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ON BEHAR - 5776

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Rabbi Yisroel Reisman – Parshas Behar 5774

1. Parshas Behar although a short Parsha actually contains quite a number of new Mitzvos. I would like to focus first on two Halachos of the Shulchan Aruch both learned from the same Posuk. From the Posuk of 25:55 (עֲבָדֵי הָעַם) at the end of the Parsha HKB"H declared that Klal Yisrael are Avdei Hashem and of course Chazal Darshun and understand that Avadai Heim V'lo Avadai L'avadim. That we have to see ourselves as servants of the Ribbono Shel Olam and not servants to other human beings. This actually has two Halachic Limudim, two Dinim brought in Shulchan Aruch Choshen Mishpat and I would like to share them with you and then ask a Kasha, a difficulty I had when I learned Choshen Mishpat and to which I still do not have an adequate answer.

We find in Choshen Mishpat in Siman 333:3 which is the Halachos of Schiras Poalim, the laws of hiring workers, that the Shulchan Aruch says something which many people find surprising unless of course they learned this Halacha. The Shulchan Aruch says that if a worker decides to quit in middle of the day, in the middle of the week, in the middle of his work, he is entitled to back out of his work. Although he pledged to work and agreed to work for a week, or a month, or a year, if he wants he can quit in middle. There are certain restrictions where this causes a Hefsid Meruba, where it causes a loss, then of course he has to accommodate the employer and make sure that no loss occurs. But where the only loss is that the employer has to hire someone else, a person (a Yid) has a right to quit even in middle of the day. The Shulchan Aruch brings the Posuk (כִּי-לִי בְנֵי-יִשְׂרָאֵל, עֲבָדִים--עֲבָדֵי הָעַם) (כִּי-לִי בְנֵי-יִשְׂרָאֵל, עֲבָדִים). So it is a nice Halacha to know, it is a Din that any worker has the right to quit in middle of his work because otherwise he would be an Eved to Avadim. (כִּי-לִי בְנֵי-יִשְׂרָאֵל, עֲבָדִים). We are precluded from being Avadim to Avadim and therefore, we are permitted to quit. Ok. That is the Halacha and it is B'feirush in the Gemara in the 6th Perek in Bava Metzia, Shalom Al Yisrael.

Then the Rama brings a second Halacha, one that is even less well known. The Rama says that a Yid is not allowed to commit himself to work on a steady basis for more than three years at a time. A person should not be signing more than a 3 year contract to obligate himself to anything. Where did the number three come from? The work of an Eved is 6 years and as it says in Devarim 15:18 (כִּי מִשְׁנֵה שָׂכָר עֲכִיר, עֲבָדָה שֵׁשׁ שָׁנִים) working 6 years the Torah refers to as (שָׂכָר עֲכִיר) double (מִשְׁנֵה), the work of an employee, which means that a normal employee is up to three years and therefore, a person may not obligate himself to work for more than three years. There is a Shitta that even three years itself is Assur but the Shach says that only more than three years and that three years itself is ok. But a contract should not be signed obligating oneself for more than three years. From where do we learn this? The same idea (כִּי-לִי בְנֵי-יִשְׂרָאֵל, עֲבָדִים) we are Avadim to HKB"H. The Torah defines three years as an employees work and beyond three years as the work of a servant. We are not to obligate ourselves to be Avadim to Avadim. So we have two Halachos that we learn from the restriction of being a slave or similar to a slave. A) if we obligate ourselves and begin to work at a job we are allowed to quit in middle and B) we should not obligate ourselves to work for more than three years. Two Halachos in the same place in 333:3.

The question that I have when I learned this is that the first Halacha should preclude the second. What I mean to say is this. It seems that if you hire yourself away as a worker for more than three years you are doing something that is similar to an Eved. Up until three years is (שָׂכָר עֲכִיר) and more than three years you are violating (עֲבָדֵי הָעַם, וְלֹא עֲבָדִים לְעֲבָדִים). That is difficult. We already learned that an Eved can't quit in middle of his job and a worker is permitted to quit in middle of his job. So even if I obligated myself to work for six years for someone I am not an Eved to that person because I am allowed to quit in middle of work. The Shulchan Aruch itself tells us that (עֲבָדֵי הָעַם, וְלֹא עֲבָדִים לְעֲבָדִים) is accomplished by having the right to quit. So if I have a right to quit I should be allowed to obligate myself to work for as many years as I want. After all, the obligation is really not a full obligation because I am allowed to quit in middle. Therefore, the second Halacha learned from the same source as the first seems to be problematic. When I learned Choshen Mishpat we had this difficulty and I don't recall ever coming up with a satisfactory answer.

2. Let us move on to a second topic regarding Yovel closer to the beginning of the Parsha. I would like to tell you that on the Seder night we have a poem (שְׁלִישָׁה עָשָׂר מֵ יוֹדֵעַ) (אָהָד מִי יוֹדֵעַ) which goes all the way up until (שְׁלִישָׁה עָשָׂר מֵ יוֹדֵעַ). In many homes they keep on going and they challenge themselves to find more things. It is not easy to come with numbers. So I will try to help you with the Arba'a (עָשָׂר מֵ יוֹדֵעַ). Who knows what in Yiddishkeit is 14? The answer is 14 Yovelos.

The Gemara in Maseches Arachin 12b says that in the history of the world Yovel only occurred only 14 times. Yovel does not occur if most Jews are not in Eretz Yisrael in the portion of land which was designated for our Sheivet, for our families at the time of the original Chaluka of Eretz Yisrael. Since from the time of the exile of the 10 Shevatim we were not Rov Yoshveha Aleha, most Jews were not in Eretz Yisrael, Yovel has not been observed in all this time. Many youngsters think that there is Yovel, however, they have just not lived long enough to see one. Well take it from me, I have passed my 50th birthday B'ezras Hashem and have not yet seen a Yovel. There is no Yovel Bizman Hazeh. How many Yovalos were there? The Bais Hamikdash was built 440 years after the Jews entered Eretz Yisrael. 440 years is enough time for eight Yovels and subsequently there were six more Yovels until the 10 Shevatim went into Galus. So that for a total of 8 + 6 = 14. The Gemara in Arachin 12b as explained by Tosafos says that there were 14 Yovels and that is it.

Rav Chaim Kanievesky in Taima Dikra points out that in this week's Parsha the word Yovel occurs 14 times. The Torah is Merameiz (it hints at the fact) that there will be 14 Yovalos. More than that, of the 14 times that the word

Yovel appears, 8 times it is spelled Choseir and 6 times it is spelled Malei. Now of course the Yovel when the Bais Hamikdash is standing is Malei. There were six Yovelos when the Bais Hamikdash stood and 8 Yovelos in the pre Bais Hamikdash period of 440 years which followed the entry of Yehoshua into Eretz Yisrael for a total of $8 + 6 = 14$. A beautiful Remez from Rav Chaim Kanievsky. So two thoughts on the Parsha one on (עֲבָדֶיךָ הָאֵלֹהִים לְעַבְדֶּיךָ) a Halacha issue and a second on Yovel, a technical issue an issue of Aggadata.

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Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Behar

Hashem spoke to Moshe on Har Sinai. (25:1)

Mah inyan Shemittah eitzel Har Sinai - "What is the connection between Shemittah and Har Sinai?" has become the catch phrase when questioning why two disparate subjects are juxtaposed upon one another for no apparent reason. The Torah introduces the laws of Shemittah in detail immediately following the mention of the Revelation at Har Sinai. Chazal derive from here that not only the broad outlines, but also the details, the minutiae of Torah law and mitzvah, were transmitted at Sinai - as were those of Shemittah, whose laws are detailed extensively. All mitzvos, even those which were recorded years after the Giving of the Torah, are of sinaitic origin. To deny this verity, to repudiate the Divine Authorship/origin of the Torah, is to remove oneself from the ranks of Torah Judaism. While one's Jewish status is determined biologically via his birth to a Jewish mother, his belief in Torah M'Sinai is what distinguishes him as a practicing Jew.

The idea that Judaism is divided into three branches undermines the core underpinnings of Torah Judaism. Without Torah, there is no Judaism. Without Torah, there is no religion, only a culture. Without religion, what are we? How do we distinguish ourselves from the rest of the world? Our love and compassion for all Jews rises above and beyond the scope of religious belief, regardless of their personal proclivities and behavioral conduct; it does not for one moment, however, mitigate the fact that there is only one true form of religious belief: that which adheres to the Torah, both written and oral. Compassion and sensitivity to the issues/challenges of the other does not justify defying Torah law and degrading those who uphold it. Every Jew, his religious affiliation notwithstanding, is welcome within the Torah ranks. The obligation to live a Torah life grants him brotherhood among Torah Jews - despite his past behavior. When one insists on dismantling Torah law to suit his transient longing for that which is deemed unattainable - impugning the integrity of the Torah's Divine origin or casting aspersion on the Torah's disseminators - he has, by dint of his actions, removed himself from the Torah camp. He can no longer call himself a Torah Jew.

We live in a time in which our moral compass, our perception of right and wrong, is greatly influenced by societal bias. We feel that we must adhere to the societal definition of culture, lifestyle, fun and pleasure. The Torah was given to us at Sinai in a place and time that predated all of society. The Jewish society is defined and established by the Torah. To posit that the Torah is out of touch with the times is tantamount to heresy.

It all reverts back to affirming the Divine origin of the Torah. This is alluded to by the mitzvah of Shemittah. The Chasam Sofer posits that the mitzvah of Shemittah underscores and unequivocally supports the verity that Hashem is the Divine Author of the Torah. The mitzvah of Shemittah carries with it a guarantee that, during the sixth year preceding the Shemittah, the fields will produce a crop large enough to sustain people for three years, until the next available crop is harvested. A human being could never make such a claim. A statement such as this could only have come from the One Who is capable of supporting it - Hashem.

The land will give its fruit and you will eat your fill... if you will say: "What

will we eat in the seventh year?" I will ordain my blessing. (25:19, 20, 21) Sforno distinguishes between the baal bitachon, one who trusts in Hashem, who does not question, "What will we eat in the seventh year?" and he who questions. The one who does not question will, indeed, have less produce; however, its nutritional value will far exceed that of a regular year. He will have less, but he will require less. Less will be more. His seventh year will be covered by the produce of the sixth year, but in a manner unperceived by the unknowing spectator who will observe a regular yield that year. The believer whose bitachon is not as strong will ask the question and will receive a Heavenly response in the way of a greater yield in the sixth year. His crops will be plentiful - enough to last him through the following year. Nonetheless, these crops will be of normal quality, unenhanced by "Heavenly intervention."

Horav Mordechai Gifter, zl, derives from Sforno's exposition that there are two forms of bitachon in Hashem. One form of bitachon is that of the person who totally desires to fulfill Hashem's Will, but wonders how he will succeed in doing so, given the economic challenges he must transcend. His bitachon is great, for even though he does not know how he will survive the seventh year, he still is prepared to accept the challenge. He has questions, but he is not waiting for answers. He forges ahead, in any case.

There is yet a greater level of trust: one does not ask questions. He trusts without inquiry; he is not fazed by challenge. His bitachon is so great that he is not concerned about what he will eat, because he trusts that Hashem will provide for his needs. Hashem may not grant us what we want, but He unquestionably gives us what we need.

People may have one of two forms of faith: perception and reality. Both types of people believe: one has questions, but does not wait for answers; the other has no questions. The faith of the perceptive believer is based upon intelligence and percipience. He observes, is astute and insightful, thus pointing him in the direction of Hashem. Nonetheless, at the end of the day, it is "faith-based" trust. For the other type of believer, faith is a reality. Believing in Hashem is not an intellectual experience, an exercise in faith. It is reality. If Hashem says it will be good - it is good!

If your brother becomes impoverished ... and let your brother live with you. (25:35, 36)

It is our responsibility to see to it that our brother does not descend to the level of poverty such that he will have great difficulty sustaining himself. We must attempt to help him before he becomes poor, so that, with help from his brother, he can maintain his independence and raise himself up to his prior status. Lending him money or investing in his business is among the highest and noblest forms of charity, since the beneficiary is not made to feel like a charity case. The Torah admonishes us not to lend money for interest. This is not the Torah way. When we perform a mitzvah, it should be for the purpose of carrying out Hashem's dictate - not for personal profit.

We wonder why taking interest is prohibited. Is it any different from any other form of business, whereby one makes a profit on his investment? How is this different from renting a space or an appliance from someone? The rental fee is the premium one pays for the favor he receives. It is a simple business deal. One is, so to speak, charging rent for the use of his money. Is this so bad?

Horav Shimon Schwab, zl, explains that, veritably, charging interest is neither morally reprehensible nor is it benign and inoffensive. People do it all the time, and it is a recognized and acceptable manner of doing business. In the context of "family," however, it becomes reprehensible. It takes on a noxious image. Profiting from family members is just not right. One should reach out with complete equanimity to a member of the family. Imagine one charging his brother interest for a loan! It would be considered outrageous. (This does not mean that people do not act outrageously and reprehensibly to their siblings. These individuals have basically removed themselves from the human race.) This is why the Torah emphasizes that the person who is descending into poverty is "your brother." We are all brothers. The sooner

we accept this concept and act upon it, the quicker we will realize it and act with greater compassion and decency toward one another.

The following dvar Torah from the Ponevezer Rav, zl, is not only timeless, it also represents the standard by which the Rav lived. His incredible success with people was the product of his love for all Jews. He treated them all as family, because they were. In Parashas Vayitzei (Bereishis 29:7), when Yaakov Avinu arrived at the well in Charan and met the local shepherds, he set about rebuking them, saying, "The day is still young! It is not yet time to gather the livestock. Give the sheep to drink and go pasture them." We do not find the shepherds taking umbrage with Yaakov's rebuke. Imagine coming into a new place and, by way of an introduction, one begins by rebuking the community!

Yet, amazingly, they not only did not respond negatively; they even apologized and gave an excuse for their seemingly indolent behavior, "We cannot give them to drink until all the flocks are gathered and the shepherds roll the stone off the mouth of the well, and then we shall give the sheep to drink" (ibid. 29:8). Why, indeed, did they respond so "nicely"?

The Rav explains that the key to understanding their exchange is in Yaakov's greeting to them. He addressed the shepherds as "brothers." That was the secret of his influence: Achai, "My brothers!" Or, as the Rav put it, Briderlach, "(My) precious brothers," indicated the closeness and fondness he had for them. When Yaakov addressed the shepherds as "family" they felt he was close to them, that he loved them as brothers. They viewed him neither as a stranger nor as a newcomer sitting in judgment on them. They did not mind a rebuke from a "brother." When a person radiates genuine love and brotherly feelings, he can deliver his rebuke, and it will be accepted in the spirit that it is rendered. His message will penetrate the most obdurate heart and elicit a positive response.

This was the secret of the Ponevezer Rav's success. The overflowing love he manifested towards each and every Jew was a major component of his character. When he referred to fellow Jews as "Briderlach, briderlach," it was not a pejorative in order to impress. He meant it, and they knew this. His love penetrated, because it was real.

For they are my servants, whom I have taken out of the land of Egypt; they shall not be sold in the manner of a slave. (25:42)

The Talmud Yevamos 46a teaches, "You may purchase from them, but they may not purchase from you." In other words, a Jew may not sell himself as a slave to a gentile. The Brisker Rav, zl, comments that this is the underlying directive of the above pasuk. The Jewish people are excluded from the laws of slavery. They do not apply to us, because we may no longer become slaves. We were taken out of Egypt, from servitude to freedom. We have parted ways with slavery - we serve Hashem as our only Master.

There is an emotional aspect to this freedom. The Jewish mindset no longer tolerates servitude to a gentile master. A slave lives in fear; he is afraid not only of those who have jurisdiction over him; he also fears repercussions for anything he might say that is unacceptable. He is obsequious, not his own person. Indeed, this nature is the motivating factor of his life as a slave. Once we were redeemed, we were introduced to our Headmaster, in Whom we place our total trust. We fear only Him.

A slave keeps quiet, remaining in the background, standing ready at the beck and call of his master. As a free man, he regains his power of speech and is more than willing to share his experiences with others. On Pesach, we commemorate our servitude and ultimate liberation with our family, so that they preserve these lessons for the future. On Pesach we regain our ability to express ourselves, to vocalize and articulate our feelings, our deepest emotions. The Brisker Rav explains that, with the Egyptian redemption, we were not only liberated from Egypt, but we also received a new status which precludes our ever returning to servitude.

Perhaps we might add that this new status is applicable and retained only by those who have accepted the position of avdei Hashem, servants of the Almighty. One who has rendered himself to Hashem, who views the Almighty as his Master, cannot possibly be subjugated by mortal man. His

body might be shackled, but his spirit soars in the Heavens. Emotionally and spiritually, he is a free man. He is master over himself, because he has given himself over to Hashem.

The Brisker Rav applies his thesis to explain the phrase at the end of the Maggid portion of the Seder, in which we express our duty to thank Hashem for all that He has done for us. Among the accolades, we say that "He took us from avdus l'cheirus, slavery to freedom; mi'yagon l'simchah, from sorrow to joy; mei'eval l'yom tov, from mourning to festivity." Why is it necessary to add the state of festivity? The mere fact that we have been taken from mourning should suffice. The Rav explains that the redemption was not just a removal of the Jewish People from Egyptian subjugation. There is an added dimension - one of yom tov, festivity, which accompanies our newfound status of no longer being avadim, slaves. We are not just free; we are free forever!

I think the newly-acquired status of "free-man forever," which goes hand in hand with "servant of Hashem," was demonstrated in Egypt on the fateful night of our liberation. If we peruse history, we note the lack of moral discipline that accompanied the various liberations of slaves, serfs and peasants throughout the millennia. Upon acquiring freedom, these slaves acted like slaves who had been let out of their cages. They were cruel, ruthless, participating in violent and random acts of murder and mayhem, just to get back at their past masters. It was all about vengeance. By their actions, they demonstrated that they were first and foremost slaves who were unable to act as free men. They had been exploited, reviled, castigated, afflicted and murdered. Now, they were doing the same to their masters. Is this the way a free man acts, or are these the actions of a wounded animal?

The Jews, despite suffering mercilessly for over two centuries, their blood spilled like water at the hands of the cruel Egyptians, did not act this way. The Egyptians were suffering that night, as every family experienced the death of their firstborn. The cries of pain, the moaning and grief, enveloped the people. Did the Jews take advantage? Did they vent their centuries-old anger on their cruel taskmasters? No! They did not act like the hooligans who riot when they have the opportunity to avenge themselves, who destroy city blocks because this is how they express their idea of freedom. The Jews went about their business, serving Hashem, eating the Korban Pesach in the privacy of their homes, surrounded by family and friends. Why is this? Because they had become true free men. They went from being slaves to Pharaoh to being servants of Hashem, a status that defies any form of subjugation either to oneself or to any other human being.

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Vort from the Rav: Emorz

Vayikra 25:36-37

אַל תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתִרְבִּית ... אֵת כֶּסֶף לֹא תִתֵּן לוֹ בְּנֶשֶׁךְ - *You shall not take from him interest or increase... You shall not give him your money with interest.*

The Torah absolutely forbids charging any type or amount of interest payments on loans. This prohibition is so severe that the Torah devotes five separate injunctions against it: once in *Exodus* 22:24, twice here, and twice again in *Deuteronomy* 23:21 and 22. The Torah even addresses a separate prohibition to the borrower against paying interest; he too is culpable for this sin.

To our minds, there seems to be nothing ethically or morally wrong with charging interest; it appears to be a natural way of doing business. Just as the

owner of a house, a car, or any other object is entitled to remuneration for renting out the item, so too should a lender of money be entitled to a return on his capital. The borrower, for his part, may gladly agree to pay for the use of this capital.

Yet the Torah emphatically prohibits the taking of interest, even if the interest is lower than the going rate of banks or other lending agencies. At the same time, the Torah does permit taking interest from a gentile, although robbing or cheating a gentile is categorically forbidden—suggesting that the gentile has not been injured or exploited by being charged interest. Why the severity of the prohibition only in regard to our fellow Jews?

The prohibition of charging interest can be understood based on the Torah's choice of the word אָחִיךָ, *your brother*, in describing the prohibition. True, there is nothing ethically wrong with charging interest. But if your own father or brother were to come to you for a loan, would you collect interest from them? Certainly not! This is the way the Torah wants us to consider the needs of every Jew. *If your brother becomes destitute*, when your fellow Jew becomes impoverished, he is to be viewed as *achicha*, your brother, your blood relative. Taking interest does not constitute a civil wrong, but rather a deficiency of high moral conduct.

Similarly, the laws of interest are found in the *Yoreh Deah* section of *Shulchan Aruch*, which normally deals with ritualistic precepts, rather than in the *Choshen Mishpat* section, which deals with civil law. Inserting the laws of interest in *Yoreh Deah* demonstrates that these laws are not categorized as *mitzvos bein adam lechaveiro*, to prevent exploitation of one's fellow man. Rather, charging interest to a fellow Jew belongs in the category of *mitzvos bein adam lamakom*, between man and his Creator. (*Halachic Positions*, Vol. 5, pp. 82-84)

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Meshech Chochmah
By Rabbi Yitzchok Adlerstein

This Land Is Your Land

When you come into the land that I give you, the land shall observe a Shabbos rest for Hashem. For six years you may sow your field, and for six years you may prune your vineyard...

Meshech Chochmah: Two opinions in the gemara[2] face off against each other regarding the attitude of a seller. One opinion has it that sellers part with the land they relinquish with a jaundiced eye. The transaction should be assumed to be constructed narrowly; the buyer is entitled to the bare minimum of what the document or agreement explicitly states, to the exclusion of rights and privileges that conceivably could have been bundled together with the land. A dissenting opinion sees the seller transferring property with a generous spirit. Various privileges that naturally "go" with the land can be assumed to have been implicit in the agreement.

The existence of two contradictory opinions indicates to us that there is some truth to both of those positions. Both are defensible! In examining the parallel case of a gift – rather than a sale – we find no disagreement. All agree that a gift comes with the trimmings. One who bestows a gift does so from a place of generosity.

Keeping this distinction in mind, let us return to our pesukim. The first serves as an introduction "When you come into the Land that I give you..." Should you think that the laws of shmitah are meant to limit your enjoyment of the Land into which I lead you, says Hashem, think again! The land is a gift, and gifts are given generously! It could not be otherwise. A sale would require some payment, some consideration given by the buyer to the Seller. Is there anything you can give Me?

You must understand shmitah otherwise. I wish you to fully enjoy the land and its produce. The gift is predicated, however, on you living up to a standard of holiness/ kedushah, and treating the Land as holy as well. "The Land shall observe a Shabbos rest for Hashem." The holiness of the Land is such that even if part of it is dedicated by you to Me, the laws of shmitah must be observed![3] I desire that you fill yourselves with the good of the Land. But the seventh year must testify to the place of the miraculous in My providence. Were there no other purpose for shmitah – and there certainly are! – it would be worthwhile to display the constancy of the miraculous, as the special blessing of the Land in the sixth year sustains it through the entire seventh.

Chazal[4] take note of the similarity between our "Shabbos rest for Hashem" and the Shabbos mentioned in Bereishis. This observation may have halachic importance. The styles of Shabbos and Yom Tov clash. Shabbos is set and fixed. It is just-so. Man has no say in determining to which calendar day it attaches. That decision is literally made in Heaven. Yom Tov, on the other hand, is set and determined by Man. Beis din, the Jewish court, has significant leeway in manipulating the date upon which an upcoming holiday will fall by accepting or not accepting witnesses who sighted the new moon, and in arranging ordinary and full months on the calendar. In our davening, we bless Hashem who "sanctifies Shabbos," but who "sanctifies Yisroel and the [special] times," meaning that He sanctifies Yisroel, who then use that holiness to sanctify the holidays.

This difference in style carries over to shmitah and yovel as well. Shmitah is a Shabbos, as shown above. Thus, if the preparatory steps leading to shmitah are not in place, shmitah will arrive on its own. Should the beis din not count off the years leading to shmitah as they are supposed to; should people fence off their property and prevent all entry – the laws of shmitah will still apply. The seventh year is a Shabbos, and Shabbos comes and goes as it pleases. Regarding yovel/ the fiftieth year, however, the Torah instructs.[5] "You shall sanctify the fiftieth year." The Torah treats yovel in much the same way that it treats Yom Tov. Both require sanctification by Man. Should the court fail to herald the yovel year through sounding the shofar; should servants not be freed, or land not returned to its familial owners – the other laws of yovel will simply not apply. There will be no prohibition in such a case of working the land.

Shmitah signifies Hashem's role as Creator, and therefore as Master and Owner of the land. Yovel, on the other hand, hinges upon awarding freedom to servants. It takes us back conceptually to winning our freedom from servitude in Egypt. Remembering the Exodus is an essential theme of each Yom Tov, a day that achieves its holiness only through the declaration of Man.

1. Based on Meshech Chochmah, Vayikra 25:2-3 2. Bava Basra 62B 3. If a vineyard is made hekdesch, the laws of ill apply – Yerushalmi Pesachim 4:9 4. Toras Kohanim 1:2 5. Vayikra 25:10

Thanks to hamelaket@gmail.com (with the help of Allen Klein) for collecting the following items:

In dedication of Mr. Emilio Goldstein ע"ה

from: Yeshiva.org.il <subscribe@yeshiva.org.il>

Missing the Reading

By Rabbi Yirmiyohu Kaganoff

Question #1: The Missing Speaker

The audience waited patiently for the guest speaker from America who never arrived, notwithstanding that he had marked it carefully on his calendar and was planning to be there. What went wrong?

Question #2: The Missing Reading

"I will be traveling to *Eretz Yisroel* this spring, and will miss one of the *parshiyos*. Can I make up the missing *kerias haTorah*?"

Question #3: The Missing Parshah

"I will be traveling from *Eretz Yisroel* to the United States after *Pesach*. Do I need to review the *parshah* twice?"

Question #4: The Missing Aliyah

"May I accept an *aliyah* for a *parshah* that is not the one I will be reading on *Shabbos*?"

Introduction:

The Jerusalem audience is waiting for the special guest speaker. The scheduled time comes and goes, and the organizer is also wondering why the speaker did not apprise him of a delay. Finally, he begins making phone calls and discovers that the speaker -- is still in Brooklyn!

What happened? Well... arrangements had been made for the speaker to speak on Wednesday of *parshas Behar*. Both sides confirmed the date on their calendars -- but neither side realized that they were not talking about the same date!

This year we have a very interesting phenomenon that affects *baalei keriyah*, calendar makers, those travelling to or from *Eretz Yisroel*, and authors whose articles are published in Torah publications worldwide. When *Acharon shel Pesach* falls on *Shabbos* in a leap year, there is a difference in the weekly Torah reading between what is read in *Eretz Yisroel* and what is read in *chutz la'aretz* -- for a very long period of time -- over three months -- until the *Shabbos* of *Matos/Masei*, during the Three Weeks and immediately before *Shabbos Chazon*. Although *Acharon shel Pesach* falls on *Shabbos* fairly frequently, most of the time this is in a common year, and the difference between the observances of *chutz la'aretz* and of *Eretz Yisroel* last for only a few weeks. The last time *Acharon shel Pesach* fell on *Shabbos* in a leap year was back in 5755.

Why the different reading?

When the Eighth Day of *Pesach*, *Acharon shel Pesach*, falls on *Shabbos*, in *chutz la'aretz*, where this day is *Yom Tov*, we read a special Torah reading in honor of *Yom Tov* that begins with the words *Aseir te'aseir*. In *Eretz Yisroel*, where *Pesach* is only seven days long, this *Shabbos* is after *Pesach* (although the house is still *chometz*-free), and the reading is *parshas Acharei Mos*, which is always the first reading after *Pesach* in a leap year (*Shulchan Aruch, Orach Chayim* 428:4). On the subsequent *Shabbos*, the Jews of *Eretz Yisroel* already read *parshas Kedoshim*, whereas outside *Eretz Yisroel* the reading is *parshas Acharei Mos*, since for them it is the first *Shabbos* after *Pesach*. Until mid-summer, *chutz la'aretz* will consistently be a week "behind" *Eretz Yisroel*. Thus, in Jerusalem, the Wednesday of *parshas Behar* is the 10th of *Iyar* or May 18th. However, in *chutz la'aretz*, the Wednesday of *parshas Behar* is a week later, on the 17th of *Iyar* or May 25th.

This phenomenon, whereby the readings of *Eretz Yisroel* and *chutz la'aretz* are a week apart, continues until the *Shabbos* that falls on August 6th. On that *Shabbos*, in *chutz la'aretz* *parshiyos Matos* and *Masei* are read together, whereas in *Eretz Yisroel* that week is *parshas Masei, parshas Matos* having been read the *Shabbos* before.

The ramifications of these practices affect not only speakers missing their engagements, and writers, such as myself, who live in *Eretz Yisroel* but write *parshah* columns that are published in *chutz la'aretz*. Anyone traveling to *Eretz Yisroel* during these three months will miss a *parshah* on his trip there, and anyone traveling from *Eretz Yisroel* to *chutz la'aretz* will hear the same *parshah* on two consecutive *Shabbosos*. Those from *Eretz Yisroel* who spent *Pesach* in *chutz la'aretz* discover that they have missed a *parshah*. Unless, of course, they decide to stay in *Eretz Yisroel* until the Nine Days. But this latter solution will not help someone who is living temporarily in *Eretz Yisroel* and therefore observing two days of *Yom Tov*. Assuming that he attends a *chutz la'aretz minyan* on *Acharon shel Pesach*, he will miss hearing *parshas Acharei Mos*.

Several *halachic* questions result from this phenomenon: Is a traveler or someone who attended a *chutz la'aretz minyan* on *Acharon shel Pesach* required to make up the missed *parshah*, and, if so, how? During which week does he review the *parshah shenayim mikra ve'echad Targum*? If he

will be hearing a repeated *parshah*, is he required to review the *parshah* again on the consecutive week? Can he receive an *aliyah* or "lein" on a Torah reading that is not "his" *parshah*?

Why doesn't chutz la'aretz catch up earlier?

First, let us understand why this phenomenon lasts for such a long time! After all, there are numerous weeks when *chutz la'aretz* could "double up" two *parshiyos* and thereby "catch up" to *Eretz Yisroel*. Why don't they double up *Acharei Mos/Kedoshim* the week after *Pesach*, or *Behar/Bechukosei*, which is only a few weeks later, rather than reading five weeks of *sefer Vayikra* and virtually all of *sefer Bamidbar* before straightening out the problem?

As you can imagine, we are not the first to raise this question. The question is discussed by one of the great sixteenth-century *halachic* authorities, the *Maharit* (*Shu"t Maharit*, Volume II, *Orach Chayim* #4). He answers that the reason why *chutz la'aretz* does not double the *parshah* earlier is because this would make *Shavuos* fall earlier than it should, relative to the *parshiyos*. Ideally, *Shavuos* should be observed between *Bamidbar* and *Naso*, and combining either *Acharei Mos* with *Kedoshim*, or *Behar* with *Bechukosei* pushes *Shavuos* until after *parshas Naso*.

Shavuos after Bamidbar

Why should *Shavuos* be after *Bamidbar*? The *Gemara* establishes certain rules how the *parshiyos* should be spaced through the year. The *Gemara* (*Megillah* 31b) explains: *Ezra decreed that the Jews should read the curses of the tochacha in Vayikra before Shavuos and those of Devarim before Rosh Hashanah. Why? In order to end the year together with its curses!* [The *Gemara* then comments:] *We well understand why we read the tochacha of Devarim before Rosh Hashanah, because the year is ending, but why is that of Vayikra read before Shavuos? Is Shavuos the beginning of a year? Yes, Shavuos is the beginning of a new year, as the Mishnah explains that the world is judged on Shavuos for its fruit!*

We see from this *Gemara* that we should plan the *parshiyos* in such a way that we read from the beginning of *Bereishis*, which we begin on *Simchas Torah*, until *parshas Bechukosei* at the end of *Vayikra* before *Shavuos*. We then space our *parshiyos* so that we complete the second *tochacha* in *parshas Ki Savo* before *Rosh Hashanah*.

One week or two?

However, this *Gemara* does not seem to explain our practice. Neither of these *parshiyos*, *Bechukosei* or *Ki Savo*, is ever read immediately before *Shavuos* or *Rosh Hashanah*. There is always at least one other *Shabbos* wedged between. This practice is already noted by *Tosafos* (*Megillah* 31b s.v. *Kelalos*). The *Levush* (*Orach Chayim* 428:4) explains that without the intervening *Shabbos* as a shield, the *Satan* could use the *tochacha* as a means of accusing us on the judgment day. The intervening *Shabbos*, when we read a different *parshah*, prevents the *Satan* from his attempt at prosecuting, and, as a result, we can declare: *End the year together with its curses!*

The *Maharit* explains that not only should we have one intervening *Shabbos* between the reading of the *tochacha* and the judgment day, we should preferably have only one *Shabbos* between the two. That is why *chutz la'aretz* postpones doubling a *parshah* until after *Shavuos*. (Indeed, *parshas Naso* is read in *Eretz Yisroel* before *Shavuos* in these years, but that is because there is no better option. In *chutz la'aretz*, since one can have the readings occur on the preferred weeks, *Shavuos* is observed on its optimal *Shabbos* reading.)

Why not Chukas/Balak?

However, the *Maharit* points out that this does not explain why the *parshiyos* of *Chukas* and *Balak* are not combined, although he notes that, in his day, some communities indeed did read the two together when *Acharon shel Pesach* of a leap year fell on *Shabbos*. The Syrian communities followed this practice and in these years combined *parshiyos Chukas* and *Balak* together, and read *Matos* and *Masei* on separate weeks. There is no Jewish community in Syria anymore today that reads *kerias haTorah*

according to this custom – for that matter, there is unfortunately no longer any Jewish community in Syria that reads *kerias haTorah* according to any custom. I am under the impression that the communities of Aleppo Jews currently living in Flatbush and in Deal, New Jersey, do not follow this approach, notwithstanding their strict adherence to the customs that they have practiced for centuries. I am not familiar with the custom of other Syrian communities.

To explain the common custom that does not combine the *parshiyos* of *Chukas* and *Balak*, the *Maharit* concludes that, once most of the summer has passed and the difference is only what to read on three *Shabbosos*, we combine *Matos* with *Masei* which are usually combined, rather than *Chukas* and *Balak*, which are usually separate. The two *parshiyos*, *Matos* and *Masei*, are almost always read together, and are separated only when the year requires an extra *Shabbos* reading, as it does this year in *Eretz Yisroel*. Truthfully, we should view *Matos* and *Masei* as one long *parshah* (making the combination the largest *parshah* in the Torah) that occasionally needs to be divided, rather than as two *parshiyos* that are usually combined.

The *Maharit* explains further that combining the *parshiyos* of *Matos* and *Masei* emphasizes that the reading for *Shabbos Chazon* should be *parshas Devorim* and for *Shabbos Nachamu* should be *parshas Va'eschanan*. This is important, because *parshas Va'eschanan* includes the section of the Torah that begins with the words *Ki solid banim... venoshantem*, which includes an allusion to the fact that *Hashem* brought about the *churban* two years early, in order to guarantee that *klal Yisroel* would return to *Eretz Yisroel*. To highlight the position of the *parshiyos* relative to *Tisha Be'Av*, it is appropriate that people see that *parshiyos Matos* and *Maasei* are doubled just now, for the sake of making *Devorim* and *Va'eschanan* fall on the proper *Shabbosos*.

One could explain the phenomenon more simply: *Matos* and *Masei* are read on separate weeks only when there simply are otherwise not enough readings for every *Shabbos* of the year.

In these occasional years when *Matos* and *Masei* are read separately, *parshas Pinchas* falls out before the Three Weeks -- and we actually get to read the *haftarah* that is printed in the *chumashim* for *parshas Pinchas*, *Ve'yad Hashem*, from the book of *Melachim*. In all other years, *parshas Pinchas* is the first *Shabbos* of the Three Weeks, and the *haftarah* is *Divrei Yirmiyahu*, the opening words of the book of *Yirmiyahu*, which is appropriate to the season. The printers of *chumashim* usually elect to print *Divrei Yirmiyahu* as if it is the *haftarah* for *parshas Matos*, and then instruct you to read it, on most years, instead as the *haftarah* for *Pinchas*. It is actually more logical to label *Divrei Yirmiyahu* as the *hatarah* appropriate for the first of the Three Weeks, and to print both *Ve'yad Hashem* and *Divrei Yirmiyahu* after *Pinchas*; *Ve'yad Hashem* for the occasional year when *Pinchas* falls before the 17th of Tamuz, and *Divrei Yirmiyahu* for the far more frequent year when it falls after, and instruct people that when there is a *haftarah* to be read just for *parshas Matos*, they should read *Divrei Yirmiyahu* which is located as the second *haftarah* printed after *parshas Pinchas*. But, then, the printers do not usually ask me what to do, electing instead to mimic what previous printers have done. This phenomenon affects practical *halachah*, but that is a topic for a different time. However, the printers' insistence to call *Ve'yad Hashem* the "regular" *haftarah* for *parshas Pinchas* has led to interesting questions.

from: Shabbat Shalom <shabbatshalom@ounetwork.org>

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Rabbi Lord Jonathan Sacks

Family Feeling – Rabbi Jonathan Sacks

I argued in *Covenant and Conversation Kedoshim* that Judaism is more than an ethnicity. It is a call to holiness. In one sense, however, there is an

important ethnic dimension to Judaism. It is best captured in the 1980s joke about an advertising campaign in New York. Throughout the city there were giant posters with the slogan, "You have a friend in the Chase Manhattan Bank." Underneath one, an Israeli had scribbled the words, "But in Bank Leumi you have *mishpochah*." Jews are, and are conscious of being, a single extended family. This is particularly evident in this week's parsha. Repeatedly we read of social legislation couched in the language of family: When you buy or sell to your neighbour, let no one wrong *his brother*. (Lev. 25:14)

If your brother becomes impoverished and sells some of his property, his near redeemer is to come to you and redeem what *his brother* sold. (25:25)

If *your brother* is impoverished and indebted to you, you must support him; he must live with you like a foreign resident. Do not take interest or profit from him, but fear your God and let *your brother* live with you. (25:35-36)

If *your brother* becomes impoverished and is sold to you, do not work him like a slave. (25:39)

"Your brother" in these verses is not meant literally. At times it means "your relative", but mostly it means "your fellow Jew". This is a distinctive way of thinking about society and our obligations to others. Jews are not just citizens of the same nation or adherents of the same faith. We are members of the same extended family. We are – biologically or electively – children of Abraham and Sarah. For the most part, we share the same history. On the festivals we relive the same memories. We were forged in the same crucible of suffering. We are more than friends. We are *mishpochah*, family. The concept of family is absolutely fundamental to Judaism. Consider the book of Genesis, the Torah's starting-point. It is not primarily about theology, doctrine, dogma. It is not a polemic against idolatry. It is about families: husbands and wives, parents and children, brothers and sisters. At key moments in the Torah, God himself defines his relationship with the Israelites in terms of family. He tells Moses to say to Pharaoh in his name: "My child, my firstborn, Israel" (Ex. 4:22). When Moses wants to explain to the Israelites why they have a duty to be holy he says, "You are children of the Lord your God" (Deut. 14:1). If God is our parent, then we are all brothers and sisters. We are related by bonds that go to the very heart of who we are.

The prophets continued the metaphor. There is a lovely passage in Hosea in which the prophet describes God as a parent teaching a young child how to take its first faltering steps: "When Israel was a child, I loved him, and out of Egypt I called my son ... It was I who taught Ephraim to walk, taking them by the arms ... To them I was like one who lifts a little child to the cheek, and I bent down to feed them." (Hosea 11:1-4). The same image is continued in rabbinic Judaism. In one of the most famous phrases of prayer, Rabbi Akiva used the words *Avinu Malkenu*, "Our Father, our King". That is a precise and deliberate expression. God is indeed our sovereign, our lawgiver and our judge, but before He is any of these things He is our parent and we are His children. That is why we believe divine compassion will always override strict justice.

This concept of Jews as an extended family is powerfully expressed in Maimonides' *Laws of Charity*:

The entire Jewish people and all those who attach themselves to them are like brothers, as [Deuteronomy 14:1] states: "You are children of the Lord your God." And if a brother will not show mercy to a brother, who will show mercy to them? To whom do the poor of Israel lift up their eyes? To the gentiles who hate them and pursue them? Their eyes are turned to their brethren alone.^[1]

This sense of kinship, fraternity and the family bond, is at the heart of the idea of *Kol Yisrael arevin zeh bazeh*, "All Jews are responsible for one another." Or as Rabbi Shimon bar Yohai put it, "When one Jew is injured, all Jews feel the pain."^[2]

Why is Judaism built on this model of the family? Partly to tell us that God did not choose an elite of the righteous or a sect of the likeminded. He chose a family – Abraham and Sarah's descendants -- extended through time. The

family is the most powerful vehicle of continuity, and the kinds of changes Jews were expected to make to the world could not be achieved in a single generation. Hence the importance of the family as a place of education (“You shall teach these things repeatedly to your children ...”) and of handing the story on, especially on Pesach through the Seder service. Another reason is that family feeling is the most primal and powerful moral bond. The scientist J. B. S. Haldane famously said, when asked whether he would jump into a river and risk his life to save his drowning brother, “No, but I would do so to save two brothers or eight cousins.” The point he was making was that we share 50 per cent of our genes with our siblings, and an eighth with our cousins. Taking a risk to save them is a way of ensuring that our genes are passed on to the next generation. This principle, known as “kin selection”, is the most basic form of human altruism. It is where the moral sense is born.

That is a key insight, not only of biology but also of political theory. Edmund Burke famously said that “To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections. It is the first link in the series by which we proceed towards a love to our country, and to mankind.”^[3] Likewise Alexis de Tocqueville said, “As long as family feeling was kept alive, the opponent of oppression was never alone.”^[4]

Strong families are essential to free societies. Where families are strong, a sense of altruism exists that can be extended outward, from family to friends to neighbours to community and from there to the nation as a whole. It was the sense of family that kept Jews linked in a web of mutual obligation despite the fact that they were scattered across the world. Does it still exist? Sometimes the divisions in the Jewish world go so deep, and the insults hurled by one group against another are so brutal that one could almost be persuaded that it does not. In the 1950s Martin Buber expressed the belief that the Jewish people in the traditional sense no longer existed. *Knesset Yisrael*, the covenantal people as a single entity before God, was no more. The divisions between Jews, religious and secular, orthodox and non-orthodox, Zionist and non-Zionist, had, he thought, fragmented the people beyond hope of repair.

Yet that conclusion is premature for precisely the reason that makes family so elemental a bond. Argue with your friend and tomorrow he may no longer be your friend, but argue with your brother and tomorrow he is still your brother. The book of Genesis is full of sibling rivalries but they do not all end the same way. The story of Cain and Abel ends with Abel dead. The story of Isaac and Ishmael ends with their standing together at Abraham’s grave. The story of Esau and Jacob reaches a climax when, after a long separation, they meet, embrace and go their separate ways. The story of Joseph and his brothers begins with animosity but ends with forgiveness and reconciliation. Even the most dysfunctional families can eventually come together. The Jewish people remains a family, often divided, always argumentative, but bound in a common bond of fate nonetheless. As our parsha reminds us, that person who has fallen is our brother or sister, and ours must be the hand that helps them rise again.

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Ohr Somayach :: Torah Weekly

Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Parshat Behar Insights

Of Faith and Trust

"But the seventh year shall be a complete rest for the Land. A Sabbath for G-d." (25:4)

Sometimes trusting G-d isn't so easy.

In this week's Torah portion the Jewish People are told to put down tools once every six years and stop working the fields for a year. G-d tells them to

trust that He will provide for them. In the sixth year, He promises that miraculously there will be a bumper crop. This will keep them going for that year, and the next year and the eighth year. Because, of course, seeing as nothing will be planted in the seventh year, there will be nothing to harvest in the eighth. In other words, one year's crop becomes three. G-d says this is going to happen with clockwork regularity every seven years.

Sometimes, however, when it comes to our own lives it's not so easy.

That's the difference between emunah (faith) and bitachon (trust). We can believe that there is a G-d who created everything in existence, who continues to sustain reality from one second to the next, a G-d who rules over everything, everywhere, everyone, every second. But, when it comes to our own lives, we can still fall short in trusting Him when the going gets tough.

I'm often asked how Torah institutions, which receive little if any government assistance, manage to stay afloat financially. And we even are witness to a tremendous growth of the number and size of Torah educational schools worldwide, in addition to a growing number of families that are dedicated to Torah studies despite the high cost-of-living and no "natural" source of income to support a life of Torah.

How do all these institutions and families manage?

Well, let me tell you how one Rosh Yeshiva looks at it. This is a man who has on his shoulders the burden of supporting an institution whose yearly running costs are in six figures. On his last trip to America, he told his donors to prepare "tanks" to receive the outpouring of wealth that G-d is going to bestow on them.

Supporting Torah is a privilege, not a budgetary burden. In the desert, the Holy Ark needed no wagon to carry it from one encampment to the next because "to the sons of Kehat he (Moshe) did not give (wagons); since the sacred service was upon them, they carried on the shoulder." (Shmot 6:9)

In fact, no one carried the Aron. The Aron carried itself, and also those who "carried" it. The Aron carries its carriers. The Torah supports its supporters, not the other way round.

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By Rabbi Yissocher Frand

Parshas Behar

Let Him Who Is Without Guilt NOT Throw The Last Stone

The Sforno Argues "Let Him Who Is Without Guilt NOT Throw The Last Stone"

The pasuk in Parshas Behar teaches "If the hand of an alien and a resident with you will achieve, and your brother becomes impoverished with him, and he is sold to an alien, resident with you, or to an idol of an alien's family" [Vayikra 25:47]. The Torah is talking about a person who is so poor that he eventually needs to sell himself to a non-Jewish resident of Eretz Yisrael (a Ger Toshav whose relatives are idol worshippers) or to an "Eker Mishpachas Ger" which Rashi interprets as one who is sold to an idol itself, to be a servant for it. Rashi clarifies that the Jewish "servant of the idol" does not engage in actual worship of the idol, but he is its servant "who chops wood and draws water." In other words, he might be the gardener or the maintenance man for the church, rather than taking part in its rituals – but he needed to sell himself to the church, nevertheless.

The next pasuk continues: "After he has been sold, he shall have redemption; one of his brothers shall redeem him." [Vayikra 25:48]. The Torah says that we should try to redeem such a fellow. This means that if he owed X amount of dollars, so his only recourse was to sell himself to be a janitor in this church another Jew should bail him out – pay off the debt and redeem him so that he can start his life all over.

What type of person are we talking about over here? The Sforno writes on this last quoted pasuk – a person should not say, “I will throw a stone after the one who has fallen down already.” Rashi [on Vayikra 26:1] explains that we are talking about a person who was so money hungry that he did not keep the laws of Shmitah [the Sabbatical year requiring farmers to let their land lie fallow]. As a punishment, he suffers financial setbacks such that he needs to sell his movable property. If he does not recognize the warning sign and repent, he eventually needs to sell his land. Finally – if he does not repent – he fall so far down financially that he needs to sell himself.

Therefore, we are talking about someone whose belief in the Almighty was weak. He did not keep the laws of Shmitah; he did not act properly; and that is why he wound up in this situation. We might say he deserved what happened to him. Let him remain as the janitor of the church. He deserves it! To counteract this train of thought, the Sforno emphasizes, “No, do not say he deserves it. I will put the last nail in his coffin. Bail him out!”

This is an important lesson to us all: No matter how far a person may have drifted, we always need to try to rescue him. There is no person that is beyond redemption. A person with proper Torah values will not look down on someone in an unfortunate situation and say, “This person did it to himself”.

In Brisk, a young fellow went “off the derech“. He became an anarchist and burned an effigy of the czar. This was not twenty-first century America. This was Czarist Russia where there was no such thing as “Freedom of Expression”. This bochur from Brisk was certainly not an upstanding member of the Jewish community. He was an anarchist. The Czarist government arrested him and they were planning to execute him.

Rav Chaim Soloveitchik told his community, “The boy is Jewish. We need to raise funds for Pidyon Shevuyim [redemption of captives]. We need to bail him out.” People began to murmur against Rav Chaim. “This person did it to himself. What kind of idiot burns the czar in effigy?” This fellow certainly did not learn in the Brisker Kollel by Rav Chaim!

However, Rav Chaim was insistent. It was the eve of Yom Kippur and everyone came to shul for Kol Nidre. Rav Chaim did not come to shul. They went to his house and told him they could not start Kol Nidre without their Rabbi. Rav Chaim said, “I am not coming to shul to start Yom Kippur until everyone goes home and brings money to redeem this Jewish captive.” So it was. The community needed to go around ON YOM KIPPUR to raise money and redeem this anarchist.

Everyone had the attitude of “It’s his own fault. He deserves it. Let us throw the final stone onto his coffin.” However, this is not the Torah’s outlook. The Hashkafas HaTorah is “After he was sold, he shall be redeemed; one of his brothers must redeem him.” Even though he did it to himself and even though he did it to himself not only through his own mistakes, but also through his own religious laxity – still the Jewish attitude is – redeem him, anyhow.

In our time, when unfortunately many of our fellow brethren in Israel find themselves in unfortunate situations of their own doing, precisely because they were not honest and they did not faithfully fulfill Torah standards in their own behavior, the attitude cannot be “Listen, the person deserves it. He did it to himself. Let him sit and rot.” “After he is sold, he shall be redeemed; one of his brothers should redeem him.”

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Rav Kook Torah

Lag Ba'Omer: Elevated Souls

The Talmud in Sukkah 45b records the following pronouncement by the great mystic Rabbi Shimon bar Yochai:

“I have seen people of high attainments (“bnei aliyah”), but they are few. If there are a thousand, then I and my son are among them. If there are a hundred, then I and my son are among them. And if there are only two, then they are me and my son.”

How could Rabbi Shimon make such a bold - even boastful - claim?

Lost in Jaffa

Although he was chief rabbi of Jaffa, Rav Kook was not an expert in the streets and pathways of Jaffa. Once he went for a walk with Rabbi Zalman Shach, assuming that his companion knew the way. Soon it became apparent that Rabbi Shach was also unfamiliar with the area, and the two scholars realized that they were lost.

How did they find their way back? Rav Kook hid in a nearby courtyard while Rabbi Shach stopped a child and asked him where Rav Kook lived. After the boy described where to go, Rabbi Shach waited until he had left, approached Rav Kook, and together they returned home.

Jaffa

(Not long after this incident, an article appeared praising Rav Kook’s erudition and scholarship. The writer, who wanted to describe the Rav’s expertise in both the Babylonian and Jerusalem Talmuds, paraphrased a Talmudic phrase and wrote that “The paths of the Jerusalem [Talmud] are as clear to him as the streets of Jaffa.”

Rav Kook smiled when he heard about the article. “Woe to me,” he wryly observed, “if I were to know the Jerusalem Talmud the way I know the streets of Jaffa!”)

During his later years in Jerusalem, Rav Kook would spend short summer vacations in the quiet neighborhood of Kiryat Moshe. One evening, Rabbi Yitzchak Hutner, whom Rav Kook greatly favored, came to visit. The Rav went on a short walk with his young guest. Remembering what had happened in Jaffa, he asked his companion whether he knew the area; otherwise, he suggested, it would be best not to stray too far from the house, so they would not need to ask for directions.

Rabbi Hutner responded, “I am sure that if the Holy Temple were built and you were officiating as the High Priest, you would know every entrance and passageway of the Temple.”

Rav Kook considered this comment and humbly agreed. “Yes. With holy matters, one remembers.”

Souls of the Upper Realm

Rav Kook gave an original interpretation for Rabbi Shimon bar Yochai’s expression, bnei aliyah. One meaning of the word aliyah is ‘upper floor’ or ‘attic.’ (See, for example, II King 4:10.) The bnei aliyah are those lofty souls who live in the ‘upper floor’ of reality. Their point of reference is the spiritual world, and in order to understand the physical world - the bottom floor - they must lower their sights.

The vast majority of people are firmly entrenched in this world. Their point of reference is the physical realm. For them, comprehending the spiritual reality requires intense intellectual effort; they need examples and allegories based on the physical world in order to understand spiritual truths.

For the bnei aliyah, however, it is just the opposite. These elevated souls truly live in the spiritual realm. Understanding the workings of that elevated reality comes naturally to them, while relating to the physical world requires a measure of intellectual effort.

Thus Rabbi Shimon bar Yochai was simply reflecting on the basic orientation of his soul. He and his son were bnei aliyah, at home in the higher spiritual dimension. And it was from that elevated perspective that they viewed the physical world.

(Silver from the Land of Israel. Adapted from Mo'adei HaRe'iyah, pp. 81, 431; Arpilei Tohar (Shilat edition), p. 111)

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OU Staff

Lag BaOmer

Rabbi Shimon Bar Yochai

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Before the Cave

Life in cave Rabbi Shimon bar Yochai was a student of Rabbi Akiva, who was the spiritual leader of the Bar Kochba Revolt against Rome in 135 CE, which began in glory and ended in tragedy. His teacher was one of the four great Sages who entered the "Pardes," the "Orchard" (not to be confused with the OU's Pardes Program); specifically, who probed the depths of Kabbalah, and came out mentally and spiritually whole. Clearly, Rabbi Akiva was the recipient of a living tradition which he passed on orally to his beloved student, Rabbi Shimon.

As a student of the spiritual leader of the revolt, bar Yochai was pursued relentlessly by the Romans. He and his son, Rabbi Elazar ben Shimon, took refuge in a cave, where they remained for thirteen years.

In the Cave

During those years, Rabbi Shimon studied Torah with his son, the Revealed Torah and the Hidden, or Secret, Torah, the "Torat HaSod," also known as "Kabbalah," and translated, or mistranslated as "Jewish Mysticism."

Rabbi Shimon wrote down the latter material, for the first time, in a book called the "Zohar," meaning "Splendor" or "Radiance." This mystical tradition, kept alive by the RAMBAN, in his Commentary to the Bible, and others, resurfaced with a vengeance in the sixteenth century, and became the splendor and the glory of the "Ari" (the "Lion"), Rabbi Yitzchak Luria, and his followers in "Tzefat," or Safed, Palestine. It also became the basis of the unique spirituality of Chassidut, founded in the eighteenth century, by Yisrael ben Eliezer, the "Baal Shem Tov," in Eastern Europe.

The first time Rabbi Shimon came out of the cave, he was completely "out of tune" with the people of his generation. He observed Jews farming the land, and engaged in other normal pursuits, and made known his disapproval, "How can people engage themselves in matters of this world and neglect matters of the next world?"

Whereupon a Heavenly Voice was heard, which said "Bar Yochai, go back to the cave! You are no longer fit for the company of other human beings."

Rabbi Shimon went back to the cave, reoriented his perspective to some extent, and emerged again. This time, he was able to interact with the people of his generation, and become a great teacher of Torah, the Revealed and the Hidden.

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MI FIELD ES SU FIELD Rav Yochanan Zweig

And Hashem spoke to Moshe on Mount Sinai, saying: (25:1)

Parshas Behar begins with an in depth discussion of the laws of Shemittah. Rashi (ad loc) famously asks: Why is the discussion of the laws of Shemittah juxtaposed with "Mount Sinai"? In other words, why are the laws of Shemittah specifically attributed to being given on Mount Sinai when all the other Mitzvos were also given at Mount Sinai? Rashi answers that it is to teach us that just as Shemittah was taught at Mount Sinai, with all of its general rules and specific rules, so too all the Mitzvos were given at Mount Sinai with their accompanying general and specific rules. Yet Rashi does not explain why Shemittah is chosen as the representative example of this concept. Why was Shemittah picked as the specific Mitzvah to teach us what was taught at Mount Sinai? When the Torah relates the events leading up to Kabolas Hatorah, Rashi comments on the verse "and there Yisroel camped before the mountain" (Shemos 19:2). Rashi explains that a remarkable change had come over the Jewish people; "It was like a single man with a single purpose." In other words, there are two methods in which groups of people can come together. The first way is when a disparate set of personalities unite because they have a singular purpose; this is how Rashi describes Pharaoh rallying his Egyptian nation to chase down the Jewish people who were escaping Egypt - "a single purpose, a single man" (Shemos 14:10).

The second way is when people come together and unite as individuals and merge their identities into "a one," and then afterwards find a common purpose to fulfill the desires of the merged identity. This second method is what happened at Mount Sinai. Rashi (ad

loc) explains that the encampment at Mount Sinai was without any fighting or bickering. In a similar fashion, a person's left hand doesn't feel imposed upon by the right hand or the right hand isn't jealous if the left hand is being massaged, because they both serve the greater "whole." So too, at Mount Sinai Bnei Yisroel achieved a oneness that allowed them to live together in absolute harmony. This is how Bnei Yisroel received the Torah.

One feels perfectly comfortable going into their parents' home and opening the fridge or taking food from their pantry. The biggest challenge of keeping the mitzvah of Shemittah is that of letting others come into your field and take whatever they desire. The first Midrash Tanchuma on this week's Parsha describes the violators of Shemittah (those who profited by selling the fruits in their field - instead of letting whoever wanted to enter their field and collect it for free) as having a "begrudging eye." Meaning, instead of feeling that we are all one big family and we need to take care of each other, each landowner felt imposed upon by other Jews. We were NOT a united whole. Shemittah is the one Mitzvah where we need the unity that we attained at Mount Sinai. That is why it is the representative Mitzvah chosen to convey what happened at Mount Sinai.

Unfortunately, this "begrudging eye" was an epidemic of epic proportions. Rashi, in next week's Parsha (26:35), makes the calculation that NOT A SINGLE SHEMITTAH was observed once the Jews entered Eretz Yisroel. In fact, our first exile, after the destruction of the first Beis Hamikdosh, lasted for seventy years - exactly one year for every Shemittah that Bnei Yisroel failed to keep. Of course our current exile, which led to the destruction of the second Beis Hamikdosh, was because of Sinas Chinom - baseless hatred between Jews.

In other words, Shemittah is the representative mitzvah of all that ails the Jewish people because it represents the loss of the lesson that we learned on Mount Sinai. The Torah is teaching us that the only way to ever recover from our painful and way-too-long diaspora is to start treating all Jews as family and begin caring and looking out for each other. When we recognize that we are all cells of a single body there will be no more fighting and disagreements and this will bring the ultimate redemption.

A STITCH IN TIME?

If your brother becomes poor and loses his ability to support himself in the community, you must hold on to him... (25:35)

Rashi (ad loc) comments on this verse: "Do not permit him to fall completely but rather strengthen him from the time his hand begins to falter. This is similar to a burden on a donkey. While the donkey is (struggling with his falling burden but) still standing, a single individual can grab a hold of it and straighten it (thereby preventing the donkey from collapsing under its lopsided weight). Once the donkey has fallen to the ground, not even five individuals can set it back in its place." In other words, it's better to spend a little time and effort to deal with a problem now than wait until it gets worse whereby it will likely take much more time and effort to remedy the situation. This seems rather simplistic. In fact, there is a well-known idiom "a stitch in time saves nine." Do we really need the Torah and Chazal to teach us this concept?

There is a very deep message being delivered here regarding the how and why people are motivated to do Chessed. When a family becomes impoverished, and falls further and further behind on their mortgage payments to the point that the bank threatens foreclosure, all of the sudden the community rallies behind them to address the situation immediately. In most situations, undoubtedly, many people knew that this family was struggling. Yet no one comes to their aid until the situation is a near calamity. Why?

The act of doing Chessed brings a feeling of accomplishment. The pleasurable feeling that comes with helping another, is the awareness that it is the right thing to do. People will always jump in to help when the pleasure of helping someone is most acute. This is the reason that pretty women that are stuck on the highway will get someone to come to their aid a lot faster than an old nonwhite person in the same situation. When a family is about to lose their home the feeling of accomplishment in preventing such a disaster is very tangible. Making an effort to find someone a job (which would prevent a bank default in the first place) isn't nearly as fulfilling. Yet, that is what the Torah mandates we do. The Torah is telling us that we must focus on what others need and not focus on the pleasure that comes with doing a kindness for others.