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 Shlach 5782

### Agency

Last week, Sophie and I took a short trip to the border region between Wisconsin and Michigan. We went there because I wanted to visit a piece of protected forest called the Sylvania Wilderness which is one of the only remaining old-growth forests in the midwest. I spent many happy weeks of my childhood hiking and camping in eastern forests and I've succeeded in making it back for some additional hours in nature in recent years but until this trip, every forest where I have set foot had been cut down for timber or to create farmland at some point in the past 200 years. But, just six hours from where we stand is a forest that has never been logged. The trees are hundreds of years old and they are massive. To walk through a landscape dominated by trees of that sort is to feel small in comparison to a landscape that seems designed for giants.

So of course I imagined the *meraglim*, the spies sent by Moshe, to scout Eretz Yisrael who were awed by the natural bounty of Eretz Yisrael and who brought back a cluster of grapes so large that two of the spies had to carry them between them on a pole. But I also remembered the report that the spies delivered: אֶרֶץ אֹכֵלֶת יוֹשְׁבֵיהָ a “land that eats its inhabitants” when we were pursued by swarms of mosquitoes the likes of which I have never before seen.

The strongest resonance for me this year of *Parashat Shlach* is that I am about to embark on my own trip to Israel and, from the mission of the spies until today, anytime a Jew leaves for Eretz Yisrael, the trip is fraught. Whenever I go to Israel I go with the partial intention of collecting stories to share with you upon my return. I hope the stories are accurate. I hope the stories are educational. And I hope the stories are inspiring. In this way, the episode of the spies is a cautionary tale for all of us who embark on a journey, on all of us who return to tell about it, and for all of us who stay behind and have to decide what to believe and whom to believe. Over the course of our lives, we take on, at times, each role in the story of the spies: We are the ones who send others to be our agents on some mission. We are those who are sent. And we are the audience for the reports that others share.

The authorization for the spies' mission is phrased as sending a delegation. The word שלח implies a relationship of *shelichut* (agency, the act of being a messenger) in which the agent performs the actions on behalf of the one who designates them as agents. This is what Yaakov did at the beginning of Parashat VaYishlach. He sent messengers to deliver a specific message to his brother Esav. Moshe receives an endorsement to send the scouts as a form of *shelichut* as well:

שְׁלַח-לְךָ אַנְשִׁים וְיִתְרוּ אֶת-אֶרֶץ כְּנָעַן אֲשֶׁר-אֲנִי נֹתֵן לְבְנֵי יִשְׂרָאֵל

Send out men to scout the land of Canaan that I have given to the Children of Israel.

We are familiar with *shelichut* in our everyday life. It is a cornerstone of halakhic life and mitzvah observance. The mitzvah of *berit milah* places an obligation upon a father to circumcise his son on his eighth day. In most cases, the father appoints the mohel as a *sbaliach*, as an agent to perform the *berit milah*. The agent does the action and the father fulfills his obligation.

An even more common example of shelichut is practiced by the shaliach tzibbur, the representative of the congregation who leads tefilot on behalf of all of us while standing in the middle of the congregation. In modern times where we have printed siddurim in our hands, we are able to recite the prayers ourselves and the role of the shaliach tzibbur is more circumspect, but originally, the shaliach tzibbur was our emissary who fulfilled our prayer mitzvah on behalf of all of us.

In the seventeenth century, Rabbi Aryeh Leib Heller, in his brilliant analytical commentary on the Shulhan Arukh known as the Ketzot, explained why there are certain mitzvot where shelichut does not work: The halakhic principle, shelucho shel adam kemoto, means that I can appoint someone else to perform actions that are considered by halakhah as though they are my actions, but I cannot requisition their body. So if I appoint someone to build a sukkah, I'm fulfilling the mitzvah of building the sukkah. If I appoint someone to sit in the sukkah for me it doesn't work. Any mitzvah that falls upon someone's body can only be performed by the body in question. Your actions can be attributed to someone else, your body is your own forever.

There is another limit on agency that is discussed in halakhic literature: ein shelichut l'davar aveirah. I cannot appoint an agent to commit a sin. Why not? It seems the Talmudic rabbis expected us to know better than to listen to another human being and ignore the contrary instructions of God. "When a master teacher and a student give conflicting instructions," the Talmud asks, "who would we listen to?" We are meant to listen to the teacher. Receiving shelichut, some sinful mission from another cannot absolve us of responsibility to do the right thing. The one who commits the forbidden action is responsible, not the person who sent them on their mission.

According to Rabbi Naftali Tzvi Yehuda Berlin, known as Netziv, the sinful dynamic that was implicated in the mission of the spies concerned the way in which the Jewish people would enter and conquer and live in Eretz Yisrael. In the wilderness we lived a miraculous existence. We were fed mannah from heaven and God fought for us against all of our enemies. The sort of scouting mission you undertake when God is fighting battles for you is very different from the sort of scouting mission one undertakes when one expects to fight for oneself. The entirety of Sefer Bamidbar represents adolescent conflict over how independent we want to be. This played out to tragic effects when the spies rejected God's protection and then panicked when they had to confront the need to fight and face risks.

So why were all of the Israelites punished for the sin of the spies? If there can be no shelichut for a sin, the spies' sin was their sin alone. I read an observation from Rabbi Yehuda Brandes earlier this week which resolves this question. Yes, the Israelites should not have believed the slanderous report. Yes, wailing about returning to Egypt was a really bad thing, but the spies were fundamentally correct about the Israelites' capacity to conquer Eretz Yisrael at that time. God agreed with the spies. The generation of the exodus, the generation that walked through the sea and stood at Sinai was a generation that was not capable to conquer and settle Eretz Yisrael as the spies correctly diagnosed.

There is a curious moment in our shul ritual when I say, each Shabbat morning, "please rise as we recite prayers on behalf of the United States and on behalf of the State of Israel." This is very odd phrasing and I've said it for nine years without noticing just how strange it is. To say a prayer "on behalf" of someone means to accept their shelichut and to say the prayer as though it were being said by the person who appoints us as an agent. The Shaliach Tzibbur says prayers on behalf of all of us in the congregation. We don't say prayers "on behalf" of the United States" we recite a prayer "for the benefit" of the United States.

This has been a week of tumultuous news, with a series of major decisions from the Supreme Court. In a nation divided, it is that much harder to pray “on behalf of” the United States of America. We are not shelichim of the country, but we can exercise the agency invested in us by our liturgy by praying “for the benefit of” the United States.

We can still pray for the benefit of one another, and We can still take action for the benefit of one another. We can align our prayers and our values and our activism with our responsibilities as neighbors and as citizens. And we really need to do so.

And the same is true, of course, for Israel. There will be new elections in Israel this November, the fifth elections in just four years. It isn't any easier for Israelis than for us to decide how their country should be run and what its policies should be. To feel love and support for Israel cannot mean supporting its government or its policies, for no other reasons than the government and its policies change so quickly and unpredictably. I feel so lucky to be traveling to see close friends and relatives. I am eager to see beloved teachers and colleagues and to introduce them to my children. And I look forward to telling you all about it upon my return.