

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS

Covenant & Conversation

What is the real challenge of maintaining a free society? In parshat Eikev, Moses springs his great surprise. Here are his words: "Be careful that you do not forget the Lord your God... Otherwise, when you eat and are satisfied, when you build fine houses and settle down, and when your herds and flocks grow large and your silver and gold increase and all you have is multiplied, then your heart will become proud and you will forget the Lord your God, who brought you out of Egypt, out of the land of slavery... You may say to yourself, 'My power and the strength of my hands have produced this wealth for me.'... If you ever forget the Lord your God... I testify against you today that you will surely be destroyed." (Deut. 8:11-19)

What Moses was saying to the new generation was this: You thought that the forty years of wandering in the wilderness were the real challenge, and that once you conquer and settle the land, your problems will be over. The truth is that it is then that the real challenge will begin. It will be precisely when all your physical needs are met -- when you have land and sovereignty and rich harvests and safe homes -- that your spiritual trial will commence.

The real challenge is not poverty but affluence, not insecurity but security, not slavery but freedom. Moses, for the first time in history, was hinting at a law of history. Many centuries later it was articulated by the great 14th century Islamic thinker, Ibn Khaldun (1332-1406), by the Italian political philosopher Giambattista Vico (1668-1744), and most recently by the Harvard historian Niall Ferguson. Moses was giving an account of the decline and fall of civilisations.

Ibn Khaldun argued similarly, that when a civilisation becomes great, its elites get used to luxury and comfort, and the people as a whole lose what he called their *asabiyah*, their social solidarity. The people then become prey to a conquering enemy, less civilised than they are but more cohesive and driven.

Vico described a similar cycle: "People first sense what is necessary, then consider what is useful, next attend to comfort, later delight in pleasures, soon grow dissolute in luxury, and finally go mad squandering their estates."

Bertrand Russell put it powerfully in the introduction to his *History of Western Philosophy*.

Russell thought that the two great peaks of civilisation were reached in ancient Greece and Renaissance Italy. But he was honest enough to see that the very features that made them great contained the seeds of their own demise: "What had happened in the great age of Greece happened again in Renaissance Italy: traditional moral restraints disappeared, because they were seen to be associated with superstition; the liberation from fetters made individuals energetic and creative, producing a rare fluorescence of genius; but the anarchy and treachery which inevitably resulted from the decay of morals made Italians collectively impotent, and they fell, like the Greeks, under the domination of nations less civilised than themselves but not so destitute of social cohesion."

Niall Ferguson, in his book *Civilisation: the West and the Rest* (2011) argued that the West rose to dominance because of what he calls its six "killer applications": competition, science, democracy, medicine, consumerism and the Protestant work ethic. Today however it is losing belief in itself and is in danger of being overtaken by others.

All of this was said for the first time by Moses, and it forms a central argument of the book of Devarim. If you assume -- he tells the next generation -- that you yourselves won the land and the freedom you enjoy, you will grow complacent and self-satisfied. That is the beginning of the end of any civilisation. In an earlier chapter Moses uses the graphic word *venoshantem*, "you will grow old" (Deut. 4:25), meaning that you will no longer have the moral and mental energy to make the sacrifices necessary for the defence of freedom.

Inequalities will grow. The rich will become self-indulgent. The poor will feel excluded. There will be social divisions, resentments and injustices. Society will no longer cohere. People will not feel bound to one another by a bond of collective responsibility. Individualism will prevail. Trust will decline. Social capital will wane.

This has happened, sooner or later, to all civilisations, however great. To the Israelites -- a small people surrounded by large empires -- it would be



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disastrous. As Moses makes clear towards the end of the book, in the long account of the curses that would overcome the people if they lost their spiritual bearings, Israel would find itself defeated and devastated.

Only against this background can we understand the momentous project the book of Devarim is proposing: the creation of a society capable of defeating the normal laws of the growth-and-decline of civilisations. This is an astonishing idea.

How is it to be done? By each person bearing and sharing responsibility for the society as a whole. By each knowing the history of his or her people. By each individual studying and understanding the laws that govern all. By teaching their children so that they too become literate and articulate in their identity.

Rule 1: Never forget where you came from.

Next, you sustain freedom by establishing courts, the rule of law and the implementation of justice. By caring for the poor. By ensuring that everyone has the basic requirements of dignity. By including the lonely in the people's celebrations. By remembering the covenant daily, weekly, annually in ritual, and renewing it at a national assembly every seven years. By making sure there are always prophets to remind the people of their destiny and expose the corruptions of power.

Rule 2: Never drift from your foundational principles and ideals.

Above all it is achieved by recognising a power greater than ourselves. This is Moses' most insistent point. Societies start growing old when they lose faith in the transcendent. They then lose faith in an objective moral order and end by losing faith in themselves.

Rule 3: A society is as strong as its faith.

Only faith in God can lead us to honour the needs of others as well as ourselves. Only faith in God can motivate us to act for the benefit of a future we will not live to see. Only faith in God can stop us from wrongdoing when we believe that no other human will ever find out. Only faith in God can give us the humility that alone has the power to defeat the arrogance of success and the self-belief that leads, as Paul Kennedy argued in *The Rise and Fall of the Great Powers* (1987), to military overstretch and national defeat.

Towards the end of his book *Civilisation*, Niall Ferguson quotes a member of the Chinese Academy of

Social Sciences, part of a team tasked with the challenge of discovering why it was that Europe, having lagged behind China until the 17th century, overtook it, rising to prominence and dominance.

At first, he said, we thought it was your guns. You had better weapons than we did. Then we delved deeper and thought it was your political system. Then we searched deeper still, and concluded that it was your economic system. But for the past 20 years we have realised that it was in fact your religion. It was the (Judeo-Christian) foundation of social and cultural life in Europe that made possible the emergence first of capitalism, then of democratic politics.

Only faith can save a society from decline and fall. That was one of Moses' greatest insights, and it has never ceased to be true. *Covenant and Conversation 5777 is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl z"l ©2017 Rabbi Lord J. Sacks and rabbisacks.org*

RABBI SHLOMO RISKIN

Shabbat Shalom

"**A**nd it shall come to pass, because you hearken to these laws, safeguarding and keeping them, that the Lord your God shall keep the covenant with you and the mercy that He swore unto your ancestors, and He will love you, and bless you...in the land which He swore to your ancestors to give you" [Deut. 7:12–13].

How secure can world Jewry – and the citizens of Israel – feel about the future of the Jewish State? Have we returned to Israel for good, or does this "third commonwealth" represent only a possible opportunity, its long-term stability dependent on the moral, ethical, and spiritual commitment of its residents?

In this week's portion of Ekev we find two passages that, at first glance, seem to contradict each other concerning this issue. The first passage, cited above, speaks for itself: our entire relationship to the land depends on our fidelity to the terms of the covenant. In fact, the opening word of the portion, "Ekev," is a conditional term (the desired goal will result "because," "ekev"), underscoring the theme of qualification.

If the Jewish People were to forsake the covenant, they would have to pay the price of not inheriting the land. If they uphold the covenant, then God will bless them in the land that He promised our ancestors. The observance of the commandments may be compared to mortgage payments; default on the mortgage and the property gets taken away.

However, the Torah continues: "Not for your righteousness or for the uprightness of your heart did you go to possess their land; but it was because of the wickedness of these nations that the Lord your God drove them out before you" (ibid., 9:5).

Here the Almighty presents a different approach to our right to the land; it has less to do with our worthiness, and more to do with our neighbors' lack of worthiness. We are being judged in comparison to the nations around us rather than in the absolute terms of our own conduct.

To reconcile these passages, Rabbi Hayyim Ibn Attar ["Or HaHayyim HaKadosh"] distinguishes between two stages in the redemptive process: entering the Land of Israel, and remaining there for good.

Our initial entry into the land comes about as a result of the evil of the other nations rather than our own righteousness, as well as God's promise to the Patriarchs. But whether or not we remain on the land, whether a particular "return" will become the anticipated redemption or a mere passing episode, depends solely upon our ethical, moral, and spiritual conduct, as indicated by the initial verse of our Torah reading.

There is also an alternate (and more comforting) way to orchestrate these verses, as Ohr HaHayyim explains. Initially, when the Almighty makes His covenantal guarantee that the descendants of Abraham will inherit the promised land, He stipulates that as soon as the Canaanites demonstrate totally unacceptable moral behavior, "in the fourth generation, they [the Jewish People] will return here" (Gen. 15:16).

Then the Torah outlines the ultimate boundaries of Israel: "On that day the Lord made a covenant with Abraham saying, 'Unto your seed have I given this land, from the river of Egypt unto the great river, the river Euphrates'" (v. 18).

Hence, Ohr HaHayyim suggests that whether or not we prove ourselves worthy, God promises that He will take us out of Egypt and out of every enslavement and bring us to our homeland, unconditionally.

But how much of the Promised Land comes into our possession – whether or not we get to inherit the full boundaries from the Nile to the Euphrates – depends upon our actions and morality. And what is clear from the second interpretation of Ohr HaHayyim is that our ability – or worthiness – to remain on Israeli soil is not an "all-or-nothing" situation. If we are partially good, we have a good chance of remaining on a goodly portion of Israel.

This second interpretation is much more optimistic and heartening for us today; but it also teaches us that if we are forced to give up parts of the land, we may be receiving an important message from Above that our behavior is not what it ought to be – especially in terms of how we behave towards each other. It is because of His compassionate righteousness that the Almighty initially chose Abraham (ibid., 18:19) and because of Israel's lack thereof that our Holy Temple was destroyed (Is. 1).

Nahmanides explains that after the destruction

of the first Temple, God guaranteed that He would effectuate deliverance no matter what. After the second destruction, there would also be a deliverance, but it would be dependent upon our doing teshuva, upon our repentance. According to Maimonides, this act of repentance is not a commandment, but is rather a guarantee. God promises that we will repent and then we will be redeemed. Obviously, the sooner we repent the sooner will come the redemption, but the Almighty guarantees that redemption will arrive! ©2017 Ohr Torah Institutions & Rabbi S. Riskin

RABBI BEREL WEIN

Wein Online

Rashi comments that the word Ekev used here as meaning because or therefore is really the same word in Hebrew for the heel of a human being. Like all parts of our bodies, the heel is valuable, useful and vulnerable. Just ask Achilles! Fashion states that sinful people use the heel to trample on Godly commandments and moral strictures. The heel thus becomes a negative representation of the use of the human body for nefarious purposes.

In American slang when wish to insult someone or describe that person in a negative fashion we call that person a heel. This can perhaps help us to understand the name of Yaakov in the Torah. He was called Yaakov because at birth he was holding on to the 'ekev' of his brother Eisav. The mission of the righteous is to prevent the wicked from trampling, with their heels, on all that is moral, holy and good. In that sense the task of the Jewish people throughout its history has been to hold on to the heel of Eisav and prevent it from crushing goodness and morality. And so this struggle remains with us until this very day.

Ekev in the sense of heel also represents stability and proper balance. If God forbid our heel is injured or hurts badly we cannot eat or certainly run properly. We limp and moan and pray for medical relief. Well the same idea applies to situations when we use our heel improperly to step upon any of the commandments and values of the Torah.

The wicked limp through life unbalanced and morally crippled. The heel that tramples on good, aches. It is a constant reminder of the true cost of sin and disobedience. This is really the substance of the entire message of the oration of Moshe to all of Israel here in the book of Dvarim. Nothing can be clearer to us than the words of Moshe. He warns us to be very careful of how we use our heel. We should treat it as a vital organ and limb and not foolishly misuse or abuse it. Be careful what you step on. Perhaps this is implicit in the words of the Talmud, that one should lower one's eyes when walking in the public street. Step carefully. ©2017 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

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RABBI AVI WEISS

Shabbat Forshpeis

As a child I attended Yeshiva Torah Vodaath. Every day when coming to morning services I was mesmerized by an older man named Rabbi Chaim Gelb. I can still remember Reb Chaim calling out "Amen." Sometimes he'd give me a candy and ask me to recite a blessing so that he could mightily respond "Amen."

At Yeshiva University rabbinical school years later, I was deeply influenced by the saintly Rav Dovid Lifschitz. I can still remember Rav Dovid on Simchat Torah surrounded by his students leading us in the niggun "ve-taher libeynu"— words in which we call out to God to purify our hearts. It seemed to me whenever Rav Dovid would pray it would be in the spirit of that niggun.

This week's portion offers a halakhic base that enhances the meaning of both of these stories. The torah states "u'le-avdo bekhof levavkhem." "And you shall serve God with all your heart" (Deuteronomy 10:17). Maimonides concludes that this is the source of prayer. U'leavdoh means that every day we are obligated in prayer.

It would seem that Rambam believes that prayer is a religious obligation. I may not feel like praying—still there is a religious imperative to serve God daily.

This was my sense of Reb Chaim Gelb's prayer. Standing before God he would call out "Amen." One could sense the great joy he felt in fulfilling the mitzvah of prayer.

There may be another way to understand Maimonides. Without God many people feel a deep sense of loneliness. For these individuals, life has no meaning if God is absent. Like a lover who constantly longs for his beloved, so does one feel constant despair without God. From this perspective, one prays daily as one is in constant search of the Lord without whom life is impersonal, void and empty.

This latter approach to Rambam fundamentally differs with the first. In the first, the desire to pray does not emanate from the petitioner but from God. We, therefore, have an obligation, whether we feel it or not, to serve God daily. In the second approach the need to pray comes from the petitioner as an expression of constant angst if God is not present.

This was the feeling behind the fervent prayer of Rav Dovid Lifschitz. In his heartfelt "ve-taher" I sensed a tzaddik who felt ongoing emotional spiritual pain if he was not in rendezvous with God. Like a fish seeking water, Rav Dovid sought the ongoing presence of God.

My father-in-law, Zalman Aryeh Hilsenrad, was

a deeply devout Jew. He named his first book (a compilation of articles he wrote for the Jewish Press) "Tzam'ah Nafshi, My Soul Thirsts." Years later he penned a second volume. He called it "My Soul Thirsts Still," nothing less than our second approach to Rambam.

The challenge is to realize that during prayer both approaches are necessary. Solely praying to God without listening to our souls minimizes our individual worth. At the same time, expressing only our individual needs to God is selfish. May we be blessed to find the balance of listening to God and listening to ourselves.

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RABBI KALMAN PACKOUZ

Shabbat Shalom Weekly

The Torah states: "You shall not bring an abomination into your home" (Deut. 7:26). The Torah is instructing the Israelites to destroy the idols and their appurtenances which are called abominations.

The Talmud (Shabbos 105b) says that if one goes into a rage, it is equivalent of idol worship. The above commandment, therefore, applies to rage as well. Rage is an abomination. Do not bring it into your home.

When Reb Zeira's students asked him to what he ascribed his longevity, he said, "I never expressed anger in my home" (Megilla 28). It may at times be necessary to reprimand -- even sharply rebuke -- someone for doing wrong, and this may give the appearance of anger. However, this should be an outward manifestation rather than a true rage response.

The Talmud says that rage deprives a wise person of wisdom and a prophet of prophesy. "All the forces of hell dominate someone in rage" (Nedarim 2a). What could be more ruinous? Rage is so pernicious that on three occasions it distorted Moses' judgment, and according to Rambam, was the transgression which resulted in Moses' not being permitted to enter the Promised Land.

"The gentle words of the wise are heard...." (Ecclesiastes 9:17). One might think that shouting achieves obedience. Quite the contrary. Even if it produces momentary compliance, it may turn the listener against the enraged person. *Dvar Torah* based on from Twerski on Chumash by Rabbi Abraham J. Twerski, M.D. ©2017 Rabbi K. Packouz and aish.com

HARAV SHLOMO WOLBE ZT"l

Bais Hamussar

Even one who does not have the ability to study mussar from a sefer can still reap many of the benefits of mussar by studying nature. When

asked to suggest a sefer that could aid in strengthening one's emunah, Rav Wolbe (Igros U'Ksavim) answered that no sefer is needed, because simply studying nature can bring the same results.

However, the ability to gain from nature, like mussar study, hinges on hisboninus.

Although technological advancements assist us in numerous ways, Rav Wolbe would bemoan some of the spiritual repercussions of these advances. When a person observes a gorgeous sunset or beholds a breathtaking view, the first thing he does is take out his camera to snap a picture. Why doesn't he spend a minute to internalize his picturesque surroundings and eternalize it in his mind instead of in his camera? Such an activity can bring one to great levels of emunah.

The truth is that it is not just the magnificent landscapes that declare Hashem's awesomeness. Every aspect of nature has the ability to bring one to emunah if it is studied properly. Rav Wolbe (AleI Shur vol. II pg. 271) suggests being misbonein in a leaf of a tree. Notice the perfectly symmetrical veins that bring the water to each part of the leaf. Note the side facing up is a darker green than the side facing down, since it contains the chlorophyll that absorbs the sunlight and causes photosynthesis which provides the atmosphere with much needed oxygen. Who created this if not the The Creator? Fruits and animals also provide ample emunah-provoking thoughts, but only if the time is taken to be misbonein in their many marvelous features.

If you are going on vacation, take a few minutes to enjoy a sunset or beautiful view -- without a camera! The effect such hisboninus can have on a person is worth much more than the souvenir provided by a picture! ©2017 Rabbi S. Wolbe zt"l & aishdas.org

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Birkat Hamazon

*Translated for the Encyclopedia Talmudit
by Rabbi Mordechai Weiss*

Our Rabbis derived from the words "You should bless Almighty G-d on this good land" that Biblically one must include three blessings when reciting the grace after meals, one for eating ("Birkat Hazan") one for the land ("Birkat Haaretz") and the third to rebuild Jerusalem ("Boneh Yerushalayim"). Nevertheless it is an accepted premise as well, that Moses enacted the first blessing and Joshua the second and David and Solomon the third blessing. We would have to conclude therefore, that the blessings were established at Sinai, but Moses, Joshua, David and Solomon drafted the text as it appears in our prayer books.

Since the first blessing was instituted by Moses our teacher, it is puzzling that one would include the phrase from the Book of Psalms "He has opened his hands and feeds all his creatures" (psalms 145:16), a

sentence that was written by King David. However we also know there were psalms that were written before King David as well. Thus, when we include the sentence cited we state the word "Ka'amur" (as it was stated) and not the word "Ka'Katuv" (as it was written).

It would seem likewise that the original language ("Nusach") of the blessing was not the same as we have today and that even reciting it in Aramaic would fulfill one's obligation. Similarly if one would sing the song of "Tzur Mishello" on the Shabbat during the meal, one would ostensibly fulfill the obligation of Birkat Hamazon as well, since each of the stanzas have the same theme as the "Birkat Hamazon" (grace after meal). Hence it would seem that if one was to avoid this problem, one would have to make a conscious effort when singing this song, not to fulfill their obligation of "Birkat Hamazon", so that when one would recite the Birkat Hamazon one will be fulfilling their obligation properly with the "Nusach" of our Sages. ©2016 Rabbi M. Weiss and Encyclopedia Talmudit

SHLOMO KATZ

Hama'ayan

"Now, Yisrael, what does Hashem, your Elokim, ask of you? Only... to observe the commandments of Hashem and His decrees, which I command you today, for your benefit. Behold! To Hashem, your Elokim, are the heaven and highest heaven, the earth and everything that is in it." (10:12-14)

If not for this verse, would we have thought that Hashem gave us the Torah to our detriment? Also, how does the verse that follows connect to the lesson that the Torah was given for our benefit?

R' Chaim Yissachar Dov Gross z"l (rabbi in Petrova, Hungary; later Maggid and Rosh Yeshiva in Munkacz, Hungary; died 1938) explains: Midrash Rabbah quotes Hashem as saying, "I did not give you the Torah to your detriment; rather, for your own good. After all, the angels desired it!"--referring to the angels' objections to the Torah's being given to mankind, as described in the Gemara (Shabbat 88b). What does the fact that the angels desired the Torah prove? Also, one might ask: Why did Hashem command us to perform Mitzvot? Would it not be better if we observed them voluntarily, as the Patriarchs did before the Torah was given?

The answer is that one who is commanded to perform a Mitzvah and does so is greater (in that respect) than one who performs the same act voluntarily, because the person who is commanded has a strong Yetzer Ha'ra that tries to dissuade him from performing the Mitzvah. A person performing the same act voluntarily does not face the same opposition. Our verse and the Midrash are teaching that the fact that Hashem commanded us rather than allowing us to observe the Torah voluntarily is for our benefit. If that

were not the case, Hashem could have kept the Torah among His angels, for they desired the Torah, and they are available at all time to do His bidding, for the heavens and the highest heavens all are His. (Ketivah L'Chaim)



"You (plural) shall teach them to your (plural) children to discuss them, while you (singular) sit in your home, while you (singular) walk on the way, when you (singular) retire and when you (singular) arise." (11:19)

Why does the Torah change plural to singular in the middle of the verse? R' Yitzchak Menachem Weinberg shlita (Tolner Rebbe in Yerushalayim) explains: The Torah is teaching that successful parenting requires a person to work on himself. "You" alone! Do not rely on the merits of distinguished ancestors. Do not think that your behavior when you are alone, when no one sees you, doesn't matter. If a person serves Hashem even when he sits alone at home, when he walks alone on the way, when he retires to bed alone and when he arises alone, then he can teach his children. (Chamin B'Motzai Shabbat: Devarim p.82) ©2017 S. Katz & torah.org

RABBI YAKOV HABER

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Parshas Eikev ends with the verse, "Every place upon which the soles of your feet will tread will be yours: from the desert and the Lebanon, from the river, the Euphrates River, and until the western sea, will be your boundary" (Devarim 11:24).

On a simple level, the first half of the verse is limited by the boundaries delineated by the second half of the verse. Namely, Hashem is promising the Jewish people that everywhere they tread within the boundaries in Israel will become theirs. However, Chazal (Sifrei) understand the two halves of the verse as referring to two different concepts. Whereas the second half refers to the primary borders of the land, the first half describes the ability of the Jewish people to extend the original boundaries of the land and to endow the extension with the sanctity of the land of Israel. However, the ability to extend the land of Israel is contingent upon first conquering and sanctifying the land contained within the primary borders. Thus, the sanctification of the land is similar to an overflowing cup; the cup cannot overflow until it is first filled to capacity.

Our sages teach us that most of the mitzvos hateluyos ba'aretz did not apply until Yehoshua endowed the land with sanctity by conquering it (see Rambam Hilchos Terumos 1:2). This sanctity lapsed at the time of the Babylonian exile and was restored upon the resettlement of the land in the days of Ezra (ibid. 5). At first glance, this seems to imply that prior to Yehoshua's sanctification, the land of Israel did not possess kedusha. This, of course, presents many

difficulties. Avraham Avinu was told by Hashem to travel to Eretz C'na'an and only left because of famine. Yitzchak Avinu was told to stay in the land. Ya'akov Avinu was promised by Hashem after his visit with Lavan that he would return to the land. Were the avos respectively promised to receive, commanded to stay in and return to a land without sanctity and uniqueness? Furthermore, many midrashim imply that Eretz Yisrael was chosen as a unique land at the beginning of creation (see e.g. Tanchuma, Pekudei 3 and Bemidbar Rabba 23:11). How can its sanctity be extended outside of its Biblical borders? How can a land not primordially endowed be given that endowment through human action?

Rav Eshtori HaParchi, an early authority who settled in Eretz Yisrael in the early 14th century, in his Kaftor VaFerach, a crucial early work on all matters concerning the Holy Land, explains these anomalies with a classic "Brisker" chiluk. There are two types of sanctity in the land of Israel. Hashem endowed the land with the first sanctity from the time of the avos. (Sha'arei Tzedek by the author of Chayei Adam views this sanctity as being present from the beginning of creation.) It is this sanctity that causes the Land to be the geographical location most conducive to fostering the closest connection to HaKadosh Baruch Hu. It is the root of the Land being the only one capable of housing the eternally holy city of Jerusalem and the Beis HaMikdash. It serves as the source of its exclusive ability to produce prophets, of being the portal of prayers to heaven, of having Torah study be more successful. The verse teaches in our parsha, "the eyes of Hashem are on it from the beginning of the year until the end of the year" (Devarim 11:12), informing us of its higher degree of Divine providence than in other lands. The Talmud (Ta'anis 10a) refers to all the lands of the world being nourished from the residue of the Land of Israel. It was in light of all of these unique qualities which existed even before the Jewish nation entered the Land, that the avos were promised this special unique land conducive to intense connection to their Creator.

But Eretz Yisrael has another sanctity as well, that which is relevant to the unique mitzvos hateluyos ba'aretz. It was this sanctity that Yehoshua and later Ezra bestowed upon the land. The former sanctity, in the language of the Chasam Sofer (Y.D. 234), is "kedushas olamim mimos olam ad sof kol yemos olam, lo nishtaneh v'lo yishtaneh -- an eternal sanctity from the beginning of time until the end of time, it never changed and never will change". The second sanctity can and has lapsed through exile. (See Encyclopedia Talmudit, Eretz Yisrael, sec. 2. for sources for all of the above, for further elaboration and for the important distinction between the first exile and the second exile.)

As can be expected, one sanctity can exist without the other. Before Yehoshua led the Jewish

people into the Land, it possessed only the first, G-d-endowed, eternal sanctity, not the latter human-endowed sanctity. In effect, it was Eretz Yisrael with all of its unique spiritual qualities but without the obligation of mitzvos hateluyos ba'aretz. By contrast, if B'nei Yisrael would later conquer lands outside of Eretz Yisrael, they would be endowed only with the second type of sanctity. Produce growing there would be obligated in the mitzvos hat'luyos ba'aretz, but the lands would not contain the first sanctity. In effect, they would have the sanctity of Eretz Yisrael for mitzvos without actually being Eretz Yisrael. This was the status of *Yerida* where two and half tribes dwelled: It had the sanctity of Eretz Yisrael for mitzvos but, in effect, was not the Land of Israel. (See *Birkei Yoseif* 489 at length. Also see *Nefesh HaRav* (pp. 76-82) and *Perach Mateh Aharon* (Ahava), essays in the back, for *Maranan Rav Yosef Dov* and *Rav Ahron Soloveitchik* zt"l analyses of the two kedushos.)

Why did Hashem ordain two kedushos? Perhaps we can suggest that it was the Divine will that his beloved nation partner with him in bringing sanctity to the world in general and to Eretz Yisrael specifically. As the famous derasha asks on the verse, "asher bara Elokim la'asos -- which Hashem created to do" (*Bereishis* 2:3): but Hashem had already created everything! What was left to do? La'asos was the charge to Man to take that which G-d had created and sanctify it further with his positive actions. Hashem endowed Eretz Yisrael to be the place where the most intense relationship with the Creator can be forged. All of the above-mentioned concepts: prayer, providence, and prophecy revolve around this and are provided "free of charge" by Hashem as a gift; we just have to access them. But B'nei Yisrael serve G-d with mitzvos; they even create more opportunities for mitzvos by endowing the land with the second degree of sanctity which, in effect, creates more mitzvos with which to serve the Creator.

This duality directly parallels the relationship of *Shabbos* and *Yom Tov*, *shemita* and *yoveil* (see *Mesech Chachma* beginning of *Behar*), and *Torah shebichsav* and *Torah shebe'al peh*; the former of each pair is totally created by Hashem, the latter has a distinct human component. The respective sanctities of *Shabbos* and *shemita* are fixed; the *Written Law* is fixed, undebatable and immutable. By contrast, the date of *Rosh Chodesh* and hence that of *Yom tov* is determined by *beis din*; the *Sanhedrin* counts the years to *yoveil* and declares its sanctity. The *Torah shebe'al peh* is rooted in the Divine principles received at *Sinai*, but their specific application is subject to human analysis and understanding.

Perhaps the fact that land outside Eretz Yisrael can only achieve sanctity after the mainland is sanctified is indicative of the conceptual idea that only after total loyalty to Hashem's arena of sanctity is there

room for human sanctification and creativity. (Also see *Rav Sobolofsky's* article, *Holiness from Above and Below*.)

In a sense, the entire chumash *Devarim* represents this partnership with *HaKadosh Baruch Hu*. *Chachmei Yisrael* analyze the precise interrelationship between *Devarim* and the first four chumashim. On the one hand, *Devarim* seems to be *Moshe Rabbeinu's* own review of the events of the *Midbar* and of the mitzvos of Hashem. The *Gemara* (*Megilla* 31b), noting the difference in phraseology between the *tocheicha* in *parshas Bechukosai* and that of *parshas Ki Savo*, states that the former was *mipi haGevura*, from the mouth of Hashem, whereas the latter was *mipi atzmo*, from *Moshe's* own mouth. On the other hand, *Devarim* contains new mitzvos as well which are clearly of Divine origin. Furthermore, the sanctity of chumash *Devarim* is equivalent in all ways to the other sections of the *Torah*. *Derashos* from which halachos are derived are made on verses in *Devarim* just as they are on verses from the other chumashim and carry the same halachic weight. Is *Devarim* then a Divine work or a human work? *Abravanel* states that originally *Devarim* was *Moshe Rabbeinu's* own "derasha", clearly Divinely inspired and based on everything he had learned and received prophetically from Hashem, but the words were his own. Afterward, Hashem commanded him to write down his speech with some modifications; it was at that time that *Moshe's* words became elevated to the status of *Torah shebichsav*. In effect, chumash *Devarim* originally had the status of *Torah shebe'al peh* and then, only after Divine dictation and *Moshe's* writing it down, did it become elevated to *Torah shebichsav*. This reflects the ultimate ability of lowly Man to partner with His Creator in elevating the world. The Jewish people not only develop new insights into the *Torah*, but its primary, first teacher's words actually became *Torah shebichsav*!

Rav Akiva Tatz in a recently given shiur quoted the first *Tosfos* in *maseches Gittin* that there is an allusion to the customary 12 lines of a *get*, a Jewish divorce document, in the *Torah*. There are four lines of space between each of the first four chumashim consisting of three gaps with four lines each for a total of 12. Why isn't the gap between *Bemidar* and *Devarim* counted as well? *Rav Tatz* suggested that the *Torah* represents connection between Hashem and the Jewish people and the gaps represent temporary separation which is the thrust of a *get*. But chumash *Devarim*, indicating as it does the ability of a human being to actually create *Torah*, is the ultimate testament to connection to Hashem. As such, the gap before *Devarim* is not included in the count of the lines of a *get*, the document of separation.

May our increased awareness of the dual sanctity of the Land of Israel and Hashem's great love

of and confidence in the Jewish people to partner with Him guide us constantly in our lives. ©2017 Rabbi Y. Haber & The TorahWeb Foundation, Inc.

RABBI YITZCHOK ADLERSTEIN

HaMedrash V'HaMaaseh

"Do not add to the word that I command you... See, I have taught you decrees and ordinances as Hashem my G-d has commanded me... to do so in the midst of the Land... Only safeguard for yourself, and greatly safeguard for your soul, lest you forget the things that your eyes have beheld... and make them known to your children and your children's children the day that you stood before Hashem your G-d at Chorev." (Devarim 4:2,5,9-10)

It wasn't modern skeptics who first spotted the problem. Our rishonim already did battle over the issue. If the Torah warns us -- in multiple places, at that, not to add to the Torah, how do we find ourselves laden with so many restrictions legislated by the rabbis? Have they not added to the Torah?

Rambam (Mamrim, 2:9) offers one of the approaches. He writes that it is forbidden for the beis din to rule that the prohibition of cooking meat and milk together extends to fowl. If they do, they violate the prohibition of adding on to the Torah. Instead they should rule that when the Torah speaks of cooking a "kid" it does not mean fowl. Nonetheless, they are prohibiting it as a fence around the Law, and they should publicize this thinking to the people. (As you might expect, the Raavad disagrees about the definition of "adding on.")

Read our parshah carefully, and you will discover a major assist to the Rambam's case.

Our selection of pesukim begins with an admonition against adding on to the Torah. Strangely, it seems to end with the opposite. "Safeguard for yourself, and greatly safeguard for your soul." While safeguarding may mean nothing more than meticulously observing all rules that apply, when the Torah specifies "greatly safeguard" it must mean something more than the usual. The reasonable candidate is a proactive safeguarding, some affirmative action taken beyond just refraining from transgression. Such affirmative action is what we call gezeros, rabbinically-ordained fences around the Law. If this is correct, then the parshah begins by instructing people not to add to the Torah, and then ends with an instruction to do just that!

Fortunately, the intervening verses -- when read keeping the Rambam in mind -- clear up the apparent contradiction. "See, I have taught you decrees and ordinances... as Hashem my G-d has commanded me." Here Moshe posits the first step. Before considering any rabbinic safeguards, he must first make clear with the basic Torah law is. Only after that are we bidden to create safeguards as needs, provided

that we "make them known to your children and your children's children." In other words, we must publicize that the fences are just that -- rabbinic laws made to safeguard the Torah law -- and nothing more.

Chazal offer various meshalim for the purpose of rabbinic fences. They compare them to "handles" that are added to a "basket without handles." (Eruvin 21b) Elsewhere (Yevamos 21a) they add a second mashal: to an orchard that must be guarded from outside, rather than just inside, to be effective. Neither one alone fully conveys the scope of the fences, because they service two different needs.

Some fences serve the immediate need of keeping people away from transgression. They are aimed at the present. Others, however, look to a future in which observance is compromised, and attempt to prevent even further erosion of practice. They attempt to hold a beachhead in which at least the most important practices are observed.

The basket functions adequately in its place. Handles are needed only when moving it from place to place. This mashal works well for the innovations of Shlomo, which were not ordinary fences, but affirmative obligations. The mashal suggests that they were needed not so much for the generation in which they were promulgated, but for the future -- in moving from one "place" in time to another.

The orchard mashal deals with immediate protection. When the guardians look from within, they can only see what is in front of them. Guarding from the right position outside can protect everything within a perimeter. It is introduced in a gemara that deals with second-degree prohibited relations. They were legislated to ensure that people would not cross over the boundary to the first-degree prohibitions -- the Torah's list of forbidden incestuous relations.

Both of these meshalim are hinted at in our pesukim. We are cautioned "lest you forget the things that your eyes have beheld." We are to be like the watchman standing at a good vantage point outside the orchard, whose eyes can behold the entirety of his charge. By creating the proper gezeros, we will not forget our duties to what is inside.

We are also told, however, to consider the future. "Make them known to your children and your children's children." We must legislate as well with an eye on preserving a legacy for future, less certain times. We must prepare for the eventuality that there will be some weakening of observance in the future.

We should try to ensure that even if that happens, the core element of what we received when we "stood before Hashem...at Chorev" will be transmitted to coming generations. (Based on HaMedrash V'HaMaaseh, Ve'eschanan (1) by R. Yechezkel Libshitz zt"l) © 2017 Rabbi Y. Adlerstein and torah.org

