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Sefira Reminder: Day 32 From: sefira@torah.org This is a Sefira reminder for Friday evening, May 20 The count is: 32 Today is the 32nd day, which is 4 weeks and 4 day, of the omer.

From TorahWeb torahweb@torahweb.org date Thu, May 19, 2011 at 10:01 PM subject Rabbi Mayer Twersky - Kabbolas HaTorah

Rabbi Mayer Twersky **Kabbolas HaTorah**

Sefiras HaOmer, according to the Sefer Hachinuch, reflects our anticipation and yearning for kabbolas haTorah. This beautiful perspective is oft quoted, but what does it actually mean? In what sense are we going to accept the Torah this year? We can not opt out of Torah; Torah is eternally binding on all Jews. So what do we mean when we speak of a new kabbolas haTorah every year?

Let us consider two perspectives. In the first perek of Hilchos Talmud Torah the Rambam describes and defines the chiyuv talmud Torah. Then in the third perek he writes, "mi she'n'sa'o libo lekayeim mitzvah zos kara'oy - one who is inspired to fulfill this mitzvah optimally..." In other words, one's fulfillment of talmud Torah can be minimalist or maximalist. The minimalist discharges his obligation of talmud Torah; the maximalist takes full advantage of the priceless beracha and privilege of talmud Torah. He does not simply fulfill the mitzvah, he does so optimally.

These two approaches are not limited to mitzvas talmud Torah; they are applicable to all mitzvos. One can be "yotze" his avodas Hashem; or, alternatively, one can strive to excel in his avodas Hashem.

The minimal obligation in Torah and mitzvos does not require a new kabbala. The new kabbolas haTorah every year provides an opportunity to commit ourselves to optimal fulfillment and observance of Torah and mitzvos. Perhaps our tefillah has hitherto been adequate; on Shavuos we accept Torah, we commit to improving our tefillah (come earlier, daven slower, etc.) Perhaps our kvius itim has been acceptable; Shavuos is a time to commit to making extra time to learn. Similarly, in the realm of being adam lachaveiro.

A second perspective on our kabbolas haTorah: the gemara teaches that, "kol mitzvah shekiblu b'simcha adayin osin osa b'simcha - every mitzvah Klal Yisroel accepted joyously they still fulfill joyously." Case in point: mitzvas milah.

This gemara teaches us that kabbolah is significant not only in creating obligation, but also in forging connection. By re-accepting the Torah, we strive to forge a deeper connection to Hakadosh Baruch Hu and His Torah.

In anticipation of kabbolas haTorah, we need to reflect upon the gift of life which Hakadosh Baruch Hu bestows upon us. Life - in its simplest sense, but also in the sense of chayey olam notah b'socheinu. Such reflection can inspire us to akabbolas haTorah b'simcha which b'siyata d'shmaya will forge an even deeper connection to Hakadosh Baruch Hu and His Torah.

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The Concept of "Sefek Sefeka" as it Applies to Sefirat Ha'omer **RABBI ELI MANSOUR**

The Rabbi Jacob S. Kassin Memorial Halacha Series Authored by Rabbi Eli J. Mansour (5/18/2011)

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Description: The Concept of "Sefek Sefeka" as it Applies to Sefirat Ha'omer

The Terumat Ha'deshen (Rabbi Yisrael Isserlin, Austria, 1390-1460), in his responsa, addresses the situation of a person who cannot remember whether or not he counted the Omer on one of the days of the Omer period. It is well-known that if a person missed a day of counting, then on the subsequent nights of the Omer he counts without a Beracha. The question addressed by the Terumat Ha'deshen is whether or not this applies also to a person who is unsure whether or not he counted one day. Must he now count without a Beracha, in case he actually missed a day of counting, or do we treat this case differently, since the individual is not certain that he missed a day?

The Terumat Ha'deshen ruled in such a case, the individual continues counting with a Beracha. He explains that this situation is one of "Sefek Sefeka," or a "double doubt." The first doubt is whether or not he indeed missed a day of counting. But even if he did miss a day, there is still a question as to whether or not this affects his counting on the subsequent nights. There are some authorities who maintain that each night's counting constitutes an independent Misva and is unaffected by the counting on previous nights. Normally, because of the different views that exist in this regard, one who missed a day of counting continues counting without a Beracha. But if a person does not know for certain that he missed a day, then we have two points of uncertainty, and therefore, the Terumat Ha'deshen rules, since there are two possible reasons for him to continue counting, he may count with a Beracha.

This Halacha also applies in a case where one does not remember whether he counted correctly. For example, a person thought in his mind that it was the twenty-fifth night of the Omer, but then he heard the Hazan count twenty-six days. After leaving the synagogue, the person could not remember whether he counted the number that he had in his mind, or the

correct number that he heard from the Hazan. (Ideally, of course, he should then count again, without a Beracha. The question we address here is if he did not count again that night or the next day.) This instance, too, is a situation of “Sefek Sefeka”: he may have counted correctly, and even if he did not count correctly, it is possible that Halacha follows the view that the Misva on each night is independent of the Misva on the previous nights. Therefore, he continues counting with a Beracha.

A third situation of “Sefek Sefeka” relevant to the Sefirat Ha’omer involves a person who forgot to count the Omer one evening, and he wakes up in the middle of the night and remembers that he forgot to count. He cannot determine, however, whether it is already Alot Ha’sahar (daybreak). Halacha allows counting with a Beracha until Alot Ha’sahar, but if one did not count the Omer before that point, then he counts without a Beracha (but the following night he resumes counting with a Beracha). If one is unsure whether Alot Ha’sahar has arrived, then he counts with a Beracha, because of the rule of “Sefek Sefeka.” It is possible that it is still nighttime, such that he may count with a Beracha, and even if Alot Ha’sahar has already passed, it is possible that Halacha follows the view that one may count the Omer with a Beracha even during the day. Therefore, in such a case, one may count the Omer with a Beracha. This is the ruling of Hacham Ovadia Yosef, as recorded in Yalkut Yosef (listen to audio recording for precise citation).

The Beracha over Sefirat Ha’omer differs in this regard from other Berachot. Normally, we do not recite a Beracha in situations where it is uncertain whether the Beracha is warranted, even in cases of “Sefek Sefeka,” where there are two possibilities that warrant the recitation. This point is made by Rav David Pardo (1718-1792), in his work Michtam Le’David, where he discusses the principle of “Safek Berachot Le’hakel” – which means that we do not recite Berachot in situations of uncertainty. Rav David Pardo notes that at first glance, this rule is superfluous. After all, nearly all Berachot are required only Mi’de’rabbanan (on the level of Rabbinic enactment, as opposed to Torah law), and there is already a famous rule of “Safek De’Rabbanan Le’kula,” which means that with regard to obligations required Mi’de’rabbanan, we may assume the lenient possibility in situations of uncertainty. Seemingly, then, there was no need for the Sages to establish the rule of “Safek Berachot Le’hakel,” since in any event most Berachot are required Mi’de’rabbanan, and Rabbinic obligations are treated leniently in situations of doubt. One answer to this question is that the rule of “Safek Berachot Le’hakel” establishes that one may not recite a Beracha in situations of uncertainty, even if he wishes to do so, as opposed to other Rabbinic obligations, where it is permissible and even praiseworthy to act stringently. Additionally, however, Rabbi David Pardo explains that the rule of “Safek De’Rabbanan Le’kula” applies only when there is a single point of uncertainty. If there are two points of uncertainty, such that there are two possible reasons for the obligation to apply, then one must act stringently and full the obligation, even though it is Rabbinic in origin. In the case of Berachot, however, we refrain from reciting a Beracha even if there are two possible factors warranting its recitation.

Generally speaking, then, we do not recite a Beracha in any situation of uncertainty, even in cases of “Sefek Sefeka” where there are two points of uncertainty, each of which presents the possibility that the Beracha is required.

When it comes to Sefirat Ha’omer, however, one recites the Beracha in situations of “Sefek Sefeka.” This distinction is due to the position of the Rambam (Rabbi Moshe Maimonides, Spain-Egypt, 1135-1204), who was of the opinion that Sefirat Ha’omer constitutes a Torah obligation even nowadays, in the absence of the Bet Ha’mikdash. Although Halacha does not accept this view, and we generally treat Sefirat Ha’omer as a Rabbinically-ordained obligation nowadays, nevertheless, the possibility that it applies on the level of Torah obligation changes the way we handle situations of uncertainty. As Sefirat Ha’omer may entail a Torah obligation,

we treat it as a bona fide requirement in situations of Sefek Sefeka and thus one recites a Beracha in such cases.

Summary: One who missed an entire day of counting during the Omer does not recite a Beracha when he counts on subsequent nights. If one is uncertain whether he counted on a certain day, or whether he counted correctly on a certain day, then he continues counting with a Beracha. A person who did not count at night but remembers during the next day, he counts without a Beracha and then resumes counting with a Beracha that night. If a person wakes up in the middle of the night and realizes that he had not counted the Omer, and he cannot ascertain whether Alot Ha’sahar (daybreak) has passed, he counts with a Beracha.

Yeshivat Har Etzion to yhe-sichot YESHIVAT HAR ETZION
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STUDENT SUMMARIES OF SICHOT OF THE ROSHEI YESHIVA
<http://vbm-torah.org/archive/sichot71/33-71bechuk.htm> “If You Follow My Statutes – Meaning, If You Toil in Torah”

SICHA OF HARAV YEHUDA AMITAL ZT”L

Translated by Kaeren Fish “If you follow My statutes” (Vayikra 26:3) – can this mean fulfilling the commandments? When God says, “and if you observe My commandments” (ibid.), that already covers fulfillment of the commandments, so what must I do in order to fulfill the injunction to “follow My statutes”? It means toiling in Torah. (Rashi ad loc.) And what is the reward for those who “follow God’s statutes” – i.e., those who toil in Torah? The Torah continues: I shall give your rains at their proper time, and the land shall give its produce, and the trees of the field shall give their fruit. (Vayikra 26:4) At first glance, this seems rather surprising. Is this how we envision toiling in Torah – surrounded by material abundance and wealth? Do we not learn in the baraita: Such is the path of Torah: You shall eat bread with salt, and drink water in small measure, and sleep upon the ground, and live a life of deprivation, and toil in Torah. (Avot 6:4) Rabbi Meir Shapira, founder of Yeshivat Chakhmei Lublin, was often asked about the contradiction between the splendor of his yeshiva and this baraita. He would answer, quite simply, that the baraita was not describing the ideal situation for Torah study, but rather teaching a moral lesson – that one must engage in Torah even if one’s circumstances are dire. (Sometimes he would answer, jokingly, that the baraita should be read with a sigh at the beginning: “Indeed, [sigh,] such is the path of Torah...”) It is clear, in any event, that the baraita does not view a life of deprivation and hardship as the ideal situation of toiling in Torah. On the other hand, the Torah does demand that we maintain the proper attitude towards the accumulation of wealth. This is the main focus of Parashat Behar: once every seven years we are commanded to stop cultivating the field, to cease for one year the generation of income, and to concern ourselves with social equality and the cancellation of debts. The Torah does not reject the accumulation of wealth, nor does it glorify deprivation and destitution, but at the same time it demands that a person place his financial growth in its proper perspective and remember that “The land is Mine, for you are strangers and residents with Me” (Vayikra 25:23).

Getting back to the blessings of Parashat Bechukotai – even the most cursory glance reveals that all the blessings apply to all of Israel; there is not a single blessing that pertains to the individual. The Torah’s message here is clear: a person must fulfill the commandments and act in the world with the consciousness of being part of the nation of Israel, not out of personal, selfish motivation. A person may not concern himself only with “What is good for me?” He must ask what is good for the Jewish nation. Not only does the Torah make no mention of any material reward or punishment for the individual; it also makes no explicit mention of any spiritual reward in the World to Come. The Rishonim point this out and try to explain why. Avraham discusses the problem at length at the beginning of our parasha, and offers different solutions. In keeping with the above, we might suggest a simple answer. By omitting mention of the spiritual reward

and punishment, the Torah conveys that the demand that man act for the sake of Am Yisrael, and out of a consciousness of and concern for Am Yisrael, is not limited to the material sphere: one's spiritual aspirations should likewise be molded by the same national consciousness. A person might say: Where is my unique personality then supposed to find expression? Am I nothing but a cog in the wheel, devoid of any special significance within Am Yisrael? The answer to this question lies in Rashi's explanation quoted above: "If you walk in My statutes" – this means that we must toil in Torah." The mitzva of Torah study reflects, more than any other mitzva, the unique personality of the person who fulfills it. Every person finds himself identifying more strongly with some mitzvot than with others, and spending extra efforts on those that he holds especially dear. It is obvious that the manner and frame of mind in which Reuven puts on his tefillin is quite different from that of Shimon. Nevertheless, the action that they are doing is fundamentally the same. Torah study is the only mitzva which gives full expression to a person's personality, with his unique intellect and his unique emotional and moral make-up. By explaining that the words, "If you follow My statutes" – introducing a unit that is written with a prominently national, social consciousness – refers specifically to Torah study, Chazal are teaching us that Klal Yisrael is not a collection of identical units. The nation is made up of many different Jews who serve God, each in his own way and with his own personality. It is only through the combination of all of this service together that Am Yisrael's Divine service is created. Please join us at the Etzion Foundation dinner on Tuesday, May 31 as we pay tribute to Rav Amital (z"tl) with Rabbanit Miriam Amital in attendance, honor the Fridman and Jubas families and celebrate Yom Yerushalayim together. <http://www.thegushdinner.com>

<http://www.aish.com/>

Rabbi Zev Leff

Outlooks & Insights

Bechukotai (Leviticus 26:3-27:34)

Toiling in Torah

"If you walk in My statutes..." (Leviticus 26:3)

Walking in God's statutes, say the Sages, refers to toiling in Torah. Upon that toil, God's blessing is contingent. And so, too, do the curses follow from the failure to strive in the study of Torah.

The Sages (Talmud - Nedarim 81a) tell us that the Land of Israel was lost and the Jewish people were exiled because they failed to make the proper blessing prior to learning. Ran, quoting Rabbeinu Yonah, explains that the blessing is on the toil and effort that one must put into Torah, and when that is lacking, churban (destruction) results.

The first question that arises is: How is effort in Torah learning hinted to in "walk[ing] in My statutes"? Since when does "walking" imply toil and effort?

The Sages tell us that the Torah is an elixir of life to those who approach it as "rightists," and a poison to those who approach it as "leftists." Rashi defines "rightist" as one who uses his strong right arm to delve into the Torah and discover its secrets (Talmud - Shabbos 88b). One must delve deeply into the Torah to uncover its true meaning, to discover God, Who is the soul of the Torah. Without effort and toil, one gains at best a superficial understanding of Torah, which, in turn, leads to a superficial and shallow observance of its Mitzvot. On the other hand, one who exerts all his efforts gains the fear of Heaven that is the very essence of Torah.

We are exhorted to literally walk after God, to walk in His footsteps. Toiling in Torah is discovering the footsteps of God, the immutable laws of spiritual nature that contain the essence of God's attributes. By subjugating his mind to the demands of the Torah, and rejecting all that is superficial and simplistic, the student of Torah finds God in the Torah and is able to emulate Him.

The antithesis of toiling in Torah is "If you will not listen to Me" - if you fail to hear God in the Torah. You think you possess Torah, but it is Torah which is empty of God. That type of Torah can be easily distorted and lead even to idolatry, immorality and murder.

SEQUENCE OF TROUBLE

The prophetic warning concerning our future failings contains the following sequence of events: God will send an enemy to invade the Land of Israel, and the Jews will gather within the protective walls of Jerusalem. The encircled Jews will fall prey to a plague from which many will die. Since it is prohibited to leave a corpse in Jerusalem, the bodies will have to be taken out the city, and in this manner the people will be delivered into the hands of the enemy (see Rashi to Leviticus 26:25)

This sequence is at first glance astounding. The prohibition of leaving a corpse in Jerusalem is Rabbinic. Even had it been a Torah law, the danger to life involved in burying outside the walls would have taken precedence over the rule that burial is forbidden in Jerusalem. Another problem: the generation the Torah is describing is one in which murder, idolatry and immorality were rampant. Would people steeped in such crimes risk their lives to fulfill a Rabbinic law?

But that is just the point of the rebuke. When one studies Torah superficially, one's perspective is necessarily fragmented and distorted and his emphasis will be askew. What he will be lacking is a view of Mitzvot as part of a totality and in the light of the totality.

A superficial view of Torah can lead to a disproportionate emphasis on even those things which are in fact of the greatest importance in the Torah's view, such as the holiness of Jerusalem. That holiness, however, not only does not mandate that one give up his life to avoid any corpses remaining in Jerusalem; it expressly forbids it, for the value of life takes precedence. Such distortions are inevitable without an overarching view of the unity of Torah.

The reward for toiling in Torah is harmony in the natural world culminating in the blessing of shalom, peace. Torah scholars, say the Sages, increase peace in the world by harmonizing the physical and spiritual worlds through their understanding of the Torah's secret foundation.

Conversely, the punishment of not toiling in Torah is a natural world gone haywire, where nothing goes right. That is the spiritual result of the failure to discover God's footsteps in the Torah and to walk in His ways - the consequence of viewing Torah as a series of unconnected "do's" and "don't's." Without toil, Torah is seen not as a way of life but as an intrusion into life. And the punishment is that one's life is intruded into by a multitude of curses

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Jerusalem Post **LAG B'OMER** Friday, May 20, 2011

Rabbi Berel Wein

The thirty third day of the counting of the omer days between Pesach and Shavuot has become, by Jewish tradition, a minor holiday on our yearly calendar. The origin of this day of commemoration lies in the Talmud's reference to it as the day when the disciples of Rabbi Akiva stopped dying. Most commentators interpret this to mean that the deadly plague that afflicted thousands of disciples of Rabbi Akiva had run its course and abated after the thirty-third day of the omer counting. There is some opinion that this may refer to the participation of Rabbi Akiva and his disciples in the revolt of Bar Kochba against Roman oppression and that these thousands of disciples were killed by the Romans during and after the failed rebellion. However, we will view the actual origin of this day of muted celebration as it has morphed into something more than its original commemoration, through the addition of Jewish customs adopted over the ages. Today there are pilgrimages of hundreds of thousands to Meron, the burial grave of Rabi Shimon ben Yochai, the lighting of bonfires, parades for children and adults, weddings, music and entertainment and a

relief from the tension that the earlier days of the omer carry with them. Yet after all of the layered trappings and customs of this day are dealt with, Lag B'Omer stands out starkly as commemorating a day when Jews stopped dying. The death of millions of Jews throughout our history is so regular and common - an unfortunate occurrence - that we must somehow take note of a day when this dying stopped. To my knowledge there is no such comparable day of commemoration in any other faith. The Talmud offers us the insight that even among the great disciples of Rabi Akiva there was a lack of mutual respect one for the other. All of us are loath to grant another's opinion and viewpoint legitimacy and consideration. We feel somehow threatened and demeaned by opinions and people who somehow do not conform to our deeply held standards of behavior and opinion. This gives rise to eventual tragedy in Jewish life, as the Talmud points out regarding Rabi Akiva's disciples. Just as this is true regarding internal Jewish life, as exemplified by the story of the disciples of Rabi Akiva, so too is it applicable to the relationship of the general world towards Judaism and Jews currently and throughout the ages. The world begrudges granting a modicum of respect to those who are perceived as being the most nonconformist of all faiths and peoples. Eventually this lack of respect cumulatively builds to the concerted attempt to deal with these people in a violent fashion. We state in the Pesach Hagadah that this remains an ongoing situation in Jewish relations with the rest of the world. In every generation there exist those that wish to eliminate us completely and yet somehow, with God's help, we survive, bloodied but unbowed. A people that lives under the constant and omnipresent threat of annihilation, will mark on its calendar as a special day, a day when Jews stopped dying. It is not much of a stretch from not giving basic respect to others to finally demonizing them and wishing to destroy them root and branch. Just as the fires of Lag B'Omer consume the wood gathered for the bonfire, so too does the lack of basic human respect one for the other consume the lives of many innocent people. Lag B'Omer therefore comes to redirect our moral and social compass to allow us to respect those that are different than we are. We certainly need not agree with those who we believe to have wrong ideas, ideals and policies. We are also certainly not bidden to be "turn the other cheek" people. But unnecessary divisiveness and mean disrespect for others, an inability to honor those that somehow differ with us, is a sure fire recipe for future disaster and tragedy. I feel that this is the basic underlying message of Lag B'Omer, that in commemorating the day when Jews stopped dying almost nineteen centuries ago, we are to internalize the message of what results when we do not give honor one to another. The commemoration of Lag B'Omer this year, as in many years in the past as well, is clouded by threats and dangers directed against us. But we believe that there will again be a day when Jews will stop dying and that day will be hastened by a better social comity of mutual respect given by one Jew to another. Shabat shalom
Berel Wein

from **Rabbi Yissocher Frand** ryfrand@torah.org reply-to
ryfrand@torah.org, genesis@torah.org to
ravfrand@torah.org date Thu, May 19, 2011 at 2:05 PM
subject Rabbi Frand on Parshas Bechukosai

The pasuk [verse] says, "I will give you your rains in their proper time" [Vayikra 26:4]. Rash"i explains the term "proper time" to mean Friday night (leilei Shabbos). We can then sit cozily in our houses and say "let it rain".

Today's modern society considers a rainy weekend to be a minor calamity. "There goes the barbecue, there goes the sailing trip. Nebach, we have to go rent a video." That is terrible! However, the Torah teaches that such rains are a blessing. On Friday night it can pour. We are safe in our homes.

The Beis Av points out a deeper insight into this idea. In an agrarian economy, the farmer can work six days a week, putting in backbreaking hours sowing, fertilizing, plowing, and harvesting. However, all of the

farmer's effort will be for naught if he does not have one thing -- rain. Without rain, the farmer is powerless.

When rain falls on the very day when the farmer does absolutely nothing (Friday night - the Shabbos), the farmer is sent a precious message. That which the farmer needs the most, he receives on the very day when he can do the very least. This is the lesson. Ultimately, the farmer needs to depend on G-d, not on himself.

A Time For Faith and A Time For Heresy

I would like to share one final insight. It is true that in the area of earning one's living, we must rely on faith (bitachon). However, we should never forget that this is a concept that we must apply to ourselves, but never to others.

I heard a comment in the name of the Brisker Rav. It is hard for me to believe the Brisker Rav said it, but we would in fact need a Brisker Rav to say such a thing. Every attribute, no matter how bad, has its place in the world -- even anger, haughtiness, jealousy, and argumentativeness. These are generally bad attributes, but there are times when one needs to become angry. There are times when it is appropriate to stand up for one's honor. There is even a time when it is right to make a machlokes - an argument.

There is another bad attribute called 'kefirah', heresy. A person who knows Torah, but rejects G-d -- a 'kofer' -- possesses such an attribute. Where is the proper place for this attribute of 'kefirah'? The Brisker Rav explains, "When your friend needs a favor, that's when you should be a 'kofer'".

In other words, when someone else has a problem, do not have the attitude that G-d will take care of him, G-d will find him a job, G-d will give him the loan. At such times, the Brisker Rav says, a person should "not believe" in G-d. A person should feel that G-d will not take care of him. Rather, a person must take the responsibility upon himself. That is no time for faith. It is a time for rolling up one's sleeves.

I do not need to tell you about the "workplace". I do not need to tell you that it is too often "not what you know, but who you know". I do not need to tell you about how many jobs are found through "connections". When it comes to your livelihood, you must be a believer. However, when it comes to someone else's livelihood, you must be an activist. In the words of the Brisker Rav, that is the appropriate situation for all of us to apply the attribute of 'kefirah'.

This write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah Portion. The halachic topics covered for the current week's portion in this series are:

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M'ORAY HA'AISH
RABBI ARI KAHN

The Omer

Bechukotai (Leviticus 26:3-27:34) The Omer The days between Passover and Shavuot are known as the days of the Omer. These 49 days are counted as we anxiously await the 50th day -- Shavuot -- when we commemorate the giving of the Torah. It is interesting to note that the Torah itself does not explicitly state that Shavuot is the day on which the Torah was given. Rather, the counting is directed towards a date of agricultural significance -- new fruits would be brought to Jerusalem on Shavuot. On the other hand, the understanding that this day is indeed the day of Revelation is based on simple mathematics, implicit in the narrative.¹ The Torah successfully merges pedestrian, mundane activity with deep theological constructs. The Torah successfully merges pedestrian, mundane activity with deep theological constructs. While from

man's perspective the harvest may be the impetus for joy, the Torah stresses that these first fruits must be brought within a religious context. Thus, the counting in Temple times between Passover and Shavuot had a dual component, sacred and mundane, each independently a reason to rejoice. Be that as it may, in the contemporary religious collective experience, these are seen as days of mourning. No weddings or other public expressions of joy are celebrated.

* * *

DEATH OF RABBI AKIVA'S STUDENTS The accepted explanation for this transformation of a joyful period into a time of mourning is the demise of the students of Rabbi Akiva: The practice is not to get married between Passover and Shavuot – until Lag B'Omer, because during this time the students of Rabbi Akiva perished. (Shulchan Aruch section 493:1)

This reference in the "Shulchan Aruch" to a well-established custom makes the link with the tragic story of Rabbi Akiva's students who died during this time of the year: It was said that Rabbi Akiva had 12,000 pairs of disciples from Gabbatha to Antipatris; and all of them died at the same time because they did not treat each other with respect. The world remained desolate until Rabbi Akiva came to our Masters in the South and taught the Torah to them. These were Rabbi Meir, Rabbi Yehuda, Rabbi Yose, Rabbi Shimon and Rabbi Elazar ben Shamma; and it was they who revived the Torah at that time. A Tanna taught: "All of them died between Passover and Shavuot". Rabbi Hama ben Abba or, it might be said, Rabbi Hiyya ben Abin said: "All of them died a cruel death." What was it? Rabbi Nahman replied: "Croup." (Yevamot 62b)2 The Talmud speaks of 12,000 "pairs" of students and not of 24,000, ostensibly in order to stress the lack of unity of which they were guilty. The Talmud does not mention that their deaths are commemorated with the yearly mourning period of the Omer. And so, while the authority of switching a biblically happy time into a time of mourning is said to be based on a passage in the Talmud, the Talmud tells a sad tale but does not draw this all-important conclusion. There are those who have claimed that the custom of mourning was instituted during the Talmudic period;3 there is, however, no Talmudic statement which supports this opinion and consequently there are those who opine that the custom is, in fact, of later origin.4

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REMEMBERING PERSECUTIONS Of particular interest is the formulation of the Rav Yichiel Michel Epstein in his classic "Aruch HaShulchan." He states that the tragedy of the students of Rabbi Akiva is connected with the crusades, pogroms and blood libels that occurred a thousand years later in the course of Jewish history. These attacks were often rooted in a twisted Christian perspective of the Passover ceremony, and the days after Passover became a time of peril for Jews in Christendom. Rav Epstein describes these days as well-established days of "judgement."5

According to this approach, the rabbis in the Middle Ages felt that the very nature of the Omer period was harsh, despite the Torah's perspective that this was a time of joy. The Talmudic passage concerning Rabbi Akiva's students served as an anchor for turning a happy period into a time of mourning. The logic was that if the students of Rabbi Akiva died specifically during these days, the nature of this time period is not as straightforward as we might have thought. In other words, the reason that the Omer has become a time of mourning is the death of the students of Rabbi Akiva, but the specific impetus for instituting customs of mourning was the blood libels of the Middle Ages.6 The story of the deaths of the students of Rabbi Akiva may be part of a much larger issue. The story of the deaths of the students of Rabbi Akiva may be part of a much larger issue. An analysis of a later parallel source may provide the clue necessary to unravel the mystery. Rav Shrirra Gaon, commenting on the original passage, uses a very telling expression to describe the death of the students: "Rabbi Akiva raised many students, [but] there was a religious persecution [shmada] on the students of Rabbi Akiva.7 The Talmud spoke of a plague striking the students, yet Rav Shrirra speaks of religious persecution! The change is subtle yet the implication drastic. The Talmudic tradition seemed

quite clear: these students treated one another without respect, and therefore died of a plague. What caused Rav Shrirra to introduce religious persecution as the cause of the students' demise? A careful reading leads us to the conclusion that Rav Shrirra does not disagree with the Talmud. Surely, in the tradition of thousands of commentaries before and after his time Rav Shrirra saw his task as interpreting the Talmudic passage and not disagreeing with the Talmud. Apparently Rav Shrirra had a tradition that the students died during a religious conflict. The book that this information is found in is primarily a book with an historical agenda. The work "The Letter of Rav Shrirra Gaon" contains singular traditions of the Talmudic period. This book – or "letter", as it is called - is the major source for information about the Talmudic age. If we posit that Rav Shrirra saw his role as the telling of history, while the role of the Talmud is to share theological perspectives, the question dissipates: Rav Shrirra tells us how the students died while the Talmud tells us why they died.

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TELLING WHY IT HAPPENED The Talmud, the unparalleled work of Rabbinic Judaism, had no need to retell well-known historical episodes. Its task was to illuminate and explain God's hand in history – to explain why things, especially specific tragedies, befell our people. Ironically, in this instance, the Talmud became our primary source for what were well-known events. Though the Talmud was not interested in telling us what happened, rather why it happened, uninitiated readers were deluded into thinking they knew what happened as well. Rav Shrirra wished to set the record straight. Therefore he tells us what happened; the students died due to religious persecution. We know that Rabbi Akiva was himself eventually murdered as part of the Hadrianic executions. The question which emerges is which religious persecution is referred to? We know that Rabbi Akiva was himself eventually murdered as part of the Hadrianic executions. We also know that Rabbi Akiva was an enthusiastic supporter of Bar Kochba.8 Therefore the association between Rabbi Akiva's "students" and the followers of Bar Kochba is likely.9 Maimonides describes Rabbi Akiva as an "arms bearer of Bar Koziba."10 The source of Maimonides's assertion is a passage in the Jerusalem Talmud: Rav Shimon Ben Yochai taught: "Akiva my master would expound the verse a star will come from Jacob as 'Koziba will come from Jacob.' When Rabbi Akiva would see Bar Koziba he would say, 'There is the King Messiah.'" Rav Yochanan ben Torta said: "Akiva, grass will grow from your cheeks and still the son of David will not come." (Jerusalem Talmud, Taanit chapter 4:5 page 68d) The verse in question -- a star will come from Jacob -- is in the prophecy of Bil'am, the evil prophet who set out to curse the Jewish people but ended up blessing them instead:

I shall see him, but not now; I shall behold him, but not near; there shall come a star out of Jacob, and a scepter shall rise out of Israel, and shall strike the corners of Moab and destroy all the sons of Seth. (Numbers 24:17) Bil'am's clairvoyance allowed him to see a star who would yet emerge and lead the Jewish People. Rabbi Akiva declared that the fulfillment of this verse was in the person of Bar Kochba a name which literally means, "Son of a Star." In fact, his name was not actually Bar Kochba: Based on recent archeological finds we know that his actual name was Bar Kosba (written with the Hebrew letter "samech"). The appellation Bar Kochba was part of the messianic identification made by Rabbi Akiva, by applying this verse from Bil'am's prophecy to Shimon bar Kosba. After the Bar Kochba rebellion was quashed, its leader was called Bar Koziba, "son of deceit" or "son of disappointment." Rabbi Yochanan said: "Rabbi used to expound, 'There shall step forth a star (kochav) out of Jacob thus 'Read not star (kochav) but lie (kazav).'" (Eicha Rabba 2:4) The aftermath of the painful defeat caused Bar Kochba to receive a new moniker, which recorded the profound failure for posterity.

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A VOICE IN OPPOSITION While Rabbi Akiva afforded Messianic status to the rebellion in general, and to Bar Kochba in particular, there was another voice which spoke out in opposition:11 Rav Yochanan ben Torta said; "Akiva grass will grow from your cheeks and still the son of David

will not come" (Jerusalem Talmud, Taanit, chapter 4:5 page 68d) The phrase is enigmatic.¹² What is the inference of grass growing from the cheeks of Akiva? If it means "Akiva, you will be in the grave before the Messiah arrives," the passage should have read "Akiva, grass will grow from your cheeks and then the son of David will come."¹³ It sounds as if Rav Yochanan ben Torata rejects the Messianic age completely.¹⁴ This position is untenable for we know that Rav Yochanan Ben Torta believed in the coming of the Messianic age: Rabbi Yochanan ben Torta said: "...But [regarding] the last Temple (the third) which will be rebuilt in our lives, in our days, it is written And it shall come to pass in the last days, that the mountain of the Lord's house shall be established on the top of the mountains, and shall be exalted above the hills; and all nations shall flow to it. And many people shall go and say: Come, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths; for from Zion shall go forth Torah, and the word of the Lord from Jerusalem. [And he shall judge among the nations, and shall decide for many people; and they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, nor shall they learn war any more.]¹⁵ (Isaiah 2:2-4) and it says For there shall be a day, when the watchmen upon Mount Ephraim shall cry, Arise, and let us go up to Zion to the Lord our God. (Jeremiah 31:5)" (Tosefta Menachot 13:23) If Rabbi Yochanan ben Torta indeed believes in an impending Messianic age, what is the nature of his attack on Rabbi Akiva? If we listen to his words carefully it seems that there are two problems: Rav Yochanan ben Torta said: "Akiva grass will grow from your cheeks and still the son of David will not come." (Jerusalem Talmud, Taanit chapter 4:5 page 68d) Even if this elusive grass were to grow from Rabbi Akiva's cheeks, there may be a second impediment. If we were to look at the previous paragraph of the Tosefta cited above, this becomes clear: Rabbi Yochanan ben Torta said, "Why was Shilo destroyed? Because of the desecration of the sacred things thereof. Jerusalem? The first Temple, why was it destroyed? Because of idolatry, sexual licentiousness, and the spilling of blood within. But this previous Temple (the second Temple) we knew (the people of that era). They were diligent in Torah study, and careful with tithes. Why were they exiled? Because they loved their money and man hated his neighbor." (Tosefta Menachot 13:22) Rabbi Yochanan ben Torta is the author of the well-accepted view that the cause of the destruction of the second Temple was groundless hatred.¹⁶ If this is the case, we have now come full circle.

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FULL CIRCLE We saw at the outset that the students of Rabbi Akiva died because they did not treat one another with respect. Therefore Rav Yochanan, who indeed believes the Messiah will come, is adamant that the cause for the destruction of the Second Temple must be healed before one can speak of a new Messianic movement. What then is the reference to the "grass growing" from Rabbi Akiva's cheeks? An analysis of the passage of the Maimonides will provide explanation. You should not think that the Messiah must perform miracles or wonders, or create new realities, or bring back the dead,¹⁷ or other similar things; the matter is not so. For Rabbi Akiva was the greatest sage of the age of the Mishna, and he was an arms-bearer of Bar Koziba the King, and he said concerning him "He is the King Messiah," until he was killed due to his sins. Once he was killed it became apparent to them that he was not [the Messiah]. And the sages did not ask of him neither sign nor wonder...(Maimonides, Laws of Melachim 11:3) Maimonides explains that life in the Messianic age will be no different from current times in terms of the miraculous.¹⁸ What is Maimonides' source? Rabbi Akiva, in our passage in the Jerusalem Talmud. If Rabbi Akiva concludes that the Messiah need not perform miracles, and Rav Yochanan Ben Torta disagrees with Rabbi Akiva, then we may deduce that Rav Yochanan ben Torta believed that the Messiah must perform miracles. Now we understand why he says "Akiva grass will grow from your cheeks and still the Messiah will not come."¹⁹ He seems to be saying, "as far as I

am concerned the Messiah must perform miracles, but even if a miracle worker appears, I do not believe that the Messianic age can begin prior to rectifying the cause of the destruction of the previous Temple."

* * *

THE CORE OF THE ARGUMENT The core of this argument between Rabbi Akiva and Rav Yochanan ben Torta may be based on a similarity between these two great individuals. Both began their careers as outsiders, and joined the sages at a later point in life. Rabbi Akiva was an adult before he began to study Torah, a fact preserved in numerous sources. Of particular relevance is the description offered in Avot D'Rebbe Natan: What were the origins of Rabbi Akiva? It was said that he was 40 years old and had not learnt anything. One time he was standing near a well and asked "Who made a hole in this stone?" It was said to him "The water which constantly falls every day. Akiva, don't you know the verse Water erodes stones (Job 14:19)?" Rabbi Akiva immediately inferred the teaching regarding himself, and said "If that which is soft can engrave that which is hard, then the words of Torah which are like steel can certainly penetrate my heart which is but flesh and blood." He immediately returned to study Torah. (Avot D'Rebbe Natan chapter 6) Here we are privy to the moment of enlightenment which begins Rabbi Akiva's spiritual odyssey from ignorant shepherd to legendary scholar.²⁰ The process was a natural one, just as one drop at a time can add up to an ocean of water with incredible kinetic power. The transformation of Rav Yochanan ben Torta is not as well known. The source is the Pesikta which describes the incredible, spiritually-redemptive power of the Red Heifer: There was once a story of a Jew who owned a cow, with which he used to plow. He fell on hard times, so he sold his cow to one particular non-Jew. The non-Jew took it out and plowed with it for six days of the week. On Shabbat he took it out to plow, he placed it under the yoke, he walked and beat the animal but it would not budge from its place. When he saw this he went to the Jew who sold him the cow and told him "Take your cow. It must be injured, for no matter how much I beat it, it will not move from its place." The Jew understood that it must be because of Shabbat, being that the cow was accustomed to rest on the Shabbat. He said, "Come and I will get the cow moving." When they got there he went over to the cow and said in its ear "Cow, cow, you know that when I owned you, you ploughed during the week, and rested on Shabbat. Now due to my sins [I lost my money and had to sell you. Now] you are owned by a non-Jew. Please, I ask you, get up and plough." The cow immediately arose and ploughed. The non-Jew said, "I ask of you, please take your cow. Until now I have been moving myself trying to get the cow up. Moreover I am not releasing you until you tell me what you said in that cow's ear. I exhausted myself and beat the animal and it would not get up." The Jew tried to placate the non-Jew, and said, "It was not magic and the cow is not possessed, but this is what I said in its ear ... and as a result it got up and ploughed." The non-Jew became immediately frightened. He said, "If a cow which can not speak and has no human intelligence can recognize its Creator, while I whom my Creator created in His image, and endowed me with human intelligence – I don't recognize that I have a Creator?!" He immediately came and converted. He studied and merited [great success in] Torah. They called him Yochanan ben Torta (literally, "son of the ox"), and until this very day the rabbis teach laws in his name. And if you are astounded how a cow brought a person under the wings of the Shechina, by virtue of a cow is the purity of the entire community of Israel. (Pesikta Rabati Parsha 14) In this amazing passage we find that Rav Yochanan ben Torta was born a non-Jew. Only upon witnessing a miracle was he shocked into seeking his Creator. His very name "Ben Torta" – "son of the ox/cow" – is testimony to his metamorphosis.²¹ Rabbi Akiva, who saw a natural process, extended his individual experience to the entire community of Israel. He postulated that just as he found his Creator, all the children of Israel would find themselves, and join God in the partnership which he offered them all those years ago. Rav Yochanan ben Torta, on the other hand, felt that in order

for the entire world to recognize God as Creator and Sustainer of the Universe, nothing less than an open miracle would be effective.

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A NATURAL PROCESS Maimonides tells us that the law is according to Rabbi Akiva: the Messianic process is a natural one. Though Rav Yochanan ben Torta is credited for pointing out the reason for the various destructions, Rabbi Akiva was correct about the theory of Redemption. The passage which tells us about the death of Rabbi Akiva's students seems to vindicate at least part of Rav Yochanan ben Torta's observation: A generation which is no better than the generation which suffered the destruction cannot expect to witness the rebuilding of the Temple. Rabbi Akiva was surely aware of this, however Rabbi Akiva was perhaps the greatest optimist the Jewish people have ever had. He thought that once the process begins the idea of Redemption will spread like wildfire, and the people will reach the levels of greatness of which they were capable. If he himself accomplished his incredible learning despite his advanced age and abject poverty, certainly his illustrious people could bring about the Messianic age. Unfortunately, the people failed; the students and followers did not rise to the occasion, and instead of Redemption, further destruction ensued. The days between Passover and Shavuot mark the Redemption that did not happen. We mourn that failure. The days between Passover and Shavuot mark the Redemption that did not happen. We mourn that failure. On Passover, when we celebrate the Redemption from Egypt, we also try to discern how we can make it a reality in our own days. While ultimately Rabbi Akiva and his generation failed, we must recognize that Rabbi Akiva was completely correct in his understanding of the process, and the capability of man. Too many Jews are followers of Rav Yochanan Ben Torta, awaiting the miraculous as a prerequisite for redemption. These nay-sayers wait passively for the sign from heaven that the time for Redemption has come. We must follow Rabbi Akiva, and take proactive steps, accepting our partnership with the Almighty. Drop after drop after drop adds up to a tidal wave of activity. When we succeed, the days between Passover and Shavuot will reacquire their original identity and become a time of joy.

NOTES The actual date the Torah was given is a subject which is debated in the Talmud - Shabbat 86b. "Our Rabbis taught: 'On the sixth day of the month [Sivan] were the Ten Commandments given to Israel.' Rabbi Yose maintained: 'On the seventh thereof.' Said Rava: 'All agree that they arrived in the Wilderness of Sinai on the first of the month. [For] here it is written, on this day they came into the wilderness of Sinai (Exodus 19:1).'" (return to text) See Genesis Rabba 61:3, Ecclesiastes Rabba 11, Yalkut Shimoni Kohelet section 989, for parallel sources. Also see Tana Dbei Eliyahu Zuta chapter 22. (return to text) See Otzar HaGeonim on Yevamot 62b (page 141) and sources cited. Rav Ovadia Yosef, Yabia Omer volume 5 O.H. section 38. (return to text) See Birkei Yosef 493:10 where he cites a number of opinions that the custom not to wed during this period is late and spurious. (return to text) Rav Yichiel Michel Epstein, Aruch HaShulchan 493:1. He also cites the Chok Ya'akov (493:3) and mentions the opinion of Rav Yochanan ben Nuri, that the maximum hell to which a soul may be sentenced is the length of the period between Passover and Shavuot, (Mishna Edyot 2:9) which further points to the "judgement" aspect of this period. (return to text) The Aruch HaShulchan specifically states that the custom began in the time of the Geonim. This may also explain why specifically Sefardic poskim found the custom difficult. (return to text) Letter of Rav Shriria Gaon, Sefardic recension page 13. (return to text) The Talmud says that the students died from the croup which is the English word for askara, a term which denotes choking. The association with Bar Kochba may explain this term, as Bar Kochba's death is described as taking place when a snake (a symbol of his sins) choked him: Jerusalem Talmud Ta'anit 4:5, Midrash Rabbah – Eicha 2:4. "Forthwith the sins caused Betar to be captured. Bar Koziba was slain and his head taken to Hadrian. 'Who killed him?' asked Hadrian. A Goth said to him, 'I killed him.' 'Bring his body to me,' he ordered. He

went and found a snake encircling its neck; so [Hadrian, when told of this] exclaimed, 'If his God had not slain him who could have overcome him?'" The Bavli describes the death of Bar Kochva as taking place at the hands of the sages: Talmud - Sanhedrin 93b: "Bar Koziba reigned two and a half years, and then said to the Rabbis, 'I am the Messiah.' They answered, 'Of Messiah it is written that he smells and judges; let us see whether he [Bar Koziba] can do so.' When they saw that he was unable to judge by the scent, they slew him." Most likely the intention that the Sages wished to convey was that once the Rabbis withdrew their support, Bar Kochba was defeated. The motivation for this response may be seen from another source, which shows that Bar Kochba was unable to discern the greatness of one of the Rabbis whom he suspected of treason and had him killed. (Midrash Eicha, and Jerusalem Talmud Taanit 4:5) The Jerusalem Talmud adds that Bar Kochba was a great warrior, and he said to God "Do not help nor hinder us and we will be successful." Both Maimonides and Ra'avad reflect these two traditions; see Laws of Melachim 11:3, where the Maimonides most likely understands that the sources complement one another as I described above, because it is unlikely that he would reject the Babylonian Talmud in favor of another tradition. (return to text) This would explain the incredible number of "students" who perished. There have been historians who have made this association. On the other hand, a number of sources speak of students of Rabbi Akiva not behaving properly.

Nedarim 40a "Did it not once happen that one of Rabbi Akiva's disciples fell sick, and the Sages did not visit him? So Rabbi Akiva himself entered [his house] to visit him, and because they swept and sprinkled the ground before him, he recovered. 'My master,' said he, 'you have revived me!' [Straightway] Rabbi Akiva went forth and lectured: 'He who does not visit the sick is like a shedder of blood.'" Menachot 68b Rabbi Tarfon was sitting and asked this question: "What [is the reason for the difference in law] between [what is offered] before the Omer and [what is offered] before the Two Loaves?" Said Yehudah ben Nehemiah before him, "No. You can say [that what is offered] before the Omer [is invalid], for the prohibition [of the new corn] does not admit of any exception to the private individual, but can you say so [of what is offered] before the Two Loaves, seeing that the prohibition does admit of an exception to the private individual?" Rabbi Tarfon remained silent, and at once the face of Yehudah ben Nehemiah brightened with joy. Thereupon R. Akiva said to him, "Yehudah, your face has brightened with joy because you have refuted the Sage; I wonder whether you will live long." Said Rabbi Yehudah ben Ilai, "This happened a fortnight before Passover, and when I came up for the Azeret festival I enquired after Yehudah ben Nehemiah and was told that he had passed away." This second source is particularly impressive as the death clearly takes place between Passover and Shavuot, and, ironically, the topic of discussion was the Omer! One would have to posit that this type of behavior was exhibited by 24,000 individual students, in order to take the first passage at face value. There is, however, another source, which speaks of a "mere" 300 students who perished. See Midrash Tanchuma Chaye Sara section 8, and Responsa Minchat Yitzchak Volume 3 section 38, who surprisingly reads the number 300 into our passage in the Talmud. (return to text) The real name of the supposed Messiah was Bar Kosba, see below, after the failure he was known as Bar Koziba, this is how the Maimonides refers to him Melachim 11:3. The name Bar Kochba as such is not found in Talmudic literature, cf. Buber edition of Midrash Eicha Rabba. (return to text) Maimonides, in Laws of Melachim 11:3, makes it sound as if the entire generation was in agreement with Rabbi Akiva, the language "all the sages of the generation" must mean "most." Unless this represents a later view, after the revolt began to unravel. (return to text) This is the only use of this phrase in Rabbinic writings. I once discussed the phrase with Professor Daniel Sperber, who informed me that the phrase is not used in Greek or Latin writings either. Rabbi Soloveitchik once suggested that the idiom referred to Rabbi Akiva's eloquence. (return to text) There is another teaching of Rav Yochanan ben Torta which relates to the grave: Midrash Rabba – Song of Songs 7:16: Rabbi Yochanan ben Torta said:

"Even when one is dead, his lips quiver in the grave. How do we know? Because it says, Moving gently the lips of those that are asleep (Shir Hashirim 7:10)." (return to text) The Talmud does record one opinion of a certain Rebbi Hillel that the Messianic age was exhausted in the days of Hizkiya, but this opinion is considered antinomian. See Sanhedrin 99a. (return to text) Notzrim, "watchmen," may be a play on words meaning Christians, not, of course, in the Biblical text but in the particular usage by Rav Yochanan ben Torta. (return to text) This teaching is also found in Yoma 9a, but the Talmudic discussion clouds the authorship of Rav Yochanan ben Torta. A careful reading of that source will yield the same conclusion. (return to text)

It should be noted that Rabbi Menachem M. Shneerson, in his commentary on this passage, concludes that the Messianic age – the coming of the Messiah - will predate the epoch of the resurrection. This conclusively negates the Rebbe's own Messianic aspirations, and those put forth by some of his followers based on his own teachings! See Chokrei Hazmanim by Alter Hilovitz, Mosad HaRav Kook, volume 2 pages 19-35, for the Rebbe's treatise on this passage. In Chabad it is claimed that the Rebbe later disavowed this interpretation. (return to text) As seen in the previous footnote, we must stress that there are various epochs described as being part of the Jewish eschatological vision. According to Maimonides, the Messianic age is the first part. While this epoch requires no change of nature, subsequent epochs must include basic changes. For example, Maimonides clearly believes in resurrection, as is evidenced by his including lack of belief in resurrection as tantamount to heresy, in his Laws of Teshuva. Therefore we may conclude that resurrection is part of a later epoch. See article cited in previous note. (return to text) This comment would be more caustic if Rabbi Akiva was in fact bald, as is implied by at least one Talmudic source and is the understanding of a number of medieval authorities. Talmud Bechorot 58a, "Ben Azzai says: 'All the Sages of Israel are in comparison with myself, as thin as the husk of garlic, except that bald head.'" Rashi identifies the "bald head" as Rabbi Akiva, hence Rav Yehoshua ben Korcha is the son of Rabbi Akiva. Tosfot s.v. "Chutz", Tosfot Baba Batra 113a, Rashbam and Tosfot Passoverim 112a, Machzor Vitri section 424. (return to text) See Pesachim 49b for an example of Rabbi Akiva's attitude from his days as an am haaretz. (return to text)

The only other conversation between Rabbi Akiva and Rav Yochanan ben Torta recorded reads: "The Rabbis related that once when Rabbi Yochanan ben Torta came before Rabbi Akiva, the latter said to him: 'Rise and read the Torah [for us].'[He replied '[I have not reviewed the portion.] Whereupon the Sages praised him, [because he fulfilled the verse] Then did he see it, and declare it. Midrash Rabba – Exodus 40:1. (return to text)

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Man Is Priceless

HaRav Avigdor Nebenzahl

Article Date: Thursday May 14, 2009 A PERSON'S SPIRITUAL VALUE IS INFINITE

The end of Parshat Bechukotai teaches us that a person may pledge his own value or that of another person to the Beit HaMikdash. There are two possible values that can be assigned to an individual - damim - a monetary value based on his worth as a slave in the open market at that moment, and erech - a fixed value based on age and gender irrespective of physical condition. These latter values are assigned at the end of our parsha (e.g. one who pledges the value of a man between the ages of twenty and sixty has in effect pledged fifty shekels to the Beit HaMikdash, while the value of a woman in the same age bracket is thirty shekels). The mitzvah of Pidyon HaBen, the redeeming of the firstborn son, is another example where we find the Torah assigning an absolute value (five selah) to a person, regardless of how successful the child will become.

Perhaps we can explain that the monetary value is one's physical worth - his value in terms of manpower, this can be measured in the open market. Erech on the other hand refers to a person's spiritual worth. Given that a human being's spiritual value is infinite, the Torah saw fit to assign a fixed rate. Why then are there differences in value based on the factors mentioned above (age and gender)? A person's ability to perform mitzvot varies depending on his stage of life. We do not find varying rates within the age and gender category depending on the person's health or on whether or not he is learned. There is even an opinion in the Gemara that a non-Jew also has an erech value.

The value of a human being is greater than all the items in the world, all the money, silver, and gold combined. We may violate the Shabbat to save a human being, but we may not do so in order to save our gold and silver. A human being is priceless and it is therefore impossible to measure his value - the Torah therefore had to designate a price.

ERETZ YISRAEL IS MEASURED BY A SPIRITUAL YARDSTICK

A person cannot pledge the erech of a utensil or an animal because one cannot assign a spiritual value to these items. There is only one item, apart from human beings, to which the Torah assigned a fixed value. We read in our parsha: "if a man consecrates a field from his ancestral heritage to Hashem, the valuation shall be according to its seeding: an area seeded by a 'chomer' of barley for fifty silver shekels. If he consecrates his field from the Jubilee Year, it shall remain at its valuation. And if he consecrates his field after the Jubilee, the Kohen shall calculate the money for him according to the remaining years until the Jubilee Year, and it shall be subtracted from its valuation" (Vayikra 27:16-18). Based on the above idea it appears that similar to man, the value of Eretz Yisrael is not measured in purely economic terms. The essence of Eretz Yisrael is as a place in which to serve Hashem and observe mitzvot, its value is thus infinite. Any monetary value can only be assigned by the Torah.

The Torah relates in Parshat Vayishlach: "he (Yaakov) bought the parcel of land upon which he pitches his tent" (Bereishit 33:19). The Ibn Ezra comments on this pasuk that one who acquires an ancestral land in Eretz Yisrael is likened to one who has purchased an inheritance in the Next World. Chazal tell us "Better one hour of spiritual bliss in the World to Come than the entire life of this world" (Avot 4:23). This "one hour" is the equivalent of passing by a royal feast and just smelling the aroma. This whiff of the Next World is better than the entire life in this world. In a similar fashion, the value of land in Eretz Yisrael, like an inheritance in the Next World, is priceless. Rashi in his usual concise manner teaches that true performance of mitzvot can only be performed in Eretz Yisrael. The Ramban elaborates on this theme. Observance of mitzvot outside of Israel is only in order to "Make road markers for yourself" (Yirmiyahu 31:20). Although the Torah tells us "it is a Sabbath for Hashem in all your dwelling places" (Vayikra 23:3), the essential mitzvah is in Eretz Yisrael. There is no value we can possibly assign to a me-ein olam haba, the Torah therefore assigned a value.

"MAN IS SLIGHTLY LESS THAN HASHEM"

We must be aware of how important we are - a human being is not simply an animal with two legs, but has spiritual capabilities as well. Our value is priceless. David Hamelech declared "when I behold Your heavens, the work of Your fingers" (Tehillim 8:4) - what a vast universe we live in measuring tens of millions of light years. David HaMelech continues: "What is frail man that You should remember him, and the son of mortal man that You should be mindful of him" (ibid. 5). Man is so insignificant in so vast a creation. The Milky Way is a minute portion of the creation, the Solar System a small part of the Milky Way, the earth a miniscule portion of the universe, Yerushalayim a very tiny portion of the earth. Me? I am so insignificant, the space I take up in Yerushalayim is hardly noticeable! If so, "what is frail man that You should remember him?" Man appears almost non-existent in this vast universe, he has no value or importance. David, however, immediately claims: "Yet, you have made him but slightly less than Elokim" (ibid. 6).

Am I only slightly less than Hashem? Although Chazal tell us that this pasuk refers to Moshe Rabenu (see Rosh Hashana 21b), this is because Moshe was the only one to attain this level. Every human being, however, has the potential to reach this state of perfection. If I am so insignificant, how is it that you have made him but slightly less than Elokim? How can this be? Hashem is infinite and me? I perhaps take up four amot according to the measurement of HaRav Chaim Naeh (certainly not the measurements of the Chazon Ish!). Hashem "lives forever and endures to eternity". Me? If only I will live my full one hundred and twenty years. Hashem is All-Powerful and knows all, while I have no power and know almost nothing!

MAN RULES OVER THE CREATION

The pasuk continues "You give him dominion over Your handiwork, You place everything under his feet" (Tehillim 8:7). Does man rule over creation? If I go out on a hot day I will get a headache, on a cold day I will get a sore throat. If I were to cross the street on a red light, it is not the car that will be under my feet but, G-d forbid, the opposite. Where then do we see "you place everything under his feet"? All I see under my feet are shoes and socks!

On a physical level man does not rule over the creation. Spiritually, however, it is man who rules. Man's mitzvot, good deeds (or the contrary), determine how the world is run. Every word of Torah that we learn, every act of chesed we perform, every prayer we recite, even our failures, carry incredible weight. With this in mind, we can now understand the verse "You have made him but slightly less than Elokim". It is man who, so to speak, dictates to Hashem what will be. We are the ladder which the angels climbed in Yaakov Avinu's dream.

THE IMPORTANCE OF FEELING IMPORTANT

It is cited in the name of the Vilna Gaon that a person cannot succeed without kavod - without feeling a sense of importance. This certainly does not imply that a person should demand kavod, not only should he not demand it but he should do his utmost to honor and respect others. What it means here is that a person requires self-esteem in order to survive, to realize his own self-worth and the worth of every Jew and human being. When my Rebbe HaGaon HaRav Yechezkel Levinstein zt"l was an elderly man, he found it difficult to speak even to a young bachur who stood while he sat: "I can't talk to a tzelem Elokim who stands while I sit" - such was the respect he had for other human beings. Of course, just as we must be cognizant of our own value, we must accord kavod to others.

Chazal teach us that when a person arrives in the Next World he will be asked "himlacha et Konecha" "Did you crown your Creator?" Did you accept Hashem as King upon yourself? He will then be asked: "himlacha et chaverecha" "Did you crown your fellow Jew?" We must realize that human beings, even non-Jews are created in the image of Hashem. How much more so must we honor the King's children, and even more so those who study the Torah? Just as we must realize our own importance, we must understand the importance of our fellow Jews.

MOTHER'S DAY AND WIFE'S DAY - EVERY DAY OF THE YEAR

Just as we must strive to perform more and more mitzvot in the realm of "bein adam laMakom" "between man and Hashem", we must also strive to perform mitzvot and acts of chesed towards our fellow Jew. We have spoken about the importance of seeing the greatness of every Jew, this applies especially when speaking of the relationship between husband and wife. The marital bond must be based on mutual love and respect. They must constantly strive to make the other person happy. I saw a sign in the hall reminding the boys that Sunday was Mother's Day. In Judaism we don't have one Mother's Day - there are 365 Mother's Days. Every day is also Wife's Day. Obviously women must also strive to be good to their husbands, but I am now speaking to a group of future husbands. A man must appreciate all that his wife does for him, including giving him the greatest gift anyone can give another - children.

Last week I had the privilege of delivering a sicha to our second year students on the topic of Sholom Bayit - creating peace and harmony

between man and wife. We mentioned, among other topics, that there is much written in Chazal about a man having to honor his wife. Shir HaShirim is an allegory of the love between Hashem and Knesset Yisrael written as a love between man and wife. This means that the man, from this perspective, should follow in the ways of Hashem by showing unbridled love to his wife. Hashem only gives - he does not take anything for Himself. Certainly there is so much that the wife gives the husband, including the most precious gift of all - his children, and there is nothing wrong if the husband accepts. However, as much as he possibly is able, he should have a desire to give. How does Hashem feel about the Jewish people? After Bnei Yisrael crossed Yam Suf en route to the desert, their bitachon having already undergone several difficult trials which they passed - one of these tests took place while still in Egypt: "the Children of Israel journeyed from Rameses to Sukkot ... nor had they made provisions for themselves" (Shmot 12:37-39). Rashi writes: "this tells the praise of Israel, that they did not say 'how can we go out to the wilderness without provisions?' rather they believed and went" (Rashi Shmot 12:39). Almost one thousand years later, when Hashem was about to destroy the Beit HaMikdash as a result of the people's sins, Hashem recalls this faith: "I remember for your sake the kindness of your youth, the love of your bridal days, how you followed Me in the Wilderness in an unsown land" (Yirmiyahu 2:2).

After all the trials and tribulations, after many infractions by the Jewish nation, Hashem still fondly recalls the beginning of His relationship with the Jewish nation. By the same token we should love our wives as if each day was a recreation of our wedding or engagement. We followed Hashem in the desert, lead by Moshe Rabenu, without food or drink and without knowing what would become of us. By the same token a kallah follows her husband, who is generally still a young bachur, without knowing what life with him will bring. Will he become a talmid chacham? Will he become a successful businessman? The husband must always be grateful that his wife followed him without knowing what was in store for her.

ON THREE THINGS THE WORLD STANDS

The Mishna states: "On three things the world stands: on the Torah, on the Temple service, and on deeds of lovingkindness" (Pirke Avot 1:2). Does the world not stand on the merit of any of the other six hundred and thirteen mitzvot, why were these three specifically chosen? It seems to me that these are the three primary categories of achieving closeness with Hashem, all other ways may be viewed as subcategories.

Man was created as a tzelem Elokim - in the image of Hashem. This means that we must try to emulate the ways of Hashem as much as possible and in this way to cleave to Him.

TORAH: By studying Torah we become close to Hashem on an INTELLECTUAL level and can gain some insight into His thoughts. We must realize that a human being in no way can comprehend Hashem's thoughts, as the prophet says: "As high as the heavens over the earth, so are My ways higher than your ways, and My thoughts than your thoughts" (Yeshayahu 55:9). When a brilliant scholar, wise in the wisdom of Torah, or lehavdil in the sciences, speaks, we may have difficulty understanding his words due to their profundity, but in the final analysis his thought process is no different than that of other human beings. He thinks in a causal manner - there is a cause and effect. The Gemara asks a question, and therefore provides an answer. Tosafot poses a difficulty and as a result reaches a conclusion. We lead our daily lives in such a manner as well: we are hungry so we go and buy food. Man's life is based on reasoning and logic, but Hashem is above all reason and He is the Reason for all reasons. No cause can require Hashem to do anything, Hashem's thoughts differ totally from our understanding of the term "thought", such that not only are we unable to reach the depths of His understanding, we cannot even attribute the notion of "thought" to Him.

Even someone as great as Moshe with all the Torah that he learned and continues to learn for the past thousands of years in Gan Eden, cannot fully understand the Torah or Hashem's thoughts. Yet Hashem gave us the

Torah as a way in which we can get some inkling and come close to Hashem's thoughts.

AVODA: Avoda, or service, is the way in which we approach Hashem EMOTIONALLY. When man brings an offering upon the Altar, he should feel as if it is himself that he is sacrificing. If the offering is a chatat - sin offering, then he feels as if it is himself who deserves to be slaughtered upon the altar. If he is bringing a nedava - a donation, he should wish he could give himself as a gift to Hashem. Avraham Avinu was ready to offer his only son, and would have done so had Hashem not prevented him: "do not stretch out your hand against the lad" (Bereishit 22:12). If Avraham Avinu was not permitted to offer his son, then we certainly cannot permit any form of human sacrifice. Instead, Hashem gave us the possibility of bringing animals, fowl, or Mincha offerings. We should feel, however, the desire to be ourselves sacrificed upon the Altar.

Today, we are no longer able to offer sacrifices. We try to achieve that same closeness to the A-lmighty through our prayers. We have a tremendous opportunity to stand before Hashem three times a day and to speak to Him - as a son stands before his father. We thank Him for all the good He has given us, and request that He will continue to shower us with good - with wisdom, repentance, forgiveness, redemption, and whatever we may need. We have an incredible opportunity, to bless Hashem one hundred times a day! It is known that people travel great distances to receive the bracha of a Rebbe or talmid chacham. This is only done on rare occasions such as prior to the Yamim Nora'im, or for a shidduch, etc. In our case, Hashem lowers Himself, so to speak, to us - the dust of the earth. One hundred times daily He belittles Himself in order to receive our bracha. This is an incredible opportunity for closeness. We should desire to extend our prayers longer and longer, rather than attempt to conclude them in the quickest way possible. We are unable to spend our entire day in prayer, for we are obligated to study Torah as well. If we had the opportunity, however: "if only it were that man spend the entire day in prayer" (Brachot 21a). If we are unable to pray all day, the least we should do is make sure we do not daydream during the little time we are able to spend in prayer.

GEMILLUT CHASSADIM: Gemillut Chassadim is the way we cleave to Hashem through our ACTIONS. We have said that we cannot apply the idea of causality when speaking of Hashem, yet our minds can only follow a line of reasoning. When we attempt to explain the reason Hashem created the world, we must say that it was to provide good for all His creations. Hashem "searched" for whom to provide this good, and because no one existed yet, He had to create the world - beginning with the administering angels and ending with man, vegetation, insects, and the rest of the creation. "Hashem is good to all, His mercies are on all His works" (Tehillim 145:9) - each element of creation serves a purpose and can receive Hashem's goodness. The more a person gives the closer he comes to Hashem and the more he takes, the more he distances himself from Him.

GIVING FOR THE SAKE OF TAKING, TAKING FOR THE SAKE OF GIVING

The following parable from R' Sholom Schwadron zt"l illustrates this point very well: There are two storeowners who are selling the identical goods: The one shopkeeper's sole purpose is a desire to help others, to give his fellow Jews whatever they need, be it challa, meat, fish, etc. If he were to simply hand everything out without accepting any payment in a very short time his supply would be depleted and he would not have the means with which to replenish it. In addition, he needs to be able to survive and feed his family in order to be able to better serve his customers. He has no choice but to accept payment from his customers. The other storeowner is selling the same goods but he is only interested in making a profit and in taking from others. The problem he faces is that if he were to simply hang up a sign "we receive money here", it is doubtful that anyone would enter his store. The only choice he has is to provide goods for his customers so that they should want to pay him.

These two shopkeepers work in an identical fashion - they provide merchandise to customers and take money for it. What a difference,

however, is there between the two! The former's taking is a form of giving, for it is only a means by which he can continue to give to others. The latter, on the other hand, gives in order to take - his giving is the means by which he can continue to take from others. The former's business brings him closer to Hashem, because he is following in the ways of the A-mighty, just as He gives but never takes. While with the other shopkeeper, the very same transactions distance him from Hashem because he only takes.

We all need to take from this world, for we cannot live without air, food, clothing, and water. However, we should try to give as much as possible. This applies to every person, certainly to a man and wife. The man (the woman too, but I am speaking here to a group of men) must try his best to be a giver. When each side has a desire to give then this will create peace and harmony in the home, otherwise the sholom bayit is in danger.

We must try as much as possible to emulate the ways of Hashem - to understand that we are created in His image. It is our deeds and mitzvot which sustain the world. When we act appropriately then with Hashem's help the world will be blessed.
