



Parshas Behar

For the week ending 20 Iyar 5758 *27 Iyar outside Israel
15 & 16 May 1998 *22 & 23 May outside Israel

Overview

The Torah prohibits normal farming of the Land of Israel every seven years. This “Shabbos” for the land is called shemita. (5754 was a shemita year in Israel.) After every seventh shemita, the fiftieth year, yovel (Jubilee), is announced with the sounds of the shofar on Yom Kippur. This was also a year for the land to lie fallow. Hashem promises to provide a bumper crop prior to the shemita and yovel years to sustain the Jewish People. In the year of yovel, all land is returned to its original division from the time of Joshua, and all Jewish indentured servants are freed, even if they have not completed their six years of work. A Jewish indentured servant may not be given any demeaning, unnecessary or excessively difficult work, and may not be sold in the public market. The price of his labor must be calculated according to the amount of time remaining until he will automatically become free. The price of land is similarly calculated. Should anyone sell his ancestral land, he has the right to redeem it after two years. If a house in a walled city is sold, the right of redemption is limited to only the first year after the sale. The Levites’ cities belong to them forever. The Jewish People are forbidden to take advantage of each other by lending or borrowing with interest. Family members should redeem any relative who was sold as an indentured servant as a result of impoverishment.

Insights

KILLING MERCY

“And you will do my ‘chukim,’ and my ‘mishpatim’ you will guard” (25:18)

Everyone knows that Jews don’t eat pork. Why not?

The story goes that three thousand years ago, refrigeration hadn’t reached a very high level of sophistication and the contraction of trichinosis through eating pig was a threatening reality. Now, of course, since we all have double-fridges which produce ice cubes by the score and you can freeze a chop to last a year or two, there’s no need to hold yourself back from the gastronomic delights of “porc a la toit.” Or so the story goes.

The truth of the matter is that pork, like shatnez (wearing a garment with wool and linen woven together), is a chok — a law beyond the grasp of human understanding.

The laws which prohibit antisocial behavior in the Torah are called mishpatim. It is self-evident to all reasonable people that murder is evil and that theft is wicked. No civilized society in the world permits these acts.

To the Jew, though, murder is wrong because the Torah says it is wrong. Murder and wearing a jacket with shatnez share as their essence that they are both prohibited by the Creator. Hashem revealed to our logical grasp an understanding of why murder is wrong. He has not chosen to do the same with the prohibition of pork.

In the above verse, the Torah talks about “doing” the chukim (the supra-logical commandments), whereas when it refers to the mishpatim (the seemingly logical laws like the prohibition of

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murder) it talks about "guarding."

What's the difference between doing and guarding?

The very essence of a chok is the doing. The challenge of the chok is to say to oneself: "The world is not bounded by my understanding of it. Just because I can't comprehend something doesn't make it not true." Thus, the essence of the chok is to do it. That's the challenge.

When it comes to the mishpatim, however, we are faced with a different challenge. If it's self evident that killing and theft are wrong, what then is the test of fulfilling the mishpatim?

Several years ago a tragedy took place that tears at your heart. There was a woman who suffered from a terrible crippling disease. Day after day her husband watched her suffer. One day, beside himself with anguish, he gave her an overdose of barbiturates.

The challenge of the mishpatim is to guard them; not to excuse murder and call it "mercy killing." The One whose mercy is eternal decrees that we must not kill. Can we be more merciful than G-d, whose name is "The Merciful One"? The challenge of the "logical" commandments is not to tamper with them, not to pervert them to our own concepts of right and wrong.

Even when our hearts break in grief, when those close to us sicken and die, sometimes in great pain, the challenge of the mishpatim is to know that our minds can never grasp the ultimate logic of even that which seems logical to us.

PARTNERS IN TIME

"When you come to the land which I am giving to you, the land shall observe a Sabbath rest for Hashem" (25:2)

When you look at the letterhead of some law firms, you might think you're reading the New York phone book. It seems like everyone is a junior partner.

In a way, we too want to be junior partners. Junior partners with Hashem. We think: "Okay G-d, you run the world. You're the Boss. I just want a little junior partnership over here to do what I want to do. I just want a little of my own space."

How can you have your own space when "His honor fills the world"? How can you have a junior partnership with the One to whom there is no "two"? A Jew is on duty twenty-four hours a day,

seven days a week, from the cradle to the grave. We are the people G-d has chosen to serve Him.

But doesn't that sound terribly forbidding? I'm nothing more than a cipher? A mindless automaton filling instructions? Where is my space? Where is my individuality?

In reality, Hashem has given us a junior partnership. But it's not a partnership so we can slink off and play golf in the afternoons. It's a partnership in the very creation of time itself.

When Hashem created the world, He created it with two kinds of holiness which are expressed in Shabbos on the one hand and the Festivals on the other.

The holiness of Shabbos is fixed, immutable. Every seven days we enter a world called Shabbos. It requires no intervention on our part. Shabbos flows down from the upper worlds without our assistance and beyond our control.

The Festivals of Pesach, Shavuot and Sukkos are another matter. Hashem allows Man, as Beis Din, to establish the day on which the month begins, and thus the exact times of the festivals.

Regarding shemita (the Sabbatical year for the land) the Torah states "The land shall observe a Shabbos for Hashem." Exactly the same expression is used in the account of the creation of Shabbos: "A Shabbos for Hashem."

Just as there are two types of holiness in the days and the months, Shabbos and Festivals, so too there are two types of holiness in the years themselves. The seventh year is a Shabbos of the land. Its holiness is "fixed" like Shabbos. The holiness of yovel (the Jubilee year) is like the holiness of the Festivals. Its holiness represents a partnership of G-d and Man. "For it is yovel; holy it will be to you."

If the shofar is not blown at the beginning of the yovel year then the year is not yovel. If the slaves are not set free, the year is not yovel. If the fields do not return to their original owners, the year does not have the status of yovel and it is permitted to reap and sow like an ordinary year.

The year of shemita is different. Its holiness is fixed, independent of Man. Even if the years have not been counted, even if Beis Din fails to sanctify the year as a shemita year and there has been no cessation of sowing and reaping, it is shemita nevertheless.

It is for this reason that shemita is called "a

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Shabbos for Hashem.” Shemita, like Shabbos, allows for no junior partnerships.

THE FATHERS OF INVENTION

“On Mount Sinai...” (25.1)

An imaginary conversation: “Sol, let’s invent a religion. In this religion we tell people that every seven years they have to stop working the fields, down tools, do no planting or harvesting. But we promise them that they’ll miraculously get a bumper crop the previous year, the sixth year, which will keep them going for that year, the next year and the eighth year. Because, of course, seeing as nothing was grown in the seventh year, there will be nothing to harvest in the eighth year.”

“Irv! Are you crazy?! How can you predict the future?! Your religion is going to fall flat on its face in the first seventh year when everyone starts starving and there’s no bumper crop and nothing to eat!”

This week’s Parsha starts with the words “And Hashem spoke to Moshe on Mount Sinai.” Why, specifically, does the Torah record that it was on Mount Sinai that Hashem told Moshe about the mitzvah of shemita? Weren’t all the mitzvos told to Moshe on Sinai?

The reason that the Torah connects Mount Sinai specifically with the mitzvah of shemita is to tell us that just as shemita provides a verifiable test of the Torah’s veracity — for it would be impossible to invent a religion with such a commandment — so too the rest of the Torah, which was given on Sinai, is authentic in both its generalities and specifics.

Sources:

Killing Mercy - Rabbi Yissacher Frand

Partners In Time - Toras Kohanim, Rosh Hashana 9, Rambam Hilchos Shemita and Yovel Chap. 26, Meshech Chochma in Iturei Torah

The Fathers of Invention - Rashi, Chasam Sofer, Rav Yehuda HaLevi - Kuzari

Haftorah: Yirmeyahu 32:6-18

THE ULTIMATE LANDLORD

The first verse of this week’s Parsha reminds us that the land of Israel is only on loan to the Jewish People. Hashem remains the Owner and Lord of it. The Jewish People acknowledged that Hashem was the ultimate “Landlord” of Eretz Yisrael by observing the laws of shemita and yovel.

The Haftorah presents a shattering picture. The Chaldeans are at the gates, poised for the final assault. All the admonitions to keep the Torah have proved fruitless. Yirmiyahu, who had dared to tell the truth about the dire situation of the Jewish People, had been jailed by King Tzidkiyahu. In prison, Hashem tells him that he should now prophesy about the time of the return after the exile. For this purpose, he was to do something that was ostensibly absurd. He was to purchase a valueless field at full price, thus demonstrating the firm conviction that the impending destruction would ultimately pass.

Rabbi Mendel Hirsch

RIGHTS AND RAMIFICATIONS

“Great of counsel and mighty of deed, Whose eyes are cognizant of all the way of humankind, to give each man according to his ways and the fruit of his deeds.” (32:19)

When someone is judged deserving of the death penalty in the Heavenly court, Hashem throws into the balance the tremendous grief that his innocent parents, his wife and children will suffer if the sentence is executed.

Therefore Hashem does not punish anyone until calculating whether this will cause undeserved punishment to one of his family members. That is the meaning of this verse: “Great of counsel and mighty of deed...” Only Hashem is capable of calculating the precise extent of a person’s due, that he should only be called upon to bear “according to his ways and the fruit of his deeds.”

Rabbi Mahar’a Yitzchaki

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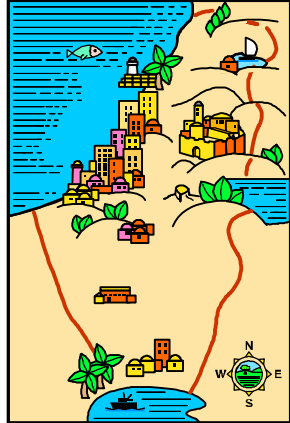
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LOVE OF THE LAND

Selections from classical Torah sources which express the special relationship between the People of Israel and Eretz Yisrael



THE HEAVENLY GIFT

Three things were presented as gifts to the world — the Torah, the Heavenly luminaries and rain. Rabbi Tanchuma added Eretz Yisrael to this list, as it is written “He gave them the lands of the nations” (Tehillim 105:44). (Bereishis Rabbah 6:5)

There are some elements in the world which are indispensable to human existence and which would be unattainable through any human effort or expense. But they have all been made available to mankind without charge, as a Heavenly gift. The addition of Eretz Yisrael to this list stresses the idea that it was not through military prowess that Israel acquired its homeland, but through the miracles which constituted a Heavenly gift.