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ON PARSHOS MATOS/MASEI - 5756

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"Ohr Somayach <ohr@jer1.co.il>" Torah Weekly - Matos/Masei

* TORAH WEEKLY * Parshas Matos/Masei week ending 26 Tammuz 5756

Summary

Matos Moshe teaches the rules and restrictions governing oaths and vows -- especially the role of a husband or father in either upholding or annulling vows. The Bnei Yisrael go to war against Midian. They kill the five Midian kings, all of the males, and Bilaam. Moshe is upset that women were taken as captives, because they were catalysts for the immoral behavior of the Jewish People. He rebukes the officers. The spoils of war are counted and apportioned. The commanding officers report to Moshe that there was not one casualty among the Bnei Yisrael. They bring an offering, which is taken from them by Moshe and Elazar and placed in the Ohel Mo'ed (Tent of Meeting). The Tribes of Gad and Reuven, who own large quantities of livestock, petition Moshe to remain where they are and not traverse the Jordan river into Israel. They explain that the land where they are presently located is quite suitable as grazing land for their livestock. Moshe's initial response is that this request will discourage the rest of the Bnei Yisrael, and is akin to the sin of the spies. They assure Moshe that they will first help the Bnei Yisrael wage war and conquer Israel, and only then will they go back to their homes on the eastern side of the Jordan River. Moshe grants their request on condition that they uphold their part of the deal.

Masei The Torah names all forty-two encampments of the Bnei Yisrael on their forty year journey from the Exodus to the crossing of the Jordan river into Eretz Yisrael. Hashem commands the Bnei Yisrael to drive out the Canaanim from Eretz Yisrael and to demolish all vestige of their idolatry. The Bnei Yisrael are warned that if they fail to rid the land completely of the Canaanim, those who remain will be pins in their eyes and thorns in their sides. The boundaries of the land of Israel are defined, and the tribes are commanded to set aside forty-eight cities for the Leviim, who do not receive a regular portion in the division of the land. Cities of refuge are to be established: someone who murders unintentionally may flee there. The daughters of Tzlofchad marry members of their tribe so that their inheritance

will stay in their own tribe. Thus ends the Book of Bamidbar/Numbers, the fourth of the Books of The Torah.

Commentaries

Self-Made Man "A thousand from a tribe, a thousand from a tribe" (31:4) More elusive than the Loch Ness Monster or the Yeti is a species called the Self-Made Man. Reports of his existence are very frequent, but to date he has never been positively identified. All the thousands of reported sightings have turned out to be mistaken wishful thinking. Let's take a look at a typical reported sighting: Morris is one of the biggest corporate stock whizzes on Wall Street. He is the president of Huge and Wealthy International Inc. - one of the top Fortune 500 companies. But did Fortune really give him his success. Or did it come from elsewhere? It's all too easy to pat ourselves on the back and congratulate ourselves on how clever we were. In order to keep a true perspective as to where our success really comes from we need constant reminders. In this week's Parsha, the Torah tells us that for every thousand soldiers that went out to fight for the Jewish People, another thousand stayed in Eretz Yisrael and prayed for them. In other words, for each soldier at the front, there was another 'soldier' responsible to pray for his counterpart. You might think that this was to give those at the front added protection. The real reason, however, was that those who were fighting shouldn't be under any illusion as to where their success was coming from. It was not by the strength and the might of their own hand that they were victorious in battle, rather their success -- like all success -- comes from Hashem, the Maker of the 'Self-Made' Man. (Based on Rabbi Chatzkel Levenstein heard from Rabbi Yehoshua Bertram)

Long Night's Journey into Day "These are the journeys of the Children of Israel, who went forth from the land of Egypt...at the hand of Moshe and Aaron." (33:1) Nothing that the hand of man creates can endure for eternity. Statues crumble; poetry is forgotten. Nothing lasts forever. For this reason, the redemption from Egypt was not final, for it came `at the hand of Moshe and Aaron' and for all their lofty spiritual height, they were no more than flesh and blood. It was inevitable therefore, that the Jewish People would be subjected to other exiles, for their Exodus from Egypt was mortal and this-worldly - and thus incomplete. "These are the journeys of the Children of Israel" - these are the journeys of exile that the Children of Israel will undergo throughout the long night of history because "they went forth from the land of Egypt...at the hand of Moshe and Aaron." However when Hashem redeems His people Himself, in His Glory and His Majesty, there will be no human imperfection in the redemption, and thus it will be complete and eternal. (Kesones Ohr in Mayana shel Torah)

Static and Dynamic "Moshe spoke to the heads of the tribes of the Children of Israel..." (30:2) Matos and Masei are two Parshios joined together - but their names are opposites... The word "Mateh" (of which the plural is Matos) can mean a staff. A staff is something inert, cut off from the tree from which it sprouted. It has cease to have the power of furthering itself, of bringing forth new life. It will always remain what it is now. Static and unchanging. Masei (from the verb `to journey') is the opposite. It is the essence of dynamism, of development and growth. For the journey is the paradigm of furtherance... Really, this juxtaposition of Matos and Masei is symbolic of the Torah itself. The Torah has the power to take the lifeless and change it into life - to take Aaron's inert staff and cause it to flower and bloom. To change it into a serpent. Nothing more than an inert staff becomes the instrument of the great signs and wonders wrought in Egypt, for splitting the sea asunder. Nothing more than inert staff becomes the symbol of beginning of life itself for the Jewish People. The ultimate reversal of the lifeless staff - the Mateh - brings furtherance and an eternal future - the Masei - to the journeys of Children Israel throughout history. (Based on Rabbi Shlomo Yosef Zevin)

Haftarah: Yirmiyahu 2:4-28 & 3:4 MUDDY WATERS. "For my people have perpetrated two evils: Me have they forsaken, the source of living waters; to dig themselves cisterns, broken cisterns that cannot hold water." (2:13) In this, the second Haftarah of the "three (Haftarahs) of affliction," the prophet speaks out not only against Israel's disloyalty to Hashem who saved them from slavery, but also against the disloyalty to the Torah which has been exchanged for the empty vanities of foreign culture. Our Sages teach us that Hashem lamented: "If they had forsaken only Me, but had kept the Torah, its spiritual light would have influenced them to return to the path of

righteousness." However the Jewish People, seduced by the superficial glitter of the foreign ideologies, abandon the Torah, their only lifeline, and imbibe the brackish water of false ideas which constantly change and contradict themselves. From this only tragedy and exile can ensue. Sing, My Soul! Insights into the Zemirots sung at the Shabbos table throughout the generations. Eliyahu Hanavi - "Elijah The Prophet..."

And he shall return the hearts of the fathers to the sons and the hearts of the sons to their fathers v'hashiv lev avos al banim v'lev banim al avosam The simple meaning of this passage, the last prophecy of the last prophet (Malachi 3:24) is found in the words of Rashi: "He will return the hearts of the fathers to Hashem through the children by saying to them in a manner of love and good will: Go speak to your parents to adopt the ways of Hashem. In similar fashion will he return the hearts of the children to Hashem through their parents." Another explanation is that in the golden era at the end of days, Hashem will bless the young with the wisdom of heart which comes with age, and bless the elders with the enthusiasm of heart which is the quality of youth.

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"Rabbi Mordechai Kamenetzky <rmk@yoss.org>" drasha@torah.org"
DRASHA PARSHAS MATOS-MASEI KINDER, GENTLER, KILLERS

This week we read about the cities of refuge. A man who kills someone accidentally is exiled to an Ir Miklat, a city of refuge. In addition to killers, a very distinguished group of people, the Levites, lived in those cities. Their job was something similar to today's Rabbis. They traveled throughout Israel, teaching and preaching. The Levites would return to their homes and neighbors, people who killed through carelessness, who were convicted of involuntary manslaughter of sorts. They played an integral role in the killers' rehabilitation.

The sentence imposed on the killers was also very unique. It was not defined by time, but rather by circumstance. The killers would go free only when the Kohen Gadol (High Priest) would die. The Talmud in Makos tells us that the Kohen Gadol's family members were quite worried. They were not concerned that there would be an assassination plot against the Kohen Gadol's life. They were worried that the convicts would pray that the Kohen Gadol would die before his due time, thus releasing them early. In order to dissuade them, the mother of the Kohen Gadol would distribute food and clothing to the inmates to deter them from praying that her son die.

It is hard to understand. Are there no loved ones waiting for these outcasts with food and clothing to be offered upon release? Were the Kohen Gadol's mom's cookies worth exile in the city of refuge? How did these gifts work as bribes?

Reb Aryeh Levine took it upon himself to visit Jewish inmates, mostly members of the Irgun, held under British rule prior to Israel's statehood. He became like a father to those prisoners, bringing them food, clothes and love. For years, despite sweltering heat and frigid rains, he never missed a Shabbos visit, save one.

Once, in the midst of a Shabbos service, he was called out of the prison by a very excited messenger. Reb Aryeh's son-in-law came to the prison to say that Reb Aryeh's daughter had become paralyzed and the doctors were helpless. He was needed for support at home, immediately. After the Shabbos, an Arab messenger was bribed by the concerned inmates to visit Reb Aryeh's home and inquire what tragedy interrupted the weekly visit. The next Shabbos, despite the enduring tragedy at home, the Rabbi went to the prison as usual. Normally during the Torah reading, prisoners would pledge a few coins to charity. This week the donations were far different. "I will give up a week of my life for the sake of Reb Aryeh's daughter," the first convict pledged. Another prisoner announced that he would give a month from his. Each one called to the Torah upped the previous pledge until the last prisoner cried out, "what is our life compared to Reb Aryeh's

anguish? I will give all my remaining days for the sake of the Rabbi's daughter."

At this unbelievable display of love and affection, Reb Aryeh broke down and wept. Miraculous as it may sound, that Saturday night Reb Aryeh's daughter began to move and within days was fully recovered.

The cities of refuge were not jails, nor were they mere detention camps. They were an environment in which reckless people became aware that careless actions have serious ramifications. They were constantly under the influence of their neighbors, the Levites. They would observe them pray, learn, and teach others. They would see the epitome of awareness and care for fellow beings.

The mission of the Kohen Gadol's mother was not just to distribute food. It was to develop a bond with those people whose carelessness spurred a death. They saw the love a parent had for her son as she subconsciously plead with the inmates to spare her child. They saw how a total stranger, despite her great esteem, would make sure that their needs in the city of refuge were cared for. They may have even thought of the loved one they killed and his family.

After developing an awareness of life, they would never be able to pray for the death of anyone, even if it meant their own freedom. In fact, they, like Reb Aryeh's prisoners, may have offered their years for the merit of the Kohen Gadol.

The Torah can not punish without teaching and rehabilitating. It infuses a love for life and spirituality into former careless killers. Its goal is to mold a new person whose attitudes will cause him to be kinder, gentler, and a lot more careful. Good Shabbos (c) 1996 Rabbi Mordechai Kamenetzky Dedicated in Honor of the 70th Birthday of Seymour Markman by his son Dr. Arnold Markman and family San Diego, California
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----- Drasha,
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"Yeshivat Har Etzion" PARASHAT MAS'EI - SICHA OF HARAV LICHTENSTEIN SHLIT"A

The "Journey" Towards the Goal

Summarized by Rav Yosef Tzvi Rimon

"These are the journeys of Bnei Yisrael, who went out of the land of Egypt... And Moshe wrote down their departures for their journeys by God's command... And they departed from Ra'amses... and they departed... and they camped..." (Bamidbar 33)

This parasha is extremely puzzling. Why does the Torah enumerate all the journeys of Benei Yisrael - what possible significance can this have? Why does the Torah not simply tell us where the original starting point and the eventual destination were? In any case we don't know what happened at each place that is enumerated, so why name each and every one?

Rashi explains: "Why were these journeys recorded? In order to show us God's mercy. Although it was decreed that Benei Yisrael would wander in the desert, one shouldn't think that they spent forty years on the move, one journey after the next, without rest. For... it works out that during the entire thirty-eight year period they journeyed only twenty times."

In other words, the journeys were recorded in order to show us God's mercy in that He moved them only twenty times during forty years.

Ramban cites a different reason, offered by Rambam in his Moreh Nevukhim (Guide for the Perplexed): "And our teacher has explained, in Moreh Nevukhim, that there is a great and important reason for mentioning the journeys. Because the miracles and wonders which were performed were clear to all who saw them, but in the future they would be conveyed by word of mouth, and the hearer might disbelieve the wonders described in the Torah... The hearers would not believe it, and would think that their location in the desert was somewhere near an inhabited area, a place where other people were to be found, like the deserts inhabited by the Arab peoples

today... Therefore God removed the possibility of such thoughts, and specified all the wonders in the enumeration of the journeys, in order that future generations should appreciate them...."

In other words, if some heretic should claim that the places where Benei Yisrael journeyed in the desert were places where there was food, and that therefore there were no such miracles as the manna etc. since the food arrived in a perfectly natural manner, we can show him the places where Benei Yisrael journeyed and prove that they were barren areas devoid of any vegetation, and that without God's perpetual help there would have been absolutely no possibility of their surviving.

Rashi brings another explanation, which hints at another possible significance in the recording of all the journeys: "Rabbi Tanchuma gave a different explanation for it - he compared God to a king who had a son who was ill. He took his son to a distant place in order to have him healed. When they returned, the father began recounting all the steps of the journey. He said to his son, 'Here we slept, here we gave thanks, here you laid down your head...' etc."

Why did the father point out to his son all the stations that they had passed up until his recovery? Because he wanted to show his son that not only is the result important - i.e. the fact that the son had in fact recovered - but the process, too, has significance: "Here we slept, here we gave thanks...."

This is what the Torah is teaching us in its enumeration of all the journeys. There is a philosophy which holds that the whole purpose and significance of today is that it leads us to tomorrow. This approach attaches no independent significance to the actual day itself; only to what it will bring in its wake, what it will lead to. This opposes and contradicts our belief. Such a philosophy leads to the idea that "the end justifies the means" - everything is permissible, everyone and everything may be trampled, so long as the aim is attained. This is the approach adopted by the Socialist movements and by the various messianic movements.

We await and hope for the ge'ula (redemption); we await the coming of messiah. But despite the importance of today as the harbinger of tomorrow, as bringing redemption nearer, the primary importance of today is its importance in its own right.

In Pirkei Avot (chapter 4) we learn, "Better one hour of teshuva (repentance) and good deeds in this world than all of eternal life in the world-to-come." The world-to-come is of tremendous importance, but one hour of Torah and good deeds in this world are better than all of eternal life in the world-to-come. And if one hour of Torah and good deeds in this world is better than all of eternal life in the world-to-come, then it is certainly better than all the future hours in this world.

Massekhet Shabbat (30a) records a conversation between King David and God: "David said to God, 'Master of the Universe - Tell me, O God, my end... and I shall know how I shall perish.' God replied, 'You will die on Shabbat.' [David said,] 'Let it be on the first day [Sunday]'. He replied, 'The time for the rule of Shlomo, your son, will already have come, and one rulership does not overlap another by even the shortest time.' [David said,] 'Let it be on Erev Shabbat [Friday]'. God replied, '"One day in your courtyards is better to me than a thousand..." - I prefer your sitting for one day involved in Torah study to the thousand sacrifices which your son Shlomo will bring to the altar."

Imagine the ceremony of a thousand sacrifices - imagine how long it takes to sacrifice a thousand offerings! A powerful spiritual experience indeed. In contrast, what is one day of study, regarding which God says, "One day in your courtyards is better to me..."? Will he be more of a talmid chakham (Torah scholar) after one day? What is the value of that learning? He cannot even pass it on to others, for either way he is going to die the very next day!

Nevertheless, God prefers this learning to a thousand sacrifices, because one hour of Torah and good deeds in this world is better than all of eternal life in the world-to-come. The value of the present in this world is very great, and the study of Torah has significance not only for the future, in order that one become a talmid chakham, but also for the present - for the sake of the learning itself, even if by tomorrow all will be forgotten.

A stranger who happened to enter a synagogue between Mincha and Ma'ariv would be amazed at the sight that met his eyes: a group of people sitting and studying a gemara or mishnayot on a topic far removed from any

practical application - pertaining, say, to the sacrifices or to categories of ritual impurity - the details of which are unlikely to be remembered for long. Can we even imagine a group of people conscientiously studying pages of a medical or legal textbook, knowing full well that they will have no use for this information and that the information will be forgotten within a few days?

"It is not your obligation to finish the task", but at the same time "you are not free to desist from it". A Jew is obligated to study Torah because of the importance of that learning in the present, and not just in order to further his future status as a talmid chakham - and even if it is clear to him that he will in fact never become a talmid chakham. "You are not free to desist from it."

It is important for a person to plan his future, but not to the extent that he perceives the present as purely a means to that end. He must appreciate the special significance of the present itself, of each and every moment.

This is what the Torah is teaching us by enumerating all the journeys of Benei Yisrael. Even if a person died during the last journey, just before reaching Jericho, and did not enter the Land of Israel - there is still considerable significance in the journeys which he completed. Each journey has its own importance, there is significance in each step of the process and not only in the final outcome. It is true that each day does bring the end closer, it takes us a step nearer to tomorrow, but each day has significance first and foremost in its own right. "One hour of teshuva and good deeds in this world is better than all of eternal life in the world-to-come."

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Masei 5756 - "A punishment that fits the crime"

The Weekly Internet
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A PUNISHMENT THAT FITS THE CRIME

You shall prepare for yourselves cities to be cities of refuge, so that a killer -- someone who has taken a life unintentionally -- may flee there. These cities will be a safe haven for the killer from the relatives of the victim.

(Bamidbar 35:11-12)

The Torah administers a unique punishment to one who kills his fellow Jew unintentionally. The killer must undergo forced exile ("Galut") to one of six (or, in a broader sense, 48) cities which were chosen for this purpose. While he is in one of these "cities of refuge," the unintentional killer is safe from the next-of-kin of the murdered man, who seeks to avenge his relative's blood. If the killer ever steps out of the city, however, that relative may kill him with impunity (ibid., vv. 26-27).

If a person deliberately commits an act of murder, he of course incurs capital punishment. But this is only if the perpetrator was given a full, clear warning ("Hatra'ah") of the consequences of his act immediately prior to the crime. If, on the other hand, a man has committed intentional murder without first receiving a proper warning, he is not executed. One would think, however, that at the very least the punishment prescribed by the Torah for unintentional manslaughter -- exile -- should be enforced in this case. After all, deliberate murder is certainly a more serious crime than unintentional murder, and it ought to be punished at least as severely. The surprise is that this is not the case. The Mishnah (Makkot 9b) tells us that an unintentional murderer who is acquitted on technical grounds (such as the lack of a prior warning) is not sent into exile. Rather, he goes unpunished. The intentional murderer is thus better off than the unintentional murderer! What is the logic behind such a ruling?

The Gemara provides us with the answer to this question (Makkot 2b). The reason an intentional killer is not punished with Galut is in order that he should not receive atonement for his sin and he should not be exempted from future punishment. That is, once the killer enters a city of refuge, he is protected from the clutches of his victim's next-of-kin, who is allowed to avenge his relative's blood. The killer's forced exile atones for his sin and therefore protects him from harm. In the case of intentional murder, the Gemara tells us, the crime committed is too severe to merit salvation from the next-of-kin through Galut. It is thus a *stringency* (lack of opportunity to escape from the next-of-kin) that we impose upon the murderer by not punishing him with Galut, and not a leniency. (See also Rambam, Hil. Rotze'ach 6:4-5.)

II

A similar line of reasoning may be used to explain certain other halachic paradoxes..

A food product that grows from the land in Israel may not be eaten until certain tithes and offerings have first been removed from it. The first of these offerings is called Terumah, and it is given to a Kohen. No non-Kohen may eat Terumah. If a non-Kohen eats Terumah unintentionally, he must repay the Kohen who owned the Terumah its full value, and to add a 25% "fine" on top of that. Surprisingly, however, if a non-Kohen eats Terumah *intentionally*, he does not have to pay the 25% fine! What is the logic behind punishing an unintentional offender more than a deliberate one?

The Rambam (beginning of Ch. 7 of Mishnayot Terumot) explains this anomaly by invoking the principle presented above. The 25% fine is considered to be a means of *atonement* for the sin committed. In fact, the Kohen to whom the fine is paid may not waive the fine. It is not his personal money to pass on, but rather a means of granting forgiveness to the one who is paying the fine. The Torah only prescribes this atonement for the sin of eating Terumah *without* intent. Eating Terumah knowingly is obviously a more serious sin, and the Torah does not wish to offer the sinner a means of acquiring atonement in this case.

Some commentators take this principle even further. In cases of perjury, according to Torah law, the punishment that the false witnesses attempted to administer to their victim is meted out to them in his place. If the perjury took place in the context of a trial for a capital offense, the false witnesses are themselves executed. However, the Gemara tells us that this punishment is only carried out if the perjury was detected *before* the victim was actually punished for his supposed crime. If, however, the witnesses misled the court until the defendant was killed for his supposed crime, the witnesses are *not* killed for their perjury (see Parasha Page, Ki-Tetze, 5755). What could be the logic behind this strange law? Certainly it is a more grievous crime to *succeed* at framing someone than to *fail* in the attempt to do so!

The Me'iri (Makkot 2b) and the Kesef Mishneh (to Hil. Edu 20:2) invoke the above-mentioned principle to explain this law. Whenever a Jewish court administers the death penalty for a particular sin, and the criminal willingly accepts the Divinely prescribed punishment, he is absolved for his crime. (See Mishnah, Sanhedrin 43b. The same applies to other forms of punishment in court, see Makkot 23a.) The more serious offenders, who killed their victim, are not entitled to be given an opportunity for atonement through being killed by the court.

Applying the "no-atonement" principle to this case is actually taking the principle yet another step further. The penalties of Galut and the 25% fine for eating Terumah are clearly to be regarded as forms of atonement. They were not meant as preventative measures to deter others from following the example of the sinner -- after all, they are administered in cases where the offender committed his sin unintentionally. The punishment for perjury, however, could very well be intended as a deterrent: if witnesses know that they will be held to the same level of severity as their testimony involves, they will certainly think twice before becoming entangled in any such schemes. (Although it is true that execution by a Jewish court of law *also* effects expiation for one's crime, this is seemingly only a secondary, peripheral effect of the punishment's implementation, and not its main goal.) It would seem appropriate to punish the sinner even when the punishment will not atone for his sins, simply in order to prevent others from following in the sinner's ways. Apparently, though, this is not a viable option. A punishment is only considered to be just, if its execution fully absolves the

sinner from his crime (should he willingly accept his punishment out of true repentance).

Thus, a Torah punishment must be perfectly molded to fit its crime. It cannot be too harsh, or it will over-punish, and it cannot be too lenient or it will offer the sinner an easy way to escape the retribution that he deserves.

The Gemara (in Makkot 5b) notes the puzzling nature of the rule that the punishment for perjury is only administered if the perjury is detected before the victim's sentence has been carried out. The Gemara cites in reference to this law a general principle, which states that one may not take a punishment prescribed by the Torah in one case and apply it to another case through logical deduction. Even if the second case is a more serious infraction than the first, it may be exempted from the punishment of the first. This principle is known in Hebrew as Ein Ohnshin min HaDin (lit., "we do not punish because of logic").

It is not difficult to see that the logic we have used to explain the laws of perjury may be extended to explain the general principle of Ein Ohnshin min HaDin: We can never apply the punishment for a lighter crime to a more serious crime because it is not appropriate to offer such "simple" atonement to the more serious criminal. This is, in fact, exactly what the Maharsha suggests (in Sanhedrin 64b).

III

There is, however, another way to understand the principle that physical punishment is not administered based on the dictates of logic. The human mind cannot possibly grasp *all* of the ramifications of any given act. What seems to man to be more sinful may actually be less sinful in Hashem's eyes. Therefore, only Hashem Himself is to define punishments. As the verse states, "Justice if for Hashem to administer" (Devarim 1:17). If He does not specify a punishment in the Torah for a particular sin, it is not because He expects us to deduce the punishment by ourselves, but rather because that sin is not punishable.

As an example of the role that Divine considerations may play in jurisprudence, let us consider once again the case of perjurers. Earlier, we invoked the no-atonement theory to explain why the punishment for perjury is not applied after the victim has been executed. The Rambam suggests another possible explanation for this rule. If Hashem would have wanted to stop an innocent man from being killed, He could certainly have done so. Therefore, if Hashem did not intervene in some way to save the victim, obviously this man was deemed deserving of death by "due process" in the Heavenly court. (See Parasha Page, Ki Tetze, 5755, where we discussed this matter at length.) This is why witnesses are not punished if they succeed in executing their victim. Similarly, when it comes to administering any other punishment that is not explicitly prescribed by the Torah, Divine considerations which man cannot possibly postulate may be involved.

This explanation for not punishing based on logic is offered by "Halichot Olam" (Sha'ar 4, p. 25b -- see also Rashi, Sanhedrin 73a s.v. Hekesha; Zevachim 106b, s.v. Atia).

IV

These two views of the logic behind the principle of not punishing on logical grounds alone (Ein Ohnshin min HaDin) may perhaps help us to better understand a dispute between the early Talmud commentators involving that principle.

In addition to the sins that carry the death penalty in court (murder, incest, adultery, etc.), the Torah mentions several sins which are punishable by death by the hand of Heaven or by the related punishment of "Karet" (excision). Does the principle of Ein Ohnshin min HaDin apply to these sins as well? According to Tosafot (Chullin 115b, s.v. Mah) and the Shittah Mekubetzet (Bava Kamma 2a s.v. HaTzad HaShaveh), heavenly punishments are also subject to this rule -- we cannot assume that a more serious case will necessarily have the same heavenly punishment as a less serious case. According to the Rosh (Tosfot HaRosh, Kiddushin 57b, s.v. Iy Mah), however, heavenly punishments are an exception to the rule, and we may use logic to extend a punishment from one case to another.

Perhaps this dispute may be explained in light of the two theories mentioned above. If the reasoning behind Ein Ohnshin min HaDin is that a punishment offers an opportunity for atonement, this rule should not apply to heavenly punishments. Punishments such as Karet, when administered by the heavenly court, are obviously the ultimate retribution for one's sins. They are

not a means for acquiring atonement and *exempting* one's self from Divine retribution. Therefore, a worse sin ought to certainly carry a worse heavenly punishment.

If, however, the reasoning for the principle of Ein Ohnshin min HaDin involves our ignorance -- what seems to us to be a more corrupt act is actually a less corrupt one in the eyes of the Creator -- then the principle still holds true in regards to punishments administered by the heavenly court. We cannot fathom the wisdom of Hashem in order to predict what punishments the heavenly court will or will not mete out, unless the Torah specifically spells it out for us. This is why Tosafot and the Shittah Mekubetzet insist that we *cannot* assume that Hashem will punish a sinner in the heavenly court based on the dictates of our own logic!

HALACHA FOR 5756 COPYRIGHT 1996
SELECTED HALACHOS RELATING TO PARSHAS MATOS-MASEI

By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

"And everything that will not come in fire you shall pass through water (31:23). From here we derive that all vessels bought from a non-Jew must be immersed (Avodah Zarah 75b).

Eating From Dishes Which Were Not Immersed

QUESTION: What should one do if he suspects that he is being served food in dishes that have not been ritually immersed (Toiveled) in a Mikveh?

DISCUSSION: Utensils which require immersion(1) and were not immersed may not be eaten from, even on a temporary basis(2). Even though the food which is in them is not forbidden to eat(3), it must be removed from the utensil before eating.

Although the obligation of immersing utensils is Me'doraisa according to most Rishonim, the prohibition of using a utensil which was not immersed is a rabbinic one(4). Therefore, if one is unsure whether the utensils were immersed or not and cannot determine their status, he would be allowed to eat from those dishes since he can rely on the rule of Safek D'rabanan L'kulah(5).

If one finds himself in the home of another Jew who has definitely not immersed his dishes, he may not eat from those dishes. If the food served to him is dry, such as slabs of meat, he may remove the food with his hands or with plastic cutlery and eat it. For soup and other liquids, however, one has no recourse other than refrain from eating(6). Some Poskim are more lenient and allow liquids - such as soup - to be eaten from utensils that have not been immersed, provided that the spoon being used to eat with was immersed or does not require immersion(7).

If one finds himself in a Jewish-owned restaurant or hotel which has not immersed its dishes, there is a dispute among the Poskim about what he should do. Some Poskim rule that the same Halacha that applies to a Jewish home applies to a Jewish-owned restaurant or a hotel(8).

Other Poskim(9), however are more lenient. They base their reasoning on the ruling of many Poskim(10) who hold that if one buys utensils in order to do business with them, even if he lends them to other Jews for the purpose of eating from them, the utensils do not need to be immersed. Accordingly, a restaurant or a hotel owner buys dishes in order to serve his guests, a business purpose. Even though his customers are mostly Jewish, he still need not immerse the dishes. The customer who is eating from them is also exempt from immersing the dishes since he does not own them; he is merely borrowing them - while he is eating or drinking - from someone who was not obligated to immerse them. No immersion is required, therefore in this case. Several contemporary Poskim(11) rule that one can be lenient in this matter(12).

[A patient in a hospital does not need to be concerned whether the dishes have been immersed or not(13).]

Hotel and restaurant owners who buy dishes and wish to immerse them

should not make a Bracha over the immersion since, as stated above, some Poskim hold that these dishes do not require immersion. Although one should be stringent and immerse them, a Bracha should not be recited(14).

This issue of HALACHA has been graciously sponsored by ***Mr. and Mrs. Shloime Akerman of Brooklyn, New York. HALACHA is published L'zchus Haya'el Doniel Meir ben Hinda.

FOOTNOTES:

1 See The Halacha Discussion, Matos 5755.

2 Rama YD 120:8.

3 Rama YD 120:16

4 Yeshuos Yaakov 120:1; Biur Halacha OC 323:7.

5 See Shu"t Minchas Yitzchok 1:44. This Psak, however, will depend if Tevilas Keilim is considered Ischazek Isura or not. See Aruch Hashulchan 13 who rules that Tevilas Keilim is not considered Ischazik Issura. There are, however, other Poskim who consider Tevilas Keilim Ischazek Issura - see Shu"t Mharsham 4:48.

6 Igros Moshe YD 3:22.

7 Harav S.Z. Auerbach (quoted in Tevilas Keilim pg. 86)

8 Shu"t Levushai Mordechai 4:83; Igros Moshe YD 3:22; Harav Chaim Kanievsky in the name of Chazon Ish (quoted in Tevilas Keilim pg. 89).

9 Harav Shlomo Kluger in Shu"t Tuv Taam Vodaas 3:2-22; Harav Yosef Tzvi Dushinsky in Shu"t Mahrit"z 1:70; Darkei Teshuva 70 & 88.

10 Bais Yosef, Pri Chodosh and Aruch Hashulchan YD 120:40-43.

11 Shu"t Minchas Yitzchok 1:44; Shu"t Yechave Daas 4:44. Harav S.Z.

Auerbach also rules leniently on this issue, although he does not agree with the logic presented above (see Tevilas Keilim pg. 90 and Nishmas Avrohom YD 120).

12 Concerning glass utensils there is more room for leniency, since the entire obligation to immerse them is a rabbinic one.

13 Harav S.Z. Auerbach (quoted in Nishmas Avrohom YD 120).

14 Tevilas Keilim (pg. 91) quoting oral rulings from Harav Y.Y. Weiss and Harav S. Wosner.

HALACHA FOR 5756 COPYRIGHT 1996
SELECTED HALACHOS RELATING TO PARSHAS PINCHAS
By Rabbi Doniel Neustadt And on the Shabbos day...(28:9)

Overnight Mail on Shabbos

QUESTION: Is it permissible to send a letter or a package on Friday with instructions to deliver it on Shabbos?

DISCUSSION: Amira L'akum, giving instructions to a non-Jew to do an action which would be forbidden for a Jew to do on Shabbos, is prohibited(1). It makes no difference whether the Jew's command is given on Shabbos or before Shabbos. Accordingly, it should be forbidden to instruct a non-Jew to deliver an overnight package on Shabbos, since there are several prohibitions involved in delivering mail on Shabbos(2).

When necessary, however, there is room for leniency. There are some Poskim(3) who hold that only a direct command to a non-Jew is forbidden. Instructing a non-Jew to instruct another non-Jew - Amira L'amira - is permitted. Not all Poskim agree with this leniency. Mishnah Berura(4) rules one can rely on this view only to avoid a major financial loss (Hefsed Gadol). Other Poskim(5) rule that one may rely on this view only in a case of great need (Tzorech Gadol). It follows, therefore, that one is permitted to send an overnight letter to be delivered on Shabbos in case of great loss or great need, since the command to deliver the item is not given directly to the delivery man but to another non-Jew(6).

There are several other arguments for permitting one to have a letter delivered on Shabbos:

Firstly, the Chasam Sofer(7) rules that even those who prohibit instructing a non-Jew to instruct another non-Jew would permit it if the Jew's instructions were given before Shabbos(8).

Secondly, some Poskim(9) hold that if the second non-Jew does not know that he is doing a Melacha for a Jew, then it is clearly permitted for the Jew to instruct a non-Jew to tell another non-Jew to do a Melacha.

Thirdly, some Poskim(10) argue that mailmen do not work for the sender but

for the government Postal Service, which has an interest in mail being delivered. They are not delivering the mail because the Jew asked them to do so, but because they are employees of the Service. They are not considered, therefore, as doing something for the Jew. Mail delivery is similar to garbage collection where the garbage men are not working for the homeowner but for the city government¹¹.

All these reasons are enough to permit a letter to be sent with instructions to deliver it on Shabbos, even when the situation is not necessarily one of averting a major loss or filling a great need. Obviously, if there is no need or urgency, one should not rely on the above arguments¹².

When a letter arrives on Shabbos, the recipient should not take it directly from the mailman's hands. Rather, he should allow the mailman to place the letter in the mailbox or in the house. The reason for this is that we do not want the Jew to inadvertently carry the letter into the house, which, if carried from a Reshus Harabim into a Reshus Hayachid constitutes a biblical prohibition¹³. Possibly, therefore, if there is an Eiruv, one may take the letter directly from the mailman's hands¹⁴. Even though the letter or package originated from outside the Techum Shabbos, it is not Muktzeh - unless it contains a Muktzeh item¹⁵.

FOOTNOTES:

- 1 This is a rabbinic prohibition. According to a minority opinion, it is considered a biblical prohibition - see Shaar Hatzion 243: 7.
- 2 If the overnight mail is delivered to the house together with the rest of the mail, it is permitted to be sent, since the mailman is not doing a special Melacha for the Jew - See Shu"t Chelkas Yaakov 1:65. But usually, overnight mail is delivered separately from the regular mail.
- 3 Chavos Yair 53. 4 307:24, quoting the Sefer Hachayim.
- 5 Shu"t Mahrsha"m 2:136, quoting the Shvus Yaakov 2:42.
- 6 Ma'harsham, ibid, and in Daas Torah 247:1; Shu"t Az Nidberu 3:36.
- 7 OC 60. 8 See Biur Halacha 307:2 who quotes this Chasam Sofer and comments that from the Rashba it seems that this is not so, that even during the week it is prohibited. But see Zichron Yosef 97 (quoted in Shu"t Machzei Eliyahu 37) who explains that there is no contradiction between the Rashba and the ruling of the Chasam Sofer.
- 9 Shu"t Mishne Sachir 73 quoting the M'harshag. See also Shu"t Chasam Sofer Choshen Mishpat 185.
- 10 Pri Megodim 247:3 according to the explanation of Shu"t Machzei Eliyahu 37. 11 Possibly, this argument could be advanced to include employees of a private company as well.
- 12 See Shu"t Minchas Yitzchok 6:18 who is hesitant about permitting this, although he says that many people are lenient.
- 13 Mishnah Berurah 307:56. 14 See Shaar Hatzion 307:66.
- 15 Mishnah Berura, ibid, and Biur Halacha who explains that although a letter is not a Kli and thus subject to the prohibition of Muktzeh, it is nevertheless permitted to carry since one can use a letter to cover a bottle or as a bookmark. Harav S.Z. Auerbach (printed responsum in Sefer Tiltulei Shabbos pg. 13) rules that even nowadays one can rely on this. Not all Poskim agree to this leniency.

B"H Torah Studies Adaptation of Likutei Sichos by
Rabbi Dr. Jonathan Sacks Chief Rabbi of Great Britain

Based on the teachings and talks of the Lubavitcher Rebbe Rabbi
Menachem M. Schneerson on the weekly Torah Portion
Matos-Massei

Matos

In the opening verses of our Sidra we encounter the laws of making and annulling a vow. And whereas a person cannot release himself from his pledges, in certain cases, others can do it for him. In particular, a father can release his daughter (if she has not reached the age of maturity) or a husband his wife, from their vows.

There is a further intermediate case, which is something of a combination of these two; a girl who is as yet only betrothed, can be released from a pledge

by the combined veto of her father and her husband-to-be. Indeed, their joint power is retroactive - it applies even to vows made before betrothal.

The Rebbe develops the contrast between marriage and betrothal and applies it to the relationship between the Jew and G-d. And it asks the important question: How is it that betrothal confers even greater rights on a man than marriage itself?

MAKING AND UNMAKING A VOW

The Sidra of Mats opens with an account of the laws of making a vow, and of having it annulled.

There are three ways in which annulment can take place:

- (1) by a recognized sage (a chacham) who has the power retroactively to release a person from a pledge he has undertaken,
- (2) by the father of a girl who has made a vow while still under his guardianship; and
- (3) by a husband who can veto the vow of his wife.

The powers of a father and a husband are not retroactive - i.e., they only annul the obligation to fulfill the vow from the present onwards. In the times when the two distinct stages to a Jewish marriage, betrothal (kiddushin) and marriage proper (nissuin), took place at two different times, there were two corresponding degrees of power of the husband over his wife's pledges. We would naturally assume that this power would be greater after marriage than during betrothal. But in one respect this is not so. For a man has the power - during betrothal but not after it - to annul the vows his wife made when she was single.

How is it that betrothal grants the husband greater power over his wife's commitments than marriage itself?

One explanation is based on the fact that he does not have this right in himself but only in conjunction with the father of the girl. Acting together, her father and her betrothed can annul her vows. So that the father, as it were, communicates his authority over the girl while she is single, to her husband to be. On the other hand, a husband has, in and by himself the right of veto and thus he borrows no powers from her father. His right therefore does not extend back to the period when she was single, and not as yet bound to him.

Betrothal and Marriage to G-d

This fact of halacha has a bearing on our religious life.

There are two ways a Jew can bind himself to G-d: In betrothal and in marriage. When a man is betrothed to a girl, she becomes forbidden to any other man. Thus, when a Jew is "betrothed" to G-d he has taken a decisive commitment. He has decided to let nothing else waylay and capture his devotion. He has set himself aside from all but G-d's will. This in itself is a momentous act, but it is a negative one. He has not yet reached the spiritual equivalent of marriage, the state where he "shall cleave... and be one flesh" with his partner. And as the fruit of marriage is children - children who reflect their parents so - the fruit of a total oneness with G-d is good deeds which express both the will of G-d and the self-effacement of man. "What are the offspring of the righteous? Their good deeds."

The Sense of Incompleteness

Although the state of spiritual "marriage" goes far beyond "betrothal," betrothal has its own unique virtue.

The man who has reached the level of marriage may fall prey to a certain kind of pride. He may feel that he has reached perfect righteousness, that he is now the "master of the house" with the right in himself to "annul vows."

Unlike the betrothed man - he may reason - his power does not need the co-operation of the father. That this is a fatal error can be seen from the case of Bar Kochba, whose attitude proved to the Rabbis that he was not in fact entitled to the name Bar Kochba (literally, "the son of a star," a Messianic title derived from the verse, "There come a star out of Jacob"), but was instead Bar Koziba ("the son of lies"). The strength of betrothal lies in the fact that the betrothed knows that he has (halachic) powers only in conjunction with the father. He has no rights in himself. Spiritually, this means that he knows that all his capacities are dependent on G-d. And, acting together with Him, he can reach heights that he alone could not aspire to. He can arrive at the power of "annulment," namely, nullifying in himself and the world, the masks of illusion that hide G-d's presence from man. And this power is "retroactive," that is, beyond the normal limitations of time and space. Just as a vow binds, and an annulment breaks the bond, so he, with the help of G-d, releases the world from its bondage, from falsehood, finitude

and the concealment of G-d.

THE STRENGTH OF CONJUNCTION

The implication is this: However far a man travels on his spiritual journey, even if he "marries" himself completely to G-d, he must never forget that by his own power he can achieve nothing. He must unite himself with what is higher than himself. There is no room in the religious life for complacency. However high he has risen, there is always something higher to cling to and reach out towards. He is as yet incomplete, as yet only the betrothed. But together with G-d it is within his power to annul - the bondage of the world in a way that knows no limits.

(Source: Likkutei Sichot, Vol. II, pp. 612-614.)

MASSEI

Our Sidra begins with an account of the 42 journeys by which the Israelites left Egypt and came to the borders of the Chosen Land. The opening verse, however, suggests that all of the journeys were an exodus from Egypt, whereas in fact only the first one was. To understand this, the Rebbe develops the theme that Egypt is not only a place but also a state of mind. Mitzrayim, the Hebrew word for Egypt, also means "confinement," and there is an obvious contrast with the land of Israel, which is called the "good and spacious land." The questions that confront us, therefore, are: What is "confinement" and "spaciousness" in the life of the Jew? And, what is the significance of the idea of a "journey"?

ONE EXODUS OR MANY

"These are the journeys of the children of Israel by which they went forth out of the land of Egypt."

This verse raises a well-known difficulty. For only the first of the journeys mentioned in our Sidra - from Rameses to Sukkot - constituted "going forth out of the land of Egypt." The others were all made outside Egypt. Why, then, does the verse use the plural, "these are the journeys?"

Also, what is the significance of these 42 journeys in traveling from Egypt to the land of Israel, the "good and spacious land?" The word "spacious" is opposed to "confined" or "restricted." But as soon as the Jewish people had left Egypt, they had left their confinement. Why was it only after 42 journeys that they were said to have reached "spaciousness?"

These concepts of confinement and spaciousness have a spiritual sense: "Out of my confinement I called upon the L-rd. The L-rd answered me with enlargement." As a Jew moves towards his spiritual goal, he passes from the straits of inner conflict to the open spaces of serenity, from the narrow path through secular distractions to the broad plain of unity with G-d. Every stage he reaches is spacious in relation to the level he has left, and restricted in relation to the level he is heading towards, until he reaches the final open space, the Messianic Age, with the crossing of the Jordan that marks the divide between journeying and arriving.

This is why all 42 journeys, not merely the first, were a "going forth out of the land of Egypt." For every journey that brought them nearer to the land of Israel and their destiny made the previous stopping point seem like a confinement, another Egypt. Each stage was a new exodus. They had already left the physical Egypt. But they still had to pass beyond the Egypt, the narrowness of the soul.

EGYPT AND THE INDIVIDUAL

The Torah is eternal. And it is clearly so where it concerns the exodus, about which the Jew is explicitly obliged "to see himself as if he had traveled out of Egypt that very day."

The 42 journeys therefore have a special perpetual significance. There are many Egypts through which the individual has to pass. At one level it may be the confinement of the secular world, which seeks to hold him captive. At another, it may be the narrow scope of the human mind, as it filters his Judaism through the dark lens of rationalization. But even if he has traveled beyond these, and his faith is no longer confined to his understanding, he has always to strain towards new plateaus of expansiveness, compared to which his present state is a confinement.

THE RUNGS OF PRAYER

We can see this process exemplified in prayer. There is a difference between Torah and prayer, for Torah is G-d's word to man, while prayer is the word of man to G-d. Prayer is Jacob's ladder, "set on the earth and its top reaching to heaven." It has many rungs. Each step upwards is a movement from the straits

of the earth to the expanses of heaven. The first rung is preparation. How can finite man stand before infinite G-d in prayer? How much less can he do so if he has sinned and betrayed his relationship to G-d? It is this sense of momentous awe, in which a man divests himself of the masks of self-sufficiency and pride, which is the preparation for prayer. And this setting oneself to pray - even before a word of prayer is spoken - is in itself an exodus, a liberation, from one's normal situation.

Then comes prayer itself, a series of ever-widening chambers of the spirit, to which the preparation is, in comparison, a narrow and humble entrance-hall. From the outpourings of devotion in the "Psalms of Praise," through the expression of love in the Shema, we ascend to the final point of self-abandonment and openness to G-d in the Amidah, standing "like a servant before his master." At that moment we ourselves are nothing; G-d is everything; we are powerless to speak; we can say only, "O L-rd, open Thou my lips, and my mouth shall declare Thy praise."

Beyond Paradox

The Amidah embodies a paradox. On the one hand we abandon our ego and become a mere mouthpiece for the words of G-d. On the other hand, it is a prayer of requests for the satisfaction of our spiritual and material needs. And yet surely it is just at this point of selflessness that we forget our needs and are unconcerned with our welfare.

These two aspects of the Amidah are indeed opposed. But it is only reason and logic that cannot tolerate the joining of two opposites. The Amidah is a level of spirituality beyond the reach of reason. The nearer we reach to G-d, the more all opposites can be accommodated, all tensions dissolved. We say, "He who makes peace in His high places," for it is in the heights beyond reason that there is peace between contending parties, and compatibility amongst opposites. In this respect, the Amidah is a foretaste of the future world, when "all flesh shall see" the presence of G-d, when - in other words - the opposites of substance and spirit will be interfused.

THE JOURNEY

Even though the Amidah is the apex of the daily prayers, each day the Jew must begin again, preparing and praying; making yesterday's high point, today's point of departure. Although on his personal journey he has left the "Egypt" of transgression, he must cast off the successive layers of narrowness of soul, the ever-fainter traces of that original Egypt.

Even if a man does no wrong, the Baal Shem Tov said that if he sees a fault in another person, this is a symptom that he has a trace of that same fault within himself. Evil leaves its traces, and even these must be removed. The religious life is not a matter of suddenly arriving, but of constantly journeying.

Two Mistakes

The journeys of the Israelites from Egypt serve as a warning against the two kinds of error into which a Jew can fall.

One is to believe that one has arrived. He may think: Having reached so far in my Judaism, I can rest content. But the truth is that the Jew was not created to stand still. There is always a new journey before him.

The other is to despair. He may feel: I know so little, I am capable of so little, that my religious efforts are in vain. But in truth, even a single journey is a liberation from some personal Egypt. (And the direction in which one is traveling matters more than how far one is along the way.)

Alongside personal despair, there may be historical despair, the feeling that never has an age been less conducive to Messianic hope. But the opposite is the truth. The Israelites, who in Egypt had reached the penultimate point, the forty-ninth gate, of impurity, were still able to reach Israel, their destination. But for us, virtually all of the journey towards the Messianic destiny has already been traveled; the goal is near; and we live after Sinai and have the power of that revelation constantly with us; and we have the spiritual leaders of the generation to bind us to G-d and to help us in our upward climb.

THE THREE WEEKS

The Sidrot of Mats and Massei are always read in the period of the three weeks between the 17th of Tammuz and the 9th of Av. They are set in this time of bitter confinement between the first breach in the walls of Jerusalem and the Temple's destruction.

The significance of their timing is that they convey to us, at the time when we most need reminding, the concept of "destroying in order to rebuild."

Destruction may be for the sake of replacing a building with a better and stronger one.

The Baal Shem Tov commented on the verse "It is the time of Jacob's trouble; but he shall be saved out of it" that salvation is not something that simply follows trouble: It is implicit in it. Here, too, we find the fusion of two opposites - destroying and rebuilding, affliction and salvation - that comes only when we leave the confinements of human reasoning and journey towards the all-encompassing expanses of faith. At this level, everything is drawn into our faith. We see G-d's goodness everywhere, even in the seeming catastrophe. Seen from the eyes of a son, punishment is an evil. In the eyes of his father, it is for his son's own good. Our goal is to see history through the eyes of G-d. And by so doing we are able to turn G-d's hidden mercy into open kindness, and change the darkness of exile into the light of the Time to Come.

(Source: Likkutei Sichot, Vol. II, pp. 348-353.)

PARSHAT HASHAVUA
PARSHAT MATOT - MASEI
by Menachem Leibtag

Believe it or not, ERETZ YISRAEL - the Land of Israel - is never mentioned in Chumash! Instead, the biblical name for the special land promised to Avraham Avinu is either "ERETZ CANAAN" or simply "HA'ARETZ".

This week's shiur examines the meanings of these two names, and discusses the biblical borders of the Land of Israel. In doing so, we will arrive at a better understanding of Parshat Matot and Masei.

THE BORDERS OF THE LAND OF ISRAEL

Two popular cliches, both based on psukim in Tanach, define the biblical borders of the Land of Israel:

- (A) 'from Dan to Beer Sheva';
- (B) 'from the Nile to the Euphrates'.

The discrepancy between these two borders is immense! According to (A), Eretz Yisrael encompasses almost the ENTIRE Middle East, while according to (B) it is tiny country at the edge of the Fertile Crescent, on the crossroads between Mesopotamia and Egypt.

So which borders are correct?

THE BORDERS IN PARSHAT MASEI

The most precise delineation of the borders of the Land of Israel in Tanach is found in Parshat Masei:

"And God spoke to Moshe saying: Command Bnei Yisrael and tell them, when you enter ERETZ CANAAN, this is the land which shall become your inheritance - ERETZ CANAAN ACCORDING TO ITS BORDERS. Your southern border..." (34:1-13).

Over the centuries, many attempts have been made to identify each location mentioned in the parsha. In regard to the eastern and western borders of the land there is no argument. The Mediterranean Sea forms the western border (34:6) and the Jordan River forms the eastern border (34:11-12). However, in regard to the northern and southern borders, a wide range of opinions exists:

The 'minimalist' opinion identifies the northern border in the area of southern Lebanon, while the 'maximalist' opinion finds it up in Turkey and northern Syria.

Likewise regarding the southern border: the minimalists identify the border in the northern Negev, while the maximalists find it deep in the Sinai Desert, bordering on Egypt.

THE EASTERN FRONTIER

A different sort of problem arises regarding the nature of the EASTERN border of the Land of Israel. In Parshat Masei, this border is FIXED. From the story of "bnei Gad u'bnei Reuven" in Parshat Matot (31:1-54) it appears to be EXPANDABLE.

According to their agreement with Moshe, should the tribes of

Gad, Reuven, and Menashe fulfill their vow to help Bnei Yisrael conquer the land, then Transjordan becomes their official inheritance in Eretz Yisrael! [See also Yehoshua chapters 13-14,22]

Why are the borders of Eretz Yisrael so ambiguous? Are they vast or small? Are they fixed or expandable? Are certain parts of the 'Holy Land' holier than others?

THE LAND PROMISED TO AVRAHAM AVINU

This ambiguity is not unique to Sefer Bamidbar, it actually begins in Sefer Breishit!

Recall that when Avraham Avinu is chosen to become the father of God's special nation, he is promised a special land - numerous times! [See Breishit 12:7, 13:14-17, 15:18, 17:7-8, 22:17-18, 26:2-5, 28:3-4, 28:13-14, 35:11-12, 46:1-4, 48:4 & 21 (that should keep you busy).] As we shall now show, an examination of those Divine promises reveals a similar ambiguity concerning the precise definition of this Promised Land.

THREE PROMISES & TWO COVENANTS

The first three times when God promises the land to Avraham Avinu, its definition is very general:

1. In Ur Chasdim: "Go forth from your native land and from your father's house to THE LAND WHICH I WILL SHOW YOU." (12:1)
2. At Shchem: "I will assign THIS LAND to your offspring." (12:7)
3. At Bet-El: "Raise your eyes and look out from where you are... for I give all the LAND WHICH YOU SEE" (13:15)

However, later in Parshat Lech Lecha, when Avraham enters into two covenants with God concerning his future, we find a more precise definition of that land.

A. At Brit Bein Ha'Btarim:

On that day God made a covenant with Avraham, saying: to your offspring I assign THIS LAND, from the RIVER OF EGYPT [the Nile] to THE RIVER, the river EUPHRATES, the Kenites, Knizites ...(the ten nations)" (Breishit 15:18-20)

B. At Brit Milah:

"I assign the LAND IN WHICH YOU SOJOURN to you and your offspring to come, ALL THE LAND OF CANAAN,..." (17:8)

These two borders (as presented in these two covenants)

appear to contradict each other:

(A) BRIT BEIN HA'BTARIM - "HA'ARETZ" - THE VAST BORDERS

The land defined by these borders is immense, for it extends in the northeast from the Euphrates River which flows from northern Syria to the Persian Gulf, and in the southwest from the sources of the Nile River in Ethiopia down to the port city of Alexandria!

Most probably, this covenant is the source for the popular phrase "from the Nile to the Euphrates".

(B) BRIT MILAH - "ERETZ CANAAN" - THE LIMITED BORDERS

The land defined in this covenant is much smaller, for it encompasses only the area in which the forefathers lived ("eretz m'gurecha" /see also Shmot 6:4). The Avot lived and sojourned in the area bounded by BEER SHEVA and Grar to the south (see 21:22-33, 28:10, 46:1), and the area of Shchem and Dotan (37:12-17) to the north. In his battle against the Four Kings, Avraham chased them as far north as DAN (14:14)!

In Parshat Noach, we find a more precise definition of Eretz Canaan:

"And the border of the Canaanite was from Sidon (the Litani valley in Lebanon) down the coastal plain to Grar and Gaza, [and likewise from Sidon (down the Syrian African Rift)] to Sdom, Amora... (the Dead Sea area)" (Br.10:19).

[Note that this is the only border which is detailed in Parshat Noach, most probably because it is needed as background information to understand Parshat Lech Lecha.]

This biblical definition of Eretz Canaan more or less coincides with the general locale in which the Avot lived.

This border reflects the popular phrase: "from Dan to Beer Sheva".

[In Tanach, this phrase is used many times to define the people living in the Land of Israel. For example:
"And all of Israel, from Dan to Beer Sheva, knew that Shmuel was a trustworthy prophet..." (I Shmuel 3:20)]

The following table summarizes our discussion:

THE VAST BORDERS	THE LIMITED BORDERS
fffff=	fffffPHRASE: the Nile to the Euphrates from Dan to Beer Sheva
COVENANT: Brit Bein HaBtarim	Brit Milah
NAME: ha'Aretz	Eretz Canaan

To understand the significance of these conflicting borders, we must relate to the nature of each covenant.

TWO BORDERS / TWO TYPES OF KEDUSHA

The meaning of God's establishment of TWO covenants with the Avot, (Bein Ha'Btarim b'shem Havaya and Milah b'shem Elokim), was discussed in our shiurim on Sefer Breishit. For the purpose of this week's shiur, we will briefly review our conclusions:

(A) At Brit Bein HaBtarim, after Avraham's military defeat of the Four Kings, God promises Avraham Avinu that after several generations of bondage in a foreign land, his offspring will gain independence and their oppressor shall be punished. They will then become a sovereign NATION in this land, described as expanding from the Nile to the Euphrates, the land of the ten nations. [See chapter 15, especially 18-21.]

Thus, Brit Bein Ha'Btarim reflects the HISTORICAL/ NATIONAL aspect of our relationship with God, for it emphasizes that Avraham's children will become a sovereign nation at the conclusion of a long historical process (better known as Yetziat Mitzrayim). In this covenant, the Promised Land is consistently referred to as "ha'ARETZ"; its conquest is referred to as "YERUSHA".

(B) At Brit Milah, convened when Avram's name was changed to Avraham in anticipation of the birth of a child from Sarah, God promises a special relationship with Avraham and his offspring - "lihyot lachem l'Elokim" - to be a close God for them. [See Breishit 17:3-9.]

Thus, Brit Milah reflects the RELIGIOUS/ PERSONAL aspect of our relationship with God, for it emphasizes a special intimacy with the Divine. In this covenant, the Promised Land is referred to as "ERETZ CANAAN"; its inheritance (from father to son) is referred to as "ACHUZA".

Hence, we find two aspects in regard to the "kedusha" (sanctity) of Eretz Yisrael:

(A) The NATIONAL aspect - "kedushat Ha'ARETZ" - which becomes effective only upon the CONQUEST of the land ("yerushat ha'aretz"). This "kedusha" is realized once Bnei Yisrael gain sovereignty, as is the case once Yehoshua conquers the land.

(B) The PERSONAL aspect - "kedushat Eretz Canaan" - which existed already in the time of the Avot and remains eternal. This intrinsic "kedusha" is forever present no matter who is sovereign over the Land, be it Persians, Romans, Crusaders, Turks etc. [If you are a "n'turei karta'nik" you can add Zionists to the list.]

Before we continue, let's summarize once again by adding to our table:

THE VAST BORDERS	THE LIMITED BORDERS
fffff=	fffffPHRASE: the Nile to the Euphrates from Dan to Beer Sheva
COVENANT: Brit Bein HaBtarim	Brit Milah
NAME: ha'Aretz	Eretz Canaan
ASPECT: National	Personal
ACQUIRED BY: "yerusha" = sovereignty	"achuza"

YERUSHA & ACHUZA

Understanding the two key words which describe our

acquisition of Eretz Yisrael in each covenant helps clarify this distinction:

(A) In Brit Bein HaBtarim - "yerusha" (Br.15:3,4,7,8);

(B) In Brit Milah - "achuza" (Br.17:8).

In Chumash, the word "ye-ru-SHA" implies conquest which leads to sovereignty, i.e. military control over an area of land. [Not to be confused with its popular usage, "ye-RU-sheh", usually referring to an inheritance that one receives from a parent.]

The sovereign power can then apportion that land, or sell it, to its inhabitants. Once acquired in this manner, the owner can sell or give his portion to anyone he may choose. Usually, if the owner dies, the land is automatically inherited by his next of kin. In Chumash, this type of ownership is known as "achuza".

For example, when Sarah dies Avraham must acquire an "achuzat kever" - a family burial plot (see Breishit 23:4). He must first PURCHASE the plot from the Hittites, for at that time they are the sovereign power.

Accordingly:

(A) Brit Bein HaBtarim, the national aspect, uses the word "yerusha" for it foresees Am Yisrael's CONQUEST of the Land.

(B) Brit Milah uses the word "achuza" for it emphasizes one's PERSONAL CONNECTION to the land.

AT THE CROSSROADS OF THE MIDDLE EAST

Based on our understanding of these two covenants, their conflicting borders can be reconciled.

Avraham Avinu was chosen to be a nation which will become a blessing for ALL nations (see Br. 12:1-3). In that promise, the special land set aside for that nation is called "ha'Aretz". In Brit Bein HaBtarim, "ha'Aretz" is defined as the land between the Nile and Euphrates. These rivers are not borders; never in the history of mankind have these rivers marked the border between two countries. These rivers are the two CENTERS of ancient civilization - Mesopotamia ("N'har Prat") and Egypt ("N'har Mitzrayim"). [See 15:18-21.]

Therefore, as Brit Bein HaBtarim reflects the NATIONAL aspect of our relationship with God, its borders of "ha'Aretz" reflect our destiny to become a blessing to ALL mankind. We are to become a nation 'declaring God's Name' at the crossroads of the two great centers of civilization.

THE 'KERNEL'

The more precise geographic borders of this special land are defined in Brit Milah as Eretz Canaan - the land in which our forefathers sojourned. Because it is destined to become the homeland for God's special nation, this land possesses intrinsic kedusha. It is this sanctity which makes the land sensitive to the moral behavior of any of its inhabitants (see Vayikra 18:1-2,24-28).

The basic borders of Eretz Yisrael are those of "Eretz Canaan", i.e. 'from Dan to Beer Sheva', as promised in Brit Milah. These borders constitute a natural geographic area; Eretz Canaan is bordered by the Mediterranean Sea on the West, the Negev desert on the South, the Syrio-African Rift (Jordan River) to the East, and the Lebanon Mountain Range to the North.

Once this 'kernel' area is conquered, in potential its borders can be (but do not have to be) extended. The potential limits of this expansion are set by Brit Bein HaBtarim, from "N'har Mitzryaim" to "N'har Prat". This phrase could be understood as a LIMIT rather than a border, as each river represents a center of ancient civilization. After conquering Eretz Canaan, Am Yisrael can, if necessary, expand its borders by continuous settlement outward, up until (but not including) the two ancient centers of civilization, Egypt and Mesopotamia.

EXPANDING KEDUSHA
This interpretation explains why Transjordan does not acquire "kedushat ha'aretz" until "Eretz Canaan" is conquered. Bnei Gad & Reuven must first help conquer "Eretz Canaan". Afterwards, the kedusha can extend to Transjordan. [Note the use of "lifnei

Hashem" in Bamidbar chapter 32, especially in 32:29-30.]

When Bnei Gad & Reuven follow the terms of their agreement with Moshe, not only do they help Bnei Yisrael conquer Eretz Canaan, they also facilitate Transjordan becoming an integral part of Eretz Yisrael ("ha'aretz").

'LAND FOR PROGRESS'

We have shown that our relationship to the Land of Israel, just as our relationship with God, exists at both the national and individual level. God chose this special land IN ORDER that we fulfill our destiny.

While "kedushat Eretz Yisrael" at the individual level may be considered a Divine GIFT, its kedusha at the national level is most definitely a Divine CHALLENGE. To achieve its fullest borders, we must rise to that challenge.
shabbat shalom, menachem

FOR FURTHER IYUN

A. MITZVAT KIBUSH ERETZ CANAAN

Our interpretation enhances our understanding of the Torah's presentation of the mitzva to conquer Eretz Yisrael in Parshat Masei (Bamidbar 33:50-56). First, Bnei Yisrael are commanded to CONQUER the land = "yerusha":

(A) "V'HORASHEM et kol yoshvei ha'aretz mipneichem...

V'HORASHEM et ha'aretz v'yshavtem bah, ki la'chem na'tati et ha'aretz la'RESHET otah.

Only once the land is conquered can it then be apportioned to each family, according to the tribal households:

(B) "v'HITNACHALTEM et ha'aretz b'goral l'MISHPACHOTEICHEM... l'matot Avoteichem TITNECHALU..."

The conquest is referred to as "ye-ru-sha", while the distribution of the land afterward is referred to as "nachala":

"Yerusha" is achieved by the joint effort of military effort by all twelve tribes [Yehoshua chapters 1->12]. Afterwards, "nachalah" is achieved when each tribe settles and establishes communities in its portion [Yehoshua chapters 13->19].

Note that the word "nachala" could be considered synonymous with "achuza"; "achuza is usually used when purchasing a piece of land, as when Avraham buys a burial plot and field from Efron (see Br. 23:9,16-20), while "nachala" is usually used in reference to a family inheritance.]

B. Read Yehoshua chapter 22. Note the complexities in this perek.

1. Try to explain why Bnei Gad & Reuven build specifically a mizbayach as a symbol. (Relate to shem Havaya and Breishit chapters 12 & 15.)

2. Relate God's name in each covenant to the end of the perek.

3. Why is Pinchas involved in this incident?

C. If we are looking for a precise definition of the borders of the Land of Israel, we should expect to find them in Yad HaChazaka of the Rambam, which includes the "mitzvot ha'tluot ba'aretz" - the laws which apply to the Land of Israel (i.e. trumot, maasrot, shmitah etc.). We should expect the Rambam to define where the laws of "kdushat ha'aretz" applies, and that is exactly what the Rambam does in the first chapter of Hilchot Trumot & Ma'asrot.

As "trumot & maasrot" are laws which apply only in "Eretz Yisrael", the Rambam begins these "halachot" with a precise definition of the borders of "Eretz Yisrael". Although one would expect the Rambam to provide us with a geographical definition of the borders, surprisingly enough, his definition of the Land is actually of a more 'political' nature.

"Eretz Yisrael which is mentioned anywhere (in Yad Hachazaka) includes those lands which are conquered by a King of Israel or by a 'navi' with the backing of the majority of Am Yisrael ..." (I:2).

1. Read the first 5 halachot and the last halacha in Perek Aleph. See if you can find in the Rambam the answers to most of the questions raised in the shiur.

2. Does the Rambam's shita correlate with the main points of the shiur.

3. Why does the Rambam use Bavel and Mitzrayim as examples of his third category?

4. What is the "Land promised to Avraham" referring to!

5. Why, according to the Rambam, are trumot and maasrot only drabban, even after kdushat ezra?

D. These various "mitzvot ha'tluot ba'aretz" (tithes) represent a 'land tax' of sorts, the kind which is usually paid to the sovereign power (better known as income tax).

1. What is the significance of giving trumot u'maasrot, when Am Yisrael is sovereign.

2. Who is the true owner of the Land?

3. Relate this to Nechemia 9:32-10:40, and to k'dushah shniya.

E. We mentioned that "Eretz Yisrael", as a name, is never mentioned in Chumash! Later in Navi, we do find a reference to Eretz Yisrael. There, it refers only to a specific area of the land which is inhabited by Am Yisrael (as opposed to "eretz plishtim"), but not to the entire land. See I Samuel 13:19.

1. What is the land called in the Mishnah (lashon chachamim)?

Why do you think chazal preferred this name and not its biblical name?

F. Some questions for thought (regarding modern day 'politics').

[Note - there are not easy answers to these questions, except the last one.]

1. Would the Golan be considered part of Eretz Canaan or part of the expanded borders?

2. Would this make a difference once Jewish settlement is established in the Golan?

3. Would an army outpost in the Golan, or anywhere in Eretz Yisrael, be considered only "kibush" or also "nachalah"?

4. Would an Arab municipality or autonomous area under Jewish military rule be considered "kibush" or also "nachala"?

5. Should there be a difference in the halachic status of an area of land only under "kibush", as opposed to one which has attained "nachala"?

6. Should our ultimate goal as a Nation effect in any way the way we act in our Land?

G. SEFER BAMIDBAR - A SUMMARY

The following table, summarizing Parshat Masei, shows that Sefer Bamidbar concludes with a set of mitzvot relating to Bnei Yisrael's conquest and settlement of the Promised Land.

CHAPTER TOPIC

fff ff33:1-49 A SUMMARY of Bnei Yisrael's journey through the desert.

33:50-56 The commandment to CONQUER & INHERIT Eretz Canaan.

34:1-15 The precise BORDERS of Eretz Canaan.

34:16-29 The tribal leaders who are to APPORTION THE LAND.

35:1-18 The cities of the Levites for their inheritance.

35:9-34 The cities of refuge to be set up in the land.

36:1-13 INHERITANCE laws relating to inter-tribal marriages.

Ideally, Sefer Bamidbar should have been the story of the journey of Bnei Yisrael from Har Sinai to the Promised Land. The first ten chapters, up until "v'yhi b'nsoah, ha'aron", deal with the preparation for that journey. The following chapters record the various incidents that occurred during their journey which eventually led to the decree that "Dor HaMidbar" must perish in the desert, and culminated with the "Mei M'riva" incident, where it was decided that Moshe & Aharon themselves would not enter the Land.

This narrative ends in Parshat Masei with a short summary of the journey of Bnei Yisrael from Egypt until Arvat Moav. Even though Bnei Yisrael do not actually enter the Land at this time, Sefer Bamidbar concludes instead with the laws relating to its conquest and inheritance. In this manner, Sefer Bamidbar retains its original theme.

It is interesting to note that these final chapters form the

backdrop for Sefer Yehoshua.

BAMIDBAR YEHOSHUA MITZVAH

33: 1->12 Conquest of the Land

34 13->19 Inheritance of the Land & its borders

35: 20->21 Cities of Leviim

Cities of Refuge

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The following message was just sent to the HALACHA mailing list. Please read. Subject: Please help!

A terrible tragedy occurred in Kew Gardens (Queens), this past shabbos. A fire swept through a house, killing the grandmother, who was visiting for Shabbos.. The father and his three daughters (aged 5, 7 & 8) are in critical condition. Everyone is asked to say Tehillim on behalf of:

Masha Miriam bas Basya Tziporah Chaya Soro bas Basya

Chana Bayla bas Basya Menashe Avigdor bas Rivke

Could you please post this to your mailing list. For those interested in making a donation to help alleviate the financial situation:

Congregation Tiferes Shmuel Charity Account c/o Rabbi Paysach Krohn
117-09 85th Avenue Kew Gardens, NY 11415

Thank you for your help. If you know of any other Jewish mailing lists, please copy and pass it along. Thank you so much for your help,

"Project Genesis Lifeline@torah.org"* PG LifeLine - Matos / Masei

Please pray urgently for the healing of Masha Miriam bas Basya, Tsipora Chaya Sara bas Basya, and Chana Bayla bas Basya. These three children were seriously injured in a fire. The eldest, Masha Miriam, refused to leave her sisters and jump to safety. She is the most seriously injured, and her legs are - according to a report sent yesterday - being amputated now!" Please stop for a moment to say a prayer for these children, and their father,

Menashe Vigdor ben Rivka, who also has (apparently unrelated) medical Dedicated in loving Memory of Asher Ben A'Faradj Farzan O"H, who passed away on 23 Tammuz; by wife Rivkah, daughter Sara, and sons Yeshua, Yehuda, Hertzl and Moshe Farzan.

"Avenge the vengeance of the Children of Israel from the Midyanites; then you shall be gathered into your people [you will die]. And Moshe spoke to the nation, saying, 'Prepare men from among you for war, to attack Midyan, to take the vengeance of HaShem from Midyan.'" [31:2-3]

The K'sav Sofer questions why Moshe changed the statement as given by the Holy One, Blessed be He, and also why the death of Moshe appears to be dependent upon the war with Midyan.

He explains, first of all, that Midyan injured the Nation of Israel in two ways: they caused Israel to commit the sins of immorality and idol worship, and they also injured "the body of Israel" because many died as a result. There was both spiritual and physical damage.

Moshe was punished, told he would never enter the land of Israel, because he said "hear me, you rebellious ones." [Numbers 20:10] He responded angrily when the nation demanded water, instead of recognizing their pain - they were thirsty, and concerned that they would die in the desert.

We find, similarly, that Yaakov is criticized in the Medrash for responding angrily to Rachel when she demanded children. Although it was certainly incorrect for her to say "give me children," as if Yaakov could give what only G-d can provide, nonetheless, a person cannot be condemned for something said in pain. Yaakov should have soothed her and shared her trouble, rather than responding critically.

The K'sav Sofer says that the same is true regarding Moshe. Even though Israel spoke badly of G-d and Moshe, nonetheless he should have shared their pain and not criticized them. He should have realized the genuine hurt that caused them to cry out.

This may help us to understand why HaShem commanded Moshe to take vengeance on Midyan before his death, because they caused pain to Israel and caused many to die. Although he personally did not participate in their sin, he was called upon to share their need to push the evil away - precisely because he did not share their pain earlier. This is why HaShem commanded him to take "the vengeance of the Children of Israel from the Midyanites," and why, afterwards, he could die - because HaShem wanted him to fix this imperfection in his soul first. And indeed, Moshe arranged the war to avenge Israel; this was his intent, and this was his repentance.

Israel, on the other hand, was not given this same instruction. The nation was told to take vengeance not for themselves, but for HaShem, because Midyan had angered Him by taking Israel away from his service in order to serve idols and commit immoral acts. Rather than simply responding to an attack on themselves (which is inappropriate), they too were called upon to act on behalf of others - in this case, HaShem Himself.

YES, We have arrived... but we are still "getting settled," as it were. Our services are still not fully in place, and there may be a few more weeks of transition. Thank you for your patience, if we are slow to respond to mail... Good Shabbos, Rabbi Yaakov Menken

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"dmgreen@skynet.net (David Green)"dvartorah@torah.org Parshas Matos-Masei

The Torah enjoins us to pay close attention to what we say. One who vows that s/he will do something is bound by Torah law to do it. Just the pronouncement of a vow carries great repercussions. One is held responsible for the fulfillment of that commitment as if it was anything else written in the Torah.

Later on in the second parsha that we read, Parshas Masei, there is a discussion of how murderers should be dealt with. "Do not take ransom for the life of a murderer who is under the death penalty, since he must be put to death...Do not pollute the land in which you live...(Numbers 35:31,33). The Torah expects us to bring the law to bear against a murderer, and not overlook his terrible deed by taking a bribe, or just fining the criminal. Do not pollute the land. The word in Hebrew for pollute has another meaning. "Lo sachnifu" can mean "don't flatter". There is a clear relationship between the two uses of the word here. One who flatters someone sometimes does so for the sake of something they wish to gain. They become a "yes man" in order to find favor, even when they are forced to overlook the "crimes" of the person with whom they are trying to ingratiate themselves.

The Chofetz Chaim (Rabbi Yisroel Meir Kagan Z"L d.1933) writes that another very common form of this is when people are talking about another person derogatorily. This is a Torah prohibition, even when the discussion is completely true. Unless a person needs the information to protect himself or another individual from that person, the discussion would not be permitted by Torah law. We are all aware of how people's lives can be ruined by "harmless talk" One person bad-mouths someone else's merchandise, for instance, and it gets around. It's incredible what someone might need to go through to win back his customers. Besides speaking such talk, there is a separate prohibition for listening and accepting what s/he heard.

This is where the "flattery" comes in. Someone needs to be strong so as not to agree with someone speaking in this way, or it constitutes "flattery" and hypocrisy. It is considered despicable by the Torah to win favor in such a manner. The mouth is a tool. It can be used to create, as we see in the very beginning of our parsha, or it can be used to completely destroy.

Here is what Rabbi Zelig Pliskin writes in his book Growth Through Torah. There was a place the Israelites travelled through called Pi HaChiros. "According to the book "Glilai Zahav", the place "Pi HaChiros" was named for a form of idolatry which proclaimed total freedom of the mouth...There are people who feel that to be true to themselves they must say anything that comes to their minds. This leads them to be blunt and tactless when speaking to others. They only think of themselves and what they want, but they are oblivious of the pain and suffering they cause others by their verbal abuse...If you have even a minimum amount of kindness and concern for the suffering of others, you will feel pleasure in guarding your tongue from hurting anyone emotionally."

The Torah teaches us that the mouth is very powerful. We should try to develop an awareness of the positive and negative repercussions of what we say. These are just a few examples of where such an awareness is relevant. Good Shabbos!

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"kenblock@dorsai.org" National Council of YI Divrei Torah - Mattot-Masei Parshat Mattot-Masei 26 Tammuz 5756 Saturday, July 13, 1996 Guest Rabbi:

Rabbi Dov Aaron Brisman Young Israel of Elkins Park, Pennsylvania

Man-Made Obligations The first section of today's Parsha discusses the laws of vows. Man was given the power to innovate prohibitions through expression. Needless to say, there are great responsibilities inherent in such power. Words require special care. Great emphasis is placed upon the

stringency of vows. "For the iniquity of (violating) vows small children die" (Shabbat 31a). At the advent of Yom Kippur, services commence with "Kol Nidrai" because of the severity attributed to the breach of this commitment. Hence, the solemnity and intensity of the universal nigun of "Kol Nidrai". Commentaries ponder upon the fact that such great severity is attached to the violation of vows. Why is this Mitzvah more unique than others in this regard?

My great-grandfather, the Rav of Shedlitz, ZT"L, in "Sefer Imrai Rashad", presents a very novel approach. In Shabbat (58a), the Gemora relates that the Mishnah stating that a slave may not go outdoors (on Shabbat) wearing a chain around his neck contradicts Shmuel who permits the same. The Gemora answers that Shmuel's ruling applies when the master made the chain, whereas the Mishnah deals with a chain which was made by the slave. Rashi explains that the slave is awed by his master's chain and will not remove it and carry it outdoors. However, the slave is liable to remove his own chain (being embarrassed to be identified as a slave), therefore he is not permitted to wear it outdoors. Hence, explains the "Imrai Rashad", as far as other Mitzvot are concerned, ones that we are commanded by HaShem our Master, the inherent awe of HaShem will prevail, thus precluding us from violating His will. However, concerning vows (nedarim), which we impose upon ourselves, his feeling is that the awe of HaShem may possibly not be a dominant force and, perhaps, one will fail to live up to the commitment. Therefore, special stringency is attached to vows to guarantee that they be fulfilled. Based on the aforementioned principle, the "Imrai Rashad" (Parshat Yitro) explains the concept that "the reward for fulfilling an obligatory deed is greater than the reward for fulfilling a non-obligatory deed: (Kiddushin 31a). The prime focus in fulfilling Mitzvot is the awe-evoking feeling with which we serve HaShem, as is stated "in order that His awe rest upon your faces that you shall not transgress" (Shmot 20, 29). Therefore if a person fulfills a command, he is more "susceptible" to the awe of HaShem. His "Avodat HaShem" is bound to be consistent and uncompromising. On the other hand, one who is not bound by obligation is also not necessarily bound by the awe of HaShem. The consistency of performance cannot be guaranteed without the awe inspired aura of commandment. The second part of the Parsha details the desire of the tribes of Reuven, Gad and (part of) Menashe to settle the fertile "Eastern Bank" of the Jordan River. They encountered extremely harsh criticism from Moshe. Special conditions were stipulated to incorporate these tribes into the battle for Eretz Yisrael. The Commentaries wonder why Moshe perceived a "brood of sinful men" in this request. These tribes never suggested that they would not participate in the conquest of Eretz Yisrael. My dear father, shlita, pointed out that, according to the above approach of the "Imrai Rashad", we can well understand Moshe's apprehension. These sh'vatim (tribes), well-intentioned as they were, sought to determine their own destiny. There is a great danger inherent in this approach. The awe of HaShem might not prevail when we seek to introduce an unsolicited quest for land. Our own concept of land possession, as ideal and utopian as it may seem, can readily sever our commitment to a higher power. Therefore, it was vital for Moshe to guarantee that the sh'vatim's receiving of the land be contingent upon their role in establishing Kedushat Eretz Yisrael as ordained by HaShem. Then, and only then, will their innovative option of taking land on the other side of the Yarden be incorporated into the sphere of everlasting Yirat HaShem; never to be violated. May it be HaShem's will that we serve Him constantly and consistently with awe, and that we merit the dwelling of the Shechinah in our midst. Love in Numbers "And the prey was, in addition to the booty which the warriors had taken, etc. (31, 32)."

The successful campaign launched against the Midianites yielded vast resources for the nation of Israel. Their sums are recorded in the Torah. Furthermore, the Torah required the warriors to divide the booty equally with the rest of B'nai Yisrael. This amount is also recorded. Similarly, the portions which were appropriated for the Kohanim and Leviim - one five-hundredth of the sum total, and one-fiftieth of B'nai Yisrael's share respectively - are also enumerated. The question poses itself. Why is it necessary for the Torah to record these figures? What lesson must we glean from this data? Particularly, if the Torah tells us the ratio of the required donations to the Kohanim and Leviim, why must the Torah then also list the

quotients? Are we unable to compute them independently?
Rabbenu Bachya writes: "And their sums were mentioned because they were so vast that among booty such an amount is unprecedented".

Apparently, the Torah will list large figures in order to impress a lesson upon us, thus imprinting unto our minds a concept of love and appreciation. The Ramban (1, 45) explains that the purpose of counting B'nai Yisrael is in order to convey HaShem's kindness towards us, that we should realize how we have flourished from a modest family of seventy. Following plague and tragedy, HaShem counts us to portray His love towards us, that even as we stand upon the threshold of tragedy He stays His wrath.

>From the Ramban it is evident that the purpose of counting is to teach appreciation for what we possess. In turn, we must also realize what we did not have, and how our limited comfort has been enhanced. Indeed, numbers play a significant role in human nature. People relate to numbers. Vast sums (of anything) tend to impress us. The Torah's number communication is surely comprehended.

For this reason, the Torah enumerated the vast supplies of booty secured in the war with Midian. A war situation, entangled with danger, is converted into a prosperous venture from which all may profit. Including warriors, civilians and religious leaders, HaShem watches over us in a most propitious way, converting a potentially tragic situation into a resourceful profit, hence allowing us to acknowledge love in numbers. Such an unprecedented sum is surely worthy of mention in the Torah.

Mattos - Masei

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Mattos - Masei

Selected, translated and arranged by Rabbi Dov Rabinowitz

"And they killed Bilam ben Beor with a sword." (31,8)

Rash"i explains: He (Bilam) came against Yisroel, and switched his discipline for their discipline, for they are only saved through their mouths, through prayer and supplication. And he came and seized their discipline, (attempting) to curse them with his mouth. So they too came against him, and switched their discipline for the discipline of the nations who come with a sword, as it is written 'And you shall live by your sword' (Bereishis 27,40). The Chofets Chaim (on the Torah) observes that from this we see that the tool of the craft of a Jewish individual, is his speech. And just as the craftsman's tools are essential for him to manufacture new artifacts, that even the most brilliant and expert artisan can not carry out his trade without the tools of his craft, so a person, with the power of speech which was bestowed upon him as a gift, has the ability to create Heaven and Earth, as it is written 'and I will put My words in your mouth . . . to spread out the Heaven and to establish the Earth.' (Yeshayahu 51,16).

This is because new Olamos (universes) and sacred Malochim (angels) are created above from the words of sanctity that a person speaks before HaShem Yisborach in this world. Therefore a person must take care not to damage his craftsman's tools through prohibited speech, loшон horo (slander) and rechilus (tale bearing). On the contrary, he must speak words of Torah, prayer and sanctity. This is what our Sages taught: "'Their craft is to be mute . . .'" (Tehillim 58,2) - What is the craft of a man in this world? Let him make himself as if he were mute; we may think (that this would apply) even to words of Torah, thus it says ' . . . and you shall speak righteous (words) .'" (Chullin 89a)

"And the children of Reuven and the children of Gad had great herds" (32,1) Rav Menachem Mendel of Kotsk quotes the Midrash (Rabba 22,7) ". . . and similarly, two wealthy men came into the world, one from Yisroel and one from the nations of the world; Korach from Yisroel and Hamman from the nations of the world. And both of them were destroyed from the world. Why? Because their gift did not come from HaKodush Boruch Hu, but instead they snatched it for themselves. And similarly we find that the children of Reuven and the children of Gad were (very) wealthy and they had great herds, and they cherished their wealth and (because of it) they settled outside of the Eretz Yisroel; because of this, they went into exile first, (before) all the

(other) tribes."

He questions how can it be that a person can snatch wealth for himself if it is not the will of HaShem Yisborach to give it to him. The answer lies in his intentions. For HaShem Yisborach gives wealth in this world so that, through its agency, the Glory of Heaven will be increased and uplifted in the world. And they snatched the wealth for themselves, for their own gratification, and did not do His will with (their) wealth.

". . . and they encamped in the Wilderness of Sin." (33, 11)

The Baal HaTurim comments that it was originally called the Wilderness of Sin (samech yod nun), and afterwards it was called Sinai (samech yod nun yod). A 'yod' (which has a gematria - numerical value of its letters - of ten) was added to it, corresponding to the Ten Statements (commandments) (which were given there DR).

'Sin' has a gematria of 120 (samech 60, yod 10, nun 50) corresponding to the 120 days that Moshe was on the mountain (3 periods of 40 days each DR)

Haftorah Matos - Masei

Message from the Haftorah "kollel@mcs.com" Parshas Matos - Masei Yirmiyahu 2:4

This week's haftorah continues the theme of the three weeks and introduces the month of Av. The prophet Yirmiyahu reprimands the Jewish people and reminds them, in the name of Hashem, of all of the favors they have received over the years. Hashem asks, "What wrong did your fathers find in Me that distanced them from Me and resulted in their following the empty practices of idolatry diminishing the Jews to nothingness? They didn't turn to Hashem who brought them up from Egypt and led them through the desolate dangerous desert." Hashem continues, "And I brought them to the fertile land of Israel to partake of its fruits and goodness. But they defiled My land and disgraced My inheritance." (Yirmiyahu 2:5) Hashem faults the Jewish nation for presently rejecting Him and resorting to the shameful ways of idolatry.

Hashem says, "They forsook Me, the source of the waters of life; to dig empty cisterns." But the blame wasn't limited to the common folk, it even extended to their leaders and prophets. Hashem describes their spiritual decline in the following terms, "The Kohanim didn't revere Me and the upholders of Torah didn't publicize My name, the kings rebelled against Me and the prophets delivered false prophecy." (2: 8) This bleak picture of the Jewish people was certainly not a comforting one and almost promised immediate retribution and destruction.

Yet, we discover that Hashem's response to all the above was one of concern and compassion. Hashem surprisingly responded, "Therefore I will continue to quarrel with you and even with your grandchildren." Hashem vowed to send more prophets and continue showing them and their descendants the proper path. Although every attempt thus far had been unsuccessful Hashem remained determined to help His people. Hashem refused to reject them even after the numerous rejections they showed him. The present leaders were not loyal to Hashem and didn't inspire the nation to repent and follow the proper path. Perhaps the next group of leaders would be more loyal and could successfully leave their imprint on the Jewish people. Although the Jews had reduced themselves to the point of emptiness and nothingness Hashem still cared about them with deep compassion. He wouldn't leave His people until every last avenue had been exhausted and it had been determined that there was literally no more hope for them.

This unbelievable degree of compassion is explained in the verses immediately preceding this week's haftora. Hashem says, "I remember you for the kindness of your youth, the love of our initial relationship when you blindly followed Me in the desert." Even after all the offenses the Jewish people committed against Him, Hashem still remembered His initial relationship with His people. Hashem never forgets those precious years wherein He enjoyed a perfect relationship with His people. Hashem actually longs for the opportunity of returning to that relationship and will do virtually anything to restore things to their original perfection. This explains Hashem's persistence in sending prophets to the Jewish people attempting to persuade them to return. In truth, Hashem views the Jewish people from an entirely different perspective than their present rebellious state. Hashem sees them through the visions of the past. True, they have presently gone totally astray

but Hashem sees in them their perfect past as the devout people whose intimate relationship with Him directed them to follow blindly wherever they were led. Hashem therefore expresses His sincere desire that the present Jewish nation live up to His perfect vision of them, the glorious vision of the past. Through this perspective the Jewish people deserve every last chance they can to return to their glorious era.

With this insight in mind we can truly appreciate the words of Chazal in Midrash Tehilim (137) which reveal Hashem's indescribable love and compassion for His people. The Midrash relates that the Prophet Yirmiyahu accompanied the Jewish people into their exile until the Euphrates River, the doorstep of Babylonia. He then informed them that he would be leaving and returning to the segment of Jewish people left behind in the land of Israel. Suddenly there was an outburst of uncontrollable weeping from the Jewish people who realized that they were being abandoned by Yirmiyahu. He responded with the following words, "I testify in the name of Hashem that if this sincere cry would have transpired moments ago, when we were still in our homeland, the exile would never have come about." So great is Hashem's love for His people that even after all the atrocities they committed, rebelling against Hashem and intentionally spiting Him, one sincere gesture from the Jewish people was all that was needed. Even one emotional outburst, sensing Hashem's rejection would have sufficed to hold back the terrible calamity they now faced. Hashem loves His people so deeply that even at the last moments He still awaited their return to Him and was prepared to call off their imminent exile. In Hashem's eyes we will always be seen through the perspective of our past, a perfect devout people ready to serve Him unconditionally. And Hashem is therefore always prepared to do anything He can to restore us to that glorious position, His perfect nation. by Rabbi Dovid Siegel Rabbi Siegel's lectures are available through the Kollel's Tape of the Month Club

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