

Parshas Va'eschanan

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1. Understanding the Fundamental Difference between the First and Second Temple Period

The Gemara in Tractate *Yoma* tells us that the first *Bais HaMikdash* (Temple) was destroyed because the Jewish people violated the three Cardinal Sins: murder, adultery, and idolatry. The Second *Bais HaMikdash* was destroyed because of *sinaas chinam* (*baseless hatred*). There is a discussion in the Gemara between Reb Yochanon and Raish Lakish as to who was greater – the members of the First Temple Period or the Second Temple Period. Reb Yochanon said, “Look at the Citadel (*Bais HaMikdash*/Temple) – the First *Bais HaMikdash* was rebuilt after only 70 years; however, we are still waiting for the Second *Bais HaMikdash* to be rebuilt.” Indicating that the people of the First Temple period were greater. Why were the people of the First Temple period able to appreciate their failure and do *teshuvah* (repentance) –causing the rebuilding of the Temple, while the people of the Second Temple period were not able to recognize and correct their failure?

The Gemara states, “Since the sins (murder, adultery, and idolatry) of the people of the First Temple period were revealed, so too the end was revealed (the rebuilding of the Temple). However, the later generations whose sins were concealed, the end (of our exile and the rebuilding of the Temple) remains concealed.” The people of the Second Temple period believed themselves to be *tzaddikim* (devoutly righteous), yet they harbored hatred in their hearts for their fellow. They did not recognize their transgression as being sinful. Therefore, the Temple has not been rebuilt.

Moshe Rabbeinu, in his establishment of a judicial system, appointed judges with special qualifications. They needed to be as stated in the verse, “**distinguished men, who are wise (*chachamim*), understanding, and well known to your tribes, and I shall put them as your heads.**” Rashi explains that “*chachamim* (wise people)” is referring to people who are *kesufim* (*busha* (shame/conscience)). If a person has no shame/conscience, although his intellectual capacity may be that of a genius, he nevertheless is not a *chacham* (*he is lacking wisdom*).

The Gemara in Tractate *Yevamos* tells us there are three characteristics that are innate in every Jew: *rachmanim* (compassionate), *baishanim* (shame/conscience), *gomlei chassadim* (acts of loving-kindness). Since the Jews descend from Avraham, our Patriarch, they have inherited his characteristics. Unlike the rest of the world, Avraham had the ability to recognize G'd as the omnipotent Being because he possessed the quality of shame/conscience – thus allowing him to have clarity (*chochmah*). For one to make the most of his intelligence in order to achieve wisdom, one must have conscience. King Solomon in *Mishlei* (Proverbs) refers to Moshe as “*Chacham lev yekach mitzvos* – the wise hearted takes mitzvos.” Moshe searched for the remains of Yosef while the rest of the Jewish people gathered the wealth of Egypt for themselves. Because Moshe was the most humble person who ever lived, he had the most advanced level of conscience. Therefore, he had the wisdom to recognize the proper priority – thus he sought out the remains of Yosef.

Although the people of the First Temple period had failed in the areas of murder, adultery, and idolatry, they were able to recognize their shortcomings because they possessed the innate characteristic of “shame/conscience.”

Contrastingly, the nations of the world, who do not have this innate characteristic (including the Edomites (Esav) are involved in the three Cardinal Sins on a continuous basis. The Torah goes out of its way to tell us that Bilaam was killed by the sword. Rashi explains that since Bilaam had taken the “craft of the Jew, which is the power of speech,” as it is stated, “*HaKol kol Yaakov* – the voice is the voice of Yaakov,” the Jewish people took the “craft of the nations of the world” (which is the sword). As it is stated, “By the sword you shall live” and with it they killed Bilaam. Seemingly, “living by the sword” is the blessing that Yitzchak our Patriarch had given to Esav, his first-born. Why does Rashi identify this as being “the craft of the nations of the world?”

When Yitzchak blessed Esav and said, “You shall live by the sword,” he was designating him as the person who *would not be* the father of the Jewish people. Meaning, Esav had no relevance to the innate characteristics of Avraham our Patriarch.

In order to have relevance and a capacity to process *Chochmas Hashem* (Wisdom of G’d), which is the Torah, one must have the characteristic of shame/conscience. Esav did not possess this quality. Because the people of the First Temple period had the quality of shame/conscience, they were able to recognize their failure and do teshuvah.

The sin of baseless hatred (*sinaas chinam*) is so subtle and difficult to detect because one tends to justify his feelings of hatred for his fellow. As the Chofetz Chaim explains, one may say to himself, “since the person is evil, it is therefore permitted to speak negatively about him (Lashon Hara).” However, perhaps one’s evaluation of his fellow is incorrect. The Torah tells us that one must give the benefit of the doubt to his fellow and see him in a positive light. Since *sinaas chinam* is not a failing in one of the three innate characteristics of the Jew it is very difficult to recognize; therefore, it can be justified and rationalized because when one sees his fellow as “a rasha (evil person)” he believes he is doing a mitzvah by hating him.

2. The Value of being able to Call to G’d Whenever We Choose

The Torah states, “**Moshe said to the Children of Israel: Now, O Israel listen to the decrees and to the ordinances that I teach you to perform so that you may live, and you will come to possess the Land that Hashem the G’d of your forefathers, gives you. You shall not add to the word that I command you, nor shall you subtract from it... which great nation has a G’d who is close to it, as is Hashem our G’d, whenever we call to Him? And which nation has such righteous decrees and ordinances...**”

In the passage above, Moshe explains to the Jewish people the importance and value of adhering to the Torah. He tells them that one may not add to or subtract from it. He also explains to them that when they will observe the mitzvos of the Torah the nations of the world will extol them by saying, “for it is your wisdom and discernment...surely a wise and discerning people is this great nation!” In the midst of this communication Moshe says, **which great nation has a G’d who is close to it, as is Hashem our G’d, whenever we call to Him?** What relevance does this statement have to the importance of observing the Torah? Is Moshe telling the Jewish people that because of their relationship with G’d, He will respond to them regardless of their request?

Rambam in *Hilchos Teshuvah (The Laws of Repentance)* explains this verse based on the Gemara in Tractate Rosh Hashanah to mean, “Whenever we call out to Him” is specifically referring to *teshuvah* (repentance). Whenever the Jewish people as a community, regardless of the time of year, call out to Him with full remorse, Hashem will accept their repentance (*teshuvah*).

With this, we can understand the relevance of this verse within the context of discussing the degree of obligation of Torah upon the Jewish people. Adherence to the Torah is a weighty and sometimes overwhelming responsibility, which falls on the shoulders of the Jewish people. There is no one who is perfect and without failing. As it is stated in Koheles (Ecclesiastics), “There is no tzaddik in the Land who does good and does not sin.” Thus, if the Jewish people were to fail (as people are prone to do) then Hashem will accept their sincere *teshuvah* at any time and forgive them.

One of the ways that the *yetzer hara* (evil inclination) attempts to undermine an individual is to convince him that his spiritual state is beyond recovery and *teshuvah* is not attainable. As Rambam states in the Laws of Repentance, “Even if one was evil for his entire life, if he were to chose to do *teshuvah* at the last moment of his life, his negative record will not be mentioned to him in judgment. His classification will be that of a tzaddik (devoutly righteous person).”

The Torah tells us that the nations of the world will see the Jew as special and thus revere him, only when he adheres to the Torah. As the verse states, “for it is your wisdom and discernment...surely a wise and discerning people is this great nation!” Chofetz Chaim writes in his commentary Mishna Brurah (on the code of laws) regarding *tzitzis* (four cornered garment requiring fringes), that just as one wears an insignia on his uniform to identify the one who he serves, identically the Jew must wear *tzitzis* to identify himself as part of G’d’s people. The *tzitzis* themselves on the four corners represent the 613 precepts of the Torah. Wearing *tzitzis* should not be regarded as something “extreme.” Adhering to the Torah Law should be a source of pride for the Jew because it is only through the Torah that one identifies with being part of G’d’s people, the “Am Hashem,” who are a Holy and priestly nation.

The obligation of a Jew to observe the Torah carries great responsibility, and the consequences could be severe if one should fail; nevertheless, as Moshe explained to the Jewish people, G’d will accept their sincere remorse and pleas for forgiveness from the community.

3. The Appropriate Mindset When One Prays

The Portion begins, “***Va’eschanan - I implored Hashem at that time...***” Moshe implored G’d to allow him to enter into the Land of Israel despite G’d’s decree that he would not be allowed to do so. Rashi cites Chazal who explain that “*Va’eschanan (I implore)*” is a term of supplication that implies although the one making the request feels that he is unworthy, he nevertheless is asking G’d to grant him his request - gratis. When a tzaddik prays to G’d, he views himself as undeserving regardless of his accomplishments. Therefore, he requests from G’d to give him a “*matnas chinum* (a free gift).” Therefore, when Moshe prayed to G’d to allow him to enter the Land, he used the term “*Va’eschanan*” which would allow him to enter only through the good graces of Hashem.

The Midrash Tanchuma explains the word *Va’eschanan* differently. The Midrash states, “Although there are many expressions of tefillah (prayer), Moshe used the term

Va'eschanan. ...Moshe said to Hashem, "Show me Your Glory. Master of the Universe through which Attribute do You relate to the world?" Hashem responded to him, "...I am not indebted to any living being. Whenever a person does a mitzvah, I am giving it to him gratis. As it is stated, "I am gracious when I am gracious."

What G'd had revealed to Moshe is that the mitzvos given to mankind are the equivalent of a gift. This is similar to what Dovid HaMelech tells us in Tehillim (Psalms) that the creation of the world emanates from G'd's Chesed (Kindness). As it is stated, "*l'olam chesed yiboneh* – the world was created with Chesed (kindness)." G'd did not create the world because He "needed" to do so. Nor did He bring the world into existence out of being indebted to anyone; rather, He created the world purely as an act of *Chesed* with no other motive. The mitzvos, which were given to the Jewish people, are purely a gift of G'd. They are an opportunity for one to advance himself spiritually and achieve a level of perfection.

The Midrash concludes, "Moshe replied to G'd, "Since everything You have given to existence is a purely gratis (*matnas chinum*) (unrelated to deservingness), therefore allow me to enter the Land gratis despite my lack of merit."

Ramchal in his work *Derech Hashem* (The Way of G'd) explains that G'd created existence because "one who is good does good." G'd who is the essence of Goodness (on the most absolute level), created a setting of free choice which gives man the opportunity to have a relationship with G'd (who is the Ultimate Good).

It is written in *Pirkei Avos* (Ethics of our Fathers), "Do not be like servants who serve the Master for the sake of receiving a reward, but rather be like servants who serve the Master without the intent of receiving reward..." One should not serve G'd for the sake of reward because doing so is serving Him with an ulterior motive. When G'd created existence, He did not create it with any motive other than to bring about a state of goodness. It was within the context of "*matnas chinum* (a free gift)." When one performs a mitzvah, he must do so within a similar context – "*chinum* – (free from any ulterior motive)." In order to merit a relationship with G'd one must assume His posture. This is the concept of "You must emulate His ways..."

The Midrash tells us that a person is not permitted to swear – even when one is swearing truthfully. Since an oath contains the Name of G'd, it is inappropriate to utilize His Name to further one's interests. The reason for this is if one does not live his life totally dedicated to G'd then swearing for himself is considered in his own interest and not G'd's. However, if one lives his life dedicated to G'd then he is able to utilize His Name to further his situation because his personal situation is synonymous with doing the Will of G'd. Thus, the Midrash says that only Yaakov, Yosef, Moshe and Dovid (HaMelech) were people who were permitted to swear in the Name of G'd.

One who lives his life within the context of "*chinum*," meaning performing the mitzvos for their own sake and dedicating his life to G'd, can request (as Moshe had done) that G'd also respond to his tefillah within the context of "*chinum*" (regardless of one's personal merit). If one performs the mitzvos with an ulterior motive, for the sake of personal gain, then why should G'd respond to him with "*chinum*." G'd responds in the same manner that one lives his life.

Thus, when we pray to G'd we do not ask Him to deal with us within the context of "*chinum*" because that is reserved for those one who live their lives completely dedicated to G'd without personal interest of reward. We pray to G'd to respond to us

with the Attribute of *Rachamim* (Mercy).

4. Appreciating Hidden Blessing

On the morning of Tisha B'Av we read from the Portion of Va'eschanan, **“When you beget children and grandchildren and will have been long in the Land, you will grow corrupt and make a carved image of anything, and you will do evil in the eyes of Hashem, your G'd, to anger Him...you will surely perish quickly from the Land...”**

The Gemara in Tractate Sanhedrin cites a verse from Daniel regarding the exile and destruction of the First Temple, “G'd expedited the tragedy (*rah*) (upon us) because Hashem our G'd is a tzaddik (righteous).” The Gemara tells us that when Nebuchadnezzar (Babylonian Emperor) exiled the Jewish people from the Land of Israel he did so in stages. One of the early exiles was that of Yechoniah (King of Yehudah). He was exiled to Babylon along with a group of people referred to as the “*chorish u masgeir* – when they spoke everyone was mute.” The Gemara tells us that these 1,000 individuals were the most advanced Torah Sages. When they would speak, everyone would remain mute and when they gave a definitive ruling, no one could respond. When Nebuchadnezzar later exiled another wave of Jewish people led by Tzidkiyahu (King of Yehudah), G'd caused them to be exiled to Babylon so that they would be exposed to the exceptional Torah Sages who preceded them. Thus, they were beneficiaries of their teachings.

This is the meaning of the words of Daniel, “G'd expedited the tragedy (*rah*) (upon us) because G'd is a tzaddik (righteous).” G'd expedited the second exile of Jews to Babylon so that they should come upon and be influenced by the exceptional Torah Sages who preceded them – guaranteeing the perpetuation of Torah until the end of time. Had it not been for the righteous act of G'd hastening the second Jewish exile, the Torah sages in Babylon would have passed away and their Torah would have been lost forever. Thus, even the suffering, tragedy, and pain associated with exile is understood as the righteousness of G'd. Because of these tragic events, Torah was able to continue.

It is difficult for one to assess and perceive the value or reason behind many difficult situations in our lives. However, because as the verse states in the Portion of Haazinu, “The Rock - perfect is His work, for all His paths are justice; a G'd of faith without iniquity, righteous and fair is He.” Therefore, these events, although we may not perceive their positive value, G'd must nevertheless be seen as righteous.

During the Holocaust the Jewish people of the Ponovitch, Lithuania, were totally annihilated by the Nazis (May their name be obliterated). The only survivors of that community were the Ponovitcher Rav z'tl (Rav Kahaneman z'tl) and his eldest son. What were the circumstances of their survival? In the late 1920's the eldest son of the Ponovitcher Rav received a draft notice for conscription into the army. At that time in Europe, it was not possible for one to live and survive as a Jew in the army. Therefore, the Ponovitcher Rav sent his son to study in Israel to avoid being drafted. In addition to being one of the Torah sages of Pre-World War Europe, the Ponovitcher Rav was intimately involved in his own family life. Therefore, when it was necessary for his eldest son to be sent to Israel, it disrupted his close-knit family and caused him great pain. In the late 1930's/early 1940's he ventured from Lithuania to visit his son in Israel. While there, the borders of Lithuania were sealed and the tragic events of Ponovitch ensued. He remained in Israel and established Torah (Ponovitch Yeshivah). The ripple effect of his efforts was felt throughout the Torah world of Israel. He was one of the great contributors

of Torah in Israel as we see it today.

Although throughout history many events were tragic (at the time of their occurrence) and we could not understand their far-reaching value; nevertheless, over time things clarified themselves. Because G'd - who is righteous - governs existence, ultimately it is for the good. For example, as a result of the tragic events in pre-World War Europe, Rav Moshe Feinstein z'tl (the world renowned decisor) and Rav Aaron Kotler z'tl (world renowned Rosh HaYeshivah) immigrated to the U.S. and established it as a center of Torah. Judaism would not have impacted on the U.S. as it has had it not been for the spiritual dimension of these two Torah giants. The effect of their lives is still felt until this very day. Although the Torah centers of Europe were destroyed, the beneficiary of that tragedy is the Jewish people of today.

The Gemara tells us that one who is the recipient of a miracle finds it difficult to appreciate and recognize the miracle that he is experiencing. The beneficiary of the miracle, because he is so involved, cannot see it. Similarly, even in the case where events seem tragic they are in actuality miracles of G'd that cannot be understood by the one who is experiencing them. This is why the Mishnah tells us in Tractate *Berachos* that just as "One must Bless G'd for the good, identically one must bless G'd for the bad."

5. The Limitation of Man's Understanding

The Torah tells us that Moshe pleaded with G'd to allow him to cross the Jordan and enter into the Land of Israel; however, G'd rejected Moshe's request. The Torah states that Moshe spoke to the Jewish people saying, "But Hashem became angry with me because of you, and He did not listen to me; Hashem said to me, 'It is too much for you! (*rav lach*) Do not continue to speak to Me further about this matter.'" Rashi explains the words "*rav lach*" (It is too much for you) to mean that G'd wanted Moshe to cease beseeching Him to enter into the Land because it would reflect negatively on G'd. G'd did not want the people to say that the Master is obstinate and without compassion for His student (Moshe).

In the Portion of Devarim, Moshe recounts the incident of the meraglim (the spies). He says that when G'd told the generation of the spies that they would not enter into the Land of Israel, "They retreated and wept before Hashem, but Hashem did not listen to your voice and He did not hearken to you." Rashi cites the Midrash (Tanchuma) which explains that G'd did not listen to the cries of the Jewish people because "they transformed the Attribute of Mercy and caused Him to be perceived as cruel." G'd is not cruel. One would think that the Midrash should have said that since the Jews were unworthy of entering the Land, their prayers were rejected based on the Attribute of Justice which dictates that only the deserving are rewarded. If so, why does the Midrash say that G'd's treatment of them appears cruel when in fact it was really proper Justice?

The Gemara in *Tractate Succah* tells us that *vayetar* is an expression of tefilla (prayer) that is so overpowering that it overturns the attribute of cruelty and establishes the Attribute of Mercy. The difficulty with the terminology used by the Gemara is that there is no such attribute as the "cruelty" of G'd. The Gemara should have said that it overturns the Attribute of Justice and establishes the Attribute of Mercy.

When the Midrash and the Gemara refer to the attribute of "cruelty" it is in fact

referring to the Attribute of Justice. However because of the limitation of human perception, one's lack of worthiness and the deserving of the Attribute of Justice, is viewed as "cruelty". It is only because of a person's lack of understanding of spiritual failing that he sees G'd's reaction as cruel. Therefore when a Jew prays to G'd to alleviate his plight and He does not respond, the individual views this as cruelty rather than understanding that he is unworthy of G'd's Mercy. G'd told Moshe to cease his pleading ("*rav lach* - It is too much for you") because if Moshe continued to beseech G'd and He would not respond, it would appear that He was being "cruel" rather than a lack of understanding who is deserving and who is not. To perceive G'd as being "cruel" is a Chilul Hashem (a desecration of G'd's Name). Therefore, Moshe needed to be silenced.

When the Jews pleaded with G'd to let them into the Land of Israel after the incident of the spies, the Attribute of Justice dictated that they did not have the merit to enter into the Land because of their failings. G'd's non-response to the beseeching of that generation caused G'd to appear as "cruel" from the limited human perspective.

With this understanding we can explain the Gemara in Tractate Bava Basra which says that at the end of time, G'd will tell the angels to expand the boundaries of every city except that of the Holy city of Jerusalem. The Gemara continues to say that the angels will come to G'd and ask Him, "How could You expand the boundaries of all the cities and not the Holy city of Jerusalem?" G'd will answer, "If that is the case, then expand the boundaries of Jerusalem also." We see from the dialogue between G'd and the angels that initially He did not intend to expand the boundaries of Jerusalem; however, only after the angels questioned Him did He agree to have the boundaries of Jerusalem broadened. How do we understand this?

The Mishna in Pirkei Avos (Ethics of our Fathers) tells us that one of the miracles which took place on the Temple Mount was that when the Jews worshipped in the Bais HaMikdash (the Temple) they were crowded in to the point that they were pressed against one another. However, when they heard the pronouncement of the Holy Name of G'd they prostrated themselves on the ground and miraculously there was sufficient room for them to do so. How was this possible? Although the Bais HaMikdash was a physical structure with a limited dimension, the essence of the location was spiritual. The spiritual dimension has no limitation – it has an unlimited capacity. Therefore when the Jews would prostrate themselves there was sufficient room for them to do so.

Jerusalem is the Holy City and its dimension is spiritual, which has an unlimited capacity. Therefore, Jerusalem (unlike all other cities of the world) will not need its boundaries to be expanded. Despite its physical limitation it has an unlimited capacity. However the angels will say to G'd that although it may be true there is no need to physically expand the boundaries of Jerusalem, nevertheless, since the world has no understanding of the reality of Jerusalem, their perception will be that all cities of the world would be expanded except for Jerusalem. The angels will be saying to G'd that this misconception will be a Chilul Hashem. G'd's response will be, "If this is the case, in order to avert the Chilul Hashem – expand the borders of Jerusalem as you have done with all other cities."

Often we find that G'd overturns the Attribute of Justice to establish the Attribute of Mercy in order to avoid a Chilul Hashem. He does this not for our sake but rather for the sake of His Holy Name. Thus when we pray to G'd, even though we may not be deserving, we should pray for His Mercy so that there should not be a Chilul Hashem.

6. Who is Truly Deserving?

Moshe prayed to G'd saying, "***Va'eschanan el Hashem – I implored Hashem ...***" Rashi cites Chazal which explains that the word "*Va'eschanan*" refers to graciousness of G'd. Moshe beseeched G'd as one who is undeserving and it is only through G'd's graciousness will He respond. Chazal tell us that although Moshe was an tzaddik (righteous person) who had sufficient merit to be deserving, nevertheless when tzaddikim pray to G'd they ask for "*Matnas Chinam- free gift*". That G'd's graciousness should favor them. If in fact Moshe was deserving, then, then why would he pray to G'd as if he were not?

It would be disgraceful for a person who has the means to purchase a certain item to ask the seller to release it to him without any cost. For example, in the Portion of Devarim when the Jewish people came near Edom, G'd told Moshe to tell the Klal Yisroel that they should "purchase food and drink from the Edomites." Rashi cites the Chazal which states that G'd wanted the Jews to pay for their food and drink (their needs), in order to not appear as if they were, "paupers". If they would, then they would be "ingrates." Simply, one could understand the words of Chazal to mean that if one can afford what one desires then he should pay for it. However, this is not what the Midrash is saying. The Midrash is saying that if a Jew understands that the resources which he was endowed with by G'd was only given to him to accommodate his function as a Jew, then he must utilize the blessing for that purpose. However, if he does not then he is considered "ingrate". If G'd gave wealth to the Jewish people it was meant for them to utilize it and not appear as paupers, which would be considered a Chilul Hashem (Desecration of G'd's name)- that G'd's people must beg for their existence. Therefore by not using the wealth that was given to them they would be considered "ingrates".

If one does not utilize the resources that have been given to him by G'd appropriately, then his appropriation it is a statement that he himself is the source of his own blessing.

Every tzaddik throughout his life performs an unlimited amount of mitzvos. The Mishna tells us that the "reward for a mitzvah in this world is not possible." If a tzaddik has such a wealth of merit then why does he beseech G'd through His attribute of Graciousness? A true tzaddik understands that although his own spiritual accomplishments are unlimited, nevertheless it all emanates from G'd. As Dovid HaMelech states in Tehilim (Psalms), "I am fortunate that You (G'd) have given me the clarity of mind." Meaning, the tzaddik is endowed by G'd with a clarity that allows him to make the right choice. Even the ability to execute the mitzvah is only possible because G'd Wills the function of our existence. If this is in fact the case, one is truly undeserving because whatever he has or accomplished is in fact a gift of G'd.

The Gemara tells us, "All is predestined by Heaven (G'd) except the fear of Heaven." The basis for deservingness is only if we make the right choice. It is difficult for the tzaddik to understand his deservingness when G'd provides him with every conceivable need to be able to fulfill his mission in existence. This is why Moshe beseeched G'd as if he was undeserving.

The question to ask ourselves is – what is the basis for disappointment in life? The greater one's expectation the greater will be one's disappointment. When things do not turn out as we thought they would, we are disappointed. The basis of the expectation is our sense of self worth, thus we feel we are deserving. G'd does not owe anyone anything. It is similar to a child becoming enraged with the parent if he does not give him what he wants. A tzaddik always praises G'd regardless of his personal situation because he understands that whatever he receives is only through the Grace of G'd.

If we recognize that we are the beneficiaries of G'd's endless Kindness, then we will remove disappointment from our lives and thus always being happy.