

Parashat Korach

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Korach's Real Game By Gavi Kigner ('22)

No matter how many times one reads it, it never makes sense: "VaYikach Korach Ben Yitzhar Ben Kahat Ben Levi VeDatan Ve'Aviram Bnei Eliav Ve'Oen Ben Pelet Bnei Re'uven," "and Korach the son of Yitzhar the son of Kahat the son of Levi took and Datan and Aviram the sons of Eliav and Oen son of Pelet the sons of Re'uven" (BaMidbar 16:1). Nowhere does the Torah ever indicate what Korach took, only that he did take. To make matters more puzzling, Korach provides an argument to which Moshe Rabbeinu never responds: "Rav Lachem Ki Kol Ha'Edah Kulam Kedoshim UBitocham HaShem *UMadu'ah Titnasu Al Kehal HaShem," "*It is too much for you because the entire congregation is differentiated and HaShem is among them all, so why do you raise yourselves above HaShem's assembly?" (BeMidbar 16:3). Moshe Rabbeinu, then, tells Korach to get pots and pans and engage in a strange ritual. It appears that Moshe does not have a response for Korach, indicating that Moshe does not know why he is leading the Jews. However, he knows that he should be leading the Jews, which is why he feels the need to prove himself in a showdown with Korach.

Before advancing further, one needs to analyze Korach's argument. Korach argues that Moshe should not lead the Jews because he is the same as everyone else - everyone is endowed with Kedusha and HaShem is with them as well. While it is a fundamental truth that every Jew has been selected and differentiated by HaShem, it doesn't provide evidence as to why Moshe should not lead the Jews. It would have been much more logical for Korach to argue that Moshe did not care about the Jews or something that really demonstrates that he is a poor leader, not that Moshe is like everyone else, something that does not prove his point. Take a theoretical American presidential debate. No candidate ever argues that the other one should not lead because all Americans are Americans, but somewhere along the lines of "his economic plan will degrade the middle class" or "he is a racist," or something else that demonstrates someone to not be

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Every Midrash jumps on the fact that the object Korach took is not mentioned in the pesukim. Somehow, the midrashim all arrive to the conclusion that Korach took himself. Perhaps the best way to understand the Midrashim is to read the Hebrew words: Ha'Otiyot Machkimot - the letters will make one wise, but only if one lets them (Rabbi David Nachbar). The Pasuk states that Korach was "Lakach" himself, but what does the word

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"Lakach" even mean? The sentence, "Korach took himself" sounds very silly, almost as if to say that Korach lifted himself up and put himself down in another place. Interestingly, the word "Lakach" does not exactly mean "to take." The Gemara (Kiddushin 2a and 2b) establishes that the language of "Lakach" is a language of Kinyan, a language of acquisition. But what does it really mean to acquire something? The best way to understand is by way of example. Imagine a pencil. If one were to pick up the pencil, lift it in the air, he owns the pencil. Did the pencil physically change now that he owns it? Not at all. All that changes is everyone's perception of the pencil, which is the real fundamental change that occurs. Thus, the language of Kinyan, and by extension, the language of VaYikach, is to change something on a perceptual level¹.

Applied to Korach, this means that he changed his view of himself. Korach begins to view himself not as the great man that Chazal describe him as; Korach begins to compare himself with Moshe and Aharon², leading him to raise the question of why are Moshe and Aharon leading the Jews when he is just as good as them? He understands why Moshe is leading the Jews, but thinks that the only reason Aharon was appointed over him must be because of Moshe's family bias, and, due to his corruption, it must be that Moshe should not be the leader as well. (Rashi 16:1 S.v. Datan Ve'Aviram). This is why Moshe does not respond to Korach's argument; Korach's argument is flawed and answering Korach as to why he and Aharon lead the Jews would not solve Korach's underlying issue. Korach's argument is rooted in what he convinces himself of - that he really is just as good as Moshe and Aharon.

² See midrashim for a much more elaborate explanation of this

¹ This also explains why the Torah constantly says that someone is "Lakach someone else" with words. One can actually change the way something is viewed by words.

Thus, Datan and Aviram also have a different reason for going against Moshe. This is not an organized legitimate complaint by Korach, but one made by the mistake of comparison. Korach acts out of resentment, blinded to the fact that what makes a person great is how much of his potential he realizes, not the level that he achieves while doing so. The Torah imparts two critical messages from this episode: it maps out human interaction and shows that one should not respond to someone speaking out of resentment, and that one needs to ground himself in reality or a multitude of negative outcomes will occur.

Out of their Father's Long Shadow By Shimmy Greengart ('21)

In Parashat Korach, Korach, Datan, and Aviram, along with all of their family and property, are swallowed by the Earth. This is as punishment for the rebellion they led against Moshe and Aharon, wanting the position of Kohen Gadol. But there is a hidden story here that is not told in Parashat Korach and yet is intimately connected to it: the story of Korach's sons. To solve the mystery of their omission, we will have to embark on an expedition through several Parshi'ot in several Sefarim and solve a mystery whose clues are hidden throughout the Torah.

Our first stop on our learning journey is Parashat Pinchas. Three Parshi'ot after Korach, in the middle of a large census that is preparing Bnei Yisrael for dividing up the land, at the count of Reuven, the Torah mentions that Datan and Aviram were Reuven's great-grandchildren, the same demagogues who led the rebellion against Moshe and Aharon with Korach but got swallowed by the Earth. And then it adds, almost as an afterthought, "*UBnei Korach Lo Meitu*," "and the children of Korach did not die". Why is this critical information hidden here, in the wrong Parashah, in the count of Reuven of all places? Wouldn't putting this information in Parashat Korach make a lot more sense?

Our learning expedition next brings us all the way back to Ancient Egypt, in Parashat Va'era, where more clues and a greater mystery about Bnei Korach await. In Perek 6, the Torah details the genealogy of Moshe, skimming through Reuven and Shimon before reaching Levi, and describing the family of Kehat in detail. Korach, an important member of the family, is, of course, mentioned, as are his children. Not only that, but here we get their names: Assir, Elkanah, and Aviassaph. On the surface, it makes sense why these names are here: the names of everyone who was anyone in the family are mentioned here. But everyone else is also named later as well. Aharon's children appear many more times. Uzziel's sons are mentioned because one of them, Eltzaphan, later becomes Nasi Beit Av of Kehat in Parashat BeMidbar. But Bnei Korach are never mentioned by name anywhere else in the Torah. Why do their names only appear here?

We must now return to our Beis Camp to think about what we have seen and start finding answers to our questions. Bnei Korach did not sin by joining their father. As Ramban says (BeMidbar 16:32), they were Tzadikim. As such, they did not die with him. But perhaps another reward of not associating with their father was not being associated with him. When Korach rebels, when Korach dies, they are not even mentioned. Instead, the news that they survived is saved for a later date, when the Torah happens to mention Korach's rebellion again.

We are still left with our second question, though. Why is Parashat Va'era the only place where we learn the names of Bnei Korach? Why are they omitted in Parashat Pinchas? After all, they are being praised in Pinchas, and it is in the middle of a census. Not only is it a perfect time for name-drop, but the Torah already does that, mentioning the names of Benot Tzlafchad there. Why are the names of Bnei Korach omitted there?

We can answer that it is not a great compliment to be told that you are not guilty for a terrible crime, like, for example, first-degree murder. While not murdering people is obviously a good thing, it's not particularly special not to do it. If anything, being praised this way insinuates that while you didn't do *first*-degree murder, you did do a lesser crime, perhaps *second*-degree murder. Chazal show this in a comment about Benot Tzlafchad, mentioned earlier. Benot Tzlafchad tell Moshe that their father did not die in Adat Korach, but died of his own sin. Rabbi Akiva (Shabbat 96b) explains that Tzlafchad was the Mekoshesh Eitzim who did a Melacha on Shabbat and was executed. Comparing Tzlafchad favorably to Korach implies that he would otherwise be viewed unfavorably.

It is the same thing with Bnei Korach. Saying that they were better than their father not only is not much of a compliment, but degrades them. After all, they were so much more than that. They wrote eleven of the compositions in Sefer Tehillim, including Monday's Shir Shel Yom. They were men of a very high caliber. That is why the names of Assir, Elkanah, and Aviassaph are mentioned not in Parshat Korach with their rebellious father, not in Parashat Pinchas being associated with him, but in Parashat Va'era, in the genealogy

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that introduces the family of Moshe and Aharon. Their praise is being named only when surrounded by individuals of the highest caliber.

This concludes our expedition through the wilderness of learning. The ferry back home will be leaving shortly.

Priorities In Covid-19 Vaccine Distribution Part 5

By Rabbi Chaim Jachter

The Vilna Gaon - Community needs

The Vilna Gaon (Bi'ur HaGra Yoreh De'ah 251:18) cites the Talmud Yerushalmi (Horiyot 3:5) which states that the Posek enjoys priority in saving his life over the expert in Pilpul. Rav Schachter (Piskei Corona #15) explains that the principle underlying the order of preference of saving lives is the person upon whom the Tzibbur depends more.

Rav Schachter's approach fits with the teaching of the Gemara (Sanhedrin 32b) that the loaded ship takes precedence over the ship that is not loaded. It also fits with the Rashi to Horiyot 13a (d"h Lehachayoto) who explains that the Kohen Mashu'ach Milchamah enjoys priority over the Segan Kohen Gadol "since the community needs the former more than the latter".

TABC Talmid Aidan Samet adds that the Mishnah (Bava Metziah 33a) teaches that in regard to Hashavat Aveidah, the one who makes more of an impact enjoys priority. We might extend this idea and say that the one who makes more of an impact on society enjoys priority in regards to distributing scarce medical resources.

TABC's Elan Agus notes the potency of communal needs in that the Gemara (Mo'ed Katan 21a) states that a Talmid Chacham for whom the community needs to teach Torah, may do so even if he is sitting Shiva.

Of course, it can be exceedingly challenging to assess who is of greater utility to society. The cautionary concept of Mai Chazit reminds us, though, that it can be very very difficult if not impossible to assess who precisely is more valuable to society [6].

TABC's Tzvi Meister also notes that the community needs the wisdom and guidance of elderly individuals and therefore they should enjoy priority in terms of receiving the vaccine. The older individual often serves as the "eyes of the community, as Moshe Rabbeinu describes the role he wishes Yitro to play for the community (BeMidbar 10:31).

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Contemporary Issues

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Let us address various twelve issues raised in the current environment:

Does the order of Hatzalah set forth in the Mishnah in Horiyot apply in our times?

Rav Asher Weiss (ad. loc.) rules that the Mishna still applies as a "tie-breaker" when all else is equal. Rav Wosner (ad. loc.) agrees. The Chazon Ish (Choshen Mishpat, Likkutim number 20, Bava Metzia 62a) seems to agree.

By contrast, Rav Shlomo Zalman Auerbach writes "I believe it is very difficult in our times to follow the [order set forth in the Mishnah in Horiyot]". However, Rav Shlomo Zalman Auerbach does not state a reason for why the Halachah should differ in our times than in others. Similarly, Rav Moshe Feinstein (Teshuvot Igrot Moshe 2:74) writes "it is difficult to implement [the orders set forth in Horiyot] without careful investigation[7]". Rav Moshe also does not explain what has changed in our times.

Rav Schachter explains Rav Moshe as follows. Based on his approach (cited earlier) that the order of priority depends on utility to society, he explains as follows. In theory, a man is more useful to society since he is obligated in more Mitzvot. Today, Rav Schachter explains, there are many women who observe more Torah and Mitzvot than men. Thus, it is impossible to assess who contributes more to society. Thus, Rav Schachter rules we cannot apply the Mishnah in Horiyot in our time.

Rav Schachter has explained on another occasion that the Mishnah is designed to provide some system of order in case of emergency. Having no order is a serious danger since pandemonium may reign and no one will be saved. Accordingly, as long as there is some societally ordained order, it need not necessarily be the one set forth in the Mishnah in Horiyot[8].

A possible problem with Rav Schachter's approach is that we have already noted that the Rambam and Bartenura base the Mishnah's order of priorities based on the principle of *Kol HaMekudash MeiChaveiro Kodem Et Chaveiro*. This seems to be a principle of values that should apply in all generations[9]. As an alternative explanation, one may suggest that the order of priorities set by the government serves as a societally accepted Takanah that might override the order set by the Mishnah.

In addition, it is possible that the Mishna might not apply in a situation where it could lead to severe strife because the society would find it offensive to prioritize men over women. Thus, while the Mishnah in Horiyot might be able to be peacefully implemented in Rav Wosner's hometown of Bnei Brak it would surely not be accepted in the New York hospitals addressed by Rav Moshe or even the Jerusalem hospitals addressed by Rav Shlomo Zalman[10].

Most interestingly, Rav Waldenburg (Teshuvot Tzitz Eliezer 18:1) notes that the Rambam, Tur, and Shulchan Aruch[11] all do not cite the Mishnah in Horiyot. However, the Rama seems to codify this Mishnah as he rules (Yoreh De'ah 252:8) if both a man and a woman want to drown in a river, we save the man before the woman. The Taz (ad. loc. number 6) explains the Rama as applying the Mishnah in Horiyot in practice. Similarly, the Shach (Yoreh De'ah 251:11) applies the Mishnah in Horiyot as normative.

However, the Levush (Yoreh De'ah 252:8) explains that the Rama is speaking of a different situation. One must question why in the scenario described by the Rama do the people wish to drown themselves? The Levush explains that they are killing themselves to avoid capture and being violated by their captors. Only in this scenario is the man saved first since his violation is more unnatural than the women's violation, as the man's suffering would be greater (as we find in the end of the Mishna in Horiyos). However, according to the Levush, the Rama does not present the Halachah of saving a man before a woman.

Rav Waldenberg explains the omission of the Mishnah in Horiyot from the Rambam, Tur, and Shulchan Aruch (and possibly the Rama) in a similar manner to Rav Schachter. He explains that it is difficult to assess in practice the Mishnah's order of priorities. Thus, while in theory a man precedes a woman since he presumably performs more Mitzvot, in practice this is difficult to impossible to assess. The Rambam, Tur, and Shulchan Aruch omit the Mishnah since it is impossible to implement in practice.

TABC Talmid Yakov Halstuch suggests that perhaps this Mishnah does not apply anymore since the value of Kohanim and Levi'im have lessened in the tragic absence of the Beit HaMikdash. He also suggests that in light of the priorities set forth by the Pri Megadim and Rav Moshe, perhaps we do not need the system set forth in Masechet Horiyot. Rav Schachter has said that the key point of the Mishnah in Horiyot is that there should be some order of saving, for if there is pandemonium the likelihood of saving someone is reduced. Once there is some system for priorities in distribution order, the Mishnah in Horiyot need not apply.

On the other hand, TABC Talmid Boaz Kapitanker argues that in light of the extremely disorderly distribution of the vaccine in the United States, perhaps it is best to apply the Mishnah in Horiyot in order to restore some sense of order in the chaotic American system.

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