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HALACHA

Mitzvah WHEN IT SERVES NO PURPOSE

Rabbi Israel Chait

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religion to man. Masses witnessed this, which is the only validation of any historical claim, and why the major religions accept the Bible.

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FUNDAMENTALS







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PERFECTION







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Naming 5 elements of creation, God subtly teaches mankind's purpose. A truly astonishing find.

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11 Exempt

Rabbi Chait explains the halachic structure of when and why one is exempt from mitzvah.



"The bitter waters were made sweet by bitter wood. This teaches that life is sweetened only once man endures the bitterness of abandoning his emotions."

RABBI ISRAEL CHAIT

KIDDUSH HASHEM

RABBI MOSHE BEN-CHAIM

RABBI: We are commanded in Kiddush Hashem, sanctifying God's name; we fulfill this when accepting death instead of Torah violation. There are many conditions and cases, but I wish to cite the primary cases of idolatry, adultery and murder. If threatened with the choice of death or committing one of these 3 cardinal sins, we must accept death as our dedication to sanctifying God. What makes these 3 sins unique? Why does one murder? It is because in one's mental state, in his subjective psychological reality, he cannot tolerate another human's existence. He values man: "When Haman saw that Mordechai would not kneel or bow low to him, Haman was filled with rage. But he

disdained to lay hands on Mordechai alone; having been told who Mordecai's people were, Haman plotted to do away with all the Jews" (Esther 3:5,6). To conform reality to his ego, Haman plotted to murder others. Instead of changing himself, the wicked man desires to change reality. Adultery is the caving into lusts to a degree where vital considerations are ignored. One feels his desires must be satisfied unconditionally, and outweigh others, such as his friend whose marriage will be wrecked. Idolatry is where one's mind is distorted in the most important area: How does all exist? He does not recognize the ultimate reality of God's existence.

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LETTERS

In all 3 cases, a primary human faculty is corrupted. One cannot choose a life where he commits any of these sins, as continued existence with these corruptions is worse than death. Man's primary faculties are his mind, his ego and his instincts. Corrupting one's mind through idolatry, one's ego through murder and one's instincts through sinful sexual gratification render one's life worthless. Other sins like eating non-kosher do not corrupt man's primary faculties, and therefore, if threatened to eat non-kosher or be murdered, one must violate to save his life. As such lesser infractions do not fully distort man's essence, it is obligatory to preserve one's life over abstention and suffering death. But when coerced to corrupt oneself on a primary level, preservation of one's soul (values) outweighs preservation of one's life.



The Last Issue

READER: Regarding last week's issue, what is the definition of superior?

RABBI: "Superior" was explained in the article as a species with unique qualities. But as there exists only one humankind all descending from Adam, with no subsequent event of God changing any descendants, Jews are not superior.

READER 2: I have never learned that Jews are superior, so I don't understand where the author of the article got the idea that Jewish superiority was something he had to argue against. "Chosen People" has always been explained as a responsibility and not a matter of superiority, so I agree with the authors, but the thesis is not anything new.

RABBI: Torah repeats vital lessons as repetition is required. This article was a response to a reader, and the Jewishtimes responds to readers, even if the ideas were known to others or previously discussed. But there are popular opinions and texts that claim the Jew has a superior soul. However, this is not found in Torah.

Forgiveness

READER: As Yom Kippur is approaching, I have questions.

- 1. Are repeated sins and transgressions against Hashem forgiven?
- 2. Even though every human being has a general knowledge as to what is right or wrong, only after coming to Judaism one gets to know the depth and damage of certain sins and transgression and even become aware of certain things which are right or wrong, good or bad. Thus, are the sins, transgressions and mistakes committed before coming to Judaism forgiven by Hashem?
- 3. Does one become a "new person" when one becomes a Jew or enters the covenant? Shabbat shalom.

Mark Abir Vetturnimadam, Tamilnadu India

RABBI: 1. Repeated sins indicate one has not fulfilled the formula for repentance: A) Regret for sinning, B) Abandon of further transgressions. Repeated sins are therefore not forgiven. However, not knowing how we will act in the future should not prevent a determined effort to repent. But we can only say "I will never sin in this matter again" when one honestly knows he won't sin. Verbalization without sincere commitment is worthless.

- 2. Talmud Shabbos says oner who never learned of Shabbos brings one sin offering for all violated Shabboses. This means that there is culpability for remaining ignorant of sins. Maimonides too says idolaters cannot blame their upbringing for their sins: they are responsible for their idolatrous acts. They have a mind just like Abraham and can arrive at truths and falsehoods even without teachers and books, as did Abraham. A convert did not sin—and needs no repentance—for eating non-kosher, as that was not part of his obligations prior to conversion. But idolatry is a sin for all mankind.
- 3. Upon conversion, nothing changes in the person's design. In fact, the change took place prior to conversion, as this righteous person realized his errors while still a gentile. His change was an increase in knowledge, realization of truths, and accepting to live as God deems best for every human.

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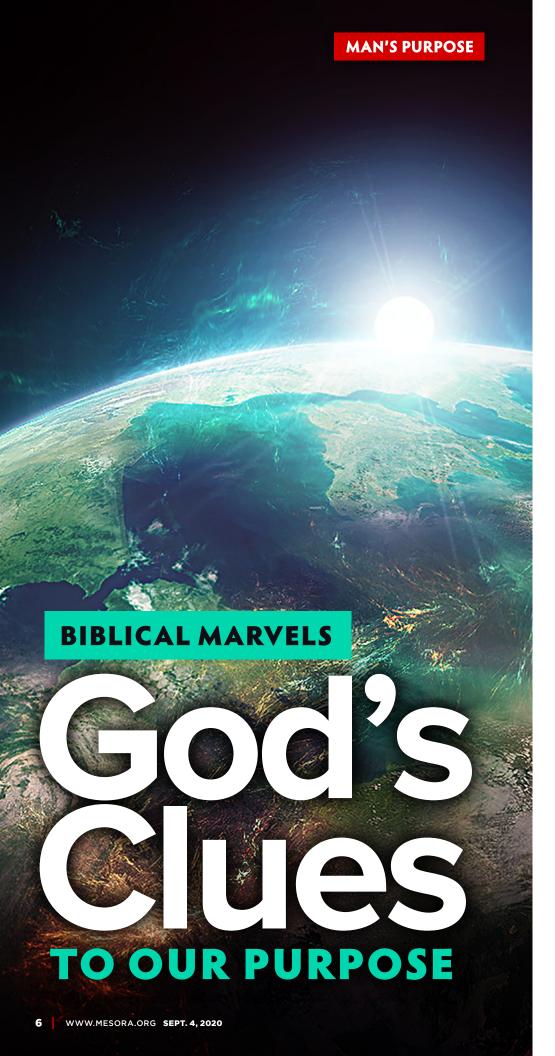


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JewishTimes



RABBI MOSHE BEN-CHAIM

n astonishing find is worth repeating.

"IN THE BEGINNING, GOD CREATED THE HEAVEN AND THE EARTH."

As creation and Torah are intended for mankind's study, to acquire knowledge of God, to find the utmost delight in the discovery of God's brilliance, and to attain human perfection, creation and Torah must target these objectives. Astronomical (heavenly) and geographic (earthly) knowledge must teach something more than mere science; how are we perfected through this study? While it is true that man needs to know that all that exists—heaven and Earth—are creations of God alone and that there exists nothing other than God, can we ask why the main categories of creation are identified as "heaven and Earth," as opposed to stating, "In the beginning, God created the Universe?" There is a precedent for this question: our first daily prayer -Baruch She'amar-reads, "Blessed is the One who spoke, and the Universe came into being." What is it about Creation that demands that "heaven and Earth" be isolated, and not "Universe?"

I wonder if these two creations are related to an intriguing fact: God gives names to only 5 phenomena. On day 1, God called light "day," and darkness He called "night." On day 2 He called the firmament "heavens" and on day 3 He called the dry Earth "land," and the collection of waters He called "seas." Ibn Ezra too notes this: "God gave 5 things names for man wasn't existing yet: light, darkness, heaven, Earth and the seas, and so too man" (Gen. 1:8). God does not name the substance of

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water, mountains, sun, moon, stars, man, animals, vegetation or any other creation. Interestingly, these five names relate again to heaven (day, night, heavens) and Earth (land and seas). Furthermore, these are prioritized: addressed first before all other creations. And what is the concept of "naming" one thing and not another: Is the named thing thereby highlighted as more significant, and if so, in what manner?

"And it was evening and it was morning, day X," is repeated many times. Why this emphasis of night transitioning into day? Primarily, what is the purpose of day and night? What in man's path towards perfection demands this regulated transition between light and darkness?

These phenomena of light and darkness are highlighted by the daily blessings of the Shima:

Blessed are you God, King of the world, forming light and creating darkness...

Blessed are you God, King of the world, with His word He sunsets the evenings...with understanding He changes times, and exchanges the moments...creating day and night, You expire day and bring night, and divide between day and night...

These blessings emphasize light and darkness, day and night. There are many purposes to God's creations. Light and darkness teamed with Earth spinning on its axis and revolving around the sun affect temperature, weather, and seasons. But perhaps man is affected also psychologically by the phenomena of "day" and "night": God giving alternate names to light and darkness—"day and night"—suggest an additional concept...

Day and Night

God wished a unique reality to exist, to affect man's emotional makeup, and ultimately his soul. These purposeful divisions of time are not simply light and darkness, but "day and night." What is the difference? Light and darkness are ocular phenomena: biological perceptions. However, day and night reflect man's attitude of ambition and rest respectivelv.

The present is man's reality. Man attributes greater reality to the "now" which he senses, than to the past or future that do not exist.

Man infuses ambition into his present. He is driven naturally to sustain himself, and to preserve and dignify his life. "Day" provides that screen onto which man projects his hopes and dreams and realizes his ambitions. If day were to never cease, if night never came, man might never recoil from his pursuits. Day regularly transitioning into night forces man's realization of the passing of time from days, to weeks, to months and to years. Initially, mankind enjoyed lifespans nearing 1000 years which fostered an invincibility that fed their arrogance and violence and disregard for others. God terminated those generations of evildoers with the Flood. And by then reducing man's stature and longevity, immortality fantasies were dashed. Grasping time's passing is a blessing. Perhaps the very design of day and night are integral to God's plan for the Earth—a domain created for man to perfect himself. Day and night are a ticking clock that enables man to release himself from immortality fantasies, realizing this world's Designer and humbling himself before His will, for man's own good.

When I behold Your heavens, the work of Your fingers, the moon and stars that You set in place, what is man that You have been mindful of him, mortal man that You have taken note of him? (Psalms 8:4,5).

King David marveled at the heavens. There is a vast humiliating contrast: heaven's endless expanse dwarfs earthbound man. Even one as great as King David—the author of the most brilliant poetic praises—was speechless when beholding this contrast and man's insignificance. He couldn't describe the discrepancy, and simply questioned, "What is man?" God also named the firmament "heaven", perhaps due to its role of impressing man into a state of awe for its Creator.

Land and Seas

In addition to the passing of time to which man is alerted by the relentless transition of his days into nights, the ideas of confinement and subjugation also present themselves. Man's domain is limited to Earth, not heaven. Even on Earth, man is somewhat confined to dry land versus the sea. And on dry land, night confines man. Perhaps this is so significant, God named these phenomena alone. In other words, with these names "day," "night," "heavens", "land" and "sea," God highlighted Earth's purpose—man—who should subju-

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gate himself to God. Man is confined to his quarters on Earth, not in the heavens, only on land and not at sea, and his actions too are confined to day and not night, a psychologically different realm of time when man's ambitions are calmed and constrained. Man is restricted: geographically, heaven and sea confine him. He can't halt time—day and night are relentless. God created time; it plays a central role in perfecting man. Time is fleeting. Time is limited. Ultimately, youth transforms into old age...life ends with death. God's earthly phenomena are designed to steer man towards reality. "In the beginning, God created heaven and Earth" describes divinely-set boundaries. Man must choose what is the most precious use of his passing time. Genesis' commencing words lay the foundation and purpose of creation.

"IN THE BEGINNING, GOD CREAT-ED THE HEAVEN AND THE EARTH."

This can be read as follows:

"IN THE BEGINNING, GOD CON-FINED MAN SO HE MIGHT REDI-RECT HIS FOCUS ON HIS SOUL."

God gave names—"day," "night," "heavens," "land" and "seas"—to highlight the imposed passing of time and geographical boundaries, the duration and location of human existence. These phenomena focus man on a world he can't control but that controls him and forces his realization of the world's Creator. The Rabbis recognized the significance of God commencing His Torah with these phenome-

na, that they formulated our prayers to again reiterate these lessons:

Blessed are you God, King of the world, forming light and creating darkness...

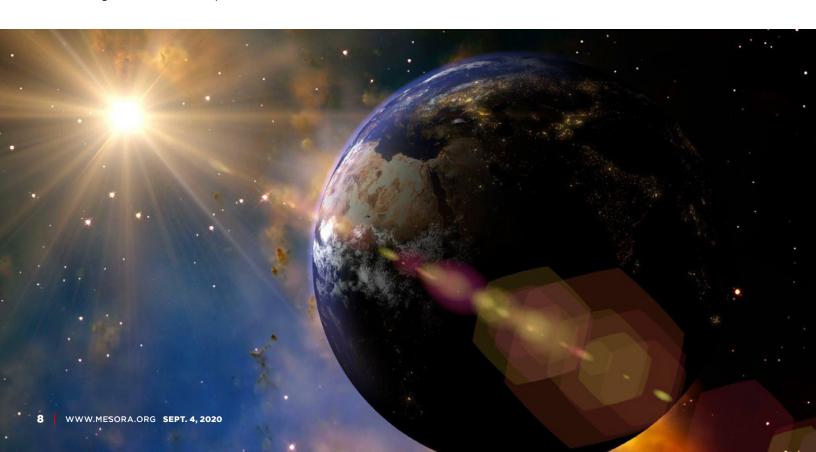
Blessed are you God, King of the world, with His word He sunsets the evenings...with understanding He changes times, and exchanges the moments...creating day and night, You expire day and bring night, and divide between day and night...

With "day," "night," "heavens," "land" and "seas" God named these—and not other creations—to focus man on the purpose of creation, and our purpose in life. The limit on the time to fulfill our ambitions (daytime/lifetime) and our geographical confinement (land/earthbound) intend to divert our attention away from the physical—time and space—and steer us towards Torah and perfection, matters of the soul. The physical serves only to enable the perfection of our souls.

Ibn Ezra said, "God gave 5 things names for man wasn't existing yet: light, darkness, heaven, Earth and the seas, and so too man" (Gen. 1:8). Perhaps with "so too man," Ibn Ezra means either that man too referred to these 5 by these names, or that God named humans too: "Male and female He created them, and He called their name 'man' on the day He created them" (Gen. 5:2). Either explanation relates man to these 5 phenomena, indicating that their names were given as a lesson to man.

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geographical confinement (land/earthbound) intend to divert our attention away from the physical—time and space—and steer us towards Torah and perfection, matters of the soul. The physical serves only to enable the perfection of our souls.



Where Shall Torah Be Fulfilled?

RABBI REUVEN MANN

his week's parsha, Ki Tavo, describes the special mitzvot that apply in the Land of Israel. For example, the requirement of bikkurim mandates that a person must bring samples of his crops to the Kohen who ministers in the Holy Temple, and this can only be fulfilled in Israel.

After depositing the first fruits with the Kohen, the donor orally testifies that Hashem has removed us from the servitude of Egypt and brought us to a goodly land that "flows with milk and honey." He thus affirms that our right to this land stems from Hashem's selection of the Jews to be His people who study and fulfill His Torah.

The land of Israel is not just a place for the Jewish people to live, but actually plays a vital role in performance of the commandments. The Ramban (Nachmanides) elucidates this fundamental concept by addressing Yaakov's marriage to two sisters, Leah and Rachel. According to Torah law, one may not marry his wife's sister while both are alive (one may marry his sister-in-law after his wife has passed away). Yaakov's marriage to Lavan's two daughters took place long before the Torah was revealed on Mount Sinai, and presumably the prohibition was not yet in effect. However, it is the view of Ramban and other great Rabbis that our forefathers were aware of the Torah's commandments through prophecy, and they maintained them on a voluntary basis.

If indeed Yaakov voluntarily bound himself to observing the mitzvot, how could he have violated the one that prohibits marrying two sisters? The Ramban's answer is challenging and thought-provoking. He maintains that the Avot (Patriarchs) did practice the mitzvot, but only when they were located in Eretz Yisrael. Yaakov's marriages to Rachel and Leah took place in the land of Haran and therefore did not constitute a Torah violation.

This doctrine is difficult to comprehend. If the Torah represents Hashem's directions for achieving ethical and moral perfection, what difference would it make where one resides? Indeed, our history is replete with great Jewish communities around the world that excelled in all areas of religious and secular achievements. Some of the greatest Torah writings were composed by great luminaries who never set foot in the Holy Land.

Yet the Ramban goes so far as to assert that the only reason we must keep the Torah while in Exile is so we will be ready and able to practice it when we return to Israel. This conveys the impression that there is no inherent benefit in observing the commandments outside



of our homeland, except that we must retain a state of religious "readiness" for the moment of our anticipated return. How are we to understand this? What is the uniqueness of keeping the Torah in the Land of

The Prophet Ezekiel had a fascinating perspective on Jewish redemption. He prophesied that Hashem would rescue the Jews from their dispersion and restore them to their ancient homeland, "not for your sake will I do this, but for the sake of My Holy Name, which you have desecrated among the nations to which you came."

According to Ezekiel, the very fact of Exile desecrates Hashem's Name, because it causes the gentiles to believe that G-d has broken His Covenant with the Jewish people and abandoned them. It is Hashem's Will that all mankind, Jew and gentile, should know and serve Him. Thus, a situation that causes people to deny Hashem cannot be tolerated indefinitely.

The Exile must be terminated to cancel the desecration of G-d's Holy Name. Hashem must demonstrate that the Jews are still His people by returning them to the Promised Land. It is only there, where they will observe the Torah on its highest level of wisdom and moral perfection, that other countries will take note that this is a "wise and discerning nation."

Our purpose in fulfilling the Torah is to become a "light unto the nations." This cannot be accomplished while we are a minority in a strange land whose culture is essentially foreign to the ideals of Judaism.

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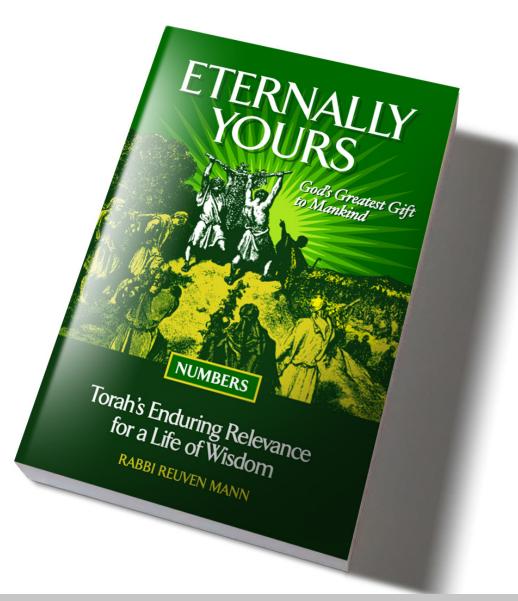
It is only in Israel, where we have the potential to forge a new type of society rooted in wisdom, justice, and compassion that our Torah observance can attain its ultimate objective. That, I believe, is what the Rabbis meant when they asserted that the essential performance of mitzvot is in the land Hashem gave to us. May we merit to be part of this glorious kiddush Hashem (sanctification of Hashem).

Shabbat shalom.

Dear Friends,

In this time of "social isolation," we should seek ways to avoid boredom by staying occupied with meaningful activity. The world of virtual reality allows us to stay in touch with friends and attend all kinds of classes available online.

But that can only take you so far. Comes Shabbat and Yom Tov, and you need books, especially on the parsha. I personally recommend Eternally Yours on Genesis http://bit.ly/EY-Genesis and Exodus http://bit.ly/EY-Exodus, and my newest one on Numbers http://bit.ly/EY-Numbers2. They are easy to read, interesting, and thought-provoking conversation starters. I am especially interested in your feedback and hope you can write a brief review and post it on Amazon.







Mitzvah: When it Serves No Purpose

RABBI ISRAEL CHAIT

WRITTEN BY A STUDENT

he Mishnah (Succah 25a) teaches the principle of "Osek b'mitzvah, pattur min hamitzvah; One engaged in a mitzvah is exempt from other mitzvahs." Rabbeinu Nissim (RIF pg. 11a "Ika Limaydak") explains that we do not apply this exemption to one wearing tefillin, who is then approached by a poor man for money: wearing tefillin does not exempt him from the mitzvah to give charity. This case is contrasted to another: a few rabbis were en route to visit their leader, which is a mitzvah. The Succos holiday coincided with their journey, which exempted them from dwelling in a succah. Why are these men exempt? Let them stop, build a succah, and continue their journey. What are the rules in applying the principle "One engaged in a mitzvah is exempt from other mitzvahs?"

Rabbeinu Nissim distinguishes these two cases. Wearing tefillin is considered "fulfilling" (mikayame) the mitzvah, but passively, unlike those on a journey which is an "active engagement" (osek) in mitzvah. Rabbeinu Nissim formulates his reasonina:

Whomever is involved in God's work, Torah does not burden him to fulfill other mitzvahs, even though it is possible to perform both.

The key phrase is "involved in God's work." Rabbeinu Nissim means that man's purpose is "awareness of God." Once man is actively engaged in a mitzvah, he is aware of God and another mitzvah is thereby made obsolete. The engagement in mitzvah prevents another Torah obligation from devolving upon the person. Even at night, those travelers are exempt from succah, as Rabbeinu Nissim says, "they are called (mikru) involved in mitzvah." He says, they are "called" because they are not actually traveling at night. Nonetheless, they have the "designation" as those engaged in mitzvah. Designation is different from actual performance, but it exempts equally.

Rabbeinu Nissim continues (Ibid., following commentary "Umihu"):

> If the second mitzvah can be fulfilled with no deviation in performing the first, and with no toil [like the tefillin case above] then one must certainly perform the second mitzvah too [giving charity to the poor man].

In this case, it would be a degradation to the mitzvah (bizuy mitzvah) of charity to abstain from charity when nothing prevents him. Wearing tefillin can be performed in an uncompromised manner, even while giving charity. But when those traveling to see their leader or rebbe didn't fulfill succah, there is no degradation of the mitzvah of succah. They were involved in mitzvah, there is toil to build a succah, so they were exempt.



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