



MISHNAS CHAYIM

משנת חיים

MISHNAH ON THE PARSHAH

פרשת פינחס תשס"ט 5769 Parshas Pinchas

WHO OWNS THE TORAH?

Maseches Avos begins with a Mishnah familiar to many, in which the process of Torah transmission – beginning with Har Sinai – is outlined:

משה קבל תורה מסיני, ומסרה ליהושע, ויהושע לזקנים...

"Moshe received the Torah from (Hashem at) Sinai, and passed it on to Yehoshua. Yehoshua (passed it) to the elders..."

The selection of Yehoshua – a central event of this week's *parshah* (*Bamidbar*, 27:18-23) – is actually a source of puzzlement for the commentators.

The transmission of the Torah is one of the most crucial tasks for the preservation of Klal Yisrael. The Torah must be safeguarded and transferred – totally unchanged – to subsequent generations. Seemingly, the best choice to head this endeavor would be the individual whose Torah erudition surpasses anyone else in the generation.

Yehoshua, no doubt, was a great man, and a scholar of note. However, it seems that there were colleagues of his equal, if not better. In fact, Rashi (*Avos* 1:1) points out that the most obvious choice for this position would seem to have been another key figure of our *parshah*: Pinchas himself.

Concerning Pinchas, the verse (*Malachi* 2:6) states: "Torah *emes* (a Torah of truth) was in his mouth." Here we have a virtual guarantee that Pinchas is always correct in his teachings and decisions. Could there be a more fitting quality for safeguarding the Torah for the next generation? What was it about Yehoshua that made his selection preferable?

The Medrash actually lists those qualities of Yehoshua that entitled him to be Moshe's successor. While this may seem like welcome news, the issue actually becomes more mystifying:

"Yehoshua... would arrange the benches (in the Beis Medrash)... he is the one who shall lead Yisrael," (*Bamidbar Rabbah* 21:14).

Pinchas excelled in Torah erudition to an almost flawless extent. Yet Yehoshua was chosen over him – because he arranged the chairs in neat rows?

There is another Medrash that may shed some light on our issue:

CORPORATE ACCOUNT

A certain individual – whose dress and outward appearance seemed to indicate that he was an accomplished Torah scholar – was dining with R' Yannai. R' Yannai's initial excitement at hosting such a prestigious guest, however, soon turned to disappointment. After a short time, it became apparent that this individual was totally ignorant of any Torah knowledge whatsoever.

Fearing that his company might no longer be welcome, the guest wished to salvage the opportunity to remain with R' Yannai and learn from his ways. In desperation, he grabbed hold of his host and quoted from the only Torah verse that he knew:

"You have my *yerushah* (inheritance)!" he exhorted.

"What *yerushah* of yours do I have?" asked a puzzled R' Yannai.

His ignorant guest explained: "One time I passed by a *yeshivah* where Jewish children were learning. I heard the boys recite the *pasuk* (*Devarim* 33:4), 'Moshe commanded us to fulfill the Torah; it is an inheritance of the congregation of Ya'akov (i.e., of Klal Yisrael).'

"The verse," he continued, "doesn't state that Torah is an inheritance of the congregation of Yannai; rather, it is an inheritance for *all* Jews," (*Vayikra Rabbah* 9:3).

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R' Yeruchem Olshin elucidated the import of this Medrash. Torah study is most pristine and effectual when undertaken on behalf of the *klal* (greater community of the Jewish people), rather than solely for the sake of the individual. In essence, the Torah was given – and belongs to – all of Klal Yisrael.

Consider a bank. An account can be set up by an individual, wherein he puts in money for his usage, and only he – and he alone – can take money out. Yet an account can also be opened on behalf of a collective organization. Money is put in but is kept there to be accessed and used by any authorized member of the organization.

This was the intent of the Medrash as well. The Torah is a joint account for the benefit of all of Klal Yisrael. One who learns, spreads and teaches Torah, benefits the entire "organization." R' Yannai's guest was pleading with him to recall this important idea. Had Torah been the domain of the

individual, it would make sense for R' Yannai to reject this ignoramus; R' Yannai could accomplish a lot more if he would learn with someone of a much higher caliber. But Torah is not in the private domain; it is the right and possession of all Jews. Withholding Torah from this Jew would be tantamount to withholding his rightful inheritance.

LIKE A DESERT

Last week, we discussed the two forms of attaining Torah knowledge as formulated by R' Itzele Peterberger: Torah as a business acquisition – which is commensurate with one's efforts and intelligence – and Torah as a "gift," wherein the individual can accomplish and understand beyond his inherent capabilities. What still required clarification, however, was the means to merit this special gift.

The *pasuk* that teaches us about this remarkable phenomenon reveals that it comes from the *midbar* (desert). The teaching is referred to and expanded on in the Gemara in Nedarim (55a):

"When a person resembles a wilderness, which is available to all, he receives the Torah as a *matanah* (gift); as the verse states, "And from the desert comes the gift," (*Bamidbar 21:18*).

The secret to meriting this gift, R' Yeruchem explains, is the same as referred to by the story of R' Yannai. Someone who is primarily concerned that anyone who wants to can share in his Torah – he is available for all – follows the model of the *midbar*. As such, he will be granted the true gift.

This was the key to Yehoshua's success and selection. In terms of raw abilities and erudition, it could be that there were others who were superior. Yehoshua, however, showed concern for the Torah of the *klal*. Instead of concerning himself solely with his own advancement, he went out of his way to provide proper seating for the other *talmidim*. Since his Torah learning and activities were clearly undertaken with the *klal* in mind, he merited the ultimate level of Torah acquisition – the gift of Torah, direct from the Giver of Torah.

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