

Home Weekly Parsha RE'AH 5782

Rabbi Wein's Weekly Blog

There is a shift in mood in the book of Dvarim beginning with this week's parsha. It no longer is a review of the events of the desert or of the Exodus from Egypt. Moshe no longer will concentrate on the faults and failures of the generation that left Egypt – a generation with that saw their high hopes dashed by their stubbornness and a lack of faith. The past is the past and it cannot be changed. God, so to speak, will not turn the film back again for some sort of replay.

The direction of Moshe is now the future, the entry into the Land of Israel and the establishment of a normative Jewish society in that land. Moshe warns the Jewish people that the lessons of the past should not be forgotten or ignored. Their consequences are likely to be repeated if the Jewish people will backslide again.

Life and death, good and evil, success and failure – these are the choices that lie before the Jewish people. And Moshe advises us to choose wisely, to treasure life and do good and honor tradition and Torah. A positive future always depends upon making wiser choices than were made in the past.

The word re'ah which means “see” is the key word in the parsha. This entails a vision for the future and an understanding as to its new demands and changing circumstances. Moshe turns the attention of the Jewish people to its future in the Land of Israel and to new commandments not mentioned before in the Torah. It appears that these new commandments are brought to the fore to help the Jewish people be successful in their new environment.

The holy days of the Jewish calendar appear in detail in this week's parsha. In the Land of Israel these holy days had a physical and agricultural content as well as their inherent spiritual nature. In the long and dark Jewish exile, the physical and agricultural aspects of the holidays were lost but the spiritual and holy qualities of those days nevertheless sustained the Jewish people.

The early pioneers who returned to the Land of Israel, secularized and Marxist to the hilt but nonetheless Jewish, attempted to reinsert the physical and agricultural qualities of the holidays of the year and at the same time to discard completely the spiritual and Torah qualities. Unfortunately, that experiment has proved to be a dismal failure.

The holidays are bereft of any spiritual content and of any agricultural or national meaning. Moshe would caution us to begin again, to include life, goodness, and tradition into the holy days so that they would have true meaning and impact – and through them to revive our attachment to the holy land and its bountiful produce.

I think that the revival of the true spirit of the holidays is one of the great challenges that face us in our land today. In its own way, it is a key to solving many of the difficulties that bedevil us currently. Moshe bids us to look clearly at all these matters and to decide wisely.

Shabat shalom.

Rabbi Berel Wein

The Second Tithe and Strong Societies
RE'EH

Rabbi Jonathan Sacks

Biblical Israel from the time of Joshua until the destruction of the Second Temple was a predominantly agricultural society. Accordingly, it was through agriculture that the Torah pursued its religious and social programme. It has three fundamental elements.

The first was the alleviation of poverty. For many reasons, the Torah accepts the basic principles of what we now call a market economy. But though market economics is good at creating wealth it is less good at distributing it equitably. Thus the Torah's social legislation aimed, in the words of Henry George, “to lay the foundation of a social state in which deep poverty and degrading want should be unknown.”[1]

Hence the institutions that left parts of the harvest for the poor: leket, shicheha and pe'ah – fallen ears of grain, the forgotten sheaf, and the corners of the field. There was the produce of the seventh year, which belonged to no-one and everyone, and ma'aser ani – the tithe for the poor given in the third and sixth years of the seven-year cycle. Shmittah and Yovel – the seventh and fiftieth years with their release of debts, manumission of slaves, and the return of ancestral property to its original owners, restored essential elements of the economy to their default position of fairness. So the first principle was: no one should be desperately poor.

The second, which included *terumah* and *ma'aser rishon* – the priestly portion and the first tithe, went to support, respectively, the Priests and the Levites. These were a religious elite within the nation in biblical times with no land of their own, whose role was to ensure that the service of God – especially in the Temple – continued at the heart of national life. They had other essential functions, among them education and the administration of justice, as teachers and judges.

The third was more personal and spiritual. There were laws such as the bringing of first-fruits to Jerusalem, and the three pilgrimage festivals – Pesach, Shavuot, and Succot – as they marked seasons in the agricultural year that had to do with driving home the lessons of gratitude and humility. They taught that the land belongs to God and we are merely His tenants and guests. The rain, the sun, and the earth itself yield their produce only because of His blessing. Without such regular reminders, societies slowly but inexorably become materialistic and self-satisfied. Rulers and elites forget that their role is to serve the people, and instead they expect the people to serve them. That is how nations at the height of their success begin their decline, unwittingly laying the ground for their defeat.

All this makes one law in our parsha – the law of the Second Tithe – hard to understand. As we noted above, in the third and sixth year of the septennial cycle, this was given to the poor. However, in the first, second, fourth, and fifth years, it was to be taken by the farmers to Jerusalem and eaten there in a state of purity

You shall eat the tithe of your grain, new wine, and olive oil, and the firstborn of your herds and flocks in the presence of the Lord your God at the place He will choose as a dwelling for His Name, so that you may learn to revere the Lord your God always.

Deut. 14:23

If the farmer lived at a great distance from Jerusalem, he was allowed an alternative:

You may exchange the tithe for money. Wrap up the money in your hand, go to the place that the Lord your God will choose, and spend the money on whatever you choose: cattle, sheep, wine, strong drink, or whatever else you wish.

Deut. 14:25-26

The problem is obvious. The second tithe did not go to poor, or to the priests and Levites, so it was not part of the first or second principle. It may have been part of

the third, to remind the farmer that the land belonged to God, but this too seems unlikely. There was no declaration, as happened in the case of first-fruits, and no specific religious service, as took place on the festivals. Other than being in Jerusalem, the institution of the second tithe seemingly had no cognitive or spiritual content. What then was the logic of the second tithe?

The Sages,[2] focussing on the phrase, “so that you may learn to revere the Lord your God” said that it was to encourage people to study. Staying for a while in Jerusalem while they consumed the tithe or the food bought with its monetary substitute, they would be influenced by the mood of the holy city, with its population engaged either in Divine service or sacred study.[3] This would have been much as happens today for synagogue groups that arrange study tours to Israel.

Maimonides, however, gives a completely different explanation.

The second tithe was commanded to be spent on food in Jerusalem: in this way the owner was compelled to give part of it away as charity. As he was not able to use it otherwise than by way of eating and drinking, he must have easily been induced to give it gradually away. This rule brought multitudes together in one place, and strengthened the bond of love and brotherhood among the children of men.[4]

For Maimonides, the second tithe served a social purpose. It strengthened civil society. It created bonds of connectedness and friendship among the people. It encouraged visitors to share the blessings of the harvest with others. Strangers would meet and become friends. There would be an atmosphere of camaraderie among the pilgrims. There would be a sense of shared citizenship, common belonging, and collective identity. Indeed Maimonides says something similar about the festivals themselves:

The use of keeping festivals is plain. Man derives benefit from such assemblies: the emotions produced renew the attachment to religion; they lead to friendly and social intercourse among the people.[5]

The atmosphere in Jerusalem, says Maimonides, would encourage public spiritedness. Food would always be plentiful, since the fruit of trees in their fourth year, the tithe of cattle, and the corn, wine, and oil of the second tithe would all have been brought there. They could not be sold and they could not be kept for the next year; therefore much would be given away in charity, especially (as the Torah specifies) to

“the Levite, the stranger, the orphan, and the widow.” (Deut. 14:29)

Writing about America in the 1830s, Alexis de Tocqueville found that he had to coin a new word for the phenomenon he encountered there and saw as one of the dangers in a democratic society. The word was individualism. He defined it as “a mature and calm feeling which disposes each member of the community to sever himself from the mass of his fellows and to draw apart with his family and his friends,” leaving “society at large to itself.”[6] Tocqueville believed that democracy encouraged individualism. As a result, people would leave the business of the common good entirely to the government, which would become ever more powerful, eventually threatening freedom itself.

It was a brilliant insight. Two recent examples illustrate the point. The first was charted by Robert Putnam, the great Harvard sociologist, in his study of Italian towns in the 1990s.[7] During the 1970s all Italian regions were given local government on equal terms, but over the next twenty years, some prospered, others stagnated; some had effective governance and economic growth, while others were mired in corruption and underachievement. The key difference, he found, was the extent to which the regions had an active and public-spirited citizenry.

The other example focuses on the “free-rider” attitude. It is often tempting to take advantage of public facilities without paying your fair share (for example, travelling on public transport without paying for a ticket: hence the term “free rider”). You then obtain the benefit without bearing a fair share of the costs. When this happens, trust is eroded and public spiritedness declines. This is illustrated in an experiment known as the “free rider game,” designed to test public spiritedness within a group. We mentioned this study earlier in this year’s series, in parshat Ki Tissa.

In the game, as you may recall, each of the participants is given a certain amount of money, and then invited to contribute to a common pot, which is then multiplied and returned in equal parts to the players. So, for example, if each contributes \$10, each will receive \$30. However, if one player chooses not to contribute anything, then if there are six players, there will be \$50 in the pot and \$150 after multiplication. Each of the players will then receive \$25, but one will now have \$35: the money from the pot plus the \$10 which they originally received.

When played over several rounds, the other players soon notice that not everyone is contributing equally. The unfairness causes the others to contribute less to the shared pot. The group suffers and no one gains. If, however, the other players are given the chance to punish the suspected cheat by paying a dollar to make them forfeit three dollars, they tend to do so. The experiment demonstrates that there is always a potential conflict between self-interest and the common good. When individuals only act for themselves, the group suffers. When the free-riders stop acting selfishly, everyone benefits.

As I was writing about this in 2015, the Greek economy was in a state of collapse. Years earlier, in 2008, an economist, Benedikt Herrmann, had tested people in different cities throughout the world to see whether there were geographical and cultural variations in the way people played the free rider game. He found that in places like Boston, Copenhagen, Bonn, and Seoul, voluntary contributions to the common pot were high. They were much lower in Istanbul, Riyadh, and Minsk, where the economy was less developed. But they were lowest of all in Athens, Greece. What is more, when players in Athens penalised the free riders, those penalised did not stop free-riding. Instead they took revenge by punishing their punishers.[8] The conclusion drawn was that where public spiritedness is low, society fails to cohere and the economy fails to grow.

Hence the brilliance of Maimonides’ insight that the second tithe existed to create social capital, meaning bonds of trust and reciprocal altruism among the population, which came about through sharing food with strangers in the holy precincts of Jerusalem. Loving God helps make us better citizens and more generous people, thus countering the individualism that eventually makes democracies fail.

[1] “Moses: Apostle of Freedom” (address first delivered to the Young Men’s Hebrew Association of San Francisco, June 1878).

[2] Sifrei ad loc. A more extended version of this interpretation can be found in the Sefer ha-Chinnuch, command 360.

[3] See also Tosafot, Baba Batra 21a, s.v. Ki MiTzion.

[4] The Guide for the Perplexed III:39.

[5] Ibid, III:46.

[6] Alexis de Tocqueville, *Democracy in America*, Book II, ch. 2.

[7] Putnam, Robert D., Robert Leonardi, and Raffaella Nanetti. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton, NJ: Princeton UP, 1993.

[8] B. Herrmann, C. Thoni, and S. Gachter, "Antisocial Punishment Across Societies." *Science* 319.5868 (2008): 1362-367.

Shabbat Shalom: Parshat Reeh (Deuteronomy 11:26-16:17)

By Rabbi Shlomo Riskin

Efrat, Israel – "See, I am giving before you this day a blessing and a curse..." (Deuteronomy 11:26)

So opens our Biblical portion, making reference to the covenant at Mt. Gerizim and Mt. Eybal which dramatically concludes the Book of Deuteronomy and precedes our entry into the land of Israel.

What I would like to analyze in this commentary is a curious and seemingly pedantic detail, a strange grammatical formulation which, when properly understood, will shed light not only upon the nature of this third and final Pentateuchal covenant but also upon a fundamental philosophy of our religious nationality.

Our verse begins with a singular verb which addresses an individual, "re'eh – see," but then continues with a plural pronoun, "lifnehem – [giving] before you," addressing a multitude. This grammatical switch in number – from singular to plural – is especially worthy of note, because when we do find such Biblical changes they take place in the opposite direction, from plural to singular.

In the Biblical portion of the Decalogue, for example, God's introduction addresses in plural form the multitude of Israelites (Exodus 18: 4 ff: "You have seen – re'etem – what I have done to Egypt, and I lifted you – et'hem – upon eagles' wings..."), but then switches to the singular form in the ten commandments themselves (Exodus 20:1 ff: "I am the Lord your God – E-lohekhā, singular – whom I took you – hotzeitikha, singular – from the land of Egypt..., You shall not murder, lo tizrah, singular").

Nahmanides explains the switch from plural to singular, and catalogues many other instances when such a transition in number appears, as the desire of God to make certain that His words are being heard not only as a command to the general masses but also as a personal injunction to each and every individual! (Ramban, on Genesis 18:3 s.v. Al na).

In effect, God is thereby appearing as a Hassidic Rebbe rather than as a Congregational Rabbi, in accordance with the common folk understanding of the distinction between the two. When a congregational Rabbi speaks, every individual believes that he is addressing the person next to him; when a Hassidic Rebbe speaks, every person listening knows and feels that he is addressing him personally.

But if this is the case, how can we understand our opening verse, in which God begins with the singular and continues with the plural? I believe that this unusual grammatical phenomenon speaks to the very definition of this third covenant, known as the covenant of arevut, or mutual responsibility (B.T. Sotah 33 b). The Israelites, divided by the tribes in two groups of six, stand together to receive God's blessings on Mt. Gerizim and God's curses on Mt. Eybal, poised before Shekhem and ready to enter the Promised Land.

Our Biblical portion provides the exact location: "Are they not beyond the Jordan, ... in the land of the Canaanites who dwell in the Aravah, over against Gilgal, beside the oak tree of Moreh?" (Deut. 11:30). And the term aravah, or plains, is taken by the sages of the Talmud as a double entendre (play on words); the Hebrew arev also meaning co-singer, the individual who takes financial responsibility if a borrower reneges on the payment of his debt.

This is the covenant which insists that every Israelite must see himself as part of a whole, as a member of a nation which sees itself as a united organism whose separate individuals feel inextricably and indelibly bound to each other in fate, destiny and responsibility. Hence God begins with the singular and continues into the plural in order to impress upon the individual Israelite that he must in some way merge with the multitude that he must assume responsibility for the entire Jewish people, that "every Israelite is a co-signer, responsible for every other Israelite."

This is what I believe to be the higher meaning of a shomer Torah u'Mitzvot, literally a guardian over the Torah and tradition. It is not sufficient to merely study Torah and to perform the commandments; just as a guardian takes responsibility for the objects in his possession, so must each of us – everyone in his/her own way – take responsibility for the dissemination of Torah and the establishment of proper Torah institutions in his/her community, in his/her generation.

It is recorded that the famed Rav Meir Shapiro of Lublin (early 20th century) was forced into a dispute with a Cardinal concerning the quality of our Jewish tradition. "The Talmud is blatantly anti-Christian," argued the Cardinal. "Does it not state that 'only Israelites are called adam (Hebrew for human beings), whereas Gentiles are not called adam,' and therefore we Gentiles are not considered by you to be human beings?!"

The rabbi explained that there are four synonyms for "human being" in the Hebrew language: gever, ish, enosh and adam. The first three of these nouns have both a singular and a plural: gevarim, ishim, aneshim. Only adam has just one form, both singular and plural, humanity – a compound noun, including everyone together as a single organism. If a Jew is suffering in an Islamic fundamentalist country, or if Israel seems to be in danger, Jews worldwide demonstrate and flock to their homeland. This is a unique

Jewish quality, built into our third covenant. In the case of the Jewish nation, the singular merges into the plural, the individual Jew is an inextricable part of his people.
Shabbat Shalom!

Shemittas Kesafim

By Rabbi Yirmiyohu Kaganoff

Question #1: Stores

Someone purchased an item from a store on Erev Rosh Hashanah, after the storeowner had made his pruzbul, but did not yet pay for the item. May the storeowner send him a bill after Rosh Hashanah, or is this a violation of the Torah's prohibition of shemittas kesafim?

Question #2: Suits

Yankel sues Shmerel in beis din to recover a debt. Shmerel is over his head in debt and decides to deny that he owes Yankel (which, by the way, violates a Torah prohibition). Yankel produces an IOU note and Shmerel confesses, telling beis din that he had forgotten about this loan. The beis din writes a decision that Shmerel owes the money. Does Yankel need a pruzbul to collect this loan?

Question #3: The Barber's Cut

Reuven, a yeshiva bochur who cannot remember ever having had money to lend, did not make a pruzbul. On Rosh Hashanah, he remembers that, as the yeshiva barber, there are some guys to whom he gave haircuts who forgot to bring money and did not yet pay him. Has he lost his right to collect?

Foreword

This year is shemittah year, and, at the end of the year, the mitzvos of shemittas kesafim, releasing debts, apply. As the Torah teaches in parshas Re'eih: "At the end of seven years you shall 'make shemittah.' And this is the 'word' of the shemittah': Every creditor must release his hand from what his fellow owes him. He may not demand payment from his fellow, his brother, because he has declared a release for Hashem" (Devarim 15:1-2). These verses teach that, rather than Rosh Hashanah of the eighth year ending shemittah with a whimper, the shemittah year ends with a bang – making borrowed money uncollectable.

As we will see, this does not mean that the borrower has no obligation to pay. It means that the lender may not attempt to collect the loan, and that he has a mitzvah to notify a borrower who comes to pay that he, the lender, has released the right to demand reimbursement[DB1].

After discussing a tangential matter, the Torah continues: "When, among your brethren living in your city, in your land that Hashem your G-d is giving you, there is a pauper – do not make your heart stubborn and close your hand from your impoverished brother. You shall open your hand for him, repeatedly [if necessary], and provide him whatever he lacks. Be careful, lest a wicked idea enters your heart, saying, 'The seventh year, the shemittah year, is coming near' and your eye disdains your brother, the

pauper, and you fail to give him" (Devarim 15:7-9). The posuk seems to close with a non sequitur. Why should the approaching shemittah deter someone from giving tzedakah? The answer is that this part of the posuk is not referring to tzedakah – the Torah has now reverted its discussion to the laws of shemittas kesafim, introducing a lo sa'aseh that prohibits refusing to lend out of concern that, when shemittah arrives, you will be left unpaid, because your loan has been released by the Torah.

Allow me to explain this last law. If a borrower has a history of being careless about repaying money that he owes, the halacha is that, not only is there no requirement to lend him, it is prohibited. This is because borrowing money and not repaying it is a violation of the Torah; someone who lends to such a borrower causes him to violate this prohibition. The lender now violates the law of lifnei iver, placing a stumbling block in front of the blind, which includes causing someone to violate a mitzvah. (He "stumbles" when he violates the mitzvah, and he is "blind" to recognizing the harm he is bringing upon himself.) Thus, when the Torah warns not to refrain from lending, it is referring to a borrower whom we assume is responsible, and yet the lender is afraid that he will not be repaid because of shemittas kesafim.

The Mishnah (Shevi'is 10:3) notes that Hillel had observed that Jews were violating this prohibition and refusing to lend money. In order to prevent violation of this lo sa'aseh (#231), Hillel created a means, called a pruzbul, whereby a loan can be collected, notwithstanding the mitzvah of shemittas kesafim. The topic of pruzbul and how it works will be left for a different article.

How many mitzvos?

Aside from the various mitzvos that (1) prohibit interest-bearing loans, (2) establish the halachic rules regarding collateral, (3) oblige paying workers promptly and (4) require giving tzedakah, there are three different positive mitzvos and three different lo sa'aseh prohibitions governing the laws of providing and collecting loans. Listing these mitzvos in the order in which the Rambam lists them in Sefer Hamitzvos, they are:

Positive mitzvah #141:

To release loans at the end of shemittah year.

Positive mitzvah #142:

To collect loans that a non-Jew borrowed.

Positive mitzvah #197:

To lend money to the poor.

This is not the same mitzvah as giving tzedakah, which is positive mitzvah #195. This is a Torah requirement that, should someone ask a potential lender for a loan, for a legitimate reason, the person being asked must provide it, if he has the money. If the potential lender is concerned that he will not receive payment back, he may request a mashkon, appropriate collateral for the loan. A mashkon is property of the borrower that the creditor holds as a pledge against the loan that the creditor may keep in the event of

default. According to the Chafetz Chayim, this mitzvah to lend money applies also if a wealthy person requests a no-interest loan and I am in a position to provide it (Ahavas Chesed 1:1).

Negative mitzvos (lo sa'aseh) Having mentioned the three mitzvos aseih that apply directly to lending and collecting loans, I will now cite the three lo sa'aseh mitzvos, the three prohibitions.

Negative mitzvah (lo sa'aseh) #230:

Prohibition against suing someone after shemittah for a loan that is still unpaid.

Does this mitzvah always apply? The Gemara quotes a dispute whether this mitzvah applies min haTorah only at a time in history when the mitzvah of yoveil applies. Most rishonim and Shulchan Aruch consider this to be the accepted halacha (Gittin 36a).

Assuming this is the case, the rishonim dispute whether shemittas kesafim applies in our era midrabbanan. Most authorities conclude that it does apply midrabbanan, yet the Rema mentions that "in our countries" the custom is to follow those who rule leniently that shemittas kesafim does not apply in our day, even midrabbanan (Choshen Mishpat 67:1). The Rosh is very opposed to following this leniency, as the Rema notes, and therefore, one may not rely on this lenient ruling, unless this is the custom in his area (Sma 67:37). A greater discussion of this question will be presented below.

Negative mitzvah (lo sa'aseh) #231:

A prohibition against refusing to lend money because the lender is concerned that shemittah will come and he will be unable to collect the loan.

Negative mitzvah (lo sa'aseh) #232:

A prohibition against pressuring a borrower to repay a loan, when the lender knows that the borrower has no means with which to pay.

The shemittah "word"

Above, when I quoted the pesukim, I translated the Torah as saying that "this is the 'word' of shemittah," a literal translation of the Hebrew words, zeh devar hashemittah. The Mishnah (Shevi'is 10:8) notes the unusual terminology, pointing out that, where a similar wording exists, it means that someone must make a declaration concerning the topic at hand. In the case of shemittas kesafim, this means that if the debtor comes to pay, the mitzvas aseih (#141) requires the creditor to tell him meshameit ana, I am releasing the debt and will not insist on payment. As we see from the Mishnah, the correct action for the debtor to take is to say af al pi kein, I still want to pay; I fully understand that you cannot force me to make compensation, but I choose to pay anyway. (This is the opinion of most rishonim. However, see Sefer Yerei'im #164). This is the correct, moral thing for him to do (Shevi'is 10:8-9 and Gemara Gittin 37b).[DB2] After the lender says af al pi kein, the lender may accept payment, although he is not permitted to tell the borrower that the

money is owed. To what extent he may hint that he would like to be paid is a dispute among rishonim (see Rashi, Rosh, Rambam, Ra'avad, etc.)

Storekeeper

At this point, we can discuss the opening questions. Our first was: "Someone purchased an item from a store on Erev Rosh Hashanah, after the storeowner had made his pruzbul, but did not yet pay for the item. May the storeowner send him a bill after Rosh Hashanah, or is this a violation of the Torah's prohibition of shemittas kesafim?"

To answer this question, we need to explain some laws about shemittas kesafim. The Mishnah (Shevi'is 10:1) provides the following cases: "Shevi'is releases a loan, whether it was in a written document or not. It does not release the balance of what was purchased in a store, unless it was made into a loan. [Similarly, Shevi'is] does not release wages owed to a worker, unless it was made into a loan."

When you hire a worker, payment is compensation for his time or work, not repaying a loan. Similarly, paying for an item purchased is the completion of the transaction. In these instances, the mitzvah of shemittas kesafim does not apply – the payment must be made, even if the shemittah year occurred in the meantime.

The Mishnah teaches that the law of shemittas kesafim applies to transactions that have been converted into debts, but not to other unpaid non-loan transactions that were not converted[DB3]. For example, when purchasing something, I am usually expected to pay for it immediately. But at times, it is understood that the item will be purchased and not paid for immediately. In some of these cases, shemittas kesafim applies; in others, it does not.

For example, a grocer adds new purchases to a bill, and it is understood that the customer will pay the grocer later. In this situation, shemittas kesafim applies, since the grocer agrees to create a loan out of the transaction. However, if there is a simple purchase, for which the customer is expected to pay immediately, shemittas kesafim would not apply. Thus, the answer to the question, "Someone purchased an item from a store -- does sending a bill violate the Torah's prohibition of shemittas kesafim?" is that it usually does not.

In practice, it may be unclear whether shemittas kesafim applies, and a rav or dayan should be asked.

The barber's cut

At this point, we can also answer the third of our opening questions: "Reuven, ia yeshiva bochur who cannot remember ever having any money to lend out, did not make a pruzbul. On Rosh Hashanah, he remembers that, as the yeshiva barber, there are some guys whom he gave haircuts who forgot to bring money and did not yet pay him. Has he lost his right to collect?"

The answer is that, assuming there was never any discussion about making the outstanding moneys into a loan, this is not considered a loan, but payment for services

rendered, and is not subject to the laws of shemittas kesafim.

Mashkon

The law is that shemittas kesafim does not apply to a loan that was collateralized at its inception, whether by a movable item, such as jewelry or gold bars, that were given to the lender as security, or by land that was collateralized or hypothecated[DB4] against the loan.

Topics of interest

A heter iska is a contract used commonly to “lend” money without violating the laws of charging and paying interest, ribbis. Depending on the details of the heter iska contract, half the principle is usually subject to shemittas kesafim and half is not. Why this is so requires devoting considerable time to how a heter iska operates, which is not the topic of this article.

Yoveil

Does shemittas kesafim apply when there is no yoveil year? In fact, there is an extensive discussion whether the mitzvah of shemittas kesafim applies when the mitzvos of yoveil, the fiftieth year, are not relevant. Many mitzvos apply during the yoveil year, including that lands inherited from the original division of Eretz Yisrael under Yehoshua, Elazar and the tribal leaders return to the descendants of the original owner. There is also a mitzvah, similar to shevi'is, to leave the land uncultivated and treat its produce as ownerless. None of these mitzvos applies today, not even miderabbanan. This is somewhat surprising; virtually all mitzvos that do not apply today min haTorah because of the dispersal of Klal Yisrael or the destruction of the Beis Hamikdash, such as shemittah, terumos and maasros, apply miderabbanan, so that these mitzvos should not be forgotten. (Some mitzvos, such as bikkurim and korbanos, do not apply today, because there is no way to fulfill them without the Beis Hamikdash.) Chazal did not apply the mitzvah of yoveil today, requiring the land to remain fallow and its produce treated ownerless, because of the difficulty in observing two consecutive years -- the shemittah year on the 49th year and the following yoveil year -- without agriculture. When these mitzvos apply min haTorah, Hashem promises that commitment to observe the mitzvah will bring a huge, bountiful crop the year before shemittah that will supply all the needs until the crop of the post-yoveil season is distributed (Vayikra 25:21). However, there is no such commitment when the mitzvah does not apply min haTorah; therefore, Chazal did not establish the mitzvah of yoveil today (Sma, 67:2; cf. Chazon Ish, Zera'im 18:4, who disagrees).

The accepted halacha is that, min haTorah, the laws of shemittas kesafim are contingent on whether the law of yoveil is in effect (see most rishonim Gittin 36-37). Since yoveil does not apply, shemittas kesafim does not apply min haTorah. Most authorities rule that the laws of shemittas kesafim still apply miderabbanan, and this is the practice in most places, although there are rishonim who

contend that shemittas kesafim does not apply at all until yoveil again is in effect (Ra'avad, Gittin 36). Many poskim report that, in many parts of Europe, there was a longstanding custom to follow those opinions who contend that when there is no requirement to observe yoveil, there is no requirement to observe shemittas kesafim, even miderabbanan (Terumas Hadeshen 1:304; Shu't Maharik #92; Rema, Choshen Mishpat 67:1).

Beis din decisions

At this point, we should discuss another of our opening questions: Yankel sues Shmerel in beis din to recover a debt. Shmerel is over his head in debt and decides to deny that he owes Yankel (which, by the way, violates a Torah prohibition). Yankel produces an IOU note and Shmerel confesses, telling beis din that he had forgotten about this loan. The beis din writes a decision that Shmerel owes the money. Does Yankel need a pruzbul to collect this loan?

The Mishnah and Gemara explain that shemittas kesafim applies only to a debt owed to an individual, but not to a debt established by a beis din. This includes kenasos of the Torah, penalties that the Torah declares (Mishnah Shevi'is 10:2), and decisions made by a beis din that were issued in writing (Yerushalmi, Shevi'is 10:2). Had Shmerel not denied the debt, it might have been released at the end of shemittah. When beis din writes a decision that he owes the money, shemittas kesafim will no longer apply. This demonstrates that crime does not pay!

An oath

Let me show you a similar case, but with a very different outcome: The borrower, who is far behind in meeting his debts, still plans to pay them all off, although he is not certain how he will do so. To comfort his creditor, he swears an oath of the Torah (a shavua) that he will certainly pay back the debt. The creditor, the malveh, did not make a pruzbul and the shemittah year has now passed. Is the debtor obligated to pay the loan because he swore an oath that he would do so?

The Rashba was asked this very question, and answers that the purpose of this oath was to guarantee to the creditor the debtor's intention to comply with his Torah requirements to pay back the debt, even if it would be very hard for him to do so. However, this is true only as long as he is required to pay back the debt. Since the shemittah year passed and shemittas kesafim took place, the debtor is under no obligation to pay back his loan, and the oath does not obligate him to do so (Shu't Harashba 1:775).

For a more in-depth discussion of this question, see Shavuos 45a and 49a and the rishonim ad locum.

Conclusion

For someone living in Eretz Yisroel, observing shemittah properly involves Torah education, halachic responsibility and commitment. The consumer has to be constantly vigilant to purchase only shemittah-permitted produce. Those living in chutz la'aretz are hardly exposed to this powerful demonstration of the relationship that Klal

Yisroel and the land of Yisroel have with the Ribbono Shel Olam. But properly studying and observing the mitzvah of shemittas kesafim allows those in chutz la'aretz to share this very special relationship.

[DB1]My understanding from the web is that the term "imbursement" is obsolete.

[DB2]Avoid "At this point" here and 5 lines down.

[DB3]Avoid "not....not."

[DB4]I don't know that the oilam knows the difference between these two terms (I certainly don't, even after looking it up online). Is it necessary to use both?

Never Broken

How a Rebbe Helped a Survivor Embrace His Fragments

Rabbi YY Jaconson

The Jewish Perspective

Ammunition had run out for a unit in the Russian army, but it was still under fierce attack. "Take out your bayonets," said the corporal, "we are going to engage the enemy in hand-to-hand combat."

"Please sir," said Pvt. Finkelstein. "Show me my man. Maybe he and I can reach some kind of agreement."

The Survivor

Let me share a story[1]:

After the war, a Holocaust survivor came to visit his one-time spiritual master, the famed Rebbe of the Chassidic dynasty of Ger, Rabbi Avraham Mordechai Alter[2]. This broken Jew had been deported to the death camps together with his wife, children, relatives, and the entire community. The man's wife and children were gassed, his relatives exterminated and his entire community wiped out. He emerged from the ashes a lonely man in a vast world that had silently swallowed the blood of six million Jews. This Jew lost one more thing in the camps: his G-d. After what he experienced in the Nazi death camps, he could not continue believing in a G-d who allowed Auschwitz.

Although after the war he made aliyah to Eretz Israel (then known as Palestine), he completely abandoned Jewish practice and observance. Yet he missed his old Rebbe and went to visit him in Tel Aviv. The Gerer Rebbe himself lost many grandchildren and relatives in the Holocaust. In addition, nearly all of his 200,000 followers were wiped out by the Germans. The Rebbe of Ger and his immediate children managed to escape Warsaw in 1940 and arrived in Eretz Israel soon after.

Upon hearing the story of his disciple, the Rebbe of Ger broke into tears. The man and his Rebbe sat together mourning what they had lost. After a long period of weeping, the Gerer Rebbe wiped his tears and communicated—in Yiddish—the following idea.

"Before Your Eyes"

In his farewell address to his people, in the Torah portion of Eikev, Moses recounts the moment when he descended

from Mount Sinai with the two Divine tablets to present to the Jewish people[3]:

"I descended from the mountain," Moses recalls, "the mountain was still burning with fire and the two tablets of the covenant were in my two hands. I immediately saw that you had sinned to G-d, making a calf. You were so quick to turn from the path that G-d had prescribed. "I grasped the two tablets, and threw them down from my two hands, and I smashed them before your eyes."

Moses proceeds to relate how after much toil he succeeded in "convincing" G-d to forgive the Jewish people for their sin. He then, as mentioned above, carved out a second pair of tablets to replace the first ones. Though the two sets were identical in content, containing the Ten Commandments, the second pair did not possess the same Divine quality as the first tablets, which were "G-d's handiwork and G-d's script[4]." The second tablets were Moses' creation, endorsed by G-d, but not G-d's own creation.

Now, considering the well-known meticulousness of each word in the Bible, Moses' words "I smashed them before your eyes" seem superfluous. Suppose Moses had turned around and broken the tablets out of view; would that in any way have lessened the tragedy? Why did Moses find it important to emphasize that the breaking of the tablets occurred "before your eyes"[5]?

Two Worlds

What Moses was saying, explained the Rebbe of Ger, was that "I smashed the tablets only before your eyes." The shattering of the tablets occurred only before your eyes and from your perception. In reality, though, there exists a world in which the tablets have never been broken.

What Moses was attempting to communicate, the Rebbe of Ger explained is that what may seem to us as utter destruction and chaos, does not always capture the complete story. "I smashed them before your eyes." Before your eyes, there is nothing but devastation. Yet, what in our world bespeaks total disaster may, in a different world, be wholesome.

"As difficult as it is to digest, the Gerer Rebbe went on to say, "there is meaning in the absurdness of history; there is dignity in the valley of tears. G-d—the G-d who transcends all human logic, understanding, and imagination—was present in our broken pieces."

"As difficult as it is for you and me to believe," the Rebbe concluded, "I want you to know that the extermination of our families, our communities, and our people occurred only 'before our eyes.' There remains a world in which the Jewish people are wholesome. Beneath the surface of our perception, there exists a reality in which every single Jew from Abraham till our present day is alive, his or her soul absolutely intact."

"The day will come," said the Rebbe of Ger, "when that world will be exposed. G-d will transform our perceptions and paradigms. He will mend our broken tablets and our

broken nation. We will discover how the tablets were really never broken and the Jewish people were always complete."

These are words that could be effective only when communicated by a man who experienced the suffering of the war on his own flesh. Pain is not an intellectual subject; it is raw, personal, and real. When the Rebbe of Ger spoke these words, he spoke them with tears, with grief. He was not an objective preacher of religion; together with the Holocaust survivor, he walked through his tunnel of darkness. Thus, his words gave back to this broken Jew his soul, his faith, and his courage.

Shattered Dreams

Notwithstanding the grand distinctions, the above message applies to our lives as well. Many of us once owned a set of sacred tablets that at some point in our lives were destroyed. It may have been the death of a mother or father at a young age, bringing to an abrupt end the nurturing and security a child so desperately needs from parents. It may have been any other form of pain, abuse, or loss that you experienced during your life that denied you the love, confidence, joy, and optimism you once called your own. It may be profound fear, shame, insecurity, guilt, disappointment, mistrust, or other forms of emotional trauma that afflict you, shattering your inner sacred and Divine "tablets."

Many of us create for ourselves a second pair of "tablets" in order to substitute for the first ones that were lost. But they are not quite the same. The second set of "tablets" lacks the magic and the innocence of the original "tablets" that no longer exist. In the depth of our hearts, we crave to reclaim something of the wonder of the old tablets.

But it is to no avail: The clock of life never turns back. Here lay the empowering message of Moses to his beloved people before his own demise: There is a secret world in which your first tablets were never broken. Notwithstanding the abuse and pain you experienced, each of you possesses a core self that forever remains invincible, pure, and sacred.

What is more, when your perception expands, you might discover how your shattered dreams may be part of your individual path to wholesomeness. Wholesomeness does not come in one shape; for some, it comes in the form of a broken heart. What is broken in one level of perception may be wholesome in another.

The Final Month

In a few days, we will commence the last month of the Hebrew calendar, known as the month of Elul, when we bid farewell to a year gone by, and prepare to embrace a new one in its stead, beginning on Rosh Hashanah.

The great sage and mystic Rabbi Nathan Shapiro (d. 1640 in Krakow, Poland) writes[6] that the four Hebrew letters of the name Elul (spelled Aleph, Lamed, Vuv, Lamed) is the acronym of the four Hebrew words "Aron, Luchos, V'shevrei, Luchos" (which also begin with the Hebrew

letters Aleph, Lamed, Vuv, Lamed). These words, quoted from the Talmud[7], mean this: "The Ark containing the whole tablets and the broken tablets."

What does this mean? In the book of Exodus, the Torah captures the dramatic tale of how, following the Revelation at Sinai, G-d carved out two tablets, engraved the Ten Commandments on them, and presented them to Moses on Mount Sinai. When Moses descended the mountain, however, he observed that the Israelites had created a golden calf as an idol. Seeing this, Moses threw the tablets from his hands and smashed them on the ground. After a powerful confrontation with G-d, Moses persuades Him, as it were, to forgive the Jewish people for their betrayal. Moses then, acting on G-d's instructions, carves out a second pair of tablets, to replace the smashed first ones. When the Ark was built to be located inside the holiest chamber in the Tabernacle the Jews erected in the desert, both sets of tablets were placed therein: the second whole pair of tablets, as well as the fragmented pieces of the first smashed tablets[8].

But what is the connection to the month of Elul? Why does the name of this month symbolize this idea of the Ark containing both sets of Tablets, the complete ones, and the broken ones?

The above story can provide insight. The unique power of the final month of the year, the name of which spells out the words "The Ark containing the whole Tablets and the broken Tablets" is this: This is the month that allows you to build in your personal life an "ark" which will contain not only your second complete tablets but will also embrace the broken pieces of your first tablets. This is the time when you are empowered and can pick up the broken pieces of your life and discover that there is a part of yourself that was never really broken.

What is more, during this month you may lift up with tender love every broken component of your life, learning how each of them constituted another hue of wholesomeness.

[1] I read the story in a sermon by Rabbi Moshe Weinberger shlita, spiritual leader of Aish Kodesh Institute in Woodmere, N.Y. Afterward I heard it from an elder Gerer Chassid who visited the Imrei Emes as a young man in Poland before the war. Another Gerer Chassid told me that this insight was presented by the Gerer Rebbe at a prayer gathering in the middle of the Holocaust, on 20 Kislev, 5703, in the "Churvah."

[2] Rabbi Avraham Mordechai (born in 1866), known as the Imrei Emes, was the third Rebbe of Ger and passed away in 1948 in Jerusalem. The city was under siege at the time, so he was buried in the courtyard of his yeshiva.

[3] Deuteronomy 9:15-17.

[4] Exodus 32:16.

[5] Cf. Abarbanel to Deuteronomy 9:17. Likkutei Sichos vol. 9 p. 241; vol. 26 p. 252. My gratitude to Shmuel

Levin, a writer and editor in Pittsburgh, for his editorial assistance.

[6] Sefer Megaleh Amukos.

[7] Bava Basra 14b.

[8] On a literal level the connection is this: On the 29th of Av, at the end of Moses' second 40-day period on Mount Sinai, G-d agreed to give the second set of tablets to Israel. The following day Moses ascended again, and remained on the mountain throughout the month of Elul. On Yom Kippur he descended with the new set of tablets (Rashi to Exodus).

Blessings over landscapes and animals

Blessings over seeing certain phenomema are said after a lapse of 30 days. One example of the halakhot in the article below.

Rabbi Eliezer Melamed

Nowadays, when many people are traveling around the country, it is appropriate to go over the laws of Birkot Ha're'e'yah (the blessings over seeing certain phenomena). Every day, we praise and thank God for the wonderful world he created for us in Birkot HaShachar (the Morning Blessings), in the blessings of reading the Shema, and in prayers. However, in addition to the regular order of prayers and blessings, sometimes we encounter special, exciting and awe-inspiring sights, and in order to express their value content, our Sages enacted reciting a blessing over seeing them, and thereby tie them to their faith-based roots.

After Thirty Days

In order to recite the blessings of "sighting", two conditions must be met. First, the appearance be special and awe-inspiring for the majority of people. Second, that the seer has not seen it for thirty days, for then there is a newness in his vision. And although some people are so receptive that they are stirred after not having seen the unique landscape even after a week, and on the other hand, others are so indifferent they are not enthused even after a year – our Sages determined to bless in accordance with the excepted practice among the majority of people, that after thirty days have passed, they are stirred once again.

Sea and River

For seeing a sea such as the Mediterranean Sea, as well as a sea such as the Sea of Galilee and the Dead Sea, the blessing 'oseh ma'aseh Bereishit' (that God made the works of creation) is recited. On oceans that surround continents, the blessing 'she'asah et ha'yam ha'gadol' (He Who made the great sea) is recited. There are no blessings on an artificial lake, since it was created by man.

On rivers, the blessing 'oseh ma'aseh Bereishit' is recited, provided they are at least as big as the Euphrates which is called "gadol" in the Torah. Throughout the State of Israel, we do not have a river big enough to recite a blessing over it.

Mountains, Hills and Desert

A blessing is recited over mountains that are particularly high in relation to their surroundings, such as the Hermon, Arbel, Tabor, Masada, and Sartaba. A blessing is also recited over hills with a special appearance even though they are not high, including steep and pointed cliffs, such as the cliffs of the Judean Desert.

The desert is a barren and desolate place, where little rain falls. A blessing is recited provided its appearance elicits an extraordinary reaction, such as hiking in it and all the surrounding areas are deserted, or going to a lookout point to observe the arid expanses.

Seeing from Afar

Someone who sees a special sight that elicits excitement in most people, is obligated to recite a blessing even if he himself is not moved by the sight. And if he sees it from a distance – if such a sight still arouses excitement in most people, he should recite the blessing, and if not, he should not recite a blessing. The guiding principle is excitement from the very sight, that is, from the enormous size of the sea or the mountain, and not from the fact that, despite the distance, he manages to see the sea or the mountain. Therefore, for example, someone who sees the Mediterranean Sea, the Edom Mountains, or the snow-covered Mount Hermon from Har Bracha, does not recite a blessing.

Time of Reciting the Blessing

The blessing must be said within the duration of the viewing, or at the latest, while saying three words after the end of seeing it. If one did not bless then, and did not see the sight again during that day – he lost the opportunity to recite the blessing for thirty days.

When several people see an impressive sight, it is better for each of the seers to recite the blessing for themselves, than to fulfill their obligation by hearing the blessing by one of them. However, when a group goes on a trip, since they look together at the impressive view, it is possible for one to recite the blessing aloud for everyone, especially when there is a concern that some of the group do not know how to recite the blessing.

Numerous Blessings in the Same Day

Although a blessing is not recited over seeing the same sea or the same mountain within thirty days, one who sees different landscapes even on the same day, recites a blessing once more. Consequently, on a trip from the center of the country to the north, if one has not seen the sea for thirty days, while driving along the coastal road and he sees the sea – he should recite the blessing "oseh ma'aseh Bereshit". If he sees the Carmel – he should recite a blessing again. When he gets to Mount Tabor – he should bless once more. When he reaches the Sea of Galilee – he should bless once again.

Similarly, a traveler in the Judean desert, when he enters the desert – he should recite a blessing over the desert, and if he later sees a particularly large mountain – he should

recite a blessing over it as well. And when he arrives at the place of the impressive cliffs – he recites a blessing over them as well, as is the law over hills. However, if he later sees more special cliffs there, the blessing he initially blessed on the cliffs includes them all, since they are in the same area, and of the same type. And if he sees several landscapes together, even of different types, such as he sees Mount Arbel and the Kinneret together – he should recite one blessing over both of them.

Routine Sightings

Our Sages enacted these blessings as obligatory. However, a question arose: in the past when people walked on foot, or travelled on a donkey, usually, seeing an impressive landscape along the way aroused excitement. However, today it is common that people go to work and pass by landscapes every day, and the question is, whether over this kind of sighting a blessing should be recited. For example, a person who lives in Jerusalem and needs to travel to his business or to a family event in Haifa, when he reaches the coastal road, to the places from which he can see the sea – does he have to bless “oseh ma’aseh Bereshit” over the sea? And then, when he sees the Carmel, must he bless over it “oseh ma’aseh Bereshit“?

Answer: In such a situation, the decision is in the hands of the individual. If he decides to observe and admire the sight – he should recite the blessing, but if he does not want to do so – he does not bless.

Someone Who Lives Near the Sea or a High Mountain

Someone who lives near the sea or a high mountain, or is used to traveling near it – because there is no novelty in his view, he does not recite a blessing. And even if by chance thirty days pass without him looking at it, he should not bless, since having easily been able to see it, there is no novelty in seeing it. However, if he leaves his place for thirty days, and when he returns, wants to stare at the sea or the mountain – he should bless. And of course, on seeing a different sea, or another mountain, one should bless.

Beautiful Creatures

Our Sages determined that someone who sees particularly nice-looking or strong animals, or especially beautiful or superior trees, or an exceptionally good-looking, or tall, strong person – whether Jewish or Gentile – recites the blessing: “Baruch Atah A-d-o-n-o-I, E-l-o-h-e-i-n-u Melech ha’Olam She’kacha Lo Be’Olam” (Blessed are You, G-d, our Lord, King of the Universe, who has such [beautiful things] in His universe) (Brachot 58b).

By reciting this blessing, a great tikkun (rectification) is made, for quite often people marvel at exceptionally beautiful, or strong and large creatures – some people even hold beauty or physical strength contests between certain creatures (both humans and animals). It is extremely important to connect these feelings to their roots, and give praise to the Creator, who has such beautiful things in His universe.

Blessings are recited over two types of exceptionally beautiful creatures:

1) An animal unique in relation to others of the same species.

An expert on horses who sees a particularly handsome, strong, or fast horse recites the blessing “She’kacha Lo Be’Olam”. Likewise, if an expert on dogs or cats sees a beautiful or particularly large one, he recites the blessing.

Regarding a person who is not knowledgeable about horses or dogs – even if the animals are unique and have won awards – if one is not impressed by seeing them, he does not recite the blessing. If he is impressed, he does recite the blessing.

Similarly, a person who sees an award-winning cow for producing the most amount of milk – if he is impressed by seeing it, the blessing is recited. If not, the blessing is not recited.

2) Unique species such as parrots and stunning peacocks.

The second type of animals, those found in zoos, are species considered particularly beautiful due to their appearance and special colors, such as a large and spectacularly colored parrot, or a peacock with beautiful feathers. Since they are considered beautiful compared to other birds, and people travel distances to take pleasure in their beauty, the blessing “She’kacha Lo Be’Olam” is recited upon seeing them. Similarly, one who travels to see exotic fish, such as those in the Gulf of Eilat, given that they are considered particularly beautiful in comparison to other fish, recites the blessing.

One who sees a particularly handsome, large, or strong person, or an athlete with particularly notable achievements – recites the blessing. However, if the special beauty was created by plastic surgery, or the outstanding strength is thanks to the use of steroids – since it is not natural, a blessing should not be recited. And out of modesty, a man should not recite a blessing over a particularly beautiful woman.

One should not recite a blessing over the same creature once again, but if after thirty days, he sees another creature of the same kind, a little different in appearance and no less beautiful – he should recite the blessing (Peninei Halakha: Berachot 15:12-13:9).

A Visit to a Zoo

A visitor to the zoo should recite the blessing “She’kacha Lo Be’Olam” over the first beautiful species he sees, and have kavana (intention) to exempt all the other beautiful species with his blessing. This pertains to most people, who are not particularly impressed by all the gorgeous species. However, someone greatly moved by seeing them, recites a blessing on each one individually.

A person taking children to the zoo, who sees they are particularly impressed by a certain animal, should instruct them to recite an additional blessing. It is best for an adult taking a group of children to visit the zoo to first recite the blessing for himself out loud, and for everyone to answer

‘amen’. Afterwards, each time they encounter a particularly beautiful species, a different child should be honored with reciting a blessing, thereby educating them to bless and admire God’s creatures. Together with this, they will also learn that the accepted practice is for each individual to recite one blessing over all the beautiful animals.

The Blessing “Mishaneh Ha’Briyot” for a Monkey or Elephant

Our Sages determined that a person who sees a monkey or an elephant recites the blessing: “Baruch Atah A-d-o-n-o-I, E-l-o-h-e-i-n-u Melech ha’Olam mishaneh ha’briyot”. Indeed, there is an opinion that a blessing should be recited upon seeing any unique-looking animal. In practice, however, according to the opinion of most poskim (Jewish law arbiters), our Sages determined to recite a blessing specifically on monkeys and elephants, because more than any other creatures, their appearance arouses particular astonishment, for although they are animals, they possess a certain resemblance to humans. A monkey is similar to man in the shape of its body and the use of its hands. An elephant is unique among animals in that its skin is smooth and hairless, and uses its trunk like a hand.

A person who sees a monkey and an elephant together, recites one blessing over both. However, when they are in different locations, as is common in zoos, a separate blessing is recited over each one.

A Suggestion for Zoo Managers

It would be appropriate for zoo managers to hang attractive signs near the animals which require a blessing upon seeing them – “She’kacha Lo Be’Olam” next to the beautiful parrots and peacocks, and “Meshaneh ba’Briyot” near the elephants and monkeys, and to indicate that anyone who has visited the zoo within thirty days should not recite the blessing once again.

A Blessing on the Settlement of the Land

According to the takana (ordinance) of our Sages, one must recite the blessing “matziv gevul alamna” on all Jewish communities in Israel seen for the first time, and after that, as long as one did not see it for thirty days, recite the blessing once again, in keeping with the accepted rules of ‘berachot ha’re’iah’.

However, since one of the major stipulations of ‘berachot ha’re’iah’ is that the sight being viewed must be awe-inspiring, consequently, one should not bless over communities whose observation is not stirring because one has already seen it a number of times, or because the location had long been inhabited by a large Jewish population and forgotten that it was once desolate.

The Blessing is recited over Communities in Which the Redemption of the Land is Evident

Therefore, in areas not yet settled appropriately where efforts must still be made to fulfill the mitzvot of yishuv ha’aretz so that the Land remains in our hands and not in the possession of any other nation or left desolate – even if one sees an established community there, he should recite

the blessing. This includes the following areas: Judea and Samaria, the Golan Heights, the Negev, and parts of the Galilee and Jezreel Valley.

It seems that even those who are not so moved about seeing the community – the first time one sees it, he should recite the blessing, for anyone who sees houses in places where the redemption of the land is evident, is considered as ‘seeing the houses of Israel when inhabited’, i.e., settling the land, and setting the boundary of the widow.

After Thirty Days

One who sees an established community in which the redemption of the land is evident, such as Alon Shvut, Karnei Shomron and Katzrin, after thirty days have passed since seeing it last – if one marvels anew at their settling of the land – he should recite the blessing; if one is not moved, he should not bless. And if one returns to the community a second time and sees they have built an additional neighborhood, he should recite the blessing.

But in the new communities in those areas, or in established communities facing greater difficulties in settlement, such as the communities of Itamar and Elon Moreh in Gav Ha’Har, and Otziel and Ma’on in the southern Hebron hills, in all probability the excitement of seeing them is greater, and as long as thirty days have passed, one may recite the blessing. However, even in places such as these, if one is not moved, a blessing should not be recited the second time. However, if in the meantime more houses were built, one who sees them should bless.

Similarly, a Jew who comes from abroad and sees the big cities for the first time, if he marvels at the return of Israel to their land – he should bless. Likewise, one who sees for the first time a newly built city, if he marvels at the strength of the settlement in it – he should bless. And in Jerusalem, the city of our holiness and glory, whoever admires its building, and sees some new buildings that add a small neighborhood to Jerusalem – even though he has already been to Jerusalem many times, he should recite the blessing “matziv gevul alamna”.

Joy and Comfort

I encountered a number of joyous events recently. About two weeks ago, a group of girls finished studying the ‘Peninei Halakha’ series. The study began about six years ago with my daughter Milcha, and after she got married and moved to Beit El, Ilanit Weinberger continued the studies. The study takes place mainly on Shabbats and holidays. The grand finishing party has not taken place yet. A week ago, two additional groups of girls finished studying the entire Tanakh for the second time, as part of a daily chapter study, about half an hour to forty minutes a day. The class is taught by Hana Steinbach and Hodia Rosenberg. The study takes place all year round without exception (on Tisha B’av they study Lamentations). Even though the study is called a ‘daily chapter’, in practice the

girls finish on average a chapter and a half. At the conclusion itself, parents and grandparents participated.

At the same time, there are two groups of boys who study a daily chapter in the Tanakh, and another two groups who study a daily chapter in the Mishnah. It turns out that the organization 'B'nei Zion' encourages daily Tanakh study that takes place in about thirty other places. The coordinator of the organization that participated in the party whispered in my ear that in Har Bracha, the number of participants in the study is much greater than in the other places.

Towards the end of the summer break, there is going to be a concluding event of about a hundred boys in the 'Peninei Halakha' books as part of the Har Bracha branch of the Ariel movement. Beyond happiness and contentment, one may learn from this that the systematic engagement with the value of learning Torah is effective.

The excitement of the shmita year: challenges with opportunities

Some aspects of the shmita year in Israel about which not everyone knows. As told by farmers and staff at the Torah and Haaretz Institute.

Shmita

It is perhaps unexpected to hear shmita, a year during which agricultural fields lie fallow, as an exciting year. But that is just how **Rabbi Itzhak Dvir** of the Torah and Haaretz Institute (the Institute for Torah and the Land of Israel) describes it.

"We have come to the end of an exciting year, in which we were privileged to meet heroic farmers, who were willing to put aside their main livelihood in favor of the shmita. We have a lot to learn from these people - their connection to the Land of Israel, and their personal sacrifice for the sake of the Torah. We need to take this strength and continue it for six the next years".

In the seventh year of a seven-year cycle, farmers set aside tilling and working the land as commanded in the Torah. Also called the Sabbatical year, it is observed only in the Land of Israel. Jewish farmers outside of Israel do not observe the shmita.

Dr. Moti Shomron, agronomist and head of the Department of Scientific Research at the institute, adds, "This year we were very excited to see farmers who devoted themselves to keeping shmita in different ways. They took on the challenge of the shmita, understood its depth and significance, understood the connection of the Jewish People with the Land of Israel, and observed this year despite the difficulties and the loss of profits when they could have earned a lot more. I was amazed to hear one farmer from the Jordan Valley say that, after making all his calculations for the year, he hopes to come out without having earned a single shekel from the farm this past year."

While the land cannot be worked, that does not mean that fruits and vegetables that grow on the land naturally during the fallow year cannot be eaten. In fact, farmers have to let anyone onto the land to pick what is growing. The farmer cannot charge for this produce. But since it is generally inconvenient for many people to go out to the fields, themselves, an organization called Otzar Beit Din manages the picking, packaging, and transportation of produce to consumer distribution centers. The consumer pays for the cost of the handling so that those doing the work get paid but they do not pay for the produce itself and costs are lower than regular retail prices.

Tomer Goldenberg, of the Antman-Goldenberg Farm in Moshav Gimzo, says, "For 35 years, we have been working with Otzar Beit Din during the shmita year. In the current year, we are serving as Otsar Beit Din of Moshav Gimzo. The rabbis help us with any halachic question and also come to the field."

"Why observe shmita? My grandparents on both sides lived abroad, observed Shabbat and put on tefillin, but they had no possibility to observe the shmita year. We are privileged to live in the Land of Israel, work the land, and this is really part of Zionism: to keep the shmita and observe what was forgotten for almost two thousand years."

Shlomi Saban from the gardening company 'Yotzer Be Teva', which also owns a nursery, says that the shmita year is full of challenges, but it is permissible to maintain gardens and to establish new ones that only use synthetic grass. In the nursery, the volume of sales decreased significantly. "In terms of opportunities, we are happy that during the shmita year we have the opportunity to live by our pure faith and, of course, there is more time to dedicate to our families and develop other business ventures."

Parshas Re'eh

Rabbi Yochanan Zweig

This week's Insights is dedicated in loving memory of Reuven ben Aharon z"l.

Seeing is Believing

See, I present before you today a blessing and a curse (11:26).

This week's parsha opens with Moshe enjoining Bnei Yisroel to follow the proper path of Torah and mitzvos, and not to stray from it: "The blessing – that you listen to the commandments of Hashem, your God, that I command you today. And the curse – if you do not listen to the commandments of Hashem, your God, and you stray from the path that I commanded you today, to follow the gods of others that you did not know" (11:27-28).

Many commentators point out the incongruity in the pesukim: By the blessing it says, "that you will listen to the commandments of Hashem," and yet by the curses it says, "if you do not listen to Hashem." In other words, it should

have either said “if you will listen” and “if you will not listen” by both, or “that you will listen” and “that you will not listen” by both. Why does the Torah choose the words “that you will listen” by the blessing and “if you do not listen” by the curse?

The Ohr Hachaim points out that the parsha also begins in a very unusual manner: “See, I present before you today [...]” Why should the Torah use the word “see”? After all, there wasn’t anything to actually look at; it is merely an expression to try and get the people to focus on a concept. Yet, in general, the Torah uses the word “listen” or “hear” in such circumstances; why does the Torah wander from the usual terminology?

The Gemara (Tamid 32a) asks, “who is a wise man? One who sees what is already born.” Generally, this is understood to mean that a wise person sees what the future will bring; he can discern a situation and its consequences. However, if we read the passage more carefully, it tells us a great deal more. A wise person doesn’t merely see what will happen, he actually sees the future that is born right now. In other words, it doesn’t mean that the chacham can predict what will be, he actually sees it happening right now. A good example of this would be the difference between Neville Chamberlain and Winston Churchill. Churchill raised the alarm in the mid 1930’s as to the dangers of Nazi Germany; well before Chamberlain made his disastrous attempt to appease Hitler, Yemach Shemo. Churchill recognized many years prior, that Nazi Germany was an evil threat.

Moshe Rabbeinu is telling us that listening to Hashem and following His mitzvos are the very bracha that Hashem is promising. The connection to Hashem is a bracha within itself; the bracha isn’t a conditional consequence of doing mitzvos. That is why the possuk says, “The blessing – that you will listen to the commandments of Hashem, your God.” On the other hand, if one, God forbid, strays from this path, it could lead to a consequence of a curse. This means that not following the path isn’t a curse, it just isn’t a blessing, and yes, it might actually lead to a curse if one falls off the path completely and starts worshipping idols. That is why the Torah says by the curse “if you do not listen to Hashem.” But, in contrast, following the mitzvos of Hashem in and of itself is an immediate blessing.

That is why the parsha begins with the word “see.” Following the path of Hashem is a blessing that you can see right now, not a consequence to be realized at a later date.

Penniless from Heaven

For destitute people will not cease to exist within the land; because of this I command you saying ‘you shall surely open your hand to your brother, to your poor one, and to the destitute in your land’ (15:11).

The Torah makes a rather remarkably ominous statement that there will always be poor people in our land. In fact, we aren’t really even discussing merely poor people; the

word the Torah uses here is “evyon – destitute.” Rashi (15:7) defines an evyon as one who is desperately longing. In other words, someone who feels incredibly deprived and is desperate. Quite possibly, this refers to someone who, at one point, had a high standard of living and now has fallen on hard times. For this reason, they are constantly longing and they feel deprived.

The Gemara (Shabbos 151b) uses this very possuk to say that even in messianic times there will always be poor people. What kind of system did Hashem create where there will always be those who are desperate? What possible reason could there be for an infrastructure of poverty in our society?

The prophet Yechezkel, when castigating the Jewish people for straying off the path of Hashem, compares Bnei Yisroel to their “sister” Sodom. What was the sin of Sodom that was so evil? The Navi (Yechezkel 16:49) explains; “This was the sin of your sister Sodom, that she had pride and a surplus of bread and tranquility yet she did not strengthen the hand of the poor and destitute.” This seems to imply that the reason Sodom deserved to be destroyed was because the people didn’t take care of their poor and desperate inhabitants. This is difficult to comprehend; nowhere in the seven Noachide laws is there a commandment to give charity. How is it possible that they deserved to be totally annihilated for this?

We know that Avraham Avinu was the first person to recognize that Hashem, the Creator of everything, deserved to be recognized in this lower world. Avraham Avinu, therefore, made it his mission to bring Hashem into the hearts and minds of the inhabitants of this world. This, of course, became the de facto mission of his children, the Jewish people, as well. At the same time, Avraham Avinu was also known as the paragon of chessed; how are these two concepts related?

Avraham Avinu recognized that Hashem’s creation of the world was the ultimate act of kindness – chessed. The creation of the world was the vehicle for Hashem to bestow the ultimate good on mankind. Therefore, the very act of creation was for chessed. Avraham recognized that the real way to bring Hashem into this world is to emulate him and do acts of kindness as well. Thus, doing acts of charity is the ultimate way of connecting to Hashem because we are acting in a God-like manner. It is, therefore, not surprising that the only way one is permitted to test Hashem is by giving charity. In this week’s parsha, we actually have a guarantee that if we tithe our earnings we will become wealthy and thus enabled to give even more. This is the perfect expression of the very purpose of creation.

When the people of Sodom refused to help those who were desperate and needy, even though they had the resources to perform charity, they were in essence rejecting Hashem and the entire purpose of creation. This sin goes beyond not keeping the laws of social justice; this sin is contrary to the

very nature of creation. It is for this reason that they deserved to be utterly annihilated.

This brings us back to the question of why there must always be poor people in the land; it is because we must always stay connected to the purpose of creation and have this opportunity to emulate Hashem. Just as Hashem empowered mankind through kindness, we must help and empower those who cannot do for themselves. In this way, we become God-like and bring Hashem into our world.

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subject: Rabbi Eliakim Koenigsberg - Connecting to Hashem From a Distance

Rabbi Eliakim Koenigsberg

Connecting to Hashem From a Distance

"Acharei Hashem Elokeichem teilei'chu - after Hashem, your G-d, you shall follow; you shall fear Him, observe His commandments, listen to His voice, serve Him and cleave to Him. (Re'eh 13:5)" The word "after" in the Torah can be written either as achar or acharei. Chazal (Bereishis Rabba, Lech Lecha 15:1) explain that achar implies a close proximity in time or place, while acharei denotes a sense of distance. Rashi alludes to this earlier in Parshas Re'eh. The posuk says that the blessing should be delivered on Har Gerizim and the curse on Har Eival. "Are they not on the other side of the Jordan, far, in the direction of the sunset - acharei derech mevo ha'shemesh? (11:30)" Rashi explains that since the two mountains are far to the west of the Jordan, the Torah uses the word acharei to describe their location.

But if acharei always implies a sense of distance, then why does the Torah use that term when giving the command to follow Hashem? The posuk should have said, "Achar Hashem Elokeichem teileichu," which would imply that one should follow closely after Hashem?

The Chofetz Chaim answers that the word acharei in this context is meant to highlight that even one who feels distant from Hashem should never give up hope. Rather, he should try as best as he can to reconnect with and draw closer to Hashem. The Chofetz Chaim adds that this is the deeper meaning of the words in the tefillah of Mussaf on Rosh Hashana, "Fortunate is the man who does not forget you, the human being who strengthens himself in You." Praiseworthy is the individual who does not forget Hashem despite his challenges, but rather invests effort to draw closer to Hashem.

The navi Yirmiyahu expresses the pain of Klal Yisrael in exile who feel distant from the Shechina. "Meirachok Hashem nirah li - from a distance Hashem appeared to me. (31:2)" Radak understands that Klal Yisrael is responding

to Hashem's statement in the previous posuk, "Matza chein bamidbar - they found favor in my eyes in the wilderness." Klal Yisrael replies that indeed they enjoyed a closeness to Hashem in the midbar, but that was long ago - meirachok. Now they are in exile and Hashem is hidden from them. Hashem answers, "V'ahavas olam ahavtich - I have always loved you with an eternal love." Hashem proclaims that His love for Klal Yisrael is everlasting. It has not diminished despite their sins, and He anxiously awaits their desire to draw closer to Him.

The potential to reconnect with Hakadosh Boruch Hu exists not only on a national level, but on a personal level as well. "Shalom shalom larachok v'lakarov - peace, peace for the distant and for the close. (Yeshaya 57:19)" Hashem calls out not only to the one who is close, but also to the one who is far away. In truth, anyone who has sinned is distant from Hashem. The Mabit (Beis Elokim, Ch. 1) defines the process of teshuva as "drawing close to Hashem from the distance of sin." But one who is entrenched in a path of wrongdoing naturally feels so estranged from the Ribbono shel Olam in his actions and attitudes, that he cannot see any way forward. "Why even bother trying to do teshuva?" he might ask himself. "Hashem doesn't want me anyway." It is precisely to such a person that Hashem calls out. Hashem never gives up on any individual, no matter how far he has strayed. "For You do not wish the death of one deserving of death...You await him; if he repents You will accept him immediately. (Mussaf of Yom Kippur) This is the power of teshuva - to be able to move past prior indiscretions and forge a new path, to establish a new relationship with Hakadosh Boruch Hu.

But how is it humanly possible to draw close to Hashem when one feels so distant? The answer is Hashem promises to help. The Torah describes the process of teshuva that will take place when Klal Yisrael is in exile. "It will be when all of these things (trials and tribulations) come upon you...then you will take it to your heart...and you will return unto Hashem, your G-d, and listen to His voice...Then Hashem, your G-d, will bring back your captivity...and He will gather you in...(Even) if your dispersed will be at the ends of heaven, from there Hashem, your G-d, will gather you in and from there He will take you. (Nitzavim 30:1-4)" Hashem assures Klal Yisrael that he will never abandon them. No matter how alienated they are from Him - physically or spiritually - He will gather them in and redeem them.

There is always hope to reconnect and strengthen our bond with Hakadosh Boruch Hu. But there is one prerequisite - that "you will take it to your heart." As a nation and as individuals, we must take the first step. The Midrash (Eicha Rabba 5:21) describes how Klal Yisrael says to Hakadosh Boruch Hu, "It (our teshuva) is up to you, 'Bring us back to You, Hashem, and we shall return.' (Eicha 5:21)" But Hashem responds, "No, it is up to you, 'Return to me and I will return to you.' (Malachi 3:7)" Hashem promises that

He will return to us, but only if we begin the process and try to draw closer to Him.

During the month of Elul and the yamim noraim, it is somewhat easier to connect with Hashem. His Presence is more perceptible. He makes Himself more accessible to those who seek Him (Rosh Hashana 18a). The question is, are we ready to take the first step?

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All Parsha Meshech Chochmah

Prophecy and the Principle of Chazakah

Rabbi Immanuel Bernstein

כִּי יָקוּם בְּקִרְבְּךָ נָבִיא אוֹ הַלֵּם הַלּוֹם... לֵאמֹר גָּלְתָה אֲתָרֵי אֱלֹהִים אֲחֵרִים... וַנִּעְבְּדֵם. לֹא תִשְׁמַע אֶל דְּבַרֵי הַנְּבִיא הַהוּא אוֹ אֶל חוֹלֵם הַהַלּוֹם הַהוּא

If there should arise in your midst a prophet or a dreamer of dreams... saying, “Let us follow gods of others... and worship them.” Do not listen to that prophet or to that dreamer of a dream. (13:1-4)

The Concept and its Source in the Torah

A basic operational principle of halachah which appears countless times throughout the Gemara is that of chazakah. This principle states that if it is not known whether the status of a person or thing has undergone change, we proceed on the assumption that there has been no change, until we discover otherwise. Although this is a Torah principle, we note that nowhere is there a pasuk that states “You shall rely on Chazakah,” which means that a source in the Torah for chazakah will come in the form of identifying a case in the Torah which clearly and unmistakably relies on chazakah.

In this regard, the Meshech Chochmah cites the Tosefta in Maseches Gittin,[1] which derives this principle from the halachah of ir miklat (city of refuge), whereby if the accidental killer should leave the ir miklat, the goel hadam (relative of the victim) can kill him. Now, the killer is only required to stay in the ir miklat until the Kohen Gadol dies, after which point he may leave and the goel hadam can no longer kill him. However, that being the case, how can the goel hadam ever kill someone who leaves the ir miklat? Perhaps the Kohen Gadol has died in the meanwhile in which case the killer is free to leave and may not be harmed! Rather, says the Tosefta, we see from here, that the Torah allows the goel hadam to rely on the concept of chazakah which states that the Kohen Gadol is still alive, as he was last known to be.

An Alternative Source – The False Prophet?

The Meshech Chochmah on our pasuk raises a most interesting question in the above-mentioned Tosefta; for, as he proceeds to demonstrate, our pasuk would seem to demonstrate the power of chazakah to an even greater degree, making it an arguably better source! The points which form the basis of this suggestion are as follows:

There is a mitzvah to heed the instructions of a prophet who has been verified as such by providing a sign.

Once he has been verified as a true prophet, he retains that status and does not need to re-establish his credentials each time he presents a new prophecy or instructions.

If someone prophesies in Hashem’s name that we should serve avodah zarah, even if he provides a sign, we are to disregard his words, for he is certainly a false prophet.

Based on the above, the question arises:

What if a prophet, whose credentials had already been established issued instructions in Hashem’s name and, subsequent to that, became a false prophet? Are we required to continue to heed the instruction he gave in the interim stage? In other words, it is clear that at some stage he underwent a transition from true to false prophet; the question is when did that transition take place, prior to issuing the interim instructions or afterwards?

Commenting on the words “אוֹ אֶל חוֹלֵם הַהַלּוֹם הַהוּא” the Sifrei[2] states: “ולא השוד למפרע – He is not suspect retroactively.” The Vilna Gaon explains this to mean that all instructions that predated this clearly false message are to continue to be heeded. This halachah, says Meshech Chochmah, is very clearly relying on the principle of chazakah, maintaining the established status of the prophet into a questionable time-period. Moreover, this halachah demonstrates the power of chazakah to a greater degree than the case of ir miklat.

In the case of the ir miklat, we do not know whether there has been a change in the status of the Kohen Gadol (i.e., of being alive). In that case, chazakah says we assume there has been no change.

In our case, we know that there has been a change (from true to false prophet)! However, even here, chazakah says that we are to assume that that change did not occur prior to the time when we became aware of it.

Based on the above, the Meshech Chochmah wonders why our case is not cited as a source for chazakah. Unusually, he leaves this question unanswered.[3] For our purposes, it is fascinating to see how, as R’ Meir Simchah goes through the Chumash, he has an eye not only on answering questions that arise, but also on questioning answers that are provided, in the event that a better answer would seem to be forthcoming!

The Korban Omer and “The Morrow of the Shabbos”

שֵׁשֶׁת יָמִים תֹּאכַל מִצּוֹת וּבַיּוֹם הַשְּׁבִיעִי עֲצַרְתָּ לָּהּ אֲלֵלֶיךָ לֹא תַעֲשֶׂה מְלָאכָה

For six days you shall eat matzos, and on the seventh day it shall be an assembly for Hashem, your God, you shall not perform any productive labor (16:8)

A “Shabbos Prohibition” on Yom Tov?

The Meshech Chochmah’s comment on this pasuk opens with his trademark attention to detail and nuance. Generally throughout Chumash, when dealing with Shabbos, the Torah forbids “melachah,” representing all

thirty-nine forms of productive labor, while when referring to Yom Tov it uses the term “melech avodah,” which allows for melachos relating to direct preparation of food to be performed. In light of this, it is somewhat unusual that our pasuk, which is dealing with a Yom Tov (the seventh day of Pesach), nonetheless uses the term that relates to Shabbos (“melachah”)!

The Gemara’s Proof from our Pasuk Regarding the Korban Omer

One of the major points of dispute between the Tziddokim (Sadducees) and the Chachamim related to the date of bringing the korban omer, a date which the Torah refers to as “ממחרת השבת – on the morrow of the Shabbos.”[4] The Oral Tradition informs us that this refers to the second day of Pesach, with the term “Shabbos” referring to the Yom Tov of the first day. The Tziddokim, however, who reject the Oral tradition, translate the word “Shabbos” as referring to the seventh day of the week, so that, according to them, the omer is always brought on a Sunday.

Among the numerous refutations of this view recorded in the Gemara,[5] one of them comes from our pasuk: Why does it begin by saying that we should eat chametz for six days? Do we not know that Pesach is a seven-day festival? Rather, the six days in question are the days one can eat from the new crop, after offering the korban omer on the morning of the second day of Pesach. According to the Tziddokim, however, who maintain that the omer is offered on the Sunday following the first Shabbos of Pesach, this would rarely leave six days of the new crop within Pesach. Indeed, it could sometimes involve no such days, for example, if the first day of Pesach fell on Sunday.

Meshech Chochmah: Time-Stamping the Proof

The Meshech Chochmah notes that there is a potential response to this refutation, albeit somewhat forced; for perhaps the pasuk is referring specifically to a situation where the first day of Pesach is in fact a Shabbos, with the second day being a Sunday. This would leave the last six days as being able to eat from the new crop even according to the Tziddokim. It is for purposes of negating such a response that the pasuk concludes by forbidding “melachah” on the seventh day, a term which we noted applies to Shabbos. Through this, the pasuk is indicating that it is referring to a situation where the seventh day of Pesach is in fact a Shabbos, which means the first day was a Sunday! In such a situation, to nonetheless also specify that matzah from the new crop may be eaten on the last six days makes it clear that the day on which we are to bring the omer is the second day of Pesach – even though it is not a Sunday!

Once again, having seen how the Gemara illuminates the pasuk, the Meshech Chochmah brings us back to the pasuk, showing how it illuminates the Gemara!

[1] Perek 2, halachah 13. [2] Sec. 84. [3] The question of the source for chazakah is also discussed in the Gemara (Chullin 10b-11a). At the end of his comment, the Meshech

Chochmah makes reference to that sugya, noting that R Acha bar Yaakov there rejects the Gemara’s proposed source (tzoraas of a house). Although the Gemara does not openly state which source Rav Acha does adopt, the Meshech Chochmah suggests that it is, in fact, from our pasuk. [4] Vayikra 23:15. [5] See Menachos 66a.

Added by CS

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subject: Fwd: Mitzvah Connection -- LaSechvi Vinah -- Related To Parshas Re'Eh

Subject: Mitzvah Connection -- LaSechvi Vinah -- Related To Parshas Re'Eh's , "Es HaB'Racha"

LaSECHVI VINAH --- (relationship to " Es HaB'Racha ", at Re'Eh, 11:27)

The following is a Mitzvah Connection relating to a B'Racha we recite at the outset of the Shachris (morning) prayers -- as commented on by the S'fas Emes (quoting his grandfather, the Chidushei HaRim), to help interpret the words, " Es HaB'Racha " in Re'Eh, at 11:27 .

The S'fas Emes' explanation is cited and discussed by Rav Elie Munk in his commentary on Parshas Re'Eh (Kol HaTorah, Re'Eh, 11:27). The outset of Parshas Re'Eh has Moshe telling B'nai Yisrael : See, I Present Before You Today A Blessing And A Curse (Re'Eh Anochi Nosein Lifneichem Bracha U'Klallah , 11:26).

In the next verse, Moshe says that the Blessing, B'Racha , is that " You Hearken To The Commandments Of Hashem ... That I Command You Today ." (11:27) On the words, " Es HaB'Racha ", The Blessing, Rabbi Munk cites the S'fas Emes as follows : S'fas Emes teaches that there is a special blessing to thank Hashem for the gift of free will, which distinguishes man from all other creatures . It is the blessing we say every morning : " Asher Nosan LaSECHVI VINAH LeHavchin Bein Yom U'Vein Lailah " -- Who Gave The Rooster Understanding To Distinguish Between Day And Night .

Rav Munk continues explaining the S'fas Emes' interpretation of " The B'Racha " in 11:27 . The word SECHVI, commonly translated as "rooster", can also mean " HEART " (See Job, 38:36) . This blessing thus can also be referring to man's understanding, renewed at the start of each day, of his perfect freedom to act . " In that interpretation, the blessing's reference to the distinction between day and night alludes to the distinction between good and evil . When a person says this blessing, he is paying tribute to Hashem for this gift . That is why he can say it even before he hears the rooster crow to announce a new day ." (citing Tosafos to Berachos 60a)

After the SEVCHI B'Racha, the Jewish man says the three blessings acknowledging the fact that Hashem has not made him a non-Jew, a slave, or a woman . Those are three barriers over which man has no control. " Thus, in a few

sentences are condensed the characterization of and the limits to free will ." (Kol HaTorah, Re'Eh, at 11:27)

In terms of the paths of B'Racha and K'Lallah articulated at the outset of Re'Eh , we see that the Jew is given the ability to discern and differentiate between the Blessing and the Curse and, via his free will, has the power to choose only B'Racha, the path of Blessing . The Parsha begins with the word, Re'Eh, "See", on which Rabbi Munk notes : " To clearly understand the problem of free will, one must be able to see into his own conscience 'See' suggests an internal perception, penetrating deep into one's soul ." (Kol HaTorah, at 11:26)

In the first B'Racha , the SECHVI blessing, the Sfas Emes understands the B'Racha to mean the man's HEART , (not rooster), as renewed each day to discern good (Yom) from evil (Lailah). This enables the exercise of free will to

SERVE HASHEM devotedly and faithfully . This B'Racha -- A PRAYER -- , then, has a material connection with the " Blessing " and " Curse " options presented in Parshas Re'Eh.

LaSECHVI VINAH equals 433 . Mitzvah Number 433 is : OSO Ta'AVOD -- HIM YOU SHALL SERVE (Devorim, 10:20) . It is a Mitzvah to SERVE Hashem. Chazal explain that this means to serve Hashem WITH ONE'S HEART , THROUGH PRAYER .

M.H.

לע"נ

שרה משא בת ר' יעקב אליעזר ע"ה
ביילא בת (אריה) לייב ע"ה
אנא מלכה בת ישראל ע"ה