

Yad Avraham Institute
Weekly Torah Commentaries Series
The Portion of
Devarim

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Presented By: Rabbi Yosef Kalatsky, Shlita

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About the Yad Avraham Institute

The Yad Avraham is a Torah learning institute located in midtown Manhattan. Classes are offered every day during the week starting at 5:50am and throughout the day. Classes in Chumash, Halacha, Hashkofa, Gemara, and general topics are well attended by businessmen, professionals, and students. The Yad Avraham invites you to participate in our extensive offerings of classes and events.

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Devarim

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Rabbi Yosef Kalatsky, Shlita

Dean

1. Relating to Our Loss

The three-week period, which begins on the seventeenth of Tammuz and concludes on the ninth of Av is identified as a time of mourning. One is rabbinically obligated to fast at the beginning of this period on the seventeenth of Tammuz because it was the day that the walls of Jerusalem were breached by the Roman legions, with the intention of destroying the Holy Temple and Jerusalem, which took place on the ninth of Av. The Romans set fire to the Second Temple before sundown on the ninth of Av and it continued to burn through the tenth of Av. Every year for more than two thousand years the Jewish people have mourned the destruction of the Temple. As one approaches the week of the ninth of Av, the laws pertaining to mourning intensify in order to be able to sense the dimension of tragedy that we are commemorating.

It is not a simple task to properly mourn the destruction of the Temple on the ninth of Av. Although one observes the five areas of deprivation on the day the Temple was destroyed; such as not eating or drinking, , refraining from washing oneself, refraining from cohabitation, not anointing oneself, and not wearing leather shoes, in order for one to truly appreciate what is being mourned, one must reflect and focus. In fact, we are mourning the loss of our special relationship with G'd, Who had dwelt in our midst. As a result of our sins, the Temple was destroyed and the Jewish people were exiled. To be able to appreciate that loss, one needs to be on a special spiritual level.

On Yom Kippur, one must also observe the five areas of deprivation (although they are not for the sake of mourning). However, one can have a sense of the importance of Yom Kippur, without being at such an advanced spiritual level because one can easily understand the gravity of one's situation when his life stands in the balance on Yom Kippur. One beseeches G'd to be inscribed and sealed in the book of life to be allowed to live and succeed in his life. At one time, when the predicament of the Jewish community throughout the world was fraught with anti-Semitism and discrimination, the Jew being under constant threat of pogroms, it was

easier for a Jew to yearn for the redemption and the rebuilding of the Temple on a daily basis. However, in a society in which the Jew lives in safety and comfort, it is not a simple task to appreciate what one is missing, regarding the restoration of the Temple.

One must reflect upon the value of the Jewish people needing a Temple. What is its profound significance? One must focus and try to understand the meaning of being deprived of a special relationship with G'd that had at one time existed at the time of the Temple. Unfortunately, it is only the one who lives a life that is dedicated to G'd who can have any sense of loss and pain for not having the Temple. However, in contrast, if one lives a self-absorbed life that is focused on material gain, he will have difficulty sensing this loss.

The one who mourns the destruction of the Temple is in essence mourning the level of desecration of G'd's Name that exists in the world. It is a desecration of G'd's name when G'd's chosen and princely people live in exile among the nations of the world, being displaced without the holy Temple. It is a profound desecration that the nation that is most beloved to G'd is assimilating because they have rejected His Torah. If one takes pause to reflect upon these tragic facts, one can be moved to sense the value of the loss.

Although it is true that the destruction of the Temple was the greatest tragedy that ever befell the Jewish people, it was also a day that G'd demonstrated His infinite Mercy upon them. Rather than destroying the Jewish people because of their spiritual failings, G'd brought His Wrath upon the "wood and stones" of the Temple. Thus, destroying it rather than His beloved people. Although when G'd will bring the Redeemer, the Moshiach, the Jewish people will celebrate the rebuilding of the Temple, their primary celebration will be the reinstatement of the special relationship with G'd.

2. The Innate Spiritual Value of the Jewish People

The Torah states, "**Moshe said to the Jewish people...I cannot carry you alone.**" Rashi cites Chazal

who ask, “Is it possible that Moshe did not have the capacity to judge the Jewish people himself? Moshe was the one who had taken them out of Egypt, split the Sea, brought the Manna and the *slav* (quail), is he not capable of judging the people? Moshe had said to the Jewish people, ‘G’d has made you numerous. He has elevated you above your judges. He has taken the punishment that you are deserving of and has placed it upon the judges.’ As King Solomon states, ‘Who has the capacity to judge this difficult people?’ King Solomon was the wisest man who every lived. Is it possible that he did not have the capacity to render judgment? Rather, our judges are different from their judges (nations of the world). If a non-Jewish judge renders a judgment that causes innocent people to die, steals, and corrupts justice; despite this, G’d does not punish him in any way. However, if a Jewish judge were not to render a proper judgment, his life will be taken. As it states, ‘G’d will take their life...’” Therefore, Moshe felt that he did not have the capacity to judge the entire Jewish people alone because the ramifications of his decisions were too great for any one person to assume, even for one of the dimension of Moshe.

We find that the basis for the difference in the standard to which a Jewish judge is held, as compared to a gentile judge, is rooted in the spiritual dimension of the Jew. When a non-Jew sins, his failing only touches upon himself and does not have a global effect. In contrast, when the Jew fails, the repercussions of his sin touches upon every aspect of existence. Therefore, the Jewish judge who renders an improper judgment has greater accountability because of the ramification of his ruling.

The Torah tells us that there are particular laws regarding the contamination to the dead that pertain to the High Priest (Kohen Gadol) that do not pertain to an ordinary Priest (Kohen). A Kohen is not permitted to contaminate himself to the dead; however, an ordinary Kohen is permitted to contaminate himself to his seven closest relatives (wife, children, parents, etc.). However, the High Priest, is not permitted to contaminate himself even to his closest relatives. This is because his function and value as it relates to the entire Jewish people and the world is of such importance that he is not permitted to compromise his spiritual viability for any reason. For example, The Torah tells us that if the court finds an individual guilty of an inadvertent murder, he must flee to a city of refuge and remain there until the passing of the High Priest. The Gemara in Tractate Makkos asks, “Why is the freedom of the inadvertent murderer contingent upon the passing of the High Priest? Why should he have any degree of culpability?” The Gemara answers, “It is because it is the responsibility of the High Priest to

supplicate G’d on behalf of the Jewish people so that they should be protected from such tragedy. Since an innocent Jew was killed, although it was inadvertent, during his reign as High Priest, it is an indication that he has failed in his capacity.” Because the High Priest is the intermediary between the Jewish people and G’d, he is not permitted to compromise his function through contaminating himself, even to his closest relatives. If he were to be disqualified through contamination, the entire world would be in jeopardy.

The gravity of the responsibility of a Jewish judge is commensurate with the innate dimension of the Jew. The Mishna in Tractate Sanhedrin states, “One who maintains (rescues) the life of one Jew it is as if he maintained the entire world.” We see that the value of a single Jew is the equivalent of all existence. The Mishna does not state that if one saves humanity, he is saving the world, rather it is the life of only a single Jew that has the same value as the entire world. The function of the world rests upon the choices that are made by the Jew. Because of the innate spiritual value of the Jew, the effect of his failing diminishes all existence. For the same reason, when the Jew succeeds by addressing his spiritual responsibility, he elevates all creation. By taking the responsibility away from the defendant and placing it upon the judges, G’d has actually put a burden upon the Jewish judge that cannot be fathomed.

The Gemara in Tractate Sanhedrin tells us when a judge renders a “truthful” judgment he is considered a “partner with G’d in the act of Creation.” However, if the judge renders a corrupt judgment, although the monetary issue may be negligible, he deserves to be put to death for the wrong that he perpetrated. Why is the punishment for a corrupt judge more severe than the thief who steals? The reason for this is that the ordained judge is referred to as “*elokim*.” G’d allows the judge, because of the dimension and capacity of his position, to be identified with His holy appellation of “Elokim (G’d)”. Therefore, when he fails in this exalted capacity, his liability is more severe. As a judge he has the ability to be G’d’s partner in Creation, but he chose to act inappropriately for his own reason. It was because of his understanding of this degree of culpability that Moshe felt that he could not carry the Jewish people alone.

The Jew is obligated to recite the Shema in the morning and in the evening, which is the declaration of His Unity and the acceptance of the yoke of heaven. The Gemara in Tractate Sotah cites the verse from Prophets that tells us that Goliath, the Philistine would come out every morning and evening and blaspheme G’d. The

Gemara asks, "Why did he choose these particular times?" It was because the morning and evening period is the time during which the Jewish people fulfill the positive commandment of accepting the yoke of heaven through the recitation of the Shema. Goliath understood the value of the recitation of the Shema by the Jewish people. If it is recited with the proper intent it would afford them Divine Protection and they would become invincible. Goliath wanted to disrupt the ability of the Jew to recite the Shema during these times. Although Goliath was a giant who possessed superhuman strength he understood that he could not approach or harm the Jew because of his merit. From this we see once again, the profound value and effect of the action of the Jew. Although the Shema is a positive commandment that can be fulfilled in a few moments, its effect is infinite. If the Jew understands and appreciates his own spiritual capacity and value, he would be motivated to address his service of G'd in the most perfect and sincere manner.

3. To Acquire the Unlimited within a Limited Capacity

The Torah tells us that before Moshe passed away he rebuked the Jewish people for many of their failings that had taken place over the past forty years. He recounted, that at the time that Yisro had suggested that Moshe establish a hierarchical system of judges on behalf of the Jewish people they responded, "**The thing that you propose to do is good.**" Before Yisro had suggested a multi-tiered judicial system, he had witnessed how Moshe had adjudicated all of the legal issues of the Jewish people himself. Moshe had engaged in this process from morning until evening. Yisro had said to him, "What you are doing is not good because you will wither under the strain. In addition, it is not respectful for the Jewish people to wait their turn in order to be accommodated."

Rashi cites Chazal who explain, "The response of the Jewish people was for their own self-interest. They should have responded by saying, 'Our teacher Moshe, from whom is it better to learn, from the teacher or from the student? Is it not better to learn from you, who suffered and sacrificed for the sake of acquiring the Torah?' Since you did not respond in this manner I understand that you were acting out of self-interest..." Since Moshe was taught the Torah by G'd Himself, Who is the source and basis for all spirituality, one would think that the reason it would be better to study from the teacher was because Moshe had studied from G'd, rather than studying from the student who had learned from a mere mortal. However, Chazal tell

us that the reason it was better to learn the Torah from Moshe was because he had suffered and was pained for its acquisition. Where do we see that Moshe had suffered for the sake of acquiring the Torah?

The Torah tells us that after Moshe had returned from being taught the Torah by G'd he had said to the Jewish people, "**For forty days and forty nights bread I did not eat and water I did not drink.**" The Midrash asks, "Why was it necessary for Moshe to tell the Jewish people that he was denied food and drink? What is its relevance to them? Moshe was teaching the Jewish people that the manner which one must acquire Torah must be similar to his own. He had said, 'Just as I sacrificed my blood and fat for the sake of the acquisition of Torah, so too must you be willing to sacrifice your physicality and material comforts in order to acquire Torah.' Only then will you merit to come upon its truths." Since no one sacrificed for the sake of Torah as Moshe had, he was the most qualified to be the conduit for its teachings.

The Mishna in Ethics of our Fathers tells us that the Torah is acquired through forty-eight ways. There are forty eight criteria that one must meet before one can come upon Torah, in its most advanced form. These criteria which are mentioned are specific and unique to Torah. Regarding any other branch of knowledge, regardless of its profundity, one's ability to succeed is solely based on one's intellect. Because Torah is a spiritual entity, which is infinite and outside of the realm of physical existence, one needs special Divine Assistance to come upon it and acquire its truth.

It is interesting to note that the Gemara in Tractate Bava Metzia tells us, "One must conduct himself in a manner that is similar to those in that location (*minhag ha makom*). From where do we learn this? When Moshe ascended to heaven to receive the Torah, he did not eat or drink because he was in a location of angels who do not eat or drink. We find that when the three angels had come to Avraham, our Patriarch, in human form, although they were spiritual beings who had no physical needs, they did partake of the feast that was prepared on their behalf. This is because they were in a location of humanity, who have a need to eat and drink." Based on Chazal cited by Rashi, the reason Moshe did not eat or drink when he ascended to heaven was not because he was in a spiritual location in which one does not eat or drink, but rather because he needed to acquire the Torah within a context of suffering and sacrifice. If this is so, how do we reconcile the statement of Chazal with the Gemara?

Why did G'd choose to transmit the Torah to Moshe in heaven? He could have communicated it to him on the top of Mt. Sinai, as He had done so with the Ten commandments, which was communicated on the terrestrial level, rather than heaven. G'd chose the location in which the Torah should be taught to Moshe to be one in which the angels do not eat or drink so that the process of transmission should take place within a context of sacrifice and suffering. Whenever one chooses to take a course of action, which is prescribed by the Torah, that is contrary to one's natural inclination, which is in a context of difficulty, it is considered to be an action of sacrifice and suffering. Therefore, one will be accorded special Divine assistance in order to come upon the truths of Torah. Although Moshe had the greatest teach, G'd Himself, nevertheless had he not sacrificed and suffered for its acquisition, he would not have had the capacity to receive it from G'd.

4. Appreciating the Failing that Caused the Destruction of the Temple

The Gemara in Tractate Taanis states, "When the month of Av begins one should decrease his joy." The month of Av is the most tragic month in the Jewish Calendar. The Mishna states, "Five tragedies occurred on the Ninth of Av (*Tisha b'Av*): the sin of the Spies, the destruction of the First and Second Temples, the massacre at Batar, and the city of Jerusalem was plowed under (by the Romans)."

The Gemara in Tractate Nidarim tells us that after the First Temple was destroyed the Sages and Prophets were asked, "Why was the land destroyed?" They were not able to respond. G'd was then asked the same question. He responded, "Because they (the Jewish people) had abandoned My Torah." The Gemara explains that the meaning of "abandoning the Torah" does not mean that they did not study the Torah; but rather, their study was not predicated on the blessing which precedes the study of Torah. One is rabbinically obligated to recite a blessing before engaging in a mitzvah.

Ran (earlier commentator) on Tractate Nidarim cites Rabbeinu Yonah who explains that before the destruction of the First Temple, when the Jewish people engaged in Torah study, they did so for the sake of intellectual pursuit as one does with other branches of knowledge. When a Jew studies Torah he must engage in it for the sake of adhering to its principles and laws- not for intellectual advancement. Because the Torah was

studied on a deficient level it did not afford the generation the necessary protection to ward off the enemy. This deficient level of Torah engagement was considered an abandonment of G'd's Torah.

The Midrash tells us that the Torah was the blueprint of Creation – as it states, "G'd gazed into the Torah and created the world." The purpose, value, and function of the world is to facilitate the fulfillment of the Torah in its entirety. Every aspect of the Torah is addressed in creation. Maharal of Prague writes in *Nesivos Olam* that the Torah itself represents "order." It is the Torah that brings "order to existence; however, when the Torah is breached there is a consequent disruption in the "order" of existence.

The Mishna in *Pirkei Avos* tells us that the world was created through the Ten Utterances of G'd. The Mishna asks, "Why were there Ten Utterances? He could have created the world with One Utterance." The Mishna answers, "So as to punish the evil who destroy the world that was created through Ten Utterances and to give good and proper reward to the tzaddikim who maintain the world that was created through Ten Utterances." The Mahral states that the Mishna cannot be simply telling us that the world was created with Ten Utterances (and not One) to give greater reward to the tzaddik and greater punishment to the rasha. It is communicating to us a profound understanding of Creation.

Mahral explains that the number ten, although it is composed of ten parts, it is an entity unto itself. The number ten is a complete unit. If one part of the whole was to be removed from the ten it would cease to be the entity that it had been. It would be a totally different entity that has no relevance to the original entity. The essence of the world is one entity reflecting the unity of G'd. Ten, being a unified entity is the basic number that best encapsulates the essence of creation as being unified and whole. The order of existence only comes about through Torah – which is reflected by the Ten Utterances. G'd created existence through the Ten Utterances to indicate that its essence is one and its purpose is only to fulfill the Torah. It cannot exist as a fractionalized entity. The Mishna is explaining why the tzaddik is so deserving of reward and the rasha so deserving of punishment.

The Gemara in Tractate Shabbos tells us that the Temple is referred to as the "*even ha shseeya* – the rock of sustenance." All blessing emanated from the Temple. It was destroyed because the Jewish people did not engage in Torah properly (as it is stated in the Gemara in Tractate Nidarim). The appellation of "Torah," which means "to

guide” indicates that it is intended to shape, guide, and govern one’s life. The value of the Torah is its intellectualism. When it was not studied as “Torah” but rather as a branch of wisdom, it was considered an abandonment of Torah – thus disrupting the order of existence. This caused a breach in the Ten Utterances which resulted in tragedy.

5. *Appreciation a Motivating Factor* (From *Masei*)

In the portion of Masei the Torah identifies the 42 locations in which Jewish people had camped during their 40-year trek in the desert. What is the value of identifying these locations?

The Midrash states, “G’d said to the Jewish people, ‘My children, be careful regarding the observance of My mitzvos and keep the Torah. You should understand how many miracles and wonders I have performed for you from the time that I had taken you out from Egypt. I have toppled your enemies. I took you across the Sea and brought fear and dread upon your enemies... I have destroyed the Amorites and the giants. During the 40-year period that you were in the desert, I did not for a moment leave you unattended. Many enemies came upon you and you did not need to flee from them. How many snakes and scorpions did I kill in your presence in the desert? I did not allow them to harm you. It is because of all these miracles that had taken place that I want you (Moshe) to record all of their travels in the desert so that they should know the many miracles that I performed on their behalf within every travel. How will the Jewish people come to know about the miracles? – when they will read about their travels. ” If Moshe had not recorded all the locations in which the Jewish people had camped, they would have never been able to fully appreciate the miracles that had been performed by G’d on their behalf.

Chazal tell us, “The beneficiary of a miracle is not able to recognize and appreciate it, when he is experiencing the miracle.” During their forty-year journey in the desert, the Jewish people lived a supernatural existence. G’d provided them with all of their needs on a miraculous level; however, they could not fully appreciate this fact until the miracles ceased. When Miriam passed away, the wellspring that had provided water for the Jewish people had ceased; rather than expressing their appreciation to G’d for providing for them with a wellspring in the desert, they began to complain. Had they fully recognized that they were the beneficiaries of G’d’s Kindness, they would not have behaved as they had.

The basis for the immutability of Torah is tradition that is passed on from generation to generation. Thus, the strength and enthusiasm of the initial generation will determine the strength of the transmission of Torah that will be passed on. Thus the integrity of Torah will be guaranteed until the end of time. G’d commanded Moshe to record all of the locations in which the Jewish people had camped so that they could fully appreciate the fact that they were the beneficiaries of exceptional miracles. By experiencing a deep sense of appreciation, their debt of gratitude would cause them to communicate what they had experienced with enthusiasm and strength. If Moshe were not to recount those locations of encampment, this aspect of transmission would be lost. It is important to understand and appreciate that the Jewish people only merited these miracles because they had “observed the Torah and kept its mitzvos.” Had they not been fully committed to G’d’s Will they would not have been worthy of the miracles that had been performed on their behalf because the worthiness of the Jew is determined by his adherence to G’d’s Word.

The Torah tells us that there is a Positive Commandment to teach one’s children about the bondage and redemption from Egypt. As it is states, “**You must declare to your children... the events of the exodus.**” The Torah reveals that the purpose of certain miracles of Egypt were to allow the Jewish people to appreciate G’d’s dominion so that they should communicate their understanding of events to their decedents. The more profoundly one experiences a miracle the greater will be its transmission.