**Parsha Potpourri**

**Parshas Shelach – Vol. 11, Issue 38**

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**הארץ אשר עברנו בה לתור אתה ארץ אכלת יושביה הוא (13:32)**

Parshas Shelach revolves around the sin of the spies who were sent by Moshe to scout the land of Israel. They returned with a negative report about their findings which discouraged the rest of the Jewish people from wanting to enter the land. One of the accusations made by the spies was that Eretz Yisroel is a land which consumes its inhabitants. Rashi explains that Hashem attempted to help the spies by causing the residents of the land to be preoccupied with the burial of their dead so that they wouldn’t notice the presence of the spies, but they cynically interpreted this to mean that the land of Israel is one that devours those who dwell there.

In his work Darkei Mussar, Rav Yaakov Neiman suggests that although the spies were certainly guilty of many sins for their scurrilous report, the sin of lying was not among them, as they were correct in reporting that prior to the arrival of the Jewish people, the land of Israel did in fact consume its inhabitants. He compares this to two people who entered a house that had been completely locked up and closed off for many years, thereby preventing any fresh air from entering. The first person began to complain, "How is it possible to live in such a house?" His wise friend replied, "You fool, you see with your own eyes that the house is large and in excellent condition. The fact that the air is so stagnant is due to the fact that it has been boarded up for so long. If we simply open up the windows, it will air out in no time and you will see how wonderful it really is."

Similarly, the land of Israel is described (Shemos 3:8) as an ארץ טובה- a good land - and the Gemora (Avodah Zara 19b) explains that אין טוב אלא תורה- Torah is the only true good. In other words, Eretz Yisroel is a wonderful land, but only if there is Torah learning occurring there. Torah study is the fresh air of the land of Israel, and without it nobody can survive there. Rav Yosef Chaim Zonnenfeld points out that the numerical value of the expression משמח ציון בבניה- (Hashem) gladdens Zion through her children - is 613, which alludes to the fact that Eretz Yisroel only rejoices when we observe the 613 commandments while living there. This explains why the spies experienced it as a land that strangled and consumed its inhabitants, but this reality would change when the Jewish people entered it and began to study the Torah and observe the mitzvos, which would imbue it with fresh air that would enable them to appreciate what a wonderful land it truly is.

Rav Neiman adds that this explains why the punishment for abandoning the Torah was exile from Eretz Yisroel (Nedorim 81a). It is still possible to survive outside of the land of Israel, where the air is natural and does not require Torah study, and even though sinners are punished for their actions regardless of the country in which they live, Hashem can be merciful and give them time to repent their sins. However, if they would remain in Eretz Yisroel without keeping and studying the Torah, they would die not as punishment for their sins, but as a natural consequence of the fact that the air would stagnate and they would be unable to breathe. Parshas Shelach revolves around the tragic events which caused the 3-week mourning period that begins in the upcoming month of Tammuz. As we prepare to mourn the destruction of the Beis HaMikdash and our exile from the land, we should also appreciate the unique spiritual qualities which make Eretz Yisroel so special, and we should strengthen ourselves in our Torah study and mitzvah observance so that she will speedily welcome us back to enjoy her fresh air.

**ויאמר ד' אל משה עד אנה ינאצני העם הזה ועד אנה לא יאמינו בי (14:11)**

Parshas Shelach revolves around the sin of the spies who were sent by Moshe to scout the land of Israel. They returned with a negative report about their findings which discouraged the rest of the Jewish people from wanting to enter the land. Although their actual sin - speaking negatively about Eretz Yisroel - is explicitly spelled out in the Torah, the deeper underlying root of their actions is not so clear. What was it that caused them, and the rest of the nation who accepted their scurrilous report as fact, to stumble so badly?

Rav Avrohom Yaakov Pam points out that there seems to be a contradiction regarding the fundamental nature of the spies' sin. At first glance, it appears that their actions were rooted in a lack of emunah and bitachon (faith and trust in Hashem), as Hashem said to Moshe, "How long will this nation provoke me, and how long will they not have faith in me?" Similarly, Moshe later rebuked the people regarding this episode (Devorim 1:32) ובדברהזה אינכם מאמינים בד' אלקיכם- In this matter you do not believe in Hashem your G-d.

On the other hand, Rashi writes (26:64) that the decree against those who accepted the negative report of the spies did not apply to the women, as they loved Eretz Yisroel and expressed their desire to live there. This implies that the sin of the spies was rooted not in a lack of trust in Hashem, but in a lack of appreciation for the land of Israel, and there are verses which clearly support Rashi's explanation. Hashem decreed (14:31), "They (your children) shall know the land that you despised," and Dovid writes in Tehillim (106:24), "They (the spies) despised the desirable land; they had no faith in His word," mentioning both sins, but listing their rejection of the land first, indicating that it was the primary sin. In what way did the spies despise the land, and how was that sin related to the very real concerns that they expressed about their ability to militarily defeat the oversized inhabitants of the land?

The Gemora in Bava Basra (142b) rules that if a person attempts to transfer legal ownership of an object to an unborn fetus, his actions are legally meaningless, with one exception. If he is giving ownership to his own unborn child, his actions take effect. What is the reason for this distinction? Rav Pam explains that there are a number of concerns about a fetus - if it will be born alive, and even if it is born, whether it will be physically and mentally healthy. As a result, a person can never decide with absolute certainty that he is ready to transfer legal ownership to a fetus. If so, why is his own child any different? A person is so full of love for his child that he doesn't even contemplate the inherent risks and dangers. His love overwhelms his rational fears and causes him to view his child as innately complete and healthy, in which case there are no obstacles to his commitment to give an item to his own child.

The lesson of this Gemora is that when a person's love for something is strong enough, he doesn't allow himself to see any potential pitfalls or dangers. Although the sin of the spies outwardly manifested itself as a lack of faith and trust in Hashem, the underlying root of their sin was an inadequate love of Eretz Yisroel. Had they possessed the love of the land that the Jewish women did, they wouldn't have been able to concern themselves with the risks involved in conquering a land full of giants.

With this understanding, we can better appreciate why the response of Calev and Yehoshua to the spies' report was to tell the Jewish people (14:7) that טובה הארץ מאד מאד - the land of Israel is very, very good. In what way did that address the spies' concern that they wouldn't be able to defeat the inhabitants of the land? Rav Pam explains that Yehoshua and Calev understood that these fears were rooted in their opinion that the land of Israel was merely a good land, unremarkable in any way. Therefore, they responded that if the people changed their mindsets and internalized the belief that Eretz Yisroel is truly exceptional, their ensuing love of the land would overpower any feelings of anxiety and gloom.

Rav Pam adds that there are often students in yeshiva who express a desire to grow and become great Torah scholars, yet they despair of ever doing so due to their acknowledgement that remaining in yeshiva for the period of time necessary to do so isn't financially viable. Because of concerns about being able to support a family and eventually find a satisfying teaching position, they conclude that they have no choice but to pursue other professional options.

In reality, these concerns and fears are rooted not in a savvy understanding of economic pressures, but rather in an insufficient love of Torah study. Just like the father giving a gift to his unborn child, and just like the women in the wilderness who refused to accept the negative report of the spies, a yeshiva student who loves to learn Torah with every fiber of his being will be unable to concern himself with these issues, as his entire heart will be filled with such a love of Torah that it will become his sole focus. As the Beis HaMikdash was destroyed on Tisha B'Av as a result of the sin of the spies and because of a lack of proper appreciation of Torah study (Bava Metzia 85b), let us strengthen ourselves in our emotional connections to the tremendous gifts of Eretz Yisroel and our Holy Torah.

**Parsha Points to Ponder (and sources which discuss them):**

1. Prior to sending the spies, Moshe changed Hoshea’s name to Yehoshua (13:16). The Gemora in Sotah (34b) interprets this as a blessing and prayer that Hashem should save him from the evil plan of the other spies. Why did he specifically bless Yehoshua more than Calev or any of the other spies? (Gur Aryeh, Kehillas Yitzchok, Chofetz Chaim)
2. Moshe instructed the spies (13:20) to bring back fruits from the land of Israel. As the fruits didn’t belong to them, why wasn’t it considered stealing from the non-Jewish inhabitants and forbidden to do so? (Ayeles HaShachar, K’Motzei Shalal Rav, M’rafsin Igri)
3. Did the spies repent their actions before they died? (Beis Yosef Orach Chaim 580)

**Answers to Points to Ponder:**

1) The **Maharal** explains that Moshe was specifically concerned about the behavior of his close student Yehoshua, as if he sinned, people would associate it with Moshe and it would reflect badly on him. The **Kehillas Yitzchok** questions this explanation, as Moshe cared equally for every Jew and if he had the slightest concern that any of them might sin, he wouldn’t hesitate to bless all of them. Instead, he suggests that Moshe consulted with Hashem about the appointment of each of the spies and knew each of them to be great men, and he trusted that even if they were tempted to slander the land of Israel, they would overcome the temptation even without his blessing. However, Moshe was specifically concerned that Yehoshua may not pass the test because when Eldad and Meidad prophesied that Moshe would die and Yehoshua would lead the people into the land of Israel, Yehoshua became upset by this prospect and urged Moshe to destroy them (11:28). Moshe was therefore concerned that Yehoshua may be willing to slander the land of Israel in order to delay their entrance into it in an attempt to prevent Moshe from dying, so Moshe specifically blessed him that he should stay strong and be saved from doing so.

2) **Rav Aharon Leib Shteinman** suggests that Hashem gave them permission to take the fruits on a one-time basis. However, he notes that the Medrash teaches that the wine-libations brought in the wilderness came from the grapes brought back by the spies, and he notes that even if they were given permission to bring back the fruits, it is unclear whether the fruits legally belonged to them so that they could be used as offerings in the Mishkan. The **M’rafsin Igri** quotes the Gemora (Avodah Zara 53b) which teaches that the land of Israel is legally considered an inheritance to us from the Avos, in which case the spies were entitled to take its fruits even before the Jews had entered and conquered the land. Alternatively, **Rav Yehuda Assad** suggests that when Moshe told the spies ולקחתם מפרי הארץ, he wasn’t telling them to take the fruits, but to purchase them from their rightful owners.

3) The Tur writes that some people have the custom to fast on 17 Elul to commemorate the deaths of the spies on that day. The **Beis Yosef** questions why it would be appropriate to fast on the day of their deaths as a way of mourning when Shlomo HaMelech writes (Mishlei 11:10) that the punishment and destruction of the wicked is a cause for joy. He answers that the spies presumably repented their sins prior to their deaths, but their תשובה was not accepted and they were still punished, and the fact that their repentance wasn’t accepted is indeed a legitimate reason to fast and mourn.

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