

פרשת בהר

If you daven Mincha in Shul on Shabbos you are likely to recognize this Posuk that is taken from Sefer Tehillim (Perek 36/Posuk 7):

צְדִקְתְּךָ כְּהַרְרֵי אֵל מִשְׁפָּטְךָ תִּהְיוּם רַבָּה אָדָם וּבְהֵמָה תוֹשִׁיעַ ה':

Hashem, Your righteousness is like strong mountains; Your justice is at great depths; You, Hashem, save man and animal.

This verse, together with two others that proclaim Divine righteousness, is recited prior to *Oleinu* at Mincha on Shabbos. The obligation of their recitation is taught in Shulchan Aruch Orach Chaim Siman 292/s'if 2 and Mishna B'rurah there (s'if koton 6) explains the reason for their addition to our Mincha Tefillah on Shabbos:

צדקתך - דמתנו בו יוסף משה ודוד ולכן נהגו שלא לקבוע אז מדרש כי חכם שמת כל המדרשות בטלים וב"ח האריך להוכיח שלא מת משה בשבת רק בערב שבת ולא נגזר עד שבת במנחה בשעתא דעת רצון וכמו שכתוב בזוהר ואנו אומרים צדוק הדין עליו בזמן שנגזר ויש מפרשים דאומרים צדקתך להצדיק הדין על הרשעים שחוזרין לגיהנם במוצאי שבת:

Your righteousness – at that time of Shabbos Mincha, Yosef, Moshe and Dovid died. Therefore the custom was not to make a fixed time for learning then because when a *Chacham* dies all the fixed times are voided [so that there can be maximum participation in their funerals].

The *Bach* goes to lengths to prove that Moshe Rabbenu did not die on Shabbos – rather on *Erev Shabbos* and was buried on Shabbos at Mincha time which is a special time of *G-d's Will* to be merciful, as the Zohar writes. We say *Tzidduk HaDin* about Moshe Rabbenu at the time that he was buried.

There are those who say that we recite *Tzidkosecha* at that time for [the benefit of the] wicked who return to *Gehinom* on *Motzaei Shabbos*.

Tzidduk Ha'din is a collection of P'sukim that is recited at a funeral in which we emphasize the righteousness of HaKodosh Boruch Hu in the midst of our sorrow. It is parallel to, and an expansion upon, the Brachah of

ברוך אתה ה' א...ל'קיננו מלך העולם דיין האמת:

Blessed are You, Hashem our G-d, King of the universe, the True Judge.

The loss of these formidable personages (or their burial at this time) on Shabbos was a reason for this affirmation of our acceptance of the Will of G-d.

The Mincha-period of Shabbos is referred to as עת רצון as Mishnah Brurah writes, a time when Hashem is particularly accepting of us. And thus, according to the opinion that this צידוק הדין is recited for those whose Shabbos respite is concluding and are returning to their punishment, this צידוק הדין is also a thinly-veiled prayer for mercy.

The phrase עת רצון is taken from a verse in Sefer Tehillim (Perek 69/Posuk 14) that reads:

וְאֲנִי תַפְלֵתִי לָךְ ה' עֵת רְצוֹן אַ... לִיקִים בְּרַב חַסְדֶּךָ עֲנֵנִי בְאֱמֶת יְשׁוּעָה:

And for me, my prayer to You Hashem at the time of Your Will to be merciful, G-d with Your multitude of kindness, answer me with the truth of your salvation.

That verse is recited only once a week in our davening, at Mincha on Shabbos immediately before removing the Sefer Torah for *leining*¹.

In the *Zohar HaKodosh* (Sh'mos 83 b), the phrase עת רצון is rendered

רעוא דרעוין²

When Hashem's Will for compassion is particularly potent.

When Israel is completing its observance of Shabbos Kodesh, Hashem is particularly pleased with His People and their wishes and prayers have a unique potential.

Let us return to the Posuk with which we began and examine its meaning.

We read:

צִדְקַתְךָ כְּהַרְרֵי אֵל מִשְׁפָּטְךָ תְּהוּם רַבָּה אָדָם וּבְהִמָּה תוֹשִׁיעַ ה':

¹ Even when there is no *leining*, such as one davening without a minyan – it can be recited.

The three verses of צדקתך are also independent of a *minyan*.

² The equivalent in Hebrew is רצון שברצון.

Hashem, Your righteousness is like strong mountains; Your justice is at great depths; You, Hashem, save man and animal.

How are we to understand the verse's final phrase:

אָדָם וּבְהֵמָה תּוֹשִׁיעַ ה':

You, Hashem, save man and animal.

Metzudas Dovid writes:

אדם ובהמה - אתה ה' תושיע האדם ואף הבהמה כי על הכל תשגיח:

Man and animal – You Hashem will save man and even animals because Your Providence extends to all.

However, Radak writes:

...אדם ובהמה תושיע ה'! כי הרשע, או הכסיל, הוא כבהמה בצורת אדם...

Man and animal You Hashem will save – that is the wicked person or the fool is like an animal with the appearance of a human.³

On the one hand, a person may say that if this verse is recited for the wicked who are returning to Gehinom this may be a prayer for their salvation at the *עת רצון*, special moment as Shabbos is soon to conclude.

On the other hand, if we remember the great people of our nation, Yosef HaTzaddik, Moshe Rabbenu and Dovid HaMelech – what is the role of this verse in relationship to them?

Yosef, Moshe and Dovid personify what *odom* can be, the heights that a man can achieve. *בהמה*, animals, seems totally and completely out of context in this context.⁴

³ See Rashi there who explains the verse in a positive sense.

⁴ And this is not the only time on Shabbos when we seem to degrade some people as 'animals'.

Moshe Rabbenu was the author of Perek 92 of Tehillim, *שיר ליום השבת*, and in that chapter we read (Posuk 7):

אִישׁ בְּעַר לֹא יֵדַע וְכִסִּיל לֹא יִבִּין אֶת זֹאת:

At this point, the reader might be referring back to the title of *Parshas Behar* and wondering how this discussion is related to the title.

The fact is that an integral part of our Parsha makes this very same connection between man and animal and appears to go further than those verses that seemingly denigrate some people.

Our Parsha makes all people dependent upon wild and undomesticated creatures.

Parshas Behar deals with the laws of Shemitta and Yovel in its first sections. One of the Halachos that both Shemitta and Yovel have in common is the prohibition of working the land.

We read (Vayikro Perek 25/P'sukim 2-4):

דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תָבֹאוּ אֶל הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וְשַׁבְּתָה הָאָרֶץ
שַׁבַּת לַה': שֵׁשׁ שָׁנִים תִּזְרַע שְׂדֶךְ וְשֵׁשׁ שָׁנִים תִּזְמַר כַּרְמְךָ וְאָסַפְתָּ אֶת תְּבוּאָתָהּ: וּבַשְּׁנָה
הַשְּׁבִיעִת שַׁבַּת שַׁבְּתוֹן יִהְיֶה לְאָרֶץ שַׁבַּת לַה' שְׂדֶךְ לֹא תִזְרַע וְכַרְמְךָ לֹא תִזְמַר:

Speak to B'nei Yisroel and you shall say to them, 'When you come to the land that I Hashem give to you, the land shall cease and be a *Shabbos* for Hashem. Six years you shall sow your field and six years you shall prune your vineyard and gather its crop. In the seventh year it shall be a *Shabbos* for the land, a *Shabbos* for Hashem; do not sow your field and your vineyard you should not plow.

How do people have sustenance in the Shimitta year? The Torah (Posuk 6) says that crops that grow unattended may be consumed:

וְהִיְתָה שַׁבַּת הָאָרֶץ לָכֶם לְאֹכְלָהּ לָךְ וּלְעַבְדְּךָ וּלְאִמְתְּךָ וּלְשִׁכְרְךָ וּלְתוֹשֵׁבְךָ הַגֵּרִים עִמָּךְ:

A person who is like an animal will not know, a fool will not understand this.
That is how *Metzudas Dovid* understood the word בער:

בער - שוטה כבהמה מלשון אנחנו ובעירנו (במדבר כד⁴):

Ba'ar – a fool like an animal. This is the term used in B'midbar – 'us and our animals'.

We will learn about the verse of צדקתך in Tehillim and our conclusion will be, hopefully, that this verse is unrelated.

The Shabbos of the land shall be for you for eating, for you, for your servant and for your maidservant, for your employee and for your non-Jewish inhabitant who sojourn with you.

However, the allowance to consume Shemitta crops is not unlimited. The Torah continues in the next verse (Posuk 7):

וְלִבְהֵמֶתְךָ וְלִחַיָּה אֲשֶׁר בְּאֶרֶץ תְּהִיָּה כֹל תְּבוּאָתָהּ לֶאֱכֹל:

For your animals and for the ownerless, non-domesticated animals in your land, all the produce shall be to eat.

Rashi writes:

ולבהמתך ולחיה - אם חיה אוכלת בהמה לא כל שכן, שמזונותיה עליך, מה תלמוד לומר ולבהמתך, מקיש בהמה לחיה, כל זמן שחיה אוכלת מן השדה האכל לבהמתך מן הבית, כלה לחיה מן השדה כלה לבהמתך מן הבית:

For your animals and the ownerless, non-domesticated animals – If you can allow the ownerless animal to eat you should certainly be allowed to let your animal eat – because the Torah requires you to feed your animals.

Since it is a *kal vachomer* – why did the Torah write ‘for your animals’?

The Torah wrote it to draw a parallel between them: as long as the ownerless animal is able to forage and eat produce from the field, you can feed your animal *Shemitta* crops in your house. If the produce from the field has been finished (*koloh*), finish (*kaleh*) feeding Shemitta produce to the animals in your house.

The Torah continues and teaches that the *Shabbos* of the Land applies to Yovel and Shemitta equally. And thus we read (Posuk 12):

כִּי יוֹבֵל הוּא קֹדֶשׁ תְּהִיָּה לָכֶם מִן הַשָּׂדֶה תֹאכְלוּ אֶת תְּבוּאָתָהּ:

It is Yovel, it shall be holy for you; from the field you may eat its produce.

The implication is clear: man may eat the produce while it exists in the field for the foraging *chaya*. Once that produce is no longer available for the ownerless animal, it is also no longer available for man.

And this is what Rambam writes (Hilchos Shemitta v'Yovel Perek 7/Halachos 1-2):

פירות שביעית אין אוכלין מהן אלא כל זמן שאותו המין מצוי בשדה שנאמר ולבהמתך ולחיה אשר בארצך תהיה כל תבואתה לאכול, כל זמן שחיה אוכלת ממין זה מן השדה אתה אוכל ממה שבבית, כלה לחיה מן השדה חייב לבער אותו המין מן הבית וזה ביעור של פירות שביעית.

כיצד הרי שהיו לו גרוגרות שביעית בתוך ביתו אוכל מהן כל זמן שהתאנים באילנות בשדה, כלו התאנים מן השדה אסור לאכול מאותן שבבית אלא מבער אותן.

Fruit that is of the Shemitta year may only be eaten as long as that type is found in the field as it is written, 'for your animal and for the ownerless animal in your land – shall be all of its produce shall be to be eaten – as long as the ownerless animal eats from this type of food in the field,

You can eat it from the house. If it is finished from the field for the ownerless animal, you must rid this species from your house. This is *Biur Shevi'is*, ridding Shevi'is produce [that the Torah requires].

For example – if a person had dried figs in his house, he may eat them as long as there are figs on the trees. When the figs are no longer in the field, it is forbidden to eat from them in the house – rather one must rid them⁵.

In the case of the Shemitta and Yovel years not only are evil and foolish people compared to animals, all people, including the most righteous, have their license to eat limited by the ability of wild animals to find food in their foraging.

Why should the Torah decree that these animals dictate our permission to eat Shemitta produce?

⁵ In the following Halachah (3), Rambam teaches that ביעור שביעית is the physical destruction of Shemitta produce that is no longer available naturally in the field:

שורף באש או משליך לים המלח ומאבדן לכל דבר שמאבד

He burns it in a fire or casts it into the Dead Sea or destroys it in any method that destroys.

However, the preponderance of *Poskim* say that ביעור שביעית means to relinquish ownership of such produce, making it *hefker*. After this *biur* is accomplished, the produce may be eaten. This is the practice nowadays according to all *minhagim*. See the Kesef Mishnah on this Rambam.

At first glance, it may be that we see this situation of the Shemitta year as being degrading. Man is superior to animal and the animal kingdom was created to serve him.

That is what we learn at the conclusion of Masseches Kiddushin (82 a):

רבי שמעון בן אלעזר אומר:...חיה ועוף...לא נבראו אלא לשמשני

Rabi Shimon ben Elazar says...fauna and fowl were created only for the purpose to serve me.

It may certainly seem to be topsy-turvy for my eating to be dependent upon the eating habits of the animal kingdom.

However, after further consideration, we find that there are other times that even if the animals do not seem to have a superiority over man, they have an approximate equality.

We find that equality in *Gan Eden*. We read (B'reishis Perek 1/P'sukim 29-30):

וַיֹּאמֶר אֱלֹהִים...לִיקִים הִנֵּה נֹתַתִּי לָכֶם אֶת כָּל עֵשֶׂב זֶרַע זֶרַע אֲשֶׁר עַל פְּנֵי כָל הָאָרֶץ וְאֶת כָּל הָעֵץ אֲשֶׁר בּוֹ פֵרִי עֵץ זֶרַע זֶרַע לָכֶם יִהְיֶה לְאֹכְלָהּ: וְלִכְל חַיֵּת הָאָרֶץ וְלִכְל עוֹף הַשָּׁמַיִם וְלִכְל רֹמֵשׁ עַל הָאָרֶץ אֲשֶׁר בּוֹ נֶפֶשׁ חַיָּה אֶת כָּל יֶרֶק עֵשֶׂב לְאֹכְלָהּ וַיְהִי כֵן:

Hashem said, 'Behold I have given to you all the grass that is seeded upon the face of the land and all the trees that have fruit of the trees, a tree that seeds seeds – that will be for you for food. And for all of the ownerless animals of the land and for all the birds in the sky and for all of the crawling creatures on the face of the earth that has a living soul –all the vegetables of grass shall be for food and it was so.

Now, unlike the Posuk that we cited at the beginning:

אָדָם וּבְהֵמָה תִּוְשִׁיעַ ה':

You, Hashem, save man and animal

to which we attributed negative connotations, we cannot understand the P'sukim that focus on the source of Odom's food at Creation as having negative connotations.

Certainly HaKodosh Boruch Hu created man in a situation that was idyllic for him at that time⁶ and since that is so we must consider why is that there was an equalizing factor⁷ between Man and animal at the beginning of Creation.

What was the proposed goal for mankind in *Gan Eden*? The Torah explains (B'reishis Perek 2/15):

וַיִּקַּח ה' אֶת־לֵקִים אֶת־הָאָדָם וַיְנַחֲהוּ בְּגֵן עֵדֶן לְעַבְדָּהּ וּלְשִׂמְרָהּ:

⁶ When mankind changed, that which would be idyllic for him also changed. Rashi writes (B'reishis Perek 1/Posuk 29):

לכם יהיה לאכלה. ולכל חית הארץ - השוה להם הכתוב בהמות וחיות למאכל, ולא הרשה לאדם ולאשתו להמית בריה ולאכול בשר, אך כל ירק עשב יאכלו יחד כלם, וכשבאו בני נח התיר להם בשר, שנאמר (להלן ט/ג) כל רמש אשר הוא חי וגו' כירק עשב שהתירתי לאדם הראשון, נתתי לכם את כל:

It shall be for you for food and for all of the animals of the land – The Torah equates man and animals regarding their food and did not permit Odom and his wife to kill creatures and to eat their flesh. Rather, 'all the vegetables they will eat together'.

When *B'nei Noach* came, Hashem permitted them to eat meat as it says later on 'all crawling creatures that live...will be like the vegetables of the grass' that I Hashem permitted for Odom HoRhishon – I am giving you, *B'nei Noach*, everything.

That is how Ramban (ibid.) explains the situation with Noach's generation:

וכאשר חטאו, והשחית כל בשר את דרכו על הארץ, ונגזר שימותו במבול, ובעבור נח הציל מהם לקיומם_המין, נתן להם רשות לשחוט ולאכול, כי קיומם בעבורו:

When they sinned and 'all flesh corrupted its way upon the land' and it was decreed that they would die in the Flood, it was because of Noach that Hashem saved and preserved the species [of mankind]. Hashem gave them permission to slaughter and to eat because their existence was dependent upon it.

⁷ There was an 'equalizing factor' since the Torah equates the food of man with the food of animals but that doesn't mean that they were completely equivalent.

See Ibn Ezra, Ramban, Or HaChaim and others that say that a careful reading of the verses indicates that man could eat the fruit of the trees but animals were limited to vegetation.

Hashem G-d took Odom and He placed him in the Garden of Eden to work it and to guard it.

What was that 'work' and what was that 'guarding'? It is certainly easy to understand what Chizkuni, and others, write:

לעבדה להשקותה. ולשמרה שלא ירמסוה רגלי בהמה וחיה

To work it – to water the garden. And *to guard it* – so that the animals will not trample upon it.

The Torah had already written earlier (Posuk 5):

וְכָל שֵׁיחַ הַשָּׂדֶה טָרֵם יְהִיָּה בְּאֶרֶץ וְכָל עֵשֶׂב הַשָּׂדֶה טָרֵם יִצְמַח כִּי לֹא הִמְטִיר ה' אֶלֶּ...לְקִים עַל הָאֶרֶץ וְאָדָם אֵין לְעִבְד אֶת הָאָדָמָה:

None of the trees of the field had yet been on the land and none of the grass of the field had yet grown because Hashem G-d did not bring rain on the land and there was no man to work the ground.

However Rav Hirsch and others see this verse that states that 'man was not yet in *Gan Eden* to work the ground' in a different light.

He writes:

ואדם אין לעבוד את האדמה: אין הארץ מתפתחת אלא למען האדם, - לצורך עבודתו המוסרית עלי אדמות. שלטון האדם באדמה קרוי בעברית "עבודה", - ויש לכך משמעות עמוקה. "עבד" קרוב ל"אבד". אמור מעתה: אין "עבודה" אלא התבטלות; העובד מבטל את רצונו - מפני רצון אחרים ומטרתם. האדם השליט באדמה, עובד במישרין את ה'; ואילו בעקיפין הוא עובד את האדמה, - שכן ה' העבידו למטרותיה. האדם מנצל את כוחות האדמה, והוא משנה את פניה לצורך מטרותיו; אך מטרות האדם ניתנו לו מידי ה'; ומשום כך אין הארץ מקפחת את ייעודה, אלא היפוכו של דבר: היא משיגה את ייעודה. הטבע הפיסי מתעלה על ידי פעילות האדם, והוא נעשה שותף לתכליתו המוסרית של העולם.

There was no man to work the ground – the land only develops for the sake of mankind – for the sake of his ethical work on earth.

Man's rule over the land is called *Avoda* in Hebrew and that terminology has a deep meaning. The word עבד-work, spelled with an *ayin*, is phonetically similar to אבד-perish, spelled with an *alef*. I can learn from this that *avoda* is to cause a person to subjugate himself [like the עבד, *eved*-slave subjugates

himself to his master]. The *o'veid* –worker subjugates his will to the will of the other and his goal [and negates, אבד, his own existence].

Man is the master of the ground and he works directly for G-d and only indirectly does he work the ground because G-d brings man to *avoda* of the land for the land's goals.

Man takes advantage of the potential of the land and he changes its appearance for his goals – but those goals came to man from G-d.

When that is so, the land does not ruin its purpose – the opposite is true- it attains its purpose. The physical nature of the land rises above its physicality through man's activity and man becomes a partner [to G-d] in achieving the ethical goal of the world.

That is, Rav Hirsch sees the work that is to be performed to have a higher purpose. The work is a physical means of imbuing sanctity into the land so that it is far more than dirt. The land is to be the physical space where man achieves spiritual heights. The land must be infused with holiness for it to serve as the springboard for man's ascension.

Thus, some see the work of the land for its physical development and others see the physical development as the means to a spiritual end.

However, there is a perspective that when the Torah writes

לְעִבְדָּהּ וּלְשָׁמְרָהּ:

To work it and to guard it

the intent is entirely spiritual.

We read in Midrash B'reishis Rabba (Parshata 13/7):

ואדם אין לעבוד את האדמה, ואדם אין להעביד את הבריות להקדוש ברוך הוא, כאלוהו וכחוני המעגל, ואדם אין לעבוד את האדמה לא נברא אדם אלא לעמל⁸, אם זכה הוא עמל בתורה, ואם לא זכה הוא עמל בארץ, אשריו לאדם שהוא עמל בתורה.

⁸ The Midrash is referring to a verse in Sefer Iyov (Perek 5/Posuk 7) that reads:

כִּי אָדָם לְעֵמֶל יוּלָד וּבְנֵי רָשָׁף יִגְבְּיֵהוּ עוֹף:

Because man was born for toil; it is the angels that are raised to fly.

*There was no man to work the ground – There was no man to work [subjugate] people to the Hashem, in the way that Eliyahu HaNovi did and in the way that Choni HaM'agel did.*⁹

⁹ Rashi comments on this Midrash:

כאליהו- שהחזיר את ישראל לאביהם שבשמים והיו מסורות בידו מפתחות גשמים:
Like Eliyahu – He caused Israel to return to their Father in Heaven and the keys to rain were placed in his hand.

וכחוני המעגל – שהיה מתפלל על עצירת גשמים ונענה.
And like Choni HaM'agel – He would pray regarding the withholding of rain and he was answered.

We read in the context of Eliyahu on *Har HaCarmel* (Melachim I Perek 18/P'sukim 1, 43-45:

וַיְהִי יָמִים רַבִּים וַדְּבַר ה' הָיָה אֶל אֵלֵיהֶוּ בַשָּׁנָה הַשְּׁלִישִׁית לֵאמֹר לְךָ הֲרָאָה אֶל אַחָב וְאֶתְנֶה מָטָר
עַל פְּנֵי הָאָדָמָה:

וַיֹּאמֶר אֶל נַעֲרוֹ עֲלֶה נָא הִבֵּט דְרָךְ יָם וַיַּעַל וַיִּבֵט וַיֹּאמֶר אֵין מְאוּמָה וַיֹּאמֶר שֵׁב שֶׁבַע פְּעָמִים: וַיְהִי
בַשְּׁבַעִית וַיֹּאמֶר הִנֵּה עַב קִטְנָה כְּכַף אִישׁ עֲלֶה מָיִם וַיֹּאמֶר עֲלֶה אָמַר אֶל אַחָב אָסֹר וְרָד וְלֹא יַעֲצֹרְכָה
הַגָּשָׁם: וַיְהִי עַד כֹּה וְעַד כֹּה וְהַשָּׁמַיִם הִתְקַדְּרוּ עֲבִים וְרוּחַ וַיְהִי גָשָׁם גָּדוֹל וַיִּרְכַּב אַחָב וַיֵּלֶךְ יִזְרְעֵאלָה:

It was many days [of the drought] and the Word of Hashem came to Eliyahu in the third year saying, 'Go and appear before Achav and I Hashem will give rain upon the face of the ground.'

Eliyahu said to his lad, 'Ascend, please, and look towards the sea'. He went up and he looked and he said, 'there is nothing'. Eliyahu said, 'return seven times'. At the seventh time the lad said, 'Behold there is a small cloud as big as a person's palm arising from the water'; Eliyahu said, 'go up and say to Achav, "harness your chariot and go down so that the rain will not stop you.' And it was until then and until then and the skies were covered with dark clouds and there was a wind; and there was great rain; Achav rode and went to Yizrael.

The Mishnah in Masseches Taanis (19 a) teaches:

על כל צרה שלא תבוא על הצבור מתריעין עליהן, חוץ מרוב גשמים. מעשה שאמרו לו לחוני המעגל: התפלל שירדו גשמים! אמר להם: צאו והכניסו תנורי פסחים בשביל שלא ימוקו. התפלל ולא ירדו גשמים. מה עשה? עג עוגה ועמד בתוכה, ואמר לפניו: רבונו של עולם! בניך שמו פניהם עלי שאני כבן בית לפניך, נשבע אני בשמך הגדול שאיני זז מכאן עד שתרחם על בניך. התחילו גשמים מנטפין, אמר: לא כך שאלתי, אלא גשמי בורות שיחין ומערות. התחילו לירד בזעף, אמר: לא כך שאלתי, אלא גשמי רצון ברכה ונדבה. ירדו כתקנן, עד שיצאו ישראל מירושלים להר הבית מפני הגשמים. באו ואמרו לו: כשם שהתפללת עליהם שירדו, כך התפלל שילכו להן! - אמר להם: צאו וראו אם נמחית אבן הטועין. שלח לו שמעון בן שטח: אלמלא חוני אתה גוזרני עליך נידוי, אבל מה אעשה לך שאתה מתחטא לפני המקום ועושה לך רצונך, כבן שהוא מתחטא על אביו ועושה לו רצונו, ועליך הכתוב אומר (משלי כג/כד) ישמח אביך ואמך ותגל יולדתך.

We sound the shofar with *t'ruah* –warning sounds on any trouble that comes upon the community except when there is an excess of rain.

There was no man to work the ground – Man was only created to toil. If he merits, he toils in Torah; if he does not merit he toils in the ground.

Happy is he who toils in Torah.

In the Midrash Halachah on D'vorim, the Sifre (Parshas Eikev 41) we read Chazal's *drasha* on this Posuk from the second paragraph of *Krias Shema*. The verse reads (D'vorim Perek 11/Posuk 13):

וְהָיָה אִם שָׁמַעַתְּ תִשְׁמָעוּ אֵל מִצְוֹתַי אֲשֶׁר אֲנִי מְצַוֶּה אֶתְכֶם הַיּוֹם לְאַהֲבָה אֶת ה' אֱלֹהֵיכֶם וּלְעַבְדוֹ בְּכָל לְבַבְכֶם וּבְכָל נַפְשְׁכֶם:

It will be if you will surely listen to My commandments that I Hashem command you today – to love Hashem your G-d and to serve Him with all of your heart and will all of your soul.

It happened that the Chachamim said to Choni HaM'agel, 'Pray that rain should fall.' He said to them, 'Go out and bring in the *Korban Pesach* ovens that were made from clay – otherwise they will disintegrate [from the abundance of rain that will fall].' He prayed and it did not rain.

What did Choni do? He made a circle on the ground and stood in it. He said before G-d, 'Master of the Universe, your children have empowered me because I am like a member of Your household. I am taking an oath with Your Great Name that I will not move from here until You will show mercy upon your children.'

The rain began with drops. He said, 'That is not what I asked. I asked for rain that will fill the pits and the dugouts and the caves.' The rain began to come down with fierceness. He said, 'That is not what I asked. I asked for rain that shows that You favor us and that is a blessing and is generous.'

The rain fell properly and continued until all the people in Yerushalayim went from the city to the top of *Har HaBayis*.

The people said to him, 'Just like you prayed for the rain to fall, so pray for the rain to go away.' He said to them, 'Go out and see if the "claiming rock", where people bring lost articles, has disintegrated.'

Rabi Shimon ben Shetach sent to him, 'If you were not Choni I would have decreed excommunication upon you but what can I do against you? You sin against G-d and He still fulfills your will, just like the child who sins against his father and the father does his will.'

About you the verse is written: Your father and mother should be happy and she who gave birth to you should be joyous.'

The Midrash writes:

ולעבדו, זה תלמוד אתה אומר זה תלמוד או אינו אלא עבודה הרי הוא אומר ויקח ה' א...ל'קים את האדם ויניחהו בגן עדן לעבדה ולשמרה וכי מה עבודה לשעבר ומה שמירה לשעבר הא למדת לעבדה זה תלמוד ולשמרה אלו מצות וכשם שעבודת מזבח קרויה עבודה כך תלמוד קרוי עבודה,

To serve Him – this refers to Talmud. You say it is the study of Talmud – but perhaps it means literal work? We know this because it says, 'Hashem E...lokim took the Odom and placed him in Gan Eden to work it and to guard it.'

What type of work was there in the past¹⁰? What type of guarding was there in the past? [There was no need to work or to guard.] So you learn that לעבדה refers to learning and לשמרה refers to Mitzvos. Just like the service on the altar in the Beis HaMikdosh is called *avodah*-service to G-d, so is Torah learning called *avodah*-service to G-d.

¹⁰ I did not find an explanation of לשעבר – in the past.

Perhaps it refers to the seeming contradiction between ולשמרה which, literally, implies physical labor and that which is written following Odom's banishment from Gan Eden where we read (Perek 3/P'sukim 23-24):

וַיִּשְׁלַחְהוּ ה' אֱלֹהֵינוּ לְקִים מִגֵּן עֵדֶן לְעַבְדֵי אֶת הָאָדָמָה אֲשֶׁר לָקַח מִשָּׁם: וַיִּגְרֹשׁ אֶת הָאָדָם וַיִּשְׁכַּן מִקְדָּם לְגֵן עֵדֶן אֶת הַכְּרִבִּים וְאֵת לֵהט הַחֲרֹב הַמִּתְהַפֵּקֶת לְשָׁמֵר אֶת דֶּרֶךְ עֵץ הַחַיִּים:

Hashem sent Odom from Gan Eden to work the land from where he was taken. Hashem banished Odom and Hashem caused the *Keruvim* to dwell east to Gan Eden; the flaming overturning sword was there to guard the way to the Tree of Life.

If Odom was already physically working the ground, what punishment is there in the fact that that he was 'to work the land'?

Thus, it is possible that לשעבר, in the past, refers to the period in Gan Eden, prior to the exile because, in that historical perspective לעבדה ולשמרה is in the past, prior to the exile and then, according to the Midrashim that we are bringing – they did not perform physical work.

Thus, this Midrash teaches us that the ‘work’ and the ‘guarding’ were referring to learning and Mitzvah observance and the Midrash connects learning to the Korbonos.

One more source that will help us emphasize the point that the work in Gan Eden was spiritual in nature, encompassing one other aspect.

We read in B’reishis Rabba (Parshas B’reishis 16):

דבר אחר לעבדה ולשמרה אלו הקרבנות שנאמר (שמות ג'יב¹¹) תעבדון את הא...ל"קים, וכתוב (במדבר כח/ב¹²) תשמרו להקריב לי במועדו.

Another explanation of לעבדה ולשמרה is the Korbonos as it says, ‘You shall serve G-d’ and it is written ‘You shall guard to offer the Korban at its set time.

The previous Midrash only associated *Korbonos* with Gan Eden, teaching that *Talmud* is their equivalent. This Midrash teaches us that the Korbonos themselves were to be an integral part of Gan Eden.

Now that we have found this equivalency between Shemitta and Gan Eden, let us explore some of the facets of the Shemitta year.

Sefer HaChinuch (Parshas Mishpotim Mitzvah 84) writes regarding the Mitzvah of Shemitta:

משרשי המצוה, לקבוע בלבנו ולצייר ציור חזק במחשבתנו ענין חדוש העולם כי ששת ימים עשה ה' את השמים ואת הארץ (שמות כ'י¹³)...

¹¹ The entire verse reads:

וַיֹּאמֶר כִּי אֶהְיֶה עִמָּךְ וְזֶה לָּךְ הָאוֹת כִּי אֲנֹכִי שְׁלַחְתִּיךָ בְּהוֹצִיאֲךָ אֶת הָעָם מִמִּצְרַיִם תַּעֲבֹדוּן אֶת הָאֱלֹהִים...עַל הַהָר הַזֶּה:

Hashem said to Moshe, ‘Because I will be with you; and this is the sign for you that I Hashem sent you – when you take the people out of Egypt you shall serve G-d on this mountain.

¹² The entire verse reads:

צוֹ אֶת בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אֶת קַרְבְּנֵי לֶחְמִי לֶאֱשִׁי רֵיחַ נִיחֹחַי תִּשְׁמְרוּ לְהַקְרִיב לִי בְּמוֹעֵדוֹ:
Command B’nei Yisroel and you shall say to them, ‘My Korban, My bread for My fire, My pleasant fragrance you shall guard to offer it for Me at its proper time.

¹³ The entire verse reads:

Among the reasons for this Mitzvah is to affix in our hearts and to have a strong perception in our thoughts regarding that the world was created from nothing because Hashem made the heavens and earth in six days and on the seventh day He did not create anything.

Gan Eden was the original abode of Man during Creation and Shemitta comes to remind us of Creation *יש מאין*, ex nihilo, and that Hashem alone is the Creator. The parallel between Shemitta and Gan Eden now goes beyond the equivalency between Man and animal.

S'fas Emes (5658) writes in our Parsha:

ושבתה הארץ שבת לה'. כמו שכתוב בשבת בראשית. וכמו שבת סהדותא איקרי שהוא עדות בני ישראל על שברא עולמו בששה ונח בשביעי. כן שמיטה עדות. ואיתא במדרש (תהילים קג/כ¹⁴) ברכו ה' מלאכיו גם כן עושי דברו בשומרי שביעית הכתוב מדבר דכתיב (דברים טו/ב¹⁵) וזה דבר השמיטה. פירוש שעל ידי בני ישראל מתגלה מלכות שמים והנהגה עליונה:

The Land shall have a Shabbos for Hashem – This is like it is written regarding *Shabbos B'reishis* – the Shabbos at Creation. Just like Shabbos is referred to as a 'testimony', the testimony of Israel that He created His world in six days and He rested on the seventh, so is Shemitta a testimony.

כי ששת ימים עשה ה' את השמים ואת הארץ את הים ואת כל אשר בהם וינח ביום השביעי על כן בָּרַךְ ה' אֶת יוֹם הַשַּׁבָּת וַיְקַדְּשֶׁהוּ:

Because for six days Hashem made the heavens and the earth and all that is in them and He rested on the seventh day; therefore Hashem blessed the Shabbos Day and He sanctified it.

¹⁴ The entire verse reads:

בָּרְכוּ ה' מְלֹאכָיו גִּבְרֵי כֹחַ עוֹשֵׂי דְבָרוֹ לְשֹׁמְעֵי בְּקוֹל דְּבָרוֹ:

Bless Hashem, His angels, warriors possessing strength, those who do His Word to listen to the voice of His Word.

¹⁵ The entire verse reads:

וְזֶה דְּבַר הַשְּׁמִטָּה שְׂמוֹט כָּל בֹּעַל מַשְׁה יְדוּ אֲשֶׁר יִשֶׁה בְּרֵעֵהוּ לֹא יִגַּשׁ אֶת רֵעֵהוּ וְאֶת אָחִיו כִּי קָרָא שְׁמִטָּה לָּהּ:

This is the word of Shemitta – Every lender must release the debt he holds against his neighbor; he shall not be a collector of debts from his neighbor, from his friend because He has proclaimed 'Shemitta for Hashem'.

The Midrash teaches the verse, ‘Bless Hashem, His angels who do His *Word*’ – this is in regard to those who observe the Shemitta year properly. We know this because it is written ‘This is the *word* of Shemitta’.

The explanation is that it is through B’nei Yisroel that the Heavenly Kingdom and Divine Providence are revealed.

Again and again we see the equivalency that exists between the Shemitta year and *Shabbos B’reishis*.

And the equivalencies continue as we read in Midrash Vayikro Rabbo to last week’s Parshas Emor (Parshata 29/11):

כל השביעין חביבין לעולם למעלן...בשנים שביעי חביב שנאמר (שמות כג¹⁶)
והשביעית תשמטנה ונטשתה, בשמיטין שביעי חביב שנאמר (ויקרא כה/י¹⁷)
וקדשתם את שנת החמשים, בימים שביעי חביב שנאמר (בראשית ב) ויברך
א...ל'קים את יום השביעי...

All ‘sevens’ are always beloved Above: in years, the seventh year is loved as it says, ‘The seventh year you should release it and forsake it’. In the Shemitta cycle it is loved as it says, ‘You shall sanctify the fiftieth year’. In the days of the week it is loved as it is said, ‘Hashem blessed the seventh day’.

Let us review a Mishnah in Masseches Ovos (Perek 5/Mishnah 9) and see how it sheds even more light on the relationship between Shemitta and Gan Eden. The Mishnah reads:

¹⁶ The entire verse reads:

והשביעית תשמטנה ונטשתה ואכלו אביני עמך ויתרם תאכל חית השדה כן תעשה לכרמך לזיתך:
And the seventh year you shall release it and forsake it and the poor of your people shall eat and that which is extra, the animals of the field shall eat; so should you do for your vineyard and your olive trees.

¹⁷ The verse reads in its entirety:

וקדשתם את שנת החמשים שנה וקראתם דרור בארץ לכל ישביה יובל הוא תהיה לכם ושבתם
איש אל אחזתו ואיש אל משפחתו תשובו:
You shall sanctify the fiftieth year and shall proclaim freedom in the land to all of its inhabitants; it is *Yovel*, it should be for you and each man – you shall return to his possession and each man – you shall return to his family.

גלות בא לעולם על עובדי עבודה זרה ועל גלוי עריות ועל שפיכת דמים ועל השמטת הארץ...
הארץ...

Golus-exile comes to the world because of idolaters and because of illegal promiscuous relationships and because of murder and because of violation of Shemitta.

We have learned in the Tochecha that we will read in next week's Parsha Bechokosai that such an exile was not an empty threat. The threat was realized.

The Torah writes (Vayikro Perek 26/P'sukim 33-35):

וְאַתְּכֶם אֶזְרָה בְּגוֹיִם וְהִרִיקְתִּי אַחֲרֵיכֶם חָרֹב וְהִיְתָה אֶרְצְכֶם שְׁמֵמָה וְעָרֵיכֶם יִהְיוּ חָרְבָה:
אֲזַ תִּרְצָה הָאָרֶץ אֶת שַׁבְּתוֹתֶיהָ כֹּל יְמֵי הַשְּׁמָה וְאַתֶּם בְּאֶרֶץ אֲיִבֵיכֶם אֲזַ תִּשְׁבֹּת הָאָרֶץ
וְהִרְצַת אֶת שַׁבְּתוֹתֶיהָ: כֹּל יְמֵי הַשְּׁמָה תִּשְׁבֹּת אֶת אֲשֶׁר לֹא שָׁבַתָּה בְּשַׁבְּתוֹתֶיכֶם
בְּשַׁבְּתוֹתֶיכֶם עָלֶיהָ:

And you I Hashem will disperse in the nations and I will empty the sword [from its scabbard to go] after you; your land will be desolate and your cities will be destroyed. Then the Land will be appeased for its *Shabbosos* during all the days of its desolation and you will be in the land of your enemies; then the Land will be appeased for its *Shabbosos*. All the days of its desolation the Land will cease that which it did not cease in your *Shabbosos* when you dwelled upon it.

And we read in Parshas B'reishis (Perek 3/P'sukim 23-24):

וַיִּשְׁלַחְהוּ ה' אֶ... לִיקִים מִגֵּן עֵדֶן לְעַבְד אֶת הָאָדָמָה אֲשֶׁר לָקַח מִשָּׁם: וַיִּגְרַשׁ אֶת הָאָדָם
וַיִּשְׁכֵּן מִקֶּדֶם לְגֵן עֵדֶן אֶת הַכְּרָבִים וְאֶת לֵהט הַחָרֹב הַמִּתְהַפֶּכֶת לְשֹׁמֵר אֶת דֶּרֶךְ עֵץ
הַחַיִּים:

Hashem sent Odom from Gan Eden to work the land from where he was taken. Hashem banished Odom and Hashem caused the *Keruvim* to dwell east to Gan Eden; the flaming overturning sword was there to guard the way to the Tree of Life.

Exile and the sword at the expulsion from Gan Eden and exile and the sword at the expulsion from Eretz Yisroel because of Shemitta violation.

And what is the purpose of Shemitta being so similar to Gan Eden? Do they have a common denominator?

Let us look at an excerpt from the *Shem MiShmuel* that opens our Parshas Behar (5670 d.h. *l'hovin*).

...שמיטה היא מצד הכלל להיות כולם אחד כמו שכתוב והיתה שבת הארץ לכם לאכלה לך ולעבדך וגו' שיהיה יד כולם שוה וכל ישראל כאיש אחד חברים, ואז הם מרוצים מצד הכלל. ומצות יובל היא עוד יותר מזה, כי על ידי השמיטין והספירה זוכין ליובל לשוב איש אל אחוזתו. ובזוהר הקדוש (קח ב) שהוא איש אל שורש נשמתו, שכל נשמה יש לה שורש מיוחד כמבואר במדרש (שמות רבה פרשתא מ).

... ועל כן תמצא שכל פרשיות השמיטה נאמרו בלשון יחיד תזרע שדך וגו' ואיתא בזוהר הקדוש שכל מקום שנאמר בלשון יחיד הוא מצד הכלל שהם כולם יחד כאיש אחד חברים וכמו שכתוב (שמות יט/ב¹⁸) ויחן שם ישראל וגו' ואמרו ז"ל כאיש אחד בלב אחד...

ויש לומר כי זה עצמו הוא ענין ימות המשיח ועולם הבא, כי ימות המשיח זוכין מצד הכלל כאמרם ז"ל (סנהדרין קיא א) ולקחתי אתכם אחד מעיר ושנים ממשפחה (ירמיהו ג/יד¹⁹) אחד מעיר מזכה כל העיר וכו', ועולם הבא הוא מצד הפרט כי כל צדיק וצדיק יש לו מדור בפני עצמו...

Shemitta represents the collective, *Klal Yisroel* when all of Israel is one as is written, 'The Shabbos of the Land will be for you for eating, for you and your servant etc. All will be equal and all of Israel will be joined together like one person and thus they are pleasing to G-d from the aspect of their being part of *Klal Yisroel*.

¹⁸ The entire verse reads:

וַיִּסְעוּ מִרְפִּידִים וַיָּבֹאוּ מִדְבַר סִינִי וַיַּחֲנוּ בְּמִדְבַר וַיַּחֲנוּ שָׁם יִשְׂרָאֵל נֹגַד הַהָר:
They travelled from Refidim and they came to the Sinai Wilderness and they camped in the wilderness and Israel camped [as one] there opposite the mountain.

Rashi writes:

ויחן שם ישראל - כאיש אחד בלב אחד:
Israel camped [as one] there – Like one man with one heart.

¹⁹ The entire verse reads:

שׁוּבוּ בָנִים שׁוֹבְבִים נָאִם ה' כִּי אֲנֹכִי בָּעֵלְתִי בְכֶם וְלָקַחְתִּי אֶתְכֶם אֶחָד מֵעִיר וּשְׁנַיִם מִמִּשְׁפָּחָה וְהִבֵּאתִי אֶתְכֶם צִיּוֹן:

'Return, mischievous children, said Hashem, because I have become your master and I took you, one from the city and two from the family and I brought you to Zion.'

The Mitzvah of Yovel goes even farther because by virtue of the [Seven] Shemitta years and the counting of the years Israel merits Yovel and ‘to return each man to his possession’. The Zohar HaKodosh teaches that this ‘return’ means that one returns to the ‘root of his soul’, since each *neshamah* as its own unique root as the Midrash explains.

Therefore you will find that the verses referring to Shemitta in our Parsha are all said in the singular: you [the individual] shall sow etc. The Zohar HaKodosh explains that whenever the Torah uses the singular [in relationship to the people of Israel] it refers to the collective, *Klal Yisroel* that are all like one person, joined together as it is written, ‘Israel camped there, etc.’ and Chazal said, ‘like one person with one heart’.²⁰

And we can say that that is the very substance of Messianic times and Olom HaBo because in Messianic times we merit to be *Klal Yisroel* as Chazal said in Masseches Sanhedrin on the verse, ‘I will take you, one from the city and two from a family’. Chazal said, ‘One from a city – one person can bring merit to his entire city and two from a family – two can bring merit for their entire family.’

Olom HaBo is for the individual because each and every righteous person has his individual dwelling space in Olom HaBo²¹.

²⁰ The verses dealing with Yovel are written in the plural. See Shem MiShmuel there for the explanation for that presentation.

²¹ We read in Sefer Mishlei (Perek 8/Posuk 21):

לְהַנְחִיל אֶהְבִּי יֵשׁ וְאַצְרֵתֵיהֶם אֲמַלֵּא:

To bequeath to those whom I Hashem love *yesh* –substance; I will fill their treasures.

We read in the final Mishnah of Shas (Masseches *Uktzin* Perek 3/Mishnah 2):

אמר רבי יהושע בן לוי עתיד הקדוש ברוך הוא להנחיל לכל צדיק וצדיק שלש מאות ועשרה עולמות שנאמר להנחיל אוהבי יש ואוצרותיהם אמלא:

Rabi Yehoshua ben Levi said, ‘In the future Hashem will bequeath to each and every Tzaddik 310 worlds as it says, ‘to bequeath to those who I love substance and I will fill their treasures’.

Bartenura points out that the *gematria* of יש is 310.

Shabbos is מעין עולם הבא; it has the essence of *Olom HaBo* that we describe with the Gan Eden of the past.

We have now learned that Shemitta, as well, has that very same essence.

And what is the point of the equalization? The oneness that was the historical truth of Gan Eden, the root of that one Neshama that existed then, will be repeated as we return to our spiritual heritage that will empower us as individuals and as the People Israel²².

Shabbat Shalom

Rabbi Pollock

²² We can now understand the relevance of the verse

צדקתך כהררי אל משפטך תהום רבה אדם ובהמה תושיע ה':

Hashem, Your righteousness is like strong mountains; Your justice is at great depths; You, Hashem, save man and animal

that equates man and animal at that moment of רעוא דרעווין.

We seek to reunite with Klal Yisroel, as part of the Klal as well as individuals who are associated with the *Klal*. When such is our aspiration, certainly we are able to enhance this special and unique עת רצון.