

פרשת דברים

Are you familiar with the phrase that is found in the Yerushalmi (Masseches Rosh Hashanah Perek 3/5):

דברי תורה עניים במקום אחד ועשירים במקום אחר:

The words of the Torah are poor in one place and wealthy in another place.

This saying, which appears in many places with small differences, means that when we learn a particular portion of the Torah and we find ourselves lacking rudimentary understanding, we will often find the information, knowledge and understanding in another passage of the Torah.

Since the Torah is 'one', each part of the Torah can complement other of its parts.

In Parshas Kedoshim we learn of the Mitzvah of *tocheichah* – rebuke. The Torah commands this Mitzvah explicitly as we read (Vayikro Perek 19/Posuk 17):

לֹא תִשָּׂא אֶת אָחִיךָ בְּלִבְבְּךָ הֹכֵחַ תּוֹכִיחַ אֶת עַמִּיתְךָ וְלֹא תִשָּׂא עָלָיו חֵטָא:

Do not hate your brother in your heart; you shall surely rebuke your compatriot and do not carry a sin because of him.

Rashi only explains the last phrase:

ולא תשא עליו חטא - לא תלבין את פניו ברבים:

Do not carry a sin because of him – Do not publicly embarrass him.

Evidently, it is very likely that the one who is receiving the rebuke will be embarrassed.

If such is the case, it is not difficult to imagine that the one who is being rebuked may take offense. And, therefore, we can understand when the Gemara in Masseches Erechin (16 b) asks, 'To what extent there must be a confrontation when offering a rebuke'? Are there limits?

We read there:

עד היכן תוכחה? רב אמר: עד הכאה, ושמואל אמר: עד קללה, ורבי יוחנן אמר: עד נזיפה.

To what extent must one rebuke? Rav said, 'Until the one who is rebuked will hit you'. Shmuel said, 'Until the one who is rebuked will curse you' and Rabi Yochanan said, 'Until the one who is rebuked will scold you'.

That is, each of these opinions say that if you will reach the threshold that they mention, one is no longer obligated to rebuke.

Thus, it is clear that the Halachah understands that a rebuke is likely to elicit a powerful reaction.

We note that Rambam decides the Halachah like Rav. He writes (HilchosDei'os Perek 6/Halachah 7:

...אם קיבל ממנו מוטב ואם לאו יוכיחנו פעם שניה ושלישית, וכן תמיד חייב אדם להוכיחו עד שיכהו החוטא ויאמר לו איני שומע...

If the one being rebuked accepts the rebuke; that is good. If not, he should rebuke him a second and third time and always he is¹ obligated to rebuke him until the sinner will hit him and say, 'I am not listening'.

What is the meaning of the first phrase of the Posuk which commands us not to hate? How is that related to the central phrase of the verse requiring rebuke?

Ramban writes:

אל תשנא את אחיך בלבבך בעשותו לך שלא כרצונך, אבל תוכיחנו מדוע ככה עשית עמדי, ולא תשא עליו חטא לכסות שנאתו בלבך ולא תגיד לו, כי בהוכיחך אותו יתנצל לך, או ישוב ויתודה על חטאו ותכפר לו.

Do not hate your brother in your heart when he does something to you against your will. Rather, rebuke him [and say], 'Why did you do this to me?' and do not hold a sin because of him when you cover up the hatred in

¹The Gemara there understands the requirement for repetitive rebuke from the repetitive language of the Posuk: הוכח תוכיח.

your heart and not tell him. Because, with your rebuke of him he will apologize to you or will repent and admit his sin and you shall forgive him.

It appears, however, that we can expand the explanation of this prohibition of not holding enmity based on a Gemara in the last Perek of Masseches Pesachim (113 b). The Gemara there brings a Posuk from Parshas Mishpotim (Sh'mos Perek 23/Posuk 5) which commands one to help an animal come to its feet when its load weighs it down. The Posuk reads:

כִּי תִרְאֶה חֲמוֹר שֶׁנֶּאֱכָר רֵבִיץ תַּחַת מְשָׁאוֹ וְחִדְלָתָּ מֵעֲזֹב לוֹ עֲזֹב תַּעֲזֹב עִמּוֹ:

When you see the donkey of one who hates you crouching under its load, will you refrain from helping? You shall surely help with him.

The Gemara is talking about a fellow Jew who is described as hating and writes:

ומי שריא למסניה? והכתיב לא תשנא את אחיך בלבבך - אלא: דאיכא סהדי דעביד איסורא - כולי עלמא נמי מיסני סני ליה, מאי שנא האי? אלא לאו כי האי גוונא, דחזיא ביה איהו דבר ערוה.

Is it permissible to hate? Is it not written, 'Do not hate your brother in your heart'? Rather [let us say that this case of the hated Jew is] where there are witnesses that he violated a prohibition. [The Gemara asks, 'This cannot be the case where there is personal enmity], everyone will surely hate him because he is a sinner. What is unique about this case? [The answer is] that this must be an instance that he [alone] saw that he committed a sin of promiscuity [and nonetheless the Torah requires him to offer assistance].

Rashi writes:

מותר לשנא אותו - הרואה דבר ערוה בחבירו יחידי, אף על פי שאינו רשאי להעיד, מותר לשנאתו.

It is permitted to hate him – One who alone sees an act of promiscuity done by another, even though he cannot testify against him (because two witnesses are required), he is permitted to hate him.

However, based on the commentators on our Posuk, one must attempt to avoid such hatred through the Mitzvah of *tochecha*, a Mitzvah which must be taken to an extreme that could almost lead to violence.

In fact, in Siman Alef in Shulchan Aruch, the Chofetz Chaim in the Biur Halachah d.h. *v'loyis'ba'yesh* writes:

אבל אם הוא עומד במקום שיש אפיקורסים המתקוממים על התורה ורוצים לעשות איזה תקנות בעניני העיר ועל ידי זה יעבירו את העם מרצון ה' ופתח בשלום ולא נשמעו דבריו...ומצוה לשנאתם ולהתקוטט עמהם ולהפר עצתם בכל מה שיוכל ודוד המלך עליו השלום אמר (תהילים קלט/כא-כב) הלא משנאיך ד' אשנא ובתקוממיך אתקוטט תכלית שנאה שנאתים [לאויבים היו לי]:

If one is in a place of *Apikorsim* who rise up against the Torah and wish to make enactments in matters of the community through which they will cause people to transgress Divine Will, and one tries to make peace with them but they do not listen to his words it is a Mitzvah to hate them and to make disputes with them to destroy their counsel as much as one can.

Dovid HaMelech said in Tehilim, 'Hashem, will I not hate those who hate You and I will fight against those who rise up against You. I hate them completely; they have become my enemies.'

When the Mishnah Brurah says that one tries to make peace, that is equivalent to the *tochecha*.

But, it is obvious that 'easier said than done'. This statement is not my own but the gist of the Gemara in Erechin that we saw above and that reads:

תניא, אמר רבי טרפון: אני אם יש בדור הזה שמקבל תוכחה... אמר רבי אלעזר בן עזריה: תמיהני אם יש בדור הזה שיודע להוכיח.

The Braisa taught, 'Rabi Tarfon said, 'I question if in this generation there is anyone who will acquiesce to a rebuke that he receives.' Rabi Elazar ben Azaria said, 'I question if there is anyone in this generation who knows how to give a rebuke.'

With such a negative view, how can we learn to relate to *tochechah* – both as one who gives and as one who receives?

Let us remind ourselves of the phrase we saw earlier:

דברי תורה עניים במקום אחד ועשירים במקום אחר:

The words of the Torah are poor in one place and wealthy in another place.

We can search for examples of proper *tochechah*, both from the perspective of the one who gives and from the perspective of the recipient.

In fact, our Parshas D'vorim, as the entrée to the entire Sefer D'vorim can serve as an example of what is expected in an optimal *tochecha* situation.

The first Posuk of our Sefer reads:

אֵלֶּה הַדְּבָרִים אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל כָּל יִשְׂרָאֵל בְּעֵבֶר הַיַּרְדֵּן בְּמִדְבַּר בְּעֶרְבָה מִזֶּלְסוּף
בֵּין פָּאֶרֶן וּבֵין תְּפֹל וּלְבָן וַחֲצִירֹת וְדֵי זָהָב:

These are the words that Moshe spoke to all of B'nei Yisroel on the [eastern] side of the Jordan River, in the wilderness, in the *Arava*, opposite the Red Sea, between Poron and between *Tofel* and *Lovon* and *Di Zohov*.

Rashi writes regarding some of the locations mentioned in the verse:

בין פארן ובין תפל ולבן - אמר רבי יוחנן חזרנו על כל המקרא ולא מצינו מקום ששמו תופל ולבן, אלא הוכיחן על הדברים שתפלוה על המן שהוא לבן, שאמרו (במדבר כא/ה) ונפשנו קצה בלחם הקלוקל ועל מה שעשו במדבר פארן על ידי המרגלים:

Between Poron and between Tofel and Lovon – Rabi Yochanan said, ‘We reviewed the entire Tanach and we did not find a place that is named *Tofel* and *Lovon*. Rather [the explanation is] that Moshe rebuked Israel on the words with which they cheapened the *mon* which is white when they said, “We are disgusted by this ruinous bread” and what they did in the Poron Wilderness by the *meraglim*.

Rashi did not set a precedent when writing that Moshe Rabbenu is rebuking Israel. *Targum Yonoson ben Uziel* wrote the same more than a millennia earlier. This is how that Targum renders the first words of our Parsha:

אֵלֶּיךָ פְּתַגְמֵי אוֹכְחוֹתָא דִּי מִלִּיל מִשָּׁה עִם כָּל יִשְׂרָאֵל

These are the words of rebuke that Moshe spoke with all of Israel.

What can we learn from this rebuke that Moshe began on the first day of Shevat, a little more than a month prior to his departure from this world²?

If we let Rashi be our guide and make ourselves sensitive to his writing, there is much to learn. Let us go step by step.

אלה הדברים - לפי שהן דברי תוכחות ומנה כאן כל המקומות שהכעיסו לפני המקום בהן, לפיכך סתם את הדברים והזכירם ברמז מפני כבודן של ישראל:

These are the words – Because these are words of rebuke and Moshe here listed all the places where they angered Hashem, therefore Moshe ‘closed’ the words and mentioned the places by hints [and not explicitly] to preserve Israel’s honor.

We read above that Moshe mentioned names of places that didn’t exist. Rashi explains here, in advance of that comment, that the names will not be mentioned explicitly.

The issue, of course, is not regarding a specific means of phraseology. The reason is that a person who is being rebuked feels threatened. The natural impulse of one who is threatened is to be defensive. When one is being defensive he cannot be open to that which is being said.

²We read (D’vorim Perek 1/Posuk 3):

וַיְהִי בְּאַרְבָּעִים שָׁנָה בְּעֶשְׂרֵי עָשָׂר חֹדֶשׁ בְּאַחַד לַחֹדֶשׁ דִּבֶּר מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל כְּכֹל אֲשֶׁר צִוָּה ה' אֱתוֹ אֱלֹהִים:

It was in the fortieth year on the first day of the 11th month, Moshe spoke to B’nei Yisroel according to all that Hashem commanded him to them.

We know that the demise of Moshe Rabbenu OlovHaShalom was on the 7th of Adar, some 37 days later.

Thus, a rebuke cannot be offensive. The honor and dignity of the one being rebuked must be preserved.

Of course, that rebuke, said in an indirect manner, must be comprehensible to the one who hears it. Such seems to be the emphasis of Rashi when he writes the implication of those words that seem to indicate locations but are not found whatsoever. That is why Rashi explains how these non-existent locations are easily understood as referring to the nature of a particular sin that was committed.

Rashi continues to explain:

אל כל ישראל - אילו הוכיח מקצתן, היו אלו שבשוק אומרים, אתם הייתם שומעים
מבן עמרם ולא השיבותם דבר מכך וכך, אילו היינו שם היינו משיבים אותו, לכך
כנס כולם ואמר להם הרי כולכם כאן כל מי שיש לו תשובה ישיב:

To all of Israel – If Moshe only rebuked some of them, those who were not there³ would say [to the others], ‘You heard *Ben Amram* and didn’t respond such and such? If we were there we would have responded.’ Therefore Moshe gathered all of them and said to them, ‘You are all here. Whoever has a response should respond.’

Certainly the need to gather them together was a reflection of the specific situation of a rebuke *en masse*. Such is irrelevant when issuing a rebuke to a single individual.

On the other hand, the point of gathering all of Israel was to eliminate the possibility of people avoiding confronting the veracity of the content of the rebuke. They have to hear the rebuke and have the opportunity to respond.

כל מי שיש לו תשובה ישיב:

Whoever has a response should respond.

What does this imply? Moshe is teaching us that a rebuke that is offered without allowing the recipient of the rebuke to have his say is incorrect. The opposite is

³Literally, ‘they were in the market’.

true. The recipient of the rebuke should be encouraged to speak. Such speaking has many advantages.

First, perhaps the one offering the rebuke, the מוֹכִיחַ, is in error. Perhaps his facts are incorrect or, even if the facts are correct, his interpretation of them may be in error. The *mochi'ach* has to be willing to listen, and not only to talk.

Secondly, when the recipient of the rebuke expresses himself a dialogue can ensue between the *mochiach* and the recipient. That dialogue can offer a respite from a 'lecture' being given by the *mochiach* to a discussion between the two. No one has any doubts that a discussion is likely to be far more productive than a lecture.

Now, one may say, that when a *mochiach* says, 'What do you want to say for yourself' that he is merely following a script and is insincere in his offer to listen. That certainly may be the case in many examples of *tochechah* and such may be a major contributing factor to the lack of success that rebukes often find.

But, when Moshe Rabbenu OlovHaShalom makes such a statement it is obviously sincere.

We one mentioned the remarkable comment of *Ikvei Yisroel*, authored by the *Mashgiach* of Yeshivas Baronovitz, on Parshas B'reishis. We read there (Perek 1/Posuk 26):

וַיֹּאמֶר אֱלֹהִים... לִקְיָם נַעֲשֶׂה אָדָם בְּצַלְמֵנוּ כְּדְמוּתֵנוּ וַיְרִדוּ בְדִגְתַּי הַיָּם וּבְעוֹף הַשָּׁמַיִם
וּבְבְהֵמָה וּבְכָל הָאָרֶץ וּבְכָל הָרֶמֶשׂ הָרֹמֵשׂ עַל הָאָרֶץ:

G-d said, 'Let us make man in our image and in our form and they will rule over the fish of the sea and the fowl of the heavens and over animals and over the entire land and over all the creatures that crawl on the land.

The well-known issue is that Hashem said 'let us make man', even though He alone created all of creation as the following Posuk writes:

וַיִּבְרָא אֱלֹהִים... לִקְיָם אֶת הָאָדָם בְּצַלְמוֹ בְּצַלְמֵם אֱלֹהִים... לִקְיָם אֶת הָאָדָם בְּצַלְמֵם בְּרָא אֱלֹהִים
אֶת הָאָדָם:

G-d created man in *His* image, in the image of *G-d* *He* created him; male and female *He* created them.

Although this latter verse serves as a 'correction' for the former one, the question is obvious. If the first verse would have been written 'correctly, in the singular, the need for a 'corrective' verse would have been obviated. Why, then, was the first verse written in the plural?

Rashi explains:

נעשה אדם - אף על פי שלא סייעוהו ביצירתו ויש מקום למינים לרדות, לא נמנע הכתוב מללמד דרך ארץ ומדת ענוה שיהא הגדול נמלך ונוטל רשות מן הקטן.

Let us make man – Even though the angels did not aid in man's creation and there is room for non-believers [to use the phrase *let us*] to rebel, the Torah did not refrain from teaching *derech Eretz* – appropriate courtesy and the trait of humility – that a great person should consult with a lesser person and have his acquiescence as well.

Ikvei Yisroel writes that, based on this explanation, were the angels to have an objection and refused to agree, Hashem would have accepted that objection!

That is, even though it is inconceivable to us that such a situation could occur⁴, if it were to occur HaKodosh Boruch Hu would have to agree. If He would not agree then the rationale for writing *נעשה*-we would be lost.

Thus, it would certainly follow that when Moshe said,

⁴In fact, such a scenario is not inconceivable. It did occur and we know it.

In Masseches Shabbos (88 b) we learn that the angels objected to the fact that Hashem gave the Torah to people, flesh and blood, material beings.

HaKodosh Boruch Hu could have remonstrated with the angels and told them that He decided such and that they have no right to object.

Instead, the Gemara tells us that He told Moshe Rabbenu to answer so that they would be persuaded that it was proper that the Torah be given to mankind. The Gemara concludes that the angels accepted Moshe's argument.

This Gemara seems to support the thesis of *Ikvei Yisroel*.

כל מי שיש לו תשובה ישיב:

Whoever has a response should respond.

it was said with full sincerity and Moshe would have listened to any relevant comment and responded to it.

A true *tochechah* must afford an honest opportunity for the one being rebuked to state his case and to explain himself⁵.

⁵In extreme situations, tragedies can occur when one assumes that the other is wrong and does not allow the presentation of explanations.

The classic case is where we read in Parshas Vayeshev (B'reishis Perek 37/Posuk 2):

אֵלֶּה תְּלֹדֹת יַעֲקֹב יוֹסֵף בֶּן יוֹסֵף בֶּן שִׁבְעַ עָשָׂרָה שָׁנָה הָיָה רָעָה אֶת אָחָיו בְּצֹאן וְהוּא נָעַר אֶת בְּנֵי בְּלָהָה וְאֶת בְּנֵי זְלֵפָה נְשֵׁי אָבִיו וַיָּבֵא יוֹסֵף אֶת דְּבָרֵיהֶם רָעָה אֶל אָבִיהֶם:

These are the generations of Yaakov: Yosef was 17 years old and he was shepherding with his brothers and he was a lad with the children of Bilhoh and the children of Zilpoh, the wives of his father, and Yosef brought their bad reports to their father.

Rashi writes:

את דבתם רעה - כל רעה שהיה רואה באחיו בני לאה היה מגיד לאביו, שהיו אוכלין אבר מן החי, ומזלזלין בבני השפחות לקרותן עבדים, וחשודים על העריות

Their bad reports– Anything bad that he saw in his brothers who were the children of Leah he would tell his father: they ate limbs from a living animal; they deprecated the children of the maidservants and called them ‘slaves’ and that they were suspect for being promiscuous.

SifseiChachamim gives expression to our reaction to these accusations against *ShivteiKoh*, about whom we previously read (B'reishis Perek 35/Posuk 22):

וַיְהִי בְשֹׁכֵן יִשְׂרָאֵל בְּאֶרֶץ הַחַוִּי וַיֵּלֶךְ רְעוּבֵן וַיִּשְׁכַּב אֶת בְּלָהָה פִּילְגֶשֶׁת אִמּוֹ וַיִּשְׁמַע יִשְׂרָאֵל וַיְהִי בְנֵי יַעֲקֹב שְׁנַיִם עָשָׂר:

When Israel was dwelling in that land, Reuven went and laid with Bilhoh the concubine of his father and Yisroel heard; the sons of Yaakov were twelve.

Rashi writes:

ויהיו בני יעקב שנים עשר -ורבותינו דרשו ללמדנו בא שכולן שוין, וכולן צדיקים, שלא חטא ראובן:

The sons of Yaakov were twelve – Our Rabbis interpreted that this phrase comes to teach us that they were all equal. All were righteous; Reuven did not sin.

SifseiChachamim writes in Parshas Vayeshev:

Rashi continues with further elaboration regarding the *tochechah* that Moshe presented to Israel. He writes:

ויהי בארבעים שנה בעשתי עשר חדש באחד לחדש - מלמד שלא הוכיח אלא סמוך למיתה. ממי למד, מיעקב שלא הוכיח את בניו אלא סמוך למיתה. אמר, ראובן בני, אני אומר לך מפני מה לא הוכחתיך כל השנים הללו, כדי שלא תניחני ותלך ותדבק בעשו אחי. ומפני ארבעה דברים אין מוכיחין את האדם אלא סמוך למיתה, כדי שלא יהא מוכיחו וחוזר ומוכיחו ושלא יהא חבירו רואה ומתבייש ממנו⁶ ושלא יהא בלבו עליו, וכדי שיפרשו ממנו בשלום שהתוכחה מביאה לידי [שלום]

It was in the fortieth year on the first day of the eleventh month – This teaches that Moshe only rebuked them near to the time of his death. From whom did he learn? He learned from Yaakov who only rebuked his children near the time of his death.

Yaakov said, 'Reuven, my son – why is it that I have not rebuked you all of these years? I did not do so in case you would have left and gone to be with my brother Eisav.

For four reasons we only rebuke someone close to the death of the one delivering the rebuke: so that he should not rebuke him repeatedly; so that

וקשה דהיאך יתכן לומר שבני יעקב יהיו חשודין על זאת, ואי חס ושלום אמת הוא למה נענש יוסף על זה,

This is difficult. Is it possible to say that Yaakov's children were suspect about this? And if, *chasvShalom*, this was true, why was Yosef punished?

SifseiChachamim proceeds to present plausible explanations for the actions of the *Shevatim* and we understand that if Yosef HaTzaddik would have confronted his brothers and listened to what they had to say, history could have been drastically different.

But Yosef HaTzaddik did not do so and so we read the continuation of Rashi:

ובשלתן לקה...

Yosef was punished for each of these three accusations.

⁶Rashi lists two of the four reasons and then writes 'וכו', etc. We have brought the other two reasons from the *Sifre* which is Rashi's source for this commentary and many of the other commentaries in this section.

the one who is rebuked will not see the one who delivered the rebuke and be embarrassed⁷; so that the one being rebuked will not hold a grudge against the one rebuking; and in order that the event of the rebuke will lead them to separate in *Shalom* because rebuke brings about peace⁸.

These four points are readily understandable. A person does not want to feel that someone is constantly telling him that he is at fault, in error. A person does not want to be embarrassed when seeing the one who rebuked him and thinking that he is always remembered in a bad light.

When death parts the one giving the rebuke from the one who receives it, especially when it is a father, the grudge that may be there is lessened or removed.

And, finally, when the rebuke is done appropriately, there can be a sense of gratitude for the way in which a delicate and tenuous situation was handled.

However, the idea of rebuking only before death is difficult to understand. We saw the Rambam's Halachah above:

...אם קיבל ממנו מוטב ואם לאו יוכיחנו פעם שניה ושלישית, וכן תמיד חייב אדם
להוכיחו

If he accepts the rebuke, fine. If not, he should rebuke him a second and third time and always one is obligated to rebuke.

Obviously, when a rebuke is delivered purposely near the time of death in order that there will not be repetitive rebuking, this Halachah that the Rambam brings is undermined.

⁷Because the one who is rebuking is about to die.

⁸As noted above, the failure of Yosef HaTzaddik to properly rebuke his brother brought about disaster. That is why the Torah writes there in Parshas Vayeshev (Posuk 4):

וַיִּרְאוּ אָחָיו כִּי אֵתוּ אֶהָב אֲבִיהֶם מִכָּל אָחָיו וַיִּשְׁנְאוּ אֹתוֹ וְלֹא יָכְלוּ דַבְּרוֹ לְשָׁלֵם:
The brothers saw that their father loved Yosef more than any of his brothers and they hated him and they were unable to speak with him peaceably.

SifseiChachamim, in response, distinguishes between two types of rebuke. One type is the rebuke that is given at the time that a sin is being committed. That rebuke is given in 'real time' and must be repeated again and again if the individual continues his sinful behavior.

The second type of rebuke is an encompassing one, inclusive of all of the past and giving general directions for the future⁹. That 'rebuke' is given close to the time of death for the reasons that the Sifre, as brought by Rashi, explains.

This also explains why the rebukes of Yaakov Ovinu and Moshe Rabbenu were coupled with the blessings that they gave at the very same time as the rebukes and that were sometimes intertwined together.

There is an additional way to view the *tochechah* of Moshe Rabbenu and to learn from it to apply this Mitzvah to our lives. That additional way is to see the broader context in which it was given.

The *meforshim* point out the obvious. It is difficult to call all of Sefer D'vorim a *tochechah* since ParshosR'eh, Shoftim and Ki Setze are replete with many, many Mitzvos. They seem no different than ParshosMishpotim and Kedoshim, for example, in which so many of the *Taryag Mitzvos* are found.

Thus, to categorize Sefer D'vorim as an ongoing *tochechah* seems to be problematic. Yet, as Onkelos and Rashi and others note clearly, Sefer D'vorim is a book of rebuke!

Neztiv provides us with an overview of Sefer D'vorim which will allow us to have a more comprehensive perspective on the lessons of *tochechah* that are taught here. In a somewhat lengthy *Pesicha*, opening, *Netziv* explains the structure of Sefer D'vorim and what that structure teaches. He writes (with some paraphrasing being added):

⁹This is an expansion on the briefer words of SifseiChachamim. I hope that I am faithful to his intent.

...נראה טעם לזה השם... ומשמעו פירוש ובאור עד שמעמיד על דקדוק לשון התורה. ומשום דכלל זה ספר ועיקרו בא להזהיר על עמל תורה לפרש דקדוקי המקרא וזהו תלמוד. וכל המוסר ורבי דברים שהי' משה רבינו מוכיחם הכל בא לזה התכלית שיקבלו על עצמם עול התלמוד... משום הכי נקרא בשמו משנה תורה לשון שינון של תורה...

It appears that the reason for the name [of משנה תורה] that is given to this book implies explanation and clarification to the point of having explanations that reflect the exactitude of the Torah's language. Since the entirety of this Sefer and its fundamental purpose is to direct towards toiling in Torah learning and explaining the specifications of the verses and this is what is called *Talmud*. All of the *Mussar* and plentiful verbiage that Moshe used to rebuke them – all of it comes for the purpose that Israel will accept upon itself the yoke of *Talmud*. Therefore it is called *Mishneh Torah*, *Mishneh* meaning שינון, the repetition of learning until knowledge is exact.

והנה בבראשית רבה פרשתא ו' איתא אמר רבי שמעון בר יוחאי ספר משנה תורה היה סיגנון ליהושע בשעה שנגלה עליו הקדוש ברוך הוא מצאו יושב וספר משנה תורה בידו כו'. למדנו דזה הספר ביחוד יש להוציא ממנו כל אופני מוסר. וכן בפרשת המלך כתיב (דברים יח-יח-כ¹⁰) וכתב לו את משנה התורה וגו'... ואף על גב דמצות כתיבה היתה כל התורה כולה בשלימות דוקא. מכל מקום המכוון הוא משנה התורה. שיביט המלך בו תמיד כדי להגיע לתכלית המבואר שם. למען ילמד ליראה וגו' לשמור את וגו' לבלתי רום לבבו וגו' ולבלתי סור מן המצוה וגו'. ויש

¹⁰The P'sukim regarding the king to which Netziv refers to here read in their entirety:

וְהָיָה כְשִׁבְתוֹ עַל כִּסֵּא מַמְלַכְתּוֹ וְכָתַב לּוֹ אֶת מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל סֵפֶר מִלְפָּנַי הַכֹּהֲנִים הַלְוִיִּם:
וְהִיְתָה עִמּוֹ וְקָרָא בּוֹ כָּל יְמֵי חַיָּיו לְמַעַן יִלְמַד לִירְאָה אֶת ה' אֱלֹהָיו... לְקִיּוֹ לְשֹׁמֵר אֶת כָּל דְּבָרֵי הַתּוֹרָה
הַזֹּאת וְאֶת הַחֻקִּים הָאֵלֶּה לַעֲשׂוֹתָם: לְבַלְתִּי רוּם לְבָבוֹ מֵאֶחָיו וּלְבַלְתִּי סוּר מִן הַמִּצְוָה יְמִין וְשְׂמֹאל
לְמַעַן יֵאָרֶיךָ יְמִים עַל מַמְלַכְתּוֹ הוּא וּבָנָיו בְּקֶרֶב יִשְׂרָאֵל:

When he is sitting on his throne he shall write this *Mishneh Torah* on a book before the Kohanim, of the tribe of Levi. It shall be with him and he shall read it all the days of his life in order that he should learn to fear Hashem his G-d, to observe all of the words of this Torah, these statutes to do them. In order that his heart not be raised above his brethren and that he not depart from the Mitzvah, right or left, in order that the days of his reign be lengthened, he and his sons in the midst of Israel.

להבין מכלל זה דהמקדקדק יפה בדברי מוסר שבזה הספר שיצא מפי משה רבינו
ברוח קדשו ימצא כל איש לפי ערכו דבש וחלב.

in Midrash B'reishis Rabba, Rabi Shimon bar Yochai said Yehoshua adopted the style of Mishneh Torah and that when Hashem appeared to Yehoshua He found him learning Mishneh Torah.

We learn from this Midrash that from this book alone one can learn all the different forms of Mussar. Similarly, in Parshas Shoftim where we learn the Halachos of the King, it is written, 'He shall write for himself *Mishneh Torah*.' Now even though the Mitzvah was specifically to write the entire Torah, completely, nonetheless the intent of the Torah by writing *Mishneh Torah* was that the King should study it always in order to reach the goal that is explained there: in order to learn to fear Hashem and to observe His Mitzvos that his heart should not become haughty and so that he should not deviate from the Mitzvah.

We can understand from this that one who attends with particularity to the words of Mussar in this book that were uttered by Moshe Rabbenu with his *RuachHaKodesh* – everyone will, according to his level, find in it honey and milk.

אמנם ראש וסוף התוכחה שבזה הספר. הוא על החזקת חקים ומשפטים שהוא התלמוד בישראל. אשר ממנה תוצאות חיי האומה והיהדות בכלל. ועל זה נכרת הברית השני בערבות מואב ובהר גריזים והר עיבל להקים את דברי התורה וגו'. וממנה יתד ופנה למוסדי אנשי המעלה. הן מי שזכה לתורה ועמלה הן מי שברכו ה' להחזיקה בקיומה וכלכולה... ועל זה נקרא זה הספר משנה תורה. לשון הרבה ולהשיב מלחמתה של תורה שיערה. ובזה תהי לנו עוז ואורה. אמן:

In truth, the beginning and end of the rebuke in this book is in regards to strengthening the knowledge of the statutes and laws which is *Talmud* for the Jewish People. From it come the results for the life of the nation and for Judaism. It was for the *Talmud* that the second covenant in *ArvosMoav* and then at *HarGrizim* and *HarEivel* was entered in order 'to establish the words of the Torah'. From it is the anchor and cornerstone for the founders, elevated individuals. Whether it is someone who merits to toil in

studying Torah or whether to some whom Hashem has blessed to be able to support Torah and to sustain it.

Therefore this Book is called *Mishneh Torah*, to study and sharpen ones knowledge very much and to be a 'warrior' in the study of Torah.

This will give us strength and light. Omen.

Netziv reminds us to be aware of what we already know. There is a reason why *Mussar* and *tochechah* are the opening and closing sections of Sefer D'vorim, *Mishneh Torah*, and why the Mitzvos are in the middle.

The goal of the *Mussar is Talmud*. *Talmud* is far more than 'Gemara'. It is the establishment of the value of Torah and the process by which Torah knowledge becomes internalized by constant *Mishneh of Torah*, the שינון, drilling its knowledge until it is completely embedded within us.

The purpose of the *Mussar* and the *tochechah* is to make sure that the knowledge we have is then transformed into action – whether it be by fulfilling *Mitzvos Aseh* or by distancing ourselves from prohibitions.

The very construction of our Sefer places *Talmud* in its center and introduces the value of *Talmud* before we are exposed to it and reminds us of its extraordinary importance after we have learned it.

The *Tochechah* of Sefer D'vorim *is* *Mishneh Torah*. Torah knowledge is to become internalized within us – but not for the purpose of remaining inside. It is to be internalized within us and then, with *Mitzvah* fulfilment, to express our very essence in our *Avodas Hashem*.

This is the message that Moshe Rabbenu gave to us, his will for posterity. In this week we remind ourselves that our national lives were destroyed, almost completely, at the time of the two Churbanot. This week when we remember the decimation of our People during the *Shoah* in our present era and we consider the tragedy of murder that occurred last Shabbos within our very own experiences, the message of *Mishneh Torah* has never been more potent

B'vircasNechemasTziyon

Shabbat Shalom

Rabbi Pollock