

OHRNET

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PARSHA INSIGHTS

Va'etchanan

LETTER TO THE FUTURE

"...And with all your soul..." (6-5) — Rashi: "Even if He takes away your soul."

I am writing this on Rosh Chodesh Av 5774. They say that a week is a long time in politics and no one can predict what will have transpired by the time you read this a few weeks hence. In a way, writing a weekly column is like writing a letter to the future.

And the future always has the wisdom of hindsight – which I lack.

As I write this, the IDF is shelling and fighting in Gaza. There is no end in sight to the Operation Protective Edge. Daily casualties rise. And the righteous hypocrisy of the world's press and its leaders, almost without exception, reaches new heights.

It was Connor Cruise O'Brien who remarked, "Anti-Semitism is a light sleeper." It's certainly scratching its sleepy head and waking up all over Europe. I'm not sure who is more vulnerable: the citizens of the south of Israel who have 15 seconds to run to their shelters, or the Jews of Paris and London, May G-d protect us all!

Suddenly the world seems a much more dangerous place than it did a few weeks ago. And yet, should we be surprised?

The default position of Jewish history has always been discrimination, dislike, exile and sometimes holocaust. If there have been periods of relative calm and peace, these are the exceptions and not the rule.

The "Halacha" says that Esav hates Yaakov. Why should we expect any better from him and his media circus?

We all want to sit under our fig tree and bring up our families in peace. We all want to have *nachat* from our children and the ripe old age to enjoy it, but twice a day we

remind ourselves that it may not be that way:

"...And with all your soul..." (6-5) — Rashi: "Even if He takes away your soul."

And in this lies our strength.

As Shakespeare put it, "Cowards die many times before their deaths; the valiant never taste of death but once. (Act I, Scene 2, Line 32 of "Julius Caesar")".

And death for a Jew is but a portal to a great palace of light.

A Jew lives in this world, but not for this world.

We sold our part in this world to Esav. It belongs to him. All we have of this world is the permission to create our portion in the next.

We are not a nation that glorifies death. We don't strap a make-believe explosive belt onto our toddlers and send them off to kindergarten with their sandwiches in the morning. Our definition of martyrdom is when a Jew has no choice but to give his life for *kiddush Hashem*. That word — martyrdom — had been pirated and distorted by the Islamists to mean the desire to commit suicide while taking as many innocent people as you can along with. That's not martyrdom, that's murder.

Being a Jew is about keeping Shabbat; being a Jew is about learning Torah; being a Jew is about being kind and unselfish.

But being a Jew is also about being prepared to give one's life if necessary, to make the ultimate sacrifice if that is the will of G-d.

"Even if He takes away your soul."

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Va'etchanan

Although Moshe is content that Yehoshua will lead the nation, Moshe nevertheless prays to enter the Land of Israel in order to fulfill its special *mitzvot*. G-d refuses. Moshe reminds *Bnei Yisrael* of the gathering at Sinai when they received the Torah — that they saw no visual representation of the Divine, but only the sound of words. Moshe impresses on *Bnei Yisrael* that the Sinai revelation took place before an entire nation, not to a select elite, and that only the Jews will ever claim that G-d spoke to their entire nation. Moshe specifically enjoins *Bnei Yisrael* to “pass over” the Sinai event to their children throughout all generations.

Moshe predicts, accurately, that when *Bnei Yisrael* dwell in *Eretz Yisrael* they will sin and be scattered among all the peoples. They will stay few in number but will eventually return to G-d.

Moshe designates three “refuge cities” to which an inadvertent killer may flee. Moshe repeats the 10 Commandments and then teaches the *Shema*, the central credo of Judaism, that there is only One G-d. Moshe warns the people not to succumb to materialism and thus forget their purpose as a spiritual nation. The *parsha* ends with Moshe exhorting *Bnei Yisrael* not to intermarry when they enter *Eretz Yisrael*, as they cannot be a treasured and holy nation if they intermarry, and they will become indistinguishable from the other nations.

Ekev

If *Bnei Yisrael* carefully observe even those “minor” *mitzvot* that are usually “trampled” underfoot, Moshe promises them that they will be the most blessed of the nations of earth. Moshe tells *Bnei Yisrael* that they will conquer *Eretz Canaan* little by little, so that the land will not be overrun by wild animals in the hiatus before *Bnei Yisrael* are able to organize and settle the whole land. After again warning *Bnei Yisrael* to burn all carved idols of Canaanite gods, Moshe stresses that the Torah is indivisible and not open to partial observance. Moshe describes the Land of Israel as a land of wheat, barley, grapes, figs, and pomegranates, a land of oil-yielding olives and date-honey. Moshe cautions *Bnei Yisrael* not to become haughty and think that their success in *Eretz Yisrael* is a result of their own powers or vigor; rather, it was G-d who gave them wealth and success. Nor did G-d drive out the Canaanites because of *Bnei Yisrael's* righteousness, but rather because of the sins of the Canaanites; for the road from Sinai had been a catalogue of large and small sins and rebellions against G-d and Moshe. Moshe details the events after G-d spoke the 10 Commandments at Sinai, culminating in his bringing down the second set of Tablets on Yom Kippur.

Aharon's passing is recorded as is the elevation of the *levi'im* to G-d's ministers. Moshe points out that the 70 souls who went down to Egypt have now become like the stars of the Heaven in abundance. After specifying the great virtues of the Land of Israel, Moshe speaks the second paragraph of the *Shema*, conceptualizing the blessings that accompany keeping *mitzvot* and the curses that results from non-observance.

Re'eh

Moshe presents to the nation the blessing of a spiritually-oriented life, and the curse of becoming disconnected from G-d. When the nation enters *Eretz Yisrael* they must burn down any trees that had been used for idol-worship, and destroy all idolatrous statues. G-d will choose only one place where the Divine Presence will dwell. Offerings may be brought only there, not to a private altar. Moshe repeatedly warns against eating animal blood. In the desert, all meat was slaughtered in the Mishkan, but in *Eretz Yisrael* meat may be slaughtered anywhere. Moshe lists the categories of food that may be only eaten in Jerusalem. He warns the nation against copying ways of the other nations. Since the Torah is complete and perfect, nothing may be added or subtracted from it. If a “prophet” tells the people to permanently abandon a Torah law or indulge in idol worship, he is to be put to death. One who entices others to worship idols is to be put to death. A city of idolatry must be razed. It is prohibited to show excessive signs of mourning, such as marking the skin or making a bald spot. Moshe reiterates the classifications of kosher and non-kosher food and the prohibition of cooking meat and milk. Produce of the second tithe must be eaten in Jerusalem, and if the amount is too large to carry, it may be exchanged for money with which food is bought in Jerusalem. In certain years this tithe is given to the poor. *Bnei Yisrael* are instructed to always be open-hearted, and in the seventh year any loans must be discounted — G-d will bless the person in all ways. A Jewish bondsman is released after six years, and must be sent away with generous provisions. If he refuses to leave, his ear is pierced with an awl at the door post and he remains a bondsman until the Jubilee year. The Parsha ends with a description of the three pilgrimage festivals of Pesach, Shavuot and Succot.

Shoftim

Moshe tells *Bnei Yisrael* to appoint judges and officers in their cities. A bribe of even an insignificant sum is forbidden. Trees are not to be planted near G-d's altar, as was the way of idolaters. Blemishes in animals designated for offerings and other points of disqualifi-

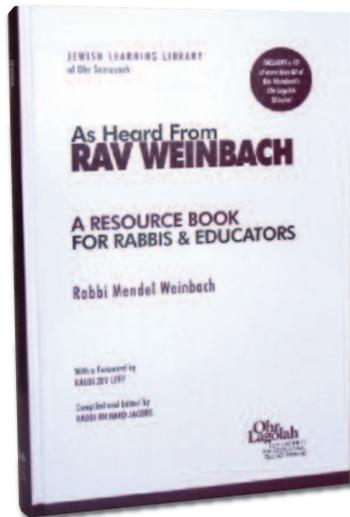
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PARSHA OVERVIEW

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cation are listed. The Great Sanhedrin is to make binding decisions on new situations according to Torah criteria to prevent the fragmentation of the Torah. A very learned scholar who refuses to accept the Halachic decisions of the Sanhedrin incurs the death penalty. A Jewish king may only have possessions and symbols of power commensurate with the honor of his office, but not for self-aggrandizement. He is to write for himself two *sifrei Torah*, one to be kept with him wherever he goes, so that he doesn't become haughty. Neither the *kohanim* nor the *levi'im* are to inherit land in the Land of Israel; rather they are to be supported by the community by a system of tithes. All divination is prohibited. G-d promises the Jewish People that He will send them prophets to guide them, and Moshe explains how a genuine prophet may be distinguished from a false one. Cities of refuge are to be provided an accidental killer to escape the blood-avenger from the deceased's

family. However, someone who kills with malice is to be handed over to the blood-avenger. Moshe cautions *Bnei Yisrael* not to move boundary markers to increase their property. Two witnesses who conspire to "frame" a third party are to be punished with the very same punishment that they conspired to bring upon the innocent party. A *kohen* is to be anointed specifically for when Israel goes to war, to instill trust in G-d. Among those disqualified from going to war is anyone who has built a new house but not lived in it yet, or anyone who is fearful or fainthearted. An enemy must be given the chance to make peace, but if they refuse, all the males are to be killed. Fruit trees are to be preserved and not cut down during the siege. If a corpse is found between cities, the elders of the nearest city must take a heifer, slaughter it, and wash their hands over it, saying that they are not guilty of the death.



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COMING SOON!

MEGILLA 30 - MO'ED KATAN 26

“One opens the Sefer Torah, and looks inside, rolls it closed, and says the beracha before reading in the Torah, and afterwards opens it again and reads — this is the ruling of Rabbi Meir. Rabbi Yehuda, however, says to open it and look at it, and then straightaway make the beracha and read from it.”

This *beraita* on our *daf* which teaches an argument about whether to say the *beracha* for reading the Torah while it is open is explained in the *gemara*. The reason why Rabbi Meir says to close it before saying the *beracha* is so that the unlearned people should not think that the *beracha* is written in the Torah. Rabbi Yehuda does not seem concerned with doing this since closing and reopening the Sefer Torah is an inconvenience to the congregation. In practice, both approaches are acceptable (unless there is a specific “rule of the shul”), but if one leaves the Torah open he should look to the side or close his eyes when reciting the *beracha* (Shulchan Aruch Orach Chaim 139:4 and the halachic authorities there).

• *Megilla 32a*

“Moshe decreed that the Jewish People learn about the ‘topic of the day’ — the laws of Pesach on Pesach, the laws of Shavuot on Shavuot, and the laws of Succot on Succot.”

This *beraita* concludes *Mesechta Megilla* and teaches that we learn (lit. “ask and expound”) about the laws of each Festival in its time, in addition to the general mitzvah of learning all of the Torah year-long. But why are Rosh Hashana and Yom Kippur not part of this decree? Maharsha explains that they were not included by Moshe since the essence of Rosh Hashana and Yom Kippur is “repentance and atonement”, which is relevant and applicable throughout the year and not only on these days.

• *Megilla 32a*

“One should not mix a simcha with a simcha.”

In this way Rabbi Elazar in the name of Rabbi Chanina explains the rationale for the law in our *Mishna* forbidding marriage during Chol Hamo'ed. This explanation helps us understand why “*simcha*” (of the marriage) is cited in the *Mishna* as the reason behind the prohibition. Tosefot points out that the concept of not mixing one *simcha* with another is a law based on a verse (Sefer Melachim according to the Bavli, or a verse about Yaakov, Leah and Rachel according to the Yerushalmi). The logic behind this decree: The Torah wants a person's heart to be entirely focused on the *simcha* of the mitzvah he is currently fulfilling — celebrating Chol Hamo'ed — and not be distracted by the *simcha* of anything else (Rashi, Tosefot).

• *Mo'ed Katan 8b*

“A Heavenly voice called out and said ‘You are all invited to the World-to-Come!’”

When Shlomo Hamelech dedicated the Beit Hamikdash upon its completion, he led the entire Jewish People in a festive celebration that began a week before Succot. Celebrating, however, requires eating and drinking, and one of these seven days was Yom Kippur. Rabbi Frank in the name of Rabbi Yochanan taught, “That year the Jewish People did not fast on Yom Kippur.” The Sages permitted this based “*kal v'chomer*” Torah logic as explained in the *gemara*. Nevertheless, the people were still worried that by eating and drinking on Yom Kippur they had perhaps committed a serious transgression, and were in trepidation until they heard the *bat kol* voice from Heaven inviting them all to enter the World-to-Come.

• *Mo'ed Katan 9a*

“A person who feels an irresistible urge to transgress should dress all in black and go to place where nobody knows him and do as his heart desires and not desecrate the name of Heaven in public.”

This *beraita* taught by Rabbi Ila'i seems to be giving permission to transgress if certain instructions are followed. Is he really giving permission to sin?

One explanation of Rashi seems to indicate that the person is being instructed on how to transgress in a manner that will not be a *Chillul Hashem*. However, others maintain that G-d forbid should Rabbi Ila'i be teaching the correct way to sin.

MEGILLA 30 - MO'ED KATAN 26

Rather, he is telling the person to do degrading and humbling acts that will certainly cause him to have a change a heart and he will not transgress. (Tosefot in the name of Rabbeinu Chananel; Rashi in the name of Rav Hai Gaon)

• Mo'ed Katan 17a

“A person is suspected by others only for a reason. He either actually did the entire transgression or at least part of the transgression. And if he didn't actually do the transgression, he thought about doing it. Or else he rejoiced when someone else transgressed in that way.”

Rabbi Shmuel ben Atzrobuli taught this on our *daf* as a lesson in how to avoid being suspected by others as a transgressor. The *gemara* adds, however, that even if the person did “none of the above” he might still be suspected if there are people who dislike him who spread false rumors about him.

Regarding his being suspect even if he just “thought about doing it” — although others *don't know* what he thinks — G-d does know his thoughts of course, and based on them implants suspicion in the minds of others towards this person. (Maharsha)

• Mo'ed Katan 18b

“Whoever cries and mourns for the passing of a ‘kosher’ person from this world is forgiven from all his transgressions.”

This principle of the importance of crying and mourning to show honor for any person who lived according to the Torah is taught on our *daf*. Even if the person is not related. (The details of the applicability of the general laws of mourning, such as *kriya* and saying a *beracha* of “*Dayan Ha'emet*” are taught in Shulchan Aruch Yoreh De'ah 340:6.)

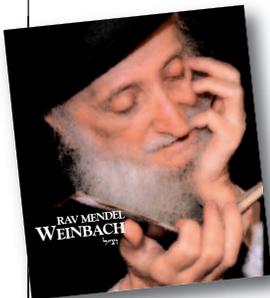
• Mo'ed Katan 25a

“When Ravina passed from this world, the eulogizer began in this way: ‘The palm trees should wave their heads for the tzaddik who is like a palm tree...’ ”

The first “palm trees” mentioned are a reference to the Jewish People, as we are taught: Just as a palm tree has only one heart (the *etrog*), likewise *Klal Yisrael* has only one heart for the Almighty. The people are being told to “shake their heads” in their own transgressions, and know that Ravina is a “*tzaddik* like a palm tree”. His soul will remain alive forever, and will merit the World-to-Come where it will fully blossom forever. (Maharsha)

• Mo'ed Katan 25b

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Where's the Beracha?

by Rabbi Shmuel Bloom

When a university student brought up in a secular family has an opportunity to spend some time in a Yeshiva like Ohr Somayach he often asks questions. He wants to know, among other things, how it can be determined that the Torah was truly given by the Almighty and not by a man?

One of the numerous responses is the mitzvah of *shemita* (Sabbatical year). No human being would have the nerve to instruct an entire country to close up agricultural production for a year. The people would starve. Only a Creator can say, "Keep *shemita* and don't worry. I will send My blessing, and in the sixth year you will have enough food for you, your families and your animals for three years."

If that is the case, then why are there so many advertisements to support the farmers? Why did the leading rabbis, starting with Rabbi Yehoshua Leib Diskin, the Rivvaz, the Chazon Ish and continuing on to the great rabbis of our time endorse so strongly the campaign to raise money for the farmers? G-d already promised that He would take care of them. Don't we trust Him to keep His word?

This question has been responded to in many ways. The Meirat Einayim explains that the beracha promised by G-d is granted only when all the Jews are living in Eretz Yisrael and *shemita* is a Torah mitzvah (Sema, Choshen Mishpat 67:2). Nowadays, however, since many *Rishonim* rule that *shemita* is "only" a rabbinical mitzvah the special *beracha* of prosperity does not apply. Rabbi Binyamin Mendelson *zt'l* notes that the words of the Sema do not mean that we don't have a *beracha*. He just means that the tripling of produce in the sixth year doesn't necessarily happen. As many farmers expressed to me, "Everyone feels the *beracha*. Some feel it in their bank accounts and others feel it with their health or their children. We have the *beracha* but it still is difficult to pay for your expenses when you have no income."

The Chazon Ish (*Shvi'it* 18:4) disagrees with the Sema. He feels that the special *beracha* of abundance applies even nowadays. He explains that the special *beracha* written in the Torah is a general one for the country. It promises that we will have the abundance necessary to be able to exist. If we leave it to nature, a country not producing would starve. G-d guarantees us, however, that He will find ways to ensure our continued economic existence. How each farmer fares though, is determined by his individual situation.

Our experience shows us that on the one hand there is a farmer by the name of Baruch Horan of Rosh Pina who reports that despite the fact that it didn't rain much during the rainy season this year, his crops grew double in size. He harvested the crop just in time, just before the heavy rain that fell after Pesach which would have destroyed the crop had he left it in the field. Because of the weather conditions there was a scarcity of grain and the price was higher than usual. He ended up receiving triple what he got last year.

On the other hand, there are many farmers entering *shemita* with great trepidation because this year did not provide them with bounty harvests. Eretz Yisrael on the whole though will be able to support itself. That is the *beracha*.

There is a third possibility that I'd like to suggest. Actually, it could fit in to both the Sema's and the Chazon Ish's explanations.

The *gemara* reports a conversation between Turnusrufus and Rabbi Akiva (Baba Batra 10a). Turnusrufus asks Rabbi Akiva, "If your G-d loves poor people, why doesn't He support them?" Rabbi Akiva answered, "To give us the merit to be able to exist (by helping them)."

I wonder whether G-d sent the *beracha* to us so that we can support the farmers in order to give us the merit of fulfilling this very precious mitzvah of *shemita*?

The author can be reached at rabbisbloom@gmail.com for further information about what we can do to help the farmers, comments and questions.

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PARSHA Q&A ?

Va'etchanan

1. "And I prayed to G-d at that time." Why "at that time"?
2. What characteristic trait is represented by G-d's "strong hand"?
3. What is ha'levanon?
4. What did G-d tell Yehoshua after the battle of Ai?
5. What will happen if the Jewish People fail to keep the mitzvot properly?
6. How did the decree that Moshe not enter the Land affect him even in death?
7. What is hinted by the word v'noshantem?
8. Why were the Jewish People exiled two years earlier than indicated by Moshe's prophecy?
9. "You'll serve man-made gods." Is this literal?
10. Why is east called mizrach?
11. "Keep the Shabbat day as I have commanded you." When had G-d previously commanded us to keep Shabbat?
12. Where did the Jewish People first receive the command to honor parents?
13. What is meant by "G-d, our G-d, G-d is One"?
14. What are two meanings of loving G-d "with all your might"?
15. How well-versed must one be in Torah?
16. Where does the word totafot come from?
17. Who is fit to swear in G-d's name?
18. What does it mean that the Jews are the "smallest nation"?
19. When someone serves G-d with love, how many generations receive reward?
20. Why are evil-doers rewarded in this world?

PARSHA Q&A!

Answers to Va'etchanan's Questions!

All references are to the verses and Rashi's commentary unless otherwise stated.

1. 3:23 - Defeating Sichon and Og, whose lands were part of Eretz Canaan, Moshe thought perhaps G-d had annulled the vow against his entering the Land.
2. 3:24 - His willingness to forgive.
3. 3:25 - Ha'levanon means the Beit Hamikdash, which makes "white" (lavan), i.e., atones for, the Jewish People.
4. 3:28 - Yehoshua must lead the army into battle.
5. 4:9 - The non-Jewish world will regard them as foolish.
6. 4:22 - Even his remains weren't buried in the Land.
7. 4:25 - The gematria of v'noshantem, 852, hints at the number of years until the first exile.
8. 4:25 - So that the rest of the prophecy "that you shall utterly perish" would not be fulfilled.
9. 4:28 - No. It means you'll serve others who serve idols.
10. 4:41 - It's the direction from which the sun shines (mizrach means shining).
11. 5:13 - Before Matan Torah, at Marah. (Shmot 15:25)
12. 5:16 - At Marah. (Shmot 15:25).
13. 6:4 - G-d, who is now our G-d, but not [accepted as] G-d of the other nations, will eventually be [accepted as] the one and only G-d.
14. 6:5 - 1) With everything you own. 2) Whether G-d treats you with kindness or harshness.
15. 6:7 - If asked a Torah question, one should be able to reply quickly and clearly.
16. 6:8 - Tot means two in Caspi. Fot means two in Afriki. Together they allude to the four sections of tefillin.
17. 6:13 - One who serves G-d and reveres His name.
18. 7:7 - B'nei Yisrael are the humblest nation.
19. 7:9 - 2,000.
20. 7:10 - So that they get no reward in the next world.

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PARSHA Q&A ?

Ekev

1. What must the Jewish People do to ensure that G-d will fulfill His promise to do good for us?
2. What were the: a. wonders b. strong hand c. outstretched arm that the Jewish People saw in Egypt?
3. When a group performs a *mitzvah*, whose name is attached to the *mitzvah*?
4. How did the Jewish People do their laundry in the *midbar*?
5. How did the Jewish People obtain clothing for their growing children in the *midbar*?
6. How many days did Moshe spend on Mt. Sinai altogether?
7. On what day did Moshe come down from Mt. Sinai having received complete forgiveness for the Jewish People?
8. How was Aharon punished for his role in the golden calf?
9. Who made the ark in which Moshe placed the second set of tablets? What special function did it later serve?
10. Which sin of the Jewish People was prompted by the death of Aharon?
11. Why were the *levi'im* chosen by G-d?
12. Why do the *levi'im* have no portion in the Land?
13. All aspects of man's life are in G-d's "hands" except one. What is this?
14. What is the "added benefit" of observing the *mitzvot*?
15. What is meant by circumcising one's heart?
16. What are the sources of water for the fields of Egypt and *Eretz Yisrael*?
17. What path does the Torah prescribe for gaining new knowledge?
18. Which activity is "serving G-d with the heart"?
19. When the Jewish People sin, why are they considered worse than the generation of the flood?
20. How does one "cleave to G-d"?

PARSHA Q&A!

Answers to Ekev's Questions!

All references are to the verses and Rashi's commentary unless otherwise stated.

1. 7:12 - Guard even the "light" commandments.
2. 7:19 - a. Plagues; b. Pestilence; c. Slaying of the first-born.
3. 8:1 - The person who finishes it.
4. 8:4 - The *ananei kavod* (clouds of glory) cleaned and bleached their clothes.
5. 8:4 - As their children grew, their clothing grew with them.
6. 9:18 - 120 days.
7. 9:18 - The tenth of Tishrei, Yom Kippur.
8. 9:20 - His two sons died.
9. 10:1 - Moshe. This ark would accompany the Jewish People into battle.
10. 10:6-7 - When Aharon died the *ananei kavod* departed, causing many Jews to fear war with the King of Arad and to retreat toward Egypt.
11. 10:8 - Because they did not participate in the sin of the golden calf.
12. 10:9 - Since they served in the Temple, they were not free to work the land.
13. 10:12 - Fear of Heaven, which is dependent upon the person.
14. 10:13 - There is reward.
15. 10:16 - To remove those things that block the words of Torah from entering.
16. 11:10 - Egypt is irrigated by manually carrying water up from the Nile. *Eretz Yisrael* is supplied by rainwater requiring no work on the part of its inhabitants.
17. 11:13 - By repeatedly reviewing what one knows, one more easily acquires new knowledge.
18. 11:13 - Prayer.
19. 11:17 - Because the generation of the flood had no one from whom to learn.
20. 11:22 - Attaching oneself to Torah scholars.

Please Join Us...

...in saying Tehillim/Psalms and a special prayer to G-d for the safety and security of all of Klal Yisrael in these times of conflict and conclude with the following special prayer:

"Our brothers, the entire family of Israel, who are delivered into distress and captivity, whether they are on sea or dry land – may G-d have mercy on them and remove them from stress to relief, from darkness to light, from subjugation to redemption now, speedily and soon."

אחינו כל בית ישראל

PARSHA Q&A ?

Re'eh

1. What were the sites designated for the “blessings and the curses” to be pronounced by the people?
2. On what condition will *Bnei Yisrael* receive the blessings from G-d?
3. Why does the Torah use idolatry as an example when describing one who strays from the path that G-d commanded?
4. What was to be the sign for the Jewish People that they would inherit the Land?
5. During the 14 years of the conquest and division of the Land, what types of offerings were permitted on private altars?
6. What must one do with consecrated animals that develop a blemish?
7. In what ways does a consecrated animal that develops a blemish retain a degree of *kedusha* (holiness) even after it has been redeemed?
8. Why was the tribe of Yehuda not permitted to conquer Jerusalem?
9. In consecutive verses, the Torah repeats the prohibition against eating blood. What two types of blood are referred to?
10. Why were the Jewish People allowed to see the extermination of the Canaanites?
11. What forms of idol worship are punishable by death?
12. If a person performs miracles in the name of G-d and then says that the laws of the Torah have been revised, what is done to this person?
13. The Torah says, “To Him (G-d) you shall cleave.” How does one fulfill this command?
14. The trial of a person accused of encouraging others to worship idols differs from the trial of other capital cases. How?
15. Who has the primary responsibility of inflicting the punishment on one who tried to entice others to worship idols?
16. What is the “source” of the Jewish People being an *am kadosh* (holy nation)?
17. How should the Jewish People maintain themselves as an *am kadosh*?
18. What is the order of priority regarding to whom one should give charity?
19. What *mitzvah* recalls the Exodus from Egypt?
20. Which four individuals are under G-d’s “special protection”?

PARSHA Q&A!

Answers to Re'eh's Questions!

All references are to the verses and Rashi's commentary unless otherwise stated.

1. 11:26 - Mt. Gerizim and Mt. Eval, respectively.
2. 11:27 - On condition that they listen to G-d's commandments.
3. 11:28 - Because those who worship idols are considered as if they have strayed from the entire Torah.
4. 11:31 - The miracles that would occur while crossing the Jordan River.
5. 12:8 - Vow offerings or free-will offerings.
6. 12:15 - They must be redeemed and may then be eaten.
7. 12:15 - Eating it is permitted, but use of its milk or fleece is forbidden.
8. 12:17 - When Avraham bought *ma'arat hamachpelah*, he made a covenant of peace with the Hittites who sold it; his descendants honored this pact regarding the Hittite descendants in Jerusalem.
9. 12:24-25 - Blood that seeps slowly from the incision as soon as the cut is made and again after it no longer gushes. Blood absorbed into the limbs of the animal.
10. 12:30 - To learn not to follow in their depraved ways.
11. 12:30 - Slaughtering or burning a sacrifice on an altar, pouring libations, prostrating oneself, and any normal manner of worshipping that idol.
12. 13:2-6 - He is put to death.
13. 13:5 - One should emulate G-d's actions by performing good deeds, assisting in burying the dead and visiting the sick.
14. 13:10 - If he was acquitted and new information of a condemning nature arises, he is retried. If he was judged guilty, he is not returned to court to plead in his favor.
15. 13:10 - The person whom the guilty one attempted to entice.
16. 14:2 - The *kedusha* is inherited from the *avot*.
17. 14:21 - By avoiding excesses even in permitted matters.
18. 15:7 - The most needy, a brother from one's father, a brother from one's mother, the poor of one's city, the poor of another city.
19. 16:3 - Eating the *korban pesach* and the *matzah* on the night of Pesach.
20. 16:10 - A *levi*, convert, orphan, and widow.

Shoftim

1. What is the role of *shoftim*? What is the role of *shotrim*?
2. What qualifications should one look for when appointing a judge?
3. May a judge accept a bribe if only for the purpose of judging fairly?
4. What is the source for the concept “seek out a good *beit din*”?
5. Although the *avot* built *matzevot*, the Torah later forbade doing so. Why?
6. “You will come to...the judge who will be in those days.” It’s impossible to visit a judge living at a different time, so why must the Torah add these apparently extra words?
7. What does G-d promise a king who doesn’t amass much gold, doesn’t raise many horses and doesn’t marry many wives?
8. How many Torah scrolls must the king have?
9. How was King Shaul punished for disobeying a minor command of the Prophet Shmuel?
10. Certain kosher animals are not included in the law of “*chazeh, shok and keiva*.” Which ones?
11. Families of *kohanim* served in the *Beit Hamikdash* on a rotational basis. When was this rotation system implemented?
12. Which three categories of false prophets are executed?
13. What does it mean to “prepare the way” to the cities of refuge?
14. How many witnesses are meant when the Torah writes the word *eid* (witness)?
15. “Through the mouth of two witnesses....” What types of testimony does this verse invalidate?
16. If witnesses in a capital case are proven to be *zomemim* (false-conspirators) before their intended victim is executed, how are they punished?
17. Why does the section about going to war follow the laws governing witnesses?
18. The Jewish army is warned of four “scare-tactics” the enemy might employ. What are they?
19. When a murder victim is found in a field, who determines which city is closest?
20. What happens if the murderer is found after the calf’s neck was broken?

Answers to Shoftim’s Questions!

All references are to the verses and Rashi’s commentary unless otherwise stated.

1. 16:18 - *Shoftim* are judges who pronounce judgment. *Shotrim* are officers who enforce it.
2. 16:18 - That he is expert in the law and that he is righteous.
3. 16:19 - No, because it will sway his judgment.
4. 16:20 - “*Tzedek tzedek tirdof...*”
5. 16:22 - Because the Canaanites used them for idolatry.
6. 17:9 - To teach that although a judge may not be as eminent as judges of previous generations, we must obey him nevertheless.
7. 17:18 - That his kingdom will endure.
8. 17:18 - Two. One stays in his treasury and one he keeps with him.
9. 17:20 - He lost his kingship.
10. 18:3 - *Chayot* (non-domestic-type animals).
11. 18:8 - During the time of David and Shmuel.
12. 18:20 - One who prophesies something he didn’t hear, something told to another prophet, or prophesies in the name of an idol.
13. 19:3 - To post direction signs saying “refuge” at the crossroads.
14. 19:15 - Two, unless otherwise specified.
15. 19:15 - Written testimony and testimony translated from a language which the judges don’t understand.
16. 19:19 - They are put to death.
17. 20:1 - To teach that if the Jewish People execute fair judgment they will be victorious in war.
18. 20:3 - a. Clanging their shields b. Making their horses stomp and whinny c. Shouting d. Blowing horns.
19. 21:2 - The Sanhedrin.
20. 21:9- He is tried and, if guilty, executed.

IF YOU BORROW FROM US, DO WE NOT GET IT BACK?

Shylock the moneylender and Antonio the borrower come to court. Shylock claims that he lent Antonio \$200 and it's time to pay up. Antonio looks at him incredulously and replies, "\$200? I only borrowed \$100 from you!" There is no documentation of the loan and no other evidence available to the court. How should the judges rule?

In Jewish monetary law there is a principle that when a person makes a claim to his detriment, his admission constitutes rock-solid evidence. For example, if he claims to owe someone money, we believe that he does.¹ So Shylock will certainly get the first \$100, which Antonio clearly admitted to borrowing and not having paid back. This is simple and easy to grasp. But what about the second \$100?

There is another principle in *halacha* known as a *migo* (an argument based on "given that"), which adds credence to a person's claim, under specific circumstances. The principle is as follows: If a person is lying, it makes sense for him to make the greatest claim possible. It is illogical for a person to make a lesser claim when he could win with a greater claim, unless the lesser claim is the truth and he is being honest. So, *given that* he could have made a better winning claim, we believe his lesser claim, in the absence of other evidence. If he were a liar he would have told a better lie!

Applied to our case, Antonio has a clear *migo*. He could simply have denied ever having borrowed anything from Shylock! Then there would be no evidence of the loan, because Antonio's confession was all we had. Therefore, when Antonio says he only owes \$100 he should be believed, *given that* he could have denied the entire \$200. He should pay \$100 and walk away, leaving Shylock fuming, "'Tis mine and I will have it! Fie upon your law!"

But, as I'm sure you've guessed by now, as with many topics in Judaism — it's not quite that simple!

The *Gemara* in *Bava Kama* (106b), basing itself on a verse in the Torah, derives the law that when someone admits to part of a claim against him, despite the fact that he has a *migo*, he must take an oath. So Antonio would have to swear that he does not owe a further \$100. Not exactly a pound of flesh for our Shylock, but something to make him feel a little better about life. Now, in Judaism we do not take oaths lightly. To take an unnecessary oath is to take G-d's name in vain, breaking the third commandment!

Antonio has a *migo*, as discussed above, so why do we not believe him? After all, if he had wanted to lie, he could have denied the entire loan and would pay nothing. To strengthen the question, think of it like this: If Antonio denies the whole

loan, he walks out of the courtroom without paying anything, and without having to make an oath²; if he is honest enough to admit to owing a portion of the money, we become suspicious of him and make him take an oath to get out of paying the rest!

To understand the reasoning we need to know another *Gemara*. In *Gittin* 51b we are taught a principle in human psychology. Normally, a person does not have the "*chutzpah*" (audacity, brazenness) to flatly deny something when the guy opposite him in court knows that he is lying. This wipes out the *migo*! Remember, the logic of the *migo* is that it is as if Antonio is saying, "Why would I lie by denying \$100 and admitting that there was a loan? If I were a liar I would simply deny the whole \$200!" The only time a *migo* works is when there is no reason *at all* to use the lesser claim, and the only explanation is that the lesser claim is the truth. According to the not-having-the-*chutzpah* principle, the court has good reason to suspect that Antonio would prefer to deny \$100 than \$200. Denying the whole loan, with Shylock brooding in front of him, staring at him with knowing scorn, would be a much harder thing for Antonio to do. So he has an obvious incentive to make the lesser claim, which undermines the whole *migo*. Arguing on the amount of the loan is certainly easier (although still no walk in the park). Antonio might be less embarrassed, because Shylock may assume Antonio has just made an innocent accounting error, or Shylock may doubt his own memory of the amount. Also, it is possible that Antonio is not serious in his denial of the other \$100 of the loan, and means only to buy time to get the money together, at which point he'll come clean. In any event, the court has ample reason to suspect that Antonio is up to something and would therefore make him take an oath.

Paradoxically, if Antonio had denied the whole loan, in the absence of any other evidence about this loan, the very same not-having-the-*chutzpah* principle would lead us to conclude that Antonio is probably telling the truth, because people generally find it hard to flatly deny something which the other guy knows to be the truth.

Monetary and financial law and human psychology are usually thought of as being quite separate areas of thought. In Torah, the system of life, the universe and everything — all is intertwined. True justice relies on an accurate understanding of the human psyche.

1. Interesting, this same principle does not hold true when someone admits to committing a capital crime. Rabbi Joseph ibn Migash (11th century, Lucena, Spain), in one of his responses explains that whereas a person is free to give away his money, which belongs to him, he is not free to cause harm to his body, which is only lent to him by G-d. Similarly, it is a grave sin to commit suicide.

2. This is the law as given in the Torah. It should be noted that an oath was later added by the Rabbis even in this case, for a separate reason (see Tractate Shavuot 40 and Tur 574-5).

Sons and daughters tell of their devotion, challenges, and successes in honoring their parents

BY RABBI AND MRS. YEHUDA SAMET

Excerpts from the newly-published best-seller "My Father, My Mother and Me", published by ArtScroll-Mesorah

WHEN IT'S THEIR WILL, THAT'S THE WAY!

“A person’s will is his honor” is a Torah principle. It is a directive for a child to be attuned to his parents’ preferences. We have a mitzvah to honor our parents. But whatever we do for parents is only a mitzvah if it’s *what* they want and *the way* they want it.

A daughter would like to serve her parents dinner. The parents want the daughter to rest instead. What should she do?

The daughter might think that she’s losing out on the mitzvah of honoring her parents that she would have by serving them dinner. But, in fact, respecting her parents’ wishes is the mitzvah.

ONE SIDE OF A STORY...AND ANOTHER

The right way is their way

« “You know Mom and I have so much free time now. Why don’t you call more often? And put the grandkids on the phone — even the little ones. We like the babbling too.”

» My father doesn’t like to speak to my children on the phone. He claims that he can’t understand what they’re saying. We live so far away from them — how can he deny my children the right to have a connection with their grandfather? And how can he deny himself that joy?

Parents are entitled to do it the way they prefer. You are “entitled” to go along.

« I hired someone to take care of my finances now that I’m alone. The man is an accountant. He was a close friend of my late husband, a long-time family friend, and I know I can trust him. I know my children will offer their “good” advice and insist they know better but I certainly wouldn’t want to involve them.

» “The only people I would trust with my personal records are my children.”

• • • •

« We always seat our parents at the dais at every *simcha* such as a wedding.

» My parents won’t sit at the head table. They say it’s their pleasure at a *simcha* to sit with their family, whom they rarely see.

• • • •

« My parents were preparing for their 50th wedding anniversary for months — and discussing it for almost a decade. And why not? Isn’t it a milestone that few reach?

With a heart full of thanks to the Almighty for allowing them to reach this day, my parents wanted to share this momentous occasion with every last family member and friend, business acquaintance, and neighbor.

» My parents never allowed us to make them a celebration for their golden wedding anniversary. They certainly wouldn’t make one for themselves. It wasn’t a financial consideration. Not at all.

We were well aware of our parents’ views on this subject. If any of us ever brought it up, just to check to see if they had changed their minds, my mother would remind us in no uncertain terms, “You know Aunt Becky lost her husband. You haven’t forgotten, have you, that Uncle Abe has no wife! Do you expect us to flaunt our marriage in front of them?”

There was no point in making a big bash if the guests of honor didn’t want that honor. So, to mark the date, the immediate family just went out to dinner at a quiet spot.

• • • •

Both my parents and in-laws do a lot of traveling. Whenever my parents return from a trip, I’m there to greet them. No matter when, I make it my business to pick them up. I know they would be quite disappointed and even hurt if I wasn’t there.

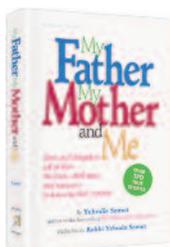
» My in-laws would never hear of me or my husband driving a distance to meet them. They take a cab. There is no room for discussion on this matter.

• • • •

« My mother’s greatest pleasure is to be surrounded by all her children and grandchildren. The more the merrier. We are all always invited.

» My mother is a warm and loving grandmother, and loves to see us. At the same time, she cannot handle noise or commotion over a certain limit. She likes to host only one child and family at a time.

This mother has let her preference be known. But that’s not always the case. Keep your antenna up and actively listen for how this mitzvah of honoring parents is going to play out in your life.



My Father, My Mother & Me

*Sons and daughters tell of their devotion, challenges,
and successes in honoring their parents*

BY RABBI AND MRS. YEHUDA SAMET

PUBLISHED BY ARTSCROLL - MESORAH

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SHEMITA IN THE DIASPORA

From: Paul

Dear Rabbi,

The shemita year is approaching and I was wondering whether that affects those who live outside of the Land of Israel in any way?

Dear Paul,

The *shemita* year, which is the 7th year of the agricultural cycle, or Sabbatical year, in which Jewishly owned fields and orchards in the Land of Israel may not be worked, but rather must be left untended and fallow and whose produce must be accessible and free to all, is indeed approaching.

From this coming Rosh Hashana until the next, any fruits and vegetables that grow in the Land of Israel under these circumstances have a special degree of holiness, which requires that they be handled, consumed and disposed of in many special ways. In fact, since many fruits grow during the *shemita* year but are only fully ripe for consumption afterward, their holiness continues to be an issue even into the 8th year (i.e., 1st year of the next cycle).

This all has an effect even on those living outside of Israel. For one, it is forbidden to export *shemita* produce outside of Israel. And if this produce is cultivated in Israel in a forbidden manner, which is unfortunately often the case, even more restrictions and prohibitions apply. So effectively, any Israeli produce sold even outside of Israel during the *shemita* year (and for certain fruits, even afterward), are on the one hand prohibited, and on the other hand, must be treated as holy.

Both the United States and Western European (and other) countries commonly market Israeli produce, where items such as citrus fruits and juices, wine or grape juice,

canned olives or other canned goods, dried dates or other dried fruits and even flowers are prominent and therefore particularly problematic during *shemita*.

An etrog from Israel which has been properly grown and handled, even though it has the holiness of *shemita*, may be exported and used for the mitzvah of the four species on the holiday of Succot, as long as it is treated according to the laws of *shemita*, which would even permit eating it after the holiday.

Another issue of the *shemita* year which is in effect even outside of the Land of Israel involves loans, where any private loan that is due during the *shemita* year is nullified such that the borrower is exempt from paying back the loan. Nowadays, a procedure or document referred to as "*prozbul*", transfers the loan to a religious court or *beit din*, which enables the court to collect on one's behalf. Accordingly, someone outside of Israel who has such a loan can either fulfill the mitzvah of allowing the *shemita* year to nullify the loan, or must otherwise prepare a *prozbul* in order to be able to collect it.

Speaking of fulfilling the mitzvah of *shemita* from even outside of Israel, an interesting initiative has been taken to enable people to fulfill the command of leaving the land fallow, while simultaneously helping support Torah-observant, *shemita* farmers weather the financially difficult period of *shemita*.

Such projects involve selling plots of these farmers' land in Israel to private individuals world-wide for the year of *shemita*. The buyers/owners then purposely leave "their" orchard-filled plots of land in Israel fallow and untended, whose fruits remain accessible and open to all, thereby fulfilling the mitzvah of *shemita* all year long. They also receive the mitzvah of supporting these G-d-fearing, *shemita*-observing farmers who are committed to observing the Torah's agricultural laws in the Land of Israel.

LOVE OF THE LAND

Selections from classical Torah sources which express the special relationship between the People of Israel and Eretz Yisrael

SHEMITA

Torah Source

“But in the seventh year you shall let it (the Land) rest and lie fallow, that the poor of your people may eat, and what they leave will be eaten by the beast of the field.” (*Shmot* 23:11)

“In plowing time and in harvest time you shall rest.” (*ibid.* 34:21)

“It shall be a year of solemn rest for the Land.” (*Vayikra* 25:5)

Fulfillment

Abandoning ownership of all agricultural produce of the seventh (*shemita*) year so that anyone who wishes to

acquire this produce can do so.

To cease working the land in the seventh year.

Reason

To remind us every seventh year that G-d created the world ex-nihilo in six days and rested on the seventh.

In addition to resting from agricultural labor in the seventh year as we rest from all labor every seventh day, we are also commanded to leave ownerless all that the Land will produce in this year to remind us that the Land which grows produce for us every year does not do so by its own power but that there is a L-rd over it who truly owns it and its earthly owner.



continued from page one

Ekev

FIRE

The carved images of their gods you shall burn in the fire for it is an abomination of the L-rd, your G-d. (7:25)

Our Sages teach us that extreme anger is like worshipping idols. What is the connection? Imagine you're a courtier in the palace of the king. While walking past you, one of the other courtiers treads on your toe, and rather than apologize he turns around and pokes his tongue out at you.

Do you curse and shout at him? I doubt it. Not, that is, unless you are unconcerned about your head staying in nodding contact with the rest of your body. Your awe of the king, not to mention the fear of his punishment, makes it easy for you to swallow your pride and smile a wan and insincere smile at your fellow courtier.

When a person becomes angry it's as though he's saying that he's not in the courtroom of the king. Or worse, there is no courtroom, no king.

Everything in this physical world has a spiritual cause.

Anger is always compared to fire. Anger consumes like a fire the person who feels the anger. Anger turns the face flamed. Anger burns you up.

Sometimes, we may even get a glimpse of the connection of the spiritual to the physical:

The Hayman fire, the largest fire in the history of Colorado consumed tens of thousands of beautiful forestland. The fire was caused by a 38-year old Forest Service technician who took a letter from her estranged husband and burned it in anger. Apparently, she thought she had extinguished the fire and left, only to find later it was spreading out of control.

When we ignite the flames of wrath, it's very difficult to put them out. If one act of anger can burn half a state, one shudders to think what happens in the spiritual forest-lands above when a person's anger flames.

Re'eh

SCHOOL FOR KINDNESS

"You shall tithe the entire crop of your planting...." (14:22)

In the first, second, fourth and fifth years of the seven-year *shemita* cycle, Jews living in *Eretz Yisrael* were instructed to separate a tenth of their crops, and bring it to Jerusalem to eat. In the third and sixth years of the cycle, that tenth was given to the poor instead.

One might ask: "Why weren't the landowners required to first share with the poor and only subsequently to enjoy their produce in Jerusalem?"

The Rambam writes that one must give *tzedaka* charity with a joyous countenance, and that giving with a disgruntled demeanor negates the mitzvah. It is not enough to *do chessed* (kindness), one must *love chessed*.

More than any other positive mitzvah, writes the

Rambam, *tzedaka* is a sign of the essence of a Jew. By commanding us to bring one tenth of our crops to Jerusalem to rejoice there, G-d taught us two vital lessons. One: that our material possessions are a present from G-d and He can dictate how we use that material bounty. Two: that using material wealth in the way prescribed by G-d generates feelings of joy and sanctity.

Once we have internalized these lessons in the first two years of the cycle, we can offer that bounty to the poor in the third year — not perfunctorily, but with a true love of *chedsed*.

• Source: Rabbi Zev Leff in *Shiurei Bina*

Shoftim

YOU BE THE JUDGE

"Judges and officers shall you appoint for yourselves...." (16:18)

The Torah could just as easily have written "Judges and officers shall you appoint." The words "for yourselves" seem superfluous. Yet, the Torah here hints that a person needs to appoint himself as judge over himself to adjudicate whether his actions are befitting. He needs to

be his own "policeman" to ensure that he carries out that which he has judged fitting, and to "fine" himself if necessary if his behavior is not up to this standard.

• Source: Rabbi Moshe Feinstein

Abarbanel ON THE PARSHA

BY RABBI PINCHAS KASNETT

Va'etchanan

In the beginning of the Parsha we are faced immediately with a perplexing situation. Moshe has already been told explicitly that he would not be allowed to enter the Land of Israel. Moshe however beseeches G-d to allow him to enter the land, "My Lord, you have begun to show your servant your greatness and your strong hand... Let me now go over and see the good Land that is on the other side of the Jordan, this good mountain and the Lebanon." This is a reference to the conquest of the mighty rulers Sichon and Og, which Moshe interprets as the beginning of G-d's demonstration of his might which would eventually result in the conquest of the Land of Israel as well.

Moshe had referred to this idea previously in Parshat Devarim when G-d told him, "This day I shall begin to place dread and fear of you on the peoples under the entire heavens." Moshe understands this to mean that his involvement in the final conquest of the land is not finished with the conquest of Sichon and Og. Yet, since he has already appointed Yehoshua to be the leader in his place when they traverse the Jordan, he beseeches G-d only to allow him to "...go over and see the good Land that is on the other side of the Jordan..." Moshe's only request is to be allowed to enter the Land as simply one of the people, not as their leader. G-d rejects his plea, however, and tells him, "This is enough for you; don't speak to Me further about this matter." Since Moshe's punishment of not being allowed to enter the land is the result of his culpability for the peoples' rebellion at the incident of the spies, G-d has allowed him to conquer Sichon and Og and will give him the opportunity to miraculously see the Land as if he were actually there — but no more.

Moshe had four specific reasons to enter the land. First of all he wanted to enjoy the merit of keeping those numerous *mitzvot* which could only be observed in Israel. Secondly, he wanted to see his efforts of the last forty years come to fruition. His entire purpose has been to bring about the fulfillment of the promise that G-d had made to the forefathers to give their descendants that Land of Israel as an inheritance. By entering the Land with them he would complete his mission. Thirdly, he wanted to prove to the people that the Land was good, as he says in his request, "Let me now go over and see the good Land." In so doing he could personally refute the spies' slander. Finally, Moshe wanted to reveal to the people the exact location of Jerusalem and the Holy Temple. Again, this is hinted at in his request where he asks to see, "...this good mountain and the Lebanon." The mountain is a reference to the Temple Mount and the Lebanon is a reference to the Temple itself, since the word '*levanon*' in Hebrew refers to 'whiteness' — and the purpose of the Temple is to 'whiten' (cleanse us) from sin.

What remains to be understood is why G-d doesn't respond favorably to Moshe's request. There is a basic principle that G-d forgives transgressions that are between Man and G-d, but trans-

gressions between Man and Man are not forgiven by G-d, not even on Yom Kippur. It is up to the individuals who were wronged to grant forgiveness. Since it was Moshe who initiated the mission of the spies, and since he was ultimately responsible for leading the nation astray, G-d would not grant his request.

Ekev

The last section of this Parsha deals with the unique status of the Land of Israel and its relationship to the Jewish nation. There are three dimensions to this relationship, which is based on the nation's adherence to the observance of both the positive and negative commandments of the Torah. The Land of Israel is essentially a gift to the Jewish people, a reward for their fidelity to the Torah. The first reward is the inheritance of the Land itself. The second reward is the permanence of that inheritance. The third reward is the ability of the Land to provide for the needs of its inhabitants.

The Torah makes it clear that the Land of Israel is unlike the land of Egypt that they had left, "Where you could plant your seed and water it on foot like a vegetable garden" (Devarim 11:10). The Land of Israel does not possess a constant and dependable source of water like the Nile River. Rather it is a land of hills and valleys totally dependent on rainfall from above, "from the rain of heaven will it drink water" (Devarim 11:11). The word 'Heaven' is not just a reference to the clouds in the sky, but rather refers to G-d's direct providential intervention in order to sustain the Jewish nation. Looking up to the sky in anticipation of life-giving rainfall symbolizes the Jewish awareness that all material success is a result of Divine intervention, which is based on our adherence to the Torah.

Even though the constancy of the water of the Nile in Egypt is also a product of G-d's direct will, Abarbanel quotes the Ramban who points out the difference between the Divine Providence in Israel and as opposed to that in Egypt. Dependency on the Nile can be compared to a healthy, complacent individual who, although he recognizes that his good health is a gift from G-d, does not feel the immediate need to scrutinize his deeds and constantly turn to G-d with prayer. Depending on capricious rainfall, on the other hand, requires the residents of the Land of Israel to be ever-vigilant in their observance of the Torah. The Jews of the Land of Israel are like the infirm whose lives are always hanging in the balance.

Finally, the reward for Torah observance is not simply adequate rainfall. Rather, the Torah makes it clear that the rainfall will occur at precisely the right times and in the right quantities to insure the maximum agricultural benefit. Furthermore, it will occur at night in order not to disturb the farmers working the Land.

Re'eh

One of the topics of this Parsha is the Laws of *Kashrut*. Although this was already discussed in Parshat Shemini in Sefer Vayikra,

continued on page sixteen

Abarbanel...continued from page fifteen

Abarbanel explains some of the dimensions of these laws which he did not discuss previously.

The Torah introduces this section by saying, “You shall not eat anything abominable” (Devarim 14:3). The Torah does not mean that forbidden foods are inherently disgusting and repulsive to human nature. The Sifra on Vayikra makes it clear that a person should not say, “I don’t want to eat pork; rather it is something I desire, but My Father in Heaven has decreed against it” (Vayikra 20:26).

Abarbanel explains that the prevailing opinion that the main reason for the *Kashrut* laws is that the various animals, combinations of foods and methods of slaughter are inherently unhealthy — is incorrect. If this were true the *Kashrut* section of the Torah would be reduced to a medical text and would take away from the lofty messages of the Divine Torah. If the Torah’s concern was only in regard to health, then cures and countermeasures could be found to obviate the necessity for these laws in the first place. Furthermore it is obvious that the world’s non-Jews, who are free to eat these forbidden foods, are not any less healthy than their Jewish counterparts, and in many cases are physically stronger.

Rather, these prohibitions are designed to protect the individual’s pure spiritual and intellectual dimension — his *neshama* soul. Man’s physical nature and desires have a tendency to overcome his pure spirituality. Eating these foods contributes to this spiritual blockage. This is expressed clearly at the end of the *Kashrut* discussion in Parshat Shemini, “Do not contaminate your souls with creeping things of the ground and do not become ritually impure through them, because I am the L-rd your G-d who sanctified you and made you holy, and you should be holy because I am holy” (Vayikra 11:43-44). The prohibited foods are never referred to as ‘harmful’ or ‘unhealthy’. Rather, they are always referred to as ‘ritually impure’ or ‘spiritually abominable’.

The concept of refraining from giving in to one’s physical desires and eating whatever one wishes is also alluded to in the phrase, “You are children to the L-rd your G-d” (Devarim 14:1). This indicates that we are members of an important royal family and must conduct ourselves accordingly. The commandment to refrain from eating any abomination immediately follows the prohibitions against the barbaric practice of the Amorite mourners who mutilated their bodies by cutting their flesh or tearing out the hair between their eyes: “For you are a holy people to the L-rd your G-d, and G-d has chosen you for Himself to be a treasured people from among all the peoples on the face of the earth” (Devarim 14:1-2). By refraining from eating certain foods, even when they are not injurious and may even be beneficial to our physical health, keeps us constantly aware of our lofty status and unique responsibility to serve G-d.

Shoftim

In this section the Torah deals with the laws of witnesses and testimony. Guilt in criminal cases or monetary obligation in civil cases must be established by the corroborated testimony of two witnesses. Normally in a case where one pair of witnesses is contradicted by a second pair, the case remains unresolved. However, there is one particular circumstance where different principles apply. For example, if two witnesses testify that Reuven killed Shimon, and then two other witnesses come and testify that they know nothing about the alleged crime but that the first pair of witnesses was with them in a place where they could not have possibly seen the murder — we then believe the second pair. We not

only believe that the first pair was lying but we also punish them with the exact same punishment to which they were attempting to subject Reuven. Stranger still, if the court executes Reuven based on their testimony and it is only later that the second pair of witnesses comes and reveals that the first set lied in the above manner, that first pair is not punished at all. They can only be punished if this revelation occurs after the court has declared Reuven guilty but before he is actually executed.

Abarbanel, as well as many other commentators, is puzzled as to why the second pair is believed over the first pair, and why the first pair is not punished at all when the individual that they attempted to frame actually loses his life as a result of their treachery.

Abarbanel first mentions Rambam who does not attempt to explain the reasoning behind the law but rather considers it a Divine decree. Ramban and Ralbag, however, give a logical explanation as to why the second pair is believed. When the testimony of *contradictory* witnesses is canceled out it is because they are both testifying on exactly the same thing. In this case, however, the two pairs are testifying on two very *different* things. The first pair is testifying on an act; the time and place are secondary facts that help to establish the veracity of their description of the act. The second pair is testifying on the first witnesses themselves, not the act. Both pairs are testifying about where the first pair of witnesses was located at the time of the alleged act. In essence, the first pair is testifying about themselves — i.e. where they were located. The Torah is clear that witnesses cannot testify about themselves or about people or situations in which they have a personal stake. Thus the testimony of the first pair regarding themselves is disqualified and all that remains is the testimony of the second pair.

In order to explain the counterintuitive law that the first pair is punished only for their treacherous intent, but not if they actually succeed, Abarbanel offers two possible explanations. First of all, courts and judges are considered G-d’s agents, as the Divine Presence rests upon them. The Torah tells us that cases should be brought “before G-d”. When the disputants appear in court, they are considered to be standing before G-d. Therefore, if the lying witnesses are executed after their victim was already executed, the court is sending a message that it was mistaken in its judgment. If the judges are G-d’s agents, how can they make a mistake? Rather, it must be that the executed individual really was indeed guilty and the witnesses who ‘framed’ him were actually correct. However, if the plot is uncovered before he is executed, it must be that he was innocent, and the witnesses can certainly be executed for their treachery.

Another possible explanation is that G-d wants to protect the honor and prestige of the courts. By killing the treacherous witnesses after their victim has already been executed, we would be sending a clear message to the public that the court made a mistake, and the court would lose its credibility to judge correctly in the future. The ensuing damage would be enormous. People would spread the word that these treacherous witnesses were killed because they were able to fool the judges into killing an innocent individual. However, if they are executed for their *attempted* treachery, people will realize that they attempted to mislead the judges but were not successful due to the diligence and efforts of the court to judge correctly. Thus the prestige of the court remains intact.