

INTERNET PARSHA SHEET
ON SHLACH - 5760

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PENINIM AHL HATORAH: Parshas Shlach
BY RABBI A. LEIB SCHEINBAUM
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And Moshe called Hoshea Ben Nun Yehoshua. (13:16)

Chazal tell us that Moshe added the "yud" to Hoshea's name, so that his name would now begin with the letters of Hashem's Name. (yud-hay) Moshe apparently suspected that the spies were not acting in good faith. Realizing the disaster that awaited his student, Moshe prayed that Yehoshua be spared and not fall under the influence of the other spies. The obvious question is why Yehoshua merited his prayers more than Calev or anyone else for that matter? The commentators offer various reasons for this. Horav Meir Bergman, Shlita, cites Horav Chaim Shmuelevitz, zl, who offers a profound analysis.

In the Talmud Bava Metzia Chazal relate that when Reish Lakish passed away, Rabbi Yochanan, his rebbe and colleague, became ill. He simply could not tolerate the death of his closest student. His colleagues, seeing that Rabbi Yochanan was apathetic, prayed for his death, so that he would be relieved of his overwhelming pain and anguish. Rav Chaim wonders why did they not pray for him to be healed. Was death a better alternative than relief from his sickness? Apparently, Rabbi Yochanan sustained an unreplacable irreparable loss; healing him would not remedy his circumstance. Rabbi Yochanan could not go on without his unique student. Life without him was simply not life.

Let us now attempt to understand Rabbi Yochanan. He was the Tanna who was struck by tragedy many times. Chazal relate that he had ten sons who all died during his lifetime. In fact, he kept a small bone from his tenth son that he would take with him when he went to console others who had sustained a similar loss. He sought to show them that Hashem gives one the energy to persevere. He consoles the mourner. This is enigmatic! Rabbi Yochanan was a man who was able to overcome such crushing blows one after another, to bury ten children and be able to maintain himself so that he could console others. Yet, he lost his mind when his student died! How are we to understand this?

We derive from here the essence of a Torah relationship between a rebbe and talmid. The Rambam in Hilchos Rotzeach 7 writes that if a rebbe must be exiled because he killed someone unintentionally, his talmidim are to go with him. For a person who devotes himself to Torah, this relationship is his lifeblood without which he will perish. We now understand why Moshe singled out Yehoshua for prayer. Moshe could not live without his prime talmid. With whom would he share his Torah? Yehoshua was the quintessential student who was devoted to his rebbe b'lev v'nefesh, with heart and soul. For Moshe to lose Yehoshua would be to lose a part of his life.

We may supplement this idea. There was an even greater dread presented to Moshe. If Yehoshua would have died, as tragic as it would have been, Moshe would have been able to heal. In this circumstance, however, Moshe feared for Yehoshua's spiritual life, not his physical one. What greater pain could there be for Moshe to endure than to see his favorite, most promising student rebel against the Almighty? Is there

B'S'Diny wonder that Moshe prayed for him?

Horav Bergman suggests a different reason that Moshe's talmid Yehoshua needed an extra prayer on his behalf. A person's sins also blemish the neshamah of his descendants. We infer this from the mekalel, blasphemer, who the Torah emphasizes was the son of Shlomis bas Divri. Chazal tell us that Divri is a reference to the mother's character, rather than her name. Shlomis had a tendency to prattle endlessly. The content of her conversation was not always complimentary. This had an effect upon her son who, when he grew up, used his mouth in the most reprehensible manner. In contrast to this story, Chazal tell us that much of the reward and good will of which Klal Yisrael was the beneficiary was due to the two words, naase v'nishmah, "we will do and we will listen," uttered by their ancestors at Har Sinai.

Yosef Ha'Tzaddik spoke about his brothers in what might be viewed as in disparaging manner. The Torah says, "He brought evil reports of his brothers to his father." While Yosef's intentions were apparently noble, he, nonetheless, did speak lashon hora about his brothers. This would have left a serious blemish upon his descendants. Indeed, the Ramban says that when the Torah delineates the spies' ancestry according to their tribe, it attributes Shevet Yosef to Menashe, since the spy from Menashe slandered Eretz Yisrael, while Calev, the spy from Shevet Efraim, did not. The taint of lashon hora which emanated from Yosef left an impression on his descendants from Menashe. Moshe Rabbeinu feared that this stain might also infect his talmid, Yehoshua, a descendant of Efraim. He, therefore, interceded on his behalf for that extra protection.

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"RavFrand" List - Rabbi Frand on Parshas Shlach -

Sarah's Message Passes to Yehoshua by Way of the Yud

Many of us are familiar with a very famous Chazal, a statement of our Sages, in this week's parsha. Before Moshe sent out the spies, he changed the name of 'Hoshea' bin Nun to 'Yehoshua'. The letter 'Yud', which was added to the start of the name, symbolized 'G-d' -- as if to say "May G-d save you from the plan of the spies". Our Sages tell us that this 'Yud' was the same 'Yud' that was dropped from Sarai's name when Avraham's wife's name was changed to Sarah.

Virtually everyone who has picked up a pen to write a commentary on the Torah discusses this Rabbinic teaching. Why Sarah? I would like to share two insights into what it was about Sarah's name that might have been beneficial to Yehoshua at precisely this time.

Rav Elyakim Schlesinger, in his commentary Beis Av, suggests that Yehoshua was in need of strength to help him avoid falling in with bad company. Sarah exemplified such strength. When Yitzchak was a young boy, Sarah realized that he was falling under the influence of Yishmael, and she insisted that Hagar and Yishmael must be sent out of the house. She knew what type of influence the 'wrong crowd' could have on a person. As cruel as it might have seemed at the time -- to force Avraham to send out his own son -- Sarah realized that it was absolutely necessary -- because of the power and influence of the wrong associations. This is what Sarah stood for.

When Moshe Rabbeinu suspected that Yehoshua would need the inner fortitude and strength to go against the crowd, he imbued Yehoshua with a portion of the name of Sarah -- so that he should gain this aspect of Sarah's own strength of personality.

Rav Nissan Alpert suggests a different interpretation. There is another difficulty in this Parsha. When Moshe Rabbeinu sent out the spies, he gave them a variety of instructions. First, he asked them to make a military assessment of the people and cities of the land. In addition, Moshe asked them to assess the land itself -- in terms of its fertility and intrinsic goodness. When spies are sent on a mission, we

usually view them as a strategic tool. We can readily understand the instructions to assess the military potential. However, the instructions to investigate the land itself in terms of the quality of the fruit and its fertility seems out of place in a spy mission.

The explanation is that Moshe Rabbeinu was not only sending them as strategic spies. Moshe was also trying to instill an attitude in them -- the attitude that "This is your land". Moshe did not want them to go as mere spies, but as "Ba'alei Batim" -- the owners of the land. "Go check out your land -- where your homes will be located. Check out the real estate, check out the farming, check out the productivity." Why? "Because this is going to be your land. You must look at it as if it is already yours."

Approaching Eretz Yisroel [Land of Israel] with the attitude "this is mine" is totally different than the attitude of a normal strategic spy. A spy thinks in terms of whether we will be able to succeed; the owner thinks in terms of how -- what method should we use. That is the spirit that Moshe Rabbeinu wanted to instill in the spies -- that the question is not "whether" -- the question is "how".

Moshe Rabbeinu considered it vital for Yehoshua to understand this idea. There will be no compromise. There is no question. It is ours. Who, in Tanach, said that Eretz Yisroel is ours, lock - stock - and barrel? It was Sarah: "This one will not inherit with my son" [Bereshis 21:10]. Yishmael will not have a portion in this land. It belongs completely to Yitzchak, with no partnership and no compromise. Eretz Yisroel belongs to the Jewish nation. It does not belong to Ishmaelites [descendants of Yishmael]. It is ours.

Therefore, Moshe Rabbeinu took the 'Yud' from the Matriarch Sarah and gave it to Yehoshua. One must enter the Land of Israel with Sarah's attitude.

I am not here to make political statements. This is not an endorsement of any political position. But this is the attitude that we must have -- regarding true ownership of Eretz Yisroel. It is ours because G-d gave it to us. This is the attitude that the spies needed to have upon entering the land -- "Look over your real estate. It is yours and it does not belong to anyone else." That is the only way to conquer Eretz Yisroel.

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Yated Neeman
KORTZ UN SHARF - Short and Sweet Parsha Vertlach by SHAYA GOTTLIEB

Rashi: "B'oso Sho'oh K'sheirim Heim" during that hour when the Meraglim were sent, they were still righteous. Rav Yitzchok Horowitz commented, "Chazal say: For every day of the forty days the spies traveled in Eretz Yisroel, Klal Yisroel were doomed to another year in the wilderness. If one breaks it down into hours, every hour corresponds to half a month. (40 days contains 960 hours, and forty years, 480 months). However, according to the reckoning, Klal Yisroel did not spend a full forty years in the desert. They left Mitzrayim on the fourteenth of Nissan, and arrived to Eretz Yisroel on the tenth of Nissan.

Four days were missing, and another eleven days which Klal Yisroel would have spend traveling anyway. (An average journey from Egypt to Canaan took eleven days) "Achad Osor Yom Machorev Derech Har Seir." This accounts for fifteen days in all, exactly half a month. The cheshbon becomes clear with Rashi's comment, "B'oso Shooh K'sheirim Heim" during the first hour they were still righteous. Therefore, Klal Yisroel's punishment was mitigated by exactly half a month.

From: RABBI ARON TENDLER [SMTP:ravaron@torah.org]
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THE PRICE OF A MOMENT

The 11th Ani Maamin (of the Rambams 13 Principles of Faith) states, I believe with perfect faith that G-d rewards those who keep His commandments, and punishes those who transgress His commandments.

If we believe that G-d rewards and punishes, why do we sin? For most of us punishment is a deterrent and reward is an incentive. If we truly believe that there are consequences for every action, would we ever sin and why aren't we just doing good deeds?

There are two possible answers. 1. We really do not believe that G-d punishes and rewards. 2. We believe in reward and punishment but are willing to chance the possibility that somehow we will get away with it.

The rationale for getting away with it results when we think that we can repent (do Teshuva) and G-d will forgive and not punish. Sometimes we actively decide to sin now and repent later (Rosh Hashanah and Yom Kippur time). Other times we feel that when it judgment day arrives the overall balance of good Vs bad in our records will be in our favor.

The truth is that the whole principle of reward and punishment is a belief and not a fact. We might believe that it is a fact but if we are completely honest with ourselves, we must admit that feelings and intuitions are more responsible for our belief in reward and punishment than having empirical evidence to confirm a doctrine of consequences. It is the absence of absolute proof of consequence that allows an otherwise religious personality to rationalize sin and sinning. It is the absence of absolute proof that allows us to not do a mitzvah. It is the absence of absolute proof that categorizes the doctrine of consequences as the 11th Principle of Faith and not a fact.

My Grandfather Zt"l (of blessed memory) in his Sefer Darash Moshe explained (Bereshis 1:6 & Divarim 30:19) that the human is not the only creation endowed with free will. In fact the angels also possess free will. The difference is that the angels awareness of G-d, His will, and the consequences for listening or not listening to His commandments is a fact and not a belief. It is the certainty of their knowledge of cause and affect that guarantees their compliance to His wishes. Therefore, it is as if they have no other choice but to listen.

My Grandfather Zt"l compared the angels knowledge of consequences to our knowing that fire will burn us and cause great pain. No one in his right mind would willingly put his or her own hand in fire; (obviously there could be extenuating circumstances or pathologies that would be the exceptions) yet, we have the free will to do so if we wish.

The ability to do something will be severely limited by the consequences of that action, if the consequences are known and believed. Every parent and teacher knows that discipline is in direct proportion to the believability of his or her threats. Do as you have threatened to do, and they will believe and listen to your instructions. Do not do as you threaten to do, and they will not believe and they will not listen.

The angels have free will to either listen or not listen to G-d, but they also know the absolute truth of the doctrine of consequences. G-d does and will reward and punish. For the angels it is as willful as our not

putting our hands in fire. We know there will be a consequence and therefore we will not do it. The angels also know there will be consequences, good or bad, and therefore they do G-d's will.

Believing that our actions have consequences is the most powerful motivator possible. If every action had an immediate reward or punishment, our free will would cease to exist. We would only do as He commanded and we would never transgress His wishes. Because G-d does not immediately reward and punish we have the freedom to decide whether we will or will not believe in His consequences.

Imagine if every mitzvah performed would add \$1,000.00 to your bank account. Imagine if every sin transgressed would deduct \$1,000.00 from your account. Imagine if every mitzvah performed would infuse every fiber of your being and consciousness with exquisite feelings of pleasure, joy and well-being. Imagine if every sin would wrack your body with indescribable pain and mental agony. Who among us would ever stop seeking out the next mitzvah opportunity?

What is the reward for a single mitzvah? What is the reward for a single moment of faith? What is the punishment for a single sin? What is the punishment for a single moment of lost faith? In this weeks Parsha we see the extraordinary power of a moment of faith as well as the devastating consequences for a moment of lost faith.

When the Spies returned from their mission to spy out the Promised Land, two heroes emerged. Kalev and Yehoshua. Yehoshua was the quintessential servant of Moshe, and Kalev was the strongest and most courageous of all. Separately and together, Kalev and Yehoshua had withstood the pressures of their peers during their mission and returned to Moshe determined to speak the truth.

The opening report was direct and truthful. The land truly flows with milk and honey and these fruits are proof of the lands bounty. However, also note that the nations that presently inhabit the land are equally impressive. Fortified cities, powerful warriors, sons of giants, and our old enemy Amalek.

Kalev, the representative of the tribe of Yehudah, realized that the Spies were about to launch their plot, so he jumped in with the following confirming statement of encouragement. And he said, regardless of how impressive the inhabitants appear, we can take the land! We can be victorious! Had the other Spies echoed Kalev's enthusiastic optimism, the nation would have proceeded inexorably to capture Eretz Yisroel, build the Bais Hamikdash, and usher in the messianic age. Tragically, that didn't happen. Instead, the Spies demoralized the nation with their pessimism and negativity.

Kalev and Yehoshua attempted to once again regain and regenerate the nations trust. The land that we saw is good. G-d has promised it to us and G-d can do whatever He wishes. Giants and fortified cities are nothing before the power of Hashem! Please, we beg of you, do not lose faith in G-d. Do not rebel against Hashem! Unfortunately, their heroic attempt failed, and if not for G-d's intervention, the people would have killed Kalev and Yehoshua.

The Torah's account of the events clearly identified Kalev's leadership, foresight, wisdom and courage. He attempted to divert the Spies even before their report became insidious. The Chofetz Chaim explained that Kalev let the other Spies believe that he was a part of their plot so that he would be in a better position to undermine their conspiracy. Yehoshua, on the other hand, was known to be the servant of Moshe and could not be persuaded to go against Moshe's leadership. Therefore, Yehoshua was kept out of the plot and was only able to respond after the plot had begun.

In Pasuk 14:24, after Moshe secured G-d's forgiveness for the nation, G-d singled out Kalev for special mention and reward. Whereas the rest of the generation who witnessed my greatness and glory will die in the desert and not merit to inherit the Land, Kalev, My servant, who exhibited such faith in Me will enter the Promised Land and his children will inherit the land. Furthermore, in Divarim 1:36, Kalev's unique

position and reward is repeated in Moshe's final words to the Bnai Yisroel.

My Grandfather Zt"l asked the following question. Why was Kalev deserving of such a great reward? If he had successfully challenged the Spies and won back the nations faith, we would understand why G-d gave such a reward. However, even on the basis of G-d rewarding our good intentions, it would not explain the degree of G-d's appreciation to Kalev. In the end, Kalev failed! The people lost their faith! Why was he still deserving of such reward?

Rav Moshe Feinstein Zt"l explained as follows. When the Spies gave the first part of their report, the nation already began to get discouraged and loose faith. However, when Kalev stepped forward and enthusiastically expressed his own faith and optimism, the people regained their faith and optimism. Had the Spies remained silent, the disaster of the Spies would have been avoided. Tragically, the Spies immediately attacked Kalev's singular voice and the nation again lost their faith in G-d. Yet, for that one short moment, it was Kalev who had renewed the nations faith in G-d and Moshe.

A moment of faith is like a moment of life. The Halacha demands that we transgress the Shabbos in order to protect and save even a moment of life. Likewise, a moment of faith in G-d is of equal importance. How much more so when it is the faith of a nation!

The reward for Kalev's moment of success was to be eternally connected to the people and the Land. He and his descendants inherited the portion of Israel containing Chevron and the Cave of Machpelah. According to some commentaries he eventually ascended to the position of Shofet Judge, following the reign of Yehoshua. (Asniel ben Kenaz)

King David, the great-grandson of Ruth the Moabite, was a direct descendent of Eglon, king of Moab. Why did an evil man like Eglon merit to be one of the progenitors of Mashiach? The Talmud tells us that when Ehud (the Shofet who followed Asniel) approached Eglon with the intention of killing him and saving the nation from his evil oppression, Ehud announced to Eglon, I have a message for you from G-d! The Navi recorded that upon hearing the name of G-d, Eglon rose from his throne in honor of G-d. His reward for that single moment of recognition was to be a progenitor of Mashiach!

The Talmud tells us that the evil Nevuchadnetzar rose to become emperor of the world because of a single time that he honored the name of G-d.

What is the price or value of a single mitzvah? What are the rewards for a single moment of faith? For that matter, contemplate the value of a word of encouragement or a smile.

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From: Rabbi Riskin's Shabbat Shalom
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Parshat Shlach by RABBI SHLOMO RISKIN Shabbat Shalom:
Parshat Shlach Numbers: (13:1-15:41)

Efrat, Israel-- Ever since the Exodus from Egypt, setbacks have plagued the nation - disillusionment, complaints, rebellions - but the reconnaissance mission in our portion of SHLACH is the straw that breaks the camel's back: the egregious sin of the spies. The tragedy of the evil report of ten out of twelve "Princes" of Israel on that fateful ninth day of Av - subsequently the memorial day of both destroyed Temples - reverberates throughout Jewish history, and for good reason! How can a people whose entire raison d'etre was to enter the land of Israel to unfold their destiny as a holy nation, suddenly turn around and subvert this goal

because of an intelligence report! How can the grandchildren of Abraham, whose first command from G-d was "Get thee forth from thy land, thy birthplace, thy father's house to the land (of Israel) which I shall show thee," cast aside the greatest goal of the Patriarchs and Matriarchs, of Joseph, Moses and Aaron, and decide to choose the desert over the land? How can the generation which witnessed the stupendous miracles of the Egyptian plagues and the splitting of the Red Sea throw out the entire book of Genesis, whose closing verses although framed in Egypt, leave no doubt in anyone's mind as to the ultimate direction of the Jewish people. "And Joseph said unto his brethren: I die, but G-d will surely remember you, and bring you up out of this land unto the land which He swore to Abraham, to Isaac and to Jacob. And Joseph took an oath of the children of Israel saying, G-d will surely remember you, and you shall carry up my bones from here. (to be buried in the land of Israel)" (Genesis 50:24-25)

How then is it possible for the Israelites to suddenly abandon their destiny just because conquering the land is not entirely risk-free!

To understand what's going on we have to consider the figure who virtually on his own resists the trampling of the defectors, Caleb the son of Yefuneh.

When the report of the scouts is finally presented to the nation, the wondrous fruits of a land of milk and honey are drastically compromised and rendered meaningless in light of the dangerous types who inhabit the terrain, the giant Hittites, Jebusites, Amorites, who become the focus of the descriptive account (Numbers 13:28). Alone among the spies, Caleb steps forward and "...stilled the people toward Moses and said, 'We should go up at once and possess it (the land) for we are well able to overcome it.'" [Numbers 13:30] Take note that Caleb emphasized "it", the land, totally ignoring the daunting inhabitants previously depicted. From his perspective, "it" is our only homeland; we are well able to overcome all obstacles - because we must! The masses respond by switching the subject away from the land and back to the strength of its inhabitants: "We are not able to go against THOSE PEOPLE, for they are stronger than we" (Numbers 13:31).

Why are the people's attention turned towards the inimical local population, and why do they seem apathetic about the drama and destiny hidden behind every slab of stone and scintilla of sand in the holy land of Israel? How could the Princes of the Tribes have so easily forgotten the goals of Genesis, the vision of our forbears, the patrimony of our Patriarchs?

I'd like to suggest that in this exchange we have an early manifestation of a very significant problem in Jewish life - two radically different ways of carving out an identity, two antithetical attitudes which are especially manifest in the ideological debate threatening to tear asunder the very fabric of contemporary Israeli society.

Apparently, the events in Egypt, the 210 years of slavery culminating in an unexpected, miraculous escape was so overwhelming, that the vast majority of the people began to look upon the Exodus as the beginning of their new-found existence! Indeed, the very first of their newly received and enthusiastically accepted Divine Commandments was, "This month shall be unto you the beginning of months." (Exodus 12:2), a new era is at hand, the first day of the rest of their lives, and the first of the months of the year shall henceforth be NISSAN, the anniversary of the exodus.

A new nation has little time for the memories of those remote grandparents Abraham, Isaac and Jacob. At best they remain relics of an irrelevant past, their staffs and robes, coins and shards, featured in special exhibits of the Lower East Nile Museum. The Israelites see themselves as proud Exodus Jews, relegating the Book of Genesis to a primary source for scholars of Ancient history. But the land so lovingly described and so hauntingly yearned for in the Book of Genesis has no practical application for most of the survivors of the Egyptian enslavement, for the majority of the heroes of the Exodus. Their

immediate logistical question is whether or not the Israelites have a military advantage, the charms and traditions of a particular land notwithstanding. If there is not a clear military edge, then there's no point to continue. Besides, we may very well make do in the desert, or even return to the exile of Egypt!

But not Caleb. It's not that he rejects the report as an exaggeration. On the contrary, he was there, and can vouch for every word. But he carries another spirit within the essence of his being, the spirit of the land of his ancestors, the pull of the G-d given destiny of his nation.

Initially when Moses directs the tribal leaders to embark on their 'spy' mission, every reference is in the plural, as it should be since the text is dealing with the 12 Scouts. But at one point, in mid-verse, we find the following switch: "And THEY went up into the south, but he came [vayavo] unto Hebron." (Numbers 13:22) Rashi (1040-1105) the greatest and most popularly studied of our Commentaries, explains, "Caleb alone went there, and prostrated himself on the graves of the ancestors."

Clearly our Sage interpreters are attempting to explain the source for the unique position of Caleb, and suggest that he understand that the Exodus could only have emerged from the matrix which was Genesis, that the source of the strength of the heroes who jumped into the Red Sea were the teachings of Abraham, Isaac and Jacob. Caleb's nation was not born in Egypt, it was born in Hebron, Israel! Hence, in the very next chapter, when G-d punishes the entire generation because of the sin of the spies, "Surely they shall not see the land which I swore unto their fathers..." He makes one notable exception: But my servant Caleb, because he had another spirit..... him will I bring into the land..." (Numbers 14:23-24) What kind of spirit? I would submit, the spirit of the love of the land and Patriarchs of Israel!

This love of land and tradition is slowly vanishing in modern Israeli "post-Zionist" society, a crisis discussed in great detail in a ground-breaking book by Yoram Hazoni, THE JEWISH STATE. Hazoni questions today's post Ben-Gurion and Golda Meir leadership who are strongly urging rapprochement with the Arab world, even if it means giving up Jewish settlements fraught with historical significance like Hebron, Bet-El and Shilo. To this new generation the land of Israel doesn't quite have the same significance as it did to their elders. Even Shimon Peres, in his book, The New Middle East, urges a vision of Israel as an economic super-power ala Hong Kong, where land assumes far less importance when one creates a skyscraper society where the high-tech geniuses of the Jewish people ply their wares from up high in the penthouse!

In effect, the ideological struggle today in Israel can be seen as a great divide between the Jews, - whose sense of history goes back to Abraham, and to Hebron, with a deep historical and cultural attachment to the land of Jerusalem and to our Bible - and the Israelis, for whom the year 1948 represents a new beginning and a new culture, whose epicenter is Tel Aviv and whose national literature is Amos Oz and Shulamit Har Even. Hazoni rightfully deplores the post-Zionist newly adopted history text books of the State Schools of Israel, in which the War of Independence is falsely depicted as the battle in which we banished the Palestinians, and the Six Day War as the confrontation we initiated in order to occupy Palestinian lands. If, indeed, our history begins in 1948, the Arabs have far more rights to their land than we do, and perhaps we might return to Uganda in order to fulfill our national aspirations. At the very least, a bi-National State of Israel is in order. Only if we recognize our 4,000 year old roots to this land do we deserve to have finally come home - and no nation willingly gives up its homeland, especially after experiencing the cruel vulnerability of homelessness. The ten scouts were Exodus Israelis; Caleb and Joshua were also Genesis Jews. Caleb looked back to Abraham; we need Israeli-Jewish leadership which will look back to Caleb!

Shabbat Shalom

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http://www.torahweb.org/torah/1999/parsha/ryud_shlach.html (last year)
RABBI BENJAMIN YUDIN

Daily Double Acceptance of Mitzvot

Parshat Tzitzit has the distinction of being incorporated as part of the daily mitzvah of Keriat Shema. Every night and morning Jews are to recite 3 parshiot: Shema, Vehayah im shamao, and Vayomer. The reason for this specific order of recitation, even though Vayomer (tzitzit) is written in the Torah before the first paragraph, is given in the first Mishna of the second perek of Berachot: "R' Yehoshua ben Korchah taught that shema precedes vehaya as first one accepts upon himself the yoke of God's sovereignty (kabbalat ol malchut shamayim) and then accepts the yoke of god's commandments. The reason "Vehaya im shamao" precedes "Vayomer" is that the mitzvah of studying (talmud) Torah, which is found in "Vehaya", applies both by day and by night, whereas the mitzvah of tzitzit applies only by day."

The Rambam in the first chapter (Halachah 2) of the laws of keriat shema teaches, in keeping with the gemara in Berachot 12b, that "shema" is recited first as it contains passages teaching the oneness of God, and the commandment to love Him and study His Torah. Vehaya then contains the charge to observe the mitzvot of the Torah, followed by the parshah of tzitzit as this too discusses this charge. What is found in the third parshah of tzitzit that is not contained in the second parshah of "Vehaya im shamao"?

The Rav z"l suggested the following explanation. The halachah clearly states that one is obligated to affix tzitzit to a four-cornered garment; one not wearing such a garment is exempt from the Torah obligation. The Torah does not instruct us to wear a four-cornered garment in order to fulfill this mitzvah. (Gemara Menachot 41a warns that at a time when there is Divine anger and punishment, one is punished even for the neglect of an asseh - the failure to observe a positive mitzvah.) It is for this reason that we recite our acceptance of mitzvot twice daily. The first, "Vehaya im shamao", is for those mitzvot that one must observe, such as shemirat shabbat, kashruth, and returning a lost object. The second acceptance refers to those mitzvot that one does not have to fulfill but wants to. The recitation of Parshat Tzitzit indicates our love for and positive attitude towards mitzvot. Mitzvot are to be viewed as a privilege and not as a burden. Though according to the letter of the law I may be excused from fulfilling a particular mitzvah, I wish to put myself in a situation that will enable me to be obligated to fulfill it. (This applies to mezzuzah and maakah as well.)

Moreover, this follows the powerful lesson recited in Parshat Behaalotcha (8:7) of "Lama nigara?" i.e. Why is it that due to being tameh nefesh, ritually impure after having come into contact with a dead body, we are deprived of the opportunity and privilege of offering korban Pesach? The Jews speaking in the passuk did not have to fulfill the mitzvah of korban Pesach, but they wanted to.

May we be privileged to include these uplifting thoughts in our minds when we recite Parshat Tzitzit daily, recalling our commitment to and acceptance of all mitzvot, not only because we have to, but because we want to!

<http://www.kby.org/torah/parsha/shelach60.html>
Parshat Shelach
IN PRAISE OF ERETZ YISRAEL

Rosh Hayeshiva RAV MORDECHAI GREENBERG SHLITA

Parshat Shelach is the parsha of Eretz Yisrael. In these days, when the media reports seem to lead to the conclusion that the vision of a "complete Eretz Yisrael" is totally lost, and the nation has turned its back to its source, there is a special need to emphasize the connection of our parsha to all generations.

Maran Beit Yosef, in his book "Magid Meisharim" (in which he wrote the words of his heavenly "Magid"), deals with the contradiction between Parshat Shelach and Parshat Devarim. In our Parsha, it says that G-d commanded Moshe to send the spies, whereas in Parshat Devarim it says, "All of you [Bnei Yisrael] approached me." (Devarim 1:22) Furthermore, why was there a need to check if the land was fertile or lean, since Hashem had already promised them that it is good and spacious?

The Magid explained to him, that Bnei Yisrael in that generation were not worthy of entering the land after all the trials that they tested G-d. Yet, G-d, in His mercy, planted in their minds to ask to send spies so that they would appreciate it and tell its praise, and this will be the merit that would allow them to enter the land. The two parshas are, thus, two sides of the same coin; G-d caused them to ask to send spies, and, in fact, Yisrael did ask. However, the princes of the tribes did not stand up to the test, and didn't tell its praise.

From that time, it is incumbent upon the leaders of Yisrael to tell the praise of Eretz Yisrael, to rectify in this way that which they sinned when they disgraced it.

In Midrash Eichah (1:23) it says on the pasuk, "The entire assembly raised up and issued its voice; the people wept that night" (Bamidbar 14:1), that the Hebrew word "raised up" (va'tisa) has the connotation of a debt; that is, a bad debt that they will have to repay throughout the generations, as it says, "When you make your fellow a loan (tasheh)." (Devarim 24:10) "The entire assembly raised up," the entire assembly became obligated to pay this debt.

The sefer "Eim Habanim Semeichah" writes about this:

In vain we pray in all the synagogues and batei midrash, "Our Father, our King, erase in Your great mercy all of our notes of indebtedness," so long as the debt of despising the coveted land still exists on us ... How can we pray that He erase this debt from us, since we are obligated to pay and we have the ability to rectify this?! We find in the history of our nation that there was severe punishment for our foreign attitude towards the land. In the Sefer Rokeach (by R. Eliezer of Worms) it says: Ezra the scribe sent letters to all the cities of the Diaspora that they should go up to Eretz Yisrael. This letter also came to the country of Ashkenaz (Germany!) to the city of Worms, and they responded to him, "You live in the big Yerushalayim; we will live in the little Yerushalayim," because they were very important in the eyes of the officers and the non-Jews, and were very rich and dwelled there in peace and tranquility, Therefore great and harsh decrees are more frequent in the land of Ashkenaz than in other communities." We, more than any other generation, feel to what extent these words were fulfilled! Only through strengthening the love and yearning for Eretz Yisrael can we rectify the sin of the spies, as R. Yehuda Halevi writes in the conclusion of the Kuzari: Yerushalayim will, indeed, be built [only] when Bnei Yisrael will desire it with the greatest desire until they cherish its stones and dirt!

From: Jeffrey Gross[SMTP:jgross@torah.org]
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Subject:Weekly Halacha - Parshas Shelach - Visiting Graves of Tzaddikin

Weekly-halacha for 5760 Selected Halachos Relating to Parshas Shelach

By RABBI DONIEL NEUSTADT

A discussion of Halachic topics related to the Parsha of the week.

For final rulings, consult your Rav.

VISITING GRAVES of TZADDIKIM: HOW and WHY?

The ancient minhag yisrael of visiting and davening at graves of tzaddikim during times of tribulation has many sources in Talmudic literature(1). Indeed, Shulchan Aruch records in several places that it is appropriate to do so on certain public fast days in general(2) and on Tishah B'av after midday in particular(3). Erev Rosh ha-Shanah, too, is a day when it has become customary to visit graves(4). But what is the reason for this? How does it help us(5)?

The Talmud(6) cites two explanations: 1) To serve as a reminder of man's immortality so that one repent while he still can; 2) To ask the dead to pray for mercy on our behalf. [A practical difference between these two reasons, says the Talmud, is whether or not it is appropriate to visit graves of non-Jews [when there are no Jewish graves near by] since even a non-Jew's grave reminds man of his immortality. Nowadays, however, when non-Jews mark their graves with religious symbols, it is no longer appropriate to visit non-Jewish graves even if there are no Jewish graves in the area(7).]

The second reason quoted in the Talmud - to ask the dead to pray for mercy on our behalf - demands clarification. Many people assume that this means that we are allowed to pray to the dead to ask them to help us. This is a serious mistake and strictly forbidden. One who prays with this intent transgresses the Biblical(8) command of "You shall not recognize the gods of others in my presence"(9). It may also be a violation of the Biblical(10) command against "one who consults the dead"(11).

If so, what does the Talmud mean when it says that we "ask the dead to beg for mercy on our behalf"? We find two schools of thought concerning this matter:

Some(12) hold that it means that it is permitted to speak directly to the dead to ask them to daven to Hashem on our behalf. This is similar to the prayers that we find throughout Selichos which are addressed to the malachim. Although the malachim - who are merely G-d's messengers - do not possess the ability to do anything of their own accord, still we may ask them to "deliver" our prayers to Hashem. So, too, it is permitted to address the dead directly and ask them to intercede on our behalf at the heavenly throne.

Others(13) strongly disagree and maintain that this, too, is strictly forbidden. In their opinion, addressing a dead person is a violation of "consulting the dead". What the Talmud means by "asking the dead to pray for mercy on our behalf" is that we daven directly to Hashem that in the merit of the dead He should have mercy on us. We visit the graves only to remind Hashem of the merits of the holy tzaddikim who are interred there.

The practical halachah is as follows. Most of the classical poskim(14) rule in accordance with the second view. Mishnah Berurah(15) also clearly writes: We visit graves because a cemetery where tzaddikim are interred is a place where prayers are more readily answered. But one should not place his trust in the dead. He should just ask Hashem to have mercy on him in the merit of the tzaddikim who are interred here.

But other poskim rule that it is permitted to talk to the dead [or to angels] to intercede on our behalf. In a lengthy responsum, Minchas Elazar(16) proves from a host of sources throughout the Talmud and Zohar that not only is this permitted but it is a mitzvah to do so.

But as we said before, all opinions - without exception - agree that it is strictly forbidden to daven directly to a dead person [or to angel] so that they should help us. The most that is permitted [according to the lenient views] is to ask them to act as our emissaries to Hashem, so that Hashem will look favorably and mercifully upon us.

THE VISIT: PROPER CONDUCT

Upon entering a cemetery, the blessing of Asher yatzar eschem badin is recited(17). The full text is found in many siddurim. This blessing is recited only once within any thirty day period(18).

Before visiting at a grave, one should wash his hands(19). Upon reaching the grave, one should place his left hand on the marker(20). It is forbidden, though, to lean on it(21). Within four amos [7-8 feet] of a grave(22): The tzitzis strings should be concealed(23). Levity, eating, drinking, greeting a friend or engaging in business is prohibited(24). Learning, davening or reciting a blessing is prohibited(25). Many poskim, however, hold that it is permitted to recite Tehillim(26) or the burial Kaddish(27).

One should be careful not to step on any grave(28).

Before taking leave of a grave it is customary to put a stone or some grass on the marker(29).

The same grave should not be visited twice in one day(30).

Upon leaving the cemetery, it is customary to take some soil and grass from the ground and throw it over one's shoulder(31). There are many different reasons for this custom. On Shabbos, Yom Tov and Chol ha-Moed this may not be done(32).

After leaving a cemetery and before entering one's home(33) or another person's home(34), one should wash his hands three times from a vessel, alternating between the right and left hands(35). There are different customs concerning the method of washing(36): The water should drain into the ground and not collect in a puddle. After washing, any water that remains in the vessel is poured out. The vessel is turned upside down and placed on the ground, not handed to the next person(37). Some let their hands air dry and do not use a towel(38). Some wash their face as well(39).

FOOTNOTES: 1 Yosef cried at his mother's grave before going to Egypt (Sefer ha-Yashar); Before being exiled, the Jewish people wept at Kever Rochel (Rashi, Vayechi 48:7); Kalev prayed at Meoras ha-Machpeilah before confronting the meraglim (Sotah 34b). See also Ta'anis 23b. 2 O.C. 579:3. 3 Rama O.C. 559:10. 4 Rama O.C. 581:4. Some go on Erev Yom Kippur as well (Rama O.C. 605:1) while others oppose going on that day; Elef ha-Magen 605:39 quoting Ya'avetz; Divrei Yoel 99:4. 5 Our discussion focuses on visiting graves on fast days and at other times of strife. Do not confuse this with the custom of visiting graves of parents and other relatives (on their yahrzeits and other occasions) whose primary purpose is to elevate the soul of the deceased and to give it "pleasure". 6 Ta'anis 16a. 7 Mishnah Berurah 579:14. See also Kaf ha-Chayim 559:81. 8 Shemos 20:3. 9 Sefer ha-Ikarim, mamar 2, quoted in Geshet ha-Chayim 2:26. 10 Shofim 18:11. 11 Eliyohu Rabbah 581:4. 12 See Shaloh (quoted by Elef ha-Magen 581:13), Pri Megadim O.C. 581:16 and M'haram Shick O.C. 293. 13 The source for this view among the Rishonim is Teshuvos R' Chaim Paltiel (quoted by the Bach and Shach Y.D. 179:15) and Maharil, Hilchos Ta'anis, (quoted by Be'er Heitev O.C. 581:17). 14 Including the Be'er Heitev, Chayei Adam, Mateh Efrayim and Kitzur Shulchan Aruch. 15 581:27. 16 1:68. See also Geshet ha-Chayim 2:26 and Minchas Yitzchak 8:53. 17 O.C. 224:12. This blessing is recited only at a burial plot that contains at least two graves. 18 Mishnah Berurah 224:17. 19 Mishnah Berurah 4:42. 20 Kitzur Shulchan Aruch 128:13. See there also for the text that should be recited at that time. 21 Shach Y.D. 363:3. 22 Note that according to the Arizal (quoted by Mishnah Berurah 559:41) one should never go within four amos of a grave [except at interment]. In Igeres ha-Gra he writes that one should never enter a cemetery at all, and especially not women. [It is commonly accepted that a woman who is a middah does not go to a cemetery at all (Mishnah Berurah 88:7). Under extenuating circumstances a rav should be consulted; see Beis Baruch on Chayei Adam 3:38.] 23 Mishnah Berurah 23:3. Tefillin, too, must be concealed. 24 Y.D. 368:1; Rama Y.D. 343:2. 25 Y.D. 367:3; 368:1. 26 Birkei Yosef Y.D. 344:17. 27 Geshet ha-Chayim 1:16-4. 28 Taz Y.D. 363:1. 29 Be'er Heitev O.C. 224:8. 30 Mishnah Berurah 581:27. 31 Y.D. 376:4. Some do this only after an interment. 32 O.C. 547:12. 33 Kaf ha-Chayim 4:80. 34 Mishnah Berurah 4:43. It is permitted, however, to enter a shul or another public place before washing; Harav M. Feinstein (Moadei Yeshurun, pg. 58). 35 Mishnah Berurah 4:39. 36 Some of these customs do not have an halachic source; they are based on Cabalistic writings and customs. 37 R' Akiva Eiger (Y.D. 376:4). See Zichron Meir, pg. 450. 38 Several poskim write that this does not apply during the cold winter month when the hands will become chapped; see Kaf ha-Chayim 4:78. 39 Mishnah Berurah 4:42.

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From: Nehemiah Klein[SMTP:ndk@hakotel.edu] To: sicha list Subject:

Parshat Shlach 5760 (fwd)

WEEKLY SICHA OF HARAV NEBENZAHAL - PARSHAT SHLACH 5760

The following is a translation of the sicha delivered by HaGaon HaRav Avigdor Nebenzahl every Monday night in the Beit Midrash of Yeshivat Hakotel. We try our best to accurately present to you the Rav's words. The transition from spoken to written word and subsequently translation do not always allow for a literal word for word translation. We would like to thank

HaRav Nebenzahl for allowing us to send you this sicha without his first reviewing the translation. Although it does expedite matters in getting this sicha out to you, it does mean that if there is anything in the sicha that may not be understood, the fault is with us and not with HaRav Nebenzahl. Shabbat Shalom, Nehemiah D. Klein We would like to express our gratitude to Adam Smith & Company which has so generously donated and maintains the computer center at the Yeshiva in memory of HaRav Aryeh Bina zt"l, founder of Yeshivat Hakotel. This enables us to communicate this sicha to you each week - "lehadil Torah ulehaadira". Please say a tefilla for refuah shlema for Baruch Yoseph ben Adina Batya he is the eleven year old son of one of our alumni who is in great need of "rachamei Shamayim".

PARSHAT SHLACH

"The Children of Israel were in the Wilderness and they found a man gathering wood on the Sabbath day" [1] (Bamidbar 15:32). The Zohar explains that this man was not gathering ordinary pieces of wood, rather these were twigs of the "Tree of life" and "Tree of knowledge". (Perhaps for this reason the Torah emphasizes that the incident occurred in the Wilderness - the "mekoshesh" was handling objects who proper place was in Gan Eden - not in the Wilderness. Chazal's approach to this incident is entirely different - see Rashi). How did the wood gatherer encounter these particular trees? Are we not told in Parshat Bereishit that Hashem posted Cherubim to protect and guard Gan Eden, how then were these trees found outside the confines of Gan Eden? The Zohar explains that the "mekoshesh" did not literally gather wood from these trees, but was trying to determine which of the two, the "Tree of Life", or "Tree of Knowledge" was greater. (Here the word "mekoshesh" is derived from the root "hekesh", a term used by Chazal to denote a comparison of two ideas).

What do each of these trees signify? The "Tree of Life" symbolizes that which is completely sanctified to Hashem. Like a Divine Revelation, it possesses no "Knowledge of Good and Evil" [2] (Bereishit 2:17). The will of the A-Imighty alone rules the world. The "Tree of Knowledge of Good and Bad", on the other hand, provides man with free choice. Man can decide to either follow the will of Hashem or not to. The "mekoshesh" was debating which path brings about more Heavenly honor - "automatically" serving Hashem without any free choice (the "Tree of Life"), or making a conscious decision to serve Hashem ("Tree of Knowledge").

On the surface it would appear that the latter choice is more praiseworthy. If one has another option, yet elects on his own to follow the dictates of Hashem, it would appear that he is bringing great honor to the Name of Hashem. The truth is, that the mere fact that Hashem's creations have the option of not serving their Creator is in itself a tremendous "chillul Hashem". Any potential "Kiddush Hashem" resulting from those who elect to follow Him, pales in comparison. This was where Adam HaRishon erred. He followed the counsel of the serpent and put himself in the position of serving Hashem out of choice rather than as an "automation" devoid of free will, able to only carry out the will of G-d.

Of what relevance is this to the Shabbat? After all, the Torah tells us that the "mekoshesh" was stoned for having violated the Shabbat. The answer is that Shabbat is a day whose very essence is Divine Revelation. During the days of the week, Hashem's sole guidance of this world is not readily apparent. Man, through his own toil and effort can fool himself into believing that it is his sowing, planting, etc. that accounts for the seeds bringing forth plants. On Shabbat, man rests from all his labors, making it clear to all that it is Hashem alone who rules. The "mekoshesh" decides, therefore, that the "weekday approach" is preferable to that of Shabbat. In his view, man must be engrossed in a world of actions. If man can pass the test of being active and still believing in Hashem, he will manage to bring tremendous glory to Hashem. This outlook lead to the "mekoshesh", eventually desecrating the Shabbat n an attempt to increase the glory of G-d.

The sin of the spies, which the Torah relates at the outset of our Parsha can be explained in a similar fashion. The spies advised the Jewish people not to enter the Land of Israel. They realized that it was: "a Land that Hashem, your G-d, seeks out; the eyes of Hashem, your G-d, are always upon it, from the beginning of the year to year's end" [3] (Devarim 11:12). Although miracles do occur in Chutz la'Aretz (as was the case with the plagues in Egypt and the splitting of the sea), Divine Providence is far greater in Eretz Yisrael and especially in the Beit Hamikdash which is designated for the occurrence of miracles (see Avot 5:5 for a listing of many of the daily miracles that occurred in the Beit Hamikdash). Given that Chutz la'Aretz is set aside for the other nations to dwell in, it is run more in accordance with the laws of nature. If one can speak in such terms, one can say that "Hashem's eyes" are not focused upon the other lands. Our Land, on the other hand is under Hashem's direct supervision - there is no intermediary. Remaining in the desert in an atmosphere of relative "hester panim" where Hashem's presence is not readily apparent, the spies felt, would place greater value on the "avodat Hashem" of nation.

This explains the juxtaposition between the incident of the "mekoshesh" and the section that immediately follows detailing the laws of Tzitzit. Rashi at the end

of the Parsha tells us that the Mitzvah of Tzitzit is equivalent to all the Mitzvot of the Torah, and the same is said regarding the Shabbat. The Midrash relates that Moshe Rabenu witnessed Shabbat desecration. He reacted by claiming that on a weekday the Tefillin serves to remind the Jewish people not to sin, what sign do they have on Shabbat? Hashem then gave him the Mitzvah of Tzitzit in order that even on Shabbat, a Jew would be reminded not to sin. We can add, that the Mitzvah of Tzitzit alludes to Divine Revelation - the pasuk states "ur-eetem oto" "that you may see it" [4] (Bamidbar 15:39), "oto" perhaps refers to our seeing Hashem. "R' Meir used to say, why is 'tchelet' specified from all the varieties of colors? Because 'tchelet' resembles the color of the sea, and the sea resembles the color of heaven, and heaven resembles the color of the Throne of Glory" [5] (Sotah 17a). The Throne of Glory does not really have a color, but somehow the color of "tchelet" symbolizes the heights of the "Kisei HaKavod". By providing us with this Mitzvah that applies during the weekdays, on Shabbat, in Chutz la'Aretz, as well as in Eretz Yisrael, Hashem is telling us that Divine Revelation exists at any place and at any time. This is in contrast to the "mekoshesh" and the spies who claimed that Hashem's revelation was limited in place or time. Chazal relate the story (Menachot 44a) of a man who was about to sin with immoral conduct. His four Tzitzit appeared before him as four witnesses. As a result, his Tzitzit served to remind him of Hashem's Providence, thus preventing him from sinning.

Why do our Tzitzit today not succeed in keeping us from sin? Firstly, our Tzitzit do not contain "tchelet", it is the "tchelet" which alludes to the Throne of Glory. There is a great debate today as to whether or not we in fact possess "tchelet". In either event, it is highly unlikely that at our level the "tchelet" alone would be sufficient to prevent us from sinning. One of the sons of R' Meir Chadash zt"l pointed out that by the same token, the Shofar blown on Rosh Hashana does not succeed in waking us up from our slumber. We hear the sounds of the Shofar yet we remain on the same level we were on. Why is that? He explained with the following analogy: There was once a very poor Jew who did not even have what to eat. In the same community lived a very wealthy individual who invited the entire community to a festive meal in honor of a "syium" he was making. The poor man, who was among the guests, observed that his host simply rang a bell and immediately water for "netilat yadayim" materialized. Another sounding of the bell resulted in bread being served. This continued for the fish, and meat course, and all the delicacies the meal had to offer. The poor man was amazed at the power of the bell. He decided then and there that the way to rid himself of his constant state of hunger was to purchase such a bell. Much to his surprise and disappointment, though he rang and rang the bell, nothing happened! He had failed to realize that if the fish and meat were not prepared beforehand, the bell would not help at all.

The Shofar is our bell. It only works if our "fish and meat" are properly prepared. Without prior preparation, the Shofar will have no effect. So too with the Tzitzit. The Tzitzit can only remind us of "all the commandments of Hashem" [6] (Bamidbar 15:39), in the appropriate environment. There must be an atmosphere of the "heart" - fear of Hashem and willingness to sacrifice for the Torah. If one is devoid of all this, the Tzitzit will lack any power of deterring him from sin.

The Gemara relates that Rav Pappa asked Abaye why previous generations merited performance of miracles, yet their generation does not. Why was it that Rav Yehuda simply had to remove one of his shoe and it would immediately begin to rain? (It was customary to remove shoes on fast days declared due to lack of rain). Rav Pappa's generation, on the other hand, could pray with all their fervor and still not be answered. The Gemara even points out that Torah study was on a higher level during the generation of Rav Pappa and Abaye than during that of R' Yehuda. Abaye responded: "the earlier generations sacrificed themselves to sanctify Hashem's Name, we do not sacrifice ourselves to sanctify Hashem's Name" [7] (Brachot 20a). The example cited by the Gemara of such sacrifice is that of Rav Adda bar Ahava (a contemporary of Rav Yehuda). Rav Adda saw a woman dressed in a "karbalt" (some explain that this was a red garment considered inappropriate for a modest Jewish woman to wear, while some explain that the garment contained Shaatnez). Rav Adda, mistaking the woman for a Jewess, immediately arose and tore the garment off her. (It later became apparent that she was not in fact Jewish and Rav Adda compensated her accordingly). "For such a generation", said Abaye, Hashem would perform miracles. Whereas in our generation (Abaye's), the word of Hashem was not taken as seriously and we therefore do not merit miracles.

My Rebbe HaRav Chaim Shmuelevitz zt"l questioned the "messirut nefesh" here. Rav Adda was not worried about the authorities killing him for such an act. He did not even think he would have to pay a large sum of money, for he did not realize this woman was not Jewish. What then was the self sacrifice that was so worthy of praise? Rav Adda acted on instinct without weighing all the

consequences and ramifications. Instinctive reactions have led to great losses (it was this that led to Reuven's having forfeited the Kehuna and kingdom). Rav Adda acting out of zealotry for the honor of the Name of Hashem, did not worry about the consequences. We are not on this level and we should not deduce from here that we must act in the future without thinking! If only, however, we would be able to do the right thing after carefully weighing all the pros and cons.

Without the proper "heart", not only do the Tzitzit and Shofar not help to guard against sin, but Torah learning does not either. In fact, the Torah learning can, G-d forbid, become a deadly poison. Chazal (see Rashi Bamidbar 16:7) tell us that Korach was a very wise man with tremendous "ruach hakodesh". He had a vision that Shmuel as well as many "mishmerot", watches, of Leviim were destined to descend from him. The Ar"i HaKadosh points out that combining the last letter of each of the words "tzaddik katamar yifrach" "A righteous man will flourish like a palm date" (Tehillim 92:13), "kuf", "resh" and "chet" spells Korach. What did Korach do with his wisdom and his "Ruach Hakodesh"? He used them to dispute Moshe Rabenu. We cannot truly judge Korach, but based on our limited capability to fully understand the situation this is how it seems. If there is no modesty in one's heart, if there is no fear of G-d, if one's heart is not willing to heed the words of Hashem as told to Moshe, even "Ruach Hakodesh" can be poisonous.

Similarly, the Yerushalmi (Sanhedrin perek 10, halacha 2) tells us that Doeg the Edomite, "the chief of Shaul's shepherds" [8] (Shmuel I 21:8) was great in Torah learning. Rashi tells us that he was the head of the Beit Din. Despite this, the Mishna (Sanhedrin 90a) tells us that he has no share in the World to Come. This is due to the "loshon hara" he spoke that eventually resulted in the destruction of the inhabitants of Nov, the city of Kohanim. How did he manage to sink to such a level? Because his Torah study was filled with deceit and lies, while his heart was full of frivolity (see Midrash Shocher Tov 119:50).

Regarding Achitofel we are told: "now the counsel of Achitofel that he advised in those days was as if someone would inquire of the word of G-d" [9] (Shmuel II 16:23). The word "ish", is not written in the Tanach, it is only meant to be read. The Midrash explains that he was not like a man but like an angel. The Yerushalmi points that the Megilla given to Dovid by Shmuel was actually dictated by Achitofel with "ruach hakodesh". This Megillah of the Beit Hamikdash, detailing the construction of the Beit Hamikdash and its vessels) was given to Moshe at Har Sinai and handed down to each succeeding generation (see Midrash Shmuel at the end of chapter 15). Achitofel managed to arrive at its contents without the "messoret". He was such a great man, yet it was specifically his Torah learning, that led him to advise Avshalom to rebel against his father and involve himself in other immoral pursuits. The end result was that Achitofel committed suicide and forfeited his share in the World to Come (see Sanhedrin 90a). Like Doeg, his Torah learning was filled with lies and deceit, and his heart was full of frivolous thoughts. Without the proper heart, the Torah can be deadly.

Yeravam, Chazal tell us (Sanhedrin 102a), was also a Torah giant. What did his Torah lead to? To not recognizing the authority of the Sanhedrin in Yerushalayim and establishing a rival one. His Sanhedrin instituted leap years not in accordance with the proper calculations, and made other rulings that go against the dictates of the Torah. It was the Torah itself that caused him to rebel against the Torah.

Similarly, Achav had tremendous "messirut nefesh" for the Torah. The son of Hadad king of Aram demanded that he hand over the Sefer Torah. Achav was willing to hand over gold, silver, women, and children, anything but the Torah. Aram had a vast army, far outnumbering Achav's mere seven thousand soldiers. Despite this, Achav was willing to wage war in defense of the honor of Torah. Chazal tell us too of his great accomplishments in learning. Where did this lead him? To view Eliyahu as a trouble maker among the ranks of the Jewish people. Why? Because Eliyahu claimed that one must serve Hashem and this must be in Yerushalayim, while Achav preferred to worship the Baal and other forms of avoda zara. Studying the Torah, we see is no guarantee for the path one chooses in life.

Should we therefore conclude that it is better not to study the Torah at all, thereby saving ourselves from this potential poison? Avoiding Torah study may save us from this deadly poison, but life without Torah is death itself! "For they are our life and the length of our days" [10]. Without Torah there is no life. Without Torah one is already dead, deeming it impossible to be poisoned. The way to save ourselves from this potential poison is to study Torah, but as a means for determining what Hashem wants, not what we want. "and do not explore after your heart and after your eyes after which you stray" [11] (Bamidbar 15:39). It is not our heart that should dictate what we should do but the will of Hashem. One whose heart is not in the right place, can end up violating: "Take care lest you forget Hashem, your G-d" [12] (Bamidbar 8:11). The Torah explicitly warns us not to forget Hashem. We must strengthen our love and fear of Hashem. We must accord appropriate honor to Torah scholars and heed their words. The Jewish people during the "chet haegel" did not ask Aharon for a ruling, they dictated to

him what needed to be done and killed Chur for having a different opinion (see Rashi Shmot 32:6). It is not up to us to tell our Torah leaders how they should rule and then accuse them of being from "Beit Shammai" if they do not do so. We understand everything, it is the "gedolim" who do not! If Moshe Rabenu instructs the people to journey the Land of Israel, even if ten "experts" rule that it would not be advisable, it is the word of Moshe that must be heeded. Moshe speaks in the Name of Hashem. If Moshe Rabenu, during the incident with the "maapilim" later tells them not to, they must not enter the Land. This ascent towards the Land of Israel is not only not a Mitzvah, it becomes a sin. "Aliyah" towards the Land of Israel is not a Mitzvah or "aveirah" in and of itself. If Hashem tells the people to proceed, it is a Mitzvah, otherwise it is an "aveirah".

The Jewish people first merited Moshe Rabenu who transmitted Hashem's words directly, subsequently we had prophets relating the words of Hashem. Today we are bereft of this. Despite this, Chazal tell us that a spark of Moshe Rabenu was given to the "gedolim" of each generation. Chazal tell us "if the young tell you to build, and the old to destroy, hearken to the elders, but hearken not to the young, for the building of youth is destruction, while the destruction of the old is building" [13] (Nedarim 40a). This even refers to the Beit Hamikdash. When the elders instruct us to destroy the Beit Hamikdash, it is a "tikun" for the world, whereas when the young instruct us to build it, it destroys the world. Today there are people who are inciting others to ascend onto the Har Habayit to show our sovereignty. The halacha, however forbids us from entering today, in our state of ritual impurity. All the "gedolim" signed such a letter in 5727 forbidding anyone to enter. Entering there, will not only not bring about any "tikun", it may, G-d forbid bring upon Hashem's anger and vengeance. This can result in Hashem's evicting us.

The Arabs are destroying us? This we already know: "for those who say 'Destroy, destroy! to its very foundation'" [14] (Tehillim 137:7). They will be judged for what they have done. This, however, is no justification for the Jewish people entering the Har Habayit. It is bad enough that: "for Mount Zion which lies desolate, foxes prowl over it" [15] (Eicha 5:18), do we need Jewish foxes there as well? In the Kinot of Tisha B'Av we recite that it is better to be bitten by an animal than a human being, and by an Arab or Edomite rather than a Jew. We may not enter the Har Habayit in an impure state, any "maapilim" who attempt to do so are acting against the will of Hashem "and it will not succeed" [16] (Bamidbar 14:41).

"The sparks of Moshe Rabenu exist in every generation and in every Tzaddik". The "gedolim" not only excelled in Torah knowledge but in their sacrifice for the Jewish people as a whole. Moshe said of himself that he was commanded to lead the Jewish people "as a nurse carries a suckling" [17] (Bamidbar 11:12). Today's "gedolim" and that of all generations will go to all means to provide "chesed" for the people. The Roggochover was said to have given his coat in a massive downpour to a man who did not have a coat. R' Chaim Sonnenfeld gave away his shoes during a heavy rain to a man who had wet feet. The "gedolim" do so because it is their desire to cleave to the ways of Hashem. Hashem only gives and does not take.

Our Torah learning must be one of "chesed". We must learn in order to teach others. We must have in mind not only to keep the merit of our learning for ourselves but that it should serve the entire nation as well - as Hashem said: "I would spare the entire place on their account" [18] (Bereishit 18:26). The only way we will succeed in bringing merit for the entire nation, to influence, teach, to bring the Shchina out of exile and back to its proper home, to achieve our goal of bringing about a redemption to the world is to make our Torah one of kindness. It is clear, that a redemption can only come about through our commitment to the Torah and Mitzvot. Which Mitzvot? The ones that Hashem commanded, not those that He did not! He did not command us to enter the Har Habayit in a state of impurity. He commanded us to study the Torah, to involve ourselves in "chesed" and to daven properly. If we follow the dictates of the Torah the way Hashem wants us to and not the way we want to, the Torah will be for us: "a tree of life to those who grasp it" [19] (Mishle 3:18), otherwise it can be a deadly poison, G-d forbid.

"And not explore after your heart and after your eyes after which you stray" [11] (Bamidbar 15:39). How is it possible not to follow our heart and eyes? Without them one cannot study the Torah! What the Torah is telling us is that our hearts and eyes are not the "poskim", they are not the final ruling. Moshe Rabenu instructed the spies to use their eyes: "see the land, how is it?" [20] (Bamidbar 13:18). The spies, however, issued a final ruling based on what their eyes saw. The "posek" has to be the mind, the intellect, and not just any mind, only that of Moshe Rabenu or one of the "Gedolei Yisrael" who carry within them the spark of Moshe Rabenu that was given to each and every generation.

APPENDIX (TRANSLITERATIONS OF SOURCES) [1] "vayihyu Bnei Yisrael baMidbar vayimtzeu ish mekoshes eitzim beYom haShabbat" [2] "hadaat tov vara" [3] "eretz asher Hashem Elokecha doresh ota tamid einai Hashem Elokecha ba mereishit hashana ve-ad acharit shana" [4] "uritem oto" [5] "Haya R' Meir omer: ma nishtana tchelet mikol minei

tzivonim? mipnei shetechelet domeh layam, veyam domeh larakia, verakia domeh leKisei HaKavod" [6] "et kol Mitzvot Hashem" [7] "kamai havu ka masrei nafshaihu akkedushat Hashem, anan lo masrinan nafshi akedushat Hashem" [8] "abir haroi-im asher leShaul" [9] "vaatzat Achitofel asher yaat bayamim haheem kaasher yishal ish bidvar haElokim" [10] "ki hem chayenu veorech yamenu" [11] "velo taturu acharei levavchem veacharei eineichem" [12] "hishamer lecha pen tishkach et Hashem Elokecha" [13] "im yomru lecha yeladim bnei uzkeinim stor, shma lazkeinim ve-al tishma layeladim shebinyan yeladim stirah, ustirat zkeinim binyan" [14] "haomrim aru aru ad hayesod ba" [15] "al Har Tzion sheshamem shualim hilchu bo" [16] "vehi lo titzlach" [17] "kaasher yisah haomen et hayonek" [18] "venassati lekol hamakom baavuram" [19] "etz chaim hee lamachazikim ba" [20] "uritem et haaretz ma hee"

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The Weekly Daf #333 Ketubot 88 - 94 Issue # 333 Parshat Shlach / Korach (in Israel) By RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions
WHEN SELF-INCRIMINATION WORKS

If orphans of a creditor wish to collect their debt from the orphans of the borrower on the basis of a note recording the loan, they must take an oath that their father never told them that the loan was paid and that they found nothing amongst their father's records indicating that it had been paid. Regarding this ruling of the mishna, Rabbi Zerika cited the qualification made by Rabbi Yehuda: The need for such an oath only arises when the borrower's heirs claim that their father already paid; should they claim, however, that he never borrowed, the creditor's heirs can collect without an oath.

This is so, explains the gemara, because anyone who claims he never borrowed is essentially admitting that he never paid. Since the debtor's heirs' claim of never having borrowed is refuted by the debt note presented by the creditor's heirs, it is now considered as if they have admitted non-payment, and there is no longer a need for the oath.

A person's admission of debt is sufficient to obligate him. Although regarding issues of corporal or capital punishment a person is not believed to incriminate himself, in respect to monetary obligations the rule is that "a person is believed regarding himself more than a hundred witnesses."

An interesting application of how he is believed more than witnesses is provided by the Sage Rava (Mesechta Shavuot 41b) in the case of a man who denied ever having borrowed from the creditor making a claim against him. Witnesses came to testify that he had indeed borrowed but had repaid the loan. Rava ruled that the borrower must pay, since his claim of never having borrowed is equivalent to an admission of non-payment, and this admission has more power than the testimony of witnesses who say that he did pay.

This gemara is cited by Rabbi Aryeh Leib Hakohen (Ketot Hachoshen 34:4) as a challenge to the approach of the Mahari Even Lev in explaining why a person is believed to obligate himself although he is considered a relative to himself and therefore disqualified as a witness. His explanation is that we do not actually believe his self-incriminating testimony, but rather view his admission as a self-imposed obligation to make a gift to the claimant. This might apply, argues the Ketot, when one actually admits owing something. But when one claims that he never borrowed, he shows no indication of an interest in making a gift. His own conclusion is that there is a special Torah law requiring us to believe a person's self-incriminating testimony in monetary matters even more than that of many witnesses. * Ketubot 88a

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