

אגרת תימן
הנקרא פתח תקורה
להרמב"ם ז"ל

Igeret Teman ha-nikrah Petah Tikvah (letter to Yemen called Gate of Hope) Hanau, 1715.

The letter was written by Maimonides at about 1172 C.E. to the Jewish community of Yemen. They had written to him requesting advice and guidance at a time of persecution and upheaval. His response gave them hope and encouragement and Yemenite Jewry has maintained a special bond with Maimonides to this day.

Dedicated to Scriptural and Rabbinic Verification of Authentic Jewish Beliefs and Practices

1997
2007
10
YEARS

JewishTimes

Volume VII, No. 27...May 16, 2008

WWW.MESORA.ORG/JEWISHTIMES

Download and Print Free

IN THIS ISSUE

PARSHA: BEHAR	1-4
13 PRINCIPLES	1,5,6
PARSHA: BEHAR	7

SUPPORT THE JEWISHTIMES

EDUCATING 10,000S WORLDWIDE



WWW.MESORA.ORG/DONATE

CANDLE LIGHTING 5/16

Boston	7:41	Moscow	8:19
Chicago	7:46	New York	7:48
Cleveland	8:21	Paris	9:08
Detroit	8:29	Philadelphia	7:51
Houston	7:49	Phoenix	7:04
Jerusalem	7:11	Pittsburgh	8:11
Johannesburg	5:11	Seattle	8:22
Los Angeles	7:29	Sydney	4:46
London	8:28	Tokyo	6:21
Miami	7:41	Toronto	8:18
Montreal	8:00	Washington DC	7:56

Weekly Parsha

Behar

RABBI BERNIE FOX

“And Hashem spoke to Moshe at Mount Sinai saying: Speak to Bnai Yisrael and say to them, “when you come to the land that I am giving to you, you should

(continued on next page)

Fundamentals

MAIMONIDES'

13

PRINCIPLES

MAIMONIDES

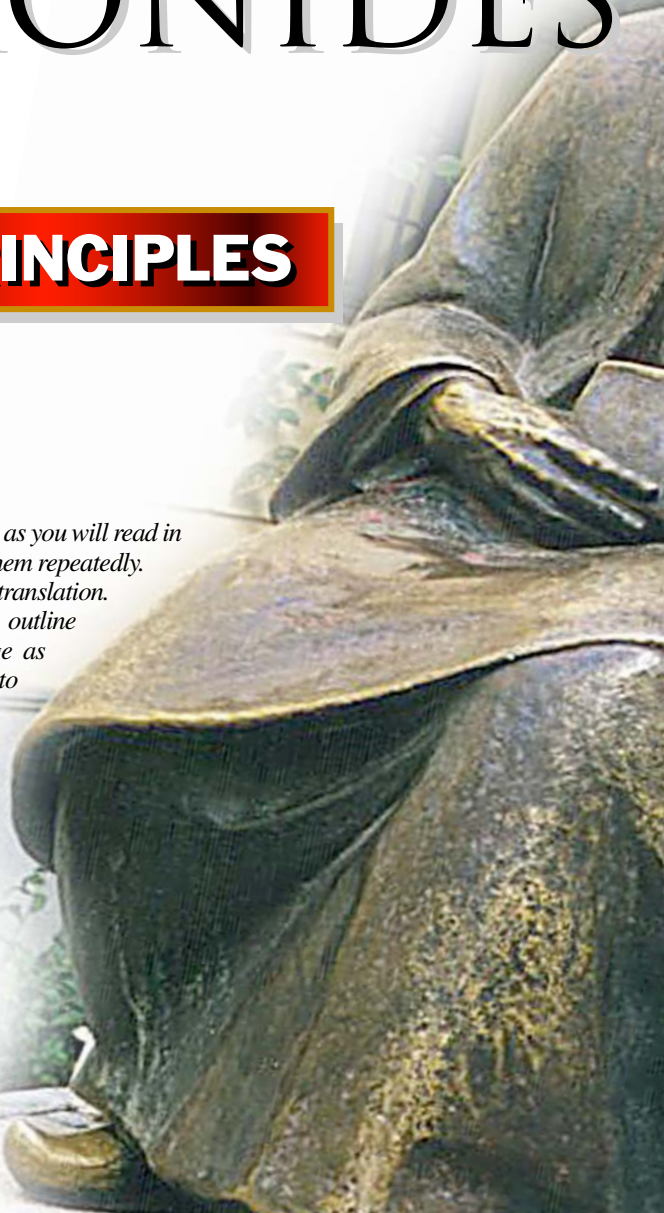
Due to the vital importance of these principles, as you will read in Maimonides' closing remark, we need to study them repeatedly. I thank Marc Mermelstein for his efforts in this translation. These 13 Principles compiled by Maimonides outline Judaism's tenets, which one must acknowledge as truths in order to be considered a Jew, and to partake in the World to Come. (To read the original Hebrew, see the end of Talmud Sanhedrin, Maimonides' commentary on the Mishna.)

The 13 Foundations of Judaism

Principle I. To know the existence of the Creator

To believe in the existence of the Creator, and this Creator is perfect in all manner of existence. He is the cause of all existence. He causes them to exist and they exist only because of Him. And if you could contemplate a case, such that He was not to exist...then all

(continued on page 5)



(Behar cont. from pg. 1)

Weekly Parsha

JewishTimes

Weekly Journal on Jewish Thought



The JewishTimes is published every Friday and delivered by email. Subscriptions are FREE. To subscribe, send any email message to: subscribe@mesora.org

Subscribers will also receive our advertisers' emails and our regular email announcements.

Contacts:

We invite feedback or any questions at this address: office@mesora.org
Ph(516)569-8888 Fx(516)569-0404

Advertising:

<https://www.Mesora.org/Advertising>

Donations:

<https://www.Mesora.org/Donate>

Content at Mesora.org:**JewishTimes Archives:**

<http://www.Mesora.org/JewishTimes>

Philosophy Archives:

<http://www.Mesora.org/Philosophy>

Weekly Parsha Archives:

<http://www.Mesora.org/WeeklyParsha>

Audio Archives:

<http://www.Mesora.org/Audio>

Interactive, Live, Audible Sessions:

<http://www.Mesora.org/TalkLive>

Database Search:

<http://www.Mesora.org/Search>

Articles may be reprinted without consent of the JewishTimes or the authors, provided the content is not altered, and credits are given.

rest the land. It is a Sabbath to Hashem. You may sow your field for six years, and for six years you may prune your vineyard, and gather in its produce. But in the seventh year, the land shall have a complete rest a Shabbat to Hashem. You shall not sow your field, nor shall you prune your vineyard.” (VaYikra 25:1-4)

Our parasha discusses the laws of Shemithah. The Shemithah year occurs in the Land of Israel every seven years. Shemithah is a Sabbatical Year. The land cannot be worked. The produce that is produced without cultivation is shared by everyone. Our passages are the source for the negative commandment prohibiting working the land during the Shemithah year. In addition to this negative mitzvah, a positive mitzvah obligates us to rest the land during the Shemithah year. Specifically, this positive commandment prohibits us from plowing the land, planting crops, and harvesting any produce.

Are women obligated in this positive mitzvah? Generally, women are not obligated in positive commandments that are related to a specific period of time. Maimonides explains this principle in his code of law – Mishne Torah. Before we consider his comments a brief introduction is necessary.

The Torah includes positive and negative mitzvot. Positive commandments generally require a performance. This performance may be very concrete – for example, to give charity. Other positive commandments are more abstract. The mitzvah to rest the land during the Shemithah year is an example of this type of positive command. The mitzvah does not require a concrete performance. It requires that we place the land in a state of rest. Negative mitzvot prohibit some activity, behavior or attitude.

Maimonides explains that both men and women are obligated in the observance of virtually all negative commandments. However, men and women have different responsibilities in regard to positive mitzvot. Maimonides explains that positive commandments can be divided into two groups. Some of these commandments are “constant” and are not related to a specific time. Generally, men and women share the same obligation in regard

to these commandments. However, other positive commandments only apply “from time to time”— in other words – at a specific moment in time. Generally, women are exempt from these commandments. Of course, there are exceptions. There are instances in which a mitzvah only applies at a specific time but the Torah clearly states that women are obligated in its observance.[1]

Maimonides’ presentation requires some clarification. He divides positive commandments into two groups: those that are “constant” and those that only apply “from time to time.” The exact meaning of this distinction can be easily misunderstood. There are many commandments that seem to only apply from time to time but Maimonides



includes them among those that are constant. For example, if a person owns a home with a flat roof, he must place a barrier around its perimeter in order to prevent someone from falling from the roof. Is this a constant mitzvah or a mitzvah that only applies from time to time? One might reasonably argue that this commandment only applies from time to time. A constant mitzvah requires ongoing observance. For example, we are required to accept that Hashem – the cause of all existence – exists. We must constantly accept this truth. But erecting a parapet only applies in the specific situation of having a

house with a flat roof. This situation occurs on occasion. It is not constant. However, this analysis is incorrect. Maimonides regards the commandment to erect a parapet as a constant mitzvah. What is his reasoning?

Maimonides maintains that although this commandment does not require an ongoing performance, it is not associated with a point in time or a cycle of time. At any time that the relevant situation occurs – having a home with a flat roof – the mitzvah must be performed. Maimonides’ meaning is clearer if we contrast this mitzvah to another that he does categorize as applying from time to time. The mitzvah or reciting the Shema is performed in the morning and evening. This mitzvah is associated with points in time. In short, constant mitzvot are those that can occur and be performed at any time – even if specific conditions must exist. Mitzvot that occur from time to time are not

(continued on next page)

(Behar continued from page 2)

Weekly Parsha

merely occasional. These are mitzvot that are associated with a point in time or a cycle of time.

We can now consider an initial question. Are women obligated in the observance of the positive commandment to rest the land during the Shemita year? Based on the above analysis, we should conclude that they are not obligated in this mitzvah. Resting the land during the Shemita year is a positive commandment that is associated with time. It seems to meet the definition of a commandment that occurs from time to time. In fact, Maimonides seems to support this ruling. In his Mishne Torah, after explaining that women are exempt from positive commandments that occur from time to time, he lists those mitzvot that are exceptions to this rule.[2] This list does not include resting the land during the Shemita year. Therefore, it seems that he rules that women are obligated in this mitzvah.

However, this conclusion is questionable. Maimonides never actually states that women are exempt from this commandment. Furthermore, he seems to imply that they are included in the commandment. In his Sefer HaMitzvot, Maimonides provides a brief description of each of the six hundred thirteen commandments. In each instance in which he describes

a commandment from which women are exempt, he notes the exemption. In describing the mitzvah to rest the land during the Shemita year, he does not indicate that women are exempt from the commandment.[3] This implies that they are actually obligated to observe the mitzvah.

In summary, women are exempt from most mitzvot that are associated with time. There are exceptions. Maimonides lists these. He does not include observance of Shemita among these exceptions. Nonetheless, it seems that he does rule that women are obligated in this mitzvah. Why are they obligated in this mitzvah? Furthermore, why is this mitzvah not listed among the exceptions?

Sefer HaChinuch generally adopts Maimonides' position. He rules that women are obligated in the positive commandment to observe the Shemita year.[4] Minchat Chinuch discusses Sefer HaChinuch's position and offers two possible explanations for the inclusion of women in this mitzvah. His first explanation requires some additional information. As noted, the Torah commands us to rest the land on the Shemita year. This is a positive commandment. However, Shemita is one of the few instances in which a specific

behavior is the subject of a positive and a negative mitzvah. In this case, in addition to the positive commandment to rest the land, the Torah also legislates a negative mitzvah to not work the land during the Shemita year. In other words, if a person works the land during the Shemita year, two mitzvot are violated. The positive commandment to rest the land is violated and also the negative mitzvah to not work the land is violated.[5]

Minchat Chinuch suggests that in an instance in which a positive commandment legislates the same behavior that is prohibited by a negative commandment, the positive commandment applies to women – even if the positive commandment is associated with time. In our instance, women are obligated in the negative commandment to not work the land during the Shemita year. Therefore, they are also obligated in the positive commandment to rest the land during the Shemita year.[6]

Before considering how well this answer responds to our questions on Maimonides' position, let us analyze this approach more carefully. Why should women be obligated in a positive commandment associated with time if this commandment is accompanied by a negative commandment legislating the same behavior? After all, the negative commandment is separate from the positive commandment. Why does the existence of this negative commandment obligate women in the positive commandment as well?

In order to answer this question, we must analyze more carefully the principle that exempts women from positive commandments associated with time. There seems to be two ways to understand the nature of this exemption. One possibility is that these commandments represent a class of obligation that does not apply to women. In other words, because the commandments only apply from time to time they are somehow less fundamental. As a consequence of this status they do not extend to women. The second possibility is that these commandments are no less fundamental than other commandments. However, a woman's time has a special status and cannot be restricted by a positive mitzvah. Therefore, women are exempt from any positive commandment that creates a restriction on her use of her time.

Minchat Chinuch seems to accept this second possibility. Women are obligated in the negative commandment to not work the land during the Shemita year. The positive commandment to rest the land during the Shemita year does not create any additional

(continued on next page)

MESORA

Talk LIVE

FREE LIVE & AUDIBLE INTERACTIVE CLASSES

→ NEXT CLASS: SUN MAY 18TH 11:15 AM EASTERN ←

WHAT DOES IT MEAN TO BE HOLY?

- HOW IS THIS DIFFERENT THAN FOLLOWING COMMANDS?
- WHY IS THIS IMPERATIVE ITS OWN TORAH PARSHAH?

FOR TEENS & ADULTS

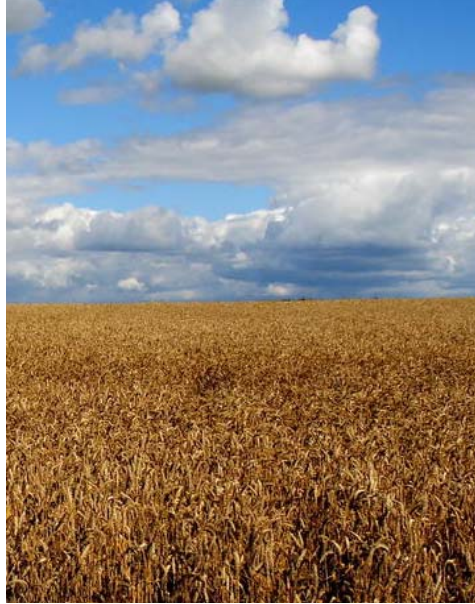
Join Here Free:
www.Mesora.org/TalkLIVE

restriction upon her time. The positive commandment merely legislates a behavior already required by the negative commandment. According to the second interpretation, women are obligated in this positive commandment. It is associated with time. But because the positive mitzvah deals with a period of time that is restricted through the negative commandment not to work the land, the positive commandment does not further restrict a woman's time. Therefore, this positive commandment – despite its association to time – will apply to women.

This answer is certainly provides a wonderful insight into the nature of the exemption of women from positive commandments associated with time. However, this approach does not completely explain Maimonides' position. According to this approach, it is reasonable that Maimonides should rule that women are obligated in the positive mitzvah to rest the land during the Shemitah year. However, as noted above, Maimonides does not list this mitzvah among the exemptions to the principle that women are exempt from positive commandments associated with time. According to Minchat Chinuch, we have identified a reason for this mitzvah's exemption from the general rule. This explains Sefer HaChinuch's ruling. However, it remains an exception that should be among those in Maimonides' list.

Minchat Chinuch offers a second explanation of Sefer HaChinuch's ruling that more thoroughly addresses the problems in Maimonides' position. He suggests that the obligation to rest the land during the Shemitah year is not a commandment associated with time. He illustrates his point by directing us to an important difference between this mitzvah and the commandment to recite Kiddush on Shabbat. Reciting Kiddush on Shabbat is a positive commandment associated with time. Maimonides includes this mitzvah among the exceptions to the rule exempting women from such commandments. These commandments – Shemitah and Kiddush – are very different from one another in their formulations. The mitzvah of Kiddush is an obligation upon the individual to engage in a performance. The obligation to rest the land endows the land with a status – it must be rested. This mitzvah is not formulated as a personal obligation.

Minchat Chinuch suggests that a positive commandment associated with time is one



that requires a personal performance at a specific time. However, the positive commandment of Shemitah does not meet this criterion. Rather than legislating a personal performance, it requires that the land be rested. It endows the land with a status for the period of the Shemitah year.[7]

This answer explains Maimonides' position more completely. Women are obligated in the positive commandment to rest the land during the Shemitah year because this commandment does conform to the criterion of a positive commandment associated with time. Furthermore, because this mitzvah is not in the category of those mitzvot from which women are generally exempt, there is no need for Maimonides to list it among the exceptions.

It is notable that resting on Shabbat is not among Maimonides' exceptions to the principle exempting women from positive commandments associated with time. According to either of Minchat Chinuch's explanations for women's obligation to rest the land during the Shemitah year, we would expect resting on Shabbat to be included in the list. It seems to be a positive command requiring a performance at a specific time – to rest on Shabbat, and women are obligated in this mitzvah.

This suggests a third possible explanation of Maimonides' position. Perhaps, Maimonides is proposing a distinction between two types of relationships with time. A mitzvah can be

associated with time either essentially or accidentally. Some mitzvot are associated with time in an accidental manner. These mitzvot require a specific performance and this performance can only be executed at a specific moment of time. Recitation of Kiddush can only be performed on Shabbat. Eating matzah can only be performed as a mitzvah on Pesach. However, some mitzvot are essentially related to time. These mitzvot endow a period of time with a special status, sanctity or character. The mitzvah to rest on Shabbat endows Shabbat with its sanctity. Similarly, the mitzvah to rest the land during the Shemitah year endows that year with its unique character. These mitzvot are not merely commanding us in a performance that must be executed at a specific time. These commandments provide specific periods of time with their unique character.

Perhaps, Maimonides maintains that women are exempt from positive mitzvot that legislate performances that must be executed at a specific time. However, mitzvot that endow a period of time with its special character apply equally to men and women. ■

[1] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Avodat Kochavim 12:3.

[2] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Avodat Kochavim 12:3.

[3] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Sefer HaMitzvot, Mitzvat Aseh 134.

[4] Rav Aharon HaLeyve, Sefer HaChinuch, Mitzvah 84.

[5] Although it is rare for a single behavior to be the subject of a positive commandment and a negative commandment, this instance is not unique. The performance of melachah – creative labor – on Shabbat is also the subject of a positive commandment and a negative commandment. The Torah commands us not to perform melachah on Shabbat. This is a negative commandment. The Torah also commands us to rest on Shabbat. Rest is defined as refraining from melachah. This is a positive commandment.

[6] Rav Yosef Babad, Minchat Chinuch, Mitzvah 326, note 1.

[7] Rav Yosef Babad, Minchat Chinuch, Mitzvah 326, note 1.

(continued from page 1)

things would cease to exist and there would remain nothing. And if you were to contemplate a case, such that all things would cease to exist aside from the Creator, His existence would not cease. And He would lose nothing; and oneness and kingship is His alone. Hashem of strength is His name because He is sufficient with His own existence, and sufficient [is] just Him alone, and needs no other. And the existences of the angels, and the celestial bodies, and all that is in them and that which is below them...all need Him for their existence. And this is the first pillar and is attested to by the verse, "I am Hashem your God."

Principle II. The unity of God

Meaning to say to accept that this is the quintessential idea of Oneness. It is not like the oneness of a pair (i.e. pair of shoes - one group) and not one like a species. And not like man that has many individual (members) nor like a body that divides into many different parts until no end (every part being divisible). Rather, God is one and there is no other oneness like His. This is the second principle and is taught in what it says, "Hear Israel, Hashem is Our God, Hashem is one."

Principle III. The denial of physicality in connection with God

This is to accept that this Oneness that we have mentioned above (Principle II) is not a body and has no strength in the body, and has no shape or image or relationship to a body or parts thereof. This is why the Sages of blessed memory said with regards to heaven there is no sitting, nor standing, no awakens, nor tiredness. This is all to say that He does not partake of any physical actions or qualities. And if He were to be a body then He would be like any other body and would not be God. And all that is written in the holy books regarding descriptions of God, they are all anthropomorphic. Thus said our great Rabbis of blessed memory, "The Torah speaketh in man's language" (i.e. using human terms to offer some understanding). And the Rabbis have already spoken at length on this issue. This is the third pillar and is attested to by the verse, "For you saw no image" meaning that you did not see an image or any form when you stood at Sinai because as we have just said, He has no body, nor power of the body.

Principle IV. God's Antiquity

This is that God existed prior to everything, and exists after everything. This is proved many times throughout scripture and is attested to by the verse, "Meuna Elokei kedem."



Principle V. That God, blessed be He is worthy that we serve Him, to glorify Him, to make known His greatness, and to do His commands

But not to do this to those that are below Him in the creation. Not to the angels or to the stars or the planets or anything else, for they are all created things in nature and in their functioning, there is no choice or judgment except by God Himself. Also it is not fitting to serve them as intermediaries to God. Only to God should you incline your thoughts and your actions. This is the fifth principle and it warns against idolatry and most of the Torah speaks out against this.

Principle VI. Prophecy

And this is that it is known to man that this (prophet) is a type of man who are created beings of great stature and perfection of the character traits. Who have tremendous knowledge until a different intelligence attaches to them when the intelligence of the person clings to the intelligence of God and it rests upon him. And these are the prophets; and this is prophecy; and the idea of it. The explanation of it is very long and the intention is not to bring a sign for every fundamental and to explain it all, encompassing of all knowledge (i.e. God's knowledge) but it is mentioned to us in a story form and all of the Torah attests to this.

Principle VII. The prophetic capacity of Moses our Teacher, peace be upon him

And this is that we accept that he was the father of all prophets that were before him and that will be after him. He was on a qualitatively different level than any other, and he is chosen from all other people before and after him of any that have any knowledge of God; for his was the greatest. And he, peace be upon him, rose to the levels of

the angels. He was granted all areas of knowledge and prophecy and his physical attributes did not diminish. His knowledge was different and it is through this difference that it is ascribed to him that he spoke to God without any intermediary or angel.

My intention was to explain this puzzling concept and to open up the sealed areas in the Torah regarding the verses of "face to face" and other similar references, but its length would be tremendous and it would require numerous proofs from the Torah and other sources and encompass many areas. Even to write it the briefest of briefest it would require 100 pages, so I will save it and write it in another book. I will now return to the intent of this seventh fundamental that the prophecy of Moses our teacher, peace be upon him, was different from all others in 4 ways:

1) Regarding all other prophets, God spoke to them through intermediaries. Regarding Moses, it was without one, as it says, "face to face I spoke to him".

2) Regarding all other prophets, prophecy came to them at night while they were asleep in a dream as it says, "in a dream of the night" and other such references; or in the day but only after a deep sleep-like state came over them, and all their senses were shut off except their thoughts. Not so by Moses. Moses would receive a prophecy any time when he would stand between the two figures [fixed] on the ark, as God attests to it, "and I will make it known to you there" and "not so my servant Moses. Face to face I speak to him."

3) When a prophet would receive prophecy he would not be able to stand the intense effect and he would shake and not be able to stand, as it relates regarding Daniel in his encounter with the angel Gabriel. Regarding Moses, he did not suffer from this. As it says, "Face to face do I speak to him as a person speaks to his friend". And even though this is the greatest connection to God, still, he did not suffer.

4) All other prophets could not receive prophecy at their will, [but] only when God desired to tell them. Some would go days or months without prophecy. Even if they wanted or needed something, sometimes it would be days or months or years or even never that they would be told [a prophecy]. Some would have people play music to put them in a good mood such as Elisha. But Moses, peace be upon him, received prophecy whenever he wanted, as it says, "Stand here and listen to what God will tell you what to do" and "God said to Moses tell Aaron your brother that he can't come to the holy of holies at any time [he wants]". Our rabbis said, "Aaron was prohibited to come whenever he wanted, but not Moses.

(continued on next page)

(continued from page 5)

Principle VIII. That the Torah is from heaven [God]

And this is that you believe that all of this Torah that was given by Moses our teacher, peace be upon him, that it is all from the mouth of God. Meaning that it was received by him entirely from God. And it is not known how Moses received it except by Moses himself, peace be upon him, that it came to him. That he was like a stenographer that you read to him and he writes all that is told to him: all the events and dates, the stories, and all the commandments. There is no difference between “And the sons of Cham were Kush, and Mizraim, and his wife was Mehatbe’el” and “Timnah was his concubine” and “I am Hashem your God” and “Hear Israel [Hashem your God, Hashem is one]” for it was all given by God. And it is all Hashem’s perfect Torah; pure, holy, and true. And he who says that these verses or stories, Moses made them up, he is a denier of our sages and prophets worse than all other types of deniers [form of heretic] for he thinks that what is in the Torah is from man’s flawed heart and the questions and statements and the dates and stories are of no value for they are from Moses Rabbeinu, peace be upon him. And this area is that he believes the Torah is not from heaven. And on this our sages of blessed memory said, “he who believes that the Torah is from heaven except this verse that God did not say it but rather Moses himself did [he is a denier of all the Torah].” And this that God spoke this and that, each and every statement in the Torah, is from God and it is full of wisdom (each statement) and benefit to those who understand them. And its depth of knowledge is greater than all of the land and wider than all the seas and a person can only go in the path of David, the anointed of the God of Jacob who prayed and said “Open my eyes so that I may glance upon the wonders of Your Torah” (Psalms 119). And similarly the explanation of the Torah was also received from God and this is what we use today to know the appearance and structure of the sukka and the lulav and the shofar, tzitzis, tefillin and their usage. And all this God said to Moses and Moses told to us. And he is trustworthy in his role as the messenger and the verse that teaches of this fundamental is what is written (Numbers 16) “And Moses said, with this shall you know that Hashem sent me to do all these actions (wonders) for they are not from my heart.”

Principle IX. The completeness of the Torah

And this is that the Torah is from God and is not lacking. That to it you can’t add or take away from. Not from the written Torah or from the oral Torah, as it says, “Do not add to it and do not take away from it.” (Deut 3). And we already explained what needs to be explained about this fundamental at the beginning of this essay.

Principle X. That God knows man’s actions and does not remove His eye from them

His knowledge is not like someone who says God abandoned the land but rather like it says (Jer. 32) “Great in council and mighty in deed, Your eyes are cognizant to all the ways of mankind.” “And God saw for the evil of man on the land had grown greatly.” (Gen. 6) And it says, “The disgust of Sodom and Amorrhah is great” and this demonstrates the 10th principle.

Principle XI. That God gives reward to he who does the commandments of the Torah and punishes those that transgress its admonishments and warnings

And the great reward is the life of the world to come and the punishment is the cutting off of the soul [in the world to come]. And we already said regarding this topic what these are. And the verse that attests to this principle is (Exodus 32) “And now if You would but forgive their sins - and if not erase me from this book that You have written.” And God answered him, “He who sinned against Me I will erase from My book.” This is a proof that God knows the sinner and the fulfiller in order to mete out reward to one and punishment to the other.

Principle XII. The era of the Messiah

And this is to believe that in truth that he will come and that you should be waiting for him even though he delays in coming. And you should not calculate times for him to come, or to look in the verses of Tanach to see when he should come. The sages say: The wisdom of those who calculate times [of his coming] is small and that you should believe that he will be greater and more honored than all of the kings of Israel since the beginning of time as it is prophesied by all the prophets from Moses our teacher, peace be upon him, until Malachi, peace be upon him. And he who doubts or diminishes the greatness of the Messiah is a denier in all the Torah for it testifies to the

Messiah explicitly in the portion of Bilam and the portion of “You are gathered (towards the end of Deut)”. And part of this principle that there is no king of Israel except from the house of David and from the seed of Solomon alone. And anyone who disputes this regarding this family is a denier of the name of God and in all the words of the prophets.

Principle XIII. Resurrection of the dead

And we have already explained it And when the person will believe all these fundamentals and his faith will be clear in them he enters into the nation of Israel and it is a mitzva to love him and to have mercy on him and to act to him according to all the ways in which God commanded us regarding loving your neighbor. And even if he did all of the sins in the Torah due to desire of the emotions, and from his physical aspect’s conquering him, he will be punished for his sins, but he still has a share in the world to come and is among the sinners of Israel. However if he rejects one of these fundamentals he leaves the nation and is a denier of the fundamentals and is called a heretic, a denier, etc., and it is a mitzva to hate him and to destroy him (financially - not physically to kill him. And not to steal either). And regarding him it is said (Psalms 139) “Behold will not the enemy of God be my enemy?”

I have expounded at length many things and I have left the topic of my composition but I have done it for I saw a need in the dealings of the fundamentals of faith and I have gathered together many different and spread out areas Therefore know them and succeed in understanding them and review them many times and know them very well [i.e. not just memorization but to understand fully and to be able to support them and know their proofs]. Therefore if after one or ten times you think you have understood them, God knows that you are just involved in falsehood. Therefore do not read them quickly because I have not written them as it suddenly entered into my mind. But rather, after a deep and careful study of the whole area and after I have seen many clear and true ideas and I have seen what is proper to believe of them [as the fundamentals] and I have brought proofs and logical demonstrations for each and every one of them. May it be God’s will that I have been correct that He helped me through this area on the good path and now I will return to my explanation of this chapter [in the Talmud]. ■

Behar & Bechukotai



RABBI DR. MICHAEL BERNSTEIN

Joyless Festivals in Israel

Rabbi Yochanan, who lived in Israel about two hundred years after the destruction of the Second Temple, was in close contact with the Jewish communities of Babylon. As quoted in the Talmud (Shabbos 145b), he wonders why the festivals are more joyous in Babylon than in Israel. And he offers a solution based on the Prophets.

Hosea prophesied (2:13), "I shall end all her joy, her festive gatherings, her new months, her Sabbaths and her festivals." Isaiah prophesied (1:14), "My soul despises your new months and holidays; they have become a burden to Me." Both prophets conveyed that there is a specific curse regarding festivals in the land of Israel.

What did Isaiah mean by "they have become a burden to me"? Rabbi Eleazar comments, "It is not enough for Israel that they sinned before Me, but they also burdened Me to determine which harsh decree I shall bring upon them." The Talmud concludes that this "burden," clearly just an anthropomorphism, causes more frequent

troubles and a general diminution of joy during the festivals in Israel.

Many questions come to mind. Why was the land of Israel singled out for a harsher decree long after the destruction of the Temple, when only a fraction of the Jewish people remained there? In what way is it a greater "burden" for God to make harsh decrees in the land of Israel? How do we define this additional sin of "burdening" God over and above the sins that lead to divine retribution in the first place? And how does this sin relate to the festivals?

The most essential aspect of the festivals is to reinforce the idea of God's continual benevolence and providence; they recall the redemption from Egypt (Passover), the giving of the Torah (Shavuot) and God's providence during the forty years in the desert (Sukkot). This providence is most manifest in the land of Israel, as we read in the second paragraph of the Shema prayer. It is there that man can achieve the closest possible relationship with the Creator.

It stands to reason that the land of Israel demands a "reverse providence" when it is not fulfilling its purpose, and so, "bad" things tend to happen in Israel. This is especially true during the festivals when, in good times, the great gathering at the Temple would have reverberated with paeans to His providence. Now, as the Temple lies in ruins, the people are banished and silence greets the festivals, it is fitting that the absence of providence be most acutely felt.

Ideally, God wants people to choose good for its own sake, without prodding by miraculous occurrences. But people tend to be wayward, and God redirects nature to produce providential events that guide them back on the right path. The Talmud characterizes this active override of the laws of nature as a "burden" on God's ultimate plan. If all that is required is a small providential nudge then the "burden" is considered small, but if a major calamity is needed in order to get their attention, they are imposing a great "burden," so to speak, on God's plan for the world.

People living in the land of Israel, the place

designated for the most manifest providence, are held to a higher standard. For them, small nudges were often not enough. They required more significant intervention and thereby caused an additional "burden." And during the festivals, when the "reverse providence" was so manifest, the "burden" was the greatest.

A Fitting Cadence

The Book of Leviticus begins with God's call to Moses to initiate the divine service and comes to a disturbing climax with the Tochachah, the dire warnings of divine retribution should the people go astray. It is a fitting place to turn the last page and open the next Book. But surprisingly, a few didactic laws regarding animals sanctified for the divine service follow the dramatic Tochachah. Why do these laws appear here? The anticlimactic conclusion diminishes the power of the reproof, distracts from the Book's theme and detracts from its message.

The very last passage of Leviticus discusses the laws of temurah, among the laws of other holy items. An animal sanctified as an offering cannot be exchanged for another. If the exchange is attempted, both animals remain in the holy domain. The Torah repeatedly stresses (27:33) that no distinction be made "between good and bad." The laws of this section teach that once an object attains holiness it must remain so unless properly redeemed.

Upon consideration, this law provides a fitting metaphor for the consolation that concludes the Tochachah, where God declares (25:24), "Even in the land of their enemies I will not cast them away, nor will I loathe them to destroy them and void My covenant with them." We see this promise etched into the structure of Halachah in the laws of temurah and other holy items. God has invested the Jewish people with sanctity by selecting them. Whether "good or bad," they cannot be exchanged or lose their higher designation. They, too, will have redemption. ■