

# UP CLOSE AND PERSONAL

*by Shlomo Katz*

## **Hamaayan / The Torah Spring Edited by Shlomo Katz**

### **Korach**

**Volume XV, No. 34  
2 Tammuz 5761  
June 23, 2001**

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Today's Learning:

Sotah 9:12-13

Orach Chaim 460:7-461:1

Daf Yomi (Bavli): Kiddushin 47

Daf Yomi (Yerushalmi): Berachot 1

Korach's rebellion, the focus of this week's parashah, is different in several respects from the other mutinies that occurred in the desert. Firstly, it was the only one that was directed at Moshe personally rather than at some aspect of Bnei Yisrael's desert experience (e.g., the food). Secondly, Korach's rebellion elicited a response from Moshe Rabbeinu like no other mutiny described in the Torah. In every case in which Bnei Yisrael sinned, Moshe pleaded with Hashem in their defense. Not so in Korach's case; to the contrary, Moshe called out to Bnei Yisrael: "Turn away now from near the tents of these wicked men and do not touch anything of theirs, lest you perish because of all of their sins." Then, Moshe called upon G-d to bring about the deaths of Korach and his leading cohorts through an unusual means.

At first glance, Moshe's response is shocking. After all, the Torah teaches that Moshe was the humblest of all men. Why, in the one case in which he was attacked personally, did Moshe react so

forcefully?

R' Ben Zion Rabinowitz shlita (the "Biala Rebbe") explains that Moshe had the halachic status of a king. According to halachah, a king may never forgo or forgive the honor due him. Moshe was humble, but he, too, was bound by halachah. If he showed any mercy to Korach, he would, in effect, be abdicating his throne.

There is a practical lesson in this for every Jew, adds R' Rabinowitz. Every Jew is a king in his own way. And, kabbalists teach that every Jewish soul has a spark of Moshe Rabbeinu within it. Thus, while every Jew is enjoined to be humble, that same Jew must stand up for his dignity like a king when the yetzer hara attacks. (Mevaser Tov, Yeshuat Avraham p. 344)

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*"Korach, the son of Yitzhar, the son of Kehath, the son of Levi, took . . ." (16:1)*

Rashi writes: This parashah is expounded upon nicely in the midrash of Rabbi Tanchuma.

R' David Halevi z"l (the "Taz"; 1586-1667) asks: How can Rashi write this? After all, the Sages have said that it is forbidden to say, "This halachah is nice and this halachah is not nice." Even if he says only, "This halachah is nice," it implies that other halachot are not.

He answers: On the peshat / literal or contextual level, the phrase "Korach . . . took" seems to have no meaning. Korach rebelled, but what did he take? Rashi is therefore telling us that this phrase is expounded upon nicely in the midrash of Rabbi Tanchuma. In other words, although the Midrash Tanchuma usually interprets the verse on the level of derush, not peshat, here there is no way to understand the verse except as explained by that midrash. (Divrei David)

*"Korach, the son of Yitzhar, the son of Kehath, the son of Levi, took . . ." (16:1)*

Rashi writes: The lineage does not continue with "the son of Yaakov" because Yaakov requested mercy for himself that his name should be mentioned in connection with dissension, as it is written (in Yaakov's final words to his sons, Shimon and Levi -- Bereishit 49:5), "Into their conspiracy may my soul not enter."

R' Mordechai Ze'ev Margulies z"l (Poland; died 1892) asks: What did Yaakov mean by "may my soul not enter"? Indeed, what difference did it make to him whether his name was mentioned or not, since we know in any case that Levi was his son?

He explains: When a person studies Torah and follows a proper path, his ancestors are "crowned" in Gan Eden. On the other hand, if one does not follow his proper path, his ancestors in Gan Eden are forced to leave their "seats" and move to other places within Gan Eden. [Obviously, these are metaphors for, respectively, reaching higher levels and falling to lower levels.] Thus Yaakov prayed, "Into their conspiracy may my soul not enter" - may it not be disturbed in Gan Eden because of their

activities. And, his prayer was answered, as is evident from the fact that he is not counted by the Torah as an ancestor of Korach. (Kol Ramaz)

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## The Talmud Yerushalmi

Today (Shabbat) marks the beginning of a new cycle for the Talmud Yerushalmi Daf Yomi, the daily study of one folio (two sides of a page) of the Jerusalem or Palestine Talmud. In honor of this occasion, the following information is presented regarding the Talmud Yerushalmi, a work which is neither as well known, nor as widely studied, as its more famous counterpart, the Talmud Bavli.

While the completion of the Daf Yomi cycle in Talmud Bavli draws myriads of people to places such as Madison Square Garden, the study of Talmud Yerushalmi was for centuries the special province of only the most advanced Talmud scholars. It was R' Simcha Bunim Alter z"l (the "Gerrer Rebbe" from 1977 until his passing on 7 Tammuz 1992) who conceived of the daily study of one daf / folio in the Talmud Yerushalmi, such as was already popular in the Talmud Bavli.

What is the Talmud Yerushalmi? The Yerushalmi, for short, is the Mishnah commentary of the Sages of Eretz Yisrael from the third century C.E. Throughout the period of the second Bet Hamikdash (which was destroyed in 70 C.E.) and continuing for several centuries afterward, there were two primary centers of Torah study in the world, one in Bavel (today, Iraq) and one in Eretz Yisrael. Until the compilation of the Mishnah by R' Yehuda Hanassi (died 192 C.E.), the primary Torah center was in Eretz Yisrael. Thereafter, the center of Torah study gradually shifted to Bavel, but many prominent Sages such as R' Yochanan and Reish Lakish could be found in Eretz Yisrael. It was Rabbi Yochanan (died 288 C.E.) who authored the Yerushalmi.

Why is the Talmud Yerushalmi not widely studied? One primary reason that the Yerushalmi is not widely studied is that its counterpart, the Talmud Bavli, has been universally accepted as the source of normative halachah. The primary reason for this fact is as follows:

We are taught that as time passes and we become more distant from the Giving of the Torah, our ability to understand the Torah's teachings diminishes. Thus, a contemporary halachic authority could not disagree with the unanimous or widely accepted opinion of the Rishonim / medieval authorities. Nevertheless, it is accepted that when two Sages who were relatively equal and relatively close in time disagree regarding a certain ruling, the halachah will follow the view of the later one. He, after all, had the opportunity to study the ruling of his earlier colleague in formulating his own opinion.

The Talmud Yerushalmi predates the Talmud Bavli by approximately 200 years. Moreover, the Sages of the Yerushalmi are quoted throughout the Bavli, thus indicating that their opinions were considered and weighed. Thus, the Talmud Bavli, has been universally accepted as the source of normative halachah. (Other reasons have been given as well, for example, the fact that economic

and political conditions in Bavel were more suited to in-depth Torah study.)

What is the importance of the Talmud Yerushalmi? Although, as noted, the halachah will generally follow the Bavli if it disagrees with the Yerushalmi, the Yerushalmi still is important for several reasons. First, the Yerushalmi discusses many halachot that the Bavli does not address in depth, most notably the agricultural laws that apply only in Eretz Yisrael, but also other laws. Second, because there are many overlapping discussions in the two Talmuds, the Yerushalmi can often be helpful in clarifying the meaning of the Bavli.

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### **Selected Laws of Shemittah** **(From Rambam's Mishneh Torah, Hil. Shemittah Ve'yovel, ch. 6)**

[Ed. note: This year is a shemittah year, and, from time-to-time, we are presenting excerpts from the laws of shemittah. As with any halachic issue addressed in Hamaayan, our goal is to increase awareness of the subject, not to provide practical halachic guidance. For such advice, consult a competent rabbi.]

10. Money that has the holiness of shemittah [i.e., money that was received in exchange for fruits of shemittah] may not be used to pay a debt, or given as shoshvinot / items of value that were lent to a groom to enhance the appearance of his wedding, or to repay a favor, or to fulfill an assessment for tzedakah for the poor. However, one may send such money in a gemilut chessed package so long as one informs the recipient. [The reason that tzedakah is prohibited but chessed is permitted is that the tzedakah referred to here is an assessment, i.e., a debt, while the chessed is voluntary. Alternatively, the tzedakah referred to here will not be used to buy food. (Minchat Bikkurim to Tosefta, Shevi'it 7:6)]

11. One may not use this money to pay the bathhouse attendant, the barber, the ferry operator, or any other workman. However, one may use it to pay the one who draws drinking water from the well. It also is permitted to give the workman fruits of shemittah or money of shemittah as a gift.

12. If one says to a laborer, "Take this coin and collect vegetables for me today," the money may be enjoyed by the worker and it is not considered money of shevi'it; it may be used for any purpose that the laborer desires. [The reason is that it is considered to be payment for the laborer's trouble, not for the fruits of shemittah (Kehati to Shevi'it 8:4; see also Kessef Mishneh)] . . . If he said to the laborer, "Take this coin and collect vegetables equal to it for me today," the money is like the money of shemittah and it may not be spent except for fruit and drink like the money of shemittah.

Sponsored by Irving and Arline Katz on the yahrzeit of mother Sarah Katz a"h (Sarah bat Yitzchak Hakohen) Mr. and Mrs. Jacob S. Edeson, and Raizel and Tommy Stern in honor of the first birthday of Dovid Levy Stern

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