

# SERVANTS OF HASHEM / BENEFIT OF THE DOUBT / "LO" AND "AL"

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 #985 -- Giving the Benefit of the Doubt - Always? Good Shabbos!

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## Judaism Is Not Meant To Be Practiced On Our Own Terms

Parshas Achrei Mos begins with the Yom Kippur Service in the Bais Hamikdash. The Torah says that Aaron the Kohen Gadol, and all the subsequent Kohanim Gedolim after him were only permitted to enter the Kodesh HaKodashim [Holy of Holies] once a year, on Yom Kippur. When they entered the Kodesh HaKodashim, they had to follow the procedures enumerated in Parshas Achrei Mos - from the beginning of the parsha all the way through *Revii* - meticulously. Then in *Revii* the first thing mentioned after the Yom Kippur Service is the prohibition of *Shechutei Chutz* - a person may not bring a sacrifice outside the confines of the *Beis HaMikdash*. The next parsha after that is the prohibition of eating blood.

The Baal HaTurim asks: What is the juxtaposition between the Yom Kippur Service and the prohibition of *Shechutei Chutz*? He answers, very logically, that the Yom Kippur Service contains the only example of a sacrifice that we do not bring within the *Beis HaMikdash* - namely, the *Sa'ir HaMishtaleach* [the goat that we send off the cliff]. We choose two identical goats. We sacrifice one of them inside the Bais Hamikdash and we bring the other one to a mountainous cliff outside of Yerushalayim and thrown off the cliff. Both goats are considered sacrifices.

The Baal HaTurim writes that a person might think, "Well, it is not such a bad idea to bring a *korban* outside the *Beis HaMikdash*. We do it on Yom Kippur!" Therefore, immediately after the *parsha* of the Yom Kippur Service, the Torah says, "No. That is an exception. We make this exception once a year, just **for** the Kohen Gadol and just **for** the *Sa'ir L'Azazel*. However, under no circumstances should a regular Jew plan to bring a sacrifice in his back yard or anywhere outside the confines of the Bais Hamikdash."

Rav Weinberger presents another approach to explaining this juxtaposition in his the sefer *Shemen*

HaTov. Rabbi Weinberger prefaces his comment with the following question: The *pasuk* [verse] says "And Hashem said to Moshe: Speak to Aaron your brother -- he may not come at all times into the Sanctuary within the Curtain, in front of the Cover that is upon the Ark, and he will not die; for with a cloud I appear upon the Ark cover." [Vayikra 16:2]. Rashi compares this to a situation when one doctor advised a patient "Do not eat this food" and in the exact same situation, a second doctor advised another patient, "Do not eat this food, because if you eat this food you will die like this other fellow who ate it and also died." Obviously, the second doctor's warning is much more effective. That is why the Almighty tells Aaron, "Listen don't do like Nadav and Avihu who brought a *korban* when they were not supposed to and they died."

However, Shemen HaTov asks: Does Aaron really need such a warning? Does anyone think that the righteous Aaron, who never deviated one iota from what he was told to do, would act like Nadav and Avihu and enter the Kodesh HaKodashim without Divine instruction to do so?

The Shemen HaTov explains as follows: After Nadav and Avihu died, what was Moshe's reaction? What was Hashem's reaction? Moshe said to Aaron: "Of this did Hashem speak, saying 'I will be sanctified through those who are close to Me, and I will be honored before the entire people.'..." [Vayikra 10:3] Moshe consoled his brother by telling him that his two sons made a *Kiddush Hashem*. They brought their "foreign offering" for the purist of motives and with this holiest of intentions. Conceivably, Aaron also had these inspirations and inner drives to cling to the *Ribono shel Olam* as often and as intimately as possible. Quite likely, his inner religious fervor drove him to seek to come into the Kodesh HaKodashim more often than just once a year. So, lest Aaron be tempted and say to himself "I also want to make a *Kiddush Hashem*. I also want to give my life attempting to become closer to the Almighty," Moshe had to warn him -- "No, don't be tempted to make that kind of '*Kiddush Hashem*'. You do what the Torah says to do. Do nothing more and nothing less."

This is the whole basis of Judaism. Judaism is not the type of religion where a person can make up his own ceremonies, invent new types of Divine Service, and so forth. Everything is prescribed for us. *Avodah* is servitude. The slave (*eved*) does not decide how he is going to serve the master. The master determines how the *eved* serves him. That is why new-fangled approaches to Yiddishkeit are off limits, no matter if they come from the purest and noblest of intentions.

We can now understand why the prohibition of "*shechutei chutz*" [sacrifices slaughtered outside the Temple confines] immediately follow the laws of the Yom Kippur service. What prompts a person to bring a *korban* in his back yard - to erect a *bamah* [single-stone altar] and sacrifice an animal to G-d upon it? What is the *yetzer hara* [evil inclination] for that? The *yetzer hara* for that does not come from a bad place. It actually comes from a good place. It comes from the desire to "do more than the *halacha* demands." The *halacha* says that I need to do it in the *Beis HaMikdash*, but I feel so inspired to show my appreciation to the Almighty that I want to bring a *korban* in my backyard! I cannot wait. I have no time to *schlep* to the *Beis HaMikdash*. I want to do it right now! I want to show the intensity of my desire to cling to the *Ribono shel Olam*.

This is the same aveyra [sin] as that of Nadav and Avihu. It is the same type of aveyra that G-d had to warn Aaron about concerning the Yom Kippur service: "Only under these conditions shall Aaron come into the Kodesh HaKodashim." Therefore, the prohibition of "*shechutei chutz*" immediately follows the laws of the Yom Kippur service. This may go against our sense of independence and our inner drive to say, "I want to do it MY way", but that is the way the Torah works.

The Shemen HaTov then goes one-step further and asks: What does this have to do with the prohibition of blood (which follows that of "*shechutei chutz*")? Blood has a tremendously significant place in *halacha*. Every single *korban* needs to have its blood spilled on the *Mizbayach* [Altar]. Lest a person say, "I want to not only sprinkle the blood on the Altar, I want to even drink blood because it must have some kind of holiness," the Torah says "No. You may not consume blood. It is supposed to be sprinkled on the *Mizbayach* in the *Beis HaMikdash* and nothing else."

This is the theme of all three laws: The Yom Kippur Service, Slaughtering outside the Bais Hamikdash, and Blood. Judaism is not to be practiced on our terms; it is to be practiced on the terms set down by the *Ribono shel Olam*, because that is what it means to be an *eved*.

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## **If We Give Fellow Man The Benefit of the Doubt, Hashem Will Give Us The Benefit of the Doubt**

The Halachic portion of this shiur dealt with halachic aspects of the principle of giving one's fellow man the benefit of the doubt. Let us now consider some of the philosophical aspects of this principle.

We previously mentioned a Gemara [Shabbos 127b] that Rabbeinu Yona quotes: "One who judges his fellow man favorably will be judged favorably by Heaven." The Chofetz Chaim asks a basic question here: How is it possible to make such an analogy and say that Heaven will "judge you favorably" for judging someone else favorably? When you see a Jew eating a hamburger at the airport, you really do not know what the circumstances are. Maybe he brought it from home. Maybe there is a kosher hamburger stand in this airport. Maybe anything... So consequently, you need to give this person the benefit of the doubt. However, by the Almighty, how can there be a concept of giving anyone the benefit of the doubt? There is no doubt. He not only knows all our deeds, He knows our thoughts!

The Chofetz Chaim answers that the Gemara is not speaking of a case where a particular set of circumstances are subject to interpretation in one of two ways and you give the benefit of the doubt and interpret the circumstances in the most favorable way. Such an interpretation would have no parallel with G-d such that we could say, "G-d would likewise judge such a person favorably by giving him the benefit of the doubt." Rather, this Gemara is referring to after 120 years when we are

all going to take "the big test." The Almighty will then *pasken* regarding our lives.

Some teachers grade strictly and other teachers grade leniently. In the future, we will come to Heaven and the *Ribono shel Olam* will grade our life. We all *daven* three times a day, but many times our mind was here, our mind was there, and all over the place. We give charity, but sometimes it is begrudging and sometimes it is far less than we can afford. How is the *Ribono shel Olam* going to grade us for these *mitzvos*? Do we get credit for them or not?

This is how the Chofetz Chaim interprets the Gemara. A person who, during his life, judged his fellow man favorably, giving him the benefit of the doubt - who was a "lenient grader", will cause G-d to be a "lenient grader" towards him. This is not a question of His doubt about what you did, but rather He will give you more credit for your *davening*, *tzedakah*, and other *mitzvos* than perhaps you would have received if He were acting as a "strict grader."

We need no greater incentive to give people the benefit of the doubt than this teaching of the Chofetz Chaim clarifying the interpretation of the previously cited Gemara in Shabbos.

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## There Is More Than One Way To Say "Do Not" in Hebrew

The Meshech Chochma has a brilliant insight in Parshas Kedoshim. The pasuk says, "Do not turn to the idols (*Al tifnu el ha'elilim*) and molten gods you shall not make for yourselves (*v'elohei maseicha lo sa'asu lachem*)..." [Vayikra 19:4] The Meshech Chochma asks - is it not strange that the very same *pasuk* contains two negative commandments and yet they are introduced by different words of prohibition? The command prohibiting idols (*elilim*) is prefaced by the word '*al*' while the command prohibiting molten gods (*elohei maseicha*) is prefaced by the word '*lo*'.

The Meshech Chochma says that in Hebrew, there are differing nuances between the word '*al*' and the word '*lo*'. '*Al*' has the nuance of "**please** don't", while '*lo*' has the nuance simply of "don't." This is why, for instance, anytime we ask the *Ribono shel Olam* to abstain from doing something, we do not use the word '*lo*'; we instead use the word '*al*' (e.g. -- *Al tashleecheini l'es ziknah* -- do not toss me away in the time of old age). The Meshech Chochma brings several proofs to this thesis from Tehillim and elsewhere. When we speak to the Master of the World we do not say "No, don't!" We say, "Please don't." Many times in Chumash we even find the word "*al*" explicitly combined with the word '*na*' (please) -- for example "*al na se'hee riv beini u'beinecha*" (please, let there not be an argument between me and you). However, with the word '*lo*' there are no ifs, ands or buts.

The Meshech Chochma actually does not say this here. He says it in Parshas Shemos on the *pasuk* "*Al tochlu mimenu nah u'vashel mevushal b'mayim*..." (Do not eat from it raw or boiled) [Shemos 12:9]. This *pasuk* is immediately followed by "*v'lo soseeru mimenu ad boker*" (do not leave over from it until morning) [Shemos 12:10]. There too, there is a close juxtaposition of a prohibition beginning with '*al*'

and one beginning with 'lo'.

Meshech Chochma asks -- why the difference? He answers beautifully: Until midnight, until the execution of the Plague of the First Born, the Almighty had not yet "acquired" the Jewish people as His nation. They were not His people yet. Therefore, regarding the commandment before midnight (eating and preparing the *korban Pessach*), He asks in a polite manner -- "Please don't..." However, the prohibition to leave over until morning refers to the time after midnight. After midnight was after the execution of the Plague of the First Born, at which time the Almighty acquired *Klal Yisrael* as His nation. At that point, "*Avadai hem*" (They became My servants). Once they became the *avadim* of the Almighty, He had every right to give them commands with the strict nuance of "lo" -- Don't!

Bringing this thought back to Parshas Kedoshim, the Meshech Chochma explains that "*Al tifnu el ha'elilim*" is a command not to have thoughts of idolatry. Thoughts are very difficult to control. G-d tells us he does not want us to have thoughts of *Avodah Zarah*, but He is aware that a mind is fleeting and that this is a very difficult thing to command. Therefore, he uses "**Al** *tifnu el ha'elilim*" -- meaning, "**Please** don't have thoughts of *Avodah Zarah*." However, the second part of the *pasuk* is "*elohei masecha lo sa'asu lachem*". Here we are speaking about making idols, which is a physical activity. That can be commanded directly: **Lo** *sa'asu* -- **don't** do it!

The Meshech Chochma in Parshas Bo cites several other examples of this ingenious insight regarding juxtaposed usage of prohibitions involving the terms *al* and *lo*.

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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 Kedoshim is provided below:

- CD# 009 - Prohibition Against Using a Razor
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- CD# 236 - The Do's & Don'ts of Giving Tochacha
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