

## חג השבועות

Time and time again the Torah emphasizes its freshness and newness.

We read in Parshas Voeschanan (D'vorim Perek 6/Posuk 6):

וְהָיוּ הַדְּבָרִים הָאֵלֶּה אֲשֶׁר אֲנִי מְצַוְךָ הַיּוֹם עַל לְבַבְךָ:

These words that I Hashem command you today shall be on your heart.

Rashi writes:

אשר אנכי מצוך היום - לא יהיו בעיניך כדיוטגמא ישנה שאין אדם סופנה, אלא כחדשה שהכל רצין לקראתה.

*That I command you today* - You should not see the Torah as an ancient declaration that people do not see as important. Rather, see it as a new proclamation that all run to read.

In Parshas Eikev we read (ibid. Perek 11/Posuk 13):

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

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

Rashi writes there:

מצוה אתכם היום - שיהיו עליכם חדשים, כאלו שמעתם בו ביום:

*That I command you today* - They should be new to you - as if you heard them on that day.

The Torah writes in Parshas Ki Sovo (ibid. Perek 26/Posuk 16):

הַיּוֹם הַזֶּה ה' אֱלֹהֵינוּ לִיקַח מִצְוֹת לַעֲשׂוֹת אֶת הַחֻקִּים הָאֵלֶּה וְאֶת הַמִּשְׁפָּטִים וְשָׁמַרְתָּ וְעָשִׂיתָ אוֹתָם בְּכָל לְבַבְךָ וּבְכָל נַפְשְׁךָ:

This day, Hashem your G-d commands you to do these statutes and the laws; you shall guard them and do them with all of your heart and with all of your soul.

Rashi writes:

היום הזה ה' א...לקיך מצוך - בכל יום יהיו בעיניך חדשים, כאלו בו ביום נצטוית עליהם:

*This day Hashem your G-d commands you - Everyday they should be new in your eyes, as if on that day you were commanded about them.*

In that same Parsha we read (ibid. Perek 27/Posuk 9):

וַיְדַבֵּר מֹשֶׁה וְהַכֹּהֲנִים הַלְוִיִּם אֶל כָּל יִשְׂרָאֵל לֵאמֹר הִסְכֵּת וּשְׁמַע יִשְׂרָאֵל הַיּוֹם הַזֶּה נִהְיִיתָ לְעַם לַה' א...לקיך:

Moshe and the Kohanim of Shevet Levi spoke to all of Israel saying, 'Attend and hear, Israel, this day you have become a people to Hashem your G-d.

Rashi writes:

היום הזה נהיית לעם - בכל יום יהיו בעיניך כאילו היום באת עמו בברית:

*Today you have become a people - Every day it should be in your eyes as if you entered the covenant with Hashem today.*

If we think that such a demand, most significant seeing the number of times that it was repeated, is quite difficult, it seems that the Torah itself bears out such a sense.

Let us see two verses in Parshas Bo dealing with the Exodus.

The first verse (Perek 12/Posuk 17) reads:

וּשְׁמַרְתֶּם אֶת הַמַּצּוֹת כִּי בַעֲצָם הַיּוֹם הַזֶּה הוֹצֵאתִי אֶת צְבָאוֹתֵיכֶם מֵאֶרֶץ מִצְרַיִם וּשְׁמַרְתֶּם אֶת הַיּוֹם הַזֶּה לְדֹרֹתֵיכֶם חֻקַּת עוֹלָם:

You shall guard the Matzos because on this very day I Hashem took out your hosts from the Land of Egypt; you shall guard this day for your generations, an eternal statute.

We continue to read there (Perek 13/Posuk 3):

וַיֹּאמֶר מֹשֶׁה אֶל הָעָם זְכוֹר אֶת הַיּוֹם הַזֶּה אֲשֶׁר יֵצְאתֶם מִמִּצְרַיִם מִבֵּית עֲבָדִים כִּי בְחֹזֶק יָד הוֹצִיא ה' אֶתְכֶם מִזֶּה וְלֹא יֵאָכֵל חֹמֶץ:

Moshe said to the people, 'You shall continue to remember this day that you went out from Egypt from the House of Bondage because with a strong hand Hashem took you out from this; chometz should not be eaten.

'Remembering' is an act when we recall something that happened previously. When I experience something, I don't 'remember' it; it is there. When I 'remember' an event I am not experiencing it now; I only know that it occurred some time ago and I remind myself of its occurrence and history.

If we take the Mitzvah of remembering the Exodus, a commandment that also repeats itself many times in the Torah and juxtapose it with another expression of the same Mitzvah we will sense a paradox.

The other verse is in the same Parshas Voeschanan that we visited earlier and it reads (D'vorim Perek 6/Posuk 23):

וְאוֹתָנוּ הוֹצִיא מִמִּצְרַיִם לְמַעַן הָבִיא אֶתְנוּ לְתֵת לָנוּ אֶת הָאָרֶץ אֲשֶׁר נִשְׁבַּע לְאַבְרָהָם:

Hashem took us out from there [Egypt] in order to bring us and to give us the land that He promised to our fathers.

The Midrash on this verse (Lekach Tov Parshas Bo Parshata 12/27), which is found in the Haggadah shel Pesach with some minor variations, reads:

...שְׁנֵינוּ בְּכָל דּוֹר וְדוֹר צָרִיךְ אָדָם לִרְאוֹת אֶת עַצְמוֹ כְּאִילוֹ הוּא יֵצֵא מִמִּצְרַיִם, וְכֵן הוּא אוֹמֵר וְאוֹתָנוּ הוֹצִיא מִמִּצְרַיִם לְמַעַן הָבִיא אֶתְנוּ לְתֵת לָנוּ אֶת הָאָרֶץ אֲשֶׁר נִשְׁבַּע לְאַבְרָהָם:

We have learned, 'In every generation a person should see himself as if he went out of Egypt and so it is written, "Hashem took *us* out from there". It does not say 'He took *them* out', it says 'He took *us* out'.

Despite the fact that we are obligated to see ourselves as the personal beneficiaries of the Exodus, as if we were there in real time, the obligation, as written in the former verses, is only 'to remember', not to feel the experience. We may undertake particular actions to enhance the feeling, but the Mitzvah remains one of memory only, not visceral sensitivity.

And yet, when the Torah says to know that 'today' we received the Torah and 'today' we entered the *Bris* with Hashem, it doesn't seem that there is much

leeway<sup>1</sup>. We do not have a parallel verse that tells us 'remembering' is sufficient, like we had regarding the Exodus.

Perhaps I can understand in principle, at least, what it means when I say, or am supposed to say, 'today I entered the covenant'. That covenant was entered into in the wilderness at the end of Moshe's life. I can perhaps imagine that scene, hearing the exhortations of Moshe Rabbenu and, together with all of Israel, affirming my belongingness.

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<sup>1</sup> The reader may remember that which we find in many of our Siddurim, following the weekday Shacharis, a section called the זכירות שש-the Six Events regarding which we are commanded to remember.

Over the verses of one of those 'remembrances' we find a title:

זכירת מעמד הר סיני

Remembering the events at Sinai.

Certainly it would appear that this Mitzvah of 'remembering' contradicts the distinction that we are making between recalling past events and feeling and experiences present events when our relationship with *Mattan Torah* belongs to the latter category not the first.

However, a perusal of the verses recited to preserve that memory will, themselves, provide us with the answer. Those P'sukim, also from Parshas Voeschanan (Perek 4/P'sukim 9-10) read:

רק השמר לך ושמר נפשך מאד פן תשכח את הדברים אשר ראו עיניך ופן יסורו מלבבך כל ימי חייך והודעתם לבניך ולבני בניך: יום אשר עמדת לפני ה' א...ל'קיך בחרב באמר ה' אלי הקהל לי את העם ואשמעם את דברי אשר ילמדון ליראה אתי כל הימים אשר הם חיים על האדמה ואת בניהם ילמדון:

But guard yourself and guard your soul very much lest you forget the things that your eyes saw and lest they turn away from your heart all the days of your life; you shall inform them to your children and to your children's children. The day that you stood before Hashem your G-d in Chorev when Hashem said to me, 'Gather the people and I will cause them to hear My Words so that they should learn to fear Me all of the days that they live upon the land; and they shall teach their children.

The omission of the word 'remember' is striking. Look at the other five זכירות that are written in the Siddur: the Exodus, Amalek, the event of the *Eigel*, Miriam and Shabbos. Each of them have the positive command of 'Remember'.

Only the Mitzvah of 'remembering' *Mattan Torah* does not contain the word 'remember'; it only says 'don't forget'.

However, I think that it is almost (?) impossible to imagine a historical moment, that of *Mattan Torah*, which itself was almost impossible.

At *Mattan Torah* we read (Sh'mos Perek 20/Posuk 1):

וַיְדַבֵּר אֲשֶׁר...לִיקִים אֶת כָּל הַדְּבָרִים הָאֵלֶּה לְאָמֹר:

Hashem spoke all of these words saying:

'All of these words'? Would we have thought differently? It is because of this unusual phrase that Rashi writes:

את כל הדברים האלה - מלמד שאמר הקדוש ברוך הוא עשרת הדברות בדבור אחד, מה שאי אפשר לאדם לומר כן. אם כן מה תלמוד לומר עוד אנכי ולא יהיה לך, שחזר ופירש על כל דבור ודבור בפני עצמו:

*All of these words* - This teaches that Hashem said all of the *Aseres HaDibros* in one utterance - that which a human cannot do.

If so, what do we learn from [the following specifications of] 'I am Hashem' and 'You shall not have...'? Hashem repeated and expressed each of the *Dibros* by itself.

That is, the event of *Matan Torah* was 'meta-human', beyond human capabilities. And that fact is emphasized by what the Torah writes regarding the aftermath of *Mattan Torah*, both in Parshas Yisro and in Parshas Voeshanan.

We read in the former (Sh'mos Perek 20/P'sukim 15-18):

וְכָל הָעָם רָאִים אֶת הַקּוֹלֹת וְאֶת הַלְּפִידִם וְאֶת קוֹל הַשֹּׁפָר וְאֶת הָהָר עֹשֵׁן וַיֵּרָא הָעָם וַיִּנְעוּ וַיַּעֲמְדוּ מֵרָחֵק: וַיֹּאמְרוּ אֶל מֹשֶׁה דַּבֵּר אֵתָּה עִמָּנוּ וְנִשְׁמָעָה וְאַל יְדַבֵּר עִמָּנוּ אֲשֶׁר... לִיקִים פֶּן נָמוּת: וַיֹּאמֶר מֹשֶׁה אֶל הָעָם אַל תִּירְאוּ כִּי לְבַעֲבוֹר נִסוֹת אֶתְכֶם בָּא הָאֱלֹהִים... לִיקִים וּבַעֲבוֹר תִּהְיֶה יְרֵאתוֹ עַל פְּנֵיכֶם לְבַלְתִּי תַחֲטְאוּ: וַיַּעֲמֵד הָעָם מֵרָחֵק וּמֹשֶׁה נִגַּשׁ אֶל הָעֶרְפֶּל אֲשֶׁר שָׁם הָאֱלֹהִים...לִיקִים:

All the people saw the thunder and the torches and the sound of the Shofar and the mountain smoking and the people saw and they were moved and they stood afar. They said to Moshe, 'You speak with us and we will hear

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And that is quite appropriate for our theme. I don't have to 'remember' *Mattan Torah* because it is to be palpable as is I am experiencing it now. I am forbidden from forgetting it because such 'forgetting' is most severe since I am to feel that I experienced it personally.

and G-d should not speak to us, lest we shall die.’ Moshe said to the people, ‘Do not fear because G-d came to raise you up<sup>2</sup> and so that His awe will be upon your faces so that you will not sin.’ The people stood from afar and Moshe approached the dark cloud wherein was G-d.

The people were correct from their human perspective. They saw thunder and the sound of the Shofar. That was *meta-human*. They said that they would die from hearing G-d’s voice, itself a meta-human phenomenon, and the expression of all of the *Aseres HaDibros* in one utterance.

Moshe’s attempt to assuage the fears of the people was unsuccessful. The Torah writes that even after that attempt:

וַיַּעֲמֵד הָעָם מֵרָחֵק

The people stood from afar.

If Moshe was unsuccessful, was all futile? Rashi responds:

ובעבור תהיה יראתו - על ידי שראיתם אותו יראוי ומאויים, תדעו כי אין זולתו ותיראו מפניו:

*In order that His awe* – Since you saw Him as being awesome and frightening, you will know that there is none besides Him and you will fear Him.

And we read in Parshas Voeschanan (D’vorim Perek 5/P’sukim 20-25):

וַיְהִי כִשְׁמַעְכֶּם אֶת הַקּוֹל מִתּוֹךְ הַחֹשֶׁךְ וְהָרָר בְּעֵר בָּאֵשׁ וַתִּקְרְבוּן אֵלַי כָּל רֵאשֵׁי שְׁבֵטֵיכֶם וְזִקְנֵיכֶם: וַתֹּאמְרוּ הֵן הָרִאנוּ ה' אֵל...לְקִינוּ אֶת כְּבוֹדוֹ וְאֶת גְּדֻלוֹ וְאֶת קוֹלוֹ שִׁמְעָנוּ מִתּוֹךְ הָאֵשׁ הַיּוֹם הַזֶּה רָאִינוּ כִּי יִדְבֵר אֵל...לְקִים אֶת הָאָדָם וְחַי: וְעַתָּה לָמָּה נָמוֹת כִּי תֹאכְלֵנוּ הָאֵשׁ הַגְּדֹלָה הַזֹּאת אִם יִסְפִּים אֲנַחְנוּ לְשִׁמַּע אֶת קוֹל ה' אֵל...לְקִים

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<sup>2</sup> Rashi writes:

לבעבור נסות אתכם - לגדל אתכם בעולם שיצא לכם שם באומות שהוא בכבודו נגלה עליכם:

*In order to raise you up* – To aggrandize you before the world so that your reputation will go out before the nations of the world that Hashem in His Glory was revealed before you.

נסות - לשון הרמה וגדולה...

*Nasos* - this is an expression of raising up and of greatness.

חַיִּים מִדְּבַר מִתּוֹךְ הָאֵשׁ כְּמִנּוּ וַיְחִי: כִּי מִי כָּל בֶּשֶׂר אֲשֶׁר שָׁמַע קוֹל אֶ...לִקִּים חַיִּים  
מִדְּבַר מִתּוֹךְ הָאֵשׁ כְּמִנּוּ וַיְחִי: קִרְבַּ אֶתְּהָ וּשְׁמַע אֶת כָּל אֲשֶׁר יֹאמַר ה' אֶ...לִקִּינוּ וְאֶת  
תְּדַבֵּר אֵלֵינוּ אֶת כָּל אֲשֶׁר יִדְבֹר ה' אֶ...לִקִּינוּ אֵלֶיךָ וְשָׁמַעְנוּ וְעָשִׂינוּ: וַיִּשְׁמַע ה' אֶת קוֹל  
דְּבָרֵיכֶם בְּדַבְּרְכֶם אֵלַי וַיֹּאמֶר ה' אֵלַי שָׁמַעְתִּי אֶת קוֹל דְּבָרֵי הָעָם הַזֶּה אֲשֶׁר דְּבָרוּ  
אֵלַיךְ הִיטִיבוּ כָּל אֲשֶׁר דְּבָרוּ:

And it was when you heard the voice from the midst of the darkness and the mountain was burning with fire and the heads of your tribes and your elders approached me [Moshe]. And you said, 'Behold, Hashem our G-d has shown us His Glory and His Greatness and His voice we heard from the midst of the fire; this day we have seen that G-d speaks to man and he can live. And now, why should we die when this great fire will consume us if we continue to hear the voice of Hashem the Living G-d speaking from the fire, as we do, and live? Is there any flesh who has heard the voice of the Living G-d speaking from the midst of the fire and lived as we have? You Moshe should approach and hear all that Hashem our G-d will say and you will speak to us all that Hashem our G-d speaks to you, and we will hear and we will do.'

[Moshe said,] 'Hashem heard the voice of your words that you spoke to me and Hashem said to me, "I heard the voice of the words of this people that they spoke to you; all that they spoke – they spoke well."

Their point is clear. For a moment, Hashem placed Israel in a meta-human state in order to hear Him when they received the Torah. Once they heard Him giving the Torah to them and to Moshe, they were restored to their 'human state'. Since that is what occurred, how can we be expected to live such a moment in our own lifetime? How can the sense of הַיּוֹם, 'today', of Mattan Torah ever be recreated or sensed once again? Are we expected to place ourselves in a 'meta-human' state? Only Hashem can do that; for a person – that is beyond human capability.

In order to attempt to answer these questions, we will take a look at a number of seemingly disparate sections of the Torah.

The first section is that of עֶבֶד עֵבְרִי, the Jew who sells himself into servitude to another Jew or the Jew who is sold for such by Beis Din because he stole and was unable to repay that which he stole.

We read in Parshas Mishpotim (Sh'mos Perek 21/P'sukim 2, 5-6):

כִּי תִקְנֶה עֶבֶד עִבְרִי שֵׁשׁ שָׁנִים יַעֲבֹד וּבְשִׁבְעַת יָצֵא לְחֶפְשִׁי חֲנָם:

When you purchase a Hebrew slave<sup>3</sup>, he shall work six years and in the seventh year he shall go out to freedom for free.

וְאִם אָמַר יְאִמֵר הָעֶבֶד אֶהְבֵּתִי אֶת אֲדֹנָי אֶת אִשְׁתִּי וְאֶת בְּנֵי לֵא אֵצֶא חֶפְשִׁי: וְהִגִּישׁוּ אֲדֹנָיו אֶל הָאֱלֹהִים וְהִגִּישׁוּ אֶל הַדָּלֶת אוֹ אֶל הַמְּזוּזָה וְרָצַע אֲדֹנָיו אֶת אָזְנוֹ בַּמַּרְצֵעַ וַעֲבָדוּ לְעֹלָם:

If the slave says with certainty, 'I love my master and my wife and my sons; I will not go out free.' His master brings him to the court<sup>4</sup> and he brings him to the door or to the doorpost and his master bores a hole in his ear with an awl and he shall serve him forever.

Let us see Rashi's commentaries here.

...ומה ראה אֶזֶן להרצע מכל שאר אברים שבגוף, אמר רבי יוחנן בן זכאי (קדושין כב ב) אֶזֶן זאת ששמעה על הר סיני לא תגנוב, והלך וגנב, תרצע. ואם מוכר עצמו, אֶזֶן ששמעה על הר סיני (ויקרא כה/נה<sup>5</sup>) כי לי בני ישראל עבדים, והלך וקנה אדון לעצמו, תרצע...

Why was the ear more fit to be bored than the other limbs of the body? Rabi Yochanan ben Zakkai said, 'The ear that heard on Mt. Sinai "Do not steal" and he went and stole – it is the limb that should be bored.

And if it is regarding one who sold himself into slavery – the ear that heard on Mt. Sinai 'because B'nei Yisroel are My servants' – and he went and acquired a master for himself – it is the limb that should be bored.

ועבדו לעלם - עד היובל. או אינו אלא לעולם כמשמעו, תלמוד לומר (ויקרא כה/י<sup>6</sup>) ואיש אל משפחתו תשובו, מגיד שחמישים שנה קרוים עולם, ולא שיהא עובדו כל

<sup>3</sup> We have chosen to translate the term עבד in the context of *eved Ivri* as 'slave' when referring to a human master and as 'servant' when referring to Hashem.

<sup>4</sup> Rashi here.

<sup>5</sup> The entire verse will be cited shortly.

<sup>6</sup> The entire verse reads:

וְקִדְשְׁתֶּם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה וּקְרַאתֶם דְּרוֹר בְּאָרְץ לְכָל יֹשְׁבֵיהָ יוֹבֵל הוּא תְהִיָּה לָכֶם וְשִׁבְתֶּם אִישׁ אֶל אַחֲזָתוֹ וְאִישׁ אֶל מִשְׁפַּחְתּוֹ תָּשׁוּבוּ:

חמשים שנה, אלא עובדו עד היובל בין סמוך בין מופלג:

*He shall serve him forever* – Until the Yovel year. Or perhaps it means ‘forever’ literally? We learn from the verse, ‘each man shall return to his family’. That teaches that fifty years are called ‘forever’. And it doesn’t mean that he serves him for fifty years. Rather he serves him until the onset of Yovel, whether it is near to the time when he was bored or distant.

That is, unlike the six years of servitude which are six calendrical years, the fifty years of servitude have a universal date of completion – the *Yovel* year. Whether the boring took place in year one of the Yovel cycle or in year 49, the *eved Ivri* is set free at the onset of the fiftieth year.

Let us see the verse that Rashi cites in Vayikro (Perek 25/Posuk 45) and then discuss this Halachah of *eved Ivri* and its implications for our discussion.

כִּי לִי בְנֵי יִשְׂרָאֵל עֲבָדִים עַבְדֵי הֵם אֲשֶׁר הוֹצֵאתִי אוֹתָם מֵאֶרֶץ מִצְרַיִם אֲנִי ה' אֵלֶיךָ...  
לִקְיָכֶם:

Because B’nei Yisroel are servants for Me, they are My servants whom I took out of the Land of Egypt; I am Hashem your G-d.

Let us ask, if *Am Yisroel* are to be G-d’s servants, His *avodim*, how did the Torah institute the laws of *eved Ivri*? Isn’t the very institution of the laws of *eved Ivri* an objective contradiction to the verse that says that we are His servants?

The answer must be that the status of Israel as being G-d’s servants is a permanent one. A temporary status of being a slave to another Jew does not fully contradict our status as His servants.

However, when one commits himself for a servitude that is ‘forever’, that is a blatant violation of our status as G-d’s servants.

But, again, if it is a violation of our status to enter a servitude that is forever, why would the Torah allow it?

The answer is, as Rashi writes, a term of fifty years is ‘forever’. But no *eved Ivri* legitimately serves 50 years. He is released at the onset of the Yovel year. And

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You shall sanctify the fiftieth year and you shall proclaim freedom in the land to all of its inhabitants; it is Yovel, so it should be for you; you shall return, each person to his inherited land and each person to his family you shall return.

thus, even if he was sold on the first day of the new Yovel period, he will work for only 49 years – not ‘forever’.

And so we learn in Rambam (Hilchos Shemitta v'Yovel Perek 10/Halachah 7):

שנת יובל אינה עולה ממנין שני השבוע, אלא שנת תשע וארבעים שמטה ושנת  
חמשים יובל, ושנת חמשים ואחת תחלת שש שנים של שבוע וכן בכל יובל ויובל.

The Yovel year does not count as one of the years of the [seventh] Shemitta [cycle]. Rather, after the forty-ninth year comes the fiftieth year which is Yovel and in the fifty-first year the six years of the Shemitta cycle begin and so it is with each and every Yovel cycle<sup>7</sup>.

Rambam continues (ibid. Halachos 10, 13-14):

מצות עשה לתקוע בשופר בעשירי לתשרי בשנת היובל, ומצוה זו מסורה לבית דין  
תחלה וכל יחיד ויחיד חייב לתקוע שנאמר תעבירו שופר...

It is a positive commandment to sound the Shofar on the Tenth of Tishrei in the Yovel year. This Mitzvah is given with preference to the Beis Din as well as a [secondary] obligation upon each individual to sound the Shofar, as it says, ‘You [plural] shall pass the sound of the Shofar’.

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<sup>7</sup> The *Kesef Mishnah* explains the need for Rambam to teach us that the Yovel year is separate and distinct from the seven years preceding it and the seven years following it. He writes:

שנת יובל וכו'. בפרק שני דערכין (דף יב) ובפרק קמא דראש השנה (דף ט) ובפרק קונם יין  
וכרבנן דפליגי אדרבי יהודה דאמר שנת חמשים עולה לכאן ולכאן...

*The Yovel year* – We find in the second Perek of Masseches Erachin and in the first Perek of Masseches Rosh Hashanah and in the Perek *Konom yayin* [in Masseches Nedorim] that the Chachamim argue with Rabi Yehuda who said that the fiftieth year counts both as the fiftieth year and the first year of the next Shemitta cycle.

The Rambam here *paskens* like the Chachamim in consonance with the general principle of:

יחיד ורבים, הלכה כרבים

In a dispute between a single opinion and the opinion of many, the Halachah is [generally] decided in favor of the many.

שלשה דברים מעכבין ביובל, תקיעה ושלוח עבדים והחזרת שדות לבעליהן...

There are three indispensable items regarding the effectiveness of the Yovel year: sounding the Shofar, sending the slaves free and the return of inherited fields to their original owners.

מראש השנה עד יום הכפורים לא היו עבדים נפטרים לבתיהן ולא משתעבדין לאדוניהן, ולא השדות חוזרות לבעליהן, אלא עבדים אוכלין ושותים ושמחים ועטרותיהם בראשיהם, כיון שהגיע יום הכפורים תקעו בית דין בשופר נפטר עבדים לבתיהן וחזרו שדות לבעליהן.

From Rosh Hashanah until Yom HaKippurim [of the Yovel year] the slaves were not released to their homes but they were no longer enslaved to their masters. [At that time] the fields were not returned to their owners.

Rather the slaves would eat and drink and rejoice and their crowns [of freedom] would be upon their heads. Once Yom HaKippurim arrived, Beis Din would sound the Shofar and the slaves were released to their homes and the fields returned to their owners.

One may find that this last Halachah in the Rambam is difficult to comprehend on its own – if they were freed, why didn't they return to their homes and their families? If the slaves were not freed, why were they not obligated to work for their masters and if they were not freed, why were they rejoicing? Wasn't that premature?

Furthermore, this Rambam seems to contradict what we learned in Rashi that the slaves, in fact, didn't work fifty years because they were freed when Yovel began. Rambam writes, though, that they were only freed at the sound of the Shofar on Yom HaKippurim, ten days into the fiftieth year. How is this to be understood?

In his comprehensive work, patterning the style of the *Mishnah Brurah*, on Sefer Zeraim of the Mishneh Torah LaRambam, Maran Rav Chaim Kanievsky Shlita explains in his commentary *Derech Emunah (s'if koton 79)* in the name of *Turei Even*:

תקעו בית דין בשופר. ונתברר למפרע שמראש השנה כבר חל יובל...

*Beis Din sounds the shofar* – and then it becomes retroactively clarified that Yovel began on Rosh Hashanah.

Rav Kanievsky elaborates in *his* Biur Halachah there:

מראש השנה עד יום הכיפורים לא היו עבדים כו'. עיין בדרך אמונה שכתבנו בשם טורי אבן שהטעם משום שהוא ספק שמא לא יתקעו בשופר ויבטל היובל ולכן לא היו משתעבדין וגם לא היו חוזרין לבתיהן מספק...<sup>8</sup>

*From Rosh Hashanah until Yom HaKippurim the slaves didn't etc. - See what is written in Derech Emunah where we wrote in the name of Turei Even that the reason [for delaying the release of the slaves and at the same time their freedom and their rejoicing] is because of a doubt. Perhaps Beis Din will not sound the Shofar and the Yovel year will be nullified. Therefore the slaves were not enslaved but they were not allowed to return to their homes because of that doubt.*

The enslavement of the *eved Ivri* did end at the conclusion of the forty-ninth year and thus he didn't work for his *former* master; he ate, drank and rejoiced and donned his crown of freedom.

Thus, we see that the *eved Ivri* never works לעולם, 'forever'. He always works less than 'forever' and thus, even though it is not proper for him to voluntarily continue his bondage, this does not contradict his servitude to G-d. He remains G-d's servant forever; he has never chosen to be a slave to others forever.

There is no Halachic voluntary 'forever' regarding enslavement of one Jew to another<sup>8</sup>.

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<sup>8</sup> Regarding a Jew who sells himself into servitude to a non-Jew, see Vayikro Perek 25/P'sukim 47-54.

Those verses which discuss the above case and decree that the Jew will be freed at the onset of the Yovel year is discussing a situation where Halachah has jurisdiction. When there is no privilege of Halachic jurisdiction, then the Jew will not be freed.

Sadly enough, so was the situation in Eretz Yisroel prior to the destruction of the first Beis HaMikdosh even regarding the *eved Ivri*.

The P'sukim from Sefer Vayikro which we bring here are from Parshas Behar and the Haftorah of Parshas Behar talks about the sin of Jewish owners of Jewish slaves not freeing their slaves according to the dictates of the Torah.

See Sefer Yirmiyahu Perek 34/P'sukim 8-16. The dire predictions that follow (P'sukim 17-24) seem to be related to the violations of the Halachos of freeing the slaves.

This is perhaps the place to point out what we learn in Masseches Megilla 14 a. The Gemara there discusses why *Hallel* is not recited on Purim and three *Amoraim* each

Let us now proceed to a subject which has an unassailable relationship to Shavuos - the Mitzvah of Sefiras HaOmer.

We read in Parshas Emor (Vayikro Perek 23/P'sukim 15-1):

וּסְפַרְתֶּם לָכֶם מִמַּחֲרַת הַשַּׁבָּת מִיּוֹם הַבִּיאָכֶם אֶת עֹמֶר הַתְּנוּפָה שִׁבְעַת שַׁבָּתוֹת  
תְּמִימַת תְּהִינָה: עַד מַמְחֲרַת הַשַּׁבָּת הַשְּׁבִיעִת תִּסְפְּרוּ חֲמִשִּׁים יוֹם וְהִקְרַבְתֶּם מִנְחָה  
חֲדָשָׁה לַה':

You shall count for yourselves from the day following the Shabbos, from the day of your bringing the waved *Omer*-measurement, seven complete weeks it shall be. Until the day following the seventh week you shall count fifty days and you shall bring a new *Mincha*-offering to Hashem.

And we read in Parshas R'eh (D'vorim Perek 16/P'sukim 8-10):

שֵׁשֶׁת יָמִים תֹּאכַל מִצוֹת וּבֵיּוֹם הַשְּׁבִיעִי עֲצַרְתָּ לַה' אָ...לִּיקִיךָ לֹא תַעֲשֶׂה מְלָאכָה:  
שִׁבְעָה שִׁבְעַת תִּסְפֹּר לָךְ מֵהַחֵל חֲרַמְשׁ בְּקִמָּה תַחֵל לִסְפֹּר שִׁבְעָה שִׁבְעוֹת: וְעִשִׂיתָ חַג  
שִׁבְעוֹת לַה' אָ...לִּיקִיךָ מִסֹּת נִדְבַת יְדָךְ אֲשֶׁר תִּתֵּן כְּאֲשֶׁר יְבָרַכְךָ ה' אָ...לִּיקִיךָ:

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offer a different reason for its non-recitation. One answer is:

בשלמא התם הללו עבדי ה' - ולא עבדי פרעה, אלא הכא - הללו עבדי ה' ולא עבדי אחשוורוש?  
אכתי עבדי אחשוורוש אנן.

It is correct to say Hallel then [on Pesach] because Hallel begins (Tehillim Perek 113/Posuk 1) with the words, 'Servants of Hashem, praise Hashem.' [We were then in Egypt] Servants of Hashem and [after the Exodus no longer] servants of Par'o. But on Purim, [can we say] Servants of Hashem and [no longer] servants of Achashveirosh? We are still servants of Achashveirosh [even after being saved from Homon and thus it is inappropriate to recite Hallel on Purim].

We read in Shulchan Aruch Orach Chaim Siman 693/s'if 3:

אין קורין בו הלל

We do not recite Hallel on Purim.

Mishna Brurah writes there (s'if koton 7):

הלל - דבשלמא ביציאת מצרים אמרינן הללו עבדי ה' ולא עבדי פרעה אבל הכא אכתי עבדי  
אחשוורוש אנן:

*Hallel* – It is correct that we say Hallel because of the Exodus because we say, 'Servants of Hashem, praise Hashem' –because we were no longer the slaves of Par'o. But here [on Purim] we are still the slaves of Achashveirosh.

Servitude to others impairs our ability to properly praise the Ribbono Shel Olom because we are then in a status when Hashem is not being our sole *Ribbon*, as it were.

Six days you shall eat Matzos and the seventh day is an assembly for Hashem your G-d; do not do any *melachah*. Seven weeks you shall count for yourself from the beginning of the scythe on the stalks you shall begin to count seven weeks. You shall make a holiday of *Shavuos*-weeks for Hashem your G-d and you shall donate the appropriate amount that you shall give in accordance of how Hashem your G-d blessed you.

It is not necessary to elaborate on the tension between these two sets of P'sukim, both dealing with Sefiras HaOmer. If one counts seven weeks as we read in Parshas R'eh then there is a total of 49 days and that is not the same as the fifty days in Parshas Emor.

The Halachic resolution is unquestioned. Rambam writes in Hilchos Temidin UMusafin (Perek 7/Halachah 22)

מצות עשה לספור שבע שבתות תמימות מיום הבאת העומר שנאמר וספרתם לכם ממחרת השבת שבע שבתות:.

It is a positive commandment to count seven full weeks from the time of bringing the *Omer* as it is written, 'you shall count for yourselves from the morrow of the Sabbath, seven weeks.

Rambam continues (ibid. Perek 8/Halachah 1):

ביום חמשים מספירת העומר, הוא חג השבועות, והוא עצרת...

On the fiftieth day from counting the *Omer*, it is the Holiday of *Shavuos*, which is *Atzeres*<sup>9</sup>.

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<sup>9</sup> In the Torah's terminology, the term *Atzeres*, meaning a convocation or assembly, is associated both with Pesach and Sukkos-Shmini Atzeres.

In regard to Pesach we read in Sefer D'vorim (Perek 16/Posuk 8):

שֵׁשֶׁת יָמִים תֹּאכַל מַצּוֹת וּבַיּוֹם הַשְּׁבִיעִי עֲצַרְתָּ לָהּ אַךְ... לִקִּיךְ לֹא תַעֲשֶׂה מְלָאכָה:  
Six days you shall eat Matzah and on the seventh day it shall be an *Atzeres*-convocation for Hashem your G-d; do not do *Melachah*.

Two P'sukim in the Torah refer to Sukkos as *Atzeres*.

The first time is in Parshas Emor (Vayikro Perek 23/P'sukim 35-36) where we read:

בַּיּוֹם הָרִאשׁוֹן מִקְרָא קֹדֶשׁ כָּל מְלָאכָת עֲבֹדָה לֹא תַעֲשׂוּ: שִׁבְעַת יָמִים תִּקְרְבוּ אִשָּׁה לָהּ בַּיּוֹם הַשְּׁמִינִי מִקְרָא קֹדֶשׁ יְהִי לָכֶם וְהִקְרַבְתֶּם אִשָּׁה לָהּ עֲצַרְתָּ הוּא כָּל מְלָאכָת עֲבֹדָה לֹא תַעֲשׂוּ:

The Tur Shulchan Aruch (Orach Chaim Siman 489) writes:

ערבית אחר התפלה מתחילין לספור העומר שזמנו מתחלת ליל ששה עשר בניסן  
ומונה והולך ארבעים ותשעה יום:

In the evening, after the *Tefilah*, we begin to count the *Omer*. Its time is from the beginning of the night of the 16<sup>th</sup> of Nissan and one counts 49 days.

And in Shulchan Aruch (ibid. s'if 1) we read:

בליל שני אחר תפלת ערבית מתחילין לספור העומר...[ו]מונה והולך עד ארבעים  
ותשעה יום.

On the second night after the *Arvis Tefilah*, we begin to count the *Omer* and we continue counting until the 49<sup>th</sup> day.

And so, we find a great similarity between the Counting of Yovel and the Counting of the Omer.

In both instances the Torah says to count '50' and in both instances the counting concludes at '49'.

However, it is there that the similarity concludes.

After counting 49 years at Yovel, the events of selling slaves and selling fields become nullified. Those sales come to an immediate end. The fields are no longer in the possession of the buyer and the slaves are no longer enslaved.

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The first day is a holy gathering; do not do any melacha of labor. Seven days you shall offer a burnt-offering to Hashem; the eighth day will be holy to you and you shall offer a burnt-offering to Hashem; it is an *Atzeres*-convocation; do not do any melacha of labor.

The second instance is in Parshas Pinchos (B'midbar Perek 28/Posuk 35) and it reads:

ביום השמיני עֲצֵרֶת תְּהִיָּה לָכֶם כָּל מְלָאכָת עֲבֹדָה לֹא תַעֲשׂוּ:  
On the eighth day it shall be an *Atzeres*-convocation for you; do not do any melacha of labor.

However, in the terminology of Chazal, *Atzeres* is used exclusively in reference to Shavuos. Certainly, Shavuos was the most unique of convocations when all of Israel gathered at Sinai to receive the Torah.

The reason is clear. Neither Jews nor legacy fields can be sold in perpetuity. Since the Torah defined perpetuity with the term לעולם and identified it with a period of fifty years, at the termination of year forty-nine the slavery and the sale of fields are terminated. The slavery and the sale of the field cannot continue!

However, when we contemplate the events that follow the 49<sup>th</sup> day of the *Omer* we have an outcome that is the polar extreme of Yovel.

We count 49 days; we do not count 50 days.

However, when the moment that the 49<sup>th</sup> day is terminated we do not withdraw from our connection to G-d. Our connection with Him is not terminated.

On the contrary, on the day following that 49<sup>th</sup> day in the Wilderness of Sinai we entered into the Covenant of Torah with Him Yisborach.

And why do we not count the number '50'? Because that relationship which was formed at Sinai, *Mattan Torah*, was an eternal relationship; it was one of לעולם-perpetuity.

Since the relationship at Sinai was to be infinite, it could not be encompassed by a number which, by definition, is finite.

And thus when we come to the conclusion of the finite, symbolized by the counting of 49<sup>10</sup>, we are able to cross over the boundary into the infinite, where no number can exist.

When we cross over that boundary it is not only to receive G-d's Torah.

Crossing the boundary of finiteness into the realm of infinity to receive the Torah is our commitment to eternal servitude to HaKodosh Boruch Hu. It is the fulfilment of

עבדי הם

*They are My servants.*

To be a true 'עבד ה' is to make a commitment for eternity - לעולם and such a commitment is in the world that is 'meta-49'.

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<sup>10</sup> As is well-known, particularly in the writings of *Maharal MiPrag*, the number '7' refers to the highest level of the natural world and thus '49', the seventh of the seventh, is the last point of finiteness.

We all know the Midrash that Rashi writes in Parshas V'zos HaBracha. The Posuk there reads (D'vorim Perek 33/Posuk 2):

וַיֹּאמֶר ה' מִסִּינַי בָּא וְזָרַח מִשְׁעִיר לְמוֹ הוֹפִיעַ מֵהַר פָּאֶרֶן וְאַתָּה מִרְבֵּבֶת קִדְּשׁ מִיְמִינוֹ  
אֲשֶׁר דָּת לְמוֹ:

Moshe said, 'Hashem came from Sinai, He shone forth from Seir; He appeared from Mt. Poron and came from the myriads of holiness; from His right is the law in fire.

Rashi writes:

זרח משעיר למו - שפתח לבני עשו שיקבלו את התורה ולא רצו:

*He shone from Seir* - Hashem initiated to the descendants of Eisav that they should accept the Torah; but they didn't want to do so.

מהר פארן - שהלך שם ופתח לבני ישמעאל שיקבלוהו, ולא רצו:

*From Mt.Poron* - Hashem went there and initiated to the descendants of Yishmael that they should accept it; but they didn't want to do so.

Do not think that this nation rejected the Torah because of the prohibition of 'do not kill' and that nation rejected the Torah because of the prohibition of 'do not steal' and that was their sole reasoning for rebuffing Hashem's approach to them.

Underlying their refusal was their understanding that accepting the Torah would be a permanent commitment to fulfil His Will, a commitment without an end, one that would last forever. Accepting the Torah would entail an eternal servitude.

They refused.

We said:

נעשה ונשמע

We will do and then we will try to understand.

נעשה ונשמע means that in any case we will do, whether we understand the reasoning of His Will or not. That is servitude and that was a pledge that was eternal.

What was the context of נעשה ונשמע?

We read at the conclusion of Parshas Mishpotim (Sh'mos Perek 24/Posuk 7):

וַיִּקַּח סֵפֶר הַבְּרִית וַיִּקְרָא בְּאָזְנֵי הָעָם וַיֹּאמְרוּ כֹל אֲשֶׁר דִּבֶּר ה' נַעֲשֶׂה וְנִשְׁמָע:

Moshe took the Book of the Covenant and he read in the ears of the People; they said, 'All that Hashem said we shall do and we shall hear'.

Why did the Torah choose to call itself *Sefer HaBris* at that particular moment?

Rashi writes:

ספר הברית - מבראשית ועד מתן תורה ומצות שנצטוו במרה:

*The Book of the Covenant* – from B'reishis until *Mattan Torah* and the Mitzvos that were commanded in *Marah*.

At Sinai we heard just a little but our commitment was for everything and thus it was the Book of the Covenant because though the Book was limited, the Covenant was expansive and all-inclusive.

The Covenant is infinite.

At *Mattan Torah*, Hashem enabled finite flesh and blood to bridge the gap and enter infinity.

At *Mattan Torah* that Divine enabling existed to allow us to make a commitment that is eternal, ever-lasting.

Infinite.

When we count day forty-nine of the *Omer* we reach the limit of our capabilities, because we are finite.

When we proceed to the Yom Tov of Shavuot and refrain from counting '50' we are able to recreate, even if only in miniature, the event in which Israel received the Torah 3,331 years ago.

We are told

היום הזה נהיית לעם - בכל יום יהיו בעיניך כאילו היום באת עמו בברית:

*Today you have become a people* – Every day it should be in your eyes as if you entered the covenant with Hashem today.

Since we are told that it should be in our eyes as if we entered the covenant today, that means that it is within our capabilities to have such a sense.

Once in our history we had a Revelation of infinity. That Revelation entered our *neshamos* and left a lasting, indelible and infinite impact within us.

We are able to re-call that impact and relive it – particularly on the Yom Tov of Shavuos.

If we allow ourselves that sense of awareness on the Yom Tov of Shavuos then its impact and force can reverberate within us for the entire year and the eternal and infinite relevance and freshness of Torah, its Mitzvos, and our serving of G-d will become a natural part of our existence.

Shabbat Shalom

Chag Sameach

Rabbi Pollock