



Candles (earliest)	D'varim	Havdala	Next week
7:10pm (6:18)	Yerushalayim	8:27pm	7:06 (6:15) 8:22
7:26pm (6:20)	S'derot	8:28pm	7:23 (6:17) 8:24
7:25pm (6:18)	Gush Etzion	8:27pm	7:21 (6:16) 8:22
7:27pm (6:20)	Raanana	8:29pm	7:24 (6:18) 8:25
7:26pm (6:19)	Beit Shemesh	8:27pm	7:22 (6:16) 8:23
7:27pm (6:20)	Rehovot	8:29pm	7:23 (6:17) 8:24
7:27pm (6:21)	Netanya	8:30pm	7:24 (6:18) 8:25
7:23pm (6:19)	Be'er Sheva	8:27pm	7:20 (6:16) 8:23
7:26pm (6:19)	Modi'in	8:28pm	7:22 (6:17) 8:24
7:10pm (6:20)	Petach Tikva	8:29pm	7:06 (6:17) 8:24
7:10pm (6:18)	Maale Adumim	8:26pm	7:06 (6:15) 8:22
7:26pm (6:19)	Ginot Shomron	8:28pm	7:23 (6:17) 8:24
7:25pm (6:18)	Gush Shiloh	8:27pm	7:22 (6:16) 8:23
7:25pm (6:18)	K4 & Hevron	8:26pm	7:21 (6:16) 8:22
7:25pm (6:19)	Giv'at Ze'ev	8:27pm	7:22 (6:16) 8:23
7:26pm (6:20)	Yad Binyamin	8:28pm	7:23 (6:17) 8:24
7:27pm (6:21)	Ashkelon	8:29pm	7:24 (6:18) 8:25
7:16pm (6:19)	Tzfat	8:29pm	7:13 (6:16) 8:24
7:28pm (6:21)	Zichron Yaakov	8:30pm	7:24 (6:18) 8:26

Rabbeinu Tam havdala for D'varim / Chazon - 9:09pm

Ranges are 10 days. WED-FRI  
3-12 Menachem Av (July 14-23)

Earliest Talit & T'filin	4:46-4:52am
Sunrise	5:44-5:50am
Sof Z'man K' Sh'ma (Magen Avraham: 8:20-8:24am)	9:14-9:17am
Sof Z'man T'fila (Magen Avraham: 9:48-9:51am)	10:24-10:26am
Chatzot (halachic noon)	12:45-12:45½pm
Mincha Gedola (earliest Mincha)	1:21-1:21pm
Plag Mincha	6:18¼-6:15pm
Sunset (based on sea level: 7:45-7:41pm)	7:51-7:46pm

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First of the fifth, first of the fifth

Pinchas deflected words or things

sneer at ski or ski at sneer?

Leader of former independent Communist country

### Parscha Points to Ponder • Suggested answers

- 1) The Ohr HaChayim answers that Moshe wanted the rebuke to be effective. Had he chastised them while they were closed in the desert, they would not have accepted the rebuke. However, now that the Land of Israel was in their sights and they had clear hope for a bright future, they could accept the criticism and change their ways.
- 2) The Malbim explains that Moshe's initial command was based on his understanding that the war they would fight would be BEFORE G-D (Bamidbar 32:21). Moshe anticipated a miraculous victory which would have inspired them to great spiritual heights and the tribes of Reuven and Gad leaving them would have no negative impact. Upon further analysis, Moshe recognized that the people might sin and the wars would not be so openly miraculous and the people would need the reassurance of Reuven and Gad remaining all the way until they took hold of their private lands.
- 3) The Kli Yakar explains that Moshe's sin was magnified by the fact that the Jews were of weak faith which caused them to sink to lower levels of belief through Moshe's hitting the rock. The story of the spies is what caused the people to sink to that initial low level. Therefore, Moshe talked about his sin and punishment as part of the sin of the spies since the two are completely intertwined.

## LEAD TIDBIT cont. from front page

Picture this: Midbar Paran (possibly Ritma), 2489 (to Creation) - the 8th of Av. The 12 spies, all prominent leaders of the people, return from a 40-day trek in the Land of Canaan (the future Eretz Yisrael). 10 of the spies speak against our entering the land because of the strong people who dwell there, among other reasons. Kalev and Yehoshua speak out in support of G-d's plan and wishes that the people proceed to the Promised Land. People are panicking at the words of the 10 other spies. They are screaming that their children will become orphans and their wives, widows.

You are in the crowd. What do you do? What do you say? Do you open your mouth in support of Kalev and Yehoshua, and of G-d? Do you risk the crazed mood of the masses? Do you remain silent? Do you join in with the majority?

Two situations; two sets of soul-searching questions.

The fact is that we really cannot answer those questions. The best we can say is, "I hope that if I would have been there, I would have done the right thing, the proper thing. But I cannot really say for sure. I'd like to think that I am the type of person that would not just ignore injustice. I'd like to think that I wouldn't get caught up in the mob mentality."

But we cannot answer those questions with any confidence. Whatever we'd say would be speculation and perhaps, wishful thinking.

So here are modifications to the two

above situations, with questions we can answer. And whose answers are crucial to the Geula process (or the perpetuation of the galut, chas v'shalom).

Not thousands of years ago; not hundreds of years ago. Not even yesterday. These questions are for today and tomorrow.

How do you react when someone is being unfairly berated or embarrassed? Not Bar Kamtza, but a friend or neighbor. Or just a fellow human being. Do you try to do something positive in such a situation, or do you just avert your eyes and pretend you don't know what's going on?

How do you react when a fellow Jew speaks negatively about Israel? When you here someone saying, "It's a nice place to visit, but I wouldn't want to live there"? Or when someone says, "You have to be crazy to make Aliya"?

These situations are not part of the list of the five calamities that befell the Jewish People on Tish'a b'Av, but they are two of the situations that contribute to our continued state of exile.

Unfaithfulness to G-d and Torah is unfortunately alive and well in our time. Sin'at Chinam continues to thrive. Present day meraglim are still trying to tell us that Judaism can better survive in the midbars of the Diaspora - so who needs Israel.

These are what caused punishment and exile and destruction. These are what keep us in exile. And these are what we can do something about to hasten the Redemption, in our time.

# D'varim stats

44th of the 54 sedras; first of 11 in D'varim

Written on 196.5 lines in a Torah (rank: 26th)

5 parshiyot; 1 open, 4 closed

105 p'sukim - ranks 32nd, 6th in D'varim  
(tied with Chayei Sara, but larger)

1548 words - ranks 26th, 6th in D'varim

5972 letters - ranks 24th, 5th in D'varim  
(tied with Vayeshev, but smaller)

Jump in rankings from p'sukim to words &  
letters is a result of relatively long p'sukim

## MITZVOT

2 of the 613 mitzvot, both prohibitions

## Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

## Kohen - First Aliya

### 11 p'sukim - 1:1-11

[P> 1:1 (47)] The opening p'sukim of D'varim clearly identify time and place. The entire book takes place in Arvot Moav (last place of encampment before entry into Eretz Yisrael) and begins on Rosh Chodesh Sh'vat in the final year of wandering.

Several places that are mentioned in these p'sukim are considered by the commentaries to be allusions to events that occurred during the previous 40 years rather than being actual locations. The events include the Golden Calf, the rebellion of Korach, the complaint about the Manna, and the sin of the spies. These, plus the explicit discussion of the "Sin of the Spies", are part of Moshe's reproach and warning to the People.

Moshe also tells the People of the victories over Emori and Cheshbon. This, to give them confidence for the difficult period they will face upon entering the Land.

We find the first of many references to the purpose of the existence of the Jewish Nation is made - to live (according to G-d's laws) in the Land that G-d had promised to our ancestors. D'varim 1:8 says: See that I have presented you the Land; come and take the Land that G-d promised your ancestors He

would give to them and their descendants.

Rashi's comment: Had we not sent Meraglim to spy out the Land, we would have been able to march in and take it without a weapon, without a fight, without 7 years of wars.

That living in Eretz Yisrael is an integral part of a Jew's life is first set down at the Burning Bush, G-d's first prophecy to Moshe Rabeinu. G-d says that He will go into Egypt to take the People out and bring them to a good and expansive land, a land flowing with milk and honey... In the same verse that He tells Moshe of His intention to take the people out of Egypt, He tells Moshe to where He is taking us, where He wants us to be. In one single verse, the purpose of our Nationhood is stated.

In last week's sedra, the connection between the people and the Land comes in the form of a command.

Here in D'varim, Moshe tells the new generation of the "invitation" that was extended to them by G-d, to go into Eretz Yisrael. There will be various other ways the same idea is expressed, but it is important to keep in mind that living in Eretz Yisrael is a mitzva, the fulfillment of our national destiny, AND it is R'TZON HASHEM, G-d's will. This point is made over and over again. All we have to do is do it.

**SDT** (Actually, this is an **LDT**): *Within the opening 5 p'sukim of D'varim, there is a repetition of sorts in telling us that*

*Moshe Rabeinu spoke to the People. The Vilna Gaon and others point out that the Book of D'varim can be divided into 3 parts, as indicated by the wording of the opening p'sukim: "These are the things that Moshe spoke to all Israel..." (pasuk 1). This can refer to the first three sedras of the book wherein we have a general review of the brief, but action-packed and significant history of the People to date. In addition, these sedras contain a restatement of the principles of Judaism in the form of the Aseret HaDibrot and the first two passages of the Shma. Also expressed in this opening section of D'varim is the integral link between the People and the Land of Israel. These sedras contain relatively few mitzvot, but they do contain the "basics of Judaism" and its foundations, which Moshe reviews with "all of Israel".*

*The following three sedras (R'ei, Shof'tim, and Ki Teitzei) contain 170 mitzvot, the greatest concentration of mitzvot anywhere in the Torah. "...Moshe spoke to Bnei Yisrael of all that G-d commanded upon them" (pasuk 3). After laying the foundation of Judaism, Moshe presents the essence of day-to-day life as a Jew - mitzvot of all kinds, between the Jew and G-d, interpersonal mitzvot, mitzvot linked to the Land, general mitzvot.*

*The final section of D'varim, the last 5 sedras, again contains relatively few mitzvot. But it does contain the basis of understanding what being a Jew means. In these sedras we have the admonition against forsaking the Torah, the concepts of Free Will, Reward and Punishment, Repentance, the Chain of Tradition. "...Moshe began to explain [HO'IL MOSHE BEI-EIR] this Torah saying:" (pasuk 5)*

I, says Moshe, told you (and G-d) that I could no longer handle the leadership by myself. G-d has increased your population greatly; you are today like the stars of the heavens.

On Shabbat, the first Aliya is ended one pasuk early to avoid beginning the second portion with the word "Eicha".

## Levi - Second Aliya 10 p'sukim - 1:12-21

Moshe tells the People again that he had reached a point where he was too weary to lead the People alone, and that he (at G-d's command) designated the leaders of the Tribes as judges of the People.

Judges are to be selected for their Torah knowledge and other appropriate qualities. It is forbidden to appoint a judge for "the wrong reasons" (wealth, charisma, connections - without the important qualities in place) [414,L284 1:17]. Judges must be fair and impartial and must not be afraid to render proper judgments [415, L276 1:17]. Moshe retained the role of final authority on difficult matters.

## MitzvaWatch

Even though these two mitzvot are primarily directed towards the leaders of the people whose task it is to choose judges and towards the judges

themselves, respectively, there is an element of each mitzva that applies to each and every Jew. Every so often, we each can be in the position of choosing someone to fulfill a task. Perhaps a communal function, a teacher, youth leader... whatever. For any of these choices, there are right reasons and motivations and wrong reasons and motivations to guide our choices. This mitzva [414] commands us to always choose based on the proper criteria. And many people find themselves in the position of making a judgment call. We may not be afraid to make a just decision, even in the face of possible unpleasant ramifications.

What was just said about these two mitzvot can apply to the many other mitzvot related to the justice system. There are formal judges, and then there are the rest of us who are put into the judge's chair as parents, employers, co-workers, students, etc.

Once again, Eretz Yisrael is shown as the main focus and the People are urged not to fear what lies ahead.

On the phrase from 1:16 - Hear it among your brothers and judge fairly - the Gemara teaches us that judges may not hear one party to a case without the other present.

In the same pasuk, the reference to the convert in the context of judging teaches us that conversion to Judaism must be done by a Beit Din. The Gemara states that if a non-Jew

decides on his own that he is Jewish, this does not constitute conversion. A Beit Din is required.

## Shlishi - Third Aliya 17 p'sukim - 1:22-38

Moshe next recounts for the new generation, the episode of the spies.

**SDT:** Parshat D'varim was "made" to be read on the Shabbat before Tish'a b'Av...

*The mishna states that one of the tragedies marked by Tish'a b'Av - the first one, the one that gave Tish'a b'Av its dark character - was the decree against the (adult males of the) "Generation of the Wilderness". The sedra serves as a reproach for our poor attitudes and lack of commitment to the Land. It is as if G-d is saying to us: "Do not continue in the ways of that generation. Reverse the effect of that terrible punishment by heeding the call of Kalev and Yehoshua." When we, the Jewish People of today, succeed in "repairing" the negative attitudes and actions of the generation of the spies, the generation whose sins caused the destruction of the first Temple, the generation whose gratuitous hatred and Lashon HaRa caused the destruction of the second Temple, then we will be privileged to rejoice in the building of the third Temple, the restoration of Jews all over the world to this Land, and the spreading of Torah values and commitment to mitzvot to all of Klal Yisrael. D'varim and its message of the significance of Eretz Yisrael and the reminder of G-d's terrible anger against those who denigrate the Land of Israel is*

*the "perfect" introduction to 9 b'Av. Amazing, is it not, how relevant this message is today. "Behold, I have set the Land before you; go in and possess the Land..." May we be deserving (and even if not deserving) to live in peace in all the Land of Israel, with all the People of Israel, according to the Torah of Israel.*

*Notice specifically, that of all the negative things done by the generation of the wilderness, it is only the Sin of the Spies that is spelled out in more detail than we find back in Parshat Sh'lach. Everything else is scant hint and held for later presentation, if at all.*

The Book of D'varim says over and over again that the Meraglim were wrong. They believed that the miraculous environment of the Wilderness was perfect for a Torah way of life. Not so. Moshe repeatedly tells us that Eretz Yisrael is the "real" place for the People of Israel.

**Observation...** Comparing Moshe's account with the original text in Shlach yields some interesting differences. Perhaps, most strikingly, is the blame Moshe takes on himself. He even says that G-d banned him from Eretz Yisrael because of the Meraglim incident (when the Torah tells us that it was because of the hit instead of speak the rock incident).

On another note... It is clear that the original purpose of sending the men into the Land was to determine the best way to enter it and which border cities would be best to attack. It is equally clear that the purpose was NOT to decide whether to go or not.

This is the major component of the Sin of the Spies and the people's reaction to their words. And it is clear that Moshe's approval of the idea was based upon the "proper" motive for sending the scouts in the first place and not for the way it turned out.

This idea is applicable to our times. We should not be deciding whether or not to live in Israel. We should be deciding how best to make Aliya.

Moshe shares the blame with the spies and announces that he had approved of the suggestion to send them. He explains what had happened as a result of the spies' report. Moshe's arguments (and those of Kalev and Yehoshua) were unsuccessful in calming the people's panic. As a result, G-d decreed that none of the adult males (except for Kalev and Yehoshua) would enter the Land. Moshe tells them that he too was banned from entering the Land. It is to be Yehoshua who will lead the People henceforth.

One commentary suggests the following: Because of the senseless crying of the Wilderness Generation, the Beit HaMikdash was destined to be destroyed. Had Moshe Rabeinu entered the Land, the Temple would never be destroyed. Hence, he was kept out of the Land so that G-d's full punishment for the Sin of the Spies could be carried out.

We can also see the special qualities of a true leader of the Jewish People. Moshe Rabeinu did not leave the

blame for the Sin of the Spies with the people. He shouldered some of it.

## **R'vi'i - Fourth Aliya** **9 p'sukim - 1:39-2:1**

As Moshe Rabeinu is telling the new generation what has happened, he is continually warning them against repeating the blunders of their predecessors. It is specifically this new generation that the previous one worried about. They cried that their children would be orphans. Those same children are now the one's about to enter the Land.

Moshe also tells them of the tragic results in the People's attempt to go into the Land against G-d's wishes. It won't work without G-d's help; it cannot fail with His help. This is the lesson of more than 3300 years ago; this is the lesson for today.

**SDT:** *Rashi records a tradition that the People of Israel spent 19 years - half of the wandering time - in one location, Kadesh. The actual wandering was much less than 40 years. On the other hand, there were places in which the people only spent a day or so.*

As many times as Moshe repeated the story and lessons to be learned from the Sin of the Spies, to the people of that generation, these same stories and lessons have been repeated thousands of times for the benefit of each and every Jew throughout the generations. Why does the Torah tell

us to Remember the Shabbat day and make it holy? To remind us that it is important to make Kiddush as Shabbat begins and say Havdala as it ends, and to honor and sanctify the Shabbat in many other ways. Why tell us about Cheit HaMeraglim? Because it is an important reminder for us about the significance of Eretz Yisrael in G-d's Plan for the people of Israel.

## **Chamishi 5th Aliya** **29 p'sukim - 2:2-30**

[S> 2:2 (6 + 12/17 - there is a parsha-break in the middle of 2:8)] The People next turned northward and were warned not to fight with the people of Eisav, for their land is theirs as an inheritance. Only purchasing food and water for their journey past Eisav's territory would be permitted. [S> 2:8 (5/17 + 8 p'sukim; this parsha begins in the middle of a pasuk)] They turned (from Edom) and headed towards Mo'av. Moav's territory was also placed off-limits because it was an inheritance for the descendants of Lot.

Various peoples are named for the different lands in the area.

The wandering took 38 years until G-d told the People to cross into the territory of Amon and Moav, but without fighting there. Both Edom and Amon/Moav had fought for their land as Israel will be doing soon.

[S> 2:17 (14)] Next, the people passed Amonite territory. Here too they were not allowed by G-d to fight against the Amonites. Sichon the Amorite was not so fortunate. He was offered peace - same terms as with Eisav's people - but he rejected it, clearing the way for Israel to successfully conquer his land.

[This is reminiscent of the future (yes, we know that it usually is the other way around), Israel's victory in the Six Day War. Israel said to Jordan, that if it stayed out of the conflict, Israel would leave it alone. Jordan decided to attack (whatever their reason) and as a result, all of Jerusalem, and Yehuda v'Shomron ended up in our hands. If that is part of Eretz Yisrael - which it is, and we got that land in a war we were fighting for survival - not an aggressive war of conquest, then why should we give up even one square centimeter of our land? Population problem? Let's solve them in a non-self-destructive manner. But that's for a different discussion.]

## **Shishi - Sixth Aliya** **21 p'sukim - 2:31-3:14**

[S> 2:31 (29)] Moshe continues his narrative with the details of the victories over Sichon and his land. Og, king of Bashan, also fell to Israel. Moshe describes the conquered lands that have been promised to the tribes of Reuven, Gad, and half of Menashe.

The victories on the East Bank of the Jordan helped build Israel's confidence for the difficult times to come upon crossing the Jordan into Eretz Yisrael. This new generation, the children of slaves, needed the multi-faceted preparation that the years of wandering provided, in order to be able to succeed in their conquest and settling of the Land.

## **Sh'VII - Seventh Aliya** **8 p'sukim - 3:15-22**

The description of the "East Bank" land continues. Moshe repeats the instructions to the 2½ tribes for settling their territory. Only after the successful conquest and settlement of the Land of Israel, will these men be permitted to return to their families and cities. Moshe has commanded Yehoshua to note well the victories to date and not to fear what is to come.

The last 3 p'sukim are reread for the Maftir. The custom is to call the Rav of the community or a prominent member to Maftir Chazon (not a halachic rule, but a common practice).

## **Haftara 27 p'sukim** **Yeshayahu 1:1-27**

This is the third of the haftarot of Tragedy. The prophet speaks of the accumulation of terrible sins and acts of unfaithfulness to G-d

which lead to the destruction of Zion and Jerusalem. This haftara is "perfectly" suited to precede Tish'a b'Av. Most of this haftara is read in the tune of Eicha, rather than the regular haftara tune. The final p'sukim switch to the regular haftara melody because they contain the promise of an end to exile and the rebuilding of Zion and Jerusalem in a mode of justice and righteousness. This bright note is appropriate for Shabbat, in contrast to the main part of the prophecy which Shabbat has no choice but to tolerate, so to speak, since it is right before Tish'a b'Av.

Yeshayahu contrasts the people of Israel, who had become unfaithful to G-d, with animals, who instinctively acknowledge their owners. "An ox knows its owner and a donkey recognizes its owner's pen." In an allusion to this pasuk, the Yerushalmi tells the story of Rabbi Yochanan ben Torata who sold his ox to a non-Jew. The ox refused to work on Shabbat, until Rabbi Yochanan whispered in its ear that it was now owned by a non-Jew and must work on Shabbat. Which it then did. There is also the story of the donkey of Rabbi Pinchas b. Yair. These stories give us insight into the harsh criticism of the People of Israel who repeatedly "do not know" their Creator. Loyalty to a master is one of the many lessons we must learn from (some) animals.

## **DIVREI MENACHEM**

Parshat D'varim opens with Moshe's review of the events that had overtaken Bnei Yisrael up to the very poignant period before his pending demise. The rabbis tell us that Moshe interpreted the various episodes, and the laws, in a way that every member of the community would understand, especially as much of what he had to say was by way of rebuke.

Those who know something about leadership understand that the successful leader must play several roles if he is going to influence those he is leading. Indeed, most people recognize that admonishment and the setting of boundaries can act as effective antidotes, where appropriate, to *laissez faire* and democratic styles of leadership.

However, when Moshe decries the people's moans, exclaiming, "How can I alone carry your contentiousness, your burdens, and your quarrels?" (D'varim 1:12), he reminds us that leadership is also predicated on the people's acceptance of the leader. How ready was Bnei Yisrael - or we, for that matter, today - prepared to accept authentic, Torah-true leadership?

The verse cited above is read in the mournful tune of the Book of Eicha, reminding us of the upcoming fast of Tish'a b'Av, with all its implications. It seems, therefore, an apt time for us to seriously consider acknowledging the right kind of (Torah) leadership when we see it.

Rabbi Weinreb's Weekly Column:  
**D'VARIM**

## **A Time and a Place**

"He was in the wrong place at the wrong time." We have all heard this phrase, and many of us have used it. It is especially apt when it is used to describe a person with many virtues and talents who just can't use them because of the social or physical circumstances in which he finds himself. That such a person faces profound frustration is, to say the least, obvious.

Many Jewish immigrants came to the United States blessed with spiritual gifts and intellectual skills, but found themselves in the wrong place at the wrong time. For you see, America was viewed in two very different ways by the Jews back in the shtetl of the old country. On the one hand, it was seen as the goldene medina, the golden country, the land of material opportunity. But on the other hand, it was also viewed as the treifene medina, the non-kosher country, the lands of insurmountable religious challenges.

The usual "success stories" of Jewish immigration to the United States in the late 19th and early 20th centuries are narratives of "making it" financially, but utterly "losing it" from the point of view of traditional Jewish culture. American Jewish fiction, and even American Jewish history, know these narratives well and relate them in graphic detail.

What is largely missing from this body of literature are the stories of those who came to these shores imbued with religious fervor, committed to traditional observance. Lacking are the stories of men and women who found it difficult, if not impossible, to live out their faith convictions in this new place and time.

Particularly lacking are the narratives of the struggles that rabbinic leaders had in coping with the treif, albeit golden, American environment. One such rabbinic leader was Rabbi Jacob Joseph, the first and only Chief Rabbi in the history of New York City, who died 108 years ago, and whose *yahrzeit* was last week, 24 Tammuz. How ironic it is that his *yahrzeit* fell only a few days after the ultimate American holiday, July 4th.

Rabbi Jacob Joseph, a disciple of the master moralist Israel Salanter, was a rising star in the Lithuanian rabbinic constellation, a gifted orator, a noted pedagogue, and an ardent proponent of meticulous ethical behavior. He accepted a call to the New York Chief Rabbinate, and he soon found himself "in the wrong place at the wrong time."

Rabbi Joseph was certainly not the first great man to find himself in a human context in which he was misunderstood, and in which he was beset by deep disappointment, nay disillusionment. I have long insisted that the first such individual was Moshe Rabeinu himself, which brings us to this week's Torah portion, D'varim.

This week, we begin not only a new portion but an entirely new book, the book of D'varim. This book can be read as a personal retrospective of Moshe as he reviews the highlights of his life, and particularly of his relationship with the Jewish people. Time and again he expresses the frustrations he experienced in trying to bring his followers to the ideas and practices which he espoused.

There can be no greater frustration than that experienced by one who has encountered G-d face to face, but who cannot convey His message to his audience. And hence we have verses such as, "I cannot bear the burden of you by myself" (D'varim 1:9). Or, and this the reader intones with the classic melody of lament, "How can I bear unaided the trouble of you, and the burden, and the bickering!" (1:12)

Moshe had a unique set of personal experiences, unprecedented visions of the divine, natural tendencies toward all that is just and right, and above all, unparalleled humility. And he was predestined to live in a specific time and place. But how often he must have felt that this was the "wrong time at the wrong place", and certainly, "the wrong people".

Millennia after Moshe came Rabbi Jacob Joseph. He was born in Eastern Europe, educated in its old-fashioned yet positively formative schools, and began a successful rabbinic career. He spoke widely and wrote prolifically. His themes were the importance of ethical behavior and the need to be

considerate of other human beings. He was, by nature, meditative and would often take his young students into the fields and forests for their lessons. He was an expert in halacha and meticulous in its observance.

And then he was thrown into the American fray. He encountered fraud where he expected honesty, and violence when he was accustomed to gentleness. He found a land where materialism and profit were primary values, and where spirituality and charity were scoffed at and mocked.

He suffered a stroke at an early age, and he died in anonymity and neglect. His funeral was attended by thousands, but it became the scene of a vicious anti-Semitic riot which made the front page of the newspapers of the time. He was indeed a great man in the "wrong place at the wrong time".

One can only speculate about what Rabbi Joseph's accomplishments would have been had he lived in a different place and a different time. For the United States of America is still a goldene medina for the Jewish people, a land of religious freedom unprecedented in our history. But it is no longer a treifene medina, for it has been transformed into a land of spiritual opportunity and religious accomplishment for our people.

Rabbi Jacob Joseph would have been proud of the "yeshiva constructed upon his grave". The Rabbi Jacob Joseph School was known as

the mother of all yeshivot when it was situated on the Lower East Side of Manhattan, when I was a student there. It has since been transplanted to a new locale and continues to educate hundreds of Jewish children.

His writings have now been compiled and are available for all to see and study. And his biography is incorporated into numerous anthologies of American Jewish history and into the history of the Mussar Movement, which tried so valiantly to emphasize the importance of ethical behavior in our religious tradition.

Like many others who experienced the frustration of being in "the wrong place at the wrong time", he left a lasting impact on our place and our time. And so did his predecessor, Moshe our teacher, so very long ago.

Although in Moshe's case we can only conjecture about his inner feelings, in the case of Rabbi Joseph, we know from records of his final sermons that he indeed believed he "was in the wrong place at the wrong time".

Our tradition, however, teaches us a contrary lesson, namely that none of us are in the wrong place or wrong time. Each of us has a mission in life, and the Almighty Himself chooses the time in history and the place in the world where that mission is to be accomplished. Moshe was the right man at the right time. That is apparent. And even

Rabbi Joseph, although he could not realize it in his lifetime, served a specific purpose as a transitional figure in American Jewish history, helping to bridge the divide between the doomed shtetls of Eastern Europe and the treif but changing New World.

That we all ultimately are in the "right place at the right time" is the deeper meaning of teaching of our sages: "Despise no one and disdain nothing, for there is no one who does not have his hour, and there is nothing that does not have its place" (Avot 4:3). □

## VEBBE REBBE

### QUESTION

*When I have dirty dishes from the seuda hamafseket (meal before the fast) and from feeding children on Tish'a b'Av, may I wash them on Tish'a b'Av?*

### ANSWER

Washing one's skin is forbidden on Tisha B'Av, including even putting one's finger in water without justification (Shulchan Aruch, Orach Chayim 554:7). When there is justification, such as for the need of a mitzva, it is permissible to wash as much as is necessary (ibid.:8). There are other justifications besides mitzvot, as the gemara (Yoma 77b) says that one whose hands are dirty may wash his hands normally on Yom Kippur (and thus certainly on Tish'a b'Av). In explaining this halacha, the

### משנכנס אב ממעטין בשמחה

As Av enters, we reduce our joy.

In Parshat Mas'ei, we read that Aharon died on Rosh Chodesh Av. Sad beginning to a sad month (although the sad part is only until midday of the 10th).

One of the tragic things of Av that needs TIKUN is the Sin of the Spies (as has been mentioned way more than once in this issue).

Such a TIKUN was actually made (attempted?) on Rosh Chodesh Av. Ezra 7 tells us: And after these incidents, in the kingdom of Artachshast, king of Persia, Ezra b. S'roya b. Azarya b. Chilkiya b. Shalum b. Tzadok b. Achituv b. Amarya b. Azarya b. M'rayot b. Z'rachya b. Uzi b. Buki b. Avishua b. Pinchas b. Elazar b. Aharon the Kohen Gadol. Note the long genealogy that links Ezra to Aharon HaKohen (who died on the first of Av).

This Ezra ascended from Bavel, and he was a fluent scholar in the Law of Moshe, which Hashem, the God of Israel had given... And there ascended from the Children of Israel, from the kohanim, and the Levites and... And he came to Jerusalem in the fifth month... and on the first of the fifth month, he arrived to Jerusalem... Ezra, descendant of he whose yearzeit is R"Ch Av, brought some of the exiles back to Eretz Yisrael on the same date. Let's continue...

Tur (Orach Chayim 554) says that only washing for enjoyment is forbidden.

Thus, there is logic to say that since few people intend to have washing enjoyment from doing dishes, it should be permitted to wash dishes normally.

However, there are strong indications that we permit non-enjoyment washing only under circumstances that justify it. For example, the gemara (ibid.), when allowing one to wade through water on Yom Kippur to visit his rabbi (a mitzva), leaves it as an open question whether the rabbi may go to visit his student. We are stringent on the matter (Shulchan Aruch, OC 613:7). One can claim that this is perhaps a more objectively enjoyable form of real bathing, which thus requires a more serious justification. However, even when allowing one to wash the hands for a mitzva need, he is required to wash the minimum area of the hand, not the whole hand as we normally prefer (Shulchan Aruch, OC 554:11). This does not seem to be such a clear objective enjoyment, and thus it seems that there must always be a clear need.

We do find that preparing a meal is a legitimate justification to get one's hand wet. The gemara (Shabbat 114b) allowed doing keniva of vegetables toward the end of Yom Kippur, so that one will have the presence of mind that he will be ready to eat when the fast ends. The Rashba and Ramban explain that keniva is washing and thus the fact that one's hands will undoubtedly get wet in the process does not prohibit it. (We do not practice this leniency, but for an unrelated side reason (ibid.; Shulchan Aruch, OC 611:2)). Also, the Magen Avraham (554:11, cited by the Mishna B'rura 554:19) says that women who are cooking on Tish' b'Av may wash

meat even though their hands will get wet.

On the other hand, getting the hands wet in that context is somewhat of an issue. The Pri Megadim (ad loc.) makes two comments on this Magen Avraham. One is that it is talking about one who needs meat. The Machazeh Eliayhu (87) understands that he was bothered by the fact that it is forbidden to eat meat until the next afternoon. The fact that he must point out that he needs the meat earlier is a sign that it would be forbidden to wash one's hands while cooking on Tish'a b'Av for the next day's meal. The second point is that one should not use warm water, which is a higher level of enjoyment. The Kaf HaChayim (OC 554:46) takes issue on the second point, at least in cases where warm water is necessary, and it seems logical to be lenient in that case.

The position of avoiding touching water when possible is the topic of the following disagreement. The Beit Yosef (OC 615) and Taz (615:1) say that when a child needs to be washed, a non-Jew should do it, so the Jew can avoid the pleasure of the water. The Magen Avraham (ad loc.:1) and most authorities say it is permitted for a Jew to wash him.

In the final analysis it is proper to wash only those dishes that need to be washed on Tish' b'Av. This can be to avoid flies and odors or to make sure there are as many dishes as are needed for those who need to eat on Tish'a b'Av or to break the fast right

afterward. In other cases, one should either use rubber gloves or wait until after Tish'a b'Av. Also, unless one cannot wait, housekeeping type activities should be done after chatzot (midday), even when issues of washing do not apply (Rama, OC 554:22).

## THE CHALLENGE OF MONEY: ADVERTISING AND PRICING

[part 3] by **Dr. Meir Tamari**

"Rabbi Yehuda states, that a shop-keeper may not reduce the price [since this involves destroying another's livelihood; sometimes the whole purpose is merely to drive out competitors as distinct from increasing one's profits]. The Sages say, 'One who does this is to be remembered for good [he forces his competitors to do the same, thus benefiting the consumers]'" (Bava Metzia 4:12). The halakha is like the Sages taught, thus favoring discounting, price competition and even price wars. It would seem that the practice of reducing some articles below costs [loss leaders] in order to attract customers would be in accordance with this opinion. There is ample empirical evidence that discounting of certain lines and loss leaders encourages price competition and leads to lower levels of consumer costs. It must be borne in mind that Judaism is a community-nation religion, the communal welfare in all its forms is therefore of primary spiritual and religious concern; the Sages ruling is merely one example among many where the public good is

the guiding principle for halakhic decisions.

Where price cutting does not flow from efficiency or the shaving of profit margins, there is no reason to sanction it; "Reuven has a license to conduct a store and pays his taxes accordingly. Now he wants to prevent his neighbor who does not have a license nor pays the taxes, from selling goods. It seems to me that justice is with Reuven since the ruling of the Shulkhan Aruch that one cannot prevent price cutting, is based on the desire of the other producers to keep their prices higher. In our case, however, the sole factor in the price cut is the non-payment of taxes by the neighbor which Reuven cannot emulate. Here, no benefit [to the public] accrues from the price cut [presumably because they lose the services paid for with the taxes]" (Shoel u'Meishiv [19th century Poland] 1:20).

There may be a moral problem of geneivat da'at in price cutting where the prices are subsequently raised. Interestingly, the Rambam rules that this is not considered geneivat da'at [Hilkhos Mechira 18:4]. The benefit to the public, even of a price cut with the possibility of subsequently raising prices, would seem to override any suggestion of geneivat da'at.

While there are benefits to society from all the forms of fair competition, often some of the players in the market suffer, sometimes severely so, especially in the case of price cutting; price cuts cannot be met by inefficient

operators who, at certain points, have to cease operation and are often forced into bankruptcy.

Basically, failure of firms and the resultant bankruptcy is beneficial to society, since it is the market's mechanism for correcting bad business decisions, eliminating uneconomic behavior and replacing inefficient management. However, at the same time, society is faced with the cost of the economic, psychological and social suffering caused by the wastage of idle economic resources, unemployment and entrepreneurial failure that follow bankruptcy. Under social and political pressure, governments will try to alleviate or avoid such costs through the bail out of failed firms, subsidization of uneconomic products or import tariffs and quotas or a combination of all of them. If they are continued over a long period these methods will protect and perpetuate the ills that caused the problem in the first place.

It seems that Judaism, through its balance of justice with mercy, presents a better solution that is both economically and morally sounder. All the methods considered above are charity from the public purse to the entrepreneurs, managers, investors, banks who made, financed or managed incorrect decisions and to their inefficient employees who executed them. Justice would demand that only they, not the taxpayers should pay for their mistakes. Business and the market is a profit but also a loss system and he who would earn the former has to suffer the latter. Charity

demands that society bear responsibility for the difficulties and sufferings of its members so that public funds have to be available to fund such responsibility. However, charity is meant only for the poor and only they should be helped through the public purse. Furthermore: "We are obligated to help and support the poor; we are not obligated to make them rich" (Hilkhos Tzedaka 7:3).

Since shame is a price paid for receiving charity, recognizing all forms of public assistance as charity will serve to reduce the number of recipients and the period of assistance, bringing economic, moral and spiritual rewards to society. □

**CHIZUK AND IDUD**  
*Divrei Torah from the weekly sedra  
with a focus on living in Eretz Yisrael -  
Chizuk for Olim & Idud for not-yet-Olim*

### Proper Vision

In the Beginning of this week's parsha we read, "Behold, I have given you the land, come and possess the land that I have promised to your fathers, Avraham, Yitzchak and Yaakov." The commentaries are bothered by the grammar of this pasuk. The word "behold" is written in the singular form, while the rest of the pasuk is written in the plural.

Rav Tzadok HaCohen suggests a possible answer. He begins by laying out a fundamental principle that being able to view the kedusha of an object is instrumental in actualizing that object's

potential holiness. This means in order to experience Eretz Yisrael as a holy place, we require someone who is able to see the land's potential. According to Rav Tzadok, when the pasuk says behold, Hashem is speaking to Moshe Rabienu. He tells Moshe, in order for all of Israel to accept the land as a place where the Shechina (Divine presence) dwells, you should look at it. If you, with your exalted level can see the holiness, you can make that potential a reality for all the Jewish people. This is why in Parshat V'zot HaBracha, Hashem shows Moshe Rabienu every inch of Eretz Yisrael. It takes someone as great as Moshe to teach us the proper way to view the holy land.

Midrash Eicha explains why, although Eicha is arranged alphabetically, in three chapters, the PEI precedes the AYIN. This is because the spies spoke with their mouth before they saw with their eyes. The spies did not have the vision of Moshe. They didn't see Hashem's presence in the land and, therefore because their vision was off, their interpretation of the land was wrong. We are still suffering from their bad vision.

May we all merit to see the true Holiness of the Land of Israel.

Yonatan Sapir, Ramat Beit Shemesh

## The Puah Institute for Fertility and Gynecology in Accordance with Halacha

# Medical Secrets

### Making Healthy Families

Puah receives thousands of letters and faxes each year covering a range of medical and halachic questions. Some time ago, a Puah Rabbi received a detailed medical record from a couple in the U.K. with all names blacked out. The young woman had a serious medical condition that would greatly hamper her ability to have a child. Though the records were anonymous, the Rabbi managed to determine her identity and contacted her. An intelligent and successful woman now involved with a young man, she was ready to get married but wanted to know how to broach the subject of her infertility. The Rabbi advised her as to when and how to explain the ramifications of her condition to the young man.

Some months later, the Puah Rabbi was invited to give a lecture in a synagogue in London. As often happens on such occasions, a few people approached him at the end of his talk to ask personal questions. Included in this group was a young man who took the Rabbi aside and asked to speak with him in a private place for a few minutes.

"I am David," he introduced himself. "And I am the other half of the question the Rabbi recently answered."

The Rabbi was happy to talk to him, to

share information and practical advice. He painted a clear picture of the problems the couple could face in the future. The young man thanked him and walked away; the Rabbi never heard from either of them again.

Sometime later, the Rabbis of the Puah Institute were invited to tour one of the top medical facilities in Israel. One of the doctors there discussed with them the intricacies of genetic counseling and the solutions for genetic problems. He cited the case of a couple that had decided to get married knowing that they had a genetic problem that would severely influence their ability to have children. No exact details were given but it became clear to the Puah Rabbi that this was the same couple that he had counseled a while back. They had decided to marry after all, armed with a wealth of information and advice and confident that they would be able to raise a family of their own.

This is a typical Puah story, one that makes our work at Puah so gratifying.

Ed. note: FYI - The Gemara says that Pu'ah was Miriam. The Midrash says that she and Shifra were converts.

☞ Of course, we could acquire a wonderful education if we could only follow instructions, but it takes far more education to be able to follow instructions than any education we could receive by following them.

From "A Candle by Day" by Rabbi Shraga Silverstein

A Candle by Day • The Antidote • The World Of Chazal  
by Rabbi Shraga Silverstein  
Now available at 054-209-9200

כִּי אֶלֶף שָׁנִים בְּעֵינֶיךָ כִּיּוֹם אֶתְמוּל...  
"For a thousand years in your sight are but like yesterday..." (T'hilim 90:4)

This pasuk is the source of the notion that one of "G-d's days" is equivalent to 1000 of our years. Further, that the six days of Creation correspond to the 6000 year span of our world.

We are in the 6th millenium since Creation, which corresponds to YOM HASHISHI (Friday).

If we consider the day to be from 6:00pm to 6:00am, then the 500 years (half a Day) from 5001 to 5500 would bring us to 6:00am. Another 250 years brings us to our year 5750 and to noon on the Friday of G-d's week.

If we are saying that 1000 years is like a day, then 41 years and 8 months is like an hour to G-d. (1000 divided by 24.)

Half of an hour would be 20 years and 10 months. If 5750 corresponded to noon on Friday, then adding half an hour brings us to 5770, just after 10 months of the year.

All of which means that Rosh Chodesh Av of 5770 is the beginning of the period of MINCHA GEDOLA of Erev Shabbat, which begins half an hour after Chatzot.

This calculation was shared with us by Rabbi Nachman Kahana, who added from Mincha time on Erev Shabbat, some of the Kedusha of Shabbat is already with us. Exactly what this means is unknown, but it is time to speed up preparations for the great Shabbat that is coming.

## Praying with Passion

Giving more meaning to our T'fillah • One Week at a Time

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### REISHIT CHOCHMA (part 2)

רֵאשִׁית חֲכָמָה יִרְאֵת ה', שִׁכָּל טוֹב  
לְכָל עֲשִׂיהֶם, תְּהִלָּתוֹ עוֹמֶדֶת לְעַד.  
תְּהִלִּים קִיאִי (בְּרוּךְ שֶׁם כְּבוֹד מַלְכוּתוֹ לְעוֹלָם וָעֶד).

#### Translation:

The beginning of Wisdom is Awe of Hashem; all who fulfill [His commandments] gain good understanding; His praise is ever-lasting.

#### Try this:

There are situations in which a person tends to feel small; while flying on an airplane, standing under the night sky, driving through the mountains, watching powerful waves crash into the shore, or perhaps being in the presence of a great individual.

Think of a situation that arouses this feeling within you, and flash upon that image when you say the words “Yir'at Hashem” in Reishis Chochma. Try to do this exercise whenever you say the word “yir'ah” in your tefillot.

#### Insight:

#### Safe And Secure Under Hashem

Why is fear of Hashem a constant mitzva? The Gemara explains that it is, in fact, the very purpose of all of existence: “The Holy One, Blessed is He, created His world only so that human beings would stand in awe of Him.” The Maharal explains that when man feels this awe, he abandons his will to that of G-d and achieves profound

closeness to Him, thereby achieving the goal of creation.

Notwithstanding the essential nature of YIR'AH, most people do not want to feel fear all day, every day. We understand that Yir'at Hashem can save us from sin, just as a stop sign prevents one from advancing into oncoming traffic. We also understand that the stark awareness of G-d's presence helps us control our words and actions. Even so, most people find the idea of such close Divine scrutiny to be an uncomfortable mindset.

Making it a constant mind-set is therefore even more difficult.

Yet, on a deeper level, there is tremendous comfort in living one's life with a fear of G-d. A person who always senses G-d's presence also always senses His protection. As King David writes in Tehillim: “Gam ki eileich b'gei tzalmavet lo ira ra ki Ata imadi - Even though I walk in the valley overshadowed by death, I will not fear evil, for You are with me.”

#### Visualize:

#### Bringing the prayer to life

#### When Father is Watching

Five-year-old Dovid can't wait to ride his new bike up and down the sidewalk in front of his house. It sits in the driveway waiting for him and his little heart is brimming with eagerness to get out there and ride.

On the other hand, he's scared. The big boy who lives across the street might run over and swipe his new bike out from under him, just as he swiped

Dovid's basketball, his kite and his watergun. Worse yet, his other neighbor's annoying little puppy might race out of the yard and chase him.

There's another danger too; Dovid knows he has to be very careful to stay on the sidewalk, because if his father sees him ride onto the street, he'll lose the privilege of riding his bike for a whole week. “Why do parents have to be so strict?” he complains to himself.

The little boy's desire to ride his bike far outweighs his worries and he asks his father permission to go outside.

“Go and enjoy your new bike,” his father says. “But pay very careful attention that you stay on the sidewalk. I will be watching you and checking on you every few minutes, so don't forget!”

Dovid leaves the house happy. His father will be watching. If the puppy chases him or the bully bothers him, his father will protect him. True, he has to stay on the sidewalk rather than riding in the road like the older kids. But even this, he knows, is for his own protection. Being loved, being protected, being watched - it all comes from the same source.

The heart of this child reflects the comfort and security Yir'at Hashem confers upon those who are willing to make their Creator the foremost presence in their lives.

#### Try this (too):

We say G-d's name so often in davening that the awesomeness of His name is sometimes lost. When you can,

carefully read a translation of the Yom Kippur Musaf account of the Kohen Godol's service in the Beit HaMikdash. Imagine that you are there as the ineffable name of G-d, a name no one else dare speak, emerges from the Kohen's pure lips, and you, along with the great mass of Jews assembled at the Beis HaMikdash instantly drop to the ground, kneeling and prostrating yourselves, shouting “Blessed is His glorious Name forever!” When you say G-d's name for the first time each day in Reishis Chochma, recall that stirring scene and feel its power.

## Portion from the Portion REBUKE AND MOURNING

The first five verses of the book of D'VARIM seem a bit repetitive – ELEH HAD'VARIM ASHER DIBER MOSHE - These are the words that Moshe spoke”, B'ACHAD LACHODESH DIBER MOSHE EL BNEI YISRAEL - “On the first of the month Moshe spoke”, HO'IL MOSHE BEI'EIR ET HATORA HAZOT - Moshe began to explain this law”. Three times the Torah tells us how Moshe talked to the nation. The Vilna Gaon explains that this is because these verses are an introduction to the whole book of D'VARIM. He explains that the book is divided into three parts - the first part (till chapter 5 in VAETCHANAN) is filled with Musar and rebuke. The second part starts with the Ten Commandments and goes to 27:9 and is filled with the mitzvot, and the third part continues from there till the

end of the book with blessings and curses.

So in this part of D'VARIM we hear about the sins of our forefathers during their travels through the desert. And during this time of the year we mourn the loss of our Holy Temple that was destroyed because of the sins of those generations and hasn't been rebuilt till now because of our continuous sins. Just look around us now. Our dreams for our country and our people seem to be crumbling around us. Everything seems to be going from bad to worse. We just don't seem to ever get it right. One could sink into a depression just thinking of our history. Is that what Hashem wants us to do during this time of BEIN HAMETZARIM - between the straits? Should we all walk around down and blue during this time of mourning?

I think I found an answer to this question when looking at the website of Chabad at Toulane. How did I get to that website? Birthright of course. We had hosted a birthright group and the Rabbi from the Toulane group came along. I decided to look up his website and am glad I did. I found a very short but very deep article titled, "Good Grief. Is Sad Bad?" by Yanki Tauber the content editor on Chabad.org [www.tulanechabad.org/library/article\\_cdo/aid/144578/jewish/Good-Grief.htm](http://www.tulanechabad.org/library/article_cdo/aid/144578/jewish/Good-Grief.htm)

In the article Yanki Tauber asks the question – "Is sad bad?" he answers with the Chassidic teaching that differentiates between two types of

sorrow: MERIRUT, a constructive grief, and ATZVUT, a destructive grief. In his words "MERIRUT is the distress of one who not only recognizes his failings but also cares about them; one who agonizes over the wrongs he has committed, over his missed opportunities, over his unrealized potential; one who refuses to become indifferent to what is deficient in himself and his world. ATZVUT, is the distress of one who has despaired of himself and his fellow man, whose melancholy has drained him of hope and initiative." We must use this time of mourning positively.

That was the purpose of Moshe's rebuke to the nation. Not to make them feel bad about themselves but to get them to mend their ways. The Imrei Elimelech even states that Moshe listed their sins specifically because they had repented for them and we know that someone who does TESHUVA MEI'AHAVA repentance out of love - there sins are counted as good deeds. May we merit to have our sins turned to merit and to see the rebuilding of the Temple speedily in our days.

As we are all mourners during this time period here is a recipe with chickpeas – a food served to the mourner. This is also a good meatless recipe for the nine days.

## CHICKPEA BURGERS

1 (19 oz.) can chick peas,  
drained

2 med. size carrots, sliced

1 onion, chopped

½ cup seasoned dry bread  
crumbs

Pepper to taste

2 Tbsp. flour

2 Tbsp. vegetable oil

1 cup plain yogurt or sour  
cream

Combine first six ingredients in food processor and process until the chickpeas are smooth and carrots are chopped fine. Spoon mixture into eight mounds on flour. Press into patties. Patties are now coated with the flour. Heat oil in skillet, add patties. Cook patties (turning once) until golden brown and heated through. Top with yogurt. Serves 4.

## Parsha Points to Ponder D'varim • Chazon

1) Our Sages teach that the opening words of Sefer D'varim contained veiled criticism from Moshe to the Jewish people (see Rashi 1:1). Why did Moshe wait until the very end of his life to give rebuke for their wrongdoings throughout their sojourns in the desert?

2) Moshe reminds the tribes of Reuven and Gad that they committed to cross the Jordan and conquer the Land of Israel with the rest of the nation. A close look at Moshe's choice of words seems to indicate that they must wait until the people actually divide up and control their individual portions of land - UNTIL G-D WILL GIVE REST TO YOUR BROTHERS AS ONTO YOU AND THEY WILL ALSO POSSESS THE LAND (3:20). Why did Moshe change this from the original command (Bamidbar 32:22) which specifically required them to wait only until the land was conquered?

3) Why does Moshe begin to speak about his own sin and punishment right in the middle of his description of the sin of the spies (1:37)?

### Parsha Points to Ponder

by **Rabbi Dov Lipman**

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Answers are somewhere else in this issue  
Look for them, but only after a good pondering

# ParshaPix explanations

- Speech-bubble at the top of the ParshaPix contains the main elements of what Moshe said to the People. He told them about the travels from Egypt to Eretz Yisrael and what happened during those travels, of the victories of the People in several battles they fought (that's the V for victory hand signal), and about Torah and Mitzvot that are the essence of Jewish Life.
- Also contained within that speech bubble is the letter D which is marked 24K which stands for one of the places Moshe mentioned - DI ZAHAV.
- The judge's gavel flanked (above & below) by two negation circles, relates to the mitzvot in the sedra, against appointing judges for the wrong reasons - not because of wealth, nor out of fear or threats. Furthermore, a judge may not be afraid of threats (e.g. the gun). So too, the bullets (pun intended) of these ParshaPix explanations.
- The arrows indicating DO NOT ENTER to the right and the left, permitting only straight ahead, stands for the two instances, as related by Moshe, that we approached nations for permission to pass through their land.
- The graphic of the spies carrying the cluster of grapes stands for one of the major elements in the sedra, namely The Sin of the Spies.
- The ghost with the San Francisco Giants logo is a play on the pasuk (2:11), The REFA'IM (ghosts in modern Hebrew; warriors or mighty people in the Biblical context) can be considered giants (or vice versa).
- The silhouettes of the bull and donkey are from the pasuk at the beginning of the haftara in which the prophet contrasts us unfavorably with the animals. The bull knows his master and the donkey, his feeding trough.
- The buttons (computer keys) emanating from a button represent D'varim 2:23 - KAFTORIM HAYOTZ'IM MIKAFTOR.
- The stars at the top represent the description by Moshe of the size of the nation: G-d has caused you to multiply and here you are as numerous as the stars of the heavens.
- The blank face with a question mark is for LO TAKIRU PANIM BAMISHPAT (D'varim 1:17).
- The compass pointing north, as in D'varim 2:3 - ...P'NU LACHEM TZAFONA, turn to the north.
- The snowflake is for D'varim 3:9, which tells us that the Tzidonites

called the Hermon Siryon and the Emori called it SNIR. Rashi says that SNIR means snow in Ashkenaz (early form of German) and in the Canaanite language.

- Moshe is telling the "new" generation about the previous 40 years. In D'varim 2:7, he mentions G-d's blessing... that going through the Midbar for 40 years... LO CHASARTA DAVAR, nothing was lacking. Literally, nothing was subtracted. Hence, 40 - 0.
- The anchor minus N needs to be translated into Hebrew but kept in English characters in order to flow smoothly. Anchor is an OGEN. Take off the N (spelled EN) and you are left with OG.
- The kazoo - see it? - stands for the ZAMZUMIM (the word sounds like a kazoo sounds). This is what the AMONITES called the REFA'IM.
- Bottom towards the left is a hoe and an eel, representing the word HO'IL, as in HO'IL MOSHE BEI'EIR ET HATORA HAZOT... The word is not common in Tanach - besides the one in D'varim, there are only two others - in Shmuel Alef and Iyov.
- Then there is Gumby with his faithful steed Pokey. They go back to 1955. Gumby sounds like GAM BI, me too, from D'varim 1:37.
- The first name of the fellow in the lower-right corner is BARNEA, as

in KADEISH BARNEA, a place name mentioned three times in Parshat D'varim (of 6 times in the Torah and 4 more times in NACH).

- Above Barnea is a photo of the TATE Britain, one of four art museums in the Tate Gallery network. The word TEIT, spelled TAV-TAV, occurs 14 times in the Tanach, of which, 3 are in the Chumash, of which two are in Parshat D'varim. The word seems to jump out at you when you read it or hear it. It has the highest gimatriya of all two-letter words, 800 (obviously). Equally obvious are the lowest gimatriya of any words in Tanach - AV and BA, spelled ALEF-BET and BET-ALEF respectively, with a numeric value of 3.
- The remaining pictographs will not be explained. Consider them as Visual TTriddles. Don't forget the X which marks the spot. Not much of a hint, but it will have to suffice.

In Biblical Hebrew, the word PARSA means hoof. In modern Hebrew, it still means hoof (so does TELEF), but has a further meaning - Horseshoe.

פָּרְסָה

# THE JERUSALEM INSTITUTE OF JEWISH LAW

Rabbi Emanuel Quint, Dean

Lesson # 526

## Recusing Oneself from Judging

Recusing oneself means that the person will not act as a judge in the case for some valid legal reason. He may be related to one or more of the litigants, he may have a financial or social benefit from the outcome of the case. He may have anticipated obtaining an interest in the results of the case. There may be any one of a multitude of reasons why one may want to decline to judge a case. But the one who is asked to judge the case must of course remember the obligation that halacha places on one to judge a case if asked to do so and he is capable of doing it.

From time to time I am approached by individuals, usually two who have a difference of opinion, related to some monetary matter. I always first see if I can offer suggestions to compromise their differences, and most often it works. Some people specifically want to have a decision from a Beit Din. I state that I will not judge the case by myself but will convene a court consisting of myself and two other individuals to act as judges in the dispute. Most people are aware that a Beit Din should consist of three persons. I sometimes ask some of the members of the kollel to act together with me as judges in the matter. This is done with the understanding that the members of the panel do not know the litigants.

I would like to present a decision of Rav

Moshe Feinstein in which he cites an incident that happened to the Rif. The Rif (Rabbi Isaac Alfasi, 1013-1104) was the teacher of R. Ibn Migash who had a student Maimon, who had a son Moshe ben Maimon, the Rambam. The printed editions of the Talmud have the compendium of the Rif included in the back of the printed Gemara. There was a period of time in Jewish scholarship when the Rif's compendium was the standard text and many commentators wrote their commentaries on the Rif.

R. Ibn Migash tells the following story about the Rif. The Rif was once ill and went to the mikveh of one of the members of the community. Sometime afterwards the owner of that mikveh had a monetary dispute in the community and of course everyone expected the Rif to be the judge in the matter. The Rif refused to be a judge in the case since he had used the mikveh belonging to the litigant. He stated I will not preside or rule on the dismantlement of the bathhouse, neither in regard to its sale nor its valuation nor in regard to any detail in particular to it, because I benefited from it." Ri Migash states that if this is the correct thing to do in regard to an inanimate object that has no feelings, all the more so is it correct in dealing with people whose feelings can be injured. And if this response is correct to flesh and blood all the more is it appropriate to Hashem for the unmitigated good that He bestows upon us, and out of sheer gratitude we should never do anything that troubles Him or of which He disapproves.

# TRIDDLES

Prizes for best solution sets are furnished by Noam Productions and/or Big Deal.

Last issue's (M&M) TTriddles:

## [1] Hodu before vs. Hodu after in South Africa

HODU before Baruch She-amar at the beginning of P'sukei d'Zimra is the practice of Nusach S'fard. Nusach Ashkenaz says Baruch She-amar first and then continues with HODU. The clash between S'fard and Ashkenaz manifested itself in South Africa in the semifinals soccer match between Spain (S'fard) and Germany (Ashkenaz). Warning to those who daven Nusach S'fard: do not put any stock in the fact that Spain won 1-0.

## [2] Llanfairpwllgwyngyllgogerychwyrndrobwlllantysiliogogoch

Without repeating the name, it is the longest place name in the world (or, at least, in Europe). It is a village and community on the island of Anglesey in Wales. It is also known by its shorter name - Llanfairpwllgwyngyll. It was a TTriddle for Mas'ei in honor of the place of encampment with the longest name: ALMON DIVLATAIMA. Out of the 42 place names in the "travelog", 16 are two word names. 20 place names have only two syllables, 12 have three syllables, 6 have four, 3 have five, and only AD has six syllables. Number of letters range from 3 to AD's 11 (there are 3 names with 9 letters). Technical note: we counted syllables with SH'VA NAs and CHATAF-vowels NOT constituting their own syllable, but rather belonging to the syllable that follows them. For example, CHATZEIROT has only 2 syllables because the CHATAF-PATACH under the CHET is like a SH'VA and the first syllable is CHATZEL. BTW, the longest placename in the USA is that of a Massachusetts lake named Chargoggagoggmanchauggagoggchaubunagungamaugg. New Zealand has a hill named with a longer name than the Welsh village of this TTriddle.

## [3] Herman is an aspirated woman

Split Herman into its syllables (they were combined only to make the TTriddle more TTriddly) and you get her man. In Hebrew (beginning of Matot and elsewhere) the word is ISHAHHH, with an aspirated (sounded) HEI at the end of the word, due to the dot (MAPIK) in it. Woman is ISHA, without the YUD of ISH and without a MAPIK in the HEI.

## [4] Balak's nickname, "Rocky"

Of the five named kings of Midyan who were killed with Bil'am when Israel waged the war of revenge as commanded by G-d in Parshat Pinchas and as carried out in

Matot, one was TZUR. Our Tradition is that TZUR was BALAK who had taken over the rule of Moav, but was originally a Midyanite king. ROCKY, then, would be a suitable nickname.

#### [5] Was it an epicenter?

Defined as "The point of the earth's surface directly above the focus of an earthquake", we might suggest, at least in TTriddle-terms, that CHARADA (trembling) fits that definition. Of course, if CHATZEIROT is the location of Korach's rebellion and ultimate demise, as Rashi indicates is an opinion, then CHATZEIROT would certainly qualify as an epicenter.

#### [6] Unexplaineds

We gave a hint in last week's TT, that the first two pictographs on the right side of the ParshaPix for Matot-Mas'ei were placenames, and the next two were people. From top to bottom:

The Smiley is wearing a Mexican sombrero, which is covering his eyes - leaving only the smile. So we are looking for the word smile in Spanish, which is RISA, a sound alike (or a sound the same) as the place of encampment known as RISA.

Next is a ballot box with a slip of paper with the letter O on it, on its way into the box. That, then, is an O-VOTE, as in the place called OVOT.

Then comes a book-key as in the tribal leader of Dan, BUKI b. YOGLI. (The DAGESH CHAZAK in the KUF allows the word to be broken into BUK and KI or BOOK and KEY.)

Finally, we have a compass with the North being designated by the letters LE rather than N. This gives us ELITZAFAN (close to TZAFON) ben PARNACH, the Nasi of Zevulun.

#### [7] MazalPic

Several people submitted solutions for this, mentioning the similarity between the word for heart and the word for lion in Yiddish. Yehuda Leib, LEIV for heart. Actually, those suggestions are fine, but the intended one is the Russian word for lion - LEV, matching the Hebrew word for heart - LEV.

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## WISDOM & WIT

by Shmuel Himelstein

"Why is it," asked the Kozker, "that a Torah scholar is referred to by our Sages as one whose 'belly is filled with Torah'? Would it not be more appropriate to say that such a person is one whose head is filled with Torah? The answer to this question is that just as a person whose belly is filled one day still finds himself hungry the next day, a true Torah scholar is a person who has a tremendous appetite each day to study more and more Torah."

The Brisker Rav, R' Velvel, was very much against those who went to all types of extremes in their interpretations of difficult passages. "It is no crime to say 'I don't know,'" he explained. "Only those of an inferior intellect claim to know all the answers to all the questions."

The Chafetz Chayim remarked: "If a person learned the tractate of Bava Kama and did not learn to close the window so that a stray wind does not accidentally cause the window to slam into another person's face, that is proof that he did not learn the tractate in order to observe its laws."

## Review: Shabbat Chazon & Tish'a b'Av

*This review is an educational tool; actual halachic questions should be put to a Rav. This is especially true of circumstances that are out of the ordinary.*

The Shabbat before Tish'a b'Av is known as SHABBAT CHAZON. The name derives from the Haftara which is read, the first chapter of Yeshayahu.

Cleaning the house and other preparations for Shabbat are as usual.

Although we do not eat meat during the Nine Days (except for Shabbat), one may taste (without swallowing) food being cooked for Shabbat to determine its flavor-needs.

Many authorities permit bathing and dressing for Shabbat as one would usually do for any other Shabbat. (This is standard practice in Israel.) Others impose some restrictions, such as washing with less pleasant water (temperature-wise), and not bathing the entire body at one time.

One may cut his/her fingernails during the first part of the 9 Days, but not during the week in which the 9Av falls.

One may wear fresh garments for Shabbat, but not new ones. Some say that they should be put on only right before Shabbat.

Many shuls sing L'cha Dodi to the tune of "Eli Tzion" from Tish'a b'Av morning kinot. Some frown upon this custom as a public display of mourning on Shabbat. Nonetheless, it is a common custom.

It is okay to drink wine and eat meat once a person has taken Shabbat, even if it is before sunset.

Many shuls read the pasuk beginning with the word "Eicha" (D'varim 1:12) to the tune of Eicha.

The Haftara for Shabbat Chazon is mostly read with the Eicha melody. The rabbi of the shul or a prominent member of the congregation is usually given Maftir.

Shabbat meals are as usual, including meat and wine. The custom of not eating meat or drinking wine during the Nine Days does not apply to Shabbat - part of "no public display of mourning on Shabbat". One may have meat and wine at all meals on Shabbat, even if this is more than he would usually do. If one is eating meat at the Third Meal, and the meal extends into the night, he still may continue to eat meat. Some disagree and hold that one should stop eating meat at nightfall, even if one hasn't ended his Shabbat.

It will serve us well to think of meat & wine on Shabbat Chazon, not only in the negative (no public display of mourning, therefore...), but also in a positive way. Shabbat is called "a foretaste of the World to Come". Shabbat Chazon allows us a glimpse into the (hopefully near) future when the prophecy of Zacharia will come to be and Tish'a b'Av and its three satellite fasts will become joyous days. We might look at Shabbat as a down payment from G-d, so to speak, on His promise for the future.

**Havdala:** Some say that since Havdala of Shabbat Chazon is said after Shabbat is over, then one should not drink wine, since wine is forbidden during the Nine Days (except for Shabbat). One would then choose a beverage for Havdala that is known as CHAMAR MEDINA, a drink of some importance in our society. Check with your LOR for the approved drinks list.

The other opinion holds that THE proper beverage for Havdala is WINE (except in cases of "great need", such as, there is no wine or you are allergic to it). If you use wine and there is a child present at Havdala who is old enough to understand the concept of Brachot but too young to understand Mourning the CHURBAN, then he/she should drink the wine of Havdala. (Too young and no real understanding of brachot does not absolve the Havdala maker from drinking. Old enough to mourn the loss of the Mikdash, then he/she also shouldn't be drinking wine during the Nine Days.) If not, the one saying Havdala should drink the wine. Some say that he should not finish the whole cup, but suffice with a ROV R'VI'IT. Others say to drink the whole cup so that the after-bracha can be said.

### SHAVUA SHECHAL BO

The week in which Tish'a b'Av falls has stricter rules than the first part of the Nine Days - e.g. those who shave during the Three Weeks and even after Rosh Chodesh Av, should at least not shave during SHAVU'A SHECHAL BO. As mentioned earlier, cutting one's nails is not permitted. Psychologically, one should be "aware" of the increase in mournful practice and feelings.

### EREV TISH'A B'AV

Some authorities forbid regular Torah learning in the afternoon of Erev 9Av, permitting only those topics which are permitted on Tish'a b'Av itself.

There is a strict opinion that one should not eat regular meals after noon - only SEUDA HAMAFASEKET. Realistically, this opinion is too difficult to follow, and, in fact, is not followed. The usual practice is to eat a regular meal in the late afternoon, followed by Mincha (if that works out), and then to have the special pre-fast "meal", shortly before the onset of the fast.

**SEUDA HAMAFASEKET** traditionally consists of bread (or pita) and a hard boiled egg, and water. Some dip the egg and/or bread in ash.

Officially, there are many rules concerning what may and may not be eaten at this pre-fast meal. Since most people will have recently eaten a "regular" supper, it is most common to have SEUDA HAMAFASEKET with just bread, egg, and water.

This is a mourner's meal, appropriate for pre-9Av. It should be eaten alone, to avoid benching mezuman. Some sit on the floor or low seat for this meal. The meal is eaten and the Birkat HaMazon is said with a heavy heart, realizing the enormity of the Churban. (Recommended to say AL NAHAROT BAVEL before Birkat HaMazon, even if you don't do so on other non-Shir HaMaalot days.)

As is true throughout 9Av, it is very important that one's thoughts be on the mournful and serious nature of the day.

### LEIL TISH'A B'AV

The prohibitions of Tish'a b'Av should begin a few minutes before sunset. For Jerusalem this year, we should stop eating, etc. a few minutes before 7:44pm. (This is the earlier sunset time than the one that takes Jerusalem's elevation into account. One should finish eating and drinking by 7:40ish.)

Maariv is recited in a low, mournful tone. Then **Megilat Eicha** is read while people sit on the ground or on low stools. It is customary to reduce the lighting in shul and remove the curtain of the Ark and the covers of the Amud and Shulchan.

When Eicha is read from parchment, as it is in many shuls in Jerusalem, the bracha AL MIKRA MEGILA is recited (but not She'he'che'yanu).

Following Eicha some kinot (poems of lament) are chanted.

### 3 aspects of 9Av laws...

[1] The prohibitions of Yom Kippur-like fasts viz. (a) no eating or drinking, (b) no washing except for fingertips for ritual washing and the washing of actual dirtied areas of the body, (c) no cosmetics or lotions (medications and unscented deodorant are permitted), (d) no wearing of leather shoes, including shoes or sneakers with tops or soles of leather, (e) no marital relations;

[2] practices related to mourning, such as no Torah-learning (except for sad themes such as the books of Eicha and Iyov, certain parts of other books of Tanach, the laws of Tish'a b'Av, the laws of mourning, etc.; no exchange of social greetings (mazal tov is permitted,

however), sitting on the ground; and

[3] a reduction of luxuries and comfort, such as making sleeping conditions less comfortable.

### Tish'a b'Av day

In the morning, one should wash only the fingers (and eyes, with one's wet fingertips).

**Shacharit:** Talit & T'filin are not worn. No Birkat Kohanim. Davening is regular but subdued. We omit the bracha OTER YISRAEL B'TIF'ARA, as this is considered a reference to T'filin, the crown of glory of the Jew. The bracha will be said at Mincha when one does put on T'filin. [GR'A's minhag is also to skip SHE'ASA LI KOL TZORKI in the morning brachot, which alludes to having good shoes. This bracha is said after the fast, when one puts on leather shoes.]

On the other hand, it is surprising that we don't say Avinu Malkeinu, Tachanun, Lamnatzei'ach, or Slichot, any and all of which we might expect on a fast day. Tish'a b'Av, however, is referred to as a MO'ED and will IY"H be a festival when the Beit HaMikdash is rebuilt. As a sign of our complete confidence in this promise of the Messianic times, we treat Tish'a b'Av now as a festival in these token ways.

Special 9Av Torah reading (from Va'etchanan) and Haftara (from Yirmiyahu, read with the Eicha tune) are followed by Kinot which should ideally continue until halachic noon (approx. 12:45pm). Some read Eicha in the morning, too.

### Thinking about Churban Beit HaMikdash (and other tragedies associated with 9Av) is essential.

Therefore, one should refrain from that which would cause the mind to wander from the day's thoughts.

**AFTER NOON:** Although **most restrictions continue throughout the entire day**, a few are relaxed at mincha-time. The Parochet is returned to the Ark, lighting in shul is restored, talit and t'filin are worn, Kohanim bless the People, and sitting on regular chairs is permitted. This, in essence, almost transforms Tish'a b'Av into a "regular" fast day and psychologically allows us to reflect on the consolation of the prophecies of the Geula and the Building of the Third Beit HaMikdash.

Torah and Haftara readings for Mincha are like other fast-days. The passages of **NACHEIM** and **ANEINU** are inserted into the Jerusalem bracha and Sh'ma Koleinu respectively. Omitting either, one does not go back. However, Nacheim can be said within R'TZEI and either or both can be said before YIHYU L'RATZON.

### Motza'ei Tish'a b'Av

The fast ends approx. 8:20pm (some say 8:15). Maariv is regular. One should try to wash his hands ritually (if possible, for Maariv; if not, then right afterwards), since it had not been "properly" done in the morning.

Some say Kiddush L'vana right after Tish'a b'Av (preferably after breaking the fast - bring crackers, a fruit, or whatever with you to Maariv). Others will have said K.L. during the previous week (based on Minhag Yerushalayim).

Others will wait for Motza'ei Shabbat Nachamu.

**The 10th of Av** is the day that most of the Beit HaMikdash burned. Because it started burning on the 9th, and because of other events associated with the 9th, Chazal fixed the fast day on the 9th. But the restrictions of the 9 Days continue beyond the fast. Restrictions apply until halachic noon of the 10th of Av (12:46pm this year). This applies to not eating meat and drinking wine, listening to joyous music, bathing, laundry, etc. Marital relations are forbidden on the eve of the 10th of Av, unless it is the "mikve" night. There are other circumstances that would permit relations - ask a Rav.

### PONDER THIS...

Several events in Jewish history are associated with 9Av that are not mentioned in the Mishna in Taanit. Major expulsions of Jews from different countries began on 9Av, or were decreed on 9Av, or are in some way linked to 9Av. Some massacres are associated with 9Av. We must view them in an appropriate perspective. Simply put, the troubles we have suffered throughout the many centuries of exile are directly related to the exile itself and the causes of it. Pogroms, Crusades, the Holocaust, all spanned the calendar from one end to the other. Yet these events still have a 9Av context. It is therefore appropriate to include in one's thoughts of the day - and activities, such as reading, videos, etc. Holocaust material.

**May we merit the rebuilding of the Beit HaMikdash במהרה בימינו, אמן**

FYI: Tish'a b'Av falls on the same day of the week as the first day of Pesach - they both follow the rule of LO B'DU - not on Monday, Wednesday, and Friday.

When Tish'a b'Av is Motza'ei Shabbat-Sunday, or on Thursday, the Shabbat just past or the one coming have an effect on certain practices. This year with Monday night - Tuesday, Tish'a b'Av "acts normal". May we see 9Av become a festival soon, in our time.

Tish'a b'Av falls on Tuesday 31.9% of the time. That would be the most frequent occurrence except that the Sundays and Shabbats combine (because we don't fast on Shabbat) to 39.5%

**כל המתאבל על ירושלים זוכה ורואה בשמחה תענית ל:**

### מנוחה ושמחה אור ליהודים

can symbolize the change in Tish'a b'Av when the Beit HaMikdash is rebuilt. It has the same gimatriya as Tish'a b'Av

May our T'shuva and fasting, and our love of Torah and Eretz Yisrael, combine with our pro-active, positive steps towards spreading that love and Torah observance to our fellow Jews... all combine to hasten the Geula, ב"א