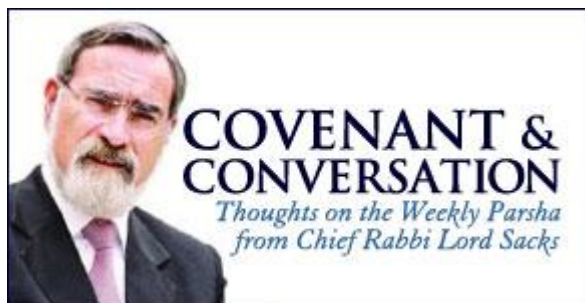


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The Complexity of Human Rights

The book of Bamidbar comes to a close that is very strange indeed. Earlier in the parsha of Pinhas we read of how the five daughters of Tzelophehad came to Moses with a claim based on justice and human rights.[1] Their father had died without sons. Inheritance - in this case, of a share in the land - passes through the male line, but here there was no male line. Surely their father was entitled to his share, and they were his only heirs. By rights that share should come to them: "Why should our father's name be disadvantaged in his family merely because he did not have a son? Give us a portion of land along with our father's brothers" (Num. 27:4).

Moses had received no instruction about such an eventuality, so he asked God directly. God found in favour of the women. "The daughters of Tzelophehad are right. You shall give them possession of an inheritance among their father's brothers and transfer the inheritance of their father to them." He gave Moses further instructions about the disposition of inheritance, and the narrative then passes on to other matters.

Only now, right at the end of the book, does the Torah report on an event that arose directly from that case. Leaders of Tzelophehad's tribe, Menasheh, son of Joseph, came and made the following complaint. If the land were to pass to Tzelophehad's daughters and they married men from another

tribe, the land would eventually pass to their husbands, and thus to their husband's tribes. Thus land that had initially been granted to the tribe of Menasheh might be lost to it in perpetuity.

Again, Moses took the case to God, who offered a simple solution. The daughters of Tzelophehad were entitled to the land, but so too was the tribe. Therefore, if they wish to take possession of the land, they must marry men from within their own tribe. That way both claims could be honoured. The daughters did not lose their right to the land but they did lose some freedom in choosing a marriage partner.

The two passages are intimately related. They use the same terminology. Both Tzelophehad's daughters and the leaders of the clan "draw near". They use the same verb to describe their potential loss: yigara, "disadvantaged, diminished." God replies in both cases with the same locution, "kein ... dovrot/dovrim," rightly do they speak.[2] Why then are the two episodes separated in the text? Why does the book of Numbers end on this seemingly anticlimactic note? And does it have any relevance today?

Bamidbar as a book is about individuals. It begins with a census, whose purpose is less to tell us the actual number of Israelites than to "lift" their "heads", the unusual locution the Torah uses to convey the idea that when God orders a census it is to tell the people that they each count. The book also focuses on the psychology of individuals. We read of Moses' despair, of Aaron and Miriam's criticism of him, of the spies who lacked the courage to come back with a positive report, and of the malcontents, led by Korach, who challenged Moses' leadership. We read of Joshua and Caleb, Eldad and Medad, Dathan and Aviram, Zimri and Pinhas, Balak and Bilam and others. This emphasis on individuals reaches a climax in Moses' prayer to "God of the spirits of all flesh" to appoint a successor - understood by the sages and Rashi to mean, appoint a leader who will deal with each individual as an individual, who will relate to people in their uniqueness and singularity.

That is the context of the claim of Tzelophehad's daughters. They were claiming their rights as individuals. Justly so. As many of the commentators pointed out, the behaviour of the women throughout the wilderness years was exemplary while that of the men was the opposite. The men, not the women, gave gold for the golden calf. The spies were men: a famous comment by the Kli Yakar (R. Shlomo Ephraim Luntschitz, 1550 -1619) suggests that had Moses sent women instead, they would have come

back with a positive report.[3] Recognising the justice of their cause, God affirmed their rights as individuals.

But society is not built on individuals alone. As the book of Judges points out, individualism is another name for chaos: "In those days there was no king in Israel, everyone did what was right in their own eyes." Hence the insistence, throughout Bamidbar, on the central role of the tribes as the organising principle of Jewish life. The Israelites were numbered tribe by tribe. The Torah sets out their precise encampment around the Mishkan and the order in which they were to journey. In Naso, at inordinate length, the Torah repeats the gifts of each tribe at the inauguration of the Mishkan, despite the fact that they each gave exactly the same. The tribes were not accidental to the structure of Israel as a society. Like the United States of America, whose basic political structure is that of a federation of (originally thirteen, now fifty) states, so Israel was (until the appointment of a king) a federation of tribes.

The existence of something like tribes is fundamental to a free society.[4] The modern state of Israel is built on a vast panoply of ethnicities - Ashkenazi, Sefardi, Jews from Eastern, Central and Western Europe, Spain and Portugal, Arab lands, Russia and Ethiopia, America, South Africa, Australia and other places, some Hassidic, some Yeshiva-ish, others "Modern," others "Traditional," yet others secular and cultural.

We each have a series of identities, based partly on family background, partly on occupation, partly on locality and community. These "mediating structures", larger than the individual but smaller than the state, are where we develop our complex, vivid, face-to-face interactions and identities. They are the domain of family, friends, neighbors and colleagues, and they make up what is collectively known as civil society. A strong civil society is essential to freedom.[5]

That is why, alongside individual rights, a society must make space for group identities. The classic instance of the opposite came in the wake of the French revolution. In the course of the debate in the French Revolutionary Assembly in 1789, the Count of Clermont-Tonnerre made his famous declaration, "To the Jews as individuals, everything. To the Jews as a nation, nothing." If they insisted on defining themselves as a nation, that is, as a distinct subgroup within the republic, said the Count, "we shall be compelled to expel them."

Initially, this sounded reasonable. Jews were being offered civil rights in the new secular nation state. However, it was anything

but. It meant that Jews would have to give up their identity as Jews in the public domain. Nothing - not religious or ethnic identity - should stand between the individual and the state. It was no accident that a century later, France became one of the epicenters of European antisemitism, beginning with ?douard Drumont's vicious La France Juive, 1886, and culminating in the Dreyfus trial. Hearing the Parisian crowd shout "Mort aux Juifs," Theodor Herzl realized that Jews had still not been accepted as citizens of Europe, despite all the protestations to the contrary. Jews found themselves regarded as a tribe in a Europe that claimed to have abolished tribes. European emancipation recognized individual rights but not collective ones.

The primatologist Frans de Waal, whose work among the bonobos we mentioned in this year's Covenant and Conversation on Korach, makes the point powerfully. Almost the whole of modern Western culture, he says, was built on the idea of autonomous, choosing individuals. But that is not who we are. We are people with strong attachments to family, friends, neighbors, allies, co-religionists and people of the same ethnicity. He continues:

A morality exclusively concerned with individual rights tends to ignore the ties, needs and interdependencies that have marked our existence from the very beginning. It is a cold morality that puts space between people, assigning each person to his or her own little corner of the universe. How this caricature of a society arose in the minds of eminent thinkers is a mystery.

That is precisely the point the Torah is making when it divides the story of the daughters of Tzelophehad into two. The first part, in parshat Pinhas, is about individual rights, the rights of Tzelophehad's daughters to a share in the land. The second, at the end of the book, is about group rights, in this case the right of the tribe of Menasheh to its territory. The Torah affirms both, because both are necessary to a free society.

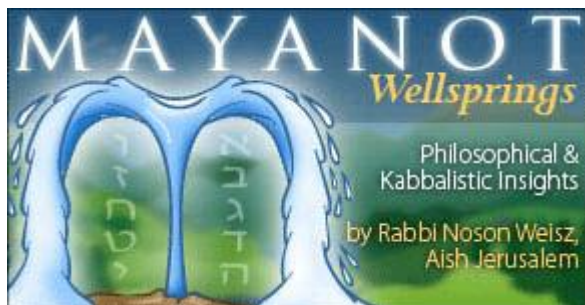
Many of the most seemingly intractable issues in contemporary Jewish life have appeared because Jews, especially in the West, are used to a culture in which individual rights are held to override all others. We should be free to live as we choose, worship as we choose, and identify as we choose. But a culture based solely on individual rights will undermine families, communities, traditions, loyalties, and shared codes of reverence and restraint.

Despite its enormous emphasis on the value of the individual, Judaism also insists on the value of those institutions that

preserve and protect our identities as members of groups that make them up. We have rights as individuals but identities only as members of tribes. Honouring both is delicate, difficult and necessary. Bamidbar ends by showing us how.

NOTES:

1. The word "rights" is, of course, an anachronism here. The concept was not born until the seventeenth century. Nonetheless it is not absurd to suggest that this is what is implied in the daughters' claim, "Why should our father's name be disadvantaged?"
2. These two passages may well be the source of the story of the rabbi who hears both sides of a marital dispute, and says to both husband and wife, "You are right." The rabbi's disciple asks, "How can they both be right?" to which the rabbi replies, "You too are right."
3. Kli Yakar to Num. 13:2.
4. See most recently Sebastian Junger: Tribe: On homecoming and belonging, Fourth Estate, 2016.
5. This is the argument made most powerfully by Edmond Burke and Alexis de Tocqueville.
6. Frans de Waal, Good Natured, Harvard University Press, 1996, 167.



Of Sheep and Shepherds

The children of Reuben and the children of Gad had abundant livestock, very great. They saw the land of Jazer and the land of Gilead and behold! the place was a place for livestock. The children of Gad and the children of Reuben came and said to Moses, to Elazar the Kohen, and to the leaders of the assembly saying, "Atarot and Dibon, and Jazer, and Nimrah, and Heshbon, and Elealeh, and Sebom, and Nebo, and Beon -- the land that God smote before the assembly of Israel -- is a land for livestock, and your servants have livestock." They said, "If we

have found favor in your eyes, let this land be given to your servants as a heritage; do not bring us across the Jordan." (Numbers 32:1-5)

This request was ultimately granted. But in the process of the negotiations only one issue was discussed: the obligation of these tribes to cross the River Jordan and actively participate in the conquest of Israel as a condition for awarding them lands known as Trans-Jordan.

The issue of whether they should permanently settle in what was, after all, not the Holy Land in the first place was never discussed. Moses and the elders readily agreed to this without even bothering to consult God.

But wasn't the entire point of the Exodus to settle in the Promised Land? Would it have been just as acceptable if these two tribes had opted to return to Egypt after assisting in the conquest? What happened to the commandment of settling in Israel? How could people on the spiritual level of the desert generation decide to voluntarily trade spiritual potential for livestock? And how could Moses and the elders support such a plan outright, without making the slightest attempt to dissuade them from such apparent madness, or at the very least consult with God before reaching agreement? Why do we not find the slightest degree of criticism about this transaction in the Torah?

Rabbi Dessler discusses this issue quite extensively and we shall attempt to present his thesis and see how the theory he develops applies to us today.

REVELATION

Everyone who is called by My Name and whom I have created for My glory, whom I have fashioned, even perfected. (Isaiah 43:7)

Isaiah reveals to us that everything in the universe only exists by virtue of the fact that it can be used as a vehicle for sanctifying God's Name. When man, through the power of his free will, uses an item -- be it land, food, plant, mineral, etc. -- to increase his general awareness of God, this justifies and validates the item's creation. In this way God's presence in the world is revealed.

In the language of Kabbalists, this potential for revelation in all created things is referred to as the "holy spark." Thus all things that exist derive energy for their existence from the holy spark of potential revelation that they contain. When man employs the

power of his intelligence to direct his actions to uncover the concealed Divinity in created objects, this holy spark is actualized.

In the case of evil, the holy spark is regarded as trapped. When a free will decision is made to resist the evil in a temptation situation, the holy spark is regarded as released and freed. Having released the holy spark, the evil no longer contains the energy for continued existence. The evil object becomes an empty husk and sanctifies God's Name by passing out of existence.

In the imagery of Kabbalah, the holy spark released by the evil is collected in the soul of the person who released it by his free will decision.

Nachmanides explains that the meaning of the word tov, "good," in the Book of Genesis is really "everlasting." In its proper container, a holy spark never dies and therefore maintains its host in existence through all eternity.

These holy sparks are really points of revelation of the Divine light that constantly emanates from God Himself. Connection to this light is life itself.

HOLY SPARKS

Each Jew is assigned a particular number of holy sparks to collect from the existing environment that surrounds him. The assignment is determined by the nature of his spiritual power, or his neshama. The number of holy sparks that are assigned exactly correspond to the number of sparks his neshama was designed to contain. By succeeding in the task of collecting his assigned sparks, a person brings his neshama to permanent enduring life. When his neshama is alive so is the rest of him, because by definition the container of the holy spark cannot die.

The earthly talents, powers and means that are placed at each person's disposal are assigned to him in terms of the requirements of his particular task of collection. The successful accomplishment of his assigned task therefore, endows his gifts with eternal permanence, as all these gifts were needed to capture the holy sparks.

Some people fail to accomplish this task and never collect the holy sparks that were placed in the universe specifically for them. This is usually because they have chosen to surrender to the evil inclination.

Such a failure condemns the uncollected holy sparks to eternal confinement within the evil. Rather than face eternal bondage the holy sparks prefer to extinguish and die. When this happens the neshama that was assigned to release the spark lacks the rationale for continued existence and it too dies.

But how does all this Kabbalistic lore apply to the story of Gad and Reuben or explain their decision to remain in Trans-Jordan? The next step is to understand and appreciate the proper arrangement of priorities.

ARRANGEMENT OF PRIORITIES

The desert generation was called the "generation of the wise." The Hebrew word for "wise" employed in this expression is deah, a word related to daat.

There are three different words in Hebrew which mean wisdom: chachmah, binah and daat. Chachmah stands for information, the basis of all knowledge and wisdom. Binah is the wisdom to analyze and apply information properly, and daat is the wisdom to arrive at the correct assessment of the significance of the information.

Thus for example, Einstein discovered that matter is merely a form of energy. In so doing, he found out information, a function of chachmah. Once this information was properly understood, it became possible to extract energy from atoms either through hydrogen bombs or electricity. That action involved binah. Then a decision had to be made about what amount of human energy and resources should be allocated to the exploitation of this information. And that decision involved daat. The chachmah and binah of the theory of relativity are free of problems and beyond dispute, it is the daat associated with Einstein's discovery that is heavily debated to the present day.

The desert generation was called the generation of deah, because the entire focus of the lives of its members was on their connection to God. Although we find many failures in the desert generation that are recorded and discussed in the Torah, the sin of the improper allocation of time and resources is not one of them. It was not till after the Jewish people left the desert and entered Israel that this sin is mentioned, in the Book of Joshua at the siege of Jericho:

It happened when Joshua was in Jericho that he raised his eyes and behold! a man was standing opposite him with his sword drawn in his hand, Joshua went toward him and said to him,

"Are you with us or with our enemies?" He said, "No, for I am the commander of God's legion; now I have come." (Joshua 5:13-14)

Explains the Talmud:

The angel had his sword out because he was there to chastise Joshua. He appeared towards morning. His message was that Israel should have brought the evening tamid sacrifice the previous afternoon, as when the night approaches, the active warfare associated with the siege of Jericho comes to a halt. There is no immediate danger to human life that could justifiably take precedence over the fulfillment of commandments and therefore, time should have been allocated to bring the evening sacrifice; the night should have been devoted to Torah study for the same reason. Joshua asked him which transgression had prompted his appearance? And the answer of the angel now I have come, indicates that his appearance was prompted by the unnecessary taking of time away from Torah study. The Talmud elicits the rule that the study of Torah takes precedence over the bringing of sacrifices from the priorities of the angel. (Megilah 3a)

The unnecessary focus on material things is the essence of misallocation of one's time, attention and resources. The reason we refer to the desert generation as the generation of deah is because they could never be faulted for their order of priorities. They always allocated their energy and resources properly. They attained the level of human perfection in the area of daat.

SHEEP AND SHEPHERDS

The reason Moses and the elders so readily accepted Reuben and Gad's decision to remain in Trans-Jordan was their clear perception that this decision did not represent a lack of a proper sense of priorities, and did not arise from a lack of daat. The explanation: these tribes perceived that shepherding was their God given skill, and therefore their task of sanctifying God's Name was associated with their sheep. They were supposed to collect their holy sparks by tending their sheep. As such, they did not belong in the Holy Land where it is forbidden to raise sheep. (Baba Kama 79b)

In our minds tending sheep is associated with poverty and simplicity, but this was not the case in the ancient world.

Rabbi Yochanan taught: "Anyone who wants to get rich should engage in the raising of sheep." Rabbi Chisda added: "Why are

flocks of sheep referred to by the Torah as asheroth zonecho? (Deut 7:13) Because sheep enrich their owners." [This interpretation comes from associating the word asheroth meaning "flocks," with asheruth meaning "wealth" in Hebrew.](Talmud, Chulin 84a)

The evil inclination resides in wealth in the form of theft. The spiritual problem associated with wealth -- the holy spark of revelation it contains -- is associated with honesty. Wealth that is totally untainted by avarice and is earned through total honesty sanctifies the God's Name.

The very first problem in Abraham's family arose over the issue of theft and sheep:

And there was quarreling between the herdsmen of Abram's livestock and the herdsmen of Lot's livestock, and the Canaanite and the Perizzite were then dwelling in the land. (Genesis 13:7)

Rashi explains, in the name of the Midrash that Abraham's herdsmen did not allow their sheep to graze on private property whereas Lot's herdsmen did. Abraham's herdsmen rebuked them for this practice and accused them of theft. Lot's herdsmen defended their practice on the grounds that God had awarded the land to Abraham and Lot was his only heir (which was true at the time). But the Torah explains that although God had made the promise to give Abraham the land, the gift had not yet been executed and the Canaanites were still living there.

THE FLOCKS OF JACOB

Jacob's wealth was also based on sheep. Jacob's impassioned speech of defense against Laban's accusation of theft (Genesis 31:38-42) is another example of this connection between theft and sheep.

This is how Maimonides presents the essence of Jacob's response:

Just as the employer is enjoined from stealing or holding back the wages of his employee, the employee is enjoined from stealing his labor from his employer. That is to say, to take off a few minutes here and waste a few minutes there until the entire day is dishonestly wasted. He is obligated to be productive with his time as you can see from the fact that the rabbis forbade the laborer to recite the fourth blessing of "bentching" since they felt it would take too much time away from his work.

Thus the laborer is obligated to work to his maximum capacity as Jacob testified about himself, Now you have known that it was with all my might that I served your father. (Genesis 31:6) That is the reason that he earned a reward even in this world, as it is written, the man became exceedingly prosperous (ibid 30:43) (See Laws of Rentals, 13:7.) Jacob's wealth was composed of the holy sparks collected by his faithfulness and honesty towards his employer Laban.

Thus sheep, the source of great wealth in the ancient world, are also symbols of theft. The Talmud (Baba Kama 80a) refers to a sheep as an armed robber. Its weapons are its teeth and its hunger coupled with a built-in instinct to roam. The reason it was forbidden to raise sheep (as well as goats) in Israel was precisely because of the difficulty in restraining the flocks from grazing on private land.

The children of Gad and the children of Reuben, who were human repositories of the skill of shepherding, were also the ones who were entrusted with rescuing and collecting the holy sparks in sheep by successfully resisting and defeating the evil inclination of theft.

If they could grow wealthy from the sheep they raised and remain totally untainted by theft, they could collect and release this holy spark. Their wealth would sanctify God's Name. If they decided to enter Israel, this couldn't be accomplished. They would have to get rid of their sheep first, because of the prohibition against raising sheep in the Holy Land.

On the other hand, the Trans-Jordan was ideal territory for livestock. Just by looking at it, you could safely conclude that it was in this part of the creation that God placed this particular holy spark of attaining theft-free wealth. As these tribes were the ones who were given the ability to collect this spark and ignite it, they understood that this was the land that God intended for them. Moses and the elders were in total agreement, and that is why we find no hint of criticism of their decision.

CONNECTION TO GOD

The word daat has another connotation in Hebrew. When Adam cohabited with Eve the Torah describes the act with the word daat. (Genesis 4:1) The Tree of Knowledge of Good and Evil is called the tree of daat. (Genesis 2:9)

The perception of priorities leads directly to the formation of connections. A person pours his life force, his talents, his energy, and resources into the areas he perceives as the most crucial to his survival and well being. He is then connected to these areas by a bond that is equal in strength to his life force.

The first request we make in the Shmoneh Esreh prayer begins "You graciously extend daat to man." Explains the Maharal: the connection with God is our most basic human need as Jews; this connection is life itself, as it is written, you who are connected to the Lord your God are totally alive today (Deut. 4:4). Such a connection must begin with God rather than with us. Human intelligence cannot generate the wisdom to establish this connection to God; the initial establishment of the connection has to come from God's grace.

This connection with God that is at the top of our prayers is actualized through the holy sparks we collect. This we do by successfully completing our assigned tasks according to the rules of God's Torah (as Rabbi Dessler explained). As long as our tasks remain our top priority in all our activities, and provided we make no mistakes, we cannot fail to attain our potential level of daat. But as daat is also our connection to God, such a life automatically maximizes our potential connection to Him as well.

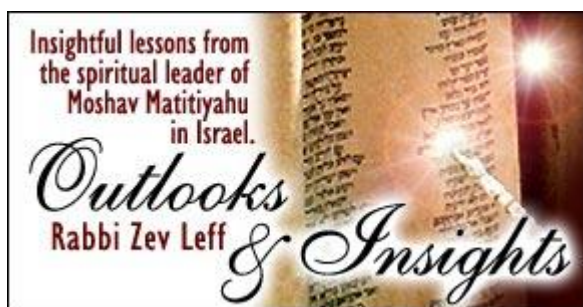
The purpose of living in the Holy Land is to be able to connect to God more easily and with greater strength than we could attain living on the unhallowed soil of the rest of the world. The Mishna in Kelim (1:6) states: "There are ten levels of holiness on earth; the land of Israel is holier than all other countries."

For someone who is living at the maximum level of daat, living in Israel could produce no possible improvement. The children of Gad and Reuben were making no mistake. Moses and the elders who saw everything clearly in the bright light of prophetic vision approved their decision. They were maximizing their potential for daat by receiving their inheritance in Trans-Jordan.

In the world of today, the decision to remain in other countries rather than move to the land of Israel is a voluntary one. Whoever chooses to remain in the lands of exile because he feels that he can do a better job of collecting his holy sparks there is committing no fault.

But whoever chooses to voluntarily remain there because his standard of living is a high priority is going against the daat of the Torah and can be held liable for his sin.

Many Jewish people are in the position of being able to make it in Israel but on a much lower standard of living, and therefore refrain from taking the step of aliyah. If a correct system of priorities would place a person in Israel, where it is easier to form a more powerful connection with God even in the periods of exile such as we are currently experiencing, then that person is clearly losing out by staying put. His assigned holy sparks are in Israel. He will look for them in vain in the lands of exile where he chooses to remain.



In the Eyes of Man and God

The children of Gad and the children of Reuben came and spoke to Elazar the Kohen, and to the leaders of the assembly, saying, "Ataroth, Dibon, Jazer, Nimrah, Heshbon, and Elealeh, and Sebam, Nebo, and Beon. The Land that God smote before the assembly of Israel – it is a land for flocks, and your servants have flocks." (Numbers 32:2-4)

Both the request of Gad and Reuben for land on the eastern side of the Jordan, and Moses' response, are very difficult to understand for a variety of reasons. They presented their request in a strange order. First they presented Moses with a list of cities. Then they added that the land was good pasture and they had large flocks.

This is followed by a closed paragraph (parasha stuma), as if that particular topic was done and a new one begun. Only after this break do they request openly what was seemingly on their minds from the beginning: "Give us this land and permit us to stay on this side of the Jordan" (Numbers 42:5). They should have first made their request, explained it, and only then presented a list of cities.

Moses' response also defies understanding. First, he appeared to assume that they were afraid to enter the Land of Israel like the

spies. There is seemingly no attempt to judge them favorably; they are simply accused without any probing of their motivations.

Only when they offered to leave their wives, children and cattle in fortified cities in Transjordan, did Moses accept their offer. This, too, is puzzling in light of the fact that the principal fear of the spies was that their wives and children would die in the conquest of the land, and now Gad and Reuben were trying to exempt theirs from danger. If Moses suspected them of sharing the spirit of the spies, why permit them to leave their families safely in Transjordan?

DEMORALIZING EFFECT

It appears to me that the key to understanding this sequence lies in the precise language of Moses' answer. If Gad and Reuben kept their word to go before the rest of the nation into war, Moses told them, "You will be pure and guiltless in the eyes of God and in the eyes of the Jewish people" (Numbers 32:22). The Sages derive from these words that a person must not act in such a way as to cause others to suspect him of sin. The entire concept of mar'is ayin is based on this source. Although a Jew is required to judge his fellow Jew favorably, that is not a license to give rise to needless suspicions which will cause others to leap to false conclusions.

In this light, the entire exchange takes on an entirely new cast. The two tribes realized that their request could raise suspicions. That is why they first hinted to Moses rather than making an express request. They hoped that Moses would of his own accord make the suggestion that they remain in Transjordan, and thus absolve them. Therefore they began with a list of the cities, in the hopes that Moses would himself recognize the suitability of these rich pasture lands for their large herds.

When Moses remained silent, they became more explicit, adding that these cities were surrounded by rich pasture lands and that they had large herds of cattle. At that point they ended their presentation, as indicated by the closed paragraph. Only because Moses still remained silent did they have no choice but to make their final request.

For his part, Moses understood their intentions from the beginning. But he felt that no matter who actually verbalized the suggestion of remaining in Transjordan, it would have a demoralizing effect. He did not think that their actual intentions were bad, but wanted Gad and Reuben to understand how

suspicious their request appeared on the surface. Because the suspicious appearance of cowardice was the entire problem Moses was combating, it was entirely sufficient for the two tribes to offer to lead the Jewish armies into battle to remove that suspicion.

UNWARRANTED SUSPICIONS

We learn from this parsha how careful one must be to take into consideration the effect of his actions on others. Maharil Diskin explains that we judge others favorably for our own sake as well as theirs. Most people are highly influenced by the behavior they witness. When we judge what others do in a favorable light, we raise the level of our environment in our own eyes and prevent it from negatively influencing us. Moreover, one must not be a stumbling block to others by causing them to harbor unwarranted suspicions.

The Mishnah (Avot 2:1) tells us that we must choose a path of service of God that brings glory and approbation both from God and man. Torah and mitzvot are not one's own private domain; one has an obligation to strengthen others' Torah and mitzvot by being a good example.

Perhaps this is the meaning of the following Midrash (Vayikra Rabba 34:8):

Rav Yitzchak said that the Torah teaches us derech eretz (proper behavior). When one performs a mitzvah he should perform it with joy. For had Reuven known that the Torah would record that he attempted to save Joseph from the brothers, he would have carried him on his shoulders and run home.

And if Aaron had known that the Torah would record that he greeted Moses with a happy heart after (Moses) was chosen to be the Redeemer, he would have come (to him) with drums and cymbals.

And had Boaz known that the Bible would record his giving Ruth some parched wheat to eat, he would have offered her a banquet.

When one does something to teach others, he does it in a more clear-cut fashion than if he were doing it for his own benefit alone. Had Reuven, Aaron and Boaz known that their actions were not just their own private concern, but would be recorded in the Torah as a lesson to posterity, they would have performed them with even greater intensity and zeal.

Derech eretz is anything that promotes and strengthens society. Hence marital relations, business and commerce, and good character traits are all aspects of derech eretz. Rav Yitzchak's lesson is that we should perform the mitzvah in such a way that our own joy in the mitzvah is obvious, for in that way we inspire and strengthen others in the performances of mitzvot.

The Midrash of Rav Yitzchak concludes that even today Elijah and Moshiach are still recording accounts of all our deeds to be included in future holy books. These works are sealed and affirmed by God Himself. From this we learn that our actions are not something between us and God alone, but must be done in such a way as to bring the respect and admiration of the surrounding society so as to promote the observance of Torah.



The Holy Lands of Israel

God spoke to Moshe, telling him to give the Israelites instructions and say to them: 'You are coming to the land known as Canaan; this is the land that you will inherit, the Land of Canaan and its borders.' (Bamidbar 34:1-2)

As the book of B'midbar comes to an end, the Israelites stand poised on the border of the Holy Land and the long-awaited realization of the destiny of the Jewish People. These verses preface the enumeration of the borders of the land that will be theirs, and they are strange verses indeed: 'This is the place you are to settle. This is the Promised Land. This, and no other.' The impetus for these strange statements was apparently the unexpected request, recorded in the preceding parashah, by the members of two tribes.

As opposed to the litany of complaints we (and Moshe) had become accustomed to over the course of the Israelites' travels through the desert - about everything from water shortages to uninteresting food choices and general grumbings about the long years spent in the desert - this last request is something

new. The conversation in general has turned to the particulars of inheritance of the Land - who will get what, and where. And though we are not privy to the reactions of the tribes to the entire subject of land allotment or to their thoughts on the subject, a number of tribes set themselves apart - quite literally - by expressing their desire to settle on the "East Bank" of the Jordan River.

Moshe is outraged by the request, and he responds with a powerful accusation. He deems the behavior of these tribes as akin to another group who not only did not wish to enter Israel, but caused fear and rebellion to spread throughout the camp: the spies, whose report sparked a chain reaction that led to forty years of exile. To Moshe's ears, the request by the tribes of Reuven and Gad smacked of the same cowardice he had heard forty years earlier, and he was terrified that the same result might ensue - or worse: It is one thing to make terrible mistakes, but it is quite another thing to repeat those same mistakes.

Moshe's response forces the members of the two tribes to clarify their position, and they express both courage and fraternal responsibility: Their intention, they explain, is not to divorce themselves from the nation nor to reject their own role in fulfilling their shared national destiny. Their interest is a practical, economic concern; the lands that have already been captured on the East Bank are ideal grazing lands for their cattle. If they are given Moshe's blessing, they will settle these areas, but they give their word that they will join the other tribes, and fight - not only shoulder to shoulder with their brethren but as the vanguard force - until all of the Promised Land is won. They are no cowards, nor are they fomenters of rebellion or of despair.

Moshe's fears are allayed and a deal is struck, yet we, the readers, are mystified by these renegade tribes. What could they have been thinking? They stand at the border of the Promised Land. Hundreds of years of yearning are about to come to an end. It is clear that God Himself is fighting their battles, in fulfillment of the promise He made to Avraham. Why now, as their hopes and dreams are about to be realized, do these tribes jump ship?

There may be a clue to their mindset in those promises God made to Avraham, and we would do well to consider the borders of the "Promised Land." The area promised to Avraham is much, much larger than most of us imagine. In fact, even the most "extreme" among today's nationalist expansionists do not dare

dream of the borders promised to Avraham in what is known as the Covenant of the Pieces:

On that day, God made a covenant with Avram, saying, 'To your descendants I have given this land, from the Egyptian River [i.e., the Nile] as far as the great river, the Euphrates; [the lands of] the Kenites, the Kenizites, the Kadmonites, the Hittites, the Perizites, the Rephaim, the Amorites, the Canaanites, the Girgashites and the Yevusites. (Bereishit 15)

The tribes of Gad and Reuven seem to believe that these expansive borders include the East Bank of the Jordan River; indeed, it would be difficult for us to argue that this swath of land is not included in the expansive borders first promised to Avraham. These tribes felt completely justified in their request; they did not see any reason to be accused of infidelity to the dream of the Promised Land - because the tract they had set their eyes on was, in fact, part of what had been promised. The only issue that had remained unaddressed was the question of their fidelity to the other tribes - a question for which they provided a very clear answer: They would fulfill their obligation.

We should note that at the dawn of our national history, Avraham was commanded to leave the place of his birth and to go to a new land, where he would enjoy blessings beyond anything he had yet imagined. Although the precise destination was not revealed to him, Avraham uprooted his household and traversed no small distance, making his way to the Land of Canaan. He seems to have intuited that this was holy land, land most suited to the spiritual character of the family he hoped to raise and to the nation God had promised would be born. Apparently, though, the very vast area promised to him includes differing levels of holiness. The Greater Israel outlined in the Covenant of the Pieces is made up of some areas that are less spiritually endowed than others; Avraham passed through these outlying areas of Canaan but remained focused on the spiritual heartland, the narrow confines that now stretched out before the Israelites and had yet to be conquered.

This explains the strange wording of the verses with which we began: The Torah's peculiar emphasis of the borders of the Land of Canaan refers to the area that is the spiritual epicenter of the Promised Land. It is the area Avraham sought out, the land Yitzchak and Yaakov called home, the land imbued with the highest level of holiness. This is the land that must be captured and settled first; outlying areas taken as spoils of wars could be annexed to the Land of Israel - but only after the Land of Israel was theirs. These other areas may have been included in the

promise made to Avraham, but they were not endowed with the holiness of Israel proper. Avraham himself knew this; he felt this to be true, and that is why he continued his travels until he arrived in the Land of Canaan and made his home there. The tribes of Reuven and Gad seemed either insensitive to or uninterested in this holiness.

There is another element of this troubling exchange that haunts us, despite the fact that a deal was eventually struck to everyone's satisfaction. As the entire nation stands ready to begin the conquest of the Promised Land, there is one person, the last of his entire generation, who cannot cross the Jordan River; he must remain outside the Land of Israel, on the very same East Bank these breakaway tribes hope to settle. How hurtful this conversation must have been for Moshe! How callous were these tribes, who spoke words that must have sounded to Moshe like the flippant, ungrateful demands of spoiled children. While Moshe must stay on this side of the Jordan as a punishment, it seems that these tribes could not care less about crossing into Israel proper. How bizarre that they would choose, even embrace, the punishment of exile that Moshe (like all of their own parents) had to bear - even if they may have succeeded in deluding themselves into thinking that their communities are holy, and that they live in the land promised to Avraham. Even today, how are those who continue - by choice - to perpetuate the punishment of exile capable of deluding themselves? Perhaps they have learned more than we imagined from the tribes of Reuven and Gad. Not all the land promised to Avraham is "The Promised Land;" no matter how "holy" the community outside the Land of Israel, how are they able to justify ignoring God's will, turning their backs on Avraham's vision, and making a mockery of Moshe's dream?

PLEASE NOTE: This week's essay is in loving memory of my uncle Jack Ribnick (Yaakov Eliezer Ben Nechemia Mayer) Z"L

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