**S.A.L.T. – PARASHAT DEVARIM**

**By Rav David Silverberg**

Motzaei Shabbat

Towards the beginning of Parashat Devarim, Moshe recalls his appointment of judges to work alongside him in presiding over the nation’s legal cases. At that time, he gave the judges a series of instructions, beginning with “*shamo’a bein acheikhem*” – to listen to the litigants’ arguments in order to arrive at a just and proper ruling (1:16).

Rav Yitzchak Eliyahu Landau, in his *Patshegen Ha-dat*, finds it significant that Moshe here refers to the litigants as “*acheikhem*” – “your brothers.” Rather than simply speak of them as litigants coming for a ruling, Moshe emphasizes the judges’ relationship to the litigants, noting that they are the judges’ kin.

Rav Landau explains that normally, when we hear somebody making statements which seem incorrect, or of which we disapprove, we will not want to hear any more. Our instinct is to try to end the conversation as quickly as possible. However, if the person is somebody close to us, we will, as a matter of courtesy and loyalty, exercise greater patience and listen attentively. If the listener is a devoted friend or relative, he will be more willing to hear what the other has to say, even if it does not sound right to him. And thus Moshe instructed the judges, “*Shamo’a bein acheikhem*” – to listen attentively to the litigants as though they were close friends or kin. Even if at first a litigant’s words seem unreasonable, the judges are bidden to listen patiently and attentively, to allow the litigants an opportunity to present their case so that a fair and correct decision can be reached.

This insight perhaps teaches us the basic lesson of the importance of listening, of being open, patient and attentive when people talk to us, even if we find what they say uninteresting, unimportant or incorrect. Just as the judges are required to allow both litigants the time they need to speak and present their cases before reaching a verdict, so are we to listen to other people with patience and with an open mind, before rushing to “judge” their words. Especially when dealing with “*acheikhem*” – our fellow Jews – we should try, as much as possible, to listen to what they say patiently and attentively when they speak, to take interest in what they have to say, and give all people the basic respect and courtesy that they deserve.

Sunday

Parashat Devarim presents the first of the series of addresses delivered by Moshe just before his death, and a significant section of this first address is devoted to *cheit ha-meragelim* – the sin of the spies. Moshe recalls the people’s lack of faith in God’s promise, how they decided that they could not conquer the land from the nations of Canaan. God reacted angrily, decreeing that *Benei Yisrael* would journey in the wilderness for another thirty-nine years, and only the children would have the privilege of entering the land, which the parents scorned. Moshe also recalls how, after hearing of God’s decree, some among *Benei Yisrael* decided to suddenly change their mind, and proceed into the land: “You replied and said to me: We sinned to the Lord; we will proceed and wage war, just as the Lord our God had commanded us…” (1:41). This group took hold of their weapons and went to fight against the Canaanites. Moshe urged the people not to go, warning that God had already issued a decree and would not assist them in battle, but they ignored his warning. Tragically, they all fell in battle.

In describing the group’s brazen march into *Eretz Yisrael*, Moshe uses the unusual word “*va-tahinu*” (“*va-tahinu la-alot ha-hara*”). Rashi and Ibn Ezra associate this word with the word “*hein*,” such that it refers to this group’s proclamation, “***Hinenu*** *ve-alinu*” – “Here, let us ascend” (Bamidbar 14:40). “*Va-tahinu*,” according to this view, means that the people prepared themselves to mount this ill-fated effort to conquer *Eretz Yisrael* against God’s will.

*Da’at Zekeinim*, however, offers a much different, Midrashic, interpretation, associating the word “*va-tahinu*” with the word “*hin*” – a unit of measurement. According to *Da’at Zekeinim*, “*va-tahinu*” means that after hearing God’s decree in response to the sin of the spies, the people complained, “*Mi-tipa nitmalei hin*” – “A *hin* was made full from just a drop.” In today’s terminology, this would mean, “God made a big deal out of nothing.” They essentially rejected God’s punishment, saying that it was unfairly severe, and exaggerated, and so they thought that they could just do an instantaneous about-face, take up arms and go try to fight the armies of Canaan. They saw their sin as something small and trivial, that did not warrant such a harsh, drastic response, and they therefore felt that the decree could be ignored and they could simply change their minds and proceed.

The first stage of repentance is acknowledging and regretting the wrongful act. However, a crucial part of this acknowledgement and regret is recognizing the severity of the act. Acknowledging that one acted wrongly, but assuring oneself that “it’s not such a big deal,” does not qualify as repentance. We must understand and feel that a wrongful act is a failure, a betrayal of our mission in this world. Of course, *teshuva* also requires our belief in the possibility of rectifying the mistake and God’s willingness to forgive, and so we must ensure that our admission of guilt does not lead to paralyzing depression and despair. At the same time, however, *teshuva* demands that we not only admit we did something wrong, but that we admit that it is “a big deal,” so our feelings of deep remorse will penetrate our beings and help guarantee that we will never repeat the mistake in the future.

Monday

Yesterday, we noted the unusual word “*va-tahinu*” with which Moshe describes the ill-fated attempted made by a group among *Benei Yisrael* to wage war against the residents of Canaan in response to God’s decree following the sin of the spies (1:41). After the people heard the spies’ report, and decided they were incapable of capturing *Eretz Yisrael* from the powerful Canaanite tribes, God decreed that the nation would journey in the wilderness until that entire generation died, and their children would enter the land. The people – or one group – approached Moshe and confessed that they were wrong, and they expressed their determination to go and fight against the Canaanites, in direct defiance of God’s decree. Ignoring Moshe’s warnings, this group proceeded to *Eretz Yisrael* and fell in battle. Moshe described their decision to proceed with the verb “*va-tahinu*,” a difficult word to translate, and which has been interpreted in different ways by the commentators.

Rav Shimshon Raphael Hirsch suggests associating this word with the word “*hon*” which is used in a pair of verses in Sefer Mishlei (30:15-16) to mean “sufficient.” In those verses, King Shlomo speaks of several people and things that never say “*hon*” – that are never contented and always desire more. Accordingly, Rav Hirsch writes, the word “*va-tahinu*” could be understood to mean “you deemed sufficient” – referring to the fact that the people felt themselves independently capable of successfully waging war against the Canaanites. Moshe here tells the people, in Rav Hirsch’s words, “…you went from criminal cowardice to criminal conceit. That which you doubted you would be able to accomplish with God, you then believed you could do without Him. You imagined your swords were more than sufficient to conquer the Land.” At first, upon hearing the scouts’ frightening report, the people were convinced that even with God’s involvement, they could not possibly succeed in battle. The powerful armies of Canaan, as the spies described, seemed so intimidating that even God’s assistance did not appear to them sufficient to overcome them. But then, after hearing God’s decree, *Benei Yisrael* made the precise opposite mistake – assuming that they could succeed even without God’s assistance. Although God had made it clear that He would not allow them to enter *Eretz Yisrael*, the people insisted that they could – expressing what Rav Hirsch calls “criminal conceit,” the belief that they were independently capable and did not require God’s help.

This episode, then, teaches us to avoid these opposite mistakes, to firmly believe that God’s help enables us to succeed in any endeavor, and to humbly acknowledge that we are incapable of succeeding in any endeavor without His help.

Tuesday

In Moshe’s address to the people before his death, as we read in Parashat Devarim, he recalls the tragedy of *cheit ha-meragelim* – the sin of the spies – which occurred thirty-nine years earlier. God responded to that incident by decreeing that *Benei Yisrael* would not immediately enter the Land of Israel, and would instead journey through the desert until the adult generation died, and only the children would enter. Some among the nation reacted to this decree by taking up arms and attempting to wage war against the Canaanites in opposition to God’s command, and, unfortunately, they fell in battle. Moshe recalls how the people then wept (“*Va-tashuvu va-tivku*” – 1:45), but “the Lord did not listen to your voice, and paid no heed to you.”

Rav Shimshon Raphael Hirsch suggests connecting this tragic episode with a different war waged by *Benei Yisrael* – one which yielded a much different result. Both here in Parashat Devarim, as well as in the original narrative of *cheit ha-meraglim* in Sefer Bamidbar (14:45), it is told that the group who violated God’s decree and attempted to wage war was defeated in a place called Chorma. Rav Hirsch notes that this name is familiar to us also from a different story, which took place many years later, in *Benei Yisrael*’s final year in the wilderness – namely, the war fought by *Benei Yisrael* after they came under attack by the Canaanite tribe of the Arad region. As we read in Sefer Bamidbar (21:1-3), *Benei Yisrael* fought back and defeated the Canaanites, and they named the site of the battle “Chorma.” Possibly, Rav Hirsch writes, this is the same tribe, or perhaps one of the tribes, that many years earlier, defeated the group that tried to enter *Eretz Yisrael* in violation of God’s decree after the sin of the spies. Thirty-nine years after *Benei Yisrael*’s failed attempt to enter and conquer the land, the Canaanites in Arad sensed that *Benei Yisrael* were now poised to make another attempt, and so they launched a preemptive strike against them. Only this time, *Benei Yisrael* fought with God’s support, and so they were successful and defeated the Canaanites.

On this basis, Rav Hirsch suggests an explanation for Moshe’s conclusion to this story, recalling how the people cried but “the Lord did not listen to your voice” (“*lo shama Hashem be-kolekhem*”). This was perhaps said in reference to the event of their recent, successful battle against the Canaanites of Arad, in preparation for which they turned to God in prayer, and “*va-yishma Hashem be-kol Yisrael*” – “the Lord listened to Israel’s voice.” That battle was waged with God’s approval, and so He “listened,” but after the sin of the spies, “the Lord did not your listen to your voice.” Moshe now draws the people’s attention to the contrast between God’s “listening” when they fought a battle they were supposed to fight, and His refusal to “listen” after they attempted a battle in violation of His command. He heeded their prayers and cries when they obeyed, but ignored their prayers and cries when they disobeyed.

Wednesday

In Moshe’s address to the people which we read in Parashat Devarim, he recalls *cheit ha-meragelim* (thesin of the spies), how the people reacted with panic upon hearing the spies’ report of the Land of Israel. He describes how the nation bemoaned, “It is out of the Lord’s hatred of us that He has brought us from the land of Egypt, to deliver us into the hands of the Emorites, to destroy us!” (1:27).

Moshe refers to the people expressing these complaints with the unusual verb “*va-teiragenu*.” Ibn Ezra suggests interpreting this term based on the verse in Sefer Yeshayahu (29:24) in which the prophet implores the “*rogenim*” to take his message to heart. Commenting to that verse in Yeshayahu, Ibn Ezra explains this term to mean “the opposite of those who learn.” In his view, apparently, this verb denotes obstinacy, the aversion to learning and changing one’s perspective. And thus in reference to *Benei Yisrael*’s reaction to the scouts’ report, this term speaks of their refusal to accept Moshe’s assurances to the nation of their ability to conquer the Land of Israel, despite the military power of the Canaanites. (Indeed, Moshe describes the people with this term immediately after recalling, “You refused to proceed, and you violated the word of the Lord your God” – such that “*vei-targenu*” perhaps continues the theme of defiance.)

Rashi and the Rashbam, however, associate the word “*va-teiragenu*” with a different verse – a verse in Sefer Mishlei (18:8), in which King Shlomo speaks of “*divrei* ***nirgan***” – the words of the “*nirgan*,” which Rashi (here in Parashat Devarim) explains as referring to a *motzi diba* – somebody who spreads libelous charges. “*Va-teiragenu*,” according to this interpretation, refers to making false accusations and voicing complaints. This approach helps explain why this verb is used to describe *Benei Yisrael*’s charge that God took them from Egypt out of “hatred,” in order to destroy them, which is, of course, the precise opposite of the truth. Moshe here recalls how the people cast false accusations, alleging that God brought them out of Egypt to die.

Further insight into this term can perhaps be gleaned from the Ralbag’s commentary to the aforementioned verse in Sefer Mishlei. The Ralbag explains this verse as referring to those who voice grievances “over nothing,” and “people who present themselves as beaten and broken so that other people will pity them.” A “*nirgan*,” according to the Ralbag, is not just somebody who routinely complains, but somebody who creates for himself an image of victimhood, demanding special compassion and consideration on account of his spurious grievances. And for this reason, the Ralbag explains, the verse concludes that the words spoken by such a person “*yaredu chadrei baten*” – “descend into the recesses of the belly.” The complaints of the “*nirgan*” are especially effective in “penetrating” the souls of the listeners who are accused of alleged or trivial grievances and called upon to show pity to a self-proclaimed victim whom they never wronged, or whom they may have wronged ever so slightly. Applying the Ralbag’s comments to the word “*va-teiragenu*” used in reference to the sin of the spies, the people saw themselves as God’s “victims,” when in fact they were His beneficiaries, complaining that He intended to harm them, when in truth He wanted to grant them great blessings.

This description of *Benei Yisrael* at the time of *cheit ha-meragelim* teaches us to think twice before voicing grievances and claiming victimhood. Often, we complain and present ourselves as victims for the sake of vindication, to feel morally superior by casting accusations and insisting on our own perfect innocence. As in the case of *cheit ha-meragelim*, not always when we feel we are victims of hostility is this truly the case. Rather than live as a “*nirgan*,” constantly complaining and looking to blame others, we should instead give others the benefit of doubt when possible, and live with a positive outlook on the world and our surroundings, focusing our attention on all that we have and enjoy, rather than complain and grieve.

Thursday

Yesterday, we noted *Benei Yisrael*’s disturbing cry upon hearing the scouts’ report of their excursion through the Land of Israel: “It is out of the Lord’s hatred of us that He has brought us from the land of Egypt, to deliver us into the hands of the Emorites, to destroy us!” (1:27). Rather than trusting that God would lead them to victory over the inhabitants of Canaan, *Benei Yisrael* instead concluded that they faced certain defeat, and so they charged that the Exodus was an expression of God’s contempt, not love and kindness, as His intention was to bring them to Canaan so they could be annihilated by the ruthless, powerful Canaanite armies.

Maharsha, in his commentary to Masekhet Ta’anit (29a), points to this verse as the basis of the connection famously drawn by the Gemara between the sin of the spies and the observance of Tisha B’Av. The Gemara (there in Ta’anit) asserts that the night the spies returned from their excursion was the night of the 9th of Av, and after the people spent that night crying (“*va-yivku ha-am ba-layla ha-hu*” – Bamidbar 14:1), God decreed, “You wept in vain, and so I will establish for you weeping for generations.” That night of “*beckhiya shel chinam*,” when *Benei Yisrael* wept for naught, without good reason, was transformed into a night of “*bekhiya le-dorot*,” of weeping for the national calamities that befell us on this day, for generations. To explain the connection between the sin of the spies and our mourning for the Temple on Tisha B’Av, Maharsha notes the common theme of “*sin’a*” – “hatred.” At the time of the sin of the spies, *Benei Yisrael* alleged that “*be-sin’at Hashem otanu*” – God took them from Egypt because of His “hatred” and contempt for them. And on Tisha B’Av, we mourn the destruction of the Temple, a tragedy which the Gemara (Yoma 9b) famously attributes to the sin of “*sin’at chinam*” – “baseless hatred” among people. Just as *cheit ha-meragelim* (the sin of the spies) was rooted in “hated” – the false perception that God acts with hostility – likewise, the destruction for which we mourn on Tisha B’Av was the result of hatred.

Underlying Maharsha’s remarks is an insight into the definition and nature of the “baseless hatred” to which the Gemara attributes the destruction. If, indeed, the “*sin’at chinam*” mentioned by the Gemara is associated with *Benei Yisrael*’s cry, “It is out of the Lord’s hatred of us that He has brought us from the land of Egypt,” then we must conclude that the definition of “*sin’at chinam*” is wrongly assuming hostile intentions. Negative feelings towards people are “baseless” when they are unnecessarily evoked by imagined, falsely-attributed malice, when we misinterpret other people’s words and conduct as driven by hatred. Many different factors motivate people to speak and act as they do, to say and do things that offend or harm their fellow, and very often, this is not the result of any sort of hostile intentions. “*Sin’at chinam*,” according to Maharsha, means rushing to assume malicious intent, interpreting inappropriate words or actions as hostility rather than giving the benefit of the doubt or simply tolerating character flaws. In other words, “*sin’at chinam*” is when we resent people because we incorrectly see them as resentful; when we take offense because we incorrectly assume a desire to offend; when we hate people because we think they hate us.

We cure the ill of “*sin’at chinam*,” then, by judging people more favorably, by recognizing that not every hurtful remark or action was intended as such, and that all people have flaws which can and should be patiently tolerated. The less we look to see to hatred in others, the less hatred we will feel within ourselves.

Friday

Towards the beginning of Parashat Devarim, Moshe recalls the time when he realized he could no longer handle alone all the legal disputes that were brought before him for him to resolve. He lamented, “How can I bear alone your troubles, your burdens and your quarrels?” (1:12).

Rashi, citing from the *Sifrei*, comments that when Moshe bemoaned “*torchakhem*” – *Benei Yisrael*’s “troubles,” this means that the litigants would persist if they saw they were losing their case. Rather than accept defeat, they would try to bring additional witnesses and additional pieces of evidence to bolster their case, thereby prolonging the trial. Rashi writes that in this way, *Benei Yisrael* were “*tarchanin*” – burdensome, overburdening the legal system by persisting in their legal battles.

While it is certainly legitimate to bring witnesses and evidence to prove one’s claims in court, at a certain point, persistence becomes “burdensome,” and loses its validity. Technically, it is within a litigant’s right to bring as much support as he can. However, refusing to accept defeat at all costs, endlessly insisting on continuing the fight, is wrong. The *Sifrei* here teaches us that even when we are certain we are correct in an argument, there comes a time when desisting is the appropriate thing. Continuing a fight and refusing to let go is “burdensome” for everybody involved, including (and maybe especially) for oneself. And so even if we feel we are right, and even if we have more “evidence” to bring to support our argument, sometimes it is best to put the issue to rest and move on.

Interestingly, we find a variation of the word “*torchakha*” also in the *haftara* for Parashat Devarim, the famous prophecy in the first chapter of Sefer Yeshayahu. God tells the people through the prophet that He has no interest in the large number of sacrifices they were offering, and, in addition, “My soul has despised your new months and your special occasions; they have become a burden upon Me [*hayu alai la-torach*]” (Yeshayahu 1:14). As we see in the subsequent verses, the people at this time were passionate about the *Beit Ha-mikdash*, frequently visiting the sacred site and bringing sacrifices, but they were unethical, mired in deceit and corruption. And thus the prophet describes their celebrations and sacrifices in the Temple as a “*torach*” – a burden. Even something inherently valuable and commendable such as sacrifices can become “burdensome” if they are disproportionate, if they are given undue importance and come at the expense of other, equally important – or even more important – concerns. Just as a litigant’s effort to prove his case is inherently legitimate, but is considered “burdensome” when it becomes excessive, likewise, precious *mitzvot* – such as sacrifices in the *Mikdash* – are considered “burdensome” if they become excessive and not properly balanced against other vitally important religious values. This famous prophecy teaches us of the need for balance and proportion, to approach every *mitzva* as one of many different components of a properly integrated religious life, and thereby ensure that our *mitzvot* are valuable and precious, and not an unnecessary “burden.”

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