

BS"D



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From: RABBI YISSOCHER FRAND  
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"RavFrاند" list - Rabbi Frand on Parshas  
Sh'lach

**The Gravity Of The Sin Of Not Learning From Mussar**

Our parsha begins with the discussion of the Spies -- while last week's parsha concluded with the punishment Miriam received for speaking lashon horah [gossip] about her brother, Moshe. Rashi comments on the juxtaposition of these two sections. Rashi explains that the juxtaposition is a further critique against the wicked spies. They had just witnessed Miriam being punished for inappropriate speech, and they did not learn the appropriate ethical lesson for themselves (hem ra-u, v'lo lakchu mussar).

The Mir Mashgiach, Rav Yeruchem Levovitz, notes that as we read through the narrative of the spies -- as explained by our Sages -- we see they committed many acts of betrayal and rebellion against G-d. Our rabbis interpret their statement "the people of Canaan are stronger 'mimenu'" (normally translated 'than us') as actually saying that the people of Canaan are stronger than Him -- namely, than G-d. In effect they were out and out heretics.

Rav Yeruchem says that in the litany of sins which they committed -- speaking lashon harah about the land of Israel, questioning G-d's omnipotence, and many other acts of theological rebellion climaxing in total heresy -- it is strange that the sages criticize them for "not taking the appropriate ethical lesson".

This is equivalent to a person who steals a car, robs a bank, shoots the guard and takes the customers hostage. He is indicted for robbery, kidnapping, and murder. Would we expect to find appended to such an indictment that he parked in a fire lane?

Rav Yeruchem explains that the crime of failing to learn the appropriate ethical lesson is not such a minor crime. In fact, all the other crimes stem from this one source.

There are events that continuously occur in our lives that are subtle messages being sent to us by the Master of the World. Some of the messages are subtle; some are not so subtle. G-d wants us to hear the message. If we hear that message, we will not go astray.

The incident with Miriam was a watershed event in Jewish history. It should have had a profound impact. It should have made a powerful impression on everyone's life concerning the terrible sin of critical speech. Had the spies looked at this incident carefully and become different people because of it, they would not have committed the sin of delivering a negative report about the land of Israel!

This concept is not limited to the spies. We frequently witness significant events but fail to learn the appropriate message.

Parking in a fire lane does not inevitably lead to the other crimes in the arraignment. It does not follow that the person will then rob and kill and

kidnap. However, "hem ra-u v'lo lakchu mussar" -- the fact that people are obtuse to the messages that bombard us throughout our lifetimes does eventually lead do the worst of sins, up to and including out and out heresy.

We Must Be Worthy of Reaping the Bounty of the Land of Israel  
Rav Naftali Tzvi Yehudah Berlin (the Netzi"v) comments in his He'emek Davar commentary on the sentence structure of the response of Calev and Yehoshua to the report of the other ten spies: "the land that we passed through, to spy it out -- the land is very, very good! If Hashem desires us, he will bring us to this land and give it to us, a land that flows with milk and honey." [Bamidbar 14: 7-8]. The modifier "a land that flows with milk and honey" should immediately follow the phrase "he will bring us to this land". The grammatically correct way to express the thought is to put the words "and give it to us" at the end of the sentence, rather than between the noun land and its modifier.

Why does the Torah phrase the verse in this way? The Netzi"v writes that the land of Israel is not like any other land in the world. In any other geographical location, if the land is good, fertile, and blessed with natural resources, then any people who live there will be able to reap its bounty. The only trick would be to get onto the land and perhaps capture it.

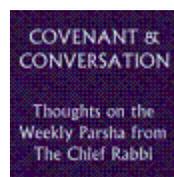
The land of Israel is different. It may be good, it may be flowing with milk and honey -- but merely being there does guarantee that a nation will be able to reap its bounty.

The United States is a bountiful country. It is blessed with amber waves of grain. It is rich in natural resources and it is a beautiful land. The original colonists and the pioneers who developed this country spread out and conquered the land, and the land and its bounty became theirs. The Napa Valley in California is among the most fertile areas in the world. All one needs to do is plant the grapes in the ground, and they will grow bountifully.

However, it is possible to arrive in the land of Israel and not automatically merit the blessings of the land. The only way to merit its blessings is through G-d deciding to bestow them upon the inhabitants. To merit that, the inhabitants need to be worthy of receiving those blessings.

This is implied in the strange sentence structure of the pasuk. "And G-d will bring us to this land". But once we get there we still need his help. Therefore the pasuk continues "and he will give it to us" (assuming we will be worthy of it). Only then will it prove itself to be "a land that flows with milk and honey".

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Covenant & Conversation  
Thoughts on the Weekly Parsha from  
RABBI DR JONATHAN SACKS  
Chief Rabbi of the United Hebrew Congregations of  
the British Commonwealth  
[From last year] Shelach

## THE EPISODE OF THE SPIES SEALED THE FATE OF A GENERATION.

A failure of nerve condemned an entire generation to remain in the wilderness. Why and how did it happen?

The Torah is a unique document. As G-d's word to His people, it communicates at many levels, some on or near the surface, others buried deep, appearing only after the most persistent excavation. In the case of the spies, the surface narrative is gripping, the sad story of a people not yet ready for freedom. More deeply however, we find an unexpected connection between the spies and an aspect of Jewish law - the command of tzitzit, the 'fringes' on garments - with which our sedra ends. On the face of it, the two passages could not be less alike. There is no apparent connection between them whatsoever. Properly understood, however, they belong together - the second a response to the crisis described in the first. Jointly, they constitute a dazzling study in the psychology of perception. But first, the story.

For years the Israelites had cried out for freedom. At last their prayer was answered. After a succession of miracles, they left Egypt, crossed the Red Sea, and were ready to enter the promised land. Preparing for that event, Moses sent spies to bring back a report of what the land, its people and defences were like. There were twelve of them, one from each tribe.

They returned and delivered a demoralising message. Yes, they said, the land is indeed 'flowing with milk and honey.' But the people are strong and the cities well fortified. Calev, one of the spies, interjected, sensing the dismay among the people. We can do it, he says. We cannot, ten of the others reply; 'We were in our eyes like grasshoppers, and so we were in their eyes.' That night, the people wept (the sages called it 'a weeping for generations' and linked later tragedies to it). Their collective resolve, always fragile, collapsed completely:

'If only we had died in Egypt! Or in this desert! Why is the Lord bringing us to this land only to let us fall by the sword? Our wives and children will be taken as plunder. Would it not be better for us to go back to Egypt?' 1

Then they add the fateful sentence: 'Let us choose a leader and go back to Egypt.' At this, G-d becomes angry. As He had done at the making of the Golden Calf, He threatens to destroy the people and begin again. Moses prays and G-d relents, but insists that none of that generation would live to enter the land, except the two spies, Joshua and Calev, who dissented from the majority report.

Were the ten spies right in their assessment? They could not have been more wrong. A later and parallel passage, read as the haftorah for Shelach, tells of how, a generation later, Joshua sent spies to Jericho where they were sheltered by a prostitute, Rahab. Her description of the mood of the local population is an ironic counter-commentary to the words of the earlier spies:

'I know that the Lord has given this land to you and that a great fear of you has fallen on us, so that all who live in this country are melting in fear because of you. We have heard how the Lord dried up the water of the Red Sea for you when you came out of Egypt, and what you did to Sichon and Og, the two kings of the Amorites east of the Jordan, whom you completely destroyed. When we heard of it, our hearts sank and everyone's courage failed because of you, for the Lord your G-d is G-d in heaven above and on the earth below.' (Joshua 2: 9-11). 2

The truth, in other words, was precisely the opposite of what the spies believed. Far from grasshoppers in the eyes of giants, the Israelites were giants in the eyes of grasshoppers. The spies should have known this. A year earlier they had joined the other Israelites in the Song at the Sea, saying:

The nations will hear and tremble; Anguish will grip the people of Philistia. The chiefs of Edom will be terrified, The leaders of Moab will be seized with trembling. The people of Canaan will melt away; Terror and dread will fall upon them. (Ex. 15: 14-16)

3 The spies were wrong. They saw the land and its inhabitants, but misinterpreted what they saw. Why?

The Sedra of Shelach has a structural peculiarity. It begins with the spies but ends with the law of tzitzit, which we recite as the third paragraph of the Shema:

Speak to the Israelites and say to them: Throughout the generations to come you are to make fringes on the corners of your garments, with a blue cord on each fringe. They shall be for you as fringes, and you shall see them and remember all the commandments of the Lord and keep them. You will then not go your own wanton ways, led astray by your own hearts and eyes. [Num. 15: 37-39] 4

On the face of it there is no connection between these two passages. One is a narrative, the other law. The first describes a moment of history, the second a command for eternity. Yet there is a linkage between them - one however that we only notice by the most careful listening.

One of the ways the Torah establishes connections between apparently unrelated passages (nowadays known as 'intertextuality') is through the appearance in both of the same key word. In a halakhic context, this is called *gezerah shavah*, 'verbal analogy'. More generally, scholars have drawn attention to *leitwörter* or 'motif-words'. The occurrence of the same word in different texts sets up resonances between them. This, as ancient sages and modern scholars concur, is no accident but a distinctive feature of biblical style.

There are two such verbal links between the story of the spies and the law of tzitzit. The first is the verb *u-re'item*, 'and you shall see'. This occurs only three times in the Mosaic books, two of them in our sedra. Moses commands the spies, 'And you shall see what the land is like' (13: 18) 5. Of the fringes he says, 'and you shall see them and remember all the commandments of the Lord.' 6

More conspicuously, the sedra uses an unusual word to describe the key activity of the story, namely 'to spy'. The Hebrew Bible has a standard word meaning 'to spy', *le-ragel*, from which we derive the words *meragel* and *meraglim*, 'spy' and 'spies'. When the brothers come before Joseph in Egypt to buy food and fail to recognise him, he accuses them of being *meraglim*, spies (Bereishith 42) 7. The word appears seven times in that chapter - a significant number often used (along with three- and five-fold repetitions) to signify a motif word. When Moses, toward the end of his life, recalls the episode of the twelve spies, he too uses the verb *le-ragel* (Devarim 1: 24). When Joshua sends spies to Jericho, the Bible calls them *meraglim* (Joshua 2:1). Alternatively, the act of spying is sometimes described (Devarim 1: 228, Josh. 2: 2,39) as *lachpor*, meaning, 'to explore, search out, look carefully at.'

We would have expected one or other of these terms to be used in our passage. In fact, neither is. Instead the word used is *la-tur*. In the main narrative (the description of the spies and their return) it is used seven times (Bemidbar 13: 1, 16, 20, 25, 32, 31 [twice]; 14:7). In the sequel (the punishment of those involved) it appears three times (14: 34, 36, 38). These repetitions, and the use of a rare verb, are clearly intended to draw our attention to the word. It is precisely this verb that the Torah uses in the law of tzitzit to explain what the fringes are meant to prevent, namely being 'led astray by your own hearts and eyes.'

This verbal connection is entirely missing in translation, since 'to spy' and 'to be led astray' are (in English) two quite different things. In Hebrew, however, the echo is unmistakable - *veyaturu* in the case of the spies, *velo taturu* in the case of tzitzit. They sound similar because they are the same verb. The law of fringes, in other words, is designed precisely to avoid the error that occurred in the case of the spies. Law and narrative turn out to be intimately connected. What links them are verbs for 'seeing' and 'spying'. What is at stake is perception, the testimony of our eyes.

One of the great achievements of social psychology in the twentieth century has been to chart the difference between the way we perceive objects and the ways we form impressions of people. People are not

objects: they behave, interact with other people, have thoughts, emotions and intentions, motives, plans and desires. To a far greater extent than objects, they do not reveal themselves through surface appearances alone. In fact, we go to considerable lengths to hide surface appearances. The first things Adam and Eve do after eating the forbidden fruit are to conceal their bodies by making clothes, and then to try to 'hide' from G-d among the trees of the garden (Bereishit 3: 7-8).

Opaqueness is part of the human condition. We can never be sure what someone else is feeling or thinking. Expressions can serve as cues (wincing as a sign of pain, crying of grief, and so on), but they can be dissimulated. Hence the importance of speech. The Targum calls mankind 'the speaking animal'. Through words, conversation, talking together, we convey to others our feelings and intentions. The Hebrew Bible is a profound meditation on language. In Judaism, words create ('And G-d said . . . and there was') and can also destroy (lashon hara, 'evil speech'). The greatest command is to listen (Shema Yisrael). Judaism is a religion of the ear, of hearing.

Seeing, by contrast, can be far more deceptive. Experiments in social psychology have shown how deeply our impressions of people are formed, not by what we see, but by what we expect to see. In one famous test, students were given a description of a guest lecturer before he entered the room. One group was told that he was intelligent, skilful, industrious, warm, determined, practical and cautious. A second group was given the same list of traits, with one difference: the word cold was substituted for the word warm. After the lecture, students were asked to give their impressions of the speaker. The 'cold' group found him to be more unsociable, self-centred, irritable, humourless and ruthless than did the 'warm' group, despite the fact that they had heard the same talk from the same person (H. H. Kelley, 'The warm-cold variable in first impressions of persons', *Journal of Personality*, 18: 431-39).

Likewise, we make judgements of character on the basis of physical appearance. A Wall Street Journal survey, for example, showed that tall college graduates (6'2' and over) received average starting salaries 12.4 per cent higher than those under 6 feet. The individuals elected as President of the United States during the 20th century were almost invariably taller than their opponent. Three thousand years ago the Torah noted this fact and indicated how fallacious it was. The first man chosen to be king of Israel, Saul, was 'a head taller than anyone else' (I Samuel 9). However, he proved to be a man of weak character. When Saul failed and G-d sent Samuel to anoint a son of Jesse in his place, the prophet was impressed by Eliav, but G-d told him, 'Take no account of it if he is handsome and tall; I reject him. The Lord does not see as man sees. Men judge by appearances, but the Lord judges by the heart' (I Samuel 16: 6-7). Appearances deceive. That is the central theme of the story of the spies.

It was R. Menachem Mendel, the Kotzker Rebbe, who drew attention to the key error of the spies. They said: 'We were in our eyes like grasshoppers, and so we were in their eyes.' The spies were entitled to say the first half of the sentence, said the Kotzker. It accurately described how they felt. They were not entitled to say the second half. They had no idea of how they appeared to others. They merely inferred it and - as book of Joshua makes clear - they were wrong. They assumed that others saw them as they saw themselves. They projected their sense of inadequacy onto the external world, with the result that they misinterpreted what they saw. Instead of people, they saw giants; instead of cities, impregnable fortresses. They were afraid; therefore they saw reasons to be afraid. But their fear was not in the world but in the mind. Millennia before the birth of psychology, the Torah signalled that there is no such thing as the 'innocent eye'. We do not simply see what is there. We select and interpret. We notice some things but not others. We make inferences on the basis of pre-judgements. But we are not aware of this. The result is that we believe what we see (or what we think we see). The truth, however, is often the opposite: we see what we believe (what we

expect, or want, to see). The Torah conveys this with stunning elegance and brevity - by using the one word, la-tur, that means both 'to see' and 'to be led astray'.

This is the significance of tzitzit. Tzitzit help us see what is actually there, not what we fear is there. The third paragraph of the Shema contains the phrase, 'led astray by your own hearts and eyes'. The order of the nouns is odd. We would have expected the Torah to say, 'by your own eyes and hearts'. In fact the New English Bible does just that. It deliberately reverses the order, because putting the heart before the eye seems to make no sense. As Rashi says in his comment to this phrase: 'The eye sees, the heart desires, and the body commits the sin.' It should by now be clear, however, that the Torah is making a deeper point. The heart determines what the eye sees. Those with faint hearts see a world filled with danger. Those with strong hearts see the same world, but it is not filled with danger. Yes, it contains risks, but that does not make them dismayed (Joshua and Caleb said: 'G-d is with us; don't be afraid'). In the deepest sense, tzitzit are an antidote to the sin of the spies. They saw, but misinterpreted what they saw, because they doubted their ability to overcome their opponents. They attributed to objective reality (sight) what was in fact, subjective self-doubt. Had that been a rare phenomenon, the Torah would not have legislated against it. It is, however, anything but rare. It is one of the most common and fateful errors of mankind.

Tzitzit are more than an outward sign of Jewish identity. They are more even (as the Torah says) than a way of remembering the commandments. They are a call from G-d to see the world through Jewish eyes. Faith is the courage to see reality precisely as it is - because it takes courage to see things as they are. Often we are guilty of wishful thinking, seeing the world as we would like it to be. At other times we are guilty of defeatist thinking, blaming the world for what are, in fact, failings in ourselves ("The fault, dear Brutus, is not in our stars but in ourselves, that we are underlings"). This latter was the error of the spies, and it cost an entire generation the chance to enter the promised land. How do we have the courage to see things as they are? By looking at the tzitzit, their original thread of blue reminding us of heaven. When we know that G-d is with us, we can face reality without self-deceit or self-defeat. Not by accident, therefore, is the command of tzitzit, which is about seeing, the third paragraph of the prayer Shema which is about hearing ("Hear O Israel"). The perennial lesson G-d taught after the episode of the spies is this: first we must hear with our heart before we can learn to see with our eyes.



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RABBI YAAKOV HABER

THE CHEIT HAM'RAG'LIM AND THREE MITZVOT

After describing the calamitous episode of the m'rag'lim, whose evil report about the Holy Land led to a disastrous, Divine decree that the entire generation that left Egypt would die in the desert, curiously, the Torah commands three, seemingly unrelated, mitzvot. First, the commandment of nisuch hayayin or the wine libations to be poured on the mizbei'ach in conjunction with certain korbanot appears. This is followed by the commandment concerning challa, the separation of a portion of dough to be given to the kohein. The Torah concludes the parasha by describing the mitzva of tzitzis, the fringes worn on all four-cornered garments. Immediately following this last mitzva, the Torah returns to the narrative of the Jewish people's sojourn in the desert. Is

there any deeper connection between these three mitzvot, appearing as they do right after the narrative of the spies, and the sin of the m'rag'lim itself?

The Zohar indicates that the motivating factor driving the rashei ha'eida, the leaders of the tribes of Israel who were chosen as the m'rag'lim, to malign the land of Israel was the fear that after they would enter, they would be replaced by other, younger leaders. At first glance, this argument seems self-centered and not befitting of men of their stature. R. Chaim Ya'akov Goldwicht zt"l, the founding Rosh HaYeshiva of Yeshivat Kerem B'Yavneh, explains that this motivation was reflective of a fear of the new spiritual reality with which the Jew entering the Holy Land would be confronted. The midbar experience was almost totally oriented toward direct elevation of the soul and spirit. Moshe taught the B'nei Yisrael Torah directly from Hashem. Heavenly, spiritual bread provided nourishment of only a quasi-physical nature (see Ramban to B'shalach 16:6), water was miraculously provided through a rock that traveled along with the Jews, and clouds sent from heaven, the ananei hakavod, shielded and guided the Jewish people in their travels through the danger-laden desert. In a word, B'nei Yisrael lived in a spiritual oasis; with all their physical needs provided for, they could focus whole-heartedly, without worldly distractions, on the study of Torah and elevating their level of Divine service. Life in Eretz Yisrael for the average Jew would be quite different! Most of them would be farmers, extracting their very physical bread from the earth with the sweat of their brow. Water would have to be diverted from lakes and flowing rivers, and wells would have to be dug. Protection from the elements would have to be furnished by weaving clothing and building structures brick by brick, stone by stone. Of course, in living this more physical existence, the Jewish people would have the Torah as their guide so that all of these activities would be guided by the mitzvot haTorah. But even more so, the Jew would elevate every "mundane" aspect of existence by performing all of these activities "I'sheim shamayim" -- for the sake of heaven -- in order to have the physical infrastructure of sustenance and protection to enable them to utilize the rest of their time in the pursuit of Divine service. Thus, even the secular would be elevated to the level of the holy, fulfilling one of the main purposes of the creation of mankind. Such an existence -- so drastically different from life in the desert -- would require a new generation of leaders who grew up in this environment who would have to replace the leaders of the generation of the desert who lived a more purely spiritual existence. The concern of the leaders of K'lal Yisrael that they would be replaced did not reflect fear of a deflated ego, but a fright of the unknown, new, more physical existence which certainly would be filled with more spiritual danger than the sheltered environment of the Desert. S'fas Emes, the first Gerer Rebbe, provides a fascinating further insight, answering our original question. After the failure of the earlier generation to trust in Hashem that if He had commanded the spiritual challenge of the new lifestyle of Eretz Yisrael, then, by definition, they would be able to succeed in it (see Ramban to VaYeira 21:1), Hashem showed B'nei Yisrael through the above-mentioned mitzvot that far from being an environment leading to a distancing from spirituality, life in Eretz Yisrael would enhance it. The basic staples of life: food, water, and protection had been provided miraculously in the Desert directly by G-d. In Eretz Yisrael, they would have to be developed through human effort. But, for each of these necessities, B'nei Yisrael were to sanctify them through the fulfillment of Divine commandments. Thus, the bread produced from the earth of the Holy Land would be imbued with holiness by separating a portion of the dough as a "t'ruma laShem" -- the challa -- which was then given to the kohein, a representative of that portion of the Jewish people, the members of which would wholly dedicate their entire lives to spiritual pursuits. Drink would be sanctified through the n'sachim of both wine and water poured on the mizbei'ach demonstrating recognition that only Hashem is the true source of all of

the bounty enjoyed by the Land's inhabitants. Finally, clothing, which, on the most basic level, provides protection, would be elevated through the placing of tzitzit on its corners reminding the wearer of all the mitzvot of Hashem. Hashem thus demonstrated that the more physical existence of Eretz Yisrael would also be saturated with spirituality and therefore, in reality, the spies' fear was unjustified. The three gifts effortlessly received by the Jews would be replaced by three similar mitzvot which would reflect the new lifestyle of the Jews. Now they would be required to put in effort to raise the mundane to spiritual heights. By commanding these mitzvot, Hashem was calming their fears of their inadequacy concerning the new reality by precisely directing them regarding the immense potential for kedusha particularly in their new roles.

The Chasam Sofer further highlights the theme of the S'fas Emes in his comments on the second parasha of K'riat Sh'ma. There, we read that if we listen to Hashem's commandments, "v'asafta d'ganecha v'tirosh'cha v'yitzharecha" -- "and you will gather your grain, your wine, and your oil." In B'rachos (36b), R. Yishma'el proves from this text that, for the average Jew, a combined approach of Torah-study with a pursuit of a livelihood is the Torah-mandated norm. R. Shimon b. Yochai disputes this analysis claiming that the ideal is to engage in Torah study exclusively and constantly. The passage adduced by R. Yishma'el, according to R. Shimon, alludes to a time when "ein 'osin r'tzono shel makom," when the Jewish People are not fulfilling the will of the Holy One, for, if they would, their work in the fields would be done by others, freeing the B'nai Yisrael to devote all of their energies to Torah study. [See Bei'ur Halacha (156 s.v. "sofa b'teila") for a crucial resolution of this dispute.] Chasam Sofer suggests that in Eretz Yisrael specifically R. Yishma'el's position would be more relevant for precisely there, the gathering of the grain itself would be a fulfillment of the mitzva of yishuv Eretz Yisrael, of settling and building up the land of Israel. Thus, not only does the Jewish farmer (or accountant, doctor, or technician) of Israel elevate his task through the performance of related mitzvot, but the tasks themselves serve as a fulfillment of Divine command.

Whereas the Torah mandates that a section of K'lal Yisrael emulate the Kohanim and the L'viyim and follow the approach of R. Shim'on b. Yochai and dedicate all of their time to directly spiritual pursuits (see the famous words of the Rambam at the end of Hilchot Sh'mitta V'Yoveil) and thus be able to serve as the spiritual guides of B'nei Yisrael, the approach of the S'fas Emes and the Chasam Sofer highlights the immense spiritual potential inherent within even apparently mundane careers. Whereas this concept is true all over the world, surprisingly, it is all the more applicable in Eretz HaKodesh. As Rabbi Zev Leff noted once concerning the mitzvot of t'rumos u'ma'asros: in the land of Israel, even the fruit wear yarmulkes! May we merit the ability and will to rise to our challenging but ennobling task of dedicating all of our life's pursuits for the sake of Heaven in fulfillment of the directive of "b'chol d'rachecha da'eihu" -- to know G-d in all of our ways.

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THE PRACTICAL TORAH  
RABBI MICHAEL TAUBES

Parshas Shelach: SEPARATING "CHALLAH"

No definitive Halacha LeMa'aseh conclusions should be applied to practical situations based on any of these Shiurim.

The Torah states that the members of Bnai Yisrael were to be commanded that upon their entry into Eretz Yisrael, they would be obligated to separate a portion of any dough that they would knead for a special offering to Hashem (BeMidbar 15:17). The Torah (Ibid. Pasuk 20) refers to this dough offering as "Challah"; the Posuk later in the Torah (Ibid. 18:12), as explained by the Sifrei (Piska 117, Parshas Korach Piska 2), indicates that this offering is to be given to a Kohein. It must be stressed that the term Challah used here has nothing to do with the same term commonly used to refer to the bread eaten on Shabbos and Yom Tov. As implied by Rashi, commenting on the aforementioned Posuk in this Parsha (Ibid. s.v. Reishis), the term Challah here actually refers to the portion of the dough which is separated for the purpose of this offering. The Vilna Gaon (Biur HaGra to Yoreh Deah Siman 328 Sif Katan 2) notes that in the language of the Torah, Challah usually refers to an entire dough mixture, and not just to one separated part of it, but in the language of the Mishnah (in Maseches Challah), Challah refers only to the separated portion; this latter meaning is the one generally implied by the word Challah in common usage and among the Poskim.

The Mishnah in Maseches Challah (1:1) states that one is required to separate the required portion of Challah only from dough which is made of any of the five species of grain, namely, wheat, barley, rye, oats, or spelt; the Rambam (Hilchos Bikurim 6:2) and the Shulchan Aruch (Yoreh Deah 324:1) rule accordingly. The Gemara in Menachos (70b) quoting another Posuk in this Parsha (Ibid. Pasuk 19) which makes specific reference to Lechem (bread), indicates that the product of these five species is called bread, and therefore such a product must have Challah taken from it; the Yerushalmi in Challah (Perek 1 Halachah 1, Daf 1b) asserts that only the products of these five grains are called bread, and thus only such products are subject to the Mitzvah of Challah. Citing this same Posuk (Ibid.), the Tur (Yoreh Deah Siman 329) rules that the obligation to take Challah from the dough applies only to dough which could be baked into bread. Consequently, as stated by a later Mishnah in Challah (Ibid. Mishnah 4), Challah need not be taken from certain dough mixtures which, according to the Gemara in Pesachim (37a), are baked differently than bread, because, as Rashi in Pesachim (Ibid. s.v. U'Peturin) explains, the product of such dough is not called bread. The Shulchan Aruch (Ibid. Sif 1) accepts this ruling, and the Shach (Ibid. Sif Katan 1) explains that the dough must at least potentially be fit to become bread, and bread in general refers to a product made of dough which contains flour and water.

A later Mishnah in Challah (2:2), however, requires Challah to be taken even from dough made with fruit juices instead of water; according to the Rambam (Ibid. Halachah 12) one is required to separate Challah even from dough which is kneaded with other ingredients, such as wine, oil, honey, and the like, instead of water. The Tur (Yoreh Deah Ibid.) writes that according to the Rambam, one must take Challah from dough kneaded with eggs instead of water, while the Rosh was in doubt about this. The Perishah (Ibid. Os 11), among others, notes that in our version of the Rambam, as cited above (Ibid.), there is nothing about eggs, and he suggests that perhaps it was in fact somebody else who said this; the Beis Yosef (Ibid. end of s.v. Issah) suggests that the Tur (Ibid.) may have had a different text of the Rambam, or that he simply derived this from what the Rambam did write (Ibid.). The Perishah (Ibid. and Os 13 Ibid.) also writes that the Rosh was in doubt only about dough kneaded with eggs, but he agreed that dough kneaded with wine or honey must have Challah separated from it. This indeed seems to be the position of the Rosh as articulated in his commentary on the above cited Mishnah in Challah (Peirush HaRosh Ibid. Perek 2 Os 1) and in his Halachos Ketanos, printed in the back of Maseches Menachos (Hilchos Challah end of Siman 3); in both these places, the Rosh concludes that one should not knead dough with only eggs and no water in order to avoid encountering this doubt about whether Challah must be taken or not, as also cited by the Tur (Ibid.). In order to be sure that the Mitzvah of

Challah can be properly performed, one should always add water to the dough and thereby avoid any doubts.

The Rosh in both of the above sources (Ibid. and Ibid.) discusses primarily dough made with fruit juices, which, as implied by the Shach (Yoreh Deah Ibid. Sif Katan 10) and the Taz (Ibid. Sif Katan 7), has the same status as dough kneaded with eggs, as opposed to dough kneaded with water or any other of the seven special liquids listed by the Shach (Ibid. Sif Katan 12) and by the Taz (Ibid.), based on a Mishnah in Machshirin (6:4) from which Challah must unquestionably be taken. Although the Mishnah in Challah (Ibid.) clearly requires Challah to be taken from dough kneaded with fruit juices, as mentioned above, the Rosh (Ibid. and Ibid.) questions whether this is indeed the accepted view, noting that it may be disputed by the implications of the Yerushalmi in Challah (Perek 2 Halachah 1, 12a-12b); he appears to lean towards holding that the view of that Mishnah (Ibid.) is not accepted. This also seems to be the position of the Rosh in a letter sent to the Rashba (Sheilos V'Teshuvos HaRosh Klal 2 Siman 14); the Rashba, however (Sheilos V'Teshuvos HaRashba Chelek 1 Siman 464), responds that in fact the position of the Mishnah (Ibid.) is the accepted one. The Shulchan Aruch (Yoreh Deah Ibid. Sif 9) rules that dough kneaded with fruit juices and without water must have Challah taken from it; the Shach (Ibid. Sif Katan 9), however, rules that because of the view of the Rosh (Ibid.), this should be done without a Beracha. The Shulchan Aruch (Ibid. Sif 10) also recommends that one not knead dough with fruit juices without mixing in any of the seven special liquids, such as water, in order to avoid any problems regarding the obligation or the Beracha. As for the aforementioned rule that Challah is to be taken only from dough which is used to make bread, which would seem to preclude any obligation upon dough made with any ingredients not usually used in bread, the Rashba, in his Sefer Piskei Challah (Shaar 1 Perek 1), as well as the Ohr Zarua (Chelek 1 Siman 768), among others, explain that this rule actually means to require that the dough must be made from the types of grain which could be used to make bread, namely, the above cited five grains. Once one makes the dough out of any of those grains, one is obligated to take Challah out even if one puts in other ingredients not normally used for bread; one is therefore obligated to separate Challah even from dough which is kneaded in order to bake a cake (or cookies).

The Gemara in Eiruvin (83a-83b) discusses the amount of dough one must be baking in order for the Mitzvah of Challah to be in effect, deriving the amount from a Posuk in this Parsha (Ibid. Pasuk 20) which is understood to indicate the amount of dough generally baked by the Jews in the Midbar. According to Tosafos (83b Ibid. s.v. Shivas) this amount is the equivalent of the volume of 43.2 eggs; the number 43 corresponds to the numerical value (Gematria) of the word Challah. The Rosh in his Halachos Ketanos (Ibid. Siman 4) comes to the same conclusion, as does the Rambam (Hilchos Bikurim Ibid. Halachah 15); the Shulchan Aruch (Ibid. Siman 324 Sif 1) rules accordingly, noting, as do others, that this is the amount of flour that there must be in order to generate the obligation of Challah. According to Rav Yosef Eliyahu Henkin (Sefer Eidus L'Yisrael, Ikarei Dinim Os 40), this amount is the equivalent of about five pounds, although he adds that since some say that it is about three pounds, one should separate Challah without a Beracha from any dough which weighs about three pounds or more and recite a Beracha only if it weighs about five pounds or more.

It should be noted that the Mishnah later in Challah (3:1) indicates that Challah may be separated from the dough any time after the water has been added to the flour, meaning, at the start of the kneading process; the Rambam (Ibid. 8:2), citing the same Posuk in this Parsha (Ibid.), and the Shulchan Aruch (Ibid. 327:2) rule accordingly. The Shulchan Aruch adds (Ibid. Sif 3), however, that it is best to wait until after the kneading process is complete and the dough has been made into one unit; the Shach (Ibid. Sif Katan 6) explains the reason for this. The Shulchan

Aruch also adds (Ibid. Sif 5) that if one did not separate Challah while the dough was still raw, one may still fulfill the Mitzvah by separating Challah from the finished baked product; the Sifrei (Piska 110, Parshas Shelach Piska 4) derives this idea from a different Posuk in this Parsha (Ibid. Pasuk 19), which speaks about bread (Lechem), the finished product.

As for exactly how much Challah must be separated from a dough that is the right size to generate this Mitzvah, the Sifrei (Ibid.), based on the Posuk in this Parsha (Ibid. Pasuk 20) which seems to compare Challah to Terumah, indicates that just as there is no minimum amount that must be given for the Mitzvah of Terumah, as stated by the Gemara in Chulin (137b) and as codified by the Rambam (Hilchos Terumos 3:1) and by the Shulchan Aruch (Ibid. 331:19, and see Ibid. Shach Sif Katan 30), there is in fact no minimum amount required for Challah either. The Rambam (Hilchos Bikurim 5:1) and the Shulchan Aruch (Ibid. 322:1) rule accordingly, stating that even the minutest amount of dough may be given for the Mitzvah of Challah. The Mishnah in Challah (2:7) states, however, that (MideRabbanan) the amount that must be separated for Challah is 1/24 of the dough for an ordinary, private person who is baking for himself or his family, and 1/48 of the dough for a baker who is baking for public consumption. The Yerushalmi in Challah (Perek 2 Halachah 3, 14a) indicates that this amount enables something respectable to be given to the Kohein, while the Sifrei (Ibid.) explains that a respectable amount must be given based on the Posuk in this Parsha (Ibid. Pasuk 21); the Rambam (Ibid. Halachah 2) and the Shulchan Aruch (Ibid.) rule accordingly. The Behag, however, is quoted in Tosafos in Bechoros (27b at the end of s.v. V'Ki) as ruling that since today everyone is in a state of Tumah, ritual impurity, and the separated Challah can therefore not be eaten at all, as implied by the Rambam (Ibid. Halachah 14), one takes today only a specific amount of Challah and then burns it. The Rambam (Ibid. Halachah 9) writes as well that the Challah separated today must be burned, as does the Shulchan Aruch (Ibid. Sif 4); the Ramo (Ibid. Sif 5) adds that since nobody today will eat the Challah, it is necessary to take off only the minutest amount from the dough and to burn that, although he adds (Ibid.) that the custom is still to take off a Kezayis of dough for the Mitzvah of Challah.

It should be noted that although MideOraisa, the Mitzvah of separating Challah is applicable only in Eretz Yisrael, indicated by the Gemara in Kiddushin (37a) according to the explanation of Rashi (Ibid. s.v. Chovas Karka), and as codified by the Rambam (Ibid. Halachah 5) and by the Shulchan Aruch (Ibid. Sif 2) who cite the Posuk in this Parsha (Ibid. Pasuk 12) referring specifically to the land, the Gemara in Bechoros (27a) suggests that the Rabbanan instituted that the Mitzvah should be observed outside of Eretz Yisrael as well in order that it should not be completely forgotten. The Rambam (Ibid. Halachah 7) and the Shulchan Aruch (Ibid. Sif 3) rule accordingly. It should also be noted that although the Gemara in Niddah (46b-47a) presents a dispute as to the status of this Mitzvah today even in Eretz Yisrael, it is the consensus of the Poskim, including the Rambam (Ibid. Halachah 5) and the Shulchan Aruch (Ibid. Sif 2), that it is required today, even there, only MideRabbanan. Nevertheless, one who bakes even occasionally ought to be familiar with the laws of this Mitzvah.

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From: Kol Torah [koltorah@koltorah.org] Sent: May 14, 2004  
Celebrating Thirteen Years of Kol Torah  
KOL TORAH A Student Publication of the Torah Academy of Bergen  
County Parshat Behar & Bechukotai  
JEWISH PERSPECTIVES ON MUSIC  
BY RABBI CHAIM JACHTER

The spring and summer are times when there is more time available for leisure activities, including music. Thus, it is appropriate to discuss at this time the propriety of listening to music according to Halacha. The

ideas we will share concerning music apply to a great extent to all leisure activities.

**Broad Perspectives on Music** Before we explore the Halachic issues concerning it, we should review some basic ideas about music expressed in the Tanach and Gemara. The Bible and Talmud are replete with sources in which music and song play a major role. After the splitting of the Yam Suf, for example, Moshe Rabbeinu led the Jewish men in song, and Miriam likewise led the women. The singing of the Levites in the Beit Hamikdash was of major importance. Our daily prayers make prominent mention of this singing. The Gemara (Megillah 32a) strongly encourages us to sing the Torah we study. Two sources in particular demonstrate that the Torah considers music to be very important.

The first source is the fourth chapter of Bereshit (Genesis). The Torah there (verses 20-22) describes some of humanity's first great accomplishments and advances. Included in these advances are the breeding of cattle, the use of iron and copper implements (see the translation of Onkelos), and the development of music. This shows that the Torah regards music as a core achievement of mankind.

The second source is a powerful Talmudic passage that appears on Chagigah 15b. The Gemara (see Rashi ad. loc.) asks how come the great Tanna, Rabi Elisha Ben Avuyah, lost his faith. Why did his great knowledge of Torah fail to protect and prevent him from abandoning the Torah? The Gemara answers that the reason is that "Greek music never ceased to emerge from his mouth." The lesson is obvious. Music has a profound effect on both the individual and the community. The (mostly negative) impact of The Beatles on society during the 1960's and 1970's is a contemporary example of this phenomenon. Music can draw us closer to G-d and His holy Torah or it has the potential, G-d forbid, to lead us astray. With this idea in mind, we are ready to explore some of the Halachic issues concerning music.

**Talmudic Sources** In light of the above, it is not surprising to find that Chazal issued a number of restrictions regarding music. The Mishnah (Sotah 48a) records that when the Sanhedrin ceased to function in Jerusalem, the Rabbis forbade song in the wine houses. The Jerusalem Talmud (9:12) explains the reason for this decree: "At first, when the Sanhedrin was functioning, it was able to impose discipline and prevent the introduction of inappropriate content in song. When the Sanhedrin ceased to function, it could no longer impose discipline, and people would introduce corrupt lyrics into music." The Gemara (Sotah 48a) continues this theme and declares that the song of the chip workers and the farmers was permitted, but the song of the weavers was forbidden. Rashi explains that the permitted songs were not frivolous; they helped the workers and animals perform their tasks. The weavers' songs were forbidden because they served no constructive purpose; it was an entirely frivolous activity. The Gemara on Gittin 7a presents a seemingly more drastic prohibition. The Gemara records that Chazal simply forbade listening to all music subsequent to the destruction of the Temple.

**Rishonim - Rashi and Tosafot** The Rishonim debate to what extent the rabbis prohibit the enjoyment of music in the post-Churban era. Rashi (commenting on Gittin 7a) indicates that the prohibition is limited to singing in a tavern. Tosafot (ibid) support Rashi's contention by citing the aforementioned Mishnah in Sotah. Tosafot argue that this source leads us to conclude that the prohibition applies only to playing music in a drinking house. Tosafot also add two important points. First, they state that it is inappropriate to listen to music excessively. Tosafot cite as proof an anecdote that appears in the Jerusalem Talmud (Megillah 3:2), in which Mar Ukba (a Talmudic authority) chastised the Exilarch (Reish Galuta) for listening to music when going to sleep and waking up – i.e., excessively.

Second, they state that music that is played in the context of a mitzvah, such as at a wedding celebration, is entirely permissible. The Rambam (Hilchos Taanios 5:14) similarly writes that it is permissible to play music of a religious nature. The origin of this

exception dates back at least to the Geonic era, as Rav Hai Gaon espouses this approach. This exception is codified in the Shulchan Aruch (Orach Chaim 560:3) virtually uncontested.

**The Rambam's View** Although Rashi and Tosafot rule fairly leniently on this issue and permit music to be listened to on a moderate basis outside of taverns, the Rambam adopts a much stricter approach. He writes (Hilchot Taanios 5:14) that instrumental music is entirely forbidden (except in the context of religious music), and vocal music without instrumental accompaniment is permitted only if the singing takes place in a context in which wine is not being consumed. The Tur (Orach Chaim 560) cites a responsum of the Rambam in which he adopts an even stricter stand – even vocal music unaccompanied by instruments and not sung in the content of drinking wine is prohibited. The dispute between Rambam and Rashi/Tosafot continues to be debated in the Shulchan Aruch and its commentaries, nineteenth century codes, and contemporary authorities.

**Shulchan Aruch and its Commentaries** Rav Yosef Karo (Shulchan Aruch, Orach Chaim 560:3) rules in accordance with the Rambam's view, but the Rema cites the opinion of Rashi and Tosafot. The Magen Avraham (560:9) cites the Bach, who rules even more strictly than the Mechaber does. Whereas Rav Yosef Karo rules in accordance with the Rambam's view presented in the Mishneh Torah, the Magen Avraham and Bach believe that the Rambam's view presented in his responsum is normative. They rule that music is always forbidden unless it is of religious content and nature.

**Nineteenth Century Codes** This issue continues to remain a matter of controversy between the great nineteenth century authorities. While the Chayei Adam (137:3) and Mishnah Berurah (560:13) cite the ruling of the Magen Avraham and Bach as normative, the Aruch Hashulchan (560:17) seems to adopt a more lenient approach. He does not cite the opinion of the Magen Avraham and the Bach, but he does cite the opinion of the Rema. Whereas the Magen Avraham and Bach are critical of women who sang while doing their work, the Aruch Hashulchan does not criticize them. The Aruch Hashulchan appears to regard the lenient approach of Rashi and Tosafot as acceptable.

**Contemporary Authorities** An interesting argument appears in Rav Yaakov Breisch's responsum on this issue (Teshuvot Chelkat Yaakov 1:62). He suggests that this decree applies only to live music and not to recorded music. This ruling has been applied in practice by some individuals to the periods of time in which it is our custom to refrain from listening to music, such as the Sefirah period, the Three Weeks, and twelve-month mourning period for a parent. However, Rav Moshe Feinstein (in his aforementioned responsum and Teshuvot Igrot Moshe Yoreh Deah 2:137:2) clearly indicates that he does not subscribe to this approach. Rav Ovadia Yosef (Teshuvot Yechave Da'at 6:34) explicitly states that he does not permit listening to music. Rav Shmuel David (a contemporary Israeli Halachic authority) writes in Techumin (13:187) that it is very possible that classical music is not included in the rabbinic decree against listening to music subsequent to the destruction of the Temple. He bases this suggestion on the Maharshal (Yam Shel Shlomo 1:17) who writes that listening to music "to hear pleasant sounds or hear something fresh" is permitted. It is similarly reported in the name of Rav Yosef Dov Soloveitchik that music of the sublime (classical music) was not included in the Rabbinic decree. The decree, in the Rav's opinion, applies only to music of revelry.

This dispute continues to be debated by contemporary authorities. Rav Moshe Feinstein (Teshuvot Igrot Moshe 1:160) adopts a fairly strict ruling in this matter. Although he writes that it is not required to follow the most stringent opinion of the Bach and the Magen Avraham, he regards the strict opinion of Rav Yosef Karo to be normative. On the other hand, Rav Eliezer Waldenburg (Tzitz Eliezer 15:62) endorses the common practice to follow the ruling of the Rema (the view of Rashi and Tosafot) that music in moderation is permitted outside a tavern. Rav Yehudah Amital (Rosh

Yeshivat Har Etzion) told me that he agrees with this approach. In addition, Rav Moshe (Teshuvot Igrot Moshe O.C. 3:87) writes that one should not object to one who follows the ruling of the Rama regarding music.

**Conclusion** What should emerge from this review of Jewish perspectives on music is that we must take care that the music we listen to is in harmony with our Torah lifestyle and goals. Music with lyrics such as "she don't lie, she don't lie, cocaine" is very obviously incompatible with a Torah Hashkafa and lifestyle. The same can be said regarding all leisure activities. Care must be taken to ensure that one's leisure activities enhance one's relationship with G-d and Torah and do not, G-d forbid, detract from it.

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From: Shema Yisrael Torah Network [shemalist@shemayisrael.com]

Sent: June 10, 2004

PENINIM ON THE PARSHA

BY RABBI A. LEIB SCHEINBAUM

Parshas Shelach

And the people mourned exceedingly. They awoke early in the morning and ascended toward the mountaintop saying, "We are ready and we shall ascend... For we have sinned." Moshe said, "Why do you transgress the word of Hashem? It will not succeed." (14:39,40,41) An incredible transformation seems to be taking place before our very eyes. The same people who wept b'chinam, for no reason - who earlier that evening had eschewed Moshe Rabbeinu and Eretz Yisrael - were now prepared to eat their words and push on to the Holy Land. Is there a greater indication of teshuvah, repentance? Immediately after Moshe conveyed to them the consequence of their rebellion, that only their children would enter Eretz Yisrael, they repented - according to the halachic process. They regretted their rebellion by morning. They abandoned their sinful behavior, and they confessed to their sin. We do not find a parallel in Jewish history where immediately after the nation sinned, they repented.

Yet, the Torah does not accept their teshuvah. In fact, they were considered reshaim, wicked, for attempting to ascend to Eretz Yisrael. Why? Horav Avigdor Halevi Nebentzhal, Shlita, explains that while their intentions were possibly noble, their timing was faulty. Hashem had already declared that they were to wander in the wilderness for forty-years. To ascend to Eretz Yisrael at this juncture - after Hashem said no - was rebellious. Hashem had issued His edict. All they could do now was to accept it. Teshuvah is certainly a process by which the sin is expunged, but it takes time and effort. Apparently, their teshuvah was insufficient.

Rav Nebentzhal adds that quite possibly their teshuvah was an improper and incorrect form of repentance. Since their initial regret and ensuing confession were misplaced, their teshuvah was of no value. Only yesterday the people had fallen under the influence of the meraglim, spies, who slandered Eretz Yisrael and Klal Yisrael's ability to triumph against its inhabitants. They were clearly aware that Hashem had said that they would conquer the land. Their mistake was in assuming that Hashem had no control over the giants who inhabited Eretz Yisrael. They acceded to Hashem's awesome power, but they thought that His powers had limitations. When Moshe told them that they were not going to enter the land as a result of their misgivings, they accepted that they had erred. Their error, however, went deeper than they thought. They thought that they had underestimated Eretz Yisrael. Their real sin was in

underestimating Hashem! The next day, they decided to storm the mountain and ascend to the land, because they now realized the critical significance of Eretz Yisrael. What about Hashem? He had said that now was not the time to ascend. Once again, they failed to reckon with Hashem's decree. They did not understand that just as Eretz Yisrael's giants were meaningless before Hashem, so, too, was Eretz Yisrael without meaning if Hashem Yisborach did not want them to go there. The only thing that matters is Hashem's will, and, at the current time, it was not supportive of their endeavor. Indeed, if we consider it, not only did their action not represent teshuvah, in reality it was a continuation of their original sin of not acknowledging Hashem.

There are people who, albeit observant, fail to correlate the mitzvos with Hashem. As far as they are concerned, there are mitzvos - and there is the will of Hashem. For example, we will make the statement regarding an individual, "He is observant, and he is also a great ohaiv Yisrael; he loves Jews, and he loves Eretz Yisrael." This sort of statement can cause one to think that there is a dichotomy between an observant Jew and one who is an ohaiv Yisrael, or ohaiv Eretz Yisrael. These are both aspects of Jewish observance and, thus, included in the Torah. Everything we are to do must be viewed as the ratzon Hashem, will of G-d. It is all part of one large package. We do not cut and paste mitzvos.

This form of equanimity towards the will of Hashem exemplified the European Jew, who never looked for ways to cut corners in mitzvah observance. Hashem gave us 613 mitzvos. They are all equally His will, and, therefore, we are enjoined to observe. The same attitude applied to transgression. If an activity or endeavor was not in accordance with the will of Hashem, they did not look for loopholes to get around the sin. What was wrong remained wrong. Heiteirim, halachic dispensations, were not sought as a means to circumvent various inconveniences. The following story is one of the first stories I heard from my revered rebbe, Horav Tzvi Hirsch Meisels, zl, the Veitzener Rav.

It was Erev Rosh Hashanah, when the Nazi guards of Auschwitz rounded up 1600 youngsters under the age of eighteen for a selektzia, selection, to see who was healthy enough to be kept alive. They put a pole with a cross bar in place and the children had to pass beneath the bar. If their heads reached the bar, they lived. If not, they were condemned to die. In the end, 1400 youngsters were condemned to die on Rosh Hashanah. Horrified fathers and relatives went through the motions of attempting to bribe the guards and kapos on behalf of their sons. There were, of course, men of great reason who refused to redeem their sons at the cost of another child, which was the inevitable consequence of their dealing. If 1400 youngsters had been counted, there had to be that exact number - or else someone else had to take the place of the missing children. On that fateful Rosh Hashanah, a simple, unassuming Jew approached Rav Meisels with a halachic query. "Rebbe," he said in a shaking voice, "my only son, my beloved child, is in that barracks doomed to die. I have money to redeem him, but it will be at the expense of another child. I have already lost everything. My son is all I have left. May I redeem him? Please answer me, and I will submit to whatever you decide." Rav Meisels turned to the father, and with great trepidation, replied, "How can you expect me to give a ruling in such circumstances under such duress? I have no seforim, halachic responsa, to research. I have no one with whom to confer. This is a difficult question for me to decide." Reflecting on the query, a number of thoughts went through Rav Meisel's mind. There were pros and cons, but the bottom line was that it was a difficult shaaleh, with very little logic to permit redeeming the boy. The father kept on begging, crying bitterly, "Rebbe," he pleaded, "you must decide this question while I still have the chance to save my only son."

Rav Meisels begged the man to desist from pressing the question, "I cannot render a proper decision without my seforim."

The Jew persisted, "Rebbe, does that mean that you do not permit me to save my only child? If so, I will willingly accept, with love, your ruling." "No, my dear friend," Rav Meisels countered. "I did not say that it is not permitted. I only said that I cannot reasonably rule either way. Do whatever you feel you should do, as if you had never asked me at all." When the broken-hearted father realized that Rav Meisels could not be swayed into rendering a decision, he cried out passionately, "Ribono Shel Olam, I did what the Torah demands of me. I asked a shaaleh of the rav, the only rav that was available. If you cannot give me an outright heter, then that implies to me that a question in halachah remains regarding granting permission for me to redeem my child. If that is the case, then I abide by this "non"-ruling, even though this means that my child will die tomorrow. I will do nothing to override what the Torah ordains."

Rav Meisels could do nothing to dissuade the father who walked around for the rest of the day with a subtle smile on his face. He felt he was about to sacrifice his only child to Hashem in the manner of the Akeidas Yitzchak. This man's righteousness was exemplary and indicative of a complete temimus, wholesomeness and perfection in his avodas Hashem, service to Hashem: Mi k'amcha Yisrael? "Who is like Your nation Yisrael?"

For he scorned the words of Hashem and broke His commandment; that person will surely be cut off, his sin is upon him. (15:31)

One who humiliates a talmid chacham, Torah scholar, is included in the transgression of dvar Hashem bazah, "For he scorned the word of Hashem." In the Shulchan Aruch, it is cited as a halachah prohibiting embarrassing a Torah scholar, a sin which cuts the sinner off from Olam Habah, the World to Come. The Chafetz Chaim, zl, writes in his Hilchos Lashon Hora that although people understand the gravity of humiliating a Torah scholar, it does not serve as a deterrent. They fall prey to their yetzer hora, evil-inclination, which tells them that the concept of talmid chacham applies only to the days of yore when the leading Torah scholars were the authors of the Talmud. This is categorically untrue. In every generation a standard exists that is appropriate to that generation. A scholar who fits the position of that generation is a talmid chacham who must be respected. One who denigrates a talmid chacham commits a grave sin. I would be so bold as to suggest that this idea applies equally to any scholar in a position of authority, who disseminates Torah to the masses. All too often we view those individuals who teach Torah to our children as employees with whom we deal according to our whims. It is essentially such an attitude that undermines Torah authority and cheapens the entire fabric of our Torah standards. When children perceive their parents' attitude and lack of respect, what should they do? The apple does not fall far from the tree.

The story is related about a man in Yerushalayim, who shortly after the passing of Horav Moshe Feinstein, zl, became very ill with excruciating headaches. He sought the counsel of the greatest specialists, to no avail. Finally, he went to one of the distinguished rabbanim of Eretz Yisrael to ask for his blessing. After the rav discovered that the headaches began during Rav Moshe's levayah, funeral, which was held in Yerushalayim, he immediately asked the man if he had ever touched upon the kavod, honor, of the venerable sage. The man replied in the negative. He would never have impugned the dignity of Rav Moshe. The rav said that he should execute the goral ha'Gra, the Gaon M'Vilna's lot, which would hopefully reveal the source of his illness. This method, which ultimately lands on a pasuk in the Torah which alludes to the answer to one's question, indicated the pasuk in Bamidbar 12:8, "Why did you not fear to speak against My servant, Moshe?" Clearly, this man must have said or done something to impugn the honor of Rav Moshe. At first, the man could not remember anything negative that he had done. Suddenly, an incident came to mind that brought a shudder to the man.

"I remember now what happened. It was Shushan Purim, and Rav Moshe's levayah was dragging on and on. The streets of Yerushalayim were filled with thousands of people who had thronged to the funeral of the gadol hador, preeminent Torah leader of the generation. It bothered me that everyone's simchas Purim was delayed as a result of the funeral. Indeed, I conveyed my feelings to those around me. I now realize that this was insensitive and insolent."

The rav listened to the man and said, "There is a process cited in the Shulchan Aruch which must be carried out in the event the individual who was shamed is deceased. You must go to the kever, grave, of Rav Moshe and assemble a minyan of ten men, and ask mechilah, beg forgiveness, of his neshamah, soul." The man followed the rav's instructions. Soon after, he was healed of his headaches.

Mazel Tov to our dear friends Dr. Louis and Chanie Malcmacher on the occasion of the marriage of their son, Dovid to Dasi Blum May we all share in many simchos together. Jonathan and Edina Heifetz Zelig and Judy Schur Peninim mailing list Peninim@shemayisrael.com [http://mail.shemayisrael.com/mailman/listinfo/peninim\\_shemayisrael.com](http://mail.shemayisrael.com/mailman/listinfo/peninim_shemayisrael.com)

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From: Jeffrey Gross [jgross@torah.org] Sent: June 09, 2004 To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Shelach By RABBI DONIEL NEUSTADT Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav  
**THE STATUS OF BLOOD IN HALACHAH**

In several places the Torah warns against the ancient practice of eating the blood of animals, which was an integral part of demonolatriy and other forms of idolatry.(1)Today, when meat and poultry are already koshered before they arrive in our kitchens, most of us have virtually no contact with animal blood. There does exist, however, the possibility of transgressing the prohibition of eating blood even in this day and age. The following are cases in point:

#### BLOOD IN EGGS:

A blood spot in an egg is not kosher and could possibly render the entire egg not kosher. However, blood in an egg is not forbidden because of the prohibition against blood; rather, it is forbidden because it indicates the beginning of the formation of an embryo inside the egg, and we are forbidden to eat embryos.(2)

The majority of eggs, however, do not contain blood. Accordingly, one is not required to inspect an egg to see if there is blood in it, since we can assume that this egg is like the majority of eggs, which are blood-free.(3)Since, however, it is an age-old custom(4) - practiced throughout the entire Diaspora(5) - to inspect raw eggs before using them, we do inspect them.(6)[It is permitted to eat hard-boiled eggs which were not checked before cooking and cannot be checked once they are cooked, since in this case we rely on the fact that the majority of eggs are blood-free.(7)] B'dieved, if the eggs were not inspected, the food may be eaten. (8)

Nowadays, there is an additional factor to consider. In the United States, Israel, and other countries, the vast majority of eggs are "battery eggs" from which chicks are not hatched. Thus any blood found in them does not prohibit their use. All that is required is to throw away the blood spot; the rest of the egg is permitted. Several contemporary poskim hold, therefore, that today we may be lenient with blood spots in eggs and permit eating the egg, the food with which it was mixed, and the utensils in which it was cooked(9.)

Harav M. Feinstein takes a stricter approach.(10)Although he, too, agrees that according to the basic halachah, battery eggs are permitted, he still advises that it is proper to be stringent and throw away the entire egg, since there is a minority of eggs on the market which are not battery eggs(11.) Harav Feinstein reasons that the centuries-old custom of inspecting eggs and throwing out the bloody ones should not be

abandoned, (12)particularly since eggs are relatively cheap and people do not consider throwing away a bloody egg to be an unjustifiable sacrifice.(13) Based on this view, the following rules apply:

1. All eggs should be checked for a red or dark black spot. A brown spot is not a problem(14).
2. If a spot is found, the egg should preferably be thrown out. If a lot of blood is found [especially if it is found in different parts of the egg], it is strongly recommended that the entire egg be thrown out, since this is a marked indication that it may not be a battery egg.(15)
3. If the egg was not checked and blood was found later when the egg was mixed together with other eggs or other food, the mixture does not have to be thrown out. The blood itself must be removed and discarded. Once the blood is mixed into the food and cannot be removed, the food is nevertheless permissible to eat. The dishes do not become non-kosher nor do they have to undergo a koshering process, although it is proper to wait 24 hours before using them again.(16)

#### HUMAN BLOOD:

Our Rabbis forbade human blood which is detached completely from the body, not blood which is still "within" the body. Therefore:

1. If one is eating a slice of bread and blood from his gums stains it, the blood - along with a sliver of bread(17)- should be removed from the bread.(18)The bread may then be eaten. If the same happens when one is eating fruit, the fruit must be washed off well and then it may be eaten.
2. Bleeding gums may be sucked and the blood swallowed, since this blood is considered as if it has not become detached from the body.(19)
3. A bleeding finger may be sucked but it is questionable if the blood may be swallowed.(20) [Once the bleeding ceases, one should not stick the blood-stained finger into his mouth, since it appears as if one is sucking the blood.(21)]
4. Human blood which inadvertently got mixed with food (such as blood from a cut that dripped into food) may be consumed as long as no bloody redness is visible. This is true even if there is more blood than food in the mixture. If redness is visible, then the food may not be eaten, even if the volume of the food is sixty times greater than that of the blood.(22) If blood gets mixed into food, additional food may be added to the mixture in order to make the blood invisible(23).

#### BLOOD ON SHABBOS:

\* On Shabbos and Yom Tov, it is forbidden to suck or squeeze out blood from a wound(24).

\* On Shabbos and Yom Tov, it is forbidden to suck blood from one's gums. (25)

\* It is permitted to peel off a scab on Shabbos and Yom Tov if it will not result in blood oozing from the wound.(27)

\* To stop minor bleeding [e.g., a nose bleed], it is preferable to use a paper napkin or tissue.(28) If none is available, a cloth [preferably white or light-colored] may be used.(29) To stop major bleeding, use whatever is at hand.

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FOOTNOTES: 1 Explanation of Rambam in Moreh Nevuchim 3:46. See also Ramban's commentary to Kedoshim 19:26. 2 Talmud, Chullin 64b. 3 Rama Y.D. 66:8. 4 Ibid. 5 Aruch ha-Shulchan 66:32; Kaf ha-Chayim 66:41; Igros Moshe Y.D. 1:36. 6 It is clearly forbidden to close one's eyes so as not to see if there is any blood in the egg (Ma'adanei ha-Shulchan 66:68). 7 Y.D. 66:8. 8 Aruch ha-Shulchan 66:32, who adds that if the blood is visible [as it is sometimes when egg yolk is smeared over unbaked challah as a glaze] it should be removed. 9 Minchas Yitzchak 1:106; Yechaveh Da'as 3:57. 10 See also Responsa Kinyan Torah 2:7 who takes a more stringent approach, but for different reasons, which do not apply on today's farms. 11 Igros Moshe Y.D. 1:36. 12 Harav Feinstein points out that according to the basic halachah, even "normal" eggs do not have to be checked, yet the long-standing custom contradicts that. We, too, should honor the custom. 13 It seems clear, though, that in a place where eggs are expensive, one may rely on the basic halachah and permit using the egg; see Yechaveh Da'as, ibid. who makes this point. 14 Darkei Teshuvah 66:23, quoting several poskim. 15 Igros Moshe Y.D. 1:36. 16 Igros Moshe O.C. 3:61. This stringency applies

only if the bloody eggs were cooked or fried in a pot or pan, not if they merely came into cold contact. 17 Based on Yad Yehudah Y.D. 96:5. 18 Y.D. 66:10.

19 Ibid. 20 See Darkei Teshuvah 66:68, who quotes a dispute among the poskim as to whether this blood may be swallowed or not. Darkei Teshuvah does not decide the issue, while Kaf ha-Chayim 66:47 rules leniently. 21 Kaf ha-Chayim 66:48, quoting Ben Ish Chai. 22 Yad Avraham, Y.D. 66:10; Darkei Teshuvah 66:71. 23 Darkei Teshuvah 66:72. 24 O.C. 328:48. 25 Mishnah Berurah 328:147. See Magen Avraham 328:53 who suggests that this action may be Biblically prohibited. 26 O.C. 328:22. 27 Sha'ar ha-Tziyun 328:67. 28 See Shemiras Shabbos K'hilchasa 14:19. 29 Mishnah Berurah 328:146. Weekly-Halacha, Copyright © 2004 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org . Torah.org: The Judaism Site <http://www.torah.org/ProjectGenesis, Inc. learn@torah.org> 122 Slade Avenue, (410) 602-1350 Baltimore, MD 21208

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From: RABBI SHLOMO RISKIN'S SHABBAT SHALOM Parsha Column [parshat\_hashavua@ohrtorahstone.org.il] Sent: June 09, 2004 Shabbat Shalom: Parshat Shelach (Numbers 13:1-15:41) By Shlomo Riskin

Efrat, Israel - How can we understand the "sin of the scouts," of the ten princes of the tribes? Why did they hold back from attempting to conquer the Land of Israel – especially after they had just seen the miracles of the Almighty in freeing them from Egyptian servitude? And what is the lesson that we must derive today from that traumatic transgression in the desert?

Our Torah portion opens: "The Lord spoke to Moses saying, 'Send forth for yourselves men to spy out the Land of Canaan which I am giving to the children of Israel, one leading personage, each from his father's tribe...'" (Numbers 13:1,2). The classical commentator Rashi immediately (ad loc) cites the Midrash (Tanhuma 5), "What is the connection between this Biblical segment of the scouts and the Biblical segment of Miriam (at the conclusion of last week's Torah reading)? It is the fact that she was punished for speaking evil words against her brother Moses, and these wicked 'leaders' saw and did not internalize the lesson." Is then the sin of slander – Miriam's slander against Moses and the scouts' slander against the Land of Israel – the connection point between the Biblical segments and the major transgression of the desert generation? It seems to me that the issue must be a bit deeper!

Let us take a second look at Miriam's slander: "Miriam and Aaron spoke against Moses regarding the Cushite woman he had married, for he had married a Cushite woman." (Numbers 12:1). Now Moses had married his Midianite wife Zipporah a long time before; apparently Miriam was not now suddenly criticizing her sister-in-law. And the Biblical text explicitly states that Miriam and Aaron were directing their criticism against Moses, not against Zipporah!

Rashi explains the description Cushite (literally Ethiopian or black) to refer to Zipporah's extraordinary beauty, "teaching us that everyone admired her beauty,"... she being beautiful in looks as well as in deeds. He goes on to comment that his siblings were upset with Moses "because he had married this woman and now divorced her" (Rashi, ad loc). And Miriam and Aaron express their disapproval of the divorce by saying, "Was it then only to Moses that the Lord spoke? Did He not speak to us as well?" (Numbers 12:2) Apparently brother and sister are referring to the Divine commandment immediately following the Revelation at Sinai – since for three days preceding the Divine Revelation, G-d had ordained that no husband have any physical contact with his wife (Exodus 19:15) – enjoining the resumption of normal marital relations: "Go say to them, 'Return to your tents'" (Deuteronomy 5:27). Since Moses himself did not return to his wife, they criticize him. Moses obviously retorted that the Almighty had indeed singled him out for special conduct, insisting –

immediately after instructing the Israelite men to return to their wives – "But as for you (Moses), stand here with Me and I shall speak to you the entire commandment, and the decrees and the ordinances..." (ibid, 28). You, Moses, shall not return to your family! Apparently his siblings did not accept Moses' response, insisting that G-d spoke to them as well, and Moses was certainly included in the general command to return to the wives. They could not accept the notion that Moses had a unique and suis generis relationship with G-d.

From this perspective, the fundamental transgression of Miriam (who seems to have been the instigator of this discussion) was not so much the slander as it was her inability to recognize the unique prophecy of Moses; and if Moses' relationship to G-d was not unique, then the Pentateuch, the Five Books of Moses' Divine revelation, likewise would lose its unique status. Indeed, the Divine response to the siblings following their criticism is a resounding defense of Moses and his very special position vis a vis G-d: "Not so (as are the other prophets) is My servant Moses; in My entire house he is the trusted one. Mouth to mouth do I speak to him, in a clear vision and not in riddles..." (Numbers 12:7-9).

The great philosopher – legalist of the twelfth century, Maimonides, uses the very verses with which we are dealing to prove the uniqueness of Moses' prophecy and therefore of his Torah: "When G-d told the Israelites to return to their homes but directed Moses to stand with Him, He was testifying that Moses was in a constant state of prophecy... His mind (active intellect) was bound up with the mind (active intellect) of the Rock of Ages, whose glory did not leave Moses for an instant... Moses was sanctified as one of the Divine messengers (malakhim) (Laws of Torah Fundamentals, 7,6). For an individual such as Moses, who reached the highest level of intellect and spirituality which any human being could ever achieve, it became virtually impossible to return home and bond with wife and children; Moses bonded with the Divine! Just as the real transgression of Miriam lay in her inability to see the absolute uniqueness of Moses, so did the real transgression of the scouts lay in their inability to see the absolute uniqueness of the Land of Israel for the people of Israel.

The Scouts investigated the Land of Israel as any would-be settlers would investigate any land they hoped to conquer and inhabit; they were blind to the very special relationship which G-d had to this land for His people, and His promise that they would be able to conquer it. Indeed, the portion of Shelach concludes with the commandment of ritual fringes, the blue and white strings appended to our four-cornered garments. Rav Joseph Soloveitchik ztz"l explains this unique command and its relationship to our Torah portions as follows: white represents clarity, logic, rational truth; blue, symbolizing the infinity of the oceans and the heavens, represents longing, infinity, mystery, supra-rational. Torah, the Land of Israel and the people of Israel are a combination of logic and love, natural and super-natural, mathematic reason and miraculous romance. This message had to be taught to both Miriam and the scouts. Our generation must understand that "to live in Israel and to believe in miracles is to be a realist."

Shabbat Shalom.