

ACQUIRING TORAH

by Shlomo Katz

Hamaayan / The Torah Spring Edited by Shlomo Katz

Tazria-Metzora

Volume XV, No. 23

5 Iyar 5761

April 28, 2001

Today's Learning:

Nazir 2:5-6

Orach Chaim 429:2-431:1

Daf Yomi (Bavli): Gittin 80

Daf Yomi (Yerushalmi): Avodah Zarah 14

Most of the "double-parashah" which we read this week is devoted to the laws of tzara'at which, our Sages teach, was a punishment for speaking lashon hara. The gemara (Erachin 15b) teaches: How does one atone for the sin of lashon hara? If he is a Torah scholar, he should engage in Torah study, and if not, he should humble himself."

This teaching requires explanation, says R' Heschel z"l (Krakow, Poland; died 1663). Since we are taught that one's repentance must "fit" the sin, why does a Torah scholar have a different means of achieving atonement for lashon hara than do other people? He answers:

The gemara teaches that a Torah scholar may not forego the honor due him. If so, the gemara asks, how did Hashem serve as a guide for Bnei Yisrael in the desert? [Hashem is obviously a Torah scholar. Was it not beneath his dignity to serve as a travel guide?] The gemara answers, "Hashem is different, for the whole world is His. A Torah scholar does not own the Torah [so he cannot relinquish

its honor]."

The gemara then asks: But do we not read (Tehilim 1:2), "In his Torah he meditates day and night" - suggesting that the Torah scholar does own the Torah? The gemara answers: "After he studies it, it becomes his."

In short, the true atonement for speaking lashon hara comes from humbling oneself [for it is haughtiness and arrogance which causes a person to speak ill of others]. However, a Torah scholar is forbidden to humble himself and to forego the honor due to the Torah unless he has acquired the Torah and made it his. Thus, a Torah scholar who has spoken lashon hara must first engage in Torah study in order to achieve forgiveness for his sin. (Chanukat Ha'Torah)

"When you arrive in the land of Canaan that I give you as a possession ('achuzah'), and I will place a tzara'at affliction upon a house in the land of your possession." (14:34)

The gemara (Yoma 12a) learns from this verse: "A house in your 'possession' can become defiled by tzara'at, but a house in Yerushalayim cannot become defiled by tzara'at." Why? Because Yerushalayim was not given to any tribe when the land was divided, and it therefore is not "the land of your possession."

R' Shmuel Deutsch shlita (a rebbe in Yeshivat Kol Torah in Yerushalayim) discusses the following questions that the commentaries raise regarding the above statement. First, Tosafot asks: The gemara (Zevachim 53b) teaches that the reason that the southeastern corner of the Temple altar had no "yesod" / base was that three of the altar's corners were in the territory of the tribe of Binyamin, while the southeastern corner was in the territory of Yehuda. If this is so, why does the gemara state in Tractate Yoma that Yerushalayim was not allotted to any of the tribes? Apparently, the Temple site, which was in Yerushalayim, was assigned to the tribes just like the rest of the Land!

Furthermore, R' Avraham Yeshayahu Karelitz z"l (the "Chazon Ish"; 1879-1953) notes that we read explicitly both in the Book of Yehoshua and in the Book of Shoftim that Yerushalayim was divided between the tribes of Yehuda and Binyamin, just as the rest of Eretz Canaan was divided among the tribes! What then is the meaning of the gemara quoted above?

R' Deutsch answers: There are two kinds of rights that were given to Bnei Yisrael in Eretz Canaan. One is called "nachalah" / inheritance, and the other is called "achuzah" / possession. The former implies that the land's holder has the right to pass-on ownership of the property to his heirs; the latter implies the right to use the property. When the gemara says that Yerushalayim was not given to any tribe, it means that no tribe exercised achuzah-rights, i.e., had possession of, or dominion over, Yerushalayim. In that sense, Yerushalayim remained the property of all of Israel. However, geographically speaking, Yerushalayim stood on land that was part of the inheritance ("nachalah") of the tribes of Yehuda and Binyamin. Although these tribes could not put their inheritance to any

practical use, it was nevertheless theirs.

This distinction between "achuzah" and "nachalah" is found in many chapters of Tanach. For example, in Parashat Pinchas, we read that the daughters of Tzelofchad asked Moshe to give them an "achuzah," but G-d responded that they would receive a "nachalah" and an "achuzah." In other words, the daughters of Tzelofchad requested only that they be given a plot of land to use during their lifetimes, but Hashem said, "No! Not only will I give you land that you can call your own, it will pass to your children as an inheritance." This explains why the elders of Tzelofchad's tribe (who were afraid that the land would pass out of their tribe's possession when the daughters of Tzelofchad married) did not voice an objection immediately when Tzelofchad's daughters made their request, but only after G-d had spoken. Tzelofchad's daughters' request would not have caused their tribe to lose any land, for the women sought only to hold a parcel of land for their lifetimes. If, however, they received a "nachalah" as well, and then married men from other tribes, their father's tribe would be the loser. (Birkat Kohen)

Pirkei Avot

"Beware of rashut / rulers, for they befriend someone only for their own benefit; they act friendly when it benefits them, but they do not stand by someone in his time of need." (Chapter 2, mishnah 3)

R' Don Yitzchak Abarbanel z"l (1437-1508; advisor to King Ferdinand and Queen Isabella of Spain and an important Torah commentator) writes: Rulers are called "rashut" because everything is in their "reshut" / possession or control. One who serves a ruler should be very cautious with his words, in his awe of the ruler and in the alacrity with which he fulfills his assignments, and he should not count on having his mistakes forgiven because of the ruler's love for him.

Also, this mishnah includes another warning: Do not allow your pride in your closeness to the ruler to cause you to take advantage of other people or to pain them. This is because rulers do not love any person inherently; rather, they appear to love people as long as those people can benefit them.

This is what King Shlomo meant when he wrote (Mishlei 21:1): "Like streams of water is the heart of the king in the hands of Hashem . . ." Just as water flows quickly and does not retain a shape, so the heart of the king changes rapidly. Where then can one find security? "In the hands of Hashem," i.e., by serving Him. This, says R' Abarbanel, is why our mishnah is placed adjacent to the next mishnah, which states, "Treat His will as if it were your own will . . ." (Nachalat Avot p. 100)

R' Eliezer Zvi Safran z"l (the "Komarno Rebbe"; died 1898) offers a less literal interpretation of this mishnah:

A "reshut" is something which is optional, neither mandatory nor forbidden. The Torah warns us to be careful around things which are "reshut," for they often lead one to transgress. [For example, eating is a "reshut," but it may lead to over-indulging, which is sinful.]

Things which are in the category of reshut "befriend someone only for their own benefit," i.e., they benefit the body, which is in the control of the yetzer hara. "They act friendly when it benefits them," i.e., a person thinks that material things are his friends, "but they do not stand by someone in his time of need," i.e., in the World-to-Come. (Zekan Beito p. 165)

Introductions . . .

This week, we present excerpts from the introduction to Likutei Halachot by R' Yisrael Meir Hakohen z"l (the "Chafetz Chaim"; circa 1838 - 1933). Besides authoring such popular works as the halachic code, Mishnah Berurah, and several works discussing the laws and the evils of lashon hara, the Chafetz Chaim took it upon himself to encourage scholars, especially kohanim, to study the laws of the Temple service. Likutei Halachot, a compendium of such laws, was written to further that goal, as the Chafetz Chaim explains in his introduction:

Learning Torah may be divided into two parts: (1) learning to know the mitzvot and to observe them, which involves learning things which have application today -- this type of learning precedes everything -- and (2) learning those things which do not have direct application in our times, for example Zera'im / the agricultural laws and Taharot / the laws of ritual purity. [Ed. note: These words were written in 1899, when there was not yet a significant Torah-observant farming community in Eretz Yisrael.] This latter type of learning is very dear in G-d's eyes, for it shows that one values G-d's words and wants to toil in them and understand them. [Ed. note: This is shown more so when one studies things that have no practical use.] Know! Learning the laws of Kodshim / the sacrifices, although they also are of no practical consequence today, is very, very lofty. It says in the midrash that it is regarding Kodshim that the verse says (Tehilim 19:9): "The command of Hashem is clear, enlightening the eyes." The midrash lists this as nearly the highest form of Torah learning. When one learns these laws today, it is as if he has sacrificed sacrifices, as it is taught at the end of Tractate Menachot. . .

The gemara says regarding the verse (Malachi 1:11): "In every place, it is brought up in smoke and brought near for My Name" -- is it possible that sacrifices are brought in every place? Rather, this refers to Torah scholars who study the laws of the sacrifices, and G-d considers it as if they have brought sacrifices. . .

It always amazed me [the Chafetz Chaim writes] that rather than devoting extra effort to learning this Order [i.e., the section of the Talmud called Kodshim], which, after all, would fulfill the mitzvah of learning Torah and be equivalent to bringing sacrifices, the Order of Kodshim is neglected to such an extent that the great Torah scholars and the average ignoramus are equal in their knowledge of it. Most students of Torah do not even know those laws of the sacrifices to which numerous verses are devoted in the Torah. If it was announced that the Bet Hamikdash had been built, the lowliest among Israel would not hesitate to spend tens of rubles to reach our Holy Land and to bring an olah-

offering before Hashem . . . , but we don't seem to care that Hashem has assured our holy Patriarchs that our learning these laws is equivalent to bringing a sacrifice, without traveling and without great expense. It is very close to us. Each person can find his atonement in his own house or study hall just by studying these laws - yet we are negligent in this.

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The editors hope these brief 'snippets' will engender further study and discussion of Torah topics ("lehagdil Torah u'leha'adirah"), and your letters are appreciated. Web archives at [Project Genesis](#) start with 5758 (1997) and may be retrieved from the [Hamaayan](#) page. Text archives from 1990 through the present may be retrieved from <http://www.acoast.com/~sehc/hamaayan/>. Donations to HaMaayan are tax-deductible.
