

A KAL V'CHOMER FROM KISUY HADAM / WAIT FOR 3 YEARS TO CORRECT ADAM'S SIN OF NOT WAITING 3 HOURS

by Rabbi Yissocher Frand

Parshios Acharei Mos & Kedoshim

A Kal V'Chomer From Kisuy haDam / Wait For 3 Years To Correct Adam's Sin Of Not Waiting 3 Hours

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 898 – Paying The Plumber and Babysitter. Good Shabbos!

A Kal V'Chomer From Kisuy haDam

Parshas Achrei Mos contains the Biblical command of covering the blood after slaughtering a bird or 'chayah' [non-domesticated animal]. This Halacha, known as 'Kisuy haDam', requires that at least part of the blood of a slaughtered bird or 'chayah' be covered with dirt. The Talmud [Chulin 87a] derives from the Torah's wording juxtaposing the verb for slaughtering with the verb for covering that just as the bird is slaughtered with one's hand, so too the blood is covered with one's hand. This excludes covering the blood by kicking dirt upon it with one's foot (which might be the most convenient way to accomplish the covering). The reason given is so that the commandments not become shamed for him (shelo yehei mitzvos bezuyos alav). It is disrespectful to perform a biblical mitzvah with one's foot when it can be performed with one's hand. Whenever we do a mitzvah, we should do it in the

most respectful manner possible.

Although Kisui haDam is the paradigm for all such concepts, the same concept is applied elsewhere as well. For example, throughout Succos, an Esrog must be treated with respect – since it is used in the performance of a mitzvah. It takes on the status of a "cheftza d'mitzvah". Likewise, the boards used for the Succah during the holiday have the "Name of Heaven" declared upon them and need to be treated respectfully. The day after Succos, they are just boards again and they can be used for whatever purpose one desires.

The Beis haLevi says a very interesting concept in Parshas Terumah. When a poor person approaches in shul and asks for money, at that moment he is a "cheftza d'mitzvah" through which one fulfills the mitzvah of charity. If the Torah tells us we need to treat the blood of a slaughtered chicken with respect "so that mitzvos not be treated shamefully" how much more so should we treat a human being who has feelings respectfully when we are performing a mitzvah with him!

Due to the overwhelming needs of our people, we are all often bombarded – in our homes and in our businesses – with requests from needy people for charity. These requests come at all times of day and night and some time we feel "just get out of my way!" It is important to keep the "kal v'chomer" of the Beis haLevi in mind: If we must cover the blood with dirt using our hands rather than our feet, so that we do not treat mitzvos in a callous fashion, how much more so do we need to be extremely sensitive when dealing with alive, breathing, and feeling, human beings.

Wait For 3 Years To Correct Adam's Sin Of Not Waiting 3 Hours

In Parshas Kedoshim, the Torah introduces the mitzvah of "Orlah" for the first time. "When you come to the Land and plant any food tree, you shall treat its fruit as orlah; for three years it shall be orlah to you, they shall not be eaten." [Vayikra 19:23] The halacha is that if one plants a tree and the tree produces fruit during the first three years of its growth, those fruits are forbidden to be eaten. They are known as "orlah".

A rationale for this mitzvah is suggested by the Rambam in his Guide to the Perplexed [Moreh Nevuchim]. As the Rambam notes in explaining the rationale for many mitzvos, the Rambam comments that in Biblical times, it was common for sorcerers and priests to come and bless newly planted trees so that they should produce good and bountiful fruit. The first fruits produced were in turn offered to idols as an expression of thanks to the gods for a successful crop. The Rambam writes -- to preempt such pagan practices, the Torah says that for the first 3 years, we are not even allowed to use these fruits.

The Ramban, in his Biblical commentary, writes that the reason for the mitzvah of Orlah becomes evident in light of the companion mitzvah of Neta Revai – the growth of the plantings on the fourth year. The halacha is that following the three years of forbidden Orlah fruit, the fruit of the fourth year is taken to Jerusalem and eaten there. Only in the fifth year and beyond is the farmer allowed to

consume his fruits himself at home.

The Ramban explains that typically it takes a while for a newly planted fruit tree to produce robust fruit. For the first three years, more often than not, the fruit – if any – that grows on trees is of inferior quality. Since the Torah wants the first fruits which are eaten in Jerusalem (with the sanctity of 'Neta Revai') to be good and delicious fruits, in order to give those forth year fruits the status of "first fruits," it is necessary to forbid the produce of the first three years.

The Medrash offers an entirely different reason, like neither that of the Rambam or the Ramban. The Medrash notes that immediately following the prohibition of Orlah (and the related laws of the fourth and fifth year fruits) [Vayikra 19:23-25], is another prohibition - that of "Eating upon blood" [ibid. 19:26].

Literally, the words "Lo Sochlu al haDam" mean, "do not eat on the blood" but there are actually a variety of different prohibitions that are learned out from this pasuk. One such prohibition that Rashi brings is that we are not allowed to eat from an animal until its blood is completely drained out. What is the significance of the juxtaposition of the laws of Orlah and the law of "Lo Sochlu al haDam"?

The Medrash states that the mitzvah of Orlah is trying to teach us something that is very important in life – patience. Sometimes we are chomping at the bit to do something. We want it right away. This is the significance of the prohibition of "Lo Sochlu al haDam". It is addressed to those people who cannot even wait until all the blood is drained out before wanting to eat the meat. The Torah tells them to slow down – do not consume the meat while there still is blood within it.

In order to instill in us this concept that we need to be patient and that we cannot always get what we want as soon as we want it, the Torah writes the prohibition of Orlah here. The Ohr HaChaim haKodosh – both in this Parsha and in Sefer Bereishis – makes note of the Almighty's command to Adam: You may eat of any tree in the Garden. But then the Torah says that Adam was not allowed to eat from the Tree of Knowledge (Eitz haDaas). How does that fit with the explicit permission to eat "from any tree of the Garden"?

The Ohr HaChaim (based on the Medrash) says an amazing thing. Adam COULD have eaten from the Tree of Knowledge as well. However, the permission to eat from that tree was only on Shabbos. In fact, the Ohr HaChaim says he was supposed to go ahead and make Kiddush on Shabbos from the wine made from the grapes of the Eitz haDaas. His sin was merely that he jumped the gun. The world changed forever and ever because of that hastiness on his part.

A student of the Ari z"l points out that the prohibition to eat from the Tree of Knowledge was given on the ninth hour of the Sixth Day of Creation. Rather than waiting just 3 more hours, Adam ate from it right away. The Kabbalistic works explain this is why Orlah is prohibited the first 3 years. Since the first man could not wait three more hours, the Torah gives us a lesson in waiting – 3 years to atone for the sin of Adam not waiting 3 hours!

The Chasam Sofer asks, "What was his rush?" More to the point, if in fact on Shabbos, this same tree would have been permitted, how could it be so terrible if he ate it a couple of hours earlier? The Chasam Sofer explains that when Adam was created, he did not have an Evil Inclination (Yetzer haRah). There was no "fight". There was no struggle with conscience. Adam just naturally did that which was good. He knew that when he would eat from the Eitz haDaas, life would change: "You would be like Elo-him who knows good and evil." He would have free choice and could choose good or evil, which is ultimately the purpose of human beings in this world – to choose the good.

Adam's attitude was "I so much want to do the Will of G-d out of my own free choice that I cannot wait for this opportunity." However, the Almighty Knew better. He knew that in order to choose the right decisions and to choose good rather than evil, Adam still needed another element – that was the sanctity of Shabbos. Had Adam waited those three extra hours and had gone into Shabbos suffused with the sanctity that Shabbos provides, he would have been able to withstand the temptations of life. This is what the Almighty wanted. That is why the Tree of Life suddenly became permitted on Shabbos.

We asked, "What changed (after those 3 hours would have passed)?" What changed is that Adam still needed a component – Kedushas Shabbos. He did not have that yet. He was not strong enough to resist.

By analogy, when one pours concrete to set a beam that will hold up a building, one must wait until the concrete dries and hardens in order to rely on its strength. If one starts putting weight on the beam before the concrete settles, the structure will collapse. This is just an example, but it helps us understand the situation with Adam at that moment. He was almost perfect. The Almighty wanted to be able to give him Bechirah Chofshis [Free Choice] to choose good over bad, but he needed for the concrete of his personality to set. Adam needed to become stronger and that strength was going to be given to him through Kedushas Shabbos. However, Adam could not wait. It was for the best of reasons, but he did not wait. He ate from the tree prematurely and unfortunately, the world changed forever for the worse.

As a 'tikun' [correction] for that, as a way to learn the lesson of "A thing in its proper time – how good" [Mishlei 15:23], the Torah gives us a prohibition called Orlah. For three years, WAIT. The lesson of Orlah and the lesson of "Lo Sochal al haDam" is WAIT. Not everything needs to be enjoyed or taken as soon as it is physically available. As a 'tikun' for Adam, for the three hours he could not wait, we keep the mitzvah of Orlah for three years.

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This write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah CDs on the weekly Torah Portion. The halachic topics covered for the current week's portion in this series are:

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