

TASTES OF THE MITZVOS

by Shlomo Katz

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Chukat

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Today's Learning:

Gittin 2:5-6

Orach Chaim 466:2-4

Daf Yomi (Bavli): Kiddushin 54

Daf Yomi (Yerushalmi): Berachot 8

Today marks the yahrzeit of R' Yekutiel Yehuda Halberstam z"l (1905-1994; the "Klausenberger Rebbe"), one of the most prominent chassidic rebbes to survive the concentration and death camps. Numerous stories are told of R' Halberstam's attempts to lift the spirits of those who shared the camps with him, and of his attempts to carry on a normal spiritual life in the camps.

On one occasion, R' Halberstam spoke to those around him of methods that help one succeed at Torah study. While most camp inmates thought only of physical survival, R' Halberstam's mind was on the spiritual concerns of "normal" times. He said:

Everyone asks why Parashat Chukat opens: "This is the decree of the Torah," rather than, "This is the decree regarding the Parah Adumah." The answer is that the Torah is giving three hints for success in Torah study: (1) review your studies 101 times (see Chagigah 9b); (2) picture G-d's Name before your eyes while one studies; and (3) study out loud.

Where are these alluded to in our verse? The verse begins "zot" / "_This_ is the decree of the Torah." In Hebrew, "zot" is the acronym of "zechor al tishkach" / "Remember! Do not forget [the Torah]." How? The verse continues: "That Hashem `tzivah' / commanded." The gematria of `tzivah' is 101. The next word in the verse is Hashem's Name, thus hinting that the next method is to picture Hashem's Name before his eyes. Finally, the next word is "laimor" / "saying," hinting to learning out loud. (Lapid Eish p. 166)

"This is the chukah / decree of the Torah . . ." (19:2)

Rashi writes: "Because the satan and the nations of the world tease the Jewish people, saying, 'What is this mitzvah and what is its reason?' -- therefore, the Torah calls it a chukah, as if to say: 'It is a decree from before Me, and you have no right to question it'."

R' Shimon Schwab z"l (1908-1995) makes the following observation regarding the search for the reasons behind the mitzvot:

We call the reasons for the mitzvot their "ta'amim," literally, their "tastes." One could make an analogy to the taste of food. Hashem made the taste of food appealing and pleasurable so that we would be attracted to the food and would obtain needed nutrients by eating it. The body gains these nutrients even if one's primary reason for eating is that the food tastes good. However, if one would eat without tasting the food, he would get the same nutrients and would derive the same health benefits.

Similarly, the ta'amei ha'mitzvot are merely the tastes of the mitzvot. They appeal to our intellectual and emotional "taste buds" and they may make the mitzvot more attractive. However, they are not the essence of the mitzvot, nor a prerequisite to mitzvah observance. (Rav Schwab on Prayer p. 552)

"Bnei Yisrael, the whole assembly, arrived at the Wilderness of Zin . . . Miriam died there and she was buried there." (20:1)

Rashi writes: Why is the death of Miriam juxtaposed to the mitzvah of Parah Adumah / the Red Heifer? To tell that just as the sacrifices [of which the Parah Adumah was one] atone, so the death of the righteous atones.

R' Eliyahu Hakohen Ha'Itamari z"l (Izmir, Turkey; died 1729) offers several additional answers: (1) Our Sages say that the Parah Adumah atoned somewhat for the sin of the Golden Calf. We also are taught that when Bnei Yisrael stood at Har Sinai, prior to making the Golden Calf, they achieved the spiritual level of Adam before his sin.

It is commonly said that man would not die had Adam not sinned. What this actually means, writes R' Ha'Itamari, is that man would not die as we know death. Man would, however, leave this world in the

same way that Chanoch and Eliyahu ascended to Heaven.

Rashi writes that Miriam did not die a normal death, but rather a special painless death reserved for the most righteous. This is why her death is juxtaposed to the Parah Adumah, for it reminds us that when complete atonement for the sin of the Golden Calf is achieved, death as we know it will disappear.

(2) The death of Miriam is juxtaposed to the mitzvah of Parah Adumah to teach us that after one repents and achieves atonement, as the Parah Adumah atones for the sin of the Golden Calf, one can achieve the status of a perfect tzaddik and can merit the special form of death that Miriam experienced.

(3) The death of Miriam is juxtaposed to the mitzvah of Parah Adumah because just as the Parah Adumah atoned for the Golden Calf, so the building of the Mishkan by Betzalel (Miriam's great-grandson) atoned for the sin of the Golden Calf. (Semuchin La'ad)

"Then Yisrael sang this song: 'Come up, O well, announce it!'" (21:17)

The midrash compares this verse to the verse (Shmot 15:1), "Then Moshe and Bnei Yisrael sang this song to Hashem . . ." Why, asks the midrash, is Moshe not mentioned in our verse? Because, says the midrash, earlier in the parashah his death was decreed as a result of the well, and one does not sing the praise of his hangman. Why is Hashem not mentioned in our verse? This may be compared to a king who is invited to a feast and responds, "If my loved ones will not be there, I will not come."

R' Eliyahu Dessler z"l (1892-1953; founder of the Gateshead Kollel and mashgiach of the Ponovezh Yeshiva in Bnei Brak) explains this midrash as follows: Chazal say that even the maidservants who were present at the splitting of the Yam Suf experienced a greater level of prophecy than the revelations seen by the prophet Yechezkel. How was this possible? asks R' Dessler. It was possible because Bnei Yisrael's teacher Moshe recognized Hashem's awesome wonders at that time, and he elevated Bnei Yisrael with him.

In contrast, Moshe himself did not experience the same level of revelation following the miracle of the well. After all, the well had caused Moshe's demise. And, since Moshe himself was not elevated at that time, his disciples, Bnei Yisrael, also could not attain a level of prophecy where they could sing properly in praise of Hashem.

R' Dessler observes: When one is dependent upon his teacher to show him Hashem's wonders, he will be unable to recognize any wonders that his master has not pointed out to him. However, this need not be the case; one can have many teachers, and even one's life experiences can be his teachers. One who so desires can recognize Hashem's hand in every object and in every event that occurs. (Michtav M'Eliyahu, Vol. II, p. 251)

"Hashem said, 'Do not fear him [Og] . . . ' " (21:34)

Rashi explains: Moshe was afraid that Og might be protected by the merit of Avraham, for Og was the refugee who came to inform Avraham that Lot had been kidnapped.

R' Yaakov Moshe Charlap z"l (rosh yeshiva of Yeshivat Merkaz Harav; died 1951) writes: How awesome! Og's intention in informing Avraham of Lot's fate was a nefarious one, as Rashi writes (Bereishit 14:13). Og's hope was that Avraham would be killed trying to rescue Lot and Og would marry Sarah.

Nevertheless, because Avraham realized a benefit from something that Og did, Moshe was afraid of Og. Moreover, Bnei Yisrael themselves had the merit of Avraham to protect them. From this we learn the greatness of an act of chessed, even one performed for selfish reasons. (Mei Marom, Vol. V)

Shemittah Observance Today

[For the next several weeks we will examine two of the halachic strategies that allow farmers in Eretz Yisrael to tend their orchards and fruit trees during the shemittah year and to harvest during the seventh year the vegetables that grew in the sixth year. We will begin this week with the concept of "Otzar Bet Din" / "the storehouse of the court." In future issues, we will discuss the "hetter mechirah," i.e., the selling of the Land to a non-Jew for the duration of the shemittah year.]

Rambam (Hil. Shemittah Ve'yovel 6:12) writes that one is permitted to pay a worker to bring him produce of shemittah if the payment is clearly for the worker's labor, not for the produce itself. Indeed, in the Talmudic-era work Tosefta we read that bet din took advantage of this halachah to ensure the distribution of produce to the entire community:

When the produce began to appear, the agents of bet din would sit at the entrances to the towns. If any person came with produce in his hands, they would take the produce from him and would return to him enough for three meals. The remainder of the produce would be placed in the storehouse in the city. (This was done to prevent people from conducting business using the produce of shemittah and to ensure that each type of produce was not eaten beyond the permitted time, i.e., beyond the time of year when it was available in the wild.)

When the time for gathering or harvesting each crop arrived, bet din would hire workers who would gather and process the produce and place it in the storehouse in the city. Every Friday, distributions would be made to each person according to the number of members in his household. (Tosefta Shevi'it, ch. 8:1-2, as explained by R' Yechezkel Abramsky z"l, Chazon Yechezkel).

Early in the Twentieth Century, some of the leading sages of Eretz Yisrael, including R' Chaim Berlin z"l, R' Avraham Yitzchak Hakohen Kook z"l and R' David Willowsky z"l (the "Ridvaz"), ruled that the

agent that the bet din appointed could be the owner of the property himself. This works as follows: The owner of the land appears before bet din at the beginning of shemittah and declares that the produce of his fields will be hefker / ownerless and available to all takers. Thereafter, bet din hires the owner as its agent to tend the land (to the extent permitted during shemittah) and to harvest whatever grows on behalf of all Jews who do not themselves come to the fields to gather food. In addition, bet din pays a rental fee for any farm equipment that the farmer/agent owns. In this way, the farmer earns a living during the shemittah and produce reaches the market. (Source: R' Avraham Hillel Goldberg shlita, Ha'aretz U'mitzvotcha p. 245)

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