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Moses the Man

That very day the Lord spoke to Moses, "Go up this mountain of the Abarim, Mount Nebo, which is in the land of Moab, opposite Jericho, and view the land of Canaan, which I am giving to the people of Israel for a possession. And die on the mountain which you go up, and be gathered to your people ... For you will see the land only from a distance; you will not enter the land I am giving to the people of Israel."

With these words there draws to a close the life of the greatest hero the Jewish people has ever known: Moses, the leader, the liberator, the lawgiver, the man who brought a group of slaves to freedom, turned a fractious collection of individuals into a nation, and so transformed them that they became the people of eternity.

It was Moses who mediated with God, performed signs and wonders, gave the people its laws, fought with them when they sinned, fought for them when praying for Divine forgiveness, gave his life to them and had his

heart broken by them when repeatedly they failed to live up to his great expectations.

Each age has had its own image of Moses. For the more mystically inclined sages Moses was the man who ascended to heaven at the time of the giving of the Torah, where he had to contend with the angels who opposed the idea that this precious gift be given to mere mortals. God told Moses to answer them, which he did decisively. "Do angels work that they need a day of rest? Do they have parents that they need to be commanded to honour them? Do they have an evil inclination that they need to be told, 'Do not commit adultery?'" (Shabbat 88a). Moses the man out-argues the angels.

Other sages were more radical still. For them Moses was *Rabbenu*, "our rabbi" - not a king, a political or military leader, but a scholar and master of the law, a role which they invested with astonishing authority. They went so far as to say that when Moses prayed for God to forgive the people for the Golden Calf, God replied, "I cannot, for I have already vowed, *One who sacrifices to any God shall be destroyed* (Ex. 22:19), and I cannot revoke My vow." Moses replied, "Master of the universe, have You not taught me the laws of annulling vows? One may not annul his own vow, but a sage may do so." Moses thereupon annulled God's vow (Shemot Rabbah 43:4).

For Philo, the 1st century Jewish philosopher from Alexandria, Moses was a philosopher-king of the type depicted in Plato's *Republic*. He governs the nation, organizes its laws, institutes its rites and conducts himself with dignity and honour; he is wise, stoical and self-controlled. This is, as it were, a Greek Moses, looking not unlike Michelangelo's famous sculpture.

For Maimonides, Moses was radically different from all other prophets in four ways. First, others received their prophecies in dreams or visions, while Moses received his awake.

Second, to the others God spoke in parables obliquely, but to Moses directly and lucidly. Third, the other prophets were terrified when God appeared to them but of Moses it says, "Thus the LORD used to speak to Moses face to face, as a man speaks to his friend" (Ex. 33:11). Fourth, other prophets needed to undergo lengthy preparations to hear the Divine word; Moses spoke to God whenever he wanted or needed to. He was "always prepared, like one of the ministering angels" (Laws of the Foundations of Torah 7:6).

Yet what is so moving about the portrayal of Moses in the Torah is that he appears before us as quintessentially human. No religion has more deeply and systemically insisted on the absolute otherness of God and man, heaven and earth, the infinite and the finite. Other cultures have blurred the boundary, making some human beings seem godlike, perfect, infallible. There is such a tendency - marginal to be sure, but never entirely absent - within Jewish life itself: to see sages as saints, great scholars as angels, to gloss over their doubts and shortcomings and turn them into superhuman emblems of perfection. Tanakh, however, is greater than that. It tells us that God, who is never less than God, never asks us to be more than simply human.

Moses is a human being. We see him despair and want to die. We see him lose his temper. We see him on the brink of losing his faith in the people he has been called on to lead. We see him beg to be allowed to cross the Jordan and enter the land he has spend his life as a leader travelling toward. Moses is the hero of those who wrestle with the world as it is and with people as they are, knowing that "It is not for you to complete the task, but neither are you free to stand aside from it."

The Torah insists that "to this day no one knows where his grave is" (Deut. 34:6), to avoid his grave being made a place of pilgrimage or worship. It is all too easy to turn human beings, after their death, into saints

and demigods. That is precisely what the Torah opposes. "Every human being" writes Maimonides in his Laws of Repentance (5:2), "can be as righteous as Moses or as wicked as Jeroboam."

Moses does not exist in Judaism as an object of worship but as a role model for each of us to aspire to. He is the eternal symbol of a human being made great by what he strove for, not by what he actually achieved. The titles conferred by him in the Torah, "the man Moses," "God's servant," "a man of God," are all the more impressive for their modesty. Moses continues to inspire.

On 3 April 1968, Martin Luther King delivered a sermon in a church in Memphis, Tennessee. At the end of his address, he turned to the last day of Moses' life, when the man who had led his people to freedom was taken by God to a mountain-top from which he could see in the distance the land he was not destined to enter. That, said King, was how he felt that night:

I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the promised land. I may not get there with you. But I want you to know tonight that we, as a people, will get to the promised land.

That night was the last of his life. The next day he was assassinated. At the end, the still young Christian preacher - he was not yet forty - who had led the civil rights movement in the United States, identified not with a Christian figure but with Moses.

In the end the power of Moses' story is precisely that it affirms our mortality. There are many explanations of why Moses was not allowed to enter the Promised Land. I have argued that it was simply because "each generation has its leaders" (Avodah Zarah 5a) and the person who has the ability to lead a

people out of slavery is not necessarily the one who has the requisite skills to lead the next generation into its own and very different challenges. There is no one ideal form of leadership that is right for all times and situations.

Franz Kafka gave voice to a different and no less compelling truth:

He is on the track of Canaan all his life; it is incredible that he should see the land only when on the verge of death. This dying vision of it can only be intended to illustrate how incomplete a moment is human life; incomplete because a life like this could last for ever and still be nothing but a moment. Moses fails to enter Canaan not because his life was too short but because it is a human life.(1)

What then does the story of Moses tell us? That it is right to fight for justice even against regimes that seem indestructible. That God is with us when we take our stand against oppression. That we must have faith in those we lead, and when we cease to have faith in them we can no longer lead them. That change, though slow, is real, and that people are transformed by high ideals even though it may take centuries.

In one of its most powerful statements about Moses, the Torah states that he was "a hundred and twenty years old when he died, yet his eyes were undimmed and his strength unabated" (34:8). I used to think that these were merely two sequential phrases, until I realised that the first was the explanation for the second. Why was Moses' strength unabated? Because his eyes were undimmed - because he never lost the ideals of his youth. Though he sometimes lost faith in himself and his ability to lead, he never lost faith in the cause: in God, service, freedom, the right, the good and the holy. His words at the end of his

life were as impassioned as they had been at the beginning.

That is Moses, the man who refused to "go gently into that dark night", the eternal symbol of how a human being, without ever ceasing to be human, can become a giant of the moral life. That is the greatness and the humility of aspiring to be "a servant of God."

1. Franz Kafka, *Diaries 1914 - 1923*, ed. Max Brod, trans. Martin Greenberg and Hannah Arendt, New York, Schocken, 1965, pp. 195-96.



By Heaven

In Ha'azinu, the penultimate parashah of the Torah, Moshe delivers his message in song. Although the parashah is replete with poetic allusions, the starting point for Moshe's address is his call upon heaven to bear witness.

Give ear, oh heavens and I will speak, and hear, oh earth, the words of my mouth. (D'varim 32:1)

This is not simply a case of poetic license; Moshe's opening statement is a crucial part of his message. In fact, in the verses that lead up to this poetic speech, Moshe gives notice of his intention to call upon heaven and earth as witnesses:

Gather to me all the elders of your tribes, and your officers, that I may

*... speak these words in their ears, and call **heaven** and earth to **witness** against them. (D'varim 31:28)*

This testimony was mentioned earlier, as well:

*I call **heaven** and earth to **witness** on this day against you, that I have set before you life and death, blessing and curse; therefore choose life, that both you and your descendants may live. (D'varim 30:19)*

What is the purpose of calling heaven as a witness? The simple answer is that Moshe will soon be leaving the stage; he knows that his death is imminent, and that he will no longer be there to chastise the people should they go astray. Therefore, he informs them that there are other, more permanent witnesses who will always be there to testify in his stead.

Similarly, in his treatise on the Laws of Teshuva (repentance), Rambam refers to a different sort of "supernatural testimony:"

*What constitutes teshuvah? That a sinner should abandon his sins and remove them from his thoughts, resolving in his heart never to commit them again.... Similarly, he must regret the past, as [Jeremiah 31:18] states: "After I returned, I regretted." **He who knows all mysteries will testify that he will never return to this sin again** ... He must verbally confess and state these matters which he resolved in his heart. (Rambam Teshuva 2:2)*

Rambam states that one of the critical elements of *teshuva* is that "He who knows all mysteries," God Himself who alone knows the future behavior of each and every one of us, testifies that this particular person will never repeat this sin. This passage has been much

debated, with some opining that it indicates Rambam's belief that the recidivist sinner's behavior voids his penitence. The sin of which he was originally guilty still stands, unforgiven and uncleansed, because his later repetition of the sin proves that his penitence was insincere. In this view, a sinner is forgiven only if he or she never backslides or regresses into old, die-hard behaviors. Only when God Himself is able to attest that the sin was never revisited is the sin expunged from the sinner's record.¹

Rav Yisrael Salanter took issue with this interpretation, noting that if this were the case, the stages of repentance in Rambam's formulation would have appeared in a different sequence: The reference to Divine testimony should have followed the words "resolving in his heart, never to commit (that sin) again." Instead, the testimony of "He who knows all mysteries" regards the penitent's regret. Therefore, Rav Yisrael Salanter theorized, Rambam's statement regarding God's testimony is not telling us as much about the penitent's future behavior as it is about his or her current sincerity: A person must express **regret** for their sin with such sincerity that they are willing to call upon God as their witness. God's testimony regards the penitent's sincerity in the present tense, and does not attest to events that may or may not transpire in the future.² Therefore, if a person is sincere in their *teshuva*, they are forgiven – even if they stumble and fall again in the future.³

This reading of Rambam's comments reveals a far more realistic view of human nature: There are – and always have been – times when even sincere penitents succumb to the Evil Inclination. The Talmud teaches that part of the insidiousness of sin is that it becomes habitual.

... R. Huna said: 'Once a person has committed a sin once and twice, it is permitted to him.' Permitted?! How

could that occur to you? Rather, it appears to him as if it were permitted. (Talmud Bavli Yoma 86b)

While it may be the case that before a first offence a person undergoes an internal struggle, at a certain point the battle is won or lost and the struggle is over; the desire for immediate gratification overcomes the voice of long-term, logical thinking. The habitual sinner, on the other hand, no longer struggles; he creates a “new normal.” However, if this person gathers the strength to do sincere *teshuva*, and, despite the sincerity of his or her remorse and resolve never to sin again nonetheless falls prey to the Evil Inclination, he or she will experience a new struggle – perhaps even more fierce than the first. This sin is not a case of “business as usual;” the habit of sin has not been allowed to dictate behavior. The burning desire he or she once had for that particular sin had already been extinguished through sincere *teshuva*. The more recent sin is the result of a new struggle, a new “fire,” unrelated to the previous episode for which he or she had already been forgiven.⁴

Rabbi Soloveitchik focused on the significance of God’s involvement in this process: By virtue of being descendants of the matriarchs and patriarchs, each and every Jew is endowed with a special holiness. This holiness was given full expression in the covenant of Mount Sinai. It is this covenant that insures that an individual’s status as a Jew, and the status of the Jewish People as God’s chosen nation, can never be forfeited.

However, in the book of D’varim another covenant was forged between God and each Jew as an individual. When a person transgresses, it is this covenant that is broken. Behavior that violates this covenant will result in the forfeit of the privileges that this covenant with God endows.

Sin has a way of corrupting us; beyond the bad behavior, it sullies the sinner’s soul. *Teshuva* seeks to correct sin on two distinct levels, first by achieving forgiveness for the behavior itself, but also by cleansing the soul, freeing it from the burden with which sin has saddled it. Sin creates a distance between the two parties to the covenant; even when the misdeed itself is forgiven, the estrangement remains. Trust must be rebuilt; the sanctity of the covenant must be restored. By bringing God into the equation, by summoning God as a witness of one’s repentance, we replicate the forging of the covenant, in a manner akin to renewing vows. Just as heaven was called as a witness by Moshe, so, too, must the penitent invoke Heaven as a witness when he or she renews the covenant. The process of *teshuva* described by Rambam, in which God testifies to the sincerity of the *teshuva*, creates a parallel with the testimony of heaven and earth Moshe invokes before his death. Both are intended to enable us to connect – or reconnect – with the holiness our souls sorely need.⁵

The Mishnah in which the Yom Kippur ritual is described in detail, Tractate Yoma, concludes with an optimistic teaching by Rabbi Akiva:

Rabbi Akiva said: Fortunate are you, Israel! Who is it before whom you are purified? And who is it that purifies you? Your Father in Heaven, as it is said: ‘And I will sprinkle pure water upon you and you shall be pure.’ And it further says: ‘The hope (mikveh) of Israel is the Almighty!’ Just as the mikveh purifies the impure, so does the Holy One, blessed be He, purify Israel. (Mishna Yoma 8:9, Talmud Bavli 86b)

In this uplifting summary of the process of *teshuva*, Rabbi Akiva leads us away from the cold, impersonal accounting of sin and punishment, atonement and purity that is the world of jurisprudence; indeed, a judge would

be likely to “throw the book” at the recidivist sinner. Instead, Rabbi Akiva draws a metaphor from the world of ritual purity. Surely, this metaphor supports a more forgiving understanding of *teshuva*: A person who immerses in the purifying waters of the mikveh will most certainly – inevitably, unavoidably – become impure again. And yet, this in no way impacts or diminishes the purity that is achieved in the present moment. So, too, a person who sins and repents – sincerely and wholeheartedly enough to invoke God as their witness – is forgiven, even if they repeat their sin in the future.

Regret is a powerful tool; it allows us to erase the past. Standing before God and expressing regret not only liberates us from the past, it allows us to renew our personal covenant with God. Sincere *teshuva* creates a moment of purity, in which God purifies us as if with pure waters of the mikveh, leaving us cleansed and holy. Even if we subsequently stumble, and are in need of cleansing once again, that moment of purity is not sullied by the specter of whatever missteps lurk in the future.

For a more in-depth analysis see:
<http://arikahn.blogspot.co.il/2016/10/parashat-haazinu-and-yom-kippur-audio.html>

1. See R' Yitzchak ben Nisim Rietbard, **Beit Yitzchak**, Drasha for Yom Kippurim.
2. Rav Yisrael Salanter, **Kochvei Ohr**; also see Rabbi Menachem Krakowsky, **Avodat Hamelech** Laws of Teshuva 2:2.
3. This position is taken by Rav Sa'adya Gaon, **Ha'emunot v'Hadeyot** maamar 5. It may also be the intention of the **Sefer HaChinuch** Mitzva 311.
4. R. Yaakov Lorberbaum (1770-1832), **Nahalat Yaakov**; Rambam, Laws of Teshuva 2:2.
5. Rabbi Yosef Dov Soloveitchik, **Reshimot Shiurim**, Nedarim 8b.



Consider the Changes

Remember the days of old, consider the years of each generation. (32:7)

History is an integral part of Jewish life. The Torah tells us, “Remember the days of old, consider the years (*shenos*) of each generation; ask your father and he will tell you, your grandfather and he will say it to you.” A Jew must always remember the Exodus, the Giving of the Torah at Mount Sinai, the forty years in the desert and all the other seminal events of our history that form the foundation of our faith and our observances. A Jew must see Hashem’s hand in the events of the past and their consequences. As a secular philosopher once said, “Those who cannot remember the past are doomed to repeat it.”

This we all know and understand. But what is the significance of the repetitive language of the verse? How does “remember the days of old” differ from “consider the years of each generation”?

The *Menachem Tzion* resolves this question homiletically. The word for “years” used here, *shenos*, can also be translated as “the changes.” Consider the changes of each generation. Understand that the lessons of the past must be applied to the present with wisdom and discernment. Times change, people change, circumstances change. Not everything that worked in the past will work today, and not everything that failed in the past would fail today. The Torah can never be

changed but it has enough built-in flexibility to allow it to adapt perfectly to all times and places. We have to think and consider hard before we make the application.

The Divine Protectorate

With broad strokes Moshe present the sweep of history, “Remember the days of old, consider the years of each generation; ask your father and he will tell you, your grandfather and he will say it to you. When the Supreme One gave nations their portion, when He separated the children of man, He set the borders of peoples according to the number of the people of Israel.”

Rashi gives a Midrashic interpretation of the references. “Remember the days of old” is a general admonition to recall what happened to our predecessors who angered Hashem. “Consider the years of each generation” refers to the generation of Enosh who were inundated by ocean waters and the generation of the Great Flood. “When the Supreme One gave nations their portion, when He separated the children of man” refers to the generation of the Dispersion when people tried to build the Tower of Babel.

We have a rule, however, that the plain meaning of the verse is always significant. The simple interpretation of these verses is an admonition to us to understand history and learn its lessons.

As Jews, we believe that the Almighty is not only the Creator but that He is also the Guide of history. We see His hand in the historical events that we witness. And the Torah is telling us that “He set the borders of peoples according to the number of the people of Israel.” The ultimate purpose of the wars and conflicts that shape the world, the shifting borders of the globe, all of these are determined by the Divine plan for the Jewish people. We may not see it immediately. We may never see it at all. But in some way, the

destiny of the Jewish people turns the intricate wheels of history.

Rav Elchanan Wasserman, whom the Nazis murdered at the beginning of the Second World War, quotes these verses as proof that all world history revolves around the Jewish people. “When the Treaty of Versailles drew a new map of Europe [at the end of the First World War],” he writes, “the borders were already drawn in Heaven.”

One does not have to be a politically astute individual to appreciate the impact of the breakup of the Soviet Union on the Jewish people. But we sometimes think the smaller details do not really affect us. What difference is it to us whether or not Azerbaijan goes its own way? What difference is it to us if Chechnya declares its independence? But this is a mistake. It makes a difference – even if we don’t see it.

What difference did it make if the Ottoman Empire sided with the Allies or the Germans during the First World War? Who at the time gave it a second thought from the perspective of the Jewish people? But in retrospect, it was a critical decision. By choosing the wrong side, the Ottoman Turks were forced to surrender their possessions in the Middle East, among these a dusty strip of land called Palestine. Great Britain received the mandate for Palestine, which opened the way for the establishment of modern-day Israel.

When we see maps changing, we need to hold our breaths. Somehow or another, this will affect us, either for the good or, Heaven forbid, otherwise. Sometimes it is for our benefit. Sometimes, God forbid, it is for our punishment. We are always on center stage, because we are the protectorate of the Master of the Universe.



Guaranteeing a Good Year

Greetings from the holy city of Jerusalem!

The Shabbat between Rosh Hashana and Yom Kippur is called is Shabbat Shuva (the Shabbat of Return).

The Amidah of the High Holiday prayers contains the prayer, "You *chose* us from all the nations, You *loved* us and You *desired* us." Although this prayer is phrased in the past tense, it also implies that God continually chooses, loves, and desires the Jewish people.

The commentator Dover Shalom explains that the three expressions used in this prayer correspond to three levels of love. The lowest level is when we are loved because we are better than the other available options. Although we may be flawed, we are superior in comparison to the alternatives. The middle level is when we are loved because we are inherently good. The highest level is when we are loved unconditionally, for no reason at all. If there was a reason, it would be the *reason* that was loved, not us!

The phrase "You chose us from all the nations" corresponds to the lowest level of love, when we are loved only in comparison to the alternative options. The Talmud (Avodah Zara 2b, on Deut. 33:2) teaches that God initially offered the Torah to the nations of the world, all of whom refused to accept it. Only the Jewish people eagerly responded, "We will do and we will hear!" (Exodus 24:7). Based on this

positive response, God gave the Torah to us.

[The Jews could therefore more accurately be called the Choosing People, not the Chosen People. We chose God first, and He reciprocated. From the Jewish perspective, God will choose anyone who chooses Him.]

The phrase "You loved us" corresponds to the second level of love, when we are loved due to our intrinsic goodness. Not only are we preferable over other options; we are actually inherently lovable! Finally, the phrase "You desired us" corresponds to the highest level of love: inexplicable, absolute love that does not depend on reason.

The love between God and the Jewish people is compared to the love between a husband and a wife. The Mishnah (Kiddushin 1:1) teaches that there are three ways for a marriage to legally take effect: through a monetary transaction, a contract, or consummation. God married the Jewish people in all three ways. The Egyptian riches that washed ashore after the Jewish people crossed the Sea represent a monetary transaction (see Sefer HaMakneh on Kiddushin, Pische Zeira). The Jewish people received our marriage contract at Mount Sinai, when God gave us the Torah; and our marriage was consummated during the time that the Jewish people lived within the privacy of the Divine Clouds of Glory.

Three Levels of Love

We can understand these three conditions for marriage as representing the three levels of love. God does not fulfill just one or two of these conditions; He sends us an outpouring of love, showing that He wants to connect with us in every possible way. The mitzvah of tefillin, in which a strap is wrapped three times around the middle finger, also expresses this idea. With each loop, we recite a verse beginning with the words, "I am betrothed to you" (Hoshea 2:21-22). The three loops that are formed look like three rings, representing

marriage and the three levels of love. Every day, on an ongoing basis, God chooses us, loves us and desires us.

The preface to the Otzer Tefillot states that the main thrust of the High Holiday prayers is for God to reveal Himself to all nations and peoples, thereby eliminating the desecration of His name and increasing its sanctification. Perhaps our Sages chose to word the prayers this way so that we could attempt to reciprocate God's love and devotion to us. On Rosh Hashana and Yom Kippur, when our very lives are hanging in the balance, the greatest demonstration of love is our ability to rise above our personal concerns and devote ourselves solely to the revelation of God's glory. When God sees that we are mature enough to disregard our own needs and put His will above all else, He will do anything for us. This is the best way to secure for ourselves a sweet new year.

Nevertheless, our intentions must be sincere. The Talmud (Baba Kama 92a) teaches that a person who prays on behalf of another when he himself needs the same thing will be answered first. This does not mean to say that two poor people can make a plan to pray for each other so that they'll both get answered fast! In such a scenario, neither person is actually praying for the other; each is praying for himself, while using the other person as a device. The same is true with our intentions in the High Holiday prayers. We must not fool ourselves into thinking we are praying for the manifestation of God's glory, when really we just want to guarantee a good year for ourselves. Our ability to transcend our personal concerns is precisely what allows God to fulfill them.

As we approach the Day of Judgment, may we learn how to take ourselves out of the center and focus on God, and through this ultimate demonstration of love, may we be inscribed in the Book of Good Life.