

Points to Ponder  
Devarim 5778

These are the words (1:1) – Moshe opens the book of Devarim with some harsh Mussar for the Jewish people who had committed many different sins during their 40 years. He veils the episodes so as not to embarrass them. Why wait 40 years for the rebuke? Why not offer it sooner? Rashi notes that Yaakov Aveinu also waited until the end of his life to offer the rebuke. Why? Rav Noach Weinberg ztl. explained that when it comes to giving rebuke, leaders must pick their battles. Rebuking the nation EVERY time they commit a transgression will lead his words becoming a broken record not worthy of being heard. A good leader knows when to say something and know that the word will have impact. The same is true for parents who are leading their children. The parent who is always critical will eventually simply be ignored. Criticism needs to be a tool that is used together with other tools in a coordinated manner that will effectively encourage our children, not drive them away.

Turn and travel for yourselves...until the great river, the River Paras (1:7) – Rashi explains that the reason the river is called great is that it is connected to the land of Israel. Despite being the smallest of the rivers mentioned in Berashis, it is called Gadol here because it is mentioned in connection to Eretz Yisrael. Rav Nosson Tzvi Finkel ztl. noted that those who have the merit to live in the land of Israel certainly can understand its importance. The importance is not limited to Yirushalayim and Bnei Brak but rather to the entire land. It is for that reason that the nations of the world fire rockets and burning kites over Israel – they want to take down the land with Kedusha and that is what they fight over and for.

He explained this Torah (1:8) – Rashi explains that he translated the Torah into 70 languages. Why would Moshe translate the Torah into 70 languages if the people didn't speak those languages? Rav Amital ztl. explained that the 70 languages refers to 70 different cultures. The Torah has something to say about all 70 cultures. Similarly, the Torah specifies the timing of these words. This is because, the Torah wishes to teach us that Moshe's words were not disconnected from either the place or the time when they were spoken. The Torah has a message for each generation, and that the Torah must be applied to each generation. Here what is being emphasized is that Moshe adapted his words to the specific time and place where they were spoken.

Choose for yourselves Anashim (1:12) – Tosafos (Bava Kama 15a) notes a difference of opinion as to whether a woman can be a judge or not. Tosafos wonders how a woman can possibly judge if we hold that one who cannot testify cannot judge and women cannot testify? Tosafos answers that the issue of those who cannot testify cannot judge is a rule that applies to men. Rav Schachter Shlita mentioned that Rav Soloveitchik ztl. would explain this idea by noting that it is the Pesul that makes a difference. One who is Pasul from testifying is also pasul from judging. Women aren't Pasul from testifying – they are not included in the realm of testimony or judgement (This is apparent here in the Possuk where Moshe selected judges who were Anashim – see Rashi that it was OBVIOUS that women were not to judge and therefore an additional lesson can be learned from the word "Anashim" in the possuk. Many have argued that the Sefer HaChinuch allows women to judge because we find that the Mitzva of not judging while inebriated applies equally to men and women. Rav Schachter cited Pischei Teshuvah (CM 7:5) who notes an apparent contradiction in his words and resolves them by explaining that as far as Issu V'Heter questions are concerned a woman who knows the answers should provide them but in regard to judgement, she cannot join a Beis Din and therefore rules of Beis Din (like taking bribes) are not relevant to her.

Great and huge cities that reached the heavens (1:28) – Rashi reminds us that these words were understood as exaggerations. How could the Torah use language that was not Emes (truth)? The Steipler ztl. (Orchos Yosher) suggests that when the exaggeration is used poetically, leaving no concern that the words are not meant to be taken literally, then exaggeration is not in the category of Sheker. However, if one's words are left open to interpretation, and can be used to deceive, then they may not be used at all.

And you all sat and cried in front of Hashem and Hashem did not hear your voices (1:45) – The Midrash (Eichah 3:8) notes that at the time of the Churban our prayers were not accepted by Hashem. Rav Menachem Genack Shlita explained in the name of Rav Soloveitchik that this is why on Tisha B'Av we do not say Tiskabel or recite Tachanun on Tisha B'Av. On this day, Tefillos and Tahcanunim are not usually likely to be accepted.

Do not distress Moav nor start a war with them (2:9) – The Gemara (Bava Kama 38a) notes that we are not allowed to start up with Moav despite the fact that they directly attacked us because Hashem had 2 beautiful birds (Rus and Naama) destined to come from Ammon and Moav. The Mishneh l'Melech quotes the Chochmei Ashkenaz who asked why the future generations are able to be taken into consideration here if they are deserving of death? Rav Shteinman ztl. answered that while we cannot use the logic of Kal V'Chomer in the death of an individual (Ein Onshin min HaDin) we could have used the logic to punish the entire nation. Therefore Hashem had to specifically tell us that this was not ok and that He did not want us to start up with Moav.

Haftorah: