

# OHRNET

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## PARSHA INSIGHTS

BY RABBI YAAKOV ASHER SINCLAIR

### AHEAD OF THE PACK

“...because he took vengeance for his G-d...” (25:13)

The “herd instinct” runs strong in Man. The pressure to conform is both subtle and pernicious because it negates the responsibility of the individual. How often have we heard that specious defense of those Nazi monsters: “I was only acting under orders”?

We like to be with the herd. It’s comfortable to be rubbing shoulders with our peers, wearing the same brands, laughing at the same jokes, and sharing the same prejudices.

All real spiritual growth requires separating from the pack.

As religious Jews we all go to shul, we put on *tefillin* and we say *berachot*. Why? We’d like to think it’s because we are spiritual people, but possibly the more likely reason we do most of the things we do is because everyone else does it. That’s why going the extra mile, or even the extra inch, is so difficult and so precious.

The Ten Commandments are all in the second person singular. The Torah addresses us as individuals to remind us not

to look over our shoulder and see what others are doing, but to take individual responsibility, for the Torah is addressing us individually and not just as a group.

Pinchas saw a clear desecration of G-d’s name, and he also saw Moshe, Aharon and the seventy elders doing nothing about it. He could have thought to himself, “Well, if they are not going to do anything, why should I?” Pinchas didn’t do that. He acted as though he alone was responsible to stop the profanity.

“...because he took vengeance for his G-d...”

The Torah didn’t say: “...because he took vengeance for G-d.” It says: “...because he took vengeance for *his* G-d.”

When Pinchas acted, he acted as though the Almighty was his G-d alone, and that it was his *personal* responsibility to right this terrible wrong.

• Sources: *Chomat Aish in Iturei Torah*

## PARSHA OVERVIEW

G-d tells Moshe to inform Pinchas that Pinchas will receive G-d’s “covenant of peace” as reward for his bold action - executing Zimri and the Midianite princess Kozbi. G-d commands Moshe to maintain a state of enmity with the Midianites who lured the Jewish People into sin. Moshe and Elazar are told to count the Jewish People. The Torah lists the names of the families in each tribe. The total number of males eligible to serve in the army is 601,730. G-d instructs Moshe how to allot the Land of Israel to *Bnei Yisrael*. The number of the Levites’ families is recorded. Tzlofchad’s daughters file a claim with Moshe. In the absence of a brother, they request

their late father’s portion in the Land. Moshe asks G-d for the ruling, and G-d tells Moshe that their claim is just. The Torah teaches the laws and priorities which determine the order of inheritance. G-d tells Moshe that he will ascend a mountain and view the Land that the Jewish People will soon enter, although Moshe himself will not enter. Moshe asks G-d to designate the subsequent leader, and G-d selects Yehoshua bin Nun. Moshe ordains Yehoshua as his successor in the presence of the entire nation. The Parsha concludes with special teachings of the service in the Beit Hamikdash.

## BAVA BATRA 171 - 176

## THE PATH TO WISDOM

*Rabbi Yishmael said, "One who desires to become wise should pursue the study of monetary laws, since there is no portion of the Torah that is larger than it, as it is like a spring of water that never ceases to flow."*

The statement is taught in the final *mishna* of *masechet* Bava Batra, and with the completion of the study of the *gemara* on this *mishna* we conclude this tractate and celebrate by making a *siyum* with a festive meal, as is the widespread custom.

I've heard from more than one Rosh Hasyeshiva over the years that the custom in *yeshivot* to include many Tractates and chapters from Seder Nezikin — the Order of Damages — is based on this *mishna*, that the study of monetary matters helps increase one's wisdom. One reason is because many concepts and ideas in this area of study are often largely based on logical and analytical thinking, and not derived from verses in the Torah. Another reason is that it helps instill the wisdom of treating other people and their property in a conscientious manner in everyday life, and what the consequences are for causing monetary or other damages to another person or his property.

What is meant by this statement by Rabbi Yishmael that study of monetary laws will make one wise? The commentary of the Tiferet Yisrael on our *mishna* explains this connection in great, poetic detail. He notes that the Written Torah gives one main directive in dealing with monetary cases: "You shall judge your fellow with righteousness" (Lev. 19:15). However, since what people think to be "righteous judgment" is liable to be mistaken, the Oral Law — the *Mishna* and the *Gemara* — was developed and redacted by countless great Sages who elucidated in greater detail the proper meaning of "righteous judgment". But even with all the guidelines that are recorded in the Written Law and the Oral Law there is still the possibility that the judge in a monetary case will need to make very difficult decisions in how to apply these guidelines to the specific case he is dealing with, using his finely-honed ability to reason logically according to the wisdom of the Torah. This is why Rabbi Yishmael greatly urges a person involved in judging monetary litigation to be an expert in his ability to reach logical conclusions that are in tune with the teachings of the Torah. This can only be accomplished by deep immersion into the study of the many complex teachings regarding monetary laws that are found in the Torah, thereby acquiring the appropriate wisdom needed for judging such cases.

The Tiferet Yisrael adds another point that stresses the importance of a judge attaining superior wisdom in monetary laws in particular. Regarding other Torah rulings, in deciding whether a particular act is permitted or prohibited, if the judge is in doubt he always has the prerogative to be strict and thereby avoid a mistaken transgression occurring as a result. However, in matters of monetary cases, there are two people standing in front of him: one who is claiming monetary compensation and the other who is counter-claiming an exemption from payment. In this type of case there is no such concept as being strict, since being strict to one party would automatically mean being lenient to the other party, and vice versa. Therefore, the judge must be absolutely certain in his judgments being wise and true beyond a shadow of a doubt.

When a kollel that I was part of as a newlywed disbanded, one *chevruta* with whom I studied decided to join a prominent "Choshen Mishpat Kollel" where they studied the sections of *gemara* and the *halachot* dealing with monetary matters. One of the reasons he cited for his decision to study there was our *mishna*, and stated that he wanted to increase his wisdom as much as possible. At first I thought that it was a somewhat unusual choice, since virtually all of the other participants were decades older than him, and desired this particular Kollel in order to prepare to become *dayanim* — judges — who could be part of a recognized Beit Din and rule in case of monetary claims between one person and another. Once when I visited him at his Kollel I was taken aback somewhat when I saw a number of the older and "more experienced" students coming to my friend to seek help in understanding one point or another. In fact, more than one student who had been there for a number of years told me that he was by far the wisest Torah scholar in the Kollel.

• *Bava Batra 175b*

## PARSHA Q&A ?

1. Why was Pinchas not originally a *kohen*?
2. Why was Moav spared the fate of Midian?
3. What does the *yud* and *heh* added to the family names testify?
4. Korach and his congregation became a "sign." What do they signify?
5. Why did Korach's children survive?
6. Name six families in this Parsha whose names are changed.
7. Who was Yaakov's only living granddaughter at the time of the census?
8. How many years did it take to conquer the Land? How many to divide the Land?
9. Two brothers leave Egypt and die in the *midbar*. One brother has three sons. The other brother has only one son. When these four cousins enter the Land, how many portions will the one son get?
10. What do Yocheved, Ard and Na'aman have in common?
11. Why did the decree to die in the desert not apply to the women?
12. What trait did Tzlofchad's daughters exhibit that their ancestor Yosef also exhibited?
13. Why does the Torah change the order of Tzlofchad's daughters' names?
14. For what transgression did Tzlofchad die?
15. Why did Moshe use the phrase "G-d of the spirits of all flesh"?
16. Moshe "put some of his glory" upon Yehoshua. What does this mean?
17. Where were the daily offerings slaughtered?
18. Goats are brought as *musaf* sin-offerings. For what sin do they atone?
19. Why is Shavuot called *Yom Habikkurim*?
20. What do the 70 bulls offered on Succot symbolize?

## PARSHA Q&A!

### Answers to This Week's Questions!

All references are to the verses and Rashi's commentary unless otherwise stated.

1. 25:13 - *Kehuna* (priesthood) was given to Aharon and his sons (not grandsons), and to any of their descendants born *after* they were anointed. Pinchas, Aharon's grandson, was born *prior* to the anointing.
2. 25:18 - For the sake of Ruth, a future descendant of Moav.
3. 26:5 - That the families were truly children of their tribe.
4. 26:10 - That *kehuna* was given forever to Aharon and his sons, and that no one should ever dispute this.
5. 26:11 - Because they repented.
6. 26:13, 16, 24, 38, 39, 42 - Zerach, Ozni, Yashuv, Achiram, Shfufam, Shucham.
7. 26:46 - Serach bat Asher
8. 26:53 - Seven years. Seven years.
9. 26:55 - Two portions. That is, the four cousins merit four portions among them. These four portions are then split among them as if their fathers were inheriting them; i.e., two portions to one father and two portions to the other father.
10. 26:24, 56 - They came down to Mitzrayim in their mothers' wombs.
11. 26:64 - In the incident of the *meraglim*, only the men wished to return to Egypt. The women wanted to enter *Eretz Yisrael*.
12. 27:1 - Love for *Eretz Yisrael*.
13. 27:1 - To teach that they were equal in greatness.
14. 27:3 - Rabbi Akiva says that Tzlofchad gathered sticks on Shabbat. Rabbi Shimon says that Tzlofchad was one who tried to enter *Eretz Yisrael* after the sin of the *meraglim*.
15. 27:16 - He was asking G-d, who knows the multitude of dispositions among the Jewish People, to appoint a leader who can deal with each person on that person's level.
16. 27:20 - That Yehoshua's face beamed like the moon.
17. 28:3 - At a spot opposite the sun. The morning offering was slaughtered on the west side of the slaughtering area and the afternoon offering on the east side.
18. 28:15 - For unnoticed ritual impurity of the Sanctuary or its vessels.
19. 28:26 - The Shavuot double-bread offering was the first wheat-offering made from the new crop.
20. 29:18 - The seventy nations.

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## METHOD OF ALLOTMENT OF THE LAND

In this Torah portion the Torah speaks briefly about how the Land of Israel is to be divided among the various tribes. Abarbanel explains that the commentators are unsure about the exact nature of this division. Does each tribe receive the same amount of the Land, determined by Divine lottery and regardless of population, or is the Land divided by the people themselves according to population, with the more populous tribes receiving a larger portion of the Land? The confusion seems to arise from the verses in this *parsha*.

First it appears that G-d is instructing Moshe to divide the Land according to the populations of the tribes. However, the Torah then immediately states that “only by lot shall the Land be divided, according to the names of their fathers’ tribes shall they inherit. According to the lot shall one’s inheritance be divided, between the numerous and the few.” This lottery was conducted through a specific procedure involving a consultation of the *Urim V’Tumim* which Eliezer the Kohen Gadol wore on his breastplate. This Divinely-directed lottery seems to contradict a division based on population, carried out by the people themselves.

After challenging the explanations of Rashi and Ramban, Abarbanel offers his own explanation. He says that there were two stages to the division of the Land. First of all, the lottery determined which district within the Land of Israel

would be assigned to each tribe. Since the lottery was Divinely-orchestrated, this would eliminate contention among the tribes. Even though some regions were more fertile or productive than others, everyone would have to recognize that the allotted areas were determined Divinely. However, the exact size of each tribe’s portion within that Divinely-allotted region was to be determined by Yehoshua, Eliezer HaKohen and princes from each of the twelve tribes. They would take into account how much area within each region was required for each of the tribes, based on population. The lottery also insured that each tribe’s area would be contiguous. Members of any one tribe could never be assigned to a region that was separated from the other members of his tribe.

This interpretation is supported by the verses in Parshat Massei further on in the Torah. First the Torah states, “...this is the Land that you shall divide as an inheritance by lot which G-d has commanded to give....” The Torah then immediately states, “These are the names of the men who are to take possession of the Land for you: Eliezer the Kohen, and Yehoshua son of Nun, and one leader from each tribe shall you take to possess the Land.” After having commanded the division of the Land by lottery, the Torah mentions the individuals who will determine the exact boundaries based on population.

## LOVE OF THE LAND

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

## NETIVOT — TOMB OF THE “BABA SALI”

Rabbi Yisrael Abu Chatzira’s tomb in the southern city of Netivot has been attracting large numbers of worshippers since 1984. The spiritual leader of North African Jews, who gained a reputation as a miracle worker through his prayers and blessing, was descended from Rabbi Shmuel Albaz who lived in Damascus where he studied with the disciples of the Arizal. After



a miraculous crossing of the sea from Jaffa to Constantinople on a mat (*chatzira* in Arabic), he changed his name to Abu Chatzira (“father of the mat”).

Baba Sali, as he was respectfully called, came to Eretz Yisrael in the early fifties and first settled in Yavneh. From there he moved to Ashkelon and ended up in Netivot where he is buried.

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## LAWS OF SHEMA — PART 3

*If one did not recite Shema before sunrise he should recite it after sunrise as soon as possible (Shulchan Aruch 58:2). This ruling is based on the principle that one must perform a mitzvah as soon as possible, “zrizim makdimim l’mitzvot. (Mishneh Berurah).*

**A**ccording to the above principle we can ask the following question: Since the time of reciting *Shema* begins one half-hour to one hour before sunrise, why did the *vatikin* (people that cherished the *mitzvot*, doing them in the best way possible) wait until just before sunrise to recite the *Shema*?

Though reciting *Shema* and praying *Shemoneh Esrei* are two separate *mitzvot*, there is a special *mitzvah* to say them together, and to join the last blessing of the *Shema* with the beginning of *Shemoneh Esrei*. This is called Joining Redemption to Prayer – *l’smoch geulah l’tefillah*. That is why the morning prayers are preceded by the *Shema*. The Sages also teach that the ideal time to say *Shemoneh Esrei* is at the beginning of sunrise based on the verse “They will fear You together (i.e. at a time) with the sun”. Thus, in order to say *Shemoneh Esrei* at its best time and also say it together with the *Shema*, the *vatikin* delayed saying *Shema* until just before sunrise. In this instance fulfilling these *mitzvot* in the best possible way pushes off the principle of performing a *mitzvah* as soon as possible.

The above applies when praying at sunrise, but what

would be the law for one who prays *after* sunrise? There are two general opinions what one should do. According to the first and main opinion nothing would change, and just as it is best to say *Shema* and *Shemoneh Esrei* together at sunrise, it is better to say them together after sunrise, even though one will delay reciting *Shema* even longer. The other opinion maintains that since most people have already started their day by sunrise, with only a minority of people still in bed at that time, the ideal time to recite *Shema* extends only until sunrise. According to them, if one is praying after sunrise for whatever reason, he should say *Shema* before sunrise instead of joining prayer and redemption.

The halacha follows the first opinion. However, according to Rabbi Shlomo Zalman Auerbuch, someone who is praying after sunrise should recite *Shema* before sunrise without the blessings, and say the *Shema* again later with its blessings when he prays, thereby joining prayer with redemption. When doing this he should make a condition that if, in truth, the halacha is like the first opinion, then his first reading is not to fulfill the *mitzvah*, and if the halacha is like the second opinion, then his first reading is indeed to fulfill the *mitzvah*.

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## SLITHERING SERPENTS AND SEA SNAKES – PART 2

In our previous installment of this topic we cited *Avot d'Rabbi Natan* who teaches that there are seven different words in the Bible for snakes besides the more familiar word *nachash*: *saraph*, *tanin*, *tzefa/tzifoni*, *efeh*, *achshuv*, *peten* and *shephiphon*. We explained the exact meanings of the first four of these words, and in what follows we will explore the meanings of the remaining three words for snakes.

The word *achshuv* is a *hapax legomenon* in the Bible because that venomous creature only appears once, in Psalms 140:4. Some commentators explain that it is the type of snake who spits out its poison, while others explain that that *achshuv* is not a snake at all but some other poisonous creature (e.g., a spider, which is an *achavish* in Hebrew).

Rabbi Shlomo Aharon Wertheimer (1866-1935) clarifies the exact meaning of the word *peten* by comparing it to *nachash*. He argues that while the word *nachash* implies a snake which can be charmed, *peten*, on the other hand, is a snake who is immune to the effects of snake-charming and continues to remain dangerous (see Psalms 58:6).

Moreover, Rabbi Wertheimer offers two ways of understanding the etymology of the word *peten*: it may be related to the Hebrew word *miftan* (“threshold”), which alludes to the fact that a *peten*-snake is always dangerous and cannot be charmed. Just as anyone who enters a house surely treads upon its threshold, so does anyone who encounters a *peten* surely enter a situation of danger. Alternatively, the word *peten* is related to the Hebrew word *pituy* (“coaxing”) and alludes to the snake’s role in cajoling Eve to eat from the Tree of Knowledge (Genesis 6:1-6). Needless to say, the English word *python* is likely derived from the Hebrew word *peten*.

The last word for snake, *shephiphon*, appears once in the Bible (Genesis 49:17) and is described by the Jerusalem Talmud (*Terumot* 8:3) as resembling a single hair. Rabbi Yaakov Tzvi Mecklenburg (1785-1865) writes that the root of the word *shephiphon* is the bilateral root *SHIN-*

*PEH*, which is associated with closeness and attachment between entities (for example, the word *shifshuf* refers to “rubbing”). In the case of the snake, it ambulates by wiggling and crawling on the ground, with its body always touching the floor. Rabbi Aharon Marcus (1843-1916) argues that the Hebrew word *shephiphon* is related to the Akkadian word *shepu* which means “foot” and is representative of the Hebrew language phenomenon in which words can have polar-opposite meanings. So although in Akkadian — the *lingua franca* of the ancient world — *shepu* meant “foot”, in Hebrew, it actually refers to the footless serpent.

Rabbi Yechiel Heilpern (1660-1742) cites the work *Sefer HaChochmah*, ascribed to the late 12th century Asheknazic scholar Rabbi Elazar Rokeach of Worms, which presents the differences between all the different words for snake. Parts of this explanation are cited in the commentary to the Torah also ascribed to Rabbi Elazar Rokeach. He writes that a *nachash* is specifically a yellowish-greenish snake whose color resembles saffron and whose bite is fatal. A *nachash* is a long snake, while, by contrast, a *shephiphon* is a small snake. (Rabbi Yaakov Yisroel Stahl points out that Rokeach’s commentary apparently contradicts itself because it also says that *shephiphon* is a large snake, while *nachash* is a smaller snake.) Interestingly, Rabbi Wertheimer adds that the letter *NUN* at the end of the word *shephiphon* implies that the creature in question must be something small. Nonetheless, appending a *VAV-NUN* to words does not always serve as a diminutive. The word *peten* focuses on the advanced age of a snake, while *efeh* refers to an extremely old snake that is also large. *Tzefa* is a flying *saraph* and has multiple tails. Rabbi Wertheimer also cites this explanation and argues that it is based on the otherwise undecipherable passage in *Avot d'Rabbi Natan* mentioned in Part 1.

*Author’s note:*

*Le’Zechut Refuah Shleimah for Bracha bat Chaya Rachel*

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## TAMMUZ, AV AND THE ESOTERIC INFLUENCES — PART 3

From: Rodney

Dear Rabbi,  
Since the months with holidays are considered “good months”, are the months of Tammuz and Av considered “bad months” since they have days that commemorate the destruction of the Temple?

Dear Rodney,

In the previous installment we explored how the zodiac signs govern these specific months and how they affect their nature and the events that occur within them. In this part we’ll explore how other mystical factors, such as the Hebrew letters, the human senses and the Hebrew Tribes, are related to and influence the quality of these months.

Recall that Sefer Yetzira (ch. 5) teaches that in addition to being governed by Cancer, the month of Tammuz corresponds to the Hebrew letter ‘chet’ (ח), the Tribe of Reuven and the sense of sight. In addition to being governed by Aries, the month of Av corresponds to the Hebrew letter ‘tet’ (ט), the Tribe of Shimon and the sense of hearing.

The letters influencing these months, ‘chet’ and ‘tet’, are alluded to in the Scroll of Eicha, lamenting the destruction of the Temple which occurred in these months, “Jerusalem has sinned (יְרֻשָׁלַיִם חָטְאָה)” (Lamentations 1:8). To illustrate the influence of these letters, the Ba’al HaTurim (Gen. 49:1) cites the Midrash which teaches that when Jacob gathered his sons to his deathbed, intending to reveal to them the time of the Final Redemption, his prophetic vision was occluded. He said to his sons, “Perhaps there is sin (‘chet’) among you?” They replied, “Look and see that there are no letters ‘chet’ and ‘tet’ in our names”. This demonstrates that the letters ‘chet’ and ‘tet’ occlude redemption.

Furthermore, the Sages taught (Berachot 4a), “It would have been fitting for G-d to perform miracles for Israel in the days of Ezra (upon returning from exile into the Land of Israel) as in the days of Joshua, except for the influence of sin (‘chet’)”. Interestingly, we find in verse Ezra 7:8 that Ezra returned to the Land of Israel in the fifth Hebrew month, which is Tammuz, influenced by the letter ‘chet’. Accordingly, the fact that the exiles returned from Babylon during the month of Tammuz, under the influence of the letter ‘chet’, hindered the degree of their redemption, effectively prolonging exile.

Regarding the correlation of the Tribes and the human senses to these months, the 13th century Spanish Kabbalist Rabbi Yosef Chiquitilla writes in Sha’arei Ora (Gate 5, p. 65b) that the encampments of the 12 Tribes in the wilderness, in four groups of three each, correspond to the four seasons of the year, consisting of three months each. Thus, the Tribes of the first encampment — Judah, Yisaschar and Zevulun — correspond to Nisan, Sivan and Iyar. The Tribes of the second encampment — Reuven, Shimon and Gad — correspond to Tammuz, Av and Elul; Reuven

to Tammuz and Shimon to Av.

Coupled with the teaching from Sefer Yetzira that Tammuz and Av are related to sight and hearing, this correlates Tammuz-Reuven-Sight and Av-Shimon-Hearing. In fact, the very names of these Tribes are derived from the Hebrew words for these senses. When Leah gave birth to Reuven, she so named him because she said, “G-d has seen my affliction” (Gen. 29:32). Similarly, regarding the birth of Shimon she proclaimed, “Since G-d has heard...He gave me this one too. So she named him Shimon” (ibid. 33).

This corresponds in an amazing way to what we wrote earlier about the spies departing for the Land of Israel on the eve of Tammuz, such that their journey of forty days spanned from Tammuz to Tisha b’Av. About their departure in Tammuz, the month of sight, the Torah relates, “They...saw the Land, and they discouraged the children of Israel from crossing” (Num. 32:9). This spiritually damaged the faculty of sight. Similarly, about their return in Av, the month of hearing, the Torah relates that after making heard their evil report (ibid. 13:25-26), the entire community heard, raised their voices and shouted, and wept on that night (ibid. 14:1). This spiritually damaged the faculty of hearing.

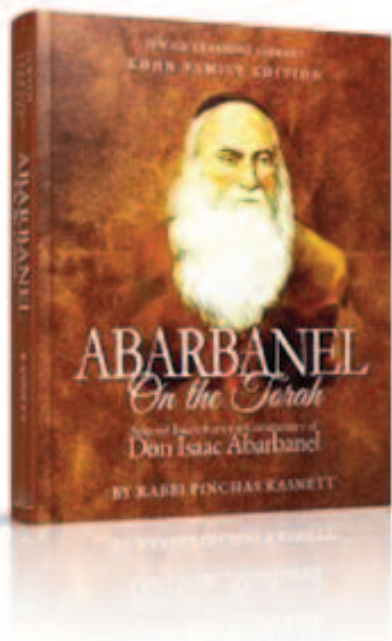
What’s more, this adds an even deeper explanation to the significance of the 15th of Av as the conclusion of this difficult period and the turning point toward the repentance, rectification and pardon of Elul, Rosh Hashana and Yom Kippur. And accordingly it explains a very enigmatic teaching of the Sages (Ta’anit 26a) regarding this day: On the 15th of Av the daughters of Jerusalem would dress in white and go out and dance among the vineyards, saying: “Young man, lift up your eyes to see, and don’t set your sight on physical beauty”.

The literal meaning of this teaching doesn’t seem to portray the most modest picture. Rather, allegorically, “the daughters of Jerusalem” refers to the *Shechina*, the Divine Presence. As a result of our abusing our sight and hearing in spiritually harmful ways, causing the destruction associated with Tammuz and Av, the *Shechina* has been dislocated from its abode, the Beit Hamikdash, and wanders afield. But after Tisha b’Av, the *Shechina* mercifully courts “the young man”, referring to the People of Israel, beckoning us to elevate our senses — to set our sights on G-d, and turn our ears towards hearing His word. This explanation of the otherwise puzzling teaching provides a natural flow into its otherwise non-sequitur conclusion, which speaks entirely of Mashiach, Redemption and the rebuilding of the Holy Temple in Jerusalem. May it be speedily in our days.

• Sources: *Bnei Yisaschar, on Tammuz and Av, section 1, by Rabbi Tzvi Elimelech Spira (c. 1783-1841) of Dinov, Galicia, Poland*

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