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INTERNET PARSHA SHEET ON MATOS - MASEI - 5786

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From: Chaim Shulman <cshulman@gmail.com>

Matos — Wealth, Shlichus, and the Other Side of the Jordan *Adopted from Nechama Leibowitz, Iyunim B'Sefer Bamidbar Career or Shlichus*

Near the end of Parshas Matos, just as Klal Yisrael stands ready to enter Eretz Yisrael, a new crisis appears. It is not the crisis of the meraglim, who feared the land and tried to turn the nation back. It is not the longing for Mitzrayim, for fish, cucumbers, and familiar food. This time the danger comes from success.

Note that this parsha speaks to a modern question as well: the choice between career and shlichus, between private advancement and the responsibility of helping build the national life of Israel. The story of Bnei Gad and Bnei Reuven is therefore not only a question of geography. It asks what happens when material success, comfort, and a settled life compete with the larger calling placed upon Klal Yisrael.

The lands of Sichon and Og have already been conquered on the eastern side of the Jordan. Bnei Yisrael are standing in Arvos Moav, about to cross the river and enter the land Hashem promised to the Avos. But two shevatim, Reuven and Gad, see something else. They see fertile grazing land. They see a place that fits their wealth, their

livestock, and their settled economic life. Before crossing into the land of destiny, they ask to remain outside it.

This is not a simple question of real estate. It is a question of values. What does a person see first? The mission or the opportunity? The promise of Hashem or the economic advantage? The place where he is needed, or the place where his possessions will flourish?

The Torah introduces the story with a revealing pasuk: ומקנה רב היה לבני ראובן ולבני גד עצום מאד ויראו את ארץ יעזר ואת ארץ גלעד והנה המקום מקנה *The children of Reuven and the children of Gad had very great livestock, and they saw the land of Yazer and the land of Gilad, and behold, the place was a place for livestock* (Bamidbar 32:1). The pasuk begins with מקנה, livestock, and ends with מקנה. Their eyes are drawn to the land because of what it can do for their possessions. The phrase is not neutral. It tells us what they saw first.

A Land Seen Through Possessions

There are many ways to see a land. Moshe sees Eretz Yisrael as the fulfillment of Hashem's promise, the next stage in the life of Klal Yisrael, the place where Torah will be lived as a nation. But Bnei Reuven and Bnei Gad first see ארץ מקנה, a land for livestock.

They do not begin by saying that they want to separate from Klal Yisrael or refuse the national mission. They speak indirectly. They list the cities and then say: הארץ אשר הכה השם לפני עדת ישראל ארץ מקנה *The land that Hashem struck before the assembly of Israel is a land for livestock, and your servants have livestock* (32:4). Their words are carefully chosen. They do not yet ask. They state two facts, the land is good for livestock and they have livestock, and leave Moshe to draw the implication.

This explains the unusual double language of the pesukim. First the Torah says ויאמרו אל משה, they said to Moshe (32:2), and only afterward, once the cities and the land have been described, it says again ויאמרו, and they said (32:5). The first אמירה is hesitant. They hint. They wait. They hope Moshe will make the suggestion for them.

But Moshe does not respond to the hint. He does not complete their sentence. Only then do they say clearly: אם מצאנו חן בעיניך יתן את הארץ לנו *If we have found favor in your eyes, let this land be given to your servants as a possession; do not bring us across the Jordan* (32:5). Now the hidden request is open. They want the land here. They do not want to cross the Jordan.

Moshe Hears the Meraglim Again

Moshe's response is immediate and sharp: האחיכם יבאו למלחמה ואתם תשבּוּ פה *תשבּוּ פה*

Shall your brothers go to war while you sit here? (32:6).

Moshe hears more than a practical request. He hears the echo of an earlier national failure: ולמה תניאון את לב בני ישראל מעבר אל הארץ אשר *Why will you discourage the heart of Bnei Yisrael from crossing to the land that Hashem has given them?* (32:7). The word תניאון is the key. Moshe sees in their request a danger similar to the sin of the meraglim. Their refusal to cross could weaken the heart of the nation, suggesting that Eretz Yisrael is not worth the struggle, that a comfortable inheritance outside the land is preferable to the demanding destiny inside it.

Moshe therefore recalls the whole story of Kadesh Barnea. The meraglim saw the land and caused the people to fear entering it. Hashem's anger burned, and the generation was left to wander in the midbar for forty years. Now Moshe says: והנה קמתם תחת אבותיכם תרבות *And behold, you have*

risen in place of your fathers, a breed of sinful men, to add more to the anger of Hashem against Israel (32:14).

To Bnei Gad and Bnei Reuven, their request may have seemed reasonable. They had much livestock, and the land was good for livestock, so why not settle there? But Moshe sees the public meaning of the act. If two shevatim stay behind before the war for Eretz Yisrael, the rest of the people may conclude that the land is not worth fighting for. Even without any intent to rebel, their choice could become a new form of discouragement.

A private calculation can become a public betrayal.

Their First Correction

Bnei Gad and Bnei Reuven respond with a compromise. They will build pens for their animals and cities for their children, and then cross armed before Bnei Yisrael: *לפנינו פה וערים לטפנו* *We will build sheepfolds here for our livestock and cities for our children* (32:16). *ואנחנו נחליץ חשים לפני בני ישראל עד אשר אם הביאנום אל* *And we will arm ourselves swiftly before Bnei Yisrael until we have brought them to their place* (32:17).

Their proposal sounds generous. They are not refusing to fight; they will go first and help the nation conquer the land. But the wording still reveals the gap between their view and Moshe's. They speak of bringing Bnei Yisrael to their place, as if the agreement were a private settlement between tribes: they will help their brothers, and afterward return to their own inheritance.

Moshe changes the language entirely: *אם תעשון את הדבר הזה אם תחלצו לפני השם למלחמה*

If you do this thing, if you arm yourselves before Hashem for war (32:20). *Every armed man among you shall cross the Jordan before Hashem* (32:21). *והיתה הארץ הזאת לכם לאחזה לפני השם* *This land shall be yours as a possession before Hashem* (32:22). That is the great difference. They spoke of a duty to their brothers. Moshe speaks of a duty *לפני השם*, before Hashem. They spoke of helping Israel arrive at its place. Moshe speaks of fulfilling Hashem's command. The mission is not merely national loyalty. It is avodas Hashem.

The Main Thing and the Secondary Thing

There is another small detail that reveals everything. Bnei Gad and Bnei Reuven first say *לפנינו פה וערים לטפנו* *we will build sheepfolds here for our livestock and cities for our children*. Their livestock comes before their children.

Rashi, based on Chazal, says: *חסים היו על ממונם יותר מבניהם ובנותיהם* *שהקדימו מקניהם לטפם*

They cared for their money more than for their sons and daughters, for they put their livestock before their children.

Moshe corrects them: *לא כן עשו העיקר עיקר והטפל טפל*; do not do this; make the main thing main and the secondary thing secondary. He reverses the order: *בנו לכם ערים לטפכם וגדרת לצאנכם*

Build for yourselves cities for your children, and pens for your sheep (32:24). Children first. Livestock second. Human life first. Wealth second.

This is not only a correction in speech. It is a correction of the soul. A person reveals himself by the order in which he speaks. What comes first in his language often comes first in his heart. Bnei Gad and Bnei Reuven had let their possessions define their vision. Moshe teaches them to put first things first. Your children are the *ikar*. Your property is the *tafel*. Your wealth must serve your life, not become your life.

They Accept Moshe's Language

The tribes hear Moshe's words and accept them: *טפנו נשינו מקננו וכל בהמתנו יהיו שם בערי הגלעד*

Our children, our wives, our livestock, and all our animals will be there in the cities of Gilad (32:26).

Now the order has changed. First *טפנו*, our children. Then *נשינו*, our wives. Only afterward *מקננו וכל בהמתנו*, our livestock and animals. They have internalized the correction, not merely accepted it externally. And language matters here, because language reveals inner order. They also accept Moshe's deeper point about the mission: *ועבדיך יעברו כל חלוץ צבא לפני השם למלחמה כאשר אדני דבר* *Your servants shall cross over, every armed man, before Hashem for war, as my master has spoken* (32:27).

They now say *לפני השם*. They now understand that their obligation is not merely to their brothers, but to Hashem. Rashi notes the force of their final words, *כאשר אדני דבר*, as my master has spoken. They are no longer speaking in their original formulation. They accept Moshe's terms, and Moshe's way of seeing the matter.

This is the turning point of the story. Moshe does not simply reject their request. He educates it, taking a request rooted in wealth and comfort and reshaping it through responsibility, family priorities, and service of Hashem.

The Danger of Wealth

Chazal, however, do not forget the beginning of the story. Even after Bnei Gad and Bnei Reuven accept Moshe's correction, the Midrash sees in their original choice a lasting danger.

The Midrash teaches that three great gifts were created in the world: wisdom, strength, and wealth. When they are recognized as gifts from Heaven and guided by Torah, they are true blessings. But when a person treats them as self-made possessions and a source of self-importance, they do not last. Achitofel had wisdom and lost it. Shimshon had strength and lost it. Korach had wealth and lost it. These gifts become dangerous when severed from Hashem.

The Midrash then turns to Bnei Reuven and Bnei Gad: *שהיו עשירים* *They were wealthy and they loved their money, and they settled outside Eretz Yisrael.*

Their wealth shaped their decision. Because of their property, they separated themselves from the land and from their brothers. The Midrash says this is why they were exiled first: *לפיכך גלו תחלה מכל השבטים* *Therefore they were exiled first of all the shevatim.*

Their first choice to remain outside the land eventually became the first exile from the land. It is a sobering measure for measure. They had, in effect, said that their possessions made the other side of the Jordan desirable. In the end, those possessions did not secure them. They made them vulnerable.

What Wealth Really Is

The Midrash closes with a sharp reflection on money, quoting the pasuk: *לא ממוצא וממערב ולא ממדבר הרים כי אלקים שפט זה ישפיל וזה ירים* *For not from east or west, and not from the wilderness of mountains, comes elevation; for God is the judge, He lowers one and raises another* (Tehillim 75:7-8).

A person may think that wealth comes from his cleverness, his travel, his commerce, his ability to move from east to west and cross deserts and mountains. But the Midrash says this is not the source of true elevation. Hakadosh Baruch Hu raises one person and lowers another. Wealth is not ultimate security. It moves.

That is why money is called נכסים, says the Midrash, because נכסים, hidden from one and revealed to another. It is called נכסים, because נכסים, they move from one person and are given to another. And מה אתה מונה ממן itself is questioned: מה אתה מונה אינו כלום, what are you counting? It is nothing.

This does not mean that money is evil. The Torah does not despise wealth. But wealth becomes destructive when it becomes the lens through which a person sees his future, his family, his land, and his mission.

The Lesson of Bnei Gad and Bnei Reuven

The story of Bnei Gad and Bnei Reuven is not only about where two shevatim lived. It is about how people choose. They stood on the edge of Eretz Yisrael, but their first words were about מקנה, livestock. They saw a place of economic possibility before they saw the mission of the nation.

Moshe teaches them three corrections.

First, do not discourage your brothers: האהיכם יבאו למלחמה ותאם תשובו, shall your brothers go to war while you sit here? A private decision can weaken the heart of others.

Second, do not reduce the mission to a human arrangement. The war for Eretz Yisrael is not only before Bnei Yisrael. It is לפני השם, before Hashem.

Third, do not let wealth reorder your values: בנו לכם ערים לטפכם וגדרתם, build for yourselves cities for your children and pens for your sheep. Children before cattle. Family before property. Ikar before tafel.

Bnei Gad and Bnei Reuven accepted Moshe's correction, and that is to their credit. But the Midrash still warns that their original desire left a mark. They loved their wealth, settled outside Eretz Yisrael, and were exiled first.

The question of the parsha remains alive for me. When comfort and calling stand opposite each other, what do we see first? Do we see מקום, a place for our possessions, or the place of our shlichus? Do we count our money, or do we count what Hashem asks of us? The Torah does not ask a person to ignore practical needs, but it demands that practical needs remain in their proper place. Wealth may be a gift, but it must not become a guide. Comfort may be useful, but it must not become a destiny. The main thing must remain the main thing, and the secondary thing must remain secondary: העיקר עיקר והטפל טפל, the main thing main and the secondary thing secondary.

The Halachos of the Three Weeks and the Nine Days - 5786

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Based on the Mishna Brurah, including Shulchan Aruch and Rema, Orach Chaim 551, with additions from R' Shimon Eider, R' Eliezer Melamed, Rav Moshe Feinstein, Rav Hershel Schachter and other contemporary poskim.

Structure. The restrictions develop in stages. Some begin from the Seventeenth of Tamuz; a more serious level begins from Rosh Chodesh Av; and the strictest level is *shavua shechal bo*, the week in which Tisha B'Av falls.

Haftaros and public mourning. Before Tisha B'Av, the three haftaros of punishment, שלשה דפורענותא, are read; afterward come the seven haftaros of consolation, שבועה דנחמתא, and then the two haftaros of teshuvah. If the first was missed and the regular haftarah was read, the later haftaros may be adjusted. When Rosh Chodesh Av falls on

Shabbos, the common practice is to read the ordinary haftarah of Rosh Chodesh. On Shabbos Chazon, some call the rav for maftir, and the custom is for the Haftarah to be read with the tune of Eichah; a minor should not be called for this haftarah.

Danger during Bein HaMetzarim. The Three Weeks are treated as a time of danger, and one should avoid unnecessary risks. Many delay elective surgery during this period where feasible.

Weddings and engagements. Ashkenazim do not make weddings from the Seventeenth of Tamuz until after Tisha B'Av, even without a festive meal and even if the person has not fulfilled *peru u'rvu*. Most authorities hold that the Three Weeks begin the evening of Shiva Asar B'Tamuz. In a case of need, some permit making the chuppah before the Three Weeks begin, even if the meal continues into the evening of Shiva Asar B'Tammuz. Piskei Teshuvos cites this from the Steipler Gaon and Rav Moshe.

Engagements and shidduchim are permitted because delay may cause a *davar ha'aved*, but the simchah must be limited. Until Rosh Chodesh Av, engagements and *tena'im* may take place even with a *seudah*. From Rosh Chodesh Av until after Tisha B'Av, they may take place without a *seudah*, though refreshments such as cake are permitted.

Music. Dancing and musical instruments are prohibited during the Three Weeks. A professional musician may play for non-Jewish audiences until Rosh Chodesh. A music teacher earning a livelihood may continue until Rosh Chodesh Av and practicing music lessons is likewise generally allowed until Rosh Chodesh.

Most authorities prohibit listening to recorded music in the Three Weeks, e.g., Igros Moshe O.C. 1:166 and 3:87, though a minority view would allow non-live music, but this is generally not followed except in need. So a driver concerned about falling asleep may listen to music. Many permit listening to a cappella recordings.

Live singing without instruments is more lenient, especially *zemiros* on Shabbos, songs of praise to Hashem, soulful tunes at a *kumsitz*, singing to children, or singing at a *seudas mitzvah* without instruments. During the Nine Days, even vocal singing should be more restrained, especially if it has a performance or dance-like character.

Movies, theater, and spectator ball games. Regarding movies, theater, and spectator ball games, where the music is incidental, some allow this before Rosh Chodesh Av (see views in Peninei Halacha). Rav Soloveitchik was stricter and held that all entertainment is prohibited during the Three Weeks because this period corresponds to the twelve months of *aveilus* for a parent. During the Nine Days, recreational entertainment should generally be avoided. Educational, professional, therapeutic, or child-management needs are different.

Social meals / seudas merei'im. Rav Soloveitchik held the Three Weeks, Nine Days, and Tisha B'Av as corresponding to the twelve months of *aveilus*, *shloshim*, and *shivah*. On Rav Soloveitchik's approach, a *seudat merei'im*, such as inviting multiple families for a meal, is inappropriate even during the Three Weeks, and certainly during the Nine Days. The Aruch HaShulchan is also strict regarding *simchas merei'us* in the context of *eirusin* or *shidduchim* from Rosh Chodesh Av onward.

Shehecheyanu. The minhag is not to recite *Shehecheyanu* during the Three Weeks on a new fruit, garment, or similar item, because it is inappropriate to say וקיימנו והגיינו during days of calamity. Exceptions include a *mitzvah* such as *pidyon haben*, a fruit that will

not last, a pregnant woman who craves it, or a sick person who needs it. Many permit *Shehecheyanu* on Shabbos.

Before Rosh Chodesh Av, the issue with a new garment is mainly *Shehecheyanu*. R' Eider permits buying and wearing insignificant new garments that do not require *Shehecheyanu*, such as shoes, undergarments, socks, or shirts, until Rosh Chodesh Av, but not during the Nine Days. During the Nine Days, even new garments that do not require *Shehecheyanu* may not be worn.

Haircuts, shaving, and grooming. Ashkenazim do not take haircuts from the Seventeenth of Tamuz until Chatzos on the tenth of Av. This includes hair of the head, beard, and body. Combing is permitted. A mustache may be trimmed if it interferes with eating, though there is a stricter view during *shavua shechal bo*. The restriction applies to men, women, and children, though some limit the child-haircut restriction to *shavua shechal bo*. Source: Mishna Brurah.

R' Eider adds that a woman may remove excess hair around the temples when needed, and a married woman may shave her body even during the Nine Days. For a bris, the father, mohel, and sandak may take a haircut and shave, but only until *shavua shechal bo*.

Shaving would generally also not be permitted during the Three Weeks. Rav Moshe Feinstein permits shaving during the Three Weeks where not shaving may cause financial loss, though certainly not during *Shavua shechal bo*. Rav Hershel Schachter holds that for one who shaves daily, shaving may be ordinary dignity rather than simcha, and certainly before Shabbos because of kavod Shabbos. Peninei Halacha records that some permit shaving before Rosh Chodesh Av, especially for kavod Shabbos, but not from Rosh Chodesh Av and certainly not during *shavua shechal bo*. Ask your Rav.

Cutting nails. Cutting nails is permitted during the Three Weeks and is restricted only during *shavua shechal bo*. Even then, it is permitted for mitzvah need, such as tevilah preparation or a mohel preparing for a bris, and may be permitted for kavod Shabbos.

Rosh Chodesh Av. Mishenichnas Av mema'atin b'simchah. One reduces simchah and avoids undertakings requiring special mazal. Litigation with a non-Jew should be postponed if possible. Some communities did not do Birkas Hachodesh for Rosh Chodesh Av, though we generally do not follow this practice and do recite Birkas Hachodsh Menachem Av.

Business, purchases, building, and repairs. From Rosh Chodesh Av, business should be reduced, especially simchah purchases, such as silver vessels, wedding items, or celebratory objects that can be bought later at the same price. Ordinary business is more lenient where delay would cause loss, affect livelihood, or miss an opportunity. R' Eider records that nowadays, if reducing business would affect livelihood, the minhag permits active business.

One may not build during the Nine Days for simchah, beauty, or pleasure, including decorative construction, a vacation home, painting, wallpapering, or home decorating. Building for a mitzvah and necessary repairs are permitted. A non-Jewish contractor hired before Rosh Chodesh Av may continue where stopping would cause loss; if the work is visible and delay is possible, it should be delayed. Repairs to prevent damage, such as a leaking roof, are permitted. Planting for pleasure during the Nine Days is prohibited. Ask your Rav.

Meat and wine. Ashkenazim avoid meat, chicken and wine from

Rosh Chodesh Av until after Tisha B'Av. Parve food cooked in a clean meat vessel is permitted. Meat and wine are permitted on Shabbos (even in a seudah shlishis that extends after dark and even in the Nine Days). A sick or weak person, and pregnant or nursing women when needed, may eat meat; chicken is preferable if sufficient. R' Eider adds that where possible, even those relying on a health leniency should avoid meat from the seventh of Av. Rabbi Jachter says that a kosher restaurant owner may have room to serve meat in the Nine Days if otherwise Jewish customers may eat non-kosher meat.

For Havdalah, some allow the adult to drink the wine; others prefer giving it to a child; if no suitable child is available, the adult may drink it; and some use beer or other *chamar medinah*.

Seudas mitzvah and siyum. Meat and wine are permitted at a genuine seudas mitzvah, such as a bris, pidyon haben, or siyum. Before *shavua shechal bo*, all participants may eat meat; during *shavua shechal bo*, the number should be limited. R' Eider defines a siyum as completion of a masechta of Gemara, a seder of Mishnah, or a book of Tanach learned in depth with Rishonim. In a camp or yeshiva, those who normally eat together with the person making the siyum may participate.

One should not arrange a siyum merely to permit meat. The Mishna Brurah says not to delay or accelerate learning to schedule a Nine Days siyum. Some poskim, including Kaf HaChaim and Piskei Teshuvos, are more lenient where the goal is increasing Torah learning rather than eating meat.

Laundering and clothing. Laundering is prohibited during the Nine Days even for clothing worn afterward. This includes dry cleaning and giving clothing to a non-Jewish cleaner. Clothing given to a non-Jew before Rosh Chodesh Av may be washed. The prohibition includes garments, linen, handkerchiefs, tablecloths, and towels. Children's diapers and clothing may be washed as needed, privately and only as necessary. Washing for mitzvah need, such as white garments for *shivah nekiyim*, is permitted. Washing undergarments that are very sweaty or dirty and needed is permitted according to Peninei Halacha and Shoneh Halachos.

One may not wear freshly laundered clothing during the Nine Days; clothing should be prepared beforehand by wearing it briefly. This applies to outer garments. R' Eider permits changing undergarments, socks, and pajamas that are sweaty. Shirts are harder and should ideally be pre-worn; laundering adult shirts is not generally permitted absent real need.

Shabbos clothing, bris clothing, and new clothing. Fresh bed linen is prohibited. Tablecloths and towels should not be changed except for Shabbos or if soiled. Regarding Shabbos clothing, the Rema records a custom not to wear full Shabbos clothing on Shabbos Chazon, while the Gra held that kavod Shabbos should not be diminished. R' Eider and Piskei Teshuvos record that nowadays most wear Shabbos clothing even on Shabbos Chazon; freshly laundered Shabbos clothing is permitted, but new garments remain prohibited. For a bris, the father, mother, mohel, sandak, and woman carrying the baby may wear Shabbos clothing, but not the kvatter.

During the Nine Days, one may not buy, make, knit, weave, or sew new garments or shoes, even for later use, except in great necessity. Repairing torn garments or shoes is permitted; polishing shoes to restore color is permitted, while shining merely for shine is questionable. R' Eider.

Bathing, showering, swimming, and Mikve. From Rosh Chodesh Av, one may not bathe for pleasure, even in cold water. Washing face, hands, and feet in cold water is permitted. Washing for medical need, sweat, dirt, odor, discomfort, or mitzvah need is not pleasure bathing. Hot or warm water, soap, and shampoo are more severe, but may be used when needed for cleanliness. *Sources:* Mishna Brurah; R' Eider. Peninei Halacha adds that today many shower for basic cleanliness, not pleasure. An *istinis*, or one who suffers from not washing, may shower preferably with lukewarm water for cleanliness, using soap or shampoo as needed. Rabbi Neustadt likewise permits washing to remove dirt or perspiration.

Recreational swimming during the Nine Days is prohibited, since the bathing restriction generally applies to swimming. Many contemporary poskim permit, for example in a camp, swimming for health, cooling down from extreme heat, or necessary instructional needs provided it is not recreational.

Bathing for mitzvah need, including tevilah preparation, is permitted. A man who goes to the Mikve every Erev Shabbos may do so on Erev Shabbos Chazon, but others should not begin then.

For a non-*istinis* on Erev Shabbos, there are differing views whether one may take a full-body shower or only wash the face, hands, and feet. See R' Eider

No ordinary shavua shechal bo. When Tisha B'Av falls on Sunday, or falls on Shabbos and is postponed to Sunday, many poskim hold that the preceding week is not considered *shavua shechal bo*. The special stringencies of that week therefore do not apply in the same way, though the broader Nine Days restrictions still apply.

Kiddush Levanah. The custom is to postpone Kiddush Levanah until after Tisha B'Av because it should be recited in joy. If waiting may cause one to miss the proper time, Kiddush Levanah may be recited earlier. Ask your Rav.

For more information and sources, see:

1. Shulchan Aruch Siman #551
- a. & Mishna Brurah - <https://tinyurl.com/SefariaMishnaBrurah551>
- b. & Aruch Hashulchan - tinyurl.com/SefariaAruchHashulchan551
2. Halachapedia - [halachipedia.com/index.php?title=Three Weeks & title=Nine days](https://halachipedia.com/index.php?title=Three_Weeks&title=Nine_days)
3. R' Doniel Neustadt
- a. Three Weeks - tinyurl.com/3-weeks-r-neustadt
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4. R' Yirmiyohu Kaganoff
- a. Laws of 3 Weeks - rabbikaganoff.com/the-three-weeks/
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5. R' Shimon Eider a Summary of Halachos of the Three Weeks – www.feldheim.com/summary-of-halachos-of-the-three-weeks
6. R' Eliezer Melamed & Peninei Halacha
- a. Customs of the Three Weeks - www.yeshiva.co/midrash/7966
- b. Shaving During 3 Weeks - www.yeshiva.co/midrash/48338
- c. Peninei Halacha - ph.yhb.org.il/en/category/zemanim/05-08/
7. Ohr Somayach Laws of the Three Weeks various articles listed at <https://articles.ohr.edu/categories/law-and-ritual>
8. Rav Moshe Feinstein – Shu"t Igros Moshe O.C. 1:168, 3:80, 4:112:2 & 4:21:4, Y.D. 2:137, C.M. 1:93 <https://tinyurl.com/IgrosMoshe-ThreeWeeks>

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Adapted from the **Imrei Or** by **Rav Elya Ber Wachtfogel** Rosh Yeshivas Zichron Moshe of South Fallsburg – **Masei Bein HaMetzarim, Torah Protects from Punishment for Sin When Lesser Things Replace What Matters, Churban Becomes Necessary**

The Gemara in Nedarim 81a asks: *אמר רב יהודה אמר רב מאי דכתיב מי האיש החכם ויבן את זאת וגו' על מה אבדה הארץ*, Rav Yehudah said in the name of Rav: what is the meaning of the pasuk, "Who is the wise man who can understand this, why was the land lost?" This question was put to the Chachamim, the Nevi'im, and the malachim, and none of them could answer it, until Hakadosh Baruch Hu Himself explained: *ויאמר ה' על עונכם את תורה*, because they abandoned My Torah. Rav Yehudah adds, in the name of Rav, that this means *שאין מברכין בתורה תהילה*, they did not recite Birchas HaTorah first.

The Ran, citing Rabbeinu Yonah (c. 1200–1263), explains that this was not a mere technical lapse. Rather, *שלא היתה התורה חשובה בעיניהם*, Torah was not important enough in their eyes to warrant a berachah. They learned Torah, but not lishmah. Because Torah was not precious to them, they grew lax even in blessing it.

The Rishonim, and the Chasid Yaavetz (Rav Yosef ben Chaim Yaavetz, c. 1438–1539), raise an obvious difficulty. This pasuk speaks of the first Beis Hamikdash, yet the Gemara in Yoma 9b attributes that churban to three cardinal sins, *עבודה זרה, גילוי ערוה, ושפיכות דמים*, idolatry, forbidden relations, and bloodshed. Why, then, does Hashem answer that the churban came from abandoning Torah? And however great limud haTorah may be, how could a deficiency in learning be punished more severely than those three aveiros themselves?

The Chasid Yaavetz answers that the three severe aveiros were indeed the underlying cause. But Torah had been protecting the people from punishment for those very sins. By the time of the churban, they were no longer as deeply mired in those aveiros as before, yet the earlier sins had already set the decree of punishment in motion. The real question, then, is why the land was not destroyed earlier, when the sins were worse, and was destroyed later, when they had lessened. The answer is that the zechus of Torah had shielded them, until that protection was withdrawn.

He offers a mashal. A king had a musician whose playing gave him unique pleasure. The musician deserved death for a crime he had committed, but the king delayed the sentence because he took such delight in the music. Later, the musician lost the use of his fingers, or vowed never to play again, and only then did the king carry out the punishment for the original crime. So too, as long as Bnei Yisrael were engaged in Torah, they gave Hashem delight, as it says, *יִעֲרֹב יַעֲרֹב שִׁירִי*, may my speech be sweet to Him. But once they abandoned Torah, the earlier sins came due. The immediate cause of the churban, then, was *עזיבת התורה*, the abandonment of Torah. This sharpens Rabbeinu Yonah's point. They were punished because Torah lacked importance in their eyes. Just as a tune loses its sweetness once played carelessly, Torah learned without real appreciation no longer carried the sweetness of *שירי*, and so could no longer protect them.

The Chasid Yaavetz applies this to the expulsion from Spain, among whose exiles he himself was numbered. Spain had many yeshivos and talmidim, yet many learned for six or seven years only to sharpen their minds, and then turned to *חכמות חיצוניות*, outside

disciplines. Others abandoned learning for worldly pursuits. Others turned Torah into a profession, chasing pilpul to display brilliance, capable, as the expression goes, of "מטהר את השרץ", "purifying the sheretz", without ever reaching Torah's purpose: not practical halachah, not chassidus, not even the daily halachos of tzitzis, tefillin, and issur v'heter. A small number learned properly, to know what Bnei Yisrael ought to do, but even among them, many fell short of true lishmah. So the few who did learn properly could not protect the generation.

A similar idea appears in the Rambam (1138–1204), in his Peirush HaMishnayos at the end of Berachos. On the pasuk *עַתָּה לַעֲשׂוֹת לַיהוָה הַפְּרֹו*, he explains that when the time comes for Hashem to act in judgment, causes arise that lead people to set Torah aside, so that punishment can justly follow. Torah protects from punishment, but once it is weakened, that protection lifts.

Rav Itzel Peterburger (Rav Yitzchak Blazer, 1837–1907) reads the Gemara in Nedarim in the same direction as the Chasid Yaavetz, but with a different emphasis. The primary punishment of the churban was indeed for the three severe aveiros, but the real question is why Torah did not protect the people from sinning in the first place. Chazal say, *בְּרַאֲתִי יֵצֵר הָרַע וּבְרַאֲתִי לוֹ תוֹרָה תְּבַלִּין*, I created the yetzer hara, and I created Torah as its antidote. If they were learning Torah constantly, how did they fall into avodah zarah, gilui arayos, and shefichas damim? Hashem's answer is that they did not properly value Torah. Since it was not truly important to them, it failed to protect them from sin.

Still, this needs sharpening. Chazal say, in the Pesichta to Eichah Rabbah: *וַיִּתֵּר הַקִּבְיָהּ עַל עֲבוּדָה זָרָה וְעַל גִּילּוּי עֲרִיּוֹת וְעַל שְׁפִיכוֹת דָּמִים וְלֹא וַיִּתֵּר* וַיִּתֵּר, Hakadosh Baruch Hu, so to speak, overlooked idolatry, forbidden relations, and bloodshed, but did not overlook contempt for Torah. This sounds as though the true cause of the churban was not the three aveiros at all, but *מֵאֲסָה שֶׁל תּוֹרָה*, the rejection of Torah. How does this square with Yoma, which attributes the churban to the three severe sins?

The answer emerges from the haftarah of Masei: *כִּי שְׁתֵּים רַעוֹת עָשָׂה עַמִּי* *אוֹתִי עֲזָבוּ מִקּוֹר מַיִם חַיִּים לְחַצּוֹב לָהֶם בְּאֲרוֹת בְּאֲרוֹת נִשְׁכָּרִים אֲשֶׁר לֹא יִכְלוּ הַמַּיִם*, My people has committed two evils: they have forsaken Me, the source of living waters, to dig for themselves broken cisterns that cannot hold water. What are these two evils? On the surface, it seems like one failure: they left Torah for other things. Yet Chazal derive from this pasuk that Bnei Yisrael *חָטְאוּ בְּכַפְלִים*, sinned doubly; *לְקוֹ*, were punished doubly; and are *עֲתִידִים לְהִתְנַחֵם בְּכַפְלִים*, destined to be consoled doubly. What does a "double sin" mean? A sin can be greater or smaller, but what makes it double? And if the punishment was doubled, where is the middas hadin?

Chazal say elsewhere, on *הִיו צָרִיהָ לִרְאֵשׁ אוֹיְבֶיהָ שְׁלוֹ*, "her oppressors became the head, her enemies were at ease", one might have thought this happened *עַל מִנּוּן*, for no reason, so the pasuk continues, *כִּי הָיָה חֲגוּגָה*, because Hashem afflicted her for her many sins. What was the hava amina that such suffering could have been for nothing? A further Chazal, in Gittin 7a, discusses the pasuk *זֹאת לֹא זֹאת הִשְׁפֵּלָה*, "this, not this; lower the high and raise the low." The malachim ask Hashem: *זֹאת לָהֶם לְיִשְׂרָאֵל שֶׁהִקְדִּימוּ לַפָּנִיךָ בְּסִינֵי נַעֲשֶׂה*, is this what becomes of Yisrael, who at Sinai placed naaseh before nishma? Hashem answers: *לֹא זֹאת לָהֶם לְיִשְׂרָאֵל שֶׁהִשְׁפִּילוּ אֶת הַגְּבוּהָ*, not this for Yisrael, for they lowered the high, raised the low, and set up an idol in the Heichal.

This is puzzling. If they placed an idol in the Heichal, that alone is a grave enough sin, why add that they lowered the high and raised the low? And why bring naaseh v'nishma into it at all?

The answer is that the malachim's question and the Nevi'im's question were really one and the same question. Klal Yisrael certainly sinned gravely, but ordinarily there is a structure to sin and punishment: Beis Din punishes the guilty individuals, and it seems that only a minority of Klal Yisrael had committed the gravest sins. The real question was why there had to be a total churban. The answer is that punishment depends on the root of the sin. Sometimes a person sins from taavah, or because the yetzer hara simply overpowers him. That is a terrible failing, but it can be repaired through punishment and teshuvah. But sometimes people sin because they have lost all sense of what truly matters, their values themselves have inverted. That is not a crack in the building; it is rot in the structure itself. A cracked building can be repaired. A rotten one must be torn down and rebuilt.

That was the generation of the churban. Their aveiros grew out of having lost their appreciation for Torah. Once Torah was lowered, something else was raised in its place, and from that came the three severe aveiros. Their entire value system had been overturned. This is what *שֶׁלֹא בָּרָכוּ בְּתוֹרָה תְּחִלָּה* really means: Torah was no longer important to them, and their sins grew from that root. The churban came, as Yoma says, from the three aveiros, but only because those aveiros themselves sprang from *מֵאֲסָה שֶׁל תּוֹרָה*, as the Gemara Nedarim and Eichah Rabbah teach.

This also explains the exchange with the malachim. They argued that Yisrael possessed the quality of *זֹאת*, the singular status of Torah, because they had said naaseh v'nishma. Hashem answered that it had become *לֹא זֹאת*: they lowered the high and raised the low. Torah, which is truly elevated, was lowered, and empty things were raised up in its place, and from that came the placing of an idol in the Heichal itself, a horrifying inversion in which the kedushah of the Kodesh HaKodashim was displaced by a lowly, tamei image. This is also why Chazal say *אֵין זֹאת אֵלָּא תּוֹרָה*, that *זֹאת* refers only to Torah, as in *וְזֹאת הַתּוֹרָה*, "and this is the Torah." The word *זֹאת* appears elsewhere too, but Rashi in Sotah explains that it is a term of exclusivity, *זֹאת וְלֹא אֲחֵרָה*, this and no other. That is the nature of Torah: it demands a level of importance that nothing else can substitute for.

Rav Reuven Grozovsky (1886–1958) writes, in his introduction to Birchas Shmuel volume 2, that Rav Baruch Ber Leibowitz (1862–1939) would say: *הַתּוֹרָה אוֹהֶבֶת רַק אֶת מִי שְׁאִינוֹ אוֹהֵב דְּבָרִים אֲחֵרִים רַק אוֹתָהּ*, Torah loves only one who loves nothing else but her. Only to such a person does Torah give herself, and allow herself to be acquired. This is *חָטְאוּ בְּכַפְלִים*. The sin had two sides: they lost Torah's importance, and they installed other things as important in its place. This is *עֲזָבוּ מִקּוֹר מַיִם חַיִּים* *שְׁתֵּים רַעוֹת עָשָׂה עַמִּי*, they abandoned the source of living waters, and *חָצְבוּ בְּאֲרוֹת נִשְׁכָּרִים*, they dug broken cisterns instead. They were therefore punished middah keneged middah, in two corresponding ways: Yisrael was lowered and destroyed, and the nations rose over them, fulfilling the tochachah, *הַגֵּר אֲשֶׁר בְּקִרְבְּךָ יַעֲלֶה עֲלֶיךָ מַעֲלָה מַעֲלָה וְאַתָּה תִּרְדַּ מִּטָּה מִטָּה*, the stranger in your midst will rise higher and higher, and you will sink lower and lower. In the future, they will be consoled *בְּכַפְלִים*, when the order reverses: Yisrael will be raised and the nations lowered, as it says,

והיית רק למעלה ולא תהיה למטה, you will be only above, and never below.

This also explains *היו צריה לראש*, יכול על מגן. The pain was not only that Yisrael fell, but that their enemies rose and prospered. One might think this anguish was self-inflicted, that Yisrael brought it on themselves by dwelling on their enemies' success. Chazal answer, *כי ה' הוגה על רוב פשעיה*, this anguish, too, was part of the punishment. Because they had inverted their values, lowering the high and raising the low, the punishment mirrored the sin: they themselves were lowered while their enemies were raised.

The same idea may illuminate the expulsion from Spain. The Chasid Yaavetz writes that many in Spain learned for years and then left Torah for outside disciplines or worldly pursuits, revealing that even their earlier learning had lacked genuine appreciation for Torah. They valued other things more, and so Spanish Jewry, too, required churban and rebuilding.

A Sephardi once asked why the Germans, *ymach shemam*, brought such devastating churban to Ashkenazic lands, while Sephardic communities such as Egypt and Morocco were not destroyed to the same degree. The answer may lie in a derashah of the Maggid of Kelm (Rav Moshe Yitzchak Darshan), recorded in the introduction to *Tochachas Chaim*. In 1871, well before Hitler, *ymach shemo*, as *haskalah* was spreading, one of the German maskilim [Abraham Geiger] published a so-called "Shulchan Aruch" instructing readers in reform practice. The Maggid of Kelm said that because of this, a day would come when the Germans, too, would write a Shulchan Aruch, and there, *rachmana litzlan*, it would say, *the best of the Jews, kill*. The point is the same one: *haskalah* exchanged Torah's values for *חכמות היצרניות* and foreign culture. These were not sins of appetite; they were a reversal of what mattered. And so an entire world of European Torah had to be destroyed, and Klal Yisrael forced to begin again. The Steipler wrote that the pattern of Nazi destruction followed the spread of *haskalah*, first Germany, then Poland, and eventually Hungary. Rav Leib Malin similarly explained the pasuk *מקום המשפט שמה הרשע*, "in the place of justice, there was wickedness," that the churban emanated from Germany because that was *haskalah's* primary seat. This may account for why the destruction fell especially on Ashkenazic lands: among Sephardim, even where sins were many, *haskalah* had not taken root in the same way, and their underlying respect for *kedushah* remained intact. Even today, one often finds among non-observant Sephardim a genuine respect for matters of *kedushah*.

Today, the yetzer hara of *haskalah* has largely receded from the yeshivos, but other yetzarim, especially taavos, still weaken limud Torah and diminish its importance in our eyes. In Bein HaMetzarim, we must repair the very sin for which the Beis Hamikdash was destroyed. A person should value his seder as something worth paying for, not something to set aside for a small convenience or a little money. The end of the zman should be learned with the same seriousness as its beginning, and even *bein hazmanim* should include Torah, if only lighter material.

May it be that in the zechus of strengthening our appreciation for Torah, the Beis Hamikdash will be rebuilt speedily in our days.

Rabbi Ahron Lopiansky

Words and the Thought Behind Them

Parshas Matos deals with vows and pledges that a person undertakes, and the obligation to keep them. Keeping one's pledges is undoubtedly a sacred obligation, but the Torah gives us an "escape" clause. One can ask a court, or a learned expert to "annul" one's vows. Similarly, the father of a minor girl, or a husband, can annul her vows. While one can understand the concept of annulment as being necessary because of the severity of vows, its dynamics still need to be understood.

Although this seems to be one of many mitzvot, this parsha was specially chosen to delineate two important points that are seemingly unrelated to the particular properties of this mitzvah: 1) the unique nature of Moshe's prophecy, 2) the unique role of the leaders of Israel. What is it about this mitzvah in particular that makes it the appropriate forum to convey these two points?

Speech is the unique faculty that defines humans, as they are categorized "medabrim". The act of speech is very different than other activities of a human. All other activities are "caused" by thought, much the way that pushing a rock causes it to roll. Speech, however, is the very embodiment of a person's cognition. While an act done unwittingly is pardonable, a word uttered by accident is simply not even considered to be speech (see Nedarim 28a).

The ability to annul vows is a result of this understanding. In the process of the annulment of a vow, the person presents that he did not really understand the ramifications of his words. In effect this means that those words were not the result of an understanding, but in effect a "blurring out" of words. Similarly, the husband or father assumes the role of the "da'as" of the spouse or child, and if he disagrees with the vow, it means that the words are lacking proper "da'as".

This is the reason that this parsha is chosen to delineate the distinction between Moshe's prophecy and that of other prophets. Prophecy is the "word" of Hashem, but its quality is only as good as the understanding of the prophet. All prophets - barring Moshe - do not have a crystal-clear understanding of the message; their words of prophecy are therefore prefaced only with "koh", indicating that it's an approximation. Only Moshe, whose understanding was crystal clear, could say words that were precise - "zeh hadavar".

This also is the appropriate mitzvah to express the unique role of the leaders of Israel. The Jewish nation is like a person, with each of the individuals having a unique role, similar to the organs of a body. The leaders are the mind - and therefore an expert dayan can nullify a vow.

This concept sets a high bar for mitzvot that are performed by articulation. If we do a mitzvah with our hands, as long as we have some cognizance of what we are doing then we have essentially fulfilled our mitzvah. But mitzvot of articulation - tefilla being foremost among them - are a different story. Words said half-thoughtfully, or off-handedly, are lacking the very point of davening. Similarly, helping someone physically is a chessed, no matter how little thought is invested. But kind words need to express true thought and empathy.

from: TorahWeb <torahweb@torahweb.org>

date: Jul 8, 2026, 8:21 PM

subject: Rabbi Lopiansky – Words & the Thought Behind Them

from: The Rabbi Sacks Legacy <info@rabbisacks.org>

date: Jul 9, 2026, 11:16 AM

The Danger of Suspicion 🕒 (Matot-Masei)

Rabbi Lord Jonathan Sacks Zt"l

This year's series of essays were originally written and recorded by Rabbi Sacks zt"l in 5773 (2012–2013).

It is a fascinating story, and from it comes one of the great principles of Judaism. Two of the tribes, Reuben and Gad, see that the land east of the Jordan is ideally suited as pasture for their large herds and flocks of livestock. They approach Moses and ask for permission to settle there, rather than crossing the Jordan. Moses is initially furious at their request. It is, he says, bound to demoralise the rest of the people ("Shall your fellow countrymen go to war while you sit here?"). Had they learned nothing from the sin of the spies who, by de-motivating others through their behaviour, condemned an entire generation to forty years of wandering in the desert?

The Reubenites and Gadites take the point. They explain that they have no wish to exempt themselves from the struggles of their fellow Israelites. They are fully prepared to accompany them into the Promised Land and fight alongside them. "We will not return to our homes until every Israelite has received his inheritance." Moses makes them take a public pledge to this effect and grants their request on condition that they fulfil their word. "When the land is then conquered before God you may then return, free of any obligation before God and Israel and this land will be yours as your permanent property before God."

The italicised phrase - literally you will be innocent before God and Israel - became in the course of time an ethical axiom of Judaism. It is not enough to do what is right in the eyes of God. One must also act in such a way as to be seen to have done right in the eyes of one's fellow man. One must be above suspicion. That is the rule of *veheyitem neki'im*, "You shall be innocent in the eyes of God and Israel."

How did this translate itself into Jewish law and life? The Mishnah in Shekalim speaks of the three periods in the year when appropriations were made from the collective donations stored in the Temple treasury. The Mishnah states that "The person who made the appropriation did not enter the chamber wearing a bordered cloak or shoes or tefillin or an amulet, so that if he subsequently became poor, people would not say that he became poor because he committed an offence in the chamber, and so that if he became rich people would not say that he did so by misappropriating contributions in the chamber - for we must be free of blame in the eyes of people just as we must be free of blame before God, as it is said, 'You shall be innocent in the eyes of God and Israel.'"

Similarly the Tosefta states: "When one went in to take up the offering of the chamber, they would search him when he went in and when he came out, and they continue chatting with him from the time he goes in until the time he comes out."

Not only must there be no wrongdoing when coins are taken from the Temple treasury; there must be no suspicion of wrongdoing. Hence the person who gathered the money should not wear any item of clothing in which coins could be hidden. He was to be searched before and afterwards, and even engaged in conversation so that he would not be tempted to secrete some of the money in his mouth. Two rabbinic teachings from the Second Temple period speak of families famous for their role in Temple life and the lengths they went to place themselves beyond suspicion. The Garmu family were expert in preparing the showbread. It was said of them that "their memory was held in high esteem because fine bread was never found

in their children's homes, in case people might say, they feed from the preparation of the showbread." Likewise the Avtinus family were skilled in making the incense used in the Temple. They too were held in high regard because "Never did a bride of their family go forth perfumed, and when they married a woman from elsewhere, they stipulated that she was not to go out perfumed, in case people should say, They perfume themselves from the preparation of the Temple incense."

The general principle is stated in the Talmud Yerushalmi:

R. Samuel bar Nachman said in the name of Rabbi Jonathan: In the Mosaic books, the Prophets and the Writings, we find that a person must discharge his obligations before men just as he must discharge them before God. Where in the Mosaic books? In the verse, 'You shall be innocent in the eyes of God and Israel.' Where in the prophets? In 'God, the Lord God, He knows and Israel too shall know.' Where in the Writings? In the verse, 'You shall find grace and good favour in the eyes of God and men.' Gamliel Zoga asked R. Yose bar Avun, Which verse says it most clearly? He replied, 'You shall be innocent in the eyes of God and Israel.'"

This concern became the basis of two halachic principles. The first is known as *chashad*, "suspicion", namely that certain acts, permitted in themselves, are forbidden on the grounds that performing them may lead others to suspect one of doing something forbidden. Thus, for example, R. Shimon bar Yochai held that one of the reasons why the Torah prescribes that *peah* [the corner of the field left unharvested for the poor] should be left at the end of harvesting was because of suspicion. If the owner of the field had set aside an unharvested corner at the beginning or middle, the poor would come and take what is theirs before the end of harvesting, and a passer-by might think that no corner had been set aside at all. Likewise the rabbis ordained that if a house has two doors on different sides, Chanukah candles should be lit at both so that a passer-by, seeing one door but not the other, should not think that the owner of the house had failed to fulfil the command.

A closely related halachic principle is the idea known as *marit ha-ayin*, "appearances". Thus for example, before milk substitutes became common, it was forbidden to drink milk-like liquids (made, for example, from almonds) together with meat on the grounds that people might think it was milk itself. Similarly it is forbidden on Shabbat to hang out garments that had become wet (for example, by falling into water) to dry, in case people think that one has washed them on Shabbat. In general one is not allowed to perform actions which, permitted in themselves, lend themselves to misinterpretation. The connection or contrast between these two principles is a matter of some debate in rabbinic literature. There are those who see *chashad* and *marit ha-ayin* as very similar, perhaps even two names for the same thing. Others however see them as different, even opposites. *Chashad* represents the possibility that people might think you have done something forbidden and thus think badly of you. *Marit ha-ayin* concerns cases where people, knowing that you are not the sort of person to do something forbidden, draw the mistaken conclusion that because you are doing X, Y is permitted, because X is easily mistaken for Y. Thus, to take one of the cases mentioned above, people seeing you hanging out clothes to dry on Shabbat might conclude that doing laundry is permitted, which it is not. This concern for appearances is, on the face of it, strange. Surely what matters is what God thinks of us, not what people think of us.

The Talmud tells us of a moving encounter between the dying Rabban Yochanan ben Zakkai and his disciples:

They said to him: Master, bless us. He said to them: May it be God's will that the fear of heaven should be as important to you as the fear of [the opinions of] human beings.

They said: Is that all?

He said: Would that you were able to attain this [level of spirituality].

You can see [how difficult it is] because when someone wants to commit a sin, he says, I hope no one will see me [thus placing his fear of human beings above the fear of God who sees all].

What is more, it is forbidden to suspect people of wrongdoing. The rabbis said, "One who suspects the innocent is [punished by being] bodily afflicted" and "One should always judge a person in the scale of merits." Why then, if the onus is on the observer not to judge harshly, should we - the observed - be charged with the duty of acting above suspicion?

The answer is that we are not allowed to rely on the fact that others will judge us charitably, even though they should. Rashi makes a sobering comment on the life of Moses:

If he left his tent early, people would say that he had had a row with his wife. If he left late, they would say, He is devising evil plots against us.

Rashi's commentary on Deut. 1:12 Even Moses, who devoted his life with total selflessness to the people of Israel, was not able to avoid their suspicion. R. Moses Sofer goes so far as to say that he was troubled throughout his lifetime by the challenge of the command, 'You shall be innocent in the eyes of God and Israel,' adding that it was far easier to fulfil the first half of the command than the second (in the eyes of Israel). Indeed he wondered if it was possible for anyone to fulfil it in its entirety. Perhaps, he said, this is what Ecclesiastes meant when he said, "There is not a righteous man on earth who only does what is right and never sins" (Ecclesiastes 7:20). Yet there is a profound idea embedded in the concept of *veheyitem neki'im*, 'You shall be innocent.' The Talmudic sage Rava was scathing of those who stood in the presence of a Torah scroll but not in the presence of a Torah sage. To be a Jew is to be summoned to become a living Sefer Torah. People learn how to behave not only from the books they study but also - perhaps more so - from the people they meet. Jewish educators speak of 'text-people' as well as 'text-books,' meaning that we need living role models as well as formal instruction. For that reason, Rabbi Akiva used to follow Rabbi Yehoshua to see how he conducted himself in private, saying 'This too is part of Torah, and I need to learn.' The twin principles of *chashad* and *marit ha-ayin* mean that we should act in such a way as to be held as a role-model (by being above suspicion - the rule of *chashad*) and that, just as a book of instructions should be unambiguous, so should our conduct (by not laying itself open to misinterpretation - the idea of *marit ha-ayin*). People should be able to observe the way we behave and learn from us how a Jew should live.

The fact that these rules apply to every Jew, not just to great Sages, is eloquent testimony to the spiritual egalitarianism of the halachah. Each of us is bidden to become a role-model. The fact, too, that these rules exist despite the fact that we are commanded not to suspect others of wrongdoing, tells us something else about Judaism, namely that it is a system of duties, not just of rights. We are not allowed to say, when we have acted in a way conducive to suspicion, 'I have

done nothing wrong; to the contrary, the other person, by harbouring doubts about me, is in the wrong.' To be sure, he is. But that does not relieve us of the responsibility to conduct our lives in a way that is above suspicion. Each of us must play our part in constructing a society of mutual respect.

This brings us back to where we began with the request of the tribes of Reuben and Gad to settle the land east of the Jordan. Moses, we recall, granted their request on condition that they first joined the other tribes in their battles. They did so. Years later, Joshua summoned them and told them that they had fulfilled their promise and were now entitled to return to the place where they had built their homes (Joshua 22).

However, by a profound historical irony, suspicion was aroused again, this time for a quite different reason, namely that they had built an altar in their territory. The other tribes suspected that they were breaking faith with the God of Israel by constructing their own place of worship. Israel was on the brink of civil war. The suspicion was unfounded. The Reubenites and Gadites explained that the altar they had built was not intended to be a place of worship, but rather a sign that they too were part of the Israelite nation - a safeguard against the possibility that one day, generations later, the tribes living in Israel proper (west of the Jordan) would declare the Reubenites and Gadites to be foreigners since they lived on the other side of the river:

That is why we said, 'Let us get ready and build an altar - but not for burnt offerings or sacrifices. On the contrary, it is to be a witness between us and you and the generations that follow, that we will worship the Lord at the Sanctuary with our burnt offerings, sacrifices and fellowship offerings. Then in the future your descendants will not be able to say to ours, "You have no share in the Lord." And we said, "If they ever say this to us or to our descendants, we will answer: Look at the replica of the Lord's altar which our fathers built, not for burnt offerings and sacrifices, but as a witness between us and you.'

Civil war was averted, but only just.

Suspicion is a pervasive feature of social life and it is intensely destructive. Judaism - a central project of which is the construction of a gracious society built on justice, compassion, mutual responsibility and trust - confronts the problem from both directions. On the one hand it commands us not to harbour suspicions but to judge people generously, giving them the benefit of the doubt. On the other, it bids each of us to act in a way that is above suspicion, keeping [as the rabbis put it] "far from unseemly conduct, from whatever resembles it, and from what may merely appear to resemble it."

Being innocent before God is one thing; being innocent before one's fellow human beings is another, and far more difficult. Yet that is the challenge - not because we seek their approval (that is what is known as *pandering*) but because we are summoned to be role-models, exemplars, living embodiments of Torah, and because we are called on to be a unifying, not a divisive, presence in Jewish life. As the Chatam Sofer said, we will not always succeed. Despite our best endeavours, others may still accuse us (as they accused Moses) of things of which we are utterly innocent. Yet we must do our best by being charitable in our judgement of others and scrupulous in the way we conduct ourselves.

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Mattot: A Misunderstanding or a Leadership Triumph?

By Rabbi Hayyim Angel

In his work, *Iyyunim BeParashot HaShavua* (series 1, 2002), Rabbi Elhanan Samet presents a meaningful analysis of a debate between Rabbi Yitzhak Arama (Spain, 1420-1494) and Rabbi Yitzhak Abarbanel (Spain, Italy 1437-1508). The following essay is based on Rabbi Samet's study.

The request of the tribes of Reuben and Gad in Numbers chapter 32 appears straightforward. Having seen the fertile grazing lands east of the Jordan, they ask Moshe for permission to settle there rather than receive territory west of the river. Moshe responds with surprising severity. He accuses them of abandoning their brethren and compares them to the spies whose discouraging report had doomed an entire generation to die in the wilderness.

Why does Moshe react so strongly? Were the tribes guilty of selfishness, or did Moshe misread a generation that was fundamentally different from the one that had left Egypt? The medieval commentators offer two sharply different perspectives, and each illuminates an important dimension of leadership and communal responsibility.

The first perspective, advanced by Abarbanel and associated with Ramban, sees Moshe's rebuke as based upon a misunderstanding. The tribes never intended to avoid military service. Their request focused on where their families and livestock would reside, not on whether they would participate in the conquest of Canaan. The key phrase appears at the end of their initial request: "Do not bring us across the Jordan." According to this reading, they refer to their inheritance and permanent residence, not to their personal participation in the campaign.

From this perspective, the episode reveals a growing gap between Moshe and the generation preparing to enter the Land of Israel. Unlike the generation of the spies, these Israelites have already demonstrated courage in battle against Sihon and Og. They are not fearful of conquest. They are eager and prepared to fight. Just as Abarbanel sees tensions between Moshe and the younger generation in the episodes of Mei Merivah (Numbers 20) and Baal Peor (Numbers 25), so too here he detects a leader whose assumptions are shaped by the failures of an earlier generation.

The second perspective, developed by Rabbi Yitzhak Arama in his *Akedat Yitzhak*, views Moshe's response very differently. Moshe correctly perceived a grave danger lurking beneath the tribes' request. Even if Reuben and Gad did not intend to evade military service, their proposal threatened to create the same practical result as the sin of the spies. Once a large and fertile territory had already been conquered, why continue crossing the Jordan?

Moshe therefore confronts not a crisis of faith but a crisis of national destiny. Unlike the spies, Reuben and Gad do not doubt God's promises or fear the Canaanites. Nevertheless, their request could weaken the nation's resolve to complete its mission. The danger lies not in their motives but in the consequences their proposal might produce.

Several details in the text support Rabbi Arama's reading. After Moshe's rebuke, the Torah records a break in the narrative and then states, "They approached him and said..." Why did they need to approach him again? The Akedah suggests that the closed parashah break indicates a pause during which the tribal leaders consulted among themselves and reformulated their proposal. They did not

merely clarify a misunderstanding; they strengthened their commitment.

Indeed, their revised proposal goes well beyond what would have been necessary to correct Moshe's impression. They promise not only to fight alongside their brethren but to march "before" them. They pledge to remain engaged until all the tribes are securely settled in their inheritances. This expanded commitment later finds fulfillment when the eastern tribes participate in the conquest under Joshua before returning home.

Yet even if Rabbi Arama is correct, the story ultimately highlights the greatness of the new generation. Moshe identifies a potentially dangerous challenge, but the tribes respond not with resentment or defiance. Instead, they rise to the occasion. They place themselves at the forefront of the national effort and transform a questionable request into an extraordinary demonstration of solidarity.

The debate between Abarbanel and the Akedah therefore centers on a larger question: Is the Torah criticizing Moshe or praising him? Abarbanel emphasizes Moshe's inability fully to appreciate the character of the generation about to inherit the land. Rabbi Arama emphasizes Moshe's courage in confronting a threat before it matured into disaster. For Abarbanel, the episode exposes the limitations of an aging leader; for the Akedah, it demonstrates the enduring necessity of vigilant leadership.

Perhaps the enduring lesson is that both insights contain truth. The generation entering the land was indeed different from the generation that left Egypt. It possessed confidence, initiative, and a willingness to fight for the nation's future. At the same time, Moshe's leadership ensured that this strength would be directed toward collective responsibility rather than tribal self-interest. History did not have to repeat itself. Through courageous leadership and a willing response from the people, a moment that could have echoed the tragedy of the spies instead became a model of national unity and shared destiny.