

Kol Rina
An Independent Minyan
Parashat Va'etchanan
August 13,2022 *** 16 Av, 5782

Vaetchanan in a Nutshell

https://www.chabad.org/parshah/article_cdo/aid/2260/jewish/Vaetchanan-in-a-Nutshell.htm

Moses tells the people of Israel how he implored G-d to allow him to enter the Land of Israel, but G-d refused, instructing him instead to ascend a mountain and see the Promised Land.

Continuing his “review of the Torah,” Moses describes Exodus from Egypt and the Giving of the Torah, declaring them unprecedented events in human history. “Has there ever occurred this great thing, or has the likes of it ever been heard? Did ever a people hear the voice of G-d speaking out of the midst of the fire . . . and live? . . . You were shown, to know, that the L-rd is G-d . . . there is none else beside Him.” Moses predicts that in future generations the people will turn away from G-d, worship idols, and be exiled from their land and scattered amongst the nations; but from there they will seek G-d, and return to obey His commandments.

Our Parshah also includes a repetition of the Ten Commandments, and the verses of the Shema, which declare the fundamentals of the Jewish faith: the unity of G-d (“Hear O Israel: the L-rd our G-d, the L-rd is one”); the mitzvot to love G-d, to study His Torah, and to bind “these words” as tefillin on our arms and heads, and inscribe them in the mezuzot affixed on the doorposts of our homes.

Haftarah in a Nutshell: Isaiah 40:1-26

https://www.chabad.org/parshah/article_cdo/aid/540269/jewish/Haftarah-in-a-Nutshell.htm

This week’s haftarah is the first of a series of seven “haftarot of Consolation.” These seven haftarot commence on the Shabbat following Tisha B’Av and continue until Rosh Hashanah.

This section of Isaiah begins with G-d’s exhortation to the prophets: “Console, O console My people . . . Announce to Jerusalem that her period of exile has been fulfilled and that her sins have been forgiven.”

Isaiah’s prophecy describes some of the miraculous events that will unfold with the onset of the messianic era, such as the return of the exiles to Jerusalem, the revelation of G-d’s glory, and the rewards and retribution that will then be meted out. The prophet then goes on to comfort the people, describing G-d’s power and might, and reassuring them of His care for His people.

The Right and the Good: Va'Etchanan by Rabbi Jonathan Sacks z"l

<https://www.rabbisacks.org/covenant-conversation/vaetchanan/the-right-and-the-good/>

Buried among the epic passages in Va'etchanan – among them the Shema and the Ten Commandments – is a brief passage with large implications for the moral life in Judaism. Here it is together with the preceding verse:

Be very vigilant to keep the commandments of the Lord your God, and the testimonies and decrees with which He has charged you. Do what is right and what is good in the Lord's eyes, so that it may go well with you, and you may go in and take possession of the good land that the Lord swore to your ancestors to give you. (Deut. 6:17-18)

The difficulty is obvious. The preceding verse makes reference to commandments, testimonies, and decrees. This, on the face of it, is the whole of Judaism as far as conduct is concerned. What then is meant by the phrase “the right and the good” that is not already included within the previous verse?

Rashi says it refers to “compromise (that is, not strictly insisting on your rights) and action within or beyond the letter of the law (lifnim mi-shurat ha-din).” The law, as it were, lays down a minimum threshold: this we must do. But the moral life aspires to more than simply doing what we must.[1] The people who most impress us with their goodness and rightness are not merely people who keep the law. The saints and heroes of the moral life go beyond. They do more than they are commanded. They go the extra mile. That, according to Rashi, is what the Torah means by “the right and the good.”

Ramban, while citing Rashi and agreeing with him, goes on to say something slightly different:

At first Moses said that you are to keep His statutes and his testimonies which He commanded you, and now he is stating that even where He has not commanded you, give thought as well to do what is good and right in his eyes, for He loves the good and the right.

Now this is a great principle, for it is impossible to mention in the Torah all aspects of man's conduct with his neighbours and friends, all his various transactions and the ordinances of all societies and countries. But since He mentioned many of them, such as, “You shall not go around as a talebearer,” “You shall not take vengeance nor bear a grudge,” “You shall not stand idly by the blood of your neighbour,” “You shall not curse the deaf,” “You shall rise before the hoary head,” and the like, He went on to state in a general way that in all matters one should do what is good and right, including even compromise and going beyond the strict requirement of the

law... Thus one should behave in every sphere of activity, until he is worthy of being called “good and upright.”

Ramban is going beyond Rashi’s point, that the right and the good refer to a higher standard than the law strictly requires. It seems as if Ramban is telling us that there are aspects of the moral life that are not caught by the concept of law at all. That is what he means by saying “It is impossible to mention in the Torah all aspects of man’s conduct with his neighbours and friends.”

Law is about universals, principles that apply in all places and times: Do not murder. Do not rob. Do not steal. Do not lie. Yet there are important features of the moral life that are not universal at all. They have to do with specific circumstances and the way we respond to them. What is it to be a good husband or wife, a good parent, a good teacher, a good friend? What is it to be a great leader, or follower, or member of a team? When is it right to praise, and when is it appropriate to say, “You could have done better”? There are aspects of the moral life that cannot be reduced to rules of conduct, because what matters is not only what we do, but the way in which we do it: with humility or gentleness or sensitivity or tact.

Morality is about persons, and no two persons are alike. When Moses asked God to appoint his successor, he began his request with the words, “Lord, God of the spirit of all flesh.” (Num. 27:16) On this the Rabbis commented: what Moses was saying was that each person is different, so he asked God to appoint a leader who would relate to each individual as an individual, knowing that what is helpful to one person may be harmful to another.[2] This ability to judge the right response to the right person at the right time is a feature not only of leadership, but of human goodness in general.

Rashi begins his commentary to Bereishit with the question: If the Torah is a book of law, why does it not start with the first law given to the people of Israel as a whole, which does not appear until Exodus 12? Why does it include the narratives about Adam and Eve, Cain and Abel, the patriarchs and matriarchs and their children? Rashi gives an answer that has nothing to do with morality – he says it has to do with the Jewish people’s right to their land. But the Netziv (R. Naftali Zvi Yehudah Berlin; 1816-1893) writes that the stories of Genesis are there to teach us how the patriarchs were upright in their dealings, even with people who were strangers and idolaters. That, he says, is why Genesis is called by the Sages “the book of the upright.”[3]

Morality is not just a set of rules, even a code as elaborate as the 613 commands and their rabbinic extensions. It is also about the way we respond to people as individuals. The story of Adam and Eve in the Garden of Eden is at least in part about what went wrong in their relationship when the man referred to his wife as *Ishah*, ‘woman,’ a generic description, a type. Only when he gave her a proper

name, Chavah, Eve, did he relate to her as an individual in her individuality, and only then did God make “garments of skins for Adam and his wife, and clothed them.” (Gen. 3:21)

This too is the difference between the God of Aristotle and the God of Abraham. Aristotle thought that God knew only universals not particulars. This is the God of science, of the Enlightenment, of Spinoza. The God of Abraham is the God who relates to us in our singularity, in what makes us different from others as well as what makes us the same.

This ultimately is the difference between the two great principles of Judaic ethics: justice and love. Justice is universal. It treats all people alike, rich and poor, powerful and powerless, making no distinctions on the basis of colour or class. But love is particular. A parent loves their children for what makes them each unique. The moral life is a combination of both. That is why it cannot be reduced solely to universal laws. That is what the Torah means when it speaks of “the right and the good” over and above the commandments, statutes, and testimonies.

A good teacher knows what to say to a struggling student who, through great effort, has done better than expected, and to a gifted student who has come top of the class but is still performing below their potential. A good employer knows when to praise and when to challenge. We all need to know when to insist on justice and when to exercise forgiveness. The people who have had a decisive influence on our lives are almost always those we feel understood us in our singularity. We were not, for them, a mere face in the crowd. That is why, though morality involves universal rules and cannot exist without them, it also involves interactions that cannot be reduced to rules.

Rabbi Israel of Rizhin (1796-1850) once asked a student how many sections there were in the Shulchan Aruch. The student replied, “Four.” “What,” asked the Rizhiner, “do you know about the fifth section?” “But there is no fifth section,” said the student. “There is,” said the Rizhiner. “It says: always treat a person like a mensch.”

The fifth section of the code of law is the conduct that cannot be reduced to law. That is what it takes to do the right and the good.

[1] See Lon Fuller, *The Morality of Law* (New Haven, CT: Yale University Press, 1969), and Rabbi Aharon Lichtenstein’s much reprinted article, “Does Jewish Tradition Recognize an Ethic Independent of the Halakhah?” in *Modern Jewish Ethics*, ed. Marvin Fox (Columbus: Ohio State University Press, 1975), pp. 62–88. [2] *Sifre Zuta*, *Midrash Tanhuma* and *Rashi to Numbers* ad loc. [3] *Ha-amek Davar* to Genesis, Introduction.

Returning from the Narrow Place by Rabbi Steven Jacobs

<https://truah.org/resources/parshat-vartchanan-steven-jacobs-moraltorah/>

In this week’s parshah, we return to the topic of cities of refuge, first introduced at the end of Numbers. (See Rabbi David Eber’s (M)oral Torah on the subject two

weeks ago.) God had commanded that the Israelites set aside six cities of refuge for individuals who commit murder accidentally — a place where they could live without fear of retribution. Moses, though he will never enter the land, now sets aside the three on the east side of the Jordan River, outside the Land of Israel proper, in the territory of the tribes of Reuben, Gad, and Manasseh (Deuteronomy 4:41-43).

These cities represent the triumph of hope over despair.

Moses performed this mitzvah even though he would never enter the land. His anticipation and recognition of the opportunity to do God's work extended even to a mitzvah he would never see come to fruition.

In biblical times, cities of hope provided a refuge. Today, our criminal justice system offers too little hope to those who become ensnared in its pervasive net.

The [Sentencing Project](#) shares some stark statistics on incarceration in America:

There are 2 million people in the nation's prisons and jails — a 500% increase over the last 40 years.

One in seven people in prison is serving life with parole, life without parole, or virtual life (50 years or more).

Black men are six times as likely to be incarcerated as white men, and Latinos are 2.5 times as likely. For Black men in their thirties, about 1 in every 12 is in prison or jail on any given day.

We are taught that God is with us in the "narrowest" of places. The average American jail cell is just 48 square feet.

Many of us have sung "kol ha'olam kulo gesher tzar me'od" — "the world is a narrow bridge, but the essence is not to be afraid." While most focus on the "gesher," the bridge, it's the "tzar," the narrow, where we see a connection to this parshah. Our relationship to the Divine can be found in the narrowest of places, even a tiny jail cell or in the depths of our failed relations with our fellow humans.

We have excellent mentors who teach us that hope can be found even in the darkest moments. Indeed, refuge can be found in many forms.

As a rabbi, I have visited people who are incarcerated, including for violence and murder. Often, they have been jailed for 20 years or more. What is astonishing and significant to me is their work to repent and their rehabilitation. In the last year, three of these individuals were paroled and released after lengthy incarcerations. Each of them immediately started doing remarkable things in their communities. Their perseverance to repair the world every day enables them to be free at last.

Rav Zalmon Sarotzkin (Ukraine, 1881–1966), in his commentary on this parshah, teaches that all of us are guarantors, one for the other. We owe it to our neshamah/soul and fellow humans to share our Torah and open windows to help others access it. With this in mind, we honor those in every community who work to provide Torah and emotional support for incarcerated individuals and their families.

Nelson Mandela taught us a great deal on the concepts of incarceration, refuge, and redemption. First, he taught us that to know a nation is to look inside its jails. Second, he taught us that courage is not the absence of fear but the triumph over it. In our advocacy community in the U.S., the Reform Alliance is raising awareness about a confusing and contradictory probation system that reincarcerates individuals at an alarming rate. Just as individuals now find themselves back in the community, they must navigate a confusing system that is incentivized to put them back in jail. Rebbe Nachman taught that with emunah/faith, there is no despair in the world. In our tradition, from any place on earth, even in a prison cell, there is always the possibility of teshuvah — a return. Each of us is offered the chance to take steps to restore and repair our world and relationships through mitzvot. We have a key to exit our emotional or spiritual incarceration, our own personal Egypt, through the mitzvot. Like Moses, our actions today can provide refuge to the generations that will follow us. *(Rabbi Steven Jacobs is a life-long social justice activist and lives in Northern California. He authored this piece with his chevruta, Dan Cohen, a social change communicator who lives in Ra'anana, Israel.)*

Treatment of the Stranger by Rachel Farbiarz

<https://www.myjewishlearning.com/article/treatment-of-the-stranger/>

As the Israelites are poised to enter Canaan in Parshat Vaetchanan, Moses finally finds his tongue and speaks at length with his people, instructing them on his legacy. Central to Moses' oration is the insistence that the events of his life have unfurled before the people's "own eyes."

As Moses retells it, his audience's presence was essential to the covenant at Sinai: "The Lord your God sealed a covenant with us at Horeb. Not with our ancestors did the Lord seal this covenant but with us — we who are here today, all of us alive."

And with reference to the miracles of the Exodus, Moses declaims: "You yourself were shown to know that the Lord is God[.]" (Deuteronomy 4:3; 5:3; 4:35).

Moses' insistence, however, is more fiction than fact. For the most part, his audience was not present at Sinai or the Exodus. The generation to which he speaks was born in the desert, to parents now buried beneath its sands. And it was those parents who saw the revelation at Sinai, who trod the dry depths of the split sea.

This peculiar misidentification — what commentator Robert Alter calls a "slide of identification between one generation and another" — cannot be understood as the slip of an old, addled mind. Instead, I would proffer that this "slide" is an exceptionally powerful means of laying the experiential foundation for the Torah's core injunction against oppression of the stranger.

But We Weren't There!

Mentioned no fewer than 36 times throughout Scripture, the Torah's exhortations on the treatment of the stranger often appear with a companion explanation: Heed the stranger's treatment because "you know the feelings of a stranger, for you were strangers in the land of Egypt" (Exodus 23:9). But this explanation, like Moses' feint, is premised on a sleight-of-hand. Our forebears were enslaved in Egypt, but we—their far-distant progeny—were not.

Moses' generational slide begs to be interpreted less as a faithful description of historical fact and more as a normative charge to the nation. Through the frisson of misidentification, the desert generation — and we, Moses' further-future audience — are implored to reach past the boundaries of self and become the witnesses whom the great leader invokes. We are goaded into taking on the existential reality of our enslaved ancestors.

Moses has set us up well. With this shrewd rhetorical strategy, he has urged us to harness the imaginative effort that empathy requires, training us in the mechanism for satisfying the Torah's exhortations on the stranger. Just as we have transported ourselves past time's boundaries to inhabit our enslaved ancestors, so too can we transport ourselves past the boundaries of ethnicity, nation, means and tongue that separate us from the contemporary stranger. The "slide of identification" can thus be understood as a practice-run, through which Moses' audience limbers up to the imaginative exertions that our duties to the stranger demand.

Becoming Empathetic

But it is not only empathy's mechanism of imaginative engagement that is revealed in Moses' generational elision. The elision further helps us understand that empathy is work, that there is something awkward and uncomfortable about its habit. We must be schooled in its compulsory nature no less than 36 times, tutored in its essentialness through the heuristic of self-deception: "It was you who were a slave; it is you who knows the heart of a stranger." Moses' elision thus helps us internalize that empathy is not always and already there, burrowed inside like a jack-in-the-box, awaiting an opening to spring forth. It is rather an iterative effort that demands rehearsal and repetition.

And so too with us, modern Jews in a global world, who may take up the fight against the oppression of the world's strangers—in lands not our own, on behalf of people facing trials so alien from ours; we cannot rely on an axiomatic claim that we understand the stranger's plight because we, too, were strangers in Egypt. We know this claim to be untrue; or at least, we know that this claim reflects a truth in need of tending.

How then do we maintain the psychological muscle that Moses' generational slide helped to build? How do we stave off its atrophy?

We can take a cue from Moses, who at the end of his life finally speaks freely to his

people, telling them “their” story through his own and those of their forebears. To engage the empathic muscle, we too should immerse ourselves in stories. We should seek out the tales of the oppressed stranger, read her literature, ferret out her testimony. We should find ways to see her face when she speaks—through film, through lectures, through travel. We should train ourselves to pick out those igniting details from dry reports of facts, figures, troop movements, and aid shipments. And when that empathic muscle is flexed, our imaginations gripped, we should charge ourselves with the knowledge that for Moses we will never — and should never — cease being the strangers of his story. *(Rachel Farbiarz is a graduate of Harvard College and Yale Law. Rachel worked as a clerk for the Ninth Circuit Court of Appeals in San Francisco, after which she practiced law focusing on the civil rights and humane treatment of prisoners.)*

Yahrtzeits

Shari Mevorah remembers her grandmother Yetta Jablonek on Sat. Aug.13 (Av 16).
Mike Hessdorf remembers his mother Regina Hessdorf on Sat. Aug.13 (Av 16).
Rabbi Lisa Vernon remembers her grandfather David Rosenfeld on Sat. Aug. 13
David Horn remembers his wife Alice Horn on Sunday August 14th (Av 17).
Marianne Sender remembers her father Roman Popiel on Tue. Aug. 16 (Av 19).
Harriett Katz remembers her husband Erving Katz on Thurs. Aug.18 (Av 21).