

B'S'D'

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INTERNET PARSHA SHEET
ON BEHAR BECHUKOSAI - 5761

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From: Don't Forget[SMTP:sefira@torah.org]
Subject: Day 41 / 5 weeks and 6 days
Tonight, the evening of Friday, May 18, will be day 41, which is 5 weeks and 6 days of the omer. Sefira - the Counting The Omer Reminder Mailing List Project Genesis: Torah on the Information Superhighway www.torah.org/

From: Rabbi Riskin's Shabbat Shalom List parsha@ohrtorahstone.org.il
To: Shabbat_Shalom@ohrtorahstone.org.il
Subject: Shabbat Shalom: Parshiot Behar - Bechukotai by Rabbi Shlomo Riskin
Shabbat Shalom: Parshiot Behar - Bechukotai
By RABBI SHLOMO RISKIN

Efrat, Israel - I write the interpretation of this week's Torah portion with a heavy heart, just returning from the tragic funeral of Koby Mandell, a thirteen and a half year old student in the eighth grade of the Efrat Ohr Torah Stone Junior High School. Koby and his family made aliyah from Silver Spring, Maryland, six years ago; for the first four years in Israel, the family lived in Efrat and these last two years in Tekoa. Koby was a happy fun loving sensitive and outgoing student - who especially loved to hike and explore the landscape of Israel. Yesterday, the Tuesday before Lag B'Omer Koby and his classmate Yosef went hiking in a park of caves on the outskirts of their home town Tekoa (Ma'arat Haritan). When they failed to return by nightfall, their worried parents began a search which concluded with the discovery of two dead bodies - cruelly stoned to death almost beyond recognition by a savage group of Palestinians. Ten thousand shocked Gush Etzion residents participated in the heart rending funeral.

What the world Jewish community must realize is that we in Israel are in the midst of a war - perhaps the most difficult and significant war of our entire history. It is difficult, even horrendously and cruelly difficult, because the enemy has made the roads, parks, and residential areas the front lines of battle; indeed our soldiers are often mere babies and young children completely free of wrongdoing. Koby and Yosef were soldiers who were murdered in the line of duty, holy sacrifices. We would not have chosen to make them soldiers; unfortunately, our enemy has dictated the rules of this war.

This war is significant because it is a continuation of our War of Independence. Our battle to maintain our homes and our freedom in Israel. Do not make the mistake of thinking that is about our right to Judea, Samaria and Gaza; we have already given up 96% of the land of Judea, Samaria and Gaza in which Palestinians live, and former Prime Minister Ehud Barak offered to give up 94% of the remaining areas (with the land swap in the Negev for the other 6%) - including the Jordan Valley, Arab and Christian East Jerusalem, and the Temple Mount above the ground. Arafat's response was terrorist attacks in every part of Israel; his reason was that it was his goal to return not only to the 1967

boundaries but to the 1947 boundaries, including West Jerusalem, Netanya, Haifa, et al. In defiance of the now defunct Oslo accords, Arafat is training an army and trading in the negotiation table for armed terrorism.

Palestinian, indeed all Arab, television, newspaper, and literary works, as well as religious Moslem homilies, are constantly filled with vile and invidious venom against Israel and the Jews; suicide bombing and young children's participation in stone throwing are monetarily encouraged, aided and abetted. If a Palestinian baby is a tragic victim, it is only by accident and in self defense because we must protect ourselves from shell-fire emanating from Palestinian homes with young children; however, if an Israeli child is a sacrificial victim in this war it is by design, with he or she having been singled out for a sadistic death by a crazed and whipped-up enemy. Tragically, the world community refuses to face these bold facts; at the very least, all of world Jewry and fair-minded citizens at large must rise up in defense of a besieged Israel in our time of need and existential danger.

This week's Torah reading: "I broke the pegs of your yoke, and led forth with your heads held high" (Leviticus 26:13). A reference to this verse is to be found in our Grace After Meals, when we praise "the Merciful One who shall break the yoke upon our necks and shall lead us to our land with heads held high". Why does the Bible speak only of G-d's destruction of the pegs of the yoke, whereas the Grace After Meals speaks of the total destruction of the entire yoke?

Rav Shlomo Ullman explains that the end of the plowing-planting season, the farmer removes the pegs of his yokes from his oxen - but he retains the yokes themselves for the following season. When he sells his entire agricultural enterprise however, he rids himself of all his yokes! Our Torah reading is referring to the first Commonwealth when the pegs of our subjugation were removed, but the yoke would soon return to haunt us after the Temple's destruction. Our request in the Grace After Meals is for the entire yoke to be cast aside because we shall have entered the period of our complete and our eternal redemption.

Allow me to make an alternate suggestion: the Biblical verse to our subjugation in the Exile; when the Almighty concludes our Exile, he removes the pegs of the yoke. However, the yoke itself still follows us, even in our homeland Israel. After all, do we not still suffer the terrorist acts of our enemy as well as the constraints placed upon military actions by our American allies? Therefore, in the Grace After Meals, we ask the Almighty to completely remove the entire yoke from our necks and to lead us with heads held high within our land! So may it be!

Shabbat Shalom.

You can find Rabbi Riskin's parshiot on the web at: <http://www.ohrtorahstone.org.il/parsha/index.htm> Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean To subscribe, E-mail to: Shabbat_Shalom-on@ohrtorahstone.org.il

From: Office@etzion.org.il Subject: Sichot61 -28: Parashat Behar-bechukotai Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) Student Summaries of Sichot Delivered by the Roshei Yeshiva

SICHA OF HARAV YEHUDA AMITAL SHLIT" A
"FOR THE LAND IS MINE"

Summarized by David Silverberg

At Mt. Sinai, the Jews eagerly anticipated their entry into Eretz Yisrael, which was to have been a mere eleven days away. They anxiously awaited the opportunity finally to establish their lives in their new land, to cultivate the fertile soil and to yield the potential abundance of produce from the land flowing with milk and honey. How startling it must have been to be suddenly confronted with the laws of shemitta (the sabbatical year)! For an entire year out of

every seven, the Halakha binds the farmer's hands, stows away his sickle and plowshare, and leaves him in a panic, worrying about the following year's crop. Wherein lies the true message of shemitta?

The significance of this mitzva relates to a fundamental precept regarding the relationship between the Jewish people and the Land of Israel. As history ran its course, every other nation found itself a habitat. In Parashat Noach (Bereishit 10), the Torah lists scores of nations who managed to settle throughout ancient Mesopotamia. Similarly, Esav left Canaan and established the nation of Edom in Mt. Se'ir (Bereishit 33:16). Am Yisrael, by contrast, was handed their land from G-d directly. Unlike any other ethnic group, Benei Yisrael carries with it the Brit Bein Ha-betarim, by which G-d guarantees them Eretz Yisrael (Bereishit 15). Thus, the Jews' relationship to their land transcends the very fact of their geographic location. Eretz Yisrael is not simply where Jews live - it is the region specifically allocated and handed to them by the Almighty Himself.

According to the very first lines of Rashi's commentary on the Chumash (Bereishit 1:1), this comprises the primary purpose of Sefer Bereishit.

"For should the nations of the world accuse the Jews, saying 'You are thieves, having stolen the land of the seven nations [of Canaan],' they could answer, 'The land belongs to G-d. By His will He offered it to the nations, and by His will He seized it from them and bequeathed it to us.'"

Indeed, this charge against Am Yisrael has been raised throughout our history. Rav Yaakov Herzog zt"l fought arduously to discredit this accusation; he would observe a fast before "facing off" against those historians who attempted to undermine the Jews' right to the land of Israel. Sefer Bereishit offers us the correct response: Am Yisrael didn't simply settle their land; it was given to them directly from G-d.

Thus, by letting the land lie fallow during the shemitta year, the farmer reinforces his awareness of the source of his connection to his crop. The Torah underscores this theme at the closing of this section:

"And the land shall not be sold for eternity, for the land is Mine - for you are strangers and temporary dwellers with Me." (Vayikra 25:23)

G-d's assertion that Benei Yisrael are "gerim ve-toshavim" (strangers and temporary dwellers) is not meant to disparage them. On the contrary, it is among our most treasured and sacred privileges. We have the opportunity to live as a "ben bayit" with G-d, a member of His household, simply by inhabiting His land. By observing shemitta, we reaffirm our recognition of G-d's unique role in our dwelling in Eretz Yisrael. The land really belongs to Him, and we are its custodians.

Unfortunately, this message has been lost among many people in Israel today, even those in the "national camp." Jewish nationalism has been progressively focusing on the nation, not on G-d. The pride in Israel felt by many Jews evolves from a pride in the Jewish people, not from a deep-rooted awareness and internalization of "for the land is Mine."

Earlier this century, Achad Ha'am suggested that secular Jews are more nationalistic than Torah-observant Jews. Whereas the religious community relates to their nation strictly with regard to traditional Judaism's religious quality, secular Jews take pride in their nation for what it is, regardless of traditional observances. Achad Ha'am was absolutely right, according to his secular definition of nationalism.

For us, however, as Benei Torah, our pride in our country must stem from a firmly-established consciousness and cognizance of the true quality of Eretz Yisrael, the land handed to us personally and directly from G-d. "For you are strangers and temporary dwellers with Me"

reminds us that our connection to Eretz Yisrael extends well beyond the physical reality of our residence here. Our relationship to the land must be bound intrinsically with our relationship to its true owner: "for the land is Mine!"

(This sicha was delivered on leil Shabbat Parashat Behar 5755 1995.)

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The Centrality and Sinaitic Root of Shemithah - Shabbos HaAretz

BY RABBI MICHAEL ROSENSWEIG

Rashi opens his commentary to Parashas Behar by invoking the famous passage in the Sifra that underscores the Sinaitic origin of all the detailed Halakhos of shemithah. This Sinaitic foundation is established to be paradigmatic of all mitzvos: Mah shemithah ne=emru k=lalosehah v=dikdukehah mi=Sinai, af kulan ne=emru k=lalosehan v=dikdukehan mi=Sinai. Just as the laws and rules of Shemithah are Sinaitic, so too the laws and rules of all [mitzvos] are Sinaitic. While Rashi and Ramban (Vakira 25:1) dispute the precise basis for the Sifra's insight regarding Shemithah, neither addresses a more basic issue: If all mitzvos have a common Sinaitic root, why does the Torah specifically emphasize this link with respect to Shemithah? A satisfactory response to this question might illuminate why the Torah chose to convey the broader theme by means of the institution of Shemithah.

R. Behai, in his commentary ad locum, does address the problem. He argues that Shemithah is conveyed at Sinai, where the laws of Shabbos were delineated, and the laws of the former follow those of the latter, because there is one common reason for them. R. Behai posits that the pervasive link between Shabbos and Shabbos HaAretz is not merely a linguistic or a broad thematic one, but implies a serious, substantive connection. There is much evidence to support this perspective. Each of the Parshiyos that deal with shevi= is reflect the Shabbos theme inherent in Shemithah, albeit in different forms. In Behar, shevi= is is repeatedly characterized as a Sabbath. According to Ramban and Ibn Ezra (25:2), the expression \perp Shabbos LaHashem actually parallels Shabbos Bereishis. In Mishpatim (23:1012), the Torah transitions from brief discussion of Shemithah to an even more cursory reference to Shabbos. Rashi (23:12) in that context cites the remarkable comment of the Mekhilta that finds it necessary to exclude the possibility the Shabbos observance might be rendered superfluous during the Shemithah year: \perp Af B=shana ha=Shvi= is lo t=akeir Shabbos Bereishis mim=komah she=lo to=mar ho=eil v=kol ha=shana k=ruah Shabbos lo ti=naheig bah Shabbos Bereishis.

According to R. Akiva (R.H. 9a) the pasuk \perp b=katzir u=vacharish tish=bos (Shemos 34:21), stated apparently with respect to Shabbos, actually refers to Tosefes Shevi= is! [Even R. Yishmael, who rejects this interpretation, does in fact derive Tosefes Shevi= is from Shabbos.] R. Behai appears to be suggesting that Shemithah, as a leitmotif of Shabbos, is linked to Sinai not only by virtue of Moshe Rabbeinu= s comprehensive exposure to the entire corpus of Torah during his personal ascent upon the mountain, but also as a dimension of Bnei Yisrael= s Asseres haDibros experience at Har Sinai. Shemithah= s incorporation into the Asseres HaDibros under the broader rubric of Shabbos certainly further emphasizes its centrality.

Given this view of Shemithah= s transcendent status, it is unsurprising that Chazal suggest that this mitzvah is the foundation of Kiddush haAretz and the nation= s very right to Eretz Yisrael. Midrash HaGadol (Behar) notes: She=lo hikhvasti osan l=Eretz Yisrael ela al m=nas she=yikbilu aleihen mitzvas shivi= is BI took them to Eretz Yisrael on the sole condition that they would accept upon themselves the mitzvah of shivi= is. Similarly, the Torah (Vayikra 26:34) indicates that failure to properly observe and appreciate Shemithah forfeits K=lal Yisrael= s

prerogative with respect to Eretz Yisrael and precipitates their exile. Indeed, the \perp Shabbos theme is specifically invoked in this context. Chazal elaborate this consequence and group the desecration of Shemitah with other central and capital offenses (Avos 5:9; see R. Behai 25:2) Galus ba l=olam al avoda zara v=al gilui arayos v=al shfichas damim v=al smitas ha=AretzBExile exists in the world because of idolatry, sexual immorality, murder, and Shemitah.

R. Behai himself goes a step further: Hechmirah HaTorah b=Shemitah yoseir mi=kol chayavei la=avin v=gazar a=leha galusBhakofeir b=mitzvas Shemitah k=kofeir b=chadash ha=Olam u=v=olam haba...the Torah is more stringent in Shemitah than in any other negative injunction and decreed exile [as its consequence]; the one who forsakes the mitzvah of Shemitah is akin to one who rejects the world to come. Undoubtedly, this formulation is consistent with his perspective regarding the substantive relationship between Shemitah and Shabbos.

The Shabbos motif of shevi=is may be explained in a variety of ways. [Of course, the obvious discrepancies and the subtle contrasts between the two themes of Shabbos, as well as their different formulations in the Torah, is also crucial to a proper understanding of Shemitah.] Both Shabbos HaAretz and Shabbos Bereishis reflect creative and ambitious man=s intermittent obligation to withdraw and retreat (a theme developed extensively by the Rav Z=tl), reinforce his acknowledgement of Hashem=s ultimate sovereignty over all things material, and force him to constantly reassess his own ambitions and goals in light of the greater spiritual purpose embodied by the themes of Kedushas HaAretz and Kedushas HaZman. Like Shabbos Bereishis, Shemitah constitutes not just a periodic, if anticipated, spiritual break, but perhaps forms the very foundation and framework for a productive material/spiritual existence. Just as the week revolves around Shabbos (Bezah 16a; Ramban to Shemos 20:8), the cycle of years are defined by Shemitah. This is reflected concretely in the ma=asros cycle, but extends beyond as well. Shabbos HaAretz, like its weekly counterpart, sets the tone for and thereby gives direction and purpose to the total time timestructure that it defines.

Like Shabbos, the framework of Shemitah is characterized by points of transition on both sides that are suffused with sanctity (tosefes li=fanehah ve=acharehah), perhaps to project its transcendent impact upon the entire framework.

The Midrash (Bamidbar Rabah 3:8) formulates the singular character of both Shabbos themes succinctly: Harbei bara HaKadosh Baruch Hu u=vireir lo echad mei=hem; bara sheva yamim u=vireir HKBH es haShabbos; bara shanim u=vireir echad mei=hem she=nemar \perp V=shavta ha=aretz Shabbos LaHashemBHashem created many and chose one of them; He created days and chose Shabbos; He created years and chose one of them. Together with the theme of Shabbos Bereishis, the authentic roots of the singular and transcendent Shabbos HaAretz are, indeed, firmly in Sinai.

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Mazal Tov to Rabbi and Mrs. Shmuel Hain on the birth of their son. Mazal Tov to Margot Auerbuch and Yechiel Rosman on their recent engagement.

RABBI BENJAMIN YUDIN - GENEROSITY

Parshat Bahar begins with the laws of Shemitah- the sabbatical year. There are many significant lessons that the Jew is to acquire from observing these laws which include not working his land, and not doing business with the produce that grows from the land in the seventh year. The Seforno, in his comment on the verse where the Torah states, "The land shall observe a Shabbat rest for Hashem," teaches that the purpose of this year when the farmer is not engaged in agriculture, is not to travel or pursue other hobbies and interests, but, "lahashem," it is a year to be devoted to the study of His Torah. Imagine what a positive impact this can have on the life of the farmer, and his family, who now sits in the Beit HaMikdash for a full year and looks to serve Hashem thru acts of chessed. Moreover, the Seforno reminds us that the term, "shabbat lahashem," is found in the Aseret HaDibrot (Shemot 20:10) regarding our weekly observance of Shabbat. Likewise, the parshaEs purpose is to attain a closeness to Hashem through Torah study.

The Chinuch, in his comment on Mitzva 34, presents two lessons to be derived from Shemitah. Firstly, we affirm our belief in Hashem as Creator. We work the land for six years, and rest on the seventh, as we do every week as we work six days and rest on Shabbat. This demonstrates both the belief that G-d created the world in six days, and that He is always involved in the activities of man. The second lesson to be culled is the development and enhancement of manEs character, and specifically his generosity of spirit. Our Rabbis note that man comes into this world with his fists clenched, announcing his readiness and preparedness to acquire. It is the nature of man to be concerned about himself. The laws of Shemitah impact greatly on helping the Jew. To refocus and realize that what he possesses is not only for him, but, "The destitute of your people shall eat," (Shemot 23:11). His taking down the, "No Trespassing" sign for the seventh year helps him to develop from selfish to selfless.

This generosity of spirit is not only good for the rest of society, but the landowner benefits as well. It is interesting to note that in last weeks parshah, Emor, in Parshat HaMoadim (Chap. 23) there are many mitzvot related to the different holidays, but all are mitzvot between man and G-d- ben adam lechavero. There is one exception. The closing verse of the holiday of Shavuot deals with the landowner leaving a corner of his field for the poor along with the gleanings of his harvest (Vayikra 23:22). Why is this an integral part of the Shavuot section, especially since this law is already taught in Parshat Kedoshim? Perhaps the Torah is hinting at the idea that commensurate with your generosity to others will be your personal acquisition of Torah. Generosity of spirit is a prerequisite for Torah.

This is further substantiated by the "Sabbah" (Elder) of Kelm who strongly recommended that during the 49 days of Sefirat HaOmer Jews study the 48 methods through which Torah is acquired as taught in the last chapter of Avot, and on erev yom tov to review them all. Note, says the Vilna Gaon zt"l, no one Jew can effectively master all 48 traits. Our character, intellect and temperament differ one from another. Rather, each individual is capable of mastering only several of these traits. Then, the more positive interaction there is between one another, the more we will be able to absorb and imbibe from our neighbors. (This is comparable to the Meshech ChochmaEs comment on, "naaseh venishma," where he says that no one Jew can fulfill all 613 mitzvot. Only together as a people- the kohanim doing theirs, the kingEs his, women theirs- may we as a people observe the Torah in its entirety.) If however, one lives by the "good fences make good neighbors" policy, the amount one will receive from others will be limited. Therefore, suggests the Gaon zt"l, not all the 48 methods are of equal value. Rather he sharply interprets the familiar verse, "rabot banot asu chayil veat alit al kuylana," ϕ many daughters --meaning Torah scholars-- do "chayil", whose numerical value is 48 (i.e. methods of Torah acquisition), but "veat" ϕ from aleph to taf there is one virtue that exceeds them all. This

virtue is "ohev et habriyot" ϕ loves mankind (#32). The Gra explains that commensurate with one's love of mankind will be the ability to acquire the positive traits of the next person. Thus love and generosity of spirit is most beneficial to one's acquisition of Torah. (It is interesting to note that the students of Rabbi Akiva stopped dying after the day that corresponded to "ohev et habriyot.")

Finally, today is Pesach Sheini. While there is a machloket in the ninth chapter of Pesachim (93a), Rebbi maintains that the second Pesach is a festival in its own right, and RE Natan holds that it is a make-up and substitute for the first Pesach. In reference to the latter opinion, why does this institution apply only to Pesach, and not to a situation where one missed sukkah, shofar or lulav? Perhaps you can say because of the significance of Pesach including its punishment of karet. Alternatively, one could say, as the Torah teaches us in Bamidbar (9:6-7) that the persons who came to Moshe unable to participate in the Pesach were excused and exempt. "Ones rachmana patrei." However their cry of, "lama nigra?" ϕ why should we be diminished?- demonstrated a love for mitzvot, a generosity of spirit that said ϕ don't excuse us ϕ find a way to include us. Their generosity of spirit in performing mitzvot earned for them and for us an additional mitzvah ϕ Pesach Sheini- which teaches us how important is our attitude toward mitzvot.

http://www.torahweb.org/torah/2000/parsha/rtwe_bechukosai.html
[From last year]

RABBI MAYER TWERSKY Parshas Bechukosai

Im bechukosai telechu, veisem osamE (Vayikra 26:3) ϕ If you walk in my statutes, and keep my commandments, and do them.

Im bechukosai telechu, This bears on the text, I considered my ways, and turned my feet unto Your testimonies (Tehillim 119). Rav Huna, in the name of Rav Acha expounded the verse to mean Φ I consideredE the reward given for good deeds and the loss entailed through misdeeds, Φ and turned my feet unto your testimoniesE. (Vayikra Raba)

The phrase, "bechukosai telechu" is suggestive; elsewhere (e.g., Vayikra 18:4, 26; 20:8) the Torah speaks of observance (shemirah) and performance (asiyah) of chukim. Accordingly, the midrash presents a variety of interpretations, each one prompted by the suggestive phraseology of our verse.

The Yefeh Toar commentary on the midrash amplifies Rav Acha's interpretation. The Torah's idiom, "bechukosai telechu" conveys a sense of progression and movement within Torah; a life of Torah and mitzvot is not static. It begins shelo lishmah, motivated by ulterior considerations such as attainment of reward. We ascend therefrom rung by rung, level by level, to even higher degrees of avodas Hashem.

In fact, both the Baal Shem Tov as well as Rav Hayim of Volozhin, commenting on the verse in Zechariah (3:7), "venasati lecha mehalechim", underscore man's spiritual mobility as his defining characteristic. Whereas angels are spiritually stationary, man is a holech/mihalech; he is spiritually mobile.

A Jew is called upon to live a life of continuous ascent. Accordingly, the Torah's exhortation of, "bechukosai telechu"; hence the imagery of the Psalmist: "Who will ascend the mountain of G-d?" (Tehillim 15) We must be aware that the demands of our daily routine can entrap us in a snare of complacency. We are very susceptible to exchanging a dynamic life of spiritual ascent for a static life upon a spiritual plateau. A life of ascent, inter alia, entails constantly deepening our commitment to Torah and Talmud Torah (if possible, quantitatively by devoting more time, but certainly qualitatively that Torah becomes increasingly central to our very being), pursuing mitzvot with zeal and striving for ethical-moral-religious perfection (tikkun hamidos).

The period of sefiras haomer is especially conducive to such ascent. As the generation of Jews who left Egypt ascended from the forty-nine

gates of tumah during this time every year we too are offered a special opportunity for ascent in preparation for kaballas hatorah.

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From: RABBI YISSOCHER FRAND ryfrand@torah.org

Subject: Rabbi Frand on Parshas Behar-Bechukosai

Dedicated This Year Le'eluy Nishmas Chaya Bracha Bas R.

Yissocher Dov - In memory of Mrs. Adele Frand

Satisfied With Little: The Greatest Blessing of All

We learn in Parshas Bechukosai that among the blessings that G-d gives to us is "You will eat your bread and will be satisfied [Vayikra 26:5]." Rashi (1040-1105) explains that "One eats just a bit and it will be blessed within his intestines." In other words, this blessing is bigger than we would imagine. Perhaps it is the ultimate blessing. This is not a blessing that we will receive an income of several hundred thousand dollars. That is not necessarily a blessing. The ultimate blessing is to be satisfied with what we are given - however little it may be. If a person is happy with what he has, then he will be totally satisfied with life.

The Soforno (1470-1550) relates this idea in Parshas Behar. The following is written regarding the Sabbatical year [when it is forbidden to plant and harvest the produce]: "And if you will say, what will we eat in the seventh year? ... I will command My blessing for you in the sixth year and it will yield a crop sufficient for the three-year period" [Vayikra 25:20-21].

The implication is that we only receive this blessing by virtue of the question "And if you will ask, what shall we eat?" What would happen, if they would not ask the question? Are we to infer that in that case, the crops would not double? Precisely, says the Soforno. If they would not ask the question, there would be no NEED for a quantitative blessing.

There are two types of blessings. One is in quantity and one is in quality. Sometimes we see people around us that we know are earning far less money than we do. Nonetheless, they seem to be happy and satisfied. The wife is happy, the children are happy, everyone seems to be satisfied. We wonder to ourselves, "How do these guys get by? They are making a tenth of what I'm making. How do they do it?" The answer is that they merit having the blessing of "you will eat your bread and be satisfied".

The Beis Av uses this concept to interpret a verse that is said in every daily prayer. "Ashrei" [Psalm 145] is called Hallel haGadol [the "Great Praise"] because it contains the pasuk "You open Your hand and give satisfaction to every living creature with what they desire." [Psalms 145:16]. The pasuk [verse] ends with the word "ratzon" [desire]. Why doesn't the pasuk end with the word "ochel" [food] or the word "lechem" [bread]? What does the pasuk mean when it says that G-d gives them satisfaction with "ratzon"?

The Beis Av answers that the blessing is precisely "ratzon". G-d grants creatures the satisfaction of having what they desire. G-d has the ability, if the people merit, to give them the feeling of satisfaction with what they have. The ability to feel that "I have what I want" is the greatest blessing. Our testimony of G-d's ability to provide that to us is our greatest praise of Him.

Rav Meir Simcha (1843-1926) derives this same idea from the story of the Jewish people asking for water. In Parshas Chukas, G-d told Moshe to speak to the rock and give water "to the congregation AND TO their cattle" (es ha'eidah V'ES b'iram) [Bamidbar 20:8]. We know what happened. Moshe Rabbeinu hit the rock "and abundant water flowed and he gave drink to the congregation AND their cattle." [20:11] (es ha'eidah U'b'iram). Before the incident there is a pause between the congregation and the cattle (with the conjunctive word ES). However after the incident there is no such pause.

Rav Meir Simcha explains that if Moshe would have spoken to the

rock and created the tremendous Sanctification of G-d's Name, they would have merited the situation whereby they would not have needed a lot of water. The water that the people drank and the water that the cattle drank would have been totally incommensurate. It would have been a different type of drinking. The people could have been satisfied by one or two gulps of water, because when one does the Will of G-d, one can be satisfied with even a small amount. However, the concept of "being blessed in the intestines" does not exist for the animals - they always need a lot of water. Consequently, in the original command to bring forth water, there was a separation between the people's drinking and the animal's drinking. When they failed to Sanctify G-d's Name, they forfeited the level of being satisfied with a little and as a result, the human and animal drinking became indistinguishable.

At the end of the laws of Shmitah and Yovel, the Rambam [Maimonides] writes "Not only did G-d guarantee the livelihood of the Tribe of Levi, but any person who decides to devote himself to the Service of G-d and throws off from his neck the yoke of 'many calculations', has sanctified himself to be a holy of holies and will merit to have that which suffices for him."

We wonder sometimes, when we see young couples where the husband remains in Yeshiva, who are devoting their lives to the Service of G-d -- and we know that financially they are just barely getting by. We consider it a contradiction to this Rambam. Doesn't the Rambam say that G-d will guarantee them a livelihood? In actuality, the Rambam says that G-d will provide "Davar haMaspik lo" [something that will be sufficient for him]. That does not necessarily mean \$150,000 a year. If a person merits it, the amount necessary to satisfy him may even be a very small amount.

G-d Promises Not To Become Disgusted With Us

The Torah's promise at the beginning of Parshas Bechukosai [26:11] "And I will place my Sanctuary in your midst, and my Spirit will not be reject you" (v'lo sigal Nafshi eschem) seems very strange. After promising the utopian state of His dwelling in our midst - the highest state that man can ever hope to achieve in this world -- G-d "throws in" as part of the blessing "and I will not become disgusted with you". What kind of blessing is that?

Imagine if a greeting card would include a statement expressing love and appreciation for someone and then conclude, "and I am not going to be nauseated by you either"! "Lo sigal nafshi" is a very strong term, indicating total revulsion! What does the verse mean?

The Shemen HaTov makes a very true statement. We all know of people who were married and who lived together for many years until there came a time when the marriage turned sour. The marriage went bad, until the point where the couple got divorced. Unfortunately, by the time people get divorced, they usually already HATE each other. They despise one another. There is no hatred as deep and as bitter as that which can exist between two people that were man and wife, two people who loved each other dearly and then for some reason decided to separate. Sometimes that hatred can be awesome - precisely because of the closeness that they had once shared. Filling the void of this deteriorated love, is sometimes the worst hatred and disgust.

This is the tremendous blessing that G-d guarantees the Jewish people. "I will live with you. I will place my Sanctuary in your midst..." But G-d knew that there would come a day when the Jewish people would behave in a manner that would disgust Him. G-d knew that a time would come when the Jewish people would sink to such depths that He would literally have to "throw them out of the house". The time would come when G-d and the Jewish people would have the equivalent of a separation if not, Heaven forbid, a divorce.

What G-d is promising here is that in spite of all this, in spite of the fact that our powerful love and intimacy has turned into a thing of the past, nevertheless, "I will never despise you". We may do despicable

acts, we may be banished from "G-d's abode", but He will never become nauseated by us. Despite everything, he will never hate us. This is the great blessing that no matter how bad things become, "v'lo sigal nafshi eschem" - "I will never be disgusted by you".

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape # 282, The Physician's Obligation To Heal. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright 1 2001 by Rabbi Yissochar Frand and Torah.org. Torah.org depends upon your support. Please visit <http://torah.org/support/> or write to dedications@torah.org or donations@torah.org . Thank you! Torah.org: The Judaism Site <http://www.torah.org/> 17 Warren Road, Suite 2B learn@torah.org Baltimore, MD 21208 (410) 602-1350 FAX: 510-1053

From: Jeffrey Gross[SMTP:jgross@torah.org] To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Behar Bechukosai
Weekly-halacha for 5761 Selected Halachos for Behar-bechukosai
By RABBI DONIEL NEUSTADT Rav of Young Israel of Cleveland Heights
A discussion of practical Halachic topics. For final rulings, consult your Rav.

PROPER KAVANAH at SHEMONEH ESREI - WHICH PARTS OF SHEMONEH ESREI REQUIRE KAVANAH?

L'hatchilah, one must concentrate on the meaning of all of the words in the entire Shemoneh Esrei(1). Sometimes, however, it may be difficult to maintain that level of concentration, kavanah. In such a case, one must make an effort to have as much kavanah as possible. We will list, in order of halachic preference, the minimum levels of kavanah which are required. Kavanah is required:

1. for the first blessing (Avos), the blessing of Modim and the ending of each blessing (the chasimas ha-berachah)(2); 2. during the first blessing and the blessing of Modim(3); 3. during the first blessing only(4).

One who is temporarily unable to concentrate even during the first blessing, is advised not to daven just then(5) even if he will miss the halachically correct time for davening(6). He should instead daven the next tefillah twice, as a tashlumim (makeup).

One who davened but did not have kavanah during the first blessing, has not fulfilled the obligation of davening Shemoneh Esrei(7). He may not, however, repeat the first blessing, since there is a strong possibility that he will not have the proper kavanah the second time either. If, however, he realizes before he finishes the first blessing that he did not have proper kavanah, he should begin anew [from Elokei Avraham, etc.(8)]. Once he says Baruch atah Hashem, however, he must continue(9) on(10) to recite the rest of Shemoneh Esrei(11), with particular concentration on the blessing of Modim(12).

If one failed to have proper kavanah during the first blessing because of a specific distraction, such as a disruptive child or because he was holding something, he may repeat the first blessing [or the entire Shemoneh Esrei] once the source of the distraction is gone(13).

WHAT CAN ONE DO IF HIS KAVANAH IS BEING DISTURBED?

Proper kavanah is the most important ingredient of davening. Consequently, it sometimes overrides other halachos. Therefore: If a sefer falls to the floor and that interferes with one's kavanah, he may pick it up after finishing the blessing that he is presently reciting(14). This may be done even if he needs to take a few steps in order to pick up the sefer(15). If, however, the fallen sefer does not disturb his kavanah, then he may not pick up the sefer during Shemoneh Esrei(16). Each individual needs to judge for himself if it is better for him to daven with a siddur or not, since some people concentrate better if they daven from

a text, while others have better kavanah davening with their eyes closed(17). If one begins davening without a siddur and suddenly requires one in order to continue davening properly, he may go and get one if he knows its exact location. He may not, however, start searching around for a siddur(18).

If one is davening and is in doubt of a halachah concerning the Shemoneh Esrei, he may go and look up the halachah in a sefer. If he has no other choice, he may even ask another person what the halachah is(19). This should be relied upon only when not resolving his question might invalidate the Shemoneh Esrei(20). A child [or an adult(21)] who is disturbing the davening may be signaled to with hand motions. If that does not work, one may walk away from the disruptive child [or walk over to the child to quiet him down(22)], but he may not talk to him in order to quiet him down(23). It is proper for a father to show his child where and what to daven before Shemoneh Esrei begins. Even if this will cause the father to start his Shemoneh Esrei later than the tzibur, he should still do so(24). If someone is knocking on the door or ringing the bell, or if the telephone rings during Shemoneh Esrei and it is interfering with his concentration, one may walk to the door and open it, or walk to the phone and lift the receiver off the hook. He may not speak, however(25).

QUESTION: How many people should be finished with Shemoneh Esrei before the chazan may begin his repetition of the Shemoneh Esrei(26)?

DISCUSSION: The poskim debate this issue. Some maintain that the chazan may not repeat Shemoneh Esrei until there are nine other people listening to him. Those who are still davening Shemoneh Esrei are not included(27). Other poskim are more lenient. They allow the chazan to begin the repetition as long as there are six people listening to him(28).

The Mishnah Berurah does not directly rule on this issue. On a related matter, he quotes both views and suggests that in a situation when the chazan suspects that there may not be nine people answering "amen" to his repetition, he should make a condition (tenai) before starting that his Shemoneh Esrei is a tefillah nedavah, a voluntary prayer, should nine people not answer "amen" to his blessings(29).

L'chatchilah, therefore, since some poskim rule strictly on this issue, the chazan should wait for nine people to finish their Shemoneh Esrei. If, however, people are rushing to go to work, etc., we may rely(30) on the more lenient view and begin Shemoneh Esrei before all nine people have finished(31). The chazan should do so with the aforementioned precondition.

FOOTNOTES: 1 O.C. 101:1. Some poskim (Yad ha-Melech, Rambam Tefillah; Chidushei R' Chayim Soloveitchik on Rambam Hilchos Tefillah) add that although one has fulfilled his obligation if he did not concentrate on the meaning of the words, nevertheless if during the Shemoneh Esrei his mind wandered to the degree that he does not realize that he is standing in front of Hashem, his tefillah is invalidated. Other poskim (Chazon Ish and Avi Ezri, Tefillah 4:6), however, do not agree with this strict interpretation of the halachah. 2 Shulchan Aruch Harav and Mishnah Berurah 101:1 quoting the Tur. 3 Mishnah Berurah 101:3; Da'as Torah 101:1. 4 O.C. 101:1. In addition, one must not think other thoughts during the first blessing of Shemoneh Esrei, even when not actually saying the words. According to some poskim, those thoughts may constitute a hefsek which may invalidate the blessing? see Mishnah Berurah 63:13 and Beur Halachah 101:1 quoting the Rashba and Igros Moshe O.C. 5:5. 5 Mishnah Berurah 101:3. See Aruch ha-Shulchan 101:2 who remains undecided concerning this halachah. 6 Yabia Omer 3:9. One who, for some reason, usually finds himself in a situation in which he cannot have the minimum kavanah, should consult his rav for guidance on how he should conduct himself. 7 O.C. 101:1. Many poskim point out, however, that although he has not fulfilled his obligation of tefillah, it is still not considered as if he recited 19 berachos l'vatalah ??see Chayei Adam 24:2 (quoted in Beur Halachah 101:1); Chidushei R' Chaim Halevi on Hilchos Tefillah; Yad Eliyahu 1:8; Pri Yitzchak 2:1; Kaf ha-Chayim 101:4; Eretz Tzvi 22; Kehilos Yaakov, Berachos 26; Harav Y. Kamenetsky (quoted in Orach Yisrael, pg. 133); Harav S.Z. Auerbach (Siach Halachah, pg. 183, 237). 8 Mishnah Berurah 101:4 quoting the Chayei Adam. For an explanation of why one cannot begin from Baruch atah, see Orach Yisrael, pg. 108, quoting Harav Y. Kamenetsky and Harav M. Bik, and Yabia Omer 3:9-7; 3:10. 9 Some poskim advise that before continuing the Shemoneh Esrei, one should review the first berachah in his mind and then continue ??Orchos Rabbeinu 1:59 quoting the Chazon Ish; Yalkut Yosef, pg. 157. 10 It is not advisable to say lamdeini chukecha and start over again ??oral rulings by Harav M. Feinstein, Harav Y. Kamenetsky and Harav Y. Roth (quoted in Orach Yisrael, pg. 108). 11 See Beur Halachah who advises one to wait and listen carefully to the chazan's repetition of the first blessing during chazaras

ha-shatz. Obviously when davening alone, or during Ma'ariv, this solution would not work. See also Shevet ha-Levi 1:1, Yabia Omer 3:10 and Orchos Rabbeinu 1:59 for discussion of the problem with this approach and why it is not customary to do so. 12 Kehillos Yaakov, Berachos 26; Yabia Omer 3:10. 13 Sha'ar ha-Tziyon 96:2. 14 Mishnah Berurah 96:7. 15 Be'er Moshe 3:13. 16 Mishnah Berurah 96:7, based on Pri Megadim. 17 Mishnah Berurah 93:2; 95:5; Aruch ha-Shulchan 93:8. 18 Rama O.C. 96:2, according to the explanation of Chayei Adam 22:7; 25:9 and Mishnah Berurah 104:2. According to Aruch ha-Shulchan 96:2, he may not walk to get a siddur even if he knows where one is located. See Hebrew Notes, pg. 269, for discussion. 19 Mishnah Berurah 104:2 and Kaf ha-Chayim 96:11 quoting the Chayei Adam. Several poskim (R' Shlomo Kluger in Ha-efef Lecha Shelomo O.C. 50; Eimek Berachah, pg. 7) disagree strongly with this ruling ??even to merely look in a sefer, much less to ask a question. See Yalkut Yosef, pg. 177 who rules like Chayei Adam (concerning looking in a sefer). Beis Baruch 25:22 also agrees with the Chayei Adam, 20 Beis Baruch 25:22. 21 Kaf ha-Chayim 104:3 quoting Machzik Berachah. 22 Harav S.Z. Auerbach (oral ruling quoted in Tefillah K'hilchusah, pg. 247). 23 Mishnah Berurah 104:1. Aruch ha-Shulchan 101:4 does not permit even using hand signals to quiet a child, much less walking away. See Hebrew Notes, pg. 269, for discussion. 24 Harav S.Y. Elyashiv (oral ruling quoted in Avnei Yashfei, 2nd edition, pg. 93). 25 Harav S.Y. Elyashiv (oral ruling quoted in Tefillah K'hilchusah, pg. 247). 26 Our discussion covers Chazaras ha-Shatz only. The halachos of Kaddish are more lenient. 27 Shulchan Aruch Harav 55:7; Kitzur Shulchan Aruch 20:2; Kaf ha-Chayim 55:48. This ruling is based on the view of the Taz 55:4. 28 Aruch ha-Shulchan 55:13; Imrei Yosher 2:9-1; Eimek Berachah, Tefillah 6. This ruling is based on the view of Magen Avraham 55:8. This also seems to be the view of the Pri Megadim (MZ 55:4) and Beur Halachah 55:6. See Tzitz Eliezer 12:9 for an explanation. 29 Mishnah Berurah 124:19. 30 See Salmas Chayim 1:24; Tzitz Eliezer 12:9; Beis Baruch 29:1; Yalkut Yosef 1:287. 31 According to Chayei Adam 29:1 and Eimek Berachah, Tefillah 6, this should not be relied upon unless there are at least eight people who finished Shemoneh Esrei. See also Orchos Rabbeinu 1:51 that this was the view of Harav Y.Y. Kamenetsky. Weekly-Halacha, Copyright 1 2001 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 Daniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org . Torah.org: The Judaism Site <http://www.torah.org/> 17 Warren Road, Suite 2B learn@torah.org Baltimore, MD 21208

From: RABBI YISROEL CINER [SMTP:ciner@torah.org] **To:** parsha-insights@torah.org **Subject:** Parsha-Insights - Parshas B'har-B'chukosi

This week we read the double parsha of B'Ehar-B'chukosi and thus conclude the Sefer {Book} of Vayikra.

"And when your brother will become poor B your 'kesef' {money} do not give with 'neshech' {interest} and with 'tarbiss' {increase} do not give food. I am Hashem your G-d who took you out of the Land of Mitzrayim {Egypt}. [25:35,37-8]"

The Kli Yakar explains that the term 'neshech' (literally meaning bite) applies to the borrower. The interest, he explains, is like a snake's bite causing a small scratch on a person's heel. Initially it appears insignificant but it eventually will take the person's life. Interest, also, eventually consumes the borrower leaving him no way out from the crushing burden of his ever-increasing debts.

'Tarbiss' (increase) is the term that applies to the lender. He appears to be increasing his wealth and fortune through this sure-fire strategy of interest. The truth however is that interest, like a cancer, will eventually eat away and destroy even his properly earned wealth.

The Talmud relates the magnitude of this sin and to what it can be compared to. Rabi Yosi taught: Come and see the foolish blindness of those that lend with interest... They bring witnesses, a scribe, pen and paper and have it written and signed that they have done an action (lending and borrowing with interest) that is tantamount to denying the G-d of Israel. [Bava Metzvia 71A]

The Chazon Ish was asked why this is considered a denial of Hashem's existence. He explained that a person's earnings are decreed on Rosh Hashana--the start of the year. This person's actions show that he clearly believes that he won't be able to get his due by acting straight and within the guidelines of halacha {Jewish Law}. "The only way that I can get my due is by violating the word of Hashem! Hashem won't give it to me straight but if I go against Him, then I'll get what I need!"

Now, we often do act in such a way but are somewhat embarrassed about it--we try to keep it fairly well hidden. This person, on the other

hand, is willing to bring witnesses to sign and seal on this attitude of his. That, the Chazon Ish explains, is tantamount to clear denial of the G-d of Israel.

The Ohr HaChaim shows how this seemingly materialistic, financial commandment can be understood on an entirely different level. The root of the word 'kessef,' defined as money, actually means desire. With that in mind, letEs return to the passuk {verse} mentioned above.

"Your 'kessef' {money} do not give with 'neshech' {interest} and with 'tarbiss' {increase} do not give food. [25:37]"

The Ohr HaChaim explains "your 'kessef"--the unnecessary, illusory things in life for which you have a strong desire, "don't give him with neshech"--don't allow it to take a bite into you. And even food, a desire that is normal and necessary, do not get overly involved and excited by it. The desires for the physical and for the spiritual work against one another. The more involved a person is in one of them, the weaker the desire for the other one becomes.

The story is told that the Chasam Sofer was sitting in his room on the day after Sukkos, writing replies to halachic inquiries that would gather on his table from all around the world. A knock on the door heralded the arrival of the wealthiest man of the community. This broken man explained how in a short period of time, his entire business had collapsed and he was now penniless.

The Chasam Sofer offered him words of encouragement, telling him that all the good he had done in the past was his for eternity--it could never be taken away from him. He also told him that a person's financial predicament is in no way a measure of a person's true value. The man began to regain some of his self-confidence.

The businessman told the Chasam Sofer that at this time of the year he would usually go to a fair in Leipzig. He related that he now didn't even have enough money to pay for the journey and he certainly wouldn't be able to make any acquisitions. The Chasam Sofer lent him money for the journey and advised him what to do when he was at the fair.

This man went to the fair, followed the Chasam Sofer's advice and made a huge profit. His fortunes again turned and he became even wealthier than before. His gratitude to the Chasam Sofer for his loan and advice was overwhelming and he bought him an expensive gift to show his appreciation.

When the businessman returned to Pressburg he presented the Chasam Sofer with a stunning diamond ring. To the amazement of the students who were studying with him at the time, the Chasam Sofer's face lit up with joy as he lavishly praised the beauty of the diamond. "I have never seen such an exquisite jewel," the Chasam Sofer exclaimed.

After admiring the gem, he then turned to the businessman and said, "I am unable to accept this present. It would be a violation of the prohibition against taking interest. Please, take this beautiful gem and give it to your wife as a present."

When the businessman had left, the Chasam Sofer explained his behavior to his students. "The reason that I felt such joy when I saw the gem was because this was the first time in my life that I had the opportunity to fulfill the mitzvah of not taking interest."

For a person who had spent his life controlling his 'kessef' (desires), the greatest pleasure was fulfilling the mitzvah {commandment} of not taking any extra 'kessef' (money).

Chazak, chazak v'nischazek, Good Shabbos, Yisroel Ciner
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From: Chofetz Chaim Heritage Foundation chofetz@chofetzchaim.com
Subject: Lesson of the day: The Shema Yisrael Torah Network has embarked on an incredible on line program where one can achieve SEMICHA through their on line program. Please fill out the form at www.shemayisrael.com. The Chofetz Chaim Heritage Foundation is dedicated to spreading awareness of the Torah's teachings on Shmiras Haloshon, the laws of proper speech, and Ahavas Yisrael, the loving bond that unites all Jews. 6 Melnick Drive Monsey, NY 10952 Tel: +1-914-352-3505, +1-800-867-2482 Fax: 914-352-3605

Day 56: Loshon Hora: Toeles - Helping the Person

Public Announcements - Traditionally, Jewish communities have used social pressure in dealing with the publicly observant whose private behavior includes blatant violation of basic halachah. If all else fails, it is permissible to publicize the fact that an otherwise observant Jew is guilty of immorality on a regular basis, if the disclosure will prompt him to repent. Similarly, rabbinical courts have the authority to post signs informing the public of someone's refusal (siruv) to comply with a court ruling. Social pressure is often the only means through which rabbinical courts can enforce their decisions.

Day 57: Loshon Hora: Toeles - Helping the Person

Loshon Hora and the Non-Observant - Based on the rules we have just studied, the rules of loshon hora vis-a-vis the totally non-observant Jew become clear. (1)The average non-observant Jew today has been deprived of a meaningful Jewish education. Whether or not he has been exposed to Orthodox Jewish life, society has prevented him from taking Torah seriously.

Rambam compares such a person to a tinok shenishbah, a kidnapped Jewish child whose kidnapers reared him with non-Torah ideals, and whose transgressions are committed out of ignorance. Such a person may be in the category of both amecha, your people and amito, his fellow. It is our obligation to educate him with love, care and sensitivity and it is strictly forbidden to speak loshon hora against him.

(2)A non-observant Jew who did receive a meaningful Jewish education, has been taught Torah values and knows that what he is doing is wrong, but claims that observance is too difficult, is a rebel due to temptation. He is considered part of amecha, your people, which means that loshon hora may be spoken of him only if it is for a constructive purpose.

However, he is not considered amitecha, your fellow, and consequently the prohibition of onaas devarim, causing hurt through the spoken word (Vayikra 25:17), will not apply in his case. Social pressure may be used to encourage observance even if he will suffer embarrassment in the process, provided that all the conditions of constructive speech are met. Non-constructive speech that is either derogatory or harmful would constitute loshon hora.

(3)The classic apikores (heretic) who is knowledgeable but rebels is considered neither your brother nor a part of your people. If there exists such a person today, one may speak about him without any preconditions.

The Gaon's Will In his ethical will to his family, the Vilna Gaon wrote: One will stand judgment for every utterance; even a light remark will not be ignored.... The sin of forbidden speech is the worst of all, as our Sages have stated: "These are the sins whose fruits [i.e. secondary punishments] are exacted from the person in this world, while the principal [i.e. primary punishment] remains for him in the World to Come ... and loshon hora is equivalent to them all."

What more need be said concerning this most severe of sins? To the verse, "All man's toil is for his mouth" (Koheles 6:7), the Sages comment

(Koheles Rabbah 6:6) that all the mitzvos and Torah study of a person are not sufficient to negate that which he utters [sinfully]. They further state: "Which craft should man pursue in this world? He should strive to emulate a mute [to avoid evil talk] (Chullin 89a), and press his lips together like two millstones [which grind against one another]." .. Not a single [such] utterance escapes from being recorded Above. Heavenly angels are forever being sent to each person to record his every utterance. "For a bird of the sky will carry the sound, and a winged creature will relate the matter" (Koheles 10:20). "Let not your mouth bring guilt on your flesh and do not tell the emissary that it was an error" (ibid. 5:5)

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From: Ohr Somayach [SMTP:ohr@ohr.edu] Sent: Thursday, May 17, 2001 1:23 PM To: dafyomi@ohr.edu Subject: The Weekly Daf - #379 Kiddushin 7-13 Parshat Behar-Bechukosai Week of 21 - 27 Iyar 5761 / May 14 - May 20, 2001 By RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions

It is with great sorrow that we mourn the tragic murder of Yaakov (Kobi) Mandell z"l On behalf of the entire Ohr Somayach family we extend our condolences to our beloved alumnus, colleague and friend Rabbi and Mrs. Seth Mandell and their entire family. "May Hashem console you among the mourners of Zion and Jerusalem"

THREE WEDDING CUSTOMS

Three interesting customs seen at traditional Jewish weddings are based on a problem raised by Tosefot in our gemara and the resolution provided by Rabeinu Tam.

A man performed kiddushin (made a woman his wife) by giving her some expensive garments which he said were worth fifty zuzim. In the end it turned out that the garments were actually worth that sum but no one had made an assessment of their value before the woman accepted them and consented to the marriage. The Sage Rabbah held that such a kiddushin is valid; Rabbi Yosef contended that, since no assessment had been made, the woman was not really certain that she was receiving the promised value and therefore did not really give her consent to marriage.

After a long series of proofs offered for each of these views, the gemara concludes with a ruling that an assessment of such garments is not necessary. Tosefot asks why the gemara did not simply state that we rule like Rabbah, who rules out the need for assessment, just as it does in the very same sentence in regard to ruling like the sages Rabbi Elazar and Rava, mentioning their names rather than their subject. Rabeinu Tam, one of the leading Tosefists, deduces from this deviation that the gemara rules like Rabbah only in cases such as expensive garments, because their value is more or less generally known and it is unlikely that the woman would have assumed she was not receiving the value promised. If the object given to her, however, is a gem, whose value can vary greatly, then there must be an assessment made before the woman accepts kiddushin because she is likely to assume a value much greater than what the gem is worth and she does not consent to a lesser value.

Tosefot concludes that this is the reason for the custom that the ring given for kiddushin not contain a gem; it is so that there will be no danger of the woman speculating about its undetermined value.

Two more customs related to this are mentioned by Rema (Shulchan Aruch Even Haezer 31:2). One is that the bride wears a veil over her face so that she will not stare at the ring offered her and speculate about its value. Another is that the rabbi in charge of the wedding ceremony (the mesader kiddushin) shows the ring to the two witnesses and loudly asks them if they can see that it is worth a pruta, the minimal value necessary for effecting kiddushin. This is intended to convey to the bride that she is prepared to consent to kiddushin even if it is only worth that much and thus eliminate the danger of speculation which might raise problems in regard to her consent.

* Kiddushin 9a

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From: Kollel Iyud Hadaf [SMTP:kornfeld@netvision.net.il] Subject: Insights to the Daf: Kiddushin 6 The Yisrael Shimon Turkel Maseches Kiddushin Insights into the Daily Daf brought to you by Kollel Iyud Hadaf of Yerushalayim daf@dafyomi.co.il, <http://www.dafyomi.co.il> [RABBI MORDECHAI KORNFELD]

KIDDUSHIN 6 - This Daf has been sponsored by Rabbi and Mrs. Shalom Kelman of Baltimore, Maryland, USA. *** Please send your D.A.F. contributions to: *** D.A.F., 140 - 32 69 Ave., Flushing NY 11367, USA

Kiddushin 6b BEING "MEKADESH" A WOMAN WITH A LOAN QUESTION: Abaye teaches that when a man is Mekadesh a woman with a loan that she owes him, she is not Mekudeshes. When a man is Mekadesh a woman with "Hana'as Milveh" (the "pleasure of [having] the loan"), then she is Mekudeshes, even though it involves "Ha'aramas Ribis." The Gemara explains that "Hana'as Milveh" means that the man "lengthened the time" of her loan.

Why is lengthening the time of the loan able to effect a Kiddushin more than letting her keep the money of the loan entirely?

If Abaye means to differentiate between being Mekadesh with the actual *money* that the woman owes him, and being Mekadesh with the *Hana'ah* that she gets when he lengthens the time of the loan, then why does Abaye say that Kiddushin can be made with the Hana'ah that she receives from him when he *lengthens* the loan? He should have said that Kiddushin can be made with the Hana'ah that he gives her by lending money to her, or by forgiving the loan. Why does he discuss instead *lengthening* the loan?

ANSWERS: (a) The RAMBAM (Hilchos Ishus 5:15) indeed learns that when Abaye says that a man can be Mekadesh a woman with "Hana'as Milveh," he means that he can be Mekadesh her with the Hana'ah that she receives when she receives the initial loan. This is what the Gemara means when it says that he lengthened the time of the loan for her; it means that he specified a length of time during which she is permitted to use the money.

(b) RABEINU CHANANEL, cited by the RASHBA and other Rishonim, explains that "Hana'as Milveh" means that the woman returned the money that she owed the husband, and he gave it back to her l'Shem (for the sake of) Kiddushin. He explains that the Gemara does not mean to differentiate between Kiddushin done with money and Kiddushin done with the Hana'ah of receiving money. Perhaps any time the woman receives a quantifiable monetary benefit, the Kiddushin must be accomplished by the money itself and not by the pleasure that she experiences from receiving the money. Rather, in the case of "Hana'as Milveh" as well, the Kiddushin is being created by the *money* that the man loaned to the woman. The husband takes back the loan and says "from now on I will give the money to you as Kiddushin and you will no longer owe it to me as a loan."

According to Rabeinu Chananel, what is the Chidush of Abaye, who says that one can make Kiddushin in such a manner? If the man receives payment for the loan and then gives the money to the woman, it is obvious that it is no longer a loan and that it is the normal Kesef of Kiddushin!

Rabeinu Chananel apparently learns that the husband did not actually take back the money as repayment for the loan. Rather, he specified that instead of taking it for himself as payment, he was returning it to the woman as Kiddushin. The money can be designated as the money of the loan, even though the money of a Milveh is normally "l'Hotza'ah Nitnah" (given to be spent and used) and no coin can be specified as the specific money of the loan. The money can be designated as the money of the loan because once the woman sets aside money to use as payment for the loan, those coins become the coins "of the loan" that the man gave to her, and when the man is Mochel those coins to her, they can be used as Kesef for Kiddushin. (Rabeinu Chananel apparently learns that "Milvah l'Hotza'ah Nitnah" applies only when the money is actually spent, but not when the specific coins that were loaned are still present.)

(c) The RA'AVAD cited by the Rashba explains that "Hana'as Milveh" means that the time arrived for the loan to be repaid. Therefore, it is as if the money was already returned to the man and now he can be Mekadesh the woman with that money. This is similar to the way Rabeinu Chananel explains the Gemara; the Kiddushin is made with the money itself, and not with the Hana'ah of being able to use it.

However, the Ra'avad's words as they appear in our texts (in Perush ha'Ra'avad, and in Hilchos Ishus 5:15) does not write that it is as if the loan has been repaid. Rather, since the time has come to repay the loan, the woman benefits immediately from being given extra time to hold on to the money. The man is Mekadesh her with this Hana'ah that she receives of being able to use the money.

This is also the explanation of RABEINU TAM (cited by Tosfos, DH d'Arvach), and this is the intention of the RIF, according to the way he is quoted by the TOSFOS RI HAZAKEN. Apparently, if the woman would not be benefiting immediately from being given extra time to keep the loan (for example, if the time has not yet arrived to repay the loan), then the Kiddushin would not be valid.

According to this explanation, why does the Beraisa suggest a case of being Mochel the loan when it is due, rather than being Mekadesh her with the giving of the loan in the first place? (According to Rabeinu Tam, even if he is Mekadesh her at the time the loan is given, it would be Ribis; see following Insight.) Perhaps the Beraisa wants to give a case in which Kiddushin does work to parallel the case of Reisha (Mekadesh with a Milveh) in which Kiddushin does not work. The Reisha discusses a case of a loan that was due and which the man forgave, and therefore the Seifa discusses a case where the loan is due, where the man is able to be Mekadesh her by giving her the loan, since he mentions the Hana'ah and not the loan itself. Why, though, does the Beraisa not mention a case where the man *forgives* the loan at the time that it is due, rather than giving her more time to pay it? The RITVA explains that the Beraisa wants to teach us a Halachah of "Ha'aramas Ribis;" if he forgave the loan, there would be no "Ha'aramas Ribis" at all.

(d) RASHI (DH Tzericha) and the RITVA explain that "Hana'as Milveh" refers to the Hana'ah that she experiences when the man gives her extra time to pay the loan (like Rabeinu Tam explains). However, they do not specify that the man gives her extra time when the loan is due. They seem to learn that even before the loan becomes due, the man can be Mekadesh her with the Hana'ah that she experiences knowing that she will have more time to pay back the loan.

According to Rashi, the case of the Seifa is not discussing the time when the loan is due (like the Reisha is discussing). Why, then, does the Beraisa not mention in the Seifa a case in which the man is Mekadesh the woman with the Hana'ah of *giving* her a loan, rather than the Hana'ah of letting her keep a loan? Rashi cannot answer that the Beraisa wants to give a case similar to the Reisha, where the loan has become due, because according to Rashi the Seifa is not discussing a case where the loan has become due.

The answer is that Rashi is following his own reasoning that when the loan is being given, it is prohibited to be Mekadesh her with the loan because of the problem of Ribis. The Beraisa does not want to teach a case in which the Kiddushin was made through an Isur d'Oraisa of Ribis. The Beraisa does not teach a case where he was Mekadesh her with the Hana'ah of being Mochel a loan, because it wants to teach the Isur d'Rabanan of "Ha'aramas Ribis," like the Ritva explains.

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