

# COUNT US IN!

*by Shlomo Katz*

## Parshios Bamidbar & Shavuot

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**By Shlomo Katz**

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**Today's Learning:**  
**Nach: Tehilim 61-62**  
**Mishnah: Ohalot 18:2-3**  
**Daf Yomi (Bavli): Ketubot 110**  
**Halachah: Mishnah Berurah 587:3-588:2**

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 Güntzler 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' Güntzler, 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' Güntzler 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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## Pirkei Avot

"Five acquisitions the Holy One, Blessed Is He, acquired for Himself in His world, and they are: the Torah, one acquisition; heaven and earth, one acquisition; Avraham, one acquisition; Yisrael, one acquisition; the Bet Hamikdash, one acquisition." (Chapter 6)

R' Yitzchak Berachiah Mi'Fano z"l (Italy; 1583-1658) asks: From whom did He acquire these five things? Indeed, what does it mean that Hashem acquired something when everything in the world already is His?

He explains: It is G-d's desire that man have free will so that the righteous will earn reward. (It follows, also, that the wicked earn punishments by misusing their free will.) A strong argument could be made that man's exercise of his free will should be unlimited, even to the point that he could destroy the world if he chose. However, the five things listed in our mishnah are so precious to G-d that He took steps to protect them without limiting man's free will. In this sense, He "acquired" them back from mankind.

How so? [A full explanation of all five "acquisitions" would not fit in the available space, but we present two examples.] R' Yitzchak Berachiah continues, Hashem knows that the Torah is best off in the hands of the descendants of Avraham, Yitzchak and Yaakov. Still, fairness required Hashem to offer the Torah to all of the nations. What did He do? The midrash says that, when Hashem offered the Torah to each nation, it asked what is in the Torah. Hashem answered one nation, "Do not steal," another, "Do not commit adultery," etc. R' Yitzchak Berachiah explains that He answered each with a detail that that particular nation would find unpalatable. He did this with the intention of discouraging them. Each of those nations still had the free will to overcome its nature and accept the Torah. The

end result, however, was that Hashem "acquired" the Torah back to give to the nation that He knows is the most appropriate recipient.

Another example: Avraham Avinu was born into a family steeped in idol worship. Left alone, Avraham would have been no different than his father Terach, exactly what that wicked generation would have wanted. Hashem did not negate their free will. He did, however, give Avraham an opening, as the prophet says (Yeshayah 41:2--the haftarah for Parashat Lech Lecha), "Who aroused [Avraham] from the east, who would proclaim His righteousness at every footstep?" By "awakening" Avraham, Hashem "acquired" him for His purposes, but Avraham did the rest using his free will. (Chanoch La'na'ar)

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## The Giving of the Torah

"Moshe wrote all the words of Hashem." (Shmot 24:4)

Rashi z"l writes: "From Bereishit up to the account of the Giving of the Torah. . ."

Why is it necessary to highlight the fact that Moshe wrote down those chapters at the time of the Giving of the Torah? R' Shlomo Rothenberg z"l (New York; 20th century) explains:

Rashi (to Bereishit 1:1) asks why the Torah begins with the story of Creation and not with the first mitzvah. He answers, citing Tehilim (111:6), "He declared to His people the strength of His works in order to give them the heritage of the nations." By relating that G-d created the world, the Torah establishes G-d's right to give Eretz Yisrael to whichever nation He pleases.

The premise of Rashi's question is that the primary purpose of the Torah is to teach us mitzvot. If so, R' Rothenberg notes, Rashi's answer seems incomplete, for it explains why Creation is mentioned, but not why the rest of Sefer Bereishit precedes the first mitzvah.

Another question--The Mishnah (Berachot 13a) asks: Why does the parashah of "Shema" precede the parashah of "V'hayah eem shamo"? The Mishnah answers: "In order to accept the yoke of Heaven first and only thereafter to accept the yoke of mitzvot." Given Rashi's premise, R' Rothenberg asks, shouldn't accepting the practical yoke of mitzvot precede accepting the abstract yoke of Heaven?

He explains: If there is no commander, there can't be commands. Before we have accepted the yoke of Heaven, there can be no yoke of mitzvot. Likewise, if we don't know the story of how Avraham, Yitzchak and Yaakov discovered G-d and developed a relationship with Him, we cannot be His servants. On the other hand, if we would take to heart the lessons of Sefer Bereishit, we inevitably would become servants of Hashem. This, writes R' Rothenberg, is the meaning of the verse quoted by Rashi, "He declared to His people the strength of His works." Hashem did not just declare "His works," but also, "the strength of His works." Within the story of His works is something which impels

us, which obligates us, and which necessarily will lead us to accept His yoke upon us. (B'pitchei Olam p.23)

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## Shemittah

This week we resume our discussion of the laws of shemittah, focusing on the mitzvah of "biur." Literally, biur means "destruction" (as in "biur chametz"); here, however, a better translation is "elimination." (The exact nature of this "elimination" will be discussed next week.)

The law of biur derives from the verses (in last week's parashah--Vayikra 25:6-7), "The Sabbatical produce of the land shall be yours to eat . . . and for your animal and the beast that is in your land." From here, our Sages derive that the produce of the shemittah may only be kept in one's home so long as it is still available to the "beast that is in your land," i.e., in the wild. Thereafter, it is subject to biur.

The halachot below are from Sefer Ha'shemittah (ch. 9) by R' Yechiel Michel Tukachinsky z"l. The reason we have chosen to discuss these laws at this time is that a small number of produce items (among them, broccoli) became subject to the laws of biur during the past week. Most items will not become subject to biur until this coming summer or as late as next Chanukah.

The fruits of shevi'it / the seventh year may be eaten so long as each species is found in the fields. When each species is no longer found in the field--in most cases, in the eighth year--then one must eliminate the produce of that species from his house.

For example, if one has dried figs from the shemittah year in his home, he may eat them only as long as fresh figs remain on the trees. If one has raisins or wine of the shemittah, he may consume it as long as grapes remain on the vines.

If one has a mixture of species that were pickled together, he should separate them and eliminate each one at the proper time. The fact that they may have absorbed taste from each other is of no consequence [unlike the concern that exists regarding mixtures of meat and milk or kosher and non-kosher foods].

House flowers are subject to biur if they are species that lose their petals in the wild.

If one exchanged shemittah produce for money at any point during the year, the money is subject to biur at the time when the species for which it was exchanged would be subject to biur.

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