

Potomac Torah Study Center

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Tisha B'Av is next Wednesday evening and Thursday

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. We mourn those of our people who have perished since attacks have resumed. May the IDF and the U.S. soon force Iran to seek peace, and may a new era bring security and rebuilding for both Israel and all others who genuinely seek peace.

Note: My upcoming schedule for Devrei Torah: Vaetchanan (July 24) – short week with Tisha B'Av. Unlikely to print. July 31 (Eikev) – away, no issue. August 7 (Re'eh) – away, no issue. August 14 (Shoftim): soon after our return – no promises but will try to print. During my absence, visit my archives at PotomacTorah.org for issues from the last several years.

We always read Parshat Devarim the Shabbat before Tisha B'Av, and we stop reading the first aliyah before verse 12, where Moshe releases his anguish with "*Eicha*," asking how he can carry the contentious disputes of the people. Rabbi David Fohrman delves into Moshe's introduction to Sefer Devarim. His conclusion: Moshe is giving the people a pep talk, just as every sports coach does before a big game. His message is that God has never let down our people, and He will take care of the people after Moshe is gone. With Hashem's help, the people can and will thrive in the land that He promised to our ancestors.

On Tisha B'Av, we read Sefer *Eicha*, Yeshayahu's lamentations over the destruction of the Beit HaMidrash, which takes place during his prophesy. Tisha B'Av is the saddest day of the year, the day on which the people accept the majority report of the meraglim and cry about not being able to enter the land. God is furious at the people for rejecting His most special gift to B'Nai Yisrael, decrees that the people will have many more reasons to cry on that day, and rules that none of the adults of the Exodus, except Caleb and Yehoshua (who argued that Hashem would ensure that the Jews would capture the land), will live to enter the promised land. Numerous other disasters have taken place on Tisha B'Av over the years (a subject readily available to read elsewhere).

Yeshayahu's message to himself and to us is that we must not blame God for the evil that comes to us. Hashem created the world and gave us a guide – the Torah – to direct us to seek as perfect a world as possible (Rabbi Ovadia). Evil is a natural result of our misdeeds – it is not an arbitrary punishment. Yeshayahu tells us to direct our efforts to learn and work to improve the future.

On Tisha B'Av, we fast for 25 hours, refrain from enjoyable activities, sit only on the ground or low chairs until after mid day, refrain even from reading Torah (except mournful sections), etc. Although the saddest day of the year, Tisha B'Av is a "moed," a special day, like Shabbat, Rosh Hodesh, and Yom Tov – a day when we do not recite Tachanun. Our tradition is that the Mashiach is born on Tisha B'Av and that in the future, Tisha B'Av will become the happiest day of the year. Moreover, Tisha B'Av flows into Tu B'Av, only six days later. Tu B'Av is a day for engagements and love (including the

anniversary of the day on which our son Evan and his wife Heather became engaged – at a wedding that they attended together).

Rabbi Marc Angel recounts the story in the Talmud of Kamtsa and Bar Kamtsa (below). A wealthy man gives a party and has his servant invite his close friend Kamtsa. The servant by mistake invites the man's bitter enemy, Bar Kamtsa. The host rudely insults Bar Kamtsa, and the spurned guest finds a way to accuse the Jews falsely of uprising against the Roman rulers. The Romans take revenge by destroying the Temple, killing many of the Jews, and forcing the remaining Jews to leave Jerusalem.

Rabbis Angel and Mordechai Rhine discuss the story in depth. Who is primarily at fault for the destruction of the Temple in 70 CE? Rabbi Angel asks why the Rabbis at the dinner party are silent and do not prevent the host from insulting his guest (invited though by error). Rabbi Rhine claims that by Halacha, the guest cannot force himself on the host – but this is a situation where a Beit Din should obligate itself to find a compromise and go beyond strict legality.

Rabbi Label Lam addresses a similar situation. The principal of a yeshiva decides to give each sixth grade student special recognition for a unique quality he or she expresses during the year. The class Rebbe calls up each student for special recognition and an award. The Rebbe omits one student, and the boy's sister complains. Rabbi Lam rushes downstairs to find and console the omitted boy. He cannot make up for the omission – so the Rabbi asks the boy to give him a bracha that his daughter should find a shidduch. The boy gives the bracha, and Rabbi Lam brings the boy upstairs to praise him in front of everyone. Very soon, a store owner introduces Rabbi Lam's daughter to a fine young man, and they end up becoming engaged. Looking back, they discover that the introduction comes the same day as the boy's bracha. From Tisha B'Av, in six days we come to Tu B'Av – and the sixth grade boy soon learns that his bracha leads to a shidduch from an introduction the same day as his bracha. Yes, with proper middot, we can turn great sorrow into tremendous joy.

Rabbi Dr. Katriel (Kenneth) Brander focuses on the contrast between Kings, which describes King Chizkiyahu as the greatest of kings of Israel (II Kings 18:3-6), and Yeshayahu, who cries out against the same generation for pious observation without considering fellow Jews. Yeshayahu's message is that a life of Torah requires more than observing the mitzvot of Shabbat and kashrut. We must not stand by idly while others spill blood fighting for Israel. Rabbi Brander's blog earlier this week makes the same point. We cannot look to rebuilding the Beit HaMikdash until Israel is truly a land for unity and social justice. Rabbi Lord Jonathan Sacks, z"l, reminds us that Hashem reveals Himself through laws. From Aseret Dibrot, we go to Mishpatim, with 53 mitzvot, all translating the Ten Statements into specific laws. However, Moshe quickly discovers that ordinary people cannot live with the Divine Justice standard of Har Sinai. After Egel Zahav, Moshe argues with God until Hashem presents a new covenant, based on Divine Mercy. As Rabbi Rhine tells us, there are times when we must go beyond strict legal enforcement and focus on what our fellows in society need. Micah teaches us what God requires of us (ending of Haftorah for Balak): only to do justly, to love kindness, and to walk humbly with God! Strict pious observance is nothing without chesed.

My beloved Rebbe, Rabbi Leonard Cahan, z"l, and his wonderful wife Elizabeth, invited us to share holidays and much more, to see how inspiring their home and family were. We became close to many of their relatives over the years. Spending time with them, and discussing many aspects of our heritage, we became more religious and learned more of the beauty of our religion. As we begin reading Sefer Devarim, and as we prepare for Tisha B'Av, may we find additional ways to improve in both chesed and mitzvot. In this way, may we do our part to make the world a better place. Ultimately, may our children and grandchildren live to see the time when Tisha B'Av becomes a joyous holiday rather than the saddest day of our lives. I'll be off for a few weeks, some of the time in Israel with our family.

Shabbat Shalom,

Hannah & Alan

Much of the inspiration for my weekly Dvar Torah message comes from the insights of Rabbi David Fohrman and his team of scholars at www.alephbeta.org. Please join me in supporting this wonderful organization, which has increased its scholarly work during 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; Avram David ben Zeez Esther; 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; Rena Michal bat Sara, 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.

Haftarat Shabbat Hazon: Jerusalem on a Split Screen

By Rabbi Dr. Katriel (Kenneth) Brander *
President and Rosh HaYeshiva of Ohr Torah Stone

Rabbi Brander dedicates his Dvar Haftarah this week to the heroic soldiers, security forces and first responders of the IDF, defenders of the Jewish people and the land of Israel, and the United States Armed Forces, defenders of liberty and justice for all. May Hashem protect them and bring them all home speedily and safely.

[Ed. note: emphasis added below as Rabbi Brander calls all Jews to work for social justice.]

Shabbat Hazon, named for the opening word of this week's haftarah – hazon, meaning "vision" – is read on the final Shabbat before Tisha B'Av. Its opening verses present us with a puzzle.

The prophet Yeshayahu, speaking in the time of King Chizkiyahu, delivers one of the most searing indictments in all of Tanakh: *"Even an ox knows its owner, a donkey its master's trough; Israel does not know, My people do not consider. Woe to the sinning nation, a people weighed down with iniquity"* (Isaiah 1:3–4). Yet the Book of Kings describes that very same generation in radically different terms: *"He did what was pleasing to GOD, just as his forefather David had done...He trusted only in the ETERNAL the God of Israel; there was none like him among all the kings of Judah after him, nor among those before him... kept the commandments that GOD had given to Moses."* (II Kings 18:3–6)

How can both be true? **How can the same city, the same people, at the same moment, be portrayed so differently? How do we hold this split screen — Yeshayahu's moral ruin alongside Melakhim's spiritual praise?**

In the past, I struggled to reconcile these competing visions. Today I no longer do. When I read this haftarah and look at my own contemporary Jerusalem, I see both images clearly.

There is so much devotion: a flourishing of Torah learning, a visible commitment to God, and genuine selfless sacrifice under conditions of real hardship. And yet, on the very same screen, profound moral failures and social injustices cry out just as loudly.

Yeshayahu's message is that a life of Torah cannot rest on observance alone. Mastery of sacred texts and meticulous adherence to ritual are not sufficient. The foundation must be a deep commitment to responsibility toward one's fellow Jew – and toward society at large.

In Jerusalem today, we see individuals who observe Shabbat, and keep kashrut with great care, yet have lost sight of the Torah's most basic ethical demands. They have forgotten the prohibition against standing by idly while another's blood is spilled. They have distanced themselves from broader responsibility to protect the people and the land of Israel.

Rav Yaakov Medan, Rosh Yeshivat Har Etzion, gave powerful voice to this failure in testimony before a Knesset committee:

A Torah from which the verse *“Do not stand by while your neighbor’s life is in danger”* (Leviticus 19:16) has been stricken; in which there is no concept of a commanded, defensive war; which ignores the fact that Moshe Rabbeinu himself led the armies that began the conquest of the Land of Israel; which turns a blind eye to the pain of widows, orphans, the injured in battle, children whose fathers are away over the holidays fighting – **this is not the Torah that was given by God to Israel at Sinai.**

Such a worldview produces a painful contradiction: acts of personal sacrifice built on an incomplete foundation. **Torah study pursued in isolation from communal responsibility ultimately distorts the very values it seeks to uphold.**

This is why Yeshayahu’s words are so devastating. The offerings brought by such individuals, their sacrifices and their Torah, inspiring in isolation, become almost worthless in this context: *“Bring no more your empty gifts; they are foul incense to Me”* (v. 13). **When people damage public life** – disrupting society, destroying public property, and acting with indifference to the sacrifices of others – blocking roads to prevent reservists from returning home, delaying families trying to reach weddings or medical treatment, or keeping children from caring for elderly parents, **their sacrifices cannot be called noble.** They have been stripped of their moral meaning. **This is precisely the reversal Yeshayahu describes: worship that becomes offensive to God, because it is severed from justice.**

As such, **the tragedy of this haftarah does not belong to the past. This is not ancient history. It is a mirror.**

The split screen is not only the age of Chizkiyahu; it is the view from our own windows. The question is no longer how we failed, but **what we will do. Will we remain silent? Or will we take responsibility, in word and in deed, to shape a more just and unified society?**

Yeshayahu does not end with rebuke. He concludes with a vision of renewal, grounded in leadership: *“I shall set up your judges again as first they were, your counselors as long ago. And then you shall be called Righteous City, Faithful Metropolis”* (v. 26).

The redemption he promises depends on leaders – and communities – who embody the values that they proclaim. Torah knowledge without living its values is hollow. A “city of righteousness” can only be built by those who feel responsible not only for themselves, but for the entire Jewish people.

That is the call of Shabbat Hazon. The prophet who wept over Jerusalem also promised her return, and he told us exactly how it would come: “Zion will be redeemed by justice; those who return to her, by righteousness” (v. 27).

The hazon, the vision, is before us. The responsibility to realize it is ours.

Shabbat Shalom

<https://ots.org.il/haftarat-shabbat-hazon-rabbi-brander-5786/?pfstyle=wp>

Beyond mourning: Rebuilding the Temple starts with rebuilding Israeli society

By Rabbi Dr. Katriel (Kenneth) Brander * (July 11, 2026)

In these weeks leading up to the Tisha B’Av fast day, our focus naturally turns to the destruction of the Temple. We refrain from live music, weddings, and wearing new clothes in order to maintain a communal level of mourning.

But public grief alone is not enough. We need to actively work to restore the Temple’s legacy; as the Jerusalem Talmud says, *“Any generation in which the Temple is not rebuilt, it is accounted as if it were destroyed in its days [by that generation].”*

We cannot move toward rebuilding if we concentrate solely on sadness. Dwelling too much on sadness creates paralysis, and, paradoxically, gives us an excuse not to act. When we talk about rebuilding, we must begin with a spiritual and moral

awakening.

First, we must restore the vision embodied in our Holy Temples, a vision of unity and justice which was tragically lost twice, and can feel painfully unattainable today.

As we face outside threats from antisemitism, terrorism and war, there is too much disagreement and discord when it comes to who we are as the Jewish people, how to come together, and what our values are as the nation of Israel. It feels disturbingly similar to the societal discord that preceded the destruction of the Temples.

Therefore, as we make our way through the “Three Weeks,” spanning from Tamuz 17 and culminating in Tisha B’Av, we must use the inspiration found in the Temple to help shape our future as a society of shared responsibility and kindness based on common values.

In the days of the Temple, the pilgrimages to Jerusalem brought together Jews from every demographic, creating shared destiny. This practice and others built into the Temple encouraged all of Am Yisrael – the Nation of Israel – to participate in the development of a just society and shouldered the responsibility, an ideal we crucially need to reclaim today.

For example, as Israel remains in a defensive war, the ongoing exemptions from military service for tens of thousands of ultra-Orthodox citizens stand in stark contrast to this ideal and to halacha itself, leaving the heavy burden of national security and grueling reserve duty to fall disproportionately on the rest of society.

More unity needed in Israeli society

More unity and a sense of shared responsibility would also go a long way in helping us respect each other. Remarkably, even non-Jews brought Temple offerings, demonstrating that the Temple served as a beacon for all humanity.

We see a glimpse of this universal respect today, with Muslims, Druze, and Christians serving alongside Jews in the army, rescue, and medical services. Such cooperation should be celebrated, even as we recognize that fringe acts of extremism and racism threaten to shatter this fragile, shared future.

Social justice was another pillar of the Temple. The societal fabric of the Temple era was reinforced by mechanisms designed to protect the vulnerable. This is evident in the laws of the shmita – Sabbatical year – which leveled economic disparity, and the Chamber of Secrets within the Temple itself, where the wealthy could donate, and the poor could receive with total anonymity.

While there are many laudable projects to improve society today, core challenges still remain. For instance, it is a severe injustice that there are *agunot*, women whose husbands refuse to grant them a divorce, alongside cases of spiteful marriage recalcitrance when husbands are unable to present a *get* to their wives, trapping spouses in lives of suffering and abuse.

To make matters worse, some in the religious establishment are ignoring the halachic tools available to solve this problem. When there is room within the framework of Jewish law to help the vulnerable and promote justice, utilizing it is a sanctification of God’s name. Proper measures need to be courageously taken.

I have often been asked by students and others about why I don’t go up to the Temple Mount in Jerusalem. Do I not care about rebuilding the Beit HaMikdash? My response is always punctuated with a reminder that until we solve the *agunah* issue and other social challenges, the Messiah will tarry.

Bringing the final redemption is up to us, and concentrating solely on a physical rebuilding of the Temple, or on the very real holiness that remains where the Temples once stood, is far from adequate.

Ultimately, the many specific details of the Temple’s structure and its practices reflect its commitment to unity and social justice, two values that should be of utmost importance today. A fascinating discussion in the Talmud (Bava Batra 60b) illustrates this balance. Following the destruction, Rabbi Yehoshua hears the opinions of his fellow sages who speak about abstaining from meat, wine, and even painting their homes as a sign of mourning.

Rabbi Yehoshua acknowledges that mourning is appropriate, but he ultimately states one may eat meat, drink wine, and can indeed plaster a new building – as long as a small area is left unplastered. His ruling provides a **blueprint for sustainable memory; we must acknowledge the loss, but we cannot allow grief to paralyze us and our responsibility to move forward and build anew.** [emphasis added]

Fasting; learning about how the design of the Beit HaMikdash encouraged unity and social justice; or catching a glimpse of a purposely-placed unfinished stone in a new Jewish home should inspire and challenge us to work toward a better, more just society. May we be blessed this year to see the restoration of the Temple and the values it was meant to project.

* President and Rosh Yeshiva, Ohr Torah Stone.

<https://www.jpost.com/opinion/article-901579>

[Ed. note: from Ohr Torah Stone's monthly newsletter from June 2026:

Ohr Torah Stone's *Maaminot BeMadim* ("Believers in Uniform") Institute has launched a historic new track within a classified special intervention unit of the Israeli Air Force. Set to open in November 2026, the unit will enable dozens of observant young women to serve as combat soldiers while fully maintaining a serious commitment to Torah life.]

Parshat Devarim: From “Not a Man of Words” to “These Are the Words”

By Rabbanit Leora Levian * (2025)

“These are the words that Moses spoke to all of Israel.”

An entire book of the Torah is dedicated to encompassing the final speech of Moses our Teacher to the Children of Israel, as their wandering in the desert draws to a close and they prepare to enter the Land. It is no coincidence that the Torah calls this book Devarim – “Words.” The title echoes Moses’s own response when God first revealed Himself at the burning bush and appointed him to his mission: “I am not a man of words” (*lo ish devarim anochi*).

The “non-man of words” now delivers devarim – “words” – “to all of Israel.” And yet, throughout the Torah, Moses emerges as very much a man of words: he leads the people with measured speech, precise rebuke, and clear instruction. Most significantly, he initiates the long tradition of the Oral Torah, which he transmits to Joshua. The language of Moses our Teacher continues to resonate among the Jewish people to this very day. Surely God knew that Moses’s rhetorical skill was enough to lead the people out of Egypt and bring them to the gates of the Land of Israel. So why did Moses claim that he was incapable? That he was not a man of words?

“A parable: A man sold purple cloth,” teaches the Midrash. “A king heard this and asked him, ‘What are you selling?’ ‘Nothing at all,’ the man replied. ‘But I heard you calling out that you’re selling purple cloth — why do you say it’s nothing?’ The merchant answered: ‘It’s true, it is purple — but compared to your treasures, it is nothing.’”

So too with Moses: Before the Holy One, blessed be He, who created the mouth and speech itself, he says, “*I am not a man of words.*” But with regard to Israel, it is written: “*These are the words.*”

Standing before God at the burning bush, Moses grasps the vast chasm between content and form. He understands the profound gap between the word of God and the words of man. Moreover, he realizes that beautiful, aesthetic speech may actually divert the listener’s attention. Or in the language of the Midrash: he knows he is selling purple — but before the King’s treasury, even the purple pales.

I once attended the funeral of someone dear to me. His son eulogized him with exquisite words — virtuosic imagery and deeply moving lyricism. There was no doubt that the audience was moved — but to such a degree that, for a moment, they

forgot they had come to mourn the father's passing. The need for ideas to pass through words risks weakening the very ideas themselves, exposing them to the possibility that the listener will cling only to the external — satisfied with the purple cloth, rather than entering the King's treasure house.

In that moment, God seeks to teach Moses — and to teach us — the fundamental principle for approaching the King's treasures: The Torah speaks in the language of human beings. The refined and pure voice of Moses our Teacher is not a barrier, but a conduit. Thanks to his humility on the one hand and his talent on the other, the Torah could be given to the people of Israel. And after nearly forty years of wandering, he could stand and deliver, over the course of a month, the speech known as *"These are the words."*

The essential and complex relationship between form and content is especially relevant to these days of mourning. *"Why was the Land destroyed?"* ask the Sages. And they answer in Tractate Bava Metzia: *"Because they did not recite the blessing over the Torah first."*

When I first encountered this explanation, it struck me as almost trivial. That's the whole reason? The people of Israel studied Torah, read Torah, made it part of their lives — and just forgot to bless?

But the blessing over Torah is precisely what distinguishes between Torah study as an intellectual, aesthetic, or cultural experience — and Torah study as an essential expression of the relationship between the people of Israel and the Holy One, blessed be He. As Rashi explains (loosely paraphrased): *"Since they didn't bless, they revealed that in their minds, it was not a precious gift."* One who studies Torah without intentionally acknowledging that God *"chose us from among all peoples and gave us His Torah"* fails to truly connect with the Torah — or with its Giver. The blessing may be merely the introduction, the step before the act — but it provides the entire context for Torah learning.

This tension between form and content, between purple cloth and treasures, between blessing and study, accompanies virtually every moment of shlichut. We want Torah to be compelling and accessible for our communities. We invest countless hours in branding, wordplay, and in laying out a purple carpet in the hopes of leading people toward the King's treasures. And at the same time, we want Torah and mitzvot not to be perceived as gimmicks — we want Am Yisrael to study and observe from a place of genuine connection. A connection that does not require the most polished speaker. A connection that can experience the light of God and the light of Torah even through one who is *"slow of speech and slow of tongue."*

The contrast our parsha offers us — the *"man of words"* in Devarim versus the *"not a man of words"* in Shemot — gives us a key: to remember that all our words pale beside the true Davar, the Divine essence. And with great humility, to use those words to help bring the people of Israel from physical and spiritual wilderness into the Land of Israel — and toward ultimate redemption.

* Chief editor of Sela Meir Publications and the rabbanit of the "Young Modiin" community. Also a graduate of OTS's Straus-Amiel Emissary Training Institute who served the community of Gothenburg, Sweden for two years alongside her husband, Rabbi Uzi Levian.

A lesson from Rabbanite Levian's time at Ohr Torah Stone:

This may sound like a small detail, but to this day I cannot forget one thing Rabbanit Renana Birnbaum used to say: "I have no problem if there's a baby here. Babies don't bother me."

Since then, I too try to live by that (even when it comes at a cost!) — and I continue to discover how vital this small yet powerful practice is in helping women feel truly at home in the synagogue and beit midrash.

<https://ots.org.il/rabbanit-leora-levian-parshat-devarim/>

Dvar Torah: Devarim: Replaced with Genuine Joy!

By Rabbi Label Lam * (© 2007)

Moshiach is born on Tisha B'Av... (Brochos:Yerushelami)

Tisha B'Av is the darkest time of the Jewish calendar. Too many major tragedies coincide with that date. It's a time when we hunker low and brace ourselves for yet another great wave of the unthinkable, we hope will never happen. Yet, our sages tell us that Moshiach is born on this auspicious day. What can that possibly mean? Should we be tracking children for whom, that is their birthday? I think not! Then of what practical value is the information that Moshiach is born on Tisha B'Av!?

It was the last light before the last day of school, a Wednesday evening. The latest rage became to give each child a special recognition for a unique quality that he or she exemplified. The idea was that everyone should feel included in the honors. Parents were excited, kids were being validated, and teachers were relieved of the pressure of choosing the few. This was the final event before the school year clock would expire the next day. The Rebbe of the 6th grade had planned an elaborate speech about each child and with a combination of different awards. Each child was called up amidst personal praise, to receive his badge or trophy, and to get his picture taken. Every three or four names was accompanied by a special song and so the evening unfolded. After all the pomp and circumstance, everyone was invited to partake of the food, parents, friends, and family members, and then the class slideshow would top off the show.

As people were already hungrily filling the plates an older sister of one of the boys approached in a state of semi-panic. "My brother's name was not called!" "Where is he now?" I asked. "Downstairs!" she told me. I bolted out of the room and I found Daniel, red eyed, and devastatingly humiliated. I immediately acknowledged his pain. "You must feel terrible!"

Then I did something highly unusual. I asked him for a Brocho, a special blessing that my daughter should find a good Shidduch. I had often throughout the year shared with boys who felt insulted, a story about Reb Chaim that advised a childless couple to look for someone who had a deep embarrassment and did not respond in kind, and from them receive a Brocho for children, and how it had miraculously worked. Daniel was in the pits. The embarrassment was profound. He blessed me that daughter should find a Shidduch. I said, "AMEN!" I marched him up and announced to the crowd that Daniel gave me a Brocho that my daughter should find a Shidduch. It felt foolish but I thought somehow it would lift him up. The Rebbe bathed him with praise. We sang and danced but he was still aching deep inside.

A short while later my daughter began dating a fine young man. The introduction was made by a mutual friend who only thought of the idea when she entered a store my wife was temporarily working in. As the dating started to get more serious, I decided to play historian. I asked my wife if should could identify the date that this woman walked into the store and declared, "I thought I came here to buy something, but maybe I came here for something else." My wife checked on her text messages when the woman had requested the Shidduch resume' to be sent and it turned out that she had come into the store on Thursday morning. It was actually the same day that the boy gave his Brocho, since the Jewish day starts with evening and is followed by day.

The sister of the boy told me, when I called to tell her the good news, that my daughter was engaged, that she had been telling her brother, "Who knows, maybe Rabbi Lam's daughter will become a Kallah!" Who of us suspected it would happen so soon!? From the depth of hurt so much good was found. Not only did the pain desist but it has been **replaced with genuine joy!**

<https://torah.org/torah-portion/dvartorah-5774-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 omission 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. [emphasis added]

From my archives

Insights from Chassidic Tradition

By Rabbi Ysoscher Katz *

[Ed. note: Rabbi Katz will be on hiatus for July and August. His outstanding parsha messages, including insights from the Chassidic tradition, will resume when he returns.]

* Chair of the Talmud Department and the Director of the Lindenbaum Center for Halakhic Studies, Yeshivat Chovevei Torah, Bronx, NY.

Kamtsa, Bar Kamtsa – and our Contemporary Parallels *

By Rabbi Marc D. Angel **

The Talmud records a poignant story relating to the destruction of the Temple in Jerusalem by the Romans in 70 CE. Although historians describe various political, sociological, and military explanations for the Roman war against the Jews, the Talmud — through the story of Kamtsa and Bar Kamtsa — points to a moral/spiritual cause of the destruction:

R. Johanan said:

The destruction of Jerusalem came through Kamtsa and Bar Kamtsa in this way. A certain man had a friend Kamtsa and an enemy Bar Kamtsa. He once made a party and said to his servant, Go and bring Kamtsa. The man went and brought Bar Kamtsa. When the man [who gave the party] found him there he said, See, you tell tales about me; what are you doing here? Get out. Said the other: Since I am here, let me stay and I will pay you for whatever I eat and drink. He said, I won't. Then let me give you half the cost of the party. No, said the other. Then let me pay for the whole party. He still said, No, and he took him by the hand and put him out. Said the other, Since the rabbis were sitting there and did not stop him, this shows that they agreed with him. I will go and inform against them to the Government. He went and said to the Emperor, The Jews are rebelling against you. He said, How can I tell? He said to him: Send them an offering and see whether they will offer it [on the altar]. So he sent with him a fine calf. While on the way he [Bar Kamtsa] made a blemish on its upper lip, or as some say on the white of its eye, in a place where we [Jews] count it a blemish but they [the Romans] do not. The rabbis were inclined to offer it in order not to offend the Government. Said R. Zechariah b. Abkulas to them: People will say that blemished animals are offered on the altar. They then proposed to kill Bar Kamtsa so that he should not go and inform against them, but R. Zechariah b. Abkulas said to them, Is one who makes a blemish on

consecrated animals to be put to death? R. Johanan thereupon remarked: Through the scrupulousness of R. Zechariah b. Abkulas our House has been destroyed, our Temple burnt and we ourselves exiled from our land. (Gittin 55b–56a)

The story tells of a host — apparently a wealthy man — who throws a party and wants his friend Kamtsa to be brought to it. The servant makes a mistake and brings Bar Kamtsa — a person the host despises. When the host sees Bar Kamtsa, he orders him to leave. Even though Bar Kamtsa pleads not to be humiliated by being sent away, the host is unbending. Bar Kamtsa offers to pay for whatever he eats, for half the expenses of the entire party, for the entire party — but the host unceremoniously leads Bar Kamtsa out of his home.

The story reflects a lack of peace among the Jewish community in Jerusalem. The antagonism between the host and Bar Kamtsa is palpable. The unpleasant scene at the party was witnessed by others — including “the rabbis”; obviously, “the rabbis” were included on the party’s guest list. They were part of the host’s social network. When Bar Kamtsa was ejected from the party, he did not express rage at the host. Rather, he was deeply wounded by the fact that rabbis had been silent in the face of the humiliation he had suffered: “Since the rabbis were sitting there and did not stop him, this shows that they agreed with him.” He might have understood the host’s uncouth behavior, since the host hated him. But he could not understand why the rabbis, through their silence, would go along with the host. Why didn’t they stand up and protest on behalf of Bar Kamtsa? Why didn’t they attempt to increase peace? Bar Kamtsa was so disgusted with the rabbis that he decided to stir up the Roman Emperor against the Jewish people. If the rabbinic leadership itself was corrupt, then the entire community had to suffer. [emphasis added]

Why didn’t the rabbis speak up on behalf of Bar Kamtsa?

Apparently, the rabbis kept silent because they did not want to offend their host. If the host wanted to expel a mistakenly invited person, that was his business — not theirs. The host seems to have been a wealthy patron of the rabbis; he obviously wanted them included on his invitation list. Why should the rabbis offend their patron, in defense of an enemy of their patron? That might jeopardize their relationship with the host and could cost them future patronage.

The rabbis kept silent because they thought it socially and economically prudent for their own interests. They could not muster the courage to confront the host and try to intervene on behalf of Bar Kamtsa. By looking out for their own selfish interests, the rabbis chose to look the other way when Bar Kamtsa was publicly humiliated.

Rabbi Binyamin Lau, in his review of the rabbinical and historical sources of that period, came to the inescapable conclusion that “the rabbis were supported by the wealthy [members of the community], and consequently were unable to oppose their deeds. There is here a situation of economic pressure that enslaved the elders of the generation to the officials and the wealthy....The Torah infrastructure depended on the generosity of the rich.”

When rabbis lost the spirit of independence, they also lost their moral compass. They were beholden to the rich, and could not afford to antagonize their patrons. They remained silent even when their patrons behaved badly, even when their silence allowed their patrons to humiliate others. Bar Kamtsa was outraged by the moral cowardice of the rabbis to such an extent that he turned traitor against the entire Jewish people.

The story goes on to say that Bar Kamtsa told the Emperor that the Jews were rebelling. To verify this, the Emperor sent an offering to be sacrificed in the Temple. If the Jews offered it up, that proved they were not rebelling. If the Jews refused to offer it up, this meant that they were defying the Emperor and were rising in rebellion. Bar Kamtsa took a fine calf on behalf of the Emperor, and put a slight blemish on it. He was learned enough to know that this blemish — while of no consequence to the Romans — would disqualify the animal from being offered according to Jewish law.

When Bar Kamtsa presented the offering at the Temple, the rabbis were inclined to allow it to be offered. They fully realized that if they rejected it, this would be construed by the Emperor as a sign of disloyalty and rebellion. Since there was so much at stake, the rabbis preferred to offer a blemished animal rather than incur the Emperor’s wrath. This was a sound, prudent course of action. But one of the rabbis, Zechariah b. Abkulas, objected. He insisted that the rabbis follow the letter of the law and not allow the offering of a blemished animal. He cited public opinion (“people will say”) that the rabbis did not adhere to the law and therefore allowed a forbidden offering. The rabbis then considered the extreme possibility of

murdering Bar Kamtsa, so that this traitor would not be able to return to the Emperor to report that the offering had been refused. Again, Zecharyah b. Abkulas objected. The halakha does not allow the death penalty for one who brings a blemished offering for sacrifice in the Temple. Murdering Bar Kamtsa, thus, would be unjustified and illegal. This was “check mate.” The rabbis offered no further ideas on how to avoid antagonizing the Emperor. The offering was rejected, and Bar Kamtsa reported this to the Emperor. The result was the Roman destruction of Jerusalem and razing of the Temple. “R. Johanan thereupon remarked: Through the scrupulousness of R. Zechariah b. Abkulas our House has been destroyed, our Temple burnt and we ourselves exiled from our land.”

Rabbi Johanan casts R. Zecharyah b. Abkulas as the villain of the story. R. Zecharyah was overly scrupulous in insisting on the letter of the law, and he lost sight of the larger issues involved. He did not factor in the consequences of his halakhic ruling; or if he did, he thought it was better to suffer the consequences rather than to violate the halakha. Rabbi Johanan blames R. Zecharyah’s “scrupulousness” for the destruction of Jerusalem, the razing of the Temple, and the exile of the Jewish people. The moral of the story, according to Rabbi Johanan, is that rabbis need to have a grander vision when making halakhic decisions. It is not proper — and can be very dangerous — to rule purely on the basis of the letter of the law, without taking into consideration the larger issues and the consequences of these decisions. Technical correctness does not always make a halakhic ruling correct. On the contrary, technical correctness can lead to catastrophic results. To follow the precedent of Rabbi Zecharyah b. Abkulas is a dangerous mistake.

Yes, Rabbi Zecharyah b. Abkulas was overly scrupulous in his application of halakha, when other larger considerations should have been factored in. His narrow commitment to legal technicalities caused inexpressible suffering and destruction for the Jewish people. But is he the real villain of the story?

Rabbi Zecharyah was only one man. The other rabbis formed the majority. Why didn’t they overrule Rabbi Zecharyah? The rabbis surely realized the implications of rejecting the Emperor’s offering. They were even willing to commit murder to keep Bar Kamtsa from returning to the Emperor with a negative report. Why did the majority of the rabbis submit to Rabbi Zecharyah’s “scrupulousness”?

The story is teaching not only about the mistaken attitude of Rabbi Zecharyah b. Abkulas, but about the weakness and cowardice of the rest of the rabbis. The other rabbis were intimidated by Rabbi Zecharyah. They were afraid that people would accuse them of being laxer in halakha than Rabbi Zecharyah. They worried lest their halakhic credibility would be called into question. Rabbi Zecharyah might be perceived by the public as the “really religious” rabbi, or the “fervently religious” rabbi; the other rabbis would be perceived as compromisers, as religiously defective. They recognized that Rabbi Zecharyah, after all, had technical halakhic justification for his positions. On the other hand, they would have to be innovative and utilize meta-halakhic considerations to justify their rulings. That approach — even if ultimately correct — requires considerable confidence in one’s ability to make rulings that go beyond the letter of the law. Rabbi Zecharyah’s position was safe: it had support in the halakhic texts and traditions. The rabbis’ position was risky: it required breaking new ground, making innovative rulings based on extreme circumstances. The rabbis simply were not up to the challenge. They deferred to Rabbi Zecharyah because they lacked the courage and confidence to take responsibility for bold halakhic decision-making.

When Rabbis Do Not Increase Peace in the World

When rabbis lose sight of their core responsibility to bring peace into the world, the consequences are profoundly troubling. The public’s respect for religion and religious leadership decreases. The rabbis themselves become narrower in outlook, more authoritarian, more identified with a rabbinic/political bureaucracy than with idealistic rabbinic service. They become agents of the status quo, curriers of favor from the rich and politically well-connected.

When rabbis lack independence and moral courage, the tendencies toward conformity and extremism arise. They adopt the strictest and most fundamentalist positions, because they do not want to appear “less fervent” than the extremist rabbinic authorities. [emphasis added]

When rabbis fear to express moral indignation so as not to jeopardize their financial or political situation, then the forces of injustice and disharmony increase. When rabbis adopt the narrow halakhic vision of Rabbi Zecharyah b. Abkulas, they invite catastrophe on the community. When the “silent majority” of rabbis allow the R. Zecharyahs to prevail, they forfeit

their responsibility as religious leaders.

The contemporary Hareidization of Orthodox Judaism, both in Israel and the Diaspora, has tended to foster a narrow and extreme approach to halakha. This phenomenon has been accompanied by a widespread acquiescence on the part of Orthodox rabbis who are afraid to stand up against the growing extremism.

In the summer of 1984, I met with Rabbi Haim David Halevy, then Sephardic Chief Rabbi of Tel Aviv. He was a particularly independent thinker, who much regretted the narrowness and extremism that had arisen within Orthodox rabbinic circles. He lamented what he called the rabbinic “mafia” that served as a thought police, rooting out and ostracizing rabbis who did not go along with the official policies of a small group of “gedolim,” rabbinic authorities who are thought to have the ultimate power to decide halakhic policies. When honest discussion and diversity of opinion are quashed, the religious enterprise suffers.

The Orthodox rabbinic establishment in Israel, through the offices of the Chief Rabbinate, has had the sole official religious authority to determine matters relating to Jewish identity, conversion, marriage, and divorce. It has also wielded its authority in kashruth supervision and other areas of religious law relating to Jewish life in the State of Israel. This religious “monopoly” has been in place since the State of Israel was established in 1948. With so much power at their disposal, one would have expected — and might have hoped — that the rabbinate would have won a warm and respectful attitude among the population at large. The rabbis, after all, are charged with increasing peace between the people of Israel and their God; with applying halakha in a spirit of love, compassion, and understanding; with creating within the Jewish public a recognition that the rabbis are public servants working in the public’s interest.

Regrettably, these things have not transpired. Although the Chief Rabbinate began with the creative leadership of Rabbis Benzion Uziel and Yitzchak Herzog, it gradually sank into a bureaucratic mire, in which rabbis struggled to gain political power and financial reward for themselves and/or for the institutions they represent. The Chief Rabbinate is not held as the ultimate religious authority in Israel by the Hareidi population. It is not respected by the non-Orthodox public. It has scant support within the Religious Zionist camp, since the Chief Rabbinate seems more interested in pandering to Hareidi interests than in promoting a genuine Religious Zionist vision and program for the Jewish State.

Recent polls in Israel have reflected a growing backlash against the Hareidization of religious life and against the political/social/religious coercion that has been fostered by Hareidi leadership. Seventy percent of Jewish Israelis are opposed to new religious legislation. Fifty-three percent oppose all religiously coercive legislation. Forty-two percent believe that the tension between the Hareidim and the general public is the most serious internal schism in Israeli Jewish society — nearly twice as many as those who think the most serious tension is between the political left and political right. Sixty-five percent think the tensions between Hareidim and the general public are the most serious, or second most serious, problem facing the Israeli Jewish community. An increasing number of Israelis are in favor of a complete separation of religion and State, reflecting growing frustration with the religious status quo.

** Excerpt of an article by Rabbi Marc D. Angel, "Reclaiming Orthodox Judaism," which appeared in issue 12 of *Conversations*, the journal of the Institute for Jewish Ideas and Ideals. The entire article can be found at <https://www.jewishideas.org/marc-d-angel/reclaiming-orthodox-judaism> .

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<https://www.jewishideas.org/article/kamtsa-bar-kamtsa-and-our-contemporary-parallels>

Trapped? Yes/No: Thoughts for Parashat Devarim

By Rabbi Marc D. Angel *

As Moses approached his death, he offered his guidance to the people of Israel and “took upon himself to expound the Torah” (Devarim 1:5). Rashi, drawing on ancient Midrash, indicates that Moses taught the Torah in seventy languages. Since the Israelites could not possibly have known seventy languages, what is the Midrash teaching?

Some explain: The Jews will find themselves scattered throughout the world — among the seventy nations — and the Torah will be relevant to them wherever they live.

Others explain: The Torah is relevant not only to the people of Israel but to all the people of the world. Indeed, the Torah has been translated into many languages and has impacted on much of humanity.

Yet others explain: The Torah text is multi-faceted and can be interpreted in many ways. “*The Torah has seventy faces*,” as the Talmud puts it.

There is wisdom in all these interpretations. But perhaps there is yet another way to understand the Midrash. Let us consider a phrase relating to the game of chess: *zugzwang* (pronounced tsoog-tsvahng).

Zugzwang refers to a situation where a player is obligated to make a move, but every available legal move will worsen the situation causing loss of pieces or the game itself. The player is trapped and has no good option. Ideally, a person should think ahead and avoid getting into a *zugzwang* trap. But once it's too late, one must try to make the least damaging move possible.

Perhaps the Midrash is teaching us that life is not a game of chess! When we come to a seemingly impossible situation where all options seem bad, we have the ability to “*think out of the box*.” The Torah has seventy entryways; we are not restricted to only one or two choices. When we step back from a difficult challenge, we can try to evaluate options from different angles. If the obvious choices are bad, perhaps we can overcome the situation by considering unconventional ideas. In life, we are not bound by the rules of chess. The Torah is available in seventy languages, seventy faces, seventy options of understanding. [emphasis added]

Rabbi Israel Salanter, one of the great sages of the 19th century, used to say: when people come to a wall they can't go through, they stop. When Jews come to a wall they can't go through...they go through!

We often face dilemmas that seem to have no good way out. We feel trapped and endangered. The Midrash teaches us to think again, to think beyond, to imagine what now seems impossible.

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Parshas Devorim -- The Price of Peace

by Rabbi Mordechai Rhine * © 2014

The nine days of mourning, which culminate with Tishah B'Av, are a time of mourning for the loss of the Beis Hamikdash.

During these days we mourn not only the physical loss of the Beis Hamikdash, but also the loss of the special love relationship that we once had with Hashem.

The Talmud tells us that the reason the Beis Hamikdash was destroyed was because of the story of Kamtza and Bar Kamtza. The Talmud relates that Kamtza was a good friend of a certain man who was making a special party. Accidentally, an invitation was sent to a man with a similar name: Bar Kamtza. And so, Bar Kamtza came to the party thinking that he was invited. At the party, the host forcefully objected to his being there and asked him to leave. Bar Kamtza offered to pay for his meal, even for half or all of the entire festive event, but the host did not agree. Instead the host insisted that Bar Kamtza leave because he was not invited.

The Talmud says that the pain and embarrassment caused to Bar Kamtza at that time eventually resulted in the destruction of the Beis Hamikdash.

There is, I believe, a thought provoking idea which we must consider: "Was the host right?"

What I mean to ask is, in the laws of financial matters (Choshen Mishpat), was Bar Kamtza entitled to eat his meal, now that he found out that he really wasn't invited. Can the host be forced to relinquish ownership on the food that he owns to an uninvited guest just because the guest offers to pay?

If we consider the situation from a purely legal standpoint, it is possible that the guest is not entitled to thrust himself on the host, and that the host is not obligated to strike a deal even if the non-guest offers to pay.

However, **what I believe the Talmud is teaching us is that situations cannot be approached from a purely legal perspective.** What Hashem taught us by destroying the Beis Hamikdash is that while you might be within your legal rights to insist that an uninvited guest should leave... if you do insist, and embarrass him, then you don't deserve a Beis Hamikdash. [emphasis added]

This principle of going beyond the strictly legal perspective finds its mark in many areas of life. In legal issues, for example, a court is obligated to encourage a compromise rather than settle arguments according to the strict legality of the issue. Allowing people to settle sets the tone for future positive relationships.

Likewise, in relationships, a (former) friend of yours may feel that he/she is entitled to an apology for something you did or did not do. After consideration you may have concluded that they are not legally entitled to anything at all. You might very well be right. To expect you to apologize may not be fair and it may not even be honest. But sometimes a good natured apology is the price we pay for peace.

One of the first things a student driver is taught is to be a sensible driver. Just because you have the right of way doesn't mean you must exercise that right. As one drivers-ed teacher explains it, "If someone pulls out illegally in front of you, he is wrong. But you still must slow down. If you hit him you will be right: Dead Right!"

A friend of mine told me that he has a "Shalom" bank account. He explained that he mentally puts \$1,000 a year in "escrow" for challenging interactions that occur throughout the year. During the course of the year he finds that occasionally he is odds with a client or family member about financial responsibility. When that happens he "chalks it up" to the Shalom account, absorbing the expenditure for the sake of peace.

As we approach Tishah B'Av, let us remember that there are cases that you may be legally right. But there is a better way. Peace has a price. Sometimes it is a financial price; sometimes it is emotional. But one who is willing to see beyond the legalities and pay the price will be blessed and invigorated. Such a person is a builder... a builder of the Beis Hamikdash.

With best wishes for a good Shabbos, and a meaningful Tishah B'Av.

Rabbi Mordechai Rhine is a certified mediator and coach with Rabbinic experience of over 20 years. Based in Maryland, he provides services internationally via Zoom. He is the Director of TEACH613: Building Torah Communities, One family at a Time, and the founder of CARE Mediation, focused on Marriage/ Shalom Bayis and personal coaching. To reach Rabbi

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From my archives.

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Devarim: Shabbat Chazon

by Rabbi Yehoshua Singer *

[I do not have a new Dvar Torah from Rabbi Singer for Devarim – I hope to have new insights from Rabbi Singer in future weeks.]

* Rav at Sha'arei Tefilla and the co-founder of the RI Torah Network in Providence, Rhode Island. For several years, Rabbi Singer was the Rabbi at Am HaTorah Congregation in Bethesda, MD. Rabbi Singer's recent Devrei Torah normally come as podcasts rather than texts.

Devarim: Evil – Only You Can Fix It!

By Rabbi Haim Ovadia *

The practice of completing the Torah reading every year has evolved in post-Talmudic times, and gained prominence at around the 7th century. Besides the beginning and the ending points of the reading cycle, the sages who refined the system created several anchors which tied the Torah portion of the week to the calendar. One of these encounter points in time will occur this Shabbat, as Parashat Devarim is always read on the Shabbat prior to Tisha Be'Av. This Shabbat is also known as Shabbat Hazon, which means prophetic vision, after the first word of the Haftara of the week.

Why did the authors of the Torah reading cycle want to have this Parasha and this Haftarah just before Tisha Be'Av? The answer is found in Midrash Eicha, the rabbinic homilies on the Book of Lamentations: [Hebrew text omitted because of software issues]

Three prophets used the word Eicha, a word which connotes a state of being perplexed and pained:

Moshe said: Eicha, how will I manage the burden of the whole nation by myself?

Isaiah said: Eicha, how did the glorious city become a harlot, turning from a seat of justice to a murderers' den?

Jeremiah said: Eicha, how did the magnificent city of Jerusalem become desolate and lonely?

The Midrash is not only playing on words, but rather points out a process of spiritual decline. At the time of Moshe, people were quarreling and fighting each other, requiring constant attention by the court system. Ideally, they should have treated each other with respect and avoided litigations and disputes. The full system of Torah laws and values is not only about rituals and worship, but also about interactions between people, most succinctly described in the phrase *"love your brethren as you love yourself."* Had they followed it, they would have been able to live harmoniously and limit the involvement of the judicial system in their lives.

In the days of Isaiah, the reliance on the judicial system created a situation where corrupt judges took over, using extortion and bribery to replace justice with injustice. The judges would not have been able to amass such power and promote their agenda without the corruption spreading among the people as a result of their own cantankerous nature.

All that led, in the days of Jeremiah, to the utter destruction of the Temple. [emphasis added]

In the spirit of this Midrash I would like to suggest that reading the *Book of Lamentations*, or *Eicha*, on Tisha Be'Av, is something more than mourning the destruction and praying for redemption.

One can say that of all biblical books, *Eicha's* structure is the most cohesive and systematic, since all chapters, except for the fifth, are written in an alphabetic order. There is however, several deviations, which I believe were planted by the author as a device to pique the reader's interest and lead him to a deeper analysis of the text. One of those is the reversed order of the letters ו and ט in chapters 2 and 4, which has been extensively discussed by scholars and commentators. The other is the unique structure of chapter 3, which is significantly different than that of 1,2, and 4 (I'm not counting here chapter 5 because it is the epilogue of the book):

Chapters 1,2, and 4 open with the word *Eicha*, but not chapter 3.

Chapters 1,2, and 4 have one verse per letter, while chapter 3 has three verses per letter.

The verses in chapters 1,2, and 4 have an average of ten words per verse, while chapter 3 consists of short verses, 5-6 words each.

Most importantly, chapters 1,2, and 4 focus on the destruction, while chapter 3 focuses on the personal suffering of the author.

I believe that the explanation to all these differences is that Jeremiah, the author of *Eicha*, added chapter 3 towards the end of his life, lodging it in the middle of the book in order to send an encoded message, which he hoped will be understood with time.

Immediately after the destruction, Jeremiah wrote chapters 1,2,4, and 5. In chapter 1, the protagonist is the city of Jerusalem or Zion, her suffering described in great detail. In chapter 2 the focus shifts to God as the executor of the nation's punishment, with 44 verbs describing His actions. Chapter 4 focuses on the suffering of the people of Jerusalem, and chapter 5, as mentioned above, is the conclusion. This structure fits the mindset of the immediate survivors of the tragedy. They oscillate between thoughts of the devastation, their previous state of glory, and disbelief at what God did to them. Only years later, in retrospect, is **Jeremiah able to reflect and understand that the root of the problem lies with the people.** [emphasis added] He then composes chapter 3 and plants it in the middle of the book, seemingly lamenting his own suffering, but in the middle of that chapter he posits his revolutionary message.

In the center of the central chapter of *Eicha*, in verses 37-39, we read:

Who has commanded and it came to pass, unless the Lord ordained it? [And] by the command of the Most High, neither good nor evil come. Why should a living man complain? A man for his sins.
[*Eicha* 3:37-39, Chabad translation]

Traditionally, these verses are translated as a series of questions: can one make something happen if God did not order it? Is it not from the mouth of the Most High that evil and good is decreed?

I think that we should read these sentences not as questions, but as statements:

Who declared it to be? God has not commanded it! From the mouth of the Most High it will not come, evil or good! How can a living man complain? To each his own sins!

The message of Jeremiah to himself and to his listeners is that we must not blame God for the evil which befalls

us. [emphasis added] God is not a micromanager who is out there to get us for our faults. God created the world and gave us a guide in the form of the Torah to direct our life towards perfection. As the midrash cited above demonstrates, failure to adhere to all the Torah laws, including those governing personal interactions, leads to a deterioration of society and to its eventual demise.

The author of Eicha conveys the message that **evil is a natural result of our misdeeds**. It is not an arbitrary punishment, such as parking tickets, but rather more like a crash as a result of DIU. Jeremiah tells the people to direct their efforts of reconstruction and rehabilitation after the destruction to themselves. [emphasis added]

This message reverberates perfectly with us. Being “observant” in the traditional sense of the word, which tends to focus on ritual, supervision, and dress code, is not enough. In order to mend our ways and reverse evil, we must strive to do good, because just as evil is a natural result of our actions, so is good. On this coming Tisha Be’Av, and as a matter of fact on every day of our life, we should think of what we can do in order to help others. The ancient message, encoded and hidden under layers of verbiage, urges us to realize our potential and use our talents to help those who are less fortunate than us. And one day, when mankind will do whatever is within its power to eliminate evil in the world, it will be able to turn to God and say *“this is where You come into the picture, please take care of those things which are beyond our reach.”*

Wishing us all Shabbat Shalom and a meaningful fast,

Rabbi Haim Ovadia

[Ed. note: this message fits in extremely well with Rabbi Brander’s Dvar Haftorah above]

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 rights to this material.

* Senior Rabbi, Congregation Ramath Orah (New York, NY); Judaic faculty, Ramaz High School, New York; also Torah VeAhava. Previously, Rabbi, Beth Sholom Sephardic Minyan (Potomac, MD). Faculty member, AJRCA non-denominational rabbinical school). **Many of Rabbi Ovadia’s Devrei Torah are now available on Sefaria:** <https://www.sefaria.org/profile/haim-ovadia?tab=sheets> . The Sefaria articles include Hebrew text, which I must delete because of issues changing software formats. Rabbi Ovadia retains all rights (copyright) to this and all other Devrei Torah that he permits me to share.

A Bissel of Torah from a Tiny Jewish Community

By Rabbi Natanel Kaszovitz *

Auckland, New Zealand Hebrew Congregation **

Shalom everyone from Israel!

We’re so excited to be back in the Holy Land, visiting our family and friends, and most of all, being back home in Eretz Yisrael.

This coming week, if we are not fortunate enough that Mashiach comes and the Beit HaMikdash is rebuilt, then on Wednesday night and Thursday we will commemorate and fast on Tisha B’Av. This is considered one of the two major fasts of the Jewish calendar. We have Yom Kippur and we have Tisha B’Av. There are several other fasts throughout the year, but these two carry unique significance. Yom Kippur is our day of repentance, and we’ll speak more about that when the time comes. Tisha B’Av is the day on which we mourn the destruction of both Batei Mikdash, the First Beit HaMikdash, destroyed in 422 BCE, and the Second Beit HaMikdash, destroyed in the year 70 CE.

Although I mentioned this at the beginning of the Three Weeks, it is worth repeating. Chazal teach us that the First Temple

was destroyed because of three severe sins: murder, adultery, and idolatry. The Second Temple, however, was destroyed because of sinat chinam – baseless hatred.

Our Sages also teach us something very powerful: every generation in which the Beit HaMikdash is not rebuilt is considered as though it was destroyed in that generation. It is a difficult message, but an important one. It reminds us that we still have work to do.

We still see division within our people. We still have unnecessary arguments and conflicts, in our homes, in our families, in our communities, and throughout our nation. If we truly want to merit the Geulah, then each of us has a responsibility to bring more love, more respect, more understanding, and more unity to Am Yisrael.

This week's parashah is Parashat Devarim, the beginning of Sefer Devarim. Here, Moshe Rabbeinu begins reviewing the events of the past forty years, retelling them from his own perspective before Bnei Yisrael enter the Land of Israel. It is remarkable that Hashem chose Moshe's words and perspective to become one of the Five Books of the Torah. It teaches us the incredible value of Torah Sheba'al Peh – the Oral Torah and the importance of interpretation, perspective, and continuing to learn and grow in every generation.

May we continue to grow together in Torah and in unity, and may we merit, this very year, to welcome Mashiach together with all of Am Yisrael and celebrate in the rebuilt Beit HaMikdash in Yerushalayim.

Shabbat Shalom, with much love from Israel.
Rabbi Netanel Kaszovitz

* Rabbi Kaszovitz, an Israeli ordained at Ohr Torah Stone, previously served as Rabbi in Nairobi, Kenya. He became Rabbi of Auckland Hebrew Congregation in September 2025. Rabbi Moshe Rube, whose remarks I previously posted in this space, is in the process of starting a new Rabbinic position in Australia. Rabbi Rube is waiting for his visa to enter Australia, when he will be able to start his new position. I plan to use this space to include messages from Rabbi Kaszovitz and Rabbi Rube going forward.

** Rabbi Kaszovitz is now posting his Devrei Torah and classes on You Tube: <https://youtube.com/c/TheNairobisher> .

Rav Kook Torah

Devarim: Right versus Might

We turned and went up towards Bashan, and Og, king of Bashan, and his people came out to fight against us at Edrei. God told me: 'Do not fear him. I will place him and all his people and his land in your hands.' (Deut. 3:1-3)

The Battle Against Og

Moses gave a terse account of the battle against the fearful giant, King Og, and his people. The Midrash (Berakhot 54b), however, elaborated greatly upon this amazing event:

Og said to himself, 'How large is the encampment of Israel? Three Persian miles? I will grab a mountain three miles wide, throw it on them and kill them!' So Og took a mountain three miles wide, and lifted it over his head in order to throw it.

But God brought ants. They ate a hole in the mountain, and the rock crashed down on Og's neck. Og tried to lift it up, but his teeth stuck out in both directions and prevented the rock from lifting over his head.

Now, Moses was ten cubits [15 feet] tall. He took a hammer ten cubits long, jumped up ten cubits and swung the hammer at Og's ankles, killing him.

Nice story. But what does it mean? What message were the Sages trying to tell us?

Brute Force versus Spiritual Greatness

The battle between Og and Moses is a metaphor for the struggle between the physical and spiritual realms. Og the giant viewed everything in terms of brute force and power. He was enraged seeing a small, weak people — the Israelites — take on and defeat the Midianites and the Amorites. Og decided he would demonstrate that spiritual power cannot compete against physical strength. He would use the ultimate symbol of brute force — a massive, inanimate mountain — to bury the Jews and all of their pretensions!

The giant lifted the mountain up, over his head. This indicated that the huge rock, as a symbol of brute power, was his crown, his glory, his ultimate value.

“But God brought ants that ate a hole in the mountain.” Significantly, Og's downfall was not by means of an even greater physical force. Og's faith in power and might was conclusively shattered by his defeat at the hands of the smallest and most fragile of creatures, the lowly ant.

Overgrown Teeth

At this point, the heavy rock weighed down heavily on Og's shoulders. He began to realize that his trust in physical force was misplaced. His crown had become an oppressive burden. However, it was too late to escape. His teeth, symbolizing his aggressiveness and lust, had grown outwards. His traits of violence and rapacity, like his reliance on brute force, had become an integral part of his life and personality, at the expense of spiritual inclinations.

Such is the fate of an individual — or a people — addicted to the drug of physical force, living by the power of the fist. In hindsight, such a life of aggression will be a burden and a source of bitter discontent. Old and weak, even if he should now desire to change his ways to a more peaceful existence, he will not succeed. His teeth overgrown, his basic nature has been usurped by the lifelong habits of aggression and savage greed.

(Gold from the Land of Israel, pp. 294-296. Adapted from Ein Eyah vol. II, pp. 248-249.)

<https://ravkooktorah.org/dvarim60>

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

By Lord Rabbi 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. [emphasis added]

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. [emphasis added]

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?

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

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

Fake News and Alternative Facts

By Eliezer Shemtov * © Chabad

One phrase — and more than a phrase, a concept — that has lodged itself deep in our collective consciousness is: Fake News.

True or not, it has become an easy and effective way of countering a narrative espoused by others. With the introduction of this phrase into the political discourse, elected officials and journalists and others we used to believe have become suspect.

A companion bit of newspeak is "*Alternative Facts*," a convenient way to label something that may or may not be true but should nonetheless be accepted as someone's reality.

With all this murkiness, whom are we to believe, and where can we find objective, verifiable truth?

Our sages teach that everything negative in the world also has the potential to be used for good. That is true here as well. We can apply the ideas of Fake News and Alternative Facts usefully and constructively.

We define our reality based on how we perceive it. And sometimes we need to say, bluntly, about our own negative self-perceptions: "Fake News!" "Alternative Facts!" — without entering into lengthy debate.

This Shabbat, the Shabbat before the fast of Tisha B'Av, is called Shabbat Chazon — the Shabbat of Vision. It is named for the prophetic reading of Isaiah that begins with the words *Chazon Yeshayahu* — "*The Vision of Isaiah*" — a prophecy containing G d's sharp rebuke of the Jewish people for their behavior.¹

The great Hasidic master Rabbi Levi Yitzchak of Berdichev understood in the word chazon an additional layer of meaning: that on this Shabbat, every Jew is shown — on a spiritual level — a vision of the Third Temple of Jerusalem, which will be built by Moshiach.

How can these two extremes — destruction and future rebuilding — be held together in the same word, on the same occasion?

The answer is that the **way to endure a moment of destruction is to visualize the eventual building. When you can see how much better things can be, that very vision becomes the power to make it real.** [emphasis added]

And this is not simply passive wishful thinking. A dream is not a fantasy. A dream is a vision of how things should and can be — followed by hard work to realize it. A fantasy is an imagined better world in which one does nothing and waits for it to materialize on its own.

The first step toward success is visualization. If you are clear about where you want to go, you can endure any period of destruction along the way.

The tool for this week: When negative self-perception beats you down, dismiss it decisively as Fake News — as Alternative Facts — and keep working toward the future. Remember: whether you think you can or you think you can't, you're right.

FOOTNOTE:

1. Isaiah 1:1–27.

* Chabad-Lubavitch emissary in Montevideo, Uruguay.

Devarim: Natural Preparations for Miracles

By Rabbi Moshe Wisnefsky *

Moses reminded the people how the scouts that were sent to spy out the Land of Israel spread their ill-founded fear among the people when they returned. As a result, that generation forfeited the privilege of entering the Land of Israel.

The plan pleased me; I took 12 men from you, one man for every tribe. (Deut. 1:23)

The word used here for “villages” (*chavot*) is related to the word for “life” (*chai*), and the name Ya’ir means “*will shine*.” Thus, “*The Villages of Ya’ir*” means “*Locales of life where light will shine*.”

Moses knew that despite the fact that G-d had promised His supernatural assistance in conquering the Land of Israel, it was proper to approach the entry into the land in a natural way, for we are not meant to rely on miracles. By preparing ourselves maximally in a natural way, we make it possible for G-d to bless our efforts in a miraculous way, and even elicit Divine favor.

This is why Moses approved of sending out spies to see how the land could be conquered naturally.

– From *Daily Wisdom* *

* Insights by **the Lubavitcher Rebbe** on the weekly parashat from Chabad's *Daily Wisdom* by Rabbi Moshe Wisnefsky.

Gut Shabbos,

Rabbi Yosef B. Friedman
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Covenant and Conversation

Rabbi Jonathan Sacks, z"l

Profits and Prophets

There are few more blazing passages in the whole of religious literature than the first chapter of the book of Isaiah, the great "vision" (or "chazon") that gives its name to the Shabbat before Tisha B'Av, the saddest day of the Jewish year. This is more than great literature. It expresses one of the great prophetic truths, that a society cannot flourish without honesty and justice. It could not be more relevant to our time.

The Talmud (Shabbat 31a) states that when we leave this life and arrive at gates of the World to Come, the first question we will be asked will not be a conventionally religious one ("Did you set aside times for learning Torah?"). This question will come later, but the very first question is said to be: "Did you act honestly [b'emunah] in business?" I used to wonder how the rabbis felt certain about this. Death is, after all, "the undiscovered country, from whose bourn no traveller returns." [1] The answer, it seems to me, is this passage from Isaiah:

See how the faithful city has become a harlot! She once was full of justice; righteousness used to dwell in her - but now murderers! Your silver has become dross, your choice wine is diluted with water. Your rulers are rebels, companions of thieves; they all love bribes and chase after gifts. They do not defend the cause of the fatherless; the widow's case does not come before them. Is. 1:21-23

Jerusalem's fate was sealed not by conventional religious failure but by the failure of people to act honestly. They engaged in cunning business practices that were highly profitable and hard to detect, such as mixing silver with baser metals and diluting wine. People were concerned with maximising profits, indifferent to the fact that others would suffer. The political system too had become corrupt. Politicians were using their office and influence to personal advantage. People knew about this, or at least suspected it - Isaiah does not claim to be telling people something they didn't already know; he does not expect to surprise his listeners. The fact that people had come to expect no better from their leaders was itself a mark of moral decline.

This, says Isaiah, is the real danger: that widespread dishonesty and corruption saps the morale of a society, makes people cynical, opens up divisions between the rich and powerful and the poor and powerless, erodes the fabric of society, and makes people wonder why they should make sacrifices for the common good if everyone else seems to be bent on personal advantage.

A nation in this condition is sick and in a state of incipient decline. What Isaiah saw and said with primal force and devastating clarity is that sometimes (organised) religion is not the solution but itself part of the problem. It has always been tempting, even for a nation of monotheists, to slip into magical thinking: that we can atone for our sins or those of society by frequent attendances at the Temple, the offering of sacrifices, and conspicuous shows of piety. Few things, implies Isaiah, make God angrier than this:

"The multitude of your sacrifices - what are they to Me?" says the Lord... "When you come to appear before Me, who has asked this of you, this trampling of My courts? Stop bringing meaningless offerings! Your incense is detestable to Me ... I cannot bear your evil assemblies. Your New Moon festivals and your appointed feasts My soul hates. They have become a burden to Me; I am weary of bearing them. When you spread out your hands in prayer, I will hide My eyes from you; even if you offer many prayers, I will not listen." Is. 1:11-15

The corrupt not only believe they can fool their fellow humans; they believe they can fool God as well. When moral standards begin to break down in business, finance, trade, and politics, a kind of collective madness takes hold of people - the Sages said *adam bahul al mamono*, meaning, roughly, "money makes us do wild things" - and people come to believe that they are leading a charmed life, that luck is with them, that they will neither fail nor be found out. They even believe they can bribe God to look the other way. In the end it all comes crashing down and those who suffer most tend to be those who deserve it least.

Isaiah is making a prophetic point but one that has implications for economics and politics today and can be stated even in secular terms. The market economy is and must be a moral

enterprise. Absent that, and eventually it will fail.

There used to be a belief among superficial readers of Adam Smith, prophet of free trade, that the market economy did not depend on morality at all: "It is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own interest."

It was the brilliance of the system that it turned self-interest into the common good by what Smith called, almost mystically, an "invisible hand." Morality was not part of the system. It was unnecessary.

This was a misreading of Smith, who took morality very seriously indeed. [2] But it was also a misreading of economics. This was clarified, two centuries later, by a paradox in Game Theory known as The Prisoner's Dilemma. Without going into too much detail, the Prisoner's Dilemma proposed a scenario in which two people are arrested and questioned separately. They have the choice to stay silent, to confess, or to accuse the other. The outcome of their decision would depend on what the other person did, but this could not be known in advance. It can be shown that if both people act rationally in their own interest, they will produce an outcome that is bad for both of them. This seems to refute the basic premise of market economics, that the pursuit of self-interest serves the common good.

The negative outcome of the Prisoner's Dilemma can only be avoided if the two people repeatedly find themselves in the same situation. Eventually they realise they are harming one another and themselves. They learn to co-operate, which they can only do if they trust one another, and they will only do this if the other has earned that trust by acting honestly and with integrity.

In other words, the market economy depends on moral virtues that are not themselves produced by the market, and may be undermined by the market itself. For if the market is about the pursuit of profit, and if we can gain at other people's expense, then the pursuit of profit will lead, first to shady practices ("your silver has become dross, your

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choice wine is diluted with water”), then to the breakdown of trust, then to the collapse of the market itself.

A classic instance of this happened after the financial crash in 2008. For a decade, banks had engaged in doubtful practices, notably subprime mortgages and the securitisation of risk through financial instruments so complex that even bankers themselves later admitted they did not fully understand them. They continued to authorise them despite Warren Buffett’s warning in 2002 that subprime mortgages were “instruments of mass financial destruction.” The result was the crash. But that was not the source of the depression/recession that followed. That happened because the banks no longer trusted one another. Credit was no longer freely available and in one country after another the economy stalled.

The key word, used by both Isaiah and the Sages, is *emunah*, meaning faithfulness and trust. Isaiah, in our Haftara, twice uses the phrase *kiryah ne’emanah*, “faithful city.” This is why the sages say that in heaven we will be asked, “Did you conduct your business *b’emunah*?” – meaning, in such a way as to inspire trust. The market economy depends on trust. Absent that, and depend instead on contracts, lawyers, regulations and supervisory authorities, and there will be yet more scandals, collapses and crashes since the ingenuity of those who seek to sidestep the rules always exceeds those whose job it is to apply them. The only safe regulatory authority is conscience, the voice of God within the human heart forbidding us to do what we know is wrong but think we can get away with.

Isaiah’s warning is as timely now as it was twenty-seven centuries ago. When morality is missing and economics and politics are driven by self-interest alone, trust fails and the society fabric unravels. That is how all great superpowers began their decline, and there is no exception. In the long term, the evidence shows that it is sounder to follow prophets than profits.

[1] Hamlet, Act 3, Scene 1

[2] This is made clear in the tone and concerns of Adam Smith’s book, *The Theory of Moral Sentiments*.

Shabbat Shalom: Rabbi Shlomo Riskin

Jerusalem, The Heart of Israel

“How so (*Eikha*) am I able to bear your contentiousness, your burdens and your quarrels?!” (Deuteronomy 1:12)

The Sabbath portion of Devarim is always read on the Sabbath before the Ninth of Av, the memorial fast for the destruction of both Holy Temples, the fall of our holy city Jerusalem, and the loss of our national sovereignty. This calendric connection is signaled by the biblical words in our portion, “How so (*Eikha*) am I

able to bear your contentiousness, your burdens and your quarrels?!” (Deut. 1:12), words which will be publicly read this Sabbath with the same haunting cantillations as the Scroll of Lamentations.

As the words just cited suggest, the gravest sin which leads to Jerusalem’s destruction is internal strife within the community of Israel, contentiousness, quarrelsomeness, the sin defined by our sages as “*sinat chinam*,” causeless hatred. To this end, the prophet Isaiah, when he presents his optimistic vision of hope for redemption, calls out, “Comfort you, comfort you, My people, speak upon the heart-Jerusalem, and call out unto her; her period [of exile] has been completed, her iniquity has been forgiven” (Is. 40:1–2).

Note that the prophet refers to the city as Heart-Jerusalem, a compound noun (“Speak upon, or speak about, heart-Jerusalem”); apparently it is “heart” which defines Jerusalem. I am certain this is what Rabbi Avraham Yitzchak HaKohen Kook was referring to when he said of the Western Wall, symbol par excellence of Jerusalem, “There are some hearts which are of stone; and there are some stones which are truly hearts.” Such are the heart-stones of the Western Wall; such is Jerusalem – heart-stone.

The heart serves two crucial functions for the human organism. It is the true life-force, pumping oxygenated blood through the body; oxygen is what enables us to breathe, and blood is the vital substance of human existence (“*hadam hu hanefesh*”).

Abraham entered the world arena, and his descendants became a covenantal people chosen by God for an eternal mission, “in order that all gentiles of the earth be blessed by [His] seed. God chose [and loved] Abraham in order that he convey to his household after him...compassionate righteousness and moral justice.” According to all of our prophets, this message will be conveyed at the end of the days from the Holy Temple in Jerusalem, to which all the nations will flock. At that time, they will beat their swords into ploughshares, forsake entirely the cultivation of warfare (Is. 2, Mic. 4), and “the nations will change to speak a pure language; they will all call upon the name of Hashem and serve Him with a united resolve” (Zeph. 3:9). Jerusalem will become the vehicle for Israel’s expression of the purpose for its being, the effectuation of a redeemed world of peace.

The heart is the source of human emotion, specifically the emotion of love: “You shall love the Lord your God with all your heart” (Deut. 6:5). When the great biblical interpreter Rabbi Avraham ben Ezra (known as Ibn Ezra, born in Tudela, Navarre, Spain, 1089–1164)

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had to define “your fellow (*rei’akha*),” in the verse “And you shall love your fellow” (Lev. 19:18), he concluded that it must refer to every human being; after all, the verse concludes with “I am the Lord,” and the Lord created all of humanity from one divine womb.

Jerusalem will one day unite all of humanity within her bosom, for she is the heart, the Shekhina, the divine womb. This makes all human beings siblings; God’s children are inextricably interlocked by the love we must feel for each other because of the eternal part of God in each of us, and the concomitant responsibility each must therefore bear towards the other. The love which will emanate from Jerusalem must extend to all the nations, even those who have cruelly harmed us in the past, even those who have sought to destroy us. This love is extended as long as they now come in peace to worship the God of love, forgiveness, and peace. It must be an unconditional love, like a mother has for the fruits of her womb. It must be a love without cause, aspiring to bring repair for the hatred without cause which initially caused Jerusalem’s demise.

In 1978, Prime Minister Menachem Begin, President Jimmy Carter, and President Anwar Sadat met at Camp David to draft the peace agreement with Egypt. After all the negotiations had seemingly concluded, Carter handed Begin a letter for him to sign. The prime minister turned white and returned the letter, refusing to sign it. “But I did not ask you to give up Jerusalem,” said the American president. “I only asked that you put it on the negotiating table.”

“You don’t understand,” said Israel’s prime minister. “For two thousand years, we Jews have been reciting a verse from King David’s Psalms at every wedding ceremony: ‘If I forget thee O Jerusalem, may my right hand lose her cunning: Let my tongue cleave to the roof of my mouth, if I hold thee not above my highest joy.’”

“But doesn’t your Jewish law maintain that you must give up a limb in order to save the entire organism?” remonstrated Carter. “Yes,” said Menachem Begin, “but not if the limb is one’s heart. No human being can live without a heart. Jerusalem is the heart of Israel, the heart of the Jewish people.”

Dvar Torah: Chief Rabbi Ephraim Mirvis

In the midst of our sorrow there is every reason to be hopeful. This is one of the key messages of the fast of Tisha B’av which will take place this coming Sunday. On Tisha B’av we recall great tragedies of the past but we don’t only focus on what transpired, we also emphasize the depth of the suffering. Indeed it’s in that very spirit that, while the fast ends

at the end of Tisha B'av, the restrictions of the nine days continue into the next day. There's hardly been an occasion in our history when there's been a 'day after,' when all our troubles are suddenly totally behind us. There is always something which carries on, some pieces that need to be picked up. And after some of the horrific tragedies of our people it has sometimes taken generations to totally get over them. But Tisha B'av has another major theme for us, it's the theme of hope. In our prophetic writings the day is referred to as being a 'mo'ed' which means a festival and indeed amongst our customs we have trappings of a Yom Tov. For example, we don't say Avinu Malkeinu which we usually would say on fast days because on a festive occasion we don't say that prayer. And we look forward to a time when Tisha B'av will genuinely be transformed into the happiest day on our calendar.

These sentiments are reflected beautifully in the Acheinu prayer. We're reciting Acheinu so very often now and in Acheinu we declare that Hashem will help our people and deliver us – mitzara l'irvacha, from distress to relief, umefelah leora, from darkness to light, umeshibud lgeulah, from oppression to redemption. The pendulum of Jewish fate swings very swiftly from one extreme to the other. And this entire message is encapsulated so poignantly by the prophet Jeremiah, in chapter 30 verse 7, where he declares 'v'eit tzazara hie liyakov umimena yivasheah' - this is a time of deep sorrow and distress for the people of Israel but from within the very midst of it they shall be saved.

Ohr Torah Stone Dvar Torah

From "Not a Man of Words" to "These Are the Words" - Rabbanit Leora Levian
 "These are the words that Moses spoke to all of Israel."

An entire book of the Torah is dedicated to encompassing the final speech of Moses our Teacher to the Children of Israel, as their wandering in the desert draws to a close and they prepare to enter the Land. It is no coincidence that the Torah calls this book Devarim "–Words." The title echoes Moses's own response when God first revealed Himself at the burning bush and appointed him to his mission: "I am not a man of words" (lo ish devarim anochi).

The "non-man of words" now delivers devarim "–words" – "to all of Israel." And yet, throughout the Torah, Moses emerges as very much a man of words: he leads the people with measured speech, precise rebuke, and clear instruction. Most significantly, he initiates the long tradition of the Oral Torah, which he transmits to Joshua. The language of Moses our Teacher continues to resonate among the Jewish people to this very day. Surely God

knew that Moses's rhetorical skill was enough to lead the people out of Egypt and bring them to the gates of the Land of Israel. So why did Moses claim that he was incapable? That he was not a man of words?

"A parable: A man sold purple cloth," teaches the Midrash. "A king heard this and asked him, 'What are you selling?' 'Nothing at all,' the man replied. 'But I heard you calling out that you're selling purple cloth—why do you say it's nothing?' 'The merchant answered: 'It's true, it is purple—but compared to your treasures, it is nothing.'"

So too with Moses: Before the Holy One, blessed be He, who created the mouth and speech itself, he says, "I am not a man of words." But with regard to Israel, it is written: "These are the words."

Standing before God at the burning bush, Moses grasps the vast chasm between content and form. He understands the profound gap between the word of God and the words of man. Moreover, he realizes that beautiful, aesthetic speech may actually divert the listener's attention. Or in the language of the Midrash: he knows he is selling purple—but before the King's treasury, even the purple pales.

I once attended the funeral of someone dear to me. His son eulogized him with exquisite words—virtuosic imagery and deeply moving lyricism. There was no doubt that the audience was moved—but to such a degree that, for a moment, they forgot they had come to mourn the father's passing. The need for ideas to pass through words risks weakening the very ideas themselves, exposing them to the possibility that the listener will cling only to the external — satisfied with the purple cloth, rather than entering the King's treasure house.

In that moment, God seeks to teach Moses—and to teach us—the fundamental principle for approaching the King's treasures: The Torah speaks in the language of human beings. The refined and pure voice of Moses our Teacher is not a barrier, but a conduit. Thanks to his humility on the one hand and his talent on the other, the Torah could be given to the people of Israel. And after nearly forty years of wandering, he could stand and deliver, over the course of a month, the speech known as "These are the words."

The essential and complex relationship between form and content is especially relevant to these days of mourning. "Why was the Land destroyed?" ask the Sages. And they answer in Tractate Bava Metzia: "Because they did not recite the blessing over the Torah first."

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When I first encountered this explanation, it struck me as almost trivial. That's the whole reason? The people of Israel studied Torah, read Torah, made it part of their lives—and just forgot to bless?

But the blessing over Torah is precisely what distinguishes between Torah study as an intellectual, aesthetic, or cultural experience—and Torah study as an essential expression of the relationship between the people of Israel and the Holy One, blessed be He. As Rashi explains (loosely paraphrased): "Since they didn't bless, they revealed that in their minds, it was not a precious gift." One who studies Torah without intentionally acknowledging that God "chose us from among all peoples and gave us His Torah" fails to truly connect with the Torah—or with its Giver. The blessing may be merely the introduction, the step before the act—but it provides the entire context for Torah learning.

This tension between form and content, between purple cloth and treasures, between blessing and study, accompanies virtually every moment of shlichut. We want Torah to be compelling and accessible for our communities. We invest countless hours in branding, wordplay, and in laying out a purple carpet in the hopes of leading people toward the King's treasures. And at the same time, we want Torah and mitzvot not to be perceived as gimmicks—we want Am Yisrael to study and observe from a place of genuine connection. A connection that does not require the most polished speaker. A connection that can experience the light of God and the light of Torah even through one who is "slow of speech and slow of tongue."

The contrast our parsha offers us—the "man of words" in Devarim versus the "not a man of words" in Shemot—gives us a key: to remember that all our words pale beside the true Davar, the Divine essence. And with great humility, to use those words to help bring the people of Israel from physical and spiritual wilderness into the Land of Israel—and toward ultimate redemption.

OU Dvar Torah

Looking Forward, Looking Back: Rosh Chodesh Av by Erica Brown

The Shabbat immediately before Tisha B'Av is referred to as "Shabbat Hazon." A "hazon" is a vision or prophecy. Usually when we speak of visions we think optimistically about the future. The texts we recall on Shabbat hazon, however, are of doom and devastation. The ancient Israelites are referred to as a brood of evildoers, as depraved children. God bemoans the loss of intimacy between Him and the people.

In this single chapter the destruction of Zion and Jerusalem is predicted. Sodom and Gomorrah are mentioned repeatedly; the sense of sin and the difficulty of extricating oneself from it weigh heavily on the reader. But one underlying theme emerges about the nature of the sin that brings about alienation from God: religious piety in place of human justice and equity. God criticizes the bringing of offerings to the Temple, and Holiday times filled with hypocrisy:

Bring no more vain offerings; incense of abomination they are to Me; as for new moons and sabbaths and the calling of assemblies, I cannot bear iniquity along with solemn meeting. Your new moons and your appointed feasts My soul hates: they are a trouble to Me; I am weary of enduring them. (Isaiah 1:13–14)

God articulates disgust through the agency of the prophet. Occasions that are traditionally joyous have become burdensome. Why?

The reason for God's anger is mentioned twice in this chapter: the neglect of widows and orphans. God reminds the people: "Devote yourself to justice; aid the wronged. Uphold the rights of the orphan; defend the cause of the widow" (ibid. 1:17). This strong recommendation is backed up by the reality that greed has blinded people from helping those most vulnerable: "Your rulers are rogues and cronies of thieves, every one avid for presents and greedy for gifts; they do not judge the case of the orphans, and the widow's cause never reaches them" (ibid. 1:23).

Neglect of widows and orphans is not a new theme in the biblical text. We are admonished in Exodus and Deuteronomy to care for those most vulnerable in our society. What do Isaiah's strong words add? Isaiah's point is a legal one. According to Rashi, the prophet is pointing a finger at a justice system where bribes are accepted out of avarice, and those unable to pay – like the widow and orphan – have their cases postponed to a later date. Because the vulnerable are not given top priority in the justice system, they stop using the courts. Now we understand the causative relationship in the verse: "They do not judge the case of the orphans, and the widow's cause never reaches them." Because the case of orphans is neglected, the widows never bother to come.

An indictment of a legal system is ultimately an indictment of society. We all have moments when we ignore the urgent needs of those around us. We don't do it willfully; we assume that someone else will take care of the problem. Growing up in a democracy, we naturally assume that when agreement cannot be reached between people, a government agency will step in and adjudicate. Our tax

payers 'dollars will come through; a social service institution or charitable non-profit will pick up the pieces.

In the haftara for Shabbat Hazon, the prophet Isaiah presents a subtle message about the status of orphans and widows. We must ensure that they get the same legal protections and benefits as everyone else so that they, too, will experience the heft of justice and of an equitable system of law that offers them a fair hearing and a platform for grievance: "Uphold the rights of the orphan; defend the cause of the widow." Do not call yourself a pious person unless you are part of building a just society. "Though you pray at length," God says, "I will not listen" (ibid. 1:15). Those who cannot speak kindness and justice cannot be heard in their time of need. There is a language barrier. God will not hear the prayer of those who separate religious obligation from human compassion. The religious world view must encompass both.

Every day presents an opportunity to make our lives more whole, less fragmented, more honest and less compartmentalized. We are all hypocrites in one way or another. We strive to be good but stumble. We aim for consistency but miss the mark. So instead of trying to change the whole world at once, perhaps we can make minute but meaningful steps to promote justice. Small acts of justice are the bricks of any future Mikdash.

Kavana for the Day - According to the Talmud (Shabbat 31a), when we reach heaven at the end of our lives, God asks us a series of questions. One of them is: Have you worked for the world's redemption? This doesn't mean, "did you wait for the Messiah"; it implies that we must actively create the kind of environment where a messiah could exist and flourish, a place endowed with a spirit of compassion and social justice. There is no better way to redeem the neglect of the widow and orphan than by lending a hand towards the most vulnerable in society. Call up a local shelter and volunteer for a few hours. When we call it a shelter, we mean that it is a safe refuge for those who need temporary housing and protection. But ironically, we are often sheltered from the rawness of those who need its services because we live such cushioned lives. The shelter protects them, but distances us. "Un-shelter" yourself by seeing the way the other half lives. It may become a good habit. *Excerpted from Erica Brown's In the Narrow Places: Daily Inspiration for the Three Weeks, co-published by OU Press and Maggid Books*

Dvar Torah: TorahWeb.Org

Rabbi Mayer Twersky: Mourning the Mikdash

The question de jour for many of us, how can we mourn for the Beis Hamikdash? How can we mourn for what we never experienced?

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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, "I'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.

Mizrachi Dvar Torah

Rav Doron Perez: When Society Destroys Itself

What happens when a society becomes its own worst enemy?

As the Roman army prepared to destroy Jerusalem, Emperor Vespasian hesitated. "Wait," he said, "the Jews will destroy themselves." And tragically, they did.

This chilling episode from Josephus offers a haunting insight into the real reason behind the fall of the Second Temple: not only the external enemy, but the internal collapse. The infighting. The delegitimization. The refusal to see the humanity – or validity – in those we disagreed with.

As we navigate a world filled with political strife, religious tension, and social discord – within Israel and beyond – this message is painfully relevant: Sinat chinam didn't end in the first century. But neither did the hope of redemption.

May we learn to fight less like enemies and argue more like siblings – fiercely, passionately, but never without love. May Hashem protect us from enemies without, and from division within. May unity triumph over disunity, and redemption over ruin.

Torah.Org Dvar Torah by Rabbi Label Lam

Here We Are

הָאֵלֶּיךָ... How has the city that was once so populous remained lonely! She has become like a widow! She that was great among the nations, a princess among the provinces, has become tributary. (Eicha 1:1)

הָאֵלֶּיךָ... And HASHEM Elochim called to man, and He said to him, "Where are you?" (Breishis 3:9)

One of my favorite cartoons depicts a man crawling in the desert and staring at a sign with an arrow pointing that reads, "You Are Here!". How absurd! Everybody's gotta be someplace, but in the context of no context, without the rest of the map, that piece of information is useless. On the flipside, if one is studying a giant map of the New York City subway system, he is equally lost without that arrow indicating, "You Are Here!" What worse than being is lost, however, is not even realizing that one is actually lost. So, along comes Tisha B'Av to remind us and help us discover, "You Are Here!"

The first and most profound question ever asked, persists in its asking, demanding an answer, still. When Adam, the first man, took a giant step away from HASHEM, HASHEM called out to him and asked, "AYECHA-Where are you!?" HASHEM knows, as my GPS, where man is but the question is for man to answer. He needs to know where he is, in relation to HASHEM. It's as if HASHEM is saying, "I am still here, but where have you gone?!" Now man must respond! Where are we?

Our sages recognized in that same one-word question an exact resemblance to the question that launches EICHA that we read on Tisha B'Av. It's the exact same four letters with different vowels. The question that is begging for an answer there is "EICHA – HOW!" How did we get here? How did this happen? If we can figure out how we got here then maybe we can find our way back to where we belong.

Years back I was running a prison program. Once, I brought in a guest speaker. The prisoners crave to know what's going on "out there". They live vicariously through the adventures of others. They nudged the Rabbi to tell them where he had been. He answered, "I was just in the world's largest prison and

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there I confronted the most-fierce warden". 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!"

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??? We repeated till it became real: "You 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 mind is, that is where he is entirely!" We can be standing in Times Square and our heads can be in New Square or we can be in Walmart and our minds are at The Western Wall! It can be the other way, as well.

With one Holy thought, a flash in the mind we can be inside the Holy of Holies. From there we can answer optimally, the cosmic question, "AYECHA, where are you?", as Abraham Avinu answered the call, "Heneini" – "Here I am!" So, again on Tisha B'Av, here we are!

Yeshivat Har Etzion: Virtual Bet Midrash

Rav Meir Shpiegelman

The Eastern Side of the Jordan

The First Speech of Sefer Devarim - Moshe's first speech in Sefer Devarim concludes at the end of Chapter 4. We know this Chapter 4 has its own special conclusion, recalling the introduction to the speech at the beginning of Chapter 1, and because Chapter 5 opens with its own special introduction, indicating a new

speech.

And this is the law that Moshe set before Bnei Yisrael. These are the testimonies and the statutes and the judgments that Moshe spoke to Bnei Yisrael when they came out of Egypt, on the opposite side of the Jordan, in the valley... (Devarim 4:44)

And Moshe called to all of Israel, and said to them: Hear, O Israel, the statutes and the judgments that I speak in your hearing this day, and you shall learn them and observe to do them. (5:1)

The first speech is mainly about Eretz Yisrael: almost all the events it mentions are connected to the Land and the journey towards it. The mitzvot that appear in this speech are also connected to the Land, since Moshe emphasizes that observing them facilitates inheritance of the Land and that the mitzvot are all meant to be observed in the Land:

And now, O Israel, obey the statutes and the judgments, which I teach you, to do, so that you may live and go in and possess the land which the Lord, the God of your fathers, gives you...

See, I have taught you statutes and judgments... to do so in the midst of the Land to which you are going, to possess it." (Devarim 4:1-5)

Even the section of curses in the first speech – "When you bear children, and children's children, and you will have been long in the Land..." (4:25) – is fundamentally bound up with Eretz Yisrael, as the only punishment mentioned there is exile. Similarly, the reward mentioned at the conclusion of the unit is long life upon the Land:

And you shall keep His statutes, and His commandments, which I command you this day, so that it may go well with you and with your children after you, and so that you may prolong your days upon the land which the Lord your God gives you, all the days. (4:40)

Designation of Cities of Refuge - At the end of the first speech, the Torah describes the designation of three cities of refuge on the opposite side of the Jordan. This is mentioned here not only because Moshe wishes to fulfill a commandment connected with the Land, but also because of the special significance related to this mitzva.

It is clear that Moshe wanted to enter the Land, and if this would not be possible, then at the very least, he would want to reach the eastern side of the Jordan once this area was defined as "Eretz Yisrael." At what point did the eastern side of the Jordan become "Eretz Yisrael"? We can deduce the answer from the exchanges between Moshe and the tribes of Gad, Reuven, and (later,) half of Menashe. Their argument is not only about these tribes' willingness to wage war alongside their brethren, but also concerns the question of when exactly the eastern side of the Jordan would become part of Eretz Yisrael. The two-and-a-half tribes wanted the eastern side to be

declared part of Eretz Yisrael immediately, and for this, they committed to leading Bnei Yisrael to war. At first, Moshe was unwilling to accede, and indicated that the eastern bank would become part of Eretz Yisrael only after the two-and-a-half tribes actually crossed over the Jordan with their brethren:

And Moshe said to them: "If the children of Gad and the children of Reuven pass with you over the Jordan, every man armed for battle, before the Lord, and the Land is conquered before you, then you shall give them the land of Gilad for a possession. And if they do not pass over armed with you, they shall have a possession among you, in the land of Canaan." (Bamidbar 32:29-30)

What Moshe is saying is that if the two-and-a-half tribes do not cross the Jordan together with the rest of the nation, then the eastern side of the Jordan will not be sanctified as part of Eretz Yisrael; they will have to instead share the territory on the western side with all the other tribes.

However, the description in Sefer Devarim suggests that Moshe did ultimately accede to their demand, since he establishes even before the conquest of the western side of the Jordan that the eastern side is the inheritance of the two-and-a-half tribes:

The Lord your God has given you this land to possess it. You shall pass over armed before your brethren, Bnei Yisrael, all the men of valor... until the Lord gives rest to your brethren, like you, and they also possess the land which the Lord your God gives them beyond the Jordan; then you shall return, every man to his inheritance, which I have given you." (Devarim 3:18-20)

Now that we know by when the eastern side of the Jordan became Eretz Yisrael, we must also ask how. Presumably, some sort of action would have been needed to sanctify the area, and it seems that this occurred through the designation of the cities of refuge. The Torah emphasizes (in Parashat Masei) that when the Land is expanded through conquest, additional cities of refuge must be designated; this indicates that establishment of these cities defines the sanctity of the land. Each "type" of Eretz Yisrael has three cities of refuge, regardless of its size. These cities of refuge are necessary as a place for those who have killed unintentionally; they cannot remain in the Land because "blood pollutes the land, and the land can have no expiation for the blood that is shed in it, except by the blood of the one who shed it" (Bamidbar 35:33). This verse points to an inherent connection between the cities of refuge and the sanctification of Eretz Yisrael; thus, the designation of cities of refuge on the eastern side of the Jordan already in our parasha tells us that this area was sanctified and became part of Eretz Yisrael even prior to the conquest of the Land.

What all this means is that Moshe (unlike Aharon) actually did merit to enter the Land –

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the eastern part of it, though not the west.

Moshe's Entry into the Land - Of course, the understanding that Moshe entered the Land raises an obvious question: Didn't God tell Moshe explicitly that he would not enter the Land? Moreover, even Moshe himself does not regard his arrival on the eastern side of the Jordan as entry into the Land; he begs God to allow him to enter "the good Land that is on the other side of the Jordan" (Devarim 3:25).

The solution to this apparent contradiction can be found in the difference between the two sides of the Jordan. In particular, we will see that the eastern side symbolizes conflict between the tribes of Leah and the tribes of Rachel, while the western side symbolizes the future reality in which there will no longer be rivalry between them.

Three tribes settled on the eastern side of the Jordan: the tribes of Reuven and Gad approached Moshe first, and Menashe joined later. Reuven and Gad were both firstborn sons of their respective mothers, and this cannot be a coincidence. Continuing the phenomenon – familiar to us from Sefer Bereishit – of firstborn sons being rejected for the birthright, the Torah "disqualifies" the tribes of Reuven and Gad from inheritance on the western side of the Jordan; instead, they receive their inheritance on the eastern side, whose status is not identical to that of Eretz Yisrael. However, we will have to explain why the tribe of Dan was not similarly relegated to the eastern bank, and also why only half of the tribe of Menashe (Yosef's firstborn) settled there.

We have discussed in the past the fact that Yaakov's inheritance was not divided equally among his sons, and there are different ways to think about this. From one perspective, we see that Yosef is treated as the firstborn and therefore receives a double portion. However, we can also look at the division of the inheritance from a different perspective: Rachel and her maidservant (Bilha) had a total of four sons, while Leah and her maidservant (Zilpa) had a total of eight. The inheritances on the eastern side of the Jordan serve to preserve this ratio between the children of Leah and the children of Rachel: Reuven and Gad are the firstborn sons of Leah and her handmaid, respectively, and Menashe is the firstborn of Rachel.

The division of the inheritance after entering the Land is completely different. Once Reuven and Gad receive their inheritance on the eastern side of the Jordan, and once it is established that the tribe of Levi will not inherit land, Leah and her handmaid are left with only five tribes that will inherit. Rachel, on the other hand, has an extra tribe (the descendants of Yosef are divided between the tribes of Menashe and Ephraim) – which means she and her handmaid also have five tribes between them (including the tribe of Menashe, which is divided in half so as to be counted among the tribes on both sides of the

Jordan). Thus, equality is achieved on the western side of the Jordan between the five sons of Leah and her handmaid, and the five sons of Rachel and her handmaid, who all have portions there.

In light of this, we may conclude – as noted above – that the portion on the eastern side of the Jordan reflects the “imperfect” reality in which, following the story of the mandrakes in Sefer Bereishit, the sons of Leah inherit double the number of portions inherited by the sons of Rachel. The inheritance within Eretz Yisrael, on the other hand, reflects the “proper” or “perfect” reality, which is postponed to the future, when the “branch of Yehuda” and the “branch of Yosef” will join to become a single branch (Yechezkel 37) and enjoy identical status.

Thus, there is an essential difference between the eastern side of the Jordan and the western side, and for this reason Moshe is able to enter the area on the eastern side of the Jordan even after it has been sanctified, despite God’s decree that he will not merit to enter the Land.

The Appointment of Judges - Since the central theme of Moshe’s first speech is entry into the Land, we need to understand why he devotes such detailed attention to the process of appointing judges. This issue seems irrelevant to the Land and should have been omitted from the speech, as are many incidents that happened in the wilderness. We might suggest that Moshe wants to explain to the nation how the leadership of the seventy elders came about, but this is an unsatisfactory answer, since he does not go into the same level of detail concerning the sin of the golden calf (which led to the selection of the tribe of Levi), Korach’s rebellion, or the process by which Yehoshua was selected as the next leader.

Aside from the difficulty regarding the very mention of the appointment of judges, the content of this unit also raises a question: Moshe’s description blends two different incidents. Parashat Yitro tells us how Yitro advises Moshe to choose individuals who will form a hierarchy of judges and help him in the task of judging the people, while in Parashat Behaalotekha, Moshe asks God to appoint elders who will help him with leadership. Despite the similarity between the two incidents, the role of the individuals who are being chosen in each case is very different. In Parashat Yitro, it is judges that are to be selected, and the desired qualities of the candidates are specified accordingly: “men of truth, hating unjust gain” (Shemot 18:21). In Parashat Behaalotekha, Moshe asks for people who will help him to lead the nation, and these people are therefore chosen on the basis of their leadership ability: “whom you know to be elders of the people and its officers” (Bamidbar 11:16).

In our parasha, Moshe conflates these two roles: And I said to you at that time... “How

can I bear alone the trouble of you, and your burden, and your strife? Provide yourselves wise men, and understanding, and known, from each of your tribes, and I will appoint them at your heads.”... And I took the heads of your tribes, wise men, and known, and I appointed them heads over you, rulers of thousands and rulers of hundreds and rulers of fifties and rulers of tens, and officials for your tribes. And I charged your judges at that time, saying: “Hear [the issues] between your brethren, and judge righteously between a man and his brother and the stranger that is with him. You shall not be partial in judgment...” (Devarim 1:9, 12-17)

At first, Moshe talks about selecting leaders for the people, and therefore he emphasizes that these individuals should be “wise and known.” In the middle of his speech, he switches to talking about officers of thousands and of hundreds, and commands the judges not to skew their judgments. Why does he mix up these two stories?

In the unit concerning the “rebellious elder,” the Torah commands: “You shall go up to the place that God will choose, and come to the kohanim-leviim and the judge who will be in those days...” (Devarim 17:8-9). The Torah even emphasizes that whoever does not obey the kohen or the judge is put to death. However, in that unit, the kohen is not a teacher of Torah (as in other units), but rather “the kohen who stands [ready] to serve the Lord your God there” (v. 12). Why, then, are we obligated to obey him? Apparently, the kohen occupies a special status within the judicial system. Indeed, this makes sense: a halakhic ruling is not just a matter of logic, but has great significance in the realm of values as well. The kohen represents God’s Presence and His affirmation of the ruling; this is why the Torah often refers to the court as “*elohim*.”

Moshe himself fills three roles: he is the judge, the leader, and the one who brings God’s word to the people. After Moshe’s death, the three roles are divided up: the prophet brings God’s word to the people, leadership is awarded to the king, and judgment becomes the role of professional judges. And although there was a clear division of responsibility between the “rulers of the thousands” and the elders during the period of wandering in the wilderness, this division came to an end with the entry into the Land. Moshe merges the two units to indicate that they are two sides of the same coin: the transfer of leadership to the seventy elders is a direct continuation of Yitro’s advice.

There is no possibility of inheriting the Land without a system of justice. In the absence of organized courts, the Divine Presence cannot reside among the people. Moshe therefore recounts the story of the appointment of the judges as an integral element of the entry into the Land. At the same time, since this topic is not directly connected to the Land, Moshe

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mentions it within a parenthetical unit that is introduced and concluded with the words, “at that time” (1:9, 18).

(Translated by Kaeren Fish; edited by Sarah Rudolph)



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INTERNET PARSHA SHEET ON DEVARIM / CHAZON / TISHA B'AV - 5786

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Chazon and Nachamu

Adopted from a Drasha from **Rabbi Nisson E. Shulman**
In memory of the Yahrteit this Shabbos of Rose Ruth **חנה רחל Shulman a"h** the mother of yb"l Rabbi Nisson E. Shulman
Parshas Devarim is always read before Tisha B'Av, and Parshas Va'eschanan is always read afterward. The haftorah of Devarim begins Chazon Yeshayahu; the haftorah of Va'eschanan begins Nachamu, nachamu ami. Both prophecies were delivered by the same navi, Yeshayahu. This is significant. The message does not change; the people must change. When they do, chazon can become nachamu. The same navi who foretold destruction also foretold consolation, because the possibility of consolation was present even within the vision of destruction. Today we no longer have living nevi'im. Yet in another sense we possess the words of all of them, above all those of Moshe Rabbeinu, the adon hanevi'im. Their message reaches us through Torah and halachah, as taught and interpreted by the sages of every generation.

Certain countries may be characterized as lands of chazon, lands of destruction for the Jews who live within them, while others appear to be lands of nachamu, places of consolation in which Jewish life flourishes. Germany was surely a land of chazon, where the vision of

destruction became a terrible reality for one-third of our people. Immediately afterward, we witnessed the rebirth of the State of Israel, a land of nachamu for a people decimated and devastated by the Holocaust. There was also a time when we regarded the Soviet Union as a land of chazon. The Iron Curtain sealed off a large portion of our people and denied them the freedom to practice their religion, while America, Britain, Australia, South Africa, and the other countries of the free world seemed, by contrast, to be lands of nachamu.

But matters are not always as simple as they appear. When Russia's bonds were finally broken, many returned to the faith of their fathers, and even more returned to the land of their fathers. Yeshivos, summer camps, and Jewish day schools arose within the former Soviet Union, and some who remained rediscovered their heritage. But the fuller picture is more sobering. Decades of forced assimilation had done their work: many who came out of Russia, or who made aliyah under the Law of Return, turned out not to be halachically Jewish at all, the product of generations of intermarriage that Soviet suppression of religion had only accelerated. Of those who were Jewish, a great many remained, and remain, disconnected from Torah observance. The bonds were broken, but not all that had been lost within them was restored. Even so, something real did survive. Segments of authentic Jewish life took root, in the former Soviet Union, in Israel, and here, where none had been expected to survive at all. Whether that qualifies as the fulfillment of Nachamu, nachamu ami, or only a partial and still unfolding nechamah, is a question we may not yet be in a position to answer.

France offers one illustration of the same pattern, but it is far from alone. Britain, once assumed to be simply a land of nachamu, has seen its own Jewish community shaken by the same currents: antisemitic incidents at record highs, a mainstream political party investigated for institutional antisemitism, Jewish schools and shuls under police guard. Australia, long thought among the safer and more settled Diaspora communities, has in the past two years seen synagogues firebombed and Jewish neighborhoods targeted in ways that shocked a country unaccustomed to thinking of itself as unsafe for Jews. Across Western Europe more broadly, from Germany to the Netherlands to Scandinavia, communities that had rebuilt in the shadow of the Holocaust now report Jews concealing their identity in public, removing mezuzos from visible doorposts, hesitating before wearing a yarmulke on the street. In each case the same quiet response has followed: rising aliyah, and a Diaspora rethinking whether the lands it called home still deserve that name.

Is America necessarily a land of nachamu merely because it is a land of freedom? The Greek tale of the lotus-eaters describes a plant that lulled sailors into forgetfulness until their ships were dashed upon the rocks. The free world can likewise become a land of chazon: a place of spiritual disintegration and disappearance, a land of lotus-eaters. In recent years this has felt less like a cautionary tale and more like a description of the present. American Jews now weigh their safety on campuses, in cities, and even in shul in a way that would have seemed unthinkable a generation ago, while Eretz Yisrael, for all its wars and dangers, has come to feel for many the more secure home. It is a strange reversal: the land of exile beginning to resemble chazon, and the land of return increasingly the address of nachamu. Since Simchas Torah of 5784, we have seen this same intermingling of chazon and nachamu played out again and again, each time with

terrible speed. The massacre in the south of Israel was chazon in its starkest form. What followed revealed how much chazon had been lying dormant even in the freest of countries. On Yom Kippur 5786, a terrorist rammed his car into worshippers and stabbed them outside a synagogue in Manchester, killing two men who had come to pray on the holiest day of the year. That same Chanukah, gunmen opened fire on a thousand people gathered for a public menorah lighting at Bondi Beach in Sydney, murdering fifteen, among them a Holocaust survivor. Months earlier, two young Israeli Embassy staffers, on the verge of their own engagement, were shot dead leaving a Jewish museum in Washington. In France, the chief rabbi of Orléans was beaten in the street in front of his nine-year-old son on his way home from shul. Each of these was chazon in miniature. And each produced its own nachamu. Manchester's Jews carried their prayer books into the street and finished Yom Kippur services outside the cordon rather than stop davening. Sydney lit its Opera House with a menorah the very next night, and a city that had never thought of itself as unsafe for Jews turned out in the thousands to relight the candles the terrorists had tried to extinguish. Orléans answered with a silent march at the Bastille and, in time, plans for the city's first mikvah in centuries. And across the Diaspora these years have produced a surge in aliyah and an outpouring of achdus rarely seen in our lifetimes, Jews who had never set foot in a shul finding their way back. Once again, chazon and nachamu proved not to be opposites but two faces of the same moment, and it fell to us, as it always does, to determine which one would prevail.

Will we learn this lesson? Will we discover the true Jewish meaning of freedom, *charus al haluchos*, freedom engraved upon the tablets? Will we reverse the tide of assimilation within our own communities? At a time when Israel's security may depend on more than its own army, American Jewish support can no longer be measured mainly in dollars raised or trips taken. It is measured in whether the halls of Congress still stand with Israel when it counts. That support has always had its ebbs and flows; American backing for Israel has never been a fixed inheritance, and every generation has had to work to keep it. But there are signs today that it is eroding in ways that should concern us: voices once at the margins of American politics questioning the relationship openly, and a bipartisan consensus that once felt unshakeable now looking more fragile. If that erosion continues, it will not be tourism dollars that are missed but something far harder to rebuild. Should this continue, the beautiful and free land of America could itself become a land of chazon, a chazon that affects not only American Jewry but also the defenders and builders of our holy land.

For thousands of years we waited, prayed, and yearned for the nachamu of a reborn Eretz Yisrael. Now that it has come, and requires our involvement and support, can we stand silently and permit it to return to a condition of chazon? The land of the free can become either a land of chazon or a land of nachamu. Which it will be depends upon us.

As Tisha B'Av approaches, we confront the destruction of the Beis Hamikdash, the heart of our people. But the Jewish heart is itself a sanctuary of Hashem, and its spiritual desolation is expressed in the terrible prophecy of Moshe Rabbeinu: בניך ובנותיך נתונים לעם אחר, "Your sons and daughters will be given to another people." Our response to the destruction of the Beis Hamikdash must be teshuvah: a return to Hashem's commandments, a return to the integrity of

Jewish family life, a return to the Torah education of our children, and a return to Eretz Yisrael. Chazal are explicit about what teshuvah must correct. The Gemara in Yoma teaches that the first Beis Hamikdash fell because of the three cardinal sins, idolatry, immorality, and bloodshed, but the second, built at a time when the nation was scrupulous in mitzvot, fell because of *sinas chinam*, baseless hatred among Jews for one another. The account of Kamtza and Bar Kamtza that Chazal give as the proximate cause, a mistaken wedding invitation, a public humiliation, rabbis present who said nothing while a guest was thrown out of a feast in front of the whole community, is told not as an oddity of Roman-era social manners but as the hinge on which the churban turned. A single act of small-mindedness, left unanswered, brought down the Mikdash itself. If *sinas chinam* alone could accomplish that, *ahavas chinam*, baseless love that asks for no political or ideological agreement first, must be at least as powerful in the other direction.

There are moments in history when a turning point is reached. This is such a moment. Even at the moment of the churban itself, chazon carried nachamu within it. As Yerushalayim burned and the Beis Hamikdash lay in ruins, Rabban Yochanan ben Zakkai had himself smuggled out of the besieged city, and made a single request of the Roman general Vespasian: Yavneh v'chachameha, Yavneh and its sages. From that modest request, granted almost as an afterthought, grew the academy that preserved the Torah she'be'al peh, the oral tradition later set down as the Mishnah and the Gemara that we still learn today. The Mikdash was chazon in its most literal sense, stone toppled upon stone; Yavneh was the nachamu already taking root in its ashes, before the fires had even gone out. Every generation since has had its own Yavneh: some quiet request, made at the darkest possible moment, that turns out in time to have carried the future inside it.

A permanent return to Eretz Yisrael may not presently be possible for everyone, though it is certainly desirable. Those who make aliyah deserve our admiration, but the many who do so do not absolve those who remain in the Diaspora of their responsibility to provide moral, emotional, and material support for their brothers and sisters in Israel. At the very least, we can visit often. Such a visit provides encouragement and strength. More than almost anything else, it demonstrates that Jews in Israel and Jews throughout the world share a common destiny and will confront the challenges of history together, as Jews, no matter where they live.

Then we will bring nechamah to Israel and its citizens, and all of us will be guided by the Almighty toward a better tomorrow. Instead of the words of Yeshayahu, בנים גדלתי ורוממתי והם פשעו בי, "I raised and exalted children, but they rebelled against Me," we will merit to hear נחמו נחמו עמי, "Comfort, comfort My people." Manchester, Sydney, Washington, Orléans: these losses stay losses. What we can still ask for, as Eichah itself asks after naming far greater ones, is only this: השיבנו ה' אליך ונשובה, חדש ימינו כקדם, "Bring us back to You, Hashem, and we will return; renew our days as of old."

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Showering During the Nine Days *Translated and adapted from ימים טובים בהלכה by Rav Yissachar Frand*

Washing during the Nine Days for Ashkenazim, or during the week of Tisha B'Av for Sepharadim, is a common question today, as the heat of the summer causes great distress. Some rely on the

Acharonim who permitted washing to remove sweat, so long as it isn't done for pleasure. Others follow the Shulchan Aruch strictly and forbid it entirely. This article traces the sources of the prohibition and the key distinctions that shape how it applies: (i) the week of Tisha B'Av versus the period beginning Rosh Chodesh, (ii) washing the whole body versus just the face, hands, and feet, (iii) hot water versus cold, and (iv) when soap is permitted.

The Prohibition of Washing on Tisha B'Av Itself. The Mishnah and Gemara forbid washing only on Tisha B'Av itself. The Gemara in Pesachim 54b quotes Rav Elazar, who says a person may not so much as dip a finger in water on Tisha B'Av, just as on Yom Kippur. Regarding erev Tisha B'Av, a braisa in Taanis 30a discusses the seudah hamafsekes: any meal eaten because of Tisha B'Av forbids meat, wine, and washing, while a meal not eaten for that reason permits meat and wine but still forbids washing. Rabbi Yishmael b'Rebbi Yosi disagrees, quoting his father that whenever meat is permitted, washing is permitted as well. Despite disagreement among the Rishonim over the precise text, all agree that, strictly speaking, washing the entire body in hot water is permitted until Tisha B'Av itself, or at least until the seudah hamafsekes. A Mishnah in Taanis 26b reinforces this: it forbids only haircuts and washing clothes during the week of Tisha B'Av, implying that washing the body is technically permitted throughout that week.

The Custom to Forbid Washing Earlier. Jewish custom extends the prohibition beyond what the letter of the law requires, though poskim differ on when it begins. Some start it the week Tisha B'Av falls; others start it from Rosh Chodesh Av. The Rambam and the Ran describe the custom as beginning during the week of Tisha B'Av. The Rambam writes that Israel already has a custom not to eat meat that week, and not to enter the bathhouse until the fast has passed. The Ran adds that although washing is technically permitted, modest people refrain from washing their bodies for that entire week. The Raavya, the Mordechai, the Or Zarua, and the Tur, by contrast, hold that the custom is to forbid washing from Rosh Chodesh Av. The Shulchan Aruch cites both views. The Rema rules that the custom is to forbid washing from Rosh Chodesh.

Washing in Cold Water. The Terumas Hadeshen highlights a further disagreement: because the Rambam frames the prohibition around the bathhouse, it would seem to apply only to hot water, while the Mordechai implies it applies to cold water as well. The Terumas Hadeshen notes that people bathe in rivers from Rosh Chodesh without objection, though he adds that stringency in this area brings a bracha. The Rema rules strictly, following the Mordechai: the custom, he writes, is not to wash even in cold water from Rosh Chodesh onward, and even on erev Shabbos Chazon one may wash only the head, face, hands, and feet in cold water, with some lenient enough to permit washing the head in hot water for someone accustomed to doing so every Shabbos. The Mishnah Berurah clarifies that the prohibition on cold water applies only to washing the entire body; washing the face, hands, and feet in cold water remains permitted without qualification.

Washing for Cleanliness Rather Than Pleasure. The Rema permits washing for the sake of a mitzvah, such as a niddah's immersion, since this isn't done for pleasure. The Shulchan Aruch applies similar reasoning to anointing on Tisha B'Av, forbidding it only when done for pleasure and permitting it to treat scabs. The Aruch Hashulchan extends this logic to cleanliness generally, ruling that someone whose

body isn't clean may wash even in hot water in order to become clean. The Mishnah Berurah applies the same reasoning to Yom Kippur, permitting washing done solely to remove sweat, since this isn't for pleasure, though he adds that someone who isn't an *istanis* should be strict with himself. By this logic, washing for cleanliness during the Nine Days shouldn't be forbidden either, which raises the question of why the practice is nonetheless widely treated as forbidden today.

A related difficulty arises regarding washing the head on erev Shabbos: the Mishnah Berurah, citing the Magen Avraham, permits this in hot water but not with *zaif*, meaning soap. The reasoning here is not obvious, since soap serves cleanliness rather than pleasure, and the sources do not fully explain why it should be restricted in this context.

The Views of Contemporary Poskim. Rav Shlomo Zalman Auerbach resolves the matter strictly. Discomfort alone, he holds, even for an *istanis*, does not justify leniency, since the Sages instituted this custom specifically to cause discomfort and induce mourning for the Beis Hamikdash. He permits washing only in cold water, without soap, and only for someone suffering extremely, allowing soap solely when sweat cannot be removed without it. A footnote records that he was pained by the constant search for leniencies during the Nine Days, seeing in it a weakened connection to the churban and the galus, and he warned against letting the fine details of these customs eclipse the primary obligations of mourning, teshuvah, and anticipating the geulah.

Many contemporary poskim, by contrast, are lenient regarding washing to remove sweat. The Igros Moshe, asked by yeshiva students whether washing on a hot day is permitted from Rosh Chodesh Av until erev Tisha B'Av when the intent is only to remove sweat and not for pleasure, ruled that there is indeed room for leniency. (Rav Moshe did not specify hot or cold water, and his students disagreed over what he meant: Rabbi Aharon Felder maintained he permitted only cold water without soap, absent genuine necessity, while Rabbi Shmuel Fuerst and Rabbi Shlomo Gissinger testified that he permitted lukewarm water and soap under specific conditions: (i) washing only once a day, (ii) staying in the shower no longer than necessary, and (iii) using only enough lukewarm water to take off the chill.)

The Emes L'Yaakov likewise rules that washing is forbidden only when done for pleasure, and permits it when someone is dirty, sweaty, or has an unpleasant odor. He prefers washing without soap, but holds that cold water with soap is preferable to hot water without it. His son, Rav Shmuel Kamenetsky, permits an *istanis* to wash in cold water with soap, explaining that the earlier poskim who forbade soap did so because it was then considered a luxury associated with pleasure; today, when soap serves cleanliness alone, that reasoning no longer applies. The Piskei Teshuvos summarizes these modern leniencies clearly: the washing that remains forbidden is specifically washing meant to cool off or for pleasure. Dirty workers may wash, even in hot water if necessary, and in hot and humid climates contemporary poskim allow further leniencies: (i) a person distressed by excessive sweating may shower, (ii) someone whose odor offends others may shower for the sake of human dignity, (iii) soap may be used if necessary, (iv) cold or lukewarm water should be used, avoiding any pleasure from the heat, (v) a sick person or an *istanis* may use warmer water, and (vi) showering should be done privately.

Finally, the sources disagree on the position of the Chazon Ish. Rav Chaim Kanievisky writes that the Chazon Ish forbade yeshiva students from showering, while the Rivevos Efraim claims that the Chazon Ish permitted bnei Torah to wash without soap when sweat interfered with their learning.

[*Conclusion.* The strict letter of the law forbids washing only on Tisha B'Av itself; everything earlier is a matter of custom, and customs, by their nature, admit of variation. That variation plays out along the axes surveyed above: how early the prohibition begins, whether it extends to cold water, and whether washing done purely for cleanliness, rather than pleasure, falls within it at all. Rav Shlomo Zalman Auerbach's position represents one pole, treating the discomfort itself as the point of the custom and permitting only cold water without soap for someone suffering greatly. The Igros Moshe, the Emes L'Yaakov, Rav Shmuel Kamenetsky, and the Piskei Teshuvos represent the other, reading the custom as directed at pleasure rather than at comfort as such, and so permitting washing, sometimes with soap, sometimes in lukewarm water, when the purpose is genuinely to remove sweat or odor rather than to cool off. A person facing this question in practice should recognize that both poles are grounded in serious halachic reasoning, and should follow the position their rav or community has adopted, applying it with the conditions the lenient poskim themselves attach: minimal water, minimal time, not hot, and no pleasure taken in the relief.]

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The Destruction of the Second Beis Hamikdash

Based on various gemaras and midrashim, and R' Berel Wein, Echoes of Glory, R' Ken Spiro, Aish History Crash Course, R' Eliyahu Kitov, Sefer Hatodaah and R' Yosef Eisen, History of the Jewish People. The final embrace. When the Romans entered the Second Beis Hamikdash, they found the images of the keruvim intertwined in an embrace (Yoma 54b). They dragged them into the marketplace and displayed them contemptuously, mocking the Jewish people for what they took to be an indecent image. Yet the keruvim represented the bond between Hashem and Israel: when the Jewish people fulfilled His will, the keruvim faced one another; when Israel turned away, they turned apart. At the very moment of the Churban, they were found embracing.

That fact holds the mystery of the Churban. The Beis Hamikdash was burning, Jerusalem was filled with death, and Jewish sovereignty was ending, yet the covenant between Hashem and the Jewish people had not

ended. The House could be destroyed; the relationship for which it had been built could not be.

To understand that final embrace, we must first understand how Jerusalem reached the flames. Rome destroyed the Second Beis Hamikdash in 70 CE, but the Churban did not begin when Titus arrived outside its walls. Its political, social, and spiritual foundations had been weakening for generations.

The decree and its instruments. History records rulers, armies, factions, and military decisions. Chazal teach us to look beneath them. Rome possessed the soldiers and the torches, but it could enter Jerusalem only because Hashem permitted it. The political history explains the means; Chazal reveal why the Divine protection of Jerusalem was withdrawn.

This did not make human choices unimportant. Florus chose cruelty, Bar Kamtza chose revenge, the guests at the banquet chose silence, and the armed factions chose to burn Jerusalem's provisions. That the Churban was decreed by Hashem did not excuse those who carried it out. Each person remained responsible for what he did.

The magnificent but fragile kingdom. Herod, הורדוס, the Roman-backed king of Yehudah, died in 4 BCE, leaving a contradictory legacy: he ruled through fear, eliminated rivals, and interfered with the Kehunah Gedolah, yet also rebuilt the Beis Hamikdash on a scale that made Jerusalem renowned throughout the ancient world. The splendor of the building concealed the fragility of the political order around it.

His son Archelaus proved so cruel and incapable that Rome removed him in 6 CE and placed the country under direct Roman administration. A succession of procurators followed, chiefly concerned with taxes, order, and their own wealth; some interfered little in Jewish religious life, others were corrupt and openly contemptuous of their Jewish subjects. The office of Kohen Gadol had also become entangled with politics, as Roman officials and the ruling aristocracy appointed and removed Kohanim Gedolim with alarming frequency, while wealthy priestly families competed for influence and the dignity of the office steadily diminished.

Jewish society was deeply divided as well. The פרושים, the Perushim or Pharisees, upheld Torah shebe'al peh and the authority of the Sages. The צדוקים, the Tzedukim or Sadducees, rejected many of those traditions and were closely tied to parts of the priestly aristocracy. The Gemara refers to the violent extremists who controlled Jerusalem during the siege as the בריונים, the biryonim.

The desire to escape Roman domination was understandable; Roman rule was often oppressive and humiliating. But among some groups, opposition to Rome gradually hardened into hostility toward any Jew who counseled patience or compromise. Political disagreement became treason. The Sicarii, named for the daggers concealed beneath their clothing, assassinated Jews they regarded as collaborators. Movements that claimed to defend the Jewish people began terrorizing the Jewish people. Long before Roman soldiers breached Jerusalem's walls, its social bonds were already breaking.

Jerusalem and Caesarea. Chazal viewed the conflict with Rome as more than a struggle for political control: קיסרי וירושלים אם יאמר לך אדם חרבו שתיהן אל תאמן ישבו שתיהן אל תאמן חרבה קיסרי וישבה ירושלים חרבה ירושלים וישבה קיסרי תאמן, "Caesarea and Jerusalem: if someone tells you that both are destroyed, do not believe him; if both are flourishing, do not believe him. But if Caesarea is destroyed and Jerusalem flourishes, or Jerusalem is destroyed and Caesarea flourishes, believe him" (Megillah 6a). Caesarea was the seat of the Roman authority that ruled Yehudah; Jerusalem was the center of Torah and the avodah. The coming conflict would be fought by armies, but its meaning reached far beyond the battlefield.

Forty years before the Churban, the Sanhedrin left the Lishkas Hagazis and moved to the chanuyos. From that moment, formal capital jurisdiction ceased, since dinei nefashos could be adjudicated only while the Great Sanhedrin sat in its designated place in the Beis Hamikdash. The Sanhedrin later moved elsewhere in Jerusalem and ultimately to Yavneh, where it remained a great center of Torah and communal authority but could no longer hear capital cases (Avodah Zarah 8b; Rosh Hashanah 31a). Long

before Rome surrounded Jerusalem, then, the supreme court of Israel had already retreated from its chamber, because Jewish society had become too violent for its highest judicial institution to function. Something fundamental had already been lost.

The signs of approaching destruction. During those same forty years, other signs of Divine favor disappeared from the Beis Hamikdash. The lot marked "For Hashem" no longer consistently arose in the Kohen Gadol's right hand, the crimson thread no longer turned white, the western lamp ceased to burn continuously, and the doors of the Heichal opened by themselves. Rabban Yochanan ben Zakkai rebuked the Heichal and quoted the prophecy, פתח לבנון דלתך ותאכל אש בארזיך, "Open your doors, O Lebanon, and let fire consume your cedars" (Yoma 39b). The Roman armies had not yet entered, but the signs of Hashem's protection were already disappearing. Chazal therefore did not explain the destruction of the Bayis Sheni merely by pointing to Roman power. They asked a far more disturbing question: אבל מקדש שני שהיו עוסקין בתורה ובמצות וגמילות חסדים מפני מה חרב מפני שהיתה בו שנאת חנם, "The people of the Second Beis Hamikdash studied Torah, observed mitzvos, and performed acts of kindness. Why, then, was it destroyed? Because there was sinas chinam among them" (Yoma 9b). The people were not irreligious; they could learn Torah, perform mitzvos, and give tzedakah, yet remain unable to tolerate one another. Their religious lives had not prevented political, social, and personal conflict from turning fellow Jews into enemies.

The banquet. Rabbi Yochanan condensed the moral tragedy of the Churban into the story of one banquet: אקמצא ובר קמצא חרוב ירושלים, "Because of Kamtza and Bar Kamtza, Jerusalem was destroyed" (Gittin 55b). A man in Jerusalem prepared a feast and told his servant to invite his friend Kamtza. The servant mistakenly invited Bar Kamtza, whom the host hated. Seeing him among the guests, the host demanded that he leave. Bar Kamtza pleaded to stay, offering first to pay for what he ate, then for half the banquet, then for the whole of it. The host refused every offer, seized him, and expelled him publicly. The humiliation was bad enough; the silence was worse. Sages and prominent people were present, yet no one intervened. Bar Kamtza concluded that their silence meant approval, and left determined to take revenge not only on the host but on the community that had watched. He went to the Roman authorities and claimed the Jews were rebelling, proposing that the emperor send an animal to be offered in the Beis Hamikdash. On the journey he inflicted a small blemish on the animal, invalid under Jewish law but unremarkable to Roman eyes.

The Sages recognized the danger. Some proposed offering the animal despite the blemish to preserve peace with Rome. Rabbi Zechariah ben Avkulas, רבי זכריה בן אבוקולס, objected that people might conclude blemished animals could be offered on the mizbe'ach. They then considered killing Bar Kamtza so he could not report the rejection; Rabbi Zechariah objected again, fearing people would conclude that blemishing a korban carries a death penalty. Nothing was done. The offering was rejected, and the insult reached Rome. Rabbi Yochanan judged the episode severely: ענוותנותו של רבי זכריה בן אבוקולס, "The excessive humility of Rabbi Zechariah ben Avkulas destroyed our House, burned our Sanctuary, and exiled us from our Land" (Gittin 56a). The criticism was not that Rabbi Zechariah cared too much about halachah, but that he could not assume responsibility in an emergency. He saw every possible misunderstanding but failed to confront the catastrophe certain to follow from doing nothing. The moment demanded the judgment to distinguish an ordinary case from an existential crisis.

The story begins with hatred and humiliation, moves through communal silence and revenge, and ends with leadership unable to act. Chazal were not writing conventional military history; they were revealing the moral condition through which a political crisis became a national catastrophe. *Jewish revolt against Rome.* Gessius Florus, Roman procurator of Yehudah from roughly 64 to 66 CE, was corrupt, greedy, and cruel. Tensions had already erupted between the Jewish and non-Jewish populations of Caesarea, the seat of Roman government, and Florus repeatedly failed to protect the

Jews or offer peaceful redress. He seized money from the treasury of the Beis Hamikdash and answered protest with violence; Roman soldiers looted Jerusalem and killed thousands, and prominent Jews, some with Roman citizenship, were publicly whipped and crucified. Moderate leaders still tried to prevent open war. Agrippa II warned that rebellion against one corrupt governor would become a war against the entire empire, and at first many seemed prepared to restore order. But trust had collapsed, and the more extreme elements steadily gained ground. The daily offering brought on behalf of the Roman emperor was discontinued, an act Yosef ben Mattisyahu Hakohen, יוסף בן מתתיהו הכהן, later Flavius Josephus, regarded as the formal start of the revolt. Josephus had commanded Jewish forces and became the war's principal contemporary historian; his account, written under Roman patronage, must be read with some caution, but remains indispensable. Roman authority within Jerusalem collapsed, the remaining troops were defeated, and the revolt spread.

The fatal triumph. Rome sent Cestius Gallus, governor of Syria, to restore order, advancing on Jerusalem with the Twelfth Legion. Under circumstances that remain uncertain, Gallus withdrew, and Jewish fighters attacked the retreating army near Beis Choron, inflicting a devastating defeat. Thousands of Roman soldiers were killed, and their weapons fell into Jewish hands.

The victory electrified the country. The seemingly invincible Roman army had been beaten; weapons were distributed, defenses begun, and many who had opposed rebellion now concluded that Rome could be overcome. Before Beis Choron, moderates could warn that rebellion was hopeless; afterward, that warning appeared disproved, and revolutionaries could point to the victory as vindication.

Yet it was a fatal triumph. The Jews had defeated one Roman army; they had not defeated Rome. The empire could not permit a province to destroy a legion and claim independence, or other subject nations might follow. The victory that seemed to save Jerusalem ensured that Rome would now bring its full power against it.

Nero and Vespasian. Nero, נירון קיסר, emperor from 54 to 68 CE, appointed Vespasian, ואספסיינוס, one of Rome's most experienced generals, to suppress the revolt.

The Gemara preserves a striking aggadah about Neron Caesar. Approaching Jerusalem, he shot arrows in different directions, and each fell toward the city. He asked a Jewish child to recite the verse learned that day, and the child answered: ונתתי את נקמתי באדום ביד עמי ישראל, "I shall place My vengeance upon Edom through My people Israel." Neron understood that Hashem intended to punish Israel through Rome, and afterward punish Rome for its cruelty. He fled and converted, and the aggadah relates, Rabbi Meir descended from him (Gittin 56a). The story does not exonerate Rome as a mere instrument of Divine judgment; it teaches the opposite: even an agent used to fulfill a decree remains accountable for its own choices.

Vespasian began his campaign in the Galil in 67 CE. City after city fell before the disciplined legions. Yosef ben Mattisyahu, commanding the Jewish forces there, surrendered after the fall of Yodfat and later joined the Roman camp. By the end of 68 CE, most organized resistance outside Jerusalem had been crushed. Then Nero died, Rome fell into civil war, and Vespasian suspended the campaign while rival generals fought for the throne. In 69 CE he became emperor and departed for Rome, passing command of the war to his son Titus.

Jerusalem had been given time. It used that time to destroy itself.

Three armies within Jerusalem. By the time the Roman army returned, three Jewish factions were fighting for control of the city: Yochanan of Gush Chalav commanded one force, Shimon bar Giora another, Elazar ben Shimon a third. Each claimed to defend Jerusalem while treating the others as enemies, fighting in the streets and even within the Beis Hamikdash itself. Moderate leaders were threatened, removed, or killed; homes were looted; anyone suspected of favoring negotiation risked being branded a traitor. Josephus describes Jerusalem as a wild animal consuming its own flesh. The

defenders had not yet faced the full Roman assault, and were already turning their weapons on one another.

The Romans were outside the city; civil war was inside it. The Perushim, the Sages and their followers, urged that Jerusalem seek peace with Rome. The biryonim, the armed extremists who controlled the gates, insisted on battle and would not permit residents to leave. The term biryonim need not be identified with any one faction Josephus names; it is Chazal's description of the violent men who prevented negotiation and forced the population to keep fighting (Gittin 56a).

A city prepared to endure. Jerusalem was not an exposed or defenseless city. It was protected by successive walls and formidable fortifications, with a dependable water supply and enormous food stores, though its population had swollen with refugees and Jews who had come for Pesach. The tragedy was not that Rome surrounded a helpless city; Jerusalem had the physical means to resist for a long time, but its internal divisions deprived it of those means.

The food that could have saved Jerusalem. Chazal relate that three of Jerusalem's wealthiest residents, Nakdimon ben Gurion, בן גוריון, Ben Kalba Savua, בן כלבא שבוע, and Ben Tzitzis Hakeset, בן ציצית הכסת, undertook to provision the city, one with wheat and barley, one with wine, salt, and oil, one with wood for cooking and heating. Rav Chisda emphasized the wood: grain cannot sustain a city if there is no fuel with which to bake it. Their warehouses, the Gemara says, held enough to sustain Jerusalem for twenty-one years (Gittin 56a). The number may simply express the enormous quantity stored, but the message is clear: Jerusalem was not doomed to immediate starvation.

The Sages urged that Jerusalem seek peace; the biryonim insisted on battle, and when the Sages refused to endorse them, the biryonim burned the warehouses so the population would have no alternative but to fight (Gittin 56a). Josephus likewise records that rival factions burned houses containing large stores of grain, directly producing the famine that followed. A well-fortified city with food and water enough to withstand a long siege was crippled from within. The extremists did not merely choose war for themselves; they eliminated every other choice for everyone else, preferring a starving Jerusalem forced to fight under their control to a well-provisioned Jerusalem whose leaders might negotiate. Rome would tighten the siege, but Jews had already manufactured the famine.

The last meal of Marta bat Baitos. The Gemara brings the catastrophe down from armies and leaders to one woman. Marta bat Baitos, מרתא בת ביתוס, among the wealthiest women in Jerusalem, belonged to a prominent priestly family and had lived in extraordinary luxury. As food disappeared, she sent her servant to buy fine flour; none remained. She asked for ordinary flour, then coarse flour; each was gone by the time he reached the market. At last she went out herself, a woman the Gemara describes as so delicate that she had scarcely let the sole of her foot touch the ground, now walking streets filled with refuse, hunger, and death. Unable to bear what she saw, she died, casting away her gold and crying that it had become worthless (Gittin 56a). The story describes more than hunger; it depicts the collapse of an entire social order. Wealth that once purchased anything could no longer purchase bread. Gold remained gold. It simply could no longer save anyone.

"Perhaps something can still be saved." Rabban Yochanan ben Zakkai, רבן זכאי, the leading Tanna of that generation, walked through Jerusalem's marketplace and saw people boiling straw and drinking its water. He understood that a people reduced to this could not withstand the Roman legions. But the gates were controlled by the biryonim, who would not let residents leave, fearing that anyone reaching the Roman lines might negotiate or surrender.

Abba Sikra ben Batiach, leader of the biryonim, was Rabban Yochanan's nephew. Rabban Yochanan summoned him secretly and asked how long he would keep starving everyone. Abba Sikra answered that he could no longer control his own men: if he spoke against them, they would kill him. Rabban Yochanan replied: חזי לי תקנתא דאפוקי דהוי הצלה פורתא, "Find a way for me to leave. Perhaps there can still be a small salvation" (Gittin 56a). He no

longer believed he could save everything; he asked only whether anything could still be saved.

Word spread that Rabban Yochanan was ill. A foul-smelling substance was placed beside him, so visitors concluded he had died, and his students, Rabbi Eliezer and Rabbi Yehoshua, carried him toward the gates in a coffin. The guards wanted to pierce the body to confirm death; Abba Sikra warned that Rome would say Jews had stabbed their own great Sage. They then wanted to shake the coffin; Abba Sikra warned that Rome would say Jews had treated their Sage's body with contempt. The gates opened, and the coffin passed through.

Before Vespasian. Brought before Vespasian, Rabban Yochanan greeted him: שלמה עליך מלכא שלמה עליך מלכא, "Peace to you, king. Peace to you, king." Vespasian objected that he was not king, and asked why, if Rabban Yochanan believed him one, he had waited so long to come. Rabban Yochanan answered that Jerusalem could fall only to a king, and that the biryonim had prevented him from leaving sooner. Then a messenger arrived from Rome: the emperor had died, and Vespasian had been chosen to succeed him. Vespasian offered Rabban Yochanan a request.

He answered: תן לי יבנה והכמיה, "Give me Yavneh and its Sages." He also asked that the family of Rabban Gamliel be spared, to preserve leadership, and that physicians be sent for Rabbi Tzadok, who had fasted forty years praying that Jerusalem not be destroyed (Gittin 56a-b).

The Gemara does not present this decision as beyond question. Rav Yosef, or in another version Rabbi Akiva, faulted him for not asking that Jerusalem itself be spared, citing the verse in Yeshayahu, משיב חכמים אהור ודעתם יסכל, "He turns wise men backward and makes their knowledge foolish" (Hashem sometimes hides the proper path even from the gedolim, in order to bring about a decreed punishment, as arguably happened before the Holocaust, when the coming destruction was hidden from Europe's leading gedolim). But Rabban Yochanan feared that a demand to save the entire city would simply be refused, leaving him with nothing. This is not a story of a leader certain he had made the perfect choice; it is a story of leadership when every available choice was inadequate. Unable to rescue everything, he chose the institution from which the Jewish people might be rebuilt.

Yavneh could not replace Jerusalem, and Torah study could not replace the avodah. But if Torah and its Sages survived, the Jewish people could survive to mourn Jerusalem, remember it, and one day return.

Rabbi Tzadok. Rabbi Tzadok embodies another kind of resistance. For forty years, Chazal relate, he fasted so that Jerusalem would not be destroyed, until he was so emaciated that food could be seen passing through his throat; when he finally emerged, his health had to be restored gradually, beginning with water in which bran had been soaked (Gittin 56a-b). Roman generals measured strength in soldiers and weapons. Chazal also measured it in tefillah and spiritual merit. The tragedy was not that Jews prepared armies, for a city under attack must defend itself; the tragedy was that military strength came to imagine itself independent of spiritual strength, moral judgment, and Divine assistance.

The siege. In the spring of 70 CE, טיטוס, Titus, approached Jerusalem with a vast army. The city was crowded with those who had come for Pesach. Titus surrounded it, cutting off food, aid, and escape. The rival factions finally suspended some of their fighting, but too late: provisions were gone, leadership shattered, and much of the population terrorized.

The Romans breached one wall, then another, and Titus built a wall around the city to tighten the blockade. Famine spread; people searched refuse heaps, sewers, and the homes of the dead for scraps of food, and the dead accumulated faster than they could be buried. Those who tried to escape were sometimes killed by the factions within; those who reached the Roman lines risked crucifixion outside it. Josephus describes thousands of captives crucified around Jerusalem, until there was scarcely room, or crosses enough, for the victims. Jerusalem was being crushed by Roman power, famine, disease, and civil violence at once.

The walls are breached. Chazal mark Shiva Asar B'Tammuz as the day the walls of Jerusalem were breached in the Second Churban: והובקעה העיר, "the

city was broken open" (Ta'anis 26b; 28b). The fast that begins the Three Weeks commemorates the moment the siege became an invasion. The remaining defenses fell gradually until, three weeks later, the Beis Hamikdash was set aflame.

The final song. As the end approached, the Levi'im stood on their platform and sang: וישב עליהם את אונם וברעתם יצמיתם, "He brought their own iniquity upon them, and through their wickedness He will destroy them." Before they could finish the final words, יצמיתם השם אלוֹקֵינוּ, "Hashem our God will destroy them," the enemy entered and seized them. The Gemara teaches this happened at the destruction of both Batei Mikdash (Ta'anis 29a). The avodah continued while the institution of avodah collapsed around it. Even at the end, there was song.

The burning of the Beis Hamikdash. The Roman army captured the Antonia fortress and fought its way toward the Beis Hamikdash. Josephus writes that a soldier threw a burning object into a chamber adjoining the Sanctuary, and portrays Titus as trying to stop the fire, though Josephus wrote under the patronage of Vespasian and Titus, and his effort to absolve them must be read cautiously. Chazal preserve no such favorable portrait. The Gemara describes Titus entering the Kodesh Hakodashim, spreading out a Sefer Torah in an act of desecration, and slashing the paroches with his sword; blood miraculously appeared, and Titus imagined he had defeated the God of Israel (Gittin 56b). Chazal's Titus is the embodiment of imperial arrogance, a man who mistook Divine restraint for helplessness.

The school of Rabbi Yishmael read the verse מי כמוכה באלים השם, "Who is like You among the mighty, Hashem?" as though it were מי כמוכה באלמים, "Who is like You among the silent?" Hashem heard Titus's blasphemies and remained silent (Gittin 56b), a silence that was not weakness: Rome had been given permission to destroy the building, not to defeat Hashem. Chazal continue that the man who believed he had conquered Heaven was later tormented by a gnat that entered his head; the ruler before whom nations trembled could not overcome one insignificant creature (Gittin 56b–57a). What is certain is that the Roman army burned the Beis Hamikdash, slaughtered those who remained around it, looted its treasures, and carried its sacred vessels to Rome, amid fire, plunder, slaughter, and cries echoing across the city.

The ninth and tenth of Av. The fire began late on the ninth of Av and continued through the tenth. Rabbi Yochanan said that had he lived then, he would have set the principal fast on the tenth, since most of the Beis Hamikdash burned that day; nevertheless, the Sages fixed the mourning on the ninth, because the beginning of the destruction is decisive (Ta'anis 29a). The two days together preserve a truth: catastrophe does not occur only when the flames consume the building. It begins when the fire is first set, and often much earlier, when the conditions that made the fire possible are allowed to develop.

Rome proclaims its victory. Rome did not merely destroy Jerusalem; it celebrated the destruction throughout the empire. Under Vespasian, Judaea Capta coins depicted Yehudai as a defeated woman seated beneath a palm tree, a captive and Roman arms beside her. The sacred vessels were paraded through Rome, and the Arch of Titus depicted the menorah carried in triumph. Rome believed it had defeated not only a rebellious province but the people and faith for which Jerusalem stood. Yet the people Rome declared vanquished continued to transmit Torah, mourn Jerusalem, and await its rebuilding.

The Romans find the keruvim. When the Romans entered the Sanctuary and found the keruvim intertwined, they dragged them into the marketplace to mock the Jewish people: "Israel, whose blessing is truly a blessing and whose curse is truly a curse, look at what they occupy themselves with" (Yoma 54b). The Romans saw an object to ridicule. Chazal saw a final revelation of love.

The keruvim had turned away from one another whenever Israel failed to fulfill Hashem's will; at the moment of the Churban itself, they were found embracing. Some explain that their exposure was itself part of Israel's humiliation, the most intimate bond between Hashem and Israel dragged into

the marketplace and misunderstood by the nations. Others explain that once the decree had been carried out and Hashem's anger poured out upon the building, the underlying love between Hashem and Israel was revealed again. The Churban punished Israel. It did not terminate the covenant.

Why did Asaf sing? Tehillim 79 opens: מזמור לאסף אלקים באו גוים בנהלתך טמאו, "A song of Asaf: Hashem, nations have entered Your inheritance, defiled Your holy Sanctuary, and turned Jerusalem into ruins." Why is this called a mizmor, a song, rather than a lament? The Midrash answers with a parable: a king built and decorated a wedding canopy for his son, and when the son acted wickedly, the king tore it down. The son's teacher took one of its broken poles and began to play music. Asked how he could sing while the king had destroyed the canopy, he answered that the king had poured his anger upon the canopy and not upon his son. So too Asaf sang, because Hashem poured His anger upon the wood and stones and not upon Israel: ושלח חמתו על העצים ועל האבנים ולא שפך חמתו על ישראל (Midrash Tehillim 79; Eichah Rabbah 4:14). This plainly does not mean the Jews did not suffer; Jerusalem endured slaughter, starvation, slavery, and exile. It means the destruction did not end the covenant or eliminate the Jewish people. The House was destroyed. The son remained. That may be why the keruvim were embracing: the visible home of the relationship had been burned, but the relationship itself remained indestructible.

Yavneh. Rome saw the destruction of Jerusalem as the end of Jewish national existence, and in political and military terms, the Jewish commonwealth centered on Jerusalem had ended. But while Titus entered Jerusalem, Rabban Yochanan ben Zakkai entered Yavneh. Yavneh could not replace the Beis Hamikdash, but it became a center from which the Sages preserved Torah, confronted the halachic and communal consequences of the Churban, and began rebuilding Jewish religious life. The revolutionaries believed that if sovereignty were lost, nothing meaningful could remain. Rabban Yochanan understood that if Torah survived, sovereignty might one day return, and that if Torah were lost, even political victory would be empty. Those who fought for immediate independence lost Jerusalem; Rabban Yochanan, unable to save Jerusalem, preserved the people who would continue to pray for its rebuilding.

The fox. Years later, Rabban Gamliel, Rabbi Elazar ben Azariah, Rabbi Yehoshua, and Rabbi Akiva approached the ruins of Jerusalem. At Har Hatzofim, seeing the site of the Beis Hamikdash, they tore their garments. On the Temple Mount, they saw a fox emerging from the place of the Kodesh Hakodashim. The Sages wept; Rabbi Akiva laughed. Asked why, he asked in turn why they were crying. They answered that the place of which the Torah says a stranger who approaches shall die now had foxes walking through it. Rabbi Akiva explained that the prophecy of destruction was linked to the prophecy of restoration: Uriyah foretold ציון שדה תחרש, "Zion will be plowed like a field," and Zecharyah foretold עוד ישובו קנים וקנתות, "Elderly men and women will once again sit in the streets of Jerusalem." Until he saw Uriyah's prophecy fulfilled, he feared Zecharyah's might not be; now that the first had come true, he knew the second would as well. The Sages answered: עקיבא ניהמנו עקיבא ניהמנו, "Akiva, you have comforted us" (Makkos 24b). Rabbi Akiva did not laugh because the destruction was less terrible than the others believed. He laughed because the ruins themselves proved Hashem's words true, and if the prophecy of destruction had been fulfilled, the promise of restoration was equally certain. The fox did not have the final word.

What destroyed Jerusalem? The Second Beis Hamikdash did not fall from one cause. Rome was brutal and overwhelmingly powerful; its governors humiliated and exploited the population, and its army destroyed cities, crucified prisoners, burned the Beis Hamikdash, and enslaved survivors. But Chazal insist that we must also look within. The Churban began when a man could publicly humiliate another Jew and no one would stop him. It advanced when personal revenge was turned against an entire nation. It deepened when leaders could name every possible objection but could not accept responsibility for action. It reached its terrible conclusion when

Jewish factions burned the food of their own city, preferring collective starvation to compromise. Rome was outside the walls, but Jerusalem had already become a city where one Jew could not tolerate the existence of another.

Tisha B'Av is therefore not only a day to remember what Rome did to us. It is a day to ask why Hashem permitted Rome to do it, and what within the Jewish people needed repair. If sinas chinam helped destroy the Beis Hamikdash, mourning cannot consist only of remembering the flames; it must lead us to repair the relationships whose breakdown made the flames possible, to preserve respect, responsibility, and love among Jews even amid profound disagreement. The response to sinas chinam is not indifference to principle, but an ahavas chinam that refuses to make another Jew's dignity expendable.

Yet the story does not end with Titus. It ends, and continues, with Yavneh, with the keruvim embracing, and with Rabbi Akiva laughing among the ruins. The House was burned, but the covenant remained. Jerusalem was emptied, but the promise of return remained. Rome carried the menorah through its streets and stamped Judaea Capta upon its coins, but it could not carry away the Torah.

The Jewish commonwealth ended. The Jewish people did not.

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The Laws of Tisha B'Av

Adopted from the Mishnah Berurah, Rav Shimon D. Eider, and Rav Eliyahu Kitov

Erev Tisha B'Av. One should enter Tisha B'Av in a serious frame of mind and avoid conduct that leads to levity. Ordinary Torah learning is restricted from chatzos, since Torah gladdens the heart; one may still learn topics connected to mourning and the Churban, such as Eichah, Iyov, the sad portions of Yirmiyahu, the laws of mourning, and the sugyos of the Churban. Minchah is generally davened earlier than usual to allow time for the final meal, and Tachanun is omitted, since Tisha B'Av is called a mo'ed.

Seudah hamafsek. Toward the end of the day, one eats the seudah hamafsek, the final meal before the fast. At this meal one should not eat two cooked foods. The custom is to eat a boiled egg or lentils as a sign of mourning, and many eat bread dipped in ashes. One sits on the floor or on a low stool, though shoes need not be removed before the meal. Three men should not eat this meal together in a way that would require a zimun. If one finished the meal before sunset without having accepted the fast, he may continue eating or drinking until sunset; it is proper to state, or at least have in mind, that the fast is not being accepted until then.

Fast in NY metro area starts Wednesday, July 22 at 8:21 PM, Chatzos 1:01PM, and ends around 9:03 PM (depending on your minhag).

Tisha B'Av prohibitions. Five things are prohibited on Tisha B'Av: eating and drinking, washing, anointing, wearing leather shoes, and marital relations. These apply from sunset at the start of Tisha B'Av until the fast ends, with no distinction between night and day.

Eating and drinking. Healthy adults must fast. A sick person, a woman after childbirth, or anyone for whom fasting may be dangerous should consult a rav. One who must eat should eat only what is necessary. If Tisha B'Av falls on Sunday and a sick person must eat, he should first make Havdalah before eating.

Washing. Washing for pleasure is prohibited, whether with warm or cold water. In the morning, and after using the bathroom, one washes only until the knuckles. If one's hands are dirty, he may wash the dirty area; if one's eyes are dirty, they may be rinsed. One may wash

food while preparing it, since the purpose there is not washing one's hands. One should not rinse the mouth until the fast ends.

Anointing and leather shoes. Anointing for pleasure is prohibited, though medical ointments are permitted when needed. Leather shoes may not be worn, even if only the uppers or soles are leather, and non-leather shoes are worn instead. In cases of danger, great need, or unusual embarrassment, a rav should be consulted.

Torah learning. Ordinary Torah learning is prohibited, since Torah gladdens the heart. One may learn sad or otherwise relevant topics, including Eichah, Iyov, the laws of mourning, the third perek of Moed Katan, the Churban sections of Yirmiyahu, and aggados about the Churban. One should avoid sections of consolation. One should avoid engaging in distracting recreation. See online sites listed above.

Sitting, sleeping, work, and greetings. From the night of Tisha B'Av until chatzos, one sits on the floor or on a low stool. Some have the custom not to sleep normally, such as by reducing pillows or sleeping on a mattress on the floor. One should not greet others or say "good morning"; if greeted, he may answer softly, so as not to hurt the other person. Sending gifts is prohibited, and work and business should be avoided, especially at night and until chatzos, along with unnecessary errands or activities that distract from mourning.

When one may sit on a chair. From the night of Tisha B'Av until chatzos on Tisha B'Av day, one should sit on the floor or on a low stool. After chatzos, one may sit on a regular chair.

Maariv and Eichah. At night, Maariv is recited, followed by Eichah and Kinos. Many communities dim the lights, and Tiskabel is omitted from Kaddish until Minchah. In most communities, Eichah is read from a printed book without a berachah; some communities, following the Vilna Gaon, read it from a parchment scroll and recite "Al Mikra Megillah" before the nighttime reading. The final verse, "Hashiveinu," is repeated so that Eichah does not end on a note of punishment.

Shacharis and Kinos. Tallis and tefillin are generally not worn at Shacharis, apart from the tallis katan, according to one's usual practice. Kinos are recited after Shacharis, and Tachanun is omitted. Some omit "She'asah li kol tzarki" in the morning berachos. The Torah reading is from Va'eschanan, beginning "Ki solid banim," and the haftarah is from Yirmiyahu, speaking of the Churban.

Kinos — long or short. The essential practice is to say Kinos and focus on mourning for the Churban. It is better to say fewer Kinos with understanding and seriousness than to rush through many without attention. Communities differ widely: some say a longer Kinos service, while others shorten or explain selected Kinos. One should follow his shul's minhag, but the goal is not speed; it is to experience the aveilus of the day.

Pregnant and nursing women. Pregnant and nursing women generally fast on Tisha B'Av. However, one who is ill, weak in a medically significant way, dehydrated, high-risk, or concerned about harm to herself or the baby should consult a doctor and rav; where there is real concern, she should eat or drink as needed. One who is permitted to eat should eat simply and only as necessary.

Minchah. At Minchah, tallis and tefillin are worn. The Torah reading is Vayechal, with the haftarah Dirshu Hashem. Nachem is added in Boneh Yerushalayim, and Aneinu in Shome'a Tefillah. If one forgot Nachem or Aneinu, he does not repeat Shemoneh Esreh.

Bris on Tisha B'Av. If a bris takes place on Tisha B'Av, it is performed after Kinot, and the wine is given to a child or to the mother. If Tisha B'Av is postponed to Sunday, then after midday the father, mohel, and sandak may change clothing and may also eat; the larger festive meal is held at night.

Motzaei Tisha B'Av. After the fast, one washes the hands fully, since in the morning one had washed only until the knuckles. If Havdalah was postponed because Tisha B'Av fell on Sunday, it is recited after the fast over wine, but only Borei Pri Hagafen and Hamavdil are said; besamim and fire are not included, since fire was already recited on Motzaei Shabbos. Kiddush Levanah is usually recited after Maariv following the fast, though some do not wait that long if there is concern about missing it.

The tenth of Av. Since most of the Beis Hamikdash burned on the tenth of Av, one refrains from meat, wine, bathing, laundering, and haircuts until chatzos on the tenth. If Tisha B'Av falls on Thursday and the tenth is Friday, one may wash and take a haircut in the morning for kavod Shabbos. If Tisha B'Av falls on Shabbos and is postponed to Sunday, then after the fast one may wash, shave, and take a haircut that night; meat, wine, and Shehecheyanu, however, are still avoided until the next morning.

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Devarim and the Nine Days: the Meraglim, the Crisis of Contemporary Discourse, and the Roots of Exile **Rabbi Daniel Z. Feldman**

Parashat Devarim is always read on the Shabbat before Tisha B'Av, a fixed feature of the calendar so significant that it impacted why the Diaspora took so long after Shavuot to realign with the reading schedule in Israel. The most familiar connection is the word "eichah" itself; the verse "Eichah esa levadi" is chanted in the melody of Megillat Eichah, an audible foreshadowing of the day to come. But the connections run far deeper, and they are concentrated with particular intensity in Moses' extended recounting of the episode of the meraglim, the spies. This is, after all, when everything began to fall apart.

The Talmud (Ta'anit 29a) teaches that when the people wept upon hearing the spies' report, God declared: "You have cried a 'bechayah shel chinam', a crying for nothing; I will establish for you a 'bechayah ledorot', a crying for generations." Tisha B'Av became a 'yom muad lepuraniyot', a day designated for calamity, because of that night. When one attends carefully to the language of the verses, what emerges is not merely a historical account but a diagnosis, one that speaks with haunting precision to the state of our public discourse today.

A Sin From the Start

The account opens: "Vatikrevun elai kulchem," you all approached me together. Rashi, drawing on the Sifrei, notes that the approach was 'be'irbuviya', in a disordered mob: the young pushing ahead of the old, the elders pushing ahead of the leaders, a scene devoid of any derech eretz. The Netziv observes that one might have imagined the plan to send spies was sound in itself and only went wrong in execution; the Torah's description of the manner of the request tells us otherwise. A proposal born in chaos was never on the right path. The Alter of Kelm, and R. Yaakov Kamenetsky (Emet LeYaakov), identify in this detail the roots of the downfall: 'behilut' and 'pezizut',

a frantic anxiety, a loss of composure, a collective abandonment of deliberation. The Kli Yakar writes that the sin began in 'chipazon', in heedless haste, and that having begun on that path, the people were carried along it, in the manner of the Rabbinic maxim that 'one is led along the road one chooses to start down'. The Kli Yakar then adds a sentence that should alarm the modern reader: we have not yet been cleansed of this trait. It destroyed both Temples, and God watches us for it "ad hayom hazeh," to this very day.

The tone of present day is addressed by R. Eliyahu Schlesinger (Areshet Sefateinu). People today announce that they wish to repair society, and they set about it by generating 'behalah', by upending everything, by speaking in relentlessly critical and disrespectful tones that reveal the enterprise is not really about repair at all. The style betrays the substance. This is precisely the trait of the generation of the spies, and it is on vivid display in contemporary discourse, where urgency is mistaken for seriousness and outrage for moral clarity.

Diversity as Strength, or as Disaster

Rav Kook (Ein Ayah to Bikkurim 3:33) addresses the specific breakdown of hierarchy in that disordered approach. The young considered themselves as entitled as those older, wiser, and more experienced. Universal love of the kind Rav Kook championed does not mean the flattening of all distinctions; a society that loves everyone equally must still honor wisdom and experience, or it loses the very structure that makes collective judgment possible. R. Avraham Heschel Ryzman (Iyunim BaParashah) develops this at length: the root of the sin was that everyone thought he knew best, that leadership and accumulated wisdom had no claim on him.

The Shem MiShmuel offers an unexpected insight about the verse of "Eichah esa levadi" ("How can I alone bear you," 1:12) itself. Moses' rhetorical question describes a people of many opinions, and the Rabbis (see Bamidbar Rabbah 21:2; Berachot 58a) understood that multiplicity as a mark of the nation's greatness, a necessary resource toward reaching the truth (see Kiddushin 39b). Why then do we read it in the mournful melody of Eichah?

Perhaps, he suggests, that is exactly the tragedy. Diversity of thought should be a strength; genuine discourse among differing perspectives is the engine of wisdom. What we mourn on Tisha B'Av is that we took what should have been a healthy pluralism and converted it into a source of hatred, division, and mutual contempt. The problem was never that we disagreed; it is what we allowed disagreement to become. Could there be a more precise description of the current condition of public conversation?

Orientation Overwhelms Observation

The people's request continues: "veyachperu lanu et ha'aretz," let them search out the land. The Talmud (Sotah 34b) hears in "veyachperu" a language of disgrace; the mission was already oriented toward finding fault, toward embarrassing the land. The Maggid of Vilkomir (quoted in Pardes Yosef HaChodosh) adds a significant nuance: the spies were meant to be agents of Moses, as God had framed the mission, and instead the People of Israel made them their own agents, carrying their mentality rather than his. The difference between "veyachperu" and the Torah's own "veyaturu" is the difference between a mission tainted by suspicion and one open to discovery. The conclusion was written before the investigation began; the report merely supplied pretext for a verdict already rendered.

Rashi records that among the questions the spies were to answer was what language the inhabitants spoke, a detail that puzzled many later commentators (see for example Panim Yafot). The Maharal, in Gur Aryeh, explains that every language belongs to a particular nation and reveals something essential about it. How a people speaks tells you who they are. The observation cuts in both directions: our own speech, refined or degraded, careful or careless, is a mirror of our character, and the coarsening of a society's language is never merely cosmetic.

The Churban of Bias

"Velo avitem la'alot, vatamru et pi Hashem Elokeichem," you refused to ascend and you defied the word of God. R. Yissachar Shlomo Teichtal (Mishneh Sachir) reads the sequence psychologically: "velo avitem," you had already decided, your bias was fixed before the facts arrived; and therefore "vatamru," from the language of temurah, exchange. The very same encounter with the Land that could have been the great mitzvah of its settlement became, through the alchemy of predisposition, the sin of its defamation. Bias does not merely distort perception; it inverts moral valence, transforming opportunity into transgression while leaving the actor convinced of his own rightness.

Projection: The Lens of Lashon Hara

The next verse reads: "vateragnu be'ohaleichem," you murmured in your tents. Rashi, citing the verse in Proverbs (18:8), identifies "vateragnu" as a language of lashon hara, and goes on to use the phrase "motzi dibah." The terminology is itself instructive. Maimonides and the Chafetz Chaim distinguish between lashon hara, disparaging truth, and motzi shem ra, falsehood; yet in the language of the Rabbis the terms blur into one another, a reminder that the momentum of negative speech does not respect the boundary between true and false for long. (R. Samson Raphael Hirsch, for his part, understands "vateragnu" as a language of incitement, which only sharpens the contemporary resonance.)

The content of their complaint is particularly shocking: "Besinat Hashem otanu hotzianu me'ereitz Mitzrayim," because God hates us He took us out of Egypt, to deliver us into the hand of the Emori to destroy us. The claim is, on its face, absurd, and R. Aharon Leib Shteinman notes that this is itself the point: a person in the grip of sin loses the capacity for coherence.

Rashi, citing the Sifrei, identifies the underlying catalyst: "He loved you, but you hated Him"; what a person carries within, he projects outward onto others. Projection is at the core of the lashon hara transgression, and of why we sit on the floor on Tisha B'Av. We attribute to others the hostility that originates in ourselves, and then respond to our own invention as though it were their crime.

The Lubavitcher Rebbe, in his comments on this Rashi, finds embedded in the diagnosis its own cure. If perception can project negativity backward onto reality, it can equally project truth and goodness; the same faculty that manufactured "God hates us" can recognize "God loves us," and in that reversal lies the promise of redemption, contained within the very text that describes its own distortion.

The Exaggeration Problem

There was so much so bad about what the Meraglim said on that original 9th of Av that disheartened the Jewish people, and established that date as one that will represent tragedy and mourning for generations. And yet, when the Talmud (Arachin 15a) highlights

their offense, connecting it to the fatal flaw of lashon hara, some commentaries (see R. Gershom) choose a surprising example of their speech: "am gadol varam mimenu, arim gedolot uvetzurot bashamayim," "We saw there ... large cities with walls sky-high" (Deut. 1:28).

This is described elsewhere in the Talmud (Chulin 90b) as a language of exaggeration, for sure; but how is it reflective of the defamatory speech associated with lashon hara? (See Pardes Yosef HaChadash).

It seems that this verse is actually quite foundational in understanding the mindset of true lashon hara, and the particular harm it can create. It is true that it is not inherently negative, and in fact, not all negative speech is actually lashon hara. Still, the danger is already apparent: an attitude of exaggeration, of disproportion, is what creates the context for the damage that lashon hara can do.

Rashi, following the Talmud, calls this 'lashon havai', hyperbole, and comments there that this is the manner of those who are not careful in their speech; they end up saying false things not because they set out to lie but because precision was never a priority.

The seemingly innocuous exaggeration is the tell. When one is already oriented negatively, imprecision is not a neutral stylistic failing; it becomes the vehicle by which confirmation bias carries him to statements that are simply false. He is no longer reporting; he is escalating.

To be sure, hyperbole is not inherently defamatory; the Talmud there teaches that the Torah itself speaks in exaggerated language, and this very phrase, "cities fortified to the heavens," is its example. In fact, this may be the message: all

depends on who is doing the exaggerating, and from what orientation. Hyperbole deployed by the Torah, or by a careful and honest speaker, is a vivid instrument of truth, understood as emphasis; hyperbole in the mouth of a biased reporter is an accelerant, converting predisposition into asserted fact. Anyone who has spent an hour on social media has watched the process in real time: the initial grievance, the amplifying restatement, the "fortress reaching to the heavens", or, in this case, drifting farther away. "Because of You": The Long Shadow of the Spies

As the recounting draws toward its close, Moses adds a statement that has long troubled the commentators (1:37): "Gam bi hitanaf Hashem biglalchem leimor, gam atah lo tavo sham," God was angry with me also, because of you, saying: you too shall not enter. The difficulty is twofold: Moses' exclusion resulted from the sin of Mei Merivah, not of the meraglim; and how can he say "biglalchem," because of you?

The Chizkuni explains that Moses means the people provoked him to anger, and in that anger he erred. This is a difficult interpretation, for the Torah demands that we govern our anger precisely when others provoke it; "you made me angry" is not ordinarily a defense. The Tur HaArukh offers a simpler causal chain: had it not been for the sin of the spies, the people would have entered the land long before, and Mei Merivah would never have occurred.

Nachmanides reads the verse as part of a roster: Moses is enumerating all those excluded from the land, and his own exclusion traces to the people in a deeper sense, because the sin of Mei Merivah was a failure of kiddush Hashem, of the public sanctification of God's name, before them; had the moment not been

public, had it not implicated the people's already fragile faith, forgiveness would have been possible.

The Daat Zekenim MiBaalei HaTosafot sharpen this: it was the people's lack of faith that led them to suspect Moses struck the rock out of his own doubt, and that suspicion is what made the act so grave. The Kli Yakar similarly notes that the meraglim episode exposed the nation's deficient faith, raising the stakes of Moses' conduct at the rock; the Netziv adds that the spies represented a demand to proceed through natural means rather than under direct Divine providence, which made Moses' role in demonstrating God's unmediated leadership all the more essential, and its compromise all the more consequential. The Or HaChaim, uneasy with the abrupt shift of subject, proposes among other things that Mei Merivah was the opportunity to repair what the spies had broken, and that opportunity was lost. (See also Chavatzelet HaSharon.)

Beyond the specific mechanics, an additional reading suggests itself, one that continues the same theme. The sin of the spies activated a trait, a disposition to see everything in a negative, distorted, uncharitable light, and once activated, that disposition raised the volume on everything that followed. Later failures played out more destructively because the interpretive climate had been distorted. This is how a poisoned culture of discourse operates: no single statement destroys, but the accumulated atmosphere ensures that every subsequent event is read in the worst possible way, and the damage compounds.

There is an additional irony; if Moses was faulted for anger, how can he describe God as "hitana'f," as having become angry? The HaKetav VeHaKabbalah explains that the language describes not a divine loss of temper but the human experience of the consequence. He compares it to a judge whose sentence, imposed dispassionately, is nonetheless carried out by officers with a severity that the one punished experiences as wrath. This, too, frames the kinot we recite: we speak of divine anger because that is how the objective unfolding of consequence is felt from within it, and feeling it that way is part of what moves us to change course.

We Are All Judges

Moses' account is placed within a noteworthy context. The opening of Parashat Devarim is occupied with the laws of judges: "lo takiru fanim bamishpat," "shamoa bein acheichem," the prohibition of even structural partiality and the necessity to hear both parties together. Significantly, these are not laws about bribery and overt corruption. They address something subtler: the small distortions of perspective: the ex parte hearing, the minor tilt of attention, that quietly skew judgment long before anyone intends injustice. It is directly out of these rules that the Torah proceeds to the spies, the catastrophic case study of what happens when judgment is corrupted not necessarily by malice but by haste, bias, exaggeration, and predisposition.

There is particular resonance in the message of "shamoa bein acheichem" (1:16), "judge righteously between every man and his brother", delineating the context in which every judicial claim must be heard, with all parties present. Certainly, the judge is compromised if he hears one side without the other; and this is an impact that occurs subconsciously, thus forbidding even listening at all, regardless of the judge's belief in his ability to maintain impartiality.

Notably, the Chafetz Chaim felt such a standard should be extended to hearing lashon hara as well. Others disagreed, assuming the

objectivity of a judge demands a unique standard; perhaps the Chafetz Chaim understood the space between the two roles to be less than it seems.

It is also clear that the presence of the other litigant affects the presentation of his opponent, who will guard himself against making claims that can easily be dismantled by one who knows the truth. More aspirationally, though, the litigants will actually be required to hear each other; and this, with the right degree of receptivity, can be transformative.

Stephen R. Covey listed as the fifth of his "Seven Habits of Highly Effective People" to "Seek First to Understand, Then to be Understood". So often we do not reach even the beginning of that: we tell the other what we believe their opinion is, all the better to attack it.

Crucially, the verse uses the language, "between every man and his brother". The essence of 'sinat chinam' is allowing difference of opinion to become hatred of the one opining; the Torah reminds us that even in the heat of unresolved litigation, the two sides remain brothers.

Few of us sit on a bench. All of us judge, constantly: we judge people, institutions, communities, situations, and we do so now in a public square that rewards precisely the vices this narrative catalogues. Behilut over deliberation; the flattening of expertise and experience; missions of "veyachperu" undertaken to confirm what we already believe; projection of our own hostilities onto our opponents; hyperbole that hardens into falsehood because no one is checking. Baseless hatred is rarely experienced as baseless by those who harbor it; it always feels justified, and it feels justified because we have not done the careful, deliberate work of judging fairly. That is the trait the Kli Yakar warned we have never purged, the one for which we are watched "ad hayom hazeh." Our discourse is not merely unpleasant; in the Torah's own account, it is the mechanism of exile. Speaking to Ourselves

Perhaps this suggests a distinction between the year's two great fasts. Yom Kippur is a day of speaking to God; Tisha B'Av is, in large measure, a day of speaking to ourselves, of sitting low enough and quietly enough to audit our own perceptions, to ask where our judgments have been hasty, our characterizations exaggerated, our hostilities projected, our discourse a contribution to the very destruction we lament. This is reflected in the liturgy: while Yom Kippur is a day devoted to prayer, Tisha B'Av is a day to stop all other activities and ask 'Eichah', how could it happen?

The Shabbat of Devarim arrives this year with the month of Av already underway and the Nine Days upon us, and its reading does not ask us to relive an ancient failure so much as to recognize a current one. A public square governed by haste, by contempt for experience and expertise, by investigations launched to confirm their conclusions, by projection dressed up as analysis, and by exaggeration mistaken for passion is not a new phenomenon; it is the oldest one we have, and we know precisely what it has cost us.

The crying for generations began with words. If it is to end, it must end the same way: with speech that is thoughtful, fairer, more precise, and more honest about its own motives, in our institutions, in our communities, and in the judgments each of us renders every day.

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Shiurim in Chumash & Navi by Menachem Leibtag

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 it

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.

IDENTIFYING 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 Arvat 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 Rabeinu'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.

IDENTIFYING 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 Rabbeinu 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 Rabbeinu 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 Rabbeinu 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 make 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 Rabbeinu 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 carefully 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 parsha 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 parsha 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 mitzvot 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 8 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 Rabbeinu 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 - "leshanen" - 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 Arvat 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 'rebukey' 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 Arvat 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 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 Arvat 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 website 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

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 multitude 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's next statement in his speech in Sefer Devarim, explaining how his burden of leadership was alleviated by the appointment of judges, in a hierarchical 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.)

thematic connection to the story of the spies, nor to the laws of main speech! So why does Moshe mention it at all?

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 (see 1:19). 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 in 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 two TV 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 Bamidbar 13:31-33).

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 through 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 'maapilim' 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 Ammon 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).

ly"n 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 them? I MYSELF CAN NO LONGER CARRY THE BURDEN [to lead] this nation for it is too much for me!" (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 introduction']

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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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 Moshe'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 Rebbe – 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 Rebbe". Indeed, the job of a Rebbe is more than instructive, even more than inspirational or exhortative. The Rebbe 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 Rebbe'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]n 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 Mosheh 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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