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Rabbi Yaakov Neuburger
Making Sefira Count

It is certainly not uncommon for Jews to count. Long ago, Moshe was asked to count and measure every item that was dedicated to the mishkan, and as a result we have a significant Torah portion recording Moshe's accounting. The verb for counting in that context is "to count and to assign", פָּקַד. The Torah says that every new sheep must pass under or through some obstacle, and thus we are taught that the sheep must be accurately counted in order for the flock to be tithed appropriately. Bilam wonders who could count our people and our accomplishments, "מי מנה". Every phrase carries a hint, no doubt, unique to its circumstance.

This week's parsha asks Klal Yisrael to count years to the yovel, and this week we find ourselves half way through counting our days from Pesach to Shavuot. Here the Torah chose to use the word "ספר". What is the specific meaning of the count when it is recorded as לכם ווספרתם?

It is often suggested that analyzing the context of the first use of a word in chumash will help interpret the word with precision and nuance. This was presented to me as a position of the Gr"a but it stands as a reasonable hypothesis even if its pedigree is not so authoritative. The first time that we see the word ספר is when Avrohom was invited by Hashem to fathom the numbers of his future, "Count לספר - ווספרו the stars, if you can count - לספר them" (Breishis 15:5). This verb's final appearance in Breishis documents Yosef's success in gathering so much grain for Mitzrayim, "that he stopped counting - לספר because it was beyond a count - מספר" (Breishis 49:41). The only other time that ספר is mentioned in Breishis is as a noun in Yaakov's passionate and fearful criticism of Shimon and Levi. Yaakov feels

endangered by their destruction of Shechem and says "I am but a few men - מספר - and they will gather against me and destroy my family" (Breishis 35:30.) In other words, my army is not worthy of being reckoned.

It follows that the word ספר refers to something that in fact defies counting. Thus the mitzvah of ספירה asks us to identify each day as it begins and state our discomfort and unwillingness to limit its measure by assigning it a number. Moreover, the ongoing marking of time begs us to fully recognize that time can earn value beyond any available assessment. Perhaps we are being trained to appreciate that one of the greatest gifts of freedom, managing our hours and evaluating our days, can have immeasurable value once it/they are filled with Hashem's will, guidance and discipline. I was thrilled to find that Rav Yaakov Tzvi Mecklenberg, whose sensitivity to the tone of the text fills his sefer "HaKsav VeHakabolo" with profound and creative commentary, comes to a similar conclusion, albeit from alternative proof texts. Pointing to the similar language that Sefiras Haomer shares with the women's mandate to count seven clean days in preparation for tevilah, he reminds us that the preparation for going to the mikvah requires a focus on the substance of those days rather than simply announcing their numeral. Closing his analysis (Vayikra 23:15) Rav Mecklenberg cautions, "Conduct yourselves, while counting the seven weeks, not to focus on the amount [of time pre se] rather focus on the quality of every moment of this period, not to waste it with practices that diminish the supreme reach of the human spirit".

Furthermore, the "Haksav Vehakabolo" sees this message in the phrase "וספרתם לכם" and interprets it to teach that this mitzvah can be so rewarding for our growth.

Finally, a medrash quoted by rishonim identifies the moment that earned us the mitzvah of counting sefira. Apparently, immediately upon leaving Mitzrayim our impatient forbearers addressed Hashem in a not so pleasant fashion and demanded, "Where is the Torah that you promised to us?" to which they heard the heavenly voice respond, "You still need to wait 50 days". Without delay and with increasing impatience and enthusiasm, we began to count. Hashem, it would seem, wants us to strive to recapture the bated breath of the very first count.

True, it may be well beyond our grasp and that is why it is called "sefira" and not "minyan" or "pikudas", but if the count could in some small measure reconnect us to the day-by-day excitement of a people counting down to Sinai, we will have successfully communicated the privilege of our purpose as Jews.

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Britain's Former Chief Rabbi Lord Jonathan Sacks
Think Long

In last week's parsha and this there are two quite similar commands, both of which have to do with counting time. Last week we read about the counting of the omer, the forty nine days between the second day of Pesach and Shavuot:

From the day after the Sabbath, the day you brought the sheaf of the wave offering, count off seven full weeks. Count off fifty days up to the day after the seventh Sabbath, and then present an offering of new grain to the Lord. (Lev. 23: 15-16)

This week we read about the counting of the years to the Jubilee:

Count off seven sabbath years—seven times seven years—so that the seven sabbath years amount to a period of forty-nine years. Then have the trumpet sounded everywhere on the tenth day of the seventh month; on the Day of Atonement sound the trumpet throughout your land. Consecrate the fiftieth year and proclaim liberty throughout the land to all its inhabitants. It shall be a jubilee for you; each of you is to return to your family property and to your own clan. (Lev. 25: 8-10)

There is, though, one significant difference between the two acts of counting, and it tends to be missed in translation. The counting of the Omer is in the plural: *u-sefartem lakhem*. The counting of the years is in the singular: *vesafarta lekha*. Oral tradition interpreted the difference as referring to who is to do the counting. In the case of the Omer, the counting is a duty of each individual.[1] Hence the use of the plural. In the case of the Jubilee, the counting is the responsibility of the Bet Din, specifically the supreme court, the Sanhedrin.[2] It is the duty of the Jewish people as a whole, performed centrally on their behalf by the court. Hence the singular.

Implicit here is an important principle of leadership. As individuals we count the days, but as leaders we must count the years. As private persons we can think about tomorrow, but in our role as leaders we must think long-term, focusing our eyes on the far horizon. “Who is wise?” asked Ben Zoma, and answered: “One who foresees the consequences.”[3] Leaders, if they are wise, think about the impact of their decisions many years from now. Famously, when asked in the 1970s what he thought about the French Revolution in 1789, Chinese leader Zhou Enlai replied: “Too soon to say.”[4]

Jewish history is replete with just such long-term thinking. When Moses, on the eve of the exodus, focused the attention of the Israelites on how they would tell the story to their children in the years to come, he was taking the first step to making Judaism a religion built on education, study and the life of the mind, one of its most profound and empowering insights.

Throughout the book of Devarim he exhibits stunning insight when he says that the Israelites will find that their real challenge will be not slavery but freedom, not poverty but affluence, and not homelessness but home.

Anticipating by two millennia the theory of the 14th century Islamic historian Ibn Khaldun, he predicts that over the course of time, precisely as they succeed, the Israelites will be at risk of losing their *asabiyah* or social cohesion and solidarity as a group. To prevent this he sets forth a way of life built on covenant, memory, collective responsibility, justice, welfare and social inclusion – still, to this day, the most powerful formula ever devised for a strong civil society.

When the people of the Southern Kingdom of Judah went into exile to Babylon, it was the foresight of Jeremiah, expressed in his letter to the exiles,[5] that became the first ever expression of the idea of a creative minority. The people could maintain their identity there, he said, while working for the benefit of society as a whole, and eventually they would return. It was a remarkable prescription, and has guided Jewish communities in the Diaspora for the twenty-six centuries since.

When Ezra and Nehemiah gathered the people to the Water Gate in Jerusalem in the mid-fifth century BCE and gave them the world’s first adult education seminar,[6] they were signaling a truth that would only become apparent several centuries later in Hellenistic times, that the real battle that would determine the future of the Jewish people was cultural rather than military. The Maccabees won the military struggle against the Seleucids, but the Hasmonean monarchy that ensued eventually became Hellenised itself. When Rabban Yohanan ben Zakkai said to Vespasian, the Roman general leading the siege against Jerusalem, “Give me Yavneh and its sages,”[7] he was saving the Jewish future by ensuring that an ongoing source of spiritual and intellectual leadership would remain.

Among the most prescient of all Jewish leaders were the rabbis of the first two centuries of the Common Era. It was they who ordered the great traditions of the Oral Law into the disciplined structure that became the Mishnah and subsequently the Talmud; they who developed textual study into an entire religious culture; they who developed the architectonics of prayer into a form eventually followed by Jewish communities throughout the world; and they who developed the elaborate system of rabbinic halakhah as a “fence around the law.”[8] They did what no other religious leadership has ever succeeded in doing, honing and refining a way of life capable of sustaining a nation in exile and dispersion for two thousand years.

In the early nineteenth century, when rabbis like Zvi Hirsch Kalisher and Yehudah Alkalai began to argue for a return to Zion, they inspired secular figures like Moses Hess (and later Yehudah Leib Pinsker and Theodor Herzl), and even non-Jews like George Eliot, whose Daniel Deronda (1876) was one of the first Zionist novels. That movement ensured that there was a Jewish population there, able to settle and build the land so that there could one day be a State of Israel.

When the yeshiva heads and Hassidic leaders who survived the Holocaust encouraged their followers to marry and have children and rebuild their shattered worlds, they gave rise to what has become the single fastest growing element in Jewish life. Because of them there are now, within living memory of the almost total destruction of the great centres of Jewish learning in Eastern Europe, more Jews studying at yeshivah or seminary than at any time in the whole of Jewish history – more than in the great days of the nineteenth century yeshivot at Volozhyn, Ponevez and Mir, more even than in the days of the academies at Sura and Pumbedita that produced the Babylonian Talmud.

Great leaders think long-term and build for the future. That has become all too rare in contemporary secular culture with its relentless focus on the moment, its short attention spans, its fleeting fashions and flash mobs, its texts and tweets, its fifteen-minutes of fame, and its fixation with today’s headlines and “the power of now.”

Nonetheless the real business leaders of today are those who play the longest of long games. Bill Gates of Microsoft, Jeff Bezos of Amazon.com, Larry Page and Sergei Brin of Google, and Mark Zuckerberg of Facebook, were all prepared to wait a long time before monetizing their creations. Amazon.com, for example, was launched in 1995 and did not show a profit until the last quarter of 2001. Even by historic standards, these were exceptional instances of long-term thinking and planning.

Though they are secular examples, and though in any case we have not had prophets since the Second Temple, there is nothing intrinsically mysterious about being able to foresee the consequences of choosing this way rather than that. Understanding the future is based on deep study of the past. Chess masters have committed so many classic games to memory that they can almost instantly tell by looking at the placing of the pieces on a board, how to win and in how many moves. Warren Buffett spent so many hours and years as a young man reading corporate annual accounts that he developed a finely honed ability to pick companies poised for growth. Already in 2002, five years before the financial collapse actually came, he was warning that derivatives and the securitization of risk were “financial weapons of mass destruction,” a secular prophecy that was both true and unheeded.

Throughout my years in the Chief Rabbinate our team – and I believe leadership must always be a team enterprise – would always ask: how will this affect the Jewish community twenty-five years from now? Our task was to build not for us but for our children and grandchildren. The great systemic challenge was to move from a community proud of its past to one focused on its future. That is why we chose to express our mission in the form of a question: Will we have Jewish grandchildren?

The leadership challenge of Behar is: count the years, not the days. Keep faith with the past but your eyes firmly fixed on the future.

[1] Menachot 65b. [2] Sifra, Behar 2: 2, Maimonides, *Hilkhot Shemittah ve-Yovel* 10:1. [3] Tamid 32a. [4] Truth to tell, the conversation was probably not about the Revolution in 1789 but about the Paris students’ revolt of 1968, just a few years earlier. Still, as they say, some stories are true even if they did not happen. [5] Jeremiah 29: 1-8. [6] Nehemiah 8. [7] Gittin 56b. [8] Avot 1: 1.

Rabbi Lord Jonathan Sacks is a global religious leader, philosopher, the author of more than 25 books, and moral voice for our time. Until 1st September 2013 he served as Chief Rabbi of the United Hebrew Congregations of the Commonwealth, having held the position for 22 years. To read more from Rabbi Sacks or to subscribe to his mailing list, please visit www.rabbisacks.org.

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[The next Shmita year starts this coming Rosh Hashana 5775]

By Rabbi Yirmiyohu Kaganoff

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Shemittah revisited.

By Rabbi Yirmiyohu Kaganoff

How can we pass Parshas Behar without discussing the laws of shemittah? And the fact that we read these laws annually teaches that the Torah wants us to understand the lessons of shemittah every year. Yet many chutz la'aretz residents see no need to learn these laws, assuming that they are not relevant.

Well, guess again. Although halacha prohibits exporting shemittah produce outside Israel (Mishnah Shevi'is 6:5), much produce finds its way there. And even in chutz la'aretz we must treat fruit of Eretz Yisrael with kedushas shevi'is according to all of the laws we will now discuss.

Situation #1: WHAT A ROAST!!

When I was a rav in America, a knowledgeable housewife cooked a delectable roast using wine whose label indicated that it had kedushas shevi'is. Although she had no idea what this term meant, her son pointed out that they needed to ask a shaylah what to do with the roast. To make a long story short, the entire roast had to be treated with kedushas shevi'is; I will soon explain what this means.

Situation #2: WHAT ARE SEFICHIN?

"I noticed a sign in shul that the fruits and vegetables in the local supermarket are from Israel and must be treated appropriately. Someone told me that the vegetables are sefichin. What does that mean?"

Situation #3: HETER MECHIRAH

Several shemittah cycles ago I was working as a mashgiach for a properly-run American hechsher. One factory that I supervised used to manufacture bread and muffin mixes. This company was extremely careful about checking its incoming ingredients: George, the receiving clerk who also managed the warehouse, kept a careful list of what products he was to allow into the plant and what kosher symbols were acceptable. On one visit to the plant I noticed a problem due to no fault of the company. For years, the company had been purchasing Israeli produced freeze-dried carrots with a reliable hechsher. The carrots always arrived in bulk boxes with the Israeli hechsher prominently stamped in Hebrew and the word KOSHER prominently displayed in English. George, who supervised incoming raw materials, proudly showed me through "his warehouse" and noted how he carefully marked the arrival date of each new shipment. I saw crates of the newest shipment of Israeli carrots, from the same manufacturer, and the same prominently displayed English word KOSHER on the box. However, the Hebrew stamp on the box was from a different supervisory agency, one without the same sterling reputation. The reason for the sudden change in supervisory agency was rather obvious when I noted that the Hebrew label stated very clearly "Heter Mechirah."

First, let us discuss the basics:

LAWS OF THE LAND

In this week's parsha, the Torah (Vayikra 25:1-7) teaches that every seventh year is shemittah; and we are prohibited from working the land of Eretz Yisrael and must leave our land fallow (Avodah Zarah 15b). Just as observing the seventh day, Shabbos, demonstrates our belief in the Creator, so too, observing every seventh year as shemittah demonstrates this faith. The landowner must treat whatever grows as ownerless, allowing others to enter his field or orchard to pick and take its produce. They may take as much as their family will eat, and the landowner himself also may take this amount (see Rambam, Hilchos Shemittah 4:1).

LAWS OF THE FRUIT

Although shemittah observance today is mandated only miderabbanan (see Moed Katan 2b; Chazon Ish, Shevi'is 3:8), nevertheless, most of its laws are the same as they will be when observing shemittah will again become a mitzvah min hatorah. The Torah imbues shemittah produce with special sanctity, called kedushas shevi'is, declaring veho'yesah shabbas ha'aretz lachem le'ochlah, "the produce of the shemittah should be used only for food" (Vayikra 25:6). According to accepted opinion, one is not obligated to eat shemittah food – rather, the Torah grants us permission to eat it, and we must treat it accordingly (Chazon Ish, Hilchos Shevi'is 14:10). There is much halachic detail involved in the correct use of shemittah produce. For example:

I. One may not sell shemittah produce as one would usually do in business (Rambam, Hilchos Shemittah 6:1). Although one may pick shemittah produce for one's personal consumption, one may not harvest it to sell commercially (Tosefta, Shevi'is 5:7).
II. One may not export shemittah produce outside Eretz Yisrael (Mishnah Shevi'is 6:5). There are some opinions that allow exporting shemittah wine and esrogim, although the

rationales permitting this are beyond the scope of this article (Beis Ridbaz 5:18; Tzitz Hakodesh, Volume 1 #15:4).

III. Shemittah produce is intended for Jewish consumption; one may not give or sell kedushas shevi'is produce to a gentile, although one may have him join you in a meal at which shemittah produce is served (Rambam, Hilchos Shemittah 5:13 and Mahari Korkos ad loc.).

IV. If one trades or sells the shemittah produce, the food or money received in exchange also has kedushas shevi'is (Sukkah 40b).

V. One may not intentionally ruin shemittah produce (Pesachim 52b).

What types of "ruining" did the Torah prohibit? One may not cook foods that are usually eaten raw, nor may one eat raw produce that is usually cooked (Yerushalmi, Shevi'is 8:2; Rambam, Hilchos Shevi'is 5:3). Therefore, one may not eat raw shemittah potatoes, nor may one cook shemittah cucumbers or oranges. Contemporary authorities dispute whether one may add shemittah orange or apricot to a recipe for roast or cake. Even though the roast or cake is delicious because of the added fruit, many poskim prohibit this cooking or baking since these fruit are usually eaten raw (Shu't Mishpat Cohen #85). Others permit this if it is a usual way of eating these fruits (Mishpetei Aretz page 172, footnote 10).

SPOILED TURTLE

One may feed shemittah produce to animals only if it is considered unfit for human consumption. This includes varieties grown for fodder, as well as peels and seeds that people do not usually eat (Rambam, Hilchos Shemittah 5:5). During the last shemittah, a neighbor of mine, whose pet turtle usually eats lettuce, had a problem what to feed it. Before shemittah he was trying to get it to eat grass, but the turtle preferred lettuce. Similarly, juicing vegetables and most kinds of fruit is considered "ruining" the shemittah produce and prohibited, although one may press grapes, olives and lemons since the juice and oil of these fruits are considered improvements. Many contemporary authorities permit pressing oranges and grapefruits provided one treats the remaining pulp with kedushas shevi'is. Even these authorities prohibit juicing most other fruit, such as apples and pears (Minchas Shelomoh, Shevi'is pg. 185).

RUINING VERSUS EATING

How do we determine whether processing a food "ruins" it or not? Many poskim contend that if the processing changes the food's preferred bracha, one may not process shevi'is produce this way (Shu't Mishpat Cohen #85, based on Brachos 38a and Rambam, Hilchos Shevi'is 5:3). Since turning apples to juice reduces their bracha from ha'eitz to shehakol, this would be considered "ruining" the apples. Similarly, the fact that one recites the bracha of shehakol prior to eating a raw potato or cooked cucumbers or oranges demonstrates that treating them this way ruins the produce. According to this approach, one may not press oranges or grapefruits either, since one recites shehakol and not ha'eitz on the juice (Shu't Mishpat Cohen #85).

Those who permit squeezing oranges and grapefruits apply a different criterion, contending that since this is the most common use of these fruit it is permitted (Minchas Shelomoh, Shevi'is, page 185).

One must certainly be careful not to actively destroy shemittah produce. Therefore, one who has excess shevi'is produce may not trash it. Peels that are commonly eaten, such as cucumber or apple, still have shemittah kedusha and may not simply be disposed. Instead, these peels are placed in a plastic bag which is then placed into a small bin or box called a pach shevi'is, where it remains until the food is inedible. When it decomposes to this extent, one may dispose of the shemittah produce in the regular trash.

When eating shemittah food, one need not be concerned about the remaining bits stuck to a pot or an adult's plate that one usually just washes off; one may wash these pots and plates without concern that one is destroying shemittah produce. However, the larger amounts left behind by children or leftovers that people might save should not be disposed in the trash but should be scraped into the shemittah bin.

WHY DECOMPOSE?

This leads us to a question: If indeed one may not throw shemittah produce in the trash because it has sanctity, why may one do so after the produce decomposes? Does decomposition remove kedusha?

Indeed it does. Kedushas shevi'is means that as long as the food is still edible, one may not make it inedible or use it atypically. This is because shemittah food is meant to be eaten, even though there is no requirement to do so. However, once the shemittah food is inedible, it loses its special status, and may be disposed of as trash.

SANCTITY UNTIL SPOILAGE

This sounds very strange. Where do we find that something holy loses its special status when it becomes inedible?

Although the concept that decay eliminates sanctity seems unusual, this is only because we are unfamiliar with the mitzvos where this principle applies. Other mitzvos where this concept exists are terumah, challah, bikkurim, revai'i and maaser sheini, all cases where we do not consume the produce today because we are tamei (Rambam, Hilchos

Terumos Chapter 11; Hilchos Maaser Sheini 3:11). Of these types of produce that are holy, but meant to be eaten, only shevi'is may be eaten by someone tamei. Even though someone tamei may not consume tahor terumah, challah, or maaser sheini, one also may not dispose of them or even burn them. Instead, one must place them in a secure place until they decay and only then dispose of them (Tur, Yoreh Deah 331). (We burn the special challah portion after separating it only because it has become tamei. If it did not become tamei, we could not destroy the challah portion, but would have to place it somewhere until it decays on its own, just as we do with unused shevi'is produce.)

A SHEMITTAH ROAST IN AMERICA

We can now explore the first question I mentioned:

1a: May one use shemittah wine to season a roast?

Although one improves the roast by adding the wine, the wine itself is ruined. Thus, some poskim prohibit using the wine in this way, whereas others permit it since this is a normal use for wine (see commentaries to Yerushalmi, Terumos 11:1).

1b: What does our American housewife do with her shemittah wine-flavored roast?

If one uses shemittah food as an ingredient, one must treat everything that absorbs its taste according to the laws of kedushas shevi'is (see Mishnah Shevi'is 7:7). Therefore, one who used shemittah potatoes in cholent or shemittah onions or bay leaves in soup must treat the entire cholent or soup according to shevi'is rules. One may not actively waste this food, nor may one feed any of it to animals until the food is spoiled to the point that people would not eat it.

Therefore, our housewife who added shemittah wine to her roast must now consider the entire roast, even the gravy and vegetables cooked with it, to have kedushas shevi'is. One serves the roast in the regular way. As mentioned above, the small scrapings left on an adult's plate may be washed off; but the larger amounts left behind by children should not be disposed in the trash, nor should the leftovers in the pot or on the platter.

Just as one may not dispose of the leftover kedushas shevi'is roast in the trash, it is unclear whether one may remove these leftovers from the refrigerator in order to hasten their decay, even to place them in a shemittah bin (see Chazon Ish, Shevi'is 14:10).

However, if one removed leftover roast to serve, one is not required to return the leftovers to the refrigerator. One may not trash the leftovers, but instead one may place the leftovers somewhere until they have spoiled. To avoid the malodor that this may cause, one may place them in a plastic bag until they decay and then dispose of them.

SEFICHIN

The Torah permits the use of produce that grew by itself without anyone working the field during shemittah. Unfortunately, even in the days of Chazal one could find Jews who deceitfully ignored shemittah laws. One practice of unscrupulous farmers was to plant grain or vegetables, marketing them as produce that grew on its own. To make certain that these farmers did not benefit from their misdeeds, Chazal forbade all grains and vegetables, even those that grew by themselves, a prohibition called sefichin, or plants that sprouted. Sefichin are treated as non-kosher food and forbidden to eat, even requiring one to kasher the equipment that was used to cook them!

Chazal made several exceptions to this rule, including that produce of a non-Jew's field is not prohibited as sefichin.

At this point, we should address the second question I mentioned:

"I noticed a sign in shul that the some fruits and vegetables in the local supermarket are from Israel and must be treated appropriately. Someone told me that the vegetables are prohibited because they are sefichin. What does that mean?"

In all likelihood, the growers of this produce relied on heter mechirah, a topic I dealt with extensively in a different article, but which I will touch on here. (Contact me by e-mail if you would like to read that article.) The authorities who rely on heter mechirah permit most of the fieldwork to be performed only by gentiles. However, in contemporary practice, most Jewish landowners who rely on heter mechirah sell their land to a gentile, but then work it as their own. As a practical matter, few contemporary chareidi poskim permit heter mechirah, and, even among non-chareidi authorities, support for its use is waning, although there are still some who permit it. Thus, if the heter mechirah is considered a charade and not a valid sale, the grain and vegetables growing in a heter mechirah field are prohibited as sefichin. Most, but not all, chareidi poskim today consider vegetables grown through heter mechirah to be prohibited sefichin that are forbidden to eat, although one will find different opinions whether one must kasher equipment used to cook such vegetables.

WHY NOT FRUIT?

When Chazal prohibited sefichin, they only included in the prohibition crops that are planted annually. They did not extend the prohibition of sefichin to tree fruits and other perennial crops, such as bananas and strawberries, because there was less incentive for a cheating farmer. Although trees definitely thrive when pruned and cared for, they will produce even if left unattended for a year. Thus, the farmer had less incentive to tend his trees.

"GUARDED PRODUCE"

I mentioned above that a farmer must allow others free access to help themselves to any produce that grows on his trees and fields during shemittah. What is the halacha if a farmer treats this produce as his own and refuses access to it during shemittah?

The Rishonim dispute whether this will make the fruit forbidden. Some contemporary poskim prohibit the use of heter mechirah fruit on the basis that, since heter mechirah is invalid, this fruit is now considered "guarded," and therefore forbidden. Other poskim permit the fruit because they rule that the forbidden working of an orchard or treating it as private property does not prohibit its fruit (see Shu't Igros Moshe, Orach Chayim 1:186). Thus, even if one does not consider the heter mechirah to be valid, the fruit might be permitted but must be treated with kedushas shevi'is.

What about our carrot muffins? If we remember our original story, the company had unwittingly purchased heter mechirah carrots. The hechsher required the company to return all unopened boxes of carrots to the supplier and to find an alternative source. However, by the time I discovered the problem, muffin mix using these carrots had been produced bearing the hechsher's kashrus symbol and were already distributed. The hechsher referred the shaylah to its posek, asking whether they were required to recall the product from the stores as non-kosher, or whether it was sufficient to advertise that an error occurred and allow the customer to ask his individual rav for halachic guidance. For someone living in Eretz Yisrael, observing shemittah properly involves assuming much halachic responsibility and education, and often great commitment, since shemittah-permitted produce may be more expensive than its alternative. Those living in chutz la'aretz should be aware of the halachos of shevi'is and identify with this very public demonstration and "declaration" that the Ribbono Shel Olam created the world in seven days.

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Weekly Blog :: Rabbi Berel Wein

The Eyes Have It

Among the many positive attributes that my great-grandchildren possess is that many of them have unusually beautiful eyes. This is especially true of the female branch of our family. And that is truly fortunate, for the Talmud teaches us that a woman who possesses beautiful eyes needs no further inspection – one can be assured that she is of exceptional quality.

The Torah points out that our mother Leah had dim or weak eyes in contradistinction to the beauty of her sister Rachel. But the idea of beautiful eyes is not limited to physical beauty alone. The Torah demands of us, eyes that have a sense of vision that can see from afar - even see the otherwise unseen.

Our vision is not limited to our physical eyes but rather is defined by our ability to see beyond our physical boundaries and natural limitations. And that perhaps is what the rabbis really meant, on a deeper level, when they wrote of the great attribute of beautiful eyes.

In effect, the Torah requires that we engage in periodic eye checks. We all know how difficult it is to read the bottom lines of the eye chart. The letters are too small and the distance from our eyes to the chart itself is too great. So too is it in the realm of life and the spirit. We are unable to read the lines that forecast our futures and we feel that the challenge of doing so is too much to ask of us. But the Torah is unrelenting in posting its eye charts for us to attempt to read.

The Talmud offers a majority opinion that the sightless are freed of certain obligations of performing the commandments of the Torah. But there is a minority opinion, faithfully and respectfully recorded, that they are nevertheless fully obligated in the performance of the commandments of the Torah.

On a certain level of understanding, the idea of the sightless is only a physical defect, albeit certainly a major one. But the Torah operates on a spiritual and non-physical plane as well as on the rational, realistic one that we can all experience. The commandments of the Torah can have relevant meaning and spiritual accomplishment even to the visually impaired.

And, the Talmud again respectfully and faithfully records the minority opinion for the Torah's commandments have effect and relevance on many levels and planes of meaning and importance. The Torah mocks idolatry and those that worship idols by stating that "they have eyes but nevertheless are unable to see." Worshipping physical items, hedonism, false gods and warped ideals are symptoms of severe sightlessness.

By not being able to see the consequences of immoral behavior and perverted attitudes one is doomed to failure and pain, just as the sightless are liable to cause themselves physical harm by venturing out unguided onto a road strewn with obstacles. Without vision there can be no progress or achievement.

The Torah, when it wishes to inform of the unique character and personal qualities of our father Abraham, states: "And he saw the place from afar." Midrash points out that his two colleagues who accompanied him to Mount Moriah, Yishmael and Eliezer, were unable to see that place from a distance. However, Abraham's son Isaac, like his father, saw the unseen through the omnipresent godly cloud hovering over the mountain.

In the long and very dark night of the Jewish exile, Jews nevertheless saw beyond their current plight and difficulties and envisioned their promised, eventual return to their ancient homeland, the Land of Israel. They were able to see the place and their better future from afar. And that vision became a reality in our generations.

The Bible in Proverbs teaches us that "a wise man has eyes in his head." Well, doesn't everyone have eyes in their head? That is certainly true in physical terms but in terms of vision and spiritual farsightedness, there are many who tragically are not too wise. The connection between our eyes and our head, our behavior and our moral and spiritual aspirations is not always what it should be.

A wise person realizes that one's eyes must be in one's head and that one's eyesight must always be checked and corrected. So even though my great-granddaughters have beautiful eyes, I still pray that they will be blessed with good vision, physically and spiritually. For truly, the eyes do have it. Shabat shalom

from: Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>

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subject: Weekly Parsha from Rabbi Berel Wein

Weekly Parsha Blog:: Rabbi Berel Wein

B'har

The Mountain of Sinai occupies a most central place in Jewish history. The actual geographical location of the mountain itself is somewhat in doubt but its place in human civilization is cemented in memory. The Mountain of Sinai is no longer a definite place as much as it is a symbol of God's revelation to humans and the granting of a moral code to humanity. And the conduit for the transference of that message of Sinai to the world was and still is the people of Israel.

The world is accustomed to the specialness of the Jewish people. It is the source of all the anti-Jewish rhetoric and behavior that has gone before us and continues so prevalently in our time. The world's opinion is summed up in the famous doggerel "How odd of God to choose the Jews." It is the oddity of the Jews being somehow "chosen" that drives many of the other peoples of the world to be aggravated and frustrated by us.

So, the statement that appears in the Talmud, "Why was the mountain called Sinai?... is because sinaah – mindless unreasonable hatred - descended upon the world!" And this certainly reflects this viewpoint. It is not the mountain itself that is so important. Perhaps that is why in Jewish tradition the geographical location of Mount Sinai is so uncertain and even unimportant. Rather it is the result of Sinai, the enormous consequences generated by the revelation that took place there 3326 years ago that dominates all of Jewish and general history.

We can also understand the necessity of relating all of the commandments and other components of Jewish life to Sinai. That is why Rashi, quoting Midrash, asks what is the relationship between the commandment of shmitta (the sabbatical year) and the Mountain of Sinai. For everything that is important and eternal in Jewish life, by definition, has to be connected to Sinai – to the symbol and message that Sinai represents. In reality, anything not connected with Sinai will not be of lasting value as far as the Jewish future is concerned.

The distance between current ideas, plans and Sinai is not geographic – it is ideological and a matter of faith and traditional belief. Jewish history clearly shows that those who abandoned Sinai eventually fell by the wayside of Jewish life. Berlin proved not to be Jerusalem and Marx did not end up being Moses. For both Berlin and Marx were prime deniers of Sinai. It is interesting to note that the Catholic Church built a monastery on the summit of what it considers to be Mount Sinai.

All monotheistic religions claim a connection to Mount Sinai. In its symbolism and message, Mount Sinai remains the sole underpinning of a moral and optimistic human society. It is quite understandable why the Torah emphasizes in its opening verse of this parsha that the Torah is inextricably bound together to Mount Sinai. Mount Sinai is the basis for Judaism – the representative icon that transforms the physical into the spiritually eternal.

Shabat shalom

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subject: Torah Weekly

Ohr Somayach :: Torah Weekly :: Parshat Behar

For the week ending 10 May 2014 / 10 Iyyar 5774

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Insights

The Homecoming

"When you come to the Land" (13:17)

One of the recurring problems of Chol HaMoed is where to take the children for a 'tiyul' – a family holiday outing.

This Pesach we traveled Derech HaAvot — the Path of the Fathers — a section of what used to be the Roman Road linking Jerusalem and Hebron. Along its route are mikva'ot – ritual baths — that historians surmise were used by the olei regel pilgrims on their way to the Holy Temple.

This part of Eretz Yisrael, the Gush Etzion bloc, however, has historical echoes from the more recent past as well.

On May 13, 1948, while attacking the settlements of the Etzion bloc, Arabs massacred the entire population of the Kfar Etzion settlement. They murdered 127 souls in cold blood. Only three men and one woman survived.

For the next 19 years the survivors and their children would gather every year on a hilltop in Jerusalem to gaze out towards Gush Etzion. The most identifiable landmark was a huge 700 year-old oak tree that pierced the skyline. That tree was once the meeting point of the four kibbutzim of the bloc. The tree became a symbol of what was and what might be again.

And so it did. Today, the population of the Etzion bloc numbers more than 65,000. And the Lone Tree is a tourist attraction that symbolizes its strength, its rootedness and its permanence.

Or it should.

On our trip, however, the oak tree was showing distinct signs of its age and needed the support of several sturdy steel beams together with concrete filling in the branches themselves. Not exactly the symbol of vigorous strength and permanence that it is intended to symbolize.

As I looked at the Oak and gazed at the neat beautiful houses in this picture-perfect spot, I felt uneasy. There's a sense of isolation here; a kind of "never-never world" unreality.

The settler community in Eretz Yisrael finds itself increasingly marginalized, in a State more and more isolated in the world community.

Those perfectly manicured lawns looked no more permanent to me than those of Yamit in the Sinai Peninsula or Gush Katif in Gaza. The garden sprinklers in those ghost-towns are now ripped out and rusting, while the desert sands have long-since reclaimed their turf.

What will become of the Lone Tree?

In this week's portion the Torah uses the phrase, "When you come to the Land" (25:2).

More accurately it seems that the Torah should have said, "When you go to the Land". Why does the Torah say coming as opposed to going?

The true home of the Jewish People is — and only ever will be — Eretz Yisrael, because it is the root of their souls.

Any journey to Eretz Yisrael is always a 'homecoming.'

I came into the world in London but I was born in Eretz Yisrael.

No one knows the date of the fulfilment of that promise of our eventual homecoming. But that homecoming will inevitably arrive, whether or not the Lone Tree is around to greet it.

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Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Behar

Each of you shall not aggrieve his fellow, and you shall fear your G-d. (25:17)

Chazal teach that, unlike the previous pasuk (14), "Do not aggrieve one another," which refers to business conduct, this pasuk addresses the prohibition of onoas devarim, hurting people with words. Regrettably, too many ways exist in which we knowingly and unknowingly transgress this sin. Who does not know the meaning of the term shtoch, sticking a needle into a person? Sadly, a needle comprised of words is ultimately more painful, and the pain endurance longer, than a needle of steel. Reminding people of their earlier infractions or other embarrassing events in their past, be it their own or that of their tainted ancestors, is one example of this malevolent behavior. Rendering advice to someone who trusts us, who believes in us, whom we manipulate to our own personal advantage is another example of this sin. Lest one think that he will get away with it - (After all, who knows, who will tell?), the Torah responds, V'yareisa mei Elokecha - "Hashem knows, and He will exact punishment."

Interestingly, when the Torah refers to onoas mamon, financial aggrievement, it writes, Al tonu ish es achiv, "One should not aggrieve his brother." In contrast, concerning onoas devarim, it uses the term amiso, "his fellow." Horav Gamliel Rabinowitz, Shlita, explains that the Torah is alluding to the fact that, with regard to money, one invariably finds a dispensation to permit larceny: "I need the money; He has the money. So, why not?" In the course of discovering a dispensation with which we can live, we slowly help ourselves to another fellow's hard-earned money. While we may allay our own conscience with all forms of excuses, at the end of the day it is all about one thing: my wallet. I want to have more, and what easier way than relieving my "friend" of his money?

Therefore, the Torah teaches us a lesson which should set a standard for us. When we are about to be moreh heter, impose a self-generated, prejudicial dispensation, we should ask ourselves, "If this fellow was my brother, would I act so callously toward him?" If he is certain that he would not act in such a callous and heartless manner to his brother, then this Jewish fellow should be no different. All of Klal Yisrael is part of one large family. Why distinguish between relatives?

Horav Yisrael Yaakov Fisher, zl, Ravaad of the Eidah Hachareidis, once remarked that he was amazed that sheilos, halachic queries, are presented to him on issues discussed in the Shluchan Aruch Orach Chaim and Yoreh Deiah, which cover the gamut of daily life and kashrus. Surprisingly, very few questions concerning Choshen Mishpat, monetary laws, are brought to him. It seems that people are not interested in hearing what the rabbanim

have to say concerning these issues. They feel that they can render their own viable solution to any question that might arise. Why "trouble" the rabbis? When Horav Yaakov Kaminetsky, zl, was Rav in Tzitevian, Lithuania, a member of his community informed him that the postal clerk had erred in giving him change. Instead of giving him the change for a ten zloty bill, he had given him the change for a one hundred zloty bill. He asked the Rav what he should do. Rav Yaakov instructed him to return the overage immediately.

Several weeks later, Rav Yaakov went to the post office to purchase stamps. The postal clerk gave him more stamps than he had paid for. Rav Yaakov immediately returned the extra stamps, thereby asserting a Kiddush Hashem, sanctification of Hashem's Name. The postal clerk was duly impressed, since his "error" had been intentional; he had been testing the new Rav's integrity. He wanted to see if, in fact, he was personally as honest as he instructed his congregants to be. Rav Yaakov noted the man's mischievous smile when he returned the stamps. The man was actually impressed by the Rav's behavior. A number of years later, Rav Yaakov had occasion to meet a Holocaust survivor from Tzitevian, who related that, when the Nazi's overran Tzitevian, it was the postal clerk who was willing to hide Jews in his home during the war. Rav Yaakov was convinced that the gentile had risked his life to save Jews as a result of the honesty manifested to him by Rav Yaakov.

This is with regard to integrity in financial matters. The Torah mentions a second Lo sonu: onoas devarim, which covers interpersonal relationships. We may do nothing that might remotely hurt a fellow Jew. The Torah concludes the prohibition, saying, V'yareisa mei Elokecha, "And you shall fear your G-d." The Sifsei Kohen comments that adding this suffix to the prohibition teaches us that the punishment for onoas devarim is exacted in this world! This means simply that, if we aggrieve another Jew - regardless of our rationale for doing the reprehensible, we will pay - here. This is a frightening statement. How often do we stop to think before we say or do something to another Jew who might be offended by our words or actions? How often do we casually put someone down without thinking twice? I am not talking about outright slander or downright humiliation. This is a reference to simple, thoughtless, careless words, which have a stinging effect on people. Those seemingly "harmless" words can be quite destructive. Horav Moshe Feinstein, zl, suffered a heart attack on Shabbos HaGadol, while giving his derashah, lecture. He was in acute pain, but he refused to halt the derashah. He gripped the lectern, and, in a cold sweat, continued his derashah. He later described his ordeal as the most painful experience of his life. He was taken to the hospital, where a pacemaker was implanted in his chest. A week later, it was discovered that the procedure had failed and had to be repeated.

Horav Reuven Feinstein, Shlita, relates that his father subjected himself to some serious soul-searching to determine why he was undergoing such suffering. He wondered what he had done that it had been decreed upon him to go through an ordeal akin to the death penalty.

Rav Moshe delved through his past and, after much soul-searching and introspection, he arrived at the conclusion that it had been the result of embarrassing someone. Apparently, when he was a young child, some eighty plus years earlier, the rebbe in cheder had posed a difficult question to the class. One of his friends gave one answer, while he gave another one. The rebbe preferred the young (Rav) Moshe's answer to that of the other child. Rav Moshe thought that perhaps he might have enjoyed that moment - at the other boy's expense. He felt that he was guilty of embarrassing the boy. This was the only instance in his life that Rav Moshe could find that might have catalyzed such intense pain some eighty years later! He had felt a trace of pride and haughtiness.

The true nature of a person is most noticed, as Chazal say: b'koso, b'kiso, u'b'kaaso; when he has imbibed an alcoholic beverage; with his wallet - his reaction to monetary loss; when he is angered. The effects of these experiences can be overwhelming, causing the individual to lose control of his self-discipline, thereby revealing his true nature. At this point, we see if

the strict demeanor to which one has subjected himself is real or merely a facade. Towards the end of the social laws for helping our fellow Jews, the Torah writes, V'yareisa mei Elokecha - v'chai achicha imach, "And you shall fear your G-d, so that your brother may live along with you" (ibid. 25:36). The Chassidic Masters teach: "If your brother can live along with you, then the two of you are living. If, however, you take advantage of your brother and oppress him, then you are oppressing your own life as well." The statement addresses the crux of all interpersonal relationships. We think that, if we take advantage of the "other guy," it is he who is losing out, but we are still at an advantage. How untrue this hypothesis is, and how sad and pathetic is such a person. By taking advantage of the other fellow - we are thereby destroying ourselves.

If your brother becomes impoverished and his means falter in your proximity, you shall strengthen him - proselyte or resident - so that he can live with you. (25:35)

In Avos D'Rav Nassan 2:43, we are taught that a poor man has eight names, eight frames of reference based upon his sad state of affairs. They are: ani; evyon; miskein; rash; dal; dach; mach; and holech. An ani is the standard name for implying his impoverished state. Evyon is derived from taavah, desire; a poor man wants everything, because he has nothing. Miskein means unfortunate, miserable, for he is humiliated due to his wretched state. Rash, destitute, means he has been left bereft of his possessions. Dal refers to being poor, meager. Dach is dejected and distressed. Mach means impoverished. Holech relates that his possessions have left him (walked). These are eight distinct descriptions for the misery of poverty.

Horav Chaim Zaitchik, zl, understands Chazal as opening up a window for us into the psyche of the poor man. If we were to analyze his mindset, we would discover no less than eight forms of dejection. These are not simply synonyms or a play on words. Each descriptive word represents another adjective which expresses the wretched state of the poor man: eight forms of pain; eight types of shame. All of these emotions coalesce into his one bitter heart. In his mind, even if he possesses a hidden grace, it is buried beneath so many layers of melancholy and shame. He feels like a doormat that people ignore. People look through him as if he does not exist. All of these pent-up emotions become one amalgam of pain, which, when he cries out, is not merely one cry - but actually, eight varied emotions.

When the poor man emits a tear, it is not a single tear, but it should be multiplied by eight. Its intensity is eight times more than the tear of one who is not in his abject circumstance. If we were to measure his shame, it would be a humiliation on a scale which was eight times heavier.

Man is unable to discern between varied degrees of pain, shame and helplessness. Only Hashem hears the eight different sounds. Thus, He admonishes us to listen, to observe and hear the cry of the ani, poor man, for He is acutely aware of the distinction of his cry. Hashem will listen, because He hears it all, and He will respond. It is not one sound, one tear. It is a multifaceted sound, a torment of tears. It cannot - and it will not - be ignored. Hashem listens.

The Torah adds ger and toshav: the ger tzedek, convert, who has accepted all mitzvos and, hence, is a Jew to the fullest extent; and a toshav, resident, a non-Jew who has accepted the sheva mitzvos bnei Noach, seven Noachide commandments. The halachah that one should support his fellow applies to all. Why does the Torah underscore that one should support the ger and toshav? Perhaps, the idea of a toshav being included in the mitzvah might be novel, but a ger is achicha, your brother. What is the Torah teaching us by emphasizing the ger and the toshav?

In Sefer Shemos 23:9, the Torah states, "Do not oppress a stranger; you know the feelings of a stranger." We know what it means to feel left out of place. We were strangers in Egypt. In fact, we have been treated as strangers wherever we were - regardless of how much some of us have attempted to ingratiate and assimilate ourselves. Anyone who is a stranger is called a ger. The Torah wants us to remember our own roots. If we aggrieve the ger, he can counter, "You were no different." The Torah demands sensitivity, which

is the result of affinity. Atem yidaatem nefesh ha'ger, "You know the feelings of a stranger." This is the criteria for helping a Jew in need: atem yidaatem - "you know" - you must feel his pain. The poor man who stands before you, tattered, disheveled, broken in spirit, nowhere to turn - you must feel his humiliation, as he stands in your kitchen gazing at the granite countertops, the marble floor, the sumptuous dinner which he just interrupted. Put yourself in his shoes - just for a day, as he goes around from door to door, relating his tale of woe, to which people either do not want to listen or might not believe. Imagine what he must feel like, and how much better he will feel when you give him a decent check, accompanied by a smile and good wishes.

The problem is that we do not want to get down and listen to his story, because it plucks at our consciences and invades our comfort zones. This is why the Torah tells us that when our brother turns to us for help - do not forget the ger. The same sensitivity that we must show to the ger, because atem yidaatem, "you know how it feels" - likewise, we must make every attempt to identify with the plight of our fellow Jew in need. We may not know his pain, but we should stop what we are doing to listen.

Horav Moshe Yechiel Epstein, zl, the Ozhrover Rebbe, was a unique individual. He was a talmid chacham, Torah scholar, with an encyclopedic knowledge of Torah and the author of over thirty volumes of commentary covering every aspect of Torah. He wrote from memory, since the author, who was more or less blind, was as humble as he was great. He downplayed his greatness and led a simple life out of the limelight. His empathy for a fellow Jew was one of his hallmarks. He gave tzedakah, charity, with love, but, as the following episode indicates, he gave much more than money. He gave of himself. The Bluzhover Rebbe, zl, related the following story: "I reached America as a destitute Holocaust survivor. The day after I arrived, the Ozhrover called and invited me to come live in his house. He said, 'I did not merit going through all seven levels of the Gehinom of the Holocaust, as you did. I am, therefore, leaving my home and giving you my shtiebel and my chassidim, until you are properly settled.'" Imagine, giving up one's home, shul and followers to assist a penniless Holocaust survivor! This is the meaning of empathy.

If your brother becomes impoverished, and his means falter in your proximity, you shall strengthen him. (25:35)

Rashi explains vehechezakta bo, "you shall strengthen him," to mean that, if one sees a decline in his fellow's business, if he sees that the money does not flow in his home as it once used to, he should step in and slow the descent, helping him to regain his financial footing. It is that much more difficult once the fall has gone too far. Rashi compares this to a donkey who is struggling with a heavy load. As long as the donkey is erect, albeit struggling, one person can support him. Once the donkey has fallen to the ground, even five people are unable to right him.

A powerful lesson may be derived from Rashi. At times, we have no idea the extent our assistance provides to the person in need. We might think, "What did I do? It was nothing." Little do we know that we quite possibly have saved the individual's life. The Midrash Rabbah takes this idea further.

"Whoever gives a poor man a penny, Hashem will give him many pennies. Does Hashem then give him pennies? Hashem gives him his life! How is this? A loaf of bread sells for ten pennies. A poor man who is starved and at a point of near exhaustion must eat, or he will die. Along comes a kind-hearted man and gives him one penny. He has saved the poor man's life." He gave one penny and he is rewarded with his life. Why? He only gave a penny! That penny was the turning point in this man's sustenance. Otherwise, he would have died.

Chazal are teaching us that it is not how much we give to the individual in need; rather, it depends on the effect it has. That poor man only needed a penny. The man only gave a penny, but that penny saved his life. Thus, Hashem will save the benefactor's life. Who knows what punishment, what decree had been lurking in his future? At least now, one of those life and death decrees will be averted - because of one single penny.

This Midrash serves as the basis of an appeal made by the Lomza Rosh Yeshivah, Horav Yechiel Mordechai Gordon, zl, during the dark days of the Holocaust. From among the distinguished Roshei Yeshivah of Pre-World War II Europe, Rav Gordon was the only one who was stranded in relative safety prior to the war. As a result, he could not return. He succeeded in saving the lives of thousands through his unstinting involvement in Vaad Hatzalah, the relief and rescue organization, and through his travels through the United States raising money to save European Jewry. Alas, he failed to save his own yeshivah and family from the death knell.

Rav Gordon happened to be in America prior to the war, and, when war broke out, it was impossible for him to return. He was shocked at the pathetic attitude of American Jewry toward their European brothers and sisters. He partnered with Horav Eliezer Silver, zl, and others to raise money and guide the efforts to ransom whomever he could. Basically a withdrawn and quiet person, Rav Gordon's speeches were passionate and fiery, because of his intense love for every Jew. The following is an excerpt from one of his most famous speeches.

"How can we stand idly by as thousands of our brothers and sisters are being led to their slaughter?! Let me share with you some of the terrifying events which have recently become public. When the evil beasts were gathering the poor men, women and children to be killed, anyone who had with him fifty dollars was able to buy their way to freedom - and life.

"Imagine for yourselves, if any one of you would know that for fifty dollars you could rescue a Jew from the inferno - who would not jump at the opportunity to help a fellow Jew? Yet, the yetzer hora, evil-inclination, has its ways of subverting our efforts. It raises questions: Can it really be done? Will fifty dollars really be enough? Surely, if everyone knew his moral obligation to save a Jewish life - no one would refrain. Everyone would certainly do everything within his ability - and beyond - to help his fellow Jew!"

The Rosh Yeshivah cited the above Midrash, indicating to the assemblage that, when one gives to help a fellow Jew, it is not how much he actually gives that matters, but rather, the benefit which it engenders to the subject in need.

Let us be so bold as to go one step further. Chesed extends beyond the realm of material sustenance. We quickly forget that spiritual sustenance might be even more important. Reaching out to someone who is searching, who is making the attempt to embrace a life of Torah and mitzvos, can be more difficult than writing out a check. It requires time and an abundance of patience - which may be tested at all intervals of the journey. Chumash, Mishnayos, Kitzur Shulchan Aruch, etc. require time, which many of us do not have. If it may be the catalyst, however, for turning around one's life, saving a family, changing a generation - can we say "no"?

Dedicated In memory of my dear wife, Helen RACHel bas Avraham a"h nifter 13 Iyar 5771 Dr. Jacob Massouda

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Parsha Parables By Rabbi Mordechai Kamenetzky

Drasha Parshas Behar

by Rabbi Mordechai Kamenetzky

Paying it Forward

Lending with interest is something that (for Jews) is taboo. Hashem demands a certain kinship between brothers and sisters that prevents them from profiting from those who - through their misfortune - need loans. Thus the Torah commands us this week: "If your brother becomes impoverished and his means falter in your proximity, you shall strengthen him -- proselyte or resident -- so that he can live with you. Do not take from him interest and increase; and you shall fear your G-d -- and let your brother live with you. Do not give him your money for interest, and do not give your food for increase." (Leviticus 25:35-37).

The Torah then juxtaposes what seems to be a veiled admonition by reasserting Hashem's omnipotent authority in the context of the prohibition

of taking interest: "I am Hashem, your God, Who took you out of the land of Egypt, to give you the land of Canaan, to be God unto you" (ibid v. 38). What connection could exist between the prohibition against taking interest from Jews and the exodus from Egypt?

Rabbi Paysach Krohn relates the story of a 40-year old man who passed away and left a young widow and orphans. The oldest son, Yosef, took the helm of his father's business as the breadwinner for the surviving children. It was not easy; competitors took advantage of his na'vet and inexperience. One day, in the midst of his struggles, a Mr. Hans approached him with an envelope. It contained two thousand dollars. Yosef was taken aback. "Please," he said, "I am working to make a living. I do not want any charity!" Mr. Hans explained. "Take it as a loan. When things get better you can repay me."

It took almost two years, but the time came when Yosef was on his feet. He went to see Mr. Hans. In his hand was an envelope containing two thousand dollars.

"I am not taking the money," said Mr. Hans.

"But," retorted Yosef, "you said it was only a loan!"

Hans smiled and nodded his head. "It was, but sit down and let me explain. A while back I was in difficult straits. A fellow named Mr. Stein came to me with money. I, like you, did not want to accept it. Mr. Stein assured me that the money was merely a loan, and I accepted it. Within a few years, I was able to pay it back.

"When I approached Mr. Stein, he refused to accept the money." Hans continued his story. "When I began arguing with him, he explained. I want you to pay it back, but pay it in the following manner: When you see someone else struggling, lend him the two thousand dollars. And when he comes to pay it back, you too shall refuse. Then explain to him the terms I just told you. Yosef understood the message and followed the instructions. Somewhere out there in our community, those two thousand dollars are floating around, while waiting to be returned, rather loaned, once again. The K'sav Sofer explains: When we left Egypt, we should have left with just the shirts on our backs. But this was not so. We left with gold and silver from the Egyptians, and after the splitting of the Yam Suf our portfolios increased measurably with the Egyptian booty that washed ashore. G-d gave all of that to us. But he stipulated one minor request. When we take the wealth He gave us and pass it around, we are asked not to derive any benefit from it. We are told lend it to your brothers without a profit. We owe the Almighty for all we have. The least we can do is pay it forward without interest.

Rabbi Mordechai Kamenetzky is the Rosh Yeshiva of Yeshiva Toras Chaim at South Shore and the author of the Parsha Parables series.

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Rabbi Yissocher Frand - Parshas Behar

The Shofar of the Yovel: Positive Peer Pressure

This week's parsha contains the mitzvah of Shmitah and Yovel [Sabbatical and Jubilee (years)] - the Biblical command that every seventh year, the land in Eretz Yisroel must lie fallow and after every seven Shmitah cycles the Jubilee year begins in which all servants go free. To signify this, the Torah commands (Vayikra 25:9) "You shall sound the Shofar throughout the land", a mitzvah performed on Yom Kippur of the Yovel year -- the point in time at which time all slaves went free.

The Sefer HaChinuch in this week's parsha analyzes the significance of the Shofar. The Sefer HaChinuch points out that the matter of sending away one's servants is very difficult for a slave-owner to carry out. Slave owners sustained a very substantial financial loss.

In general, owning slaves was a financial bonanza. Just imagine -- for anyone who has a business -- what it would be like not to have to pay

workers. There was no salary, no social security taxes, no pension, no health insurance, nothing. It was almost like having free labor (other than cost of food and basic care).

Now, suddenly, they must wave good-bye to the slaves. Slave owners incurred major financial losses. The Chinuch says that in order to give the people the strength and the encouragement to fulfill this very difficult command, the Torah requires the sounding of the Shofar throughout Eretz Yisroel, to give everyone the sense that they are not alone in making this sacrifice: It is a phenomenon that transpired throughout the land.

When the Shofar sounded throughout Eretz Yisroel, the slave owner recognized "I'm not the only one taking a financial killing; everyone is taking a financial bath. Everybody has to send out their slaves today."

The Chinuch emphasizes that nothing strengthens the spirit of mankind like universal public action. The fact that "everybody is doing it" is the greatest source of encouragement. That, according to the Chinuch, is why the Shofar was blown. If everyone else has to do it, it is easier for me to do it as well. This is a tremendous insight. Nonetheless, we still might ask, "So what if everybody is doing it -- I will still take a beating!" Why does this help?

All we have to do to answer this question is to read the newspaper or listen to the radio. For example, in the 1980s and 1990s, the whole country was bombarded with the slogan "Just Say No to Drugs". Thank G-d that in our society, for the most part, we are insulated from this, but it is a plague that is smiting the entire country (makas medinah)! It is destroying all of society. There is not a kid in all of America that does not know that drugs are bad for him. So are they all idiots? They know it is going to hook them, they know it is going to kill them, and yet so many start? The answer is "Everybody is doing it". Peer pressure, social pressure is such that it can make a person do something that he does not want to do.

One can know something is bad for him, but as the Chinuch says, there is no greater encouragement to human activity than the fact that everyone is doing it.

That is why even though I know I need to send away my slave and it will cost me a fortune, I am strengthened by the fact that I know everyone is doing it as well. That is human nature. We are tremendously influenced by our peer and social pressure... to the extent that we will do something that is inherently bad for us, but we will be able to do it because everyone else is doing it.

The lesson to be learned from this is the importance of community. A person needs to understand that not only is one's spouse and immediate family a tremendous influence, but the type of community that one chooses to live in is as well. If everyone does something in one way, a person will feel obliged to conform -- for good or for bad. A person will act better than he would usually act, because of community standards, and on the other hand a person will act worse than he would otherwise act, because "listen, this is what everyone is doing".

We do not outgrow this. When we were teenagers there was peer pressure, but even as adults we have peer pressure, social pressure. Therefore it is imperative, no matter how old a person is, that he find a community that wants the right things out of life. He must put himself in such a community and put his children in such a community.

Children will not be able to withstand the forces of peer pressure. They are human beings and whatever their peers do, they will do. One should not fool himself. We are all influenced, especially children and teenagers, who are so dependent on what their friends say. This is what the Torah is reminding us through the blowing of the Shofar throughout the Land.

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Rav Kook List

Rav Kook on the Torah Portion

Behar: The Hetter Mechirah for the Sabbatical Year

"When you come to the land that I am giving you, the land must be given a rest, a sabbath to God. For six years you may plant your fields, prune your vineyards, and harvest your crops. But the seventh year is a sabbath of sabbaths for the land." (Lev. 25:1-4)

A Brief History of the Hetter Mechirah

As the Jewish people began to return to the Land of Israel in the late 1800's, establishing farms and moshavot (agricultural settlements), the question of letting fields lie fallow during the sabbatical year became - for the first time in many centuries - a burning issue. With the approach of the sabbatical year in 1889, the Jewish settlers turned to the rabbinate to issue a hetter (permit) to allow them to continue working their lands during the seventh year, so that the young and fragile agricultural settlements would not collapse. In response, three respected scholars met in Vilna and designed a hetter mechirah, based on temporarily selling the land to a non-Jew over the sabbatical year. The hetter was approved by Rabbi Yitzchak Elchanan Spector, chief rabbi of Kovno and the pre-eminent Halachic authority of the time.

During the sabbatical years of 1889, 1896, and 1903, many of the new settlements utilized the hetter. However, a number of highly respected scholars vociferously opposed the leniency. Among the opponents were the Beit HaLevy (Rabbi Yosef Dov Soloveitchik), the Netziv (Rabbi Naftali Zvi Yehuda Berlin), and Rabbi Samson Raphael Hirsch.

The Sabbatical Year of 5670 (1909-1910)

In 1904, Rav Kook arrived in Eretz Yisrael, serving as chief rabbi of Jaffa and the surrounding moshavot. Leading up to the sabbatical year of 1910, Rav Kook took a forceful position defending the hetter mechirah. He penned a treatise entitled Shabbat Ha'Aretz which explained the legal reasoning behind the permit, along with a discussion of the laws for the sabbatical year. While Rav Kook was an original and creative thinker, he usually took a relatively conservative position in Halachic matters. What led him to support the lenient position in the hetter mechirah controversy? We can learn much about his underlying concerns from letters that he wrote during this time. The following quotes are taken from letters in the first volume of Igrat HaRe'iyah.

Motives for Supporting the Hetter

While still in Russia, Rav Kook and his father-in-law, Rabbi Eliyahu David Rabinowitz-Teomim (known as the Aderet, rabbi of Ponevez and later chief rabbi of Jerusalem), discussed the issue at length. In his letters, Rav Kook admits that at that time they both opposed the hetter.

"From afar, when we heard the arguments of those who permit and of those who forbid, we both leaned toward the stricter opinion. But when the Aderet arrived in the Land of Israel, he saw with his own eyes that it is impossible to even consider not making some sort of arrangement for the sabbatical year." (p. 258)

Seeing first-hand the precarious state of agricultural settlements was a critical factor in changing Rav Kook's mind. He understood that observing the sabbatical year fully could endanger lives and would likely bring about the collapse of the new settlements.

A second concern was that the entire enterprise of the return to the Land of Israel could fail over this issue. At that time, the nascent economy of the Yishuv in Eretz Yisrael was based on the commercial sale of agricultural produce.

"The JCA [Jewish Colonial Association] representative informed me that the JCA is preparing plans to buy much more property in the Holy Land. But if we decide that there is no permit to allow work during the seventh year via some legal sale, then the representative will be forced to advise that they should invest their money in Canada, and cease supporting [projects in] the Land of Israel. He also said that [if the land lays fallow during the sabbatical

year], the Arabs will take control of Jewish land during the sabbatical year by grazing their herds on them, and it will be necessary to take them to court." (p. 285)

A third concern - and perhaps the most important for Rav Kook - was his fear that a strict ruling would plainly demonstrate that Judaism is incompatible with the modern world and the building of a Jewish state: "Even worse is the potential condemnation of Judaism and widespread rejection of Torah observance that could result from a strict ruling, Heaven forbid. For the anti-religious elements actually hope that the rabbis will forbid [all agricultural activity during the sabbatical year]. Then they will have gained a great victory. They will have demonstrated that by listening to the rabbis, the land will be laid waste, the fields and vineyards will become desolate, and all commercial ties for the sale of wines, oranges and other produce will be broken - ties upon which the survival of the Jewish settlement truly depends." (p. 258)

The Halachic Underpinnings of the Hetter

In his letters, Rav Kook also discussed the legal reasoning behind the hetter mechirah. The sale is actually based on a number of independent, mitigating factors, each one lessening the severity of working the land during the sabbatical year.

The most important factor in taking a lenient stance is the ruling of most Halachic authorities that nowadays the sabbatical year no longer retains the status of Biblical law. Since it is Rabbinically-ordained, we may apply various leniencies (according to the principle of sfeika d'rabbanan lekula). The hetter only permits those types of agricultural labor that are not Biblically prohibited, even when the sabbatical year itself is Biblically-ordained. Thus, planting, pruning, harvesting, fruit-picking, and perhaps plowing must still be performed by a non-Jew hired to work the field. This clause ensures that no Torah prohibitions are violated, even according to the minority opinion that even nowadays the sabbatical year is Biblically ordained.

The Maharit (Rabbi Jacob Toledano (1697-1771) of Meknes, Morocco) in a responsum permitted renting out land to a non-Jew for a time period that includes the seventh year. He ruled that the obligation to observe the sabbatical year is on the farmer working the land, and not on the land itself. Even those who disagreed with this ruling, nonetheless agree that an actual sale of the land to a non-Jew will permit it to be farmed, since the land is no longer the property of a Jewish farmer.

An additional reason to be lenient is that our current situation is one of "undue hardship" (sha'at hadechak). Given the precarious state of the agricultural settlements, not working the land would be truly life-threatening. In such cases, one may rely on a single opinion - that of the Rezah (Rabbi Zerachiah HaLevi Gerondi, 1125-1186) - who held that nowadays, without the Jubilee year, the sabbatical year is not even rabbinically ordained, but is only a pious custom.

Additionally, we may take into account the question regarding the correct count of the years. The Kaftor Vaferach (Rabbi Eshtori HaParchi, 1282-1357) testified that some farmers would observe the seventh year during one year, while others observed it during another. Even though the rabbis agreed to observe just one sabbatical year (and Maimonides' count was chosen), this is only a convention; the doubt still remains as to what is truly the sabbatical year.

According to the land-deeds in Palestine under the Ottoman Empire, all land in fact belongs to the regime, not the Jewish farmer. The farmer is only a "sharecropper of the king," allowed to keep 90% of his produce by law (and 60-70% in practice).

Rav Kook also intimated that he had additional arguments to be lenient, but intentionally did not publicize them. He feared that, once institutionalized, the hetter would become too entrenched. The ultimate goal was not to circumvent the laws of the sabbatical year, but to allow the settlements to grow and prosper until they would be able to completely observe the sabbatical year in all of its details.

"On purpose, I did not organize everything in this matter to be fully explained, organized, and analyzed as it should be. Some justifications and cogent arguments I have omitted completely. All this was in order that the hetter should not become too accepted, but will always be considered a temporary measure (a hora'at sha'ah), something that was permitted grudgingly due to the needs of the time. But when these issues are analyzed in the way of true Torah scholarship... the prohibition would become too weakened - and I certainly did not desire that." (pp. 348-349)

Eye to the Future

Many of the rabbis who opposed the hetter mechirah wrote that not observing the sabbatical year would in fact jeopardize the future of Jewish settlement in the Land of Israel, since the punishment for transgressing its laws is exile (see Avot 5:9). While Rav Kook also looked forward to the day when the seventh year would be fully observed, he viewed the hetter as a stepping-stone that would allow the community to achieve that goal.

"We must recognize that we are obligated to strive with all of our strength to bring matters so that, in the end, the sabbatical year will be increasingly observed in all of its holiness in the Holy Land.... But how to arrive at this sacred goal? Which means should we use to attain it? This matter must be considered carefully.

"In my opinion, we need to arrive at our desired goal precisely by graduated efforts. Rabbi Chiya Rabbah described the overall redemption of Israel as beginning slowly, little by little - "kim'a kim'a" [see Jerusalem Talmud, Berachot 1:2]. So too, the spiritual redemption of establishing the Land's holiness will advance in stages, step by step." (p. 330)

One expression of this graduated approach is the distinction the hetter made between those agricultural activities that are prohibited Biblically and those prohibited rabbinically. "We should be like one who saves his possessions from the fire," Rav Kook explained. "Whatever is more precious and holier [i.e., Biblically-prohibited labor] must be rescued first."

This distinction also provides a solution to the danger of punishment by exile for not observing the sabbatical year. Such a severe penalty could only apply to transgressing Biblically-ordained prohibitions. As the Sha'agat Aryeh (Rabbi Aryeh Leib Gunzberg, 1695-1785) wrote regarding the blessings recited before studying Torah: "It is self-evident, that if this blessing was only of rabbinic origin, it would not warrant such a terrible punishment as forfeiting the Land" (Siman 24).

Not Relying on the Hetter

What about those who did not wish to rely on the hetter mechirah? Here, Rav Kook distinguished between farmers and consumers.

Rav Kook was very supportive of farmers who did not wish to rely on the hetter. When he heard that the JCA was using the hetter to force farmers to work on the sabbatical year, he became acutely distressed, and threatened the JCA that the hetter would become invalid under such circumstances. Rav Kook also spoke of setting up a special fund to support these farmers. On the other hand, Rav Kook spoke harshly against consumers who chose to be stringent in the sabbatical year by buying produce only from non-Jewish farmers. One cannot take on chumrot (stringencies) at the expense of others. "Certainly it is not proper to look for leniencies and loopholes by purchasing produce from non-Jews, in a situation when this will cause loss of income from Jewish farmers and undermine their livelihood. In general, in any situation where we desire to be strict for ourselves, it is correct to make certain that this stringency does not induce any negative repercussions of financial loss or disrepute for others." (p. 258)

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To Know Before Whom One Toils

Rabbi Elyahu Safran

Of all the pressures and stresses that buffet our young people today, the ones that are most discouraging and disquieting are the ones that originate with the very people who should be working diligently to ensure that our young people grow to be healthy, committed and engaged Jews, bound by their heads and their hearts to the Jewish community. And yet, often I find myself astonished by leaders in the Jewish community who seem, in their absolute focus on piety or purity or Jewish political correctness, to be doing everything in their power to undermine the integrity of the entirety of the Jewish community.

If that sounds like I am being overly dramatic, please consider. Not very long ago, a sixteen year old young man – a boy! – was introduced to me. As part of the introduction, I was informed that the young man had been asked to leave his yeshiva.

“Really?” I asked, concerned now. The young man seemed like a perfectly average young man. Not a trouble maker or a problem. “What happened?” The young man lowered his eyes. “I am not good enough,” he said softly, his emotion choking the words in his throat.

Not good enough? His words cut at my heart. What does that mean, not good enough? Good enough for what? To become the next Gaon of Vilna? To become the next Steipler? Looking at the young man before me, I could see he was most certainly good enough to be like so many in previous generations had been – a committed Jew, learning mishnayos, kitzur shulchan aruch, reviewing parshat hashavuah and, most importantly, feeling the embrace of the Jewish community.

So many of our young people have been turned off and turned away. Have our yeshivos become so much like the Ivy League that they exist only for the metzuyanim and the fin’e bochurim – the crème de la crème? More often than not, the yeshivos seem to take pleasure in sending out the lo niskabel (not accepted) slips in response to the earnest application from students and families.

This saddens me in so many ways. Through elitism and arrogance, we have lost the ability to recognize and honor all who made the effort to learn; who sought to achieve the best they were able to achieve. Have we fallen so far from the shtetl when shoemakers, tailors, carpenters, water carriers – every Jew – had his own shtiebel where he could learn mishnayos and midrash with his neighbor and friend? Have we grown so strong in America that it is not so important that every Jew be able to daily recite Tehilim? Have we become so insular that we do not value the individual who becomes – God forbid! – nothing more than a sweet (or even not-so-sweet) yidden?

Do we no longer care about the effort our students make? Do we only judge their accomplishments?

Has the yeshiva community become so much like the secular community that all that counts is the bottom line, not the effort expended? Have we shirked off the genuinely Jewish approach?

And for what?

In Pirkei Avos [2:19] we are taught to “be diligent in the study of Torah... to know before Whom you toil and to know that your Employer can be relied upon to pay the wage of your labor.”

As usual, our Sages have provided a powerful response to those who feel belittled, demeaned and defeated by those who suggest, “you are not good enough”! The answer is, “You are good enough. And we know because Hashem acknowledges your labors”!

Every effort, every posuk of chumash, every mishna you wrestle with – every ounce of effort you exert – is prized by God, who can be “relied upon to pay the wage of your labor.”

Sim lev! Pay attention! God will pay the wage of your labor. That is, your effort, not necessarily your accomplishment.

The Chofetz Chaim said it best, “Ordinarily, pieceworkers are paid only for the amount they produce. If they must expend greater amounts of time to meet the quota, so be it. That is their problem. They have no claim for greater compensation once the price per item is fixed. HaShem however, most certainly pays man for his effort as well as for the actual production.” A

person not blessed with the Gaon of Vilna’s intelligence is most certainly not penalized for all the extra time and effort he needs to exert in order to learn and understand. He is rewarded according to his efforts... and as long as he can look in the mirror and acknowledge the efforts invested he is amply rewarded and cherished. In 2:21 we are reminded, ‘You are not required to complete the task,’ just be sure that you did not ‘withdraw from it.’

This is the message our young people should hear from us. Not, “you are not good enough” but rather, “your efforts are cherished.” The Mishna is clear, “your Employer can be relied upon to pay you the wage of your labor.”

Why then, can’t we?