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date: Wed, Aug 3, 2016 at 4:30 PM
subject: Advanced Parsha - Matot-Masay
Masay(Numbers 33-36)

The Complexity of Human Rights
Lord Rabbi Jonathan Sacks

The book of Bamidbar comes to a close that is very strange indeed. Earlier in the parsha of Pinhas we read of how the five daughters of Tzelophehad came to Moses with a claim based on justice and human rights.[1] Their father had died without sons. Inheritance - in this case, of a share in the land - passes through the male line, but here there was no male line. Surely their father was entitled to his share, and they were his only heirs. By rights that share should come to them: "Why should our father's name be disadvantaged in his family merely because he did not have a son? Give us a portion of land along with our father's brothers" (Num. 27:4).

Moses had received no instruction about such an eventuality, so he asked God directly. God found in favour of the women. "The daughters of Tzelophehad are right. You shall give them possession of an inheritance among their father's brothers and transfer the inheritance of their father to

them." He gave Moses further instructions about the disposition of inheritance, and the narrative then passes on to other matters.

Only now, right at the end of the book, does the Torah report on an event that arose directly from that case. Leaders of Tzelophehad's tribe, Menasheh, son of Joseph, came and made the following complaint. If the land were to pass to Tzelophehad's daughters and they married men from another tribe, the land would eventually pass to their husbands, and thus to their husband's tribes. Thus land that had initially been granted to the tribe of Menasheh might be lost to it in perpetuity.

Again, Moses took the case to God, who offered a simple solution. The daughters of Tzelophehad were entitled to the land, but so too was the tribe. Therefore, if they wish to take possession of the land, they must marry men from within their own tribe. That way both claims could be honoured. The daughters did not lose their right to the land but they did lose some freedom in choosing a marriage partner.

The two passages are intimately related. They use the same terminology. Both Tzelophehad's daughters and the leaders of the clan "draw near". They use the same verb to describe their potential loss: yigara, "disadvantaged, diminished." God replies in both cases with the same locution, "kein ... dovrot/dovrim," rightly do they speak.[2] Why then are the two episodes separated in the text? Why does the book of Numbers end on this seemingly anticlimactic note? And does it have any relevance today?

Bamidbar as a book is about individuals. It begins with a census, whose purpose is less to tell us the actual number of Israelites than to "lift" their "heads", the unusual locution the Torah uses to convey the idea that when God orders a census it is to tell the people that they each count. The book also focuses on the psychology of individuals. We read of Moses' despair, of Aaron and Miriam's criticism of him, of the spies who lacked the courage to come back with a positive report, and of the malcontents, led by Korach, who challenged Moses' leadership. We read of Joshua and Caleb, Eldad and Medad, Dathan and Aviram, Zimri and Pinhas, Balak and Bilam and others. This emphasis on individuals reaches a climax in Moses' prayer to "God of the spirits of all flesh" to appoint a successor - understood by the sages and Rashi to mean, appoint a leader who will deal with each individual as an individual, who will relate to people in their uniqueness and singularity.

That is the context of the claim of Tzelophehad's daughters. They were claiming their rights as individuals. Justly so. As many of the commentators pointed out, the behaviour of the women throughout the wilderness years was exemplary while that of the men was the opposite. The men, not the women, gave gold for the golden calf. The spies were men: a famous comment by the Kli Yakar (R. Shlomo Ephraim Luntschitz, 1550 -1619) suggests that had Moses sent women instead, they would have come back with a positive report.[3] Recognising the justice of their cause, God affirmed their rights as individuals.

But society is not built on individuals alone. As the book of Judges points out, individualism is another name for chaos: "In those days there was no king in Israel, everyone did what was right in their own eyes." Hence the insistence, throughout Bamidbar, on the central role of the tribes as the organising principle of Jewish life. The Israelites were numbered tribe by tribe. The Torah sets out their precise encampment around the Mishkan and the order in which they were to journey. In Naso, at inordinate length, the Torah repeats the gifts of each tribe at the inauguration of the Mishkan, despite the fact that they each gave exactly the same. The tribes were not accidental to the structure of Israel as a society. Like the United States of America, whose basic political structure is that of a federation of (originally thirteen, now fifty) states, so Israel was (until the appointment of a king) a federation of tribes.

The existence of something like tribes is fundamental to a free society.[4] The modern state of Israel is built on a vast panoply of ethnicities - Ashkenazi, Sefardi, Jews from Eastern, Central and Western Europe, Spain and Portugal, Arab lands, Russia and Ethiopia, America, South Africa, Australia and other places, some Hassidic, some Yeshiva-ish, others

"Modern," others "Traditional," yet others secular and cultural.

We each have a series of identities, based partly on family background, partly on occupation, partly on locality and community. These "mediating structures", larger than the individual but smaller than the state, are where we develop our complex, vivid, face-to-face interactions and identities. They are the domain of family, friends, neighbors and colleagues, and they make up what is collectively known as civil society. A strong civil society is essential to freedom.[5]

That is why, alongside individual rights, a society must make space for group identities. The classic instance of the opposite came in the wake of the French revolution. In the course of the debate in the French Revolutionary Assembly in 1789, the Count of Clermont-Tonnerre made his famous declaration, "To the Jews as individuals, everything. To the Jews as a nation, nothing." If they insisted on defining themselves as a nation, that is, as a distinct subgroup within the republic, said the Count, "we shall be compelled to expel them."

Initially, this sounded reasonable. Jews were being offered civil rights in the new secular nation state. However, it was anything but. It meant that Jews would have to give up their identity as Jews in the public domain. Nothing - not religious or ethnic identity - should stand between the individual and the state. It was no accident that a century later, France became one of the epicenters of European antisemitism, beginning with Édouard Drumont's vicious *La France Juive*, 1886, and culminating in the Dreyfus trial. Hearing the Parisian crowd shout "Mort aux Juifs," Theodor Herzl realized that Jews had still not been accepted as citizens of Europe, despite all the protestations to the contrary. Jews found themselves regarded as a tribe in a Europe that claimed to have abolished tribes. European emancipation recognized individual rights but not collective ones.

The primatologist Frans de Waal, whose work among the bonobos we mentioned in this year's Covenant and Conversation on Korach, makes the point powerfully. Almost the whole of modern Western culture, he says, was built on the idea of autonomous, choosing individuals. But that is not who we are. We are people with strong attachments to family, friends, neighbors, allies, co-religionists and people of the same ethnicity. He continues:

A morality exclusively concerned with individual rights tends to ignore the ties, needs and interdependencies that have marked our existence from the very beginning. It is a cold morality that puts space between people, assigning each person to his or her own little corner of the universe. How this caricature of a society arose in the minds of eminent thinkers is a mystery.

That is precisely the point the Torah is making when it divides the story of the daughters of Tzelophehad into two. The first part, in parshat Pinchas, is about individual rights, the rights of Tzelophehad's daughters to a share in the land. The second, at the end of the book, is about group rights, in this case the right of the tribe of Menasheh to its territory. The Torah affirms both, because both are necessary to a free society.

Many of the most seemingly intractable issues in contemporary Jewish life have appeared because Jews, especially in the West, are used to a culture in which individual rights are held to override all others. We should be free to live as we choose, worship as we choose, and identify as we choose. But a culture based solely on individual rights will undermine families, communities, traditions, loyalties, and shared codes of reverence and restraint.

Despite its enormous emphasis on the value of the individual, Judaism also insists on the value of those institutions that preserve and protect our identities as members of groups that make them up. We have rights as individuals but identities only as members of tribes. Honouring both is delicate, difficult and necessary. Bamidbar ends by showing us how.

NOTES:

1. The word "rights" is, of course, an anachronism here. The concept was not born until the seventeenth century. Nonetheless it is not absurd to suggest

that this is what is implied in the daughters' claim, "Why should our father's name be disadvantaged?"

2. These two passages may well be the source of the story of the rabbi who hears both sides of a marital dispute, and says to both husband and wife, "You are right." The rabbi's disciple asks, "How can they both be right?" to which the rabbi replies, "You too are right."

3. *Kli Yakar* to Num. 13:2.

4. See most recently Sebastian Junger: *Tribe: On homecoming and belonging*, Fourth Estate, 2016.

5. This is the argument made most powerfully by Edmond Burke and Alexis de Tocqueville.

6. Frans de Waal, *Good Natured*, Harvard University Press, 1996, 167.

Peninim on the Torah

by **Rabbi A. Leib Scheinbaum** - Parshas Matos-Masei

Shema Yisrael Torah Network

PARASHAS MATOS-MASEI

Take vengeance for the Bnei Yisrael... against the Midyanim. (31:2)

The Torah seems to underscore the number of soldiers involved in the war of vengeance against Midyan. It then makes a point to detail how much booty was taken after the war. Veritably, numbers do not seem to play a role in the parshios, other than the parshios which deal with the census of the Jewish nation. In this case, however, the size of the army and the amount of booty apparently maintain a significant position in the parsha. Horav Arye Leib Heyman, zl, suggests that the key to the role of numbers in the parsha is to be found in a statement made by Rashi concerning Bilaam's visit to Moav to collect his reward for causing the deaths of twenty-four thousand Jewish men. The hatred that the Midyanites harbored for Klal Yisrael was so intense that they counted each Jew whose death they caused. Such animus is unreal and not found anywhere else in the Torah. They celebrated each and every death.

Furthermore, the war against Midyan is called the vengeance of Bnei Yisrael. It was neither a war for land, nor a war to defend themselves. It was a war designed for the sole purpose of exacting vengeance for the tremendous pain Midyan had caused. Thus, after Bilaam made a point to count out twenty-four thousand Jewish deaths, Hashem sent twelve thousand Jewish soldiers, with Pinchas HaKohen at the helm. Pinchas is equal to them all. Thus, twenty-four thousand Jewish soldiers went out to attack, to avenge the twenty-four thousand untimely Jewish deaths which Midyan had caused. Likewise, when it came to an accounting of the booty that was taken in, the Torah counts the amount meticulously. The Midyanim were exact in the war of hate which they waged against us. We will, likewise, play the numbers game, so that our vengeance will conform with their hatred.

Rav Heyman draws a parallel to the war of hatred waged against us by the accursed Germans. The hatred that the Nazis manifested towards us was so intense, so diabolical, that they revealed in every Jewish soul whose death they succeeded in catalyzing. They meticulously kept an accounting of how many Jewish lives they destroyed, by tattooing their victims with numbers. We were no longer human beings - we were numbers! Their punishment was specific sentences which coincided with their evil. It was all about numbers: years, months, weeks; they kept "score." So does Hashem.

This was no simple war. It was a nekamah, vengeance, for Hashem and for Klal Yisrael. The payback had to coincide with the evil. With this in mind, Rav Heyman explains a somewhat ambiguous passage in the Talmud Bava Kamma 38A. Klal Yisrael is admonished not to initiate a war with Moav. The Talmud wonders: Would Moshe Rabbeinu take it upon his shoulders to initiate a war? Our leader never made a move without Hashem's instruction. Why would destroying Moav be any different? Chazal explain that Moshe (could have) made a *kal v'chomer*, a priori logic: Although Midyan only joined Moav to help them with the Jewish problem, Hashem said take everyone against the Midyanim. In that case, Moav who initiated the evil, for

sure should be destroyed. Hashem responded to Moshe's query: My thoughts are different. I have two preidos, good birds, to extract from them (Moav and Amnon), Rus HaMoaviah and Naamah Ha'Amnonis. Because of these two women, Moav will be spared!

Rav Heyman does not view Hashem's response to Moshe as a reason for sparing Moav. Indeed, if Midyan deserved vengeance, so certainly did Moav and Amnon. Their vengeance, however, was unlike the vengeance exhorted against Midyan. What greater vengeance can there be against Moav than for them to realize that the Jewish kings of the stature of Shlomo and Rechavan would descend from them? If these evil people who sought to destroy the Jews would have realized that specifically they would be responsible for their enemies' ultimate triumph, they would have gone insane. What a fitting punishment it would be to know that, not only did you lose the war, but you catalyzed your enemies' ultimate enduring triumph!

I remember vividly the funeral of my mother A.H. She had survived the entire World War II years as an inmate in various concentration camps. She suffered greatly, but the Nazis could not destroy her spirit. She passed away from this world a proud woman- proud with nachas, spiritual satisfaction, proud in the knowledge that her children, grandchildren and great-grandchildren were all observant and committed, with many disseminating Hashem's word to future generations. I asked that her aron, coffin, be carried out by her grandsons, all of whom are Bnei Torah. As her aron was being carried out by my sons and nephews, an elderly survivor who had known my mother for most of her life commented, "She just had her nekamah, vengeance, on Hitler, y.m.s." Our vengeance is not by raising our fist in defiance, but by delving into our Gemorah. Our vengeance is an enduring Judaism that will be transmitted to the future generations. Hitler sought to make a "museum to an extinct race." We have shown them that, as long as we embrace Hashem, we are far from extinct.

Yair ben Menashe, went and conquered their villages and called them Chavos Yair. Novach went and conquered Kenas and its suburbs, and called it Novach after his own name. (32:41,42)

Yair had no children to carry on his name. Therefore, after conquering the villages, he named them after himself as a memorial. Everyone wants to be remembered. Indeed, after having lived a mortal life replete with many achievements, all that is left are memories - memories of the individual. He is gone, but his memory lives on. It is up to each and every one of us to decide, by the way we act, how we want to be remembered. Sadly, for some, when we wake up to this realization, it is too late.

Novach also conquered villages. He, too, named them after himself. Only, in this situation, we observe a disparity in the naming process. Rashi indicates that, in the word "lah," the letter "hay" is not marked with a dagesh, dot. (This is referred to as mapik hay, whereby such a hay is mapik, brought forth, underscored, and pronounced as a full consonant with the same sound as the English letter H, even though it is at the end of a word, which usually does not have a sound. When the suffix hay is used for "her" or "it," it usually takes a dagesh.) The fact that the dagesh is missing indicates a weakening of the possessive message implied by the "hay." Rashi quotes Rabbi Moshe HaDarshan who explains that, since the name Novach did not endure for long, the word lah was weakened, so that it sounds more like la (with an aleph), which means "not."

Horav Shimon Schwab, zl, notes that every dot in the Torah is present for a reason; every dot teaches us a lesson. What important lesson is imparted by the missing dot? Why is it important for us to be aware that the city of Novach did not retain its name for an extended time?

In contrast, the Chavos Yair, thirty cities conquered by Yair ben Menashe and named for him still carry the name he gave them - Chavos Yair. Wherein lay the difference between the "namings"?

The Rav explains that a property is often called by its owner's name to indicate possession. He wants people to know that he conquered it, he built it. It is his. Thus, Yair named the cities Chavos Yair to inform everyone that

he had built these cities. Novach also wanted to indicate possession, but he had another agenda. His message was, "Yes, it is my city, but, actually, it is more than my city. It is Novach - Novach city. I and my city are one and the same." Novach identified completely with his property. This is inappropriate. One may identify with possessions, but not to the point that he and his material abundance are one and the same. Thus, the city did not retain the name Novach. As all physical entities are temporal, so, too, was the name Novach; here today - gone tomorrow.

While Novach was censured for identifying himself so closely with his material abundance, a person who identifies with ruchniyos, spirituality, becomes elevated. One who identifies with his spiritual demeanor takes on a new image. He may have a physical body, but his essence is ruchniyos. The greatest blessing is to become one with Hashem, His Torah and mitzvos. Thus, he epitomizes virtue and holiness. Success in life is determined by one's identity - the identity that he has established for himself. For example, a sports figure who devotes his life to success on the field or on the court, will live and die as a sports figure. The "ball" will be his epitaph, his symbol of achievement. When one identifies with ruchniyos, the Torah and mitzvos are his memorial. We have no reason to elaborate on this contrast in values.

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Rabbi Yisroel Reisman – Parshas Mattos 5774

I speak to you today from the center of the universe, Yerushalayim Ir Hakodesh. The center of Yerushalayim Yeshivas Ohr Samaich. Halevai you can all come and learn here for your vacation time.

1. Let me begin with an idea that has to do with the beginning of the Parsha. In the beginning of the Parsha we have the idea of Hafaras Nedarim, that a father or a husband under given circumstances has the right to nullify the (vow) Neder that was made by a daughter or a wife. In Halacha we find that a husband is Maifir a Neder Mikan Ul'haba. Which means to say that if a woman made a Neder on Sunday and the husband found out about it on Wednesday and he was Maifir Neder, he declared the Neder invalid, that invalidation only applies from Wednesday and on. On Sunday, Monday, and Tuesday the Neder was intact. That is what the Gemara says in Maseches Nazir 22. On the other hand, a Chochom or a Bais Din that is Mattir Neder, is Oker L'mafrai'a. Which means to say there are two ways in which a Neder can be undone. Either a husband or father in the case of a woman in the beginning of the Parsha or in the case of the Bais Din or a Chochom who is what we call Mattir Neder. When a Chochom is Mattir Neder it is retroactive. It dissolves the Neder retroactively. So it is interesting that the Torah makes a distinction between two similar ideas. A husband and father cut the Neder from that point and on and the Chochom is Oker L'mafrai'a, rips it out retroactively.

Rav Hutner in the Pachad Yitzchok on Yom Hakippurim Maimar 23:3 gives a beautiful deep explanation for the concept of Oker L'mafrai'a, of dissolving things retroactively and I will try to explain it in my own words as best as I can. The concept of retroactive change, of L'mafrai'a is something we are familiar with in Shas. There are a number of Sugyos that talk about it. The concept of Yeish B'reira which we have in the Gemara many times. But that concept of retroactive change is not true in the physical world. In the physical world it is not possible to change things retroactively. If a table broke on Sunday and you didn't get around to fixing it until Tuesday then it can't be fixed as of Monday. You can only fix things from that moment and on. If you forgot to water a plant and the plant died, there is no way to retroactively water it from yesterday so that it should not have died. There is no such thing. In the physical world everything is within the limitations of time which doesn't allow things to happen L'mafrai'a, to happen retroactively. Only in a world which is above the physical limitations. Only in a spiritual world can we declare ourselves above the physical world, above

the creation of time, and in that way things can happen retroactively. Chochom Oker, a wise man, a Talmid Chochom, or a Bais Din, they are Oker L'mafrai'a. The idea of retroactive action can apply to a Chochom who is steeped in Torah and who is above the physical limitations of the world. Without Chochmo there is no Oker L'mafrai'a. Therefore, the idea of L'mafrai'a, retroactive dissolving of a Neder is limited to a Chochom.

Rav Hutner goes on, that the concept of Teshuva, somebody who does Teshuva for an Aveira he did is also retroactive because Teshuva too requires a person to lift himself above his physical limitations. Lift himself higher. If a person lifts himself higher than he can throw away the limitations of time and do something that has an affect retroactively. So Rav Hutner mentions Nedarim and Teshuva.

I would like to add Kinyan Eretz Yisrael. It is a very interesting thing that when Klal Yisrael enters Eretz Yisrael, when the Jewish people come to Eretz Yisrael for the first time and conquer it in the time of Yehoshua, the conquest is Chal L'mafrai'a so to speak. The Gemara says that when they conquered Eretz Yisrael it became the possession of the Yotzei Mitzrayim, the generation that left Egypt that was no longer alive. They in turn passed it on as an inheritance to those who actually physically conquered it. So that the conquest of Eretz Yisrael from the very beginning was L'mafrai'a, was a retroactive conquest as if they had actually conquered it a generation earlier. The idea of Bnei Yisrael in Eretz Yisrael from the very beginning is something which requires spirituality. From the very beginning we declare the Jewish people in Eretz Yisrael it's not a Davar Gashmi, it is not something that can be explained within the physical world. Where our ability to be here, to stay here, to thrive here, is not limited by the physical. In 1947 the British commanded a study as to how many human beings can live in Eretz Yisrael. How much this land could sustain. They came up interestingly enough with 600,000. That the land can only really keep 600,000 people going. What a joke. Baruch Hashem there is 10 times that many here. Klal Yisrael in Eretz Yisrael is above the physical limitations of human beings. We need to understand that as we appreciate being in Eretz Yisrael and the difficulties, there are difficulties today in Eretz Yisrael. We have to really feel part of it, a real part of it.

A friend of mine from Beit Shemesh tells me how daily there is a need to go to a shelter there, and there are air raid sirens. Eretz Yisrael Nikneh B'yissurin, it is a noble Kinyan. We need to feel for them, the people here in Eretz Yisrael and understand that Eretz Yisrael is Nikneh L'mafrai'a. It has that L'mafrai'a stamp.

Rabbi Yakov Haber - Uniqueness of the Land; Uniqueness of the Jewish People torahweb@torahweb.org 9:52 PM

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Rabbi Yakov Haber

Uniqueness of the Land; Uniqueness of the Jewish People

"This is the land that will fall to you as an inheritance..." (Mas'ei 34:2). On this verse the Midrash (B'Midbar Rabba 23:11) comments:

What does "to you" mean? To you it is appropriate. An analogy can be given to a king who had male-servants and female-servants. He originally would marry them off to members of another family. Then he reasoned to himself, "The male-servants are mine and the female servants are mine; it is better that I marry off my own to my own!" So too HKB"H, so to speak, said, "The Land is Mine as it states, 'To Hashem is the Land' ... and Israel is Mine as it states, 'For to Me are the children of Israel servants'; it is better that I bequeath My Land to My servants; Mine to Mine."

The Midrash continues:

That which the verse states, "[Of] the might of His handiwork he informed His people": HKB"H said to Israel, "I could have created a new land for you; rather, in order to show you My might, I will smite your enemies before you and give you their land." [This] fulfills [the above verse], "[Of] the might of

His handiwork he informed His people, in order to give them the inheritance of nations."

Rav Chaim Yaakov Goldwicht zt"l, the founding Rosh HaYeshiva of Yeshivat Kerem B'Yavneh, notes (Asufas Ma'arachos, Mas'ei) that the two parts of the Midrash seem to contradict each other. The first part implies an ontological, unique bond between the Jewish people and the Land of Israel calling this match, "Mine to Mine". The second passage though implies that G-d just as easily could have created a new land, but gave the Land of Israel to the Jews for some other reason. Furthermore, the question can be raised as to how these two reasons fit with each other. Was Eretz Yisrael given to the Jewish people because it is a "match made in heaven" or was it given to Klal Yisrael to demonstrate Hashem's power?

Rav Goldwicht's answer to these questions provides an important insight as to the nature of living in the land of Israel and indeed of all of avodas Hashem. Here we present his approach with some expansions. When the Midrash comments that G-d could have easily created another land and given it to the Jewish people, it does not mean to imply that Eretz Yisrael is not uniquely destined for them in the world as we know it. Rather, Hashem could have created, meaning, originally arranged the world in a way in which a different land would have these properties - a land which would not have the seven nations residing there, thus not necessitating warring against them and chasing them out. But Hashem arranged that they should reside there in order to demonstrate His power in conquering them.

When Hashem refers to Eretz Yisrael as "Mine", this is meant to convey that unlike regular farming activities consisting of working land which run the risk of leading a person to "earthiness" (artzizus) and diminishing his connection to the spiritual, the working of the Land of Israel has the potential to elevate and connect us to Hashem. In the words of Bilam, "Who can count the dirt of Jacob?" (Balak 23:10). On this verse Rashi comments from the Midrash, "Who can count the mitzvos which they do with the land?" Eretz Yisrael was designed by the Creator of the world to reveal within it the fact that all aspects of the world can be elevated to serve the Maker of all. Yisrael is also call "Mine" since they are uniquely suited to uncover the sanctity within all aspects of the world. Thus the joining of Eretz Yisrael with B'nei Yisrael was a fantastic "shidduch".

Chasam Sofer (Sukka 36a) has a remarkable insight as to the nature of living and working in the land. The Talmud (Berachos 35b) records a debate as to the proper lifestyle one should lead. Whereas R' Yishmael maintains that one should combine Torah study with a profession, as the verse states, "And you shall gather your grain", R' Shimon bar Yochai maintains that one should ideally devote all of his energies to Torah study, and then he will be assured that his work will be done by others. (See Bei'ur Halacha (156 s.v. "sofa") as to who should follow which approach.) Chasam Sofer suggests that even R' Yishmael only idealized working the land together with Torah study in the land of Israel where the very working of the land is a mitzvah. Just as one cannot abandon other mitzvos for Torah study, one should not ignore the mitzvah of working the land for Torah study.[1] He further writes that even other trades perhaps also fulfill the mitzvah of yishuv ha'aretz. But in the exile, where working the land or engaging in a profession does not fulfill a specific mitzvah, even R' Yishmael would agree with R' Shimon bar Yochai that a Torah-alone lifestyle is preferable.[2] These words highlight the very nature of the land: in it, all activities can be uniquely elevated when performed with the right intentions.

My father-in-law, Rav Yitzchak Handel shlit"a, would often cite the verse in Yirmiyahu (2:2) read in last week's haftora, "I remembered the kindness of your youth ...your following me in the desert, in a land not planted (lo zaru'a)". He homiletically would read this verse as referring to the land of Israel, a land planted with "lo" ("do not"). Meaning, unlike outside of the land where some activities are holy and some are mundane, every aspect of the land has a mitzvah attached to it. "Do not work during shemitta." "Do not forget to take terumos uma'asros." "Do not plant mixed seeds," etc. In the

words of Rav Zev Leff shlit"a, in Eretz Yisrael even the fruits wear a yarmulke!

Based on this, Rav Goldwicht explains the connection between the two parts of the Midrash. The Canaanite nations were the most corrupt and depraved of nations to the extent that the Torah (Acharei Mos 18:3) specifically adjures us not to mimic their evil ways. Why then did G-d arrange it that precisely this land is the one we would inherit? The answer is that the existence of such nations in the land precisely indicates the uniqueness of the Land. Kabbalistically, even the greatest of depraved acts is connected to a spark of sanctity; otherwise, it could not exist. The existence of such abhorrent acts in the land of Israel demonstrated the fact that the land had such great potential for its inhabitants to uncover all of its inherent sanctity and channel all of its enormous spiritual energy regarding all aspects of life in the land for avodas Hashem and kedusha.

Thus the two approaches of the Midrash are interrelated. Eretz Yisrael is called "Mine" because of its uniqueness in fostering the revelation of sanctity in all aspects of life. And the fact that G-d chose to bestow a land to his nation which was inhabited by corrupt, depraved Canaanites also demonstrated the Land's inherent ability to foster sanctity in everything, as explained above. The words of the Midrash "to show My might" can be interpreted to mean to demonstrate that Hashem's sanctity pervades all aspects of the world, even the seemingly most physical aspects. The sanctity of the land would emerge precisely from the darkness of the evil which existed in it before the Jewish people's entry and was expelled from it. The yishuv in Eretz Yisrael today manifests a broad fulfillment of the Chasam Sofer's and Rav Goldwicht's words. Besides the enormous flourishing of Torah study and religious development in Eretz Yisrael, the land has been developed agriculturally; the economy has burgeoned to the extent that Israel is a world-wide exporter; much of worldwide technology is developed in the land of Israel. All of these Divine blessings allow for a previously unimagined fulfillment of the mitzvah of yishuv ha'aretz. But herein lies the test. Will these blessings be utilized to bring sanctity to the land bringing the Torah's mitzvos and values to bear on all of these productive activities? Will the Jewish people realize its unique role among the nations - to be a beacon of light and a shining example of Torah morality to the whole world? Or chas v'shalom will the blessings be utilized to repeat the mistakes of our ancestors who when entering the land fell into the evil ways of the prior inhabitants, misusing its blessings and not properly revealing the sanctity within it. Although here we have stressed Eretz Yisrael's unique role in imbuing sanctity into everything, the concept of elevating the mundane, of permeating all aspects of life with sanctity is of course not unique to Eretz Yisrael. This theme serves as a major pillar of all of avodas Hashem. Therefore, this struggle is ultimately relevant to worldwide Jewry. As a popular expression here in Israel goes, "Am hanetzach lo m'facheid miderech aruca - the eternal Jewish people is not afraid of a long journey", but the long journey begins with one step at a time. The Jewish people will of course eventually realize all of these lofty goals. When and how long their achievement will take depends on us. As the Bein HaMetzarim period transitions into the more heightened mourning period of the "Nine Days" leading to Tisha B'Av when we lost our right to the land, this is an opportune time to reassess and deeply contemplate the purpose of our uniqueness as a nation in general and the purpose of the gift of the Holy Land specifically. In the words of Yeshayahu (43:21 quoted by Rav Goldwicht) "Am zu yatzarti li, t'hilasi y'sapeiru - this nation which I have formed for Myself, they shall recount My praise."

[1]The existence of Sheivet Leivi and by extension Torah scholars who are "honorary members" of Sheivet Leivi (see Rambam, end of Hilchos Sh'mitta v'Yoveil) directly indicates that this approach would not be for everyone. The select few would indeed be best suited in their service of Klal Yisrael with a Torah-alone lifestyle. The Chasam Sofer would presumably agree.

[2]This idea is a tremendous chiddush for life in the exile and is seemingly against the simple ruling of Shulchan Aruch (Orach Chaim 156). The topic obviously requires a much broader treatment. Here we focus on the aspect of the Chasam Sofer's chiddush relating to Eretz Yisrael.

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from: Torah Musings <newsletter@torahmusings.com> via sendgrid.me
date: Wed, Aug 3, 2016 at 11:19 AM

Cholov Yisroel versus Cholov Stam

(Wednesday, August 3rd, 2016 01:34 PM)

By **Rabbi Yair Hoffman** for the Five Towns Jewish Times

What is Cholov Yisroel exactly, and what is its history?

For those who may be unaware, the Mishnah in tractate Avodah Zarah (35b) forbids the consumption of milk that a gentile had milked unless a Jew supervises the milking process. This is the ruling of the Shulchan Aruch as well (See Yore Deah 115:1), the authoritative code of Jewish law. The prohibition is called "chalav akum." On the other hand, milk that was supervised by a Jew is called "Cholov Yisroel."

RABBINIC IN ORIGIN

The prohibition is rabbinic in origin and, according to all halachic authorities, there is no question that it is a serious prohibition that is still in force. The question rather is, does the prohibition also apply to milk produced under some form of a government regulation? Those that certify Hershey bars and Häagen-Dazs ice cream claim that the government regulations exempt the milk from the requirement of the Mishna. Others are more stringent and disagree.

The leading halachic authority who exempted government regulated milk from the requirement of the Mishna was Rabbi Moshe Feinstein zt"l, one of the leading Poskim of the 20th century (See Igros Moshe YD I #47 and #49 and YD III #17). Indeed, Rabbi Feinstein even coined the term "Cholov Stam" to describe and differentiate government regulated milk from Cholov Yisroel milk that is actually supervised by observant Jews.

Most of the Chasidic world, never accepted the leniency. In Israel things are slightly different than in the United States regarding the labeling of Kosher dairy from outside of Israel. The Chief Rabbinate permits chalav akum milk powder, and does not and never permitted chalav akum liquid milk.

The distinction between liquid milk and milk powder was argued in the early 1940's by Rabbi Tzvi Pesach Frank, the former Chief Rabbi of Jerusalem, and in many circles has been a more accepted leniency than the heter espoused by Rabbi Feinstein.

IS THE ORIGINAL BASIS FOR HETER STILL THERE?

There is also a growing number of people within the Orthodox Jewish community who claim that the original basis for allowing the consumption of Chalav Stam may no longer be there.

Is it true? Has the Federal government of the United States changed its guidelines?

During Rav Moshe Feinstein zatzal's lifetime, the Food and Drug Administration of the Department of Health and Human Services would test dairy plants for specific fat contents.

Government inspectors would take milk samples and inspect fat and casein ratios. If there was any irregularity an investigation could be launched. It was upon this basis that Rav Feinstein ruled that the "fear" of the government inspection on the part of the dairy owner constituted a "fictitious or virtual Jew" who oversaw the milk production.

He ruled that there was an "Anan Sahadi" - where the whole world testifies that the dairy owner is not adulterating the milk with other milk from a non-kosher source.

According to the Orthodox Union, however, the situation has changed somewhat. The December '08 edition of the Kashrus newsletter of the OU reported a new basis for a leniency, but does report changes. The link on their site referenced is no longer active (Formerly http://www.oukosher.org/index.php/articles/single_print/1377721)

Now milk samples are only analyzed for bacteria counts and for the presence of antibiotics. Thus, the original basis for Rav Moshe Feinstein zatzal's heter for Cholov Stam may no longer exist and must be replaced with a different reasoning.

REVAMPED HETER

OU Poskim, make a case for continuing a different type of Heter for "Cholov Stam" consumption. Rav Yisroel Belsky zt"l ruled that a new heter may be relied upon for those who wish to continue eating non-Cholov Yisroel.

This new Heter is based upon state inspections (not federal inspections) of the dairy farms (not the dairy plants.) In the OU's own words, they are continuing to serve those

who wish to continue eating Cholov Stam “As evidenced by the above Psak..., the OU continues to pave the way in Kashrus technical data.”

Indeed, some say that the current Heter, halachic leniency, may even be better than the one given during Rav Moshe Feinstein’s lifetime. They argue that inspections happening at the farm are better than at the dairy plant and may even create a greater “mirsas” – fear of authorities which still creates a form of fictitious Jewish supervision. But it should be made clear that the Food and Drug Administration is no longer making these inspections and that they are conducted now at a state level.

In the past, other Rabbonim pointed out that Rav Feinstein’s heter no longer applied when the Federal government changed their regulations to allow additives to the milk. Over ten years ago, Rabbis at Ner Yisroel Rabbinical Seminary in Baltimore stressed the need to re-assess the heter when standards were relaxed to allow Vitamin D as an additive.

Some of them urged their followers to change to full Cholov Yisroel compliance.

It may be argued that state inspections of farms vary from state to state and may even vary within each state based upon new budget cuts initiated within each state. Many states are undergoing financial crises. Who is to say that state governors will not slash the budgets of state dairy inspectors and rely rather on voluntary compliance?

Those who once followed Rav Moshe Feinstein zatzal’s permissive rulings are no longer relying upon his specific initial ruling – they are relying upon similar, but new rationales. One may speculate that perhaps Rav Feinstein might have permitted it based upon the state inspections and based upon the fact that the farms are being inspected rather than the dairy plants. However, this is not necessarily the case.

DISPLACED ABOMASUM CONTROVERSY – DA COWS

“DA Cows” is a term that for some strange reason, only people in the Kashrus industry know about. According to some authorities, there is another issue that has changed in the decades since Rabbi Moshe Feinstein’s published leniency. The issue is a possible treifus concern regarding surgical remediation of a growing problem known as “the displaced abomasum.” Cows that have had the operation are called “DA Cows” and the hechsherim that supervise Cholov Yisroel remove DA Cows from the lines. They vary as to how many supervisors are there to ensure that DA Cows do not inadvertently enter the lines. Generally a tag on the cow’s ear reveals its medical history. But let’s get back to how it works.

The abomasum is the fourth, or “true,” stomach of the cow. Normally, it lies low down in the right front quadrant of the abdomen, inside the seventh through 11th rib. Adjacent to the abomasum, on the left side of the abdomen, is the large first stomach, or rumen.

TWO TYPES OF DISPLACEMENT

There are two types of displacement. The abomasum occasionally may be displaced to the left of the rumen and upwards when the muscular wall loses its tone and the stomach becomes filled with gas. This condition is left abomasal displacement.

Another type of displacement, is when the abomasum goes higher on the right side underneath the last ribs. Here too it is enlarged with gas and some fluid. Sometimes the right displaced abomasum turns into a fatal abomasal torsion.

In both of these displacements the entrance and exit to the stomach become kinked. The kinks, together with the gas and fluid distension, slow food passage to a slower-than-normal rate. Abomasal displacement is seen almost exclusively in dairy breeds. No one really knows what causes it exactly, but there are many theories ranging from the rise of corn as feed to the different roughage concentrations that the cows now eat.

Regardless, the incidence of abomasal displacements has increased tremendously in the last two decades, and many farmers have a surgery performed on these cows. The treatment requires surgically replacing the abomasum back into its normal position. The veterinarian also prevents recurrence by tacking or stapling the abomasum to the body wall. Cholov Yisroel companies are now very careful not to include animals that had this surgery on account of a concern that these cows may be considered Treifos.

Many authorities do permit it, however. Rabbi Yisroel Belsky zt”l from the OU has stated several times that this issue is not new and that the issue was presented to Rabbi Feinstein during his lifetime and he permitted it.

However, Rabbi Asher Zimmerman, zt”l told this author that the leniency in this case is far from simple and was one of the Rabbis that spearheaded the changes when the issue arose once again in the very late 1980’s.

BUTTER

Yet another change in Cholov Yisroel halachic leniencies has occurred in butter. The Ramah in the Shulchan Aruch allows the consumption of non-Cholov Yisroel butter and Ashkenazic Jewish families that were careful to only eat Cholov Yisroel were lenient in regard to butter based upon this Ramah. The United States, however, changed the ingredient listing requirements a number of years ago and allowed companies to include whey in the butter mix without changing the ingredients. In other words, a butter

company can still label the product 100% grade A butter even though whey products may be included in the butter mixture.

Since whey is significantly cheaper than butter and is a solid, there is a concern that whey is included in the butter.

This is another example as to how modern changes in both the law and in manufacturing affects halachic observance. Many Cholov Yisroel families are unaware of this change. This is why it can be important to be up to date.

HISTORY

As a historical point, the first commercial Cholov Yisroel dairy in the United States was started in Ozone Park, Queens in 1903, by Isaac Balsam, a Melitzer Chassid, originally from Poland. At its peak his farm had over 300 cows and he had a shul on the farm as well. The area is now known as Balsam Village.

It is also interesting to note that, contrary to popular thought, Rav Feinstein was not the first authority to allow the consumption of non-Cholov Yisroel milk produced in the United States. In the 1930’s, some of the Cholov Yisroel producers were not so scrupulous in their business practices, and knowing that they had a relatively captive market, tended to water down the milk to increase profits.

Rabbinic leaders were incensed and, until the situation would be rectified ruled that, under such circumstances, one would be permitted to adopt the lenient view of the Pri Chodosh (Yore Deah 115:15) who permitted the consumption of chalav akum when the non-kosher milk is less expensive than the kosher variety.

Thus, Rabbi Dovid Leibowitz zt”l, a great nephew of the Chofetz Chaim, temporarily introduced regular American milk into the then newly launched Yeshiva Chofetz Chaim on South Ninth Street in Brooklyn. The Pri Chodosh himself consumed such milk when he was living in Amsterdam and explained that the Mishnah requiring a Jew to supervise the milking was only when their existed an incentive to adulterate the milk.

The Chazon Ish, as well in his work on Yore Deah (See Chazon Ish 41:4) did provide a theoretical rationale that seems to back up certain points made by Rabbi Feinstein. The Chazon Ish, however, never implemented these leniencies into actual practice.

Generally speaking, however, the custom of Torah observant Jewry at the time was to follow the view of the Chsam Sofer (responsa YD #107) who rejected the view of the Pri Chodosh. Indeed, the Chsam Sofer wrote that anyone who observes this leniency deserves the application of the verse “uporeitz geder yishachenu nachash (see Koheles 10:8)” violating this important rabbinic law deserves to be punished by being bitten by a snake (See tractate Avodah Zarah 27a).

It is interesting to note, however, that, apparently in response to the new reality, the OU’s policy, as told to this author, is now to rely upon the Pri Chodosh.

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from: Torah Musings <newsletter@torahmusings.com> via sendgrid.me

date: Wed, Aug 3, 2016 at 11:19 AM

On Conversion, The True Issue Is Standards

Tue, 08/02/2016 - 15:29

Rabbi Michael J. Broyde

Much has been written about conversion matters recently and too much of that has focused on the wrong issue – the virtues and vices of centralized or decentralized rabbinical courts. Not enough attention has been given to the much more important systemic issues: standards of observance for conversion.

Three competing standards are commonly presented within modern Jewish law authorities in America.

The first is that full observance is expected. The second is that important observance is expected, and the third is that woefully incomplete observance is not a barrier to a valid Orthodox conversion.

The first view only converts people to Judaism when their conduct is completely consistent with the Orthodox halachic tradition. This view practically denies that conversion is a valuable solution to the intermarriage problem, since few who would consider an intermarriage are seriously interested in being Orthodox.

The second demands social membership within the Orthodox community but would include converts who are incomplete in their observance, so long as they observe the important mitzvot and are generally halachic in lifestyle.

This approach increases somewhat – but not enormously -- the pool of people who would consider conversion instead of intermarriage.

The third group converts people who profess to observe even though they do not expect to actually observe; this view established a mechanism that allows conversion to serve as a solution to the intermarriage problem according to halacha.

Another view, endorsed by the eminent posek [religious decisor] Rabbi Moshe Feinstein but not accepted by all, allows for conversion of children even if their mother is not Jewish, provided the children attend Orthodox communal day school and even if they are not likely to grow up to be observant. This view, raised by Rabbi Feinstein in the course of a discussion of the problems associated with non-Jewish children in Jewish day schools, explicitly seeks to craft a solution to the problem of intermarriage that is acceptable to the halachic community. It is an important approach that is underused in America, I suspect.

Of course, the centralization controversy and the standards controversy are somewhat inter-related. A fully centralized system must have a uniform standard for acceptance and allows much less individualization both by the local rabbi and the local rabbinical court. On the other hand, a decentralized system tends to have more flexible standards with a rabbinical court made up of local communal rabbis who self-validate and who find a level of observance for the convert that reflects the needs of the local community. This approach is more ad hoc and less consistent from case to case.

Of course, it is possible to construct a national and uniform conversion network that has low standards: my impression is that conversion in the Israeli Army is such. But on closer observation, one sees that such programs are just as controversial as non-centralized conversion programs and not any more accepted than decentralized systems with similar lower standards. This indicates to me that standards is the issue and centralization is just the tool.

To give an American analogy that might help some of us: most of us actually do not care a wit about “states rights” as a true cause – rather, we support it when it favors an outcome that we like, and we dismiss it when it produces an outcome we do not like. It is a tool and not a value. I suspect that centralization of conversion is the same way: Right now, the group that wants higher standards supports centralization as a tool to achieve higher standards, and the group that wants lower standards supports decentralization as a way to reach the result they prefer. No one really cares about the apparent issue.

The real issue is standards for conversion and the real question – a weighty one of Jewish law, for sure – is what standard of observance should be expected for converts.

Rabbi Michael J. Broyde is a law professor at Emory University School of Law and the projects Director of Emory’s Center for the Study of Law and Religion. He is the author of the forthcoming “Concise Code of Jewish Law for Converts.” jewish conversions, orthodox conversion

Thanks to hamelaket@gmail.com for collecting the following items:

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subject: Weekly Parsha from Rabbi Berel Wein

**Home Weekly Parsha MATOT
Rabbi Wein’s Weekly Blog**

Throughout the entire Torah it seems clear that the Jewish people were to maintain the system of separate tribes with separate leaders. At first glance, it seems that this system of separate tribes would always guarantee a strong element of disunity within the Jewish people. Would it not have been better to discard the original tribal system of the house of Jacob and build instead a more unified community?

Also, when the Land of Israel was settled and inhabited by the Jews at the time of Joshua, it was distributed in tribal sections, according to the rules of the Torah. The next few centuries, as the Bible itself records for us in the book of Judges, disunity, if not even chaos reigned in the Jewish community. Each tribe looked at itself as a separate and distinct entity having little responsibility or connection to the broader Jewish community.

Eventually, the sad fact would arise that the tribes at certain stages of biblical history, would even conduct civil war amongst themselves. The Torah obviously was aware of this danger but continued to emphasize the tribal nature of the Jewish people and of its leaders. The Torah explicitly names the individual leaders of the tribes and counts the population of each tribe separately, one from another. Though this question is rarely addressed directly by the commentators to the Torah, it does underlie much of their insights and viewpoints into the Jewish story of the biblical period.

It seems to me that the Torah here is emphasizing the important, but often overlooked, difference between unity and conformity. Each of the tribes, and certainly each of the leaders of those tribes, bring something different to the table of society. The Talmud teaches us that just as the physical features of human beings differ one from another so too do their opinions, thought processes and worldviews differ.

Conformity amongst human beings is against our very nature. That is why children raised in the very same home and who are products of the very same genetic makeup, are frequently very different from one another in temperament, behavior and opinion. Often, these differences present problems in families and in societies. Nevertheless, the Torah is willing to deal with these problems rather than enforce a rigid conformity upon the Jewish world.

The unifying force in Judaism and in Jewish society is the Torah itself. Every Jew has a share in it and is bound with a commitment to honor, study, observe and live by its values. But that unity, as is evident from an even cursory observation of the Jewish world today, and in fact of all of past Jewish history, never advocates a society of conformity.

Dictators and tyrants have from time immemorial attempted to impose conformity on their subjects and citizens. Eventually such attempts fail simply because they are contrary to human nature. The task of ancient and modern Israel - and of the Jewish people as a whole, is to create the unity of spirit and commitment that the Torah represents, without falling into the trap of tyrannical conformity.

Shabbat shalom Rabbi Berel Wein

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

The Torah reading of this week marks not only the conclusion of the book of Bamidbar but also of the narrative portion which tells of the formation of the Jewish people. It has truly been a long journey from the Garden of Eden, from original man to the banks of the Jordan River. It tells of the development of a special people whose influence and contribution to the world will be in far greater measure than its numbers would indicate.

All of the travels of the Jewish people in the desert of Sinai are enumerated in this week’s Torah reading. To a certain extent, we are being taught a fundamental life lesson. Unless one knows and realizes where one has been and where one comes from, it is very difficult to successfully understand where one is supposed to go in the future.

Rashi indicates this in his commentary when he explains that each of the stops in the desert was meant to jog the memory of the people, to recall their errors and foibles and to enshrine in their minds their triumphs and accomplishments. It is not the place itself that is so important to remember as it is what occurred there.

We should know what lessons can be learned from the events that took place at that location and to apply those lessons to future stops on the journey of

the Jewish people. Truly, if we do not know where we have been, how we entered the maze of our history, then we will continually be blindsided and disconcerted by the events that will undoubtedly occur to us in our present and future.

King Solomon instructed us that “there are no new things under the sun.” He obviously was not referring to advances in technology, medicine and other fields where we witness almost daily “new things.” Rather, he was referring to the patterns of humanity here and the overriding narrative of the story of the Jewish people.

It should be abundantly clear by now where we took wrong turns and when we made poor choices. But since we constantly repeat those poor choices, and even glorify them, as somehow being sacrosanct and positive, we allow for a great deal of unpleasantness and frustration to enter our national life.

All of the blandishments of the utopian Left have been proven to be hollow, misleading and eventually disastrous. Yet, amazingly enough, we are unable to admit to our error and change our course. A great deal of the blame for this shortsightedness on our part is due to the fact that most Jews know very little about our history, the stops on the way and the occurrences that dominated our story.

It is impossible to admit error if one does not know that one committed error. The current discussion regarding what type of curriculum and what subjects should be taught in our schools somehow overlooks the basic requirement of knowing our story and recalling where we have been and what happened to us at those historical stops. Therefore, this parsha of Maasei should be drummed into us for it alone can help us chart a correct course for our future. Shabbat shalom Rabbi Berel Wein

Home In My Opinion I DON'T KNOW Rabbi Wein's Weekly Blog

My dear friend and esteemed member of our congregation, Professor Robert Aumann, told me a thoroughly wonderful story with a deep moral message. He had gone to visit the late, great Rabbi Gustman in the hospital where the rabbi was being treated for a sore on his foot. His physician was the famed Dr. Heiman, an exceptional person in his own right.

The doctor came into the room and told Rabbi Gustman that he did not know the cause of the sore on his leg. The rabbi responded: “I also do not know.” To which the old doctor said: “Honored Rabbi, do you mean to equate your not knowing to my not knowing?!” Not knowing the cause of the sore is certainly more troublesome and perhaps even more ominous to the physician than to the patient himself.

When Rashi, in his commentary to Talmud remarks, as he often does, that he does not know the meaning of a word or phrase in the text, is certainly in a different league and on a much higher level than our not knowing the correct interpretation or meaning of that word or phrase. So, it is obvious to all that there are many different levels of knowing, depending upon the intellectual level, previous knowledge, experience and common sense of different individuals.

Since, as Rashba points out: ” The ultimate goal of all knowledge is to make one realize that one really does not know,” it is important for us to realize that there are different levels of knowledge and to be able to discern them and to cope with the resulting uncertainties.

We are certainly living through a period of intense uncertainty. The world seems to be falling apart around us. Europe was certainly a mess before the Brexit vote and it now seems to be in an even greater mess. The Middle East is in constant turmoil and the tentacles of Islamic extremism and terrorism extend over the entire globe.

No one seems to have any good answers or practical solutions to these uncertainties and instabilities. To me, the fact that almost all of the world's leaders have no clue as to how to deal with these issues and problems is far more troubling than the fact that I can admit that I do not know what the answer should be. All of the political rhetoric, empty campaign promises and

personal blustering only serve to emphasize the uncertainties of our time and the dangers that we face.

We like to believe that we can solve all problems...and more so, that all problems are truly capable of human solution. The fact that all of history belies that belief makes little impression upon us. The world is ours to conquer and conquer it we shall, no matter what the cost involved. No one likes to hear the words “I do not know” from the lips of government leaders, physicians, savants and other worthies. We all realize that their not knowing is different from ours, but, at the end of the day, it is still an unknown.

The basis of life is uncertainty. We can plan for the future, as that is our nature, but that future rarely, if ever, conforms to our plans. It is flexibility, and the ability to adapt, that is a far more valuable asset to individuals and nations than certainties and inflexible ideological beliefs.

People may expect that their leaders, spiritual and temporal, know everything and have an answer for all difficulties and issues. The person who pretends to be omniscient will eventually pay a great price for that type of arrogance and hubris. It is a great temptation to believe that one can really know all of the answers for all of the problems for all of the people.

This temptation is even greater for people of high intellect and great knowledge. To warn us of this innate danger, Rashi, one of the greatest scholars of all time, sprinkles into his holy words of commentary the phrase; “I do not know what this means.” He is warning us of the pitfalls of being a know-it-all regarding one's self and the lives of others as well.

The prophet Elisha tells his servant Gaichazi that he does not know why the woman of Shunam is so desperately anxious to see him. How can a prophet of God not know? Yet even prophets are human and therefore full knowledge is not always present in life, no matter what level one may be at. Shabbat shalom Berel Wein

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By Rabbi Yirmiyohu Kaganoff

The Borders: How Much is Ours?

By Rabbi Yirmiyohu Kaganoff

Question #1: Exotic Island Fruit

“According to my grocer, this fruit grew on an island in the Mediterranean that is directly west of Israel. Is it prohibited because of orlah?”

Question #2: The Golan

Is the Golan part of Biblical Eretz Yisroel?

Question #3: Cairo

“Is Cairo in Israel?”

Answer:

To answer these questions, we need to clarify what are the areas and boundaries of Eretz Yisroel. Many of the laws concerning the mitzvos hateluyos ba'aretz, the agricultural mitzvos, as well as some other halachos are affected by the sanctity of Eretz Yisroel, so it behooves us to know exactly which areas are holy and which are not. As we will soon learn, researching this topic requires not only a thorough knowledge of the Gemara passages involved, but also knowledge of Tanach, geography, topography and history. We will begin with some basic study of the relevant Chumash.

Introduction

In several places in Chumash, the borders of the Promised Land are mentioned, including:

1. Avraham Avinu is promised that his descendants will receive the land from the “River of Egypt” to the “great river, the Euphrates” (Bereishis 15:18).
2. In Parshas Mishpatim (Shemos 23:31), the Torah tells us, I will set your boundaries from the Red Sea until the Sea of the Philistines and from the desert until the river.
3. There is a very detailed description of the borders of the Promised Land in Parshas Masei, which we will discuss shortly.
4. At the beginning of Parshas Devorim, the Torah describes the different areas of Eretz Yisroel: Travel for yourselves along the mountains of the Emori and its neighboring areas, in the Aravah, in the mountains, in the lowlands, in the Negev, along the seashore; the land of the Canaanites and Lebanon, until the great river, the Euphrates (Devorim 1:7).

5. There is another brief description at the very end of Parshas Eikev, where it says: Every place upon which the sole of your foot will tread will be yours: from the desert and Lebanon, from the Euphrates River until the far sea will be your border.

In addition to these descriptions in the Torah, there are also references in Nach, notably in the books of Yehoshua (1:4; and the entire chapter 15) and Yechezkel (Chapter 47:15-22).

History

As I mentioned above, history actually affects, in a significant way, whether a particular area has kedushas Eretz Yisroel. Min hatorah, after the destruction of the first Beis Hamikdash by the Babylonians, the mitzvos hateluyos ba'aretz apply only to land that was part of the area settled by the Jews when they returned to Eretz Yisroel to build the second Beis Hamikdash in the days of Ezra. In other words, these laws no longer apply Min hatorah in the areas settled by Yehoshua, unless they were also part of the later Jewish settlement, referred to as the second Jewish commonwealth (Shevi'is 6:1).

The Gemara teaches that areas that were conquered at the time of Yehoshua lost their sanctity when the Jews were exiled by the Babylonians. The Rambam (Hilchos Terumos 1:5) explains that since these lands were obtained via conquest, subsequent invasion and defeat of the Jewish nation caused the sanctity to lapse.

However, those areas that became obligated in mitzvos in the days of Ezra retained their sanctity, even after the Roman conquest and destruction of the Beis Hamikdash, notwithstanding that the Jews had again lost sovereignty over the Holyland.

Shevi'is

Regarding the laws of shevi'is, those areas conquered by Yehoshua but not settled in the days of Ezra may not be worked during shemittah year; but, Chazal were more lenient regarding some of the other applicable laws (Shevi'is 6:1).

Transjordan, the territory east of the Jordan River known in halachah as eiver hayarden, is not part of the Promised Land, yet it is usually included under the mitzvos hateluyos ba'aretz. We have the anomalous situation in which an area that was not promised to us is sanctified with kedushas ha'aretz, whereas much of the area promised to us is not.

Thus, when defining which areas are included under the mitzvos hateluyos ba'aretz, we take into consideration several factors:

Where is this land? Is it part of the Promised Land?

Is this part of the land that Moshe conquered?

Is this part of the land that Yehoshua conquered?

Is it within the area settled in the days of Ezra?

This week's parshah

Let us now examine the most detailed of the descriptions provided by the Torah, the one in Parshas Masei.

This is the land that will fall to you as your possession – the Land of Canaan, according to its borders. And the southern edge begins from the Desert of Tzin near Edom. The easternmost point of your southern border shall be the edge of the Dead Sea. Then the border will turn southward to the Heights of Akrabim and then pass to Tzin, from where it will extend southward to Kadeish Barnea. It will then turn to Chazar Adar and pass to Atzmon. The border will then turn from Atzmon to the Stream of Egypt and extend towards the sea.

The western border will be the Great Sea and its “gevu,” its territory; that will be for you the western border.

And this will be your northern border: From the Great Sea, you should turn to Mount Hor. From Mount Hor, you should turn as you were going to Chamos, and the border extends then to Tzedad. The border then turns to Zifron and extends to Chatzar Einan; this will be for you the northern border.

And demarcate for yourselves the eastern border from Chatzar Einan to Shefam. The border will then run down from Shefam in the direction of Rivlah to the east of Ayin. The border will then run down and extend to the eastern shoulder of the Kineret Sea. From there, the border will run down the Jordan and extend to the Dead Sea. This will be for you the land with all its borders all around (Bamidbar 34:2-12).

There is a vast literature attempting to identify the various place names mentioned here, which includes explaining the distinction in nuance among the different terms (“run down,” “extend,” “going to,” “turn,” etc.), and attempting to correlate this description with the boundaries of Eretz Yisroel as they are mentioned in other places in Tanach. It is well beyond the scope of this article to provide an exhaustive study of all the works written on the subject. We should note that many great historical figures who were talmidei chachamim have endeavored to identify the borders of Eretz Yisroel and the descriptions of the pesukim, and that the discussion continues in the contemporary world. For the purpose of this article, we will be content with a few relatively sparse observations.

The southern border

In Parshas Masei, the Torah describes the easternmost point of the southern border to be the Dead Sea and its westernmost point to be the Stream of Egypt. Note that Avraham Avinu was promised from the River (in Hebrew, nahar) of Egypt, whereas in Parshas

Masei, we are promised from the Stream (in Hebrew, nachal) of Egypt. Are these the same body of water? If they are not, what was Avraham promised, and why did we not receive it?

According to most interpretations, they are not the same -- the Stream of Egypt is the Wadi El Arish in the northern part of the Sinai Desert, whereas the River of Egypt is the Nile. According to this approach, Avraham Avinu was promised that one day in the future, his descendants would have much more extensive holdings to the south and southwest than they have ever controlled in history, even after Ariel Sharon crossed the Suez Canal, thereby capturing the Egyptian Third Army to end the Yom Kippur war. As Rashi explains, Avraham Avinu was promised the land of ten nations, including Keini, Kenizi and Kadmoni, which Rashi equates with Edom, Moav and Amon, but these are not the borders the Bnei Yisrael will or did possess upon entering the Land in the days of Yehoshua. The Malbim (in his commentary to Bamidbar 34) explains that the borders promised at the end of Parshas Eikev (Devorim 11:24) also reflect a promise in our distant future, when the Jewish people will acquire much more territory than what was possessed in the days of Yehoshua. According to this approach, no part of Egypt is yet part of Eretz Yisroel.

The Ramban (Devorim 11:24), however, explains this verse differently, understanding that the borders of Parshas Eikev describe the area that we are commanded to conquer. This is consistent with his opinion that one of the taryag mitzvos requires that we conquer Eretz Yisroel, a topic that we will leave for a different time.

A river or a stream?

On the other hand, some major commentaries interpret the Stream of Egypt of Parshas Masei to be the Nile, not the Wadi el Arish, making the Eretz Yisroel promised to Yehoshua far more expansive in the south and southwest. Since Cairo is on the eastern bank of the Nile, this approach considers Cairo to be located in Eretz Yisroel! Thus, the third of our opening questions “Is Cairo in Israel?” is actually a serious question, and technically is the subject of a dispute among halachic authorities.

We will return to our discussion of the southern border; but first, let us complete our reading of the other three borders.

The western border

In Parshas Masei, the Torah describes the western border of Eretz Yisroel:

The western border will be the Great Sea, and its territory [“ugevu”]; that will be for you the western border. (I have followed the translation of Rav Hirsch that the word gevu means its territory.) According to the Gemara (Gittin 8a), the word ugevu teaches that there are islands in the Mediterranean that are halachically considered part of Eretz Yisroel. There, the Gemara quotes a dispute between tanna'im regarding which islands located in the Mediterranean, the “Great Sea” of the pasuk, are halachically part of Eretz Yisroel and which are not. Rabbi Yehudah contends that the word ugevu means that any island in the Mediterranean that is directly west of Eretz Yisroel is imbued with the sanctity of the Holyland, whereas the Rabbonon's understanding includes a more limited area. They draw an imaginary line from the northwesternmost point of Eretz Yisroel to its southwesternmost point and include only islands that are east of this imaginary line. In practice, there are very few islands in this small corridor of the eastern Mediterranean that are directly west of Eretz Yisroel.

Orlah in chutz la'aretz

Although the mitzvah of orlah, the prohibition of benefiting from fruit grown on a tree during its first three years, applies to fruit grown outside of Eretz Yisroel, its law is far stricter on produce that grows in Eretz Yisroel. In Eretz Yisroel, one may not use a fruit without first determining that the fruit is very unlikely to be orlah. In chutz la'aretz, the fruit is prohibited only when one is certain that it is orlah.

Islands in the Mediterranean

This allows us to discuss the first of our opening questions: “According to my grocer, this fruit grew on an island in the Mediterranean that is directly west of Israel. Is it prohibited because of orlah?”

We now know that if this island is imbued with the sanctity of Eretz Yisroel, then we may not use the fruit unless we are fairly certain that it is not orlah. However, if the island is outside Eretz Yisroel we may consume the fruit, as long as we are uncertain that it is orlah. According to Rabbi Yehudah, any Mediterranean island directly west of Eretz Yisroel is imbued with the sanctity of the Holyland, and fruit grown on this island needs to be treated with the same stringency as fruit growing on the mainland. According to the Rabbonon, which is the normative halachah, only islands that are very near Eretz Yisroel are halachically part of the Holyland, because they are east of the “line” that runs from the northwest corner of Eretz Yisroel to its southwest corner. Since there are very few islands in this small corridor of the eastern Mediterranean, from a practical perspective, one may assume that the fruit in the grocery does not have kedushas Eretz Yisroel.

The northern border

Parshas Masei's description of the northern border begins at the Mediterranean (The Great Sea) at Mount Hor and then passes through Chamos, Tzedad, Zifron and Chatzar Einan. There are widely variant opinions as to where these places are. Some contend that Mount Hor is as far north as southern Turkey, others placing it north of Latakia, in contemporary Syria, whereas others peg it much further south, not far from Beirut. All opinions have it considerably further north than any of the borders of the contemporary State of Israel.

The eastern border

Parshas Masei's description of the eastern border has it beginning in the north at Chatzar Einan and then running through Shefam, Rivlah, east of Ayin to the eastern shoulder of the Kineret, down the Jordan River and into the Dead Sea. We should note that, according to most, if not all, opinions, the northeastern area of Eretz Yisroel extends much further east than the Jordan. According to all of the Torah's descriptions, the Jordan is the eastern border of the central plain of Eretz Yisroel. Thus, the area northeast of the central plain, what we call today the area of the Golan and further north, is much wider than the central part of Eretz Yisroel, which extends only until the Jordan.

In addition, Transjordan, or the area east of the Jordan River, which had previously been controlled by Sichon and Og, came under Jewish rule as the eiver hayarden prior to the entry into Eretz Yisroel proper, notwithstanding the fact that it was not part of the Promised Land. This was the area settled by the tribes of Reuven, Gad and half of Menashe.

Difficult passage

At this point, let us examine a very difficult, albeit brief, passage of the Torah. The Torah, in Parshas Mishpatim, describes the borders of Eretz Yisroel as extending from the Yam Suf until the Sea of the Philistines and from the desert until the river? There are several questions here: First, when did Eretz Yisroel ever extend to the Red Sea (the Yam Suf), which is in Egypt? Certainly, at the time of the Exodus from Egypt, the Bnei Yisroel, did not immediately arrive in the Promised Land when they crossed the Yam Suf! (However, see Tosafos, Arachin 15a s.v. Kesheim.)

Second, the Mediterranean, which is the Sea of the Philistines, is the western border of Eretz Yisroel. How then could Eretz Yisroel be described as stretching from the Yam Suf, on its west, to the Mediterranean, also to its west?

The Rashbam explains that the Torah means that the Yam Suf is the eastern border of Eretz Yisroel and that from the Yam Suf until the Sea of the Philistines means from east to west. This follows the approach of the Rashbam's grandfather, Rashi (Shemos 10:19), who explains the Torah to mean from the Yam Suf on the east, meaning, presumably, from the Gulf of Eilat (also called the Gulf of Aqaba), which is an inlet of the Red Sea, to the Mediterranean Sea on the west. According to this approach, from the desert until the river means from the desert on the south to the Euphrates on the north. A result of this calculation is that the entire Negev is within the southern borders of Eretz Yisroel.

The Netziv rejects the approach of Rashi and the Rashbam. The obvious reason for his criticism is that the Gulf of Eilat is not, by far, the easternmost point of Eretz Yisroel, so why would this be used as a promise of the expansion of the land? The Netziv contends that the Yam Suf, the Red Sea, is meant to be the southern border, and that from the Yam Suf until the Sea of the Philistines means from south to west, notwithstanding, as he notes, the fact that one usually describes an expanse from opposite sides; here, it is not the case. The Netziv, therefore, explains that from the desert until the river refers not to the desert of the southern border of Eretz Yisroel, but the eastern border. This means that the border referred to is neither the Sinai desert nor the Negev, but the Jordanian desert, and it is including Transjordan, after it was conquered from Sichon and Og.

Conclusion

Many generations had to be content with reading about Eretz Yisroel and imagining what the descriptions of its borders mean. We are fortunate to live in a time when visiting and even living in Eretz Yisroel is a reality. We should be filled with hakoras hatov that we can traverse the land that was promised to our forefathers. Inhabiting our native land reminds us that it is a land of elevated kedushah, and therefore requires special laws that apply within the halachic borders of this special land. Furthermore, living in Eretz Yisroel provides us with a direct relationship to Hashem, for which we should all strive.

<http://torah.org/series/rabbizweig/>

ONLY AS GOOD AS HIS WORD – Rav Yochanan Zweig

And Moshe spoke to the heads of the tribes of the Jewish people saying; "this is what HaShem has commanded. If a man vows a vow to Hashem, or

swears an oath to bind his soul with a bond; he shall not break his word, he shall do according to whatever comes out of his mouth" (30:2-3).

Maimonides, in the introduction to his commentary on Mishna, ponders why Rabbi Yehuda Hanassi, compiler of the Mishna, chose to place the tractate of Nedarim (vows) in the section of Nashim (the laws related to women). He answers that the placement is appropriate as Nedarim deals with vows made by a woman that can be annulled either by her father or her husband. However, the laws of a father or husband annulling vows doesn't appear until the tenth chapter of Nedarim; clearly this isn't a focus of the tractate.

Perhaps an alternative answer to Maimonides' question can be suggested. The vast majority of tractate Nedarim is concerned with the language of articulation of a vow - which words and/or statements bind a person to a commitment and which do not. The tractate also focuses on which words properly communicate one's intent, and which phrases do not. This means that to bind oneself to a commitment requires the correct words, the proper intent, and the listener's understanding.

As Nedarim is essentially about articulating intent and how communications are understood, it is incredibly relevant to the section of Nashim. Interaction with wives (and mothers and daughters of course) are all about understanding communication. Men have to understand that conversation isn't just about saying what's on their mind. They have to begin by considering how their words will be interpreted and understood (or not) and then choose their words carefully. Even then men often fail, (as we are often reminded). It must be understood that, through speech (which is a reflection of our soul and a God given ability through His breath), one has the power to convey thoughts and create obligations by articulating commitments.

Perhaps this is why the only transaction that requires actual speech is that of the marriage ceremony. The message being delivered is that marriage can only begin with a man articulating his intent through his words - and in a manner which his bride finds acceptable.

DON'T FOCUS ON YOURSELF - BE HAPPY

And the Hashem spoke to Moshe saying: Avenge the people of Israel from the Midianites; afterwards you shall be gathered to your people. And Moshe spoke to the people saying, "Arm some of yourselves for the war, and let them go against the Midianites, and do the Lord's vengeance in Midian. From every tribe a thousand...twelve thousand armed for war" (31:1-5).

This week's Parsha relates Moshe's final responsibility as leader of the Jewish people; to exact vengeance from the Midianites who had caused devastating human losses to the Jewish people. HaShem informed Moshe that after completing this final mission Moshe would die. Rashi (ad loc) quotes the Midrash Tanchuma: "Even though Moshe knew that at the end of this final task he would die, he did it with joy and didn't delay." How do Chazal know that he did it with joy if it doesn't appear anywhere in the Pesukim?

Rashi (verse 4) explains that the words "from every tribe" include even the tribe of Levi. In other words, every tribe sent one thousand armed soldiers for war against the Midianites. The commentators (Mizrachi and others ad loc) ask a very difficult question on Rashi: If Moshe indeed sent one thousand from every tribe including the tribe of Levi, that would equal 13,000 armed soldiers, so why does verse 5 say that only 12,000 were given over to war?

Rashi (verse 5) explains that the 12,000 armed men had to "be given over" to duty because they had heard that after this final mission Moshe would die. The men were very reluctant to go and had to be coerced. So even though Moshe had gone about his final task with joy, the Jewish people were very sad. Why this dichotomy?

As the baby boomer generation ages, the burden of their care falls on a large portion of our population; their children. Why is it that some of these children view caring for their aging parents as their greatest privilege, and are thrilled to be able to do this for their parents, while other children see it as an overwhelming burden? This isn't limited to caring for others; often two

people in the same predicament (e.g. a serious health issue) have polar opposite attitudes to life and living. Why? What is the root cause of this difference?

The answer is focus. A person who is constantly, and solely, focused on what he can do for others is always happy as his main currency of life is defined with what he can do for others. Conversely, a person who is focused solely on himself is devastated when anything about him is diminished. Therefore, an outwardly focused individual looks at caring for a parent as a tremendous opportunity; not only to do a great kindness, but also to repay a debt of gratitude. While an inwardly focused person only sees how his life is "diminished" by this added responsibility.

This, of course, is a cause for sadness. The inwardly focused individual doesn't feel a deep sense of gratitude because, after all, everything is coming to him. This sense of entitlement (i.e. I am owed everything I receive because everything is about me) causes these individuals to lead a frustrating and unhappy life because they are always waiting on the largesse of others. On the other hand, the person with the healthy giving attitude is always happy because he is in control of his own destiny; he isn't frustrated by waiting for others to give him what he "deserves."

Moshe was an outwardly focused individual. Even though HaShem told him that he would die after this final mission, he was happy because his sole focus was what he can do for others. Anytime he had something to accomplish he did it with joy. We see this clearly in the Pesukim: HaShem tells Moshe to take revenge for the Jewish people; yet when he tells the Jewish people he changes the purpose of the war to be revenge for HaShem. He is telling the Jewish people that this isn't about us, this is about HaShem. Someone attacked Hashem's children (the Jewish people), that is an attack on HaShem and we have to avenge Hashem's honor.

The problem with the perspective of the Jewish people was that they were focused on their loss (i.e. Moshe dying after this final mission) and had to be "given over" because they didn't want to lose Moshe. Only the tribe of Levi, Moshe's tribe and the one tribe that was historically outwardly focused on what HaShem wanted (e.g. they never participated in the golden calf; they were the only tribe to keep the mitzvah of circumcision in the desert; etc.), wasn't reluctant to go to war. It is for that reason that only 12,000 men had to be given over to the war. Only the other tribes were reluctant, the tribe of Levi was already ready to go on this final mission.

Did You Know...

In this week's Parsha, Hashem instructs Bnei Yisrael to fight a war against Midian, and take revenge for the damage they caused; namely the death of 176,000 Jews. 13,000 Jewish soldiers (1,000 from each tribe) mounted an attack, led by Pinchas, and killed all the men of Midian including the five kings and Bilaam who, unfortunately for him, happened to be in Midian collecting his fee for his role in the deaths of Bnei Yisroel. It is interesting to note that there are quite a few Halachos that we learn from this whole episode. Here are just a few:

1. When a Jew comes in contact with a dead body, he must purify himself on the third and seventh days.
2. Even though goyim don't become tamei from a corpse, captives from war acquire the status of slaves, and have a similar status to a Jew (and are therefore also tamei).
3. Any metal utensil acquired from a goy must be toveiled before they can be used.
4. We learn the laws of kashering utensils from this story.
5. If someone starts a mitzvah, he should follow through until it's finished (as we see with Pinchas, since he started the battle against them, he went to finish it).
6. The spoils taken from war should be divided equally between those who fought in the battle and those who remained behind to stand guard (1 Shmuel 30:24).

7. For wars of revenge, part of the spoils are set aside for Hashem (Sefer Hamitzvos, Shoresh 3, 39a); although it's definitely not required for ordinary wars (Menachos 77b).

This week's Parsha also discusses the request of Gad and Reuven to occupy land on the east side of the Jordan. It seems that although the original request to live in the land outside Eretz Yisrael came from Gad and Reuven, they did not have a big enough population to occupy the land, so they invited half of Manasseh to join them (Ramban; Abarbanel). This does not necessarily mean that Gad and Reuven were small tribes, it very likely might just show how large the land was that was requested by Reuven and Gad.

***Ohr Somayach :: Torah Weekly :: Parshat Matot & Masei
For the week ending 13 August 2016 / 9 Av 5776
by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com
Vengeance is Whose?***

"And Moshe spoke to the nation saying..." (13:17)

G-d told Moshe (in 13:2), "Take vengeance for the Jewish People against the Midianites", whereas when Moshe spoke to the people he said, "Take vengeance for G-d against the Midianites."

Rashi comments: "Even though he (Moshe) heard that his death was dependent on this (the war with Midian), he did it happily and did not delay."

How did Rashi see that implication in the words of the Torah?

In essence, the sin of the Midianites was both against G-d — for they ensnared the Jewish People in immorality — and also against the Jewish People — for they caused the death of 24,000 people.

Thus G-d said to Moshe, "I can forgo My honor, but I cannot forgive what they did to the Jewish People." So when G-d spoke to Moshe, He told him to "avenge the vengeance of the Children of Israel." However, once Moshe heard that after the battle against Moav he would "be gathered to his people", that his death was contingent on this battle, he was concerned that the Jewish People would say that they also would forgo their honor in order to lengthen Moshe's life.

Thus Moshe said to them, "Avenge the vengeance of Gd...", implying that the issue was purely a matter of Gd's honor, and about which they had no right or ability to "look the other way."

Therefore it says, "So they were delivered from the Children of Israel, a thousand from each tribe." Rashi comments on the words "they were delivered" that it was against their will to go, and they went only once Moshe had told them that it was to avenge 'the vengeance of Gd.'

Thus Rashi understood that Moshe commanded the war happily, for he could have easily delayed the battle by repeating G-d's words verbatim to the Jewish People: that G-d had commanded them to avenge their own honor, in which case they would have demurred, preferring by far to spare Moshe.

Source: Kli Yakar

Journeys

"These are the journeys..." (13:17)

Every ba'al teshuva (a secular Jew who returns to observance) has a moment (or moments) of epiphany. A moment which seems to be sent directly from Heaven to help him on his journey.

At a reunion of a group of ex-secular Israelis organized by a leading outreach organization, one of the Rabbis happened to be passing by an older group. One member of the group picked up a piece of watermelon, and before eating it said with great concentration, "Baruch Atah Hashem, Elokeinu Melech ha'olam, shehakol nihiyeh bid'varo!"

Said the Rabbi, "Ilan, bidi'avad (post facto) the beracha you made is sufficient, but the correct text of the beracha is "Borei p'ri ha'adama".

"Listen Rabbi", said Ilan, "I was on the Golan Heights in a tank in '73. We were surrounded by Syrian tanks. No one was getting out of there alive. Someone came over the radio and said, 'Doesn't anyone know a prayer or

something?" Silence. Then someone said, 'I once heard something, and it goes like this: Baruch Atah Hashem, Elokeinu Melech ha'olam, shehakol nihiyeh bi'dvaro! So we all shouted in unison down the radio: Baruch Atah Hashem, Elokeinu Melech ha'olam, shehakol nihiyeh bi'dvaro! And 'Boom!' — we took out one of the Syrian tanks. So I shouted again: Baruch Atah Hashem, Elokeinu Melech ha'olam, shehakol nihiyeh bi'dvaro! And 'Boom!' — another Syrian tank! Baruch Atah Hashem... shehakol nihiyeh bi'dvaro! — and another one. ...shehakol nihiyeh bi'dvaro! — another one; '& hellip;shehakol nihiyeh bid'varo! — and another one.

"So listen Rabbi, if it's good enough for the Syrians, it's good enough for watermelon."

(*It's a wonderful story, but of course the proper beracha for watermelon is as the Rabbi had instructed.)

Source: Heard from Rabbi Dovid Kaplan

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Rav Kook Torah

Massei: Unchecked Violence

Destruction of Jerusalem

With harsh words, the Torah admonishes a society where murderers can evade punishment through bribes:

"Do not defile the land in which you live and in which I live." (Num. 35:34)

In what way does letting murderers go unpunished "defile the land"? And why does the Torah emphasize that this is the land where both we and God dwell?

The Sages taught in Shabbat 33a:

"For the crime of bloodshed, the Temple is destroyed and the Shekhinah [God's Presence] departs from Israel. As it says, "Do not defile the land in which you live and in which I live." If you do defile it, you will not dwell in it, nor will I dwell in it."

Why is it appropriate to punish such a dysfunctional society with destruction of the Beit HaMikdash, loss of the Shekhinah, and exile?

The Impact of Murder

Clearly, a nation which suffers from rampant violence and bloodshed is not fulfilling its basic obligation to provide security for its citizens. But from an ethical-spiritual perspective, murder reflects a far more tragic phenomenon.

The Torah describes the Divine aspect of the human soul as tzelem Elokim. What is this "image of God"?

The Torah is teaching us that the Divine attributes of goodness - the desire to help others, to give and nurture - are inherent to the human soul. One who sheds blood has corrupted his soul to such an extent that he has completely suppressed his innate tzelem Elokim. Instead of promoting life, he brings about its destruction and loss.

Destruction of the Temple

The purpose of the Beit HaMikdash was not solely for the benefit of the Jewish people. When King Solomon built the Temple, he announced that it was "also for the stranger who is not from Your people Israel, but will come from a distant country for the sake of Your Name" (I Kings 8:41). The Temple was meant to be a "house of prayer for all peoples" (Isaiah 56:7) - a focal point, spreading enlightenment and ethical teachings throughout the world.

However, to influence and inspire humanity requires that the ethical and spiritual state of the Jewish people be strong. When Israel has fallen to the lowest levels of cruelty and violence, what kind of moral influence can the Beit HaMikdash provide to the world? How can the Temple service inspire other nations, when they see that its values have not even succeeded in

penetrating the Jewish people, repairing social injustice and eradicating bloodshed?

Unable to serve its universal purpose, the Temple was destroyed.

Loss of Divine Presence

This explains the connection between a corrupt society and the destruction of the Temple. What about the second consequence, the departure of the Shekhinah?

We must first understand the significance of God's Presence in Israel. The national soul of the Jewish people harbors aspirations far greater than normal social ethics. Our goal is not just to create a smooth-running social order that provides safety and security for its members. What point is there in creating a selfish, materialistic society, even if its citizens are protected from violence and instability?

This is where the Shekhinah comes in. The Jewish nation has an inner holiness that elevates the value of life itself. Through God's Presence, the nation's soul aspires to the highest and loftiest good possible. It strives to live according to the most elevated, Godly values.

But such goals are like building blocks; we acquire them step by step. The nation must first acquire the basic level - those common moral standards appreciated by all peoples. Only then is it possible to aspire to special levels of holiness. If the Beit HaMikdash is no longer standing due to a violent and immoral society, how can the nation's soul attempt to elevate itself to its unique goals?

In such a state of corruption, the Shekhinah departs from Israel.

Exile from the Land

The third punishment for rampant corruption is exile. The dwelling of the Jewish people in Eretz Yisrael is tightly bound to its positive influence as a nation. Certainly much holiness and enlightenment can be gained from righteous individuals. But the impact of an entire nation, as it demonstrates holiness in all aspects of its national life, is of a far greater magnitude.

When the nation of Israel ceases to have a positive influence on other peoples, as indicated by the destruction of the Temple and the departure of the Shekhinah, then even their continued dwelling in the land of Israel is called into question.

"If you defile the land, you will not dwell in it and I will not dwell in it."

(Adapted from *Ein Eyah* vol. III, p. 188)

See also: *Rebuilding the World with Love*

In dedication of Mr. Emilio Goldstein A"H