

BS"D

To: Parsha@YahooGroups.com
From: crshulman@aol.com

INTERNET PARSHA SHEET ON BEHAR BECHUKOSAI - 5762

To receive this parsha sheet in Word and/or Text format, send a blank e-mail to parsha-subscribe@yahoogroups.com or go to <http://groups.yahoo.com/group/parsha/join> Please also copy me at crshulman@aol.com For archives of old parsha sheets see <http://groups.yahoo.com/group/parsha/messages> For Torah links see <http://groups.yahoo.com/group/parsha/links>

From: Don't Forget[SMTP:sefira@torah.org] To: Counting The Omer Reminder List Subject: Day 37 / 5 weeks and 2 days
Tonight, the evening of Friday, May 3, will be day 37, which is 5 weeks and 2 days of the omer.

From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]
"RavFrand" List - Rabbi Frand on Parshas Behar-Bechukosai
Aspiring to not be Normal: Holy Fruit Are Consumed by Holy People
Parshas Behar contains the parsha of the Shmita [Sabbatical] year. Shmita is a mind-boggling concept. Shmita teaches us that an apple that grows in the Land of Israel has holiness. An Esrog that grows in the Shmita year has holiness. We generally think of holiness in terms of a Torah scroll which has G-d's Name written therein. An animal acquires holiness if it is dedicated to G-d. However, we (who are outside of Israel) do not usually encounter the concept of fruits, vegetables and grains that have holiness. Such is the power of the Land of Israel. Eretz Yisroel is a different land. Wheat that grows there is different wheat!

Rav Mordechai Gifter (1916-2001) related an incident involving the Ponevezer Rav (1886-1969). In a Shmita year, the Ponevezer Rav went over to a tree, kissed the tree and said "Good Shabbos to you". Just like there is a special day - Shabbos -- on which we have to feel special, so too in Eretz Yisroel during the Shmita year, it is Shabbos for the land.

Several years ago, I recall listening to "All Things Considered" on National Public Radio. To commemorate the signing of the then-recent Peace Accords, there was a segment about Israel in general. It was a piece about the difference between Tel Aviv and Jerusalem. This program reminded me of the concept that Eretz Yisroel is not a normal land.

What is the difference between Tel Aviv and Jerusalem? They interviewed several people. The thrust of the responses was that Tel Aviv is a "normal city". Tel Aviv is a pragmatic city. "It is a city which is unencumbered by history. Tel Aviv is like Miami!" Jerusalem is not Miami. Jerusalem is not pragmatic. Jerusalem is not "normal". Jerusalem is "encumbered by history" - thousands of years of history that the city must bear on its shoulders.

They contrasted the differences between a Friday afternoon in Tel Aviv and a Friday afternoon in Jerusalem. They had excerpts of the sounds of Tel Aviv: teenagers listening to 'Rap music'. They commented "this is so normal". A person on the street Friday afternoon in Tel Aviv could shut his eyes and just listen to the music and think he was in downtown Baltimore. Tel Aviv is 'normal'.

On the other hand, "the Orthodox Jews, many of them dressed in the broad brimmed hats and the long caftans, are scurrying through the streets of Jerusalem trying to prepare for the upcoming Sabbath". Tel Aviv is "normal". Jerusalem is "abnormal".

This is saying that the wish of many Israelis has been achieved. The wish of many of them has been "let us be like all the nations" [Samuel I 8:20]. We just want to be "normal". We do not want to have this burden of history, this burden of theology, this burden of Judaism. We want to be _normal_.

They fail to realize -- and this is sad to say what is happening -- that if the goal in life is that Tel Aviv should be like Miami, then it makes more sense to just go to Miami. If the goal is to imitate Miami, where one can find drugs and vice 24 hours a day and there is no need to worry about history -- then why shouldn't they just go to the real one?

In fact, many of them _are_ leaving. Rabbi Emanuel Feldman, who now spends most of his time in Jerusalem, recently wrote the following: They abandoned the Kibbutz in droves, physically and spiritually, for the less austere life and ultimately the greater comforts and the material opportunities of Canada and the United States. The most sacred tenet of secular Zionist canon - settling in Israel - is utterly ignored. As the secularists painfully know, 'Yerida' from Israel is primarily a secular phenomenon while 'Aliya' to Eretz Yisroel is primarily Orthodox.

According to conservative estimates, there are close to a half million former Israelis now living in the West. That is to say that while those raised on a religion-less diet abandon Israel for the West, those raised on Mitzvah observance apparently do not find it difficult to abandon the luxuries of the West for a less comfortable life in Israel. This has resulted in the following anomaly: Hebrew spoken in American electronic stores on 42nd street in New York and on Pico Boulevard in Los Angeles, while English is spoken in Israeli Yeshivos like Kerem B'Yavneh and Brisk. The Orthodox in Israel, whether they are Chassidim, Charedim, Sephardim, or Kippot Serugot ask a troubling question of the secularists. Who today, are the real 'Lovers of Zion'? That is the real irony of ironies. Who are the 'Zionists' today? Who are the 'Chovevei Tsion'? It is those who observe Torah and Mitzvos. Those are the real Zionists. Those are the people that are willing to live in an 'abnormal' land.

This is what we must understand about Eretz Yisroel. It is in fact NOT normal. It is not normal that when an apple grows, I must consider all types of ritual considerations regarding how to treat the apple. It is not normal, but that is what Eretz Yisroel is all about. This is what being a Jew is all about. A Jew is encumbered with history. He is encumbered with theology. If one fails to realize and appreciate that, there is really no reason to live in Eretz Yisroel.

There was a recent article in the New York Times that noted that the secular Israelis look upon the immigrants (olim) who come from the United States to Israel as if they are crazy. In their view, there is no sane person that is living in the United States and has a livelihood in the United States and a house in the United States who gives it up for living in Israel. They feel that anyone who makes Aliyah from the United States nowadays must be out of his mind.

In a sense these secular Israelis are right. It does take people who are not 'normal' to live in a Land that is not 'normal'. But this non-normality is something that we must admire and something to which we must aspire. People who are willing to give up the lap of luxury to fulfill a mitzvah - those people can live in a land where apples and grapefruits are holy.

Transcribed by David Twersky; Seattle, WA DavidATwersky@aol.com
Technical Assistance by Dovid Hoffman; Baltimore, MD
dhoffman@torah.org

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape # 328, Sh'mita and the Heter Mechira. 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 2002 by Rabbi Yissocher 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/>

From: Yeshivat Har Etzion Office[SMTP:office@etzion.org.il] To: yhe-sichot@etzion.org.il Subject: SICHOT62 -28: Parashat Behar YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM) STUDENT SUMMARIES OF SICHOT DELIVERED BY THE ROSHEI YESHIVA PARASHAT BEHAR SICHACH HARAV YEHUDA AMITAL SHLIT" A HALAKHA WITH SPIRITUALITY Summarized by Dov Karoll

The last verse of this week's parasha (26:2) states, "You shall guard my Shabbat and be in awe of my Mikdash (sanctuary), for I am God." The Ba'al Ha-turim (based on Yevamot 6a) explains that the Mikdash is juxtaposed to Shabbat to teach that the construction of the Mikdash does not justify violation of Shabbat. It is specifically regarding the Mikdash, the center of spirituality and religious experience, where there is a concern that people will think that other elements of Halakha can be neglected. When people are in an environment containing a high level of spirituality, there is a risk of their stepping beyond the boundaries which can normally control them. We can expand this concept to all spiritual experiences, making it relevant even when the Mikdash no longer exists.

Along these lines, Rav Chayyim of Volozhin explains (Nefesh Ha-chayyim, in chapter 7 of the section between the third and fourth She'arim) that the evil inclination will often try to mislead a person to believe that the only thing which is important is a person's intent. Thus, a sin done with good intentions is considered to be following the proper path. The evil inclination can even quote various Talmudic sources to "prove" this point. It will also bring a proof from the way our forefathers used to act before the Torah was given, since they did merely what they felt was right, without specific Divine commands.

In response to such an approach (which he felt characterized contemporary Chasidim), Rav Chayyim explains that it was proper only in the time before the Torah was given. After the giving of the Torah, it is not permissible for a person to determine what is and is not the proper way to serve God, since He has set down the specific rules in the Torah. Rav Chayyim's approach strengthens the idea that a person cannot allow his desire to come closer to God to supersede the guidelines set down by the Halakha. Rather, a person can come closer to God only within the parameters of Halakha.

It is clear that virtually everyone needs some sort of spiritual experience. People need some spiritual fulfillment beyond intellectual areas. However, it is important that this search for fulfillment be channeled properly. Far too often, I see that this is not the case. A few weeks ago, I noticed a sign advertising a course in "the hidden secrets of Judaism" - a Kabbalistic institute, exposing people with no Jewish background, observance or commitment, to the esoteric elements of Judaism. This should not be a person's primary exposure to Jewish sources! The impression people can get from these groups is that all Judaism asks of a person is that he strive to come closer to God, without any commitment to His commandments. People claim that such projects succeed in bringing people closer to Judaism, but I question what kind of Judaism they are being brought close to!

This is not a phenomenon specific to Judaism. In the newspapers, I read all the time about mathematicians, physicists and people involved in other quantitative fields in America who find themselves joining cults or other fringe groups, out of a need for some sort of spiritual experience. There are countless people who travel to India to take part in eastern spirituality, in addition to the groups within Judaism which seek primarily the experiential side of religion. Since these groups usually claim to offer "quick-fix" solutions to all of your problems, they are very enticing to many people. Many of these groups suggest spiritual activity supplemented by limited action. The idea that some amulet or magic formula can solve all of one's problems is much less demanding than leading a life according to the Torah. As a result, the Kabbala is enjoying popularity today beyond what it ever had in the past, and people feel that Kabbala alone is the guiding principle for their spiritual lives. However, what has to be the guiding principle of a person's life is really the Halakha.

Since its inception, this yeshiva has always recited both "Ba-meh Madlikin" (in accordance with Nusach Ashkenaz) and "Ke-gavna" (in accordance with Nusach Sefarad) between Kabbalat Shabbat and Ma'ariv in the Friday night services, even though the Yeshiva generally follows Nusach Sefarad. I am aware that most Siddurim do not have the text of both tefillot in them (which is why I always have

two siddurim on Friday night). While I do not recall the reason why I decided that the Yeshiva should say both, I think that in retrospect it was based upon the principle which I just mentioned. The text of "Ke-gavna" is taken from the Zohar (Parashat Teruma 163:2). It deals with the spiritual nature of Shabbat, explaining at length how one can come closer to God through Shabbat. "Ba-meh Madlikin," on the other hand, contains the mishnayot of the second chapter of Massekhet Shabbat, delineating the laws of candlelighting. I believe that it is crucial to have the element of Shabbat outlined in "Ke-gavna" - the spiritual, esoteric nature of Shabbat. However, it cannot be seen as the exclusive defining factor of Shabbat. Here in the Yeshiva, we cannot focus on "Ke-gavna" without also focusing upon the halakhot governing Shabbat, "Ba-meh Madlikin." The spiritual experience of Shabbat cannot break through the bounds set down by the Halakha for proper Shabbat conduct.

The Nefesh Ha-chayyim (4:7) cites a beraita of the school of Rabbi Yishma'el, originally appearing in Massekhet Shabbat (31a). It states that a person is allowed to place one bushel of "chometin," a sand-like preservative, into a heap of grain. Rav Chayyim explains that this statement teaches an important principle. A person is allowed to throw this bushel of sand into his grain, even though it would seem to be harmful, since in the end, the sand will help preserve the grain. The application of this principle, according to Rav Chayyim, is that a person is allowed to spend some of his time just thinking about his relationship with God. Even though this takes away time from his learning, it is done in order to maintain the sanctity of his learning. Of course, if a person has no depth to his relationship with God, there is no real use in his thinking about it. Such contemplation would be comparable to having a preservative with no grain.

Along these same lines, the Nefesh Ha-chayyim (in Article 19 at the end of the book) states that Torah is the essence of one's relationship with God, and that Yir'at Hashem, the awe of God, is the measure which guards it. He estimates that according to the measurements provided by the gemara above (a bushel of "chometin" in a heap of grain), the "preservative" should take up only about five minutes of one's day. The rest of one's time, according to the Nefesh Ha-chayyim, should be spent gathering grain - learning Torah.

In our day, perhaps we need a little bit more "preservative" than Rav Chayyim recommended. Maybe ten minutes, or even half an hour, out of a day filled with Torah should be spent learning books of machshava (Jewish thought) and mussar (ethical works).

To summarize, it is important for a person to have spiritual elements in his relationship with God. However, it is crucial for those spiritual elements to be based firmly in objective Halakhic action, and a Torah-true life. To use the example I gave before, you need to have the "Ke-gavna" element to your Shabbat, but it is meaningless without the hard-core observance symbolized by "Ba-meh Madlikin."

(Originally delivered at seuda shelishit, Shabbat Parashat Behar 5757.)

Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org> YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH ALON SHEVUT, GUSH ETZION 90433 E-MAIL: YHE@ETZION.ORG or OFFICE@ETZION.ORG IL Copyright (c) 2002 Yeshivat Har Etzion

From: Shlomo Katz[SMTP:skatz@torah.org] Subject: HaMaayan / The Torah Spring - Parashat Behar - Bechukotai Hamaayan / The Torah Spring Edited by Shlomo Katz Behar-Bechukotai: Why Are There Five Books in the Torah? 22lyar 5762 May 4, 2002

"If your brother becomes impoverished, and his hand falters in your proximity, you shall strengthen him - proselyte or resident - so that he may live `imach' / with you." (25:35)

R' Akiva Yosef Schlesinger z"l (Hungary and Eretz Yisrael; died 1922) explains the intent of this verse as follows: Don't be like certain

stingy people who think that they fulfill their obligation of charity by giving the needy a small amount. Rather, a person must support the poor at the same standard of living that he supports his own family. This is what is meant by: "so that he may live with you."

Some people say to the poor [either directly or through their attitude]: "What's wrong with being poor? Doesn't the Mishnah teach, 'Such is the way of the Torah - eat bread dipped in salt and drink a small measure of water'?" R' Schlesinger asks rhetorically: Do the people who say this live such a life themselves? One who takes such an attitude toward the poor violates the command of our verse as wells as the mitzvah of "You shall love your fellow as yourself."

R' Schlesinger adds: There is another lesson in the word "imach" / "with you." The Midrash says: "More than the master of the house does for the poor man, the poor man does for the master of the house."

This alludes to the promise of wealth for one who practices the mitzvah of giving charity with an open hand. One must remember also the verse (Mishlei 22: 2), "The rich man and the poor man meet; Hashem is the Maker of them all." Let one choose to ignore the mitzvah of giving charity, remember that the same Creator who made the rich man rich can make him poor and give his wealth to the poor man. (Torat Yechiel)

R' Moshe Feinstein z"l (leading American halachic authority of the 20th century; died 1986) was asked: Must one give to charity to enable the poor to buy something that the giver himself needs? [For example, if one rents, rather than owns, a home, must he give charity to help a poor bride and groom buy a home for themselves?] R' Feinstein responded that our verse answers this question: "Strengthen him . . . so that he may live with you." You are not obligated to strengthen him so that he can live better than you.

R' Feinstein finds support for his position in the following famous dispute recorded in the Gemara: If two people are traveling in the desert and only one has water, and even that one has only enough water for one person, Rabbi Akiva says that he should not share his water and die with his traveling companion. Rather, he should keep the water for himself even if his companion will die. Why? Rabbi Akiva says, "So that he may live with you" - your life comes first. [If he shares the water, his friend will not live with him, as he himself will not live.] The sage Ben Petorah disagrees and says, "Share the water."

At first glance, writes R' Feinstein, it seems that Rambam does not codify either the opinion of Rabbi Akiva or that of Ben Petorah in his halachic code. Why not? R' Feinstein answers that this dispute is in fact alluded to in Rambam's ruling that "One must give charity to the extent that he can afford." This implies that one need not give more than he can afford and that one need not give something that he does not have enough of for himself. (In other words, Rambam rules in accordance with Rabbi Akiva's view.)

R' Feinstein adds: It may be that even Ben Petorah agrees with the principle that one need not give something that he does not have enough of for himself. Rather, Ben Petorah disagrees with Rabbi Akiva on the question of whether one is permitted to sacrifice his life for a mitzvah in a situation where halachah does not obligate him to do so. (Rabbi Akiva would hold that one may not do so, while Ben Petorah may hold that one is permitted to do so.)

(Igrot Moshe: Yoreh Deah I, No. 145)

Hamaayan, Copyright 1 2002 by Shlomo Katz and Torah.org. Posted by Alan Broder, ajb@torah.org .

The editors hope these brief 'snippets' will engender further study and discussion of Torah topics ("lehagdil Torah u'leha'adirah"), and your letters are appreciated. Web archives are available starting with Rosh HaShanah 5758 (1997) at <http://www.torah.org/learning/hamaayan/> . Text archives from 1990 through the present are available at <http://www.aocast.com/~sehch/hamaayan/> . Donations to HaMaayan are tax-deductible. Torah.org: The Judaism Site <http://www.torah.org/>

Parshiot Behar Behukotai by RABBI SHLOMO RISKIN

Efrat, Israel - We are presently in that unique period within the Hebrew calendar which is known as sefirah, literally, the count, referring to the counting of the days and weeks (forty-nine days, seven weeks) between the Festivals of Passover and Shavuot; on the second day of Passover the Israelites in Temple times would bring the barley offering (omer), and everyone would then begin to count each day until Shavuot, the fiftieth day when the Israelites would bring two loaves of bread (wheat) as the first-fruits offering to the Temple. This actual commandment to count the days and weeks (u'sefartem lakhem) was recorded in last Sabbath's Torah reading, Emor (Leviticus 23:15). This week's double portion opens with a strikingly parallel commandment to count: "And you shall count (vesafarta lekha) seven Sabbaths of years, seven years seven times (49 years)... And you shall sanctify the fiftieth year, and you shall declare freedom in the land for all of its inhabitants; it shall be the Jubilee..." (Leviticus 25: 8-10)" Here we are counting each year and each Sabbatical (every seventh year is a Sabbatical) seven times seven years, or forty-nine years, leading up to the Jubilee year.

I would like to understand three things: First of all, what is the significance of the parallelism between our commandment to count seven weeks of forty nine days leading up to the Festival of Shavuot, and our commandment to count seven Sabbaticals of forty nine years leading up to the Jubilee year? Secondly, why did the days between Passover and Shavuot - originally days of joyous anticipation towards receiving the Torah and celebrating the Festival of First Fruits in the Jerusalem Temple - turn into days of semi-mourning, when it is forbidden to take haircuts or get married? And finally, why does not the Festival of Shavuot - one of the three main Jerusalem Festivals - have a descriptive name, like Passover (the Paschal sacrifice) or Sukkot (the protective desert booths)? Shavuot means weeks, and refers to the counting leading up to the Festival; it has not real relevance to the Festival day of celebration itself!

The fiftieth Jubilee year is the year when - if, indeed, the nation Israel is living securely in its land - every person returns to his ancestral homestead and property, all slaves are freed and all debts are rescinded; it is a foreshadowing of the millennium, the Messianic vision of peace and security. Our counting of the seven Sabbaticals leading to the Jubilee reflects our optimistic anticipation - and affirmation - of a period of societal harmony (redemption) which our G-d has guaranteed will eventually be actualized. Similarly, Shavuot is the Festival of the first fruits, the time when every Jewish farmer will bring the best representative of his harvest to the altar of the Jerusalem Temple. It reflects a period of well-being and tranquility for Israel, with the Holy Temple finally established in Jerusalem. Passover is only the beginning of Jewish freedom, it is our exodus from Egypt, but that exodus only succeeded in bringing the Israelites as far as the questionable haven of an alien and dangerous desert. Hence the count between Passover and Shavuot reflects our anticipation of progression from redemption begun to redemption achieved.

But anxious anticipation must be supported by fervent preparation; dreams can only be achieved if we work hard to make them happen. The willingness to properly prepare and lay the groundwork for the realization of our goal may well be the difference between merely dreaming while one is asleep and dreaming while one is awake and active; this distinction may also be reflected in the two versions of the sefirah blessing-count, la'omer which emphasizes the end-dream (the letter "lamed" expresses purpose) and ba'omer which expresses present involvement ("bet" in the ablative form, by means of) And since the ultimate redemption has not yet been achieved, - indeed, the Jubilee year is no longer in use because of the great distance separating us from the goal of universal peace - we refer to the Festival of First Fruits as Shavuot, thereby emphasizing the count of anticipation and preparation, the necessity of our dreaming and doing, without which redemption will continue to remain a mere illusive mirage.

Two great tragedies occurred in Jewish history during this period between Passover and Shavuot: the death of twenty four thousand disciples of Rabbi Akiba (from Passover until Lag Ba'omer), and the

From: Rabbi Riskin's Shabbat Shalom List
[SMTP:parsha@ohrtorahstone.org.il] Subject: Shabbat Shalom:

destruction of great Jewish communities like Mayence and Worms along the Rhine River (from Rosh Hodesh Iyar until Shavuot). Rav Hai Gaon maintains that Rabbi Akiba's students were killed in the Bar Kochba rebellion; they fought valiantly for the Land of Israel and Jerusalem, but they suffered the fatal flaw of brotherly hatred, "they did not sufficiently respect each other." Rav Yaakov Emden (in his commentary on the Prayer Book) praises the profound religiosity of the Jewish communities along the Rhine River which produced great Torah scholars in the early Middle Ages (the Tosafists, for example); their tragic flaw, he maintains, lay in their apathy regarding the cardinal importance of the Land of Israel - and, ironically, they were destroyed by the Christian Crusaders on their march to wrest the land of Israel from the hands of the "infidel" Saracous.

Is it not possible that the Hebrew calendar - ordaining semi-mourning during the days of the count between Passover and Shavuot - is giving us a wake-up call? Yes, we may anticipate redemption and anxiously await its coming. But it will never happen without proper preparation: brotherly love and respect as well as commitment to the Land of Israel - by living in it (permanent aliyah) or at least visiting it (periodic aliyah). It is not sufficient to wait for the Messiah to bring us to Israel; only by coming to Israel can we hope to bring the Messiah! 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: Eretz Hemdah[SMTP:eretzhem@netvision.net.il] Subject: Parshat Behar-Bechukotai

Hemdat Yamim Parshat Behar-Bechukotai 22 Iyar 5762
This edition of Hemdat Yamim is dedicated to the memory of R' Meir ben Yechezkel Shraga Brachfeld o.b.m.

Making the Everyday Better in Every Way
Sefer Vayikra is replete with descriptions of avodah, the service of Hashem through sacrifices, as carried out for centuries in the Beit Hamikdash. The first 34 p'sukim of our parasha, Behar, deal with mitzvot ha't'luyot ba'aretz, mitzvot which apply only in Eretz Yisrael. We find, in our parasha, the following pasuk to strengthen the need to fulfill a mitzvah: "I Am Hashem, your G-d, who took you out of the Land of Egypt to give you the Land of Canaan to be for you a G-d" (Vayikra 25:38). Rashi explains: "To give you the Land of Canaan as reward for accepting my commandments." In reward for which Land-linked mitzva(ot) does the Torah stress that we received the Land? None of them. It is found on the prohibition of taking interest on loans. Why is the rare connection between accepting mitzvot and receiving the Land apparently misplaced? We can break up the slew of mitzvot between man and his fellow man into two categories. There are negative commandments which forbid acts of corruption such as theft, withholding pay, false measures, etc. There are also positive commandments to engage in clearly altruistic acts such as charity, leaving the corner of one's field for the poor, etc. Not taking interest on loans seems to be, what we call in Yiddish, "nicht ahin, nicht aheir," it doesn't seem to fit in anywhere. One gives someone money yet demands it back. He takes extra money, yet it is apparently worth the borrower's while as he knowingly agrees (see Bava Metziah 61a). This observation may lead us to a solution. The holy city of Yerushalayim is certainly appropriate for the optimal service of Hashem through sacrifices. We certainly cannot demand from Hashem sovereignty over our Land while practicing abominations, whether between man and G-d or man and man (see Yeshaya 1). The Netziv posits that the term "Eretz Canaan" refers, not so much to that nation's land, but to a land of commercial activity. The chidush of our pasuk is that Hashem gave us, as a nation, a land where we would not only be expected to reach spiritual heights and avoid obvious, spiritual lows. Rather, even when we are involved in everyday commerce, including loans, we are demanded to build a society which elevates those activities to a higher level of fair play. Hashem gave us this land of commerce to build there

such a society. In these hard times, let us elevate our everyday, mundane activities by a notch or two and strengthen our hold on the Land which Hashem took us out of Egypt to give us.

Ask the Rabbi

Question: Who is supposed to say the Kaddish after Kri'at Hatorah: the Ba'al Korei or a mourner?

Answer: Allow us to start with a little background. Each Kaddish has its own independent function, but there is also a strong interest to get to a minimum total of 7 Kaddeishim each day, in line with the pasuk: "Seven [times] in the day I praised you" (Tehillim 119:164; see Beit Yosef, Orach Chayim 55). The backbone of Kaddish is "y'hei shmei rabba..." which keeps the world intact (Sota 49a). In addition to general sanctification of Hashem's name in the world(s), there are specific reasons why it is important for a mourner to say Kaddish. Firstly, the resulting kiddush Hashem can cause atonement for the deceased for chilul Hashem he might have been involved in and for which he had not completed the teshuva process (Gesher HaChayim 30:4). It also can serve as tziduk hadin (acceptance of Divine judgement) (ibid). When a mourner serves as shaliach tzibbur, he has the opportunity to say the Kaddeishim which are part of the tefilla. In addition, Kaddish Yatom was instituted to provide mourners (one or all, depending on the local minhag) an additional opportunity, even if they are not the shaliach tzibbur. Kaddish Yatom, even though it can help unrelated Jewish deceased, in general, should not be said by one whose parents are both alive (Rama, Yoreh Deah 376:5; Pitchei Teshuva, ad loc.). Kaddish after Kri'at HaTorah is not a Kaddish Yatom to the full extent, and the Ba'al Korei can recite it even if he has both parents (Gesher HaChayim 30:8). However, several sefarim (Sdei Chemed Aveilut 163; Gesher Hachayim, ibid.; P'nei Baruch 34:14) cite a teshuva of the Rashbetz that mourners have the right to say this Kaddish. Although a mourner can do so even if he neither is the Ba'al Korei nor received the last aliyah (Elef Hamagen 3:3), sometimes it is arranged that the one who will say Kaddish gets the last aliyah (Kol Bo al Aveilut, pg. 374). On the other hand, we have heard in the name of Rav S.Z. Orbach z.t.l., that the Kaddish after Kri'at Hatorah belongs to the Ba'al Korei. In practice, different congregations have different customs in this regard, and many have no set policy on the matter. It is critical to remember, regarding Kaddish, the Gesher Hachayim's warning. Since Kaddish is designed to rectify chilul Hashem, it is tragically counter-productive to fight over it and create further chilul Hashem.

Harav Shaul Israeli zt"l Founder and President Deans: Harav Yosef Carmel Harav Moshe Ehrenreich ERETZ HEMDAH 5 Ha-Mem Gimmel St. P.O.B 36236 Jerusalem 91360 Tel/Fax: 972-2-5371485 Email: eretzhem@netvision.net.il web-site: www.eretzhemdah.org

From: RABBI LIPMAN PODOLSKY [SMTP:podolsky@hakotel.edu] Parshas B'Har/B'chukosai 5762

Life is A-maze-ing!

"Im b'chukosai teleichu" -- It is incumbent upon every Jew to toil in the study of Torah, as much as he is capable (Rashi, Vayikra 26:3). That the obligation to immerse oneself in Torah study is referred to as a chok, a Divine statute that transcends human logic, doesn't surprise me. But why does Hashem command us to 'go' in Torah? On the contrary, to succeed in Torah, one must sit and focus for long periods of time. Hence the name Yeshiva (sitting). In what way are we intended to 'go' with Torah?

Life is a maze. Our mission: To struggle to reach a platform of achievement. The various paths are most confusing. Some will lead us where we want to go; others will beguile us. How are we to know which way to turn?

At the risk of sounding cliché, the only way to illuminate our path is with the light of Torah (See Mishlei 6:23). In fact, it may be said that Torah itself is our path (See Breishis 3:24). Only by committing ourselves to the assiduous study and internalization of Hashem's teachings can we ever hope to reach our one, true goal.

Thus, Jewish laws are known as Halachos. It is via the laws of the Torah that we continue to move, to accomplish, and to grow. Without them we would stand utterly stagnant. With Torah we can ascend higher than angels -- "If you go in My ways... then I will grant you strides among these [angels] who stand here (Zechariah 3:7)." True, we could opt for a more comfortable, more indulgent approach. Indeed, the vast majority of mankind has squandered the past five millennia in search of a substitute purpose (See Rashi, Koheles 1:3). In the end, though, no matter how lofty and noble manmade goals may seem, they are all inevitably exposed as counterfeit. And all their followers are eventually compelled to acknowledge that they have been led astray.

When you purchase a new computer, you expect it to come with instructions. Should the manual be missing, you would most certainly make an urgent, toll-free call to the manufacturer demanding that they Fed-Ex it you posthaste. The more complex the device is the more reluctant will you be to attempt to figure it out for yourself. After all, why take a chance at ruining a perfectly good computer?

Our world is the most sophisticated and complex computer ever designed. Most of us would do ourselves the favor of a lifetime by studying the Manufacturer's Instruction Manual very, very carefully. After all, why take a chance at ruining a perfectly good world? When all is said and done, only one Truth remains -- "B'chukosai teleichu!"

This sicha is brought to you by Yeshivat Hakotel - The Wohl Torah Center - Old City of Jerusalem, Israel Visit our website at <http://www.hakotel.edu>
(C) 5762/2002 by Lipman Podolsky and American Friends of Yeshivat Hakotel Lists hosted by Project Genesis - <http://www.torah.org>

From: Ohr Somayach[SMTP:ohr@ohr.edu] Subject: Torah Weekly - Behar/Bechukotai

* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshat Behar/Bechukotai For the week ending 22 Iyar 5762 / May 3 & 4, 2002 Sponsored by Kof-K Kosher Supervision <http://www.kof-k.org>
LET YOUR FINGERS DO THE WALKING!

"If you walk in my statutesB" (26:3)

For many of us, the part of our body that does the most walking is our fingers.

Apart from the inherent value of walking as exercise, our reliance on our ten fingers to do our walking has encouraged a weakness in a less physical area.

There is an underlying message in our society that things should be as easy as picking up a phone or surfing the web. Convenience has become a value in and of itself. The subliminal message of "finger walking" is "If it's not easy, don't bother." And the easier the better.

This attitude is incompatible with raising children who have self-confidence. Nothing builds self-confidence more than confronting and surmounting challenges. When we conquer something difficult, our self-image and our self-confidence grow. If we are taught that convenience is paramount, we may never seek the challenges that will build us as people.

"If you walk in my statutesB" (26:3) Rashi says that this verse teaches us that a Jew must exert himself to the full in Torah learning. What does Rashi see in the language of the verse that indicates that we must exert ourselves in the learning of Torah as opposed to merely learning it?

The Maharal of Prague comments that "walking" connotes exertion. Making headway implies effort. In spiritual growth, there's no such thing as a free ride. Thus the Torah, the ultimate road to spiritual growth, can only be acquired through hard work. It's not enough for our "fingers to do the walking."

DEAD TO THE WORLD

"If you walk in My statutesB" (26:3)

The Talmud in Massechet Berachot (63b) says that "the Torah doesn't stay with someone unless he 'kills himself' over it."

Once there was a businessman who woke up one day and realized he

wasn't getting any younger. He ate his breakfast and kissed his wife goodbye. However, instead of driving to work, he drove to a nearby yeshiva.

He walked inside and asked a young bearded fellow who was sitting there if he would teach him the Torah. The young fellow asked him what he would like to learn. Without batting an eyelid, the businessman replied "Everything. Where do we start?"

The next day, the businessman ate his breakfast, kissed his wife goodbye, got into his car and drove to the same yeshiva. And the following day. And the day after that.

That night, his wife was standing at the door when he came home. "They called for you from the office today" she said "Oh yes?" he murmured non-committally.

"Apparently, you haven't been there for four days."

"That's right."

"Where have you been?"

"I've been learning the Torah."

"Are you crazy? Who's going to support us if you don't go to work anymore?"

"My darling wife, if I had passed away four days ago, would you be asking me now who was going to support you? I have spent my entire life working for this world. Before I take my leave, I would like to have something put away for our "retirement." I'm taking out some bonds in the First National Bank of the Next World. If I was dead, would you be asking me why I didn't go to the office today?"

Most of the time, we don't learn Torah because we're "too busy." However, unless we can picture ourselves as "dead to the world" we will never have the impetus to learn, until we are really dead to the world.

On a deeper level, the reasons why words of Torah do not stay with someone unless he kills himself over them is because the Torah and the body are two opposites. Thus the Torah which is pure spirituality cannot co-exist with a physical frame. Only someone who is prepared "to kill himself," to reduce his physicality to the point where he is "dead," can hope for the spirituality of the Torah to dwell in him. Exerting oneself to the utmost in learning Torah reduces the physical part of a person and allows the Torah to dwell in him.

Sources: "Let Your Fingers Do The Walking!" j thanks to Rabbi C. Z.

Senter "Dead To The World" j Chafetz Chaim; Maharal Netzach Yisrael ch. 9 (page 46a); thanks to Rabbi Yehoshua Hartman

Written and compiled by Rabbi Yaakov Asher Sinclair To subscribe to this list please e-mail weekly-subscribe@ohr.edu (C) 2002 Ohr Somayach International - All rights reserved.

From: Jeffrey Gross[SMTP:jgross@torah.org] Reply To: neustadt@torah.org; jgross+@torah.org; genesis@torah.org Sent: Monday, April 29, 2002 2:21 PM To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Behar Bechukosai WEEKLY-HALACHA FOR 5762

By Rabbi Doniel Neustadt Rav of Young Israel in Cleveland Heights A discussion of Halachic topics. For final rulings, consult your Rav. EVERYDAY CASES INVOLVING INTEREST

Although the Biblical prohibition against charging interest (ribbis) on a loan is well-known, few people are aware of the many applications and ramifications of the laws of interest. Transgressing these laws could result in the violation of up to six negative commandments according to the Rambam(1), so it is imperative that we examine some everyday situations where the laws of interest apply.

SOME FORBIDDEN FORMS OF BORROWING:

A loan may not be made with conditions which will benefit the lender. He may not stipulate that in exchange for the loan, the borrower should patronize him, refer others to his or another person's business(2), be given a job(3), or make a donation to tzedakah(4). It is permitted, however, to lend money with the stipulation that the borrower will accept a job offer or take a course, etc., if the lender's aim is solely to benefit the borrower or to ensure that his loan will be repaid(5). It is forbidden to lend money to a handyman on condition that he will work for the lender at a lower wage(6). It is forbidden to borrow another person's credit card to make a purchase

on which the borrower makes monthly payments with interest. Similarly, it is forbidden to borrow another person's credit card to obtain a cash advance. These transactions are forbidden because legally, the owner of the card is responsible for the payments. In effect, it is as if the borrower is borrowing money from the credit-card owner and then repaying him the principal plus interest(7). It is permitted to borrow another person's credit card (when no interest is paid) even though the credit-card owner benefits from the borrower's purchase by earning mileage, etc.(8). It is forbidden to lend money on condition that the borrower will ??at a later date ??lend the lender money for a longer period of time or a larger amount of money than the present loan entails. It is debatable if the lender can make that type of condition if the amount of money and time will be the same as those of the present loan(9). It is forbidden to charge extra money for a post-dated check, since the person issuing the check is actually paying interest for the privilege of delaying payment. A form of ribbis of which many people are not aware is the case of two people agreeing to an uneven exchange of jobs or chores. For instance, a teacher should not say to a colleague, "I will teach your period if you will teach mine" ??if the two periods being exchanged are not exactly equal, both in the length of time and in the difficulty of work entailed(10). Similarly, one may not say to his friend, "I will paint your house if you will paint mine," if the two houses are not exactly even in size and in the amount of work involved(11). It is forbidden to tell someone, "Have a meal with me, since I ate at your house last week." This appears to be payment of debt, and since one might give his friend a more elaborate meal than the meal he received, it may be perceived as ribbis. Some poskim(12), however, permit saying, "Come to my house for lunch, and I'll eat lunch at your house next week", while other poskim prohibit this as well(13). Note: It is important to remember that in some of the cases in which it is prohibited to charge interest, a heter iska (a partnership agreement) can be drawn up by a competent rabbinic authority which allows the transaction to be carried out in a halachically permissible manner.

SOME FORBIDDEN FORMS OF REPAYMENT:

The prohibition of ribbis is not limited to monetary payments. A favor or a benefit of any sort which the lender receives from the borrower may fall into the category of interest. There are several basic rules which govern the extent of this prohibition: a. A borrower may not extend a favor to a lender just because he got a loan from him. If the borrower would not have done the favor otherwise, it is forbidden to do the favor. b. The borrower may not do a favor for the lender in public even if he would have done the favor regardless of the loan. c. When the relationship between a borrower and a lender is long established and the borrower has previously granted public favors to the lender, such a relationship may continue even after a loan takes place.

SOME APPLICATIONS OF THESE RULES: A borrower may not praise(14) or bless(15) a lender for lending him money or for extending a payment deadline. Some poskim even prohibit saying a simple thank-you(16), while others allow a simple thank-you(17). A borrower may not buy a lender an aliyah in appreciation for a loan(18). A borrower may not send mishloach manos to a lender(19), tutor a lender or his child in the study of Torah without compensation(20), offer him charity(21), sell him goods or offer a service below market price(22) or buy goods from him or pay him for a service above market value(23), unless he would have done so regardless of the loan. A borrower may invite a lender to a wedding even if he would not have invited him were it not for the loan(24). Institutions, e.g., yeshivos, shuls, etc. may honor an individual who has loaned them money, provided that the honor was not a condition for granting the loan(25). It is permitted for a borrower to give a wedding gift to the son or daughter of a lender(26), even if he would not have given a gift were it not for the loan. The gift must be an item which the groom's/bride's father would not normally purchase for his child(27). A borrower may extend to a lender a common courtesy, such as changing money for him. A lender, though, may not (strongly) request a favor from a borrower, even if it is merely a common courtesy(28). Note: All non-financial benefits and favors are prohibited only while a loan is outstanding. Once a loan is repaid, this type of ribbis prohibition no longer applies(29).

FOOTNOTES:

1 Hilchos Malveh v'Loveh 4:2. See also Sefer ha-Mitzvos (Shores 6). 2 Y.D. 160:23; Igros Moshe Y.D. 3 Hilchos Ribbis 160:18. 3 Shulchan Aruch Harav, Ribbis 14. 4 Rama Y.D. 160:14 (concerning hekdesh). R' Akiva Eiger adds that it is also prohibited to say, "I will lend you 100 if you will return 102 to hekdesh". 5 Questions of Interest, pg. 45. 6 Shach Y.D. 160:37. 7 Mishnas Ribbis 17:7 based on Y.D. 168:17. See also Igros Moshe Y.D. 3:42 and ha-Mesivta, 1998, pg. 374-379. Sometimes, the borrower promises to make payments within the grace period and

then fails to honor his commitment, leaving the credit-card owner with the interest payments. See Mishnas Ribbis who discusses a way for the lender to be compensated in such a case. 8 Since the points are awarded by the credit-card company, not by the borrower. 9 Rama Y.D. 160:9. 10 If, however, the work itself is comparable but the wages are not (for reasons of seniority, etc.) they are permitted to switch; Toras Ribbis, pg. 227. 11 Y.D. 160:9. Partners, however, may divide their work in any way they choose and exchange their obligations at any time; Chasam Sofer Y.D. 135. 12 Rama O.C. 170; Aruch ha-Shulchan O.C. 170:14. 13 Taz quoted by Mishnah Berurah 170:32. 14 Nor may he greet him in a warmer or more gracious manner than he had previously greeted him; Y.D. 160:11. 15 Even expressions like ye'yashar kochachem or tizku l'mitzvos are to be avoided; see Birkei Yosef 160:12, Minchas Shelomo 27 and Bris Yehudah 11:29. 16 Igros Moshe Y.D. 1:80. A possible solution is to thank him for his effort in making the loan. 17 Harav S.Z. Auerbach (Minchas Shelomo 27); Harav Y.S. Elyashiv (Mishnas Ribbis 4, note 21); Harav Y. Roth (Questions of Interest, pg. 61). 18 Shach Y.D. 166:1. If the lender is called to the Torah and he then realizes that the aliyah was bought for him by the borrower, he need not walk away from his aliyah (Harav S. Wosner, Kol ha-Torah, vol. 42, pg. 228). 19 Mishnas Ribbis 3, note 18. 20 Y.D. 160:10. 21 Shulchan Aruch Harav 14. 22 Shach 160:37. 23 Shach 173:6. 24 Harav Y. Roth and other poskim quoted in Questions of Interest (pg. 57). Several reasons are given: 1. The invitation is in recognition of their present social friendship, not an expression of appreciation. 2. A wedding invitation is not a public honor. 3. A wedding host considers the food as a gift to his guests. 25 Based on Y.D. 160:18. 26 A bar/bas mitzvah gift may be given only after the child's birthday has passed, since prior to his birthday, the item will belong to the father, who is the lender. 27 Bris Yehudah, pg. 227. 28 Y.D. 160:12, Shulchan Aruch Harav 10. See Darkei Teshuvah 80 and Bris Yehudah 11:14. 29 Birkei Yosef Y.D. 160:11. See Yabia Omer Y.D. 4:9. Weekly Halacha, Copyright © 2002 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross+@torah.org . Torah.org: The Judaism Site <http://www.torah.org/>