

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS

Covenant & Conversation

Something fundamental happens at the beginning of this parsha and the story is one of the greatest, if rarely acknowledged, contributions of Judaism to the world.

Until now Vayikra has been largely about sacrifices, purity, the Sanctuary, and the Priesthood. It has been, in short, about a holy place, holy offerings, and the elite and holy people -- Aaron and his descendants -- who minister there. Suddenly, in chapter 19, the text opens up to embrace the whole of the people and the whole of life "The Lord said to Moses: 'Speak to the entire assembly of Israel and say to them, 'Be holy because I, the Lord, your God, am holy.'" (Lev. 19:1-2)

This is the first and only time in Leviticus that so inclusive an address is commanded. The Sages say that it means that the contents of the chapter were proclaimed by Moses to a formal gathering of the entire nation (hak'hel). It is the people as a whole who are commanded to "be holy," not just an elite, the Priests. It is life itself that is to be sanctified, as the chapter goes on to make clear. Holiness is to be made manifest in the way the nation makes its clothes and plants its fields, in the way justice is administered, workers are paid, and business conducted. The vulnerable -- the deaf, the blind, the elderly, and the stranger -- are to be afforded special protection. The whole society is to be governed by love, without resentments or revenge.

What we witness here, in other words, is the radical democratisation of holiness. All ancient societies had Priests. We have encountered four instances in the Torah thus far of non-Israelite Priests: Malkizedek, Abraham's contemporary, described as a Priest of God Most High; Potiphar, Joseph's father-in-law; the Egyptian Priests as a whole, whose land Joseph did not nationalise; and Yitro, Moses' father-in-law, a Midianite Priest. The Priesthood was not unique to Israel, and everywhere it was an elite. Here for the first time, we find a code of holiness directed to the people as a whole. We are all called on to be holy.

In a strange way, though, this comes as no surprise. The idea, if not the details, had already been hinted at. The most explicit instance comes in the prelude to the great covenant-making ceremony at Mount Sinai when God tells Moses to say to the people,

"Now if you obey Me fully and keep My covenant, then out of all nations you will be My treasured possession. Although the whole earth is Mine, you will be for Me a kingdom of Priests and a holy nation" (Ex. 19:5-6), that is, a kingdom all of whose members are to be in some sense Priests, and a nation that is in its entirety holy.

The first intimation is much earlier still, in the first chapter of Genesis, with its monumental assertion, "Let Us make mankind in Our image, in Our likeness'.... So God created mankind in His own image, in the image of God He created them; male and female He created them" (Gen. 1:26-27). What is revolutionary in this declaration is not that a human being could be in the image of God. That is precisely how kings of Mesopotamian city states and pharaohs of Egypt were regarded. They were seen as the representatives, the living images, of the gods. That is how they derived their authority. The Torah's revolution is the statement that not some, but all, humans share this dignity. Regardless of class, colour, culture, or creed, we are all in the image and likeness of God.

Thus was born the cluster of ideas that, though they took many millennia to be realised, led to the distinctive culture of the West: the non-negotiable dignity of the human person, the idea of human rights, and eventually, the political and economic expressions of these ideas: liberal democracy on the one hand, and the free market on the other.

The point is not that these ideas were fully formed in the minds of human beings during the period of biblical history. Manifestly, this is not so. The concept of human rights is a product of the seventeenth century. Democracy was not fully implemented until the twentieth. But already in Genesis 1 the seed was planted. That is what Jefferson meant in his famous words, "We hold these truths to be self-evident, that all men are created equal," and what John F. Kennedy alluded to in his Inaugural Address when he spoke of the "revolutionary belief" that "the rights of man come not from the generosity of the state, but from the hand of God."

The irony is that these three texts, Genesis 1, Exodus 19:6, and Leviticus 19, are all spoken in the Priestly voice Judaism calls *Torat Kohanim*. (There is, of course, a prophetic call to equality also. We hear, in all the prophets, a critique of the abuse of power and the exploitation of the poor and powerless. What made the Priestly voice so significant is that it is the voice of

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law, and thus of the legal structures that alleviated poverty and set limits to slavery.)

On the face of it, Priests were not egalitarian. They all came from a single tribe, the Levites, and from a single family, that of Aaron, within the tribe. To be sure, the Torah tells us that this was not God's original intention. Initially, it was to have been the firstborn -- those who were saved from the last of the plagues -- who were charged with special holiness as the ministers of God. It was only after the sin of the Golden Calf, in which the tribe of Levi did not participate, that the change was made. Even so, the Priesthood would have been an elite, a role reserved specifically for firstborn males. So deep is the concept of equality written into monotheism that it emerges precisely from the Priestly voice, from which we would least expect it.

The reason is this: religion in the ancient world was, not accidentally but essentially, a defence of hierarchy. With the development, first of agriculture, then of cities, what emerged were highly stratified societies with a ruler on top, surrounded by a royal court, beneath which was an administrative elite, and at the bottom, an illiterate mass that was conscripted from time to time either as an army or as a corvee, a labour force used in the construction of monumental buildings.

What kept the structure in place was an elaborate doctrine of a heavenly hierarchy whose origins were told in myth, whose most familiar natural symbol was the sun, and whose architectural representation was the pyramid or ziggurat, a massive building broad at the base and narrow at the top. The gods had fought and established an order of dominance and submission. To rebel against the earthly hierarchy was to challenge reality itself. This belief was universal in the ancient world. Aristotle thought that some were born to rule, others to be ruled. Plato constructed a myth in his *The Republic*, in which class divisions existed because the gods had made some people with gold, some with silver, and others with bronze. This was the "noble lie" that had to be told if a society was to protect itself against dissent from within.

Monotheism removes the entire mythological basis of hierarchy. There is no order among the gods because there are no gods, there is only the One God,

Creator of all. Some form of hierarchy will always exist: armies need commanders, films need directors, and orchestras, conductors. But these are functional, not ontological. They are not a matter of birth. So it is all the more impressive to find the most egalitarian sentiments coming from the world of the Priest, whose religious role was a matter of birth.

The concept of equality we find in the Torah specifically and Judaism generally is not an equality of wealth: Judaism is not communism. Nor is it an equality of power: Judaism is not anarchy. It is fundamentally an equality of dignity. We are all equal citizens in the nation whose sovereign is God. Hence the elaborate political and economic structure set out in Leviticus, organised around the number seven, the sign of the holy. Every seventh day is free time. Every seventh year, the produce of the field belongs to all, Israelite slaves are to be liberated, and debts released. Every fiftieth year, ancestral land was to return to its original owners. Thus the inequalities that are the inevitable result of freedom are mitigated. The logic of all these provisions is the Priestly insight that God, creator of all, is the ultimate owner of all: "The land must not be sold permanently, because the land is Mine and you reside in My land as strangers and temporary residents" (Lev. 25:23). God therefore has the right, not just the power, to set limits to inequality. No one should be robbed of dignity by total poverty, endless servitude, or unrelieved indebtedness.

What is truly remarkable, however, is what happened after the biblical era and the destruction of the Second Temple. Faced with the loss of the entire infrastructure of the holy, the Temple, its Priests, and sacrifices, Judaism translated the entire system of avoda, divine service, into the everyday life of ordinary Jews. In prayer, every Jew became a Priest offering a sacrifice. In repentance, he became a High Priest, atoning for his sins and those of his people. Every synagogue, in Israel or elsewhere, became a fragment of the Temple in Jerusalem. Every table became an altar, every act of charity or hospitality, a kind of sacrifice.

Torah study, once the speciality of the Priesthood, became the right and obligation of everyone. Not everyone could wear the crown of Priesthood, but everyone could wear the crown of Torah. A mamzer talmid chacham, a Torah scholar of illegitimate birth, say the Sages, is greater than an am ha'aretz Kohen Gadol, an ignorant High Priest. Out of the devastating tragedy of the loss of the Temple, the Sages created a religious and social order that came closer to the ideal of the people as "a kingdom of Priests and a holy nation" than had ever previously been realised. The seed had been planted long before, in the opening of Leviticus 19: "Speak to the entire assembly of Israel and say to them, 'Be holy because I the Lord your God am holy.'"

Holiness belongs to all of us when we turn our lives into the service of God, and society into a home for the Divine Presence. *Covenant and Conversation 5779 is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl z"l ©2019 Rabbi Lord J. Sacks and rabbisacks.org*

RABBI SHLOMO RISKIN

Shabbat Shalom

Speak unto all the congregation of the children of Israel and say to them: You shall be holy, for I the Lord your God am holy. (Leviticus 19:2) Holiness is certainly a “religious” word expressing a worthy ideal, if not the worthiest of all. But upon encountering this idea in the opening verses of this portion, we must admit that the concept seems rather vague and difficult to define. What does it really mean to be “holy”?

Examining some of the commentators on this issue of holiness, the remarks of Rashi and Nahmanides are thought-provoking, not only because of their differences, but also because of their similarities. Rashi explains the phrase “you shall be holy...” as follows: You shall separate yourselves. Abstain from forbidden sexual relationships and from sin, because wherever you find a warning to guard against sexual immorality, you find the mention of holiness. (Rashi on Leviticus 19:2)

Since the sexual drive is probably the strongest of our physiological needs and urges – and the most likely to get us into trouble (an old Yiddish proverb has it that most men dig their graves with their sexual organ) – it makes sense that Rashi will use this activity as a paradigm for all others. Who is a holy individual? The one who can control his sexual temptations, and arrange his life in a way in which he/she will not end up trapped in forces which often overtake and destroy all too many families.

Nahmanides, after initially quoting Rashi’s understanding of holiness, goes a step further by pointing out that the rabbinic interpretation of the phrase (as cited in the Midrash Torat Kohanim) doesn’t limit the holiness of self-restraint exclusively to sexual behavior, but rather applies it to all elements of human nature: The commandment is ordering disciplined conduct in every aspect of life.

Nahmanides goes on to explain that a Jew may punctiliously observe all the details of the laws and still act “repulsively, within the parameters of the Torah” (naval b’reshut ha’Torah). In effect, argues Nahmanides, the commandments must be seen as the floor of the building and not as the ceiling: everyone must keep all the laws as a minimum requirement, and then add to them as his/her personality or conscience desires or dictates, as well as in accordance with the nature of the situation which arises.

Since life is so complex, we require necessary

guideposts or clearly enunciated goals to help us make the proper decisions regarding our daily conduct – especially in those areas where a black and white halakhic directive does not exist. Therefore, “you shall be holy” is the guidepost or meta-halakhic principle which must determine our relationship to the Creator. It reminds us that although drinking and eating kosher foods to excess, for example, may be technically permitted, an individual who strives for holiness dare not spend the majority of his time in pursuit of delectable dishes and outstanding wines. And in Judaism, as Nahmanides would see it, holiness refers to a God-like personality, a person who strives to dedicate him/herself to lofty goals of compassionate and moral conduct. Self-restraint and proper balance between extremes are necessary prerequisites for a worthy human-divine relationship.

Nahmanides finds the parallel for the meta-halakhic “you shall be holy” in the human-divine relationship, within the equally meta-halakhic “you shall do what is right and good” (Deut. 6:18) in all of our interpersonal human relationships. It is impossible for the Torah to detail every single possible point of contact between two human beings, points which could easily become stressful and litigious. Thus, Nahmanides tells us that doing what is right and good must be the overall rubric under which we are to conduct our affairs.

It turns out that Rashi’s focus regarding the concept of “you shall be holy” concerns matters of sexuality, while Nahmanides focuses on the entire range of our experience, giving us a global view of modesty and restrained human conduct. A formalistic reason for these two different approaches to the interpretation of holiness may derive from the context of the verse in question. Apparently, the placement of the commandment “you shall be holy” which opens chapter nineteen, sends Rashi and Nahmanides in two different directions. Rashi, finding that immediately preceding the mandate to be holy, the Torah presents all the laws of improper sexual behavior – twenty-three biblical prohibitions, twenty-three forbidden sexual alliances – he is inspired to conclude that holiness must refer first and foremost to the sexual realm.

Nahmanides, however, gazes ahead and sees, following the directive “to be holy,” no less than 51 commandments in Kedoshim unfolding before him, with approximately half dealing with ritual and the other half dealing with the ethical – including such famous laws as “love your neighbor as yourself” and “you shall not place a stumbling block before the blind.” Nahmanides therefore prefers to view holiness as applying to the entire range of the human experience.

In a most basic way, however, the two approaches are very similar. Both Rashi and Nahmanides define holiness as disciplined self-control, as the ability to say “no” to one’s most instinctive physical desires. They both understand that the

religious key to human conduct requires love and limits, the ability to love others and the self-control to set limits on one's desires.

Interestingly and surprisingly enough, in the Hollywood, Newscaster and political societies a virtual revolution is now taking place in the area of man-woman relationships. Scores of women have come forward and testified to sexual abuse years and decades ago, including woman who claimed that former Vice-President and currently Presidential aspirant Joe Biden had touched them inappropriately on their shoulders or kissed their hair. These various allegations caused Nancy Pelosi, Speaker of the Congressional House of Representatives to strongly suggest that the ethical code of proper conduct between the sexes had to change drastically, that men ought hold women "at arm's length" unless they received explicit permission to touch or kiss beforehand. And recently an op-Ed appeared in the Jerusalem Post explaining the importance of "shomer negiyah." ©2019 Ohr Torah Institutions & Rabbi S. Riskin

RABBI BEREL WEIN

Wein Online

This week's Torah reading makes a heavy demand upon us. It commands us to be a holy and dedicated people and to continually aspire to heights of piety and holiness. Some will say that this is an almost impossible task and is especially difficult since the Torah does not define for us how it is to be achieved. But that is only a superficial understanding of what this Torah portion is coming to teach us.

In this Torah reading there appears a large amount -- in fact a plethora -- of commandments. At first glance one could mistakenly believe that this is nothing more than a jumble of laws thrown together almost at random without any discernible pattern or overall construction. But upon careful examination one will come to realize that it is this wide variety of seemingly unconnected commandments and laws that form the ladder upon which one can ascend to the level of piety demanded from us by the opening verse of the reading.

Every phase of human life is covered by this very long list of do's and don'ts. They refer to personal behavior, the intimacy of marriage and the raising of children, commercial enterprises and all types of interactions between human beings. In effect, we are commanded to be as holy in the marketplace as we are in the synagogue and on a mundane weekday as we are on Yom Kippur.

It is in fact the very reason why there are so many commandments and so many laws and seemingly small details that make up Jewish life and values. Because human life is covered by the perspective of the demand for holiness on a constant basis, that is the goal of Judaism.

We live in a society that has mostly given up on the concept of holiness and dedication and functions only in the present and for today alone. We do not see a reverence for human life any longer, especially for infants and the unborn, nor any aspiration for spiritual growth at the expense of physical pleasure and leisure. There was a time that people ascribed attendance at a house of worship as being an act that could lead to holiness and spiritual development. Now, across the board of all faiths in the Western world today, attendance at houses of worship has declined drastically and the worship service itself has become one of entertainment, political correctness, guitar playing and social activities at best.

Only by strengthening the observance of the varied commandments that make up the bulk of this week's Torah reading can we at least glimpse the amount of holiness that we are ordained to attain. The sheer number of commandments that govern every aspect of Jewish life emphasizes to us the proportion of the task that lies before us.

There are no shortcuts to holiness and there are no instant remedies to the healing of society. Persistence and patience, repetition and tenacity remain today, as they have always been, the keys to Jewish life and to the fulfillment of the commandments that the Lord demands from us in order to be a holy and dedicated people. ©2019 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com

RABBI AVI WEISS

Shabbat Forshpeis

How does one attain kedusha (holiness), a status this week's Torah portion instructs us to strive for? (Leviticus 19:2) Some maintain that the pathway to holiness is to separate from the real world; in other words, the way to attain spirituality is by suppressing the body. Only in that way can the soul soar.

In fact, writes Rav Yosef Dov Soloveitchik, this is the predominant approach of most faith communities. The ish ha da'at, the universal religious person, as Rav Soloveitchik terms it, is the religious figure who sees the escape from the body as a prerequisite for spiritual striving.

There is a more mainstream approach to kedushah. It suggests that the body is neither to be vilified nor for that matter glorified. Rather, every aspect of human physical activity is to be sanctified.

This, writes Rav Soloveitchik, is the goal of the ish halakha (halakhic man). To apply Jewish law to every aspect of life, ennobling and yes, "kedushafying" our every endeavor. This analysis sheds light on our approach to kodesh vehol (commonly translated, the holy and the profane).

For some in the Orthodox community disciplines that are not pure Torah are hol (profane). One studies hol to better understand kodesh. Through chemistry for example, one can better evaluate the kashrut of food products. Or, one studies language in order to be viewed as a cultured Westerner so that Torah will be more respected. Or, one studies medicine to provide for one's family or one's charity. But hol is intrinsically not kodesh and can never become kodesh.

The ish halakha sees it differently. Chemistry, language, medicine, and all disciplines are all potentially aspects of Torah. In the words of Rav Kook, "There is nothing unholy, there is only the holy and the not yet holy." Study Torah and it will give new meaning, new direction, new purpose and in the end, sanctify hol. Hol is not intrinsically hol; it can become kodesh.

For the ish halakha there is nothing in the world devoid of God's imprint. The way one loves, the way one conducts oneself in business, the way one eats, are all no less holy than praying, learning and fasting.

This is the challenge of this week's mandate-kedoshim tihiyu, you shall be holy. ©2019 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale

RABBI MORDECHAI WILLIG

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"Kedoshim Tihiyu" (Vayikra 19:2) is rendered, "you shall be holy." The Medrash Tanchuma (9), as understood by the Yefe To'ar, notes that the phrase is inverted -- it should have read, as in the translation, "Heyu Kedoshim -- be holy" (see Shemos 19:15). The Tanchuma links this phrase to a pasuk recited daily: "May He send your help from Kodesh, and support you from Tzion" (Tehilim 20:3). Kodesh is not interpreted as geographical, referring to the Mikdash in Tziyon-Yerushalayim. Rather, it means "from the holiness of your actions -- mek'dushas ma'asim shebach."

The Medrash continues that people need help and support, as David said in the verse cited above. The Yefe To'ar explains in light of the previous pasuk: "May Hashem answer you on a day of crisis, may the Name of Yaakov's G-d save you" (ibid 20:2). Once Hashem saves us, why is the help of others needed? The Medrash concludes that even though Hashem helps us, we need the additional help of others to strengthen us over our enemies. This help can be logistical and military, but can also refer to the holy actions mentioned earlier in the Medrash. Kedoshim Tihiyu thus means that through the holiness of your deeds you will exist in this world, despite your enemies' attempts to destroy you.

"In each and every generation they attempt to destroy us, but Hashem saves us from their hands"

(Hagada shel Pesach). From a lone gunman in Poway to hundreds of murderous rockets fired in Eretz Yisrael, Jewish blood has been spilled since we recited those words. How should we respond?

We must intensify our prayers to Hashem for peace and security for Jews everywhere in this time of crisis (Tehilim 20:2). But we must also help (Tehilim 20:3) in other ways: logistically, by heightened security awareness and appropriate precautions; financially, by contributing to increased security when necessary and by tzedaka, -- charity, which saves from death (Mishlei 10:2); spiritually, by holy actions which, as the Medrash teaches, ensure our existence; and by the study of Torah, especially in shuls and batei medrash, for when the voice of Yaakov is heard there, the hands of Eisav are neutralized (Bereishis Raba 65:20).

The Rambam (Hilchos Ta'aniyos 1:2,3) rules that when a communal crisis occurs, we must do teshuva, realizing that punishment results from sinful deeds, and, as a result, praying and repenting will remove the crisis. Attributing the crisis to chance, and failing to pray and repent, is cruel since it causes continued sins and worse crises. "If you attribute your crisis to chance (see Rashi Vayikra 26:21), I will respond with fury (ibid 26:27,28)."

As we read Parshas Kedoshim, Jews worldwide mark the horrific holocaust and the miraculous medina. Since these seminal events, of biblical proportions and foreseen in the Bible and its commentators, the Jewish people have changed in ways unimaginable seven decades ago.

The positive change is that the kol Yaakov in shuls and yeshivos has grown exponentially, in both Eretz Yisrael and in America. This affords a measure of protection against constant attacks by Eisav (which includes Yishmael, see Malbim to Daniel 7:8) in the Holy Land. This unprecedented growth should be assisted by our participation and support.

The negative changes, however, are that intermarriage in America is staggeringly rampant, the degenerate practices of Egypt and Canaan (Vayikra 18:3, see Ramban) have gained acceptance in American society, including among liberal Jews. In stark contrast to "Kedoshim Tihiyu" (see Rashi 19:2), the parsha closes by warning us to avoid immorality which causes expulsion from the Holy Land (Vayikra 20:22). These problems exist today, unfortunately, in Eretz Yisrael as well. The penultimate passuk of Parshas Kedoshim reads, "You shall be holy for Me...I have separated you from the nations to be Mine." We must reaffirm the immutability and morality of Hashem's Torah, and remain separate and not assimilate the postmodern values which are antithetical to Torah.

Only Hashem knows the reasons for the recent attacks on Jews here and in Eretz Yisrael and only He can save us. "If Hashem will not guard the city the watchman guards in vain" (Tehilim 127:1). Yet, even as

we pray to Hashem to save us we must do our share to help, both logistically and spiritually, as the Medrash teaches. May our teshuva, tefilla, tzedaka and talmud Torah protect Jews from harm, as our holy deeds ensure our continued existence. ©2019 Rabbi M. Willig and TorahWeb.org

RABBI DAVID LEVINE

A Different View of Charity

The word Kedoshim comes from the term kadosh which is translated as holy, set aside, special. The B'nei Yisrael are commanded to be Kadosh, both as individuals and as a collective people. The numerous commandments in this parasha require a level of moral and ethical approach in our relationships with our fellowman. This is clearly seen in the commandments surrounding the harvesting of one's field. The Torah requires several gifts from the owner of the field to the poor and needy families of his community.

The Torah commands, "And when you reap the harvest of your land, you shall not totally reap the corners of your field, nor shall you gather the gleanings of your harvest. You shall not pluck the unripe grapes of your vineyard, nor shall you glean the fallen grapes of your vineyard, to the poor and the stranger shall you leave them, I am Hashem, your Elokim." From these p'sukim, our Rabbis have learned that there are three important gifts: leket, shichicha, and peah. Leket is the individual stalks of grain which would escape the normal process of harvesting. These are isolated grains or stalks that were missed when the harvesters passed over a section of the field. Shichicha is fallen grain that is less than three stalks. A worker will not stop to pick up a few grains that have fallen but might stop for a significant amount. Peah refers to the corner of the field which is to be left standing for the poor. No set amount was given for the corner, but the Rabbis later set a minimum for this gift. These concepts were adapted to the vineyard which carries slightly different definitions and requirements.

HaRav Shamshon Raphael Hirsch discusses why gifts were given from a person's land. Hirsch explains that we can learn a lesson from the fact that the wording of our first pasuk changes from plural to singular, artz'chem, your (plural) land, and sad'cha, your (singular) field. The land is to be viewed as "the land of the community ... even after it has been divided, given to no one for purely exclusively selfish egoistic purposes." There is community ownership of the produce of that land even though it is clearly the land of the single individual. To further emphasize the lack of ownership of the produce, the owner of the land cannot gather and distribute these gifts to a particular poor person of his choice. This does not apply to the tithe which is given to the priest or the tithe given to the poor. Those tithes are first brought into the owner's

possession and then designated as the required tithe.

HaRav Zalman Sorotzkin points out that there were two different recipients of these required gifts from the farmer. The owner of the field was to bring both the gifts of terumah and ma'aser, the various tithes, that were given to the Kohanim, the priests, and also the gifts which we have already mentioned which were given to the poor and the stranger. The gifts that were given to the Kohanim were markedly different than the gifts given to the poor. The owner gave the Kohanim from the best produce of his field, whereas the gifts to the poor were from the worst of the field and vineyard. The corner of the field left for the poor often suffered because both men and animals trampled the edges of the field as they went on their way. The unripe grapes of the vineyard were less tasty and less satisfying than the ripe ones.

HaRav Sorotzkin explains that Hashem considered the general nature of Man when He set up these Laws. Man does not like to part with something that he possesses. When he gives from his produce to the Kohein, he rationalizes that: (1) the Kohein was not given a portion of the land so some produce from his land is rightfully the Kohein's, and (2) as the owner of the field is working that portion of the field whose produce belongs to the Kohein, the Kohein is serving Hashem on the owner's behalf in the Temple. Since the Kohein's service is performed to honor Hashem, the owner is willing to give him from the best of his crop. With the poor man or the stranger there is no mutual benefit. The owner may look upon him as lazy and undeserving of his crops. The poor man had been given a portion of the land but had carelessly lost his right of possession. The stranger never had a portion yet he chose to live with the B'nei Yisrael. The owner may see the poor man or the stranger as someone who wastes time instead of seeking work. The owner is only willing to grant the poor a portion of his less valuable produce since even that is undeserved. But Hashem understands the true nature of wealth and poverty. The land cannot provide wealth except through the desire of Hashem to grant the owner success in his crops. Poverty is also not the fault of the poor or the stranger, as Hashem has created the world so that there should always be both poor and rich who inhabit it. The rich man was given the responsibility of those less fortunate so that he can recognize his part in Hashem's plan. The poor must also recognize that, even when they work hard, they may still be poor in Hashem's plan.

HaRav Sorotzkin presents the process for the field owner when giving produce to the poor. The wealthy owner should first take his money that goes beyond his needs and lend it to the poor. If the poor cannot repay the loan, then it should become a gift to him. The owner must realize that this extra money came to him only through Hashem's decree. His ultimate success has little to do with his own skill or

effort, but through his effort Hashem has been blessed him. The same is true for the poor man. He is poor because of Hashem's plan. The owner must realize that to be totally successful there would be no part of his produce that was of a lower quality. Yet that there are sections which are a lower quality or that he missed when harvesting his crop, and these are to be left for the poor. This proves to him Hashem's message.

Another approach that HaRav Sorotzkin quotes from the Jerusalem Talmud involves a discussion between R' Yehudah and R' Meir. R' Yehudah sees the poor man as a partner in the field and thus entitled to some of the produce. R' Meir looks upon the poor person as if he has already taken possession of that portion of the produce in the field. Both answer the question why the Torah says "you shall leave them" rather than "you shall give them." According to both R' Yehudah and R' Meir these are not gifts but are the rightful possession of the poor. This approach indicates Hashem's view that wealth is His gift which enables charity for the poor.

When we think of the Tzedakah which we give, we must remember the lessons of the field. We are blessed with money beyond our needs and we are to share with those whom Hashem has placed in the position of the needy. If we consider the Jerusalem Talmud's position, the extra that we have is not really ours but only given to us to hold for the poor. We do not know where we will fit in Hashem's plan for the future, but we do know our current success or needs. May we be willing to accept that Hashem has given each of us a part to play in His plan. ©2019 Rabbi D. Levine

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Withholding Wages

*Translated for the Encyclopedia Talmudit
by Rabbi Mordechai Weiss*

One is commanded to pay the wages of a worker at the proper time. Should a person not pay at the appropriate time, he would not fulfill this positive commandment of paying on time ("B'yomo Titen Sacharo") and would be transgressing a negative commandment of withholding wages (Baal Talin) as well. However it would not subject the transgressor to lashes (Malkot) since eventually he must pay this debt that he owes, and in actuality it is a negative commandment that has no action (Lav she'en bo Maaseh) since by withholding wages he is not actively doing something wrong.

The above only applies to a case where the person who must pay indicates that he doesn't have the funds now but understands his obligation to pay and intends to pay eventually. However a person who deliberately denies payment, or claims that he never engaged the person, even for a worker who is employed hourly or daily or nightly-such a person

transgresses five negative commandments (Lo Taaseh) and one positive commandment (Aseh).

This is also applicable to a worker who was engaged for labor on a weekly, monthly, yearly or even the entire seven year Shmittah cycle.

If a person contracts an artisan to build something, when he completes the work the buyer does not have the obligation to pay immediately since the artisan has in his possession the finished object in which the buyer supplied the material.

In a case that the artisan is supplying the raw material there is certainly no prohibition of "Baal Talin" if the buyer doesn't claim it immediately, since the artisan is looked upon as a seller of his material and not a worker.

The above prohibition of "Baal Talin" applies whether engaging for hire, a man, animal or utensils.

However, if someone at the outset of the writing of the contract, stipulates that he might not pay on time, then he does not transgress this law of "Baal Talin". Indeed it is preferable that one is clear as to the stipulations of the contract at the outset, so as not to be placed in a situation that he might not have fluid money and would be unable to pay his debt and thus transgress the Mitzvah of "Baal Talin". ©2019 Rabbi M. Weiss and Encyclopedia Talmudit

RABBI YAAKOV BERNSTEIN

Haaros

The Torah commands us to give the benefit of the doubt (Vayikra 19:15; Avos 1:6). One who gives the benefit of the doubt will himself be given the benefit of the doubt (Shabbos 127b). In law, we have the concept of "innocent until proven guilty."

Nonetheless, we constantly hear public accusations, and the accused are already perceived as guilty, without trial. Reputations may be destroyed through accusation, even if the accused are later shown to be innocent...

To what extent does the Torah require that we give the benefit of the doubt?

According to the Rambam (Avos1:4) and Rebbenu Yona (Shaare Teshuva 3:218) only when the scales are balanced, and the judgment could go either way, must one give the benefit of the doubt. Still, the Chofetz Chaim writes (Shmiras Halashon 1, Shaar Hatevuna chap. 4) that we should be inclined to judge favorably even if the excuses seem very far-fetched.

The Chofetz Chaim makes his point from the following story (Shabbos 127b): One who judges his friend favorably will be judged favorably. It once happened that a man contracted to be an indentured servant in the south. After three years -- on the day before Yom Kippur -- he asked for his wages, with intention to return to his wife and children.

The landowner claimed he had no money. The worker requested, in turn, to be paid with produce, then

land, cattle, or even pillows and blankets. At each request, the landowner said that he had none in his possession. Having no other option, the worker gathered his belongings and sadly went his way.

After Sukkos, the landowner made his way to the house of the worker. He brought with him the wages, and three donkeys laden with food, drink and treats. After they ate and drank, the landowner produced the wages, and asked, "What did you think of me, when I denied having money, land, cattle, produce, or even pillows and blankets?" The worker answered, "I thought perhaps you had no money because you had spent it on a special bargain; perhaps the land and cattle were rented out; perhaps the produce had not been tithed as yet; perhaps you had consecrated all your remaining possessions including your pillows and blankets."

The landowner swore that these were, in fact, the correct reasons! He had, in fact, vowed to consecrate all his remaining possessions -- his son had refused to learn Torah, and the landowner did not want the son to inherit anything. However, he later had the vow nullified, and was now free to pay the worker.

From this story the Chofetz Chaim concludes that one should search for possible reasons to justify others' actions, even if the logic seems remote. The proof is that, as far-fetched as they seemed, the worker's guesses were correct...

Rav Yaakov Galinsky explains the above story in greater depth, showing the worker's incredible willingness to judge favorably. For three years he was away from home, with the promise that he would return with sustenance. After three years, he has nothing! "Give me produce!" he says. Three years of produce? What will he do with it now, on Erev Yom Kippur! "Give me land!" You can't bring land home! How will this help his wife and children? He won't be able to sell it right now. "Cattle!" How will he bring the cattle home, and how will cows benefit him? "Pillows and blankets!" Imagine that he tells his wife that he has earned three years worth of pillows and blankets -- they don't even have furniture!

What were the excuses? "The money was spent on a special bargain." How could he have made purchases, when he knew that he had to pay three years of wages to the worker? "The land was rented; the animals were rented." Even so, money is exchanged for the rent of the cattle and the real estate. Where did that money go? Why didn't it go to the worker? "The produce had not been tithed." This must be because the landowner waited for a knowledgeable kohein. Sure, but you can tithe the produce yourself and hold the tithe until you find a suitable kohein. In other words, the finest excuses that the worker could come up with still leave many questions...

Finally, the landowner comes bearing goods. "After they ate and drank, the landowner produced the

wages..." After they ate and drank? Picture this: The employer owes three years of wages to his worker, and the poor man invites the landowner in for dinner! Only afterwards did the employer pay his wages...

The Chofetz Chaim (Ibid.) shows how important it is to give the benefit of the doubt, as the Gemara said, "One who gives the benefit of the doubt will himself be given the benefit of the doubt." We all need Hashem's mercy. Even if a person seems to be a tzaddik -- meaning, he has more mitzvos than transgressions -- he still needs the benefit of the doubt. The way the mitzvos are performed will also be scrutinized: Were they performed with love and fear, with simcha, as is proper? If Hashem looks at us strictly, nothing may remain of our mitzvos! Therefore, everyone must hope for Hashem's merciful judgment. This can only happen if we ourselves look at others favorably.

The Shiltos, in Parshas Shmos, tells us that the worker was Rebbi Akiva, before he learned Torah, and the landowner was Rebbi Eliezer HaGadol. How important it is to emulate the refined character of Rebbi Akiva. How correct it was to judge favorably the mysterious behavior of the employer -- he was the great Rebbi Eliezer! (The interested reader is advised to see the commentaries to Shabbos 127b, who help to unlock some of the mysteries of this story.) ©2019 Rabbi Y. Bernstein & torah.org

RABBI SHLOMO RESSLER

Weekly Dvar

Parshat Kedoshim is one of several that tries to instill "Jewish Values", one of which is the commandment not to steal. In an effort to drive home the point, the Torah uses several terms that seem redundant, when it says "Do not steal, do not deny falsely, and do not lie to one another" (19:11). Other than making sure we get the point, what is the significance of these specific forms of honesty being listed?

The Gemara in Makot (24a) sheds some light by saying that the Torah is telling us to speak the truth in our hearts, like Rav Safra did. The Gemara goes on to tell the story of Rav Safra who was Davening (praying) when someone came to buy something from him. When Rav Safra didn't respond because he was praying, the buyer raised his price several times, until finally Rav Safra finished praying and responded. Rav Safra insisted on selling the object at his original price, even though the man offered more because in his heart Rav Safra agreed to the first price.

The Torah is driving home that we should not steal in actions or words. That means not manipulating people to get what you desire, not distorting words to fit your opinion, and not frivolously demanding from others. If we live by these Torah values, we'll hopefully fully value them! ©2005 Rabbi S. Ressler & LeLamed, Inc.

