Points to Ponder

Chukas master file

**זֹ֚את חֻקַּ֣ת הַתּוֹרָ֔ה This is the Chukah of the Torah (19:2)-** Shlomo HaMelech noted that he decided that he would wise and understand the rules of the Parah Adumah but he was not able to. It was full of contradictions. He could not explain how that which made some Tahor made otherts Tamai. It didn’t make sense. **Rav Schachter Shlita** told us that like those who try to understand quantum physics and understand that the more that they get the theories, the less they understand it. Anyone claiming to fully get it without dizziness is likely not speaking from knowledge. Rav Schachter told us that the same was true about religion. Religion will not resolve any contradictions at all! If anything it will make us aware of more contradictions. Parah Adumah is not the only instance of the contradictory nature of Halacha. The parsha opens with the statement, "This is the chukah of the Torah." All of the Torah is one big chukah; the entire creation is one vast chukah. The midrashim on the opening passuk in Breishis make the comment that Hashem looked into the Torah and used it as a blueprint for creation. All of nature is interconnected with Torah. Just as the study of physics guides us to maneuver with all the contradictions in the natural realm, so too the halachah guides us in how we should deal with contradictions in the spiritual realm.

**This is the Chok of the Torah (19:2)** – Technically, the term should be Zos Chukas HaParah – it is not the Chukah of the Torah? **Rav Dovid of Leilov ztl.** points out that Torah and the Parah Adumah share a similar concept – that in the same way that the Parah is Mitaher Temeim but also Mitamei Tehorim so too, Torah has that power. The Talmud (Yoma 72b) explains that when he is Zocheh it becomes a source for life but when not Zocheh so the Torah can be a poison.

**Zos Chukas Hatorah (19:2)** – The Ramban asks why the Parsha begins with Zos Chukas HaTorah and then Daber El Bnei Yisrael. Shouldn’t it be Daber El Bnei Yisrael first and then Zos Chukas HaTorah? **Rav**  **Schachter Shlita** explained in the name of Rav Yerucham Gorelick ztl. that the first rule is that the Parah Aduma is something that requires the Beis Din of 71 – that it should be first a Chukah that it must be LEinei HaEida and then Daber El Bnei Yisrael that this is part of the chukas HaTorah.

**זאת חוקת התורה This is the Chok of the Torah (19:2)** – The Meforshim ask that the wording should be this is the Chok of the Parah. What does it mean to be Chukas Hatorah? **Rav Gedaliah Schorr ztl.** explains that within every Mitzva there is an outstanding characteristic that is apparent albeit in smaller scale in other Mitzvos. Here, the idea of Chok is quite outstanding – there is no apparent reason for this Mitzva. Although the reasons for other Mitzvos are provided, one needs to know that there are aspects even by those other Mitzvos that will not be well understood by the human intellect.

**זֹ֚את חֻקַּ֣ת הַתּוֹרָ֔ה This is the Chukah of the Torah (19:2)** - Why do we note that this is the Chok of the Torah? It is the Chok of the Parah but not the Torah? **Rav Elchanan Wasserman ztl** **HyD**  explained that there are 2 criteria of Chukim -- they have no reason and they apply forever. The same is true for Torah -- that which we do not know, we will still continue to observe -- no matter what!

**זֹ֚את חֻקַּ֣ת הַתּוֹרָ֔ה This is THE decree of the Torah (19:2)** - Why is Parah Adumah selected as THE paradigm of a Chok in the torah? Shaatnez and Kashrus also are Chukim so why single Parah Adumah out? **Rav Dovid Feinstein ztl.** explained that the idea that ash from a red cow has the ability to cleanse someone from an impurity is something we will never fully understand. It is a metaphor for the Torah which has the ability to cleanse someone from the impurities of this world yet we do not know or understand why or how it works. We don’t fully get how it takes one who is barred from being in Hashem’s house to becoming one who is beloved there. What we DO know is that it exists and we are the beneficiaries of that existence.

**זֹ֚את חֻקַּ֣ת הַתּוֹרָ֔ה This is the Chok of the Torah (19:2)** - What does the Torah mean that this is the Chok of the TORAH? This is the Chok of Parah Adumah perhaps, but not the entire Torah? **Rav Moshe Feinstein ztl.** explained that just like when it comes to Parah Adumah so it is in regard to the Torah. In other words, just like when it comes to Parah Adumah one needs to display a sense of humility (we see the use of Eizov, of dependence on others in the Tahara process etc.) and a sense of communal obligation (the preparation of the ashes require dedication of the individual for the benefit of the people in each step), so it is in regard to the lessons of the rest of the Torah. They too, need humility and communal dedication.

**זֹ֚את חֻקַּ֣ת הַתּוֹרָ֔ה This is the Chukah of the Torah (19:2)** – Why is Parah Adumah called Chukas Hatorah? Why not Chukas HaParah? **Rav Moshe Wolfson Shlita** explained that that every Mitzva has a source in it that is the root of something that is in every other Mitzva. Parah Aduma is the source for the parts of the other Mitzvos that are Chukim like Tzitzis.

**אֲשֶׁ֛ר לֹֽא־עָלָ֥ה עָלֶ֖יהָ עֹֽל That has no blemish and never had a yoke placed on it (19:2)** - The metaphor of the yoke is used in accepting Ol Malchus Shomayim because one attached to a yoke cannot deviate from the path from the driver’s designated path. The **Chozeh of Lublin** used to say that if one thinks he is without defect, it is because he has not accepted the yoke of Shomayim on himself. **Rabbi Dr. Abraham J. Twerski ztl** used to explain that one bound to the Torah does not allow himself to be complacent in his growth for that would be tantamount to making himself into his own god -- as there is no idolatry worse than self-adortion.

**He has defiled my mikdash (19:13**) – The Torah twice mentions the punishment of Kares associated with he who enters the Mikdash Tamai. Why is the punishment so severe**? Rav Aharon Lichtenstein ztl.** explains that there are 2 types of aveiros. The first is a sin whose action is in of itself a repugnant action. The second when the Torah outlaws an act not because the act itself is a terrible one, but because its ramifications are so severe. It is to this latter category of sins which entering the Temple in an unclean state belongs. Although the Torah certainly considered the entrance itself as taboo, probably serious enough to deserve lashings, the severity of the act, as expressed by the punishment of excision (karet), is tied with the resulting defilement of the Temple. While in a strictly formal, halakhic sense, the air of the Temple can not acquire ritual impurity, nonetheless the entrance of an unclean person into the Temple "defiles the tabernacle." Thus, the Torah does not focus on the severity of the act itself, but rather on the metaphysical blemish it leaves on the Temple. A person must know that his actions, for good and bad, leave their mark. We need not necessarily understand that our actions have physiological consequences, but rather that on some metaphysical level, our deeds can either bolster the world we try and build for ourselves, or, God forbid, destroy it.

**זֹ֚את הַתּוֹרָ֔ה אָדָ֖ם כִּֽי־יָמ֣וּת בְּאֹ֑הֶל  This is the Torah when an Adam dies in the tent (19:14) - Rav Schachter Shlita** would explain that Atem Keruyim Adam V’Ein Umos Keruyim Adam because there is no plural for Adam. By Am Yisrael there is a concept of unity but not by other nations. It is not a racist statement.

**זאת התורה אדם כי ימות באוהל This is the Torah when a person dies in a tent (19:14)** – The Gemara (Berachos 63a) notes that Divrei Torah can only survive among those who are willing to die over them. How can Divrei Torah survive on something that is dead? **Rav Meir Shapiro ztl.** explained that the reference here is to those who are involved in Chinuch and think that as a result of their stopping their own spiritual growth in order to educate others that they are spiritually dying. This is not so. Torah is best when it is within its Achsania and the Michanchim are the best examples.

 While on the subject, I’d like to add that Torah is often compared to water. When water flows it is powerful and can break down mountains and shatter obstructions. However, when it freezes it cannot do anything. The same can be said for Torah life – when it is alive, it can overcome all obstacles but when it is left alone on the shelves, it is limited.

**זֹ֚את הַתּוֹרָ֔ה אָדָ֖ם כִּֽי־יָמ֣וּת בְּאֹ֑הֶל This is the Torah when a man dies in the tent (19:14) – The Rambam** (Talmud Torah 3:12) writes that the words of Torah stand the test of time when one is prepared to kill himself for them in the tents of the Tzaddikim. What does being among the Tzaddikim have to do with it? **Rav Nosson Tzvi Finkel ztl.** explained that the source for the Rambam is the understanding that Chazal had that one should not absolve himself from the Beis HaMedrash – which is distinct from not absolving himself from Torah. Torah is often studied in many places but the situation that guarantees its success is in the Battei Medrashos.

**זֹ֚את הַתּוֹרָ֔ה אָדָ֖ם כִּֽי־יָמ֣וּת בְּאֹ֑הֶל This is the Torah when a person dies in the tent (19:14)** – The Gemara (Berachos 63b) notes that the words of Torah can only be kept by someone who literally kills himself for it. Torah does not demand martyrdom except in three cases so what do Chazal mean here? **Rav Dr. Reuven Bulka Shlita** suggested that the Torah is telling us that while others wander through life seeking meaning in it. The Torah is that very way of life. Without Torah, life is empty, meaningless, directionless, and purposeless.

**זֹ֚את הַתּוֹרָ֔ה אָדָ֖ם כִּֽי־יָמ֣וּת בְּאֹ֑הֶל This is the Torah when a person dies in the tent (19:14) –** The Gemara (Shabbos 83b) quotes Rav Yonasan who notes that one should not absent himself from Torah study even in his final hours based on this possuk. Why is that the time to be in the Beis Hamedrash? **Rav Kook ztl.** explained that lest a person think of Torah as merely a moral code applicable only when one is alive, study on one’s deathbed teaches that Torah’s messages are applicable even in the great beyond. By using the metaphor of the “Tent of Torah” Rabbi Yonasan highlighted the tent that was a a fellowship of Torah scholars, the mindsharpening milieu of the Beit Midrash. Not only to cultivate friendship and camaraderie, rather collective study sanctifies time and elevates life.

**זֹ֚את הַתּוֹרָ֔ה אָדָ֖ם כִּֽי־יָמ֣וּת בְּאֹ֑הֶל This is the Torah when a person dies in the tent (19:14)** - The Gemara (Brachos 63b) notes אין דברי תורה מתקיימים אלא במי שממית עצמו עליה. Why isn’t it enough to learn well without killing oneself over it? The Rambam (Hilchos Talmud Torah 3:6) writes that to really attain the crown of Torah, you have to be fully dedicated to Torah. ממית עצמו means that you have to kill the physical aspect of oneself and let the spiritual aspect take over. The **Maharal** expands on this, noting the Torah is a spiritual entity while man is a physical entity – two opposing forces. The only way to ensure one’s Torah study remains a permanent acquisition is to subdue the body’s physical pleasure and promote one’s spirit as the driving force. **Rav Dovid Hofstetder Shlita** adds that this is what it means to “kill oneself” over Torah learning – to subdue one’s physical nature.

**And he shall take an Aizov and a Tahor Person shall dip it into the water (19:18)-** Who is this Ish Tahor? Targum Yonasan explains that it must be a Kohein. However, the Talmud (Yoma 43a) notes that the sprinkling can be done by any male – Kohein or not – and Tosafos notes that this is because sprinkling is no considered an Avodah. So why did Targum Yonasan assume it must be done by a Kohein ? **Rav Gamliel Rabinovitz Shlita** explained that perhaps Targum Yonasan is merely teaching us how it was most likely done. He adds that alternatively it is possible that for the first Parah Adumah it had to be the Kohein specifically. We do find many differences between that first Parah and others performed later (See Meseches Parah chapter 9).

**וְהִזָּ֤ה הַטָּהֹר֙ עַל־הַטָּמֵ֔א The Tahor shall sprinkle onto the Tamai (19:19)** - The Yirushalmi (Parah 3:4) quotes Rabbi Yehoshua ben Kavsee  who noted that he always assumed that one Tahor can sprinkle onto one Tamai but he later learned that a single Tahor can sprinkle onto many Temeiim. **Rav Elyashiv ztl.** noted that there are 2 concepts of Tahara -- Hazaah and Mikvah. The first involves a single drop while the other involves immersing the whole body. It is a fitting description of the Jew’s quest of Tahara -- it begins with someone’s sprinkling of a single drop and it can bring many to the point of immersing themselves into a life of Tahara.

**מַ֥יִם חַיִּ֖ים אֶל־כֶּֽלִי Live waters to the utensil (19:23) - Rav Meir Shapiro ztl.** noted that Bnei Yisrael are compared to water. We have the power to crush rocks and level mountains but that presupposes that we are still moving. Frozen water is still. It lacks the ability to make any impact.

**וַתָּ֤מָת שָׁם֙ מִרְיָ֔ם וַתִּקָּבֵ֖ר שָֽׁם: Miriam died and there was no water (20:1-2) - Rashi** explains that the Zechus of the Beer was Miriam’s. Why? **Rav Chaim Kamil ztl** explained that when Miriam remained to see what would happen to baby Moshe, she taught a valuable lesson -- that more than the person makes the story, the story makes the person. She was the one who remained to see what would be of her Nevuah. She was the one who wanted and believed in the Moshian Shel Yisrael and waited with bated breath to know where his next step would be nurtured. The Be’er also sustained the people -- just as she did with Moshe.

**And speak to the stone (20:8)** – We know that Moshe was punished because he was told to speak to the stone and he hit the stone. **Rashi** explains that the hitting of the stone denied the opportunity of the people to learn that they can be moved by the words if a stone could. **Or HaChaim HaKadosh** argues that it was the fact that he called them HaMorim – the rebellious ones. The **Bas Ayin** explains that both commentaries work together. Moshe first referred to the people as Morim and then realized that as a result of his sin with his mouth he could not use it effectively in solving their problem. The Bas Ayin adds that this was his error – he did not focus on the fact that after sin and Teshuva, he was going to be able to perform once again. **Rav Elimelech Biderman Shlita** added in the name of the **Chofetz Chaim** that when one goes to a doctor, the doctor often says, "Stick out your tongue," so the doctor can see the

source of one's illness. The The nation saw that Aharon expired (20:29) same mouth that sins can be the source of Teshuvah and Yeshuah.

**וְדִבַּרְתֶּ֧ם אֶל־הַסֶּ֛לַע לְעֵֽינֵיהֶ֖ם וְנָתַ֣ן מֵימָ֑יו And you will speak to the rock before their eyes and it will bring forth its waters (20:8) - Yalkut Shimoni** compares the hitting of the rock to the educating of children. When the child is young, the hitting helped him learn. When he is older, it is the words that make a difference. How does one learn or teach with a stone? **Rav Boruch Mordechai Ezrachi Shlita** explained that initially when Moshe or Aharon taught Torah, it was not that they were teaching -- it was the Mishna itself or the Talmud itself that spoke. There was no limit to the length of value in what it could offer. The same was true with the stone -- when it started to offer drops of water, there was no limit what it too could offer -- all that had to happen was to let it turn into a well from which the waters would spring forth unlimited.

**וַיַּ֧ךְ אֶת־הַסֶּ֛לַע  And he struck the rock (20:11) - Rashi** explains that his error was that he struck the rock instead of speaking to it. **Sivan Rahav Meir sh’Tichyeh** notes the parallel between that point in time and ours. Water often symbolizes Torah. When our hearts are stone but have water waiting to be released on the other side, we need to remember that in today’s generation coaxing it out with words instead of the switch is likely to bring

 **ויך את הסלע The hitting of the rock (20:11)** – Why did Moshe deserve such an intense punishment here? **Rav Yaakov Kamenetzky ztl.** suggests that this was necessary since Moshe digressed from the literal instruction of Hashem here. He put the entire belief system of Moshe Emes and Toraso Emes in peril. Therefore Hashem had to be strict with him.

**יַ֚עַן לֹא־הֶֽאֱמַנְתֶּ֣ם בִּ֔י לְהַ֨קְדִּישֵׁ֔נִי לְעֵינֵ֖י בְּנֵ֣י יִשְׂרָאֵ֑ל Since you did not trust me to sanctify my name (20:12)** – Why is there no Kiddush Hashem in hitting the rock? **Rav Chaim Kanievsky Shlita** noted that the Yalkut Shimoni explains that V’Dibartem means to learn a Perek by the rock so that it would cry tears. Rav Chaim adds that based on the Yalkut, the Torah is teaching us that the Kiddush Hashem would have been to show the masses that Talmidei Chacham lack nothing.

**יַ֚עַן לֹא־הֶֽאֱמַנְתֶּ֣ם בִּ֔י Since you didn’t have faith in me to sanctify my name (20:12) – Rashi** explains that they were supposed to speak to the rock and they struck it instead. In the Talmud (Sanhedrin 101b) Rashi explains that the sin was that he referred to Bnei Yisrael as rebellious. Which one is correct? **The Tzitz Eliezer ztl.** explains that initially, the people were on a high madreiga and would have merited having a super miracle of seeing water come simply by speaking to it. But after the people challenged Moshe and he responded to them – they were no longer worthy of that miracle. What caused their fall? The call from Moshe which called them rebellious. Hence – the two Rashis are consistent.

**יַ֚עַן לֹא־הֶֽאֱמַנְתֶּ֣ם בִּ֔י Since you didn’t believe in me to sanctify me (20:12)** - Why was this an issue of belief? And is it true that Moshe didn’t BELIEVE? **Rav Shaul Yisraeli ztl** cited the **Alter of Novardok** who explained that Moshe was interested in Kiddush Hashem but he assumed Bnei Yisrael could not accept a Kiddush Hashem in word – only in action. But that was his mistake – they WERE ready to hear and accept and work – based on that faith.

**יַ֚עַן לֹא־הֶֽאֱמַנְתֶּ֣ם בִּ֔י Since you didn’t trust me to sanctify me (20:12)** – The commentaries abound as to what exactly the sin of Moshe and Aharon was. **Rav Yosef Albo** says the sin was in the fact that they had a chance to make a Kiddush Hashem and they did not. He should have declared the waters to spring forth and he did not – losing out on a chance to prove that Tzaddik Gozer V’HaKadosh Baruch Hu Mikayem. The **Meshech Chochma** explains that other Neviim used the Tactic but not Moshe. Why not? **Rav Schlessinger Shlita** explains that Moshe’s level was such that if he declared it and Hashem responded – he was afraid that the people would make him into a God. The only time he used this principle was in defense of his brother’s honor in Parshas Korach. The problem was, when people saw him do this for Aharon, and not for Hashem’s honor it was wrong and for that he was punished.

**לָכֵ֗ן לֹ֤א תָבִ֨יאוּ֙ אֶת־הַקָּהָ֣ל הַזֶּ֔ה אֶל־הָאָ֖רֶץ אֲשֶׁר־נָתַ֥תִּי לָהֶֽם:Therefore you shall not bring this nation into the land (20:12)** - What was so bad about hitting the rock? Wasn’t Moshe supposed to hit the rock under different circumstances? Why was this the basis for such a stern punishment? Why was there a difference in the commandment from one time to another? **Rav Yosef Carmel Shlita** explained that in Sefer Shemos Moshe was told to take his staff which was used to perform Otot with him. There are a few Mitzvos that the Torah includes as Otot  -  Bris mila, The Sneh, Tefillin, Shabbos (which was first given in Egypt or at least in Mara (pre-Sinai) & Marking the doorposts in Egypt with the Korban Pesach. These are all connected insofar as that they are connected to the period before the giving of the Torah. The use of the staff for getting water from the rock was appropriate in Parashat Beshalach, which is before Sinai, and therefore it was the right system at the right time. After Sinai, Moshe is no longer to use the staff, as it is the time to use speech and only to use speech.

**וְהַפְשֵׁ֤ט אֶת־אַֽהֲרֹן֙ אֶת־בְּגָדָ֔יו וְהִלְבַּשְׁתָּ֖ם אֶת־אֶלְעָזָ֣ר בְּנ֑וֹ וְאַֽהֲרֹ֥ן יֵֽאָסֵ֖ף Remove his clothes (20:26) -** We call Aharon’s death a death of Neshika. What is the death of Neshikah? The Talmud (Kesubos 104a) notes that everyone who uses the language “Nach Nafsheih” in regard to the death of a true Tzaddik  should be stabbed. Why? **Rav Yaakov Kamenetzky ztl** explains that in the regular course of events, death represents a painful departure of soul and body as a result of the battle in the time of separation. One is not allowed to say that about a Tzaddik. That is the meaning of Meisas Neshika.

**The whole congregation saw that Aaron had expired (20:29) - Rashi** explains that when Bnei Yisrael saw Moshe and Elazar coming down without Aharon , they could not believe that it was possible that the one who stood up against the angel and stopped the plague can be overpowered by death, Thereupon the Malachim showed Aharon to them, lying in the bed. When they they saw [him] then they believed. **Rav Soloveitchik ztl.** related that when his grandfather, Rav Chaim passed away, his father, Rav Moshe needed to confirm the news by travelling to Warsaw to confirm in person. When asked why, he explained that when a Rebbe is taken from his students, the students cannot conceive of life continuing without him so they desperately search for him, despite the evidence of his passing. Rav Soloveitchik noted that the same held true here: Despite the testimony of Aaron’s death, the people could not accept the bitter reality until they saw it with their own eyes.

**And the entire nation cried for Aharon for 30 days (20:29)** – The Midrash notes Aharon’s unique ability to approach and mediate between aggrieved parties. Why did it keep working? Why were people not wise to Aharon’s ruse**? Rav Baruch Mordechai Ezrachi Shlita** explained that Aharon was not a tactical operative – he was a perceptive individual who understood people well. He knew that no one liked arguments. He knew that each person felt that if only the other side knew how he was eating himself up over the disagreement then they would move to resolution. He then went and made each one look inside and see things from that other awareness perspective that came from the understanding of human relationships. Thus, the nation didn’t “fall for it” they wanted it.

**ויראו כל העדה כי גוע אהרן The people saw that Aharon had died (20:29) – Rashi** cites the Midrash Rabbah which explains that the people did not believe Moshe that Aharon had died until after Moshe davened to Hashem to ask Him to show mercy and the Malachim showed Aharon having passed. When they saw, they believed. The Midrash suggests that the people were ready to stone Moshe over Aharon’s death. Did they really think Moshe killed him? Did they really think Aharon was going to live forever? **Rav Menachem Genack Shlita** suggested that the people knew that Aharon had passed but that they could not believe it. They did not know how they were going to go on. For that, one needs to constantly seek out his master – to know in their souls that they would need to take over.

**The nation spoke ill with Hashem and with Moshe saying why did you take us out of Mitzrayim (21:5) –** Rashi comments that Moshe told the Jews that they were Kefuiyei Tova sons of Kefuyeii Tova. Why does Moshe speak badly about the 2 generations of Yisrael? **Rav Nachum Parsovitz ztl.** understands that Moshe was actually being Milamed Zechus – noting that it was to be expected for them to be Kefuyei Tova. The same is noted by the **Rav of Novorhodok Rabbi Meir Abovitz ztl.** who says that the reason we say Aval Anachnu VaAvoseinu Chatanu is to justify why we sin and perhaps use it to lighten the claims against us.

**And our souls are sick with this bread that disregulates digestion (21:5)** – The Talmud (Avodah Zara 5a) relates that when they declared this declaration, Moshe called them Kefuyeii Tova Bnei Kefuyeii Tova, children of Adam HaRishon who was Kafui Tov. **Rav Nachum Parsovitz ztl.** asked why Moshe mentioned Adam HaRishon in this context? He answered that Moshe was providing an explanation for the people’s behavior. By mentioning Adam, he was noting a phenomenon about mankind in general – that they do not regularly have Hakaras HaTov.

**And our souls are sick of this unpleasant bead (21:5)** – It seems strange that the people who are recognized as the most spiritually advanced generation get so stuck on the physical? Moreover, each time that they did, it caused them further harm so why didn’t they learn a lesson from the experience? **Rav Simcha Zissel Broide ztl.** learns that the people suffered and focused on the physical because they sought spiritual. When they feared that the spiritual attachment was not with them, they hung from the awareness that their lives were empty and sought to cling to something more tangible. Thus they focused on food and on their emptiness instead of the real reason for their depressed state – loss of reality of Hashem’s presence.

**והיה כל הנשוך וראה אותו וחי And it was whomever was bitten (21:8)** – Usually when we find the word “Vhaya” utilized it is an expression of joy. Where is the joy in being bitten by a snake? And why was it so bad that they complained about the Manna anyway? **Rav Goldvicht ztl.** explained that their sin was that they could not accept their reliance on Hashem. They did not want their dependence to be blatantly obvious. However, there is error in that. Realizing that when you rely on Hashem your needs are taken care of, allows your relationship with Hashem to grow. This is the reason for the great satisfaction in having an ongoing relationship with Hashem. The **Kotzker** commented that this was the curse of the Nachash – it was as if Hashem said “Here is your food, don’t bother me anymore”.

**וְהִבִּ֛יט אֶל־נְחַ֥שׁ הַנְּח֖שֶׁת וָחָֽי Moshe made a copper snake and placed it on a pole (21:9)** – The Mishna in Rosh Hashana asks 2 compelling questions – one concerning Moshe’s hands in the battle of Amalek and one in regard to the snake here – “Does the snake kill and bring back to life?” **Rav Chaim Sabato Shlita** explains that the Mishna is teaching us not to simply look to the rationalist view of the situation – that snakes kill – because snakes can also heal. The deeper message is that Hashem decides how that which can be lethal can also be life promoting. A similar concept exists within the Ketores of last week’s Parsha. Sometimes in our quest to make things make sense, we write Hashem out of the equation. We need to think beyond that which is in our current sphere of logic in order to appreciate the Niflaos HaBorai.

**וְהָיָ֗ה אִם־נָשַׁ֤ךְ הַנָּחָשׁ֙ אֶת־אִ֔ישׁ וְהִבִּ֛יט אֶל־נְחַ֥שׁ הַנְּח֖שֶׁת וָחָֽי: And if the snake bit the person, he would look at the copper snake and live (21:9) - Rav Elya Sveii ztl.** points out that the entire episode was designed to get the people to see their permanent Kesher with Hashem. He quotes **Or HaChaim** who notes that the people were supposed to learn a few lessons from the copper snake. They complained that Hashem didn’t bring them to the place where there was food, leaving them in the desert instead. The snake reminded them that this was a stop to get the people to rely on Him alone, looking up to Him to provide.

**וְהִבִּ֛יט אֶל־נְחַ֥שׁ הַנְּח֖שֶׁת וָחָֽי:And he shall gaze upon the copper snake and live (21:9)-** Usually you need to interact with medicine if it is going to work. Why the difference here? **Rav Schachter Shlita** noted that the Zohar notes that simply by Moshe’s looking at Eretz Yisrael it was as if he fulfilled the Mitzvos HaTiluyos B’Aretz. The same was true here. Simply looking at the snake was enough interaction by the people. This is the comparison of the Zohar. Rav Schachter noted that the people had learned this style of concentration from Moshe’s own level of concentration and were able to achieve great things as a result.

**וְהָיָ֗ה אִם־נָשַׁ֤ךְ הַנָּחָשׁ֙ אֶת־אִ֔ישׁ וְהִבִּ֛יט אֶל־נְחַ֥שׁ הַנְּח֖שֶׁת וָחָֽי: He would look at the copper snake and live (21:9) - Rashi** notes that it isn’t the snake that makes one live or die but rather when the Jews look toward Shomayim, they are successful. If that is the case, why does Hashem need the snake in the first place? Why not tell Moshe to have the people look toward the heavens and that’s it? **Rav Moshe Wolfson Shlita** explains that there is a Nachash above (the Yetzer HaRa) and one below. The one above causes sin and the one below cannot punish if not for the one above. So, the true means of overcoming the fear and danger of the Nachash below is to attach oneself beyond his or her sins -- shaking the shackle of sin free and attaching oneself to Hashem which brings Refuah.

**על כן יאמר בספר מלחמות ה' את והב בסופה Therefore it will be written in the Sefer Milchamos Hashem (21:14) – Rav Schachter Shlita** noted that there is a need for debate and occasional sharpness when people are learning. To grow in learning one needs to have a bit of Chutzpah – a Sefer Milchamos – a battle sefer. However, if one does not learn when to battle and when not to, it could be problematic. The Torah’s style in the Sefer Milchamos Hashem was “Vaheiv B’Sufo” to get to a point of being loving to one another at the end.

**“…the well where the Lord said to Moses, ‘Assemble the people that I may give them water.’ Then Israel sang this song: Spring up, O well – sing to it – The well which the chieftains dug, Which the nobles of the people started With the sceptre, and with their own staffs. And from the wilderness to Mattanah, and from Mattanah to Nahaliel, and from Nahaliel to Bamoth…” (Numbers 21:16-19) -** This section, known as the Shiras HaBe’er, is leined melodically. **Rav Tzvi Weinrib Shlita** noted that this Shirah is different than the Shiras HaYam as it comes in the time of transition from Moshe, Aharon and Miriam’s leadership to a different form. Instead of being led in shirah, they sang together. Thus, the people find their voice, and it is the voice of song. Yalkut Shimoni (Chukas, 764) sees this as a culmination of a process of maturation. We need to know that when prominent leaders are not apparent, we all must assume leadership responsibilities. We must, each of us, find our own voices and sing the songs of leadership.

**אָ֚ז יָשִׁ֣יר יִשְׂרָאֵ֔ל Az Yashir Yisrael (21:17) – Ohr Hachaim HaKadosh** asks why Bnei Yisrael sang the Shirah now and if it refers to Torah? But more importantly, he asks why there was no Shirah at the time of Matan Torah? **Rav Gifter ztl.** explains that the true Kabbolos HaTorah didn’t happen at Har Sinai, it happened when Moshe finally brought the Luchos down. And since they sinned in the interim, they didn’t see themselves as worthy of singing the Shira.

**אָ֚ז יָשִׁ֣יר יִשְׂרָאֵ֔ל** **Then Bnei Yisrael sang (21:17)** - Why is it that at this Shirah Moshe’s name does not appear as it did at Shiras HaYam (Az Yashir)? **Rav Bernard Weinberger ztl.** explained that when they left Mitzrayim, they did not fully comprehend how to properly sing praise to Hashem. After 40 years, they were ready to do so.

**אז ישיר ישראל את השירה הזאת Then the Jews sang the Shirah (21:17)** – As opposed to the last Shirah, this time Moshe is not singled out. Why? **Rav Frand Shlita** suggested that while the people finally realized (AZ Yashir) that the Be’er was a merit because of Miriam, Moshe had known it all along. It would have been improper to assume that it was AZ Yashir Moshe, for he had been singing all along. **Rav Bernard Weinberger ztl.** suggested that when the people left Mitzrayim they did not know the intricacies of singing Shirah. Moshe had to teach them and thus, he was singled out. However, after 40 years in the desert, they DID know how to sing and therefore Moshe did not need to lead them in Shirah.

**From the Midbar it went to Matana (21:18)** – Chazal (Nedarim 55a) interpret this part of the Possuk as referring to the fact that when one makes himself accessible as a Midbar, Torah is given to him as a gift. Rashi adds that making oneself like a Midbar refers to the one who teaches Torah to everyone for free. However, why is one who teaches everyone compared to Hefker? **Rav Aharon Kotler ztl.** explains that Torah belongs to the Jewish people as a whole. No one owns it singularly or possessively. When one makes himself available to teach and learn Torah with the masses selflessly – affording the Torah to be accessible to all of her owners – such a person receives the Torah as a Matana for he has learned the secrets of True Torah possession.

**וַיִּשְׁלַ֤ח יִשְׂרָאֵל֙ מַלְאָכִ֔ים אֶל־סִיחֹ֥ן Bnei Yisrael sent messengers to Sichon (21:21)** - The Midrash (Bamidbar Rabba 19:15) explains that even though Moshe knew he wasn’t going into the land he did not stop his job of leading Bnei Yisrael in. However, why is that a praise of Moshe? Wasn’t he doing what Hashem expected? **Rav Chaim Kamil ztl.** explained that Moshe didn’t need to calculate the point. He immediately proceeded because he was so selfless that he only considered the people – not the impact on himself.

 **אֶעְבְּרָ֣ה בְאַרְצֶ֗ךָ Let me pass through your land (21:22) – Rashi** quotes the Tanchuma that despite not needing to secure a peaceful permission, Moshe sought one anyway. **Rav Moshe Feinstein ztl.** noted that we see how important it is for someone to work on his middos. Moshe was not commanded to make peace with Sichon but his character demanded that he try to do so anyway. It was when Sichon said no and started the war, then Moshe and Bnei Yisrael needed to fight back.

 **אָ֚ז יָשִׁ֣יר יִשְׂרָאֵ֔ל אֶת־הַשִּׁירָ֖ה הַזֹּ֑את Then the Jewish people sang (21:27)** - Why isn’t Moshe’s name mentioned in this song like it is in the song at Yam Suf? **Rav Yissochar Frand Shlita** explained that while Bnei Yisrael didn’t appreciate the benefit of the Beer fully until Miriam died, Moshe DID recognize the value. As a result, this song was specifically primarily Bnei Yisrael’s.

**For a Fire came from Cheshbon (21:28) – The Alter of Slobodka ztl.** noted that the Cheshbon of learning Torah without interruption it adds to a Cheshbon – to a calculation of power. On the other hand, when we sin, we waste Torah and for that too, there will be a tremendous Cheshbon.

**Haftara:**

**Yiftach ran away from his brothers and he settled in Eretz Tov (Shoftim 11:3)** – Some of the Meforshim explain that the land that Yiftach ran to was qualitatively good. Others point out that the land was owned by a man named Tov. **Rav Yosef Gavriel Bechhofer Shlita** quoted the Yirushalmi that pointed out that the land was exempt from Terumos and Maaseros and Shmitta since it was still in the hands of the non-Jews. Thus, the Reikim – the empty people who would gladly trade in the Mitzva, would refer to it as Tov. Rabbi Bechoffer added that here we find the first leader of the Baal Teshuva movement as he trained the people around him to bend their concept of what is indeed Tov toward that which Hashem would find to be Tov. One needs to be careful with such a movement as was seen in the Yiftach episodes….

**Yiftach ran away from his brothers and settled in in Eretz Tov (Shoftim 11:3)** - The sefer **Ir Damesek Eliezer** explains that while Yiftach could’ve made a legitimate claim and sued his brothers in court, he ran away from Machlokes which is why the Novi uses the words “ran away” in describing his move to Eretz Tov. Tov, is the absence of Machlokes. **Rav Binyomin Eisenberger Shlita** added that many different families have been torn apart as a result of the Machlokes. We would do well for ourselves learning from the example of Yiftach.

**Yiftach ran away because of his brothers and settled in the land of Tov (Shoftim 11:3)** – Why did Yiftach run away to this place? The **Chida** explained that Yiftach ran this far in order to be outside of the land of Israel so that he should not bump into his brothers while being Oleh Regel which could touch off Machlokes. The **Be’er Moshe of Ozrov** added that this is why the land was called Tov (and not Tova) in that it was the opposite of the second day of creation where the word Tov was not used since it involved a split. **Rav Yehonasan Eybeshutz** explained that he ran away since his brothers kicked him out and he therefore did not know which gate to go into the Beis HaMikdash thru – for each Shevet had a specific gate and what was he to do during Aliyah l’Regel.

**:ואתם שנאתם אותי ותשלחני מבית אבי Yiftach said to the elders of Gilad “You hate me and have sent me away from my father’s house and now you come to me when it is hard for you?” (Shoftim 11:7)** – It wasn’t the Zekanim who sent him away – it was the brothers. Why did he blame the Zekanim? **The Dubno Maggid** explains that when someone has the chance to stand up for what’s right and punts on that chance, the Avaira is attributed to him. Yiftach was making this clear to the people – you could have stood up for me but you didn’t. The Avaira is yours!

**וַיָּשִֹ֨ימוּ הָעָ֥ם אוֹת֛וֹ עֲלֵיהֶ֖ם לְרֹ֣אשׁ וּלְקָצִ֑ין  And the nation placed him (Yiftach) upon them as a leader (Shoftim 11:11)** – There is a tremendous debate between Yiftach and the people going on here as to how much of a leader he was going to be. Was Yiftach really only interested in the Kavod? **Rav Chaim Shmuellevitz ztl.** explains that a leader cannot lead the people if they do not believe in him. If he is only a hired mercenary, then the people he will not back him. However, when the people accept him, they are really declaring their acceptance of his role of carrying out the will of Hashem on their behalf.

**אָנֹכִ֕י אֶהְיֶ֥ה לָכֶ֖ם לְרֹֽאשׁ If you accept me as leader over you (Shoftim 11:9) - Chasam Sofer** comments that because Yiftach insisted on becoming leader, with authority like a king, he erred in trying to be like a king. In other words, because he insisted on acceptance of his authority, it happened that when he needed to be able to nullify his neder he was not going to be able to do so.

**Yiftach sent messengers to the king of Amon noting that the king did not believe the Jews to allow them passage in his land (Shoftim 11:20)** - It should be noted that in the Torah’s account the word “Nasan” or give replaced the word Ha’Emin. Why does Yiftach change the story? **Rav Chaim Zeitchik ztl**. explains that to a non-Jew it was impossible to believe that a person would do that which he says without deviating one iota. The Talmud (Bechoros 13b) notes that non-Jews generally are suspicious of Jewish Torah observance in that they do not believe that we can follow through on the words of the Torah. However the Jewish way is to say what we mean and to follow it 100% without deviation.