

פרשת שלח

It is only proper that Parshas Shlach, with its episode of the *Meraglim*, should continue to involve us annually. Its event was not only cataclysmic in its own time, and that alone is enough to demand investigating it every year, but its impact has been felt throughout the generations.

We read this week of our ancestors' reaction to the evil report that the spies transmitted to Israel (B'midbar Perek 14/Posuk 1):

וַתִּשָּׂא כָּל הָעֵדָה וַיִּתְּנוּ אֶת קוֹלָם וַיִּבְכוּ הָעָם בְּלַיְלָה הַהוּא:

The entire congregation raised their voice and gave it expression; the people cried that night.

We read in Masseches Taanis (29 a) regarding this verse:

אמר רבה אמר רבי יוחנן: אותו לילה ליל תשעה באב היה. אמר להם הקדוש ברוך הוא: אתם בכיתם בכיה של חנם - ואני קובע לכם בכיה לדורות.

Rabba said in the name of Rabi Yochanan, 'That night was the night of the Ninth of Av. Hashem said to Israel, "You are crying for no reason. I will set this day for you as a yearly day for crying."

And so the Mishnah teaches us (ibid. 26 a):

חמשה דברים אירעו את אבותינו...בתשעה באב...בתשעה באב נגזר על אבותינו שלא יכנסו לארץ, וחרב הבית בראשונה ובשניה, ונלכדה ביתר, ונחרשה העיר.

Five tragic events occurred to our fathers on Tish'a B'av. On Tish'a B'av it was decreed on our fathers that they would not enter into Eretz Yisroel. On Tish'a B'av the Botei Mikdosh, first and second, were destroyed. The city of Beitar was captured and the city of Yerushalayim was plowed under.

Rashi writes:

על אבותינו - דור המדבר אם יראה איש באנשים האלה הדור הרע הזה את הארץ וגו' (דברים א/לה¹).

¹ The entire verse reads:

אם יראה איש באנשים האלה הדור הרע הזה את הארץ הטובה אשר נשבעתי לתת לאבותיכם:

On our fathers – this refers to the generation of the Wilderness. The Posuk writes, that Hashem took an oath ‘If a man from these men of this evil generation will see the Land, etc.’”

ביתר - עיר גדולה, והיו ישראל דרין בה, במסכת גיטין, פרק הניזקין (נז א)...

Beitar – It was a large city and Jews lived in it as we read in Masseches Gittin.

And the event was not only in our past. In addition to the stringent fast of Tish’a B’av with its many restrictions, the days leading up to it are marked with restrictions that reflect the sense of mourning of that day. And, so, the Mishnah there continues (26 b) and writes:

משנכנס אב ממעטין בשמחה. שבת שחל תשעה באב להיות בתוכה - אסור מלספר ומלכבס...ערב תשעה באב - לא יאכל אדם שני תבשילין, לא יאכל בשר ולא ישתה ...|”

When the month of Av begins, we limit happiness². In the week in which Tish’a B’av falls, it is forbidden to take a haircut and to wash clothes. On the day before Tish’a B’av a person cannot eat a meal with two cooked foods nor eat meat or drink wine.³

There are many important discussions as to the reason for sending the spies as well as for its justification, if any. Certainly, a place to start regarding that section is the Ramban on our Parsha.

[Hashem took an oath saying] ‘If a man among these people of this evil generation will see this good land that I promised to your Forefathers.’

² Mishnah B’rurah writes to Siman 551, s’if 1, s’if koton 1:

ממעטין בשמחה - עיין במגן אברהם דרצונו לומר שאין שמחין בו כלל.

We limit happiness – See the *Mogen Avraham* that Shulchan Aruch’s intent is that we have no happiness whatsoever.

³ Of course we do not learn Halachos from brief citations from a Mishnah. For the Halachos of the Three Weeks and the Nine Days, see Shulchan Aruch Siman 551. For the Halachos of Erev Tish’a B’Av see Simanim 552 and 553.

For the Halachos of Tish’a B’Av itself see Simanim 554-559.

For years when the fast of Tish’a B’av is observed on Sunday, and 5779 is such a year, see Siman 556 in particular.

However, even before we enter a more in-depth conversation on that subject, which will not be our focus here, Rashi already intimates to the likelihood of problems and complications.

We read at the beginning of our Parsha (B'midbar Perek 13/P'sukim 1-3):

וַיְדַבֵּר ה' אֶל מֹשֶׁה לֵאמֹר: שְׁלַח לְךָ אַנְשִׁים וַיֵּתְרוּ אֶת אֶרֶץ כְּנָעַן אֲשֶׁר אֲנִי נֹתֵן לְבְנֵי יִשְׂרָאֵל אִישׁ אֶחָד לְמִטֵּה אֶבְתָּיו תִּשְׁלַחוּ כָל נָשִׂיא בְהֵם: וַיִּשְׁלַח אֹתָם מֹשֶׁה מִמִּדְבַר פָּאָרָן עַל פִּי ה' כָּלֵם אַנְשִׁים רָאשֵׁי בְנֵי יִשְׂרָאֵל הֵמָּה:

Hashem spoke to Moshe saying. Send for yourself men and they should tour the Land of Canaan that I give to B'nei Yisroel, one man each for the Tribe of their Fathers you should send, each one a prince in the tribes. Moshe sent them from the Poron Wilderness according to the mouth of Hashem; they were all men; the heads of B'nei Yisroel.

Rashi writes:

שלח לך אנשים - למה נסמכה פרשת מרגלים לפרשת מרים, לפי שלקתה על עסקי דבה שדברה באחיה, ורשעים הללו ראו ולא לקחו מוסר:

Send for yourself men – Why was the section of Meraglim juxtaposed to the section of Miriam [at the end of Parshas B'ha'alosecha]? It is because Miriam was punished with leprosy regarding matters of slander that she spoke against her brother and these wicked people, the spies, saw and did not learn *Mussar* from that event.

שלח לך - לדעתך אני איני מצוה לך, אם תרצה שלח, לפי שבאו ישראל ואמרו (דברים א/כב⁴) נשלחה אנשים לפנינו, כמה שנאמר (שם) ותקרבוני אלי כלכם וגו', ומשה נמלך

⁴ The entire verse reads:

וַתִּקְרְבוּנִי אֵלַי כָּלְכֶם וַתֹּאמְרוּ נִשְׁלַחְהָ אַנְשִׁים לְפָנֵינוּ וַיִּחְפְּרוּ לָנוּ אֶת הָאָרֶץ וַיָּשֻׁבוּ אֹתָנוּ דַּבְּרֵי אֶת הַדֶּרֶךְ אֲשֶׁר נִעְלָה בָּהּ וְאֵת הָעָרִים אֲשֶׁר נָבֵא אֵלֵינוּ:

You all approached me and you said, “let us send men before us and they will delve deep into the land and they will bring us back the word about the way that will go up into the land and about the cities that we will enter.

Rashi writes there:

ותקרבוני אלי כלכם – בערבוביא...ילדים דוחפין את הזקנים וזקנים דוחפין את הראשים:
You all approached me – In a tumultuous group – the young were pushing the elders and the elders were pushing the heads.

בשכינה. אמר אני אמרתי להם שהיא טובה, שנאמר (שמות ג'ז⁵) אעלה אתכם מעני מצרים וגו', חיהם שאני נותן להם מקום לטעות בדברי המרגלים למען לא יירשוה:

Send for yourself – ‘According to your decision. I, Hashem, am not commanding you. If you wish, send.’

This is because Israel came and said, ‘Let us send men before us’, as it says, ‘You all approached me, etc.’ Moshe consulted with Hashem. Hashem said, ‘I said that the land is good’, as it says, “I will bring you up from the affliction of Egypt, etc.” By their lives, I will give them a place to err because of the words of the meraglim in order so that they will not inherit it.’

על פי ה' - ברשותו שלא עכב על ידו:

According to the mouth of G-d – With His permission. Hashem did not prevent them.

כלם אנשים - כל אנשים שבמקרא לשון חשיבות ואותה שעה כשרים היו:

They were all men – All uses of the term *anoshim* in Tanach imply ‘importance’. At that time [when they were sent] they were fit [to be sent].

As we read further (Posuk 16), the precariousness of the situation becomes even more evident.

אלה שמות האנשים אשר שלח משה לתור את הארץ ויקרא משה להושע בן נון יהושע:

These are the names of the men that Moshe sent to tour the land and Moshe called Hoshea bin Nun by the name of Yehoshua.

Rashi writes:

ויקרא משה להושע וגו' - התפלל עליו קה יושיעך מעצת מרגלים:

⁵ The entire verse reads:

ואמר אעלה אתכם מעני מצרים אל ארץ הפנימי והחתי והאמרי והפרזי והחוי והיבוי אל ארץ זבת חלב ודבש:

I Hashem said, ‘I will bring you up from the affliction of Egypt to the Land of the Canaanites, the Chittites, the Emorites, the P’rizites, the Chivittes and the Jebusites to a land flowing with milk and honey.

Moshe called Hoshea – Moshe davened for Yehoshua that ‘G-d should save you from the counsel of the spies.’

And the verse (Posuk 26) that tells about them as they returned from their mission leaves little doubt, after the fact, that it was doomed from the start. We read:

וַיָּלְכוּ וַיָּבֹאוּ אֶל מֹשֶׁה וְאֶל אַהֲרֹן וְאֶל כָּל עֵדַת בְּנֵי יִשְׂרָאֵל אֶל מִדְּבַר פְּאָרְן קְדָשָׁה וַיִּשִּׁיבוּ
אֹתָם דְּבַר וְאֵת כָּל הָעֵדָה וַיִּרְאוּם אֶת פְּרֵי הָאָרֶץ:

They went and they returned to Moshe and to Aharon and to the entire congregation of Israel to the Poron Wilderness, to Kadesh, and they replied to them the word [of their mission] and to the entire congregation and they showed them the fruit of the land.

Rashi writes:

וילכו ויבואו - מהו וילכו, להקיש הליכתן לביאתן, מה ביאתן בעצה רעה, אף הליכתן בעצה רעה:

They went and they returned – Why does it say ‘they went’ [that was written above in Posuk 21)? The Torah writes it to compare their going to their return. Just like their return was with evil counsel so was their going with evil counsel.

It is with this background, that reveals the understanding that the mission of sending spies was fraught with threats, with which we examine the instructions that Moshe Rabbenu gave to the spies prior to their departure.

Certainly, we cannot expect those instructions to be detached from the situation at hand and be the same type of instructions being given to any similar group. And thus, we will see what they have to teach us as Moshe Rabbenu, undoubtedly aware of the possibility of an impending fatal outcome, would take the necessary precautions to prevent a disaster.

The Torah writes (ibid. P’sukim 17-20):

וַיִּשְׁלַח אֹתָם מֹשֶׁה לְתוֹר אֶת אֶרֶץ כְּנָעַן וַיֹּאמֶר אֲלֵהֶם עָלֶיךָ זֶה בְּנִגְבַּ וְעַלִּיתֶם אֶת הַהָר:
וַרְאִיתֶם אֶת הָאָרֶץ מֵהוּא וְאֵת הָעָם הַיֹּשֵׁב עָלֶיהָ הֲחֹזֵק הוּא הֲרַפָּה הֲמַעֲט הוּא אִם
רַב: וְהָאָרֶץ אֲשֶׁר הוּא יֹשֵׁב בָּהּ הֲטוֹבָה הוּא אִם רָעָה וְהָאָרְצִים אֲשֶׁר הוּא יֹשֵׁב
בָּהֶן הֲבִמְחַנִּים אִם בְּמַבְצָרִים: וְהָאָרֶץ הַשְּׂמֵנָה הוּא אִם רְזָה הֲיֵשׁ בָּהּ עֵץ אִם אֵין
וְהִתְחַזְּקֶתֶם וְלִקְחֶתֶם מִפְּרֵי הָאָרֶץ וְהַיְמִים יָמֵי בְכוּרֵי עֲנָבִים:

Moshe sent them to tour the Land of Canaan and he said to them, ‘Ascend this in the south and go up to the mountain. You shall see the land – what is it and the people who dwell on it; the strong is the weak⁶, if few or if many. What is the land that the people dwell upon it – is it good or is it bad? What are the cities in which the people dwell in them, are they open cities or in fortresses? And what is the land – is it ‘fat’ or is it ‘lean’? Does it have a tree or not? You shall strengthen yourselves and take from the fruit of the land; the days were the days of the appearance of the first grapes.

Rashi explains each item of these instructions and, in most cases, he bases his commentaries on the Midrash Tanchuma to our Parsha. Other *meforshim* explain the instructions differently as well as a number of Midrashim, some of which we will see here.

Our question is if, according to Rashi, there is a particular theme to these instructions, a thread that combines them all, as different as they are? Or, are all the instructions that Moshe gave to the spies individual points to make their trip successful and to enable the accuracy and reliability of the report that they will present to Israel upon their return?

I believe that we can attempt to see the theme that Rashi sees in these instructions from the very first one that Moshe gives and Rashi interprets⁷.

We read:

וַיִּשְׁלַח אֹתָם מֹשֶׁה לְתוֹר אֶת אֶרֶץ כְּנָעַן וַיֹּאמֶר אֲלֵהֶם עָלוּ זֶה בְּנִגְבַּ וְעַלִּיתֶם אֶת הַהָר:

⁶ Alternatively, this phrase could be correctly translated ‘Is it strong or is it weak?’ Our translation is according to Rashi who will be brought subsequently.

⁷ We have no illusions that we are able to fathom the various judgments that Moshe Rabbenu Olom HaShalom made when deciding to send the *Meraglim* and regarding his decision of what to instruct them.

Our efforts here are to investigate what the commentaries say, particularly Rashi, and try to gain an encompassing view.

If these efforts further our understanding and encourage others to delve deeper – that is our reward!

Moshe sent them to tour the Land of Canaan and he said to them, 'Ascend this in the south and go up to the mountain.

If you think about it, this instruction is almost superfluous. The spies had almost no other way⁸ to enter Eretz Yisroel. They were close to the southern area of Eretz Yisroel; it was logical that their entry would be through the Negev, the south, and afterwards they would proceed northerly to the mountainous regions.

And, because of this difficulty, Rashi writes that Moshe Rabbenu was doing far more than presenting the spies with a geographical road map. He writes:

עלו זה בנגב - הוא היה הפסולת של ארץ ישראל, שכן דרך התגרים מראין את הפסולת תחלה ואחר כך מראין את השבח:

Ascend this in the south – the Negev was the worst part of Eretz Yisroel. And this is the way of merchants – they first show the worst parts and then that which is praiseworthy.

Are we reading Rashi faithfully? Do we understand the impact of his words? He said:

שכן דרך התגרים

This is the way of merchants.

Moshe Rabbenu was imitating a salesman. He was giving the spies a 'pitch'. Moshe Rabbenu has become a manipulator, *as it were*⁹.

⁸ Moshe could have possibly told them to go through the mountainous area to the east of Eretz Yisroel, through the mountains of Edom, Ammon and Moav and then cross the Jordan River to enter Eretz Yisroel near Yericho. However, that would have been an awkward route.

See the explanation of *Mizrachi* who sees that route to the east through the mountains as being a viable alternate route to the one that they did take – through the *Negev*.

⁹ The 'as it were' is vital. G-d forbid that we should be thought of portraying Moshe Rabbenu Olov Hashalom negatively, as some type of low-class swindler. In the context of Rashi's term of תגר, salesman, we are trying to explore his instructions as part of the 'sell' that Moshe Rabbenu hoped to attain for the welfare of Israel.

It is remarkable. Immediately before the section of the meraglim the Torah tells us of the unparalleled character of Moshe Rabbenu.

וְהָאִישׁ מֹשֶׁה עָנָו מְאֹד מְכַל הָאָדָם אֲשֶׁר עַל פְּנֵי הָאֲדָמָה:

The man Moshe was exceedingly humble, more than any other person on the face of the earth.

Merchandising and humility don't go hand in hand. The seller praises his product, diminishing whatever faults there may be. The seller comes to convince and to persuade¹⁰. The humble person points out the weaknesses just as he points out the positive points. The humble person presents the information and allows the other to come to their own conclusions without any pressure whatsoever.

And here, Moshe Rabbenu adopts a persona that is not his.

There is certainly no implication or even a momentary and fleeting thought that Moshe Rabbenu lied or even misled.

¹⁰ In this context, it is worthwhile to explain the etiology of the word תגר that we have translated as 'salesman' and 'merchant'.

In fact there are alternative terms that could have been used. מוכר means 'seller' and סוחר means 'merchant'. What exactly does תגר mean?

תגרה (or תגרא) means a 'fight' or a 'dispute'. Some might remember the Tosfos on the first page of Masseches Kesuvos who cite Masseches Nidda (65 b):

דליכא כתובה דלא רמו בה תיגרא

There is never a *Kesuva* in which monetary and property rights are decided without a fight.

A *tagar* isn't just a salesman. He is an assertive or even aggressive one. He doesn't want to take 'no' for an answer. He will continue to cajole and push until he gets his way.

Since the end of the episode of the meraglim is known, perhaps this is one of the reasons that Moshe did not succeed. The עניו מכל אדם was incapable of being a classic תגר.

Despite the less than complete accuracy of 'salesman' or 'merchant' as translation of *tagar*, we continued to use those terms rather than something harsher when describing Moshe Rabbenu.

When Moshe gives the travel plans, he is not being a forerunner of Waze or a GPS. Moshe has a strategy: he must find a way to convince the spies that Eretz Yisroel is a wonderful destination and the people who will receive their report will be excited and enthusiastic about their destination.

In order to have that strategy realized, Moshe Rabbenu Olov Hashalom must adopt the tactics of a salesman.

One who has to 'sell' his product usually faces competition that he has to overcome.

Seemingly, Moshe had no competition. Was someone trying to sell our ancestors some other land? But, of course, in retrospect, we are aware that they had to be sold and, sadly enough, perhaps it was a lost cause from the beginning.

חיייהם שאני נותן להם מקום לטעות בדברי המרגלים למען לא יירשוה:

By their lives, I will give them a place to err because of the words of the meraglim in order so that they will not inherit it.'

Since these words were the first of the instructions that Moshe Rabbenu gave to Israel, they present us with the framework that Moshe established for his efforts to empower the meraglim wisely and in a way that would lead to a successful mission.

And therefore it is in that light that we need to view all of those instructions.

Let us read them once more and learn Rashi's comments and then we will attempt to discuss them within the framework of Moshe Rabbenu 'the salesman'. The P'sukim read:

וַיִּשְׁלַח אֹתָם מֹשֶׁה לְתוֹר אֶת אֶרֶץ כְּנָעַן וַיֹּאמֶר אֲלֵהֶם עָלוּ זֶה בְּנַגֵּב וְעַלִּיתֶם אֶת הַהָר:
וְרֵאִיתֶם אֶת הָאָרֶץ מֵהוּא וְאֵת הָעָם הַיֹּשֵׁב עָלֶיהָ הֲחֹזֵק הוּא הַרְפָּה הַמְעַט הוּא אִם
רַב: וְהָאָרֶץ אֲשֶׁר הוּא יֹשֵׁב בָּהּ הֲטוֹבָה הוּא אִם רָעָה וְהָאָרְצִים אֲשֶׁר הוּא יֹשֵׁב
בָּהֶנָּה הֲבִמְחַנִּים אִם בְּמִבְצָרִים: וְהָאָרֶץ הַשְּׂמֵנָה הוּא אִם רְזָה הֲיֵשׁ בָּהּ עֵץ אִם אִין
וְהִתְחַזְּקוּתֶם וְלִקְחֹתֶם מִפְּרֵי הָאָרֶץ וְהִימִים יְמֵי בְּכוּרֵי עֲנָבִים:

Moshe sent them to tour the Land of Canaan and he said to them, 'Ascend this in the south and go up to the mountain. You shall see the land – what it is and the people who dwell on it; the strong is the weak, if few or if many. What is the land that the people dwell upon it – is it good or is it bad? What

are the cities in which the people dwell in them, are they open cities or in fortresses? And what is the land – is it ‘fat’ or is it ‘lean’? Does it have a tree or not? You shall strengthen yourselves and take from the fruit of the land; the days were the days of the appearance of the first grapes.

Rashi writes¹¹:

את הארץ מה היא - יש ארץ מגדלת גבורים ויש ארץ מגדלת חלשים יש מגדלת אוכלוסין ויש ממעטת אוכלוסין:

What is the land – There is a land that produces warriors and there is one that produces weaklings. There is a land that grows large populations and there is one that reduces its population.

החזק הוא הרפה - סימן מסר להם אם בפרזים יושבין, חזקים הם שסומכין על גבורתם, ואם בערים בצורות הם יושבין, חלשים הם:

That which is strong is weak – Moshe gave them a sign [by which to determine their relative strength]. If they are living in open cities - that shows that they are strong because they are relying on their courage. If they are dwelling in fortified cities – they are weak [because they need the walls to protect them because they are personally incapable].

הטובה היא - במעינות ותהומות טובים ובריאים:

Is it good – with springs and waters at the depths that are good and healthy.

היש בה עץ - אם יש בהם אדם כשר שיגין עליהם בזכותו:

Does it have a tree? – Is there among them a *kosher*-worthy person who will protect them because of his merits¹²?

¹¹ Our focus here is not on why Rashi made the inferences that he did. Our focus is on the content of what Rashi writes. With exceptions, we will not ask ‘what was the difficulty that Rashi found in the Posuk that caused him to make this interpretation?’

¹² See the many commentaries that deal with the association of עץ-tree with the אדם כשר.

Many point to the verse in Parshas Shoftim (D’vorim Perek 20/Posuk 19):

כִּי תִצּוּר אֶל עִיר יָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְשָׁהּ לֹא תִשָּׁחֵת אֶת עֵצָהּ לְנִדְחִים עָלֶיהָ גְרָזוּן כִּי מִמֶּנּוּ תֹאכַל וְאֵתוֹ לֹא תִכְרַת כִּי הָאָדָם עֵץ הַשָּׂדֶה לְבֹא מִפְּנֵיךָ בְּמִצּוּר:

When you lay siege upon a city for many days to fight against it, to take hold of it – do not destroy its trees to take an axe against it to cut it; because from it you shall eat and you shall not cut it because man is the tree of the field to come before it in a siege.

Rashi explains there that if the attacking army will destroy the [fruit] trees then if they are successful and enter the city, there will be nothing for them to eat and they will suffer.

In *Oz V'hodor* edition of Or HaChaim HaKodosh we are referred to Rashi in Sefer Koheles (Perek 11/Posuk 3).

The verse there reads:

אם ימלאו העבים גשם על הארץ יריקו ואם יפול עץ בדרום ואם בצפון מקום שיפול העץ שם יהוא:

If the clouds will be filled with rain, they will empty them on the land; if a tree falls, in the south or in the north, the place where it will fall – there will be the tree.

Rashi writes:

אם ימלאו העבים גשם - אם ראית עבים מלאים גשם ידעת שסופם יריקו גשמייהם על הארץ במקום שהטובה צומחת וניכרת שם סופה לנוח אף כן דע שאם יפול עץ וגומר אם ישכון אדם חכם וצדיק בעיר או במדינה מקום שישכון שם יהיו נראין מעשיו אחרי מותו וחכמותיו ומדות תרומיותיו ותשלום טובה ליושבי המקום על מנהג הטוב שהדריכם בדרך ישרה:

If the clouds will be filled with rain – If you see clouds full with rain, you know that eventually they will empty their rains on the land in a place where good things will grow and it is apparent that that is where the rain will rest.

In that same way you should know that *if the tree should fall, etc.* – If a wise and righteous person will settle in the city or in the state, the place where he will settle will be known because of his deeds [even] after his death, because of his wisdom, his outstanding attributes and the complete good that will befall the inhabitants of that place because of the good behavior in which this person instructed in a straight way.

יפול – ישכון כמו (בראשית כה/יח) על פני כל אחיו נפל:

He will fall – Here, יפול doesn't mean 'fall' but 'he will dwell' as we see its usage in Sefer B'reishis – He dwelled in front of all of his brothers.

עץ - תלמיד חכם שמגין בזכותו כעץ המסוך על הארץ:

Tree – a *Talmid Chacham* who, through his merits, protects, just like the tree covers the land.

See Or HaChaim HaKodosh who explains that the *p'shat* of the verse refers to real trees that are bountiful with their fruit. That idea is in consonance with the narrative at the end of the instructions that Moshe gave to the meraglim that says that it was the season of the appearance of the first-fruits of grapes.

Let us examine these various instructions through the eyes of a salesman. When the salesman wants to convince his would-be customer, he calls attention to the features that are most likely to be enticing.

But, of course, the customer understands that the salesman wants to make a sale and if he is realistic/cynical he will think correctly that the salesman wants to make the deal at any cost. Such an [healthy] attitude brims with skepticism and is a deterrent against the purchase.

What then does the salesman with ingenuity do? He tells the customer to look at both sides – the positive and the negative. Of course, the salesman has decided which aspects to emphasize – those that the answer is known to him already, in advance.

Let us see what type of selling-points that Moshe raised that fit into this category:

וְמָה הָאָרֶץ אֲשֶׁר הוּא יֹשֵׁב בָּהּ הַטּוֹבָה הוּא אִם רָעָה - הַטּוֹבָה הִיא - בַּמַּעֲיִנוֹת וְתַהוֹמוֹת טוֹבִים וּבְרִיאִים:

How is the land? Is there good and healthy and plentiful water?

וְמָה הָאָרֶץ הַשְּׂמֵנָה הוּא אִם רַזָּה

Is the land rich in its ability to grow its produce?

Why did Moshe choose these examples? It was because he knew the answer already.

Moshe's tactic was to present the meraglim with a choice – *'you decide'*, he told them. But he knew the answer already.

He knew that the worst of Eretz Yisroel was better than the best of Egypt. That is why the narrative of our Parsha tells us information that is seemingly unnecessary.

We read (ibid. Posuk 25):

וַיַּעֲלוּ בְּנֵי בְנֵי יִשְׂרָאֵל עַד חֲבָרוֹן וְשָׁם אַחִימֵן שֹׁשֵׁי וְתַלְמִי יְלִידֵי הָעֵנָק וְחֲבָרוֹן שֶׁבַע שָׁנִים נִבְנְתָה לְפָנָי צֶעַן מִצְרַיִם:

The spies went up in the Negev and he came to Chevron; there were Achiman, Sheishai, and Talmai the children of the giant; Chevron was built seven years before the City of Tzo'an in Egypt.

Rashi writes:

שבע שנים נבנתה... שהיתה מבונה בכל טוב על אחד משבעה בצוען. ובא להודיעך שבחה של ארץ ישראל, שאין לך טרשין בארץ ישראל יותר מחברון, לפיכך הקצוה לקברות מתים, ואין לך מעולה בכל ארצות כמצרים, שנאמר (בראשית יג/י¹³) כגן ה' כארץ מצרים, וצוען היא המעולה שבארץ מצרים ששם מושב המלכים, שנאמר (ישעיה ל/ד¹⁴) כי היו בצוען שריו, והיתה חברון טובה ממנה שבעה חלקים:

Seven years built – Chevron was built seven times better than the City of Tzo'an of Egypt. This information comes to let you know the praise of Eretz Yisroel. There is no rockier place in Eretz Yisroel than Chevron. That is why it was set aside for burial (i.e. *Machpela*).

Egypt is the finest of lands in the world as the verse says, 'like the garden of G-d, like the Land of Egypt'. And *Tzo'an* is the best of the Land of Egypt because that was the residence of the kings as it says, 'Because in *Tzo'an* there were the officers'. And Chevron was superior to *Tzo'an* seven times over.

Is the water in the Land of Canaan plentiful and good? This is what the Torah says and this is what Moshe encouraged the spies to see. We read in Parshas Eikev (D'vorim Perek 11/P'sukim 10-11):

¹³ The entire verse reads:

וַיִּשָׂא לוֹט אֶת עֵינָיו וַיֵּרָא אֶת כָּל כַּנָּרְדָן כִּי כְּלָה מִשְׁקָהּ לִפְנֵי שַׁחַת ה' אֶת סֹדֹם וְאֶת עֲמֹרָה כְּגֵן ה' כְּאֶרֶץ מִצְרַיִם בְּאֶקֶה צֶעֶר:

Lot raised his eyes and he saw the entire Jordan plain that it was entirely water; this was before Hashem destroyed Sedom and Amora; it was like the Garden of G-d, like the Land of Egypt coming to *Tzo'ar*.

¹⁴ The entire verse reads:

כִּי הָיוּ בְּצֹעַן שְׂרָיו וּמְלָאָיו חָנֹס יִגְיעוּ:
Because its officers were in *Tzo'an* and its messengers reached *Choneis*.

Rashi says that *Choneis* is the more oft-mentioned Egyptian city of *Tachpancheis*.

כִּי הָאָרֶץ אֲשֶׁר אַתָּה בָּא שָׁמָּה לְרִשְׁתָּהּ לֹא כְּאֶרֶץ מִצְרַיִם הוּא אֲשֶׁר יֵצְאתֶם מִשָּׁם אֲשֶׁר
תִּזְרַע אֶת זְרַעֲךָ וְהִשְׁקִיתָ בְּרִגְלֶךָ כְּגֵן הַיָּרְק: וְהָאָרֶץ אֲשֶׁר אַתָּם עֹבְרִים שָׁמָּה לְרִשְׁתָּהּ
אֶרֶץ הָרִים וּבְקַעֲת לַמַּטָּר הַשָּׁמַיִם תִּשְׁתֶּה מֵיָם:

Because the land that you are entering to inherit is not like the Land of Egypt that you went out from there; there you planted seeds and had to water by foot, like in the green garden. But the land that you are passing over to there to inherit is a land of mountains and valleys¹⁵; from the rain of the heavens you will drink water.

Rashi explains:

¹⁶לא כארץ מצרים הוא - אלא טובה הימנה. ונאמרה הבטחה זו לישראל ביציאתם ממצרים, שהיו אומרים שמא לא נבוא אל ארץ טובה ויפה כזו. יכול בגנותה הכתוב מדבר...תלמוד לומר וחברון שבע שנים נבנתה...הא למדת שחברון יפה מצוען, ומצרים משובחת מכל הארצות, שנאמר כגן ה' כארץ מצרים, וצוען שבח מצרים היא, שהיתה מקום מלכות... וחברון פסולתה של ארץ ישראל...ואף על פי כן היא יפה מצוען.

Not like the Land of Egypt – but it is better than it. This promise was said to Israel at the Exodus from Egypt. Our ancestors said, ‘Perhaps we will not come to a land that is as nice as this [Egypt].’

One might think that the verse is speaking badly about the Land of Canaan? The verse teaches that ‘Chevron was built seven years...’ You learn from this that Chevron was nicer than Tzoa’n.

Egypt is the nicest of lands as it says ‘like the Garden of G-d, like the Land of Egypt’ and *Tzo’an* is the nicest part of Egypt because in was the location of the kings. Chevron is the worst part of Eretz Yisroel and even so it is superior to Tzo’an.

והשקית ברגלך - ארץ מצרים היתה צריכה להביא מים מנילוס ברגלך ולהשקותה וצריך אתה לנדד משנתך ולעמול, והנמוך שותה ולא הגבוה, ואתה מעלה המים מן

¹⁵ Rashi translates ובקעות as מישור, meaning ‘the plain’.

¹⁶ Much of this Rashi is found in the Rashi above and thus we deleted a significant part of this passage.

הנמוך לגבוה. אבל זו למטר השמים תשתה מים אתה ישן על מטתך, והקדוש ברוך הוא משקה נמוך וגבוה, גלוי ושאינו גלוי, כאחת:

You water with your foot – the Land of Egypt requires bringing water from the Niles, by foot and to water it. There one has to lose sleep and to toil. Low-lying lands can get watered, not those lands that are raised. [In Egypt] you have to raise the water from the low-lying river to great heights. Eretz Yisroel, however, 'the rain will give your fields to drink while you are sleeping on your bed'. G-d waters the low and the high, that which you see and that which you don't, all at once.

כגן הירק - שאין די לו בגשמים ומשקין אותו ברגל ובכתף:

Like the green garden – rainwaters are insufficient for a green garden. It is watered by bringing water by foot and carrying buckets on one's shoulder.

It is for that very same reason that the Torah tells us of the season of their mission:

וְמָה הָאָרֶץ הַשְּׂמֹנֶה הוּא אִם רְזָה הַיֵּשׁ בָּהּ עֵץ אִם אֵין וְהַתְּחִלָּה וְלִקְחֶתֶם מִפְּרֵי הָאָרֶץ וְהַיָּמִים יָמֵי בְּכוּרֵי עֲנָבִים:

Does it have a tree or not? You shall strengthen yourselves and take from the fruit of the land; the days were the days of the appearance of the first grapes.

When Moshe sent them he was aware of the great impression that the produce of Eretz Yisroel could make upon the spies. It was the beginning of the growing season, not its peak. And yet, the produce was overwhelmingly impressive.

This how Seforno explains it:

והימים ימי בכורי ענבים. ולא היו הפירות שנשתבחה בהם בשלמותם עדיין מכל מקום בטח משה רבינו שגודל הפירות וטעמם גם באותו הזמן יספיק להעיד על שבח הארץ וטובה:

The days were the days of the appearance of the first grapes – The fruit for which Eretz Yisroel is praised were not yet fully ripened. Nonetheless, Moshe Rabbenu was certain that the size of the fruit and their taste, even at that time [of the beginning of the season] would be sufficient to testify regarding the praise of land and its goodness.

If the spies will attend to the objective facts 'on the ground', as it were, then the clear pre-eminence of Eretz Yisroel will be easily understood.

On the other hand, not every view that the spies had would necessarily be objectively inviting. Some of what they would see would cause apprehension and raise doubts about the likelihood of success.

It is for that reason that Moshe Rabbenu sought to pre-empt those concerns by instructing:

הַחֲזֵק הוּא הַרְפָּה...הַבְּמַחְנִים אִם בְּמִבְצָרִים:

The strong is the weak...are they open cities or in fortresses?

הַחֲזֵק הוּא הַרְפָּה - סִימָן מִסַּר לָהֶם אִם בְּפָרְזִים יוֹשְׁבֵינָם, חֲזָקִים הֵם שְׁסוּמְכִין עַל גְּבוּרָתָם, וְאִם בְּעָרִים בְּצוּרוֹת הֵם יוֹשְׁבֵינָם, חֲלָשִׁים הֵם:

Moshe gave them a sign. If they are living in open cities - that shows that they are strong because they are relying on their courage. If they are dwelling in fortified cities – they are weak because they need the walls to protect them.

And just as above, Moshe knew that the cities in Canaan were fortified. There were seven major peoples and a total of thirty-one altogether. They were often at war with one another and the cities were known to be walled. Of course, the most famous of those walled-cities was Jericho¹⁷.

¹⁷ We can gain a sense that most cities were walled at that time from the Halachah of Shushan Purim. Purim is observed on the 15th of Adar in those cities that are walled. How do I determine which cities are walled? The Gemara at the beginning (2 a-2 b) of Masseches Megillah has that discussion and the Halacha is decided in Shulchan Aruch Orach Chaim Siman 688, s'if 1:

כְּרִכִּים הַמוֹקְפִים חוּמָה מִיְמוֹת יְהוֹשֻׁעַ בֶּן נֹון, אִפִּילוּ אִינָן מוֹקְפִין עַכְשָׁיו קוֹרִין בְּחֲמֵשָׁה עָשָׂר [לְאֹדֶר].
Large cities that were encompassed by walls from the time of Yehoshua bin Nun, even if they are not walled nowadays, read the Megillah of the fifteenth of Adar.

Mishnah Brura writes there (s'if koton 1):

...וְהָיָה רְאוּיָהּ לְתַלּוֹת הַכְּבוֹד בְּשׁוֹשָׁן וּלְתַקַּן שְׂכַל עִיר שֶׁהִיא מוֹקֶפֶת חוּמָה מִיְמוֹת אַחְשׁוּרוֹשׁ יִקְרָאוּ בְּחֲמֵשָׁה עָשָׂר אֲךָ כִּיּוֹן שְׂאֲרָץ יִשְׂרָאֵל הִיְתָה חֲרִיבָה בְּאוֹתוֹ עַתָּה וְיִהְיֶה לָפִי זֶה עֵיירוֹת הַמוֹקְפוֹת בְּחוּץ

The question that remains to be seen is, given that these instructions that seem to be counter-intuitive, would the spies be persuaded to adopt Moshe's approach or would they see fortified-cities as bastions of strength, formidable and forbidding?

We know the answer. The spies said it most clearly. We read (ibid. P'sukim 28-29):

אָפֶס כִּי עַז הָעָם הַיֹּשֵׁב בְּאֶרֶץ וְהָעָרִים בְּצִרוֹת גְּדֹלֹת מְאֹד וְגַם יְלָדֵי הָעֵנָק רְאִינוּ שָׁם:
עַמְלֵק יוֹשֵׁב בְּאֶרֶץ הַנֶּגֶב וְהַחִתִּי וְהַיְבוּסִי וְהָאֱמֹרִי יוֹשֵׁב בְּהָר וְהַכְּנַעֲנִי יוֹשֵׁב עַל הַיָּם וְעַל
יַד הַיַּרְדֵּן:

But the people who dwell in the Land [of Canaan] are strong and brazen; the cities are very greatly fortified and we also saw the children of the giants there. Amalek dwells in the Land of the Negev and the Chittites and the Jebusites and the Emorites dwell on the mountain; the Canaanites dwell by the sea and by the Jordan River.

The spies saw the fortresses as a sign of might. They did not attend to Moshe Rabbenu's instructions one bit!

But, as we read the entire verse we see that the spies attended to facts that Moshe did not mention.

There were the powerful giants in the Land of Canaan; they certainly engendered fear.

Additionally, it is not difficult to understand that the spies were still traumatized by the attack of the Amalekites some 14 months earlier. And the map made it clear: whether they would ascend through the south or through the mountains or by the sea or cross near the Jordan River, no matter where they would be – the enemy would be there, firmly ensconced and have the the upper hand.

לארץ חשובות מהם ועל כן תקנו לכבוד ארץ ישראל שכל עיר שהיא מוקפת מימות יהושע בן נון
יקראו בחמשה עשר...

It would have been appropriate to honor Shushan and to establish that a city that was walled at the time of Achashverosh should read on the fifteenth. But, since Eretz Yisroel was destroyed at that time and the result would have been giving greater importance of cities outside of Eretz Yisroel than those in Eretz Yisroel, they established to honor Eretz Yisroel that any city that was walled at the time of Yehoshua would read on the fifteenth.

I think that I know why Moshe didn't mention these issues explicitly. I think that he did not mention these issues explicitly because he had no tactical information to counter what they would see.

And, in fact, the spies were not exactly wrong when they saw cities that appeared to be impregnable.

Moshe Rabbenu himself in Sefer D'vorim notes that there were greatly fortified cities with which Israel had to engage.

Describing the war against *Og Melech HaBoshon*, Moshe says in Parshas D'vorim (Perek 3/P'sukim 4-5):

וּנְלָפְדוּ אֶת כָּל עָרָיו בְּעֵת הַהוּא לֹא הָיְתָה קָרְיָה אֲשֶׁר לֹא לָקַחְנוּ מֵאֵתֶם שְׁשִׁים עִיר כָּל
חֶבְל אֲרָגָב מִמְּלֶכֶת עוֹג בְּבִשְׁוֹן: כָּל אֵלֶּה עָרִים בְּצִרְת חוֹמָה גְּבוּהָ דָלְתַיִם וּבָרִיחַ לְבַד
מֵעַרְי הַפְּרָזִי הַרְבֵּה מְאֹד:

We captured all of his cities at that time; there was no city that we did not take from them, sixty cities in the *Argov* area of the kingdom of *Og* in Boshon. All of those cities were fortified with high walls and double-doors with cross-beams; this is addition to the many open cities¹⁸ that were there.

And even though Moshe told of the success there, prior to coming to Canaan, he also said in Parshas Eikev (ibid. Perek 9/Posuk 1) regarding the challenges that Israel would face there:

שְׁמַע יִשְׂרָאֵל אַתָּה עֹבֵר הַיּוֹם אֶת הַיַּרְדֵּן לְבֹא לְרִשֶׁת גּוֹיִם גְּדוּלִים וְעִצּוּמִים מִמֶּךָ עָרִים
גְּדוּלוֹת וּבְצִרְת בְּשָׁמַיִם:

Listen, Israel, you are passing over the Jordan River today to expel nations that are larger and stronger than you, great cities that are fortified up to heaven.

Rashi writes:

גדולים ועצומים ממך - אתה עצום, והם עצומים ממך:

¹⁸ These are open-cities outside of Canaan.

*Larger and stronger than you – you are strong. They are stronger than you!*¹⁹

How could Moshe Rabbenu, the aspiring salesman, ignore the obvious sights that the spies would encounter?

The answer is that he did not ignore them. Rather, when giving those instructions that he thought could succeed, Moshe presented the spies with an overriding principle.

הִישׁ בָּה עֵץ אִם אֵין

Does it have a tree or not?

הִישׁ בַּה עֵץ - אִם יֵשׁ בָּהֶם אָדָם כֹּשֶׁר שִׁגִּין עֲלֵיהֶם בְּזָכוֹתָיו:

Does it have a tree? – Is there among them a *kosher*-worthy person who will protect them because of his merits?

What is the underlying meaning of this idea?

Moshe told the meraglim that Israel needs merit to conquer the Land of Canaan and the people of Canaan must be lacking in merit in order to be conquered.

That idea was not new. The Torah already explained in Parshas Lech Lecha that one nation will not be deposed by another unless the nation to be deposed was lacking in merit. We read Hashem's words to Avraham Ovinu in *Bris bein HaB'soorim* (B'reishis Perek 15/Posuk 16):

דָּוָר רְבִיעִי יָשׁוּבוּ הַנָּה כִּי לֹא שָׁלַם עֵין הָאֱמֹרִי עַד הַנָּה:

Your fourth generation will return to here because the sin of the Emorites has not been completed until them.

Rashi there explains the principle:

¹⁹ Perhaps Moshe knew, but the spies certainly did not, that Yericho which was particularly fortified was destroyed without a battle whatsoever.

See Yehoshua Perek 6/Posuk 1.

כי לא שלם עון האמורי - להיות משתלח מארצו עד אותו זמן, שאין הקדוש ברוך הוא נפרע מאומה עד שתתמלא אותה, שנאמר (ישעיה כז/ח²⁰) בסאסאה בשלחה תריבנה:

The sin of the Emorites is not complete – to have them sent from their land at that time [of Bris bein HaB'sorim]. Hashem does not punish a nation until its measure has been filled as it says, 'by its measure when it sent them out did He fight them.

See if in all of the Land of Canaan, Moshe told the spies, if there are *kosher* people who can bring protective merit for the Canaanites. And there were not because that is what Yehoshua and Kolev pronounced upon their return.

They said (Perek 14/Posuk 9):

אך בה' אל תמרדו ואתם אל תיראו את עם הארץ כי לחמנו הם סר צלם מעליהם וה' אתנו אל תיראם:

But do not rebel against Hashem; you should not fear the people of the Land [of Canaan]; they are our bread [for us to consume]; their protection has turned from away from them; Hashem is with us – do not fear them.

And that is precisely Rashi's explanation when he writes:

סר צלם - מגינם וחזקם. כשרים שבהם מתו, איוב שהיה מגין עליהם. דבר אחר צלו של המקום סר מעליהם:

Their protection has turned away – Their defender and their strength. Those who were *kosher* among them have died. That is Iyov who protected them.

Another explanation – the protection of Hashem has turned from upon them.

Of course, the two explanations of Rashi overlap. Because those individuals who protected them died, Hashem's protection turned away from the people!

²⁰ The entire verse reads:

בסאסאה בשלחה תריבנה הגה ברוחו הקשה ביום קדים:
According to its measure, when Egypt sent out Israel, will Hashem fight it; Hashem thought it with His harsh wind on the day when it came out from the east [as Israel crossed the Red Sea].

Despite that Moshe was trying to convince the spies to see that which was easy to see in the goodness of Eretz Yisroel and to report on it and explain away that which may be misunderstood at its initial sighting, he remained Moshe Rabbenu and wanted to remind the spies of the need to have faith in G-d Who promised to bring them to Israel.

The way that Moshe Rabbenu chose to give that message, the tactic that he employed, was to raise the question *if* there was someone to protect the Canaanites – noting that would not portend well for Israel's attempt to enter the land. But, since he was aware through his *Ruach HaKodesh* that there was no one who was of such stature, Iyov had already died²¹, they could discover for themselves that the capture of the land would not be endangered by home-born *tsaddikim*. At the same time when investigating the possibility of one who was *kosher* there, Moshe hope to raise the thought before the spies that they, too, need to be *kosher*.

For all the centuries we have pondered what went wrong. Despite his best efforts, Moshe Rabbenu was not successful. Besides the energies that he must have expended in devising the best possible send-off for the spies, in the end Moshe failed.

The spies saw the fortified cities and they chose to be intimidated. They saw the wonderful fruits but they misused the bounty and turned around the *shevach Eretz Yisroel* and made the land forbidding.

וַיִּרְאוּם אֶת פְּרֵי הָאָרֶץ:

They showed them the fruit of the land.

As Rashi writes (Posuk 23):

כשם שפריה משונה כך עמה משונה.

Just like its fruit is abnormal, so are its people.

²¹ In Masseches Bava Basra (14 b) we read the opinion:

Iyov lived at the time of Moshe.

איוב בימי משה היה

It was not necessarily a lost cause from the beginning. Rashi already writes (Posuk 3):

ואותה שעה כשרים היו

The spies were *kosher* when they were sent.

And, yet, at the same

הליכתן בעצה רעה

They went with evil counsel, with bad intentions.

The spies had decided from the very beginning that they would not like what they were going to see. Their attitude was one of negativity.

And so, one of the saddest and most tragic episodes in our history came about.

And what are we to learn from all of this?

It is very simple to read about the meraglim, criticize them and point out all of their faults. That simplicity does not make our comments false. Our comments, the explanations of Chazal and the commentators throughout the millennia are certainly true.

But the error would be in seeing the episode of the Meraglim as past history only, something that is irrelevant for us today. The error would be seeing those events as that which brought us Tish'a B'av and all that is associated with it as being devoid of teachings for us.

Those errors can be avoided if we contemplate how the people were swept away with the הארץ, the *loshon hora* that the spies spread. If we contemplate how the people accepted and defended that *loshon hora*, then we can begin to ask ourselves if we do the same thing in our own day and age when the various 'spies' that exist peddle their beliefs share their ideas with us, in one way or another.

There are people with agendas that are not Torah-based. There are many, including influential individuals, who want us to turn our backs on מוסר אביך and תורת אמן, on Torah life and on the *masorah* that has been transmitted throughout the generations. If we read about them, hear what they have to say, understand that the masses all think that they are correct, we may be swept along by their powerful tide.

Others were swept along in the past because:

בכל דור ודור עומדים עלינו לכלותנו

In every generation they rise up against us to make us extinct.

But they are not successful overall, just like the meraglim were not successful overall.

But, just like in the intervening years the spies brought about havoc and destruction and were punished most severely, so in every generation that are those, often many, who fall along by the wayside and are lost forever.

When the Torah writes about the עשרה נסיונות, the trials in the Wilderness, it is not attempting to teach us history.

The Torah writes to teach us how to live today.

It is not enough to contemplate the *p'shat* of this verse or the other. That is a starting point for us to confront ourselves.

It is not enough for us to be כשר באותה שעה, to be *kosher* at times. We need to seek the personal and communal wherewithal to preserve our identity, individually and nationally.

Am Yisroel has survived the challenges from within and from without, but some of its members have not.

Let us learn to be the survivors with our heads held up high – high in the face of those who wish to extinguish our light of Torah and also high before HaKodosh Boruch Hu so that He will bless and raise us up even more in fulfilment of His blessing:

ישא ה' פניו אליך וישם לך שלום:

When He will raise His Face towards us, we will find the ultimate peace, tranquillity and safety in His protection.

Shabbat Shalom

Rabbi Pollock

