

SHEMITTAH, MT. SINAI, AND LIFE'S ULTIMATE CHALLENGE

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 #1031 – Sh'mitta – How Did the Farmers Survive? and CD #1032 – The Child Molester: What Must We Do? Good Shabbos!

You've Done it Once—You can do it Again

Parshas Behar begins with the *pesukim*, "Hashem spoke to Moshe on Mount Sinai saying: Speak to the Children of Israel and say to them, when you come into the land that I give you, the land shall observe a Sabbath rest for Hashem" [Bamidbar 25:1-2]. In one of the most famous Rashis in all of Chumash, Rashi asks: "What is the subject of *shemittah* doing next to Mount Sinai?" All the *mitzvos* were given on Sinai, so why does the Torah -- only here by *shemittah* -- introduce the associated laws by specifying that they were given at Sinai?

Rashi gives one answer to this question, the Ramban mentions another. I would like to quote an answer I saw brought in the name of the *Oznayim L'Torah*, from Rav Zalman Sorotzkin. However, I would like to preface it with another interesting observation that I saw, which will help give a better understanding of the comment of the *Oznayim L'Torah*.

Chazal cross-reference a *pasuk* in Psalms to the mitzvah of *shemittah*: "Bless Hashem, O His angels; the strong warriors who do His bidding, to obey the voice of His word" [Tehillim 103:20]. The Psalmist is asking the Master of the Universe to give a blessing to "the Mighty Ones," the ones who do His wishes, to listen to His words. The Medrash says that the term "the Mighty Ones" in this *pasuk* is referring to people who observe the *shemittah*. In normal circumstances, a person does a mitzvah for one hour, one day, one week, or one month. However, *shemittah* is a mitzvah that is done for a whole year! It may be hard to abstain from forbidden work on Shabbos -- for a day -- but we do observe that mitzvah. It may be hard to not eat *chametz* for a week, but we do that mitzvah as well. However, most *mitzvos* which require sacrifice have a relatively short time duration.

The mitzvah of *shemittah* is different. *Shemittah* requires people to sit and do nothing, and to forgo their normal means of earning a living, for an entire year. That is a real sacrifice! The farmer needs to watch his field lie fallow. He must watch his neighbors come and take that which grows on its own from his field (because it is all *hefker* [ownerless]). He sees the animals come in and eat to their delight, and he needs to sit there and do nothing for the entire year! This is very difficult.

The Gemara applies to this the Mishnaic statement in Ethics of the Fathers: "Who is the mighty

person? It is he who conquers his evil inclination." A person who has the strength of character to listen to the Almighty, and have faith that He will provide for his living despite the fact that he is not working, is displaying a tremendous amount of *Gevurah*!

There is another place where Chazal reference this very same *pasuk* from Tehillim (Bless Hashem, O His angels; the strong warriors who do His bidding, to obey the voice of His word"). In connection with the acceptance of the commandments on Mt. Sinai, when the Jews proclaimed, "We will do and we will hear" (*na'aseh v'nishmah*) the rabbis teach: Rav Yishmael said, "At the moment that Israel stated *na'aseh* prior to *nishma*, a Heavenly Voice came out and said to them 'My sons, who revealed to you this secret that the ministering angels utilize, as it is written: "Bless Hashem, O His angels; the strong warriors who do His bidding, to obey the voice of His word?"'"

So we see that there are two places in Chazal where this *pasuk* of praise is used. There are two categories of people who are given this accolade: The people who keep the *shemittah*, and the people who said *na'aseh v'nishma* by Har Sinai. Superficially, these seem to be two totally disparate, unrelated incidents. However, in actuality, *mitzvas shemittah* and *kabalas haTorah* are really two sides of the same coin. When *Klal Yisrael* said "*na'aseh v'nishmah*," they were overcoming one of the most basic human elements: "I want to be in charge. I do not want to sign blank checks." When *Klal Yisrael* said "*na'aseh v'nishmah*," they, in effect, signed a blank check, because they did not know what was coming. They said, "Yes we will do whatever You ask us to do. Now, what is it that You are asking us to do?" Who does that? It takes a tremendous amount of strength of character, which goes against almost all human intuition. They did it anyway because they were *giborim* [strong in character].

That same inner strength is evident by those who observe *shemittah*. A person wants to fend for himself. He put an enormous amount of blood, sweat, and tears into his fields, orchards, and vineyards during the past six years of the agricultural cycle. Now he is expected to sit back and let the weeds grow, and allow anyone who wants, to come and take the produce, as if his property were ownerless. This also requires tremendous *gevurah*, tremendous strength of character.

Therefore, the Medrash says that the *pasuk* of "...the strong warriors who do His bidding, to obey the voice of His word" can be said about both the *mekablei haTorah* -- the ones who said *na'aseh v'nishmah* -- and about the farmers who sit by and let their fields remain fallow.

This entire preface was from the Minchas Asher (Rav Asher Weiss). Now, we can appreciate the insight of Rav Zalman Sorotzkin regarding Rashi's famous question.

"And the L-rd spoke to Moshe on Mount Sinai saying..." He is about to give the people a mitzvah they have never heard about before -- the mitzvah of *shemittah*. You need to sit and watch everyone, including the animals, take that which grows on your land, and do nothing about it. Moshe Rabbeinu tells the nation -- you are capable of doing this. Do you know why? This is the entire experience of Har Sinai over again. This is exactly what you did at the time of the Revelation. At Har Sinai, you

demonstrated the strength of character to say, "We will do and we will hear." "And the L-rd spoke to Moshe on Mount Sinai saying" telegraphs a message to the people. This is Har Sinai Round Two. You did it once -- you can do it again! The Jewish people have within them the *gevurah* to overcome natural instincts and follow the command of *Hashem*, wherever it takes them.

Rav Asher Weiss references something that we have mentioned on other occasions. The Vilna Gaon (1720-1797) writes in the *Even Shlomo*, "Man's main life (challenge) in this world is conquering one's (evil) nature." Overcoming his natural inclination is every person's prime spiritual task in this world. That is why we are put on this earth. And someone who cannot correct these natural tendencies -- what is his purpose in life? The very same concept is expressed as well by a famous Chassidic personality of the same era as the Gaon -- the Noam Elimelech (Elimelech Weisblum of Lizhensk - 1717-1787). The Noam Elimelech writes, "Man was only created in this world to break his nature."

This was the *na'aseh v'nishmah* of Har Sinai, and therein lies our ability to keep the *mitzvah* of *shemittah* which was given "...*B'Har Sinai leimor*."

"If Your Brother Becomes Impoverished" -- What is the Significance of the Word '*Imach*'?

The *pasuk* in Parshas Behar says: "If your brother becomes impoverished and his hand falters with you (*imach*), you shall hold on to him (whether he is) a convert or a resident, so that he can live with you" [Vayikra 25:35]. There is a certain peculiarity in the way this *pasuk* is written. The *pasuk* would read perfectly fine without the word *imach* (literally 'with you') inserted after the words "...and his hand falters." What is added by inserting this word?

The *sefer* Yismach Yehudah (by a Rabbi Yehudah Jacobowitz from Lakewood) quotes a *sefer* which I have never heard of, called the Shevet Mishor, by Rav Meir Leib Frye. He wants to say that the way the *pasuk* is worded teaches a special lesson that is most applicable in our own day and age.

The Gemara says "Poverty in a person's home is extremely debilitating" [Bava Basra 116a]. Here too, the Torah uses a peculiar choice of words: "*B'soch beiso shel adam*" [in the midst of a person's house]. What do these words mean? He writes that there are two types of poor people. There is a person whom everyone knows is poor. Therefore, when Purim or Yom Tov arrives, people help him with his various expenses. However, there is another type of poor person. This person lives in a wonderful house, and he has all the outside trappings of wealth -- a nice car, a nice house, etc. But no one knows that this fellow is the victim of a sub-prime mortgage crisis. Nobody knows that he is near bankruptcy and that his entire apparent lifestyle is just a facade. There is no public collection for this person. "I should give him money? He should give me money!"

This is what the Gemara means when it phrases the statement as, "Poverty is debilitating when it is *b'soch beiso shel adam*" -- hidden within the four walls of his house -- such that no one is aware of it. The homeowner is the only person who knows he is facing financial disaster, and that the banks are about to foreclose, not only on his house but on everything he owns. The knowledge of his situation is limited to "*toch beiso shel adam*." Only a few close friends know the truth. The Torah says that

"when your brother becomes poor and his hand falters with you (*imach*)..." Everyone else does not know about it, except for those few individuals who are from his circle of friends. They are also wealthy, and they **do** know the situation. He has always been in their peer group, but now he is facing financial disaster. There are some situations that only a chosen few know about. In those situations, it is the chosen few who have the obligation to do something about it. In these situations, "you shall strengthen him, and your brother will live with you (*imach*)." You need to restore him to the way he once was. It is your responsibility to help him out in an extraordinary fashion.

When a person is -- and always has been -- poor, he does not expect and does not deserve extravagant support. But when a person who has always lived in comfort now faces being on the breadline, that experience is devastating. Since he has always been financially "*with you*," it is your obligation to dig down into your deep pockets, so that "your brother will continue to live with you." (*v'chai achicha imach*).

A Tale of Two Ta'amei Temurah – Rambam and Sefer HaChinuch

The end of Parshas Bechukosai contains the concept of *temurah*. There is an entire tractate in the Talmud devoted to these laws. *Temurah* is a situation where a person sanctifies an animal, designating it to be a Korban, and then he wants to change his mind. He decides that rather than offering this animal as his sacrifice, he wants to offer another animal in its stead. Even if in fact the second animal is superior to the one he initially designated (meaning the *Beis HaMikdash* will wind up getting a nicer animal for the *mizbayach*) nevertheless it is forbidden to swap animals once the first animal has been designated as holy. If in fact one attempts to make such a swap, declaring "*zeh temuras zeh*" (this one will be in place of this one), the result is that both animals are now holy.

The Rambam and Sefer HaChinuch take different approaches in explaining the laws of *temurah*.

The Rambam writes at the end of *hilchos temurah* [4:13]: "Even though everything in the Torah is a *chok* [a law for which we do not grasp its ultimate reason], it is appropriate to analyze them (*chukim*) and wherever a rationale can be given, we should offer that rationale. It appears to me that both the *halacha* of *temurah* (where both the animals become holy) and the *halacha* that when one tries to redeem an animal that he has previously donated to the *Bais Hamikdash*, he must add a twenty-five percent surcharge, are cases of the Torah descending into the thoughts of man, which are motivated by his evil inclination. It is the nature of people to want to amass wealth, and to hold onto their possessions."

This is indeed one of the great truths of life. People love money. Someone does not need to be the Rambam to advance such an idea. People are worried about their financial holdings.

The Rambam continues: "And even though he went ahead and made a donation to the *Bais Hamikdash*, it is possible that he has second thoughts and regrets his generosity. In retracting his previous donation, he is tempted to redeem or replace it with something of lesser value."

Basically, we need to be afraid that the fellow -- as a result of his "second thoughts" -- is trying to cheat *hekdes*. In a "moment of weakness," he transferred ownership of a beautiful animal to the treasurer of the *Bais Hamikdash*. Then when "his senses get the better of him" he asks himself, "What in the world did I do? Does Hashem really care if it is a beautiful cow or an ugly cow? A sacrifice is a sacrifice. It is just going to be slaughtered anyhow!" The Torah is trying to pre-empt this tendency to renege on his pledge to *hekdes*, so the Torah insures that any person who tries to undo his moment of generosity will pay dearly for that attempt. Even if in fact the second animal is superior to the first animal, there are no exceptions to this rule. If the Torah would allow us a "free switch" under any circumstances, there is no end to the abuse this privilege would cause. Therefore, the Torah insists, "and it will be that the original animal and its substitute will both be holy." This is the opinion of the Rambam.

The Sefer HaChinuch takes a different approach, offering the following very interesting idea: Someone should not fool around with sacred items. He writes: "Therefore, in order to implant in our hearts fear and reverence of matters that are holy, the Torah wants us to respect holy items. *Kedusha* is something which we must relate to with reverence. When someone enters the *Bais Hamikdash*, he must fear it. Scripture therefore commands us not to tamper with the holiness of donated items.

Once an item has become sanctified, that status should remain permanently. Once an animal is holy, it should not enter our mind to switch that sanctity onto a different animal. If a person tries to make such a switch, the Torah nullifies his intent, and both animals will become sanctified. The end result of trying to remove holiness will be just the opposite -- it will multiply holiness!"

Rav Pam extrapolates this idea of the Sefer HaChinuch, and suggests that this idea (i.e. -- that anyone trying to tamper with or destroy *kedusha* will find that *kedusha* spreads) has been the story of Jewish history. In Egypt, they wanted to destroy the Jewish people. What happened? *Kedusha* spread. "The more they afflicted them, the more they multiplied and the more they spread." [Shemos 1:12]. Pharaoh wanted to make the Jewish people subhuman in the eyes of the masses. What happened? At the time of the Exodus, "Also a mixed multitude (of Egyptian people) went up with them" [Shemos 12:38]. Trying to destroy the holiness of the Jewish people is doomed to failure. The *Ribono shel Olam* says that this is the nature of *kedusha*. Try to squelch it, try to destroy it, try to get rid of it -- and it spreads.

The wicked Haman attempted to destroy, eradicate, and murder all the Jews from young lad until old man. He desired to uproot *kedusha*. However, the nature of *kedusha* is that the more one tries to destroy it, the more it spreads. "And many of the masses of the people (of Persia) converted" [Esther 8:17]. They started converting in droves. How do we explain this phenomenon? Perhaps you can argue that "Everybody wants to be with a winner; they want to get on the band wagon." No! It was more than that. It is the nature of *kedusha* to expand. This is what the parsha of *temurah* teaches us.

Rav Pam added that many of the people who founded the State of Israel came from Socialist, Communist, and Bundist backgrounds. They made it part of their agenda to uproot the sanctity of Israel. "We will be like all the nations, O House of Israel" [Shmuel I 8:20]. What happens when one tries to do that to *kedusha*? It spreads. That is why the grandchildren of some of those people are the *baalei teshuvah* today who are learning Torah in Ponnevez and Mir and Brisk, and all the Yeshivos that are sprouting up throughout the length and breadth of *Eretz Yisrael*, as never before. Why? This is just the nature of *kedusha*. They try to wipe it out and decimate it, but the *Ribono shel Olam* says that is not going to happen. "You start up with *kedusha* -- it is going to spread."

This is the lesson of *temurah*. Not only did you not accomplish what you set out to do, but instead of one animal being holy, now two animals are holy. Such is the nature of *kedusha*.

Transcribed by David Twersky; Jerusalem DavidATwersky@gmail.com

Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org

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 Behar is provided below:

- CD# 011 – Rationing Medical Care
- CD# 012 - Can Teachers Strike?
- CD# 054 - Life Insurance: The Torah Policy
- CD# 055 - Candle Lighting & Havdalah: How Early & How Late?
- CD# 097 - "Ribis" Problems of Interest for the Jew in a Mercantile Society
- CD# 098 - "Cheremei Tzibur": A Ban on Living in Germany?
- CD# 145 - Kidney Donations: Endangering Oneself to Save Another
- CD# 192 - Making Shabbos Early
- CD# 282 - The Physician's Obligation to Heal
- CD# 328 - Sh'mita and the Heter Mechira
- CD# 372 - Using Shuls As A Shortcut
- CD# 416 - Supporting Jewish Merchants
- CD# 460 - The Obligation of Checking One's Tefillin
- CD# 504 - Lag B'Omer
- CD# 548 – Marrying for Money
- CD# 592 – Ribis and the Non-Jew
- CD# 636 – The Kedusha of the Ezras Noshim
- CD# 680 - Is Ribis Ever Permitted?
- CD# 724 – The Chazzan Who Changes His Mind
- CD# 768 – Dos and Don'ts of Treating a Lender
- CD# 812 – How Much Is That Tiffany Necklace?

- CD# 856 – Distractions When Performing A Mitzvah
- CD# 900 – Oy! My Tefillin Are Pasul
- CD# 945 – Overcharging: How Much Is Too Much?
- CD# 987 – Limud HaTorah – Must You Understand What You Are Learning?
- CD# 988 – Bentching – Making Sure You Eat and Enjoy
- CD#1031 - Sh'mitta – How Did the Farmers Survive?
- CD#1032 - The Child Molester – What Must We Do?
- CD#1076 - Cheating in Business It May Be More Asur Than You Think
- CD#1118 - What Are You/Aren't You Allowed To Talk About on Shabbos?
- CD#1119 - Davening in a Rented Movie Theater–Is There A Problem?
- CD#1160 – The Mahram of Padua, The Ramo, and l'Havdil the Pope

A complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information.