

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI DOV KRAMER

Taking a Closer Look

“**A**nd Moshe wrote this Torah and he gave it to the priests - the sons of Levi - the bearers of the ark of G-d's covenant, and to all the elders of Israel" (Devarim 319). Several questions have been asked on this verse.

First of all, don't we know that the Kohanim, the priests, who are descended from Aharon the great-grandson of Levi, are all from the Tribe of Levi? Why did the Torah need to point this out here? Secondly, the Kohanim were not really the "bearers of the ark of G-d's covenant," for it was a family of Leviim (Kehas - see Bamidbar 4) that carried it when the nation traveled. True, they did carry the ark on three special occasions (crossing the Jordan River, circling Yericho (Jericho) before it fell and when it was returned to its proper place - see Sotah 33b), but these exceptions should not give them the title of "ark bearers." Those who did it regularly could correctly be called "bearers of the ark," not the ones who did it temporarily, on only a few occasions. Why does the Torah attribute this service to the Kohanim if it wasn't their role? Finally, why mention this aspect at all? Even if the Kohanim *were* the bearers of the holy ark, why is that relevant to Moshe's having given them a copy of the Torah? Just tell us that Moshe gave the Kohanim and all the elders of the nation a copy of the Torah; why include this role of "bearers of the ark of G-d's covenant?"

Later in the Parasha (31:25-26), we are told that "Moshe commanded the Leviim, who carry the ark of G-d's covenant, saying, 'take this book of the Torah and place it at the side of the ark of Hashem your G-d's covenant, and it shall be there for you as a witness.' Here, it is only the Leviim who are referred to as the "bearers of the ark," but we are also told what the purpose of this copy of the Torah was - as a reference document against which all other versions of the Torah can be compared. "Rabbi Yanai said he (Moshe) wrote

13 [copies of the] Torah on that (last) day. 12 he gave to each of the 12 Tribes, and one he put in the ark so that if anyone tries to change anything it can be found in the ark" (Devarim Rabbah 9:9). So much so, that Eliyahu Ki Tov writes that this Torah wasn't the same as the other 12 Toras that were given to the elders. The vowels and musical notes (for reading the Torah), as well as the Masoraic notes (such as the keri/kesiv, where words are read differently than they are written), which are part of the "Oral Torah" and therefore not written in any other Torah, were included in the codex given to the Leviim. They were the teachers of Israel (Devarim 33:10), and were the caretakers of the authoritative Torah used to verify all others.

We can now start to understand why their role as "bearers of the ark" is connected to this Torah, as it was in (or next to) the ark that this special Torah was kept. But there is an even stronger connection.

When Moshe recounted what happened to the nation since they left Egypt, he spoke about when the Leviim were chosen to perform the Temple service, replacing the firstborn (10:8): "At that time G-d separated the Tribe of Levi - to carry the ark of G-d's covenant, to stand before G-d to serve Him and to bless [others] with His name - until this day." We see two aspects singled out as part of their special role, carrying the ark and the Priestly Blessing - even though it was only the Kohanim that performed the latter, and only the family of Kehas that did the former. Evidently, each of these stands for and symbolizes all of the tasks that the Kohanim and Leviim had (see Meshech Chochmoh regarding why it was specifically carrying the ark that was chosen as the example, and representative, of the work of the Leviim). The expression "bearers of the ark of G-d's covenant" is therefore used euphemistically to refer to all of the things that the Leviim (perhaps including the Kohanim) did. When the Torah says that Moshe gave the "reference Torah" to the Kohanim and Leviim who "carried the ark," it is as if it said that he gave it to the Tribe that was entrusted with the sanctity of the Temple and its service.

Their role as Temple servants was very much connected to their role as teachers of the nation as well. They had no portion in the Land of Israel so that they could focus on their Torah studies and spiritual growth, in order to best give it over to the rest of the nation (especially when they came to Yerushalayim for the Yomim Tovim). Yes, they physically "carried the ark" when appropriate, but they were truly the standard

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in loving memory of my dear parents
R'Chayim Yitchak ben R'Yehudo Hakohen
Paul Kahn
and
Mirjam bas Hachover R'Yehoshua
Irma Kahn-Goldschmidt

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bearers of the Torah - leading by example, teaching, and being the proprietors of the Torah codex that would ensure consistency and accuracy generation after generation. It is therefore completely appropriate for the Torah to describe them - the Kohanim who were on the holiest of levels, and with them the entire Tribe of Levi - as the "bearers of the ark of G-d's covenant" precisely at the time they were given this Torah by Moshe.

On Yom Kippur, as we are pleading for our lives and beseeching G-d to overlook our deficiencies and grant us a good year, we present a defense to try to explain why we are so detached from Him: The Holy Temple, through which we were able to facilitate atonement as well as achieve increasing levels of attachment, has been destroyed. The Kohanim and Leviim no longer perform the services there, which would have allowed, nay, required them to be dedicated to their higher calling - including serving as our teachers and role models. We cry out "all we have left is this Torah!"

On the one hand, it is a valid defense, as we are somewhat handicapped in our attempts to reach the loftiest of heights. On the other hand, though, it is only a valid defense if we have done all we can to take advantage of the tools we still have available - only falling short because of the tools we no longer have. By committing ourselves to studying Torah and learning what it really says to and about us, and then following it, we can show G-d that we *are* doing whatever we can to become closer to Him. His response can only be to provide ways that allow us to come even closer, including rebuilding the Temple.

May this truly be the year. © 2005 Rabbi D.

Kramer

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Parsha Insights

by Rabbi Zvi Miller

Towards the end of his life, Moshe Rabenu informed Klal Yisrael of his impending death (Devarim 31:2): He [Moshe] said to them, "I am a hundred and twenty years old today..." Rashi comments: "Today my days and years are filled on this day; on this day I was born and I this day I shall die [i.e., he died on his birthday]."

In these words, Moshe revealed the secret of completeness. The Midrash (Bereishis Raba 58:1) explains this idea from the verse (Tehillim 37:18): HaShem knows the days of those who are complete... Says the Midrash: "Just as they are complete, so too, their years are complete; HaShem completes their years from the day [of their birth] to [full years, so that] the day of their death [falls on the day of their birth]."

The worthiness of tzadikim is expressed in the term that HaShem calls them, i.e., they are called 'complete'. The Midrash continues: "The essential principle of days is completion [of a life cycle]. As Rebe Yochanon stated: [The days of the righteous] are like a complete circle."

The significance of this concept is that just as a circle has no angles, rather it is completely round-so too-the deeds and affairs of those who are completely righteous are whole and complete. This wholeness is reflected in the days and years of their lives-which span a complete cycle-from day of their birth to the day of their death.

A tzaddik lives every moment to the fullest, and gives his whole heart to serve HaShem-in Torah, Mitzvoth, and deeds of loving-kindness. Hence, there are no 'side moments' in his life. He treasures every second of life that HaShem bestows upon him. Therefore, he recognizes the opportunity in every moment-and-lives it to its highest potential.

Therefore, just as he fulfills his days, so too, HaShem blesses him with days and years that are complete.

Implement: Consider every second of your life of as an opportunity to perform a vital service to HaShem or your fellow. [Based on Da'as Torah of Rabenu Yerucham HaLevi] © 2005 Rabbi Z. Miller & The Salant Foundation

MACHON ZOMET

Shabbat B'Shabbato

by Rabbi Amnon Bazak

At the beginning of this week's Torah portion, Moshe turns to the nation with words of farewell, and he hands the leadership of the nation over to Yehoshua Bin Nun. Moshe notes two reasons why he must end his term of leadership. First, "I am one hundred and twenty years old today, and I can no longer 'go out and come'" [Devarim 31:2]. That is, "I no longer have the strength to wage war" [Ibn Ezra]. The phrase, to "go out and come," means to wage war (for example, see I Shmuel 18:27), and Moshe tells the people that at his age he can no longer be a military commander. This is different from the image of Kalev, for example, who says to Yehoshua at a much "younger" age, "Today I am eighty five years old. I am just as strong now as when Moshe sent me as a messenger, I have as much strength now as I did then to wage war and to 'go out and come'" [Yehoshua 14:10-11]. The second reason

that Moshe gives for not continuing with his task is "G-d has told me, you will not cross this Jordan River" [Devarim 31:2]. That is, Moshe would not be able to perform any other role, since G-d has decreed that he will not be allowed to enter the land.

This implies that the next step is for Moshe to tell the people who will replace him in fulfilling his previous tasks, both fighting their enemies and providing political leadership in other areas. Moshe therefore explains, "Your G-d is the one who will pass before you, He will destroy these nations from in front of you, and you will take possession from them. Yehoshua will pass before you, as G-d has commanded." [31:3]. Yisrael will have two leaders: The Almighty will lead the wars of the nation, and Yehoshua "will pass before" the people. Clearly, this does not mean that there were two completely separate leaders and two separate tasks to be performed. In practice, it was Yehoshua who led the wars of conquest. But Moshe wanted to emphasize that in essence war is not waged by man but that it must be under the influence of the spiritual leadership of the nation. In practice, as Moshe emphasized twice, if Bnei Yisrael would keep the Torah, "your G-d is the one who goes with you, he will not leave you or abandon you" [Devarim 31:6,8]. The main task of the leader of Yisrael is to make sure that the nation observes the Torah, and military victory will follow inevitably as a matter of course.

Yehoshua would seem to be the best possible example to illustrate this idea. It was very clear that the war against Amalek was fought in a miraculous way:

"When Moshe raised his hands, Yisrael would be strong, but when he put his hand down, Amalek would be strong" [Shemot 17:11]. However, it was Yehoshua who led the military campaign: "And Yehoshua weakened Amalek and his people by the sword" [17:13]. That is the opportunity where Yehoshua learned the secret of combining faith in G-d with the practical aspects of waging war. In the affair of the scouts, Yehoshua again was the person who declared that the wars to be fought by Yisrael are not influenced only by physical security but by spiritual issues. "If G-d wants us, He will bring us to this land and give it to us" [Bamidbar 14:8].

Yehoshua was indeed privileged that at the same time that he led the war of conquest of the land, he was also able to bring the nation to a very high level of faith in G-d: "And Yisrael served G-d all the days of Yehoshua" [Yehoshua 24:31].

Ultimate Repentance

by Rabbi Tzefania Drori, Chief Rabbi of Kiryat Shemonah and Head of the Hesder Yeshiva

The highest level of teshuva, repentance, is not related to a specific sin but rather to raising man to a new way of looking at his own universe. When a person sees himself as being part of the revelation of the good of G-d, he will of necessity refrain from any sin. How

can he sin and therefore be torn away from ultimate good?

The scene of the binding of Yitzchak brings us in contact with an event where Avraham rose to his own highest possible level. In spite of the almost impossible demand to sacrifice his own son, he fulfills G-d's command and continues to believe that G-d's word is always for the best.

The secret of the binding lies in the ability to accept what seems to be a contradiction but still believe that all aspects of an event are the will of G-d. Ever since the event, Yitzchak and Avraham are a symbol and a sign for future generations, showing that Yisrael retains the power of faith even in what seems to be an impossible situation.

According to the Midrash, Yitzchak asked his father to bind him tightly lest he damage the sacrifice by moving at the last moment. This is the same picture that we saw in the behavior of those who were expelled recently from their heritage. For decades, the Almighty had helped them to extract "a hundred gates"-mei'ah she'arim-from the desolate land of Gerar. Five thousand shells and rockets that were fired at them did not defeat them. They dwelt in an area full of miracles, G-d remained with them in their holy communities, with pure and heavenly rabbis to lead them. They had simple faith, they felt that the Redeemer of Yisrael would never be silent in the face of the inflexibility and evil character of the decree to expel them.

When the legions of the army approached, the complexity of the situation became clear. How should the people relate to soldiers, to the IDF in general, to Israel as a country, to the beginning of the process of redemption? Should they resist those who came, using force to do them harm? Should they fight, strike out in anger? Or should they pack away their belongings quietly, thereby causing harm to the concepts of the land and the mitzva of living in the land? Why should they not rely on their simple faith in G-d?

And at that point the image of "the binding" appeared. The settlers asked to bind themselves so that in their anger they would not harm the unity of the nation. This was their finest hour. The G-d of Yisrael inspired their leaders and their rabbis, their daughters spoke as if they were prophetesses of old, and soldiers, young men and women alike, bowed their heads and wept openly in front of the entire world. The unblemished sacrifice caused no harm and was not harmed itself. Its faith in the land and in the unity of the nation and its army expanded, and it raised the spirit of Yisrael. It infected all the righteous people. In the hearts of the people, the tears of love for Eretz Yisrael and love of G-d will never be forgotten. The power of the belief in the eternity of Yisrael, the symbol of the settlers and those who accompanied them, will never leave our generation.

In the eyes of the entire world, tens of thousands of students of Rabbi Akiva demonstrated

true love of G-d and love of Yisrael. You shall love G-d "with all your heart and with all your possessions" [Devarim 6:5] -- the love must be shown in every event that G-d uses to test you, even if He takes your very soul.

This was the beginning of the ultimate repentance, a new view of a supreme generation that continues to believe and that plants the seeds of miracles to come in future generations. The unity of Yisrael and the love for the land have not been harmed. (Reference: Rabbi A.Y. Kook, *Orot Hateshuvah*)

RABBI AVI WEISS

Shabbat Forshpeis

The first three words of this week's portion, Va-Yelekh Moshe va-yedaber, "and Moses went and spoke" (Deuteronomy 31:1) stand out. Usually the Torah will tell us that Moshe simply spoke. What does the term va-yelekh add?

Perhaps va-yelekh, here towards the completion of the Torah, echoes the first words of G-d to Avraham (Abraham) way back in the beginning of the Torah, when Avraham is told-Lekh Lekha, surely you shall go. (Genesis 12:1)

It can be suggested that the word Lekh is similar to the term halakha, which is commonly understood to mean Jewish law. In the lives of both Avraham and Moshe, the halakha is central. Indeed, G-d tells Avraham very specifically, "hithalekh, (walk before Me)," or "follow the halakha and you will find completion." (Genesis 17:1) And here in our portion after the phrase "Va-Yelekh Moshe," our responsibility to follow Torah law is described. (Deuteronomy 31:12)

Ultimately the goal of halakha, of Torah, is to guide the Jewish people to be the catalyst for a world redeemed.

This theme finds expression on Yom Kippur day. Consider the Book of Jonah read in the afternoon.

Jonah, whose name literally means "dove," the bird of peace, represents the Jewish people. He is told by G-d to go to Ninveh, the capital of Assyria the arch enemy of Israel, to preach the message of Torah ethics. Jonah refuses, and instead boards a ship for Tarshish - 180 degrees in the opposite direction of Nineveh.

The ship can be viewed as a microcosm of the entire world as its passengers speak 70 languages - the symbolic number of all the nations of the earth. The waters beneath the ship are turbulent, indicative of the entire world in turmoil.

As Jonah escapes to the bowels of the ship—reflective of the Jew who runs from challenges-lots are cast to see who is responsible for the choppy waters. Jonah's lot is chosen.

Interestingly, the Hebrew term for "lots," goral, can also mean fate. In other words, this lottery underscores the fate of the Jewish people to do all in its power to bring peace and calm to a turbulent world.

In the end of course, Jonah goes to Ninveh, preaches the message of G-d and the people of Ninveh repent.

No wonder we read the portion of Va-Yelekh the Shabbat before the reading of Jonah on Yom Kippur. Va-Yelekh speaks to the message of perfecting the world through halakhah. Jonah reverberates this theme - as his mandate is to achieve global repentance (teshuvah), and thus "fix the world under the reign of the Almighty." © 1998 Hebrew Institute of Riverdale & CJC-AMCHA

RABBI SHLOMO RISKIN

Shabbat Shalom

If Yom Kippur, instead of being celebrated on the tenth day of the seventh month, arrived only once every 50 years, imagine the frenzy, preparation, and devotion which would accompany this most awesome of days.

But because it arrives each and every year, many of us have turned Yom Kippur into an expected, unavoidable and not particularly welcome guest. After Kol Nidre, it's all downhill.

My rebbe, Rav Soloveichik, in his work "Halachic Man," writes of a different Yom Kippur, a day with magical qualities, a day whose setting sun is like no other sunset of the year, when the light and the sky and the winds and the prayers all have a different reality because it's a day promising forgiveness and purification, for on this day, as we intone just before Kol Nidre, "...shall atonement be made for you, to cleanse you; from all your sins you shall be clean before G-d." [Levit. 16:30]

During childhood, when time moves fifty times slower than it does during adulthood, we feel the wonder of it all, the promise of life itself. But as life continues and the growing number of lost opportunities, ignored chances, and vain struggles drain our lives, we even forget that once we dreamt it would turn out differently. We had the opportunity to do so much, we took advantage of so little. We were given talents and squandered them. We were born in the image of G-d and worshipped false images. Too often we are the authors of our own tragedies.

When the Temple still stood, Neillah was the hour of the closing of its gates, and to this day in synagogue the last prayer is called Neillah, signifying the hour of the closing of the gates of repentance. If all through the month of Elul, then to the Ten Days of Repentance, and even on the Day of Atonement itself we haven't genuinely repented, then these last moments before the closing of the gates become a time of frenzy, bursting with a final effort for our remorse to be accepted as genuine, now, this year.

What makes life tragic is that we always figure that there will be another chance, a second opportunity; if not this Yom Kippur, then next one, or the one after that (there's plenty more where that came from) but

every once in a while the gates close before we even get up to take a chance. Neillah says that if we're going to do it, do it now, before the minutes tick away to separate us from the spiritual light of this atoning day when creation itself is geared for repentance and purification.

One of the strongest, and shortest, sermons on record regarding the subject of repentance was given in New York City at the turn of the century—all of nine words long.

Some hundred years ago, New York City wanted a chief rabbi, but to get one they had to import him from one of the great centers of Torah learning, Vilna.

Rabbi Jacob Joseph was a man of vast erudition with a phenomenal memory who could speak for hours, quoting at length from a vast array of texts. Before his arrival in New York, no man of his stature had ever graced America's shores. Compared to Vilna, New York was still a development town.

Unfortunately, his arrival didn't stop the local bickering and rivalries in the community itself, but when Rabbi Joseph spoke from the pulpit on a Sabbath, the entire Lower East Side came out to hear him. When the Sabbath was this week's Sabbath, Shabbat Tshuva right before Yom Kippur, people walked from all over the borough and even slept in Manhattan in order to be present at what had become one of the crowning experiences in the community's public life.

When he suffered a stroke toward the end of his life, it was not known if he'd ever be able to speak again. Some time later, his recovery was good enough to allow him to be released from the hospital. It was the start of the Jewish New Year, and the Lower East Side waited breathlessly to see if Rabbi Joseph would again address them as he'd always done. His family and closest friends tried to discourage him from speaking, but Rabbi Joseph insisted that he was fine, and there would be no problem. He only requested two changes: rather than stand for hours, he'd sit, and instead of quoting by heart, he would need the texts in front of him.

As word reached the community that he would speak at the Norfolk St. Synagogue, people became so excited that they lined up early Sabbath morning in order to get a seat. It wasn't just a speech, it was a heroic figure's refusal to be silenced.

Finally the moment came for Rabbi Joseph to start. Every eye watched the weakened rabbi gather strength as he adjusted his prayer shawl.

Then, his eyes fixed on the assembled, he began, "The Talmud says...." There was silence, and finally, he repeated the same words, "The Talmud says..." Silence, and then he started again, "The Talmud says...." Again silence. No one in the synagogue uttered a sound. They couldn't understand why he kept repeating his opening words.

Rabbi Joseph's voice shook as he addressed the congregation. He explained that he had begun to prepare this speech when he was still in the hospital, going over every word repeatedly, but despite all his preparations, his mind was a blank. A few months back he could have given a discourse unprepared, and now he couldn't even remember what the subject was about. And then he added his final words. "Look at happens to a human being in a split second. Today, anything is possible, tomorrow who knows where we may find ourselves? This is what we are."

While there is still time, while we can still do and see and talk and walk, we must return and repent...before it's too late."

Opportunity knocks, maybe once, maybe twice, maybe ten times, but we have to seize the day before its light dies out, before the gates are locked, before the Day of Atonement turns into the Night of Extinction. Even though Yom Kippur blesses us with its promise of purification every year, we should treat it as lovingly and devotedly as if it arrived only once, or twice, a century.

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RABBI MORDECHAI KAMENETZKY

Prelude to a Fast

Our holiest day, Yom Kippur, is preceded by nine days of T'shuvah (repentance). We abstain from overindulgence and increase our charity and prayer. On those days, our actions are scrutinized. They preface Yom Kippur, a day of total abstention when we do not eat, drink, wear leather shoes or wash. As we approach Yom Kippur our level of self-denial increases. Accordingly, on the day before Yom Kippur, food should be kept to a minimum and should only be eaten during serious Torah study and prayer. That is not the case.

The Torah tells us, (Leviticus 23:32): "you shall afflict yourselves; on the ninth of the month (of Tishrei) in the evening -- from evening to evening." The Talmud (Yoma 81b) asks the obvious question, "doesn't the fast begin on the evening of the tenth? Why does the Torah say to fast on the ninth?" The Talmud answers, "this teaches us that whoever eats and drinks on the ninth (of Tishrei) is rewarded as if he fasted both on the ninth and on the tenth of Tishrei -- Yom Kippur. The commentaries derive that eating on the day before Yom Kippur is more than practical advice -- it is a Mitzvah! In fact, the Talmud states that Rabbi Akiva stopped his daily lesson at the Yeshiva on the day preceding Yom Kippur, he sent all his students home to have a hearty meal.

I am bothered. Why did the Torah give us a special Mitzvah to eat on the eve of Yom Kippur? Couldn't our practical sense dictate that charge? Also, why is it considered a Mitzvah? What consecrated act is involved in eating a decent meal before a day-long fast? Even if it is a Mitzvah, how does the Talmud equate

eating before Yom Kippur with fasting on that most sacred day?

Rabbi Berel Wein¹ was once waiting for a late Maariv (evening) service in a small shteible (informal house of worship) in an old cranny in the Shaarei Chesed section of Jerusalem. Joining the minyan was none other than Jerusalem's foremost Posek (Halachic authority) Rabbi Shlomo Zalman Auerbach². The hour was late and Rabbi Wein noticed an American tourist agitated at the delay of services. Looking at his watch, Rabbi Wein noticed it was 9:35. Maariv was to have started five minutes ago. The tourist approached a few of the men with a look on his face that spelled, "Nu?!" Rabbi Auerbach held up his hand and said, "Reb Yissachar the street cleaner has not arrived."

"Rebbe," the man approached, "who are we waiting for? It is already five minutes late and I have to get back to my hotel? Why are we waiting for a mere street cleaner?"

"You don't understand," came the reply. "Did you ever see him pick up the refuse? His sole intent is to beautify the streets of Jerusalem. When he removes obstructions he does it only to make sure the pedestrians do not get hurt. He is no ordinary street cleaner -- he cleans the streets l'shaim shamayim, for the sake of heaven." Rabbi Auerbach paused. "I wish I would have the same l'shaim shamayim in my job as he has in his."

The Torah gives us two diverse ways to manifest our spirituality. The simple way is Yom Kippur - abstention and affliction. The more difficult way is through indulgence. If one eats, drinks, and enjoys this world with virtuous intent, he can attain higher levels than through fasting. Look at the high regard Rabbi Auerbach, a man who sat all day in front of sacred literature and heard people's problems, and answered Torah questions had for the mundane act of street-cleaning. It all depends how you sweep and how you eat. The Torah equates eating on the ninth with fasting on the tenth. After all, it may be a lot harder to eat for heaven's sake than to fast for heaven's sake. G'mar Chasima Tova. © 1995 Rabbi M. Kamenetzky & torah.org

RABBI MORDECHAI WOLLENBERG

Weekly Thoughts

This Shabbat is known as Shabbat Shuva or, according to some, Shabbat Teshuvah. It takes its name from the period we are currently in, between

¹This story along with a collection of Rabbi Wein's anecdotes and vignettes appear in "Vintage Wein" by Dr. James Weiss ©1992 Shaar Press

²Rabbi Shlomo Zalman Auerbach (1910-1995) was one of the most beloved Torah Scholars of our generation. Dean of Yeshiva Kol Torah, his Halachic rulings guided thousands world over. His humility was only overshadowed by his love for his fellow Jews. An estimated 300,000 attended his funeral in Jerusalem.

Rosh Hashona and Yom Kippur, known as the Ten Days of Teshuvah. Teshuvah is often incorrectly translated as penitence or repentance which, whilst giving some idea of what Teshuvah is about, tends to conjure up a very stark image of a 'sinner' who needs to 'repent' etc.

Judaism looks at it differently. The literal translation of Teshuvah is 'return'. This is because Judaism teaches us that humanity is intrinsically good and that if we should happen to stray from the path once in a while, this does not make us wicked or evil. It is simply a question of acknowledging our failings, gathering our bearings and returning to the right path, from whence we came. Teshuvah is the process of returning to the ideal which we originally and intrinsically possess. A much more positive way of looking at things than is suggested by the word 'penitence'.

This period, between Rosh Hashona (the New Year) and Yom Kippur (the Day of Atonement) is a time for introspection, for reflection on the past and for taking on good resolutions for the future, to improve and to grow over the new year which has just started on Rosh Hashona, to return to our roots, to G-d and to ourselves.

This idea also fits in with this week's Torah portion, Vayeilech, describing the last days of Moses' life. The title of each Torah portion highlights an important concept which is taught in that particular portion. Vayeilech literally means 'and Moses went' from the root of the word Halicha, meaning 'going' in Hebrew. 'Halicha' also means the idea of being on the move, of not being stagnant. By subjecting ourselves to an honest reckoning, using this time for introspection and self-assessment and drawing the necessary conclusions, we are able to move on and to grow as people, rather than remaining stuck where we are. We have the capability to 'go', to reach very high moral and spiritual levels. We cannot remain standing still, we must be 'mechalchim' - 'goers', movers and shakers, people who grow, who make a difference to what is going on.

May we all be granted health, happiness and success, may each of us grow and develop, both as individuals and as a community, and may each of us, together with all the world, be judged favourably on Yom Kippur and blessed with long life and happiness. © 2001 Rabbi M. Wollenberg & torah.org

RABBI YAACOV HABER

Stealing from Gentiles

On Shabbat Shuva, it is the custom in all of Israel for rabbis to give long sermons. In deference to this custom, I would like to make today's drosha a little longer, and more halachic in content, than usual.

In Parshas Noach, we read: "And the earth was corrupted ('va-tishoches ha-aretz') before G-d,

and the earth was filled with 'chomos'" (Gen. 6:11). Rashi explains 'va-tishoches' as meaning immorality and idolatry, and 'chomos' as meaning robbery. Later, G-d says to Noah: "The end of all flesh is come before Me, for the earth is filled with 'chomos'" (Gen. 6:13). Again, Rashi explains "chomos" as robbery ("gezel" in Hebrew).

This seems strange—one would think that the decree of death on all living things would come more likely from immorality and idolatry than from robbery. What is more, the Midrash explains this robbery as not being of a particularly violent kind, but more in the nature of petty thievery.

In order to try and understand the seriousness with which robbery (or even petty theft) is viewed here, let us take a closer look at the halacha concerning certain aspects of gezel, aspects which are often misunderstood.

The first aspect I want to discuss is "gezel akum", stealing from a Gentile. There seems to be a belief in certain quarters that this is permitted. That is definitely not so! The Shulchan Aruch clearly forbids it.

The Rambam writes that "gezel akum" is worse than "gezel Yisroel" (stealing from a Jew), since in the former case, "chillul ha-Shem" (desecration of G-d's name) is often also involved. The Rambam calls it an abomination. (meaning that it is not only forbidden but detestable).

The Maharsha (writing on Kesuvos 67) noted that in his day many people, grown rich from gezel akum, used their money to buy "mi sheberachs" in synagogues, or to fund religious institutions. He makes it clear that no good can come from anything (even an apparently holy thing) funded from such a tainted source.

The late Reb Moshe Feinstein (z"l) once had a dime returned from a telephone accidentally. He realized that if he mailed the dime to the telephone company, the clerk who opened the envelope would probably keep it. So he traveled to the company office, asked to see the highest manager possible, and handed the dime over to him. This shows to what great lengths a tzaddik will go to avoid gezel akum, -- and, at the same time, perform a kiddush ha-Shem (sanctification of G-d's name)!

A closely related issue is that of paying taxes. Some (supposedly frum) people seem to think that cheating on taxes is OK. This is absolutely false! Apart from the issue of gezel akum, there is the further issue of "dina de-malchusa dina" (the law of the land must be obeyed).

Even a failure to put money in a parking meter because one "will only be a moment" is a violation of both these halachas. People often feel that it is unfair to be charged the full amount for just two minutes' parking. Fine—one can lobby to have the law changed, so that you can put small amounts of money in the

meter for small amounts of time; but until such a change takes place, one is liable for whatever amount the municipality charges.

Another example is given by the poskim who say that if you smuggle, for example, an esrog across a border to use on Succos, then not only is there a problem of "mitzva ha-baah me-aveira" (a mitzva arising from a sin, because of the violation of "dina demalchusa"), but you have not even performed the mitzva, since the esrog is not yours—it belongs to the government which would have confiscated it if they had found it on you as you crossed the border!

Another aspect of gezel with which there seems to be a lot of misunderstanding is in the question of borrowing. It is forbidden to borrow anything from anyone without explicit permission. There are two exceptions. First, in the case of items which no-one would mind. The Gemara gives an example of walking by someone's picket fence and removing a splinter to use as a toothpick. (Even here the Talmud Yerushalmi decides otherwise, on the grounds that if everyone did that, the poor man would have no fence left! We decide law according to the Talmud Bavli; nevertheless it is considered a sign of righteousness to follow the stricter decisions of the Yerushalmi.) However we have no right to borrow even a pen without explicit permission—we cannot just assume that the owner won't mind—some people are fussy about lending their pens! Whether we think they are being unreasonable or not is irrelevant here. The other exception is in borrowing a religious article so as to perform the mitzva associated with it. Examples are in borrowing a prayer book for the purpose of praying from it, or a shofar for the purpose of blowing it on Rosh Hashana. It is assumed here that the owner will not mind our borrowing it for such a purpose. But even here we must be careful—we cannot borrow a shofar without the owner's permission merely to practise on it!

Another kind of theft which is viewed seriously in Jewish law is the theft of intangibles, such as stealing someone's sleep by making a noise. Even telling someone some unsettling news which has the effect of preventing him from sleeping counts as stealing his sleep. Another example is in disturbing someone's prayers in shul by talking nearby. Talking in a synagogue is a form of producing second hand smoke. This is considered to be stealing his concentration! Another example is to invade someone's privacy. This kind of theft is viewed in a serious light, since in such cases (unlike the case of the theft of goods or money) we cannot restore the sleep, or the concentration, that we have stolen!

Let us now try to answer the question we began with -- why was the sin of gezel viewed so seriously compared to the other sins of mankind before the Flood? An answer is given by the Maharal: robbery or theft leads, in a sense, to all the other sins. It is a

violation of the boundary between what is mine and what belongs to others. Once I violate that boundary, I'll tend to ignore the boundary between what is mine and what is G-d's. I'll come to think of everything as belonging to me, and forget that the earth is the L-rd's. Such an attitude will lead to a rejection of all restrictions imposed by the Torah.

We see that the Torah view of theft is very strict. We may not all feel ourselves capable, at this stage, of following all these laws fully. So let us at least try to keep one idea in mind -- theft, especially *gezel akum*, is often associated with *chillul ha-Shem*, which should be avoided at all costs. There is even a question as to whether it is possible to do *teshuva* for *chillul ha-Shem*! One way to compensate for such a sin is to perform many acts of *kiddush ha-Shem*. We once pointed out that every act that one does is either a *kiddush ha-Shem* or a *chillul ha-Shem*. There is no such thing as a neutral act! So if, for example, you receive too much change in a store, you must return it! It is my hope that, by performing such acts of *kiddush ha-Shem*, we may all be sealed for a good year. © 1988 by Rabbi Y. Haber

RABBI PINCHAS WINSTON

Perceptions

This Shabbos is Shabbos Shuva. Even though Rosh Hashanah has passed, and we're now heading for Yom Kippur, the following is still relevant.

It says in the Talmud that on Rosh Hashanah, three "books" are opened before G-d (Rosh Hashanah 16b). *Tosafos* there (q.v. *Nichtamim l'alter l'chaim*) explains there that this is with respect to the World-to-Come (i.e., the person is being judged in terms of their portion in the World-to-Come).

However, this is difficult to understand; how is it relevant to judge a person who is still living with regard to his portion in the World-to-Come? Is it not a person's final moment that proves everything about him, whether he is worthy or unworthy for eternal bliss?

The answer given is as follows: On Rosh Hashanah, the Heavenly Court judges someone first to see if presently he is worthy of the World-to-Come, and if he is, then he may be punished in This World, now, before he dies, to save him suffering in the Next World. But someone who is going to need spiritual "cleansing" in a major way, more than his life can provide, they give him good in This World now, as it says in the Talmud:

Sometimes they lift the judgment meant for after death and give him evil in This World instead. (*Kiddushin* 39b)

In other words, all that happens to a person in This World is dependent upon his position with respect to inheriting the World-to-Come. After he dies and leaves this world, then he will finally be judged based upon all he went through in his lifetime on earth. Hence, the "three books opened on Rosh Hashanah" are really

with respect to the World-to-Come, and in them the completely righteous and the completely evil are "sealed" on Rosh Hashanah. However, with respect to This World, no one is sealed until Yom Kippur. This is what *Tosafos* means.

Based upon what has been said above, the *Gr"a* says it is incorrect to wish someone "*Leshanah tova sikasaiv v'sikaseim*"-A good year, written and sealed," because it sounds as if the *brochah* is only for one year, this year, which is only in This World. If one's intention is to bless someone regarding the World-to-Come, then he should only say: *l'chaim tovim sikaseiv v'sikaseim*-a good life, written and sealed, without mentioning "a good year," the main reason being that the judgment of the World-to-Come is over before the "writing" and the "sealing." After the "sealing" of the judgment of the World-to-Come the "writing" for This World is done on Rosh Hashanah. What one really needs to say is:

"For a good life you should be written and sealed for in the World-to-Come, and for a good year you should be written for life in This World."

However, the tradition is not to say such a long greeting, so therefore, the *Gr"a* said that one should only say "written" which refers to This World, and which will also include a *brochah* for the World-to-Come. This didn't help you this year, but maybe you'll remember it for the next year.

In any case, have a wonderful year filled with blessing and only good news, and a great Shabbos Shuva as well. © 1998 Rabbi P. Winston & *torah.org*



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*Have a happy, healthy and
prosperous year!*