



THE TEMPTATION OF IDOLATRY IN OUR TIME (BY RABBI DAVID HANANIA PINTO SHLITA)

The Path To Follow

MISHPATIM

327

Feb. 13th 2010

29 Shvat 5770

Publication

HEVRAT PINTO

Under Aegis of

RABBI DAVID HANANIA

PINTO CHLITA

11, rue du plateau

75019 PARIS

Tel: +331 42 08 25 40

Fax +331 42 08 50 85

www.hevratpinto.org

Responsible of publication
Hanania Soussan

GUARD YOUR TONGUE

Other Prohibitions

There are other things that are forbidden on account of the "dust" of Lashon Harah, such as when we tell someone what so-and-so has said about him, something that is not derogatory per se, but which people do not like when said in their presence.

A person must not reveal what his friend has told him in private, even if revealing it does not constitute actual slander. This is because revealing a private matter can harm the person concerned and lead to family problems. We should also discreetly distance ourselves and not consider the views of someone with a secret.

– Chafetz Chaim

It is written, "If the slave shall say, 'I love my master, my wife, and my children – I will not go free,' then his master shall bring him to the judges and to the door or the doorpost, and his master shall bore through his ear with the awl, and he shall serve him forever" (Exodus 21:5-6).

Rashi cites Rabbi Yochanan ben Zakai as saying, "Why was the ear singled out from all the other limbs of the body? The Holy One, blessed be He, said: 'This ear, which heard My voice on Mount Sinai when I proclaimed, "The Children of Israel are My servants" – and yet went out and acquired a master for himself – let it be pierced!' " (Kid-dushin 22b). It is difficult to understand this statement. Why is the ear of this slave pierced only when he declares – six years after having been sold as a slave because of his theft – "I love my wife and my children"? Would it not be fair for his ear to have been pierced when he initially stole, not when he was sold as a slave until the end of the Jubilee! What is the connection between the two?

It seems that we can explain this by a statement of the Sages: "The Holy One, blessed be He, does not deal despotically with His creatures" (Avodah Zarah 3a). When this person stole, the Holy One, blessed be He, tried to judge him favorably, saying: "He may have taken things that did not belong to him because of his distress." This is why the Torah inflicts a light punishment on him, namely that he should be sold for only six years, after which his sin will be erased. Yet once six years have passed and the slave knows that he was sold to his master in order to atone for having sinned through theft – and yet he still wants to remain in slavery, out of the lure of gain – then the Holy One, blessed be He, no longer tries to judge him favorably. He therefore punishes him both for the present and the past. His ear is thus pierced for two reasons, first because he heard that the Children of Israel are Hashem's servants, and second because he heard, "You shall not steal." At first the Holy One, blessed be He, had pity on him and showed him favor, but now this favorable disposition has been annulled.

The Trap of Money

At the beginning of this week's parsha, Rabbi Avraham ibn Ezra explains why the Torah began the parsha with the social laws that deal with slaves. He states, "There is nothing more difficult for a man than to depend on another man like himself." This means that the Torah goes from hardest to simplest, and since there is nothing more difficult than servitude, the Torah begins with the laws pertaining to servitude.

From these words we learn that there is nothing more painful than to be a slave who is purchased with money. If this slave, who was punished with six years of servitude under the yoke of his master, still wants to remain enslaved and completely subjugated to money, then he is yielding before money when taking upon himself the yoke of his master. In fact his ear is pierced only because of money. Hence his ear is pierced only when he asks to remain with his master, for on Mount Sinai it heard the words, "For the Children of Israel are My servants," and yet he still seeks a master for himself!

The parsha that describes the giving of the Torah is juxtaposed to the parsha that describes the Hebrew slave, thereby telling us that there is nothing worse than when a person runs after even the slightest possibility of gain. However the holy Torah has the power to free him from this trap, one that people eagerly seek, for a man who studies Torah becomes a devoted slave of the Holy One, blessed be He, not a slave to money, which is a form of idolatry.

As Rabbi Elazar, the son of Rabbi Elimelech of Lizensk wrote in Iggeret HaKodesh (an annex to Noam Elimelech): A great man once told me that it is surprising that the men of Great Assembly killed the evil inclination (Yoma 69b). How could they kill an angel, whose body is entirely spiritual? It is simply that they diverted it from its original task. That said, what is its present task? All angels were created with a mission! It has been given the task of disturbing men who pursue money and wealth, which is similar to idolatry, because of our numerous sins. Our Sages have taught, "I created the evil inclination, but I [also] created the Torah as its antidote" (Kiddushin 30b). Therefore one who studies Torah becomes free of the evil inclination of money, which is idolatry.

Joining in the Name of Hashem

A person should always give tzeddakah, the greatness of which is evidenced by the fact that it saves lives, as it is written: "Tzedakah saves from death" (Proverbs 10:2). In the passage describing the offerings brought to the Sanctuary, we find that the Holy One, blessed be He, told Moses: "They shall take an offering for Me" (Exodus 25:2). The Torah does not state, "They shall give," but rather "they shall take." This teaches us that with regards to anything a person gives to tzeddakah, he is not giving from what belongs to him. Rather, he is giving only what the Holy One, blessed be He, has given to him. In fact the Holy One, blessed be He, entrusted him with money in order to determine if he loves mitzvot or not. When a person fails this test by not giving any of his money to tzeddakah, he will immediately become poorer. His money will be entrusted to others, for "riches [are] hoarded by their owner to his detriment" (Ecclesiastes 5:12). A person who does not give of his possessions to the poor is one who fails to realize that money belongs to the Holy One, blessed be He. Such a person is close to idolatry.

This is why Rashi explained: "Let them take for Me – for My Name," for just as money belongs to the Holy One, blessed be He, a person who takes it must be careful to use it for the sake of the Holy One, blessed be He. The Torah alludes to this through the word *terumah* ("offering"), which can be subdivided into *Torah mem – torem Hashem*. In other words, a person merits giving to the Name of Hashem when he studies Torah. He will not be stingy, and he will give of his possessions to tzeddakah, for the study of the holy Torah teaches him to do what is good and right in the eyes of G-d and man. He is therefore spared from being enslaved and subjugated to the evil inclination of money.

AT THE SOURCE

How Much More Guilty!

It is written, "If a man uncovers a pit, or if a man digs a pit..." (Exodus 21:33).

Rashi explains, "If he is liable for uncovering, how much more for digging?"

A Jew once asked the following question to the Malbim Zatzal: "As we know, Rabbeinu Gershom established a cherem [decree of excommunication] against one who opens a letter addressed to someone else. What is the law with regards to one who glances at a postcard, the writing upon which can be seen by everyone? In such a case, is it also forbidden to read the writing? Or, because the sender did not put it in an envelope, is this his way of saying that it can be read by anyone who sees it?"

The Malbim replied, "If he is guilty for having opened it, how much more is he guilty for having read it."

For the Sake of the Tzaddikim

It is written, "Holy people shall you be to Me; you shall not eat flesh of an animal that was torn in the field" (Exodus 22:30).

Why is the phrase, "Holy people shall you be to Me" juxtaposed to, "You shall not eat flesh of an animal that was torn in the field"? The Sefat Emet Zatzal answers this question according to a teaching of the Gemara: "If the Holy One, Blessed be He, does not allow the animal of the tzaddikim to sin in error, how much less the tzaddikim themselves" (Chullin 5b).

Tosaphot object to this, saying that we have seen transgressions occurring on account of the tzaddikim. They answer that it is precisely in regards to food that the Holy One, blessed be He, does not want any doubts raised on their account, for it would be shameful for a tzaddik to eat something forbidden.

Hence it follows that if a person sanctifies himself and manages to arrive at the level of the tzaddikim – "holy people shall you be to Me" – the verse then promises that "you shall not eat flesh of an animal that was torn in the field." The Holy One, blessed be He, will ensure that the tzaddik will not encounter any such problems, namely to eat something that is not kosher.

If for Dogs, How Much More for Men!

It is written, "You shall not eat flesh of an animal that was torn in the field; to the dog shall you throw it" (Exodus 22:30).

Tosaphot explain that the dog is given a reward because it risks its life in order to protect the flock when threatened by wolves. Because we must not be ungrateful, when we find a treif animal, we must give it to the dog as a reward for having protected the flock.

Regarding this issue, the Malbim states that although animals are not subject to the principle of reward and punishment (since all their actions are instinctive, not resulting from choice), Hashem still commands us to give a dog its reward. Why so? It is in order to teach us Hashem's ways, namely that if there is recompense for dogs, how much more is there recompense for man – who possesses free will – and that G-d will demand an account for all his deeds.

By Allusion

Eliyahu

It is written, "If the thief is not found, then the householder shall approach" (Exodus 22:7).

The initials of the expression *im lo yimatzev haganav ve'nikrav* ("if the thief is not found, then the householder shall approach") form the name Eliyahu.

This alludes to what our Sages have said: "It must remain until Eliyahu arrives." –Zohar HaBayit

All Have the Same Status

It is written, "Do not lay interest on him" (Exodus 22:24).

The expression *lo tesimun alav neshech* ("do not lay interest on him") has the same numerical value as *echad haloveh vehamalveh ve'echad he'edim ve'hasofer ve'echad ha'arev ha'ovrim b'lav* ("the lender and the borrower, the witnesses and the scribe and the guarantor – all have the same status; they have transgressed a prohibition").

– Ba'al HaTurim

IN THE LIGHT OF THE PARSHA A TEACHING OF THE GAON AND TZADDIK RABBI DAVID HANANIA PINTO SHLITA

As Long as Man Lives, He is Not Free

It is written, "If you buy a Hebrew slave, he shall work for six years, and in the seventh la'chofshi [he shall go free], for no charge" (Exodus 21:2).

Rashi explains, "La'chofshi – to freedom." We need to explain what Rashi means by this. Perhaps we don't realize that the meaning of *la'chofshi* is "to freedom"? We also need to understand why the Torah uses the word "Hebrew" to describe the slave, rather than "Israelite."

King David said, "Among the dead who are free" (Psalms 88:6), which the Sages explain to mean: "Once a man is dead, he is free from *mitzvot*" (Shabbat 151b). They have also said, "There is no *ben chorin* [free man] except one who occupies himself with the study of Torah" (Pirkei Avot 6:2). It therefore seems that *chofshi* is one thing and *chorin* is another. When a man is dead, he becomes free (*chofshi*) of *mitzvot*, and before his death he is free (*chorin*) of the evil inclination when he studies Torah.

When a man steals, and yet he knows that the Torah states, "You shall not steal" – and if has also sold himself to another person and acquired another master despite knowing that the Torah has said, "For the Children of Israel are My servants" (Leviticus 25:55) – Scripture regards him as no longer being an Israelite, having entered into the category of criminals. In fact he knew his Master and yet deliberately rebelled against Him, which is why the Torah describes him as an *Ivri* (Hebrew), to liken him to an *avaryan* (criminal).

When six years have passed and he has received his punishment, he can emerge from under the authority of his master and return under G-d's authority. At that point, what can he do so as not to be considered a criminal? He can begin studying Torah.

This is why Rashi explains that *la'chofshi* means *la'cherut*, to freedom. A man should not tell himself, "Since I've received my punishment and I've emerged from under the authority of my master, I don't need to do anything else. I've been forgiven for this sin." The Torah says: He shall leave *la'chofshi* – which signifies *la'cherut* – in order to teach us that he can only return under G-d's authority by studying Torah. It also teaches us that he must not think that this freedom is a freedom from *mitzvot*! When he moves from under the authority of his previous master to the authority of G-d, Rashi states *la'cherut*, that he must study Torah. This is because "there is no *ben chorin* [free man] except one who occupies himself with the study of Torah." It is the study of Torah that enables him to enter under G-d's authority once again, and to no longer be considered a criminal.

CONCERNING THE PARSHA

THE MARKED SLAVE

It is written, “His master shall bore through his ear with the awl, and he shall serve him forever” (Exodus 21:6).

How does the ear differ from other body parts in this regard?

Rabbi Yochanan ben Zakai answered this question by stating, “Why was the ear singled out from all the other limbs of the body? The Holy One, blessed be He, said: ‘This ear, which heard My voice on Mount Sinai when I proclaimed, “The Children of Israel are My servants” – and yet went out and acquired a master for himself – let it be pierced!’ ” (Kiddushin 22b).

We have good reason to be surprised by Rabbi Yochanan ben Zakai’s answer. First of all, if the reason for the ear being pierced is that “this ear, which heard,” then why is this not said with regards to every other mitzvah? In other words, we should pierce the ear for the transgression of any of the 613 mitzvot!

We must also explain, if there is really a prohibition against a Jew selling himself as a slave, why the Holy One, blessed be He, allowed for it in the mitzvah: “If your brother becomes impoverished with you and is sold to you” (Leviticus 25:39). Does the Torah allow him to transgress the words of his Creator?

There is more: The statement, “For the Children of Israel are My servants” (Leviticus 25:55) is not a warning against a Jew selling himself. Instead it is addressed to the buyer, telling him not persecute the slave because “they are My servants, not servants of servants.” That said, why pierce the ear of the slave rather than the ear of the buyer?

We must also look at another explanation given by the Sages in the Mechilta, one which states that we pierce the ear of the slave because his ear heard on Sinai, “You shall not steal,” and yet he went on to steal. This pertains to a person that the court has sold as a slave because he stole and could not reimburse the value of his theft. We should be astonished at this explanation, for the prohibition “you shall not steal” was given in the Ten Commandments and does not deal with the theft of things, but with the theft of people (i.e., with kidnapping). It would therefore seem that one who steals money does not transgress the prohibition that his ear heard on Mount Sinai!

Of His Own Free Will

The great gaon Rabbi Yoshiyahu Pinto explained all this very clearly in Chiddushei HaRif (Ein Yaakov, Kiddushin 22b). There he states, “The Torah allows a person who has become destitute to sell himself, which is why the Holy One,

blessed be He, commanded his master not to treat him like a slave during these six years, as it is written: ‘For the Children of Israel are My servants, not servants of servants.’ When a slave is set free, the Holy One, blessed be He, commands his master to give him things from among his possessions (his flock, threshing floor, and winepress). Yet when he has enough for his sustenance, and still chooses of his own free will to serve a man of flesh and blood instead of being the servant of Hashem alone, then it is fitting that his ear should be pierced.”

This explains why the piercing of his ear should be done six years after he was sold, not immediately upon being sold.

In the second way, when a man is sold as a slave by the court because he has stolen and cannot repay his debt, the sale is permitted, but it is not why his ear is pierced. However once his punishment has ended, and he again sells himself of his own free will, we see retroactively that his sale does not constitute a “punishment.” Because he has not yet been punished for his theft, we must now pierce the ear “that heard on Mount Sinai, ‘You shall not steal.’ ”

This is not the case for other Torah mitzvot, whose transgression does not lead to an ear being pierced. This is because every other Torah transgression leads to a corresponding punishment in each case. What is special about the case of the Hebrew slave is that his specific punishment is explicitly given, namely the piercing of his ear.

Regarding the issue of whether the prohibition, “You shall not steal” refers to kidnapping, the Rif states quite simply that we may say that the Sages meant that Scripture is not speaking of stealing money only, but also of kidnapping, though in any case the theft of money is also included. He also adds a marvelous explanation that clarifies the issue even if we say that “you shall not steal” refers only to one who kidnaps. This is what he says:

“One who kidnaps is only guilty when he has stolen someone and sold him, as it is written: ‘He who steals a man and sells him’ [Exodus 21:16]. When he has reached the end of the six years, when he may be set free, and yet he says: ‘I love my master, my wife, and my children – I will not go free,’ he is stealing a Jewish soul by selling himself, thereby fulfilling ‘He who steals a man.’ It is therefore fitting to pierce his ear.”

In fact at the beginning of the theft, when he stole money, it was not a case of kidnapping, and he was only sold because the court acted in accordance with the Torah due to his theft. Yet when the time comes for him to go free, and of his own free will he sells himself, it is then fitting to pierce his ear.

YOUR EYES SHALL BEHOLD YOUR TEACHER

RABBI YAAKOV MOUNSA

During the era of persecution and expulsion, when the Jews of Spain were chased from their homes, their cities, and their lands, they left in caravans for the lands of the east, be it Turkey, Egypt, or Syria. There they were welcomed with open arms by their brothers and they lived among local communities, each according to their talents, be it the study of Torah, the observance of mitzvot, or the practice of a profession.

The Mounsa family arrived in Damascus from Egypt, from the town of Suez (upon being expelled from Spain, they had first moved to Egypt). They were initially known as the Rofeh family, descendants of Rabbi Chiya HaRofeh Zatzal. The Chida mentions him in his book *Shem HaGedolim*. Other than studying Torah, which they did not want to profit from, they served as chazanim and worked for a living.

On the night of Hoshana Rabba 5637, Rabbi Yaakov Mounsa was born to the gaon Rabbi Yosef Mounsa Zatzal, whom people called “Chacham Yosef, the chacham of Reshith Chochma.” He received this name because of an incident that occurred when he gave a sermon in synagogue on his first Shabbat there. Before giving this sermon, the shamashim warned him against speaking about the desecration of Shabbat, for certain wealthy members of the community kept their shops open on Shabbat. They donated money to the synagogue, and therefore it would lose donations if he spoke about the desecration of Shabbat.

Chacham Yosef did not see things in the same way, however, and in his sermon he concentrated specifically on the desecration of Shabbat. He cited teachings from the Zohar and the Reshith Chochma on the desecration of Shabbat, which defiles all space up to the heavens, which is why prayers are not accepted. Although the wicked rest from Gehinnom on Shabbat, its fire does not go out even on Shabbat. He said other things of a similar vein, and concluded by citing the Chida on the verse: “Listen to mussar and be wise, and do not give” (Proverbs 8:33). He said, “You think that the sage will tell you things that are pleasant to hear, for otherwise you will not give money. We, the sages, do not need your money. We only need you to listen to Mussar, and it doesn’t matter to us if you give or not.”

These words, which emerged from his heart, entered the hearts of his listeners and took effect. Many of them repented, and from then on he was known as “Chacham Yosef, the chacham of Reshith Chochma.”

The firstborn son of Rabbi Yosef was Rabbi Yaakov Mounsa, who grew up with his father. From his youth, he was known as an exceptional Torah scholar whose diligence was proverbial. Yet in his tremendous humility, he refused to wear the customary robe of the rabbanim. During the First World War, the government exempted Torah scholars from serving in the army, and therefore he was obligated to register his name with Chief Rabbi Yaakov Danoun Zatzal. Hence he wore the robe of the rabbanim from then until the end war, as befitted him.

Yaakov Fled

After the First World War ended with the Allies’ victory, Rabbi Yaakov fled his hometown and went to Jerusalem, as he had longed to do. There he encountered several of his friends, who had also moved to Jerusalem. Thanks to his friend Rabbi Eliyahu Ma’ariv Zatzal, he studied in the Rehovot Hanahar yeshiva, which was founded by Rabbi Shaoul Dawik HaCohen Zatzal.

When the two entered the Beit Midrash for the first time, Rabbi Eliyahu turned towards Rav HaCohen, who was blind, and said to him: “Speak to your other disciple.” He then sat down.

The Rav replied, “Who is he?”

He said, “Our friend who arrived from near Damascus.”

The Rav said, “Come closer and let me hear your voice. The voice is the voice of Yaakov.” Then, according to the custom of Torah scholars, they began to discuss words of Torah and wisdom. When Rabbi Yaakov wanted to leave, Rav HaCohen held him back by saying, “Now I understand the meaning of the dream that I had last night. In my dream I saw our teacher Rav Chaim Vital, who said to me: ‘Pay attention to our father Yaakov.’ This disturbed me, but now I understand with certainty that you possess a spark from our father Yaakov. I therefore ask you, starting from today, to never leave me. I will transmit all the secrets of the wisdom of Kabbalah to you, for your soul is worthy of it.” From that day on, Rabbi Yaakov Mounsa never left the Rehovot Hanahar yeshiva.

The Old Tzaddik

When Rabbi Yaakov moved to Jerusalem, the Jewish community was facing dangers from within and without, be it from Arab villagers who periodically rioted, or from the Second World War, for the Germans were threatening to invade Eretz Israel. When Hitler arrived close to the city of Alexandria, he was welcomed by the Mufti Haj Amin Al Hussein, who collaborated directly with him. In fact Arabs marched through the streets and told Jews, “In a few days we will kill you all.” It was later discovered that the Mufti had prepared a special place for crematoriums in a location situated between the two mountains of Shechem.

Rabbi Yaakov gathered all his strength, and with his friend the Kabbalist Rabbi Yehudah Petaya Zatzal they organized prayers and tikkunim for the protection of the Jewish community. They set up two rotating watches that prayed from Saturday night until the following Friday night. Rabbi Yaakov then announced that the decree had been annulled, and that the Holy One, blessed be He, had switched the letters of the enemy: Instead of Suria (Syria) – Roussia (Russia); when the Germans turned upon the Russians, they had not reached the gates of Jerusalem.

The life of Rabbi Yaakov Mounsa came to an end on Shabbat Terumah, Adar 3, 5714. As soon as Shabbat ended, before the fourth hour of the night (which is still under the influence of Shabbat), he was led to his final destination. May his merit protect us all.