



HaRav Shaul Israeli zt"l  
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# HEMDAT YAMIM

## PARASHAT HASHAVUAH

Balak, Tamuz 17, 5772

### The Separation Between Money and Torah

Harav Yosef Carmel

The hiring of the sorcerer, Bilam, to, as it turns out, bless Bnei Yisrael raises the issue of taking money to do *mitzvot* and supply religious services. On one hand, such a practice certainly cheapens the value of the *mitzva* and turns something spiritual into something to which one can 'attach a price tag.' On the other hand, rabbis and their families also have to visit the grocery, and it is helpful to have some money in hand when doing so. This also brings us to the question of living stipends for students in *yeshivot* and *kollelim*. We will try to extract insight and guidance from our *parasha* and a parallel passage in *Tanach*.

Bilam led Balak to believe that he was not willing to acquiesce to Balak's request because Balak had not offered him enough honor and money, and this is a sign that he had great worldly aspirations. On the other hand, Bilam's explicit words on the matter provide an inspiring message: "If Balak will give me a house-full of gold and silver, I will not be able to transgress the word of Hashem" (Bamidbar 22:18).

After three failed attempts to curse Bnei Yisrael, Balak told Bilam: "Now, run away to your place. I told you that I would honor you, but Hashem has prevented you from receiving honor" (Bamidbar 24:11). Bilam reminded Balak that he had said that no amount of money would enable him to go against the word of Hashem.

Balak's statement reminds us of a similar statement made by another wicked person, Amatzia, the priest of the forbidden worship in Beit El, where the prophet, Amos, went to warn of the destruction of the Kingdom of Israel. Amatzia told him: "Run away to the Land of Yehuda and eat bread there and there prophesy" (Amos 7:12). What he was telling Amos was to go prophesy in a place where he would be able to make money doing so, not in Beit El where his words were not appreciated, to say the least. Amos' answer is curious: "I am neither a prophet nor the son of a prophet, rather I am a herdsman and one who examines sycamores, but Hashem took me away from the herds and said to me: 'Prophesy to my nation, Israel'" (ibid. 14-15). Amos' answer was more profound than Bilam's: he was saying that money has nothing to do with his spiritual work, as his livelihood was work in the field.

On this backdrop let us suggest the following guidelines for the rabbinic world. One who serves in a rabbinic position should suffice with his set salary and not request and perhaps even turn down money for additional *mitzvot* that he gets involved in. Someone who studies Torah and is willing to sacrifice his comforts in order to grow in Torah should accept upon himself that while learning he should set aside significant time for activity on behalf of the community. Likewise he should accept the responsibility that after his studies, he will dedicate years to giving back to the *Am Yisrael* from that which he was able to attain during his studies. When possible, the highest level is to do what Amos did and not make a livelihood from his Torah studies at all.

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# Ask the Rabbi

by Rav Daniel Mann

**Question:** Please explain the sources in the Torah and halacha for the custom to make a *seudat hodaya* (meal of thanksgiving) following recovery from a serious illness or surgery.

**Answer:** One of the *korbanot* the Torah describes is a *Korban Todah* (sacrifice of thanksgiving) (Vayikra 7:12). However, the Torah does not say when one offers it. The *gemara* (Berachot 54b), in the context of *Birkat Hagomel* (blessing after surviving dangerous situations), says that the “survivors” of four situations have to give thanks: a voyage at sea, traversal of the desert, illness, and captivity. The *gemara* demonstrates how each of these situations is described in Tehillim 107, the *mizmor* that deals with thanks after being saved from difficult situations. Even at the time of the *Beit Hamikdash*, it appears that people such as these were not obligated to bring a *Korban Todah*. Rather those are among the appropriate situations to volunteer one (see Rashi, Vayikra 7:12 and a thorough presentation in Nishmat Avraham, Orach Chayim 219:1).

Eating is a major element of the *Korban Todah*. This *korban* included 40 loaves of meal-offering, 36 of which were to be eaten. The Abarbanel and the Netziv (both on Vayikra 7) famously explain that the Torah required a lot of eating in a short amount of time to encourage the thankful person to bring together many people where he would hopefully give proper public thanks to Hashem.

What do we do without a *Beit Hamikdash* to bring a *Korban Todah*? The Rosh (Berachot 9:3) and the Tur (OC 219) say that *Birkat Hagomel* was instituted in place of the *Korban Todah*. While the simple reading is that *Hagomel* is an obligatory *beracha*, the Magen Avraham (beginning of 219; Pri Megadim, ad loc. disagrees) suggests that it might be optional. In any case, it provides a defined opportunity to thank Hashem publicly (it must be recited before a *minyan*, preferably including two distinguished people- Shulchan Aruch, OC 219:3).

Whether or not the *Korban Todah* or *Birkat Hagomel* is obligatory, a *seudat hodaya* for being saved from dangerous illness is certainly not obligatory. This may explain its absence from explicit discussion in most classical works (including the Shulchan Aruch). However, significant sources provide precedent and support for the idea of doing something more than saying *Hagomel*, including a *seuda*. The Mishna Berura (218:32, in the name of “*Acharonim*”) says that one who was saved from possible death (apparently even if the salvation was natural) should do the following. He should set aside money for *tzedaka* and say that he wants it to be considered as if he spent the money on a *Korban Todah*, donate things that help the public, and on every anniversary find a special setting to thank Hashem, be happy, and tell His praises. Certainly, a *seudat hodaya* is an appropriate setting for it, but it is not part of a set formula.

The *gemara* (Berachot 46a) tells that when Rabbi Zeira was sick, Rabbi Avahu promised that if he recovered, Rabbi Avahu would make a festive meal for the rabbis, which, *baruch Hashem*, occurred. Some say that not just the meal but the promise to make it is significant, as the promise of such an event if the sick person recovers is a *segula* (good omen) for the recovery (see Gilyonei Ephrayim, ad loc.). This would evidently only work if the *seuda* of that nature is desirable. The Chavot Yair (70; see also Pri Megadim, Mishbetzot Zahav 444:9) in discussing different meals that are a *seudat mitzva*, mentions the *seuda* after being saved from danger. While some *seudot mitzva* are obligatory, many are not but are positive ways to give prominence to noteworthy events.

We will end off on a *hashkafic* note. Rav S.Z. Auerbach explained (see Mizmor L'todah (Travis) p. 185) that by eating in the context of thanksgiving to Hashem one expresses the following idea. A person should know and show that the goal of life and the physical world that he is enjoying after his recovery is to serve as a medium through which to further his spiritual life and give thanks to Hashem.

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# Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

## The Sign of When to Stop Rebuking

(condensed from Ein Ayah, Berachot 9:93)

**Gemara:** Rava said [to the dream interpreter]: I saw [in my dream] two slices of turnip. He [the interpreter] said: "You will absorb two blows with a stick [whose head looked like a turnip]. Rava went and sat in the *Beit Midrash* all day. He found two blind men who were fighting with each other. Rava went to extricate them [from each other]. They hit Rava twice and raised their arms to hit him again. Rava said to them: "It is enough. I saw two."

**Ein Ayah:** There is much to be learned from the dream imagery of a scholar of Rava's level, who was focused on spiritual not material success. How could a revered, peace-loving man of such fine attributes find himself in a situation of being hit, and not by one person but by two enemies of each other?

The blows that someone of Rava's stature "ingests" are like food for him. However, it is not very nutritionally laden "food" for the spirit but just "like vegetables." The stick is thus reminiscent of slices of turnip. It has some value in that it gives experience to a person to distinguish between those things he would like to tell others that are likely to be accepted and those that will not. He thus learns when to give rebuke and guidance to others.

In any case, how did Rava, who, we are told, spent all day in the *beit midrash*, become subject to a beating? The story hints at the answer: the quarrelers were blind. Rava, with pure intentions, wanted to make peace between them. However, they, not being able to recognize him or the type of person he was, got angry at Rava for trying to stop their fight, which they were set on continuing, and thereby became enemies of Rava.

This serves as a parable for the common occurrence of people who have blind hearts, with each side seeing the truth only of his own extreme position. Since each is blind to a rational look at the truth, he hates anyone who wants to make peace between him and the one he opposes.

When the wise man sees that his attempt at peace-making is not being well-received, to the extent that the combatants are now hitting him, he decides to apply the rule that one should not say something that will not be accepted. That is why Rava said that two is enough. This message is particularly pertinent for someone like Rava, who, as a *dayan* and rabbinic leader in the city of Mechoza, felt that he was hated by many townspeople (Ketubot 105b). This connects to the statement that if a rabbi is too popular in his city it is not because he is a good rabbi but because he does not rebuke them as he should in spiritual matters.

Therefore, the dream together with the occurrence impacted Rava. It is not intrinsically good for a scholar to remain silent when there is what to protest. However, silence may be necessary, and it also lends a special standing to those statements that the people can accept. Therefore, it is like vegetables, which do not provide all the nutrients one needs but can suffice in a place where there is no meat and fish.

Without a compelling event to teach him the lesson, it is hard for someone of a noble heart to remain passive when there is a conflict between "blind people," where one feels that if they just realized that their blindness was the cause of the conflict, precious peace could have been achieved. However, experience shows that it is not always possible to prevent wrong things. Rava felt at the point that one halachic opinion states is limit of rebuking: until people come to hit the one who rebukes (see Arachin 16b). The point was brought home when both blind people, who Rava wanted to spare pain, wanted to hurt him. Then Rava realized that he had to overcome the feeling that pushed him to act.

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## The Picture of Competition – part I

(condensed from Hemdat Mishpat, rulings of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The defendant (=def) photographs weddings and events. A few years ago he sought to expand his business and offered the plaintiff (=pl), a beginner photographer, to be a manager and partner, on condition of pl's commitment not to compete with him in the future. Pl refused but did start working for def as a hired photographer. Months later, def again asked pl to be his partner, and they started the arrangement on a trial basis. Over the next two years, pl played a dominant role in the business, especially in terms of dealings with clients and suppliers. The relationship soured when def bought, against pl's advice, expensive equipment that complicated the work, and soon thereafter pl started working on his own. Def lost money and closed the business, blaming pl's competition in a saturated market. Pl is suing def for pay that was due to him from the time he worked with def, and def is counter-suing, claiming that money pl received was based on false pretenses, as pl had committed not to compete with def. Pl said that the second time the matter of not competing did not come up, whereas def is sure it did and says that anyway it was clear from the past that this was a condition of his. Def also claims that as a partner in the business, pl should assume some of the business' losses.

**Ruling:** [Last time we concluded that def had to prove that he made the partnership conditional on future non-competition, which he did not succeed in doing.]

Def cannot demand money for training pl. Pl improved his photographic skills "on the job," which is normal for workers and does not obligate an employer to pay his employer, as def still gained from pl's existing expertise.

Regarding def's claim that pl's competition effectively closed def's business, the Shulchan Aruch (Choshen Mishpat 156:5) says that one cannot prevent another from opening a competing business. On the other hand, it is forbidden to take actions to attract set customers from an existing business (Chatam Sofer V, CM 79). Therefore, if def would continue his business, it would be forbidden (perhaps as a Torah-level prohibition) for pl to offer his services to people whom he met through his work for def (see Bemareh Habazak V, 120-121).

Pl left the business legitimately, as there were professional disagreements and there are no signs of trickery. There also was not an objective reason that forced def to close his business. Rather, the feeling that pl betrayed him caused def to react in a way that led to closure; def could have avoided it.

Had def continued with the business, some of the customers for whom he works should have been directed back to def. However, since def closed the business, he cannot claim damage from the fact that former clients now employ pl. However, *beit din* feels that pl should realize that his gain from his association with def continues. Therefore, *beit din* urged pl to withdraw his suit for back pay, which pl agreed to do.

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