raglim. Note how he describes the genesis of the mission of the scouts (again, this telling is different than that in Parashat Sh'lach – see the note above):

I said to you, "You have reached the hill country of the Amorites, which Hashem our God is giving us. See, Hashem your God has given the land to you; go up, take possession, as Hashem, the God of your ancestors, has promised you; do not fear or be dismayed." All of you came to me and said, "Let us send Anashim ahead of us to explore the land for us and bring back a report to us regarding the route by which we should go up and the cities we will come to." vayiTav b'Einei haDavar (The plan seemed good to me), and I took from you twelve Anashim, one from each tribe. (1:20-23)
The association with the "judges" narrative is clear – the common Anashim is one connection, as well as the reaction (Mosheh's in one case, the people's in the other) – which includes the phrase Tov haDavar (albeit with some grammatical variation). Now that we see the association of these two stories, we can immediately spot the difference, as per this chart:

JUDGES – SCOUTS

Whose Idea? – Mosheh – The People

Who Approved? – The People – Mosheh

Who Selected the Anashim? – Mosheh – The People

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

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

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

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

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

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

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

IV. WHY THE HISTORICAL RECOUNTING?

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

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

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

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

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

V. SUMMARY OF QUESTIONS – AND ONE MORE

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

* Why did Mosheh mention the "judges" at the beginning of this historical recitation?

* Why did Mosheh share his charge to the judges with the B'nei Yisra'el?

* (Likewise) why did Mosheh share God's charge to him regarding Yehoshua with the B'nei Yisra'el?

* What is the purpose of this recitation, in which Mosheh recounts all of the events that happened to his audience's parents – but presents it in the second person, without mentioning the previous generation?

* What is the purpose of Sefer D'varim?

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

VI. THEME OF SEFER D'VARIM

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

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

FIVE UNIQUE BOOKS

Unlike the division into chapters, which is a foreign "overlay" onto the Torah (generally credited to Stephen Langton, an English churchman, who created this division in 1205 CE), the division into five books is inherent in the text itself. Not only does every Sefer Torah contain four blank lines between each Sefer, but each begins and ends in a style that is appropriate for a beginning or ending (as the case may be); case in point is the end of Vayyikra, the beginning of D'varim etc.
Each of these books reflects our relationship with haKadosh Barukh Hu through a different perspective:

B'RESHEET: THE PEOPLE AND THE LAND

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

SH'MOT: THE PARADIGM OF JEWISH HISTORY

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

VAYYIKRA: THE MISHKAN-RELATIONSHIP

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

BAMIDBAR: THE BOOK OF K'LAL YISRA'EL

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

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

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

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

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

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

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

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

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

VIII. THE "THREAT" OF RENEWAL

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

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

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

IX. THE SOLUTION

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

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

X. AFTERWORD

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

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

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

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

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

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SEFER DEVARIM Introduction

What is Sefer Devarim?

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

Is this really so?

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

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

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

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

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

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

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

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

INTRODUCTION

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

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

A BOOK OF SPEECHES

The key to understanding Sefer Devarim lies in the recognition that it contains a very important (albeit long) speech delivered by Moshe Rabeinu, prior to his death; as well as several 'shorter' speeches; one which introduces that 'main speech', and others that form its conclusion.

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

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

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

INDENTIFYING SPEECH #1

For example, let's take a quick look at the opening psukim of Sefer Devarim (1:1-7). Note how the first five psukim are written in third person:
"These are the devarim (words / speeches) which Moshe spoke to all of Israel... In the fortieth year on the first day of the eleventh month... in Arvot Mo'av, Moshe began to explain this Torah saying..." (see 1:1-5);

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

"God, our Lord, spoke to us at Chorev saying..." (see 1:6).
[Note how this pasuk, and those that follow are written in first person.]

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

INDENTIFYING SPEECH #2 [the 'main speech']

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

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

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

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

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

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

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

THE MAIN SPEECH

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

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

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

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

Let's take a careful look at how Moshe's begins this main speech, noting how he explains to the people what to expect:
"Listen Israel to the chukim & mishpatim which I am teaching you today, learn them and keep them..." (5:1).

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

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

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

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

INTRO TO THE MAIN SPEECH - OBLIGATION & COVENANT

As his first point, Moshe emphasizes how these laws (that he is about to teach) were given as an integral part of the covenant between God and Bnei Yisrael at Har Sinai:
"Hashem made a covenant with us at Chorev. Not [only] with our forefathers did God made this covenant, but [also] with us - we, the living - here today..." (5:2-3).

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

Recall as well how God had spoken the Ten Commandments directly to Bnei Yisrael as part of that covenant.
[Hence - the two tablets upon which they were inscribed are known as 'luchot ha-brit' - i.e. tablets of the Covenant.]

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

WHY MOSHE IS TEACHING THE LAWS

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

To clarify this, let's careful study these psukim, for they will help us understand the overall structure of the main speech:
"When you heard the voice out of the darkness, while the mountain was ablaze with fire, you came up to me... and said... Let us not die, for this fearsome fire will consume us... you go closer and hear all that God says, and then you tell us everything that God commands, and we will willingly do it..." (5:20-26).
[Keep in mind that from this pasuk we can infer that had Bnei Yisrael not become fearful, they would have heard additional mitzvot directly from God, immediately after these first Ten Commandments.]

Note how God grants this request (that Moshe should act as their intermediary) by informing Moshe of His 'new plan:
"Go, say to them: 'Return to your tents.' But you remain here with Me, and I will give you the mitzvah, chukim & mishpatim... for them to observe in the land that I am giving them to possess..." (5:27-28).

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

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

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

THE ELEVENTH COMMANDMENT

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

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

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

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

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

WHEN THIS SPEECH WAS FIRST GIVEN

So when did Bnei Yisrael first hear these mitzvot?

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

The answer to this question is found in Parshat Ki Tisa. There, in the story of how Moshe descended from Har Sinai with the second luchot, the Torah informs us:
"And it came to pass, when Moshe came down from Mount Sinai with the two tables of the testimony in his hand... and afterward all the children of Israel came near, and he [Moshe] commanded them all of the laws that God had spoken with him on Mount Sinai.
(See Shmot 34:29-32)

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

In other words, Moshe Rabbeinu reviews an entire set of laws in Sefer Devarim; laws that he had already taught to the first generation when they were encamped at Har Sinai. Hence, the laws in Sefer Devarim are indeed a review of a set of laws that Bnei Yisrael had already received. However, they are not a review of the laws that Chumash had already recorded.
[This point clarifies why so many people misunderstand what is meant when Sefer Devarim is referred to as a 'review of laws'. It is indeed a review of laws that Moshe Rabeinu had already taught Bnei Yisrael, but it is not a review of the first four books of Chumash.]

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

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

MISHNEH TORAH

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

Moshe begins this set of laws with an opening statement that reflects a tenet of faith:
"shema Yisrael Hashem Elokeinu Hashem Echad" (6:4)

This is followed by the most basic mitzva regarding attitude, which in essence is a way of life for every jew:
"ve-ahavta ..." - to love God with all your heart... (see 6:5),

Then, Moshe introduces the laws that he now plans to teach in a very interesting manner:
"ve-hayu ha-devarim ha-eileh...
- And these words [i.e. laws that will now follow]
that I am teaching you today must be kept in your heart - ve-shinantam - and you must repeat them (over and over) to our children and speak about them constantly, when at home, when you travel, when you lie down and when you get up..." (see 6:5-8).

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

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

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

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

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

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

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

BACK TO PARSHAT DEVARIM

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

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

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

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

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

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

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

Nonetheless, the next pasuk appears to be quite 'normal', and could easily have been the opening verse of the book:
"And it came to pass in the fortieth year on the first day of the eleventh month, Moshe spoke to Bnei Yisrael in accordance with the instructions that God had given him for them [after he had defeated Sichon]" (1:3-4).

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

Indeed, one who never studied Sefer Devarim should find himself terribly confused when reading these psukim. However, based on our shiur, it is possible to suggest a very simple explanation (that will find support in Ibn Ezra and Ramban as well).

A SUPER INTRO

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

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

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

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

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

This explanation fits in beautifully with both Ibn Ezra's & Ramban's interpretation of the word "devarim" in the first pasuk of Sefer Devarim, as both commentators explain that the word "devarim" refers specifically to the mitzvot that Moshe will teach later on in the main speech.
[Ramban explains that these devarim begin with the Ten commandments (i.e. from chapter 5), while Ibn Ezra explains that they begin with the chukim & mishpatim in Parshat Re'eh (see 12:1). The underlying reason for this controversy will be explained in our shiur on Parshat Va-etchanan. The reason why Rashi explains that devarim refers to the 'rebuke' will be discussed in our shiur on Parshat Ekev.]

When we consider this setting, the Torah's emphasis in the second pasuk on the eleven day journey from Har Sinai to Kadesh Barnea becomes quite significant. Recall, that this eleven day journey was supposed to have been Bnei Yisrael's final preparation before conquering the land (had they not sinned)! As such, Moshe found it necessary to teach and review these important laws several times during that journey. [Again, see Ibn Ezra inside.]

Now, in the fortieth year on the first day of the eleventh month, Bnei Yisrael find themselves in a very similar situation - making their final preparations for the conquest of the land. Therefore, Moshe gathers the people in Arvot Mo'av to teach and review these mitzvot one last time.

In this manner, the first four psukim of Sefer Devarim actually form the introduction to the main speech (chapters 5-26).

However, before Moshe begins that main speech, he

first makes an introductory speech that is introduced by 1:5 and continues until 4:40. That speech will be discussed iy"h in our next shiur (on Parshat Devarim).

Untill then,
shabbat shalom
menachem

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FOR FURTHER IYUN

A. FROM HAR SINAI TO SEFER DEVARIM

In our shiur, we showed how the main body of Sefer Devarim contains the mitzvot that Moshe Rabbeinu originally received on Har Sinai. However, Moshe received many other mitzvot on Har Sinai. Therefore, it appears that even though Moshe received all of the mitzvot on Har Sinai, each book of Chumash focuses on a different category. Therefore, the important question becomes - what characterizes the mitzvot found in other books of Chumash? Or, more directly, on what basis were the mitzvot distributed among the five books?

To answer this question, we simply need to review our conclusions from previous shiurim.

First of all, let's review the main themes of each Sefer that we have found thus far:

* BREISHIT - God's creation of the universe and His choice of Avraham Avinu and his offspring to become His special nation.
* SHMOT - The Exodus of Am Yisrael from Egypt; their journey to Har Sinai; Matan Torah; chet ha-egel, and building the mishkan.
* VAYIKRA - Torat kohanim, the laws relating to offering korbanot in the mishkan, and various other laws that help make Am Yisrael a holy nation.
* BAMIDBAR - Bnei Yisrael's journey from Har Sinai (with the mishkan at its center) towards the Promised Land; and why they didn't enter the Land.

With this in mind, let's see how the laws in Sefer Devarim may relate to what we have found thus far.

Recall that God's original intention was to take Bnei Yisrael out of Egypt, bring them to Har Sinai (to receive the Torah), and then immediately bring them to Eretz Canaan, where these mitzvot are to be observed.

At Har Sinai, Bnei Yisrael entered into a covenant and heard the Ten Commandments. As we explained, they should have received many more mitzvot after hearing the first Ten Commandments. However, they were overwhelmed by the awesome experience of Ma amad Har Sinai and thus requested that Moshe act as their intermediary.

It is difficult to ascertain the exact chronological order of the events following their request. However, by combining the parallel accounts of this event in Sefer Shmot (see 20:15-21:1, & 24:1-18) and Sefer Devarim (see chapter 5), we arrive at the following chronology:

* On the day of Ma'amad Har Sinai, God gives Moshe a special set of laws, better known as Parshat Mishpatim (i.e. 20:19-23:33), which Moshe later conveys to Bnei Yisrael (see 24:3-4). Moshe writes these mitzvot on a special scroll ['sefer ha-brit' (see 24:4-7)], and on the next morning he organizes a special gathering where Bnei Yisrael publicly declare their acceptance of these laws (and whatever may follow). This covenant is better known as 'brit na'aseh ve-nishma'. [See 24:5-11. We have followed Ramban's peirush; Rashi takes a totally different approach. See Ramban 24:1 for a more detailed presentation of their machloket.]
* After this ceremony, God summons Moshe to Har Sinai to receive the luchot & additional laws ['ha-Torah v-hamitzva'; see 24:12-13], and so Moshe remains on Har Sinai for 40 days and nights to learn these mitzvot. It is not clear precisely to what 'ha-Torah ve-hamitzva' refers, but we may logically assume that it is during these 40 days when Moshe receives the mitzvot he later records in Sefer Devarim. [Note the use of these key words in the introductory psukim of Sefer Devarim: Torah in Devarim 1:5, 4:44; ha-mitzva in 5:28 & 6:1.] [Moshe most likely received many other mitzvot as well during these forty days, possibly even the laws of the mishkan. (see famous machloket between Rashi & Ramban - and our shiur on Parshat Teruma.)]
* As a result of chet ha-egel, the original plan to immediately conquer the land of Israel requires some modification. Consequently, we never find out precisely which mitzvot were given to Moshe during the first forty days and which were transmitted during the last forty days. Either way, Bnei Yisrael themselves do not hear any of these mitzvot until Moshe descends with the second luchot on Yom Kippur (see Shmot 34:29-33). At this point, Moshe teaches Bnei Yisrael all the mitzvot he had received, though they are not recorded at that point in Sefer Shmot (see again Shmot 34:29-33).
* During the next six months, Bnei Yisrael build the mishkan and review the laws they had just received from Moshe. Once the mishkan is built in Nissan and the korban Pesach is offered (in Nissan & Iyar), Bnei Yisrael are ready to begin their 11 day journey from Har Sinai to Kadesh Barnea', the excursion that was to have begun their conquest of the land. Instead, the people fail with the incident of the meraglim, and the rest is history.

This background can help us appreciate how the mitzvot are divided up among the various sefarim of Chumash, even though most all of them were first given to Moshe at Har Sinai, or at the Mishkan in Midbar Sinai.

Let's discuss them, one book at a time:

SHMOT

Sefer Shmot records the Ten Commandments and Parshat Mishpatim since they comprise an integral part of Ma'amad Har Sinai, i.e. the covenantal ceremony in which Bnei Yisrael accept the Torah. Although Sefer Shmot continues with the story of Moshe's ascent to Har Sinai, it does not record the specific mitzvot that he received during those forty days! Instead, the remainder of Sefer Shmot focuses entirely on those mitzvot relating to the atonement for chet ha-egel (34:10-29) and the construction of the mishkan (chapters 25-31, & 35-40 / plus the laws of Shabbat which relate to building the mishkan).

The exclusive focus on these laws at the end of Sefer Shmot is well understood. The theme of the second half of Sefer Shmot revolves around the issue of whether or not God's Shchina can remain within the camp of Bnei Yisrael. Whereas the mishkan provides a solution to this dilemma, its taking center-stage in the latter part of Sefer Shmot is to be expected. [See Ramban s introduction to Sefer Shmot, ve-akmal.]

What about the rest of the mitzvot transmitted to Moshe on Har Sinai?

As we will see, some surface in Sefer Vayikra, others in Sefer Bamidbar, and the main group appears in Sefer Devarim!

VAYIKRA

Even though Sefer Vayikra opens with the laws given from the ohel mo'ed (see 1:1), many of its mitzvot had already been presented on Har Sinai. This is explicit in Parshat Tzav (see 7:37-38); Parshat Behar (see 25:1); and Parshat Bechukotai (see 26:46 & 27:34). Certain parshiyot of mitzvot

such as Acharei Mot obviously must also have been given from the ohel mo'ed, but there is good reason to suggest that many of its other mitzvot, such as Parshat Kedoshim, were first given on Har Sinai.

So why are certain mitzvot of Har Sinai included in Sefer Vayikra? The answer is quite simple. Sefer Vayikra is a collection of mitzvot dealing with the mishkan, korbanot and the kedusha of Am Yisrael. Sefer Vayikra, better known as torat kohanim, simply contains all those parshiyot that contain mitzvot associated with its theme. Some were given to Moshe on Har Sinai, while others were transmitted from the ohel mo'ed. [See previous shiurim on Sefer Vayikra for more detail on this topic.]

BAMIDBAR

Sefer Bamidbar, we explained, is primarily the narrative describing Bnei Yisrael's journey from Har Sinai towards Eretz Canaan. As we explained in our shiurim on Sefer Bamidbar, that narrative is 'interrupted' by various parshiyot of mitzvot, which seem to have belonged in Sefer Vayikra. [For example: nazir, sota, challa, nsachim, tzitzit, tum'at meit, korbanot tmidim u-musafim, etc.] These mitzvot were probably first given to Moshe on Har Sinai (or some possibly from the ohel mo'ed, as well). Nonetheless, they are included in Sefer Bamidbar because of their thematic connection to its narrative.

DEVARIM

Now we can better understand Sefer Devarim. The books of Shmot, Vayikra, and Bamidbar contained only a limited sampling of the mitzvot that God had given to Moshe on Har Sinai, each Sefer recording only those mitzvot related to its theme. Sefer Devarim, as it turns out, is really our primary source of the mitzvot taught to Moshe on Har Sinai. As we explained above, this is exactly what chapter 5 indicates. [Recall that chapter 5 is the introductory chapter of Moshe's main speech, the presentation of the mitzva, chukim & mishpatim.]

Expectedly, these mitzvot of Har Sinai recorded in Sefer Devarim are presented in an organized fashion and share a common theme. To identify that common theme, let's take a look once again at the introduction to this collection of mitzvot:

"And this ('ve-zot') is the mitzva, chukim & mishpatim that God has commanded me to teach you to be observed in the land which you are about to enter..." (6:1-3 / see also 5:28).

The mitzvot of Moshe's main speech are simply a guide for Bnei Yisrael s conduct as they conquer and settle the land. [As we study the Sefer, this theme will become quite evident.] Therefore, practically speaking, this speech contains the most important mitzvot that Bnei Yisrael must follow as they enter the Land and establish their society. As these laws are so important, they must be studied 'over and over' again [= mishneh Torah].

Hence, it is only logical that Moshe decides to teach these mitzvot at a national gathering (as he is about to die and Bnei Yisrael are about to enter the Land). This also explains why these mitzvot will be taught once again on Har Eival, after Bnei Yisrael cross the Jordan (see Devarim chapter 27), and then again thereafter, once every seven years at the hakhel ceremony (see 31:9-13; notice the word Torah once again!).

B. BETWEEN THE NARRATIVES IN DEVARIM & BAMIDBAR

This understanding of the purpose and theme of each sefer helps explain the many discrepancies between the details of various events as recorded in Shmot and Bamidbar, and their parallel accounts in Sefer Devarim. (A classic example is chet ha-meraglim.) Neither book records all the details of any particular event; instead, each sefer records the events from the unique perspective of its own theme and purpose.

In the shiurim to follow, this understanding of the nature of Sefer Devarim will guide our study of each individual Parsha. Our shiur on Parshat Devarim (to follow) will be a direct continuation of this shiur. Till then,

C. TORAH SHE-BA'AL PEH

In the above shiur, we showed how the various mitzvot that Moshe received on Har Sinai are distributed among the various sefarim of Chumash, based on the theme of each Sefer. What about the mitzvot which Moshe received on Har Sinai that, for one reason or other, 'never made it' into Chumash? One could suggest that this is what we call 'halacha le-Mosheh mi-Sinai' in Torah she-ba'al peh (the Oral Law). This suggestion offers a very simple explanation of how the laws that Moshe received on Har Sinai are divided up between the Oral Law and the Written Law. Based on our shiur, that Moshe must have received many other laws on Har Sinai which were not included in any sefer in Chumash is almost pshat!

Obviously, the division between what became the Oral Law and the Written Law was divinely mandated and not accidental. Our above explanation simply makes it easier to understand how this division first developed. It also helps us understand why Torah she-ba'al peh is no less obligatory than Torah she-bichtav.

[See also Ibn Ezra to Shmot 24:12, re:"ha-Torah ve-hamitzva...," which may refer to the Written and Oral Laws.]

Furthermore, the prominent view in Chazal that all the mitzvot were first given on Har Sinai, repeated from the ohel mo'ed, and then given one last time at Arvot Mo'av. Our discussion shows how this statement actually reflects the 'simple pshat' in Chumash, once one pays attention to the story that Moshe tells as he begins his main speech in Sefer Devarim!

PARSHAT DEVARIM

[shiur revised 5765]

Why are there so many details in Parshat Devarim that appear to contradict what was written earlier in Chumash?

[For example, the story of: the "meraglim" (1:22-40 vs. Bamidbar 13:1-22), whose idea it was to appoint the judges (see 1:12-18 vs. Shmot 18:13-26), and how we confronted Edom in the fortieth year (see 2:4-8 vs. Bamidbar 20:14-).

In contrast to the 'heretical' solutions offered by the 'bible critics' - in the following shiur we suggest a very simple and logical reason for these discrepancies - based on our understanding of the overall theme and structure of Sefer Devarim, as discussed in our introductory shiur.

Therefore, we must begin our shiur with a quick review of the conclusions of that shiur - in order to understand the purpose of Moshe Rabeinu's first speech, which comprises the bulk of Parshat Devarim.

[If you didn't read that shiur, it is available on the web-site at www.tanach.org/dvarim/dvarint.pdf.]

INTRODUCTION

In the first four chapters of Sefer Devarim, Moshe Rabeinu delivers a speech to Bnei Yisrael, which serves as an introduction to his 'speech of Mitzvot' - the main speech (chapters 5 thru 26).

In that 'main speech', Moshe teaches a complete set of laws that Bnei Yisrael must keep as they conquer the Land, and establish their nation. Even though Moshe first received (and taught) those laws forty years earlier, he must teach them one last time, before his death - as the new generation now prepares to enter the Land.

Our shiur will demonstrate how the first speech introduces the main speech, which will then enable us to explain why its details may differ from their parallel accounts in Sefer Shmot and Bamidbar.

We begin our study by noting how and where the first speech begins.

THE OPENING LINE

In our introductory shiur, we explained how the first four psukim of Parshat Devarim (1:1-4) serve as an intro to the entire book, and hence introduce the main speech (that doesn't begin until chapter five). It is specifically the fifth pasuk that introduces the first speech:

"In Transjordan in Moav, - "ho'eel Moshe" - Moshe BEGAN explaining this TORAH saying:Y" (See 1:5, and Rashi!)

[The phrase "ha'Torah ha'zot" refers to the main speech (that begins in chapter five), as Sefer Devarim consistently uses the word "torah" in this context - see 4:44, 17:18 and 27:3 & 8.]

Hence, the next pasuk begins the actual speech - with Moshe telling Bnei Yisrael:

"Hashem spoke unto us in Chorev [=Har Sinai] saying: 'You have dwelt long enough in this mountain; "turn you, and take your journey, and go to the hill-country of the Amorites and unto all the places... the land of the Canaanites,as far as the great river, the river Euphrates. "

Behold, I am giving you the land: **go in and possess it**, which Hashem swore unto your forefathers..." (see 1:6-8)

When Moshe begins his speech by retelling how Bnei Yisrael left Har Sinai, it may appear that he is simply beginning a short historical review of everything that happened during their journey in the desert. However, as we read on, we'll see how the details that Moshe Rabeinu recalls, relate directly to the topic of the main speech. Let's explain why he begins with 'leaving Har Sinai'.

DEJA - VU

Recall that the mitzvot of the main speech were first given to Moshe at Har Sinai, and they were taught at that time, because Bnei Yisrael were supposed to travel from Har Sinai directly to the Land of Israel. Now, it is forty years later, and the new generation is in a very similar situation, i.e. ready to enter the land. Just as Moshe had taught their parents' generation these laws at Har Sinai - now he is teaching the new generation.

As the laws of the main speech relate to what Bnei Yisrael must do when they enter the land, Moshe begins his speech by explaining to the nation why forty years have passed since these laws were first given.

[Note that even though this may sound like a similar account Parshat Yitro (see Shmot 18:13-26), based on the context, the primary parallel is to Bamidbar chapter 11. See also Ibn Ezra (and Rashi) in Shmot 18:13, who explain that this story of the appointment of judges actually took place after the Torah was given, and hence, that chapter is out of place. Note as well how Shmot 18:27 may be parallel to Bamidbar 10:29-33!]

But what is the thematic importance of Moshe's discussion about the appointment of these judges? Even if those events took place 'at that same time' [see 1:9], these details don't appear to share any thematic connection to the story of the spies, nor to the laws of main speech! So why does Moshe mention it at all?

This neatly explains why the story of the spies emerges as the primary topic of chapter one (see 1:19-45) - for that sin was the principal reason for this forty year delay. [If Sefer Devarim was a simply a review of Chumash, then there are many other stories that Moshe should have mentioned beforehand!]

However, before Moshe retells the story of the spies, he inserts a short 'digression' regarding the appointment of judges, as detailed in 1:9-18, which at first glance appears to be superfluous.

Let's take a look at what this 'digression' includes; afterward we will suggest a reason for its inclusion.

WHAT DO JUDGES HAVE TO DO WITH ALL THIS?

Review 1:6-22, noting how it would have made much more sense for Moshe to go from 1:8 directly to 1:19 (please verify this on your own). Nonetheless, this more logical flow is 'interrupted' by what appears to be an unrelated statement:

"And I spoke unto you 'at that time', saying: 'I am not able to lead by myself..." (1:9)

Moshe's statement, even though it sounds at first bit negative, does not have to be understood as a complaint. In fact, the next two lines come precisely to counter that impression:

"Hashem has multiplied you, and, behold, you are this day a multitdue as the stars of heaven. Hashem, the God of your fathers, should make you a thousand times so many and bless you, as He promised you! (1:10-11)

[btw, note the parallels to Breishit 15:5-7!]

Moshe's inability to carry the burden of the entire nation stemmed from their population growth, which Moshe now explains was the fulfillment of a divine blessing.

In fact, based on the context of 1:6-8, the phrase "b'et ha'hi" [at that time] in 1:9 must relate to the time when Bnei Yisrael first left Har Sinai - as recorded in chapter 11 in Sefer Bamidbar. And sure enough, we find almost that identical wording in a statement that Moshe had made precisely 'at that time':

"lo uchal anochi l'vadi la'set et kol ha'am..." - I myself am not able to lead this nation... (see Bamidbar 11:14!)

In response to Moshe's 'complaint', God commanded Moshe to share his leadership with the 'seventy elders' (see Bamidbar 11:16-29). That response is reflected in Moshe next statement in his speech in Sefer Devarim, explaining how his burden of leadership was alleviated by the appointment of judges, in a hierarchal system of leadership:

"How can I alone bear your cumbrance, and burden, and disputes? [Therefore,] Get you, from each one of your tribes, wise men, and understanding, and full of knowledge, and I will make them heads over you... So I took the heads of your tribes, wise men, and full of knowledge, and made them heads over you, captains of thousands, and captains of hundreds, and captains of fifties, and captains of tens, and officers, tribe by tribe. And I charged your judges at that time, saying: 'Hear the causes between your brethren, and judge righteously between a man and his brother, and the stranger that is with him... and the case that is too hard, you shall bring unto me, and I will hear it'. (See 1:12-17.)

JUDGES AND/OR TEACHERS

The answer to this question lies in the next (and final) pasuk of this 'digression':

"And I commanded **you** [the people] 'at that time' - et kol ha'DEVARIM - all the things which you should do." (see 1:18)

Pay attention to the phrase "va'atzave **etchem**" - which must refer to the people, and not the judges.

[You can prove this by simply comparing "v'atzave **et shofteichem**" in 1:16, to "v'atzave **etchem**" in 1:18!]

This short pasuk, even though it is often 'overlooked', connects everything together. Moshe explains that at that time, i.e. after appointing the judges, as Bnei Yisrael prepared to leave Har Sinai, he had commanded the people in regard to all the - DEVARIM - which they must do.

But what are those 'DEVARIM'?

Based on our introductory shiur, the answer should be obvious! These are the same '**devarim**' that:

- the opening pasuk of Sefer Devarim refers to (see 1:1)
- "v'hayu ha'devarim ha'eyleh" refers to (see 6:6)
- which are none other than the laws of the main speech of Sefer Devarim! [See Ibn Ezra & Chizkuni on 1:18.]

This makes perfect sense, for that special set of laws (that require constant repetition /"mishne Torah") relate to what Bnei Yisrael will need to keep when they enter the land. Therefore, when Bnei Yisrael first left Har Sinai forty years earlier, Moshe had taught the people these laws - **with the help of these judges;** and now forty years later, he reminds the people of those events, as he is about to teach them those laws one last time.

As it is the responsibility of the appointed judges to assist with the teaching of these laws (and their implementation /see 27:1-8!), Moshe includes those events at the beginning of his introductory speech.

Unfortunately, that generation failed. It is now Moshe's hope [and goal], that this generation will fare much better.

As Moshe's introductory speech focuses on Bnei Yisrael's need to be prepared for their conquest of the land, and their need to study the relevant laws, it actually makes sense that he mentions the appointment of judges first - for they will be the key towards the success of this endeavor. [Note as well 16:18 in the main speech.]

Finally, this interpretation of the word "devarim" in 1:18, explains why Moshe continues his speech by returning to their journey from Chorev to Kadesh Barnea (see1:19). Based on our understanding that 1:2 describes how the laws of the main speech were taught and studied during the eleven day journey from Chorev to Kadesh Barnea (see Ibn Ezra), then the detail in 1:18-19 refer to this very same point!

WHERE'S YITRO?

This interpretation can also explain why Yitro himself is not mentioned in this speech. Even though Devarim 1:15-17 may sound very similar to Shmot 18:14-22, the purpose of Moshe's speech is not to give a complete historical review of every event that transpired in the desert. Instead, it focuses on this special set of laws that Moshe is about to teach.

Therefore, there is no need to mention (at this time) whose original idea it may have been to set up this hierarchal judicial system. Instead, it is important to know that the judicial system that has been set up is there to serve the people, and it will facilitate their ability to establish themselves as God's nation in the land. [See again 27:1-8, noting again the parallel to Bamidbar chapter 11.]

WHO SENT THE SPIES?

Moshe continues his speech with the story of the "meraglim" [the spies]. As we explained, his purpose is to explain to the new generation why the first generation failed, in hope that they will

To summarize, we have shown the underlying logic behind the flow of topic in Moshe's opening speech (through at least the middle of chapter two), by considering the purpose of that speech .

THE PEP-TALK

Let's show now how the next section of this speech forms a reasonable continuation for this 'pep talk'.

In contrast to all the events that people may have viewed as a sign of fare better. Therefore, Moshe retells those events from that perspective, blaming the people (more than their leaders) for the failure of that generation - for he wants to make sure that the people do not become fearful again (as their parents did).

Note how critical this point is; for if one understands Sefer Devarim as a review of Chumash, then he is confronted with unachievable task of resolving the obvious contradictions between these two accounts. However, once it is understood that Moshe is telling over those events as part of a 'pep-talk', it makes perfect sense that he emphasizes only the details that are relevant to the theme of his speech.

For example, as leadership is an underlying theme is Sefer Bamidbar, Parshat Shelach highlights the fault of the nation's leaders in those events. In contrast, as Moshe is worried that the nation may 'chicken out' once again, he will emphasize that generation's fear and lack of faith & motivation.

[To ascertain what really happened would require a lot of 'detective' work, but recording those events in their entirety was neither the goal of Sefer Bamidbar nor Sefer Devarim!

You could compare this to twoTV cameras (one in the end zone and one on the sideline) filming a football game. Even though each camera is filming the same game, each one only shows the game for its own angle.]

THE MAAPILIM

Moshe includes the story of the "maapilim" (see 1:40-45), for it forms the conclusion of the "mergalim" incident. However that specific story, and those that follow, may have been included for an additional reason.

Moshe Rabeinu seems to be quite fearful (and rightly so) that the nation may 'chicken out' once again. In fact, realistically speaking, the people have some very good reasons to worry. Let's review them.

First of all, the last time they tried to conquer the land of Israel (see Bamidbar 14:40-45), they suffered a whopping defeat. Now Moshe may have explained that this was because God was not in their midst. However, surely the skeptics among them may have retorted that the very idea of conquering the land of Canaan was futile from the start (see Bamidbar13:31-33).

Furthermore, only less than a year earlier, the entire Israelite nation was challenged by the army of Edom, demanding that they not dare trespass their land (see Bamidbar 20:14-21). Instead of fighting, Moshe led them though a lengthy 'by-pass road'. Surely, many of the 'right-wingers' among the people viewed this as a sign of weakness. If they couldn't stand up to the threats of Edom, how could they stand up to the threats of all the nations of Canaan!

Finally, it may look a little suspicious that Moshe's encouraging words that the time has now come to conquer the land just so happens to coincide with his announcement of retirement!

Any (or all) of the above reasons may have raised doubts among the people. Therefore, in his opening speech, Moshe must allay these fears by explaining the divine reason for those actions:

1) The 'maapllim' lost because God was not in their midst (see 1:42)
2) We didn't trespass Edom, for 'family' reasons (see 2:4-8)
3) We didn't trespass Moav for similar reasons (see 2:9-12)
4) We waited forty years because of "chet ha'mergalim (see 2:13-17)
5) We didn=t' attack Amon for divine reasons as well (see 2:18-23)

weakness, Moshe now goes into minute detail of how Bnei Yisrael achieved remarkable success in their military campaign against Sichon & Og (see 2:24 thru 3:20).

Note how in Moshe's account of the war against Sichon and Og, we find many more details than were recorded in Sefer Bamidbar. The reason why is simple, for that battle is Moshe's best proof (for this new generation) that God is indeed capable of helping them, and hence - 'no need to fear'.

Even the settlement of the two and half tribes in Transjordan (see 3:12-20) is presented in a positive light, for it provides addition support to Moshe's claim that it is indeed possible to successfully conquer the mighty nations of Canaan. Moshe presents those events to show that battle against Canaan has already begun, and thus far has been quite successful! Crossing the Jordan, and entering the land won't be something 'new', but rather a continuation of the task that has already been partially fulfilled.

Simply note, how Moshe concludes this section of this speech with these words of encouragement:

> "And I commanded Yehoshua at that time, saying: '**Your own eyes have seen** all that Hashem has done unto these two kings; so shall the LORD do unto all the kingdoms where you go. You shall not fear them; for the LORD your God, He it is that fights for you." (see 3:21-22)

In case you didn't notice, we've already reached the conclusion of Parshat Devarim.

In Parshat Ve'etchanan, Moshe will continue this speech, by explaining why he himself will not be coming with them (once again, for divine reasons/ see 3:23-27).

Iy"h we will continue this study of Moshe's opening speech next week.

Till then,

shabbat shalom
menachem

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FOR FURTHER IYUN

1. Based on the shiur, attempt to explain the actual differences between the Torah's account of "chet ha'meraglim" here in Sefer Devarim and in Parshat Shelach.

2. Compare the account of the Bnei Yisrael's battle against Sichon and Og here in contrast to the account in Parshat Chukat. Explain why the account in Devarim lays more emphasis on the nature of these battles as conquest.

3. Recall our study of 1:9, and the phrase "ba'et ha'hee":

> "And I told you AT THAT TIME saying: 'I can no longer carry the burden of leading you by MYSELF." (1:9)

Even though this may sound like Yitro's observation that Moshe is working too hard (see Shmot 18:13-18), it can't be for two simple reasons:

1) Moshe says that it was his own complaint.

2) The pasuk says "b'et ha'hee" - AT THAT TIME, i.e. the time that they left Har Sinai on their journey to Eretz Canaan, and Yitro came almost a year earlier (or at least some six months earlier, see Rashi Shmot 18:13).

However, there is a much better source in Parshat B'haalotcha that matches this pasuk not only chronologically, but also thematically and textually! Recall that immediately after Bnei Yisrael left Har Sinai (note Bamidbar 10:33-36), we encountered the sin of the "mitavim" (see Bamidbar 11:1-10). Let's take a look now at Moshe's reaction to that sin:

> "And Moshe said to God: Why have you been so evil to me by putting the BURDEN of leading this people ("masa ha'am") upon me! Did I give birth to themי I MYSELF CAN NO LONGER CARRY THE BURDEN [to lead] this nation for it is too much for meי" (see 11:11-15)

Note how (1) this story takes place "ba'et ha'hee" - at this exact time - as Bnei Yisrael leave Har Sinai on their journey. (2) Moshe Rabeinu himself complains that he can no longer carry the burden of their leadership; and (3) we find the identical Hebrew words "lo

> your punishment should you not follow these forthcoming mitzvot, and the eternal option to do 'teshuva'.
>
> uchal anochi L'VADI LA'SET et kol ha'am ha'zeh" (Bamidbar 11:14/ compare Devarim 1:9)!

Furthermore, recall God's reaction to Moshe's complaint - He takes from Moshe's spirit ["ruach"] and divides it among the seventy elders of Israel, i.e. the nation's religious leadership. Thematically, this fits in very nicely with Moshe's opening speech, for now (in Sefer Devarim) we find Moshe's leadership being passed on to a new generation of leaders. Furthermore, it is precisely the job of these national leaders to teach and clarify the laws that Moshe will now teach them in his main speech. As noted in 1:18:

> "And I commanded you at that time - all of the DEVARIM that you must do."

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A SUMMARY OF THE FIRST SPEECH

The following outline reviews the main points of the first speech. It can serve as a review of this week's shiur, and preparation for next week's shiur:

A) INTRO

1:1-5 Opening narrative explaining background of the main speech. (what, when, where, etc.).

[the 'double introdcution']

B) FROM HAR SINAI TO ARVOT MOAV

The reason for the 40-year delay.

1:6-11 The original trip from Har Sinai to Eretz Yisrael, (what should have happened back then, instead of now).

1:12-18 Moshe's leadership shared with the elders etc. (they will help lead, judge, and teach the laws)

1:19-40 "Chet ha'Meraglim" - the REASON why that generation did not enter the Land, and why forty years have passed.
[Accented in this account is not to fear nations of Canaan like the previous generation had feared them.]

2:1-23 The journey from Kadesh, around Har Seir until Nachal Zared. The death of "Dor HaMidbar" (2:14-16)

Explaining why Edom, Moav & Amon were not trespassed.
[Edom, Moav, and Amon were not attacked due to a divine command and NOT because Bnei Yisrael were not able to fight them!]

2:24-30 The challenge of Sichon to battle, God's involvement /2:30)

2:31-3:22 The war against Sichon, and Og King of Bashan, Conquest of most of Transjordan, Inheritance of Reuven and Gad, and Menashe', and their promise to assist in the conquest of Canaan.
[Note God's assurance to assist the people, based on these events in 3:20-22.]

3:23-29 Moshe's final request to see the Land.

C) INTRODUCTION TO THE MITZVOT

4:1-24 General principles regarding mitzvot in forthcoming speech,
i.e. not to add or take away, their purpose- to be a example for other nations, not to worship God through any type of intermediary after Moshe dies.

4:25-40 a 'mini- tochacha',

4:41-49 - A short narrative explaining how Moshe designated the three cities of refuge in Transjordan, followed by several introductory psukim for the forthcoming main

speech.]

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