

This Week's Parshah - Parshas Behar - Bechukosai

Kindly take a moment to study MISHNAS CHAYIM in the merit of

Kayla *bas* Yisroel *a"h*

a fellow Jew who passed away with no relatives to arrange Torah study on behalf of her *neshamah*

How Can You Sleep at Night?

The Ponevezher Rav had a problem.

It was 1943, in the midst of the conflagration that was engulfing European Jewry. In his tireless efforts to secure some measure of rescue and relief for his imperiled brethren, the Ponevezher Rav had established Batei Avos in B'nei Brak, a refuge center for Jewish children escaping from the Holocaust. In a few days, the first group of young refugees would be arriving.

The problem was that the wartime disturbances were extremely far-reaching. In Eretz Yisrael itself many products were rationed or unavailable. It was simply impossible, even for all the money in the world, to procure sufficient bedding to accommodate the expected influx of refugees. Ravaged and exhausted from their flight, they were soon to arrive.

Finally, the Rav thought he had a plan. In an attempt to convey his idea to the *tzibbur* (community), he posed the following question in the context of a Shabbos address in *shul*.

Who Comes First?

The Torah discusses the institution of the *eved Ivri*, a Jewish man who sells himself as a slave to another Jewish master. A number of laws apply to such a case, not the least of which is the firm obligation on the master to treat him with dignity and fairness. In fact, the Yerushalmi notes the extent to which the master must provide for this slave: He must supply him with a pillow, even if it is the only one he owns.

That means, of course, that the slave will go to sleep at night with a pillow, while the owner will not. While the self-sacrifice seems impressive, the Ponevezher Rav pointed out, it seems to contradict a different notion elsewhere.

The Gemara (*Bava Metzia 62a*) discusses a well-known and tragic case: Two people are wandering in the desert. One of them happens to have a flask of water with him; while there is enough to sustain him until he reaches civilization, the supply is insufficient to provide for both of them. The gut-wrenching question becomes: what to do? Do they share the water and suffer the identical fate? R' Akiva learns the proper course of action from this week's *parshah*. The *passuk* states (*Vayikra 25:36*): וְיָחַי אָחִיךָ עִמָּךְ – “And your brother shall live with you.” “With you,” he shall live, but not instead. Thus, concludes R' Akiva: וְחַיִּי קֹדֵם לְחַיֵּי חֲבֵירִי – “Your life takes precedence over that of your friend.”

This overriding principle is applicable to a number of situations. One should always try to provide assistance, of course. But if it's a mutually exclusive matter, one's own needs come first.

And so, asked the Ponevezher Rav, how are we to understand the *halachah* (rule) governing an *eved Ivri*? We learned that if the master has only one pillow, it goes to the slave. What happened to the “*chayecha kodmim*”

principle? Shouldn't the master himself get the better night's sleep?

Good, Old-Fashioned “Jewish Guilt”

The Ponevezher Rav proceeded to demonstrate how, even in this instance, the owner's needs are in fact given precedence. That is, the Torah realizes what will happen if the owner retains the pillow for himself – he won't be able to sleep! Knowing that he left his poor *eved* without a pillow would so gnaw at his conscience that he would toss and turn all night. By mandating that he give his one pillow to his slave, the master will be able to get a good night's sleep himself – pillow or no pillow!

“We, too, are in the same situation,” the Ponevezher Rav told his audience. “In another day, the first wave of immigrants will be arriving. Alas, they have no pillows, and we have no way to acquire them. How will we be able to sleep at night, knowing that these poor orphans have no pillows? Unless, of course, we provide them with our own...”

Actually, it stands to reason that there was a lot more than just plain “guilt” that the Ponevezher Rav was banking on. Rather, he was aware of the inherent desire to do the right thing that lies deep within the hearts of every Jew – even the wanton sinner.

Consider the case discussed in the Mishnah (*Arachin 5:6*) of a recalcitrant husband who disobeys the order of the *beis din* (Jewish Court) to grant his wife a *get* (bill of divorce):

בְּגִטֵי נָשִׁים, כּוֹפֵּין אוֹתוֹ עַד שֶׁיֵּאמַר רוֹצֵה אָנִי.

“With regard to bills of divorce, (*beis din*) can employ physical force to coerce (the man) into declaring: ‘I consent (to the divorce).’”

One of the reasons this particular *halachah* is so remarkable is that a *get* is only valid if it is produced *with the husband's acquiescence*. And yet, such “acquiescence” is considered legitimate even if procured through the offices of thugs for hire.

How can this be? In a famous and fundamental dissertation, the Rambam (*Hilchos Geirushin 2:20*) explains that, in fact, even such an individual wishes to do right; it is merely his evil inclination that temporarily clouds his ability to think straight: “One whose evil inclination has taken hold of him, compelling him to neglect the fulfillment of a particular mitzvah or to commit a sin and is then beaten (by the authorities) until he performs that which he is obligated to do... this is not considered ‘forced’ (i.e., it is not truly ‘against his will’); rather, it was he, himself, who had ‘forced’ himself to act improperly through his own corrupted mind. Therefore, regarding one who refuses (to adhere to the court's mandate that he divorce his wife), since inherently he wishes to be considered a member of Yisrael, *he truly wants to fulfill all of the mitzvos and refrain from all sins*; it is only that he has been overpowered by his inclination. However, once his inclination has been weakened and subdued through the beating he has sustained, and he pronounces, ‘I acquiesce,’ (this constitutes a manifestation of his true desire), and he has divorced with a full heart.” In short, everyone inherently wants to do right, and will do so – if they can only get past the blockage of the *yetzer hara* (evil inclination).