

## Ezra Instituted the Reading of the Curses before Rosh HaShoneh to Mitigate the Forces of Strict Justice and Lenient Justice

We have learned in the Gemoreh (Megilloh 31b) that Ezra HaSofer instituted that Yisroel read the curses found in parshas Bechukosai before the holiday of Shavuot and the curses found in parshas Ki Sovo before Rosh HaShoneh:

”תניא רבי שמעון בן אלעזר אומר, עזרא תיקן להן לישראל, שיהו קורין קללות שבתורת כהנים קודם עצרת, ושבמשנה תורה קודם ראש השנה, מאי טעמא, אמר אבוי ואיתימא ריש לקיש, כדי שתכלה השנה וקללותיה.”  
a Baraie: Rabbi Shimon ben Elazar says: Ezra decreed that Yisroel should read the curses found in sefer Vayikro prior to Shavuot and those in sefer Devarim prior to Rosh HaShoneh. For what reason? Abayei said, while some say that Reish Lakish said it: so that the year may end along with its curses.

Then, the Gemoreh asks: אלא שבתורת כהנים אטו עצרת “בשלמא שבמשנה תורה איכא כדי שתכלה שנה וקללותיה ראש השנה היא” --the concept of “let the year end along with its curses” is understood regarding the institution of reading the curses in sefer Devarim prior to Rosh HaShoneh, but what is the relevance of this concept to the festival of Shavuot? Is Shavuot the beginning of a new year? The Gemoreh answers: “אין עצרת נמי ראש השנה היא דתנן ובעצרת על פירות האילן” -- indeed, Shavuot is also a type of New Year . . . with respect to the fruits of the trees.

Here is how the Tiferes Shelomo (Ki Sovo) explains the matter:

”יש לתת טעם בענין התוכחה, מה שאנו קוראים בעת הזאת שתכלה שנה וקללותיה, והוא כמו שאומרים (הושע יד ג) ונשלמה פרים שפתינו, שאם חס ושלום נגזר אשר לא טוב, הנה יצאנו ידי חובתינו בקריאת הדברים האלה, וממילא יתהפכו לנו כולם לברכה”

This body of curses, known as the Tochachah, the Rebuke, accomplishes the goal of “let the year end along with its curses,” based on the principle of (Hoshea 14, 3): ונשלמה פרים שפתינו — and let our lips substitute for bulls. In other words, reciting a corresponding passage of the Torah acts as a substitute for the act described in that passage — such as bringing a particular korban or, in this case, realizing the punishments recorded as curses.

The message here is crucial. This Shabbos, during the Torah-reading, each and every one of us is obligated to focus with extreme reverence and yiras shamayim. By having in mind that the recitation of the passage of the Tochachah should act as a substitute for our having actually received the punishments described therein, we hope to fulfill the dictum of “let the year end along with its curses.” By having received our just punishments, we can merit, in the year to come, a “ktivah va’chatimah tovah,” and a year of blessing and all that is good.

Hence, it is only fitting that we explore the matter of the Tochachos at this time. Why, in fact, did HKB”H see fit to divide the Rebukes in the Torah into two separate portions — one in parshas Bechukosai and one in this week’s parsha, parshas Ki Sovo? Additionally, we shall introduce several issues related to the Tochachos from our sacred sources. May Hashem guide us on our journey!

### The Two Sets of Curses

The number of curses in the Tochachah in parshas Ki Sovo number ninety-eight; these are in addition to the forty-nine curses found in parshas Bechukosai. Our blessed sages reveal to us an important distinction between these two sets of Rebukes. They teach us in the Gemoreh (Megillah 31b) that Moshe Rabeinu pronounced the curses in parshas Bechukosai in the name of the Almighty; whereas, the curses in parshas Ki Sovo, Moshe uttered on his own.

As stated in the Mishnah (ibid. 31a), there are halachic ramifications due to this distinction: “אין מפסיקין בקללות — אלא אחד קורא את כולן” — we may not stop in the middle of the curses; rather, one person is called up to read the entire passage. The rationale behind this halachah is provided in the Gemoreh (ibid. 31b): “לפי שאין אומרים ברכה — על הפורענות” — since the Tochachos are punishments, it is inappropriate for the person called up to the Torah to recite a berochoh over them. Tosafos provide some clarification, in the name of the Yerushalmi: “אני אמרתי עמו אנכי בצרה, — ואם כן אין דין שיברכנו בני על הצרות שלהם” — since

Scriptures state that HKB"H joins us in our suffering, so to speak, it is inappropriate to bless Him while He is suffering along with us.

Next, the Gemoreh asks: "אלא היכי עביר" — so, how is one to proceed in order not to make a berochoh over the Tochachos? It answers: מתחיל מתחיל בפסוק "תנא כשהוא מתחיל מתחיל בפסוק" — when one goes up to the Torah, the reading begins one possuk before the beginning of the Tochachah and continues, without interruption, until one possuk after the conclusion of the Tochachah; thus, one is not reciting a Berochoh directly on the Tochachah.

"אמר אביי, לא שנו אלא בקללות שבתורת כהנים" — Abayei said: this rule was only instituted with regard to the curses in sefer Vayikro, i.e. in parshas Bechukosai; אבל "אבל" — regarding the curses in parshas Ki Sovo, however, the reading can be interrupted, and another person can be called up to the Torah; "מאי", טעמא, הללו בלשון רבים אמורות ומשה מפי הגבורה אמרן, — והללו בלשון יחיד אמורות ומשה מפי עצמו אמרן" — why do we make this distinction? The former, in parshas Bechukosai, were pronounced in the plural form and were uttered by Moshe in the name of the Almighty, whereas the latter, in parshas Ki Sovo, were pronounced in the singular and were uttered by Moshe of his own accord.

Rashi comments: "משה מפי הגבורה אמרן, ונעשה שליח" — לומר כך אמר לי הקב"ה, שהרי אמורין בלשון ונתתי והפקדתי ושלחתי, מי שהיכולת בידו לעשות, אבל במשנה תורה כתיב, יכבה ה', ירבק ה' בך, משה אמרן מאליו, אם תעברו על מצוותי הוא יפקיד עליכם" — when it states that Moshe pronounced them in the name of the Almighty, it means that he was acting as HKB"H's messenger, relaying to the people what HKB"H had said to him; this is evident from the fact that these curses utilize a formula suggesting that He Who possesses the ability to enact these punishments pronounced them, e.g. I will send; on the other hand, the curses in parshas Ki Sovo employ a third person formula, e.g. Hashem will strike you, indicating that Moshe is speaking of his own accord — in other words, Moshe is saying that if you violate these commands, He will punish you.

Tosafot, however, explain: "משה מעצמו אמרם, וברוח" — Moshe uttered them of his own accord means that they were the product of divine inspiration. This understanding is also shared by the Zohar hakadosh (Voeschanan 265a) and Rabeinu Bachayei (at the end of this week's parsha):

"ודע כי התוכחות שבפרשה זו נאמרו בלשון משה, לא שאמר משה מפי עצמו, שהרי קבלה בירדנו שכל התורה כולה, מבראשית עד לעיני כל ישראל, הכל כתב משה מפי הגבורה, ומה שדרשו חכמינו ז"ל, קללות שבתורת כהנים הקב"ה אמרן, ושבמשנה תורה מפי עצמו אמרן, הכוונה לומר באלו מפי עצמו, שהסכימה דעתו לדעתו של הקב"ה".

Although the curses in our parsha appear in Moshe's own language, he dispels the notion that they were pronounced entirely of Moshe's own accord. For, we have an established principle that the entire Torah, from the first word in Bereishis to the last word in Devarim, was written by Moshe, as he was directed to do so by the Almighty. Therefore, when Chazal state that Moshe pronounced the curses in sefer Devarim of his own accord, they are merely suggesting that Moshe's initiative coincided with HKB"H's ultimate plan.

### Moshe Uttered These Curses in Accordance with His Attribute of Mercy

Notwithstanding, Abayei's distinction between the first set of curses and the latter requires explanation. If the reason for not interrupting during the reading of the curses in parshas Bechukosai is because it is inappropriate to make a Berochoh over punishments, shouldn't this reasoning apply to the curses in parshas Ki Sovo, as well? What difference does it make if Moshe uttered them of his own accord — especially, if they were, in fact, a product of divine inspiration?

Furthermore, it is astonishing that Moshe would utter curses concerning Yisroel of his own accord. After all, Moshe Rabeinu was the devoted and loyal shepherd of Yisroel, who was willing to sacrifice his life on their behalf — as we witnessed concerning the sin of the egel. There, HKB"H said to him (Shemos 32, 10): "ועתה הניחה לי ויחר אפי בהם ואכלם" — and, now, leave Me be; let My anger burn against them; I shall annihilate them and make you into a great nation. We see, though, that Moshe did not agree with this plan and responds to HKB"H (ibid. 32, 32): "ועתה אם תשא חטאתם ואם אין מחני נא מספרך אשר כתבת" — and, now, if You would only bear their sin; otherwise, please erase me from Your book that You have written.

In view of his unquestionable dedication to Yisroel, what would possess him to add curses of his own upon Yisroel? Even if we follow Tosafot's view that Moshe uttered the curses by divine inspiration, or Rabeinu Bachayei's opinion that he merely discerned HKB"H's resolve, it doesn't make the matter any easier to comprehend. Based on his vehement opposition to HKB"H's decree after the sin of the egel, and his great love for Yisroel, why didn't Moshe contest these decrees in a similar fashion? So, the question remains, why would Moshe consent to curse Yisroel?

We find an explanation for this puzzling question in the words of Rabbi Shimon bar Yochai, RaShb"Y, in the Zohar hakadosh (Voeschanan 265a), where he appears to be addressing this very difficulty. Here is a Hebrew translation of the passage in the Zohar:

”ואמר רבי שמעון, שנינו, קללות שבתורת כהנים, משה מפי הגבורה אמרן, ושכמשנה תורה, משה מפי עצמו אמרן, מאי מפי עצמו, וכי יעלה על דעתך שאפילו אות קטנה בתורה משה אמר לה מעצמו, אלא יפה הוא וכבר נתעוררנו על כך, ‘מעצמו’ לא שנינו אלא ‘מפי עצמו’, ומה הוא, אותו קול שהוא נאחז בו, ועל כן הללו מפי הגבורה והללו מפי עצמו, מפי אותה דרגה שנתקשר בה על שאר נביאים נאמנים”

Rabbi Shimon bar Yochai focuses on the fact that Chazal describe the curses in sefer Devarim as being pronounced “מפי עצמו”, meaning from his own mouth, rather than “מעצמו”, meaning of his own accord. He states that we should not even consider for a moment that Moshe would utter a single letter of the Torah of his own accord. Therefore, the divine kabbalist Rabbi Moshe Cordovero, known as the Ramak, and the other commentaries on the Zohar clarify the difference between the terms “מפי הגבורה” and “מפי עצמו”. “מפי הגבורה” connotes that the curses in sefer Vayikro emanated from the attribute of “gevurah,” which represents strict justice; while the term “מפי עצמו” suggests that the curses in sefer Devarim emanated from the root of Moshe’s neshamah, from the attribute of mercy. Yet, even these latter curses were pronounced as a form of prophecy or divine inspiration. Even this explanation requires further clarification. For, Moshe’s curses are still curses and not blessings; so, in what sense do they possess or reflect any greater degree of mercy than the first set of curses?

### The Name Havaya Is Mentioned Numerous Times in Moshe Rabeinu’s Tochachah

A solution to these quandaries can be suggested based on a question found in the Responsa of the Radbaz (Part 2, 769): why do we find words of consolation in the Tochachah that appears in parshas Bechukosai and none in parshas Ki Sovo? In Bechukosai, it states (Vayikro 26, 42): “וזכרתי את בריתי: יעקב ואף את בריתי יצחק ואף את בריתי אברהם אזכור והארץ אזכור... ואף גם זאת בהיותם בארץ אויביהם לא מאסתים ולא געלתים לכלותם להפר בריתי אתם כי אני ה' אלקיהם, וזכרתי להם ברית ראשונים אשר הוצאתי אותם מארץ מצרים לעיני Hashem proclaims that He will recall His covenant with the Patriarchs, and that, even while they are in exile, He will not despise them, annihilate them or annul His covenant with them. In stark contrast, no similar words of consolation are proffered in parshas Ki Sovo. The Radbaz responds as follows:

”שאלת ממני למה לא נכתבת נחמה, בקללות של והיה כי תבא אל הארץ, כמו בקללות של אם בחוקותי. תשובה: שאלה זו נשאלה בספר הזוהר... ומה שנראה לי לתרץ, כי אין צריך נחמה בפרשת כי תבא, לפי שנחמתם בצדם, שאין פסוק ופסוק שלא הוזכר בו שם ההוי"ה המורה על הרחמים, להודיע שהמדה היא ברחמים, על דרך (איוב ה יח) ימחץ וידינו תרפינה, ואין לך נחמה גדולה מזו.”

First, he points out that this question is asked in the Zohar. Then, he states that words of consolation are unnecessary in parshas Ki Sovo; for, they are inherent in the Tochachah itself. Examination of the text, reveals that almost every possuk mentions the name Havaya, the name that reflects divine mercy. This in itself is the greatest consolation imaginable.

The Radbaz’s comment that nearly every possuk mentions the name Havaya isn’t to be taken precisely or literally. There are many pesukim in the Tochachah that do not mention the name Havaya. So, we must suggest that he is merely pointing out that the name Havaya appears frequently in the text of the Tochachah. Thus, we remain with the mystery as to: (a) why does HKB"H not mention the name Havaya in the first set of curses? And (b) why did He split the Tochachos into two separate entities, one appearing in parshas Bechukosai and one in parshas Ki Sovo?

### The Two Days of Rosh HaShoneh Represent Two Forms of Justice

It is well-known that the Torah describes Rosh HaShoneh השביעי באחד לאחר לחדש יהיה לכם שבתון זכרון תרועה מקרא קודש” — (as a one day holiday, as it is written (Vayikro 23, 24) in the seventh month, on the first day of the — month, you shall celebrate a rest day, a remembrance with shofar blasts, a holy convocation. Nevertheless, the sages instituted an additional day of Rosh HaShoneh even in Eretz Yisroel. The Rambam explains the halachic rationale (for this institution (Hilchos Kidush HaChodesh 5, 7-8):

”יום טוב של ראש השנה בזמן שהיו קובעין על הראייה, היו רוב בני ארץ ישראל עושין אותו שני ימים טובים מספק, לפי שלא היו יודעין יום שקבעו בו בית דין את החודש, שאין השלוחין יוצאין ביום טוב. ולא עוד אלא אפילו בירושלם עצמה שהוא מקום בית דין, פעמים רבות היו עושין יום טוב של ראש השנה שני ימים טובים.”

שאם לא באו עדים כל יום שלשים, נוהגין היו באותו היום שמצפין לעדים קודש ולמחר קודש, והואיל והיו עושין אותו שני ימים ואפילו בזמן הראייה, התקינו שיהו עושין אפילו בני ארץ ישראל אותו תמיד שני ימים, בזמן הזה שקובעין על החשבון, הנה למדת שאפילו יום טוב שני של ראש השנה בזמן הזה מדברי סופרים.”



Originally, the date of Rosh HaShoneh was established based on the first sighting of the new moon; consequently, most of the inhabitants of Eretz Yisroel, celebrated two days due to uncertainty — for they had no way of knowing what day had been officially designated as Rosh HaShoneh by Beit-Din. Even in Yerushalayim, where the Beit-Din was located, they often celebrated two days of Rosh HaShoneh.

Seeing as it was celebrated as a two-day holiday, even when the dates were determined by the sighting of the new moon, it was instituted that even those living in Eretz Yisroel would always celebrate two days of Rosh HaShoneh. In our times, when the calendar is based on precise calculations, it is clear that the second day of Rosh HaShoneh remains as a Rabbinical institution.

A deeper meaning underlying this institution is provided for us by our teacher, the Arizal, in Shaar HaKavanos (Rosh HaShoneh, Drush 2), citing the Zohar hakadosh (Pinchos 231b). He teaches us that on the two days of Rosh HaShoneh, HKB"H judges all of creation with two categories of justice. The first day is characterized by "דינא קשיא" (pronounced "dina kashya"), strict justice; while the judgment of the second day is characterized by "דינא רפיא" (pronounced "dina rafya"), a more lenient form of justice.

"My teacher, of blessed memory, used to cry a lot during the Rosh HaShoneh prayers. . . . He would say that if anyone did not succumb to tears during these days, it was a sign that their neshamah was unworthy and lacking. He would also say that some people were judged on the first day by the standard of דינא קשיא, while others were judged on the second day by the measure of דינא רפיא — the Holy One judged them on the second day because He wanted to show them mercy. He also said that when someone broke into copious tears spontaneously, on his own, whilst praying, it was a sign that he was being judged on high at that moment--whether it was the first day or whether it was the second day."

Here, we find clear-cut evidence that when HKB"H finds Jews that have repeatedly transgressed and now wish to repent, He mercifully judges them on the second day of Rosh HaShoneh, by the more lenient standard of "dina rafya" — for, He knows full well that if they were subjected to the more stringent measure of "dina kashya," they would not survive.

This provides us with a better insight into the meaning of RaShb"Y's statement--that had the sages not instituted the second day of Rosh HaShoneh, the world would have already been destroyed. If not for the second day, the day characterized by more lenient justice, the Almighty would judge all of creation on the first day, by the strict measure of דינא קשיא; surely, the world would have already been destroyed. After all, the yetzer hara is a relentless foe, always seeking to trap us in his net--beginning in our youth. Therefore, the sages wisely instituted the second day of Rosh HaShoneh, to allow us to be judged by HKB"H by the more lenient standard of דינא רפיא; this enhanced leniency and mercy, allows us the opportunity to perform teshuvah sincerely and completely.

### If Not for the Second Day of Rosh HaShoneh the World Would Have Been Destroyed

Come and see, a truly astonishing statement by RaShb"Y regarding this matter (Zohar, ibid., 231a). He states that had the sages not instituted the second day of Rosh HaShoneh, the world would have already been destroyed:

"יום ראש השנה הוה בכל זמנא תרין יומין אינון, מאי טעמא, בגין דלהוי יצחק כליל דינא ורחמי. תרין יומין ולא חד, דאלמלא ישתכח יחידאי יחריב עלמא."

To gain a better understanding of the significance of RaShb"Y's statement, let us introduce a valuable lesson gleaned from the incomparable teachings of our master, the Arizal, as recorded by his devoted student Rabbi Chaim Vital in Shaar HaKavanos:

"גם היה נוהג מורי ז"ל לבכות הרבה בתפלת ראש השנה, אפילו שהוא יום טוב ומכל שכן בתפילת יום הכיפורים, והיה אומר מורי ז"ל כי מי שאין בכיה נופלת עליו בימים האלו, הוא הוראה שאין נשמתו הגונה ושלימה."

גם היה אומר, כי יש בני אדם נידונים ביום ראשון ואז הם דינא קשיא, ויש נידונים ביום ב' שהוא דינא רפיא, ורוצה הקב"ה לרחם עליהם ודן אותם ביום הב', ואמר כי האדם הנופלת עליו בכיה רבה מאליו בימים האלו בתפילה, הוא הוראה שנידון באותה שעה למעלה אם ביום א' ואם ביום שני."

### The Two Tochachos Represent

דינא רפיא and דינא קשיא

Based on all that we have discussed, let us propose, with reverence and appreciation, that the Tochachos in parshas Bechukosai correspond to "dina kashya", the severe form of justice; this explains why the name Havaya, representing mercy, does not appear even once within that set of curses. Instead, HKB"H consoled them at the end of the Rebuke: "וזכרתי את בריתי יעקב ואף את בריתי יצחק ואף את בריתי אברהם אזכור והארץ אזכור... ואף גם זאת בהיותם בארץ אויביהם לא מאסתים ולא געלתים לכלותם להפר בריתי אתם כי I will remember My covenant with Yaakov and also My covenant with Yitzchak, and also My covenant with Avraham will I remember, and I will remember the

land. . . But despite all this, while they will be in the land of their enemies, I will not have been revolted by them nor will I have rejected them to obliterate them, to annul My covenant with them — for I am Hashem, their G-d.

Moshe Rabeinu, the devoted shepherd, who only wished to insure Yisroel's well-being, realized that if HKB"H would punish them based on this stricter, harsher standard of justice, they would not endure — similar to the conclusion drawn by RaShb"Y that if the world was only judged on a single day of Rosh HaShoneh, by the measure of "dina kashya," the world could not endure. Therefore, he devised a plan which coincided with HKB"H's will — to incorporate a second set of curses, in parshas Ki Sovo, representing the more lenient measure of "dina rafya." This is why Moshe Rabeinu mentions the name Havaya within the body of these curses — to lessen the severity of these decrees, reducing them from a standard of strict justice to a standard of lenient justice.

Thus, we have shed some light on the meaning of RaShb"Y's statement that the curses in sefer Vayikro were pronounced "מפי הגבורה" — based on the attribute of severity and judgment — whereas the curses in sefer Devarim, were pronounced by Moshe "מפי עצמו" — based on his attribute of splendor and mercy. In other words, the first set of curses were uttered based on a standard of "dina kashya" and severity, while the second set of curses were uttered from the depths of Moshe's neshamah — which always sought mercy for Yisroel. Of course, by doing so, he discerned, in reality, HKB"H's ultimate intent.

At this juncture, we can better appreciate the distinction Abayei makes between the two sets of curses — that we are not allowed to stop during the Tochachos in parshas Bechukosai, but we may interrupt the reading of the Tochachos in parshas Ki Sovo with Berochos. He explains his reasoning as follows: "הללו בלשון רבים אמורות ומשה מפי הגבורה אמרן, והללו בלשון יחיד אמורות ומשה מפי עצמו אמרן" — the former were pronounced in the plural form and were uttered by Moshe as directed by the Almighty, while the latter were pronounced in the singular and were uttered by Moshe of his own accord. We noted our incredulity above; according to the rationale provided in the Gemoreh: "לפי שאין" — because it is inappropriate to recite a Berochoh over punishments — what difference does it make if the curses were prompted by the Almighty or if they were initiated by Moshe of his own accord?

According to our current understanding, however, the difference can be explained very nicely. The curses in parshas Bechukosai were uttered by Moshe "מפי הגבורה",

alluding to the fact that they are based on a strict and severe standard of justice. Therefore, it is inappropriate to interrupt the reader during this set of curses with the recitation of Berochos. That would appear as if we were insinuating brazenly that we are worthy of being judged by this strict measure of justice — so much so that we would even dare to bless HKB"H for these punishments. This would invite HKB"H to judge us, chas v'shalom, by the measure of "dina kashya,"

On the other hand, the set of curses in parshas Ki Sovo, were uttered by Moshe "מפי עצמו", stemming from his attribute of mercy, constituting a more lenient form of judgment. As noted, this is why he repeatedly mentions the name Havaya within this body of curses — in order to mitigate the measure of justice being employed and precluding the strictness of "dina kashya." Therefore, it is permitted to interrupt the reading of this set of curses with the recitation of Berochos. After all, the Berochos we recite mention the name of HKB"H: "ברוך אתה ה' נותן התורה" — **Blessed art thou, Havaya, Giver of the Torah.** In this manner, we are merely invoking additional leniency to that invoked by Moshe with the numerous mentions of the name Havaya already present in these latter Tochachos.

This understanding of the two sets of Tochachos allows us a very nice explanation of the Gemoreh's statement: "עזרא תיקן להן לישראל, שיהו קורין קללות שבתורת כהנים קודם עצרת, ושבמשנה תורה קודם ראש השנה... כדי שתכלה השנה וקללותיה" — Ezra instituted that Yisroel recite the curses in sefer Vayikro prior to Shavuot and the curses in sefer Devarim prior to Rosh HaShoneh . . . so that the previous year should end along with its curses. As explained, HKB"H judges Yisroel on the two days of Rosh HaShoneh by two distinct standards — "dina kashya" and "dina rafya."

With this in mind, Ezra devised a system whereby Yisroel would complete the reading of both Tochachos — which represent these two categories of justice — prior to Rosh HaShoneh. This was designed to insure that the year and its curses would come to an end with the recitation of the two Tochachos and that Yisroel would be spared, in this merit, from the two forms of judgment on Rosh HaShoneh.

**Moshe Rabeinu Mentions the Name Havaya Twenty-seven Times Equaling שב"ת**

Now, based on what we have learned, we can begin to understand why Moshe Rabeinu mentioned the name Havaya in the Tochachos that he formulated a precise number of times. Concerning the precise number of times that this name of Hashem appears in the Tochachos in parshas Ki Sovo,



the Baal HaTurim remarks (28, 68): "כ"ו שמות בתוכחה כנגד" – the twenty-six mentions of the holy name in the Tochachah correspond to the twenty-six times the name is mentioned in the eighteen blessings of Shemoneh-Esreh (excluding the berochoh V'lamalshinim).

In truth, last year we pointed out that the Baal HaTurim's calculation omits the final mention of the name Havaya in the very last possuk of the Tochachah (28, 69): "אלה דברי הברית אשר צוה ה' את משה לכרות את בני ישראל בארץ מואב מלבד אשר צוה ה' את משה לכרות את בני ישראל בארץ מואב בחורב" It appears that his reasoning for this omission is that this possuk is actually the conclusion of the passage and is associated not only with the curses but with the blessings mentioned before the curses, as well (ibid. 28, 1): "והיה אם שמוע תשמע בקול ה' אלקיך... ובאו עליך כל" – "It shall be that if you heed the voice of Hashem, your G-d, . . . all of these blessings will come upon you and overtake you."

Notwithstanding, the author of the Rokeach on the Torah, one of the Tosafists, writes (Ki Sovo) that the Tochachos in parshas Ki Sovo contain 775 words. If we do, in fact, count the number of words in this Tochachah, it is evident that he includes the last possuk – mentioned above – in his count. So, according to the Rokeach, these Tochachos actually contain twenty-seven mentions of the name Havaya, which are meant to protect us.

Following the lead of the hallowed author of the Rokeach, let us propose a reason as to why Moshe Rabeinu chose to mention the name Havaya twenty-seven times in the body of curses that were pronounced of his own accord. We will base our explanation on a fact found in the Arizal's Pri Etz Chaim: "שבת גימטריא ז"ך היות פשוטות" – twenty-seven times the numerical equivalent of the name Havaya equals 702, שב"ת.

### Shabbos Minimizes the Severity of the Two Forms of Justice

The significance of this association with Shabbos can be understood in light of an explanation found in the Bnei Yissaschar (Shabbos 1, 6); he discusses why we do not blow shofar on Rosh HaShoneh when it falls on Shabbos. We know that the purpose of the mitzvah of blowing shofar on Rosh HaShoneh is to minimize the severity of the decrees. In the words of the Midrash (Vayikro Rabbah 29, 3): "בשעה שישראל נוטלין את שופריהן ותוקעין לפני הקב"ה עומד מכסא וישראל נוטלין את שופריהן ותוקעין לפני הקב"ה עומד מכסא רחמים" – Yisroel blow their shofars before HKB"H, He vacates His throne of judgment and sits down, instead, on the throne of mercy.

Concerning the sanctity of Shabbos, the Zohar hakadosh comments (Yisro 88b): "בהדין יומא כל דינין אתכפיין ולא מתערין בעלמא". In other words, on the day of Shabbos, all decrees are annulled forever. Note, the language of the Zohar hakadosh: "כל דינין אתכפיין" – all decrees, alluding to the fact that both "dina kashya," the harsh form of justice, and "dina rafya," the more lenient form of justice, are minimized and abolished on Shabbos. A sweet allusion to this phenomenon is found in the very name שב"ת. The numerical value of שב"ת is 702, which is the same as the sum of the two words רפי"א (291) plus קשי"א (411). Therefore, it is unnecessary to blow the shofar on Rosh HaShoneh that falls on Shabbos – for the purpose of minimizing the severity of the two categories of justice. This function is accomplished by the day of Shabbos itself.

This power inherent in the day of Shabbos and this allusion of the numerical values, gimatriahs, is expressed by the author of the Bnei Yissaschar in his Agra D'Pirka (252) as follows:

"בוהר תרומה (דף קלה): ברזא דשבת מבואר שם, כל שולטני ורגיזין ומאר"י דיני"א כולהו ערקין ואתעברו מינה עיין שם. יש לפרש הכפל לשון, היינו הדינים הקשים מסוד דינא קשיא, והדינים הרפים מסוד דינא רפיא כולהו נמתקים בשבת, על כן תמצא כי שב"ת בגימטריא קשי"א רפיא".

It should now be clear to all why Moshe Rabeinu, in the set of curses he added on his own initiative, chose to mention the name Havaya precisely twenty-seven times – the numerical value of שב"ת (27x26=702).

He cleverly inserted twenty-seven mentions of the name Havaya to invoke the power of Shabbos to minimize the severity of both categories of justice, as alluded to by the fact that שב"ת equals רפי"א plus קשי"א.

We now have a fantastic explanation for Ezra's institution to complete the readings of the two sets of curses specifically on Shabbos Kodesh. Seeing as the two Tochachos represent the two categories of justice, "dina kashya" and "dina rafya," which we wish to annul, Shabbos is the time best-suited to complete this process – Shabbos, whose numerical value equals "kashya" plus "rafya," alluding to its ability to abolish these two forms of justice. By eliminating both types of decrees, we happily fulfill the objective of: "שתכלה שנה" – "let the year and its curses, the harsh ones and the more lenient ones, come to an end. Thus, the two forms of justice in force on Rosh HaShoneh will have been neutralized, and we will merit a "ksiveh va'chasimeh toveh" and a year full of happiness and blessing.