

Yad Avraham Institute
Weekly Torah Commentaries Series
Parshas Beha'aloscha
 June 17, 2005

Presented By: Rabbi Yosef Kalatsky, Shlita

<i>Inside This Week's Edition</i>	<u>Page</u>
<i>1. It is Not in Heaven</i>	2
<i>2. The Untainted Light of the Menorah</i>	3
<i>3. The Focus of the Jewish People</i>	4
<i>4. The Challenge of the Jew</i>	5
<i>5. The Linkage Between the Holy Temple and the Torah Itself</i>	6

Previous Topics

Taking Advantage of the Moment
 The Standard to Which the Jew is Held
 One's Behavior Reflects What One Values
 The Far Reaching Effects of One's Investment
 The Fundamental Characteristic Needed for Clarity
 The Unique Characteristic of the Jewish People
 The Essence of Shavuot
 Appreciating the Declaration of Naaseh V'Nishmah

About the Yad Avraham Institute

The Yad Avraham is a Torah learning institute located in midtown Manhattan. Classes are offered every day during the week starting at 5:50am and throughout the day. Classes in Chumash, Halacha, Hashkafa, Gemara, and general topics are well attended by businessmen, professionals, and students. The Yad Avraham invites you to participate in our extensive offerings of classes and events.

If you would like to receive this Weekly Torah Commentary Series by email

Please call 212-371-9555 or email:

info@yadavraham.org

TUNE IN TO OUR LIVE VIDEO BROADCAST OF CLASSES

And over

11,000 online classes 24 hours a day

Yad Avraham Institute
New York
June 17, 2005

B"H

Parshas Beha'aloscha

Presented by

Rabbi Yosef Kalatsky, Shlita
Dean

1. It is Not in Heaven

The Torah tells us that if an earthenware vessel becomes contaminated it cannot become purified. However, if it is broken it assumes a pure status because it is no longer classified as a vessel. The Gemara in Tractate *Bava Metzia* tells us that Rebbe Eliezer and the Chachamim (rabbis) argued about the status of an earthenware oven that had become contaminated and was subsequently severed into parts and reconstructed. The basis for the argument was concerning the purity of the oven. If it were to be reconstructed we would see it as the original vessel/oven, therefore, does it revert to its original contaminated state; or do we consider it a new vessel/oven and it is thus not contaminated. The newly constructed oven has no relevance to the original oven.

Rebbe Eliezer's position was that the reconstructed oven was considered pure and thus all food items that were prepared in it would be considered spiritually pure. However, the majority position was contrary to that of Rebbe Eliezer and therefore, the oven was considered contaminated. During the lengthy exchange between Rebbe Eliezer and the Chachamim, many miracles were performed to prove Rebbe Eliezer's position as being correct. The Chachamim were not influenced by these events. Finally Rebbe Eliezer declared that if his position was correct a *Bas Kol* (Heavenly Voice) should emanate from heaven stating, "The law is according to Rebbe Eliezer." In fact, this occurred. Rebbe Yehoshua in response to the Bas Kol stood up and said, "*Lo bashamayim he* – Torah is not in heaven!" Meaning, the definitive legal rulings of Torah are not determined by G'd, but rather were given to man to decide. Thus, the Bas Kol was irrelevant.

When G'd gave the Torah at Sinai to the Jewish people, it was meant to be processed by the human mind within the parameters of the thirteen methodologies of interpretation given by G'd at Sinai. By employing the methodologies ordained at Sinai, man is able to interpret the Torah and arrive at the true intention of G'd. This is

the basis for Rebbe Yehoshua's statement, "*Lo bashamayim he* – Torah is not in heaven!" Regardless of the genius of an individual or the cogency of his position, if the majority assumes another position contrary to the minority, the Torah dictates that one must follow the majority rule.

The Gemara tells us, based on a verse from Psalms, that when one assumes the status of a Torah sage, which of course came about through his own initiative and application in Torah, he is permitted to waive his honor. This is because the Torah that he possesses is considered "his Torah" that he achieved through his toil. Thus, the Torah that one possesses, since it came about through his own processing and application of himself, no longer resides in heaven, but rather is integrated into the realm of man.

King David had two serious antagonists – Achitofel who advised Avshalom to kill his own father, King David, and Doieg H'Adomi. Doieg was the greatest Torah genius of his generation, yet he despised King David. He enraged King Saul against David and because of his incitement, the entire community of Nove was killed. The Gemara in Tractate Sanhedrin tells us that G'd consulted with King David regarding the Torah of Doieg H'Adomi. G'd had asked King David, "After Doig Adomi passes away should the Torah that he expounded upon be quoted in his name?" King David responded, "There should be no memory of him." G'd then asked King David, "Should he have children that are Torah scholars?" King David replied, "He should be uprooted from the tree of life (so that he has no share in the world to come.)" Does G'd need to consult with King David regarding the predicament of Doieg? One would think that if Doieg Adomi was worthy, his Torah would be cited in his name and his children would merit to be Torah sages – and if not it would be to the contrary.

We see from this Gemara that anything that relates to the transmission or processing of Torah is to be determined by man and not G'd- based on the principle of

“*Lo bashamayim he.*” G’d consulted with King David because it is the Torah sage who determines how Torah will evolve and be disseminated. As a result of the Sinai event, G’d gave the Jewish people the responsibility to process His Torah within the parameters that He prescribed. The principle of “*Lo bashamayim he*” does not only apply to determining normative Jewish law but also applies to issues of proper conduct and what is to be valued regarding Torah.

Rambam writes in his introduction to *Yad Chazakah* that the Oral Law is determined by the rulings of the Torah sages of each generation. At Sinai, G’d communicated to Moshe His interpretation (Oral Law) of the Written Law. However, when the Torah sage utilizes the methodologies and interpretations that were given to Moshe, to be applied in another setting, these rulings become part of the Oral Law. At the time of the giving of the Torah, the angels in heaven protested – “Let Your Glory remain in Heaven.” However, G’d’s intent of Creation was for man, with all of his limitations, to receive and process the Torah with his human intellect - making it “his Torah.”

2. *The Untainted Light of the Menorah*

Rashi in the beginning of the Portion of Beha’aloscha cites Chazal, “Why does the Torah juxtapose the portion of the celebration of the Princes (at inauguration of the Mishkan/altar) to the kindling of the Menorah?” The Midrash explains that when Aaron had seen all of the Princes participating in the celebration of the completion of the Mishkan, he was taken aback (because he felt that his exclusion was because he was not worthy). G’d explained to him that his participation is greater than that of the Princes. Aaron was given the mitzvah of kindling the Menorah.

The Midrash Tanchuma explains the juxtaposition slightly differently. The Midrash states, “The exclusion of Aaron is analogous to a king who had prepared a banquet for all of his subjects to attend with the exception of his most beloved friend. The king’s friend was saddened and felt that perhaps the king bore a grudge against him and therefore was excluded from the special celebration. After all of the days of feasting were completed, the king summoned his beloved friend and explained, “Until now I celebrated with all of your fellow countrymen, however, because of my special intimate relationship with you I wanted our celebration to be in a private setting. I wanted it to be exclusively for you to indicate to what degree I value our relationship.”

It is interesting to note that over the seven days of Sukkos, seventy oxen were brought as sacrifices in the Bais HaMikdash (Temple) to correspond to the seventy root nations of the world. On Shemini Atzeres, which immediately follows Sukkos, a single ox was brought to correspond to the Jewish people. G’d wanted their offering to be brought exclusively to be separate from the others. This indicates the special relationship that G’d has with the Jewish people. Similarly, the relationship which G’d has with the Jewish people is not comparable to the relationship between Himself and the Levites/Aaron. The love that G’d has for Aaron and his tribe (Levyim) was valued at a special level because they were not tainted with the Golden Calf. They were the only tribe who did not participate in that sin.

The Midrash continues, “G’d said to Moshe to accept the gifts from the twelve tribes. The tribe of Levi did not participate. However, once the inauguration of the Mishkan was complete G’d said, “Until now all of the tribes were involved in the inauguration for themselves, now you (Aaron and the Levyim) should have your own exclusive celebration. This will be the kindling of the Menorah. Thus, G’d said, **“Speak to Aaron and say to him: When you kindle the lamps...”**

Ramban asks, “Why did G’d need to console Aaron by giving him the mitzvah of kindling the Menorah? He officiated in many other capacities in the Mishkan/Bais HaMikdash, which were exclusive to him. For example, no other person could have officiated in the Mishkan other than the Kohen. In addition, no other individual could have officiated on Yom Kippur other than the High Priest (Aaron). Furthermore, the participation/contribution of the Princes was a unique momentary event, while Aaron’s service in the Mishkan was ongoing. Why then was Aaron taken aback for not being included?”

We find that before passing away, Moshe blessed the Tribes of Israel. The blessing that he had given to his own tribe, the Tribe of Levi, was that they be the ones to transmit the laws to the Jewish people. Because the Tribe of Levi was untainted by the sin of the Golden Calf, they were considered the pure/unhindered conduit for the transmission of the Torah. Thus, the Kohanim/Levyim were the equivalent of the most beloved and intimate friend of the king. The purpose of Creation and the Jewish people was for the fulfillment of the Torah. In order to bring about this ultimate objective, The Torah can only be effective in its purest form. This was only possible

through the Tribe of Levi. The Gemara in Tractate Bava Basra tells us that the Menorah represents the Oral Law. Its kindling draws all the spiritual influences of illumination that are necessary for the Torah to be processed accurately. This responsibility was given to Aaron, the High Priest. The value of the kindling of the Menorah, in terms of its function, is unrelated to the other areas in which the Kohen and the Levi officiated (such as the service of Yom Kippur/the Day of Atonement and the daily sacrifices that were brought in the Temple). The spiritual lifeline of the Jewish people lies in the hands of the Kohen through the kindling of the Menorah. Thus, Aaron was told, “your participation is greater than theirs. You will be responsible for the lighting of the Menorah which is the ultimate gift reserved for the most beloved of G’d.”

3. The Focus of the Jewish People

The Torah states, “...When you kindle the lamps, toward the face of the Menorah shall the seven lamps cast light.” Rashi cites Chazal who explain that the wicks of the lamps on the left side and right side of the Menorah faced inward towards the inner lamp (center) whose wick stood upright. Chazal explain, “If one wanted to maximize the light of the Menorah, all the wicks should minimally be upright. The fact that the wicks of the Menorah are bent towards the center, minimizing their effect, is to indicate that “G’d does not need your light.” The value of the kindling of the Menorah is not for the sake of illumination but rather it generates elucidation (of Torah).”

Sforno explains the symbolism of the wicks of the Menorah. He states, “It is when the flames of the six wicks are bent towards the center flame that the Menorah functions properly. This will ultimately cause a special light/influence/blessing to come upon the Jewish people. The essence of the Menorah is the contribution of those who are represented on the right (*mymeenim*) and those who are on the left (*masmeelim*). The *mymeenim* (those on the right) are those who are totally dedicated to spirituality – Torah/mitzvos. The *masmeelim* (those on the left) are those who are dedicated to engage in the material in order to assist the *mymeenim* in their spiritual objective/pursuit.” It is when the *mymeenim* and the *masmeelim* share a common objective of advancing spirituality that the Jewish people function properly/wholesomely. Similarly, the Menorah functions in unison when the wicks on the left and right face the center – to bring about total illumination. Sforno continues, “The symbolism of the Menorah is

reminiscent of what occurred at Sinai. At Sinai, the Jewish people declared, “Naaseh V’nishma – we will do and we will listen.” Meaning, each individual, functioning in his own capacity, in conjunction with his fellow accepts and fulfills the entire Torah as a unified people.”

Sforno explains that the symbolism of the Menorah being fashioned from one block of gold (hammered into the proper shape), rather than many components being fused together, represents the unity of purpose of the Jewish people - whether they are engaged in the material or in the spiritual – united to do the Will of G’d.

It is interesting to note that the Mishna in Pirkei Avos (Ethics of our Fathers) states, “On three principles the world stands – on Torah, service (avodah), and acts of loving kindness (gemilas chasadim).” Reb Chaim of Volozhin z’tl explains that each of these principles represents one of the Patriarchs. Avraham was the Patriarch who devoted his life to espousing monotheism through acts of loving kindness. Yitzchak, who was the unblemished offering (the Akeidah), represents service (avodah). Yaakov is the Patriarch who represents Torah because he dedicated his life to Torah study.

Reb Chaim of Volozhin asks, “Since the three principles stated in the Mishna correspond to our Patriarchs, why did Judah the Prince not enumerate them in chronological order of the Patriarchs namely – acts of loving kindness (Avraham), service (Yitzchak), and Torah (Yaakov)?” He explains that before the Torah was given at Sinai, an act of chesed was defined as one lending money with interest. However, after the Sinai event (when usury became forbidden by the Torah), one who is a usurer does not merit resurrection. Before Sinai, one who wanted to serve G’d could do so by bringing an offering on his own private altar. However, after Sinai and the building of the Mishkan/Bais HaMikdash, if one were to bring an offering on a private altar he was liable for spiritual excision. What was defined as an act of kindness before Sinai was no longer regarded in this way after Sinai. What was a valid service to G’d before Sinai was considered a grave sin after Sinai. Thus, Judah the Prince is communicating to us that the defining factor, which determines what is and what is not - is the Torah itself. Thus, the Mishna begins with the principle of Torah. Meaning, everything must be first predicated on Torah. Only then, one understands what is considered proper service and loving kindness.

Similarly, although the *masmeelim* were engaged in the material, their guiding light was the Torah itself. They received direction from the *mymeenim* (Torah sages) who were solely dedicated to the development of their spirituality through Torah study and mitzvos. The only way a Jew can have a proper understanding and appreciation of his objective in life is through the Torah.

4. *The Challenge of the Jew*

The Torah tells us that the Jewish people complained in the desert saying, **“Who will feed us meat? We remember the fish that we ate in Egypt free of charge (*chinum*, and the cucumbers, melons, leeks onions, and garlic.”** How do we understand this fond reminiscence over the period when the Jewish people were in Egypt? In Egypt, they were slaves and endured untold hardships. Their statement may be compared to a survivor of the concentration camps reminiscing over the stale bread and putrid soup that he had eaten in the camps. The question is even more difficult since the Jewish people had reached an advanced level of spirituality at the Sinai experience when they declared, “Naaseh V’nishma – we will do and we will listen.” How could they even consider putting the Egyptian experience in a positive context?

The Torah tells us that the Jewish people had said, **“We remember the fish that we ate in Egypt free of charge (*chinum*)...”** Rashi cites Chazal who explain, “Does this mean to say that the Egyptians fed the Jewish people fish without payment? If the Egyptians would not give the Jewish people straw to make bricks would they have given them fish without payment, or perhaps we could understand the word “*chinum* (free of charge)” to mean “free from mitzvos.” Sifse Chachumim explains “free from mitzvos” to mean that as slaves the Jewish people were provided for by their masters, the Egyptians. However, after Sinai the sustenance of the Jewish people was provided by G’d and was contingent on their observance of mitzvos. If they observe the mitzvos properly then the earth will give forth its bounty. If they do not observe the mitzvos properly then the earth will withhold its bounty. While in Egypt as slaves, this level of accountability did not exist.

Whether the master of the Jewish people was the Egyptian or G’d Himself, in either situation they would have only been provided for if they performed adequately. If so, why is the accountability to G’d more taxing than that of their Egyptian masters?

This question leads us to a profound principle that can be learned. The level of accountability of the Jew is very different then that of the nations of the world. For the non-Jew it is sufficient not violate the Noachide laws and all that is required of him is to behave responsibly as a moral human being. However, the level of expectation of the Jew is at a different level because he is bound by the 613 mitzvos, which govern every aspect and nuance of his life. There is no aspect of a Jew’s life that is not governed by the Torah. There is nothing to compare to this level of accountability.

The Torah in the portion of Haazinu states, **“Give ear, O heavens, and I will speak and may the earth hear the words of my mouth.”** Rashi cites Chazal who explain that Moshe was telling the Jewish people that heaven and earth are his witnesses. If the Jew follows the ways of the Torah, then the rain will come in its time and the earth will give forth its bounty. However if they do not observe the mitzvos then they will be denied these blessings. This means that the Jewish people are continuously evaluated and are subject to G’d’s scrutiny at every moment. This unlimited level of accountability is what the Jewish people in the desert could not tolerate. Relatively speaking, in Egypt they received their sustenance “for free (without charge)” because their level of accountability was limited to their quota of productivity.

During the forty-year period, in the desert, if the Jewish people were to deviate and transgress (even to the smallest degree) the Will of G’d, the *Midas HaDin* (Attribute of Justice) would come upon them instantly. When they were finally settled in the Land, every community was required to have *shoftim* (judges) and *shotrim* (officers) who were responsible for enforcing the dictates of the court. If one were to violate the Torah, he would be reprimanded and punished accordingly. If a community had as few as 120 individuals it was required to appoint a Sanhedrin Ketana, (lower Jewish Court) comprised of 23 judges of special status. These judges were ordained through the ordination of Moshe Rabbeinu and therefore were qualified to render rulings in every area of law (capital, corporal, etc.). The only way one was able to sin and not be punished was to sin in private. This level of vigilance and holding one accountable to this degree was unprecedented. What is the special value of accountability? Is it only to instill fear of punishment or is it something of greater value? It would not say much for society if people did not violate the law because of their concern of prosecution.

The Mishna in Pirkei Avos (Ethics of Our Fathers) tells us that one should pray for the welfare of government because without fear of government, people would swallow one another alive. Is this to say that the only reason a moral/ethical person does not break the law is because he would be punished? Accountability establishes a baseline to determine what is considered appropriate or unacceptable. Accountability causes one to understand the nature and gravity of one's actions.

When the Jewish people in the desert had said that the Egyptians had given them fish "free of charge," they were recalling the time they were not held accountable for their personal behavior. All they needed to do was to provide the quotas that were demanded of them and then the Egyptians fed them. However, after the receiving of the Torah at Sinai, when the Jewish people became the "priestly, kingly and holy people," their level of accountability was of a different dimension. G'd held the Jew accountable for every aspect of his life and if he did not adhere to the Torah, he would not be provided for. If a Jew is cognizant of his obligation and responsibility, he will perform and conduct himself accordingly.

How does one maintain that cognizance? The Gemara tells us in Tractate Kiddushin, "The study of Torah is of paramount value because it brings to action...I have created the evil inclination and I have created the Torah as its antidote." Thus, if one studies the Torah, he will have a sense of "right" and "wrong" and not experience it as a burden.

5. The Linkage Between the Holy Temple and the Torah Itself

The Torah tells us that the *Leviyim* (Levites) were chosen by G'd to replace the *Bechorim* (first born - *Kohanim*) to be the officiants of G'd. In one of the verses regarding the Levy representing the Jewish people, the term "*B'nai Yisroel* (children of Israel)" is mentioned five times, which seems to be superfluous. What is the significance of this repetition? Rashi cites Chazal who explain that the term "*B'nai Yisroel*" is mentioned five times to correspond to the five books of the Torah (*chamishah chumshei Torah*). Why is the Torah equating the Jewish people to the Torah by repeating their name five times in the context of the *Leviyim* assuming the role as the officiants of G'd?

The Torah tells us that when Esav returned from the field tired and weary, he discovered that his

grandfather Avraham had passed away. Yaakov, his brother, was preparing lentil soup, which is the food eaten by a mourner. Esav requested of Yaakov, "Give me some of that red stuff!" Yaakov understood from Esav's expression that he was totally immersed in physicality and therefore was not the appropriate person to be the Kohen. Thus, Yaakov asked Esav to sell his birthright in exchange for the food that he had requested. Esav readily agreed to sell the *Bechorah* (birthright), which was the *Kehunah* (Priesthood). Yaakov thus assumed the rights of the *Bechor*. Yaakov's interest was not to take away what rightfully belonged to Esav. Rather, since Esav was unbefitting the position of Kohen, Yaakov purchased the birthright from him. The purchase of the *Kehunah* was purely for the sake of the Honor of G'd.

The *Kehuna* (Priesthood) qualifies the person who assumes that status to be close to G'd and thus have a special relationship with Him. The Kohen Gadol (High Priest) was the only person qualified to enter into the Holy of Holies on Yom Kippur and to be in close proximity to the *Shechinah* (Divine Presence). Yaakov, as the inherently spiritual person, was qualified to assume the status of Kohen, which was the birthright of the Jewish people, and thus had relevance to G'd's Torah/ *Chachmas Hashem* (Wisdom of G'd). The spiritual representatives of the Jewish people were the *Kohanim* and the *Leviyim*. Since they were able to have this level of representation, it is indicative of their own spiritual capacity. Thus, the Jewish people have relevance to Torah and G'd. As it is stated in the Zohar, "Yisroel, the Torah, and G'd are all one."

As was said, the Torah tells us that the *Leviyim* replaced the *Bechorim* and the Torah mentions "*B'nai Yisroel* - the Jewish people" five times. This is to communicate that just as the *Leviyim* are qualified to be the officiants of G'd because of their spiritual standing, so too the Jewish people have relevance to the Torah because of their spiritual status (as the children of Yaakov). The innate spirituality of the Jew allows him to have relevance to the Wisdom of G'd and the Torah. To emphasize this point, in the same verse which mentions the *Leviyim* assuming responsibility for the Jewish people vis-à-vis G'd, the Torah also mentions "*B'nai Yisroel*" five times to indicate their relevance to G'd's Torah.

Now we are able to understand the *tefillah* (prayer) at the conclusion of the *Amidah* (silent prayer) which we recite three times a day: "May it be Your will, Hashem our G'd and the G'd of our forefathers, that the Holy Temple be rebuilt, speedily in our days. Grant us a share in Your

Torah...” Why do we mention having a share in G’d’s Torah in conjunction with the rebuilding of the Temple? As we had explained, the Jewish people are qualified to have a special relationship with G’d – as it is indicated through the representation of the Kohen and the Levy. Consequently, the Jewish people have relevance to the Torah and the Land of Israel, which is the prime location for the fulfillment of the Torah. One is interlinked to the other. When we pray, we ask for the rebuilding of the *Bais HaMikdash* (Temple) because we have relevance to its sanctity, which emanates from G’d’s Presence. For that same reason, the Jewish people are qualified to have a share in His Torah.

It is stated, “From Zion, the Torah emanates.” Zion is identified as the location of the Divine Presence. Thus, since the Jewish people have relevance to the Divine Presence they have relevance to the Holy Torah.

YAD AVRAHAM DAILY CLASS SCHEDULE

*Energize your day...
... with a solid morning of Torah study*

Monday Through Friday

5:50- 6:00 am	Chumash with Rashi
6:00- 6:15 am	Pirkei Avos
6:15- 6:30 am	Mishna Berurah
6:30- 7:25 am	Halacha
6:30 -6:45 am	Mussar
6:45 -7:25 am	Talmud—Tractate Avodah Zorah
7:25 - 8:20 am	Davening Followed by Breakfast
8:20 - 8:45 am	Mishna
9:00 -10:00 am	Daf Yomi
2:00pm	Mincha

Special Weekday Classes

Monday

11:15 – 12:15pm **Talmud: Sanhedrin**
Location: Sunrise Capital 641 Lexington (25th FL.)
Enter on 54th Street

12:30 – 1:30pm **Talmud: Pesachim**
Location: Shandholt 488 Madison Avenue
Between E.51st and E.52st

Tuesday

12:15 - 1:15pm **Torah Insight Based on the Parsha**
Location: Yad Avraham

Wednesday

11:30 – 12:30 pm **Talmud: Sanhedrin**
Location: Sunrise Capital 641 Lexington (25th FL.)
Enter on 54th Street

1:00—2:00 pm **Derech Hashem**
Location: Yad Avraham

Thursday

10:30 –11:30am **Tehilim with Malbim**
Location: Yad Avraham

12:00 – 1:00 pm **Talmud: Sanhedrin**
Location: Sunrise Capital 641 Lexington (25th FL.)
Enter on 54th Street

Do you have a busy schedule?

Do you want to study and just can't get around to it?

Have you tried many classes and found them not as intellectually stimulating as you would like?

We have an answer....

TUNE IN ON THE INTERNET FOR LIVE VIDEO BROADCAST OF TORAH CLASSES

WWW.YADAVRAHAM.ORG

Over 11,000 Torah classes 24 hours a day