

WORRYING ABOUT OUR SOULS

by Rabbi Yissocher Frand

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: CD # 1173 – Oops! I Forgot Ya'Alah Ve'Yavo in Bentching on Rosh Hashana. Good Shabbos & a Good Yom Tov! The shiur will resume after Sukkos.

Worrying More About Our Souls Than Our Bodies During the Ten Days of Repentance

There is a halacha in Shulchan Aruch Orach Chaim, Siman 603: "Even someone who is not meticulous about abstaining from bread baked by non-Jews (the rest of the year), should be careful about this during the Asseres Yemei Teshuva (Ten Days of Repentance)." Many people do eat "*pas akum*" ("non-Jewish bread") throughout the year. The Talmud discusses whether or not the Rabbis formally adopted such a rule on a permanent basis. The bottom line is that if one buys kosher bread from a non-Jewish baker, it is permissible to eat it. Nevertheless, between Rosh Hashanah and Yom Kippur, the Shulchan Aruch says that we may only eat Jewish baked bread.

This ruling is somewhat anomalous. Which way is it? If *pas akum* is forbidden, it should be prohibited the whole year and if it is not forbidden, it should be permissible the whole year!

The Tolner Rebbe tries to explain this strange *halacha* in Shulchan Aruch.

Many times, the Shulchan Aruch uses the terminology "A *baal nefesh* (e.g. – a person concerned for his soul) should be strict in the matter." This means that something can be perfectly permissible, but there exist certain spiritually sensitive souls who should shun any practice that is in any way questionable.

The term *baal nefesh* is not synonymous with "*chossid*" or "*tzaddik*", both of which are terms that express righteousness and piety beyond the norm. What exactly is a "*baal nefesh*"? Where does it come from?

Rashi (Niddah 16b) defines a *baal nefesh* as someone who is "fearful and abstains from even a question of transgression." It is the type of person who is diligent when it comes to avoiding even a doubt of prohibition, even though according to the bottom line *halacha*, the action is 100% permissible.

The Sefer HaManhig defines a *baal nefesh* as "one who rules over his soul."

In short, a *baal nefesh* is a person who is worried about his soul. There is constant tension between a person's body (*guf*) and soul (*nefesh*). Most people worry about their bodies more than their souls. Regarding *ruchniyus* (spirituality), we say, "Nu, I have *bitachon* (confidence)." Regarding *gashmiyus* (materialistic matters) – we are not so religious that we always say, "I have confidence." We are worried more about our materialistic needs than our spiritual needs. A *baal nefesh* is a person who is concerned about his *nefesh*, concerned about his soul.

The Rambam writes in Hilchos Teshuva 7:6 as follows, "How exalted is Repentance. Yesterday he was separated from Hashem, the G-d of Israel... he cries out and is not answered...and today he clings to the Divine Presence... he cries out and is immediately answered."

When a person repents, he becomes a different person. Just yesterday, he was distant from the *Ribono shel Olam* and today he is close to Him. That is why the Shulchan Aruch says that during the Ten Days of Repentance, we should be particular about eating only *pas Yisrael*. During these holy days following Rosh Hashanah, we become different people – *baalei nefesh*. At least during these 10 days, we are worried about our souls. Let our bodies take care of themselves – we will worry about that later. Our main concern during this period of time is "What is going to be with our souls?" A *baal nefesh* is a person who is worried about his *ruchniyus* (spirituality).

Therefore, once a person experiences Rosh Hashanah and is transformed into this different person, an entire new set of *halachos* in Shulchan Aruch apply. The rest of the year, kosher "*Pas Akum*" is perfectly permissible. However, for a "*baal nefesh*," throughout the year and for every one of us during the spiritually auspicious time between Rosh Hashanah and Yom Kippur when we become "*baalei nefesh*," the Shulchan Aruch provides us with a more demanding standard.

The Link Between the "End of the Field" and the "Beginning of the Year"

As we all know, the Mussaf of Rosh Hashanah consists of *Malchiyus*, *Zichronos*, and *Shofaros*. We recite ten Biblical *pesukim* related to Kingship (*Malchus*) – the coronation of the Almighty and accepting him as our King; ten *pesukim* related to Recollections (*Zichronos*), in which we hope that saying these *pesukim* will cause the memory of our merits to ascend to the Almighty with positive results; and ten *pesukim* related to Shofar blasts (*Shofaros*).

The Talmud (Rosh Hashanna 32a) marshals *pesukim*, seeking a source for the obligation to recite these three categories of Biblical *pesukim*. Some of the *pesukim* are from *Chumash*, some are from *Neviim*, and some are from *Kesuvim*. According to Rebbe, the Biblical justification for reciting *Malchiyus* on Rosh Hashanah is because the *pasuk* in Parshas Emor states "...I am Hashem Your G-d" (Vayikra 23:22) and then it continues "...In the seventh month..." (Vayikra 23:24)

What exactly is Rebbi saying? Parshas Emor contains the "Chapter of the Holidays" (the Torah portion that is read on most *Yomim Tovim*). The Torah goes through the Jewish calendar and tells us about the various Biblical holidays starting with Pesach, followed by Shavuot, followed by Rosh Hashanah and Yom Kippur, and finally followed by Succos / Shemini Atzeres. Stuck in the middle of these *pesukim* cataloging the holidays – between Pesach and Shavuot on the one side and Rosh Hashanah, Yom Kippur, and Succos on the other side – is inserted another brief section: The section of leaving agricultural gifts for the poor. That section ends off with the words "...to the poor and the proselyte you shall leave them; I am Hashem your G-d." This is the section dealing with *leket* (gleanings), *shikcha* (forgotten sheaves), and *peah* (leaving the corner of a field unharvested for the poor to take from).

Then the Torah continues, "And the L-rd spoke to Moshe saying. And on the seventh month..." Therefore, Rebbi says that since it says the words *Ani Hashem Elokeichem* by *leket*, *shikcha* and *peah* and following that, it immediately continues with the *pesukim* about Rosh Hashanah, lo and behold – we need to mention Kingship (*Malchiyus*) on Rosh Hashanah because *Ani Hashem Elokeichem* implies G-d's Monarchy!

In all honesty, doesn't this seem like somewhat of a stretch? The fact that it happens to say by the section of agricultural gifts for the poor "*Ani Hashem Elokeichem*" and it is just prior to the section dealing with Rosh Hashanah – that is the entire source for reciting *Malchiyus* as part of *Mussaf* on Rosh Hashanah? It seems far-fetched. Should there not be a more relevant exegesis?

This suggests that there must be something fundamental about *leket*, *shikcha*, and *peah* that is fundamental to the concept of *Malchiyus* on Rosh Hashanah. At first glance, that connection is not apparent.

If we look further in *Chazal*, we see how they made a 'very 'big deal' about *leket*, *shikcha*, and *peah*. In fact, Rav Avdimi b'Rebi Yosef says 'Why were these laws inserted in the middle of the chapter of holidays – Pesach and Shavuot on the one side, and Rosh Hashanah, Yom Kippur and Succos on the other side? It is to teach you that anyone who distributes *leket*, *shikcha*, and *peah* to the impoverished as appropriate -- Scripture treats him as if he built the *Beis HaMikdash* and offered sacrifices inside it.'

Those are powerful words! The Torah does not make such a comparison by regular charity gifts. *Leket*, *shikcha*, and *peah* must be very special to rise to the status of "offering sacrifices in the Beis HaMikdash."

Furthermore, the Medrash in Vayikra says that *Klal Yisrael* will be saved by merit of fulfillment of the *mitzvah* to not completely cut down the corner of their field (but rather leaving what grows at the end of the field for the poor). Chazal explicitly say that in the merit of leaving over "*peah*" for the impoverished, people will receive positive Divine Judgment on Rosh Hashanah.

Unquestionably, we must explain that there exists a fundamental difference between *leket*, *shikcha*,

and *peah* and regular *tzedaka*. What is it?

When a person gives regular *tzedaka* – not to minimize the importance of general charity, as that is the last thing we want to imply, but – there is a satisfaction that "I am giving *tzedaka*!" There is a personal pride, satisfaction, and ego involved. "It is MY money and I am giving you MY money." Therefore, I can give charity to whomever I want to give and I can give as much as I want to give. **I** am giving and **you** are beholding. That is regular charity (and I am not minimizing it).

Leket, *shikcha*, and *peah* are different kinds of *mitzvos*. Regarding these agricultural *mitzvos*, the Torah is emphasizing to us "This is **not** yours." This part of the field over there does not belong to you. It belongs to the poor person. Whatever you forgot and whatever you dropped belongs to the other fellow. It is not yours! You need to leave it for him because it is as though he is a partner in your field. The satisfaction and personal pride that a person can take in giving *tzedaka* is absent when a person gives *leket*, *shikcha*, and *peah*.

What does all of this say? It says that this part of the produce is not mine. Whose is it? It is the *Ribono shel Olam*'s! He is in charge. He is the King. It does not belong to me. To Hashem belongs the earth and all of its contents. That is what *Malchus* is all about.

For us, living in the twenty-first century, it is very difficult to think in terms of Monarchy (*Malchus*). What does it mean "He is the King?" There are no kings today. What does it mean to say about someone "I coronate him – I make him my king?" In our language, it means, "I am not in charge. He is in charge." For modern day man, that is a very difficult concept to swallow. We are so efficient and we are so proficient and we control so much, that it is very challenging for a person to come to the recognition "I am not in charge; I do not run the world." That is the spiritual task of Rosh Hashanah.

That is why there is a strong connection between *peah*, about which it says, "I am the L-rd your G-d" and the juxtaposed *pasuk* "And on the seventh month..." This is not some arbitrary joining of disconnected *pesukim*. It is fundamental. If you observe *peah* and you recognize "It is His field" and "It is the poor person's produce just as much as it is mine, because G-d gave it to me and G-d gave it to him" – that is what *Malchus* is all about. And that is why it is in the merit of *peah* – "Do not cut down the corner of your field when you harvest", that we can hope to achieve salvation in Judgement. G-d tells us – "In the merit that you do not destroy the corner of your field, I will not destroy you."

That is why "whoever fulfills the mitzvah of *peah*, it is as if he built the Temple and offered sacrifices." They have in common accepting the Sovereignty and the Kingship of the *Ribono shel Olam*. This is an attribute of these specific agricultural products left for the poor that does not exist by regular charity.

The Sobering Experience of Applying for TSA Pre Check Approval

The following is a true story which I found to be a tremendous ethical lesson:

Last night I went for a personal interview with the Department of Homeland Security of the United States Government. I have mentioned in the past that I really do not like to take my shoes, jacket, and hat off and take out my laptop each time I need to board an airplane. I also do not like the line! Maybe the lesson is I should be more patient, but I hate that line!

Every time I go to the airport, I see there is something called a "Pre-check." These people go right through. They do not remove their jackets or shoes or hats. They walk right through with their laptops. I said to myself, "I need to do this."

I went online to try to figure out how to do it. There is a significant process to complete. I was in doubt whether I filled out the form correctly. This procedure allows me to drive a truck from Mexico into the United States, which I have no intention of ever doing. But that is how the process works. You go to a website called <https://www.tsa.gov/precheck> and you fill out a form online and you need to pay \$85 and you need to wait to find out whether you are conditionally approved.

I did this in the middle of the summer and did not hear anything back from the government for a long time. Finally, I got an e-mail from the government, "You have been conditionally approved. You need to go for your interview." My interview was scheduled last night between 6:50 pm and 7:10 pm. I went to the Baltimore-Washington International Airport to the Customs Office in the International Terminal. (Finding the Customs Office took me longer than the entire interview, but I finally found it.)

The government employee asked for my passport and my driver's license. He asked me to sit down and began asking me questions: Where were you born, etc.? -- Standard questions confirming my identity. Finally he asks me, "Have you ever been arrested?" I answered, "No." "Have you ever been in violation of United States Custom Laws?" I answered, "No." "Have you ever brought into the United States anything you are not allowed to bring in?" "No." He looked at the computer and said, "It says here on the computer that you brought in oranges, grapes, and peas. What is that about?"

Do you know what that's about? I will tell you what that's about! When we travel overseas, my wife does not like the airline food. She likes to eat fresh fruit. I do not remember where we were – perhaps England or Israel – and my wife took with her oranges, grapes, and snow peas that she could eat on the plane. One of the severe sins of the U.S. Customs Department is to bring fresh fruit into the United States of America. I always tell my wife, "Get rid of the stuff before we land. Get rid of the stuff before we land."

She did not finish eating the fruit and she forgot to dump it. We got to Dulles Airport. They have a dog there, and the dog attacked my wife's suitcase. The Federal Agents found oranges, grapes, and snow peas. This must have happened ten years ago. I explained to the TSA interviewer, "Listen, I did not do it on purpose. It was my wife. She forgot. (I tried to use Adam's old trick: It's not my fault, it's

my wife's fault. She gave me the fruit to eat!") The interviewer said, "Okay. You will probably be approved. We will send you a confirmation of the decision within two to five business days."

However, it was shocking to me that an insignificant incident that occurred over ten years ago is still there in the computer! We threw the fruit into a garbage can and we apologized. However, it is an official record of the United States Government that the Frands brought forbidden fruit into the United States of America more than ten years ago!

It was a most sobering moment. "All your actions are inscribed in a book." (Avos 2:1) "And every man's signature signs upon the record." (From High Holiday Liturgy – U'Nesaneh Tokef prayer). The Almighty, as it were, has a much more effective "Laptop" than the custom agent sitting in BWI airport. Every little action, every little thought, the smallest iota in my life is written into that Book, and I will need to give accounting for that.

Whether TSA approves me or not does not make that much difference in the larger scheme of things. However, whether the Master of the Universe approves me or disapproves me – that is in fact very important. This is the lesson I learned last night at the United States Border Patrol at BWI airport: All your actions are recorded in a book.

Have a good year. May you be inscribed and sealed in the Book of Life.

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Series on the weekly Torah portion. A listing of the halachic portions for Parshas Nitzavim/Vayeilech is provided below:

- # 022 - Reading Haftorah: Scrolls vs. Book
- # 112 - Shoteh: Mental Incompetence in Halacha
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- # 473 - Seudas Siyum Mesechta
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- # 737 - Borrowing and Lending Seforim
- # 781 - I'm the Baal Tokeah and Not You!
- # 825 - The Shuls of Gaza - A Halachic Perspective
- # 826 - Yom Kippur: Women and the Shehecheyanu; Women and Kor'im
- # 869 - The Mitzvah of Chinuch-Whose Responsibility? Mother or Father?
- # 870 - Yom Kippur - The Yom Kippur That They Did Not Fast
- # 913 - The Tefilah of Oleinu
- # 957 - Coming Late for Tekias Shofar and Other Rosh Hashana Issues
- # 1000 - Ta'amei Hamikra - The Tropp - How Important Is It?
- # 1044 - Must You Stand for Chazoras HaShatz on Rosh Hashana?
- # 1088 - Learning During T'kias Shofer?
- # 1131 - Asking For Personal Needs On Rosh Hashana?
- # 1173 - Oops! I Forgot Ya'Alah Ve'Yavo in Bentching on Rosh Hashana
- # 1217 - Fascinating Halachos Pertaining to a Choleh on Yom Kippur
- # 1261 - Did I Say Hamelech Hakadosh? / Nuts on Rosh Hashana
- # 1305 - The Case of the Esrog That Was Not As Advertised
- # 1349 - The Baal Tokeah Who Was Doubtful If He Could Blow

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