

## If a man shall steal an ox or a sheep, and slaughter it or sell it, he shall pay five cattle in place of the ox, and four sheep in place of the sheep. (21:37)

The *Talmud Bava Kamma* 79b distinguishes between a *ganav*, thief – who steals surreptitiously – and a *gazlan*, robber, who fears no man and steals publicly. The *ganav* pays *keifel*, a fine of double the value of the principal, and *arbaah v'chamisha*, four and five times the principal depending on whether it is a sheep or an ox, in the event that he sells or slaughters the animal. The students asked *Rabban Yochanan ben Zakai* why the Torah is more stringent concerning the *ganav* than it is toward the *gazlan*. *Rabban Yochanan* replied that the *gazlan* has equalized the respect he gives to his Master to that which he gives to His servant. The analogy is: The robber fears no one, neither G-d nor man. He steals publicly, demonstrating his disdain for all. The *ganav*, in contrast, is careful to make sure that people do not see his act of thievery. Apparently, he does not care that Hashem sees what he is doing. He is only concerned with what people think of him. Regrettably, this is the moral posture that seems to prevail in the minds and actions of many members of contemporary society.

In his commentary to the Torah, *Parashas Ki Seitzei*, the *Brisker Rav*, *zl*, questions this explanation. On the contrary, the *gazlan* has descended to a more reprehensible nadir in that he manifests greater contempt for authority. He shows that he does not even fear human beings. He has such *chutzpah* that nothing and no one seem to impress him. Such a person is out of control, beyond discipline. Yet, the Torah seems to treat him with greater respectability than the *ganav*, whose fraudulent pursuits remain hidden.

The *Brisker Rav* explains that the very *mahus*, essential make-up of the *gazlan*, is that he does not make *cheshbonos*, contemplate what he is doing. He does exactly what he wants to do – when he wants to do it, and he does not care about anyone. The *gazlan* is not a cerebral person. He acts on impulse, passion, desire. The *ganav*, however, is quite deliberate in his actions. He ponders a situation, mulls over the danger of getting caught, considers the ramifications, and after much cogitation reaches a decision. He is a thinking man. Thus, he is condemned for not “including” Hashem in the equation. Why does he not take into consideration that Hashem sees all and will punish him for his nefarious deed? Because the *ganav* does not care, and his act of corruption reflects a lack of *yiraas Shomayim*. The *gazlan*, on the other hand, just demonstrates thoughtlessness.

The *Brisker Rav* applies this concept towards explaining the idea behind the *mitzvah* of *mechiyas Amalek*, erasing the name of Amalek. The Torah (*Devarim* 25:18) attributes it to *asher karcha ba'derech, va'yizanev becha kol ha'neh'cheshalim acharecha v'atah ayeif v'yageia, v'lo yarei Elokim*, “that he (Amalek) happened upon you on the way, and he struck all the weaklings at your rear, when you were faint and exhausted, and he did not fear G-d.” *Rashi* comments: “Amalek did not fear G-d – so he was not afraid to wage war against the Jewish People.” What relationship

exists between Amalek's lack of fear of Hashem and the fact that the Jewish People were "faint and exhausted"? Furthermore, Amalek was not the only nation that waged war against us, yet, no other nation is so condemned and so accursed as Amalek. Why?

Amalek indicated by his very tactics that he feared people, but he did not fear Hashem. Had he made a frontal attack, as did other nations who were our enemies, it would have demonstrated that he had no fear of G-d or humans. He defied them both. The mere fact that Amalek thought out his battle plan, and attacked the hindmost flank at a time when the people were faint and exhausted, showed that he feared human repercussion, but cared less about Heavenly reaction. His strategy was well-planned, factoring all of the Jewish "army's" strengths and weaknesses. Hashem, however, was not a factor in his plans, because Amalek did not fear Hashem. One who does not fear Hashem is punished with his name being eternally obliterated.

*Horav Mordechai Weinberg, zl*, adds that *yiraas Shomayim* is a factor, not only as a deterrent from evil, but it is also a stimulus that galvanizes one to be proactive in *mitzvah* performance. He quotes *Rabbeinu Yonah* in his *Shaarei Teshuvah* 3:12, who says that the performance of the *mitzvos asei*, positive *mitzvos*, are as much dependent upon *yiraas Shomayim* as refraining from falling into the abyss of performing prohibitive *mitzvos*. Indeed, one who is not actively engaged in *asei tov*, doing good, has rejected fear of Heaven.

The *Rosh Yeshivah* applies this idea to explain Rabbi Yochanan's blessing to his five students, who were themselves erudite, pious Torah leaders. When his students asked him to bless them as he lay on his deathbed (*Talmud Berachos* 28b), he replied, "May it be the will [of Hashem] that the fear of Heaven should be on you [as great] as the fear of flesh and blood." The question is obvious: Is this the kind of blessing that is appropriate for men of such high caliber? These were righteous individuals, each one a Torah giant in his own right. Surely, they each must have warranted a blessing more suitable to his spiritual plateau. Basically, the gist of the blessing was: You should have more *yiraas Shomayim* than the average *ganav*! It almost seems unreal.

The *Rosh Yeshivah* quotes the *Nefesh Ha'Chaim (Shaar Gimel)* who explains the following: Although *tzaddikim gemurim*, consummately righteous individuals, might not fall prey to transgressing a prohibitive commandment, they nonetheless cannot execute a *mitzvas asei*, positive commandment, if they do not possess *yiraas Shomayim*. The entire fulfillment of a *mitzvas asei* is dependent upon one's fear of Heaven. Rabbi Yochanan blessed them to be worthy of complete *yiraas Shomayim*, true/absolute fear of Heaven, so that their service to the Almighty would not be flawed in any manner.

A *yarei Shomayim* acts without ruminating back and forth whether the act is beneficial or appropriate, whether there is a better way. He is instructed to do, to execute, to perform. His immediate response is yes, "*hineni*, here I am," ready and willing. He asks no questions; he expects no answers. Avraham *Avinu* was the first one about whom it was said, *Atah yodaati ki yerei Elokim atah*, "Now I know that you fear G-d" (*Bereishis* 22:12). The Patriarch clearly did not

understand Hashem's request that he slaughter his only son. One who fears Hashem, however, does not have to understand. He has to do. Avraham immediately responded with his famous, *Hineni!* – "Here I am!" We suggest that this is the clarion call of all *yarei Shomayim: Hineni!*