

The Path To Follow

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Rabbi David Pinto Shlita

Tshuva and Prayer

It is written, "There shall be six cities of refuge for you. Three cities shall you designate on the other side of the Jordan, and three cities shall you designate in the land of Canaan. They shall be cities of refuge. For the Children of Israel and the proselyte and resident among them, these six cities shall be a refuge, for anyone who kills a person unintentionally.... He must dwell in his city of refuge until the death of the *Kohen Gadol*, and after the death of the *Kohen Gadol* the murderer shall return to the land of his possession" (*Bamidbar* 35:13-15, 20). We need to reflect upon the fundamentals of this *mitzvah*: 1. How are we to understand the cities of refuge, and why can the unintentional murderer not hide in his own city to escape the "avenger of blood"? 2. Why does the verse make the unintentional murderer's return from a city of refuge dependent upon the death of the *Kohen Gadol*, rather than establishing a set time for him to return? 3. The Sages have raised questions about the fact that the mothers of the *Kohanim Gedolim* provided food and clothing to unintentional murderers, so they would not pray for their sons to die. Why would they do this, since it is written: "An undeserved curse will not come to rest" (*Mishlei* 26:2)? They reply that the *Kohanim Gedolim* should have asked for mercy for their generation, but they did not. Yet the difficulty remains: How could the prayer of a murderer be accepted in Heaven, such that it could bring about the death of the *Kohen Gadol*, just so this same murderer could return home from a city of refuge? Even if we say that he is not a real murderer (since he killed by mistake, not deliberately), the Sages have said that evil comes through someone evil. Thus if something as serious as a murder has occurred, it means that the person in question is not a *tzaddik*.

Some have explained the situation according to the verse, "You reduce man to dust and say, 'Repent, O sons of man' " (*Tehillim* 90:3). We know what the Sages have said, namely that even if all other gates are closed, the gates of prayer and *teshuvah* remain open (*Eicha Rabba* 3:15). Since murderers are living in cities of refuge, they have certainly done *teshuvah* on account of the suffering they experience in exile. Their pain is almost like death, for they are separated from their friends and place of birth, and they must spend all their days among strangers. Since the gates of *teshuvah* and tears and never closed, it is certain that their *teshuvah* is accepted. Indeed, even the *teshuvah* of King Manasseh, despite all his sins, was accepted, as the Sages have said: "Manasseh testifies that the Holy One, blessed be He, accepts the penitent." Therefore when those in exile repent and become great *tzaddikim*, their prayers are likely to be granted. That is, the *Kohen Gadol* may actually die when they curse him. This explanation remains difficult to accept, however, for in what way did the *Kohen Gadol* sin? What grave transgression did he commit, such that he should die from the curses of those who repent while in exile? Where is the justice in this? We have already mentioned what the Sages said on the passage regarding the choice of the cities of

refuge. Although there were nine tribes in Canaan, with only two and a half tribes on the other side of the Jordan, both sides contained the same number of cities of refuge. This is because there were many murderers in Gilad. To explain this, we must say that the evil inclination is stronger outside of Eretz Israel. Now if this is true with regards to a sin as grave as unintentional murder, how much more will the evil inclination try to convince a person to commit less serious sins! This is especially true with regards to unintentional sins, those which do not appear like sins at all, and which the evil inclination tries as hard as possible to make a person transgress outside of Eretz Israel. Sometimes it succeeds, which is why a person who lives outside the Holy Land must pay even greater attention to these things.

We are also familiar with the Sages' statement that each person constitutes an entire world. When the time comes for a person to leave this world, the Holy One, blessed be He, ensures that someone else is born so that nothing is missing from the world. This is especially true in regards to the *tzaddikim*, as the Sages have explained on the verse, "The sun rises and the sun sets" (*Kohelet* 1:5): A *tzaddik* does not leave this world until another *tzaddik* like him is born. Therefore when a person kills someone, he destroys an entire world, and the blood of the deceased – along with all his would-be descendants – is imputed to the murderer. If he killed intentionally, it is obvious that only his death can atone for him. Even if he killed unintentionally, he still requires atonement, and in exile he must completely repent and regret his grave transgression. Thus by shedding tears in abundance, he can begin to return what he took from the world.

Hence the Torah decreed that an unintentional murderer must go and live in a city of refuge, for in doing so he would have time to think about his deeds. If such a grave sin, leading to a deficiency in the world, has occurred through him, it means that he is certainly guilty of something, since evil only comes through someone evil. He will therefore think of repentance, and he will plead with the Holy One, blessed be He, to forgive him for this sin. If he reaches the point of sensing that his prayers can help him leave this place, it is a sign that his prayers are accepted in Heaven. It means that he has reached the level of a *ba'al teshuvah*, a person whose sins have been transformed into merits, and he has rectified the deficiency that he caused.

Yet even if he feels that he can pray for the death of the *Kohen Gadol* in order to return home, he is forbidden from doing so. He must not ask to leave his city of refuge, for such a request could lead to the death of the *Kohen Gadol*. The *tikkun* of the unintentional murderer is to do *teshuvah* without asking to leave, for otherwise it will be accounted to him as a *mitzvah* obtained through sin: The *mitzvah* of *teshuvah* obtained by inadvertently cursing the *Kohen Gadol*. If he truly wants to repent, then not only must he *not* ask for the death of the *Kohen Gadol*, he must also pray for his welfare. Thus measure for measure, just as he unintentionally killed a person, he must intentionally pray for the life of someone, even if it means that he must remain in a city of refuge.

The Sanctity of Eretz Israel

For this week's *parsha*, which discusses the division of Eretz Israel and its borders, it is fitting to study the penetrating remarks of the Pnei Yehoshua, concerning whom the Chida (in his work *Shem HaGedolim*) states that while he was in Frankfurt, he "merited to meet him and saw that 'the face of Joshua was like the face of the moon.'" "

The Pnei Yehoshua speaks of the Sages' teaching in tractate *Ketubot* that a person living in Eretz Israel is likened to someone without sin. Radicals have used this teaching to justify living in Eretz Israel even when desecrating the Torah and *mitzvot*. The Pnei Yehoshua, however, explains the true meaning of this teaching, the lesson that stems from it being valid in every era. He states the following:

In the Gemara, Rabbi Eleazar says: "Whoever lives in Eretz Israel dwells without sin" (*Ketubot* 111a). It seems that this consists of one who lives there for the sake of the *mitzvah* of living in Eretz Israel, which is a sanctified place, and that the merit of Eretz Israel protects him and prevents him from coming to sin. Yet even if he sometimes commits a sin, even a deliberate sin because his evil inclination overcomes him, in principle the merit of living in Eretz Israel will push him to repent before one night has passed since his sin. This is because, since he finds himself in a holy place, he will certainly reflect and repent.

Such is not the case for someone who lives in Israel by chance, or because he was born there, or because he chose to live there due to the quality of its fruit, or for any other similar reason. This is especially not the case for someone who ridicules the sanctity of the land and follows his own evil inclination. The Torah does not speak of the dead. On the contrary, of him it is said: "You came and contaminated My land, and you made My heritage into an abomination" (Jeremiah 2:7). This is why we were exiled from our land when the sins of our fathers increased, and the place where the Temple stood became desolate. Thus where is the promise that the people who live there are devoid of sin? My explanation must perforce be correct.

Even if it is said that Eretz Israel completely atones for sin, nevertheless it is not more powerful than Yom Kippur, which procures complete atonement. Now when someone says, "I will sin and Yom Kippur will atone for me," Yom Kippur will *not* atone for him. It follows, therefore, that the teaching that one who lives in Eretz Israel is without sin means that even if he commits a sin by neglecting the sanctity of the land because of his evil inclination, the merit of Eretz Israel will push him to repent.

We Ourselves Were the Cause

It is written, "These are the journeys of the Children of Israel, when they went out of the land of Egypt by their legions" (*Bamidbar* 33:1).

The saintly Alsheich states that this verse seems to constitute a complaint. When they left Egypt, it is said: "I bore you on eagles' wings" (*Shemot* 19:4), and Rashi explains: "This is the day that the Israelites came to Rameses, for the Israelites were scattered throughout the land of Goshen, and in short time, when they came to start their journey and leave, they all gathered in Rameses."

That said, why were all these journeys necessary? They could have arrived in Eretz Israel in just a few days! However they caused themselves so many delays that "these are the journeys of the Children of Israel."

The Heart is the Essence

It is written, "A murderer who killed a person unintentionally shall flee there" (*Bamidbar* 35:11).

Despite not being deliberate, unintentional murder is certainly a sin. It does not exempt a person from punishment, although his punishment is not death. Rabbeinu Bechaye explains that this law demonstrates that the heart is the essence of man, the essence of all *mitzvot* and all sins. Hence a person is punished by exile, not death, for his heart did not agree to the murder. A person does not incur death if his deeds and intentions are not the same.

Likewise in regards to *mitzvot*, everything depends upon the heart. If a person performs a *mitzvah* without the intention in his heart to do it for the sake of Heaven, his reward is not complete. A person must have the intention of performing a *mitzvah* for the sake of Heaven. King David himself said, "I will lift my hands to Your commandments, which I love" (*Tehillim* 119:48), and raising one's hands indicates intention, as it is written: "Let us lift our hearts with our hands" (*Eicha* 3:41).

The Land of the Deer

It is written, "Wherever its lot shall fall, it shall be his" (*Bamidbar* 33:54).

Here Rashi states, "This is a shortened verse."

The Sages have said that this is why Eretz Israel is called *eret hatzvi* (literally "land of the deer," but also "land that shrinks away"), for when the skin of a deer is removed from its carcass, it shrinks and can no longer contain the deer's flesh. The same applies to Eretz Israel: When the Children of Israel do not live there, it contracts (*Gittin* 57a). This means that before the Children of Israel entered the land, its area was much smaller, to the point that the area assigned to each tribe was insufficient. Yet once lots were cast, its area increased in size according to the size of the given tribe. This is the meaning of the verse, "Wherever its lot shall fall, it shall be his" – only once the lot has fallen upon a certain area for a given tribe, this area will be sufficient for the needs of that tribe.

This is what Rashi alludes to by saying, "This is a shortened verse," meaning that the verse is speaking about territory that will later expand.

– Igra D'Pirka

The Death of the Kohen Gadol

It is written, "He shall dwell in it until the death of the *Kohen Gadol*, who was anointed with the sacred oil" (*Bamidbar* 35:25).

The death of the *Kohen Gadol* shook the entire people and pushed them to repent. We may therefore assume that the avenger of blood would also search his soul and eventually overcome the spirit of vengeance that incited him against the man who unintentionally killed his relative. He will see that even the *Kohen Gadol*, who was anointed with the sacred oil, must eventually die, and he will therefore be consoled over the death of his own relative. The murderer will then have the right to return home.

– Abrabanel

Only Hashem

In regards to sins committed unintentionally, not everything is equal, for the matter depends upon a person's innermost thoughts and intentions. Some people are truly innocent, while others are somewhat guilty because they were not attentive enough. Hence it is impossible to give all unintentional murderers a fixed time to atone for their sin. Only Hashem, Who sees what is hidden, knows the exact measure of each sin and can establish the length of each person's punishment. This is why it depends upon the death of the *Kohen Gadol*, for in this way Hashem can direct events in such a way that each unintentional killer can serve his sentence according to his innermost thoughts and intentions.

– *The Rosh, cited in HaKetav VeHaKabbalah*

By the Merit of the *Tzaddikim*

It is written, "These are the journeys of the Children of Israel, when they went out of the land of Egypt by their legions, under the hand of Moshe and Aaron" (*Bamidbar* 33:1).

The author of *Tzror HaMor* asks whether we did not know, up to this point, that Moshe and Aaron led the Children of Israel in their journeys!

This verse is telling us, however, that although the Children of Israel were immersed in the 49 gates of impurity while in Egypt – as the Midrash states, "These are idolaters and those are idolaters," not being worthy of deliverance – they nevertheless possessed the merit of Moshe and Aaron, the leaders of the generation.

The same applies to every generation: Even if the generation does not deserve it, it survives by the merit of the *tzaddikim* and those who study Torah, as the Sages have said: "The whole world draws its sustenance from [the merit of] Chanina my son" (*Taanith* 24b). Hence we must be grateful to the great men of the generation and its Torah scholars.

In the Light of the Parsha

The Value of a Good Neighbor

It is written, "Speak to the Children of Israel and say to them, 'When you cross the Jordan to the land of Canaan, you shall designate cities for yourselves, cities of refuge shall they be for you, and a murderer shall flee there – one who takes a life unintentionally. The cities shall be for you a refuge from the avenger, so that the murderer will not die until he stands before the assembly for judgment' " (*Bamidbar* 35:10-12). Now these cities of refuge belonged to the Levites. Why were these cities, in which the Levites lived, designated as places where all unintentional murderers could seek refuge?

The answer is that an unintentional murderer committed a very grave sin, and he was obligated to do complete *teshuvah*. The way for him to do this was to live for a certain time near the holy Levites, who had no portion in the land; their only portion was Hashem. All their days were spent in the service of the Temple, and they drew their sustenance from tithes. It would therefore be easier to repent when living near such neighbors. It would be easier for an unintentional murderer to learn from their conduct, to absorb the sanctity of the land, and to lighten the yoke of justice that weighed upon him.

Your Eyes Shall Behold Your Teacher

Rabbi David Tzion Laniado

The *tzaddik* Rabbi David Tzion Laniado *Zatzal* was born in 5660 in Aleppo, Syria. In his youth, he moved to Eretz Israel and settled in Jerusalem, where he lived in a small apartment and raised a large family. It was also from there that he spread his generosity to everyone in need. Yet just as he excelled in generosity, he also excelled in Torah and the service of G-d, being among those close to the Saba Kadisha, Rabbi Shlomo Eliezer Alfandri *Zatzal*. Above all, he excelled in *zeddakah*, distributing all his money to those in need.

Near the end of his life, he summoned his firstborn son and said to him: "The Holy One, blessed be He, has granted me sons and daughters, grandsons and granddaughters who follow Hashem's way. I have done all that I could to fulfill every *mitzvah* that man can accomplish, with the exception of one last *mitzvah*, which I yearn to fulfill according to the will of the Torah: Leaving behind an inheritance." He added, "I have neither money nor possessions, for I have given all my money to *zeddakah*, and I am happy for it. King Monobaz said before my time, 'My fathers stored up below and I am storing above. ... My fathers gathered for others, but I have gathered for myself' [*Bava Batra* 11a]. Nevertheless, I would like to fulfill the *mitzvah* of leaving behind an inheritance. That is why I am leaving you a lira, which you must share among your brothers after my death."

He ended by saying, "And you, my firstborn, shall take twice as much of this lira as your brothers, as it is written in the Torah of Moshe. The merit of this *mitzvah*, which I will have fulfilled in this way, will protect both you and the entire Jewish people."

Rabbi David Tzion Laniado left behind neither silver nor gold. From the lira that he bequeathed to his sons, they did not grow wealthy. However he left them his good deeds and good name, and his children followed in his footsteps. In the end, "When a man dies, it is neither silver nor gold that accompany him, but it is his *mitzvot* that walk before him" and lead the way to Gan Eden!

– *Ma'assei Gedolim*

Guard Your Tongue!

The Soul That You Have Given Within Me

At the time of the resurrection of the dead, when the body of man will be revived by the soul that will be placed in him, he will not be given a new soul. Rather, he will be given the very same soul that he possessed when he was living in this world. As we say in the blessing, "My G-d, the soul that You have given within me.... You will eventually take it from me, and restore it within me in time to come," it is the very same soul, just as it was when he was alive. If it was purified by Torah and good deeds, it will also return to the body in a state of purity. Yet if it was tainted by transgressions and sins, it will return to the body just as tainted. A person will experience tremendous joy and satisfaction in the future if his soul is pure, and likewise he will experience tremendous suffering if his soul is tainted! There can be no greater suffering or shame. To what can this be compared? It is like a person who wears a dirty garment, one that has not been cleaned for a long time and is completely filthy. The person who wears it will suffer tremendously.

– *Chomat HaDat*

Judging Favorably

It is written, "Until he stands before the assembly for judgment" (*Bamidbar* 35:12).

The *tzaddik* of Jerusalem, Rabbi Aryeh Levine *Zatzal*, recounted: "I attended the funeral of Rabbi Elazar Rivlin *Zatzal*, who was among the holiest men of Jerusalem. The deceased had a friend from his youth, Rabbi Shemuel Kook *Zatzal*, who had worked with him for about 30 years. All of a sudden, this friend left the funeral and went to, of all places, a flower shop! I thought to myself, 'Is this how a longtime friend acts? Instead of accompanying his friend to the cemetery, he goes to a flower shop?' He emerged not long afterwards, returning to the funeral with a pot of flowers in his hand. He then proceeded to leave just as quickly as he arrived! Stunned by this, I could no longer control my emotions. I addressed him and said, 'Tell me, weren't you a faithful friend of the deceased? What happened to you, such that you left the funeral in front of everyone and went to buy a pot of flowers at precisely the same time?' He nodded his head and replied, 'For years now, I have been taking care of a person afflicted with leprosy, someone who has been hospitalized in a special place. He died yesterday night, and the doctors decided to burn all his belongings so nobody could use them and possibly get infected. Among his things, he had a pair of *tefillin*. I was stunned when I heard this, and I protested. I asked the doctor to let me place them in a clay pot and bury them, as the *din* requires. He agreed, but only on condition that I bring the pot before ten o'clock. In the meantime I learned of the death of Rabbi Elazar, my faithful friend. Naturally, I came to his funeral, but suddenly realized that it was getting late. I searched for a flower shop and found one, and I went there to purchase a pot. I was told, 'This isn't a pot store. We sell flowers here!' I had no other choice but to buy a pot of flowers, and I am going to empty it so I can place the *tefillin* inside. That's the whole story. Now Rabbi Aryeh, it's nine thirty. If I continue speaking with you, the *tefillin* are liable to be burned. I am therefore asking you for permission to run to the hospital and arrive on time.'

"Since that time," said Rabbi Aryeh, "I've taken it upon myself to judge everyone favorably."

The Deeds of the Great

A Non-Jew Asked...

A non-Jew came to find Rabbi Akiva and asked, "This world, who created it?" He replied, "The Holy One, blessed be He!" The man demanded, "Prove it to me!" Rabbi Akiva replied, "Return to me tomorrow and I will prove it to you." On the following day, when the non-Jew returned, Rabbi Akiva asked him: "What are you wearing?" He replied, "A garment." "And who made it?" asked Rabbi Akiva. "A tailor," the man replied. However Rabbi Akiva shook his head in disagreement and said: "I don't believe you. Give me some clear proof!"

The non-Jew became angry, "What kind of proof can I give you? Don't you know that tailors make garments?" Rabbi Akiva answered him with a question: "And you, don't you know that the Holy One, blessed be He, created the world?" The man left.

At that point, the disciples of Rabbi Akiva asked him: "What is the real proof?" He replied, "My children, just as a house testifies to

The Mitzvah of Living in Eretz Israel in Our Time

The Ramban *Zatzal* writes, "We have been commanded to take possession of the land that G-d, blessed and exalted be He, gave to our forefathers Abraham, Isaac, and Jacob, and not to leave it in the hands of other nations or leave it desolate. This is what He said to them, 'You shall possess the land and you shall settle in it, for to you have I given the land to possess, and you shall inherit the land by lot' [*Bamidbar* 33:53-54]."

The Ramban adds: "And I say that the *mitzvah* which the Sages greatly expanded upon – namely living in Eretz Israel, to the point that they said that anyone who leaves it and lives outside the land should be regarded in your eyes as an idolater – it is all part of this positive precept, for we have been commanded to take possession of the land and to dwell in it. If so, it is a positive precept for all generations, binding upon every individual, even in exile. The language of the *Sifrei* is: 'Rabbi Yehudah ben Betera and his friends were leaving Eretz Israel. When they reached Platia, they remembered Eretz Israel and raised their eyes. They shed tears, tore their garments, and recited the following passage: "You shall possess..." and they said: "Living in Eretz Israel is equal to all the *mitzvot*." ' "

Some of our Sages believe, as did the Ramban, that living in Eretz Israel is a positive Torah *mitzvah*. However in their opinion, it is a general *mitzvah* that concerned the entire people at the time of Joshua's conquest of the land, as well as during the return to Zion in the time of Ezra and Nechemia. Yet now, in a time of exile, it is no longer a general *mitzvah*. In any case, one who lives in Eretz Israel fulfills a positive Torah *mitzvah*, even in our time. This is the view of the Rivash and the Rashbach. Despite the fact that, according to the Rivash and the Rashbach, every individual in our time is also obligated to live in Eretz Israel, the Ritba believes that since it has been decreed that we must live in exile, and since Heaven has dispersed us among the nations, we must still raise our eyes towards the Creator and ask Him to deliver us from exile, and we have no right to change our situation and move to the Holy Land. In *Responsa Avnei Nezer*, it is said that even according to the Ritba, one who lives in the Holy Land fulfills a positive Torah *mitzvah*.

the mason who built it, and just as a garment testifies to a tailor and a door to a carpenter, likewise the world testifies to the fact that the Holy One, blessed be He, created it!"

A non-Jew addressed Rabbi Yehoshua ben Karcha and said, "We are close friends, which is why I want us to rejoice together on the same day. During the entire year, however, no such day exists: When Jews rejoice, we non-Jews are sad."

Rabbi Yehoshua replied, "There is a day in the year when all the peoples of the world rejoice together. That is the day when rain falls. Why do we rejoice so greatly over rain? It is because the world cannot survive without it. By the merit of rain, which brings blessing and success to everyone, love and harmony is created among people, and baseless hatred does not develop. Yet when a drought unfortunately occurs, food is scarce and people suffer and argue with one another.

"It is therefore not surprising," concluded Rabbi Yehoshua, "that when rain falls, it is a day of rejoicing for everyone!"

– *Ma'asechem Shel Tzaddikim*