

# WHO CAN GUARANTEE IT?

*by Shlomo Katz*

## Parshas Bamidbar

### Who Can Guarantee It?

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Today's Learning:  
Zevachim 10:5-6  
O.C. 146:2-4  
Daf Yomi (Bavli): Sotah 7  
Daf Yomi (Yerushalmi): Ketubot 15

Parashat Bemidbar, which is devoted in part to the genealogy of the Jewish People, is always read shortly before the holiday of Shavuot. A number of midrashim observe that this is not coincidental. One midrash states, for example, that the Torah was given to Bnei Yisrael because of their genealogy.

R' Shmuel Guntzler z"l (1834-1911; rabbi of Oyber Visheve, Hungary) explains in light of another midrash which states: When Yisrael stood at Har Sinai, Hashem asked them, "Who will guarantee your observance of Torah?" Bnei Yisrael answered, "Our forefathers," but Hashem responded that those were not adequate guarantors. "Our children," Bnei Yisrael then said, and Hashem responded,

"Your children are certainly good guarantors." This, the midrash concludes, is the meaning of the verse (Tehilim 8:3), *"Out of the mouths of babes and sucklings you have established ohz / strength."* ["Ohz" refers to the Torah, as is written (Tehilim 29:11), *"Hashem will give ohz to His nation."*] And, this, writes R' Guntzler, is the meaning of the midrash that the Torah was given because of our genealogy, i.e., our children.

However, this itself requires explanation. How do our children serve as guarantors of our mitzvah observance? R' Guntzler explains further:

Yet another midrash teaches that Hashem sent His Torah into this world only on the condition that He could reside near it, so-to-speak. This is why the Mishkan and, later, the Bet Hamikdash, were built. But what about when there is no Bet Hamikdash? The Gemara (Shabbat 119b) teaches that the world exists in the merit of the Torah study of young children. They are the "mishkan." Why is the Torah study of young children so precious? After all, a seasoned adult scholar studies on a far deeper and more meaningful level! Nevertheless, the Torah uttered by the mouths of children - mouths not yet sullied by sins such as lashon hara (because the sins of minors do not "count") - is very dear to Hashem. (Meishiv Nefesh)

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*"Take a census of the entire assembly of Bnei Yisrael according to their families, according to their fathers' household, by number of the names, every male according to their head count."* (Bamidbar 1:2)

R' Amram Zvi Gruenwald z"l (dayan / rabbinical court judge in Oyber Visheve; later rabbi in the Fernwald Displaced Persons camp) observes: At the end of last week's parashah we read (Vayikra 27:33-34), *"He shall not distinguish between good and bad and he should not substitute for it . . . These are the commandments that Hashem commanded Moshe to Bnei Yisrael on Har Sinai."* Verse 33 teaches that when one sets aside Ma'aser Beheimah / a tithe from his animals, he must give each tenth animal regardless of its quality. By placing "These are the commandments . . .", right after the just-mentioned halachah, verse 34 teaches us to have the same attitude toward all mitzvot. This alludes to the Mishnah (Avot ch.2), "Be as careful with a seemingly light mitzvah as with a seemingly strict mitzvah, for you do not know the reward associated with each mitzvah." Finally, our verse, by being placed next to the preceding two verses, teaches us to practice a similar attitude towards all people. (Zichron Amram Zvi)

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*"And with you shall be one ish / man from each tribe; ish / a man who is a leader of his father's household."* (Bamidbar 1:4)

The word "ish" commonly denotes a person of spiritual stature. Why? R' Chaim Yehuda Meir Hager z"l (the Vishever Rebbe in Tel Aviv; died 1968) explains: The Mishnah (end of Masechet Uktzin) teaches, "Hashem is destined to reward each tzaddik with 310 worlds." Our Sages also teach that:

"One hour of Torah and good deeds in this world is worth more than an entire lifetime of Olam Haba." The gematria of ish equals 311, one more than the number of worlds in the tzaddik's reward. This signifies the Torah and good deeds - more valuable than Olam Haba -- that the man of stature performs. (Zecher Chaim)

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*"These were the kru'ai / ones summoned by the assembly, the leaders of their fathers' tribes, they are the heads of Israel's thousands." (Bamidbar 1:16)*

The word kru'ai, which should be spelled "kuf-raish-vav-aleph-yud," is in fact spelled with an extra yud instead of the vav, as if it said kree'ai. Why?

R' Eliezer David Gruenwald z"l (rabbi and rosh yeshiva of Oyber Visheve and other Hungarian towns; died 1928) explains: The greatest Jewish leaders have also been the most humble. The most obvious example is Moshe Rabbeinu, about whom we read (Bamidbar 12:3), *"Now the man Moshe was exceedingly humble, more than any person on the face of the earth."* Likewise, King David was very humble and said about himself (Tehilim 22:7), *"I am a worm and not a man."*

At the beginning of the Book of Vaykira, the word *"Vayikra"* (*"He called [to Moshe]"*) is written with a small letter aleph, as if the word really was *"Vayikar"* (*"He happened [upon Moshe]"*). Hashem allowed Moshe to write the Torah this way in deference to Moshe's humility. Similarly, here, writes R' Gruenwald, writing that the leaders of the tribes were "kree'ai" rather than "kru'ai" implies a certain degree of happenstance, in deference to their humility. (Keren L'David)

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*"Nadav and Avihu died before Hashem when they offered an alien fire before Hashem in the Wilderness of Sinai, and they had no children." (Bamidbar 3:4)*

This verse mentions two of the reasons that our Sages give for why Nadav and Avihu died: (1) they introduced an "alien" fire onto the altar in the Mishkan, and (2) they never married.

R' Mendel Hager z"l (rabbi, rosh yeshiva, and chassidic rebbe of Oyber Visheve; died 1941) explains that these are really two sides of one coin. Why did Nadav and Avihu never marry? Because they thought that earthly matters such as marriage have no place in the lives of people dedicated to holiness, such as themselves. Of course, they were wrong, as that is not the Torah's attitude. Indeed, their error may be seen in the halachah that even though G-d sends a fire from heaven to burn on the altar, man is obligated to light a fire there as well. The Torah expects earthly matters to be elevated to spirituality, not to be shunned entirely.

Given Nadav and Avihu's attitude, however, it was inconsistent for them to introduce an earthly fire onto the altar. That is why they were punished. (She'airit Menachem)

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## Pirkei Avot

"Exile comes to the world because of idolatry, adultery, murder, and [failure to observe] shemittah."  
(Chapter 5)

We are taught that G-d punishes man for his sins middah k'negged middah, i.e., the punishment fits the crime. On the simplest level, we can understand that one who transgresses the mitzvah of shemittah - a mitzvah which is specific to the Land of Israel - deserves to be exiled from that Land. However, R' Yisrael Meir Lau shlita (former Ashkenazic Chief Rabbi of Israel) suggests a deeper connection:

One purpose of the mitzvah of shemittah is to strengthen man's emunah / faith in G-d. Owning land and seeing it produce crops year after year gives a person a certain sense of power and security, thereby causing him to forget G-d's role in his success. By not sowing the fields for one year, one acknowledges that the fields belong to G-d and all sustenance comes from Him.

One who does not observe shemittah needs to learn the same lesson another way. Exile is meant to deprive a person of the sense of power and security that he had when he was a landowner.

[The prophet Yirmiyah foretold the first period of exile from Eretz Yisrael which our ancestors experienced. Based on verses in last week's parashah, our Sages say that one of the sins that caused that exile was the failure to observe shemittah]. Thus we read in Yirmiyah (5:1), *"Walk about in the streets of Yerushalayim, see now and know, and seek in its plazas; if you will find a man, if there is one who dispenses justice and seeks emunah, then I will forgive the [the city]."* Had the inhabitants of Yerushalayim in the time of Yirmiyah possessed emunah, the exile would not have been necessary. (Yachel Yisrael Vol. V, p.152)

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## Shemittah

This week we continue our discussion of the laws of shemittah, again focusing on the mitzvah of "biur." As explained last week, each species of the produce of shemittah may be kept in one's home only so long as that species is still available in the wild. Thereafter, it is subject to biur.

The halachot below are from Sefer Ha'shemittah (chapter 9) by R' Yechiel Michel Tikochinski z"L.

How is biur accomplished? According to Rambam z"L, one must actually destroy the left-over produce and not eat it anymore. However, the majority of poskim / halachic authorities rule that the mitzvah of biur merely requires eliminating the left-over produce from one's possession. One does this by carrying all of the produce of the affected species out of his house into a public place and declaring in front of three people that the produce is hefker / ownerless. Thereafter, anyone, including the original owner, may take possession of the hefker produce and eat it.

When choosing the three people before whom one declares the produce ownerless, one is permitted to select three friends who he knows will not lay claim to the hefker produce.

If the time for biur passes and one has not declared his produce hefker, the produce becomes prohibited to be eaten. Accordingly, one should not purchase produce or accept produce to eat from a person who is suspected of not observing the laws of biur.

Those produce items whose time of biur is in doubt should be declared hefker at the earliest date which may be the applicable time of biur and should be left hefker until the latest date which may be the applicable time of biur, at which time one may claim them.

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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 **Torah.org** start with 5758 (1997) and may be retrieved from the [Hamaayan](#) page.

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