

Parshat Va'etchanan-2018/5778

A very worthy Jewish tradition which has fallen out of favor in the past century, is the writing of ethical wills, *tzava'ot*. It is said that tradition came from Jacob, on his deathbed, telling his recently reunited sons of his wishes regarding where he wanted to be buried as well as his blessings, and warnings, to each of his sons. For centuries, Jewish fathers and mothers would instruct their children through these wills to carry out mundane wishes such as burial instructions or how to pay off debts. Yet what made these documents so potent, and what we miss today, is that *tzava'ot* mainly focused on passing down a lifetime of wisdom and an ethical framework for the continuation of Jewish values to the next generations. Differing from today's wills, which are often dry recitations of how one's property gets divided to heirs or donated to charities, *Tzava'ot* were meant to convey one's hopes, legacy, blessings, and in some cases, rebuke. Though these were typically private documents shared within a family, there were famous cases in which these documents were made public, such as when the Talmudic scholar, Rabbi Eliezer circulated an ethical will that rebuked his students for not taking more advantage to learn from him.

One of the most famous ethical wills was written by Judah ibn Tibbon, a Sephardic physician and scholar, to his son from his deathbed in 12th century France. Most memorable among the 50 page document regarded the importance of books: "let books be your companions; let bookcases and shelves be your pleasure grounds and gardens." Even secular Jews used *tzava'ot* to underline to their children the importance of staying connected to a Jewish community or to the land of Israel.

This week's *parsha*, *Va'etchanan*, is Moses' ethical will to his children, the Children of Israel. At the end of last week's *parsha*, *Divarim*, Moses describes finishing a bloody military campaign with the conquering of the Bashan kingdom of Og, essentially in what is now the Golan Heights. This meant that in the previous year, the Israelites had conquered kingdoms that spanned from what is now Aqaba, next to current-day Eilat, all the way up the eastern side of the Dead Sea and the Jordan River. Moses does not sugarcoat his description of these battles: he states several times that the enemies were killed down to the last man, woman and child.

And yet, here's this week's *parsha*, with Moses sounding totally different. He knows that if he doesn't act like a leader, his flock will become bloodthirsty, inured to war and conflict. They will forget their mission, which is to inhabit the Promised Land of Israel, and just pursue war, war with others, war with themselves.

Moses sits down his people, his Ministers of Hundreds, his Ministers of Thousands, and he gives them God's ethical will. He recounts how G-d chose them and repeatedly saved them even when they strayed to false idols. He recounts the special covenant that seals the love between G-d and the Jewish People. He reminds them that their success to date, and their inevitable success in conquering their promised land, one in which he will not be able to share with them, was a gift from G-d that we must never forget.

And after recounting the 10 commandments, with one word changed *zachor* (remember) to *shamor* (observe), he tells them that he will recount in his farewell *tzafa'ah*, his final testament, all the laws and commandments found in the previous 4 books of the Torah. He starts by reminding us of our mutual love with God with the reading of the *Shema*, reminding us that we must love the Lord with ALL our hearts and ALL our souls. Perhaps, this is why the word *shamor*, observe, was used here: no more theoretical talking about our love of God; it's time for us to show it in our actions.

If Moses was to be successful in creating an ethical nation, and not just a warring one, he must convey how much more important Jewish values are above possessions or transient conquests. He must transcend what are found in current day legal wills to what he wants to be found in an ethical will. To underline this, Moses uses one of the most potent, ethical statements in the Torah. He says:

צַוְּךָ אֲשֶׁר, וְחֻקֶיךָ וְעֲדוֹתֶיךָ, אֲלֵהֶיכֶם יְהוָה תִּמְצָו-אֶת, תִּשְׁמְרוּן שְׁמוֹר.

You shall diligently keep the commandments of the Lord your God, and God's testimonies and statutes, which God has commanded you.

יְהוָה בְּעֵינַי, וְהַטּוֹב הַיָּשָׁר וְעָשִׂיתָ.

And you shall do what is right and good in the sight of the Lord

It would seem that all that would be needed is the first sentence: obey all of God's laws and commandments, PERIOD. Why is it necessary to add that one must do what is "right" and what is "good"? Shouldn't they be included in the laws and commandments? Aren't all the laws righteous, and therefore good?

Rashi explains this with a very famous concept: that the reason Moses said "what is right and good" is for *lifnim mi-shurat ha-din*, that is, compromise and action within or beyond the letter of the law. The law gives us a minimum standard, a threshold of what is required. But to be an ethical nation requires aspiration to a higher standard, going beyond what is minimally required. This, by the way, is the definition of *chassiduss*, of the notion that a person should go beyond what is required in a mitzvah.

The Rambam, Maimonides, takes a slightly different tack: he states

At first Moses said that you are to keep God's statutes and testimonies which God commanded you, and now God is stating that even where God has not commanded you, give thought as well to do what is good and right in God's eyes, for God loves the good and the right.

Here, the Rambam lets all of us know that we, individually, are partners with God to make the world better. Even if there is no specific commandment, we must go further than the 613 mitzvot and find for ourselves ways to do what is "right and what is good."

אתה הַבְּרִית-אֶת יְהוָה כָּרַת, אֲבֹתֵינוּ-אֶת לֹא:

חַיִּים כְּלָנוּ הַיּוֹם פֶּה אֵלֶּה אֲנַחֲנוּ, אֲתָנוּ כִּי

Not with our fathers did God make this covenant, but with us, we who are alive here today.

Moses teaches us, his future generations, that it is not sufficient to perform a mitzvah, it is important HOW we do it, whether we use humility, care, tact or honor. Rabbi Jonathan Sacks teaches us that laws and justice are universal- we want that they should be applied equally, with no consideration of whether a person is rich or poor, educated or not. But love, he states, is particular. "A parent loves his or her children for what makes them unique". A moral life, which Moses was teaching us in this *parsha*, is a combination of both universal laws and particular love.

I leave you with a quote by the Rev. Dr. Martin Luther King, Jr.:

I refuse to accept the view that mankind is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and brotherhood can never become a reality... I believe that unarmed truth and unconditional love will have the final word.