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ON **CHUKAS / BALAK** - 5769

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Fri, Jun 26, 2009 at 12:05 AM subject Halacha Overview -
Murderer and Protection of Life - Rotze'ach u-Shemiras Nefesh
Halacha Overview

by **Rabbi Dr. Azriel Rosenfeld**

Murderer and Protection of Life - Rotze'ach u-Shemiras Nefesh 68. It is forbidden to murder, as it says "You shall not murder".¹ A murderer must be put to death, as it says "He shall be avenged"²; it is forbidden to accept compensation from him instead, as it says "You shall not take redemption for the life of a murderer...; and there shall be no atonement for the blood that was spilled... except the blood of him that spilled it".³ It is forbidden to execute a murderer before he has stood trial, as it says "And the murderer shall not die until he stands before the congregation for judgment".⁴ However, we are commanded to prevent an attempted murder by killing the would-be murderer if necessary, and it is forbidden to refrain from doing so, as it says "And you shall cut off her hand; you shall not be merciful"⁵; and similarly for attempted fornication, as it says "[If the man seizes her and lies with her...] just as a man rises up against his friend and murders him, so is this thing."⁶ It is forbidden to refrain from saving life when it is in one's power to do so, as it says "You shall not stand on your friend's blood."^{7,a}

One who kills a man by accident must be exiled to a city of refuge and it is forbidden to accept compensation from him instead, as it says "He shall dwell there until the death of the high priest... and you shall not take redemption from [one] who flees to his city of refuge [to return and dwell in the land before the priest dies]".⁸ We are commanded to set aside such cities in the land of Israel, as it says "You shall set aside three cities... [to which a murderer can flee]"⁹; all the cities given to the Levites are cities of refuge, as it says "The cities that you shall give to the Levites: the six cities of refuge that you shall give for a murderer to flee there, and besides them you shall give 42 cities".^{10,b}

If a murdered body is found in the land of Israel the court of the nearest city kills a calf near a stream on untilled soil as an atonement [as it says "If a corpse is found in the land... and it is not known who struck him... the elders of the city nearest to the corpse shall take a calf with which no work has been done... and take the calf down to a mighty stream that must not be worked and not sown and break the neck of the calf there by the stream...

and say ...`atone for Your people Israel..."].¹¹ When murder is common this practice is not followed.^c

We are commanded to remove all possible sources of danger to life -- for example, to build a parapet around a roof -- and it is forbidden to refrain from doing so, as it says "You shall make a fence for your roof and you shall not put blood in your house".¹² All practices that are potentially dangerous to life must be avoided. It is forbidden to lead anyone astray and in particular to tempt him to sin, as it says "And you shall not put an obstacle before a blind man".^{13,d}

[If we find someone in difficulty we are commanded to help him; for example,] if someone's animal is crushed under a heavy load we are commanded to help him unload and reload it and it is forbidden to ignore him, as it says "[If you see your enemy's ass crouching under its load...] you shall unload with him",¹⁴ and it says "You shall not see your brother's ass [or his ox fallen on the road and ignore them]; you shall lift up with him".^{15,e} 1. Ex. 20:13; Deut. 5:17 2. Ex. 21:20; see Lev. 24:17,21 3. Num. 35:31,33 4. Num. 35:12 5. Deut. 25:12 6. Deut. 22:26 7. Lev. 19:16 8. Num. 35:25-32 9. Deut. 18:2ff; see Num. 35:10ff 10. Num. 35:6 11. Deut. 21:1ff 12. Deut. 22:8 13. Lev. 19:14 14. Ex. 23:5 15. Deut. 22:4 a. 1:1,4-11,14 b. 5:1; 8:1,9 c. 9:1-3,12; 10:1,9 d. 11:1,3-5 e. 13:1-2

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Rabbi Aryeh Striks
Mussar HaTorah

Torah insights into human nature from the weekly parasha. Based on the talks of Rabbi A. Henach Leibowitz zt"l (Rosh HaYeshiva of Yeshivas Chofetz Chaim - RSA) and dedicated in his memory. This week's Mussar HaTorah - a weekly parasha newsletter - can be downloaded at this link: Mussar HaTorah Parshios Chukas-Balak 5769 Or visit the Mussar HaTorah page on TorahStation.com Have a Gut Shabbos!

Sincerely,

Rabbi Aryeh Striks Valley Torah High School

"And he [Moshe] said to them, 'Listen, rebellious ones...' " (Bamidbar 20:10)

Moshe was taken to task when he spoke harshly to B'nei Yisrael and said, "Listen, rebellious ones." Aharon, the Yalkut Shimoni (Chukas 764) tells us, was not a partner in this misdeed as the pasuk at the end of Devarim (33:9) tells us, "And his brothers he did not recognize." Aharon did not collaborate with his brother in the harsh statement to B'nei Yisrael. The pasuk clearly states that Moshe spoke these words and not Aharon. Still, the Yalkut quotes a verse in Devarim to teach us that Aharon had no part in Moshe's words. Why is this second verse necessary if the original narrative has no implication of Aharon's involvement whatsoever? Furthermore, even if one would be stubborn and deem it necessary to specify it nonetheless, why phrase it in terms of not "recognizing his brother?" A simple confirmation that Aharon did not speak would surely suffice! It seems that Aharon deserves praise for resisting a natural force -- the drive to follow one's brother. The normal, natural course of action would have been to join Moshe in his rebuke of the Jews. This is why it is necessary to underscore that he overcame this desire, and specifically did not follow his brother's lead.

If we step back to examine the situation, two questions, and therefore insights, come to light. Firstly, who was Aharon? Aharon was as great as Moshe himself (Bereishis Rabbah 1:15), a tzaddik of mind-boggling stature. We can be certain that he evaluated each of his actions clearly, carefully and independently.

He evidently felt the harsh tone of Moshe's statement was improper. If so, how could such a saintly, righteous person allow himself to be influenced by feelings of loyalty to his brother and speak inappropriately? Does Aharon deserve praise for not allowing their brotherhood to effect his decision-making process? Secondly, whatever temptation Aharon had to overcome, it should have been accomplished through sheer force of will and Aharon's desire to do the right thing. Why, then, does the Torah describe his decision as "not recognizing his brother," implying that Aharon temporarily disconnected his fraternal relationship in order to win this battle?

Apparently, the pull of loyalty to one's brother is a powerful force, one that affects even spiritual giants of Aharon's caliber. It can drive a person to go against his better judgement and rationalize that following a sibling's improper actions or words is the correct course of action. The only way to overcome this urge may be a complete separation from the relationship – not even "recognizing" one's sibling. The Yalkut Shimoni is teaching us that had Aharon not totally detached himself from the feelings of brotherhood, he could have fallen prey to their pull.

If these fraternal sensitivities are so basic, natural and profound, let us harness them in the positive direction by acknowledging our obligations to our Jewish brethren, and by acting upon them to care for the physical and spiritual needs of our brothers and sisters. We don't need to create these feelings – they are instinctive and part of our character. As long as we don't detach ourselves from our fellow Jews, we will naturally respond to their plight with concern and love for our brethren.

Based on the talks of Rabbi A. Henach Leibowitz zt"l, Rosh HaYeshiva of Yeshivas Chofetz Chaim – RSA © 2009 by Rabbi Aryeh Striks & Rabbi Shimon Zehnwirth. For more information call (818) 505-7999 or e-mail mht@vths.org

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Halachah Discussion by Rabbi Doniel Neustadt

The Seventeenth Day of Tammuz The three-week period known as Bein ha-Metzarim, the time of year when we mourn the destruction of the two Batei Mikdash, begins with a fast day on the Seventeenth of Tammuz, and ends with a fast day on the ninth day of Av. Let us review the laws of the day known as Shivah Assar b'Tamuz — the Seventeenth Day of Tammuz.

Question; When does the fast begin and end? Discussion: The fast begins at daybreak, alos ha-shachar, and ends at nightfall, or tzeis ha-kochavim. Calculating the exact time of both alos and tzeis is a complicated process and the subject of many disputes. Although it is generally assumed that when computing the start of fast days alos takes place seventy-two minutes (the length of time it takes to walk four mil) before sunrise,¹ and tzeis is fifty minutes after sunset,² other factors³ must also be taken into account. As in all matters of Halachah, one should follow his custom and the rulings of his rav. Food and drink may be consumed any time⁴ during the night of the 17th⁵ — but only if one remains awake all night. Once a person retires for the evening, the fast begins, because people do not normally eat until breakfast the following morning — which is well past alos ha-shachar. Retiring the evening before, therefore, is tantamount to starting the fast. Consequently: ? Unless one explicitly states⁶ before going to sleep that he plans to wake up early to eat before the fast begins, he may not eat in the morning, before the fast begins, upon awakening, even before alos ha-shachar. For him, the fast has already begun.⁷ ? One who normally drinks

coffee, juice, etc., in the morning upon arising, does not need to stipulate that he will drink this morning as well. One who normally does not drink anything in the morning should stipulate before retiring that he is planning to get up in the morning to drink. B' diavad, if he failed to do so, he may drink nevertheless.⁸ ? "Going to sleep" means deep sleep, whether in a bed or not. Napping or dozing does not mean that the individual has finished eating and begun the fast.⁹

Question: May one eat before Kerias Shema and Davening? Discussion: Even though the fast itself does not start until alos, one may not start eating a "meal" right before alos. There is a general ruling concerning all positive commandments, such as shaking the lulav on Sukkos and reading the megillah on Purim, that one may not partake of a meal within a half hour of the time at which the mitzvah can be performed. This Rabbinic edict was enacted since it was feared that one might become distracted while eating and forget about performing the mitzvah. Kerias Shema and davening the morning Service are no different from any other positive mitzvah; it is, therefore, prohibited to eat "a meal" starting one half hour before alos ha-shachar.¹⁰ One who began to eat a meal before the half-hour point may continue eating until alos. But one who did not begin to eat until he was within a half hour of alos must do one of the following: 1. Restrict his food intake. Eat fruit in any amount,¹¹ eat any type of food that requires the shehakol blessing but without being koveia seudah (eating a regular, scheduled meal),¹² or eat less than a k'beitzah (estimated to be anywhere between 2 and 3.5 fl. oz.) of bread, cake, cereal, etc.¹³ All drinks, except intoxicating beverages, are permitted in any amount.¹⁴ 2. Eat any kind and any amount of food, but appoint another person¹⁵ — who is not eating or sleeping¹⁶ — to remind him to recite Kerias Shema and Shemoneh Esrei.¹⁷ It is also permitted to set a timer that will ring at the proper time to remind him to stop eating.¹⁸ Note: According to the Zohar,¹⁹ one who wakes up at any time during the night [after midnight] may not eat before davening — even though the time of davening is several hours off. Although there are meticulous individuals who abide by the Zohar,²⁰ the basic halachah is not as stated in the Zohar and the prohibition does not begin until the earliest time for davening, which is alos ha-shachar.²¹ After having eaten, it is permitted to go back to sleep if one is sure that he will wake up on time to recite Kerias Shema and daven Shacharis.²² If he is unsure, he must either appoint another person to wake him up or set an alarm clock to awaken him. ²³

Question: In addition to fasting, are there any other restrictions on a fast day? Discussion: Although it is permitted to bathe on a fast day, it has become customary not to take a hot shower or bath.²⁴ It is also proper for adults to refrain from swimming,²⁵ unless it is needed for a medical condition or to cool off on an extremely hot day. On a fast day [other than the Seventeenth of Tammuz and Tishah b'Av] it is permitted to take a haircut. A ba'al nefesh, though, should refrain from doing so.²⁶ The poskim differ as to whether it is permitted to rinse one's mouth with water on the Seventeenth of Tammuz.²⁷ Some permit rinsing the front part of the mouth, taking care that no water runs down the throat,²⁸ while other poskim allow this only when one is in pain (tza'ar).²⁹ According to the second view, then, one may not schedule a dental visit (which will require him to rinse his mouth) on a fast-day unless he is in pain.³⁰ Medications prescribed by a doctor may be taken on the Seventeenth of Tammuz. One who has difficulty swallowing pills without water may drink the minimum amount of water required to swallow them. There is no need to ruin the taste of the water before drinking it.³¹ When suffering from a severe headache, etc., aspirin or Tylenol, etc., may be taken. The poskim, however, do not permit taking those medications with water unless the water is first made to have a bad taste.³²

Question: What are some special halachos concerning davening on a fast day? Discussion: During the reading of the Torah on a fast day, the custom is that certain verses are read aloud by the congregation. The individual who is called up for that aliyah should not read the verses aloud with the congregation. Instead, he should wait until the reader says them aloud and

read along with him.³³ One who mistakenly ate on a fast day must resume fasting as soon as he realizes his error and complete the fast.³⁴ He may recite Aneinu at Minchah.³⁵ One who is not fasting altogether should not say Aneinu.³⁶ A minor who is not fasting need not say Aneinu [for the purpose of chinuch].³⁷ One who is davening Shemoneh Esrei together with the shliach tzibur should not say Aneinu as a separate blessing like the shliach tzibur does; he should say it as it is said in private recitation, in Shema koleinu.³⁸ At the Minchah service, Avinu malkeinu is recited, even when one is davening without a minyan.³⁹

Footnotes 1 Beur Halachah 89:1, s.v. v'im, quoting the Rambam. But others opinions maintain that alos could be 90, 96 or even 120 minutes before sunrise. 2 Igros Moshe, O.C. 4:62. There are many other opinions as well, ranging from 20 to 90 minutes after sunset. 3 Such as geographical location and season of the year. In addition, many poskim hold that alos and tzeis are calculated all over the world on the basis of the angle of the sun during the equinox in Yerushalayim, which means that alos will take place when the center of the sun is at 16.1 degrees below the horizon and tzeis is when the center of the sun is at 8.5 degrees below the horizon. Using this method of calculation, the fast will begin about 40 minutes earlier and end about 20 minutes earlier. 4 Eliyah Rabbah 563:1 maintains that it is improper to eat more than one normally does on the night before the fast, since doing so defeats the purpose of fasting. This stringency is quoted by some (Be'er Heitev 568:22; Elef ha-Magen 602:6) but omitted by Mishnah Berurah and many others. See Aishel Avraham, Tanina 568:22; Kaf ha-Chaim 549:11; Igros Moshe, O.C. 3:88; b'Tzeil ha-Chochmah 2:48. 5 A ba'al nefesh should begin the fast before nightfall of the 17th; Sha'ar ha-Tziyun 550:9. See also Sha'ar ha-Tziyun 565:8. 6 It is preferable to do so verbally, but it is valid as long as one had in mind to do so. 7 O.C. 564:1. One who did not know this halachah and ate in the morning without having made the stipulation the night before, may still recite aneinu (Shevet ha-Kehasi 1:180). 8 Mishnah Berurah 564:6 and Aruch ha-Shulchan 564:2 based on Rama, ibid. See, however, Mateh Efrayim 606:6, who is more stringent. 9 Mishnah Berurah 564:3. 10 Mishnah Berurah 89:27. This prohibition does not apply to women; Halichos Shlomo 1:2-3. 11 Based on Mishnah Berurah 232:34 and 286:9. 12 Based on Mishnah Berurah 639:15. 13 Mishnah Berurah 89:27. If it is a type of a cereal upon which one is not koveia sudah, it is permitted to eat without a limit; see Mishnah Berurah 232:34. 14 Based on Mishnah Berurah 232:35. 15 Even a responsible minor; Nekiyus v'Kavod b'Tefillah, pg. 83; Rav C. Kanievsky (Ishei Yisrael 27:19). 16 Rav S.Z. Auerbach and Rav Y.S. Elyashiv (quoted in Avnei Yashfei, Tefillah, 11:16) based on Mishnah Berurah 235:17. 17 Based on Mishnah Berurah 89:34 and 235:18. 18 Rav Y. Kamenetsky (oral ruling published in Emes L'Yaakov, O.C. 232:2, note 242); Rav S.Z. Auerbach (Halichos Shlomo 2:12). 19 Quoted by the Magen Avraham 89:14 and by all the later poskim. 20 Aruch ha-Shulchan 89:26. 21 Consensus of all the poskim; see Mishnah Berurah 89:28; Aruch ha-Shulchan 89:26; Yalkut Yosef, pg. 147. 22 Chazon Ish, quoted in Dinim v'Hanhagos 4:13. 23 See Siddur ha-Gra, pg. 88, quoting Rav Y.L. Diskin and Binyan Olam 1:1. See Siyach Halachah, pg. 149. 24 Sha'ar ha-Tziyun 550:8; Aruch ha-Shulchan 550:3. 25 Be'er Moshe 3:77; Rav M. Feinstein (oral ruling quoted in Mo'adei Yeshurun, pg. 108). Minors, however, may swim; Nitei Gavriel, pg. 34 quoting Puppa Rav. 26 Tzitz Eliezer 7:49-12. 27 O.C. 567:3. 28 Aruch ha-Shulchan 567:3 This seems to be the view of Be'er Heitev 567:5 and Da'as Torah 567:3 as well. See also Magen Avraham 567:6, who allows rinsing the mouth with less than a revi'is of water. 29 Mishnah Berurah 567:11 following the view of the Chayei Adam. Kaf ha-Chayim 567:13-14 also rules stringently. 30 Nishmas Avraham, O.C., pg. 290. 31 Rav S.Z. Auerbach (quoted in Halichos Shlomo 3:16-3) concerning Tishah b'Av; Rav M. Stern (Derech Eretz, pg. 30). 32 See Nishmas Avraham, O.C., pg. 282, concerning Tishah b'Av. 33 Mishnah Berurah 566:3. 34 Mishnah Berurah 549:3. 35 Mishnah Berurah 568:3. See Shevet ha-Levi 4:56, 5:60 and 8:128 that instead of saying b'yom tzom ta'aniseinu, he should say b'yom tzom ha-ta'anis hazeh. 36 Beur Halachah 565:1. 37 Shevet ha-Levi 8:131. 38 Mishnah Berurah 565:1. 39 Sha'arei Teshuvah, O.C. 584:2 quoting Shevus Yaakov and Kitzur Shalah; Rav M. Feinstein (oral ruling, quoted in Mo'adei Yeshurun, pg. 112). See, however, Da'as Torah 584:1 who states that some do not recite Avinu malkeinu when praying without a minyan.

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\ PARSHAS CHUKAS This is the decree of the Torah which Hashem has commanded. (19:2) In the Midrash, Chazal point out that the aspect of chok, mitzvos that defy human rationalization, connected to the mitzvah of Parah Adumah, Red Heifer, is the paradox regarding the ashes of the parah. These ashes are mixed with water and sprinkled upon one who is tamei meis, ritually unclean due to contact with a dead body. This mixture purifies the contaminated person, but simultaneously renders impure the Kohen who had prepared it. What is the meaning of the opening pasuk: "This is the decree of the Torah" in which the word chok is used? Are we to relate to the Torah as a chok, above rationale? Are we permitted to investigate Hashem's mitzvos, to question them, so that we might develop a clearer understanding of what is demanded of us? How does the concept of chok change everything? What role does the Parah Adumah play in the scheme of things?

Horav Mordechai Gifter, zl, explains that the Torah is herein teaching us how to relate to mitzvos. Man lives by the understanding that many phenomena in this world occur as the result of cause and effect. Man terms the set of rules which guides this concept "the laws of nature." The secular world lives by these guidelines. They constitute the underpinnings of man's comprehension of science and medicine, and they lead society toward greater and deeper advancements in scientific knowledge. Considering all of our perception and knowledge, however, man has yet to uncover the source of it all, the power behind the effect, or what we understand is the real cause: Hashem. Man's understanding of what takes place around him is superficial. Thus, when an incident occurs which seems to be at variance with his limited understanding of creation and the laws which govern the way "things are supposed to be," he is baffled. He can find no way to resolve the contradiction which he now confronts. He would never think of adding the "Hashem factor" into the equation, because he has not yet acknowledged Hashem in creation. He is too involved in the idea of "the laws of nature."

The realization that Hashem lies behind everything, and that He is the true Source of all cause and effect, grant a person newfound illumination in his quest for integrity in understanding. Confronting the reality that "the laws of nature" are not real and that the true set of rules through which Creation functions is in actuality the Divine Hand guiding the world, is a difficult and eye-opening concept for many, but, ultimately, a satisfying approach. Yes, now it all makes sense - even if it does not make sense to us! Hashem can do what He wants and, while He has set the world into motion, He can deviate from His plan at anytime due to reasons beyond our grasp.

This is the idea behind the chok of Parah Adumah. Man has conjured up the premise that matter which purifies cannot make something impure. It is not rational. This premise is based upon the assumption that the rules of nature are binding. We believe, however, that matter does not necessarily subscribe to rules. The only rule that is in effect is the will of G-d. He makes the "rules," and they are based upon His will. Therefore, He has decided that the ashes of the Parah Adumah do indeed remove the contamination of the tamei, contaminated person. For some reason beyond our ken, however, Hashem has declared that the Kohen who prepares the purification water and ash will himself become tamei. The only rule that we cannot accept is that no rules exist other than the will of Hashem, as expressed through His Torah and mitzvos.

This is what Chazal mean when they say that we have no right to question the Torah. We may and should investigate in order to become proficient in His mitzvos, but questioning them is beyond our scope. Rav Gifter explains that one who questions Hashem does not understand Hashem's decree. He cannot/will not proceed unless he understands the underlying reasoning behind the mitzvah. When one investigates, he strives to develop a deeper knowledge of Hashem's mitzvos but, at the same time, he must be acutely aware that the ultimate answers are beyond human comprehension. This idea is the "decree of the Torah," meaning that it

applies to the entire Torah. Even those mitzvos which we think we understand must be performed in a chok mode, whereby we carry them out because it is Hashem's will. When we confront the irrationality of chukim, we realize that we are really unable to penetrate the true depths of reasoning behind all of the mitzvos. To study properly to the point that it has an effect upon a person, one must study Torah with yiraas Shomayim, fear of Heaven. Only then is it Torah. To study Torah without awe of its Divine Author reduces Torah to just another form of worldly wisdom.

I feel that another aspect of chok is often ignored and, at best, underemphasized. In today's progressive society, we frequently hear parents declare, "I do not want to force religion down my child's throat. Let him develop his own outlook, his own perspective, after he has had a wide exposure to the various points of view that exist. I want my child to make his or her own rational decision, not accept something that is handed to him from his parents." This misguided attitude goes hand in hand with that of the Jew who, when excusing his lack of observance of any or all tenets of Judaism, justifies his behavior with the notion, "Oh, I am not religious, so I can do what I want." This perfidious attitude is born of a disingenuous character, an individual who, out of a sense of moral weakness, lies to himself and then to others. The same failing is prevalent in both of the above instances. Veritably, until this weakness is addressed, logic and philosophy will be ineffective in debating with this individual in an attempt to show him the error of his ways.

I think this is what the Torah is teaching us. Hashem chose the Jewish nation, and we chose to be chosen. Something is unique about the Jewish People, and it is a privilege to be included among them. With this selection comes responsibility - not choice. As part of Hashem's nation, we accept to execute His Torah and mitzvos. We cannot renege on our chosenness. It is part of us. Leaving is not an option. The individual who claims he is not religious-- or who is raising his child in a manner which exposes him or her to every opportunity to succumb to moral and spiritual bankruptcy-- is shirking his responsibility. It is very similar to a soldier who goes AWOL. He is disciplined for leaving his unit. He is a soldier, and a soldier does not leave. A Jew is part of Hashem's army. He cannot leave.

This is the teaching regarding a man who would die in a tent. (19:14)

Many of us go through life without a clue concerning why we were sent down here. When one does not realize life's purpose, life has very little meaning and even less value. In Parashas Chukas, the Torah addresses the ritual contamination created by death and the atonement which is catalyzed by the passing of tzadikim, a righteous person. An individual who comes in contact with a deceased person becomes tamei, ritually unclean, for seven days. On the third and seventh days, the tamei person must be sprinkled with pure water, mixed with ashes of the Parah Adumah, Red Heifer, which had been burned with cedar wood, hyssop and wool dyed with a red extract from certain worms. One of the first paradoxes associated with death is confronted during the purification process. The same water which renders the tamei person clean renders the person who has prepared it tamei. The interface between life on this world and life on the next world is filled with question. Dying is filled with questions. The mere fact that we are to use hyssop, which comes from a lowly shrub, is paradoxical. The fact that both meet the same physical end, in a place of worms, might give us something to think about.

Physical death is not the end. It is only the beginning of life. Chazal teach us that those whose lives in this world are focused primarily on the spirit are even more alive in the next world. Reshaim, wicked people-- whose lives in this world have revolved around satisfying the needs of the flesh-- are not truly alive even in this world. Thus, as the Bostoner Rebbe, Shlita, teaches, the main focus of Jewish mourning and purification practices is to teach the living how to live. Shlomo HaMelech says in Sefer Koheles 7:2, *Tov laleches el beis avel... v'hachai yitein el libo*, "It is better to go to a house of mourning than a house of feasting; for that is the end of all men, and the living will take it to heart."

The Rebbe makes a profound observation which I think helps us to confront the challenge of death from a practical perspective. When a person dies, the question is often asked, "Why did he-- or she-- have to die?" Yet, we seldom hear at the birth of a child, "Why was this baby born?" Certainly, life and death are linked. Had this person not been born, he would not have died. How can we hope to discover the purpose of death without first confronting the purpose of life - and living it accordingly? How easy it is to complain and bemoan someone's passing. Do we ever apply the same questioning to his birth? How often do we ask ourselves, "Why am I here? Am I fulfilling my unique purpose in life? Is this why I was created?" Poignant questions, compelling questions, which should be addressed by the living - while they can still be answered!

This is why the death of the righteous atones. The tzadik is acutely aware of the question regarding his birth, and he is likely to have spent his entire life addressing that question. When he passes from this world, he has achieved a life of meaning, a life of value, a life in which he has carried out his G-d-given purpose. Such a passing is not death; it marks the beginning of continued life in Olam Habba, the World to Come. It is not the "death" that atones; it is the life that has preceded this new beginning which atones.

Parashas Balak

Behold! The people coming out of Egypt have covered the face of the earth. (22:11)

Upon reading the text, we note a disparity between the way in which Balak describes the exodus of Klal Yisrael from Egypt, and the manner in which Bilaam describes it. Balak said, "Behold! A people has come out of Egypt," (ibid 22:5) using the past tense. Bilaam, however, says, "Behold! The people coming out of Egypt," using the present tense. Why do they differ in their descriptions? Horav Moshe Feinstein, zl, asserts that Bilaam had a deeper perception of Klal Yisrael's essence. Balak thought that the Jewish People were like all other nations who wish to forget their humble beginnings. Therefore, he implied that as soon as the Jews left Egypt they had already forgotten their roots, disconnecting themselves from their past. It was gone, over, finished. They were about to begin a new life and wanted nothing to do with their past. Bilaam knew otherwise. He understood what made Klal Yisrael function. He perceived their distinguishing characteristic. They are different from all the other nations and therefore, they will always remember that they were once slaves in Egypt and that Hashem liberated them. This is one of the areas in which Jewish People shine. The Baal Shem Tov was wont to say, "Forgetfulness leads to exile; remembrance is the beginning of redemption."

It is specifically due to the awareness that we have that Hashem redeemed us from Egypt that we maintain this distinction. This point of dissimilarity is what gives us the ability to ward off assimilation. We know that we are not just like everyone else. Hashem watches over us in a manner unlike any other nation.

Bilaam was no fool. He feared Klal Yisrael's ability and desire to hold onto the memory, to retain the thoughts of their past. As a result of their desire to remain a nation apart from the world, they might influence other nations to learn from them and subjugate themselves to a mamleches Kohanim, kingdom of Priests, and to the kedushah, holiness, of Klal Yisrael. Their reminiscence would maintain their allegiance to the Almighty, inspiring others to emulate their way of life. This would hardly sit well with the evil Bilaam.

Balak, however, thought that we were no different than the other nations of the world. He thought that Egypt would be the farthest thing from our minds, an epic that we would want to expunge completely from our history. This way, we would slowly acculturate with the other nations until we would achieve total assimilation. He was concerned with their present power but their relationship to the past was past. This is one time that we are fortunate that Bilaam's perception of the Jewish nation was correct.

The plague of forced forgetfulness has been with us for quite some time. In Western Europe, the Jews sought to assimilate by viewing the past as

something to forget: "Look to the future, a new day is dawning. Forget about the ghetto. We are like other nations. Distinctiveness is what causes Jewish People to be denigrated in the eyes of the gentile. We must be like everyone else." These were the catch phrases that prompted so many to jump into the baptismal font. They forgot. Hashem remembered, however, and He made sure that the nations around would remember that we were different. When we attempt to forget, Hashem sees to it that the gentile nations remember-and remind us.

A Jew cannot escape his past, but that is not sufficient. He must cherish his past; treasure every memory that connects him to his source in history. The farther and deeper we delve into our past, the more we begin to realize that we are the products of a binding heritage, a tradition spanning thousands of years and a multitude of countries. Someone once wrote, "A Jew at birth is 4,000 years old." We have a glorious, although tumultuous, history which should serve as fountainhead of pride for us. The Jew who seeks to forget does himself and his people an unpardonable disservice. Indeed, this is something the Nazis attempted to do to us. With cremation and unmarked graves, they tried not only to kill us, but to erase forever permanent testimony that we ever lived. How shameful it is that some unconscionable Jews today continue to do the same with their bodies.

There is no dearth of stories which underscore the importance of remembering one's past. In searching for a fitting analogy that places it all in perspective, I came across a story told concerning Horav Meir, zl, mPremishlan which may be applied in a fitting manner. The Premishlaner would immerse himself in a mikveh that was situated on top of a snow-covered mountain. Despite the Rebbe's advanced age, he climbed the mountain with ease. His aide, however, although he was much younger, slipped and fell with every step. He asked the Rebbe, "How is it that the Rebbe walks so steadily, without slipping, while I cannot stop falling?" The Rebbe replied, "He who is bound to the One Above will not fall down."

Simply, this means that one who places his trust in Hashem has nothing to fear. He is connected. Perhaps, we can take this analogy further: One who is connected to the past does not stumble. He is firmly anchored in tradition, in a heritage that spans thousands of years and encompasses the Patriarchs and the greatest Torah luminaries of every generation thereafter. The one who is slipping, the one who should be concerned, is the one who has nothing to hold onto: no past, and thus, no future.

He perceived no iniquity in Yaakov, and saw no perversity in Yisrael. Hashem, his G-d, is with him, and the friendship of the king is in him. (23:21)

Bilaam is referring to himself when he says that he was unable to find iniquities that would justify him to curse the Jewish nation. V'lo raah amal b'Yisrael, "And saw no perversity in Yisrael," is a continuation of his inability to validate cursing the Jews. They are undeserving of a curse. Furthermore, G-d is unwilling to scrutinize their sins to the full extent of their failings. Since they are zealous in serving Him, He treats them altruistically.

Horav Simchah HaKohen Shepps, zl, renders v'lo raah amal b'Yisrael, homiletically. He compares Klal Yisrael to the storekeeper who spends his day in his establishment, working tirelessly to serve his customers. Despite being on his feet the entire day and having to run from place to place in order to best serve his customers, he does not think about being tired. On the contrary, he becomes weary and agitated when the store is empty of customers. When they are present, it is no matter to him if the consumer is purchasing an expensive item from which he will make a large profit or a simple dollar gadget. It is all about doing business. This is his store, and he wants to be busy. It all goes with the territory. This desire keeps him going, motivating him to continue working and serving his customers- despite how tired his body may be.

This is the meaning of, "he saw no amal," which, in this case, may be a derivative of *ameilus*, toil. The freshness and enthusiasm exhibited by the Jewish People in serving Hashem transcend whatever amal there might be.

Indeed, lo raah amal, "it is not noticed," because they are so involved in serving Him. This is what they are - just like the storekeeper. It is their thing. A nation that is weary in carrying out its mission indicates that it is not excited concerning its service.

Rav Shepps cites a famous *meshal*, parable, from the *Maggid*, zl, of Dubno, concerning the Kotzker Rebbe, zl, who was said to be inspired by Ruach HaKodesh, Divine Inspiration. An individual hired a porter to shlep, transport, his luggage from the boat dock to his hotel. When the porter arrived at the hotel, exhausted and completely winded, the man told the porter, "You carried the wrong suitcases." "How could this be?" questioned the porter in disbelief. "Your appearance and exhaustion tell me that this is not my luggage. You see, my suitcases were filled with jewelry, which is very light. Had you been carrying my suitcases, you would not be exhausted."

A similar idea applies to *avodas Hashem*, serving the Almighty. One who finds serving Hashem to be a difficult endeavor, who feels and acts like he is carrying heavy baggage, demonstrates that he is not "with the program." He is not serving Hashem. Observance should be an act of love, an endeavor carried out with enthusiasm and excitement - not a drag. One who cannot relate to this is apparently carrying the wrong baggage.

Va'ani Tefillah Hashem ohaiv tzaddikim. Hashem loves the righteous.

In the *Midrash Rabbah*, *Bamidbar* 8, Chazal make the following intriguing comment. "Why does Hashem love the righteous? (He loves them because) their (position) is not (through) inheritance, nor (is it the result of) family. We find Kohanim are the product of their *bais av*, father's house; *Leviim* are also the product of *bais av*. This is alluded to in *Sefer Tehillim* 135:19,20, *Bais Aharon barchu es Hashem*, *Bais HaLevi barchu es Hashem*, "House of Aharon, bless Hashem; House of Levi, bless Hashem." If a person desires to become a Kohen, he cannot. If he desires to become a Levi, he cannot. Why? Because his father had neither been a Kohen nor a Levi. If a person wants to become a *tzadik*, however, even if he is a gentile - he can, because it is not dependent upon *bais av*."

This is why the *pasuk* in *Tehillim* concludes with, *Yirei Hashem barchu es Hashem*, "Those who fear Hashem, bless Hashem." The concept of *yiraas Shomayim* is not connected to family. One develops *yiraas Shomayim* as a result of his unabiding love for Hashem. This is why Hashem reciprocates with His love for *tzaddikim*.

This is a powerful lesson. It has nothing to do with family or inheritance. It is all up to the person: his drive, his passion, his love. Hashem wants to see how much of our achievements are ours - not simply something we emulate. Initiative plays a major role in our service of Hashem, because it demonstrates our integration of the past with a building plan for the future. It shows that we care.

Sponsored by Moshe Shimon and Tibor Rosenberg in memory of their father

Peninim mailing list Peninim@shemayisrael.com
http://shemayisrael.com/mailman/listinfo/peninim_shemayisrael.com

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Balak: Passionately Yours By Rabbi Asher Brander

A famous insider Jewish joke goes like this: (1)

In shul, Cohen saunters over to Finkelstein and in a hushed tone asked, "Nit oif Shabbos g'redt, (It's not really Shabbat-like speech, but ..) do you know anybody who has a car for sale? My old clunker just died on Thursday."

Finkelstein was surprised. "You know," he admitted, "Nit oif Shabbos g'redt, I am thinking of selling my old Chevy!"

"Really?" responded Cohen in delight, "Nit oif Shabbos g'redt, how does it run?"

Nit oif Shabbos g'redt, it runs great! It has only 43,000 miles and I just put in a new transmission!

Suddenly, they heard a klop on the bimah. They turned to see the icy stares of the gabbai. They nuzzled their noses into the chumashim as the Ba'al Koreh continued to read from the Torah.

Cohen realized that he forgot to ask a most pertinent question. "Nit oif Shabbos g'redt, how much do you want for it?"

Finkelstein responded, "Nit oif Shabbos g'redt, \$4,200. Cash."

Cohen was quiet. "I'll think about it."

Cohen was the first one in shul for Mincha that afternoon. The moment Finkelstein walked in Cohen ran over to him.

"Nit oif Shabbos g'redt, you know the car you told me about this morning, It's a deal! I'll take it.

Yankel, shrugged. "Too late. Nit oif Shabbos g'redt I sold it during musaf!"

Bilaam, (like so many of us), is a man who knows better. In him is found the classic caricature of the one who simply cannot control himself; a bundle of great potential forever bound by inner jealousy, greed, honor or more precisely an unhealthy amalgam of all three.

With penetrating literary vision, the Rabbis find in this very aspect of the Bilaam personality a place for emulation and then some.

Consider the following: In Torah, narrative focuses on essential stuff. Pinchas kills. Yosef is sold. The Jews cross the Sea. Korach foments rebellion. And there is plenty of dialogue. Moshe negotiates with and petitions Hashem. Yaakov rebukes and guides his children. Yosef and the brothers share intense words. Torah-speak however, is blessedly sparse on petty details. Moshe does not eat, nor does Yitzchak or Avraham. Yaakov sleeps - to have prophetic dreams. Avraham sits to greet angels. Ipso facto, there can be no trivial details in an eternal Torah!

Rabbinic laser analysis therefore paid special attention to apparently extraneous details. In our parsha, we find one such example, one of four separate contexts where individuals harness or saddle their horses/donkeys:

a. Yosef harnesses [vaye'sor] his chariot to bring his father down to Egypt [Bereishis, 46:29] b. Paroh harnesses [vaye'esor] his chariot to chase Bnei Yisrael into the sea [Shemos, 14:6] c. Avraham saddles [vayachavosh] his donkey to bring Yitzchak to the Akeidah (binding) [Bereishis, 22:3] d. Bilaam saddles [vayachavosh] his she-donkey to go to curse Bnei Yisrael [Bamidbar, 22:21]

And now listen to Rabbi Shimon Bar Yochai's comment:

R. Simeon b. Yohai said: Love upsets the natural order, and hate upsets the natural order.

Love upsets the natural order: And Avraham rose early in the morning, and saddled his donkey: surely he had plenty of slaves? But the reason was that love upset the natural order. Hate upsets the natural order: And Bilam rose up in the morning, and saddled his donkey surely he had plenty of slaves? Hate, however, upsets the natural order.

.. And Joseph made ready his chariot, etc yet surely Joseph had plenty of slaves? But love upsets the natural order. And he [Paroh] made ready his chariot (Ex. XIV, 6)1: yet surely he had plenty of slaves? Thus hate upsets the natural order.

Passion and Protocol

Minimally, Rabbi Shimon teaches us that passion has the ability, bi-directionally, to upset standard protocol. The more one loves something or someone, the less one cares about propriety. As King David dances with unbridled gusto in front of the Ark as it returns home, his wife Michal is horrified, sarcastically rebuking him for being a simple commoner. [Shmuel 2, 6:20-23]

How honored is the King of Israel ... who was exposed today as one of the boors

David's sharp response:

In the presence of Hashem who chose me over your father .. as a ruler over Israel .. before Hashem shall I rejoice.

reminds us that in Divine service, the role of passion as a means of expressing a deep relationship with Hashem is critical. In serving God, one must be careful to not allow form to trump content.

Passion: Theirs and Ours

Rabbi Shimon bar Yochai then presents us with a 2nd incredible insight:

R. Simeon b. Yohai said: Let saddling counteract saddling. Let the saddling done by our father Avraham in order to go and fulfill the will of Him at whose word the world came into existence counteract the saddling done by Bilaam in order to go and curse Israel. Let harnessing counteract harnessing. Let Joseph's harnessing [of his chariot] to meet his father, counteract Pharaoh's harnessing to go and pursue Israel.

By noticing that the same verbs appear in couplets, Rabbi Shimon points out that passion may lead to divergent paths. Avraham and Yosef vs. Bila'am and Paroh show that passion is not a determinant of truth. PETA and pro-choice groups teach us that one can be wrong and passionate.

And yet - and this is the critical point of the midrash, extreme emotion must be reckoned with. Were it not for Avraham and Yosef's prior excellence, then Bilaam's and Paroh's passions would serve to indict. For passion or lack thereof is the real expression of our inner reality. It is reflective of what's going on in the neshama world.

In his modern classic, Tzav V'zirut, the Piaseczner Rebbe pens a paragraph that should be seared in the consciousness of every Jewish parent, teacher or anyone that considers himself in a position of influence.

The human soul relishes sensation, not only if it is a pleasant feeling but for the very experience of stimulation. Sooner sadness or some deep pain rather than the boredom of non-stimulation. People will watch distressing scenes and listen to heartrending stories just to get stimulation. Such is human nature and a need of the soul, just like all its other needs and natures; so he who is clever will fulfill this need with passionate prayer and Torah learning. But the soul whose divine service is without emotion will have to find its stimulation elsewhere: It will either be driven to cheap, even forbidden, sensation or will become emotionally ill from lack of stimulation.

Motionless, expressionless, kalte, antiseptic Judaism won't impact. Not our children, not our spouse, not ourselves. Surely it is a worthy endeavor to reflect upon how to develop our inner fires - so we can heat up and out.

Good Shabbos, Asher Brander

FOOTNOTES: 1. Revised from Rabbi Mordechai Kamenetzky, Drasha 5760 Rabbi Asher Brander is the Rabbi of the Westwood Kehilla, Founder/Dean of LINK (Los Angeles Intercommunity Kollel) and is a Rebbe at Yeshiva University High Schools of Los Angeles

http://ots.org.il/parsha/5769_printer/balak69_printer.htm

Shabbat Shalom: Parshat Chukat / Balak Numbers 19:1-22:1

By Rabbi Shlomo Riskin

Efrat, Israel: "This is the statue of the law which the Lord has commanded, saying: Speak unto the children of Israel, that they bring thee a red heifer, faultless, wherein is no blemish, and upon which never came yoke." (Numbers 19:2)

This week's Torah portion contains two major episodes which initially seem completely unconnected. The first is the strange ritual of the red heifer, whereby an individual defiled by contact with death is purified by being sprinkled with the heifer's ashes mixed with living spring waters. This mystical and puzzling procedure is considered to be beyond human understanding: the very mixture which purifies the impure serve to defile the priest/kohanim who are involved in making the mixture and in transporting it to the designated place where the ritual is to be performed.

The second incident is the castigation of our great prophet Moses. The Israelites once again find themselves without water, and the Almighty asks Moses to speak to a rock from which water will emerge. However, instead of speaking to it, Moses strikes the rock. G-d then turns upon His faithful servant, informing him that he will not bring the congregation of Israel into the Promised Land. This 'punishment' also seems to be beyond human

understanding. Why is Moses being judged so harshly? Is it any less of a miracle when water emerges from a rock which has been struck by a rod than from a rock which has been spoken to by a prophet? Did the young prince who abandoned Pharaoh's palace and elite power structure in order to liberate the Hebrew slaves, who nurtured his freed nation throughout its wanderings in a difficult and alien desert, deserve the staggering punishment of being refused entry into the Promised Land merely because he didn't conform to the exact details of the Divine command? And in addition to our attempt to understand the essential nature of these two incidents, can we discover the subtle thread that both links them and yet at the same time causes them to be juxtaposed within the same biblical reading?

I believe that the connecting thread between both incidents is the empowering strength of love. The ritual of the red heifer is a prime example of a hok, or a law for which there is no obvious or rational reason; there are many such laws within our Bible, like the law of circumcision and the laws of kashrut. The performance of the more understandable or rational laws - such as returning lost objects and giving charity to the poor - emanates from the conscious understanding of the Jew that he/she must strive to form a more perfect and moral society. The existence of hukim, however, emerges from the need to create a reality that will allow the individual to love the Divine simply because the Divine wills it so. Performing a mitzvah rooted in hok allows us to express this profound love. Even if I do not understand why, my relationship with G-d is such that I will joyfully do whatever He asks of me, whether the reason is apparent or shrouded in mystery.

Moreover, my teacher Rav Soloveitchik explains that the ritual of the red heifer is really not so difficult to understand. If someone falls into a muddy pit, and I lift him out of it, I shouldn't be surprised if mud sticks to my cuffs and I now have to send my pants to the cleaners; similarly, if the kohen/priest leaves the Temple precincts or the House of Study to purify the impure, his very contact with impurity will result in his own defilement. This is almost built in to human life and the daily exchanges that take place between people. But we need to clarify what exactly is it in the red heifer ritual that causes the kohen to purify others at the risk of his own defilement? I believe the answer is the enormous love that he has for every Jew, a love expressed by the fact that he is ready to lose a little bit of his world-to-come so that his fellow Jew can receive some spirituality. Such is the power of love!

From this perspective we can more readily understand Moses' punishment. The most important quality of a leader of Israel must be his unconditional and uncompromising love for his people. Moses was just such a leader. By slaying the Egyptian task-master because of his love for his Hebrew brethren, he was willing to give up the luxurious comforts bestowed upon a member of Egypt's First Family, if not a pyramid of his own certainly burial in one. Later, when he descends from Mt. Sinai right into the shocking tableau of the nation worshipping a calf of gold, Moses was willing to be blotted out of G-d's book -- uprooted from this world -- unless G-d agreed to forgive the Israelites after the sin of the golden calf.

But then Moses went through 39 difficult years in the desert with complaining Jews; they refuse to conquer the land of Israel, they cry out for meat and fish and watermelon and garlic and they support every manner of rebellion against his leadership. Their 'kvetch' never ends. At this point, G-d instructs him "to take a rod, to gather together the witness-assembly (edah) and to speak to the rock before their eyes." (Numbers 20: 8). Moses however gathers the assembly (kahal), cries out "...listen now rebels," and strikes the rock with the rod twice. (20:10,11).

Rav Charlap, a major student of Rav Kook, points out that a transformation has taken place: Moses can no longer see the Jewish people as a nation of witnesses (edah) but rather as an aggregate assembly of rabble (kahal). Long before Rav Charlap, Maimonides also alerts us to the fact that Moses refers to the Israelites as rebels. And the 19th century figure (1823-1900), Rabbenu Zadok of Lublin, prefigured Freud in his

understanding of the rock incident. His interpretation of the striking of the rock sounds almost like a Freudian interpretation of a dream in which objects can symbolize people: G-d instructs Moses to speak to the people; Moses sees the people as a hard, stiff-necked rock, which is why he strikes the rock because in his mind Moses has created an identity between a stubborn nation and a 'stubborn' rock. Thus he's not just striking a rock to produce water, but striking a nation out of anger.

A leader of Israel must love his nation; he will then empower them with his love to improve and ultimately redeem. Striking the rock instead of talking to it is not simply a curious variation of heeding G-d's command, in the end producing the same results - water for a thirsty people. Rather it marks the perfectly understandable deterioration of what had once been Moses' total and inexhaustible love for his people. Not being allowed to enter the land is less of a punishment and more of an indication of the kind of love required for the final effort of bringing the nation to the promised land. Only a leader with empowering love could do that. And this is why Moses must step aside, and remain behind, as the mantles of love (and leadership) are passed down to Joshua.

Shabbat Shalom!

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reply-to feedback@kby.org to KBY Parsha <kby-parsha@kby.org> date Jul 11, 2008 2:47 AM subject Parshat Balak

Attached is KBY's weekly parsha sheet, Eshkolot. Parshat Balak

"How Good are your Tents, Yaakov" Rosh Hayeshiva Rav Mordechai Greenberg shlita

(Translated by Rav Meir Orlian)

In Masechet Sanhedrin (105b), R. Yochanan taught:

From the blessings of that wicked one (Bilaam), you learn what was in his mind. He wanted to say that there should not be among them synagogues and batei Midrash - "How good are your tents, Yaakov;" the Divine Presence should not dwell among them - "your dwelling places, Israel."

The Divine Presence in Israel characterizes the nation. Moshe requested this after the sin of the golden calf, "I and Your people will be made distinct from every people on the face of the earth!" (Shemot 33:16) Rashi explains there: "The Divine Presence should no longer dwell on the idolatrous nations." G-d granted his request when answering: "Before your entire people I shall make distinction such as have never been created in the entire world and among all the nations." (Shemot 34:10) Rashi writes: "Your shall be distinguished in this manner from all the idolatrous nations; that My Presence should not dwell on them."

Chazal further comment on the verse: "I will make your sanctuaries desolate" (Vayikra 26:31) that even when they are desolate, there remain holy, and the Divine Presence never departed from Israel. The Gemara in Sanhedrin concludes, that all of Bilam's blessings reverted to curses [when they later sinned], except for this one of synagogues and batei Midrash, as it says, "Hashem, your G-d, reversed the curse to a blessing" (Devarim 23:6) - one blessing.

However, the primary dwelling of the Divine Presence is not in the synagogues and the batei Midrash, but rather in Israel themselves, as R. Chaim Volozhiner writes in Nefesh Hachaim (I:4):

Certainly the primary issue of the holy and the sanctuary and the Divine Presence is in the person himself. If he sanctifies himself properly through observing all the mitzvot ... then he himself is the actual sanctuary and G-d is within him, as it says, "The Sanctuary of Hashem, the Sanctuary of Hashem, the Sanctuary of Hashem, they are." (Yirmiya 7:4) As [Chazal] say: "I will dwell in them" - it does not say "in it [the Tabernacle]" but rather "in them."

The primary dwelling of the Divine Presence is in the Jewish household, as Chazal say: "Man and woman - if they deserve, the Divine Presence is among them." The Divine Presence in a Jew's household depends on another factor, an additional comment of Chazal on the verse,

"How good are your tents," that Bilam saw that the openings of their tents were not directed one facing another. I.e., he saw the modesty and purity of the Jewish household. These two issues are mutually dependent - the eternity of the Divine Presence in Israel, and the modesty of the Jewish household."

This is explicit in the Torah: "For Hashem, your G-d, walks in the midst of your camp to rescue you and to deliver your enemies before you; so your camp shall be holy, so that He will not see a shameful thing among you and turn away from behind you." (Devarim 23:15)

Bilam wanted to damage this, and therefore advised Balak his wayward plan and said to him: "Their G-d hates depravity." In the wake of his advice: "The people began to commit harlotry with the daughters of Moav ... Israel became attached to Baal-Peor, and wrath of Hashem flared up against Israel." (Bamidbar 25:1-3)

In our difficult circumstances today, it is necessary to ingrain the awareness of modesty in Israel, and this is the basis of the victory of the nation over its enemies: "For Hashem, your G-d, walks in the midst of your camp to rescue you and to deliver your enemies before you ... so that He will not see a shameful thing among you" - the openings should not be directed one facing another, and things worthy of modesty should not be demonstrated publicly.

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SICHA OF **HaRav Aharon Lichtenstein**, SHLIT" A

Action and Laziness in Divine Service

Adapted by Dov Karoll Israel stayed in Shittim, and the people began to commit harlotry with the daughters of Moab. They called the people to the sacrifices of their gods; and the people ate, and bowed down to their gods. Israel attached himself to Baal-Peor; and the anger of the Lord was kindled against Israel.

The Lord said to Moshe, Take all the chiefs of the people, and hang them up before the Lord in the sun, that the fierce anger of the Lord may be turned away from Israel.

Moshe said to the judges of Israel, Slay you every one his men who were attached to Baal-Peor.

And, behold, one of the people of Israel came and brought to his brothers a Midianite woman in the sight of Moshe, and in the sight of all the congregation of the people of Israel, who were weeping before the door of the Tent of Meeting. (Bemidbar 25:1-6)

It is understandable why Moshe and the elders were crying. Before their eyes was harlotry, both in the literal sense and in the figurative sense - the unfaithfulness of idolatry. The Torah explicitly connects idolatry and promiscuity in the aftermath of the sin of the golden calf (Shemot 34:15-16).

The severity of this episode is incomparable to the sin of the golden calf. Of course, that too was very severe. The Gemara (Gittin 36b) compares the sin of the golden calf, which took place at the feet of Mount Sinai, to a bride who was unfaithful under the bridal canopy. But at least it was understandable, for the generation that left Egypt had grown up in the idolatrous Egyptian culture.

This generation, forty years later, had grown up at the feet of Moshe Rabbeinu. Thus, with all his frustration at the new generation's regression to idolatry and harlotry, it is understandable why Moshe Rabbeinu cried instead of responding.

Nevertheless, our sages speak very harshly of this weeping. The Midrash (Bemidbar Rabba 20:24) asks,

Why were they crying? Because they faltered, they became weak.

To what is it comparable? To a princess who was prepared to be led to the canopy [to get married] and she was found to have been unfaithful, at which point her father and relatives will falter [out of humiliation].

So, too, after forty years, Israel camped at the edge of the Jordan River, poised to enter the land of Israel... and they turned to promiscuity. [Therefore,] Moshe and the other righteous people became weak. But Moshe had [previously] stood up against all 600,000, and here he went weak?

The Midrash's response does not fully answer the question. The Midrash explains that this weakness was "in order to allow Pinchas to rise to the occasion and take what he deserved." This explains Pinchas's behavior, but it still does not explain Moshe's behavior.

The Midrash ends off on a very harsh note:

Since he was nit'atzel, lazy (we will return to this word), [he was punished by the fact that] "No man knows the place of his burial" (Devarim 34:6)... This shows that G-d is strict with the righteous even to a hair's breadth.

We normally understand the fact that Moshe's burial place is not known as coming to prevent worship of such a place. But the Midrash here takes it instead as a punishment. As a punishment for what action? The Midrash uses a harsh word, that we must not, Heaven forefend, take literally. The word the Midrash uses is "nit'atzel," which literally would mean that he was lazy.

This does not mean lazy in the sense that you and I are lazy. It means that he did not take the initiative in this case, that he was unable to gird his loins, to rise to the occasion, as he should have done. To a certain degree, this very high standard of conduct is expected specifically of Moshe Rabbeinu, as G-d is strict with the righteous even to a hair's breadth.

The Gemara (Bava Kama 50a) cites two sources for this concept of the exacting standard applied to the righteous. Rabbi Acha cites the verse (Tehillim 50:3), "And his surroundings are very tumultuous" [the word for tumultuous, nis'ara, puns with the word for hair], as teaching this principle. Rabbi Nechunya learns it from the verse, "God is greatly feared in the assembly of the holy ones, and held in reverence by all those who are around Him" (Tehillim 89:8). This is also one interpretation of the verse in the Torah, "I shall be sanctified by those near to Me" (Vayikra 10:3, as per Rashi s.v. hu).

Based on this principle, one can also understand the punishment Moshe and Aharon received for their misdeed at Mei Meriva (Bemidbar 20:2-13), especially in light of the verse in Parashat Ha'azinu. The latter source comes at the end of his Moshe's life, when he is explaining why he and Aharon were unable to enter the land of Israel:

Because you trespassed against Me among the people of Israel at the waters of Meriva-Kadesh, in the wilderness of Tzin; because you sanctified Me not in the midst of the people of Israel. (Devarim 32:51)

Moshe does not say that he is being punished for some particular negative action, but rather for the fact that he failed to sanctify God's name at Mei Meriva. Moshe and Aharon had an opportunity for sanctification of God's name (kiddush Ha-Shem), and they did not maximize it. They created a kiddush Ha-Shem of a smaller scale, which, by the standard applied to them, is considered a lack of kiddush Ha-Shem. The same is true here: Moshe is punished for not stepping up in difficult circumstances to solve the problem.

However, we will see in a line that we skipped earlier in the Midrash, that this is not entirely the case. The Midrash, after explaining that Moshe was punished for not stepping up, continues as follows:

This teaches you that a person needs to be bold as a leopard, swift as an eagle, fleet as a hart and strong as a lion to do the will of His Creator. Of course, G-d judges each person in accordance with his or her abilities and capabilities; but each person, on their part, needs to try to maximize his or her potential. The Midrash's description is based on the Mishna (Avot 5:20) where Rabbi Yehuda ben Tema says that a person needs to show these same character traits "to do the will of your Father in Heaven." This

Midrash adds that not only is one supposed to act this way, but that failing to do so is considered to be a wrongdoing.

One might think that not taking advantage of religious opportunities is only a failure in the realm of "Do good" (Tehillim 34:15), that one has not advanced himself, has not acted out of righteousness, but one has not done anything wrong. We see from here that such an approach is also a deficiency with regard to "Turn away from evil" (ibid.), and that one who fails to act is, in fact, considered to be acting wrongly.

One could cite many examples for this relating to the study of Torah, but instead I will cite a few cases relating to the interpersonal realm. One is the Gemara in Berakhot 12b, which teaches that one who could ask for mercy on behalf of his fellow, but fails to do so, is considered a sinner. The Gemara does not say that he has not helped his friend, or that he has failed to take advantage of an opportunity; rather, it calls him a sinner.

The Gemara in Yevamot 63b has very harsh words for one who does not engage in procreation. R. Eliezer says, "Anyone who [intentionally] does not involve himself in procreation is considered as if he has spilt blood." This is a comparison not only to a wrongdoing, but to a very specific and severe one.

We need to strive in our service of G-d to maximize those opportunities that are presented to us, and not to be lazy and let them pass us by. We need to strive for the best in all areas of the service of God, whether in the study of Torah, in prayer or in our interpersonal relations. And we must recognize that failing to do so is not merely a lack of righteousness, but rather is a shortcoming in our service of God, one that we need to correct. That which is possible for us to fulfill is binding upon us.

[This sicha was delivered at se'uda shelishit, Parashat Balak, 5762 (2002).]

http://www.yutorah.org/lectures/lecture.cfm/735529/Rabbi_Avraham_Gordimer/Parshas_Balak_-_Most_Significant_Details

Rabbi Avraham Gordimer

Parshas Balak - Most Significant Details

Article Date: Thursday June 25, 2009

The presentation and import of Parshas Balak pose a few fundamental questions. Firstly, why was it necessary for the Torah to record the entirety of the story of Bilaam's involvement with Balak and Bilaam's attempts to curse Bnei Yisroel? Would it not have been simpler for the Torah to briefly note that Bilaam tried to curse us and that Hashem converted Bilaam's words into berachos? In the case of Nachalei Arnon (Bamidbar 21:15), the account of G-d preventing the Emorim from attacking the Jews and His crushing of the Emorim was condensed into a few pesukim. Why do we need to know the whole episode of Bilaam, including his negotiations with Balak's messengers, the dialogue with the donkey, the details of Bilaam trying to attain prophecy via korbonos, and so forth? The basic point could surely have been made without the elaboration and punch-by-punch detail.

Secondly, the text of Bilaam's blessings was incorporated into the Musaf Shmoneh Esrei of Rosh Hashanah as well as other parts of our liturgy; why was this done? Although the berachos pronounced by Bilaam were truly miraculous in light of the intervention by Hashem to stifle the words that Bilaam really planned to say, why was it necessary to adopt the words of the vile Bilaam for our tefillos? The same core messages that Bilaam conveyed can be found in other parts of Tanach and Rabbinic literature; why not quote from there and avoid association with Bilaam?

It is stated regarding the account of Bilaam that "...vayahafoch Hashem Elokecha l'cha es ha-klalah li-vracha...". (Devarim 23:6) This is commonly translated as "...and the Lord your G-d changed the curse into a blessing..." However, the connotation of the word "vayahafoch" is perhaps misunderstood. In other contexts, the shoresh (root-word) "hafach" has a quite deep, vivid interpretation. In the story of Esther, "v'nahafoch" refers to a state of total paradox, such that every facet of the tale was "reversed" ["nahafoch"] so as to form a completely new state of affairs. So, too, the

word "mahpecha", also from the "hafach" shoresh, means "upheaval".

"Hafach" connotes a full reworking and redefining of events rather than a mere change. "Hafach" is used to describe a total, extreme reversal of fortune and fate, such as "Hafachta mis'pedi l'machol li" - "You reversed my mourning into dancing" (Tehillim 30:12). The complete redefining of Dovid Hamelech's life was best described by the shoresh "hafach".

We can now understand why the entire story of Bilaam had to be narrated in full detail, as every facet of the account forms part of a larger picture of Hashgacha P'ratis (Divine Providence) in which each factor necessarily contributes to and culminates in a complete and unexpected reversal of what was planned. The "minor" events leading up to the tale's climax were crucial for the outcome. It was essential for Bilaam to be warned by Hashem not to curse the Jews and to heed His dictates, and it was also necessary for Bilaam to be granted permission by Hashem to go along with Balak's emissaries. Had Bilaam been barred from going, or had he gone without warning and with the intent to disobey God, he would not have attained the state of prophecy necessary to intimate Hashem's messages of beracha. So, too, it was necessary for Bilaam's donkey and the malach (angel) to counter Bilaam while he was on his trip, not in communication with Hashem, in order to dispel Bilaam's notion that he could undermine G-d when not in His presence; this enabled Bilaam's true positive prophecy. Additionally, had Bilaam not demonstrated a great measure of haughtiness commensurate with his level of nevu'ah, he would not have grossly abused his prophetic powers. (See Derech Hashem 3:4:4 for basics of the prophetic state.) Furthermore, had Bilaam not argued with Balak and his cohorts and thereby harbored animosity toward them, he would not have uttered his prologue - a curse against those who victimize Klal Yisroel, and a blessing for Jewish ascendancy against such nations.

In short, every part of the account was a necessary piece in a puzzle of precise Hashgacha P'ratis, and the converging of each factor as dictated by Hashem, all in a paradoxical negation of everything intended by Bilaam and Balak, forms the entirety of the story. The narrative of Bilaam is very similar to that of Megillas Esther, in which seemingly unrelated, minor events merged into one large picture of Hashgacha P'ratis, totally unraveling what was planned by Haman. The story of Esther is referred to in the Gemara as a Hallel - a praise of G-d - and the same can be said as regards the story of Bilaam in this week's parshah. In both cases, the details were required to be woven together and laid out for the reader, as the lesson and inspiration would not be possible if presented in a summary fashion within the span of a few pesukim. The meshing of seemingly unrelated factors into a total reversal of fate is shared by both stories, and the shoresh "hafach" is therefore aptly applied.

It is thus also understood why the berachos of Bilaam are so important and made it into our liturgy. These berachos reflect God's utter manipulation of human nature, intent and actions. They demonstrate that God's love for His nation caused Him to weave an intricate set of events into wondrous good and turn the words of a vicious anti-Semite into blessing. By invoking the words of Bilaam, we declare that G-d - Who overturned ["hafach"] everything for the sake of His people - can surely hear our tefillos and overturn all if He deems our prayers and causes appropriate and worthy in His eyes.

Parsha Pearls

Chukas/Balak 5769

And Pinchas, son of Elazar, son of Aharon Hakohein saw, and he rose up from the midst of the congregation, and he took a spear in his hand. (25:7)

Rashi says, "He saw the event and remembered the law. He said to Moshe, 'I have learned from you that if a Jewish man takes a gentile woman, zealots may kill him in the act.' Moshe said, 'He who reads the verdict should be the one to carry it out!' Immediately, he took a spear in his hand."

The source for this Rashi is Rav's opinion in Sanhedrin 82a. However, there is another opinion there, that of Shmuel. According to Shmuel, Pinchas did not ask Moshe's permission before he took action.

"And Pinchas saw" means that Pinchas remembered the principle that "wherever there is a desecration of Hashem's name, one need not give honor to his teacher" by asking his permission. Had he asked Moshe's permission, he would have wasted precious seconds, during which someone might have seen Zimri's sin and followed his example.

According to this, the word "saw" is not literal; it really means "remembered." But we could add that Pinchas, with his powers of prophecy, saw that there would come a time when others would need to use this same principle, and take it to a new level. At least Pinchas knew that Moshe would certainly have given him permission to do what he did, and all he would have lost would have been time.

Furthermore, in his quest to save time he was violating only the principle that one may not rule halacha in front of one's teacher, even when the teacher himself would have ruled the same way. But Pinchas saw that there would one day come a generation in which rabbis do not speak out against the pervasive heresy of their time, due in part to their fear of the people. Then it would be up to smaller individuals to be the zealots and speak out, even if they know that some of rabbis would not officially put their stamp of approval on what they are doing.

One should not think it strange that rabbis would refrain from speaking out due to fear of the people. Even one of the greatest tzaddikim in history, Shaul Hamelech, failed in this aspect. When Shaul let the people take from the sheep of Amalek for offerings, Shmuel took him to task. At first, Shaul didn't understand what he had done wrong, and he said, "I have listened to the voice of Hashem, and walked in the path on which Hashem sent me" (Shmuel I 15:20). But when Shmuel finally made him understand that Hashem desired obedience more than all the offerings in the world, Shaul said, "I have sinned, for I have transgressed the mouth of Hashem and your words, because I feared the people, and I listened to their voice" (v. 24).

We see here that Shaul, at first, did not consciously see himself as acting out of fear of the people. He had his reasons, based on Torah, for what he did. It was only after Shmuel showed him the flaws in his reasoning that he thought to himself, "How could I have made such a mistake? How could I have mistaken an aveirah for a mitzvah?" And he realized the answer: that he had been influenced by his fear of the people. He said, "I sinned - and mistook an aveirah for a mitzvah - because I feared the people."

The Shulchan Aruch recognizes that rabbis on a beis din may be influenced by their fear of the people.

In Choshen Mishpat 14:1 at the end, the Rema writes, "If the man on trial is wealthy and influential in his city, he must be tried before a beis din in a different city, even if the beis din of his own city is greater." The Rema thus treats the fear of this influential man like a bribe, which can influence a rabbi to rule the wrong way. It should therefore come as no surprise that many rabbis today feel the pressure of their wealthy and influential congregants and do not speak out against the heresy of our time. (Al Hageulah V'al Hatemurah 117-118)

http://www.yutorah.org/lectures/lecture.cfm/706203/Rabbi_Eli_Baruch_Shulman/Droscho_for_Chukas_5762_-_The_Mystery_of_the_Para_Aduma_-_Why_do_we_need_it#

Rabbi Eli Baruch Shulman

Droscho for **Chukas 5762 - The Mystery of the Para Aduma** - Why do we need it?

Article Date: Saturday June 29, 2002 Parshas Chukas 5762

Rabbi Emanuel Feldman once gave a droscho about the connection between the **פרה אדומה**, the Red Heifer, and the sin of the **עגל הזהב**, citing Rashi: תבוא

אמו ותקנה צואת בנה. After davening a congregant says to him: Rabbi, that was very interesting, but what is the ritual of the Red Pepper?

זאת חוקת התורה. Rashi: חוק. פרה אדומה - epitome of חוק.

Shlomo Hamelech: אמרתי אחכה והיא רחוקה ממני. Chazal say refers to פרה (פרה אדומה = והיא רחוקה, in gematriya. (רבינו בחיי מצות)

Why more enigmatic than other מצות?

Furthermore, Rashi gives reason: תבוא אמו ותקנה. Not worse than other טעמי המצות.

What is connectin between עגל and פרה אדומה. How does פרה אדומה "clean up" mess of the עגל? ל"ז say that at effects of הדעת שני were reversed. (We learned about it in פסוק זהמתן. (No הרע ע"ז, no death. But הטא העגל plunged them back into mortality.

So death is result of העגל.

But - if they had no יצה"ר, how did הטא happen? Answer in ע"ז:

האריב"ל לא עשו ישראל את העגל אלא ליתן פתחון פה לבעלי תשובה שנאמר מי יתן והי לבכם זה להם ליראה אותי כל הימים

But if there would have been no עגל there would have been no יצה"ר. So why did there have to be הטא העגל to be מורה תשובה לרבים?

End of history: יום שכולו טוב. So why not go there directly? Which is what happened at ה' ג'סנ"ו: took us with ונפלאות, overawed us with revelation, forcibly brought us up to highest spiritual state.

But that is not the ultimate השם. רצון השם. The ultimate goal should come about through תשובה - there should be טומאה and evil in the world - and in man - which man, by his own efforts, overcomes. We don't understand why - why not go the short and easy way - but that is the inscrutable השם.

And therefore he allowed the הטא העגל to happen, so that death and evil - which had momentarily been defeated - were relased back into the world. Why? להורות תשובה לרבים - to launch the process of תשובה that eventually - over the course of history - would defeat them.

The פרה אדומה - the instrument with which the טומאה of death is cleansed - represents that entire process of תשובה and טומאה with which death and evil are to be overcome. And that fact that the פרה itself is a cow - a mature עגל - demonstrates that in the Divine plan the purpose of the הטא העגל itself was to launch the process of תשובה which the פרה represents.

And therefore פרה אדומה is the חוק. The חוק is not in the details of the laws of פרה אדומה - but, rather, in the very need for the פרה, in the need for there to be death and evil and pain in the world at all. The חוק is not the פרה but the עגל, which made the פרה necessary, and which made death and sorrow the companions of life and joy.

That is the mystery that caused המלך to cry in despair: אמרתי אחכמה. והיא רחוקה ממני.

We stand at the beginning of חודש תמוז, that very month in which the הטא העגל took place, and which marks the beginning of the period of המצרים בין, the tragic three weeks before the חורבן - the result of those tragic processes which the הטא העגל unleashed - took place.

And we stand at the end of a week in which death and tragedy have again been visited upon our people in ארץ ישראל.

And it is appropriate that we enter this month with the reading of פרה אדומה. Because this פרשה reminds us that while טומאה is strong, it is not invincible. The טומאה of death can be purified; and, ultimately, death itself will be defeated. And if the existence of טומאה, of death and evil, is a חוק, a mystery, rooted in the inscrutable will of the עולם של עולם, ultimately we are assured that even the הטא העגל, which released טומאה back into the world, was meant להורות תשובה לרבים, to open the way to תשובה, just as these dark days of המצרים, בין, which lie ahead, lead on to the days of תשובה and renewal, just beyond.