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The Lower East Side
Parshat HaShavua sheet

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from around the Internet*

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Parshat Devarim
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THE USUAL SUSPECTS

By Rabbi Mordechai Kamenetzky

This week's portion discusses an array of issues, among them entering and conquering of the land of Canaan, which was to occur shortly. The lands that the Israelites passed on their quest to conquer Canaan were inhabited by various tribes and nations: some of them Israel was allowed to conquer, while other lands were forbidden.

Even while nearing Canaan, there were nations the Israelites were warned not to provoke or attack. Moshe tells the people, "Hashem said to me, 'You shall not distress Moab, and you shall not provoke war with them, for I shall not give you an inheritance from their land. For to the children of Lot have I given Ar as an inheritance. The Emim dwelled there previously, a great and populous people, and tall as the giants. They, too, were considered Rephaim, like the giants; and the Moabites called them Emim.'" (Deut 2:10-11).

There seems to be an important discussion about the land of the Giants. Moshe refers to the Emim, who live in the land that was allocated to Avraham's nephew Lot. The verse seems to extend itself by explaining that the people living there are not Rephaim, rather they are Emim, who are often referred to as Rephaim, because they have Rephaim-like attributes.

However, Moshe explains to his people that those giants are not really Rephaim, rather they are actually Emim. Obviously, this whole identification process is a bit confusing. Rashi helps us understand the issue. "You might think that this is the land of the Rephaim which I gave (promised) to Abraham (Gen:15:20), because the Emim, who are Rephaim, dwelt there formerly (and they are one of the seven clans whose land you were to possess), but this is not that land, because those Rephaim I drove out from before the children of Lot and settled these in their stead" cf. Rashi on Deut. 3:13.

Rashi explains that though the land of the Rephaim was promised to Abraham, and as such should be rightfully inherited by the Jews, the land of Ar was not promised to Abraham. Ar was promised to Lot. If the Children of Israel expected to inherit Ar based on the fact that giants who were called Rephaim live there, Moshe corrects their misunderstanding. "You see," explain the commentaries, "these giants are really not the Rephaim variety of giants.

They are the Emim variety. The original Rephaim were long gone and replaced. The Jews were promised the land of the Rephaim and not of Emim, who both resemble and are referred to as Rephaim."

Truth be told, all this seemingly irrelevant classification must have relevance to us students of the Torah. Why, otherwise, would the Torah spend so much time and verbiage on it? Why would it warn us not to confuse the Emim with Rephaim? It should just say, "Keep out of Ar, it goes to Lot!"

During an extreme heat wave, a certain food manufacturer was cited by the Department of Health and the USDA for having an infestation of a particular species of a moth in its manufacturing facility. Immediately, the board of directors sent its representatives to inspect the factory as well. After all, having insects in the plant were very bad for business. Not only could the government shut them down, they were a health hazard as well! A team of inspectors came to the plant to see how they should address the problem. While going through the factory, a Vice-President popped the lid off a container of raw nuts. Like a tornado rising, a swarm of insects emerged from the bin. Shocked and dismayed, he called over one of the workers. "Do you see this?" he shouted. "Look at these flies!" "Don't worry, sir," smiled the worker. "Those ain't the government flies. Those are the regular flies!"

Often we view adversaries in one fell swoop. An enemy is an enemy is an enemy. A giant is a giant is a giant. Perhaps the Torah painstakingly teaches us that every nation has an accounting. Some the Israelites were allowed to inherit. Some they were allowed to attack. Others they were to avoid. Still others the Israelites were allowed to confront and not physically harm. As Jews, we must be careful not confuse the Emim and the Rephaim, the Edomites with the Ammonites, or the Sichons, or the Ogs or even the icebergs with the Greenbergs. We may not want to see differences in a world that wants to see black and white. But the Torah teaches us this week that no two nations are exactly the same. And no matter how tall they may appear, no two giants are alike.

It's About Time

By Rabbi Ari Kahn

This week's Torah reading is the first in a new book, but for the most part it is a book that tells an old story, a book whose very existence is born of tragedy. Moshe is close to death; he will not cross over the Jordan River to the Land of Israel, and he opens his final series of speeches with a retrospective. How did we get here? Where did we go wrong? Can we avoid such mistakes in the future?

These are the words that Moshe spoke to all Israel on the east bank of the Jordan ... An eleven day journey from Horev to Kadesh Barnea by way of the Se'ir highlands. (Dvarim 1:1-2)

The Jews have arrived at the cusp of the Holy Land, at the banks of a river that the disciples will cross without their master. After forty years of wandering, Moshe reveals that the actual distance between the Land of Israel and Horev (also known as Sinai), the place the detour began, is a mere eleven-day journey. So many years wasted, so many lives lost, and it all could have been avoided.

How, indeed, had it come to this? At Horev, Moshe was first called upon to lead the Jewish People out of slavery. There, he saw a bush that burned but was not consumed, a symbol of eternity, of God's existence beyond the confines of space and time. This personal revelation was later shared with the entire Jewish People at that very same spot, just as God had promised Moshe at the start (Shmot 3:12): The personal, micro-revelation was transformed into a macro-revelation, *The Revelation*, that would forge a nation and change the world.

At that same spot, Moshe climbed to the summit and received a physical manifestation of the Revelation, the Tablets of Stone - and, at that very same spot, things went awry. The people panicked; it seemed to them that too much time had passed, and Moshe had not survived his encounter with God. Rather than putting their faith in Moshe's unique capabilities or in God's express commitment, they allowed fear to overtake them; they sought out an alternative to Moshe - and the golden calf was formed. How quickly they regressed! They had heard God Himself speak to them only 40 days earlier, but they managed to forget both the experience of that Revelation and its content. The roar of the frenzied crowd, the beating drums and rhythmic chants of the idolatrous orgy, drowned out the sights and sounds of the Revelation at Sinai and the Ten Commandments.

Moshe's descent from the mountain, with the Tablets in his arms, should have been cause for celebration; that day should have been known for all time as "Simchat Torah," a day of rejoicing with the Torah. Instead, Moshe's return to the camp went unnoticed by the people below, who were too busy worshipping the golden calf to pay any attention to him or to the gift he had brought down to them. And then, at that very same spot, Moshe, who had no part in the inconceivable sin, prayed and pleaded for forgiveness on behalf of the nation. At that very spot, the detour began, and it is the narrative of that detour that comprises the next two books of the Torah - a long, arduous, 39- year trek that should have taken only 11 days.

When we stood at Sinai, we had been heartbreakingly close to our destination, but we lost track of time. We concerned ourselves with Moshe's tardiness, and paid no attention to the fact that we had, in fact, lost our grasp on time itself, and turned an eleven-day journey into decades of wandering.

Rashi offers a fascinating insight into this eleven-day distance: When we finally made the journey in earnest, it only took three days. (Rashi on Devarim 1:2)

In fact, this peculiar, kaleidoscopic time-line is more relevant to our lives than it might seem at first glance. Time is a strange and slippery concept: Often, there are life-lessons that normally take years to learn, which can be acquired in a flash, in a lightning-bolt of clarity, in what is known as an "ah-hah! moment." On the long and winding road, a short and direct route is suddenly illuminated. Other times, we see the light yet repeatedly ignore the message; repeating the same mistakes over and over, we force ourselves to take unnecessary detours and to expend our emotional, intellectual and physical energy going around in circles.

Our normal perception of time is linear and constant; we are, by and large, "captives on a carousel of time," unable to break through, to transcend. Yet there are some people (and some situations) who manage to break these boundaries.

Unfortunately, it often takes a cataclysm to grab our attention. We are only shaken out of our reverie by personal or national crises - or worse. This is the lesson of the first few words of the Book of Devarim: It took the Jewish People thirty-nine years to achieve what we should have accomplished in eleven days, but when we were finally ready - spiritually alert, attentive, and willing to take step up to meet our destiny - the eleven-day journey was completed in three days.

All these years after the destruction of the Temple, it is clear to us that we have taken a two-thousand-year detour. But it should be equally clear to us that we are - and always have been - heartbreakingly close to our destination. The final distance can be achieved in days, minutes, perhaps even seconds - when we are finally ready to take those last few holy steps.

Small Things that are Big
by Rabbi Yehonasan Gefen

Devarim, 1:16: “I instructed your judges at that time, saying, ‘listen among your brethren and judge righteously between a man and his brother or his litigant. You shall not show favoritism in judgment, small and great like you shall hear.’”

Moshe recounts how he warned the then-newly appointed judges not to show any favoritism that might corrupt the results of a case over which they are presiding. The Talmud gives a number of examples showing how even seemingly minor acts of kindness caused judges to be disqualified from adjudicating a case, out of the risk that his judgment will be clouded:

The first story involves the great Rabbi in the time of the Talmud known as Shmuel: Shmuel was having difficulty crossing a rickety footbridge. Someone reached out and helped him cross the bridge. Shmuel asked this man why he had come to the bridge, and the man answered that he had a case scheduled in Shmuel’s court of judgement. Upon hearing this, Shmuel disqualified himself from judging the case out of concern that the favor he had received from this man would cause him to subconsciously favor this man win and inadvertently skew the proceedings.

Another story involves Ameimar who was sitting in court, and a feather flew onto his head. A person came over and removed the feather. When he told Ameimar that he was there to have his case heard, Ameimar disqualified himself from hearing the case.

The next case involves Mar Ukva: Someone spat in front of him, and another person came and covered up the saliva. The second person had a case scheduled in which Mar Ukva was to be the judge, and Mar Ukva disqualified himself.

The final case is about Rav Shmuel bar Yose. His sharecropper who would normally deliver his share of the produce every Friday. One week, the sharecropper had to be in town on Thursday for a monetary case, so he decided to deliver the produce a day early. Rav Shmuel bar Yose recused himself from adjudicating the case of the sharecropper lest he be affected by the favor of having his produce a day early.

Rabbi Avraham Pam asks: Were these Amoraim so fickle that the slightest favor could influence their judgment? Is it conceivable that a judge would misjudge a case because someone helped him in some small way? Why then, were these great Tzaddikim so suspicious of their own reactions to trivial favors? Rabbi Pam answers that this Talmud is not so much about judicial integrity or the corrosive nature of bribes as it is about the extent of gratitude that a person should have for those who do us favors.

In the words of Rabbi Yissachar Frand: “These Amoraim weren’t fickle; they took people’s favors more seriously than we do. To us, such favors might be so insignificant that they don’t even register on our radar screens. But people who have worked on appreciating what others do for them consider these “minor” kindnesses worthy of so much gratitude that it might skew their judgment.”

In addition to conveying to us about the extent of gratitude, this concept teaches that the Torah views minor acts as being of great significance to the extent that they can have halachic ramifications such as disqualifying a Judge from adjudicating a case. This idea is also demonstrated with regard to the extent to which a person should be careful in maintaining peace between a man and wife.

When Sarah overhears the Angels tell Avraham that Sarah will bear a child, she laughs and says to herself that this will not happen, since she is infertile and her husband is old. God then reveals to Avraham that Sarah was skeptical about this Prophecy, but when God relates what Sarah said, He omits what she said about Avraham. The Sages teach from here, “It is permitted to alter the truth for the sake of peace.” The question arises as to what exactly would have happened had God told Avraham that Sarah said that he was old - It was true that he was old, and being old is not a flaw in a person’s character. Moreover, Avraham, in his righteousness would surely not have been upset by this innocuous comment. Yet, we learn from here that even the fact that Sarah thought to herself something that was not entirely positive about Avraham was considered sufficient to represent some kind of dent in the matrimonial peace to the extent that God altered the truth to maintain the peace.

This is another example of the idea that what the average person considers something insignificant, is considered of such importance by the Torah that it permits something that is normally forbidden. Specifically, in the realm of matrimonial peace, it teaches that we should be very careful to avoid causing any slight dent in other people’s harmony and all the more so with regard one’s own harmony, to be exceedingly careful to say anything that could slightly hurt one’s spouse.

We have seen that seemingly minor acts are deemed highly significant by the Sages, be it in the realm of gratitude or in peace between husband and wife. May we all merit to excel in every detail in these vital areas of life.

“Take men who are wise and understanding and well known from your tribes, and I will make them heads over you” (1:11)

Rashi writes that the job of a judge is “to rebuke and to set them upon the straight path.” A rabbi, educator, or parent should not focus on mistakes and correcting them. His task is also to look at the big picture, to think about where this person is headed, and to re-direct him or her onto a path of growth and success. When a person commits a sin, it might indicate that they are not moving in the right direction overall. Instead of just forcefully telling the person not to repeat a particular misdeed, it might serve him better to take a more holistic view and re-orient him in his broader attitudes toward the service of Hashem.

“You shall not favor people in judgment; you shall hear the small just as the great; you shall not fear any man, for the judgment is upon Hashem, and the case that is too difficult for you, bring to me, and I will hear it” (1:17)

What is the connection between the requirement that a judge not fear any man and the next line reminding us that judgment really comes from Hashem? Chizkuni explains: “The judge need not fear any man because the litigant has no reason to hate the judge, even if he punishes him. The judge will be able to reply: It is Hashem who has found you guilty, since justice comes from Hashem.” The judge is nothing more than a middleman who relays the ruling of Hashem in any given situation. He does not exercise his personal judgment or allow bias to factor into his ruling. When we look for a rabbi to consult with, whether for a legal dispute or just for advice, the primary consideration should be to find the most learned and honest rabbi, not the most lenient one. A rabbi is nothing more than a vehicle to convey the Torah’s view of a person’s circumstances. Some people do not appreciate what the rabbis have to say, but that is because they ascribe his words to his own personal feelings and they do not realize that the rabbi is merely conveying the Torah’s opinions, not his own.

“And they took some of the fruit of the land in their hands and brought it down to us, brought us back word, and said: The land Hashem, our G-d, is giving us is good” (1:25)

Rashi notes that since the “brought the fruit down,” it is clear that Eretz Yisrael is higher than all other lands. Hashem created the land in this way so that we will easily be reminded of the holiness and greatness of Eretz Yisrael. It stands out physically as a reminder of its spiritual importance, showing us that we should constantly remember the beauty and greatness of the land.

“And Hashem heard the sound of your words, and He became angry and swore, saying” (1:34)

This posuk uses a strange expression when it says that Hashem heard “the voice of your words.” Rabbi Friedman suggests that the “voice of their words” refers to their crying, the depths of their feelings and the emotions behind their words. If they had just complained and voiced their concerns, perhaps Hashem would not have punished them. Instead, they let their emotions get a hold of them and they cried. Hashem heard the sound of their words, their crying, and became angry at their reaction. To be upset is one thing, but to be so distressed about going to Eretz Yisrael to the point where the people were all crying was too much. This is why they were punished. The punishment for the Golden Calf had its roots in a similar idea. When Moshe descended with the luchos, he commented that he heard loud noises. He heard the singing and dancing and the sounds of the celebration that was being held around the Golden Calf. Making the calf was bad enough, but singing, dancing and celebrating with such fervor made it even worse. Sinning is one thing, but to sin with all one’s emotion is quite another.

“Hashem was also angry with me because of you, saying: You also shall not go in there” (1:37)

Why was Moshe punished so severely for hitting the rock? Kli Yakar writes that Hashem wanted Moshe to speak to the rock in order to address their main problem: a lack of trust in Hashem. Witnessing an outright miracle of water gushing forth from a rock at Moshe’s verbal command would have helped them have greater faith in Hashem. When Moshe hit the rock to produce water, he failed at his task of increasing the faith of his people. That is why Hashem told Moshe in Parshas Chukas that he was being punished because “you did not make them believe in Me.” With this, we can understand why Moshe mentions his inability to enter the land in the middle of the story about how all the adult men had been sentenced to die in the desert as a punishment for believing the spies. Just as the nation was punished for not having faith in Hashem despite the report that the spies brought, Moshe was punished for the same reason, for a lack of faith in Hashem. Although Moshe personally trusted wholeheartedly in Hashem, he was held responsible for failing to help the entire nation reach that level when he hit the rock. This teaches us that if a person is able to prevent another person from sinning and fails to do so, he is also held responsible.

By Rabbi Meir Friedman

Hatred Fuels Hatred, Love Fuels Love

by Shoshanna Dresner

Moses is speaking to the people before his death, reviewing the events and experiences that they had encountered during their years in the desert. "...and you said, because the Almighty hated us he took us out of Egypt..." (Deut 1:27).

God hated them? How could this be?!

Rashi comments, that really God loved the people, but because *they* felt hatred towards *Him* they mistakenly felt that He hated them! Rashi says, "What you feel about someone else, you assume he feels about you" (Sifsei Chachamim). God did not hate His people at all, the people had projected their own feelings, and assumed very wrongly!

This is a fascinating insight into human psychology. If we feel negatively towards others, we assume that that's how they must be feeling about us. This can result in feud based on nothing more than our own thoughts. On the flipside, this means that if you feel love and compassion towards others, you will also assume that others feel positively about you.

Taking this a step further, our thoughts dictate our actions, and our actions towards others influence how they will act towards us. For example, if we feel positively towards someone (thought), then we may smile, and show them that we care about them (action). This will increase their positive feelings towards us, which in turn will motivate them to respond with kind actions (influenced response).

Hatred fuels hatred, but love fuels love.

If we as individuals work on projecting love and positivity, then people will respond in kind, creating a harmonious and peaceful society, reflecting and bouncing the values of kindness and giving off of each other.

Something To Cry About

By Rabbi Shaul Rosenblatt

This week's portion recalls how the Jewish people cried when the 12 spies returned from scouting the Land of Israel (Deut. 1:45). They cried out of self-pity: "Israel is not going to be an easy land to conquer. To build and settle it will be even harder!" Instead of embracing the challenge, they cried.

As ever, the Torah is talking about something that is part of human nature. When things are tough, it's so much easier to wallow in our own self-pity than to embrace and overcome the challenge. The Sages tell us that the date the spies returned was the 9th of Av. God decreed that because the Jewish people cried on this date for no reason, in future times - on this same date - He would give them good reason to cry. And so, on this date, both Holy Temples in Jerusalem were destroyed, the Jews were expelled from Spain, and many other tragedies befell the Jewish people.

At first glance, it may seem a bit harsh and even vindictive on God's part: "You cried for no reason, so I will give you something to cry about."

I believe the point is this: If you are going to cry anyway, then better that you have a reason to do so. In other words, it is better to cry from pain, than from self-pity. In Jewish thinking, crying is usually considered an important expression of emotion. If you cry to express pain, be it physical or emotional, that's healthy. If you cry in frustration at being unable to achieve what you want, that's also healthy. But crying in self-pity, at your hopeless situation in life, can only be destructive. It undermines your resolve to face the challenges of this world. And so, if you must cry, better that you have good reason to do so.

This is what God said to the generation of the spies: If you are going to cry anyway, I will give you a reason to do so - so that your crying can at least be productive.

The same is potentially true for us. If we cry for no reason, God may just give us reason to cry. When I returned from a trip to Poland, a place where Jews had reason to cry for hundreds of years, this point was all the more poignant for me. Having walked on the graves of over 600,000 Jews in Belzec, more in Treblinka and perhaps even more in Auschwitz-Birkenau, it was a reminder for me today of just how good we have it. Surely we have nothing to cry about. Surely we should celebrate how good our lives are.

Surely the Jews in the desert should have celebrated, too. But they chose to cry instead - just as we often choose to cry. And *that* is truly something to cry about.

Turn, Turn, Turn

By Sheldon Stern

Several Parshas have a keyword that crops up throughout. For example, in Parshas Bechukosai which features the Tochachah, we find Moshe regularly reminding the people not to behave with Keri (nonchalance) when G-d chastises them. Our Parsha begins with Moshe recounting some of the places the nation traveled to during its 40-year trek through the wilderness. Verse 1:7 says, "Pinu, Visu" They turned and traveled. We find other conjugations of Pinu e.g. Vanefen interspersed within the narrative. But why? Does it matter that they first went right and then veered to the left, or they traveled northward and then went south?

The number 42 is sacrosanct in American culture as it graced the uniform worn by the legendary Jackie Robinson. I don't believe in coincidences. As we learned in Parshas Masei the Jewish people had 42 stopovers in total. Each locale was an integral part of molding a Torah nation, but when they left it was time to move on. My former Rosh Yeshiva, Rabbi Dr. Zelig Friedman, often quoted Rav Dan Segal, "If you live in America, you're an American." Yes, one can immerse himself in the Torah, but somehow elements of the prevailing culture seep through into our consciousness. So if the people stayed for some period in Chatzeros it was necessary for their growth, but when it was time to move they needed a tabula rasa to be able to absorb the new experience. As Crosby, Stills, Nash, and Young wrote, "to separate the wheat from the chaff." They had to retain the elements that would elevate them while excising those that were detrimental. So this is the intent of Pinu, turning away from the past in order to take in the present.

In contrast, we look at Moshe Rabbeinu. When he encountered Hashem for the first time it was at the Burning Bush. Moshe saw a tree on fire but it wasn't consumed. And the Torah tells us that Moshe "turned" to see this phenomenon. But the word employed there is Suru. Why the difference? In the case of the people their turning was simply a recalibration. They had to prepare themselves for a new gestalt. But in Moshe's case, it was a different dynamic. Hashem had rocked his world and it wasn't enough for our future leader to chalk it up to a miracle.

Rambam said that he had a certain way of understanding the Torah but if it was proven to him that it was wrong he would simply develop a new system. So when Moshe turned, it meant that he was ready to abandon everything he had formerly believed and replace it with a new weltanschauung(that's all the German I know.). That's the epitome of greatness. A dogged determination to discover the truth. About a week ago I was on VIN and the subject of Haniyeh's killing became a thread. Someone commented that the monster got his wish, "He's now in a place where there are no Jews." Often the contrarian I offered, "Why do you think that there are no Jews in Gehinnom?" Another poster weighed in, "Chazal teach that Avraham stands at the entrance to Gehinnom and doesn't allow anyone with an intact Bris to enter." I countered that there are two responses to this line of thinking. First, we never use such statements to win arguments because they're too abstruse. Second, and more to the point, we say Kaddish to ameliorate the conditions in Gehinnom and to limit the term. With that, he disappeared. I said to him, "This is an anonymous venue, why would it be so hard to say thank you for setting me straight." As Billy Joel wrote, "Honesty is such a lonely word, everyone is so untrue, honesty is hardly ever heard, but mostly what I need from you."

Lest I be labeled a "nattering nabob of negativity" I'd like to share a positive story. Several years ago, a fellow named David Ferster wrote a letter to the Jewish Press in which he criticized Modern Orthodoxy for failing to stand up to the liberal left. I responded that when Shelly Silver was in power he passed most of the same-sex legislation and his Rav was Rav Dovid Feinstein, by no means Modern Orthodox. A week later Mr. Ferster wrote again, "Thank you Dr. Stern for correcting me, your point is well taken." I wrote back, "You're aptly named because you're the "Ferster" person to admit to being wrong and to do it in print is a testament to your character." Joni Mitchell wrote the iconic "Woodstock" to celebrate what was, and still is the definitive rock concert. It contains the line, "Life is for learning." I'll add, that there's nothing more important than being able to say, "I was wrong." Ms Mitchell's acoustic version was beautiful, but she was dating Neil Young at the time so Crosby, Stills Nash, and Young rocked it up in one of the great covers in history. As Paul Simon wrote, "When I think back on all the *&@ I learned in high school, it's a wonder I can think at all." Boruch Hashem I'm making up for lost time now.