



Parashat HaShavua

Balak, 17 Tamuz 5778

Wicked Wizard or Prophet?

Harav Yosef Carmel

Who (or what) was Bilam really? The commentaries have always dealt with this thorny issue.

On the *pasuk*, "Another prophet like Moshe never arose in Israel, whom Hashem knew face to face" (Devarim 34:10), Chazal (Sifrei, V'zot Haberacha 357:10) derived an extremely positive appraisal: "While in Israel there was not as great as Moshe, among the nations there was Bilam." The difference is that Moshe did not know Who was speaking to him, and Bilam did know; Moshe did not know when Hashem would speak to him and Bilam did know. To put things in perspective, they explained that Bilam knew so much, just like a royal chef knows about the ins and outs of the goings on of the king's kitchen – without being an important officer. In this vein, Moshe is uniquely described as, "in My house, he is trusted" (Bamidbar 12:7).

Bilam earned, in Rabbinic parlance, the title Bilam Harasha (the wicked). "Whoever has these three qualities is a disciple of Bilam Harasha: a bad eye (looks negatively on others), a high spirit (haughtiness), and a broad spirit (desires great pleasures) (Avot 5:19). They accuse him of involvement in immoral acts such as bestiality with his donkey (Avoda Zara 4b). On the *pasuk*, "*Vayiker Elokim el Bilam* ...," the *midrash* sees the first word as a reference to impurity.

The most direct description used in *Tanach* against Bilam is found in Yehoshua (13:22) – "Bilam the son of Be'or the sorcerer (*hakosem*), Bnei Yisrael killed by sword." What does a *kosem* mean? In our "rational" world, this is a reference to one who uses sleight of hand. However, throughout history, this has referred to people who steeped themselves in an impure world of occult powers. Therefore, magic was connected to the source of impurity – to the dead. Indeed, the Torah forbids interaction with secrets from the world of the dead (Devarim 18:10-11).

Bilam increased the impurity by involving himself and those around him in promiscuity. While on the one hand he praised Bnei Yisrael for the modesty of their homes (Bamidbar 24:5), his plan succeeded in causing many in Bnei Yisrael to sin with Moavite women (see Micha 6:5). Chazal asked how he could be called a *kosem* if he was a prophet, and answered that he was originally a prophet, but later on was a *kosem* (Sanhedrin 106a).

Hashem sent His trusted servant Moshe to save His people, Bnei Yisrael, from Egyptian bondage, bring them to Sinai to accept the Torah, and then bring them into the Land to establish a moral society that could serve as a light to the nations. Hashem gave the non-Jewish world a prophet on an equally high level, Bilam. This man decided to leave the path of prophecy and purity and cling to sorcery and impurity. After choosing this path, he fell to the 50th level of impurity. After Balak invited him to curse Bnei Yisrael, he saw the purity in Bnei Yisrael and realized that the only way to "return Bnei Yisrael to Egypt" was to make them sin. That is why Bnei Yisrael had no choice but to fight Midian and kill "Bilam ben Be'or the sorcerer."

Hemdat Yamim is dedicated to the memory of:

Eretz Hemdah's beloved friends and Members of Eretz Hemdah's Amutah

Rav **Shlomo Merzel** z"l lyar 10, 5771

Rav **Reuven Aberman** z"l Tishrei 9, 5776 Mr. **Shmuel Shemesh** z"l Sivan 17, 5774 Rav **Asher Wasserteil** z"l, Kislev 9, 5769 Mrs. **Sara Wengrowsky** bat R' Moshe Zev a"h, 10 Tamuz, 5774

Hemdat Yamim is endowed by Les & Ethel Sutker of Chicago, Illinois. in loving memory of Max and Mary Sutker & Louis and Lillian Klein, z"l

R' **Yaakov** ben Abraham & Aisha and **Chana** bat Yaish & Simcha **Sebbag**, z"l Rav **Yisrael Rozen** z"l Cheshvan 13, 5778 R' **Benzion Grossman** z"l, Tamuz 23, 5777

R' **Meir** ben Yechezkel Shraga **Brachfeld** z"l R' **Eliyahu Carmel** z"l Rav Carmel's father Iyar 8, 5776

Dedicated in memory of **Mina Presser bat Harav David and Bina**on the occasion of her yahrzeit, 24 Tammuz
and members of her family who perished in the shoah Al Kiddush Hashem

Those who fell in wars for our homeland. May Hashem avenge their blood!



Eretz Hemdah

Deans: Harav Yosef Carmel, Harav Moshe Ehrenreich 2 Bruriya St. corner of Rav Chiya St. POB 8178 Jerusalem 91080 Tel: 972-2-5371485 Fax: 972-2-5379626. amutah number 580120780 American Friends of Eretz Hemdah Institutions c/o Olympian, 8 South Michigan Ave., Ste. 605, Chicago, IL 60603, USA Our Taxpayer ID #: 36-4265359

www.eretzhemdah.org info@eretzhemdah.org

Donations are tax deductable according to section 46 of the Israeli tax code



Ask the Rabbi

by Rav Daniel Mann

Chasing after a Child during Kedusha

Question: I often shadow a young boy with special needs at my local *shul* on Shabbat. This boy does not stay still and moves quickly and goes in and out of *shul*, where his father is *davening*. Although I *daven* earlier, I have the problem of not always being able to stand still during *Kedusha*, as I have to run after him so he does not get hurt, etc. Recently, I was scolded by an older man for this. Despite my explanation of the situation, he said that one must stay still during *Kedusha* even in the face of mortal danger. What does Halacha have to say about this situation?

Answer: Most of the discussion about walking is found in regard to *Shemoneh Esrei*, and we will start with that. Your *shul*-mate may be remembering (incorrectly) the following *mishna* (Berachot 30b). During *Shemoneh Esrei*, "even if a snake is wrapped around his leg (parallel to war), he should not stop." However, the *gemara* (ad loc. 33a) says that this is only when it does not appear that the snake presents real danger. Furthermore, the stop (*hefsek*) referred to is speaking, e.g., calling someone to save him. One actually is allowed to walk to another place to protect himself from even a moderately precarious situation, as walking is not a real *hefsek* (Mishna Berura 104:10).

Of course, one should not walk for no good reason during *Shemoneh Esrei*, as it is a low-level *hefsek*. We find the following priority list for one who must take care of something during *Shemoneh Esrei* (Mishna Berura 104:1), from best to worst: 1) hinting to someone to help without talking or moving; 2) walking somewhere without speaking; 3) speaking, which is permitted under only extraordinary circumstances.

In comparison to *Shemoneh Esrei*, the position of one's body is less important during *Kedusha*. The Shulchan Aruch (Orach Chayim 95:1) says one is <u>required</u> to have his feet together during *Shemoneh Esrei*, to "imitate" angels in service of Hashem. In contrast, regarding *Kedusha* he writes (ibid. 4) that it is <u>good</u> (i.e., less critical than for *Shemoneh Esrei*) for one's feet to be together. Again, one does not walk for no reason, but legitimate concern for a special needs child's physical (or emotional) safety is fully justified. The additional liturgy for Shabbat within *Kedusha* is not even considered a full-fledged part of *Kedusha* (see Mishna Berura 125:1) and <u>arguably</u> it is even less problematic to walk then. Furthermore, one who is not *davening* has a lower-level obligation to join *Kedusha*, to not look like he does not endorse what is being said. This would seem to not apply to one whose pressing preoccupation is clear to all. So halachically, you are clearly fine.

We continue with a <u>conjecture</u> about your *shul*-mate's reaction. Although he said he was motivated by concern for your *Kedusha* obligations, it is likely that he was bothered by something else. Having a child running wildly through a *shul* with or without an adult chasing after him is not ideal for the atmosphere of a *shul* or *davening*. Those with certain personality types are particularly disturbed by such a situation. Some people properly care greatly about decorum and quiet in *shul*. The situation may make others just feel nervous. You may not think in such terms, because you are, laudably, concerned with the welfare and happiness of the child.

It can be a good idea to discuss such a situation (presumably, the father) with the rabbi or other leadership. The job of any true leader is to strike a proper balance between the needs of the general community and the unique needs of individuals. We cannot be of help from here, as only someone intimately familiar with the setting and the people involved can do it justice. Obviously, no reasonable rabbis would ignore the needs of a special needs child. However, it is plausible to arrive at an arrangement using discretion as to when the child will spend time in *shul*. But again, the feelings of the man you refer to (even though he is wrong in what he said and seemingly how he said it) and perhaps other people is a <u>possible</u> issue, not the *halachot* of *Kedusha*.

Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.





We are happy to present our fourth volume of "Living the Halachic Process".

The book offers a compilation of questions and answers from our "Ask the Rabbi" project.

Sources for the answers can be downloaded from our website.

Special price for Hemdat Yamim readers: \$20





Partnership between Benefit and Morality

(condensed from Ein Ayah, Shabbat 6:65)

<u>Gemara</u>: One who lends is greater than one who gives charity, and one who puts money "in the pot" [for others to invest and share the profits] is greater than all of them.

<u>Ein Ayah</u>: When contemplating the proper moral path to take, there is a feeling of discomfort, almost pain in the heart. This is due to the evil of the *yetzer hara* in one's midst. For this reason, one associates morality with a heavy feeling that is the opposite of enjoyment.

This connection between morality and sadness is very detrimental to the expansion of goodness because people naturally like to be happy and experience enjoyable things and run away from that which causes pain. Therefore, it is wise policy to find ways to make morality more palatable to man and not be in situations in which the right thing causes him damage. The more one avoids losing from doing the right thing, the greater regard we have for the steps he needs to take. It is even a better thing if the person doing the right thing gains from it. This creates complete goodness, as the recipient of the kindness will not have to worry that his benefactor is suffering anguish, physical or spiritual.

One of the great moral deeds is charity. It is best if one lends money rather than give charity. He does not lose money, as it will return to him, and this allows it to have a positive impact on the masses. If he gives money to be invested, he gains, and there will be a uniting of the pursuit of doing good and doing good for himself, making it a lofty ethical act. He will thus be able to create a moral path without pain. The benefit will connect with the charity and they will exist without pain and in a manner in which his desire to help others will be sustainable.

Dogs - Man's Greatest Non-Human Influencer

(condensed from Ein Ayah, Shabbat 6:67)

Gemara: Whoever raises a vicious dog in his house withholds kindness from his house, as the *pasuk* says, "Lamas from his friend kindness" (Iyov 6:14). This is because a dog is called *lamas* in Greek.

<u>Ein Ayah</u>: Concealed ideals are apt to come through hidden causes. It is well-known that social interactions impact on a person's spirit both for good and for bad. It is a new idea that other living things also impact a human's behavior when they are in his proximity.

To understand this, we must realize that even when man influences man, it is not just by means of the visible actions and words they interchange, but by a spiritual process through which someone good improves the spiritual environment around him. Likewise someone evil casts shadows of evil on those around him. This type of spiritual impact can be accomplished even by an animal, especially those with an inclination toward a relationship with mankind; the dog is unique in this regard. A dog has a lowly spirit, and a vicious dog is antithetical to kindness. Therefore, a vicious dog impacts a house spiritually, holding back the light of kindness.

This type of relationship with a dog, with its unseen impact, is unnatural to Jews. Our nation has always been hesitant to raise dogs and even put restrictions on it (see Bava Kama 79b). However, due to the level of connection between humans and dogs, which finds expression in a Jewish home as well, they can impact on a Jewish home. We should be careful about this impact, as is hinted by the fact that a foreign (Greek) name of a dog is found in the *pasuk*.



Tzofnat Yeshayahu-Rabbi Yosef Carmel

The Prophet Yeshayahu performed in one of the most stormy and dramatic periods of the Israeli nation's life, a period of anticipation for the Messiah that was broken by a terrible earthquake, and also caused a spiritual and political upheaval. The light at the end of the tunnel shone again only in the days of Chizkiyah.

"Tzofnat Yeshayahu – from Uziya to Ahaz" introduces us to three kings who stood at this crossroad in our nation's history: Uziya, a king who seeked God but was stricken with leprosy because of his sin; Yotam, the most righteous king in the history of our people; And Ahaz, the king who knew God but did not believe in His providence.

In his commentary on the prophecies of Yeshayahu, Rabbi Yosef Carmel, Head of the Eretz Hemdah-Gazit rabbinical court and a disciple of Rabbi Shaul Israeli zt"l, clings to the words of Hazal, our sages, and to the commentaries of the Rishonim, the great Jewish scholars of the middle ages, and offers a fascinating way to study Tanach. This reading attempts to explain the Divine Plan in this difficult period and to clarify fundamental issues in faith. Tzofnat Yeshayahu reveals to the reader the meaning of the prophecies in the context of the prophet's generation and their relevance to our generation.



P'ninat Mishpat

Responsibility for a Collision

(based on ruling 70051 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The plaintiff (=pl), a gardener, was hired by the defendant (=def), a homeowner, to plant a garden and lay a cement floor with tiles outside his house for 24,000 shekels. The work was to take two weeks, with half of the payment after the cement was poured and half at the end of the work. Def paid pl only partially. Pl demands full payment. He is also complaining about defs several changes in instructions and improper use of his materials, which he values at 2,975 shekels. Pl itemized expenses for the job of 23,508 shekels (including payment to his workers) and demands pay for his work of 4,000 shekels (=27,508). Def presented a list of deficiencies in the building, which he claims should reduce the amount of money he owes and also complains that the work took a month rather than two weeks. Before adjudication, def had paid 10,600 shekels, and beit din required him to immediately pay an additional 4,000 shekels, which is the least possible amount of pay that is still forthcoming.

Ruling: The main problem was in the lack of clear expectations. *Def* did not see samples of *pl*'s work, there was not a clear list of work to be done, and there was not a clear accounting of the changes ordered. The two sides should be more careful in the future. We also criticize *def* for paying less than half of what was due, even though he knew that more was due (including expenses *pl* incurred), and despite the Torah obligation to pay a worker promptly.

It turns out in retrospect that the price estimate was too low. While that is pl's problem, it is noteworthy that even considering deficiencies, the work done was worth more than 24,000 shekels, and even when one does work for another without permission, he is still returned at least expenses (Shulchan Aruch, Choshen Mishpat 375:1), which was close to that. While the work was not of high quality, most of the problems could have been fixed easily by a professional, and pl was prepared to carry out most of them. Being two weeks late is not uncommon for such projects.

Even if we are to take off for deficiencies, it should be taken off from the 27,508 shekels, which should have been the value of the work done and expenses, not from the work estimate, because his claim has to do with how much the work was worth. In any case, the claims of deficiencies are unreasonably priced. On the other hand, most of pl's demands for extra charges for changes are unjustified. We accept only 1,750 shekels (we skip the itemization). So too, we must reduce from the amount due to the value of two days' work pl admits are needed to raise the standard of work to the required and the fact that def paid 3,500 shekels for materials.

We estimate, based on documentation, the value of the work done at 21,750 shekels. That leaves 7,150 shekels for *def* plus the whole *beit din* fee, due to the fact that he improperly withheld money that was clearly slated for payment.

We *daven* for a complete and speedy *refuah* for:

Meira bat Esther Rivka Reena bat Gruna Natna
David Chaim ben Rassa Lillian bat Fortune
Yafa bat Rachel Yente Eliezer Yosef ben Chana Liba
Ro'i Moshe Elchanan ben Gina Devra
Together with all cholei Yisrael

Eretz Hemdah is the premier institution for training young rabbis to take the Israeli Rabbinate's rigorous Yadin Yadin examinations. **Eretz Hemdah**, with its distinctive blend of Religious Zionist philosophy and scholarship combined with community service, ensures that its graduates emerge with the finest training, the noblest motivations resulting in an exceptionally strong connection to Jewish communities worldwide.