

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS

Covenant & Conversation

Near the end of Bemidbar, we encounter the law of the cities of refuge: three cities to the east of the Jordan and, later, three more within the land of Israel itself. There, people who had committed homicide could flee and find protection until their case was heard by a court of law. If they were found guilty of murder, in biblical times they were sentenced to death. If found innocent -- if the death happened by accident or inadvertently, with neither deliberation nor malice -- then they were to stay in the city of refuge "until the death of the High priest." There, they were protected against revenge on the part of the goel ha-dam, the blood-redeemer, usually the closest relative of the person who had been killed.

Homicide is never less than serious in Jewish law. But there is a fundamental difference between murder -- deliberate killing -- and manslaughter, accidental death. To kill someone not guilty of murder as an act of revenge for an accidental death is not justice but further bloodshed, and must be prevented. Hence the need for safe havens where people at risk could be protected.

The prevention of unjust violence is fundamental to the Torah. G-d's covenant with Noah and humankind after the Flood identifies murder as the ultimate crime: "He who sheds the blood of man, by man shall his blood be shed, for in the image of G-d, G-d created man" (Gen. 9:6). Blood wrongly shed cries to Heaven itself. G-d said to Cain after he had murdered Abel, "Your brother's blood is crying to Me from the ground" (Gen. 4:10).

Here in Bemidbar we hear a similar sentiment: "You shall not pollute the land in which you live, for blood pollutes the land, and the land can have no expiation for blood that is shed on it, except by the blood of him who shed it" (Num. 35:13). The verb ch-nph, which appears twice in this verse and nowhere else in the Mosaic books, means to pollute, to soil, to dirty, to defile. There is something fundamentally blemished about a world in which murder goes unpunished. Human life is sacred. Even justified acts of bloodshed, as in the case of war, still communicate impurity. A Cohen who has shed blood does not bless the people. (Berakhot 32b; Rambam, Hilkhos Tefillah 15:3) David is told that he may not build the Temple "because you

shed much blood." (I Chronicles 22:8) Death defiles.

That is what lies behind the idea of revenge. And though the Torah rejects revenge except when commanded by G-d. (Only G-d, the giver of life, can command us to take life, and then often only on the basis of facts known to G-d but not to us.) Something of the idea survives in the concept of the goel ha-dam, wrongly translated as 'blood-avenger.' It means, in fact, 'blood-redeemer.' A redeemer is someone who rights an imbalance in the world, who rescues someone or something and restores it to its rightful place. Thus Boaz redeems land belonging to Naomi. (See Ruth, chs. 3-4.) A redeemer is one who restores a relative to freedom after they have been forced to sell themselves into slavery. (See Lev. 25, where the verb appears 19 times.) G-d redeems His people from bondage in Egypt. A blood-redeemer is one who ensures that murder does not go unpunished.

However not all acts of killing are murder. Some are bi-shgagah, that is, unintentional, accidental or inadvertent. These are the acts that lead to exile in the cities of refuge. However, there is an ambiguity about this law. Was exile to the cities of refuge considered as a way of protecting the accidental killer, or was it itself a form of punishment, not the death sentence that would have applied to one guilty of murder, but punishment none the less. Recall that exile is a biblical form of punishment. Adam and Eve, after their sin, were exiled from Eden. Cain, after killing Abel, was told he would be "a restless wanderer on the face of the earth." We say in our prayers, "Because of our sins we were exiled from our land."

In truth both elements are present. On the one hand the Torah says, "The assembly must protect the one accused of murder from the redeemer of blood and send the accused back to the city of refuge to which they fled" (Num. 35:25). Here the emphasis is on protection. But on the other, we read that if the exiled person "ever goes outside the limits of the city of refuge to which they fled and the redeemer of blood finds them outside the city, the redeemer of blood may kill the accused without being guilty of murder" (Num. 35:26-27). Here an element of guilt is presumed, otherwise why would the blood redeemer be innocent of murder? (See Amnon Bazak, 'Cities of refuge and cities of flight,' in Torah Mi-Etzion, Devarim, Maggid, Jerusalem, 2012, 229-236.)

We can see the difference by looking at how

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the Talmud and Maimonides explain the provision that the exile must stay in the city of refuge until the death of the High Priest. What had the High Priest to do with accidental killing? According to the Talmud, the High Priest "should have asked for mercy [i.e. should have prayed that there be no accidental deaths among the people] and he did not do so." (Makkot 11a) The assumption is that had the High Priest prayed more fervently, G-d would not have allowed this accident to happen. Whether or not there is moral guilt, something wrong has occurred and there is a need for atonement, achieved partly through exile and partly through the death of the High Priest. For the High Priest atoned for the people as a whole, and when he died, his death atoned for the death of those who were accidentally killed.

Maimonides, however, gives a completely different explanation in The Guide for the Perplexed (III:40). For him the issue at stake is not atonement but protection. The reason the man goes into exile in a city of refuge is to allow the passions of the relative of the victim, the blood-redeemer, to cool. The exile stays there until the death of the High Priest, because his death creates a mood of national mourning, which dissolves the longing for revenge -- "for it is a natural phenomenon that we find consolation in our misfortune when the same misfortune or a greater one befalls another person. Amongst us no death causes more grief than that of the High Priest."

The desire for revenge is basic. It exists in all societies. It led to cycles of retaliation -- the Montagues against the Capulets in Romeo and Juliet, the Corleones and Tattaglias in The Godfather -- that have no natural end. Wars of the clans were capable of destroying whole societies. (See Rene Girard, Violence and the Sacred, Johns Hopkins University Press, 1977.)

The Torah, understanding that the desire for revenge as natural, tames it by translating it into something else altogether. It recognizes the pain, the loss and moral indignation of the family of the victim. That is the meaning of the phrase *goel ha-dam*, the blood-redeemer, the figure who represents that instinct for revenge. The Torah legislates for people with all their passions, not for saints. It is a realistic code, not a

utopian one.

Yet the Torah inserts one vital element between the killer and the victim's family: the principle of justice. There must be no direct act of revenge. The killer must be protected until his case has been heard in a court of law. If found guilty, he must pay the price. If found innocent, he must be given refuge. This single act turns revenge into retribution. This makes all the difference.

People often find it difficult to distinguish retribution and revenge, yet they are completely different concepts. Revenge is an I-Thou relationship. You killed a member of my family so I will kill you. It is intrinsically personal. Retribution, by contrast, is impersonal. It is no longer the Montagues against the Capulets but both under the impartial rule of law. Indeed the best definition of the society the Torah seeks to create is *nomocracy*: the rule of laws, not men.

Retribution is the principled rejection of revenge. It says that we are not free to take the law into our own hands. Passion may not override the due process of the law, for that is a sure route to anarchy and bloodshed. Wrong must be punished, but only after it has been established by a fair trial, and only on behalf, not just of the victim but of society as a whole. It was this principle that drove the work of the late Simon Wiesenthal in bringing Nazi war criminals to trial. He called his biography *Justice*, not *Vengeance*. The cities of refuge were part of this process by which vengeance was subordinated to, and replaced by, retributive justice.

This is not just ancient history. Almost as soon as the Berlin Wall fell and the Cold War came to an end in 1989, brutal ethnic war came to the former Yugoslavia, first in Bosnia then Kosovo. It has now spread to Iraq, Syria and many other parts of the world. In his book *The Warrior's Honor: Ethnic War and the Modern Conscience* (New York: Henry Holt, 2000), Michael Ignatieff wondered how these regions descended so rapidly into chaos. This was his conclusion (p.188):

"The chief moral obstacle in the path of reconciliation is the desire for revenge. Now, revenge is commonly regarded as a low and unworthy emotion, and because it is regarded as such, its deep moral hold on people is rarely understood. But revenge -- morally considered -- is a desire to keep faith with the dead, to honor their memory by taking up their cause where they left off. Revenge keeps faith between the generations; the violence it engenders is a ritual form of respect for the community's dead -- therein lies its legitimacy. Reconciliation is difficult precisely because it must compete with the powerful alternative morality of violence. Political terror is tenacious because it is an ethical practice. It is a cult of the dead, a dire and absolute expression of respect."

It is foolhardy to act as if the desire for revenge

does not exist. It does. But given free reign, it will reduce societies to violence and bloodshed without end. The only alternative is to channel it through the operation of law, fair trial, and then either punishment or protection. That is what was introduced into civilization by the law of the cities of refuge, allowing retribution to take the place of revenge, and justice the place of retaliation. ©2015 Rabbi Lord J. Sacks and rabbisacks.org

RABBI SHLOMO RISKIN

Shabbat Shalom

What unites Jews throughout the world as one nation and one people? What is the most critical factor responsible for our amazing persistence as a unique historical entity, despite our having been scattered throughout the globe and subject to persecution and pogrom, despite our having been chased from pillar to post? What idea and ideal have prevented us from falling prey to assimilation, from disappearing into the sands of time as just another grain of sand, indistinguishable from the other grains, simply being "a part of" rather being "set apart from"? Why have we insisted upon Jewish exclusivity, Jewish separatism, Jewish apartness?

Our biblical portion of Matot makes a distinction between two technical terms which it doesn't quite define: "If a man makes a vow [neder] to dedicate an object to the Lord, or takes an oath [shevua] to prohibit himself from partaking of a certain food or from participating in a certain activity, he must not desecrate his word" (Numbers 30:3). My revered teacher and mentor Rabbi Joseph B. Soloveitchik defines a vow as pertaining to an object (a person is on a diet, and he vows that henceforth bread will become for him as prohibited as bacon), and an oath as pertaining to a subject (the person himself will no longer eat bread).

In the first instance of a vow, the emphasis is on the object, the bread, the "heftza" in the second instance of oath, the emphasis is on the subject, the person, the "gavra".

In the Talmudic school of Brisker methodology, much of the world may be divided between gavra and heftza, subject and object; indeed, in most instances a human being, especially if he is born to be free ought be seen as a "subject." However, if a person is enslaved, he ipso facto has been turned into an "object," having been denied his fundamental freedom of choice.

This distinction can serve us well in attempting to answer our opening philosophical query about what sets Jews apart and makes us unique. But, first, a personal experience of significance: At the end of the Yom Kippur War, while on an El Al airplane on the way to Israel, I was shocked to discover news about an acquaintance of mine, who had lost his first family in Auschwitz, remarried and had two sons on the West

Side of Manhattan, had moved to Israel and lost his eldest boy in the Six Day War -I discovered that he had now lost his only remaining son in the Yom Kippur War.

I made a condolence call as soon as I got off the plane.

My disconsolate friend was sitting on the floor with his wife, surrounded by would-be comforters; no one, however, said a word, so that the atmosphere was tense with a heavy silence which shouted upwards to heaven in tear-filled protest. As I quietly intoned the condolence formula: "May the Place [Makom, a synonym for G-d] comfort you among the mourners of Zion and Jerusalem", my friend looked up. "Why does the blessing use the word Makom and not Elokim or Hashem?" He didn't wait for a reply, but himself offered the answer. "When I lost my first family in the Holocaust, I couldn't even mourn properly and I could not be comforted; it all seemed so absurd and meaningless.

"Now, however, although I am devastated and unable to speak to my comforters, I nevertheless do feel comforted.

"The place comforts me; the fact that my second set of children were killed to preserve Israel and Jerusalem, to guarantee Jewish future and Jewish destiny. Yes, the place comforts me..."

Allow me to interpret this distraught but wise father's words on the basis of yet another insight from Rav Soloveichik. In Kol Dodi Dofek, my rebbe distinguishes between the Holocaust experience in which the Jews were united by a common fate (goral) foisted upon them from without, from a largely sinister gentile world cooperating enthusiastically with the "final solution" of Nazi Germany's-and the Sinai experience, in which the Jews were united by a common destiny (yi'ud) which they accepted upon themselves, pledging to be a holy nation and a kingdom of priest-teachers to convey G-d's message of compassionate righteousness and moral justice to the world. It is this sense of destiny which brought us to Israel and compels us to fight against tyranny and terrorism.

At this time, we remember the three pure and holy sacrificial Jewish victims of one year ago, Gil-Ad Shaer, Eyal Yifrah and Naftali Fraenkel, who were captured and mercilessly murdered outside Alon Shvut in Gush Etzion. Tragically, an innocent Palestinian boy, Muhammad Abu Khdeir, was cruelly murdered at the hands of misguided and evil Jewish teenagers. The Gush lies geographically between Hebron-where G-d initially chose Abraham and made him the father of a multitude of nations including Ishmael because he was teaching his descendants G-d's path of compassionate righteousness and moral justice (Gen. 18:18-19)-and Jerusalem, where Jewish and world history will culminate in the rebuilding of a Holy Temple from whence Zion's message of a Torah of peace and redemption will be accepted by all the nations of the

globe. Now too, the "place" (makom) comforts us in our period of national rebirth-among the mourners of Zion and Jerusalem. ©2015 Ohr Torah Institutions & Rabbi S. Riskin

RABBI BEREL WEIN

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The opening theme of this week's double parsha/Torah reading, concerns itself with the laws of vows and verbal commitments. The Torah nevertheless introduces this subject by stating that these laws and values were transmitted to the heads of the tribes of Israel. Since these laws are binding upon the entire Jewish people and are clearly discussed and explained in the Talmud in the tractate of Nedarim, the question obviously is raised as to why the emphasis was placed on teaching these laws to the leaders of the tribes of Israel.

Since they are binding on all Jews then why the special notation regarding the heads of the tribes of Israel? Over the centuries, the great commentators to the Torah have offered varied explanations and different comments regarding this matter. In our time when democratic elections take place on a regular basis and politicians are constantly running for office, I believe that we can understand a special relevance to Moshe's first emphasizing these laws to the leaders of the tribes of Israel.

Leaders have a tendency to speak in exaggerated terms and make exorbitant promises. We are witness to the famous excuse "that one sees when in office what one did not see when campaigning for that office." Thus the intelligent citizen will always inject a note of skepticism regarding campaign promises, party platforms or policy pledges.

The Torah views the spoken word as being sacrosanct. "What comes forth from one's mouth should be honored and observed and implemented." Since the tendency of leaders is somehow to be loose with promises, the Torah makes a special point of addressing these laws regarding verbal commitments to the leaders of the tribes of Israel.

In general, the Torah always places special emphasis and importance on the spoken word. "Life and death are dependent upon the spoken word of the tongue." In the Talmud we are taught which verbal commitments are legally binding and which are to be taken only as "words" without legal consequence. Nevertheless the Talmud emphasizes that mere "words" even if not legally binding are of moral importance.

In the times of the Talmud, one could publicly issue a harsh criticism of someone who did not stand by his or her word even if that verbal commitment was not legally actionable or enforceable. The highest compliment even in today's sometimes cutthroat economic world is that "so and so is a person of his or

her word."

Exaggerations abound, negotiating positions are ploys and not to be taken seriously and yet even when we realize this, we are taken aback and disappointed when seeming commitments and spoken promises are ignored. There is an inner voice within us that demands that what we say should be what we mean and should be carried out effectively in behavior and action. This is true for all of us no matter what our circumstances may be. But it is doubly true for leaders and public figures whose words are taken seriously by their listeners and can have devastating effects when not honored or fulfilled. This is an important lesson for our current times and society. ©2015 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com

RABBI AVI WEISS

Shabbat Forshpeis

The portion of Masei includes the sentence that speaks to the commandment of living in Israel. The key phrase is "and you shall take possession of the land and dwell therein." (Numbers 33:53)

Rashi is of the opinion that this sentence does not constitute a command to live in Israel. It is rather good advice. Take possession of the land from its inhabitants, otherwise you will not be able to safely live there.

Ramban (Nahmanides) disagrees. In his addendum to Rambam's (Maimonides) Book of Commandments, Ramban notes that Rambam failed to mention living in Israel as a distinct mitzvah. Ramban writes: "We have been commanded in the Torah to take possession of the land which G-d gave to the patriarchs and not leave it in the hands of others or allow it to remain desolate, as it says 'and you shall take possession of the land and dwell therein.'" (Addendum, Mitzvat Aseh 4)

Some commentators argue that implicit in Rambam is the commandment to live in Israel. So basic is the mitzvah, writes the late former Ashkenazi Chief Rabbi Shlomo Goren, that it need not be mentioned, as it is the basis for all of Torah.

But whether or not one maintains that Rambam believes it is a mitzvah to live in Israel, doesn't this commandment, as certainly understood by Ramban, fly in the face of our mission to be an or la'goyim? How can we be a light to the nations of the world if we don't live amongst Gentiles and are ensconced in our own homeland?

One could argue however, that the mandate to live in the chosen land of Israel is crucial to the chosen people idea. Being the chosen people doesn't mean that our souls are superior. Rather it suggests that our

mission to spread a system of ethical monotheism, of G-d ethics to the world, is of a higher purpose. And that can only be accomplished in the land of Israel.

From this perspective, the significance of the modern state of Israel is not only as the place of guaranteed political refuge for Jews; or as the place where more mitzvot can be performed or where our continuity as a Jewish nation is assured. Rather it is the only place where we have the potential to carry out the chosen people mandate.

In exile, we can develop communities that can be a "light" to others. But the destiny of the Jewish people lies in the State of Israel. Israel is the only place where we as a nation can become an or la'goyim. In the Diaspora, we are not in control of our destiny; we cannot create the society envisioned by the Torah. Only in a Jewish state do we have the political sovereignty and judicial autonomy to potentially establish the society from which other nations can learn the basic ethical ideals of Torah.

As we near Tisha B'av, the fast commemorating our exile from the land, this position reminds us of our obligation to think about Israel, to visit Israel, and, most important, to constantly yearn to join the millions who have already returned home. Only there do we have the potential to be the true am hanivhar (chosen people). ©2012 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale

RABBI HERSHEL SCHACHTER

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At the very end of Chumash Bamidbar the Torah relates that the leaders of shevet Menashe came to Moshe Rabbeinu with the following problem: because Tzlafchad had no sons his estate would be inherited by his daughters. The shevet of a child is determined by the shevet of his or her father, so if Tzlafchad's daughters would marry someone from another shevet, their husbands' shevatim will take possession of Tzlafchad's portion of Menashe's land when Tzlafchad's daughters' children inherit their mothers' property, and thus shevet Menashe would lose part of its share in Eretz Yisroel.

In response to this problem Hakadosh Baruch Hu tells Moshe Rabbeinu that as a hora'as sha'ah any single girl who inherits land in Eretz Yisroel must marry a boy from her own shevet. This halacha only applied through the fourteenth year after Yehoshua bin Nun crossed the Yarden River. The navi tells us that it took seven years to conquer all of Eretz Yisroel, and the gemara records an oral tradition that it took an additional seven years to divide all the territory among the shevatim, families, and individuals. At the time the division of Eretz Yisroel was completed, the territory of

each shevet was owned exclusively by members of that shevet. Once the division was completed, this hora'as sha'ah no longer applied.

The gemara (Bava Basra 120a) records a tradition that this hora'as sha'ah applied to all girls who inherited their fathers except for the daughters of Tzlafchad, who were allowed to marry anyone they wanted. Despite their exemption, the Chumash says that benos Tzlafchad listened to Moshe Rabbeinu and married boys from their own shevet. The gemara explains that this was a recommendation of Moshe Rabbeinu and not a din. We always recommend that one marry someone with a similar background as themselves for practical reasons, since two people with similar backgrounds have a better chance of blending together well and being blessed with shalom bayis.

The Ohr Hachaim asks: what motivated the chachomim to say that this hora'as sha'ah did not apply to benos Tzlafchad themselves? The simple reading of the parsha seems to say differently. The problem was raised by the leaders of shevet Menashe because of benos Tzlafchad, so what should lead us to believe that this special hora'as sha'ah should apply to all others but not them?

The answer can perhaps be found in the comment Rashi quotes at the beginning of parshas Matos from the Sifrei. All other prophets, just like Moshe Rabbeinu, will introduce their nevuah with the expression, " koh amar Hashem -- this is the gist of what Hashem said", but only Moshe Rabbeinu is able to introduce his nevuah with the expression, " zeh hadavar asher diber Hashem -- this is precisely what Hashem has said." Moshe Rabbeinu was the only navi who received direct dictation from Hashem word for word and letter for letter. All the other nevi'im were only shown a divine vision and interpreted it using their own vocabulary; even if two nevi'im would be shown the same exact vision each would interpret the vision using his own vocabulary. The Talmud therefore tells us that it never happened that two nevi'im were given the exact same prophecy in the exact same words. Sometimes Moshe Rabbeinu was given direct dictation and sometimes was shown a vision and instructed to interpret it using his own language.

Rav Levi Yitzchak of Berdichov (in Kedushas Levi) explains under what circumstances Moshe Rabbeinu received direct dictation and when, like other nevi'im did he have to interpret a vision he was shown: whenever Moshe was told something that was only a hora'as sha'ah he was functioning in the same capacity as other nevi'im and thus would have to interpret a vision. But whenever Moshe was told a din ledoros it was not a transmission of nevuah but rather of Torah, and Torah had to be given via direct dictation. [Ed: See also Mitzvot Le-Dorot and Hora'ot Sha'ah, where Rav Schachter discusses this distinction as well.]

It has been accepted for thousands of years

that the law prohibiting a girl who inherited land from marrying a boy from a different shevet was a hora'as sha'ah, so why does Moshe Rabbeinu introduce that halacha with the phrase "zeh hadavar asher tzivah Hashem"? "Zeh hadavar" implies direct dictation and "tzivah" indicates a mitzvah, which is a technical term used only to describe a din which is part of Torah and applies for all generations! Perhaps this is what led the gemara to understand the passuk to indicate that only the din ledoros applied to benos Tzafchad and thus they were able to marry anyone they chose, i.e. the hora'as sha'ah did not apply to them. ©2015 Rabbi H. Schachter and TorahWeb.org

RABBI DOV KRAMER

Taking a Closer Look

"Your servants shall do as my master commands; our young ones, our wives, our cattle and all our animals will be there, in the cities of the Gilad, and our servants shall have all [our] armed forces pass before G-d to wage war, as my master spoke of" (Bamidbar 32:25-27). How could the sons of Gad and R'uvein say that Moshe had "commanded them" to do this, if it was their idea to have their families and animals stay on the eastern side of the Jordan River while their soldiers crossed to help the rest of the nation fight on the western side? Wasn't Moshe reluctant (at least at first) to follow their suggestion? Also, why did they add "as my master spoke of" after having already said that it was Moshe who had commanded them? And why the switch from the word "commanded" to "spoke of"?

Malbim and Or Hachayim suggest that the "commandment" they referred to was not having their soldiers cross over to fight while everyone (and everything) else from their Tribes stayed behind, but to the change in order from building structures for their animals first and then homes for their families, which was their original plan (32:16), to first building homes for their families and then taking care of their animals, as Moshe told them to do (32:24, baruch she'kavanti, unless I had previously seen it, and forgotten that I had; see page 5 of <http://tinyurl.com/o5ce6kg> for an explanation as to why they wanted to build enclosures for their animals first). When they said "as my master spoke of" they were referring to a different difference between what they had offered to do and what Moshe agreed to; whereas they had said they would take up arms "before the Children of Israel" (24:17), Moshe phrased it as "taking up arms before G-d" (24:20 and 24:21), putting the focus on doing it for G-d and the way G-d wants/expects it to be done, rather than doing it for the nation and how they might want things done. They agreed to make G-d the focal point, "as Moshe had phrased it," besides following what he had "commanded" them regarding which structures to build first.

There is one more instance of the sons of Gad and R'uvein restating that their soldiers would cross over and fight with the rest of the nation, telling everyone (not just Moshe) that they will "do that which G-d has spoken" (32:31). Although the entire conversation had only been between Gad/R'uvein and Moshe, so there was nothing said by G-d for them to say they will obey Him, Rabbeinu Bachye (32:27) explains that since Moshe was filled with His divine spirit, and was only telling them what G-d wanted of them, doing as Moshe said was the same as following what G-d said. However, this part of the "conversation" was only about them being part of the fighting force; there is no mention here about which structures to build first. Based on the Malbim and Or Hachayim, the only other thing Moshe added was that the fighting be done "before G-d" rather than "before the Children of Israel" (which was included in what is described as being what "G-d spoke"). If this is what is being referred to as having been "spoken by G-d" (and Rabbeinu Bachye does tell us that it refers to what Moshe spoke to explain the words that "Moshe spoke," indicating that they are the same), it would mean that when the sons of Gad and R'uvein tell the nation they will do what G-d told them, they were saying that G-d told them to focus on Him rather than on them. This is not just awkward because it is being said to the nation, but because they would be saying that G-d told them to focus on G-d (as opposed to Moshe telling them to focus on G-d).

Another way of explaining what Moshe had "spoken of" (which the sons of Gad and R'uvein said they would do) is that it refers not (just) to fighting "before G-d" (instead of "before the Children of Israel"), but to the very notion that they would join (and perhaps lead) the fighting even though they would already have been given their land. True, this idea originated with them, but once it was accepted by Moshe, it was something he had also "spoken about" (notice that the word used is "doveir" not "dibeir," which is normally the word used when someone has introduced a new idea via the spoken word). We are all inundated with the thoughts and ideas of others, but only those that resonate with us are accepted as being (possibly) correct. These become, to an extent, our own ideas. Not in the sense that we should take any credit for having been the originator of the thought expressed, but by merely repeating it (ideally with attribution) as if it has validity, we give it our personal "stamp of approval," and others may now value it more knowing that we think it has value. In this case, Moshe accepting Gad/R'uvein suggestion gave it more legitimacy; by saying "as my master spoke of" they were expressing the fact that Moshe's acceptance has extreme value.

According to this, an interesting progression took place. Something was suggested by Gad/R'uvein, which was accepted by Moshe, giving him partial "ownership." And since Moshe was so "in sync" with

what G-d was thinking (as it were) that his carefully-considered thoughts could be described as G-d's, the sons of Gad and R'uvein end up describing their own idea as having been "spoken by G-d."

The Midrash (Sh'mos Rabbah 20:14) tells us that G-d didn't bring us straight into the Promised Land (after the exodus) because Canaan only had portions; by bringing us through the desert, we were able to conquer the land east of the Jordan too (let's put aside why we couldn't have conquered the west side first and then the east side), giving us an additional two portions, enough for all 12 Tribes (with the land east of the Jordan designated for Gad, R'uvein and half of M'nashe). It would seem that even if Gad and R'uvein hadn't asked for this land, they would have received it as their portion (see <http://tinyurl.com/oozpgg6>). They knew it would eventually be theirs (see 32:4; "for it is a land [appropriate for] cattle, and your servants have cattle"), and were only asking that it become theirs now, rather than having to cross the Jordan with their families and belongings just to cross back over (with their families and belongings) after everything was conquered and distributed. This is why, when the lottery that determined which portion of land went to each Tribe was drawn, all 12 Tribes were represented (see Rashi on Bamidbar 26:54), not just the 10 whose lands had not yet been specified. It is also why Moshe gave half of M'nashe their land now even though they hadn't asked for it; since both Moshe and M'nashe knew it would eventually be theirs, how could Moshe make them schlep everything back and forth if Gad and R'uvein didn't have to?

From this perspective, it was only the timing that was under discussion, not which land they would eventually get. When Moshe was making it official, though, he added a new, very significant, wrinkle; "if they do not cross over armed (i.e. ready to fight) with you (the rest of the nation), they will inherit amongst you in the Land of Canaan" (32:30). Were the sons of Gad and R'uvein willing to risk losing their rightful inheritance if they didn't keep their commitment? They responded by saying "that which G-d has spoken, so shall we do" (32:31). They weren't just referring to their previously made commitment to join (or lead) the fight with the rest of their nation. If Moshe said the consequences of not doing so would be to lose their inheritance (and likely be "guests" among the other Tribes, similar to the way the Tribe of Shimon dwelled within the Tribe of Y'hudah), this must be what G-d had told him the consequences would be (see 32:23). Gad and R'uvein were acknowledging this as they accepted the conditions for being able to get their portions now. They would build houses for their families before building enclosures for their animals, as Moshe had commanded. They would fight with the rest of the nation, focusing on G-d in the process, as Moshe had spoken of. And they accepted the consequences for not

doing so, as G-d had spoken. © 2015 Rabbi D. Kramer

RABBI SHLOMO RESSLER

Weekly Dvar

After Moshe lost an entire generation of Jews because they resisted entering the land of Israel, in Parshat Matot they seem to be doing the exact same thing. As they prepare to enter the land, the shevatim (tribes) of Reuven and Gad approach Moshe with a similar request. This time they claim to want to "build for their flocks and cities for the small children" (32:16). After warning them not to make the same mistake as the previous generation, Moshe agrees to let them live outside of the Promised Land, but appears to bargain with them by getting them to agree to help the others fight for the land first. Why did Moshe agree to let them live outside of the promised land, and what did he bargain for?

A closer inspection of the dialogue helps us answer these questions, and can help us understand the importance of setting priorities. When Moshe responds to them (32:24), he tells them to "build for yourselves cities for your small children and pens for your flocks", exactly the opposite order in which they asked. What Moshe was really telling them was that if they're really looking out for the well-being of their children, then look after them (i.e. their perspectives) before building yourselves cities and buildings. This can also be why he allowed them to settle outside the Land altogether: Moshe understood that it wasn't that the tribes lacked faith in their destiny, because they were willing to fight for it with everyone else, but rather that from their perspective living right outside the Land would be better for them logistically. Being able to accept other perspectives, despite initial fears and uncertainties, is the true test of being a thoughtful Jew, a positive parent and an understanding person. © 2015 *The AishDas Society*

RABBI DOVID SIEGEL

Haftorah

This week's haftorah continues the theme of the three weeks and introduces the month of Av. The prophet Yirmiyahu reprimands the Jewish people and reminds them, in the name of Hashem, of all of the favors they have received over the years. Hashem asks, "What wrong did your fathers find in Me that distanced them from Me and resulted in their following the empty practices of idolatry diminishing the Jews to nothingness? They didn't turn to Hashem who brought them up from Egypt and led them through the desolate dangerous desert." Hashem continues, "And I brought them to the fertile land of Israel to partake of its fruits and goodness. But they defiled My land and disgraced My inheritance." (Yirmiyahu 2:5) Hashem faults the Jewish nation for presently rejecting Him and resorting to the shameful ways of idolatry.

Hashem says, "They forsook Me, the source of the waters of life; to dig empty cisterns." But the blame wasn't limited to the common folk, it even extended to their leaders and prophets. Hashem describes their spiritual decline in the following terms, "The Kohanim didn't revere Me and the upholders of Torah didn't publicize My name, the kings rebelled against Me and the prophets delivered false prophecy." (2: 8) This bleak picture of the Jewish people was certainly not a comforting one and almost promised immediate retribution and destruction.

Yet, we discover that Hashem's response to all the above was one of concern and compassion. Hashem surprisingly responded, "Therefore I will continue to quarrel with you and even with your grandchildren." Hashem vowed to send more prophets and continue showing them and their descendants the proper path. Although every attempt thus far had been unsuccessful Hashem remained determined to help His people. Hashem refused to reject them even after the numerous rejections they showed him. The present leaders were not loyal to Hashem and didn't inspire the nation to repent and follow the proper path. Perhaps the next group of leaders would be more loyal and could successfully leave their imprint on the Jewish people. Although the Jews had reduced themselves to the point of emptiness and nothingness Hashem still cared about them with deep compassion. He wouldn't leave His people until every last avenue had been exhausted and it had been determined that there was literally no more hope for them.

This unbelievable degree of compassion is explained in the verses immediately preceding this week's haftora. Hashem says, "I remember you for the kindness of your youth, the love of our initial relationship when you blindly followed Me in the desert." Even after all the offenses the Jewish people committed against Him, Hashem still remembered His initial relationship with His people. Hashem never forgets those precious years wherein He enjoyed a perfect relationship with His people. Hashem actually longs for the opportunity of returning to that relationship and will do virtually anything to restore things to their original perfection. This explains Hashem's persistence in sending prophets to the Jewish people attempting to persuade them to return. In truth, Hashem views the Jewish people from an entirely different perspective than their present rebellious state. Hashem sees them through the visions of the past. True, they have presently gone totally astray but Hashem sees in them their perfect past as the devout people whose intimate relationship with Him directed them to follow blindly wherever they were led. Hashem therefore expresses His sincere desire that the present Jewish nation live up to His perfect vision of them, the glorious vision of the past. Through this perspective the Jewish people deserve every last chance they can to return to their

glorious era.

With this insight in mind we can truly appreciate the words of Chazal in Midrash Tehilim (137) which reveal Hashem's indescribable love and compassion for His people. The Midrash relates that the Prophet Yirmiyahu accompanied the Jewish people into their exile until the Euphrates River, the doorstep of Bablyonia. He then informed them that he would be leaving and returning to the segment of Jewish people left behind in the land of Israel. Suddenly there was an outburst of uncontrollable weeping from the Jewish people who realized that they were being abandoned by Yirmiyahu. He responded with the following words, "I testify in the name of Hashem that if this sincere cry would have transpired moments ago, when we were still in our homeland, the exile would never have come about," So great is Hashem's love for His people that even after all the atrocities they committed, rebelling against Hashem and intentionally spiting Him, one sincere gesture from the Jewish people was all that was needed. Even one emotional outburst, sensing Hashem's rejection would have sufficed to hold back the terrible calamity they now faced. Hashem loves His people so deeply that even at the last moments He still awaited their return to Him and was prepared to call off their imminent exile. In Hashem's eyes we will always be seen through the perspective of our past, a perfect devout people ready to serve Him unconditionally. And Hashem is therefore always prepared to do anything He can to restore us to that glorious position, His perfect nation. © 2015 The AishDas Society

