



Memphis

ממפיס

# Shabbat Shalom from Torah MiTzion

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Rav Avi Goldberg, our own Rosh Kollel

## To Bless His Nation Israel with Love

Over the past few months, we have seen that *Am Yisrael* faces a new and difficult challenge in the chain of *yishuv Eretz Yisrael* (settling the Land of Israel) and the *Geulah* (the Redemption). Our enemies, both near and far – those who have spent the past century trying to prevent us from realizing our historic and modern rights to an independent Jewish state in *Eretz Yisrael* – threaten us in ways which are likely to change the world.

What can we do?

Everyone understands that this type of question has many answers. Clearly, we must strengthen our identities; we must learn and review our rights, history, and the truth. In addition, we must publicize this truth and convince others in the world of the justice of our path. We must focus on *hasbarah* (loosely, public diplomacy) and prove our case in research studies, in writing, and in every other public forum. We are not the ones who oppose life; we are not against peace; and we were not the ones who massacred us.

However, in addition to all of the above, we are also obligated to build inward. What does this mean?

In Parshat Naso, we read about the wonderful *mitzvah* of *birkat kohanim* (the priestly blessing), which, unfortunately, is very rarely performed in Diaspora communities. Yet, *birkat kohanim*'s inclusion in our *parsha* needs an explanation. After all, the rest of the *parsha* deals with *machaneh Yisrael* (*Bnei Yisrael*'s encampment in the wilderness) – including its formation, the journeys, and specific individuals who must remain outside the *machaneh* – *nazir*, and *sotah* (the “wayward” wife), which pertains to the very foundation of the *machaneh*: the integrity and purity of the Jewish family. What does *birkat kohanim* have to do with these topics? (The Ramban, the Chizkuni, and other commentators address this question.)

Another question revolves around the wording of the *brachah* (blessing) itself:

“...Who sanctified us with the holiness of Aharon and commanded us to bless His nation Israel **with love**.”

Why is the word “*b’ahavah*” (with love) added? What would happen if the *kohanim* would recite the *brachah* without love? Are not all the *mitzvot* supposed to be done *b’ahavah*? In fact, Jewish law (Mishnah Brurah 128:37) rules that a *kohein* who is hated by members of the congregation may not go up for *birkat kohanim* and must go outside during

*birkat kohanim*.

In order to answer these questions, we must first discuss the *kohanim*'s role in general. The *kohanim* were chosen to serve as our messengers – or, rather, as *HaKadosh Baruch Hu*'s messengers – in order to bring us closer to *HaKadosh Baruch Hu*. How is this accomplished? Aharon *HaKohein*, the father of the *kehunah*, was:

“One who loves peace and pursues peace; one who loves mankind and brings them closer to the Torah.” (Avot 1:12)

His entire being was devoted to bringing true *shalom* (peace) between people and thus bringing them closer to *HaKadosh Baruch Hu*. As described in the Midrash, Aharon *HaKohein* employed assorted tactics in order to bring *shalom* between husbands and wives and between man and his fellows. The *kohanim* are commanded to bring about a *kirvah* (closeness) of love and of peace. Similarly, the Gemara (BT Makot 11a) depicts how the *kohanim*'s mothers would supply food and clothing to the unintentional murderers, who had been banished to the *arei miklat* (cities

of refuge). One who had murdered *b’shgagah* (unintentionally) was required to remain in the *ir miklat* until the *kohein gadol*'s death. Why did the Torah connect the unintentional murderers' stay in the *arei miklat* to the *kohein gadol*'s death? The Gemara teaches that the *kohanim* are responsible for the nation's condition. If there are unintentional murderers, that is a stain on the *kohanim*, the leaders. The *kohanim* are responsible for ensuring that there is *shalom* among the people; they are responsible for the nation's morals.

Now we can understand why *birkat kohanim* appears here in our *parsha*, following *nazir* and *sotah* (and not, for instance, in Vayikra, which focuses on the *kohanim*). This *parsha* discusses the *machaneh*'s integrity, the order of traveling and setting up camp, and certain exceptions (*nazir* and *sotah*), and therefore, *birkat kohanim* – which unites and creates *ahavah* (love) in the *machaneh* – belongs here. *Ahavah* is an integral part of the *machaneh*'s structure! The *machaneh* cannot achieve greatness without *ahavah*, which leads to a connection with *HaKadosh Baruch Hu*.

This idea applies to *Matan Torah* as well:

“They journeyed from Refidim, and they



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## Kollel news:

- **Welcome** to our future Rosh Kolell—**Rabbi Meir Maimon**, who is visiting with us this weekend from Israel. Rabbi Maimon will be moving to Memphis this coming August, and will lead our Kollel in the next few years.
- **Yom Yerushalaim program**—the Kollel run a great Yom Yreushalaim program at the Baron Hirsch synagogue last Shabbat. Five kollel members presented places in Jerusalem and gave us the taste and feeling together with information and knowledge about Jerusalem. Thanks to Emanuel Elstein, Grossman scholar and Torah Mitzion Shaliach for arranging the event.
- **Farwell for the Bachurim and the bat Ami girls**—Next Motzaei Shabbat June 11th at 9:30 pm. Save the date!
- **Tanach Bowl**—see separate add.

## Shabbat Times

	Memphis	Jerusalem
In	7:51pm	19:06
Out	8:54pm	20:23

# 1805 DAYS

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## Din Torah: Filing of an Action in the Beit Din When It is Clear That the Defendant Will Refuse to Accept the Beit Din's Authority

### Question

It is well known that it is prohibited to bring an action in the civil courts, without first suing the defendant to a *Din Torah* in a Beit Din, and only if the defendant refuses to appear before the Beit Din is it permitted to petition the regular courts.

Is it the case that even where the Plaintiff knows that the defendant will refuse to appear before a Beit Din he is still obligated to bring an action against him in practice before a Beit Din and to receive permission from the Beit Din to litigate in the secular courts, or whether it suffices to send him a letter (privately or through an attorney) informing him of his intention to bring him to a *Din Torah* in a manner that, when the defendant responds to the letter, stating that he refuses to adjudicate before a Beit Din, it will then be permissible for the plaintiff to file his action at a regular court?

### Answer

Some halachic authorities are lenient and shorten the procedure for granting a permit to bring a claim in the regular courts in the event that there is a strong presumption that the defendant will not appear before a Beit din (Kesef HaKodoshim 26:2). This is certainly true in the case of a body who is prevented by law from adjudicating before a Beit din, or in the case of a large company. In these cases it suffices to receive authorisation from a halachic authority. In cases of a private action, it is desirable to attempt to bring the action in a Beit din because the process is not lengthy and at times there are favorable surprises (*Seder HaDin*, chapter 8; *Minchat Yitzchak* 9:155; *Darchei Choshen* 4, p. 301).

### Din Torah: Action Against an Overseas Municipality

#### Question

I serve as a rabbi overseas. There is a monetary dispute between a true Jew who lives in the city and the municipality which has a Jewish mayor. The Jewish businessman is interested in summoning the mayor to a *Din Torah* before me. Is there any possibility of enabling such a course to take place, when the dispute does not appear to be between two Jews, but between a (Jewish) businessman and the municipality in a non-Jewish country (where the mayor is Jewish)?

#### Answer

Greetings. From your question it is apparent that the claim is not a personal action against the (Jewish) mayor, but is against the municipality. You are exempt from dealing with this issue for a number of reasons:

A. A single Rabbinical Court judge is not required to adjudicate unless both parties have appeared before him and commenced pleading their claims (*Shach*, *Choshen Mishpat* 25, 6, 3).

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[www.dintora.org](http://www.dintora.org)



## To Bless... / Continued from page 1

arrived in the wilderness of Sinai, and they encamped in the wilderness; and Israel encamped there opposite the mountain." (Shmot 19:2)

Chazal note that the entire *pasuk* is written in plural – except for the final verb, which describes the encampment before Har Sinai. Not only does the Torah suddenly switch to singular (*vayichan* rather than *vayachanu*), but that final verb seems superfluous. After all, the *pasuk* already told us that they “encamped in the wilderness.” Thus, Chazal explain that when *Bnei Yisrael* arrived at Har Sinai, they were:

“As one man, with one heart.”

Everyone knows the song “*Dayeinu*” from the Pesach Haggadah. We sing:

“Had He brought us before Har Sinai and had not given us the Torah – *dayeinu* (it would have been sufficient for us).”

This begs the question: What would have been the point of arriving at Har Sinai without *Matan Torah*? This question has several answers. (For example, Rav Tzvi Yehudah HaKohein Kook used to ex-

plain that the arrival at Har Sinai served as *Am Yisrael's* selection, and that selection then enabled us to receive the Torah. As we recite daily:

“Who chose us from among all the nations and gave us His Torah.”)

Yet, in light of the above, we can say that arriving at Har Sinai – in and of itself – produced *ahavah* and *achdut* (unity), and as a result, we merited receiving the Torah. The Torah does not belong to any one individual, but to *Klal Yisrael*, as a whole. As Rashi teaches:

“One cannot compare a few who do the Torah to many who do the Torah.” (Rashi – Vayikra 26:8)

At this time, we are now “called to the flag.” We are called upon to emulate the *kohanim* and bless *Amo Yisrael b'ahavah*. For if our nation has *ahavah* and *achdut*, we will be able to ascend to the level of “brings them closer to the Torah.” With *achdut*, we will be able to stand up to our enemies who maliciously seek to slander and defame us, and we will be able to overcome the many difficulties which confront us.

# Pirkei Avot: Acquiring Torah, in memory of Larry Roth, z"l

Rav Nechemya Taylor, Ra"m at the Bar Ilan University Kollel, former Torani Advisor to Torah MiTzion

The earliest source for the custom of reading *Pirkei Avot* on Shabbat is found in "*Seder Rav Amram Gaon*" (a ninth century siddur compiled by Rav Amram Gaon), in the section pertaining to *Mincha* on Shabbat:

"And thus said Sar Shalom Gaon, 'During *Mincha* on Shabbat, one is permitted to focus on the Talmud. And moreover, the custom of our Rav's house in Babylonia was that after *Mincha* on Shabbat, they would learn "*Avot*" and "*Kinyan Torah*.'"

The Gaon's words suggest that there were two separate books: "*Pirkei Avot*" and "*Kinyan Torah*" (literally, "The Acquisition of Torah").

Similarly, the Meiri - in his introduction to Masechet Avot - writes:

"And in some books, there is an additional, sixth chapter called, '*Pirko Shel R' Meir*' (The Chapter of R' Meir). And it begins, 'The Sages learned in the language of the Mishnah,' for it is not from the Mishnah, but rather a type of *braita* (i.e. a teaching that is 'outside' the Mishnah)."

At the end of Perek 5, he states:

"And here ends the *mishnayot* of the book. However, in our book, a large *braita* was added... And the reason they appended it here was so that it would be read before *Yom Matan Torah* (literally, the day the Torah was given – i.e. Shavuot). And for this reason, we begin *Pirkei Avot* on the Shabbat after Pesach, in order to become adjusted to good *midot* (character traits) and *derech eretz* (loosely, ethical and moral conduct), which precedes the Torah. For the Torah *l'shmah* (for its own sake) is only found in one who is devoid of bad *midot* and crowned with good *midot*. And therefore, this *perek* is called '*Kinyan Torah*,' because it stimulates the desire and the love of those who engage in it."

In other words, according to Rabbeinu HaMeiri, the first five chapters constitute an introduction to "*Kinyan Torah*." After all, one cannot learn Torah *l'shmah* without being prepared to absorb the good *midot*.

"*Kinyan Torah*" revolves around two central pillars: the different means of acquiring Torah.

The first pillar is the first *mishnah* in the *perek*, which discusses:

"Whoever engages in Torah for its own sake..." (Avot 6:1)

Learning Torah *l'shmah* is the ideal.

The second pillar is the fifth *mishnah*:

"The Torah is acquired with forty-eight qualities..." (Avot 6:5)

In this *mishnah*, Chazal established the basic conditions which are necessary for ordinary Torah learning. Once these conditions have been met, one can reach the level of learning Torah *l'shmah*.

A Jew builds himself up in stages. The early stages involve perfecting one's *midot*; the next stages are obtaining Torah learning skills by internalizing the forty-eight conditions of acquiring Torah; and the final and uppermost stage is learning Torah *l'shmah*.

The forty-nine special days of the Omer period are specifically designated for introspection: Am I worthy of standing up on Shavuot to accept Torah *l'shmah* upon myself?

By his very nature, Larry Roth zt"l was a man who was capable of learning Torah *l'shmah*. Nearly all the outstanding *midot* mentioned in *Pirkei Avot* were an inherent part of him. His *midot* manifested his soul's roots.

In between the two aforementioned *mishnayot*, we find a discussion of one who:

"Loves the *Makom* and loves mankind." (Avot 6:1)

These two types of loves are connected, and Larry zt"l devoted his life to both of them. He loved the *Makom*, and he loved mankind. Moreover, he felt it was very important to encourage people around the world to "love the *Makom*" – by loving mankind. Larry zt"l dedicated his energy, his strength, and everything he had to this great *shlichut* of disseminating the Torah of *Am Yisrael* and *Eretz Yisrael* throughout every Jewish community in the world – whether large or small – and his approach was always based on his great love for mankind.

"Alas for those who are lost and no more to be found." (BT Kiddushin 111a)

May he be a *meilitz yosher* (a righteous advocate) for his wonderful family and for all of *Klal Yisrael*!

*Tehei Nafsho Tzrurah B'Tzror HaChayim. Amen V'Amen.*

## Eight Thoughts on Matan Torah

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no barcode on the Gemara.

(7) The postmodern world invests considerable energy in formulating hermeneutic - or interpretive - theories, which refute any assumption of truth. Every person can interpret the text however one wants. Indeed, the entire world is a text, and every person can read this text as one wishes. Literature teachers no longer ask, "What did the poet mean?" At first glance, there appears to be a bridge between Chazal and the most up-to-date, French thinkers. After all, in reference to the *machlokot* (disputes) between Beit Shammai and Beit Hillel, Chazal declared:

"These and these are the words of the Living God." (BT Eruvin 13b)

There is no single truth. However, there is a vast difference. Postmodern hermeneutics says that no interpretation is the truth. In contrast, Chazal said that a number of different interpretations can be the truth. That is, Chazal knew that while a number of interpretations can be equally valid, there are other interpretations which are not valid at all. *Lo hakol oveir*. (Literally, "not everything passes.")

(8) Celebrating *Chag Matan Torah* today means launching a rebellion. It means being a "party-pooper," who insists on recalling that underneath the carnival masks are real people, with real feelings and real obligations; that the violence and the evil which surround us are closely connected to the popular and frightening belief that "everyone has their own truth"; that *yesh din v'yesh Dayan* ("there is a judgment, and there is a Judge"); and that we do not live in a movie.

*Chag Shavuot Samei'ach!*



# Eight Thoughts on *Matan Torah* in the Postmodern Era

Rav Chaim Navon

(1) When English author Sir Walter Scott was on his deathbed, he suddenly lifted his head off the pillow and whispered to his family, "Read to me from the book." One of his relatives dared to ask, "From which book?" Scott glared at him, "There is only one book!" Walter Scott died as he was listening to a chapter from the Book of Books. Nearly two hundred years after Scott's death, this story sounds excessive and strange to us. After all, in the postmodern era, nothing is worse than claiming to be exceptional. And yet nevertheless, *Chag Matan Torah* (i.e. Shavuot) represents exactly this approach: The Torah is above any other text. And in contrast to Scott, I am not only referring to the Tanach, but also to the Mishnah, the Talmud, and the full scope of the entire Written and Oral Torah. Shavuot defines a hierarchy of texts, positions, and worldviews, and the Torah is located at the pyramid's vertex. But in the postmodern era, "hierarchy" is considered to be the ultimate profanity.

(2) Heinrich Heine, the conflicted apostate, said scornfully that the Jews have "a portable homeland." He was referring to the Tanach. When Heine called us "the People of the Book," he did not mean cookbooks, the annual star of the upcoming Hebrew Book Fair. The world of Jewish culture is based on texts, and the plastic arts are relegated to the sidelines. This is due to the prohibition of:

"You shall not make for yourself a graven image or any likeness," (Shmot 20:4)

But also as a result of other factors as well. Texts train us to think logically, methodically, and fairly. Visual and concrete media attack the senses in an incessant barrage of simultaneous stimuli, which leave no room for contemplation or organized thought. The Torah, however, refuses to be relegated to a film clip.

(3) The Ramban points out that the *Asseret HaDibrot* (the Ten Commandments) were all said in singular: "You shall not murder"; "You shall not steal." According to the Ramban, *HaKadosh Baruch Hu* wanted to emphasize that each one of us is judged on our own, based on our own deeds. The *Asseret HaDibrot* teach us about personal responsibility. Postmodernism dissects this expression: There is no responsibility, and nothing is personal. There is no responsibility, because there are no absolute values. Everyone is entitled to do whatever one feels like doing. And nothing is personal, because every person is a product of his environment and shaped by impersonal forces. This worldview explains the inappropriately light sentences handed down by Israel's courts to murderers and rapists. "He was raised in a bad neighborhood, and he had a difficult childhood. It is not his fault that he became a murderer." The criminal is no longer a private person and

is transformed into the impersonal embodiment of social circumstances. But in stark contrast to this spiritual decay, the Torah firmly asserts, "You shall not murder!"

(4) In the State of Israel, the culture wars are most clearly manifested by the thousands of *Daf Yomi* learners, who head off to shul as thousands of their counterparts head off to watch "reality" shows on television. In fact, these "reality" shows are an indication of television's pervasive influence: The appliance now controls reality itself and puts it into scare quotes. One's ability to turn one's back on this vanity fair and to open a Gemara serves as a stunning rebellion against the vapid-ity which controls our lives.

(5) Throughout the years, the *Gedolei Yisrael* put considerable effort into translating the Torah into the language of the modern world. The two most famous translation endeavors were produced by Rav Kook and Rav Soloveitchik. But in the postmodern era, the value of these endeavors has decreased. For instance, the "hilltop youth" represent a comprehensive retreat from the modern world of values. Concepts such as "science," "progress," or "the State" are not given places of honor in their worldview. However, just as we did not blindly accept modernism, we will not blindly adopt any criticism of it. Let us take, for example, the State, which is clearly a modern project. Its significance to us, as Jews, is unparalleled. Hence, negating the State's value is not a return to "authentic" Judaism but a willingness to be swept away by society's latest fads and fashions.

(6) In our commercialized world, everything is immediately translated into its economic value. Sickness, strikes, mishaps, fame, publicity, etc. – each one has a price tag. For a price, you can have your emotions repaired – and your nose, too. But in an era of consumerism, the Torah refuses to be a consumer. On a fundamental level, *Talmud Torah* (learning Torah) must be free of charge. The *pasuk* states:

"Behold, I have taught you statutes and ordinances." (Devarim 4:5)

Chazal (Talmud Yerushalmi – Nedarim 4:3) interpret this *pasuk* to mean that *HaKadosh Baruch Hu* demands that:

"Just as I [teach] for free, so shall you [teach] for free."

Hashem taught us His Torah without asking for payment, and by the same token, we must pass it on for no payment. Of course, in practice, we often are required to pay tuition, because even rabbis need to eat. But nevertheless, anyone who is so inclined can head to the nearest shul and take part in a *shiur* (Torah class) – at no cost. There is

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## Tanach Bowl:

Congratulations to the students who participated in the Tanach Bowl this past Wednesday – Yom Yerushalayim at the MHA. A special מזל טוב to Chaya Klein who won first place!!!

We want to thank the Kollel Bachurim for all the time and dedication they invested in this program. Thanks also to Asher Finkelstein for helping with the questions, and to Yochevd & Maytal for learning so many hours with most of the contestants.

