

Kedoshim - Rabbi Lerner - April 29, 2012

19:2: Hashem spoke to Moshe saying 'Speak to the entire congregation of Bnei Yisrael and say to them be holy for I Hashem am holy'. **Rashi**: this was said to the entire assembly of Bnei Yisrael (Hakheil) so that they would all hear everything directly from Moshe instead of the normal transmission that filtered down through Aharon to his sons, to the elders to the people. **Rav Simon** quoting **Rav Epshtein**: There is a famous Midrash that says when it says to be holy you might think it means to be holy in the same way Hashem is holy; therefore, it says 'you be holy for I am holy', to say that you have to be holy in your way, different from Me. Would we have thought without these extra words that we would be as holy as Hashem? It means that we are qualitatively different in our manner of kedusha. Hashem is unique in every possible way; He stands alone, there is none like Him in the heavens; but we are here on earth, Hashem's special nation; our kedusha has been manifested as a people, living together in holiness. The **Rav**: kedusha means transcendence, with Hashem transcending all of time and place. Our kedusha has to come in the closeness and interactions of the people with each other. We can only attain real kedusha when we are in the midst of the Jewish people, working together to build a nation in the holy land, rather than living alone like a hermit. Many of the mitzvos that follow relate to this, being mitzvos bain adam lechaveiro.

19:9: The mitzvos of Pe'ah and Leket: *When you reap the harvest of your land, you should not complete your reaping to the corners of your field, and do not take the gleanings of your field.* The purpose is to leave some portion of your wheat so that poor people can take extra to feed themselves - this is Pe'ah. There are also Leket and Shickchah - some wheat strands that were overlooked or some dropped in the midst of the field, are not allowed to be collected on another sweep of the fields - they are left for paupers.

Oznayim LaTorah: there are different kinds of gifts and types of tzedakah involved with one's fields. There are terumos and ma'aseros from the fields that ordinarily go to Kohanim and leviyim, and pe'ah, leket, and shickchah that go to paupers. When it comes to the Kohanim and leviyim, it says in Bamidbar 18:12 that the choicest of the wine, grains, and oils will be for the Kohanim - they get the prime quality. But the paupers get only inferior produce - what is at the corners of the fields, which is most likely to be trampled by people and animals traversing the fields, clearly poorer quality produce; they also get what is dropped or the undeveloped produce. So it is surprising that Hashem allows us to give poorer quality, inferior food to the poor as opposed to Kohanim and leviyim. The reason is that the Torah understands human psychology. When we give to Kohanim and leviyim who have no land of their own and have jobs of doing the avodah and teaching - we feel we are getting something in return - they are doing the avodah for us, interceding with Hashem for us, doing all of the spiritual work, teaching us - therefore, we want to give them our best. But to paupers our attitude is that we get nothing from them, and they must be lazy or incompetent to cause their poverty; we look down at these people and are reluctant to turn over our money to them. So Hashem allows us to give less than our best to them so that we don't feel that we are wasting our money. Why in 19:10 does it say 'for the ger and poor you shall abandon (Ta'azov) the grains', rather than just give them (Tinasein) the grains? What Hashem is telling us is to leave it for them because it is theirs, it really belongs to them; Hashem designates it for the poor. Again, psychologically, it is easier with these mitzvos for the landowner to give to the poor in this manner - he will say that he is a very successful man, and if the corners of the fields truly belonged to him, they would undoubtedly be of top quality - therefore, these inferior fruits must really belong to a poor person who is not successful.

There will always be socioeconomic divisions in society; there will always be poor people in the land. Hashem decreed this and made the decisions that there will always be poor people - we must be thankful because we could have been that poor person; since Hashem made us wealthy, since we are the luckier ones, we must leave over portions of our grains for the poor with these mitzvos. There is a Midrash that says the Jewish people were exiled because of 'Owni' - oppression; but it also means poor, as in Lechem Owni - we lost the land because we did not treat the poor people as Hashem wanted us to do. Hashem creates poor people for us to take care of, the same way He takes care of us. Therefore, we leave grain for them because it is meant for them. That is why these commandments are followed by the mitzvos of not to steal - if we take these portions of our fields, we are stealing from what is supposed to be for the poor people. The Torah says in 19:11 that we should not lie against another of our nation - this refers to lying about the ownership of these portions of the fields when we try to say that it is all ours instead of acknowledging that it belongs to them.

19:11: *Do not steal, do not deny falsely, and do not lie to one another.* **Oznayim LaTorah**: why is this said in the plural (Tignovu) rather than singular (Tignov)? Because often it is a conspiracy when several people agree to perpetrate a falsehood together. If one person is caught, they all must admit to being involved. Hashem is saying that even when it comes to criminals, if one got found out, all should admit and take the punishment.

19:12: *Do not swear falsely by My name, thereby desecrating the Name of your God, I am Hashem.* **Oznayim LaTorah**: This refers to people working together as partners. Sometimes if one puts in more work than the partner and desires to take more of the profits, when it comes to a Din Torah he should not lie in court because he feels he is justified from the work that he did; he must abide by the original agreement.

19:13: *Do not cheat (Sa'ashok) your fellow and do not rob; and do not withhold a worker's wage with you until morning.* **Rashi**: there are many different ways of stealing - stealthily in your home as a ganov; brazen to your face with a gun as a gazlon, etc. There are some forms of theft that are very different and more subtle. *Sa'ashok* means withholding wages of a worker; you should not come up with excuses not to pay your workers - you shouldn't claim that it wasn't done on time, it was inferior workmanship, etc. It was justifiable work that they did and you owe them the money; if you refuse to pay, then this is a separate type of theft for which there is a separate lav. You are oppressing this other person by what you are doing. The Torah warns against it here. **Oznayim LaTorah**: it says *Lo Sa'ashok Re'achah* - this is a worker but the Torah refers to him as your friend; there is no stronger term that Hashem uses in the Torah to indicate close relationships between people than this term. This is how you have to relate to every other Jew, even a laborer who works for you; you cannot treat him as anything less than a close friend; you don't look down at this person. The Torah uses this language deliberately - we must show great respect for this person who is doing an honest job. It is pure theft that we are trying to rationalize - the Torah does not sanction that - is this how you would treat a close friend? It is the equivalent of *Lo Tizgol*, the same as breaking into his house; we try to rationalize it, that it is somehow different, but in Hashem's eyes it is equivalent to stealing from him; it is no less an offense, no less repugnant in God's eyes. The follow-up to that is later in the pasuk when you delay paying him; Hashem will not sanction that - it is treachery against your brother and stealing from him; you must pay immediately after the work is done. The Gemorrah in Bava Metziah says that this prohibition is only applicable if you have the money; if you have a cash problem and don't have the money, if it was beyond your control, in those cases you do not violate the commandment.

19:14: *You shall not curse the deaf; do not place a stumbling block before a blind person; you shall fear your God, I am Hashem.* **Rashi:** I only know you can't curse a deaf person - how do I know you cannot curse anyone? In Mishpatim 22:27 it says you should not curse a leader amongst your nation (*Ve'Nasi Be'amchah Lo Sa'ohr*); you must feel close to all Jews; this statement here is not limited to deaf people. So why is it stated here? To teach that just as the deaf person is alive, this negative commandment is only against someone who is alive, not a dead person. **Ramban:** we include everyone from these two pasukim: the Nasi in Mishpatim is the most revered person; a deaf-mute can't hear and speak, can't be educated - he is on the bottom of the totem pole; Hashem picks the extremes in order to include everyone. Why say a deaf person? A deaf person wouldn't be embarrassed because he can not hear what you are saying; you are taking advantage of his disability and letting out your anger - it shows tremendous bad midos that Hashem will not tolerate.

19:14: *Lifnei Iver Lo Sitan Michshol.* **Rashi:** When it says a person is blind, it means blind concerning a certain matter - don't give him bad advice; as an example, if you have always been interested in his house and you convince him to sell his house so that you will be able buy it - there the advice is not in his best interest - he is blind regarding that issue. Chazal say that it does not mean just a real blind person whom you place something in front of to trip up; the interpretation of the words is someone who is figuratively blind, whom you are hurting in some way. It includes trying to tempt one to stumble religiously - like trying to make a Nazir drink a fine wine. It is not physical blindness - it is intellectual or religious. How do we know this? **Sifsei Chachamim:** at the end of the pasuk it says 'be afraid of God, I am God' - you can pretend you were giving good advice and he cannot prove you meant to harm him; no one can prove it; but there is one reason not to do it - God knows that your advice was meant to harm him. That is why Chazal say not to take this pasuk literally; it does not mean just a blind person as the text would imply. **Minchas Chinuch:** what if I were a cruel person and literally placed a rock in front of a blind person - would it violate this law which is not meant literally? According to many you would not violate the law; but the Minchas Chinuch says you don't uproot the pasuk from its simple meaning in favor of the derived meaning - it means physically blind as well; you would be liable for this.

19:15: *Do not do commit a perversion of justice (Avel Bamishpat); do not favor the poor and do not honor the great; with tzedek you should judge your fellow.* **Kli Yakar:** What is Avel Bamishpat? It is a specific warning against judges - it is not where you are deliberately throwing the case because he is your friend or you are trying to curry favor or you are taking a bribe. It is a warning against cases where it might normally be thought to be proper Mishpat but is really not. An example is a rich vs poor person, where the judge decides it would be right to give some of the rich man's money to the poor person, that it would help the pauper and the rich person wouldn't miss the money; you are always allowed to pressure a rich person to give tzedakah, but you cannot use Mishpat to this aim. Similarly, if someone steals with good intent - such as stealing from a poor person who refuses to take tzedakah, in order to deliberately get caught and have to pay back double; the pauper is too proud to take money, so he is resorting to Mishpat to give him the tzedakah. If the judges know that was his purpose, they do not judge the case, they do not use Mishpat for these purposes. Everything that comes through Mishpat must be done correctly; you cannot make use of the law in a miscarriage of justice to give tzedakah and do good works; you must find another way of doing it, not through the use of Mishpat.