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PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

DEVARIM

Please!

"These are the words..." (1:1)

It's always a refreshing experience to walk off the plane in London. I keep forgetting how polite the English really are. The wheels of English social intercourse are oiled through a millennium of homogeneous culture (the last invasion of the British Isles was in 1066), in which politeness is arguably the highest social virtue. Immigrants fast become more English than the English. When I grew up, someone who wore a turban, or a *chador*, or had different skin color, was guaranteed to carry along with that a heavily accented and foreign demeanor. Now when you speak to someone clearly ethnic, their accent could be as cockney as the sound of Bow Bells, or as a cut-glass as an ex-Etonian – but they are so polite. Yes, the English are so polite even when you can see they hate you.

As I was making my way through security on my way back home, we were all lining up to go through the scanner, our hats removed, our shoes and belts removed, our phones removed. "Everything out of your pockets, please!" "EVERYTHING OUT OF YOUR POCKETS PLEASE!" One by one we walked through the scanner, like sheep through a turnstile. "Please don't come forward until you are called!" "Next, please!" A young blonde woman waved me into the scanner. Her two arms were raised, and after the scanner had finished, one of her hands came down, indicating that I should walk to the right. A chill ran down my spine.

"Pour into me now some of that red, red..." (Genesis 25:30) The word *na*, "now," in this sentence can also be translated as "please." Esav hates Yaakov. But he can be so polite in his hatred.

This week's Torah portion of Devarim is always read in the week before the day of Jewish tragedy, Tisha B'Av, the Ninth of Av.

Some seventy years after the event we are still trying to come to terms with the destruction of European Jewry. How could the most cultured nation in the world turn to savage and merciless barbarism? How could the nation that produced Goethe and Beethoven produce monsters unrecognizable as human beings?

If the Germans prided themselves on anything, it was their politeness – "*derech eretz*" as it is called in Hebrew.

I once heard a lady who had been in Auschwitz recount her reception at that terrifying place. She was waiting to have her forearm tattooed with the number that would be her only identification in that hell. She was about to become a number. As she reached the man whose task it was to tattoo those numbers on her arm, she froze for a second in front of him, and he said to her mechanically, "*Bitte!*" Please!

Please hold out your arm! Please become a number! Please disappear from the face of the earth! Please!

How polite! In that hellhole of death and misery – "Please!"

"These are the words..."

Words can reveal, but words can also mask. May we soon see the great revelation of the Word of G-d in this world, for, on that day, G-d will be one and His Name One!

Loose Change

"For you shall not cross this Jordan" (3:27)

A dark night. A passenger jumps down from a bus. As he jumps, some small change falls from his pocket.

Too embarrassed to ask the driver to wait so he can use the headlights of the bus to collect his nickels and dimes from the sidewalk, the passenger quickly reaches into his pocket and places a twenty-dollar bill on the ground in the vicinity of his small change. He shouts to the driver, "Hold the bus! There's a twenty-dollar bill of mine somewhere down here on the ground!"

EKEV

In the bright headlamps the passenger sees not only the twenty-dollar bill but the scattered small change as well, and he quickly scoops them both up and is on his way.

G-d was adamant that Moshe should not enter the Land of Israel. One reason was that Moshe should be buried in the desert along with his generation so that his personal merit would ensure that they would arise at the time of the Resurrection of the Dead.

G-d wanted Moshe to be the twenty-dollar bill amongst the small change, to make sure that not a nickel would get lost.

- Source: based on *Devarim Rabbah* 2:5

Compulsories

"And it will be that if you harken..." (13:17)

Photographer Joe Lipka once observed in *LensWork Magazine* that all artists start out by imitating their role model. Why else would you want to pick up a brush or a camera or a guitar unless you already saw something that grabbed your imagination and made you feel, "I want to do that!?" The problem is that having achieved a level of competence and duplicating the work of the maestro – what he calls 'compulsories' – most people fail to take the next step by stepping outside their comfort zone and replacing necessary plagiarism with art. It's frightening letting go of the virtuoso's apron strings, throwing away the training wheels and striking out into the great unknown. But that's the only way we can really escape the treadmill of reinventing the wheel.

I think there is a lesson here for the spiritual world too. Very often we struggle for competence. Competence in *davening*, in learning, in our character traits. And just when we are capable of '*chidush*,' of contributing something truly unique, we back off and say to ourselves: "Who am I to step out of the crowd? I'm going to stay here where it's nice and comfortable and

where everybody else is." Truth be known, a Jew is supposed to say, "The world was created for me. I have something unique to contribute, and if I don't find out what that is, then the main point of my life will have been wasted."

"And it will be that if you harken..." The word for "if" in Hebrew here is *ekev*, which means the heel of the foot. The heel is the place of stability in the human frame. To distribute the compressing forces exerted on the heel, especially during the stance phase when the heel contacts the ground, the heel is covered by a layer of subcutaneous connective tissue up to 2 cm thick. This tissue has a system of pressure chambers that acts as a shock absorber and stabilizes the sole. The sole of the foot has one of the densest systems of blood vessels in the human body, and that aids stability further. The heel could be considered one of the most inert, insensitive parts of the human body. But if a person can motivate those forces in him that tend to immobilize and ground him, if he can get even his heel to 'hear' what G-d truly wants of him – then he will fulfill his unique mission in life.

RE'EH

In G-d We Trust

"You shall open your hand to your brother, to your poor, and to your destitute in your Land." (15:11)

Sign seen hanging in a store:

"In G-d we trust, everyone else pays cash."

A philosopher once asked Rabban Gamliel, "Your Torah commands you over and over again to give charity, and to not be afraid of its affecting your financial security. Isn't such a fear natural? How can a person give away his money without worrying that perhaps he should have saved it for a "rainy day?"

Rabban Gamliel asked him, "If someone asked you for a loan, would you agree?"

"Depends on who that someone is," replied the philosopher. "If it's someone I didn't know, then yes, I would be afraid of losing my money."

"What if he had guarantors?" asked Rabban Gamliel.

"Well, if I knew I could rely on them, I would agree."

"How about if the guarantor was the President, how would you feel about that?"

"Well, of course, in those circumstances I would have total confidence that I'd get my money back."

SHOFTIM

Pain and Gain

"Who is the man who has built a new house and has not yet inaugurated it? Let him go and return to his house, lest he die in the war and another man will inaugurate it." (20:5)

Rashi: *"And this thing will pain him."*

Rashi's comment on the above verse cannot mean that the thought of someone else inaugurating his new home will be extremely painful to him. For in the painful-thoughts department nothing is more painful than the thought of death itself.

The Midrash teaches that when the Romans executed Rabbi Chananya for teaching Torah in public they wrapped him in his Sefer Torah and set it alight. To prolong his agony they packed water-soaked wool around his chest. Rabbi Chananya said, "The parchment is consumed, but the letters fly up in the air." The Roman executioner was deeply moved by Rabbi Chananya's holiness and asked, "If I remove the wool from around your heart, will I have a share in the World-to-Come?"

"When someone gives charity," said Rabban Gamliel, "he's actually extending a loan to the 'President' of the Universe. It says in the book of Mishlei (Proverbs), *"One who gives graciously to the poor extends, as it were, a loan to G-d, Who will pay back all that is 'due'."*

G-d pays us back in this world by making sure we get back what we loaned Him. And, in the next world, we get the full reward for our loan.

No one is as trustworthy as G-d; if He guarantees to return our money, why should anyone have the slightest hesitation in giving charity?"

- Source: Based on the Midrash

Rabbi Chananya promised him that he would. The Roman then removed the wool, added wood to the fire to curtail Rabbi Chananya's agony and jumped into the flames and died. A Heavenly voice proclaimed: "Rabbi Chananya and the executioner are about to enter the World-to-Come." One thought of *teshuva* (repentance) can undo a life of sin.

And one thought of sin can undo a lifetime of *teshuva*.

The most important moment in a person's life is his last moment. At that moment he has the potential to fix a lifetime's wrongdoing. What a waste to spend that last moment immersed in the cares of this world rather than one's gaze on eternity.

That's what Rashi means when he says *"and this thing will pain him."* How great will be this man's pain should he spend his last moments thinking about his real estate, rather than preparing himself to enter the world of truth!

THE OHR SOMAYACH
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SEE FULL SCHEDULE PAGE 20

TALMUD TIPS

by Rabbi Moshe Newman

Summer: *Temura* 16-34, *Kerirot* 2-15

The Torah is Not in Heaven

Rav Yehuda said in the name of Shmuel, "Three thousand halachot were forgotten in the days of mourning for Moshe Rabbeinu."

During that dark time of the mourning period, after the passing of Moshe Rabbeinu from this world, the Jewish nation's grief was so great that three thousand *halachot* were forgotten. The people begged Yehoshua, Moshe's successor, to ask G-d to return the *halachot* to them. Yehoshua answered, "The Torah is not in Heaven!" (Devarim 30:12)

They similarly asked Shmuel, Pinchas and Elazar to plea with G-d for *halachot* that were forgotten. And the response was the same. Once the Torah was given, it is in this world to be studied and observed as it exists in the world. From the time the Torah was given to the Jewish People, "A prophet is not allowed to introduce any new Torah mitzvah or halacha."

▪ *Temura 16a*

Existing Before Birth

Rabbi Yochanan holds the position that "A fetus is not a 'limb' of its mother."

This reason helps explain a teaching of Rabbi Yochanan: "A person who designates a pregnant animal to be a sin-offering may atone with either the mother or the offspring once it's born." Rashi explains that the well-known halacha which requires the offspring of a sin-offering to die applies only when the consecration precedes the pregnancy. However, if the animal is already pregnant when he consecrates it, both it and its fetus are *kadosh* and fit for offering in the Beit Hamikdash.

The commentaries bring a proof from here that a fetus in the womb of its mother is considered as "being in the world." Otherwise, there is a halacha that prevents a transaction or change of status of any item that does not yet exist in the world. (*Ketzot Hachoshen, Choshen Mishpat 209:1*)

▪ *Temura 25a*

How Much is that Doggy in the Window?

The Mishna states, "What is meant by 'the price of a dog'? One who says to his fellow man, 'Take this sheep in place of that dog...'"

The Torah prohibits offering "*mechir kelev*" – the price of a dog – as a sacrifice in the Beit Hamikdash. As the verse states, "You shall not bring a prostitute's fee or the price of a dog to the House of the L-rd, your G-d, for any vow, because both of them are an abomination to the L-rd, your G-d." (Devarim 23:19)

Why is an animal exchanged for a dog unfit for sacrifice?

One reason is that hunters and guards train vicious dogs that are a public menace, and then seek atonement by offering an animal exchanged for the dog as a sacrifice.

Rav Shimshon Raphael Hirsch writes that a dog, at least in the wild and by its animal nature, is not a social animal (unlike the domesticated, friendly pets that we have grown accustomed to in modern society). Since the Beit Hamikdash was a place for all people to gather in service of their Creator, it is not fit to bring an offering derived from an anti-social source.

▪ *Temura 30a*

Extirpation Explained

The first *mishna* in this new *masechet* lists 36 transgressions which if violated intentionally are punishable by *karet*. What is *karet*?

Rashi explains in Chumash that *karet* is a punishment from Above that entails dying childless and before one's time. (*Ber. 17:14, based on Yev. 55a and M. K. 28a*) The Talmud Bavli in *Mo'ed Katan* 28a indicates that *karet* involves death before the age of sixty, whereas the Talmud Yerushalmi defines *karet* as dying before the age of fifty.

The Talmud Bavli's age definition is consistent with an event the *gemara* relates about Rav Yosef. When Rav Yosef reached his 60th birthday he made a festive meal for the Torah scholars, saying, "I see now that I am not deserving of *karet* since I have passed the age for which I would have been punished with *karet*!" As a note, I have heard that many people make a special celebration on their 60th birthday for this very reason.

Another explanation of *karet* is that the soul has been cut off, destroyed and no longer exists. This is due to the person's sinking into physical delights, thereby rejecting the truth of G-d and His Torah. As a result, the person will not be able to have a share in the World-to-Come, which is not a physical but a spiritual reward. (See commentary of the Rambam in his *Introduction to Perek Chelek*, and the writings of Rav Chaim of Volozhin in *Nefesh Hachaim, Sha'ar aleph*.)

It's of utmost important to note that according to any definition of the punishment of *karet*, one may be exempt from *karet* if he repents and does *teshuva*, reestablishing his original connection with G-d.

▪ *Keritot 2a*

PWI: Paskening While Intoxicated

"And to teach the Jewish People about all the laws that G-d told them through Moshe Rabbinu." (*Vayikra 10:11*)

This verse, in its context, prohibits teaching halacha while intoxicated. Regarding teaching of Talmud, however, there is a dispute between the Tana Kama and Rabbi Yossi b'Rabbi Yehuda in a *beraita* on our *daf*. The Tana Kama prohibits it, whereas Rabbi Yossi the b'Rabbi Yehuda permits it, reasoning that only teaching Torah that is *halacha l'ma'aseh* is forbidden while intoxicated. (Rashi)

Rav rules that the halacha is like the opinion of Rabbi Yossi b'Rabbi Yehuda who permits teaching Talmud while intoxicated, and forbids only issuing a *psak* halacha. So why, asks the *gemara*, did Rav refrain from teaching Talmud to the congregation on Yom Tov, a time when there is a mitzvah to drink wine to rejoice in celebration of the Festival? The answer given is that since Rav was such a great Sage, it was inevitable that people would approach him at the lecture to ask for *psak* halacha, and Rav would not have been able to avoid the practical halachic questions from the congregation without the appearance of dishonor to the asker or the Torah. (See Shulchan Aruch Yoreh De'ah 242:13 in the *Rema* and *Poskim* – as well as learning *Shas* and *Rishonim*, of course – for further discussion of what constitutes being "intoxicated," what possible exceptions to the prohibition may exist, and more.)

▪ *Keritot 13b*

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POB 18103, Jerusalem 91180, Israel • Tel: +972-2-581-0315 • Email: info@ohr.edu • www.ohr.edu
Love of the Land, written by RAV MENDEL WEINBACH, ז"ל • General Editor: RABBI MOSHE NEWMAN • Design: RABBI
ELIEZER SHAPIRO ז"ל / DANIEL FREEDMAN

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PARSHA

Q & A?

DEVARIM

1. How do we see from the beginning of *Parshat Devarim* that Moshe was concerned for the Jewish Peoples honor?
2. How much time elapsed between leaving Mt. Sinai and sending the spies?
3. Moshe rebuked the Jewish People shortly before his death. From whom did he learn this?
4. Why did Moshe wait until he had smitten the Amorite kings before rebuking the Jewish People?
5. What were some of the achievements that resulted from the Jewish People "dwelling" at Mt. Sinai?
6. Why does the Torah single out the names of the *avot* in connection with the giving of the Land?
7. What did Moshe convey to the Jewish People by saying: "You today are like the stars of the Heavens"?
8. "*Apikorsim*" (those who denigrate Talmud scholars) observed Moshe's every move in order to accuse him. What did they observe, and what did they accuse him of?
9. Moshe was looking for several qualities in the judges he chose. Which quality couldnt he find?
10. Moshe told the judges, "the case that is too hard for you, bring it to me." How was he punished for this statement?
11. Why did Moshe describe the desert as great and frightful?
12. Which tribe was not represented among the spies?
13. Which city did Calev inherit?
14. How many kingdoms was Avraham promised? How many were conquered by Yehoshua?
15. Why were the Jewish People forbidden to provoke Ammon?
16. Why were the Jewish People not permitted to conquer the Philistines?
17. How did Hashem instill the dread of the Jewish People into the nations of the world?
18. Why did Moshe fear Og?
19. Who was instrumental in destroying the Refaim?
20. What was the advantage of Reuven and Gad leading the way into battle?

PARSHA

Q & A!

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

1. 1:1 Moshe mentions only the names of the places where the Jewish People sinned, but does not mention the sins themselves.
2. 1:2 - 40 days.
3. 1:3 - From Yaakov, who rebuked his sons shortly before his death.
4. 1:4 So that no one could say, "What right has he to rebuke us; has he brought us into any part of the land as he promised?"
5. 1:6 - They received the Torah, built the *mishkan* and all its vessels, appointed a Sanhedrin, and appointed officers.
6. 1:8 - Each of the *avot* possessed sufficient merit for the Jewish People to inherit the Land.
7. 1:10 - They are an eternal people, just as the sun, moon and stars are eternal.
8. 1:13 They observed the time he left home in the morning. If Moshe left early, they accused him of having family problems (which drove him from his home). If he left late, they accused him of staying home in order to plot evil against them.
9. 1:15 - Men of understanding.
10. 1:17 - When the daughters of Tzlofchad asked him a *halachic* question, the law was concealed from him.
11. 1:19 - Because the Jewish People saw huge, frightening snakes and scorpions in the desert.
12. 1:23 - Levi.
13. 1:36 - Hebron.
14. 2:5 - Avraham was promised the land of ten kingdoms. Yehoshua conquered seven. The lands of Moav, Ammon and Esav, will be received in the time of the *mashiach*.
15. 2:9 - This was a reward for Lot's younger daughter, the mother of Ammon, for concealing her father's improper conduct.
16. 2:23 - Because Avraham had made a peace treaty with Avimelech, King of the Philistines.
17. 2:25 - During the battle against Og, the sun stood still for the sake of the Jewish People, and the whole world saw this.
18. 3:2 - Og possessed merit for having once helped Avraham.
19. 3:11 - Amrafel.
20. 3:18 - They were mighty men, and the enemy would succumb to them.

PARSHA

Q & A?

VA'ETCHANAN

1. "And I prayed to Hashem at that time." Why "at that time"?
2. What characteristic trait is represented by Hashem's "strong hand"?
3. What is *ha'levanon*?
4. What did Hashem 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 Hashem previously commanded us to keep Shabbat?
12. Where did the Jewish People first receive the command to honor parents?
13. What is meant by "Hashem, our G-d, Hashem is One"?
14. What are two meanings of loving Hashem "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 Hashem's name?
18. What does it mean that the Jews are the "smallest nation"?
19. When someone serves Hashem with love, how many generations receive reward?
20. Why are evil-doers rewarded in this world?

PARSHA

Q & A!

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 Hashem 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 - Hashem, 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 Hashem 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 Hashem 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.

PARSHA

Q & A?

EKEV"

1. What must the Jewish People do to ensure that Hashem will fulfill His promise to do good for us?
2. What were the:
 - (a) wonders
 - (b) strong hand
 - (c) outstretched armthat 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 Hashem?
12. Why do the *levi'im* have no portion in the land?
13. All aspects of man's life are in Hashem'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 Hashem 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 Hashem"?

PARSHA

Q & A!

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

1. 7:12 - Guard even the "light" commandments.
2. 7:19 - The:
 - (a) Plagues;
 - (b) Pestilence;
 - (c) Slaying of the firstborn.
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, thus 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.

PARSHA

Q & A?

RE'EH

1. What must the Jewish People do to ensure that 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 Hashem?
3. Why does the Torah use idolatry as an example when describing one who strays from the path that Hashem 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 Hashem and then says that the laws of the Torah have been revised, what is done to this person?
13. The Torah says, "to Him (Hashem) 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 Hashem's "special protection"?

PARSHA

Q & A!

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 Hashem'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 Hashem'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.

PARSHA

Q & A?

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 Hashem 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?

PARSHA

Q & A!

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 prophecies in the name of an idol.
13. What does it mean to "prepare the way" to the cities of refuge?
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.

TISHA B'AV SPECIAL FEATURE

SEASONS – THEN AND NOW

The Essence of the Beit Hamikdash

by Rabbi Chaviv Danesh

In this generation it is very hard to even relate to the concept of the Beit Hamikdash on a simple level, let alone to mourn its loss. Since one reason for the inability to mourn the loss of the Beit Hamikdash is that we do not know what it is that we are missing, it is fitting for us to begin by intellectually understanding the function of the Beit Hamikdash, and use that as a stepping-stone to help us emotionally feel and mourn its loss.

Neck of the World

During the emotional meeting between Yosef and his brothers in Egypt, Yosef finally removed his façade and revealed himself as not the viceroy of the most powerful country as they believed him to be, but indeed – he was their long-lost brother. The Torah recounts that after doing so: “He [Yosef] fell on Binyamin, his brother’s neck and cried and Binyamin cried on his [Yosef’s] neck as well.” The Gemara explains that Yosef was crying over the destruction of the two Batei Mikdash that would be in Binyamin’s portion of Eretz Yisrael in the future, and Binyamin was crying over the destruction of the Mishkan in Shiloh that would be in Yosef’s portion in the future (Megillah 16b). The obvious question is: How did Chazal learn from the verses that Yosef and Binyamin were crying over the Mishkan and the Beit Hamikdash?

The Shem M’Shmuel suggests that the answer lies in the fact that the verses mention Yosef and Binyamin’s necks. This, says the Shem M’Shmuel, is a reference to the Beit Hamikdash. In fact, we see precedence for this idea in Shir Hashirim where Shlomo Hamelech hints allegorically to the Beit Hamikdash as the neck. As it says in Shir Hashirim: “Your neck is like the tower of David, built with turrets...,” and also “Your neck is like a tower of ivory...” We are now left with a new question: What does the neck have to do with the Beit Hamikdash?

The commentaries explain that even though G-d fills the entire world, there are still places that enable us to experience G-d’s providence more directly (Sefer Haikrim 2:17, Kad Hakemach “avel”, Daat Tevunot 160). It was at Har Sinai during the giving of the Torah that G-d’s presence was most intensely felt. All doubt disappeared once the Jewish people heard G-d speak directly to them. The Ramban explains that the Mishkan [and later on the Beit Hamikdash] was meant to be a structure that held within it the revelation at Har Sinai. Like Har Sinai, the Beit Hamikdash was a place that enabled

a glimpse into the spiritual world. Anyone who visited the Beit Hamikdash was able to see firsthand that there is more to the physical world than meets the eye. From the ten miracles that constantly took place in the Beit Hamikdash to the spiritual high that filled the air, a casual visit to the Beit Hamikdash was a rejuvenation of *emunah*, a renewal of faith. This was the place where G-d’s presence became a reality (see Ramban on Shemot 25:1).

Chazal teach us that man is an *olam katan* (a small world) (Tanchuma Pikudei 3). Every part of man can symbolically be found in the world at large and visa versa. Through studying the body, one is able to use the art of metaphor to learn things about the spiritual nature of the world. Based on this idea, the Shem M’Shmuel says that the neck is the body part that connects the higher parts of man, i.e. his head and mind, to his lower parts, i.e. the rest of his physical body. So too, the Beit Hamikdash, which served as a continuation of the revelations of Har Sinai, served as the bond between the higher spiritual world and our lower physical world (Shem M’Shmuel, Vayigash 5673 and Chatam Sofer al HaTorah, *parshat Vayigash*).

Three Functions

The Shem M’Shmuel further quotes the Arizal who explains that the neck has three primary organs: the gullet, the windpipe and the jugulars. Each of these three organs has a physical function that hints at parallel functions present in the Beit Hamikdash as well. How is this so?

The windpipe in the neck through which our voices travel corresponds to the prayers and the songs sung by the Leviim. The jugulars correspond to the confession and *teshuva* that accompanied the bringing of an offering. Just like the jugulars connect the heart to the brain, so too when one does *teshuva* one subjugates his emotions and physical drives to the conscious thought-out decisions of the intellect.

Finally, the intake of the food that is done through the gullet corresponds to the intake of the offerings by the *mizbe’ach* (altar). Let’s analyze this function of the Beit Hamikdash more deeply. The body and the soul are two entities that are not naturally connected, due to the fact that they are mere opposites – the body is physical while the soul is spiritual. Food is the glue that keeps these two entities together (See

Magen Avraham, Orach Chaim 6:4 in the name of the Arizal and Machatzit Hashekel there). The verse says: Command the children of Israel and tell them: My sacrifice, My *food* for My fires, a satisfying aroma; safeguard in bringing it in its appointed time (Bamidbar 28:2). Obviously G-d does not need food or a satisfying aroma. The reason why the Torah refers to it as food is to tell us the sacrifices resemble food, and, in one aspect, just like food keeps the soul in the body, the offerings kept the Shechina (the tangibly-felt providence of G-d) in the world.

Based on this, the offerings were the “food of the world.” In this way the sacrifices served as the food that brought together the physical and spiritual worlds. In fact the Hebrew word for the sacrifices, *korban*, hints at this idea. The root of the word *korban* is *karov* (close). The sacrifices caused the physical and spiritual worlds to come close to each other (See Nefesh HaChaim 2:9 and 2:14 and the *hagaha* there).

A Dwelling Within

The verse in the Torah says: You shall build for me a Sanctuary and I will dwell in them (Shemot 25:8). The Alshich points out that the verse does not say "I will dwell in it" but rather "I will dwell in them" – to teach us that through the Mishkan [and later on the Beit Hamikdash] G-d would dwell in the hearts of the Jewish People. In this sense the Beit Hamikdash not only revealed the providence of G-d in its structure but was also a conduit through which the providence of G-d could be felt more directly in every place in the world. Though G-d is everywhere and He guides everything in the world, without the Beit Hamikdash it is much harder for each and every one of us to see that. As the Gemara says: From the day the Beit Hamikdash was destroyed, a wall of iron separates Yisrael and their Father in the Heavens (Berachot 32b). Perhaps through contemplating this idea we can use the mourning period as inspiration to do *teshuvah* and thereby bring about the rebuilding of the Beit Hamikdash speedily in our days.

ASK!

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Behind the Scenes of Happiness

Josh wrote:

I have befriended someone who is asking me many questions about Judaism. He wants to know if Judaism specifically says anything about enjoying life. I thought I once heard that the Torah says one is obligated to benefit from the pleasures that G-d gave us, (obviously within reason), and we were meant to be happy. Can you please confirm or correct this.

Dear Josh,

The Torah in Parshat Ki Tavo writes:

"Tachat asher lo avadata et Hashem b'simcha...."

"Because (tachat) you did not serve the Lrd your G-d with happiness and a glad heart when you had plenty of everything, you will therefore serve your enemies when G-d sends them against you..."

Maimonides states that from here we learn that one is supposed to serve G-d with joy and gladness.

If you stop and think about it, we shouldn't need a verse in the Torah to tell us this. It should be common sense that we should be happy. So why command us to do something that is common sense? A parable told by the Alexander Rav provides an answer.

There was a boy who was trained by his tutor to read the Aleph Bet. One day the father proudly stood by to watch

his son recite the letters with the vowels. The boy began, "Komatz Aleph Aw, Komatz Bet Baw, etc." until he came to Komatz Hey...*suddenly* he couldn't continue. The father was embarrassed and pleaded strongly with his son. "Come on you can do it! Just look under (*tachat*) the Hey, what's under the Hey? What's under the HEY!?"

At which point the boy burst out in tears and declared, "But father, you told me not to tell anyone that you hid a stolen calf *under the hay!*"

Just as this easy task for the boy was blocked by something underneath and behind the scenes, so it can be with happiness. Happiness should come easily in life. However, sometimes something *underneath* prevents this happiness. The Torah reminds us that our job is to deal with these underlying factors and open the way to serving G-d with happiness

Sources:

- Devarim 28:47
- Maimonides - The Codes, The Halachot of Lulav, 8:15
- Mayana Shel Torah - Devarim, 28:47

PARSHA OVERVIEW

DEVARIM

This Parsha begins the last of the Five Books of The Torah, *Sefer Devarim*. This Book is also called *Mishneh Torah*, "Repetition of the Torah" (hence the Greek/English title Deuteronomy). *Sefer Devarim* relates what Moshe told *Bnei Yisrael* during the last five weeks of his life, as they prepared to cross the Jordan into *Eretz Yisrael*. Moshe reviews the *mitzvot*, stressing the change of lifestyle they are about to undergo: from the supernatural existence of the desert under Moshe's guidance to the apparently natural life they will experience under Yehoshua's leadership in the Land.

The central theme this week is the sin of the spies, the *meraglim*. The Parsha opens with Moshe alluding to the sins of the previous generation who died in the desert. He describes what would have happened if they

hadn't sinned by sending spies into *Eretz Yisrael*. Hashem would have given them without a fight all the land from the Mediterranean to the Euphrates, including the lands of Ammon, Moav and Edom. He details the subtle sins that culminate in the sin of the spies, and reviews at length this incident and its results. The entire generation would die in the desert; Moshe would not enter *Eretz Yisrael*. He reminds them that their immediate reaction to Hashem's decree was to want to "go up and fight" to redress the sin. He recounts how they wouldn't listen when he told them not to go, that they no longer merited vanquishing their enemies miraculously. They ignored him and suffered a massive defeat. They were not allowed to fight with the kingdoms of Esav, Moav or Ammon. These lands were not to be part of the map of *Eretz Yisrael* in the meantime. When the conquest of Canaan will begin with Sichon and Og, it will be via natural warfare.

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*. Hashem 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 Hashem 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 Hashem.

Moshe designates three "refuge cities" to which an inadvertent killer may flee. Moshe repeats the Ten 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 on 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 Hashem who gave them wealth and success. Nor did Hashem 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 Hashem and Moshe. Moshe details the events after Hashem spoke the ten Commandments

RE'EH

Moshe presents to the nation the blessing of a spiritually oriented life, and the curse of becoming disconnected from Hashem. When the nation enters *Eretz Yisrael* they must burn down any trees that had been used for idol-worship, and destroy all idolatrous statues. Hashem 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 shechted anywhere. Moshe lists the categories of food that may be eaten only in Jerusalem. He warns the nation against copying the ways of the other nations. Since the Torah is complete and perfect, nothing may be added to 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

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 Hashem's altar, as was the way of idolaters. Blemishes in animals designated for offerings and other points of disqualification 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. Hashem promises the Jewish People that He will send them prophets to guide them, and Moshe explains how a

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 Hashem's ministers. Moshe points out that the 70 souls who went down to Egypt have now become like the stars of 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 curse that results from non-observance.

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 then Hashem 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.

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 Hashem. 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.

WHAT'S IN A WORD?

Synonyms in the Hebrew Language
by Rabbi Reuven Chaim Klein

Beds of the Righteous

The Torah impresses upon us the enormous size of Og, king of Bashan, by saying, “Behold his bed (*eres*) is a bed (*eres*) of iron – is it not in Rabbat [capital of the] Sons of Ammon? – nine handbreadths its length and four handbreadths its width...” (Deut. 3:11). In this passage and in eight others the Bible uses the word *eres* to mean “bed.” However, the more common Biblical word for “bed” is *mitah*, which appears close to thirty times. Rabbi Moshe Chaim Luzzatto (1707-1746), also known as Ramchal, writes that the words *mitah* and *eres* are synonyms used side-by-side for poetic effect. However, by closely examining when each word is used, we see that they are not totally synonymous according to all opinions, but rather have different meanings. In the following paragraphs we will explore the words *mitah* and *eres*. In many instances, both *mitah* and *eres* are translated by the Aramaic Targumim into *arsa* – a cognate of *eres*. This would suggest that the words actually mean the same thing, but that *mitah* is primarily a Hebrew word while *eres* is an Aramaic word that was borrowed by Hebrew. [In general, the Hebrew word is spelled AYIN-REISH-SIN while its Aramaic cognate is spelled AYIN-REISH-SAMECH, but, then again, the letters SIN and SAMECH are often interchangeable.]

The root of the Hebrew word *mitah* is subject to some controversy. The early grammarian Menachem ibn Saruk (920-970) writes that its root is MEM-TET. Radak (1160-1234) in *Sefer HaShorashim* writes that it is either MEM-TET-TET or NUN-TET-HEY. And Rabbi Shlomo Pappenheim of Breslau (1740-1814) in *Yerios Shlomo* and *Cheshek Shlomo* writes that it is TET-HEY. Rabbi Aharon Marcus (1843-1916) suggests that the root of *mitah* is the letter TET alone, which according to him denotes “movement to the side.” He shows this idea through a bevy of words which contain the letter TET and imply such movement: *stiyah*, (“deviation”), *natah* (“to incline”), *titah* (“turn aside”), *tata* (“broom”), *tach* (“plastering”), *taah* (“erred”), and more.

The common denominator between all these possible roots is that the word *mitah* is derived from a root which means “incline” or “stretch out.” The connection is obvious: when a person lies down in bed he must “incline” his body to “go horizontal.” The same phenomenon is found in Greek, where the word *kline* (“bed”) is derived from *klineo* (“incline,” “slant,” “bend”). By the way, that Greek root is the etymological basis for such English words as *recline*, *incline*, *climax*, *climate* and *clinic*.

In the context of Og, Rabbi Shmuel ben Meir – Rashi’s grandson, also known by his acronym Rashbam – explains

that Og’s “*eres*” (in the verse cited above) was his “crib.” He explains that the Torah’s point in saying that Og’s crib was made of iron is that even as a baby Og was so big and strong that he needed a metal crib to contain him – otherwise he would have broken his bed. Rashbam notes that since a baby is less aware of his movements, it was more necessary for Og to have a stronger bed as a baby than as a more mature person. Partially following this explanation, in Modern Hebrew the word *eres* means “cradle” and *arisah* means “crib.”

Rabbi Nossan of Rome (1035-1106) writes in *Sefer HaAruch* that the root AYIN-REISH-SIN/SAMECH (from whence *eres* is ostensibly derived, per above) is an expression of “mixture.” Based on that meaning, other commentators explain that the Biblical Hebrew *arisah* (“dough” in Num. 15:21) – which is synonymous with the Mishnaic Hebrew *isah* – is also related to this root because it too is a mixture of ingredients kneaded together.*

Indeed, Rabbi Yaakov Tzvi Mecklenburg (1785-1865) and Rabbi Samson Raphael Hirsch (1808-1888) point out that in some sources the word *arisah* (“dough”) is conjugated as a *verb* (e.g., see *Berachot* 37b), which implies that its root primarily refers to an act of “mixing” or “mutual connection.” Based on this, they explain that the primary meaning of *eres* is a bed whose sides are fastened together by multiple strips or bars through the middle and/or is built from woven/layered planks. In this way the bed shows marks of “mixing” and “mutual connection.”

Rabbi Shlomo Aharon Wertheimer (1866-1935) suggests that *mitah* refers to a bed with a wooden frame, while *eres* refers specifically to a bed with an iron (metal) frame. In his assessment, the difference between *mitah* and *eres* does not lie in the structure or configuration of the bed, but in the material of which it is made.

The Malbim writes that while *mitah* refers to a generic bed, the word *eres* refers to a special-customized or fitted bed, such as those used by the infirm (Ps. 41:4), by children (a *kinderbett*, as in the case of Og), or by especially pampered women (see Prov. 7:16). The word *arsa* is also used in Talmudic Aramaic to mean “a coffin” (*Ketuvot* 103a), and, in certain ways, this nicely dovetails with Malbim’s approach, although *mitah* is also used in rabbinic parlance to mean “coffin.” Elsewhere, Malbim writes that *mitah* refers to any piece of furniture upon which one lies or reclines (including a sofa, couch, or loveseat), while an *eres* refers specifically to a “bed” upon which one sleeps.

Other sources appeal to a more esoteric or Kabbalistic way of differentiating between *mitah* and *eres*. Rabbi Aviad Sar-Shalom Basilea (1680-1749) in *Emunat Chachamim* posits that the word *mitah* is typically the term used to denote the space in which a man and wife engage in intimacy. In that way, the word *mitah* represents the proper and just balance of influencer and receiver. This is based on the idea in Jewish thought that men represent the “influencing/initiating” force, while women represent the “receiving/building” force. The act of intimacy (especially seen in the light of potential pregnancy) is a microcosm of this interplay. Because of this, he explains that the word *mitah* is thematically evocative of the righteous *tzaddikim*, who also maintain the proper balance of influencer and receiver by recognizing their receptive role vis-à-vis G-d. On the other hand, the word *eres* connotes the bed of the wicked and sinful evildoers. This connotation is best seen by the use of the word *eres* in conjunction with the wicked Og.

Rabbi Tzvi Hirsch Kaidanover (1648-1712) in *Kav HaYashar* also associates the word *eres/arisah* with the forces of evil, and connects the word *eres* (with an AYIN) to its homophone *eres* (with an ALEPH), which means “poison” – an allusion to the poisonous snake in the Garden of Eden, which first brought

sin into the world by enticing Eve. In short, these sources understand that the word *mitah* represents the positive bed of the righteous, while *eres* represents the evil bed of the wicked.

[*Note: In this, the Torah uses an apparent cognate of *eres* when speaking about the requirement for a person to take *challah* dough, which is consecrated and given to a Kohen. Some commentators explain that in doing so the Torah teaches a tangential lesson, by drawing an equivalency between the consecrated dough and one’s *eres* (“bed”). They explain that just as one is expected to consecrate his dough and set it aside as something holy, so should one recognize that he must consecrate his “bed” as well. This has been taken to mean that upon waking up, even before getting out of bed, one should “consecrate” oneself for the service of G-d. Alternatively, it means that even the activities one performs in bed (i.e. marital intimacy) must be done in a holy and pure way.]

For questions, comments, or to propose ideas for a future article, please contact the author at rcklein@ohr.edu

LOVE OF THE LAND

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

By the Rivers of Babylon

When the exiled Jews finally rested by the rivers of Babylon they hung their lyres on the willows growing there. The Psalm (137) in *Tehillim*, recounting their dramatic scene, relates that there our captors requested words of song from us with our lyres playing joyous music: “Sing for us from Zion’s song.”

“How can we sign the songs of G-d upon the alien’s soil?” was the response of the Levites, who had taken with them the instruments they had used for providing musical accompaniment.

Our Sages point out that they did not say, “We shall not sing” but “How can we sing?” To avoid playing sacred music on their lyres for their heathen captors on foreign soil, they had cut off their thumbs in order to make it impossible for them to play those instruments.

These courageous Levites were the ones who eventually accompanied Ezra on the return to Eretz Yisrael despite the difficulties involved, while those who had not removed their thumbs remained behind to enjoy the comfort and security of Babylon.

LETTER AND SPIRIT

Insights based on the writings of Rav S. R. Hirsch

by Rabbi Yosef Hershman

DEVARIM

Written in the Stars

When the Jewish people was still but a thought in G-d's mind, Avraham is told of the great nation that will emerge from him: "Look, please, heavenward, and count the stars, if you are able to count them...So shall your seed be." And when the Jewish people are a fully formed nation, preparing to enter the Promised Land, Moshe opens his final address with words that echo this first prophecy: "G-d has multiplied you, and you are now like the stars of heaven in multitude." The repeated comparison to the stars – prior to the birth of the first Jew and again as the entire nation prepares to set foot on the very land promised to Avraham – warrants some attention.

Just before this prophecy, Avraham was told that his seed would be like the dust of the earth – but there, the dust was not shown to him. But before his offspring are compared to the stars, Avraham is instructed to look heavenward and behold the stars. Avraham was seventy years old, and Sarah was sixty. He had all but given up hope to have a child in the natural course of events. From the vantage point of earth, his loss of hope was logical. Therefore, G-d bade him to look up toward heaven. There, in heaven, a different order is apparent – the great cosmos, created directly by G-d, beckoned Avraham to desist from his natural, earthbound speculation and instead open his mind to this starry world. *So shall your offspring be!* They will not be the product of natural conditions. Indeed, Avraham would wait another 30 years before Yitzchak is born. This people that would emanate from him would find their beginnings and their continued existence in a world beyond nature, and would depend directly on G-d's Providence.

Now that the dream of the people of Avraham is a reality – in its full multitude of over three million souls – Moshe again reflects on the miracle of their existence.

But there is also an additional significance to this comparison. By comparing them to the hosts of heaven – each one proclaiming itself to be the Handiwork of the Creator – Moshe seeks to negate the erroneous notion that the people in its totality is just a numberless mass in which the individual has no importance. Rather, the people's multitudes are like the stars of heaven: Although they are countless, there is independent significance to each individual. Each one is a "world unto himself," has his own value and is under G-d's direct providence.

▪ Sources: Commentary Devarim 1:10, Bereishet 15:5

VA'ETCHANAN

Keep up the Guard

Before the recounting of the Sinai Event and the Ten Commandments, Moshe cautions the people: *Only take heed, and guard your soul exceedingly, so that you do not forget the facts that your own eyes have seen, and so that they do not depart from your heart all the days of your life...* The Hebrew root for "take heed" and "guard" – *shamar* – primarily means to keep away from damage. "Take heed" (*hishamer*) means to keep away from influences that are antithetical to a certain purpose. Grammatically, the construction is usually *hishamer lecha* – "take heed for yourself" – i.e. for your own sake.

Here, Moshe instructs on the fundamental divergence in the Jewish worldview from the non-Jewish one. Non-Jews develop their approach to history and nature without these two facts that were perceived by Israel: the existence of One, Supernatural G-d, and the giving of the Torah.

The Jew is instructed to evaluate nature and history through the lens of this experience. The revelation of G-d and His Torah to the entire people is to be a point of departure for all study. In the midst of a world caught up in notions whose foundations are shaky, the Jew is to maintain his own intellectual independence. *Take heed!* If you pay heed to those erroneous notions, you run the risk of forgetting the realities attested to by your experience, realities from which alone the truths of life and existence can be derived.

And moreover, *Guard your soul exceedingly!* The un-Jewish view of nature and history may all too easily gain a dangerous advocate within your own heart. Once G-d has vanished from natural life, the natural life in man – his passions and natural urges – dominates him and is worshiped by him as a god. And once the Torah is banished from historical life, sovereign man – self-seeking and brutal – presumes to rule the world. These notions will readily appeal to man's sensual and intellectual nature, tempting him to discard the yoke or moral sanctity on the one hand and the demands of justice on the other. Therefore, just as you must guard against un-Jewish influences from without, so you must guard your own inner being, and never lose sight of the great facts that your own eyes have beheld.

▪ Sources: Commentary, Devarim 4:9

Food For Thought

This *parsha* contains the mitzvah of Grace after Meals – “*When you eat and are satisfied, then bless G-d...*” Rav Hirsch examines several aspects of the Grace after Meals, finding profound ethical significance in the halacha regarding three who partake of a meal together. When three or more adults break bread together, they are obligated to also cite the Grace after Meals together, to give expression to the fact that they ate *communally*. The *zimun*, as it is called, follows this pattern:

Leader: My friends, let us say the blessing.

The others answer: May the name of the L-rd be blessed from now and forever more.

The leader continues: May the name of the L-rd be blessed from now and forever more. With permission of the distinguished people present – Let us bless Him whose food we have eaten.

The others say: Blessed is He whose food we have eaten and through whose goodness we live.

Then, the leader recites the blessing on behalf of the others, who respond *Amen*, and thereby make his blessing their own.

In seeking food – more than in anything else – a person tends to think only of himself, and every man competes with his fellow man. The communal element in the meal and in the recitation of the blessing reminds us of G-d’s goodness, which is directed simultaneously and in equal measure. The first blessing, which is customarily recited aloud by the leader, concludes: *Blessed are You, Hashem, who provides food to all.* We are thus liberated from selfish thoughts.

Indeed, this is a fitting conclusion to the entire process of nourishment – from planting the first grain of wheat to blessing G-d for his bounty after the meal. At every step we are reminded of our obligations to our fellow man. For on the Jewish field, no seed ripens for the owner alone. Precisely where selfish desires may enter, we are instructed to sanctify. When the landowner works his land and gathers his produce, he sets aside the gifts to the Kohen and the Levi. He gives *ma’aser*, a tenth of his produce, to the Levi to sustain him in his service of G-d. The landowner is cautioned to leave a corner of his field for the poor, along with bundles that were inadvertently forgotten. Finally, when the grain is processed and turned into dough, before it is baked into bread, *challah* is removed for the Kohen.

Thus, the entire process of nourishment culminates with communal recognition of the One G-d, *through whose goodness we live.*

- Sources: Commentary, Devarim 8:9; Collected Writings Vol II, pp. 317-323

RE’EH

Trademark of a Jewish Community: Charity

The wonders of Jewish charity find their source in this week’s Torah portion. The section discussing charity has a most peculiar introduction: *If there will be among you a needy person... you shall not make your heart unfeeling and close your hand to your brother.* We might have expected a straightforward directive, encouraging us to *feel* pain in our heart and *open* our hand, but instead we are instructed in the negative: *Do not make your heart unfeeling and close your hand to your brother.* The implied assumption of this expression is that the default state of a Jewish heart is feeling, and the default state of a Jewish hand is outstretched. If that Jewish hand and heart were permitted to give free rein to their natural impulses, they would do what is good. Only cold, calculating and deliberate considerations can chill these natural inclinations.

In the next verse, each verb describing a charitable act appears in double form: *You shall open, open your hand, and you shall also lend, lend him sufficient for his need, what he lacks.* Our Sages understand that this duplicative language is to encourage repetition of the charitable act without limit. It applies to the poor of one’s locale as well as the poor of another city. It applies to the wealthy person and to the one of lesser means.

The act of lending, our Sages explain, is a higher form of benevolence than giving charity, because the loan helps the borrower to continue working to earn his livelihood, and the receipt of the loan does not cause him humiliation. An even more exalted form of charity is investing in another’s business. This way of supporting the needy person treats him as an equal and enables him to earn his own living without the shame of receiving.

Finally, the Torah instructs that charity requires providing *sufficient for [the poor man’s] needs.* Although we are not commanded to make him rich, we are instructed to take into consideration his personal situation and standard of living when his fortune was better.

These commandments, together, have produced the glorious spectrum of Jewish benevolence. The duty to provide for the needs of the

poor has made it necessary that the care of the poor be the concern of every Jewish community, and every member of the community. The section opens addressing the community: *If there will be among you a needy person*, but then speaks to the individual: *You shall not make your heart unfeeling*. The duty devolves both on the individual and on the community. The benevolence of individuals is particularly necessary in order to help those who have become impoverished and are ashamed of their circumstances – to give to them discreetly, or help them back on their feet. But there is charitable work that only the community can do on an organizational level.

Perhaps most revealing of the essence of Jewish charity is the word itself: *tzedaka*. We do not refer to aiding the poor as “benevolence” or “kindness” (*chesed*), but rather as *tzedaka*, righteousness or justice. It is a duty, not a prerogative. A Jew does not “do good” because he is compelled by an impulse of pity today. Rather, he does good in fulfillment of his noble obligation to G-d and mankind.

▪ Sources: Commentary, Devarim 15:7-8

SHOFTIM

Courts of Limited Jurisdiction

The halacha of false witnesses presents a curious conundrum that leaves the novice and the learned similarly puzzled. But the question needs an introduction.

The law provides that criminal verdicts can be issued only by the valid testimony of two eyewitnesses. If a pair of witnesses would misuse their power to testify falsely, another pair of witnesses could be used to incriminate the false witnesses. This second set of witnesses impeach the testimony of the first pair by testifying that the first pair could not have been at the scene of the crime, since at that moment they were elsewhere with the second pair.

Clearly, the opposing contentions do not touch on the truth of the matter asserted. It disputes only the witnesses' right to declare anything about the matter. These witnesses are described in this verse as standing *before G-d*. The power of a witness – and his reliability in the first instance – derives from his awareness that he stands before G-d. In the final analysis, testimony is beyond the purview of the human eye and beyond human judgment. For every testimony, no matter how objective, necessarily entails a subjective assertion. The Torah thus places every witness before G-d, Who alone probes the mind and heart and weighs every word and thought on the scales of justice and truth. Perhaps this is why the Jewish court did not put witnesses under oath – his testimony presupposes oath to G-d.

Now, the false witnesses will suffer a punishment just as severe as they had planned to impose on the original defendant. But there are two very important limitations. First, the false witnesses do not suffer the penalty unless a guilty verdict had already been issued on the basis of their testimony. They are not punished if the verdict had not yet been issued. Second, they will suffer the penalty only if the verdict has been pronounced, *but not yet carried out*. If the verdict had already been carried out, and the original defendant has suffered the penalty, they are exempt from punishment by the court.

Now, if the witnesses are punished after the verdict was merely pronounced, then *a fortiori* they certainly deserve to be punished if the punishment was already carried out! This astonishing feature of false witnesses appears to be an unusual and counterintuitive application of a general halachic principle: in criminal law, no penalty may be imposed if it is based on mere deduction.

Embedded in the very inexplicability of this rule – that the false witnesses are exempt when their conspiracy successfully punished another Jew – is a fundamental principle of the Jewish penal system. A court of G-d is a court of limited jurisdiction, and takes no liberty beyond the literal meaning of the text, even to draw logical conclusions which appear to be self-evident. Instead, the punishment of those witnesses is left to the Hand of G-d.

This fact openly proclaims that Torah law was given to human tribunals, and its applicability is not to be extended by human judgment. G-d stands above the law, and in handing over the law to human court He transferred to it only a part of *His* judicial authority. The courts are to administer justice only as His delegates and only as far as their mandate reaches. Where their power ends, the sovereignty of His justice begins.

▪ Sources: Commentary Devarim 19: 15-19

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WHY WE WEEP

TISHA B'AV 5779 AT OHR SOMAYACH

ALL-DAY SEMINAR SUNDAY AUG 11

8:00 am Shacharis			
9:00 am - 12:30 pm Special Kinot Reading & Explanation with Rav Yitzchok Breitowitz <i>Rav, Kehillas Ohr Somayach</i>			
12:45 am	Rav Yitzchok Breitowitz <i>Rav, Kehillas Ohr Somayach</i>	4:05 pm	Rabbi Dovid Gottlieb
1:45 pm	Rav Nota Schiller <i>Rosh Hayeshiva</i>	4:45 pm	Rabbi Avrohom Rockmill
2:45 pm	Rabbi Dovid Kaplan	5:25 pm	Rabbi Reuven Lauffer
3:25 pm	Rav Nachshon Schiller <i>Rosh Yeshiva of Ohr Shmuel</i>	6:05 pm	Rabbi Yaakov Asher Sinclair
		7:30 pm	Rabbi Yehuda Samet

6:45 pm Mincha - 7:51 pm Maariv - End of Fast 7:56 pm
Ezras Nashim will be open throughout the day.

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