

Weekly Parsha MATOT-MAASEI 5781
Rabbi Wein's Weekly Blog

The combination of these two sections of the Torah constitutes the question, raised by all commentators over the ages, as to whether there is a connection between these two Parshiot, or is it just a matter of calendar convenience that unites them is one Torah reading on this coming Sabbath.

I have always believed that there are no random occurrences or events as they appear in the text in the Torah and in other holy writings. The Torah is not a random work, and these sections of the book are also not randomly put together. There must be a connecting bond, a common denominator that unites these two apparently disparate and different sections of the Torah.

I feel that it is in the relationship between the Jewish people and the land of Israel that is the connection that links Matot and Maasei. In this reading of Matot, we are told of the request of the tribes of Reuven and Gad to settle themselves and their families, their flocks, their wealth, and talents outside the strict borders of the land of Israel. They point out to Moshe all the advantages that they would enjoy if he allowed them to take their share in the land of Israel east of the Jordan River.

Moshe resists their plan, and sharply criticizes them for advancing it publicly. However, he is powerless to change their minds and alter their demands. He reaches an accommodation with them, i.e. that they will participate in the conquest of the land of Israel itself and not forsake their brothers in the struggle to obtain the land of Israel for the tribes of Israel. However, it is obvious that even this result, to settle east of the Jordan River, is a disappointment.

Advancing in history, we see that centuries later the tribes of Reuven and Gad were the earliest ones who were forced into exile, losing their land and independence.

In the second section of this week's Torah reading, we have the entire list of all the way stations that the Jewish people experienced during their sojourn in the desert of Sinai. Rashi is quick to point out that every one of these places had memories for the Jewish people, and were not just simply names of places, but, rather, descriptions of past events. Each place was a challenge and a test. We find in Judaism and Jewish thought that maintaining Jewish values is not always convenient. It demands sacrifice and memory of historical importance. In our time, many Jews, if not most of them, have again chosen to live outside the confines of the land of Israel. I do not mean to criticize any of them for this choice, but I merely make the observation that for almost all these Jews, it is a matter of convenience. It is the same type of convenience that led the tribes of Reuven and Gad to prefer the pasture lands of Transjordan over the land of Israel itself. It certainly was more convenient for them to do so, but the hard truth about Judaism is that it is never convenient – it is demanding, insistent and unwavering.

Remembering fondly all the way stations that we have experienced over our long exile in this world may create within us a feeling of nostalgia, but that is only because we do not directly face the lessons of exile, and what was endured throughout the centuries. It is certainly not for me to criticize Jews who choose to live outside of the land of Israel. It is their choice, and many, if not most, have good reasons to do so. But none of this changes the historical fact that only in the land of Israel do the Jewish people have a future, and only there will they be able to truly fulfill the mission set forth for them at Mount Sinai.

Shabbat shalom
Rabbi Berel Wein

ON BECOMING A PROPHET

Lately, I realize that I am reaching a new status and level in life. I receive calls and requests daily from people whom I do not know, who apparently have no relationship to me, and who wish to hold conversations with me and seek my advice. Naturally, I am very flattered that somehow people both here in Israel, and in the English-speaking diaspora feel that I could be of help to them. The truth is that in both situations, the only hope that I can offer is that of a listening ear and a sympathetic heart.

For whatever reason, I am currently receiving more requests from people who simply want to talk to me about issues and challenges that they face in their own personal and family lives, more than I received when I was officially occupied full-time in the American rabbinate. I attribute this increase in the volume of petitioners to the fact that people realize that I am an old person, and that elderly people have the time and disposition to share conversations and thoughts with others. After all, people reason, what else does he have to do with himself all day long. I am willing to admit that there is a modicum of truth in that statement. There are certain days when time drags on, and not much is accomplished. However, Thank God, that is still not the norm for most of the days of my life on this planet.

We certainly live in dangerous and uncertain times. There is no question that previous certainties in life and society, that we once took for granted and assumed would always be part of our daily existence, have now been called into great question and clouded with doubt. This is especially true regarding the political, economic, and demographic changes that have overtaken Jewish society and general society in the English-speaking world.

In the 1980s, in the United States, I felt, as most American Jews did, that public, vicious, and violent anti-Semitism was a thing of the past, and would no longer exist within American society. It is now quite evident that this notion was a mistake in judgment on my part. Members of Congress and other elected public officials openly express their hatred of Jews, and especially hatred of the state of Israel, and do so without real reprimand or harmful consequences to themselves or their causes.

This is a very worrisome event, for in the past, anti-Semitic speech sooner or later morphed into violent and physical anti-Jewish behavior and policies. Because of this unforeseen and, in many respects, amazing turnaround in the attitudes towards Jews in the free and democratic societies of the world, Jews, both individually and collectively, have become concerned and nervous about the future role and place in the general society in which they are living. There are those who see, on a personal level, that emigration to the land of Israel is a solution, regarding the issues that face them and their families. But that is a big step especially for American Jews to take, and moving to Israel is, therefore, viewed with trepidation, and grave doubts.

What people want, in effect, is a prophet to tell them what to do, when to do it. And a guarantee of success in whatever choice they may have made. This is a natural human reaction – the transference of having to make every consequential decision, from ourselves onto the shoulders of others. And if we invest those others with a certain degree of respect for their accumulated wisdom over the years, it is not difficult to realize that we are creating prophets to help instruct us as to what our future behavior and decisions should be.

But I am convinced that it is exceedingly difficult to give good advice to someone you do not know and have never met. You are asked to be blessed with the spirit of prophecy, to be able to advise others in a meaningful fashion. I am certainly willing to listen to others and to empathize with them over their difficulties, but empathizing with others is a far cry from predicting the future for an individual or a family. History can help us discern general patterns, but it cannot be relied upon for specific ideas and actions to guide us in our behavior in the present and the future. Being a false prophet is worse than being no prophet at all.

Shabbat shalom
Berel Wein

Conflict Resolution (Matot-Masei 5781)

Rabbi Jonathan Sacks ZL

One of the hardest tasks of any leader – from Prime Ministers to parents – is conflict resolution. Yet it is also the most vital. Where there is leadership, there is long-term cohesiveness within the group, whatever the short-term problems. Where there is a lack of leadership – where leaders lack authority, grace, generosity of spirit and the ability to respect positions other than their own – then there is divisiveness, rancour, back-biting, resentment, internal politics and a lack of trust. True leaders are the people who put the interests of the group above those of any subsection of the group. They care for, and inspire others to care for, the common good.

That is why an episode in parshat Matot is of the highest consequence. It arose like this: The Israelites were on the last stage of their journey to the Promised Land. They were now situated on the east bank of the Jordan, within sight of their destination. Two of the tribes, Reuben and Gad, who had large herds and flocks of cattle, felt that the land upon which they were now encamped was ideal for their purposes. It was good grazing country. So they approached Moses and asked for

permission to stay there rather than take up their share in the land of Israel. They said: "If we have found favour in your eyes, let this land be given to your servants as our possession. Do not make us cross the Jordan." (Num. 32:5)

Moses was instantly alert to the risks. These two tribes were putting their own interests above those of the nation as a whole. They would be seen as abandoning their people at the very time they were needed most. There was a war – in fact a series of wars – to be fought if the Israelites were to inherit the Promised Land. As Moses put it to the tribes: "Should your fellow Israelites go to war while you sit here? Why do you discourage the Israelites from crossing over into the land the Lord has given them?" (32:6-7). The proposal was potentially disastrous.

Moses reminded the men of Reuben and Gad what had happened in the incident of the spies. The spies demoralised the people, ten of them saying that they could not conquer the land. The inhabitants were too strong. The cities were impregnable. The result of that one moment was to condemn an entire generation to die in the wilderness and to delay the eventual conquest by forty years. "And here you are, a brood of sinners, standing in the place of your fathers and making the Lord even more angry with Israel. If you turn away from following Him, He will again leave all this people in the wilderness, and you will be the cause of their destruction." (Num. 32:14-15) Moses was blunt, honest and confrontational.

What then follows is a model illustration of positive negotiation and conflict resolution. The Reubenites and Gadites recognise the claims of the people as a whole and the justice of Moses' concerns. They propose a compromise: Let us make provisions for our cattle and our families, they say, and the men will then accompany the other tribes across the Jordan. They will fight alongside them. They will even go ahead of them. They will not return to their cattle and families until all the battles have been fought, the land has been conquered, and the other tribes have received their inheritance. Essentially they invoke what would later become a principle of Jewish law: *zeh neheneh vezeh lo chaser*, meaning, an act is permissible if "one side gains and the other side does not lose." [1] We will gain, say the two tribes, by having land which is good for our cattle, but the nation as a whole will not lose because we will still be a part of the people, a presence in the army, we will even be on the front line, and we will stay there until the war has been won.

Moses recognises the fact that they have met his objections. He restates their position to make sure he and they have understood the proposal and they are ready to stand by it. He extracts from them agreement to a *tenai kaful*, a double condition, both positive and negative: If we do this, these will be the consequences, but if we fail to do this, those will be the consequences. He asks that they affirm their commitment. The two tribes agree. Conflict has been averted. The Reubenites and Gadites achieve what they want but the interests of the other tribes and of the nation as a whole have been secured. It is a masterclass in negotiation.

The extent to which Moses' concerns were justified became apparent many years later. The Reubenites and Gadites did indeed fulfil their promise in the days of Joshua. The rest of the tribes conquered and settled Israel while they (together with half the tribe of Manasse) established their presence in Transjordan. Despite this, within a brief space of time there was almost civil war.

Chapter 22 of the Book of Joshua describes how, after returning to their families and settling their land, the Reubenites and Gadites built "an altar to the Lord" on the east side of the Jordan. Seeing this as an act of secession, the rest of the Israelites prepared to do battle against them. Joshua, in a striking act of diplomacy, sent Pinchas, the former zealot, now man of peace, to negotiate. He warned them of the terrible consequences of what they had done by, in effect, creating a religious centre outside the land of Israel. It would split the nation in two.

The Reubenites and Gadites made it clear that this was not their intention at all. To the contrary, they themselves were worried that in the future, the rest of the Israelites would see them living across the Jordan and conclude that they no longer wanted to be part of the nation. That is why they had built the altar, not to offer sacrifices, not as a rival to the nation's Sanctuary, but merely as a symbol and a sign to future

generations that they too were Israelites. Pinchas and the rest of the delegation were satisfied with this answer, and once again civil war was averted.

The negotiation between Moses and the two tribes in our parsha follows closely the principles arrived at by the Harvard Negotiation Project, set out by Roger Fisher and William Ury in their classic text, *Getting to Yes*. [2] Essentially, they came to the conclusion that a successful negotiation must involve four processes:

Separate the people from the problem. There are all sorts of personal tensions in any negotiation. It is essential that these be cleared away first so that the problem can be addressed objectively.

Focus on interests, not positions. It is easy for any conflict to turn into a zero-sum game: if I win, you lose. If you win, I lose. That is what happens when you focus on positions and the question becomes, "Who wins?" By focusing not on positions but on interests, the question becomes, "Is there a way of achieving what each of us wants?"

Invent options for mutual gain. This is the idea expressed halachically as *zeh neheneh vezeh neheneh*, "Both sides benefit." This comes about because the two sides usually have different objectives, neither of which excludes the other.

Insist on objective criteria. Make sure that both sides agree in advance to the use of objective, impartial criteria to judge whether what has been agreed has been achieved. Otherwise, despite all apparent agreement, the dispute will continue, both sides insisting that the other has not done what was promised.

Moses does all four. First he separates the people from the problem by making it clear to the Reubenites and Gadites that the issue has nothing to do with who they are, and everything to do with the Israelites' experience in the past, specifically the episode of the spies. Regardless of who the ten negative spies were and which tribes they came from, everyone suffered. No one gained. The problem is not about this tribe or that but about the nation as a whole.

Second, he focused on interests, not positions. The two tribes have an interest in the fate of the nation as a whole. If they put their personal interests first, God will become angry and the entire people will be punished, the Reubenites and Gadites among them. It is striking how this negotiation contrasts so strongly to the dispute with Korach and his followers. There, the whole argument was about positions, not interests – about who was entitled to be a leader. The result was collective tragedy.

Third, the Reubenites and Gadites then invent an option for mutual gain. If you allow us to make temporary provisions for our cattle and children, they say, we will not only fight in the army. We will be its advance guard. We will benefit, knowing that our request has been granted. The nation will benefit by our willingness to take on the most demanding military task.

Fourth, there was an agreement on objective criteria. The Reubenites and Gadites would not return to the east bank of the Jordan until all the other tribes were safely settled in their territories. And so it happened, as narrated in the book of Joshua:

Then Joshua summoned the Reubenites, the Gadites and the half-tribe of Manasse and said to them, "You have done all that Moses the servant of the Lord commanded, and you have obeyed me in everything I commanded. For a long time now—to this very day—you have not deserted your fellow Israelites but have carried out the mission the Lord your God gave you. Now that the Lord your God has given them rest as He promised, return to your homes in the land that Moses the servant of the Lord gave you on the other side of the Jordan. (Joshua 22:1-4)

This was, in short, a model negotiation, a sign of hope after the many destructive conflicts in the book of Bamidbar, as well as a standing alternative to the many later conflicts in Jewish history that had such appalling outcomes.

Note that Moses succeeds not because he is weak, not because he is willing to compromise on the integrity of the nation as a whole, not because he uses honeyed words and diplomatic evasions, but because he is honest, principled, and focused on the common good. We all face conflicts in our lives. This is how to resolve them.

Parshat Matot-Masei (Numbers 30:2 – 36:13)

Rabbi Shlomo Riskin

Efrat, Israel – “And Moses recorded the places of origin toward the places of destination... and these are the places of destination toward the places of origin” [Numbers 33:2].

Undoubtedly, the Exodus stands as the central event of our nation’s collective consciousness, an event that we invoke daily in the Shema, on the Sabbath, on festivals, and after every meal. Still, when we consider the detail that our portion of Masei devotes to recording all 42 stops of the 40 year desert sojourn, we’re a little taken aback. One chapter devotes 45 verses to listing all 42 locations, and since each location was not only a place where the Israelites camped, but also a place from which they journeyed, each place name is mentioned twice. Why such detail? Different commentators take different approaches.

The Sforno maintains that the plethora of locations is a way of highlighting the merit of the Jewish people, who, “in the loving kindness of their youth, followed God into the desert, a land not sown” (Jeremiah 2:2). And the Sefat Emet suggests that the names of the encampments are included to demonstrate that wherever the Jewish people travelled through our long history, we have been able to create Tikkun Olam – making a profound impact on our environment.

This week, I would like to concentrate on the commentary of Nahmanides. Apparently, he is troubled not only by the delineation of each stage of the journey, but also by the additional declaration that “...Moses wrote their goings forth, according to their stations, by the commandment of God...” (Numbers 33:1-2). These words suggest that the actual recording of these journeys has importance. In approaching the issue, Nahmanides first quotes Rashi who says that Moses “set his mind to write down the travels. By doing this, he intended to inform future generations of the loving kindness of God...who protected His nation despite their manifold travels”. Nachmanides, then quotes Maimonides (Guide for the Perplexed, 3: 50) who understands the detail as a means of corroborating the historical truth of the narrative. He adds that later generations might think they sojourned in a “desert that was near cultivated land, oases which were comfortable for human habitation, places in which it was possible to till and reap or to feed on plants, areas with many wells...”, hence the enumeration of all these way-stations is to emphasize the extent of the miracle of Israelite subsistence. After quoting these views, Nahmanides concludes with his own most intriguing comment: “The recording of the journeys was a Divine commandment, either for reasons mentioned above, or for a purpose the secret of which has not been revealed to us...”. Nahmanides seems to be prompting us to probe further.

I would submit that the secret he refers to may indeed be the secret of Jewish survival. After all, the concept of “ma’aseh avot siman l’banim” – that the actions of the fathers are a sign of what will happen to the children – was well known to the sages, and one of the guiding principles of Nahmanides’s Biblical commentary. Perhaps, the hidden message of this text is an outline of the future course of Jewish history. From the time of the destruction of the Temple, until our present return to the Land of Israel – the “goings forth” of the Jewish people certainly comprise at least 42 stages: Judea, Babylon, Persia, Rome, Europe, North Africa and the New World. As Tevye the Milkman explains in Fiddler on the Roof when he is banished from Anatevka, “Now you know why Jewish adults wear hats; we must always be ready to set out on a journey!” Moreover, each Diaspora was important in its own right, and made its own unique contribution to the text (Oral Law) and texture (customs) of the sacred kaleidoscope which is the Jewish historical experience. Are not the Holocaust memorial books, where survivors try to preserve what little can be kept of lost worlds, examples of our sense that God commanded us to write things down – to remember? Perhaps the Jews didn’t invent history, but they understood that the places of Jewish wanderings, the content of the Jewish lifestyle, and the miracle of Jewish survival are more important than those hieroglyphics which exalt and praise rulers and their battles. The “secret” Nahmanides refers to may not only be a prophetic vision of our history, but a crucial lesson

as to what gave us the strength, the courage and the faith to keep on going, to keep on moving, to withstand the long haul of exile.

If we look at the verse where Moses writes down the journey according to the command of God, we read that Moses recorded “their starting points toward their destinations at God’s command and those were their destinations toward their starting points”. What does this mean? Why does the same verse conclude “destinations toward starting points?” Fundamental to our history as a nation is that we are constantly traveling – on the road to the Promised Land, on the journey towards redemption. That direction was given to us at the dawn of our history: in Hebron, with the Cave of the Couples, beginning with Abraham and Sarah, and their gracious hospitality to everyone, their righteous compassion and just morality; and in Jerusalem, the city of peace. Even as we move down the road of time, we must always recall the place of our origin.

When S.Y. Agnon received the Nobel Prize for Literature, he was asked about his birthplace. To the interviewer’s surprise, he answered that he was born in Jerusalem. The interviewer pointed out that everyone knew he had been born in Buczacz, a town in Galicia. Agnon corrected him: “I was born in Jerusalem more than 3,000 years ago. That was my beginning, my origin. Buczacz in Galicia is only one of the stopping-off points”.

Only two princes of tribes who served as scouts reached the Promised Land: Caleb and Joshua; Caleb because he visited the graves of our Patriarchs and Matriarchs in Hebron, and Joshua because the name of God, the author of the revelation was added to his name. Only these two set out for the Promised Land with their place of origin at the forefront of their consciousness. Only those with a proud past can look forward to a glorious future.

As long as we wander with our place of origin firmly in mind, we will assuredly reach our goal. We may leave our place of origin for our destination, but our places of origin in Israel will remain our ultimate destiny.

Shabbat Shalom!

Insights Parshas Mattos-Masei Av 5781

Yeshiva Beis Moshe Chaim/Talmudic University

Based on the Torah of our Rosh HaYeshiva HaRav Yochanan Zweig

This week’s Insights is dedicated in loving memory of Moshe ben Yitzchak.. “May his Neshama have an Aliya!”

A Man of Your Word

Moshe spoke to the heads of the tribes of Bnei Yisroel saying, “This is the matter that Hashem commanded: If a man takes a vow to Hashem or swears an oath...” (30:2-3)

Parshas Mattos begins with Moshe introducing the laws of vows to the heads of the tribes. Rashi (ad loc) points out that this was a remarkable departure from Moshe’s usual method of teaching of the laws of the Torah to Bnei Yisroel and that Moshe taught the heads of the tribes first as a way of according them honor. Rashi also notes that a tribunal of three common people can nullify a vow if no expert in vows is available. The holy day of Yom Kippur begins with this concept of vows – Kol Nidrei. What is so essential about the laws of vows that it opens the service on what is arguably the most intense day on the Jewish calendar? The Talmud (Bava Basra 88a) comments on the verse “speaks truth in his heart” (Psalms 15) as referring to someone who truly fears Hashem. Curiously, the Gemara found it necessary to give an example of such a person: Rav Safra. Rashi (ad loc) goes on to explain how Rav Safra came to be the paragon of this virtue:

Rav Safra was in the middle of saying Krias Shema when someone approached him to buy something that Rav Safra was selling. The buyer proceeded to offer a sum of money for the item he wished to buy. Rav Safra, who was still davening, was silent. The buyer understood Rav Safra’s silence as a reluctance to sell because the sum wasn’t high enough, so he kept raising his offer until it was a very large sum of money. Once Rav Safra finished his prayers he turned to the buyer and sold it to him for the original price offered. Rav Safra explained, “I had already decided after hearing your first offer to accept the original amount offered.”

Most people grow up valuing the concept of “keeping your word.” Unfortunately, modern society has all but abandoned this ideal, in fact in some cultures a signed contract is only a basis for further negotiation. In general, this notion of being “a man (or woman) of your word” is seen as being morally binding because once you give your word someone else has ownership over your expected performance, which in turn causes them to make decisions and commitments of their own based on your word.

However, we see from the Gemara that there is really a much more profound reason for keeping your word. The story that Rashi cites has nothing to do with keeping your word; Rav Safra was silent the entire time, he never committed to a price. Why was Rav Safra bound to fulfill the price that he had only agreed to in his mind?

The answer is because there is a much higher truth that we are ALL bound to: we are obligated to be truthful to ourselves. We don’t have to live up to our word because someone else has relied on it and made decisions based upon it; We have to fulfill our promises because we said it and we have an obligation to ourselves to make it a reality. This is why the verse says, “speaks truth in his heart” (Psalms 15): It has nothing to do with our commitments to other people – the basis for keeping our word is because we owe it to ourselves. That is what the whole discussion in this week’s parsha regarding vows is all about: when a person takes something that is permitted and forbids it from himself.

We often feel like we own the rights to ourselves. Therefore, even if we make commitments to ourselves (I will stop smoking, I will lose weight, etc.) we often have no compunction at all, or perhaps only a fleeting sense of guilt, about breaking those promises to ourselves. This is wrong. We don’t own ourselves, we are here as a gift of the Almighty. Our responsibility to ourselves lies in the obligation to Hashem; that’s why the Gemara calls those like Rav Safra “those that truly fear Hashem.”

This is why the subject of vows is so central to the Yom Kippur service. We acknowledge that we understand that even within commitments to ourselves we have an obligation to Hashem. Only when we articulate the severity of the obligation that comes with giving our word can we commit to fulfilling our word and changing our ways through teshuvah. This is the very essence of Yom Kippur, and thus why we begin with Kol Nidrei.

Violations & Obligations

Hashem spoke to Moshe saying, “Take vengeance for Bnei Yisroel from the Midianites...” (31:1-2)

Hashem asks Moshe to go to war with Midian and take revenge for what they did to the Jewish people. Interestingly enough, Moshe chooses not to go himself, but rather sends Pinchas to lead Bnei Yisroel into battle. This seems somewhat odd as Hashem told Moshe to take vengeance on the Midianites. Why didn’t he go himself? Is it possible that it was because he was getting up there in years? However, just shortly prior, Moshe himself defeated the two greatest world powers: Sichon and Og. So why didn’t Moshe go to fight the Midianites as Hashem had commanded?

There is a concept known as hakoras hatov – recognizing the good that someone has done for us. We see this in Egypt when it came to striking the water to create the plagues of blood and frogs. Aharon was asked to perform these plagues instead of Moshe because both these plagues entailed afflicting the Nile, so to speak, and the Nile had served to protect him when he was a baby (see Rashi Shemos 7:19). Similarly, Moshe was not permitted to strike the ground for the third plague (lice) because the earth had helped him by hiding the corpse of the Egyptian that he struck down (see Rashi Shemos 8:12).

So too, Moshe could not possibly attack the Midianites as he owed them a debt of gratitude from when he was a fugitive from Egyptian justice. Eventually, he also married the daughter of Yisro, a high priest in Midian, and had children there.

We see something quite fascinating here; even though Hashem clearly told Moshe to go and take vengeance from the Midianites, Moshe understood that he himself could not go because that would display a

deep sense of personal disloyalty. The Torah is teaching us an incredible lesson: Hashem doesn’t just issue a command and in doing so, abrogate a core principle and tenet of Jewish philosophy. Moshe understood that even though Hashem wanted the Midianites to pay for what they had done, it was inappropriate for him to lead an attack.

This message is often lost on those who blindly follow what they believe to be the right course of religious action, believing they are doing it for the sake of Hashem. In fact, the Torah gives us an example of a person who had every intention of acting for the sake of heaven, but the Torah castigates her for what she wanted to do. The wife of Potiphar tried to seduce Yosef in order to have children with him – believing that she saw in her astrological signs that some of the Jewish tribes would descend from her. The Torah considers her act so repulsive that she is called a “wild animal” for what she wanted to do; even though she thought she was doing it for the sake of Hashem.

Having the right intention isn’t enough. We cannot abrogate Hashem’s other commandments to fulfill those that we would like to do, or to make social commentary (e.g. throwing rocks on Shabbos at cars traveling through a religious neighborhood). We must remember that Hashem places the highest importance on the value of shalom, even allowing His name to be erased for the possibility of shalom. Finally, it is important to remember that Hashem destroyed the generation of the flood because they were fighting with each other, while he kept the generation of the disbursement alive because they got along (even though their unity was really only grounded in fighting a war against Hashem).

Did You Know...

Right before the Jewish people went into Eretz Yisrael, Hashem commands them to drive out the previous inhabitants, to destroy their idols, and to destroy their places of worship.

Interestingly, what the Arabs call their temple (Mosque) comes from the word the Torah uses here to say place of worship (maskiyosem). Similarly, Christians refer to their church as a house of worship.

This is telling because it shows us how the non-Jews view their temples, as a place to worship their god. This is in stark contrast to how Jews view it, as a Beis Haknesses. The literal translation simply means “a house of gathering,” a place where we can come together and pray. Although the difference seems subtle, it is profoundly different.

Essentially, non-Jews view worshiping god as something that is reserved to their individual temples, and no more. In contrast, Jews view Avodas Hashem as something that we do every second of every day. We ought to do it in shul, but if for whatever reason that isn’t feasible, we daven at home or while traveling. The only difference between everyday worship and worshipping in a Beis Haknesses (or a shul) is the importance of a gathering, mainly that Hashem’s presence rests on a group (of ten or more men), and as Maimonides tells us that the prayers of a congregation never go unanswered. Summarily, non-Jews view worship as an act of going somewhere and completing something, while Jews understand that Avodas Hashem has to be a complete lifestyle and an integral part of everything that we do.

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Conectándote al Judaísmo

Matot Numbers XXX,2 – XXXII

Promise, Guilt, And Acquittal

Studying our religious sources confronts us with an additional requirement: understanding the social and political realities of the historical moment that interests us. For example, an appreciation of our modern environment, which is essentially materialistic, implies an obsessive preoccupation with the constant acquisition of objects and goods. This insatiable hunger for the material is the attitude that prevails today in our Western culture. In other cultural systems, the order of values is often different. Therefore, evaluating other cultures according to our hierarchical pattern of values often leads us to misinterpret the causes and meaning of events.

Many argue that not enough importance is given to the word in our cultural environment to a promise. Our pronouncements and verbal commitments are treated lightly. On the other hand, in the biblical world, a vow, a promise, an oath are considered key and binding. "Motsa sefatecha tishmor veasita," "what emanates from your lips you will care and fulfill," is a fundamental principle of the Torah. (In particular, in the Latin American world, we find a lack of emphasis on fulfilling verbal commitments).

Our text begins with an analysis of promises, the obligation to keep them, and the conditions under which they can be modified, qualified, or annulled. It is probably based on the premise that a human being, a thinking entity, must reflect before making a pronouncement. The human ability to conceive the universe through intellectual models, which is related to its linguistic competence (aptitude that separates the human being from any other creation) supposes to guard and jealously care for this faculty.

There are certain promises, *Neder* in Hebrew, which from the outset are invalid. For example, the *Neder* *havai* is a promise based on an impossible fact, such as promising a flying camel. When one unwittingly makes a promise, it is called *Neder shegaga*, and it is also worthless. *Neder onsim* refers to a promise that cannot be fulfilled because something unexpected happens, for example, a sudden ailment that prevents the performance of a certain action at a given time.

Our Chachamim differentiate between *Neder* and *Shevuah* which is an oath. The subject of the *Neder* is an object or a circumstance (except the *Neder* of donating a sum for charity or for the *Beit HaMikdash*, in which case the person himself is compromised). In contrast, the subject of the *Shevuah* is the human being himself. The *Neder*, which makes an equivalence between what is permitted and forbidden according to the Torah, is invalid. For example, it is not valid to claim that an apple will be banned from me as if it were pork. (Unless the ban had been given by another verbal pronouncement, such as the promise to offer a certain animal for slaughter).

From that moment on, the result is that you cannot ingest the meat of that animal because it immediately belongs to the *Beit HaMikdash*). At the same time, you cannot swear about something that contradicts our precepts. There is no point in a *Shevuah* in which one claims that he will ingest pork, just as a *Shevuah* in which one promises not to put on the *Tefilin* for the morning prayer *Shacharit* is invalid. Our tradition is not sympathetic to promises and oaths. In the opinion of our Chachamim human beings must act correctly without the extreme recourse of a *Neder* or a *Shevuah*. If a person repents immediately after making a promise, it is possible to cancel it retroactively. The process of *Hatarat nedarim*, which is a kind of absolution, allows a scholar or a group of three people to exempt one from a promise, asking him first, in case he had made the promise without knowledge of the consequences of it. According to our chapters, a husband can relieve his wife of a promise, and a father can do the same with his minor daughter.

Although the Chachamim opine *Tov shelo tidor*, namely that it is preferable not to promise, while certain exceptions are considered. For example, making a *Neder* abstain from alcoholic beverages, is profitable according to Rambam and Ramban. Some authors of the Talmud think that some promises demonstrate arrogance. The *Neder* of refraining from eating meat, for example, (when a certain period is not specified, the promise is considered to last thirty days) is a kind of demonstration of feeling superior because the person points out that he can live while abstaining from certain pleasures, while others cannot.

Our chapters also deal with the person who kills another person without intending to do so. (This person is called *Shogeg*, which alludes to the absence of intent to kill, but does not imply total innocence. It is estimated that there was carelessness or lack of foresight, which resulted in the death of a human being). The Torah orders the construction of six cities in Hebrew *Arei Miklat*, which serve as a refuge for these people. In addition, the forty-two cities of the tribe of Levi were also considered "cities of refuge."

According to the biblical text, the *Goel Hadam*, meaning the redeemer of the spilled blood (probably a close relative of the dead, or perhaps it is someone specifically designated to avenge that death) could kill the person who had committed the crime, even though there was no intention to kill. The *Ir Miklat* offered protection against the *Goel Hadam*. According to the Chachamim, if the *Goel Hadam* violated the protection of these places, he would be sentenced in turn for having committed a deadly crime.

The person in question was to remain in the *Ir Miklat* until the time of the death of the *Kohen Gadol*, who was the chief of the *Kohanim* in office when the crime was committed. From that moment on, the one who had involuntarily committed the crime could return to his place of residence without fearing revenge for the *Goel Hadam*. What is the relationship between the *Kohen Gadol* and the crime committed? From a certain perspective, the community leader is equally responsible for everything that happens, including the crimes that have been committed.

The argument is based on the fact that the murder testifies that the mentor's affection was not adequate; had it been effective, he would have inspired and motivated them to refrain from committing a crime. In the Jewish tradition, *Mita*

mechaperet, death is the great atonement for sins, and therefore the death of *Kohen Gadol* frees those involved from guilt. According to Abarbanel, the death of *Kohen Gadol* is a cause for national mourning and sadness, and the magnitude of this collective pain serves to dampen the wrath of the *Goel Hadam* for him to desist from his purpose of revenge.

According to the commentator Sforno, God knows the degree of guilt of the person who perpetrated the crime and can determine with certainty whether or not there was the intention to murder another person. Therefore, the longevity of the *Kohen Gadol* is somehow related to the relative innocence of the person who committed the crime. Some remain in an *Ir Miklat* for the rest of their lives due to the long life of the *Kohen Gadol*. This explanation presents the difficulty that the years of the life of the *Kohen Gadol* are a function of the degree of guilt of another person. We could get out of our predicament, considering, as we mentioned, that the *Kohen Gadol* is indirectly involved in what happens in society and is, therefore, also responsible for the individual behavior of the members of the community.

Mitsvah: Ordinance Of The Torah In This Parashah

Contains 1 Positive Mitsvah And 1 Prohibition

Numbers 30:3 Law on Voiding Promises

Numbers 30:3 Not to break a promise

Mas'ei - Numbers XXXIII – XXXVI

The Role Of The Wise

Our chapters describe in detail the journeys of the Hebrews through the desert, noting the locations they touched on their journey to the Promised Land. In the place called *Hor Hahar*, near the land of Edom, Aharon, the chief of the *Kohanim*, dies. Aharon died at the age of one hundred and twenty-three, a few months after the beginning of the conquest of Israel. Moshe also dies in the desert, and a new leadership headed by Yehoshua emerges who will be the driver in transforming the people into a nation in the land of Canaan.

The Jewish people are prepared for this task by the centuries of slavery in Egypt, which gives freedom its real value. It was also communicated to them on Mount Sinai, where they received a complex and complete system of laws to develop in an orderly manner in an independent environment. Of course, conquering Canaan is long and tedious, but even more difficult is the transformation of the family descended from Yaacov from a people into a nation.

The two great leaders, Aharon and Moshe, die, and a new generation takes the reins of command and guardianship of the people. The dominant figure among the brothers had been, indisputably, that of Moshe. "MiMoshe ad Moshe lo kam keMoshe," it was often said that from the time of the biblical Moshe until the days of Maimonides, no comparable personality had emerged. The descendants of Moshe do not inherit his leadership, and his children disappear from the pages of history.

Aharon, who plays a secondary role to that of his brother, is different because his children are his royal and spiritual heirs. The *Beit HaMikdash*, as the main spiritual nucleus for the Jewish people, depended for its functioning on the *Kohanim*, the descendants of Aharon.

Moshe grows up in the palace of Paro, the Pharaoh. Moshe knows and grows up in the royal court and is unaware of the street and slavery. Moshe has been conditioned, since childhood, for leadership and nobility. As an adult, he stumbles upon the reality of the fate of his people, which is servitude. Moshe can lead and instruct, lead and inspire, but he does not belong to the *Amecha*, the Hebrew people. Moshe belongs to the select, to royalty. It is probably difficult for him to identify with the downtrodden.

His father-in-law, Yitro, claims on one occasion that the people have to stand all day to have access to his trial while he, Moshe, remains seated. (Keeping the distance of the case, it is interesting to note that Theodore Herzl, the great leader of political Zionism, is also unaware of pogroms and persecutions. Herzl suffers a cultural shock over the case of Captain Dreyfus upon discovering that anti-Semitism existed in the midst of civilized Europe).

On the other hand, Aharon is born, grows, and develops within the people until he reaches the position of leader. But his roots, like that of the rest of his co-religionists, are in the bitterness of slavery. In the episode of the *Egel Hazahav*, Aharon identifies with his people, feels their bewilderment at Moshe's tardiness, and understands their fear, bewilderment, and uncertainty, and considers themselves lost, abandoned, in a hostile desert. The insecurity fostered by decades of slavery is still being felt. Only a new generation that did not experience the Egyptian yoke will build a society that contemplates choice and freedom.

The contrast between the personalities of Moshe and Aharon can perhaps be seen from the following perspective. Moshe is the transmitter of the Divine Will to the people. Moshe is the spokesman of the Law, of the imperative that is demanded of society for its elevation and fulfillment. On the other hand, Aharon is the defender and lawyer, the mediator and interlocutor who manifests the needs of the people before the Divine throne. Aharon is the one who strives to create bridges and bring the community closer to the Creator.

Moshe's role is to bring God's message to earth. Aharon's role is to elevate the mundane to the heavenly. Moshe's starting point is the Eternal. For Aharon, the center of his concern is Am Israel, the Jewish People. While Moshe is the messenger of God, Aharon is the defender of the interests of the people. We have listed some differences that are not absolute because our purpose is didactic. On numerous occasions, Moshe intercedes for the needs of the people, while Aharon and his descendants engage in religious worship and service of God.

For the sages of the Talmud, the essential characteristic of Aharon is his commitment to Shalom, peace. We must all learn from the example of Aharon, according to our Chachamim. We must individually be Ohev Shalom and Rodef Shalom, lovers of peace and have peace as a purpose. This concept of Shalom has been used in the culmination of the blessing that the Kohanim impart to the people by Divine order. The central prayer of every religious service, the Amidah, concludes with a blessing that qualifies God as the one who blesses His people Israel with Shalom.

According to the Talmud, scholars propagate peace worldwide by proclaiming: "Talmidei Chachamim marbim shalom baolam," "Scholars increase peace in the world." In ancient times the Pax Romana had become the fundamental axis of Rome's politics. But this was a peace obtained thanks to the surefooted march of its legions. It was a peace that concealed ideological conflicts and did not allow the expression of any conflictive or different thought from that of the Patricians or those of the Senate of Rome. On the other hand, in the Jewish tradition, Shalom is the harmony that arises from the serious analysis of the different alternatives that the intellect conceives. Shalom is the concordance and coincidence of the conclusions after an exhaustive study of the various possible paths.

Being a Rodef shalom refers to a state of mind. It is a distant and, perhaps, unattainable goal, but we approach true Shalom as we head down this path. By reducing the distance between different opinions, a greater rapprochement and understanding between human beings and greater tolerance are obtained.

Moshe and Aharon represent a certain separation of powers. Moshe most closely resembles the political leader, while Aharon is the one who leads the ritual (especially the order of sacrifices) and is the instructor of the masses. Naturally, this differentiation is not an exact one because Moshe is traditionally regarded as the master par excellence known as Moshe Rabbenu, "Our Master Moshe." Over time, the descendants of Aharon were the first popular teachers and those who intervened and adjudicated in the cases of Tsara'at, which is a condition similar to leprosy, and those of Tum'a, which is ritual impurity, in general.

During the last stage of the second Beit HaMikdash, the Kohanim were also the kings in the time of the Chashmonaim. Some argue that this was the moment of the greatest glory of the Jewish people in ancient times. For others, the coincidence of the priesthood with a civil authority constituted a conflict of interest with negative consequences for society. The destruction of the Second Beit HaMikdash relieved the Kohanim of their importance (due to the impossibility of continuing the sacrifices). The Chachamim, who are the scholars, assumed, from then on, the spiritual leader of the Jewish people.

Mitsvah: Ordinance Of The Torah In This Parashah

It Contains 2 Positive Mitzvot And 4 Prohibitions

Numbers 35:2 Providing cities for the Levites who also served as Cities of Refuge

Numbers 35:12 Do not execute a person found guilty before trial

Numbers 35:25 Forcing the person who unintentionally killed to go to a City of Refuge

Numbers 35:30 The witness in a capital case cannot judge the event

Numbers 35:31 Not accepting a redemption payment to save a murderer from the death penalty

Numbers 35:32 Not accepting a redemption payment to free a person from having to go to a City of Refuge

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Parshat Matot - Masei

For the week ending 10 July 2021 / 1 Av 5781

Rabbi Yaakov Asher Sinclair - www.seasonofthemoon.com
Sticks and Stones

"...an utterance of her lips..." (30:07)

We are all so delicate. Our egos are so fragile. Our Sages tell us to run away from honor, but we all need self-worth. One of the names for the soul is kavod — honor. As we say each day in our prayers, "So that my soul (kavod) might sing to you and not be silenced..." (Mizmor Shir Chanukat HaBayit). If you take all honor away from someone, they either die or go crazy. This was exactly what those Nazi monsters tried, and in some cases succeeded, to do to our brothers and sisters in the Second World War era. And when someone goes crazy and imagines

himself to be someone else, he doesn't just think that he is the local bank manager. Rather, he imagines himself to be the most illustrious person he can think of, someone with the greatest honor. He imagines himself to be Napoleon, or herself to be the Queen of England.

One of the reasons why the Second Beit Hamikdash was destroyed was the incident of Kamtza and Bar Kamtza: A certain man had a friend named Kamtza and an enemy called Bar Kamtza. He once made a party and said to his servant, "Go and bring Kamtza." The man went and brought Bar Kamtza by mistake. When the man who gave the party found Bar Kamtza there, he said, "What are you doing here? Get out!" Said the other, "Since I am already here, let me stay and I will pay you for whatever I eat and drink." Said the host, "Absolutely not." "Then let me give you half the cost of the party." The host refused. "Then let me pay for the whole party." Still the host refused, and took him by the hand and threw him out.

Bar Kamtza was prepared to pay an enormous sum to save himself from humiliation. And if Bar Kamtza came to the party, it meant that he assumed that the host wanted to be his friend now — which could only have crushed him further.

No one can second-guess the Master of the World. No one can say this happened because of that. But when tragedies happen — and especially when they are close to home — each one of us must do more than a little soul searching.

This year, 45 holy Jews were crushed to death in Meron on Lag B'Omer. On Erev Shavuot, two more of our holy brethren were crushed to death and over 180 injured in Jerusalem.

As I write this, five people have died and 156 remain missing as a result of the collapse of an apartment building in Miami, Florida. The area is more than a third Jewish, with a large Orthodox population.

Stones can crush, and bodies can crush — but words can crush just as effectively.

It's not just sticks and stones that break bones.

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Rabbi Buchwald's Weekly Torah Message Matot-Masei 5781-2021

"Does the Torah Allow Its Citizens to Take the Law Into Their Own Hands?" (updated and revised from Matot-Masei 5762-2002)

Rabbi Ephraim Z. Buchwald

In parashat Masei, the second of this week's double parashiot, Matot-Masei, we encounter a fascinating and perplexing law known as עיר מקלט –Eir Miklat, the city of refuge.

In Numbers 35, we read that G-d speaks to Moshe and directs him to tell the people of Israel, that when they cross the Jordan and enter into the land of Canaan, they are to establish six cities of refuge where a person who "accidentally" kills another person must run. Three cities of refuge are to be located on the east side of the Jordan, and three on the west side of the Jordan.

The Torah further explains that an accidental killer must run to a city of refuge in order to escape the vengeance of the next of kin who has the right to kill the perpetrator if he catches him before he enters, or is outside, the city. In Numbers 35:25 we learn that the accidental killer who succeeds in reaching the city, must remain in the city of refuge until the death of the High Priest. Upon the death of the High Priest, he may exit the city and return to his home to resume a normal life.

This particular portion raises many weighty questions. Does the Torah permit a person to take the law into his own hands, allowing the next of kin to pursue, and perhaps, even kill, the accidental murderer? Furthermore, why does the accidental murderer stay in the city of refuge until the death of the High Priest? What does the High Priest have to do with all this? And finally, isn't this entire issue out of character for the Torah, which, in general, is so compassionate toward, and protective of, human life?

In order to understand the nature of the law of the Eir Miklat, the city of refuge, we need to look into the insights and explanations of the Oral Law, which are found in the Talmudic tractate Makot, and review as

well Maimonides' Laws of Ro'tzay'ach u'shmee'rat ha'nefesh, the Laws of Murderers and Protecting Life.

While the written Torah states that there were to be six official cities of refuge, the Oral Code indicates that an additional 42 Levite cities also served as locations of refuge. Both, the Talmud and Maimonides explain that there were really three categories of accidental deaths. In the first, שׂוֹגֵג קָרוֹב לְאוֹזֵנָה, the accidental death occurred without any negligence on the part of the perpetrator. Such would be the case where an unstable person climbs over the fence of a firing range, runs in front of the target and is killed.

The second category of accidental homicide is known as שׂוֹגֵג. In this case the accidental death occurs due to petty negligence. Perhaps the rifleman forgot to close the door to the firing range, or the fence had a break in it and a child wandered in and was killed.

The third scenario, שׂוֹגֵג קָרוֹב לְמִזֵּיד, is a case where there was gross negligence on the part of the perpetrator, e.g., a person shoots wildly in a public area. Even though the shooter did not intend to kill one particular person, the killing is virtually premeditated.

In all three cases, the killers run to the city of refuge. Now the key to understanding this portion is the verse in Numbers 35:12 which reads: וְהָיוּ לָכֶם הָעָרִים לְמִקְלַט מִגָּאֹל, and these cities shall be as refuge from the redeemer, וְלֹא יָמוּת הַרָצֵחַ עַד עֲמֹדוֹ לִפְנֵי הָעֵדָה לְמִשְׁפָּט, and the killer shall not be put to death until he stands before the congregation for judgment.

All three killers run to the city of refuge, and presumably, arrive safely. Their arrival is virtually assured since the distances to the cities of refuge were never great, and these particular roads were always kept in excellent repair. In addition, the avenger of blood, the next of kin, cannot really exact vengeance and kill the perpetrator, because he is never certain into which particular "accidental" category the perpetrator falls. If the death was truly accidental and there was no negligence, the killer is not at all at fault, and is entitled to go free! In the instance of gross negligence, according to some rabbinic opinions, the killer must stand trial for murder and face the consequences. Only in the case of שׂוֹגֵג, where the death was due to petty negligence, can the killer be put to death by the next of kin. However, as you will see, this was also virtually impossible.

All three of the perpetrators are put on trial. In the instance of no negligence, the killer is released. If the court determined that there was gross negligence, the killer is punished. If the death was truly accidental, the killer is accompanied back to the city of refuge by religious guards, who provide protection, and the perpetrator remains in the city until the death of the Kohen Gadol, the High Priest.

Why the High Priest? Because, in addition to his clerical duties in the Temple, the High Priest serves as the chief educational officer of Israel. In effect, the High Priest is in charge of teaching and training the nation, and effectively conveying the uncompromised primacy of the sanctity of human life. In a revolutionary advancement in human ethics, Jewish law proclaims that the occurrence of an accidental death implies that the educational system, for which the Kohen Gadol is responsible, was inadequate. The implications of this revolutionary idea are vast.

Almost parenthetically, the Talmud reports that in order to hasten the release of the "prisoners" in the Cities of Refuge, their families often prayed for the death of the High Priest. In response, the High Priest's mother would travel from city to city to try to "bribe" the killers with sweets and food, to convince them not to pray for her son's harm.

In a fascinating nuance to these laws, the Oral Code states that the teachers or the rabbis of accidental killers were exiled to the city of refuge together with their student. Furthermore, students, as well, are exiled to the city of refuge if their teacher were involved in an accidental death. This principle is deduced from the fact that the verse in Deuteronomy 4:42 states: וְהָיָה, and he shall run to one of those cities and live, implying that a teacher cannot live without his/her students, and students cannot live without their teacher. A possible further implication is that accidental killers are in desperate need of re-education, consequently, their teachers need to be at their side.

Once again, we learn that the bottom line of all the Torah is the principle of the sanctity of human life. Too often, in our society is this value

belittled and dismissed, particularly since so many citizens are presumably covered by liability or accident insurance. The Torah, on the other hand, declares that even petty negligence may not be excused, that the accidental killer must be held accountable for his error and undergo rehabilitation. This is accomplished by bringing all the accidental killers together to a city of refuge for the equivalent of "group therapy," and reeducating them regarding the ultimate value of the sanctity of life.

We see that what seemed to be a primitive law of the Torah, is actually light-years ahead of contemporary legal practices and modern social philosophy.

May you be blessed.

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Chief Rabbi Ephraim Mirvis

Dvar Torah Matot-Massei

Pack this in your bags - it doesn't weigh anything

When travelling, the most important thing to take with us doesn't weigh anything at all.

Now that at long last many of us can think about travelling once again, we can derive a lot of inspiration from Parshat Massei. There the Torah tells us about the journeys of the Israelites in the wilderness (Bamidbar 33:2):

"Lemaseihem al pi Hashem," – "They journeyed according to the word of Hashem."

In Parshat Beha'alotecha (Bamidbar 9:23), added details are given:

"Al pi Hashem yachanu, v'al pi Hashem yisa'u," – "According to the word of Hashem they camped and according to the word of Hashem, they travelled.

The Chassidik master Rav Usher of Riminov commented that we can learn from here how important it is, regardless of whether we are at home or on our way, to take Hashem with us always. He writes that it is usually far easier to be committed to a life of kedusha and tahara, holiness and purity, when we are at home.

The Torah in Parshat Tzav (Vayikra 6:5) tells us about the perpetual fire on the altar. The Torah there says,

"V'haeish al hamizbeiach tukad bo; lo tichbeh." – "The fire upon the altar shall be established upon it. It shall never be extinguished."

In the very next verse, again the Torah says, "lo tichbeh" – "it shall never be extinguished." The Gemara in the Yerushalmi, Masechet Yuma, tells us that we are told twice to extinguish the fire because this is an allusion to the fire of our Judaism within us. We should not extinguish it when we are at home and it shall not be extinguished when we are away from home. And the Torah says "tukad bo" – "it shall be upon it" which can also be understood as, "it shall be always within us ourselves."

I'm always inspired by so many people who make a point while away from home of going to the 'nth degree' in order to guarantee that they can keep kosher properly, that they can learn, that they can be involved in Jewish community life. It's so wonderful when people, wherever they are in the world, will always pop into the local community; look into its history; take an interest in what is going on there; learn from what the opportunities are and how their lives can be Jewishly enriched as a result of the vacation that they are enjoying.

In this way we can fulfil the words of the Torah that we all know by heart from the shema: "Veshinantam levanecha vedibarta bam." We should teach our families to grow up in a Jewish, way we should speak words of Torah and practise the mitzvot, and where? "Beshivtecha bveitecha uvelechtecha vaderech," – equally when we are at home and when we are on the way.

Shabbat shalom.

Rabbi Mirvis is the Chief Rabbi of the United Kingdom. He was formerly Chief Rabbi of Ireland.

Drasha Parshas Matos - Oath of Office

Rabbi Mordechai Kamenetzky

Dedicated to the speedy recovery of Mordechai ben Chaya

The portion of Matos begins with the laws governing commitments and pledges. In Torah law, words are not taken lightly and when one makes an oath, the implications are exacting. The portion begins, “Moshe spoke to the Roshei HaMatos, the heads of the tribes, saying: This is the thing that Hashem commanded. If a man takes a vow to Hashem or swears to enact a prohibition upon himself, he shall not desecrate his word; whatever he said he shall do” (Numbers 30:2-3). The portion continues to discuss vows that one places upon himself, as well as vows that are between husbands and wives and fathers and daughters. The Torah continues to detail the complex laws of both the obligation and revocation of vows.

What is strikingly different in this portion is the way it was transmitted. Normally the Torah does not talk about the teaching of the law to the heads of the tribes. Back in Parshas Ki Sisa, the Torah tells us that Moshe would first teach Ahron, then Ahron’s children, then the elders, and only then all of Israel (Exodus 34:31-32).

But the Torah hardly ever reiterates that point. Here, in Matos, Moshe emphasizes his directive to the heads of the tribes. Why? Wasn’t the whole Torah given to them first? Why repeat that fact here? Rashi explains that Moshe meted honor to the elders and leaders because they play a vital role in the laws of vows. Unlike other judicial actions, the power of annulment of vows is done by individuals who are experts.

An expert can rule on vows and has the ability to decide which ones are valid, and which ones are senseless and inconsequential. He can evaluate vows that were made under duress and those invoked out of fear. He has the power to render them void. Therefore, unlike other commandments, Moshe specified the role of the leaders in reference to vows.

But perhaps there is another important significance to specifying the role of elders when talking about vows.

Rabbi Akiva Eiger was a world renowned Talmudic sage who wrote on almost every aspect of the Torah. However as the Rabbi of Pozen, which was part of the Austro-Hungarian empire, his custom was to defer responding to questions that were sent from outside his country. After all, he felt that the stature of other rabbis would be diminished had all their congregants sent their questions to an out-of-town rabbi.

However, he once received a letter from Bialostock, Poland to which he did respond.

He began his response: “Although I am unworthy of answering questions from distant lands that are filled with great rabbis and Halachic scholars, and surely Poland is not lacking in either, his time I will answer.” Then Rabbi Akiva Eiger added his reason.

“A few months back I was at a simcha (joyous occasion) at which someone from your town said that he would write me concerning a difficult matter. Though I did not encourage him to do so, I also did not discourage him. In fact, I may have even nodded my head slightly. That may have been taken as a commitment to answer the question. And if I even appeared to have consented, I surely do not want to appear as if I have reneged on a commitment.”

The Torah transmits the laws of oaths through the heads of each tribe because it wants to reiterate to them the importance of a leader’s adherence to commitment. The eyes of a nation are focused on their words, their promises, and their commitments. It is only fitting that those who bear the tremendous responsibility of assuring their tribes of their needs and requests, should be the very ones that transmit those laws.

Unfortunately, the words of contemporary leaders and elected officials don’t mean much. Abba Eban once said, “It is our experience that political leaders do not always mean the opposite of what they say.”

The Torah hands the responsibility of the burden of words upon those who are faced with the greatest challenge to meet their commitments. Torah leaders shall personify the commitment to, “all that will come out of his mouth he shall keep.” It is no wonder that the Torah specifies the role of the tribal leaders when discussing the importance of commitment. For when the leaders keep their word, the nation follows in step.

Good Shabbos

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Rabbi M. Kamenetzky is the Dean of the Yeshiva of South Shore.

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Two-time sorcerous loser (Matot-Masai)

Ben-Tzion Spitz

An error is the more dangerous in proportion to the degree of truth which it contains. - Henri Frederic Amiel

A couple of weeks ago, we read in the Torah how the sorcerer Bilaam was hired by the king of Moab to curse the nation of Israel. The Moabites allied themselves with the Midianites to fight Israel. Their hope and expectation were that the curse of the powerful sorcerer Bilaam would allow them to rout the Israelites who were getting uncomfortably close to their borders on their desert journey to the land of Canaan. Though Israel had no intention of bothering either of those nations and had explicit instructions from God not to harm the Moabites, these allies either weren’t aware or didn’t believe in the peaceful intentions of the nomadic tribes of Israel who had spent almost forty years in the desert and had recently started making their way towards Canaan.

As we read then, the efforts of Bilaam were a massive failure. Despite his eagerness and enthusiasm to curse Israel, God forces Bilaam to utter beautiful poetic blessings to Israel in front of the Moabite and Midianite leadership. After three botched efforts, Balak, King of Moab, sends the failed sorcerer home. The question arises as to why we see Bilaam unexpectedly mentioned in this week’s reading, seven chapters after Balak sent Bilaam home in ignominy? In this week’s reading, the Israelite army does ultimately attack the Midianites in retaliation for the mass-seduction of Israelite men by the Moabite and Midianite daughters, which followed the episode with Bilaam. The public licentiousness and accompanying idolatry lead to God’s fury and punishment of Israel by plague. What is Bilaam doing in the middle of this later battle with Midian?

The Bechor Shor on Numbers 31:8 explains that Bilaam had indeed failed in his bid to curse Israel and was sent home in shame. However, the Midianites had understood from Bilaam that the way to harm Israel is to get them to sin and that God is particularly hateful of sexual licentiousness. The Moabites and Midianites follow Bilaam’s hint, sending their daughters to seduce the Israelite men, which leads directly to God killing 24,000 Israelite men by a sudden plague. Finally, seeing the vulnerability of Israel due to their fresh and flagrant sin, the Midianites call Bilaam back to finish the job and curse Israel.

Bilaam does indeed return to try to curse Israel again, which explains his unexpected presence at this later place and time. However, this apparently powerful sorcerer didn’t learn from his first failure against Israel and he succumbs to an ignoble fate, to be caught and killed during Israel’s retaliation against Midian.

May God always protect us from our enemies, on all fronts.

Dedication - To the memory of Joseph Wiesel z”l. May his family be comforted among the mourners of Zion and Jerusalem.

Shabbat Shalom

Ben-Tzion Spitz is a former Chief Rabbi of Uruguay. He is the author of three books of Biblical Fiction and over 600 articles and stories dealing with biblical themes.

Rabbi Shmuel Rabinowitz

Parashat Matot-Masei: Nurturing those who service God

The Jerusalem Post

This week, we read two connected parashot – Matot and Masei, in which we learn about the way that the kohanim and Levites should live.

This week, we read two connected parashot – Matot and Masei. These parashot complete the book of Numbers, the fourth of the five books of the Torah that describes the journeys and events that the children of Israel experienced during their forty years in the desert. Toward the end of the book of Numbers, we read a commandment about the manner in which the Jewish nation should settle the Land of Israel after they enter and conquer it. It would be expected that the Land of Israel would be divided among all the tribes, based on the principle, “To the large [tribe] you shall give a larger inheritance and to a smaller tribe you shall give a smaller inheritance” (Numbers 26:54). But that was not what was done!

In actuality, an entire tribe – the tribe of Levi – was not slated to receive a designated piece of land in the Land of Israel. Instead, the rest of the tribes were commanded to set aside 48 cities from their inheritance for the tribe of Levi:

All the cities you shall give to the Levites shall number 48 cities, them with their open spaces. And as for the cities that you shall give from the possession of the Children of Israel, you shall take more from a larger [holding] and you shall take less from a smaller one. Each one, according to the inheritance allotted to him, shall give of his cities to the Levites. (Numbers 35:7,8)

In addition to the cities that the Levites got from the children of Israel, they also got ma'asrot: tithes, a tenth of the annual harvest was given to the Levites as compensation for their work in the Temple. The kohanim from among the Levites received additional gifts from the nation – a total of twenty-four gifts – for example, teruma from the harvest, the firstborn of cattle, hafrashat challah, setting aside dough, as well as part of the sacrifices offered in the Tabernacle and the Temple.

With these commandments, the Torah describes the way the kohanim and Levites should live. They do not receive a designated plot of land or a specific place to live, as the tribes got. Instead, the Levites and kohanim got tithes and various other gifts from the nation for their livelihood.

We find the following in Sefer HaChinuch (13th century, anonymous author), a book that describes each of the Torah's 613 commandments and gives detailed explanations for each:

It is from the roots of the commandment [that it is] so that all of the involvement of this tribe be in the service of God, blessed be He, and that they need not work the land. And the rest of the tribes give them a portion from all that they have without [the Levites] toiling for it at all. (Sefer HaChinuch commandment 604)

God wanted there to be one sector in the nation dedicated not only to servicing the Lord in the Temple, but also to spirituality, intellectualism, and the study of laws of the Torah and justice. To this end, these people had to minimize their time spent working the land and dealing with material matters leaving them time to delve into spirituality.

However, if the tribe of Levi would only deal with godly matters among themselves, they would miss the point of influencing the entire nation. For this reason, the Torah commands that each tribe set aside cities for the kohanim and the Levites. By being integrated within the tribes, they would be able to teach the proper way to live and would have a spiritual impact on everyone, near and far.

This need to have a segment of the nation dedicated to serving God is relevant nowadays as well. We can learn from the model the Torah proposes that there is a need even today to nurture people who dedicate their lives to God and to spirituality, and that we should support them in this path in the hopes that people like the ideal kohen described by the prophet Malachi rise from among us:

For a priest's lips shall guard knowledge, and teaching should be sought from his mouth, for he is a messenger of the Lord of Hosts. (Malachi 2:7)

The writer is rabbi of the Western Wall and Holy Sites.

Rav Kook Torah

Matot: Kashering the Spoils of Midian

Chanan Morrison

Elazar Instructs the Soldiers

Following the punitive war against Midian, Elazar the High Priest taught the soldiers how to kasher the utensils they had captured during the campaign.

“This is the Torah law that God commanded Moses: ... Any article that was used over fire, must be passed over fire and it will be pure; but it must be purified with the sprinkling water. However, that which was not used over fire, you must pass through water.” (Num. 31:21-23)

Why was it Elazar who instructed the soldiers, and not Moses?

The Sages explained that Moses, in his anger at the soldiers for not conducting the war properly, forgot to instruct them about kashering the Midianite utensils. “Because Moses became angry, he came to err, and

the laws of purifying gentile vessels escaped him” (Rashi 31:21, from the Sifrei).

Is there a connection between the cause for Moses' anger and the particular laws that he forgot?

Also, this was not the first battle of these soldiers. Why didn't they already learn the rules of kashering vessels after defeating the Amorite kings Sichon and Og?

Two Steps of Purification

We see that there are two steps to purifying used utensils obtained from non-Jews. First, we must purge any forbidden substances absorbed in the utensil. “Any article that was used over fire, must be passed over fire and it will be pure.” The second step is immersing the utensil in a mikveh. The waters of the ritual bath purify the vessel, preparing it to enter the domain of Israel. This second step is similar to the ritual immersion of converts, as they leave the non-Jewish world and join the Jewish people.

These two steps of kashering parallel the two stages by which the Land of Israel was acquired by the Jewish people.

The first stage took place during the era of the Avot. “Rise, walk the Land, through its length and breadth, for I will give it to you” (Gen. 13:17). Why did Abraham, Isaac, and Jacob need to walk throughout the Land of Israel? Their journeys - building altars, digging wells, raising crops — were analogous to the first step in purging a utensil, as we remove the prohibited substances absorbed in it.

The second stage was the actual conquest in the time of Joshua. The final conquest of the Land parallels the complete immersion of a utensil in a ritual bath. This act completed the transfer of the Land to the Jewish people.

The initial purification process of the Avot allows us to understand an astonishing Talmudic statement. The Sages wrote that during the seven years of conquering the Land, the Jewish people were permitted to eat pork (Chulin 17a). They were allowed to enjoy all of the spoils from the Canaanite nations — even pig meat! This was in accordance with God's promise that “You will have houses filled with all good things that you did not put there” (Deut. 6:11).

Why did God permit the Israelites to eat blatantly non-kosher foods? This was only possible because the preparatory actions of the Avot had already cleansed the land of its impurities.

For this reason, there was no need to purify the utensils acquired in the battles with Sichon and Og. The lands of the Amorites took on the holiness of the Land of Israel (see Nachmanides on Num. 31:23).

Moses' Mistake

Why then was it necessary to purify the spoils from the war in Midian? Moses in fact thought that it was not necessary. He saw this war as a conquest, and he thought the land of Midian would also acquire the holiness of the Land of Israel.

God, however, knew that the war would not be waged with pure motives. In the end, the land of Midian would not become part of the Land of Israel. Therefore, God commanded the soldiers to “take revenge for the Israelites” (Num. 31:2). This would not be a war of reprisal for God, but for the Jewish people.

Now we may understand the connection between Moses' anger and his mistake. He railed against the generals for not exacting vengeance against the Midianite women, who had enticed the Israelites to rebellion and idolatry. This error meant that the war could no longer be considered a war for the sake of Heaven.

Moses' anger led to his mistake. He failed to recognize that, in the new circumstances, this battle no longer belonged to the conquest of the Land of Israel. So it fell to Elazar to instruct the soldiers how to kasher the spoils from Midian.

(Shemuot HaRe'iyah, Matot-Masei 5690/1930)

Shema Yisrael Torah Network

Peninim on the Torah - Parashas Matos-Masei

פרשת מטות-מסעי תשפ"א

Matos

וידבר משה אל ראשי המטות

Moshe spoke to the heads of the tribes. (30:2)

It is good to digress once in a while to gain insight into the eminence of those individuals who have ascended the ladders of Torah erudition sufficiently to be called *Roshei ha'mattos*, heads of the tribes. Someone asked *Horav Chaim Kanievsky, Shlita*, how many times the word "Moshe" is mentioned in the Torah. He replied, "614 times." The questioner countered that he had checked with a computer, and the total was 616. *Rav Chaim* disputed this, claiming that the computer had erred. "Moshe" appears in the Torah exactly 614 times. The man was shocked. How could the computer be wrong? *Rav Chaim* explained that while the name Moshe is written 614 times, the spelling – *mem, shin, hay* – comes up two times, *V'im yimaat ha'bayis miheyos misheh* (spelled *mem, shin hay*). (*Shemos* 12:4) and *Shamot kol masheh yado* (spelled *mem, shin, hay*) (*Devarim* 15:2). *Horav Shlomo Levinstein, Shlita*, quotes *Midrash Tanchuma (Beshalach* 16) that *talmidei chachamim*, Torah scholars, are called *sofrim*, since they are *sofer*, count, every word in the Torah (because it is so precious to them).

The *Rosh Yeshivah* of Mir, *Horav Nochum Partzovitz*, walked into the *bais hamedrash* and noticed two *bachurim* talking in anything but learning. When they saw him approaching, they suddenly changed their discourse and quickly transitioned to a debate concerning a passage in the *Talmud (Nedarim)*. One of them pretended to be reading: "*Tanu Rabbanan*"; "The Rabbi taught." *Rav Nachum* walked by and, in his inimitable muted tone, said, "The phrase *Tanu Rabbanan* is not found anywhere in *Meseches Nedarim*."

When this vignette was related to *Rav Chaim Kanievsky*, he closed his eyes momentarily (as if he were quickly reviewing the entire folio of *Talmud*), and then he remarked, "It is true that *Tanu Rabbanan* is not to be found, but *d'tanu Rabbanan* is found" (27a).

This incident was shared with *Horav Aharon Leib Shteinman, zl*. He commented, "Why are you so impressed? This is his *makolet*, grocery store. Every grocer knows exactly where every item in his store is situated, its price and how many of each item is available. He lives his *makolet*. It is his very life. To *Rav Chaim*, the *Gemorah* and its commentators are his very life. They are his *makolet*."

וידבר משה אל ראשי המטות... לא יחל דברו בכל היוצא מפיו יעשה

Moshe spoke to the heads of the tribes... He shall not desecrate his words; according to whatever comes from his mouth shall he do. (30:2,3)

The *Tiferes Shlomo* suggests that the root of *matos* is *yateh*, to turn. The *roshei ha'mattos* are the leaders of the people who have the ability to turn the hearts of the people toward a positive trajectory. The Torah commands them to guard and commit to whatever exits their mouths. In other words, they should not speak from "both sides of their mouths," saying one thing and personally doing another. They must be consistent in personally adhering to what they expect of the people. Only then will they earn the respect to have the ability to be *mateh*, turn, the nation in the correct direction.

Furthermore, it must be *zeh ha'davar asher tzivah Hashem*; "This is the commandment of Hashem." Hearsay is insufficient. The leader, or whoever is relating the law, must render the ruling based upon a clear and unimpeachable knowledge of and proficiency in *halachah*. The *Klausenberger rebbe, zl*, observed that all too often practices and even pseudo-*halachah* is based upon stories in which a *chassid* or follower relates what he has heard or seen, which is insufficient proof for establishing a practice. He was wont to say, "When a *chassid* says that he 'saw' a certain practice executed by his *Rebbe*, it means that he (only) heard about it. If he claims to have "heard" of it, one can be certain that it is a false report. *Halachos* should be established neither on stories nor on what one sees in practice. We have a *Shulchan Aruch*, Code of Jewish Law, for *halachah*, which should be our guidebook for executing our Divine mission in this world.

וד' יסלה לה כי הניא אביה אתה

And Hashem will forgive her, for her father had restrained her. (30:6)

The implication is that the girl sinned, and, as a result, she requires Hashem's forgiveness; but if her father had revoked her

nedarim, what prohibition did she transgress? This applies to a girl who was unaware that her *nedarim* had been revoked, and, despite being bound by *nedar* (in her mind), she violated its terms. In actuality, she did not sin, but she certainly acted inappropriately, thus mandating for herself some form of repentance. *Chazal* compare this to one who meant to eat ham and instead ended up eating kosher meat. Technically, he did not sin, but his intention was sinful, requiring him to repent. Rabbi Akiva would weep concerning this *halachah*, noting that if one requires penance for a negative intention which did not actually achieve fruition, how much more so should he be vigilant not to commit the actual deed. Is Rabbi Akiva teaching us that one should not intentionally sin? Why is Rabbi Akiva concerned with the individual who executes his intentional sinful thoughts?

Horav Chizkiyah Eliezer Cohen, zl (Rosh Yeshivah, Bais Yosef, Gateshead), explains that Rabbi Akiva teaches an important lesson concerning the parameters of sin. We are accustomed to determining the egregiousness of a sin in accordance with its external image. Some deeds have greater negative appearances than others. People tend to assess the intensity of a crime by its external projection. Rabbi Akiva teaches us that a sin is not defined solely by its visible negative impact, i.e., by how people view the deed; the more revolting it is, the greater its iniquity. A sin is also measured by the thought behind the action, the intention that provokes and drives the deed.

The *Rosh Yeshivah* cites the *Chovos HaLevavos*, who teaches that a person be held accountable in accordance with his perception and discernment. One who has greater depth, who has the ability to comprehend his actions and their impact, both immediate and far-ranging, will be held to a different benchmark than one whose level of discernment is limited.

He analogizes this to one whose specialty and business expertise are limited to scrap metal. He owns a large junkyard where he compresses and melts the scrap. One day someone offers him the opportunity to purchase an expensive private jet, outfitted with the latest high-tech advances, at a sale price, but he is not interested in it. He prices the jet by how much metal it has – not by its technological ability. He will pay only for its metal weight. How a person views an item not only determines its value (to him), but also serves as an indication of his essence. A sin committed without aforethought is different from one executed by an intelligent, thinking individual, intent on transgressing Hashem's command.

ייעל אהרן הכהן אל הר ההר על פי ד' וימת שם

Aharon HaKohen went up to Har HaHar at the word of Hashem and died there. (33:38)

As believing Jews, we adhere to the concept of *Hashgachah Pratis*, Divine Providence, which means: The world's continued existence is directly/solely dependent upon the *ratzon Hashem*, will of G-d. Once a man creates an entity, the creation becomes a separate entity, apart from its creator. Veritably, he created it, but now, it exists in its own right. Furthermore, each individual creation often gains control over its creator. While human beings have within them the power and capability to be creative, to unleash forces or to combine them, they are unable to control their creations or bridle the forces they have unleashed. Once the "genie" is out of the bottle, it is out of their hands. Not so Hashem and His world. The world as a whole and all its parts – including all of the creatures within it – are His creations. Not only did they come into existence through His will, but they are maintained and continue to exist solely as a result of His will. Hashem is very much a part of each of our lives.

Horav S.R. Hirsch, zl, cites the story of Yosef and his brothers as a paradigm of *Hashgachah Pratis*. Indeed, Yosef points out to his brothers how the entire chain of events clearly was a manifestation of Divine Providence. Hardly another story so cogently and vividly demonstrates the ways of Divine Providence. In this story, the threads are clearly revealed. Even one who is plagued with spiritual myopia can lucidly see the workings of Hashem.

I write this brief introduction as a segue to show how *Hashgachah Pratis* plays out. In *Parashas Beha'alochecha (Bamidbar*

9:6), the Torah relates that there were men who were *tamei*, ritually contaminated, and, as a result of their defilement, were unable to share in offering the *Korban Pesach* together with the rest of the nation. Chazal debate as to the identity of these men. Rabbi Akiva contends that they were Mishael and Elitzafan, Aharon *HaKohen's* nephews, who were charged with removing the bodies of Nadav and Avihu, Aharon *HaKohen's* sons, who perished during the dedication of the *Mishkan*. Mishael and Elitzafan attended to the bodies, removing them from *Machne Shechinah*. An obvious question presents itself: Nadav and Avihu died on *Rosh Chodesh*. Certainly, Mishael and Elitzafan had sufficient time to return from the burial and wait the necessary period (one week) to achieve purity, and then participate in the *Korban Pesach*.

The *Ben Yehoyada* (*Succah* 25b) explains that Nadav and Avihu were not buried where they died; rather, their bodies were taken to *Har HaHar*, the place where their father, Aharon, was to be buried. *Tzaddikim* derive much *nachas ruach*, spiritual pleasure, from being buried near their descendants. Accordingly, Mishael and Elitzafan did not have sufficient time to return from the burial and participate in the *Korban Pesach* in a timely fashion.

This is incredible! Aharon *HaKohen* was buried on *Har HaHar* thirty-eight years after his sons' untimely deaths. Thirty-eight years prior to his demise, Aharon *HaKohen's* gravesite was already determined. We believe that life and death are providential. We see now that Hashem determines even where and near whom one is buried, which presages one's death.

The *Megaleh Amukos*, *Horav Nosson Nota Shapira, zl*, was a holy *tzaddik* who was as comfortable in the Heavenly spheres as he was in this world. Eliyahu *HaNavi* studied with him. His lifetime was a glorious era for *Klal Yisrael*. The *Bach* and *Turei Zahav* were the leaders of *Klal Yisrael* at the time. Indeed, with such an unprecedented spiritual "lineup," Heaven decided that the time for the Redemption had arrived. *Satan* asked for a "reprieve," one more chance to cause the Jewish People to slide. He was given one last chance. He appeared to the *Bach*, claiming to be a Heavenly Angel who wanted to learn with him. The *Bach's* father appeared to him in a dream and instructed him to stay away. The *Megaleh Amukos* saw right through him. *Satan* tried the other Torah giants, to no avail. Finally, he found one scholar sufficiently gullible to become his victim: Shabtai Tzvi, who succeeded in leading thousands of Jews astray with his devastating cult.

The *Megaleh Amukos* died in 1623. Following his *petirah*, passing, a young man whom no one knew appeared in Cracow and immediately presented himself to the head of the *Chevra Kaddisha*, Sacred Burial Society. His request was stranger than his appearance. He wanted to purchase the burial plot next to that of the *Megaleh Amukos*. The *gabbai* thought this man was unhinged. Not just anyone could be buried next to such a saint. "He was the greatest of the greats! "How dare you ask to be buried next to him?" was the *gabbai's* rejoinder to the strange man. With that, he drove the young man away. The young man refused to accept "no" for an answer. He returned a few days later and buttressed his request with cash. He pleaded to have the burial plot sold to him. Money was no object.

The *gabbai* conjectured that the spot was presently available. The young man would certainly live to a ripe, old age, while he, the *gabbai*, was getting on in years. In addition, the *Chevra Kaddisha* had fallen on difficult financial straits. An infusion of funds would make a difference. So, greed transcended merit, and he sold him the plot, after wishing him good health and a long life. How shocked the *gabbai* was to learn the very next day that the young man had died during the night. Since no one knew about the sale, except the *gabbai* and the deceased, the *gabbai* arranged for the deceased to be buried in an ordinary grave.

That night the *gabbai's* sleep was disturbed by the deceased, who appeared to him demanding his rightful plot. Although shaken up, the *gabbai* ignored the dream. After a few nights of interrupted sleep, however, he no longer could ignore the fact that he had acted unjustly and was being called to task. The next day, he presented his problem to the *Rav* of Cracow, the *Bach*, who responded that he tell the deceased

that *halachah* is decided in this world. If he has a dispute, he must appear before the *bais din* on a certain day, at a specific time.

On the agreed upon day, a partition was set up in the *bais din*, so that no one would see the deceased. They heard a rustling sound behind the partition, which was a sign that he had "arrived." The *Bach* commanded the deceased to present his case – which he did. The *Bach* then turned to the *gabbai* to explain his actions, which he apologetically did. The deceased was asked to reveal his identity, so that his worthiness for being buried next to the *Megaleh Amukos* could be determined. He refused to divulge his name.

The *Bach* rendered his decision: "The sale should be valid. However, since we do not know the identity of the deceased, and in which case he might not be on a spiritual plane that would allow him to be a suitable 'neighbor' to our late *Rav*, we will allow for the deceased to 'prove' his suitability. The grave next to the *Rav* will be opened, as will be the present grave of the deceased. If the deceased is worthy of being the *Rav's* neighbor, he should 'arrange' for his body to be moved over. If not, we are free of our obligations."

The *Chevra Kaddisha* opened both graves. The next day, they were shaken to discover that the grave of the deceased was empty, and the grave next to the *Megaleh Amukos* was now filled. Understanding that the deceased was a holy, covert *tzaddik*, they engraved the following on his *matzeivah*, tombstone: "Here lies the unknown *avreich* (young man) – *ya'id alav rei'o* (his neighbor, the *Megaleh Amukos*, attests to his greatness).

Masei

וַיִּשְׁמַח רַצַּח מִכָּה נֶפֶשׁ בְּשַׁגָּגָה

And a murderer shall flee the one who takes a life unintentionally. (35:11)

The word *rotze'ach*, murderer, followed by *makeh nefesh*, one who takes a life, is seemingly redundant. Why does the Torah repeat itself? *Horav Chaim Toito, Shlita*, employs the following story as a means for distinguishing between the two terms. A devout, G-d-fearing Jew lived in a small village not far from Sanz. He earned a living by using his house as an inn and restaurant. It was a lucrative business. One day, a poor man dressed in tattered clothes appeared at his inn. Being a kind-hearted man, the innkeeper gave this man a decent, nourishing meal, after which he took out some money and gave it to him. The poor man refused the donation. Thinking that it was too paltry a sum to cover the poor man's needs, the innkeeper doubled his donation. The poor man explained, "I do not require your financial assistance. I am, *baruch Hashem*, quite wealthy and not in the need of money."

Obviously, the innkeeper was taken aback. The man clearly appeared destitute. He certainly did not dress like a wealthy man. He ate his meal in a manner that indicated that his last meal had been some time ago. "Let me explain," he began. "I live in *Fist* (a suburb of *Premishlan*) where I own fields, vineyards, and a number of businesses. Let it suffice that I am quite comfortable. A few years ago, a considerable amount of money was missing from my house. Immediate suspicion was focused on an orphan girl who had been working for me as a maid. I brought her to the judge in the community, where she was put under corporeal pressure in order to obtain a confession. She suffered beatings, but remained adamant in her claim of innocence. As a result of the beatings she sustained, she became ill and succumbed to her illness.

"Two weeks after the girl's passing, the lost money was discovered. Apparently, it had been misplaced. I realized that I was guilty of *chosheid b'k'sheirim*, wrongful suspicion, which inadvertently led to the untimely death of a poor orphan girl. I was miserable. In my attempt to seek atonement and learn what was the proper form of *teshuvah*, I traveled to the *tzaddik*, *Horav Meir, zl, m'Premishlan*.

"The *Rebbe* told me to choose one of three punishments: to die immediately, which would allow me to enter *Olam Habba*, the World to Come; to be gravely ill for three years; or to go into *galus*, exile, as one who is guilty of *retzichah b'shogeg*. I was unable to cope – neither with immediate death, painful illness, or banishment to a life of exile. I bid the *Rebbe*, 'Good day,' and left.

“Two weeks passed, and I developed a headache. At first, it was a dull ache, but, after a few days, it became devastatingly painful, preventing me from functioning. My family sent for a doctor, who, after giving me a thorough check up, said that I had no hope. My body was shutting down. He was at a loss to prevent the illness from advancing further. He gave me a few days to live. I felt that this was the work of the saintly *Premishlaner*, who had selected death as my atonement. I immediately dispatched a letter to the *Rebbe* asking for his blessing that I regain my strength. I would then travel to Premishlan to meet with him once again.

“When I entered the holy *Rebbe*’s home, he said, ‘You have time to die, and, veritably, you have already been ill. I select for you the punishment of exile. However, I will teach you the meaning of exile. First of all, whatever you have with you – clothes, money – you will leave with me. I will give you old tattered clothes to wear. You should always be on the move. In other words, never sleep in the same place two nights in a row. Never beg for food. If someone gives you – good; if not, you will just have to wait. No donations. Only if someone gives you a meal out of the goodness of his heart may you partake. You may not return for three years, except, once each year, you may come to the outskirts of the city and request that your wife bring you the books to your business to determine if you are losing money. Only if you are in sad financial shape may you end your exile prematurely. I guarantee you, however, that this will not be the case. You will do well, despite your absence. All your travels must be on foot. After three years, you will return to me, and I will return all of your belongings to you.”

“I accepted the *Rebbe*’s guidelines and his blessings and set out on my imposed exile. Two years passed, and I discovered that the saintly *Premishlaner* has passed from this world. I did not know what to do. I heard that a holy *Rebbe* is in the city of Sanz (*Horav Chaim, zl*). It is to him that I am now traveling. Perhaps he can guide me concerning what to do.”

When the innkeeper heard the incredible story, he elected to accompany the man to Sanz in order to find out the end of the story. They waited in the home of the *Sanzer* to be greeted with, “You shall go home by way of Premishlan, stop at the grave of the *Premishlaner* and inform him that the *Rebbe* of Sanz has determined that two years of exile are sufficient punishment, since you did not in any way deviate from his guidelines. Your *mesiras nefesh*, self-sacrifice, in seeking atonement earned your place among the worthy penitents.”

Wonderful, inspirational story – with a frightening message. One does not have to commit murder with his two hands in order to be deserving of *galus*. Even if his inadvertent error caused another Jew to suffer and succumb – he is guilty. He must be exiled. This is to what the Torah is alluding when it writes *rotzeach b’shogeg* – an unintentional murder and *makeh nefesh*, one who takes a life. There is the individual who might use his hands – direct action – albeit unintentionally, to murder a person. There is also the *makeh nefesh*, who does not outright use his hands, but, by virtue of his actions – or inactions – brings about a person’s untimely death. He is also included. It goes without saying that the latter is much more frightening, and a situation concerning which we must be constantly vigilant.

Va’ani Tefillah

המברך את עמו ישראל בשלום – *HaMevarech es Amo Yisrael ba’shalom*. Who blesses His nation Yisrael with peace.

External peace is the barometer of our internal spirituality. One who is in control of his spiritual dimension manifests an outward, relaxed calm. Personal peace is achieved only when our physical and spiritual personas unify in a harmonious relationship. We do not seek separate identities for our physical and spiritual selves. As such, one who is at peace with himself is one whose physical and spiritual ethos are fused together to comprise his identity. Such a person is *ba’shalom*, at peace with himself. This fusion does not just happen. It requires Hashem’s blessing, which is attained when we attempt to connect our physical and spiritual identities and not promote one exclusive of the other. To put it simply: We cannot attend to our physical drives while ignoring our spiritual requirements. Once our physical drives have been

checked and our spiritual need satisfied, we may truly feel at peace with ourselves. Such peace is the greatest blessing one can have.

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In memory of our mother and grandmother .. Anna Nisenbaum

זכה בת"ר יעקב אייזיק ע"ה נפטרה ז' אב תשנ"ה

זכתה לראות דורות עוסקים בתורה ויראת שמים

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prepared and edited by Rabbi L. Scheinbaum

My Vows I Shall Fulfill

Rabbi Yirmiyohu Kaganoff

Question #1: Quiz question

Can performing a mitzvah become a liability?

Question #2: Is this a “klutz question?”

What does it mean that I am doing something “bli neder?”

Question #3: A frum question

“My friend Billy Nader says bli neder on almost everything. Is this being too frum?”

Answer:

What is a neder?

It is rather obvious why we are studying this topic this week – since Parshas Matos begins with the laws pertaining to vows.

Someone who recites a vow, an oath or a pledge is required to fulfill it (see Bamidbar 30:3). By virtue of the vow, oath or pledge, one creates a Torah obligation that he is otherwise not required to observe. For example, someone who declares that he will begin studying *daf yomi* every day is now obligated to do so, even on a day when it is inconvenient. Similarly, one who pledges *tzedakah* at *yizkor* or pledges a contribution to a *shul* upon receiving an *aliyah* becomes fully obligated, *min haTorah*, to pay the donation. In the case of a pledge to *tzedakah*, one must redeem it as soon as practical; otherwise, he risks violating an additional prohibition, *bal te'acheir leshalmo*, “Do not delay paying it” (see *Devarim* 23:22).

In general, one should be careful not to make vows or pledges. For one thing, one who does so has now created a stumbling block for himself, since he runs the risk that he will not observe his commitment (see *Nedarim* 20a, 22a). Furthermore, he has created an accusation against himself, for by committing to observe something that the Torah did not require, he implies that he is so skilled at observing mitzvos that he can add a few of his own. The *satan* can now level accusations against his occasional laxities in a much stronger fashion (see *Nedarim* 22a, based on *Mishlei* 20:25). (There are a few circumstances in which one is encouraged to make vows, but we will leave that topic for a different time.) For this reason, it is better not to pledge to contribute to *tzedakah*: if you have the money available, donate it; if it is not currently available, don't pledge it! (*Shulchan Aruch*, *Yoreh Deah* 203:4). It is very important that *gaba'im* be in the habit of declaring that people's pledges are *bli neder*, and a similar wording should appear on pledge cards.

Different types of obligations

There are six main ways to create an obligation upon oneself, either to fulfill something or to abstain from doing something.

(1) *Nedarim* – vows

A *neder* – a vow, in which one declares that something otherwise permitted is now prohibited – such as declaring that certain foods are prohibited.

Example:

In her desire to keep to her diet, *Yaffah* states: “I am going to prohibit all chocolate on myself.” *Yaffah* has now created a *neder*, which prohibits her, *min haTorah*, from eating chocolate.

(2) *Shevuos* – oaths

A *shevuah* – an oath, in which one swears to fulfill or refrain from some activity – such as swearing that one will fast on a certain day, or that one will say *Tehillim* every day.

Example:

To repair his somewhat sloppy record at making it to *minyan* every morning, *Shachar* makes a *shevuah* that he will be in *shul* for *shacharis* for the next three days. Should he fail to make it to *shacharis* any of those days, he would be breaking his *shevuah*, which contravenes a Torah prohibition.

Whether a specific declaration constitutes a *neder* or a *shevuah* depends on halachic technicalities, usually contingent on how one makes the declaration. Several halachic differences result from whether someone made a *neder* or a *shevuah*, including that violating a *shevuah* is a more serious infraction (*Ran*, *Nedarim* 20a). Later in this article I will mention another important difference between them.

(3) *Kabbalas mitzvah*, declaring that one will perform a good deed

Someone who declares: I will arise early and study this chapter or that *mesechta* has declared a great vow to the G-d of Israel (*Nedarim* 8a). Someone who expresses these plans, intending to perform an exemplary act, has now obligated

himself, even though he did not use the terms “vow,” “oath,” or “pledge” (Shulchan Aruch, Yoreh Deah 213:2).

Example:

Asking others to say certain chapters of Tehillim can create a stumbling block. Specify that it is being done bli neder.

(4) Kabbalas tzedakah, intending to donate charity

In the specific instance of contributing tzedakah funds, even deciding to give tzedakah without verbalizing one's intention creates an obligation to donate tzedakah (Rema, Yoreh Deah 259:13; see also Choshen Mishpat 212:8; based on Shevuos 26b).

(5) Performing a stringency

Someone who is aware that performing a certain hiddur in halacha is not obligatory, and begins to keep it with the intention of observing it regularly, becomes required to continue the practice as a form of vow. It becomes a binding obligation, requiring hataras nedarim, annulling vows – even if the individual fulfilled the practice only one time, and even if he did not declare that he intends to continue the practice (Nedarim 15a; Shulchan Aruch, Yoreh Deah 214:1).

Examples:

Someone who begins standing during kerias haTorah, intending to continue the practice, becomes obligated to do so, unless he specified that he is doing so bli neder. He should perform hataras nedarim at the first opportunity, so as to avoid violating the prohibition of abrogating observance of a vow. After performing hataras nedarim, he may continue the practice of standing during kerias haTorah, but should have in mind that he is doing it bli neder.

A woman began lighting a third Shabbos candle in her own home after her first child was born. This practice might now become an obligation. She then did so the first time she visited her parents' house; most women who kindle more than two lights before Shabbos do so only in their own home, but kindle only two when they are guests in someone else's home. She asked a shaylah whether she should have hataras nedarim on the practice of kindling a third light, and she was told to do so.

(6) Three times

Someone who performs a stringent practice three times without saying bli neder must continue to fulfill the hiddur, even if he had not planned to observe it always (Kitzur Shulchan Aruch 67:7).

Saying “bli neder”

Should I not observe hiddurim? I want to do these mitzvos, but I certainly do not want to be punished if I fail to continue performing them! How do I avoid becoming obligated?

To avoid creating this commitment, someone expressing intent to perform a good deed should be careful to say that he/she is acting bli neder, without accepting it as an obligation (Kitzur Shulchan Aruch 67:4). Similarly, someone who begins practicing a halachic hiddur should say that he is not accepting it as an obligation.

Example:

Hadassah decides that she will eat only glatt kosher meat or will use only chalav Yisroel products, both meritorious activities. She should state that she is doing it “bli neder.”

Similarly, when pledging money during yizkor, while making a mishebeirach or making any other oral commitment to donate charity, one should be careful to say bli neder. When others are pledging to tzedakah and one feels pressured to participate, specify that the pledge is bli neder (Shulchan Aruch, Yoreh Deah 257:4). It is still proper to donate the money, but stating that it is prevents bli neder a mishap should one forget or later be unable to do so.

Saying “bli neder” even for a non-mitzvah

Some authorities recommend saying bli neder on all one's activities, even those that do not fulfill a mitzvah, so that the habit helps prevent one from inadvertently creating nedarim (Kitzur Shulchan Aruch 67:4).

Example:

Chavah tells her husband, “I am going to exercise class this morning, bli neder.” Although the statement that she plans to exercise does not create any obligation on her part, habituating herself to say bli neder is a good practice to develop.

We can now answer one of the questions asked above. “I have a friend who says bli neder on almost everything. Is this being too frum?” The answer is that your friend is being astutely cautious and following the advice of halachic authorities. Don't delay paying

In addition to the abovementioned concerns involved in pledging tzedakah, the Gemara rules that the mitzvah of bal te'achar, not to delay the donation of a korban, applies also to tzedakah (Rosh Hashanah 6a). This means that someone who pledges money to a charitable cause is required to pay the pledge as soon as he can.

To quote the Rambam: Tzedakah is included in the laws of vows. Therefore, someone saying, “I am obligated to provide a sela coin to tzedakah,” or, “This sela shall go to tzedakah,” must give it to poor people immediately. If he subsequently delays redeeming the pledge, he violates bal te'acher, since he could have given it immediately, as there are poor people around. If there are no poor people, he should set aside the money until he finds a poor person. However, if, at the time of his pledge, he specified that he is not intending to redeem the pledge until he locates a poor person, he is not required to set aside the money (Hilchos Matanos Aniyim 8:1).

Someone who declares that he will give tzedakah to a certain poor person is not required to give the money until he sees that person (Rema, Yoreh Deah 257:3). However, someone who pledged to contribute to destitute people, without qualifying which poor people he meant, is required to fulfill his pledge immediately (Mordechai, Bava Basra 491).

What is hataras nedarim?

Now that we realize that creating obligations is rather extensive, we want to find out, quickly, how to release ourselves from these vows.

Chazal derive from the Torah that one can be absolved from a vow, pledge or other such commitment, by a process called hataras nedarim. Hataras nedarim does not, in the slightest way, diminish the reward that one receives for the good deeds performed. It simply removes the continuing obligation to fulfill the vow from the individual who created that vow. Therefore, in the vast majority of circumstances, someone who made a neder should undergo hataras nedarim, so that he releases the obligation from himself and therefore does not violate the neder (see Nedarim 22a).

How does one undergo hataras nedarim?

The person who made the vow or other commitment goes to three Jewish men who understand the logic of halacha and know the basics of how hataras nedarim operates (Shulchan Aruch, Yoreh Deah 228:1 and commentaries). These three form a type of ad hoc beis din for the purpose of releasing vows. One of the three should be a talmid chacham, proficient in the laws of hataras nedarim – and he should be knowledgeable concerning which vows one may not annul (Shulchan Aruch, Yoreh Deah 228:14; Kitzur Shulchan Aruch 67:8).

The nodeir, the person who made the vow, shares with the three (or, at least, with the talmid chacham who is proficient in the laws of nedarim) the content of the vow, oath, or good practice from which he desires release and why he seeks relief. The talmid chacham asks the nodeir several questions that must be answered truthfully. The talmid chacham thereby determines whether there are valid grounds to release the nodeir from the commitment (Shulchan Aruch, Yoreh Deah 228:14). Only a talmid chacham who understands the very complicated laws of vows should undertake hataras nedarim, because many details must be met for the hataras nedarim to be valid. (The details of what constitutes an adequate basis for hataras nedarim are beyond the scope of this article.)

Once the talmid chacham feels that there are adequate grounds for hataras nedarim, the beis din declares the neder or other commitment annulled by declaring, “mutar lach, mutar lach, mutar lach” – the activities prohibited by the vow are now permitted. Of course, in the case of a vow to do something, the words mutar lach mean the reverse – the person is no longer obligated to carry out the vow.

Someone who violated his vow prior to performing hataras nedarim has sinned, and is required to perform teshuvah for his or her infraction.

The difference between a neder and a shevuah

There is a halachic difference between performing hataras nedarim to release someone from the obligation he created with a neder, and performing hatarah after someone recited a shevuah. Whereas, in most instances, one should arrange to release someone from a neder, one annuls a shevuah only under extenuating circumstances (Rema, Yoreh Deah 203:3; Rambam end of Hilchos Shvuos). Explaining why this is so will need to wait for a future article.

When has a vow or an oath been created? We'll discuss that next week -- bli neder – when we continue this article.

לע"ו

שרה משא בת ר' יעקב אליעזר ע"ה
ביילא בת (אריה) לייב ע"ה