

# שלה

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## THE WOOD-GATHERER AND THE *SHABBOS*

ויהיו בני ישראל במדבר וימצאו איש מקשש עצים ביום השבת

And while the children of Israel were in the wilderness, they found a man who gathered wood on the *Shabbos* day (*Bamidbar* 15:32).

אלמלי שמרו ישראל שבת ראשונה לא שלטה בהן אומה ולשון שני: ויהי ביום השביעי יצאו מן העם ללקוט ולא מצאו, וכתיב בתריה ויבא עמלק

Had *Klal Yisrael* kept the first *Shabbos*, no nation or tongue would have been able to dominate them, as it is written: “And it was on the seventh day that some of the people went out to gather, and they found manna” (*Shemos* 16:27); and it is followed by “Then came Amaleik” (*Shemos* 17:8) (*Shabbos* 118:) (see Maharsha, *Shabbos* 118: who notes that the section of *Masa Umerivah* was placed between the section of the manna and Amaleik).

The holiness of *Shabbos* compared to weekdays is similar to that of *Olam Haba* compared to *Olam Hazeih*. More specifically, *Shabbos* was designed to inculcate holiness into the rest of the week. *Shabbos* is the equivalent of all the *mitzvos* (*Shemos Rabbah* 28:16); it is one-sixtieth of *Olam Haba* (*Berachos* 57:), and the epitome of holiness in this mundane world. He who utters the “*Vayechelu*” prayer at the beginning of *Shabbos* becomes a partner with Hashem in the Creation (*Shabbos* 119:). If *Klal Yisrael* would have certified the holiness of *Shabbos* together with Hashem on that first *Shabbos* in Jewish history, then the *Shabbos* would have in turn joined with Hashem in certifying that *Klal Yisrael* is unique among the nations (*Ein Yaakov, Shabbos* 118:).

The Maharal (*Gur Aryeh, Bamidbar* 15:32) points out that an actual halachic violation of the *Shabbos* did not truly occur. After all, there was no manna to be found; and had they actually violated *Shabbos*, Moshe *Rabbeinu* would have condemned them to *sekilah* — stoning. Their transgression was more to the spirit rather than the letter of the law, so that although the spirit of *Shabbos* was dishonored, its laws were technically nevertheless observed. However, due to this indiscretion, *Klal Yisrael* lost the opportunity for *ge'ulah*.

The *Gemara* then continues:

אלמלי משמירין ישראל שתי שבתות כהלכתן מיד נגאליים

If *Klal Yisrael* keeps two consecutive *Shabbosim*, with strict observance of all the laws, they will immediately be redeemed (*Shabbos* 118:).

The observance of the first of the two *Shabbosim* is restitution for the dishonor committed by the “people who went out to gather,” while strict observance of the second consecutive *Shabbos* will insure redemption (Rif, *ibid.*).

The second *Shabbos* in the initial history of *Klal Yisrael* was also desecrated.

וימצאו איש מקשש עצים ביום השבת

They found a man gathering sticks on the *Shabbos* day (*Bamidbar* 15:32).

Rashi, quoting the *Sifri*, states:

For they observed only the first *Shabbos*, and on the second this person came and profaned it (*Bamidbar* 15:32).

Rashi, in the *parshah* of the “*Mekaleil*” — “Blasphemer” (*Vayikra* 24:12) — states that the episode of the “*Mekosheish*” — “Gatherer” — and the episode of the “*Mekaleil*” occurred simultaneously. The “*Mekaleil*” attempted to “pitch his tent within the camp of Dan” (Rashi, *Vayikra* 24:10), thereby violating the injunction:

Every man with his own standard, according to the ensigns by their father’s houses is it written (*Bamidbar* 2:2).

This injunction was actually only instituted in the second year of the *midbar* journey, but as Rashi (*Bereishis* 50:13) points out, *Klal Yisrael* always journeyed in the formation established by Yaakov Avinu, after which the injunction was actually patterned (Chizkuni, *Vayikra* 24:10). The Ramban (*Bamidbar* 15:31) and *Tosafos* (*Bava Basra* 119:) disagree with Rashi and state that the incident of the “Gatherer” took place later into the *midbar* journey, following the incident of the *meraglim*.

The “Gatherer” actually sacrificed himself for the benefit of *Klal Yisrael*; he sought to educate them in the laws of *Shabbos* observance. The general laws of *Shabbos* were known to them, but the specific penalties for transgressions were not. By personally profaning the *Shabbos*, he forced Moshe to inquire of Hashem the specific penalty involved in *chilul Shabbos*; this penalty was then publicized to *Klal Yisrael* (*Targum Yonasan*, *Bamidbar* 15:32). The “Gatherer,” who was also Tzelaftchad (*Bamidbar* 27:1-7; *Shabbos* 96:), had intended to raise the depressed spirit of *Klal Yisrael*. They knew that they were condemned to forty years of traveling through the desert before they could enter *Eretz Yisrael*, and out of despair they felt that the laws of the Torah no longer applied to them. By committing this desecration and publicly suffering the death penalty, he hoped to demonstrate to *Klal Yisrael* that Hashem still cared about them and the laws of the Torah still applied (*Tosafos*, *Bava Basra* 119:). In effect, he committed a sin for the sake of Heaven.

The *Gemara* advises us that:

גדולה עבירה לשמה, ממצוה שלא לשמה

A sin committed for the sake of Heaven is greater than a commandment performed without thought (*Nazir* 23:).

The *Ein Yaakov* (ibid.) explains that although the act in and of itself is a sin, if its net result is a *mitzvah gemurah* —complete *mitzvah* —then the act is to the credit of its performer. The classical example of this credo is Yael, the wife of Chever the Kennite, who consented to sin with the general of the enemy army, Sisera. She depleted his energy, enabling her to kill him, and thus brought peace to *Klal Yisrael* (*Shoftim* 5:24). Although she committed a sin, its intent was for the sake of Heaven; hence it is to her credit.

Similarly, Tamar knowingly encouraged and committed a sinful union with Yehudah (*Bereishis* 38:14). Although she engaged in a promiscuous act, her intention was to produce progeny from the seed of Yaakov (Maharsha, *Horayos* 10:). Hence, she is credited with acting for the sake of Heaven.

Yaakov *Avinu* technically committed a dishonest act when he fooled his father, Yitzchak, into depriving Eisav of the *berachos* (*Bereishis* 27:32). His intention was for the sake of Heaven, so he is not discredited at all. Yaakov confirmed this thinking with Rachel when she asked him:

Is it permitted for the righteous to indulge in trickery? He replied, Yes: “with the pure you should show yourself pure, and with the crooked you should show yourself to be subtle” (*Shemuel* II 22:27) (*Megillah* 13:).

Yitzchak’s intentions regarding the giving of the *berachos* to Eisav were ill-advised; it would have resulted in a “crooked” situation vis-a-vis Hashem’s wishes for Yaakov’s offspring. What Yaakov meant was that if it is necessary to sin for the sake of Heaven, it is acceptable.

Although the “Gatherer” sinned for the sake of Heaven, and his motives for *chilul Shabbos* were pure, he could not be exonerated and had to suffer the punishment of *sekilah*. For the whole purpose of his display was to educate and rejuvenate the faith of his fellow Jews. The message he sought to convey would only be complete with the implementation of his deserved punishment. His true reward awaited him in the next world.

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