

פרשת חוקת

There are Rashi-commentaries that are 'famous'. Why those specific selections are famous is an open question, but most likely they strike some type of inner-chord that is deep inside ourselves.

One example of such a Rashi is found in this week's Parshas Chukkas.

Our Parsha provides a moment of wide temporal division with its first section being in the second year of Israel's sojourn in the *midbar*-wilderness and then its continuation in the fortieth and final year there.

How does the Torah introduce us to that final year of unsettled life in the *midbar*? We read (B'midbar Perek 20/Posuk 1):

וַיָּבֹאוּ בְנֵי יִשְׂרָאֵל כָּל הָעֵדָה מִדְבַּר צֶן בַּחֹדֶשׁ הָרִאשׁוֹן וַיָּשֶׁב הָעָם בְּקִדְשׁ וַתָּמָת שָׁם מֵרִים וַתִּקָּבֵר שָׁם:

B'nei Yisroel, the entire congregation, came to the *Tzin* Wilderness in the first month; the people dwelled in Kodesh; Miriam died there and was buried there.

Targum Yonoson adds the precise date of the death of Miriam and writes:

בְּעֶשְׂרָא יוֹמִין לִירְחָא דְנִיסָן

On the tenth day of the month of Nissan.

Rashi writes:

כל העדה - עדה השלמה שכבר מתו מתי מדבר ואלו פרשו לחיים:

The entire congregation – A 'whole' congregation. All of those who were to die in the wilderness died; they [all] were separated to life.

It would appear that the people were not cognizant that they were the 'whole' congregation and were unaware on that 10th day of Nissan that no more would die.

We learn in the Mishnah in Masseches Taanis (26 b):

אמר רבן שמעון בן גמליאל: לא היו ימים טובים לישראל כחמשה עשר...

Rabban Shimon ben Gamliel said that Israel had no happier days than the 15th of Av...

The Gemara suggests many reasons why the 15th of Av is a day of unique celebration. We read about one of them there (30 b):

רבה בר בר חנה אמר רבי יוחנן: יום שכלו בו מתי מדבר. דאמר מר: עד שלא כלו מתי מדבר לא היה דבור עם משה, שנאמר (דברים ב/טז-יז¹) ויהי כאשר תמו כל אנשי המלחמה למות וידבר ה' אלי, אלי היה הדבור.

Rabba bar bar Chana said in the name of Rabi Yochanan: it was the day that those who were to die in the wilderness ceased to die. This is like the master said, 'Until all those who were to die in the wilderness ceased to die, Hashem did not speak with Moshe as it says, 'It was when all the men of war ceased to die, Hashem spoke to me'. [Now] *to me* there was [direct speech].

Rashi brings a Braisa that explained the process of death for those who were doomed to die in the wilderness:

שכלו מתי מדבר - דתניא: כל ארבעים שנה שהיו במדבר בכל ערב תשעה באב היה הכרוז יוצא ואומר: צאו לחפור, והיה כל אחד ואחד יוצא וחופר לו קבר, וישן בו, שמא ימות קודם שיחפור, ולמחר הכרוז יוצא וקורא: יבדלו חיים מן המתים, וכל שהיה בו נפש חיים - היה עומד ויוצא, וכל שנה היו עושין כן, ובשנת ארבעים שנה עשו, ולמחר עמדו כולן חיים, וכיון שראו כך תמהו ואמרו: שמא טעינו בחשבון החדש חזרו ושכבו בקבריהן בלילות עד ליל חמשה עשר, וכיון שראו שנתמלאה הלבנה בחמשה עשר, ולא מת אחד מהם - ידעו שחשבון חדש מכוון, וכבר ארבעים שנה של גזרה נשלמו, קבעו אותו הדור לאותו היום יום טוב.

Those who were to die in the wilderness ceased to die – The Braisa taught: for the entire 40 years in the *midbar* on the day before Tish'a B'av an announcement would go out and proclaim in the Camp of Israel: 'Go out and dig'. Each and every person would go out and dig a grave for himself and go to sleep in it because perhaps they would die before they finished the digging. The following morning an announcement would go out and proclaim 'Let those who are alive separate from the dead' and anyone who was alive would stand up and go out of the grave.

¹ These verses read in their entirety:

וְיִהְיֶה כַּאֲשֶׁר תָּמוּ כָּל אַנְשֵׁי הַמִּלְחָמָה לְמוֹת מִקֶּרֶב הָעָם: וַיְדַבֵּר ה' אֵלַי לֵאמֹר:
'It was when all the men of war ceased to die from the midst of the people; Hashem spoke to me saying.'

They did so annually.

In the fortieth year they did the same and on the morrow they all stood up – alive. When they saw that was what happened they were puzzled and said, ‘Perhaps we erred on the calculation of the day of the month. They continued to sleep in their graves until the fifteenth of the month. Once they saw that on the night of the fifteenth when the moon was full and not one of them had died, they knew that their dating of the month was correct all along and already the decree of the forty years was completed.

Therefore that generation established that day as a *Yom Tov*.

Miriam HaNevia died at the beginning of that year and it only became apparent to the people five months later that they were all to remain alive.

But, in addition to an intimation about the ‘wholeness’ of Israel at that time, the Torah tells us of a loss – Miriam died.

Is there a connection between the ‘wholeness’ of Israel and the loss of Miriam HaNevi’a? Is there a substantive bond that has a lesson that we are able to learn?

Although, there is no apparent connection between the death of Miriam and the pronouncement that the Congregation of Israel was whole, there is a connection between Miriam’s death and the opening section of Parshas Chukkas.

The opening section of Parshas Chukkas deals with the *Poroh Aduma* – the red heifer that was indispensable in providing purification for those who had become *tomei* by being in contact with the dead.

The Parsha begins (B’midbar Perek 19/Posuk 2):

זֹאת חֻקַּת הַתּוֹרָה אֲשֶׁר צִוָּה ה' לֵאמֹר דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל וַיִּקְחוּ אֵלֶיךָ פָּרָה אֲדָמָה
תְּמִימָה אֲשֶׁר אֵין בָּהּ מוֹם אֲשֶׁר לֹא עָלָה עָלֶיהָ עַל:

This is the statute of the Torah that Hashem commanded saying, ‘speak to B’nei Yisroel and they should take for you a completely red heifer, one without a defect and upon which a yoke was not placed.’

At the end of Posuk 22, the conclusion of the section of Poroh Aduma, Rashi brings a Midrash that was explained by *Rabi Moshe HaDarshan*. We read:

פרה אדמה - משל לבן שפחה שטינף פלטין של מלך. אמרו תבא אמו ותקנח הצואה,
כך תבא פרה ותכפר על העגל:

A Red Heifer – the parable is that of the maidservant's child who dirtied the king's palace. They said, 'Let its mother come and clean the child's dirt'. So, here – let the [mother] heifer come and atone for the [calf, the] *Eigel HaZahav*.

Rashi then writes regarding the connection between the two subjects:

ותמת שם מרים - למה נסמכה פרשת מיתת מרים לפרשת פרה אדומה, לומר לך
מה קרבנות מכפרין אף מיתת צדיקים מכפרת:

Miriam died there – Why is the section of Miriam's death juxtaposed with that of the *Poroh Aduma*? It is to say to you that just like *Korbonos* bring atonement so does the death of the righteous bring atonement.

In fact, formally, the *Poroh Aduma* is not an offering. Theoretically, the *Poroh Aduma* is far more similar to a *Mikveh* than it is to a *korbon*. Just like the *Mikveh* brings purity in specific instances, so does the Red Heifer bring purity in specific instances.

However, since the Torah refers to the *Poroh Aduma* as a *Chattos*², so, in many specifics, aspects of a *Korbon* are also connected to the Red Heifer.

Gur Aryeh, in his commentary to this latter Rashi, deals with the question as to why death is an atonement. Together with that question, we must ask why, if all deaths can bring atonement, what is unique about the death of *Tzaddikim*.

We have a number of sources that teach us that everyone's death can be a personal atonement. We read in the Mishnah in Masseches Yoma (85 b):

מיתה ויום הכפורים - מכפרין עם התשובה.

² In this section: P'sukim 9 and 17. See *Gur Aryeh* on Rashi to Perek 20/Posuk 1 who writes:

הא דלא סמך אותה לשאר קרבנות, היינו כי מפני שפרה אדומה קרא אותה הכתוב "חטאת", אף על גב שאינו קרבן ממש, כך מיתת צדיקים, אף על גב שאינו קרבן ממש, מכפרת:

The reason why the Torah did not connect 'the death of the righteous' with other *Korbonos* is that the *Poroh Aduma* is called a *Chattos*—sin offering even though it is not really a *korban*. And that makes 'the death of the righteous' comparable in bringing atonement because they are not real *korbonos* either.

Death and Yom HaKippurim bring atonement when there is repentance.

The Gemara there expands upon this brief sentence and writes (86 a):

מי שיש חילול השם בידו - אין לו כח בתשובה לתלות, ולא ביום הכפורים לכפר, ולא ביסורין למרק. אלא כולן תולין, ומיתה ממרקת,

One who has committed an act where there is *Chillul Hashem*, profanation of G-d's Name, repentance alone does not have the strength to provide for a suspended sentence and Yom HaKippurim does not have the strength to atone and personal suffering and affliction do not have the strength to empty out the sin. Rather all, repentance, Yom HaKippurim and suffering and affliction, are in a suspended state and then death empties out the sin.

We read in the Mishnah in Masseches Sanhedrin (43 b):

היה רחוק מבית הסקילה כעשר אמות, אומרים לו: התודה, שכן דרך כל המומתין מתודין, שכל המתודה יש לו חלק לעולם הבא...ואם אינו יודע להתוודות - אומרים לו: אמור תהא מיתתי כפרה על כל עונותי.

When the individual who will receive the capital punishment of *Sekila* is about ten *amos* from the 'stoning place', they say to him, 'Confess, because that is what those who are killed do.' One who confesses has a place in Olom HaBo. If he does not know how to confess, we say to him, 'Say, "May my death be an atonement for all of my sins".'

Why does death bring atonement and, since that is so, what is unique about the death of the righteous?

Gur Aryeh writes:

...סלוק החטא הוא כאשר יסולק ענין הראשון אשר היה בו החטא, שהיה בעל גוף...דבר זה הסרה וסלוק החטא...בזה נסתלק החטא. ולכך כל מיתה היא [על האדם...]

Removal of sin occurs when the primary cause of that sin is removed and that [primary cause] is the body. That removal of physicality is the removal of the sin. Thus, every person's death can bring atonement.

ובמיתת הצדיק כפרה לכל העולם, כי הצדיק עיקר המציאות, ונחשב סלוק גופו סלוק לכל העולם, ובשביל סלוק זה נסתלק החטא. ובשביל כך נסמכה מיתה מרים לפרה

אדומה, שבאמת הכל אחד; כי טהרת פרה אדומה מפני שהיא חוזרת לעפרה, ליסוד הפשוט, שנסתלק הווייתו, ובשביל זה יש כאן הסתלקות חטא העגל וסלוק הטומאה.

The death of the *Tzaddik* brings atonement for the entire world because the righteous person is the essential part of existence³. When the body of the *Tzaddik* is removed at death, then it is as if the body of the entire world was removed and because of that removal, sin is removed.

That is why the death of Miriam was juxtaposed to the Red Heifer because in truth they are one and the same. The purification of the Red Heifer is because the heifer turns to dust [when it is burned], to its pristine foundation; its being has been removed. And therefore the sin of the *Eigel* is removed and the impurity is removed.

וכמו שאצל הפרה יסוד הפשוט שלה העפר... כך אצל הצדיק יסוד הפשוט שלו הנשמה, ששבה להיות רוחני כמו שהיתה בתחלה - נשמה טהורה...

Just like by the heifer, its pristine foundation is the dirt so it is regarding the *Tzaddik* that his pristine foundation is the *Neshama* when it returns to its state of spirituality as it was in the beginning – a pure *Neshama*.

והנה שוים פרה אדומה עם הצדיק; כי הפרה אדומה על שהיא חוזרת אל יסוד הפשוט שלה מכפרת, וכן הצדיק כאשר הסתלק הרכבתו וחוזר אל פשיטותו, מכפר:

And behold the Red Heifer and the *Tzaddik* are one and the same. The Red Heifer, because it returns to its pristine, uncomplicated state, atones, so does the *Tzaddik* – when he returns to his spirituality as he was in the beginning – his pure soul⁴.

The death of Miriam is not the sole death of a *Tzaddik* about which we read in our Parshas Chukkas. A little later on, in terms of P'sukim, and some three and one-

³ The world was created for G-d's Will, as expressed in the Torah and its Mitzvos. Since the righteous fulfill that Will, they are the essence of existence.

⁴ In his continuation there, Gur Aryeh connects this principle of atonement with Yom HaKippurim.

half months later⁵ on a time-line, Aharon HaKohen dies as we read (Perek 20/P'sukim 23-24):

וַיֹּאמֶר ה' אֶל מֹשֶׁה וְאֶל אַהֲרֹן בְּהַר הַהָר על גְּבוּל אֶרֶץ אֱדוֹם לֵאמֹר: יֶאֱסֹף אַהֲרֹן אֶל עַמּוּי כִּי לֹא יָבֹא אֶל הָאָרֶץ אֲשֶׁר נָתַתִּי לִבְנֵי יִשְׂרָאֵל עַל אֲשֶׁר מָרִיתֶם אֶת פִּי לְמִי מְרִיבָה:

Hashem spoke to Moshe and to Aharon at *Hor HaHor* at the border of the Land of Edom saying. 'Let Aharon be gathered to his people because he will not come to the land that I gave to B'nei Yisroel because you have [both] rebelled against My mouth at *Mei Meriva*.

The Torah concludes that section by writing (ibid. Posuk 29):

וַיֵּרְאוּ כָּל הָעֵדָה כִּי גֹעַ אַהֲרֹן וַיִּבְכוּ אֶת אַהֲרֹן שְׁלִשִׁים יוֹם כָּל בֵּית יִשְׂרָאֵל:

All the congregation saw that Aharon died and they cried for Aharon for thirty days, all of the House of Israel.

And, thus, perhaps the deaths of Miriam and Aharon brought atonement for that last group who did not die in the fortieth year.

However, there is far more to understand.

Is there anything else that the deaths of Miriam and Aharon have in common that relate to the theme of atonement?

We find after each of their deaths that Israel was faced with an ordeal.

The ordeal that Israel faced at the death of Miriam is written in the Torah, although it is not specifically linked to her.

We read in our Parsha (ibid. P'sukim 1-2):

וַיָּבֹאוּ בְנֵי יִשְׂרָאֵל כָּל הָעֵדָה מִדְּבַר אֶן בַּחֲדָשׁ הָרִאשׁוֹן וַיֵּשֶׁב הָעָם בְּקִדְשׁ וַתָּמַת שָׁם מֵרִים וַתִּקְבַּר שָׁם: וְלֹא הָיָה מַיִם לָעֵדָה וַיִּקְהָלוּ עַל מֹשֶׁה וְעַל אַהֲרֹן:

⁵ In Parshas Mas'ei we read:

וַיַּעַל אַהֲרֹן הַכֹּהֵן אֶל הַר הַהָר עַל פִּי ה' וַיָּמַת שָׁם בְּשָׁנַת הָאָרְבָּעִים לְצֵאת בְּנֵי יִשְׂרָאֵל מֵאֶרֶץ מִצְרַיִם בַּחֲדָשׁ הַחֲמִישִׁי בְּאֶתֶד לַחֲדָשׁ:

Aharon the Kohen ascended *Hor HaHor* according to the mouth of Hashem and he died there in the fortieth year of the Exodus of B'nei Yisroel from the Land of Egypt in the fifth month, on the first of the month.

All of B'nei Yisroel, the entire congregation, came to the *Tzin* Wilderness in the first month; the people dwelled in Kodesh; Miriam died there and was buried there. There was no water for the congregation to drink and they gathered against Moshe and Aharon.

The Torah continues and tells us of the infamous event of *Mei Meriva* for which Moshe and Aharon were punished, banning their entrance into Eretz Yisroel.

Rashi draws our attention to the juxtaposition of Miriam's death and the dearth of water:

ולא היה מים לעדה - מכאן שכל ארבעים שנה היה להם הבאר בזכות מרים:

There was no water for the congregation – From here we derive that the entire 40 years they had the well it was because of Miriam's merit.

What was the aftermath of the death of Aharon? We read (ibid. Perek 21/Posuk 1):

וַיִּשְׁמַע הַכְּנַעֲנִי מֶלֶךְ עַרְדַּי יוֹשֵׁב הַנֶּגֶב כִּי בָא יִשְׂרָאֵל דְּרֹךְ הָאֲתָרִים וַיִּלְחַם בְּיִשְׂרָאֵל וַיִּשְׁבּוּ מִמֶּנּוּ שְׁבִי:

The Canaanite, the King of Arad who resides in the *Negev*, heard that Israel was coming by way of *A'sorim* and he fought against Israel and he took a captive from him.

Rashi writes:

וישמע הכנעני - שמע שמת אהרן ונסתלקו ענני כבוד וכו', כדאיתא בראש השנה.

The Canaanite heard – He heard that Aharon died and that the Divine clouds were removed, as we learn in Masseches Rosh Hashanah.

The Gemara there teaches:

וישמע הכנעני מלך ערד, מה שמועה שמע - שמע שמת אהרן, ונסתלקו ענני כבוד, וכסבור ניתנה רשות להלחם בישראל. והיינו דכתיב ויראו כל העדה כי גוע אהרן, ואמר רבי אבהו: אל תקרי ויראו אלא וייראו

The Canaanite the King of Arad heard – What did he hear about? He heard that Aharon died and that the Divine clouds were removed and he thought

that he was allowed to make war against Israel. That is what is written: 'The entire congregation saw that Aharon died'.

Rabi Abahu said, 'Do not read it as *va'yir'u* – they saw but as *va'yi'ro'u*- they were seen.'

That is, the *Ananei HaKavod* hid Israel from its enemies. With the removal of those Divine Clouds Israel was exposed and that sudden exposure indicated to the *Canaanite King of Arad* that Israel was open to be attacked.

When these events occurred immediately after the death of these *Tzaddikim* we learn a new aspect of Chazal's teaching that their deaths brought atonement.

Let us understand that if the deaths of Miriam and Aharon brought atonement, there is a clear implication is clear that Israel was in need of atonement. The individual and the community sinned. Sometimes when there is sin, the results of the egregious transgressions and their punishments that accrued to the individual and to the nation are meted out right away and explicitly.

However, since the nation required expiation we see that there must have been ongoing transgressions for which punishment was not dealt explicitly.

Although we cannot attempt to fathom G-d's hidden ways, He has revealed some of them to us. We read in Sefer Yeshaya:

בְּסִסְאָהּ בְּשִׁלְחָהּ תִּרְיֹבְנָהּ הַגָּה בְּרוּחוֹ הַקָּשָׁה בְּיוֹם קִדְדִים:

(Rashi explains:)With the measure by which Egypt sent you out, Hashem will fight with it; He thought a harsh thought on that early day [of the crossing of *Yam Suf*].

The *Novi* here teaches us regarding proportionality. Not every time is a transgression met with a punishment. Only when its measure, its *s'eah*⁶, is completed does the punishment appear.

⁶ A *האָה* is a measure of volume. It is equal to about size of 2 gallons. The Chazon Ish's opinion is almost double that amount.

The *s'eah* in the verse is the 'measure' of sin that a person or a nation has committed. The *Novi* refers to the measure being full and thus the punishment must be exacted at that time.

Rashi brings this idea in Chumash – the first time is in Parshas Lech Lecha where we read (B'reishis Perek 15/Posuk 16):

וְדֹר רְבִיעִי יָשׁוּבוּ הֵנָּה כִּי לֹא שָׁלַם עֵוֹן הָאֱמֹרִי עַד הֵנָּה:

The fourth generation will return here because the sin of the Emorites is not complete until then.

Rashi writes:

כי לא שלם עון האמורי - להיות משתלח מארצו עד אותו זמן, שאין הקדוש ברוך הוא נפרע מאומה עד שתתמלא סאתה, שנאמר בסאסא:

Because the sin of the Emorites is not complete – for them to be sent out of their land until that time. Hashem does not extract punishment from a nation until its measure is complete, as it says, ‘with its measure’.

Thus, the absence of punishment is not inherently indicative of an absence of guilt. Rather the absence of punishment may be indicative of Divine judgment that chooses not to mete out punishment at that particular time⁷.

⁷ We are told of other aspects of Divine judgement that reward the wicked in this world, and do not mete out punishment to them, in order that whatever reward the wicked deserve should be completed in his lifetime on earth. After his death, therefore, all that will remain will be punishment.

See for example the Mishnah (15) in the fourth Perek of Masseches Ovos that reads:
רבי ינאי אומר אין בידינו לא משלות הרשעים ואף לא מיסורי הצדיקים
Rabi Yanai says, ‘We do not have in our hands neither the tranquillity of the wicked nor, also, not the afflictions of the righteous.’

Rashi writes there:

אין בידינו משלות רשעים כלומר כך הדין נוטה שלא תהא שלוח לרשעים בעולם הזה ולא יסורין לצדיקים אלא שאין הדבר מסור לידינו אלא ליד הקדוש ברוך הוא שהוא מביא שלוח לרשע הזה כדי שיטול חלקו וחלק הצדיק בגיהנם ועל הצדיק מביא יסורין כדי שיטול את חלקו וחלק הרשע בגן עדן...

We do not have in our hands neither the tranquillity of the wicked – this means to say that it would be just if the wicked should not have tranquillity in this world nor should the righteous have affliction in this world. But, the judgment is not given in our hands, to mankind. It is in the hand of Hashem Who brings tranquillity to this wicked one so that he will have his own portion of punishment and that of the righteous one in *Gehinom*. Hashem brings

And thus it follows that when we talk about the atonement that the righteous bring at their death, we understand that while they are alive they serve as a protection from punishment.

Perhaps while they are alive they do not remove punishment – but they may certainly shield from it being meted out.

We have ample evidence of great people who protect their generation. The final section of Masseches Maaser Sheini in the Talmud Yerushalmi, which is being completed at this time in that cycle of *Daf HaYomi*, provides us with numerous examples of such protection, both spiritual and physical. Either the protection existed or, when it appeared not to exist because there were incidences that implied punishment - the Gemara questions how could those phenomena occur.

Thus it seems reasonable that the deaths of Tzaddikim, Miriam and Aharon in our context, not only atoned for sins at their death but provided protection to Israel during their lifetimes.

And that will explain the events that occurred after their deaths. It was the merit of Miriam that there should be water. The abundant supply of water that Israel had throughout the four decades in the wilderness was in her *zechus*. She protected Israel in the same way that she protected her infant brother when he was in the water as the Torah writes in Parshas Sh'mos (Perek 2/Posuk 4):

וַתִּתְצַב אַחֲתוֹ מֵרָחֵק לְדַעַה מֶה יַעֲשֶׂה לּוֹ:

His sister firmly stood at a distance to know what would be done to him.

And Aharon, who minimized himself before his younger brother and lowered his profile to be in Moshe's shadow – it was in his *zechus* that the Divine Clouds, the **עַנְנֵי הַכְּבוֹד** hid Israel from the view of its enemies.

How would Israel know that these righteous people protected Israel? They would know so by the threatening events that occurred immediately following their demise.

affliction to the righteous one in this world so that he will have his portion and that of the wicked one in the Gan Eden.

This is not to say that Israel did not appreciate Miriam and Aharon. The Torah tells us that they were full of appreciation and admiration for them.

After Miriam was stricken with *Tzora'as* we read in Parshas B'haalosecha (B'midbar Perek 12/Posuk 15):

וַתִּסָּגֵר מִרְיָם מִחוּץ לַמַּחֲנֶה שִׁבְעַת יָמִים וְהָעָם לֹא נָסַע עַד הֶאֱסַף מִרְיָם:

Miriam was quarantined outside the encampment for seven days; the people did not travel until Miriam was ingathered [from the quarantine].

Regarding Aharon, we already read above the people's reaction to his death in our Parsha:

וַיֵּרְאוּ כָּל הָעֵדָה כִּי גֹעַ אַהֲרֹן וַיִּבְכוּ אֶת אַהֲרֹן שְׁלֹשִׁים יוֹם כָּל בֵּית יִשְׂרָאֵל

The entire congregation saw that Aharon died and they cried for Aharon for thirty days, the entire House of Israel.

If our thesis is correct, the thesis that expresses the idea that the threatening events that occurred immediately after the deaths of Miriam and Aharon are to demonstrate the protection that they afforded during their lives, then we must test that hypothesis regarding a third death that occurred at that time.

The Torah concludes with the death of Moshe Rabbenu which the Mesorah teaches occurred on the 7th of Adar, some 11 months after Miriam's death and seven months after the death of Aharon.

We read in Parshas V'zos HaBrachah (D'vorim Perek 34/Posuk 5):

וַיָּמָת שָׁם מֹשֶׁה עֶבֶד ה' בְּאֶרֶץ מוֹאָב עַל פִּי ה':

Moshe, the *eved* of Hashem, died there in the Land of Moav according to the mouth of Hashem.

If our approach to our theme is correct, the death of Moshe Rabbenu should have let loose extraordinary catastrophes. After all, who could have offered greater protection in their lifetime than Moshe? Should it not have been that once that protection was removed the forces of evil should have been able to reign free, as they did with the deaths of Miriam and Aharon?

And in fact, such was the prophecy that Moshe himself told Yehoshua regarding Israel at the conclusion of Parshas Vayelech (ibid. Perek 31/Posuk 27):

כִּי אֲנֹכִי יֹדְעֵתִי אֶת מְרִיבְךָ וְאֶת עֲרֻפְךָ הַקְּשָׁה הֵן בְּעוֹדְנִי חַי עִמָּכֶם הַיּוֹם מִמָּרִים הֵיטֵם
עִם ה' וְאַף כִּי אַחֲרַי מוֹתִי:

Because I know your rebelliousness and your stiff neck; behold even when I [Moshe] live you counter G-d and after my death [certainly].

And two verses later, Moshe's words are even harsher:

כִּי יֹדְעֵתִי אַחֲרַי מוֹתִי כִּי הַשְּׁחַת תַּשְׁחִתוּן וְסָרְתֶם מִן הַדֶּרֶךְ אֲשֶׁר צִוִּיתִי אֶתְכֶם וְקִרְאת
אֶתְכֶם הָרָעָה בְּאַחֲרֵית הַיָּמִים כִּי תַעֲשׂוּ אֶת הָרָע בְּעֵינֵי ה' לְהַכְעִיסוֹ בְּמַעֲשֵׂה יְדֵיכֶם:

Because I know that after my death you will certainly act corruptly and you will turn from the path that I commanded you; and evil will meet you at the end of days when you do evil in the eyes of G-d to anger Him with the deeds of your hands.

But such did not happen. The dire consequences that Moshe foresaw did not come to be upon his death. It was only after the passing of Yehoshua that we read (Rus Perek 1/Posuk 1):

וַיְהִי בַיָּמִי שִׁפּוֹט הַשּׁוֹפְטִים וַיְהִי רָעַב בְּאֶרֶץ וַיֵּלֶךְ אִישׁ מִבֵּית לֶחֶם יְהוּדָה לְגוֹר בְּשֵׂדֵי מוֹאָב
הוּא וְאִשְׁתּוֹ וּשְׁנֵי בָנָיו:

It was in the days of the judging of the judges and there was a famine in the land and a man from Beit Lechem in Yehuda went to sojourn in the fields of Moav, he and his wife and his two sons.

Although the words שִׁפּוֹט הַשּׁוֹפְטִים could certainly mean 'the time when the *Shoftim*, the judges who succeeded Yehoshua, judged, the Gemara in Masseches Bava Basra understands the phrase negatively. We learn there (15 b):

וַיְהִי בַיָּמִי שִׁפּוֹט הַשּׁוֹפְטִים. דוֹר שִׁשּׁוּפֵט אֶת שׁוֹפְטָיו, אֹמֵר לוֹ: טוֹל קִיסָם מִבֵּין שֵׁינַי,
אֹמֵר לוֹ: טוֹל קוֹרָה מִבֵּין עֵינַי;

It was in the days of the judging of the judges – It was a generation that judged its judges. If the judge said to [an impudent] accused, 'take that toothpick out of your mouth', the accused responded, 'take the board away from between your eyes'.

Moshe's prediction was fulfilled, sadly enough, but not when he dies. Does this imply that our thesis was incorrect?

Rashi to Parshas Vayelech (ibid.) has already provided us with an answer:

אחרי מותי כי השחת תשחתון - והרי כל ימי יהושע לא השחיתו, שנאמר (יהושע כד/לא⁸) ויעבד בני ישראל את ה' כל ימי יהושע, מכאן שתלמידו של אדם חביב עליו כגופו, שכל זמן שיהושע חי נראה למשה כאלו הוא חי:

After my death you will certainly act corruptly – But, during the entire period of Yehoshua's leadership they did not act corruptly as we read, 'B'nei Yisroel served Hashem all the days of Yehoshua'. From here we learn that a person's student is beloved to him as his own self. As long as Yehoshua was living it appeared to Moshe as if he was alive.

There was a backlash after the passing of Moshe Rabbenu, but it was felt only after his presence was no longer felt. The presence of Yehoshua preserved the presence of Moshe Rabbenu and the upheavals were diverted for many decades.

How fortunate is Israel to have our great people to be in our midst, inspiring us and having their merits serve us when we are found at fault.

When they die, there is a profound effect which provides momentary succor but their ongoing lives provide ongoing and interrupted *סיעתא דשמיא*, heavenly help.

How fortunate are we to have true *talmidim* of our great people in our midst who preserve the legacy of their teachers and provide us with a modicum of *their* merit, even after their passing.

⁸ The entire verse reads:

ויעבד ישראל את ה' כל ימי יהושע וכל ימי הזקנים אשר האריכו ימים אחרי יהושע ואשר ידעו את כל מעשה ה' אשר עשה לישראל:

Israel served Hashem all the days of Yehoshua and all the days of the elders whose lives extended past Yehoshua and those who knew all of the acts of G-d that Hashem did for Israel.

It should be noted that the singular form of *ויעבוד* instead of the expected plural *ויעבדו* may certainly imply the wholehearted service of Hashem by all of B'nei Yisroel, without differentiation.

How fortunate are we that G-d has promised us זכות אבות, the special merit of our Patriarchs in particular, whom, even after their passing millennia ago, can still be remembered as the recipients of G-d's promises to their progeny, for us.

Let us appreciate our great people not only at their death. Let us remember them and their students while we are beneficiaries of their living presence.

When we hear the *Kaddish D'Rabbanan*, we pray for their welfare, when we recite *Yekum Purkan* on Shabbos, we pray for their welfare because whenever we learn a Posuk, a Halacha or a *Daf Gemara* we are their beneficiaries.

When we recite the first paragraph of *Yekum Purkan* in shul⁹, we pray:

יקום פורקן מן שמיא חינא וחסדא ורחמי חיי אריכי... למרנן ורבנן... די בארעא
דישראל ודי בבבל...לכל תלמידיהון ולכל תלמידי תלמידיהון ולכל מאן דעסקין
באורייתא...מלכא דעלמא יברך יתהון יפיש חייהון ויסגי יומיהון.

There should be redemption from heaven, grace and compassion and mercy and long life for our masters and our Rabbis that are in the Land of Israel and in Bavel, for their students and for the students of their students and for all who are involved in Torah study. King of the Universe should bless them and increase their lives and lengthen their days.

⁹ In many Siddurim the instructions regarding the two paragraphs of *Yekum Purkan* and the following paragraph of *Mi Shebeirach* say that only the first can be recited when not davening with a minyan.

The reason why the second and third paragraphs are not recited when not davening with a minyan is that their content refers to 'this congregation'. Obviously such a prayer is meaningless when davening at home.

However, the instructions are not exact at all because they imply that the first paragraph, the one from which we bring excerpts here, can be recited without a minyan. The Halachah is not that way since individual prayers cannot be said in Aramaic.

Mishna B'rurah (Siman 101 s'if koton 19) deals with this issue and concludes:

אם מתפלל בביתו אין יכול לאמר שום יקום פורקן

One who davens at home [without a minyan] cannot say any of *Yekum Purkan*.

The section added in the *Kaddish D'Rabbanan* reads¹⁰:

על ישראל ועל רבנן ועל תלמידיהון ועל כל תלמידי תלמידיהון, ועל כל מאן דעסקין
באוריתא, די באתרא קדישא¹¹ הדין ודי בכל אתר ואתר, יהא להון ולכון שלמא רבא
חנא וחסדא ורחמין ותיין אריכין ומזונא ויחא ופרקנא מן קדם אבוהון דבשמיא
וארעא...

[G-d should be praised] for Israel and for the Rabbis and for their students and for all of theirs students' students and for anyone who is involved in Torah study in this holy place and in each and every place. They should have great peace, grace, compassion and mercy; they should have long lives and expansive food and redemption from before their Father Who is in Heaven and on earth.

And we do not have to wait for Shabbos or to hear a Kaddish to express our appreciation to the Ribbono Shel Olom Who has graced us with the lives of the *Tzaddikim ad meah v'esrim shanah*. Because, in fact, such supplications are part of our daily prayers. Let us review that which we already know:

על הצדיקים ועל החסידים ועל זקני עמך בית ישראל ועל פליטת סופריהם ועל גירי
הצדק ועלינו יהמו נא רחמך ה' א...ל"קיננו ותן שכר טוב לכל הבוטחים בשמך ושנים
חלקנו עמהם ולעולם¹² לא נבוש כי ברך בטחנו. ברוך אתה ה' משען ומבטח לצדיקים:

Upon the righteous and upon the pious and upon the elders of Your people
the House of Israel and upon the remnants of their scribes and upon the true

¹⁰ This *nusach* is ancient. It is found in the Yerushalmi Masseches Megillah Perek 4/12.

¹¹ The *minhag* for Ashkenazim, at least, is to recite באתרא קדישא הדין, in this *holy* place, only in Eretz Yisroel. In all other locations באתרא הדין, in this place, omitting 'holy' is the proper recitation.

There are other minhagim as well.

¹² There is a *nusach* where this word is spelled ולעולם with a connective letter *vav* and thus this phrase is connected to the preceding one. That is how we explain it shortly.

The *nusach* that writes לעולם without the letter *vov* makes this phrase independent of the phrase that precedes it and connects it to the following phrase:

כי ברך בטחנו

Because in You we trust.

converts and upon us, may Your mercies be many, Hashem our G-d; give good reward to all who truly trust in Your Name and place our portion with them and we will never be ashamed because in You we trust. Blessed are You, Hashem, The Support and Trust of the Righteous.

Think about this *Tefilah* that we say three times a day. The Bracha is about the righteous. And what is the request that we make for ourselves? We say:

וְשִׂים חֵלְקֵנוּ עִמָּהֶם וְלֵעוֹלָם לֹא נִבּוֹשׁ

Place our portion among them, the righteous, because if we are with them we will never have anything for which to be embarrassed.

When our portion is connected to that of the righteous we can hope to merit sharing in their *zechus*, standing before G-d, next to them and without shame.

Shabbat Shalom

Rabbi Pollock