

קול תורה

Parashat BeMidbar

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The Power of Mesorah

By Nachi Scheiner ('22)

Familial bonds are the core of Judaism's success. The word "Mesorah" denotes the passing of the torch of Torah from one generation to the next. Every day in Shema we read, "VeShinantam LeVanecha," "and you shall teach your son" (Devarim 6:7). Shema is meant to remind us of the obligation we have to the Torah, Mitzvot and most importantly, Hashem. In the mix of Judaic essentials, we must mention the obligation of not only doing the Mitzvot ourselves, but inspiring our children and in turn our grandchildren, great grandchildren, and on. One cannot stress the importance that the familial relationship plays in Judaism enough.

In Parashat BeMidbar, the Pasuk says, "VaYityaldu Al Mishpechotam LeVeit Avotam" (BeMidbar 1:18). Rashi on that Pasuk states that when Bnei Yisrael were counted, they would bring their Sifrei Yichusim, genealogical and other forms of records in order to trace which Sheivet they were from. Many Mefarshim ask, Why was it necessary to do this? Imagine if the American census required a DNA tracing done before: then even more people wouldn't do it!

Based on a Pasuk in Yirmiyahu, the Tzeidah LaDerech explains that when Hashem rests his Shechinah upon Bnei Yisrael, he only does it upon families with genealogical proof of being part of Bnei Yisrael. Bnei Yisrael were entering the period where Hashem's Shechinah would rest upon the Mishkan, and they now need to be counted along with their family records. Another instance when Hashem's Shechinah rested upon us was at Har Sinai. The nations of the world came to Hashem and said, what makes Bnei Yisrael deserving of this great honor? Hashem quieted them down by saying they bring me their Sifrei Yichusim. Rabbi George Silfen connects these two points and says that right before Shavu'ot, we read sefer BeMidbar, where we each bring our own Sefer Yichusim in order to be fit to accept the Torah and have Hashem come even closer to us. However, one is still left with

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an urgent question: What is so special about Bnei Yisrael's Sefer Yichusin?

The Sefat Emet on the phrase "LeVeit Avotam" (ad. loc.) asks, What does this phrase mean and what is it coming to teach us? He answers that even though Bnei Yisrael grew from a mere seventy people to over six hundred thousand, familial connections still remained intact. There is a phrase that a person should always ask himself: When will my actions reach those of the forefathers? How can one demand of himself, though, that he reach the level of Avraham, Yitzchak and Yaakov? The Chidushei HaRim explains that it isn't that one must reach the level of the great forefathers, rather that one should feel a connection to their ways and actions. Rav Chaim Volozhin explains the well known concept Maaseh Avot Siman LaBanim, the ways of the father affect the future of the next generation.

Hashem's message to us is that what makes you, Bnei Yisrael, so special and deserving of my Shechinah is not merely which Sheivet you are from, but the Mesorah you received. The Sefer Ta'am VeDa'at says that when one generation makes the ultimate sacrifice for Hashem and his Torah, inevitably it has a profound effect on the next generation. Hashem wants to see the connection we have to the older generation even as far back as our forefathers. Rabbi Michael Hoenig's grandfather served as a loyal US soldier in WWII. Despite the horrid conditions of warfare and the scarce food, he refused to eat non-kosher meats. His diet was extremely impacted, but so was his spirituality, since he was able to sacrifice his diet in order to be Shomer Mitzvot. His diet was a temporary issue, however, whereas his spirituality has had an effect on his grandchildren and greatgrandchildren. Rabbi Hoenig is an extremely successful Rav loved and appreciated by many. The sacrifice his grandfather made is the epitome of bringing the Sefer Yichusim in front of Hashem and showing how we are fit to receive the Torah this Shavuot.

Between BeMidbar and Shavuot By Daniel Grin ('22)

Most years, we read Parashat BeMidbar on the Shabbat preceding Shavuot. What is the connection between the Parashah and the Yom Tov? The Gemara in Megillah first explains the reason for doing this every year. The first reason is that there is a Tochachah in Parashat BeChukotai, so we read it after this Tochachah. The Gemara also explains the

reasoning for why we read a Tochachah before Rosh HaShanah in Parashat Ki Tavo. The reason is that we want to put the curses behind us and be able to move forward with a clean slate with a year full of Berachot and promise. This Gemara actually says that not only is Rosh HaShanah a "new start" but also that Shavuot is a type of "Rosh HaShanah". Tosafot pose the obvious question: Why then do we read Parashat BeMidbar before Shavuot? Shouldn't we just read Parashat BeChukotai and then celebrate Shavuot? Similarly, later in the year at Rosh HaShanah, Ki Tavo is not the Parashah preceding Rosh HaShanah. There is Parashat Nitzavim between them! Tosafot answer that we need a full week buffer between the Tochachah and the following Yom Tov.

Another explanation highlights the connection between Parashat BeMidbar and Shavuot. The additional Parashah is not just a buffer, but it leads us on the journey to Har Sinai into Kabbalat HaTorah. The Midrash explains that Hashem offered the Torah to all the nations. When each nation inquired about the details about the Torah, Hashem shared with them a Mitzvah that went against their nature. For example, the nation of Edom was told the prohibition of murder which they immediately refused to accept. Hashem repeated this process for each of the other

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approach the three days up until Kabbalat HaTorah, we need to be reminded that we each have unique and individual abilities as part of the Tzibbur.

Influence Others to Learn Torah

By Yavov Abrahams ('22)

Adapted from Growth Through Torah by Zelig Pliskin

When describing the arrangement of Bnei Yisrael's camp, the Torah introduces Shevet Zevulun as "*Mateh Zevulun*," "The tribe of Zevulun" (BeMidbar 2:7).

The Ba'al HaTurim teaches that in regards to certain tribes that are notably together in the Torah, the Torah adds the letter "Vav" to teach that they are separate Shevatim but still unified. He notes that specifically by Zevulun, there is no "Vav" attached to the name. This is because the tribe of Yissachar, which is mentioned right before Zevulun, devoted themselves to Torah study day and night, while Zevulun supported them financially. Because Zevulun enables Yissachar to learn Torah, their tribes are counted as one, and Zevulun shares in Yissachar's reward for their Torah study.

Says Rav Chaim Shmulevitz in *Sichos Mussar*, that just as someone who supports another financially, enabling that person to toil in Torah, shares in the reward, so too anyone who encourages another to learn Torah receives a share in the reward of that person. Every Yeshiva student, therefore, has many opportunities to be a positive influence on others.

Influencing others to learn Torah doesn't necessarily require going around convincing your friends to give learning a try. One can lead by example by frequently studying diligently. Others will see the sheer Simchah that the diligent student gains from learning Torah and in effect will increase their own Torah study. In serving as a role model Ben Torah to his classmates, the diligent student will share in the merits of the Torah learning that he inspired in his peers.

Parents who influence and encourage their children to learn will so too share in the merits of the Torah that is learned. Additionally, wives who allow their husbands to study will share in their merits. In any case, in order for Torah to be learned, some will inevitably have to sacrifice, but in the end, all who do are destined to rejoice in their well deserved merits.

Lander's Model Beis Din 5781/2021 – Priorities in Covid-19 Vaccine Distribution Part 1

By Rabbi Howard Jachter

BeChasdei Hashem, great progress has been made developing Covid-19 vaccines. Distribution has begun worldwide, albeit on a limited basis in many locales. Protocols have been put in place determining which groups enjoy priority to receive the vaccines, since the supply is limited. We begin to outline Halachic approaches to the distribution with a presentation of the background for the discussions in the Gemara and Rishonim. All translations are from sefaria.org

A. Mishna, Gemara, and Rishonim

Shas and Rishonim are replete with discussions as to who enjoys priority for competing limited resources. Here are ten examples:

1) The Gemara in Sanhedrin (32b) addresses a situation of a limited path for travel – who goes first (translation from the William Davidson Talmud).

As it is taught in a baraita: When the verse states: "Justice, justice, shall you follow," one mention of "justice" is stated with regard to judgment and one is stated with regard to compromise. How so? Where there are two boats traveling on the river and they encounter each other, if both of them attempt to pass, both of them sink, as the river is not wide enough for both to pass. If they pass one after the other, both of them pass. And similarly, where there are two camels who were ascending the ascent of Beit Ḥoron, where there is a narrow steep path, and they encounter each other, if both of them attempt to ascend, both of them fall. If they ascend one after the other, both of them ascend.

How does one decide which of them should go first? If there is one boat that is laden and one boat that is not laden, the needs of the one that is not laden should be overridden due to the needs of the one that is laden. If there is one boat that is close to its destination and one boat that is not close to its destination, the needs of the one that is close should be overridden due to the needs of the one that is not close. If both of them were close to their destinations, or both of them were far from their destinations, impose a compromise between them to decide which goes first, and the owners of the boats pay a fee to one other, i.e., the owners of the first boat compensate the owner of the boat that waits, for any loss incurred.

TABC Talmid Elan Agus notes that the Chazon Ish famously applies this Gemara to accord priority to exempt those who have assumed the burden of fulltime Torah study from service in Tzahal.

2) The Mishna in Bava Metzia (33a) outlines priorities in allocating another limited precious resource - one's time and energy

MISHNA: If one finds his lost item and his father's lost item, tending to his own lost item takes precedence. Similarly, if one finds his lost item and his teacher's lost item, tending to his own lost item takes precedence.

If one finds his father's lost item and his teacher's lost item, tending to his teacher's lost item takes precedence, as his father brought him into this world, and his teacher, who taught him the wisdom of Torah, brings him to life in the

World-to-Come. And if his father is a Torah scholar, then his father's lost item takes precedence.

If his father and his teacher were each carrying a burden and he wants to assist them in putting down their burdens, he first places his teacher's burden down and thereafter places his father's burden down. If his father and his teacher were in captivity, he first redeems his teacher and thereafter redeems his father. And if his father is a Torah scholar, he first redeems his father and thereafter redeems his teacher.

The Rambam, in his Peirush HaMishnayot (4:4), compares medical care to Hashavat Aveida, thus making priorities regarding Hashavat Aveida relevant to priorities in distributing scarce medical resources.

TABC Talmid Yakov Abrahams notes that the Gemara does not say that the father has to be a teacher of Torah to his son in order to take precedence, but rather just that he himself has to be a Torah scholar. Thus, we have a precedent to prioritize a Torah scholar.

TABC Talmid Jacob Becker wonders what if the parent lives closer than the Rebbe. Perhaps in such a case the rule of Ein Ma'avarin Al HaMitzvot should apply and the parent should come first.

TABC Talmid Yaakov Suldan adds that maybe the idea that you would take care of your own needs first and only then your father's needs, would only apply if your father is as healthy as you are. If you are equally as healthy as your father, then this Mishnah would act as a tie breaker (you would receive it first) but if your father is sicker, he should get it first. YOU take precedence only if you and your father are equally healthy.

3) Along the same lines, we find in Bava Metzia 32b: The Gemara suggests: Come and hear proof from a baraita: If one encounters a friend whose animal collapsed and it is necessary to unload its burden, and one also encounters an enemy who needs assistance to load a burden onto his animal, the mitzva is to assist the enemy, in order to subjugate one's evil inclination. The Gemara reasons: And if it enters your mind that the requirement to prevent suffering to animals is by Torah law, that option, to unload his friend's animal, is the preferable course of action for him. The Gemara answers: Even if the requirement to prevent suffering to animals is by Torah law, even so, loading his enemy's animal in order to subjugate his evil inclination is preferable.

TABC Talmidim Yaakov Abrahams and Tzvi Meister interestingly seek to apply this Gemara to Israel's allocating vaccines to the Palestinian Authority. Perhaps the kind offer will soothe the enmity between the parties.

4) The Gemara (Sanhedrin 8a) discusses how Dayanim decide which cases are heard first:

The Gemara continues to interpret clauses from the verse cited above. "You shall hear the small and the great alike"

(Deuteronomy 1:17). Reish Lakish says: This teaches that the judgment of one peruta should be as dear, i.e., important, to you as the judgment of one hundred maneh, i.e., ten thousand dinars. The Gemara asks: With regard to what halakha is this said? If we say it is with regard to the need to study it carefully and to decide the case justly, it is obvious that even cases relating to small sums must be judged thoroughly. Rather, Reish Lakish was speaking with regard to giving it precedence: The small claims case may not be deferred in favor of the larger claim merely because the disputed sum is smaller.

We should note, though, that the Shulchan Aruch (Choshen Mishpat 15:1) writes that the case involving a Talmid Chacham as a litigant enjoys top priority even if he arrived last. It is possible that this is an example of following the aforementioned Gemara from Sanhedrin 32b that the burdened ship enjoys priority over the unburdened ship.

5) The Halacha assigns priorities in allocating limited financial resources to Tzedaka:

Rambam Hilchot Anayim Perek 8:

A woman takes precedence over a man for feeding, clothing, and bringing out of prison, because it is more usual for men to go door to door [to beg] and not for a woman who feels great shame in this. But if both of them [a man and a woman] were in captivity and were in danger of being violated sexually, the man takes precedence for redemption, because this is not the way of things.

TABC Talmidim Tzvi Meister and Yossi Sherman suggest that women might enjoy priority in certain sections of the Jewish community, since many women in these communities are more hesitant to take the vaccine due to unfounded rumors of it contributing to infertility. This hesitancy might be viewed as creating a greater vulnerability, and thus priority in receiving the vaccine.

In the case of a male orphan and a female orphan who come [to the authorities of the community] to get married [but not to each other], the female [orphan] takes precedence over the man, because she feels great shame in this. And they may not give her less than the worth of six and a quarter *dinar* of pure silver, and if they have more in the bank of *tzedakah*, they give to her according to her honor.

If we have before us many poor people or many captives, and there is not enough in the fund to sustain them, or to clothe them, or to redeem them all, a priest takes precedence over a Levite, a Levite over a [regular] Jew, a Jew over a *chalel* [an illegitimate child of a priest], a *chalel* over a *shetuki* [an illegitimate child with an unknown father], a *shetuki* over a *asufi* [a foundling], an *asufi* over a *mamzer* [a child who was conceived in a union forbidden by the Torah], a *mamzer* over a *natin* [a descendent of the Gibeonites], and a *natin* over a stranger, so long as the *natin* was praised with us in holiness, and a convert takes precedence over a freed slave, for he [the slave] was once one of the cursed.

To what does this refer? When both who are imprisoned are equal in wisdom. But if there was a High Priest who was an ignoramus and a *mamzer* who was a wise disciple, the wise disciple takes precedence. Anyone who is great in wisdom takes precedence over another. But if one of them [the captives] was one's rabbi or father, even if there is someone who is greater in wisdom, one's rabbi or father [takes precedence]. Even if there is someone there [among the captives] who is greater in wisdom than his rabbi or his father, so long as he [his father or rabbi] is a wise disciple, he [the father or the rabbi] takes precedence over the one who is greater than them in wisdom.

TABC Talmid Yossi Sherman notes that the last point shows that knowledge and usefulness to society enjoys much higher priority than one's status.

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