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Rabbi Lord Jonathan Sacks

Balak (Numbers 22:2-25:9)

A People That Dwells Alone

One of the most profound and influential comments ever made about Jewish destiny was made by the pagan prophet Bilaam in this week's sedra:

As I see them from the mountain tops, Gaze on them from the heights, Behold it is a people that dwells alone, Not reckoned among the nations. (Num. 23:9)

To many - Jews and non-Jews, admirers and critics alike - that has seemed to epitomise the Jewish situation: a people that stands outside history and the normal laws governing the fate of nations. For Jews it was a source of pride. For non-Jews, it was all too often a source of resentment and hate. For centuries, Jews in Christian Europe were treated, in Max Weber's phrase, as a "pariah people." All agreed, though, that Jews were different. The question is: how and why? The biblical answer is surprising and profound. It is not that Jews alone knew God. That is manifestly not the case. Bilaam - the very prophet who uttered these words - was not an Israelite. Nor were Abimelech or Laban, to whom God appears in the book of Genesis. Abraham's contemporary, Malkizedek, king of Shalem (the city that later became Jerusalem) is described as a priest of the most high God. Jethro, Moses' father-in-law, was a Midianite high priest, yet the sedra that contains the supreme moment of Jewish history - the revelation at Mount Sinai - bears his name. Even the Pharaoh who ruled Egypt in the days of Joseph said of him, "Can we find anyone like this man, one in whom is the spirit of God?"

God does not appear only to Jews, members of the covenantal nation. Nor does He answer only Jewish prayers. At the dedication of the Temple, King Solomon made the following request:

As for the foreigner who does not belong to Your people Israel but has come from a distant land because of Your name - for men will hear of Your great name and Your mighty hand and Your outstretched arm-when he

comes and prays toward this temple, then hear from heaven, Your dwelling place, and do whatever the foreigner asks of You, so that all the peoples of the earth may know Your name and fear You, as do your own people Israel, and may know that this house I have built bears Your Name.

The sages continued this great tradition when they said that "the righteous of the nations of the world have a share in the world to come." Yad Vashem, the Holocaust museum in Jerusalem, contains the names of more than 20,000 righteous gentiles who saved lives during the Holocaust years.

Nor is it that God's covenant with the children of Israel means that they are more righteous than others. Malachi, last of the prophets, has striking words to say on the subject:

From where the sun rises to where it sets, My name is honoured among the nations, and everywhere incense and pure oblation are offered to My name, for My name is honoured among the nations, says the Lord of hosts. But you profane it ... (Malachi 1:11-12)

Nor did any of the major strands in Jewish thought ever see Jewish chosenness as a privilege. It was, and is, a responsibility. The key verse here is the famous prophecy of Amos:

You alone have I singled out
Of all the families of the earth -
That is why I will call you to account
For all your iniquities. (Amos 3:2)

Where then did Jewish singularity lie? The clue lies in the precise wording of Bilaam's blessing: "Behold it is a?people?that dwells alone." For it was?as a people?that God chose the descendants of Abraham; as a people that He made a covenant with them at Mount Sinai; as a people that He rescued them from Egypt, gave them laws, and entered into their history. "You will be to Me," He said at Sinai, "a kingdom of priests and a holy nation." Judaism is the only religion to place God at the centre of its self-definition as a nation. Jews are the only nation whose very identity is defined in religious terms.

There were many nations in the ancient world who had national gods. There were other religions - Judaism's two daughter faiths, Christianity and Islam - that believed in a universal God and a universal religion. Only Judaism believed, and still believes, in a universal God accessible to all, yet peculiarly manifest in the way of life, fate and destiny of a single and singular people:

You are my witnesses, declares the Lord, and my servant whom I have chosen ...

You are my witnesses, declares the Lord, that I am God. (Isaiah 43:10-12)
Israel, in its history and laws, would be God's witness. It would testify to something larger than itself. So it proved to be. The historian Barbara Tuchman wrote:

The history of the Jews is ... intensely peculiar in the fact of having given the Western world its concept of origins and monotheism, its ethical traditions, and the founder of its prevailing religion, yet suffering dispersion, statelessness and ceaseless persecution, and finally in our times nearly successful genocide, dramatically followed by fulfilment of the never-relinquished dream of return to their homeland. Viewing this strange and singular history one cannot escape the impression that it must contain some special significance for the history of mankind, that in some way, whether one believes in divine purpose or inscrutable circumstance, the Jews have been singled out to carry the tale of human fate.

Why, if God is the God of the universe, accessible to every human being, should He choose one nation to bear witness to His presence in the human arena? This is a profound question. There is no short answer. But at least part of the answer, I believe, is this. God is wholly Other. Therefore He chose a people who would be humanity's 'other'. That is what Jews were - outsiders, different, distinctive, a people who swam against the tide and challenged the idols of the age. Judaism is the counter-voice in the conversation of mankind.

During two thousand years of dispersion, Jews were the only people who, as a group, refused to assimilate to the dominant culture or convert to the

dominant faith. They suffered as a result - but what they taught was not for themselves alone. They showed that a nation does not need to be powerful or large to win God's favour. They showed that a nation can lose everything else - land, power, rights, a home - and yet still not lose hope. They showed that God is not necessarily on the side of great empires or big battalions. They showed that a nation can be hated, persecuted, reviled, and yet still be loved by God. They showed that to every law of history there is an exception and what the majority believes at any given moment is not necessarily true. Judaism is God's question-mark against the conventional wisdom of the age. It is neither an easy nor a comfortable fate to be "a people that dwells alone", but it is a challenging and inspirational one.

From: **Rabbi Yitzchok Adlerstein** <ravadlerstein@torah.org> to: mmaaseh@torah.org date: Thu, Jul 6, 2017 at 5:14 PM subject:

**HaMedrash V'HaMaaseh - Near-Sighted Far-Sightedness
Parshas Balak**

Near-Sighted Far-Sightedness

Bilaam's visual acuity was apparently the subject of much controversy. He describes himself as shesum ha-ayin / with the open eye;[2] that elicited conflicting translations in tradition. Onkelos renders it, "the person who sees well;" the gemara,[3] however, sees Bilaam as blind in one eye![4] Chazal explain[5] that Bilaam understood that each day carried with it some moment of Divine displeasure. Bilaam hoped to fixate upon that displeasure, and use it as an opportunity to successfully curse the Jews. Now, there are several synonyms for Hashem's anger in the Torah. Ketzef and cheimah are two of them. Zo'em is used in the pasuk that the gemara cites. It is the weakest of the three. It hardly conveys more punch than mild unhappiness or displeasure. We understand, therefore, why no single day can go by without it. We do not kindle HKBH's full anger every day, chas v'shalom. But we are all imperfect, which virtually guarantees that no day will pass without meeting up with Divine disappointment.

How did Bilaam know where to find the daily weak point? That was his "gift." Most of us can find some good even in the bad, just as we can spot some bad in what we will concede is generally good. Not Bilaam. He had a sharp eye that only saw the problems, the failures, the inadequacies. He could go straight for the spiritual jugular of anyone he examined. As the Grand Inquisitor of human failing, he "determined the [daily] moment" of Divine anger. Of the two eyes with which we look out at the world - one seeing the good, and one seeing the opposite - Bilaam lacked one of them. He could only see the bad.

Bilaam, however, had met his match in the Jewish nation. This was a group that had not lost its moral compass while held captive by a morally depraved Egyptian people. The imprint of the avos remained upon them. And from the time they left Egypt, they built upon it. By the time Bilaam met up with them, he could not really find the chink in the armor. The failure of his attempted kelalah was itself a great brachah.

The two translations of "open eye" thus merge. There is no disagreement. Bilaam was blind in the eye that would ordinarily detect goodness. Yet, despite looking for the unseemly, he could find none. Despite his best, expert efforts, he could expose nothing evil. Which meant, therefore, that what he scrutinized was exceptionally good! Bilaam saw exceedingly well!

When his mind caught up with his sight, he finally realized that so long as the Bnei Yisrael held on to the purity of their souls, it would not be in his - or anyone else's - power to stop them. His inevitable conclusion, therefore, was that this purity had to be disrupted. Hence, his parting advice to Balak was to have the latter orchestrate a way to lure the Jewish men into sinning with the Moabite women.

Chazal[6] assign a peculiar place to this plan. They extend the reasoning of the pasuk which explains why we keep Moabites out of the community ("On account of their not greeting you with bread and water when I took them out of Egypt"[7]) to include Bilaam's hatching of this plot: "Also, for the advice." Now, "also" always introduces something of secondary importance

relative to the main element. That doesn't seem to work here. Wasn't the plot to ensnare the Jewish men far more serious a crime than failing to offer box lunches to the Jewish travelers?

To address this enigma, we must first step back and examine a truism about human conduct. We never observe, as noted above, pure evil or pure good. We always can find something wrong with good, and a silver lining to the cloud of evil as well.

Ordinarily, there are few things we detest as much as falsehood and flattery. Yet, they can serve an important function. At times, they keep the peace. People will hide their feelings of contempt for others because of their need to kiss up to those with influence. Keeping feelings of enmity and animosity unexpressed is often better than giving voice to them.

We dislike hypocrisy. People's actions ought to be consistent with their values. Yet, hypocritical inconsistency yields benefits. It can move people to act charitably alongside their neighbors, even if they would not on their own. Those with wavering commitment to halachah will still feel embarrassed to sin publicly - unlike our youth today, who in the name of Truth will brazenly violate all transgressions.

Worst of all happens when people combine the deficiencies of each fault, without preserving any of the "hypocritical" good. We meet up with people who exude falsehood and flattery, but never think of preserving the peace. They feud and fight with everyone who gets in their way. When it comes to matters of observance, however, honesty becomes the supreme virtue, and they lose all inhibitions about public transgression.

This horrible combination is the key to understanding Moav in the parshah. But we will understand it better if we examine events closer to our times.

By the beginning of the 20th century, the European Enlightenment had taken hold of most of the Continent. Various rights were extended to Jews for the first time. Some, like the right for Jews to marry non-Jews, did not really work in our favor. Yet who would have criticized local governments for arguing that rights offered other people should not be denied to Jews? Who would call upon us to oppose measures that took on racism head-on?

Similarly, we note the polar opposite in regard to other measures - laws that assured the internal cohesion of a strong, Torah oriented community. Laws that kept us out of government schools, banned us from government service, forbade us from celebrating together with them, exempted us from serving in their armed forces, and made it impossible to intermarry - all of these thrust us into a better relationship with our Heavenly Father. Yet would we credit our enemies with anything positive? Never! We understand that their intentions were entirely hateful and murderous, designed to harm rather than help us. How could we know this with certainty? Because they not only barred us from entering their schools, but they shuttered ours as well.

We are ready for Moav. Each of their actions, in and of itself, could be seen as non-critical or even positive. We can think of worse things than not greeting us with bread and water. Their behavior at Baal Pe'or could be seen as noble and positive. We were a band of ex-slaves, wandering in the wilderness. Yet, they treated us non-prejudicially, as equals - even offering us their daughters! How progressive of them!

Looking at both of their transgressions together, it becomes impossible to put them in a good light. Each one illuminates their intentions in the other. Had they truly treated us as equals, they would have extended to us a bit of hospitality. They didn't. Taken together, we recognize their malice. By denying us food, they showed themselves to be contemptibly rejectionist and mean-spirited. We should want to have nothing to do with their progeny in the future. And also they ensnared us through their daughters - something that we would not have recognized as diabolical, had they approached us in a neighborly manner by offering a helping hand with our provisions.

May Hashem always preserve us from those who claim to favor us - but harbor hatred towards us in their hearts.

1. Based on HaMedrash V'HaMaaseh, Balak, by R. Yechezkel Lifshitz zt"l ? 2. Bamidbar 24:3 ? 3. Sanhedrin 105A ? 4. I.e., one eye was open, but the other was closed (Rashi, Sanhedrin ibid.) ? 5. Sanhedrin 105B ? 6. Yalkut

Shemoni, Ki Setzei 933 ? 7. Devarim 23:4 ? To Support Project Genesis-Torah.org HaMedrash V'HaMaaseh © 2017 by Torah.org. Torah.org: The Judaism Site Project Genesis, Inc. 2833 Smith Ave., Suite 225 Baltimore, MD 21209 <http://www.torah.org/> learn@torah.org (410) 602-1350

from: **Rabbi Berel Wein** <genesis@torah.org> to: rabiwein@torah.org
date: Thu, Jul 6, 2017 at 5:38 PM subject: Rabbi Wein - Friendly Enemies
Rabbi Berel Wein
Parshas Balak
Friendly Enemies

This week's parsha offers us the opportunity to meet the unofficial founders of the Human Rights Organizations of our time. Here we see the ancestors of Kathleen Ashton, who is the head foreign affairs person of the European Union, the leaders of the Presbyterian Church in the United States, the left-leaning anti-Semitic professors of academia the world over, the neo-communist Putin and the rest of the well-meaning, ever protesting "friends" of the Jewish people and the State of Israel.

Bilaam is engaging in public prophecy concerning the Jewish people, and all for our own good. He, like his diplomatic descendants of our time, is the one person that really knows what policies we should follow in order to guarantee our long-range future survival and success. Therefore, his words are soothing, beautifully phrased and dripping with friendship and compliments.

But in his heart of hearts Bilaam and certainly Balak mean us no good. They protect terrorism, educate generations to hatred and violence and yet hypocritically cluck in amazement when violence, kidnapping and rocket attacks against Jews continue. On the surface one can find almost no fault in the words of Bilaam.

The Jewish people were and are so enamored by his compliments that our prayer services every morning begin with his statement of how goodly are the tents of Jacob. Jews love and treasure every complement, no matter how patently insincere and begrudgingly given, from non-Jewish sources and persons.

King Solomon in Proverbs and Ecclesiastes cautioned us that it is much more beneficial to hear criticism from a friend than compliments from those who do not really like us. Nevertheless, we have always been naïve when it comes to Bilaam and his intellectual and diplomatic descendants.

The Torah itself tells us that the Lord reversed the curses of Bilaam and turned them into blessings. What curses are meant in this statement? We do not read in the Torah of any direct curses or even sharp criticisms aimed at the Jewish people uttered by Bilaam. So why does God have to interfere, to reverse seemingly nonexistent curses? The answer to this is a relatively simple one. The Lord Who not only hears what we say, but more importantly knows what we mean, sees beyond the beauty of the words of Bilaam.

There is a well-known story that I have often related of two women that constantly fought and cursed each other. The rabbi of the community intervened and on Yom Kippur eve forced a reconciliation and extracted a promise that they would only say nice things to each other hereon in. The women were forced to agree to the rabbi's terms. However, walking home after Yom Kippur services one of the women turned to the other and said: "Blessed may you be, but you know what I mean!"

The Lord fully understood what Bilaam meant with his "blessings" and compliments to Israel. Hence, His intervention and the reversal of the unspoken curses into spoken and eternal blessings and compliments. Not much has changed in the world since the days of Balak and Bilaam. Jews the world over and here live in a hateful and dangerous environment. We would do well to realize that we should be wary not only of those who openly curse us and even of those who claim that they have our best interests in heart when they advise and criticize us.

Shabbat shalom Rabbi Berel Wein

Rabbi Berel Wein- Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on

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http://www.torahweb.org/torah/2017/parsha/rsch_balak.html

Rabbi Hershel Schachter

Appearances are Sometimes Deceiving

Bilam ha'rasha was a novi, but at the same time he is always referred to as Bilam ha'rasha - the evil one. One may wonder - was his external appearance that of a novi or that of a rasha?

The mishna in Pirkei Avos (5:19) describes the contrast between the talmidim of Avrohom Avinu and the talmidim of Bilam ha'rasha. The pesukim that indicate the difference are pesukim spoken by Bilam, not by his talmidim. Why doesn't the mishnah draw a contrast between Avrohom Avinu and Bilam himself?

Some of the commentaries point out that when one would look at Bilam you could be fooled to believe that he himself is the same type of person as Avrohom Avinu. Because he was a novi he dressed the part, acted the part, and spoke the part. You could only tell the difference between the two when you look at their talmidim.

According to the haftarah of Parshas Vayishlach the stranger who mugged Yaakov Avinu in the middle of the night was an angel. The midrash explains that he was soro shel Eisav - Eisav's angel. The gemorah (Chullin 91a) has a discussion regarding what this angel looked like. One opinion is that his appearance was similar to that of a talmid chachom. Looks are often deceiving - soro shel Eisav can dress up like a talmid chacham. It is known that the Chofetz Chaim used to dress like a plain ba'al ha'bayis. In fact there were those that referred to him as the "ba'al ha'bayis". But we know from the influence that he had on so many of his followers that he was so much more than a plain ba'al ha'bayis. Unfortunately there are many rabbonim who dress the part, act the part, and speak the part, but when we look at their followers we realize that in their inner core there is something seriously lacking.

In a famous teshuva written by the Maharshal he complains about the fact that in his generation there were many honest-to-goodness talmidei chachomim who did not have the minhag to wear a yarmulke all day long and the public would frown upon them. But any Torah scholar who would wear a yarmulke would be honored and respected even if his Torah knowledge and yiras shomayim were not up to par. Looks are often deceiving. The mishna (Pirkei Avos 4:20) warns us, "al tistakel b'kankan eleh b'mah sh'yesh bo - one should not judge a person merely based on externalities." When one is deciding whom to follow as his rebbe, in fulfillment of the instructions in the mishna (Pirkei Avos 1:6), "asei l'cho rav", one must judge whether the rabbi in question is the right person in his inner core based on the rabbi's talmidim.

from: **Rabbi Kaganoff** <ykaganoff@gmail.com> date: Tue, Jul 4, 2017 at 2:16 AM subject: Shul Shaylos: The Rulings of the Gadol of Brownsville

Since Bilaam's agenda included destroying all our shullen, it is an appropriate week to discuss:

Shul Shaylos: The Rulings of the Gadol of Brownsville By Rabbi Yirmiyohu Kaganoff
Question #1: Keeping them Waiting "Unfortunately, some of those who attend my morning minyan come late, so that the minyan usually forms around Borchu time. Should the chazzan wait until ten people are ready to begin the quiet shemoneh esrei together?"

Question #2: Dwindling Minyan "For many years, I have attended a minyan that is now severely dwindling. In addition, not all the attendees are capable of davening, and, therefore, there are usually less than ten people praying at a time. Should I continue to attend this shul, or should I begin attending another shul, where there will be a minyan of people who all daven together?"

Question #3: Lowering the Bar "Some of the ladies who attend our shul are now aging, and it is difficult for them to climb the steps to the ezras nashim, the ladies' section. May we take part of the downstairs men's section, place a mechitzah between it and the men, and make it into an auxiliary women's section?"

Introduction: The Gadol of Brownsville What do the above questions have to do with a gadol of Brownsville? Actually, there were many great talmidei chachamim who lived in the Brownsville neighborhood of Brookline during its heyday as a Jewish neighborhood. This article will discuss two shaylos that were asked of a world-class gadol who served as a rav in Brownsville, Rav Moshe Rosen. Rav Rosen is usually known by the name of a series of sefarim he authored, the Neizer Hakodesh, which plows original ground on the entirety of Seder Kodoshim, and also includes volumes on Pesachim, Yoma, Makkos and Niddah.

Rav Rosen was born in the 1870's in Brainsk, in Polish Lithuania (then part of the Russian Empire). After marriage and five years of kest (the equivalent of kollel that existed for promising young talmidei chachamim in pre-World War I Eastern Europe), he became rav in Kveidan, a town near Kovno, Lithuania, where he remained through World War I before he moved to America. Even in his youth, he was a profound talmid chacham – as early an author as the Sedei Chemed quotes Rav Rosen with tremendous respect.

In Europe, while yet a young man, the Neizer Hakodesh exchanged halachic correspondence with such luminaries as the nineteenth century's poseik hador, Rav Yitzchak Elchanan Spector, the Or Somayach, the Chofetz Chayim, Rav Chayim Ozer Grodzensky, Rav Itzele Ponovitcher and Rav Menachem Ziemba. The Ponovitcher Rav, Rav Yosef Kahaneman, said that the Neizer Hakodesh's Torah scholarship and brilliance was in the league of the greatest gedolim of Europe, an opinion that was echoed by another Lithuanian gadol, Rav Yechezkel Abramsky.

One of the other gedolim who knew and admired Rav Rosen when he was still a young man in Europe was the Chazon Ish, whose rebbitzen was a native of Kveidan and where he (the Chazon Ish) resided immediately after his marriage. One short anecdote demonstrates the respect the Chazon Ish had for the Torah greatness of Rav Rosen: Shortly after World War I, the Chazon Ish wanted to print a new edition of the very difficult mesechta, Keilim, with three commentaries, those authored by Rav Chayim Ozer, the Chazon Ish himself and the Neizer Hakodesh. Apparently, this initiative never saw fruition.

At the beginning of World War I, the Eastern Front of the war -- between Germany and Russia -- passed right through Kveidan and its environs, and most of the Jews fled to avoid the battlefield. Since no other rav was nearby, the Neizer Hakodesh remained in the area to oversee the chesed and mitzvos that needed to be performed. By the end of the war, there was no Jewish community left in Kveidan, and the Neizer Hakodesh relocated to America, where he settled in Brownsville.

Once in New York, the Neizer Hakodesh became the first Rosh Yeshiva of Yeshiva Torah Vodaas. Among his early talmidim, was a young man named Avraham Pam, future Rosh Yeshiva of Torah Vodaas and future Chairman of the Moetzes Gedolei Hatorah. In a later period, the Neizer Hakodesh would test (farther) the talmidim of Yeshiva Chayim Berlin. Decades later, he was also involved in the organization of the yeshiva Beis Hatalmud of Bensonhurst and of Beth Medrash Govoha of Lakewood.

Upon arriving in America, Rav Rosen became rav of Khal Anshei Radshkovitz, colloquially known as the Amboy Street shul, one of the largest shuls in Brownsville. He later founded his own beis medrash, which, after his passing, was headed by his son, and later his son-in-law. The shul, now called Beis Hamedrash Harav, was subsequently relocated to Far Rockaway.

Rav Rosen authored over twenty sefarim, of which at least eighteen were subsequently published, most of them called Neizer Hakodesh. Many decades before the Brisker Rav popularized studying Seder Kodoshim in depth, Rav Rosen was attempting to re-breathe life into Kodoshim through his work, out of his home in Brownsville. He also authored several volumes of responsa and commentaries on Shulchan Aruch and Chumash.

Also a man of action, Rav Rosen raised money to support the Chazon Ish when he arrived in Bnei Beraq, and to assist the Brisker Rav when he arrived in Eretz Yisrael. Rav Rosen predeceased the Brisker Rav, passing away on Sukkos 5717 (1957).

A teshuvah from Brownsville In one of his responsa, Rav Rosen deals with the second question that I asked above: "For many years, I have attended a minyan that is now severely dwindling. In addition, not all the attendees are capable of davening, and, therefore, there are usually less than ten people praying at a time. Should I continue to attend this shul, or should I begin attending another shul, where there will be a minyan of people who all daven together?"

Before I quote his response to this question, we should analyze the background of the issue.

What is a minyan? We are all aware that several parts of our tefillah may be recited only when there is a quorum of at least ten adult men (a minyan) present. We are also aware that prayers recited together with a minyan accomplish more than when one prays by himself. To quote the Rambam: "The prayer of the community is always heard. Even when there are sinners among them, the Holy One, Blessed is He, does not despise the prayer of a group of people. Therefore, everyone is required to make himself part of the

tzibur. One should not pray in private any time that one is able to pray with a community" (Hilchos Tefillah 8:1).

In a related discussion, the Rambam notes that the repetition of the shemoneh esrei requires that ten adult men be in attendance. He explains that it is not necessary that all ten are davening at this moment, provided that at least six people in attendance daven their quiet shemoneh esrei together prior to the repetition of the shemoneh esrei.

At this point, let us quote the first question asked above: "Unfortunately, some of those who attend my morning minyan come late, so that the minyan usually forms around Borchu time. Should the chazzan wait until ten people are ready to begin the quiet shemoneh esrei together?"

The questioner is raising the following issue: Do six people davening together while ten are in attendance have all the value of tefillah betzibur, or does their joint prayer not carry all the merits of tefillah betzibur unless ten men are actually praying simultaneously? A corollary of this question is whether there is a preference to daven with a minyan where ten people are actually davening over one where less than ten are actually davening.

To answer this question, many authorities quote the words of the Chayei Adam (19:1): "Someone who wants his prayers to be accepted should be careful to daven together with the tzibur... the main part of tefillah betzibur is the shemoneh esrei prayer, which means that ten adult males should pray together. The masses think, in error, that the purpose of tefillah betzibur is only to hear Kaddish, Kedushah and Borchu, and, as a result, they are not concerned about davening together, as long as there are ten people in shul. This is a major error. Therefore, it is a personal responsibility of each man to arrive in shul early and begin davening with the chazzan, so that he can daven in the proper order."

Clearly, the main concern of the Chayei Adam was the bad habit of arriving late for services, resulting in not davening the shemoneh esrei together with the tzibur. However, while emphasizing the importance of reciting one's prayers at the same time that the tzibur does, the Chayei Adam wrote, "the main part of tefillah betzibur is... that ten adult males pray together." This is understood by many authorities to mean that although one may repeat the shemoneh esrei (chazaras hashatz) even if only six of the people in attendance have davened, it is not considered full-fledged tefillah betzibur unless at least ten actually davened together. These significant words of the Chayei Adam are quoted by the Mishnah Berurah.

The logic used to explain this position is that a minyan should be treated no different from any other minimum amount required for the performance of a mitzvah. When the Torah requires that we eat a kezayis (the volume-equivalent of an olive) of matzoh on Seder night, it is insufficient for someone to eat most of the volume-equivalent of an olive. The mitzvah is fulfilled only when one consumes an entire olive-sized piece. So, too, although six people davening with four others in attendance allows one to repeat the shemoneh esrei and to recite Kedushah, Kaddish and Borchu, ultimately one does not have a minyan of people davening simultaneously (Shu"t Igros Moshe, Orach Chayim 1:28, 29, 30). Rav Shlomo Zalman Auerbach also held this position (Halichos Shlomo 5:8).

Other authorities dispute this conclusion, contending that if ten people are in attendance, tefillah betzibur is accomplished even when only six of them daven at the same time. They contend that the first approach is reading more into the Chayei Adam's comments than the author intended. The purpose of the Chayei Adam's comments is only to show that reciting the shemoneh esrei with the tzibur is the primary focus of attending public prayer and not only the recital of Kaddish and Kedushah, unlike the errant understanding of the common folk.

Those who espouse the latter position note that the Rambam's comments imply that six people praying with four others in attendance constitutes tefillah betzibur. They note that since the Rambam implies that six people praying together with a minyan in attendance qualifies as tefillah betzibur, how can one infer from the Chayei Adam otherwise? If the Chayei Adam intended to dispute the Rambam's conclusion, he would explain that he is doing so. Therefore, it is more likely that he agrees with the Rambam and that having six people davening does qualify as tefillah betzibur (Beis Baruch commentary on Chayei Adam). The Eimek Beracha (Tefillah #6) provides several indications that this is true, and rules that this is unquestionably accurate.

Returning to our first question: "Unfortunately, some of those who attend my morning minyan come late, so that the minyan usually forms around Borchu time. Should the chazzan wait until ten people are ready to begin the quiet shemoneh esrei together?" Well, dear reader, what do you answer our friend? It depends which opinion of the two approaches one holds. According to the first approach, it is preferable to wait until ten people begin shemoneh esrei simultaneously, which accomplishes tefillah betzibur. According to the second approach, it is not required. The rav of the shul should decide which approach they should follow.

Dwindling minyan At this point, I would like to address the second question posed above: "For many years, I have attended a minyan that is now severely dwindling. In

addition, not all the attendees are capable of davening, and, therefore, there are usually less than ten people praying at a time. Should I continue to attend this shul, or should I begin attending another shul, where there will be a minyan of people who all daven together?"

This actual question was asked of the Neizer Hakodesh. The first step in this question is: Assuming that at least six people are davening, is this considered tefillah betzibur? The answer to this question is, of course, dependent on our previous discussion. In his responsum, the Neizer Hakodesh assumes that if ten people are not davening shemoneh esrei together, the resultant tefillah does not qualify as tefillah betzibur. However, notwithstanding that remaining in the dying shul deprives the questioner of the mitzvah of tefillah betzibur, Rav Rosen still concludes that he should remain at that shul -- for a different reason, based on the following well-known Talmudic story (Berachos 47b): Rabbi Eliezer, attended by his slave, entered a shul to discover that it was short one Jew for a minyan. Although a non-Jewish slave owned by a Jew is required to observe most mitzvos, he is still not considered a full-fledged Jew until he is freed, and he does not count towards a minyan. Rabbi Eliezer promptly freed his slave so that there would be a minyan and davening could begin. The Gemara asks: Upon what halachic basis did Rabbi Eliezer free his slave, since this act is prohibited by the Torah? The Gemara replies that since freeing his slave in this instance allowed a "community" of Jews to perform a mitzvah, a mitzvah of the community supersedes the prohibition of freeing one's slave. Thus, we see the importance of enabling the tzibur to perform the various mitzvos, including reciting Kaddish, Kedusha, and Borchu, repeating the shemoneh esrei, and reading the Torah. Rav Rosen ruled that the community's ability to observe these mitzvos holds greater halachic weight than the individual being able to daven with a proper minyan of ten people davening at the same time (Neizer Hakodesh U'she'eilos U'teshuvos #14).

Moving the ezras nashim At this point, I would like to address the last of our opening questions:

"Some of the ladies who attend our shul are now aging, and it is difficult for them to climb the steps to the ezras nashim. May we take part of the downstairs men's section, place a mechitzah between it and the men, and make it into an auxiliary women's section?"

The question here is based on the following halachic issue. The Gemara states that one may not take an item that is designated for a greater kedusha and now use it for a lesser kedusha (see Megillah 26a). The question is whether, since both the ezras nashim and the men's section are designated for prayer, they have the same level of sanctity, or if there is any distinction between them.

The Neizer Hakodesh writes that a respected earlier authority, the Divrei Chayim, previously analyzed this question, noting that there are many mitzvos, such as reading the Torah, blowing Shofar, lighting the menorah on Chanukah, and the recital of elements of davening that require a minyan are based in the men's shul. As a result, the Divrei Chayim concluded that although the ezras nashim certainly has great sanctity, there is more sanctity in the main shul. This precludes changing a section of the shul for use as an ezras nashim (Shu"t Divrei Chayim, Orach Chayim 2:14).

After discussing the issues at length, Rav Rosen voiced concern that should the shul not construct a lower ezras nashim, some women would begin to attend non-Orthodox congregations. He therefore recommended the following: Notwithstanding that the main shul cannot be converted to an ezras nashim, under the extenuating circumstances, one may be lenient that the area above the men's height does not have the kedusha of the shul, and construct an auxiliary ezras nashim in the air space above part of the men's section. Since this would not be much taller than the main shul, it would be easy to access with a short ramp or short set of stairs, thus being available to those who require it.

In the responsa of Rav Moshe Feinstein, we find a teshuvah where he was asked a similar question regarding changing the ezras nashim of a shul from a balcony to a section alongside the main shul with a proper mechitzah (Shu"t Igros Moshe, Orach Chayim 2:43). Rav Moshe rules that one may not do this, because we see from the Gemara (Sukkah 51b) that it is preferred for the women's section to be in a balcony. Although a shul whose ezras nashim is alongside the main shul and separated by a mechitzah is kosher, one should not replace a balcony mechitzah, which is the preferred choice, with one alongside the main shul. Rav Moshe is also clearly concerned that the attempt to change the mechitzah is meant to be a liberalizing step in the shul and could lead to other "innovations" with more serious halachic ramifications. He rules that the rav should fight this innovation of relocating the ezras nashim with all his might. Nevertheless, Rav Moshe rules that if the congregation moves the women's section from a balcony to an area alongside the main shul with a kosher mechitzah, that the rav of the shul may keep his position, since the shul still has a kosher mechitzah.

Conclusion I personally enjoy knowing something of the life of a gadol whose Torah I am studying. I hope that our readers similarly enjoyed reading a bit about Rav Moshe Rosen while studying some of his halachic rulings.

from: Shabbat Shalom <shabbatshalom@ounetwork.org> date: Fri, Jul 7, 2017 at 12:34 AM

Netilas Yadaim In The Morning Rabbi Avi Zakutinsky

1. The Sages enacted that every morning upon waking up one should wash his hands and recite the blessing al netilas yadaim. (Brachos 15.)
2. The Rishonim offer two reasons for this obligation: 1) The Rosh (Brachos 9:23 and Shu"t 4:1) writes that it is inevitable that while one is sleeping he will come in contact with areas of the body that are unclean and sweaty, rendering the hands unclean and unfit for prayer. Therefore, in order to allow us to pray shachris we wash our hands and recite a bracha. 2) The Rashba (Shu"t 1:191) offers a different reason for the enactment. He maintains that every morning when G-d returns our souls we are new beings and creations ready to begin serving Hashem. Explains the Rashba, just as kohanim needed to wash their hands in order to sanctify themselves before performing their service in the Beis Hamikdash, so too we must wash our hands before beginning our daily service of G-d. For normative halacha the accepted view is to wash one's hands if either the Rosh or the Rashba deem it necessary, however, we only recite a blessing if the washing is required by both the Rosh and the Rashba. (see Ortzos Hachaim 4:1)
3. The poskim offer a third reason for the Netilas Yadayim in the morning and that is because the Gemara stated that an evil spirit (ruach ra'ah) rests on one's hands in the morning and it can only be removed by washing the hands three times in succession (Shabbos 108a and Tur 4). This third reason for washing on it's own does not require a blessing. The Mishnah Berurah (4:8) adds that while we take this reason into account and do our best to remove the evil spirit, the Sages would not have created an enactment requiring Netilas Yadayim just to remove the ruach ra'ah. Rather, the real reason for the enactment is that of the Rosh and Rashba.
4. Women must also wash their hands in the morning before davening.

וראיתי בשו"ת מחזה אליהו ה"א סימן י"א שביאר שכיון שהחיוב נטילה חל משותפת שחרית, לא מביעיא לדעת הרא"ש שכל החיוב הוא משום תפלת י"ה אלא גם לדעת הרשב"א אין נוטל אלא לתפלת שחרית וכמו שהבאנו לעיל מחיי אדם, וא"כ נמצא שלא יברכו על נטילת ידים אלא א"כ מתפללת תפלת י"ה או עכ"פ קריית שמע, אבל אשה היוצאת ידי חובת תפלתה בברכות השחר או בשאר בקשות טיטול ידיה אבל לא תברך. אכן שוב מצאתי בספר אשי ישראל פרק ב' סכ"ט שכתב בלשון זה: "גם נשים יכולות לברך ברכת על נטילת ידים בשחרית, ואפילו אם הן אינן מתפללות, ורק מסתפקות בתפילה ובקשה קצרה". וביאר שם בהגה דאם האשה מתפללת ק"ש ושמו"ע ודאי יכולה לברך, דהרי ברכת ענט"י נתקן לתפילה, (עיין ערוך השלחן ס' ד' סע' ה' ו' ו' ס"ק ה' דגם כשאומרת רק ברכות השחר עד ברכת הגומל הסדים טובים נחשב הברכות במקום תפילה שיכולה לברך תפילה ענט"י (עיין ערוך השלחן סימן ו' סעי' י'). ואפי' אם הנשים יוצאת יד"ח מצוות התפילה בתפילה קצרה בלבד, ג"כ יכולות לברך ברכת ענט"י הואיל ותפילה קצרה זו נחשבת אצלם מה"ת כתפילה הוי נטילה זו כנטילה לתפילה, ויש עוד לצרף בזה את דעת הב"ח ס' ד' סוד"ה וידקדק, דברכת ענט"י מברך על מנהגו של עולם ולכן נשים ועמי הארצות שאינם קורים ק"ש ואינם מתפללים במרכים ענט"י. וע"ע בשו"ת תשובות והנהגות ח"א ס' ע"ב ומה שכתב בזה. ושוב ראיתי במשנה ברורה ס"ק י' שכתב שיש להזהיר הנשים לרחוץ ידיה להסיר מעליהם הרוח רעה ע"ש

5. The Chida (Avodas Hakodesh Moreh Eitzbah 2:60) writes that one should ensure that his young children wash their hands in the morning in order to remove the ruach ra'ah that rests on their hands (third reason cited above). This view is cited by many authorities, including the Pri Megadim and the Mishnah Berurah. There is a difference of opinions at what age children should be taught to wash their hands in the morning: 1) The Shulchan Aruch Harav writes that the common custom is that one begins washing the children's hands at the age of chinuch. [The age of chinuch is subjective based upon the intellect and maturity of each child. The age of chinuch in this regard is from when the child begins to understand the concept of washing hands to remove impurity. Every child is different in this regard. see Mishnah Berurah 343:3] However, he adds that one who is diligent to wash the hands of his son from time he is circumcised "is called holy". Harav Yaakov Emden zt"l (in his siddur) likewise writes that the common custom

is to be lenient with children under the age of chinuch, however, he advises that one be strict to wash the hands of younger boys from the time of their circumcision. The Aishel Avraham of Botchetch also maintains that children under the age of chinuch need not wash their hands. 2) Rav Yaakov Kamenetsky zt"l in Emes Leyaacov is quoted as ruling that once a child is old enough to recite a verse from the Torah or answer Amen to a berachah, the parents should make sure that that his hands are washed properly. 3) The Ben Ish Chai (Toldos 10) writes the following, "One should remind his wife that every day she should wash her children's hands. even if they are infants who still breast feed, since there are times that they come in contact with food we do not want [the ruach ra'ah that rests on their hands] to contaminate the food. In addition, it is a segulah that the children will grow up with purity and become holy Jews." 4) The Rebbe Rashab zt"l of Lubavitch wrote, in his last will and testament, that one is to be careful to begin washing child's hand starting from when the child is no longer in diapers (Ishkavta D'Rebbi page 137).

Harav Eliezer Yehuda Waldenberg zt"l (Tzitz Eliezer 7:2) discusses the aforementioned question at length and he concludes that the obligation to wash the children's hands begins at the age of chinuch. Before the child has reached the age of chinuch there is no obligation, yet it is praiseworthy to wash their hands in the morning. However, if the child is unhappy and does not want his or her hands washed it is permissible to occasionally forgo the netilas yadayim.

Preparing Water By The Bed

1. As stated in the previous post, the Gemara states that upon waking up in the morning an evil spirit rests upon one's hands. The Gemara severely warns that one may not touch certain parts of the body before washing his hands as the ruach ra'ah can cause damage to the body. The Gemara writes that one should not touch food or drink, his eyes [lest he become blind], ears [lest he become deaf], nose [lest he contract bad smells], mouth [lest he become mute, and have bad breath], etc.

2. According to the Gemara one may walk prior to washing. The only restriction according to the Talmud is not to touch food and drink [or orifices of the body]. The Zohar, however is very stringent in these matters stating that one may not walk even four cubits (amos) while the impure spirit resides on ones hands prior to the morning washing and one who does so is liable to death by heaven (misah l'shamaayim). (Shulchan Aruch Harav 1:7) Due to the above restriction against walking before washing, the Elyah Rabbah (1:4) writes that prior to going to sleep one is to prepare a basin of water near his bed to wash with upon awakening. This opinion is cited by the Mishnah Berurah amongst other authorities. Indeed, many tzaddikim were very careful to prepare a basin of water near their bed in order not to walk while the ruach ra'ah rests on their hands (Noam Elimelech Igros Kodesh). Some tzaddikim were even diligent not to place their feet on the ground before washing their hands.

ראיתי בספר אגרא דפירקא סעי' ט' שכתב: "קבלה מאת כבוד דודי זקני סבא קדישא מו"ה משולם זושא זצוק"ל, הא דאין רשאין לילך ד' אמות בלי נטילה בשחרית, אמר הוא ז"ל דיש לזוהר שלא להציג רגליו על הארץ בלא נטילה, כי בהציג רגליו על הארץ בלא נטילה אזי חס ושלום כל היום הרע (שבנפש הבהמיית) רודף אחריו להסיתו. ואמר ע"ז רמז הפסוק [תהלים לו ה] יתיצב על דרך לא טוב (אזי ח"ו) רע לא ימאס". וכן כתב הגאון הקדוש מקאמרנא בשלהן הטהור (סימן א' ס"ב): "מיד כשיעור משנתו בעודו שוכב במטה יטול ידיו ולא יעמוד על רגליו בלי נטילה ומכ"כ שאסור לילך ארבע אמות בלי נטילה וחייב מיתה". וע"ז בספר קדוש ישראל (חלק א' דף ט"ז) שכתב בלשון זה: "נוהג היה בבוקר השכם להעירם ולהגיש להם מים לנטילת ידים, ארע פעם כי בהביאו את המים לנטילה, שאל אחד מנכדיו: 'מדוע מטריח עצמו הסבא להגיש לנו את המים, הלא נוכל לגשת בעצמנו, שהרי אין ארבע אמות עד מקום המים ומותרת הגישה עד לשם?'". לשאלת כ"ק הצמח צדק מוויזניץ מי הגיד להם זאת, השיבו: 'המלמד לימדנו כך', בעקבות תשובה זו פיטר הצ"צ זי"ע את המלמד ממשרתו". ושוב מצאתי בספר דרכי חיים ושלום הנהגת הבעל מנחת אלעזר ממונקאטש בסימן א' שכתב שהגאון זצ"ל לא הציג רגליו על הארץ ולא הקים גופו בלי נטילה ידים כי אם בעודו שוכב הי' מוטה ידיו לנט"ע מהכלי שהי' מכין עם מים סמוך למטתו ממש, ע"ש

3. While this practice is not just commendable, but also advisable, the author noticed that many people do not adhere to this ruling. Indeed, the

Elyah Rabbah made note of the fact that many G-d fearing Jews do not place a basin of water by their beds. Now, it would be easy to just write this off as an error on the the part of many and that their actions are indeed incorrect. However, in an attempt to vindicate (melamed zechus) their actions, the author wishes to offer two possible leniencies, albeit questionable ones.

4. The first potential heter is that of the Shevus Yaakov (cited by Shaarei Teshuvah). The Shevus Yaakov maintains that one may according to hallacha consider the entire house as four amos. Therefore, according to this opinion one may walk around the room before washing. However, the Mishnah Berurah writes that one may only rely on this opinion in a case of need.

5. The second potential heter traces itself back to tragic death of The Ger Tzedek of Vilna. The Ger Tzedek of Vilna (c. 1700 – May 23, 1749), also known as Count Valentine Potocki, was a Polish nobleman of the Potocki family who converted to Judaism and was burned at the stake by the Roman Catholic Church because he had renounced Catholicism and had become an observant Jew. Harav Shlomo Zalman Auerbach zt"l reported that there is a tradition that the Vilna Gaon zt"l said that when the Ger Tzedek was killed he sanctified G-d's name to such a degree that the ruach ra'ah of the morning was strongly diminished. Harav Avigdor Neventzhal shlit"l explains, in the name of Harav Shlomo Zalman, that the tradition from the Vilna Gaon that the ruach ra'ah on hands was nullified with the death of the Ger Tzedek applies only to laws of the Zohar (such as not walking four amos) and not the Talmud Bavli (such as not touching bodily holes) and since this law is sourced in the Zohar, there is reason to be lenient. However, as noted above most authorities, including the Mishnah Berurah, make no comment of this leniency.

When To Recite The Bracha

1. The poskim discuss whether one should recite the bracha while his hands are still wet or perhaps wait for his hands to be dried. 1) The Ben Ish Chai (Toldos 5) writes that immediately after washing the hands a blessing is to be said and one is not to delay it until after the hands dry. This is because according to the Arizal the impurity leaves the hands immediately upon being washed a third time, even before the drying and hence the blessing is not to be delayed. He adds that this is also the opinion of the great mekubal Rav Shalom Sharabi zt"l. Harav Ovadia Yosef zt"l (Yabia Omer 9:85) likewise rules that one should recite the bracha while his hands are still wet. 2) The Magen Avraham and the Mishnah Berurah (4:2) write that "one does not need to wait until the hands dry to recite the blessing." After analyzing their words it is clear that they do not write that one must say the blessing prior to drying (as the Ben Ish Chai did) but rather it is not necessary to dry it. This implies that one can delay the blessing if he so chooses. 3) There are Poskim who rule that one must dry the hands prior to the blessing, being that according to them the impurity does not leave the hands until the water of the washing is dried. This opinion is found in the Machazik Bracha in name of Oar Tzaddikim in name of Mahram Nigrin. The Mishnah Berurah notes that this is not the accepted view. The Chabad custom (Minhagim page 5) however is to dry the hands prior to reciting the blessing.

2. As stated above, one should wash one's hands immediately upon awakening. If one needs the bathroom, he is to wash his hands near his bed without saying a blessing, immediately proceed to use the bathroom, and immediately after leaving the bathroom he is to wash his hands a second time and recite the blessing of Al Netilas Yadayim. (Mishnah Berurah 4:4)

3. According to the Chaya Adam and Vilna Gaon (cited by Mishnah Berura) if after having gone to the bathroom one will still not be ready for davening and will have to go to the bathroom another time before davening (as is common when one wakes up a long time before davening), one should wash without a bracha upon waking up, wash a second time without a bracha after having gone to the bathroom the first time, and then wash a third time with a bracha of Al Netilat Yadayim when one is ready for davening after having gone to the bathroom a second time. This also seems to be the view of the Mishnah Berurah, who adds that one should then recite the blessing of Asher

Yatzar and the rest of the morning blessings. A similar view was expressed by Harav Shlomo Zalman Auerbach zt"l (Halichos Shlomo page 23). However, the Shaarei Teshuva and Aruch Hashulchan disagree and rule that one should recite the blessing immediately after using the bathroom for the first time.

כתב המשנה ברורה בס"ק ד' : "והח"א כתב דנכון להמתין מלברך ענט"י עד לאחר שמנקה עצמו ורוצה להתפלל עי"ש טעמו אח"כ מצאתי בספר מעשה רב שכן היה נוהג הגר"א ז"ל". וביאר הסוגיא ביתר שאת שם בביאור הלכה ששאל זו תלוי במחלוקת בין הרא"ש והרשב"א, וז"ל: "וזה לשון הח"א בכלל ז' ס"ו נכון להמתין לברך ענט"י עד לאחר שמנקה עצמו ורוצה להתפלל דאז יצא לכ"ע אבל כשברך מקודם ואח"כ יפנה להרא"ש צריך לחזור ולברך ואף דלא קי"ל הכי מ"מ נכון לזוהר בזה. שם במ"א סק"א. עכ"ל. (משמע שהיה לו גירסא אחרת במ"א ובאמת לפי מה שכתוב לפנינו אין לו שום ביאור ועיין באחרונים) וכ"כ הגאון ר' חיים צאנזאר בהגהותיו. ומשמע מן הח"א דמי שהוא קם זמן הרבה קודם התפלה אפילו אם הטיל מי רגלים דזה כבר נקרא בשם עשיית צרכים מ"מ כיון דמסתמא כשיגיע בבוקר זמן תפלה ילך בבית הכסא לנקות עצמו ימתין עתה מברכת ענט"י עד בבוקר כשינקה עצמו קודם התפלה כדי לצאת דעת הרא"ש דס"ל דעיקרה ניתקן בשביל התפלה ולכאורה קשה על עצתו איך יצא עתה בברכתו אליבא דהרשב"א הלא במה שנטל ידיו תיכף כשקם יצא ידי חובת נטילה ואיך יאמר עתה על הנטילה השנייה וצונו על נט"י ולומר דהברכה זו קאי על נטילה ראשונה הלא יש הפסק גדול ולכתחילה יש לזוהר בזה מאוד כמבואר בהרבה אחרונים בסימן ו' עי"ש אמנם באמת אפשר ליישב דהרי כתב הב"י בסימן ו' דלטעם הרשב"א דמשום בריה חדשה נוכל לאחרה ולסדרה עם שאר הברכות אף הוא הפסק גדול אך א"כ יהיה צריך לברך אח"כ תיכף גם שאר ברכות השחר. ומסתמא לשון השע"ת בסימן ו' סק"ה משמע שאין סובר כהח"א אלא תיכף אחר עשיית הצרכים מברך ענט"י וא"י וכן בדה"ח לא נזכר שום חילוק בענין זה ואפשר שהטעם הוא משום קושייתנו הנ"ל וכן מוכח בשע"ת סק"ד שזו היא שיטתו. אח"כ מצאתי בספר מעשה רב כה"א שכתב שיש לסמוך ברכת ענט"י לתפלה ולא יאמר אותו תיכף כשקם כשאין דעתו להתפלל מיד ובלבד שלא ישכח עכ"ל ואף דיש לדחות הוא קאי שם לשיטתו דפסק שם כהרא"ש דצריך לברך לכל תפלה משא"כ לדין מ"מ יותר טוב לעשות כהח"א דזה אליבא דהרא"ש בוודאי יוצא ואפשר גם להרשב"א לפי מה שכתב הב"י ונכל"ל משא"כ אם לא יעשה כוונתו להרא"ש בוודאי אינו יוצא וכדמוכח בתשובת הרא"ש שהובא בב"י. וגם מהרמב"ם משמע שסובר כהרא"ש דהעיקר ניתקן נט"י בשביל התפלה ולא בשביל בריה חדשה מדסובר דצריך לברך לכל תפלה בפרק ד' מהלכות תפלה הלכה ג' והובא בב"י לקמן בסימן ו"צ"ב.

ודעת הערוך השלחן בסימן ד' שיכול לברך מיד בבוקר אף לדעת הרא"ש, וז"ל: "וראיית לגדולים שתפסו לדעת הרא"ש בהכרח להסמיך ברכה זו לתפלה דווקא, כיון שנתקנה משום תפילה. ולעניות דעתי מוכח מהרא"ש עצמו שאינו כן, שהרי כתב בתשובה כלל ד', והביא הטור לקמן סוף סימן מ"ו, וזה לשונו: המשכים ללמוד קודם עלות השחר יברך "על נטילת ידים" ו"אשר יצר" וכו' עד כאן לשונו. והרי עדיין אינו זמן תפילה והוא יושב ללמוד, ועם כל זה מברך "על נטילת ידים"! אלא ודאי דתנתן הברכה היתה משום תפילה, אך תקנה שיברכה מיד בקומו ממיטתו. וכן מוכח מהרמב"ם ומהגמרא, שתקנה בין ברכות השחר. וכן עיקר (לדינא. ועיין חיי אדם כלל ז', ובמעשה רב. ולעניות דעתי נראה כמו שכתבתי

4. The previous argument would also apply to a case where one wakes up without needing to use the bathroom, but he will need the bathroom later on before davening, according to the Chayei Adam, Vilna Gaon and Rav Shlomo Zalman Auerbach zt"l one should only recite the bracha after having used the bathroom and when he is ready to daven. However, according to the Shaarei Teshuva and the Aruch Hashulchan one should recite the bracha after washing his hands when he wakes up.

5. Some Ashkenazim have the custom to wash their hands in their home, not recite a blessing, travel immediately to Shul and then recite the blessings of Al Netilas Yadayim, Ashar Yatzar and the rests of the birchas hashachar during davening. (Rama 6:2) However, the Kaf Hachaim and the Mishnah Berurah write the achronim agree that the proper approach is to recite the bracha of al netilas yadayim at home after immediately after washing one's hands.

6. If one forgot to recite the bracha of al netilas yadayim before davening he may not recite it after davening. (Mishnah Berurah 4:1)

from: Jewish Media Resources list@jewishmediaresources.com
Jonathan Rosenblum date: Sun, Jul 2, 2017 at 11:18 AM subject:
Reflections on the Harvard Rescissions; Only One Mission

...
Only One Purpose

Rabbi Leib Bakst, the late rosh yeshiva of Yeshivas Bais Yehudah of Detroit, was one of the great Mirrer talmidim who spent the war in Shanghai. Though he rarely spoke about himself and his life history, there was one story that he shared on more than one occasion with talmidim, presumably because he felt the message was such an important one.

While in Shanghai, Rabbi Bakst suffered a burst appendix, and hovered between life and death as the doctors in a Shanghai hospital sought to bring the infection under control and save his life. While in that state, he had a dream.

In his dream, he was before a Heavenly beis din, appointed to determine his fate. Three dayanim were present. Reb Leib did not recognize two of the dayanim. But one was unmistakably, the great Mashgiach of the pre-War Mirrer Yeshiva, Rabbi Yeruchom Levovitz. Rabbi Bakst had learned under Reb Yeruchom from the time he arrived in Mir just after his bar mitzvah until the latter's passing six years later.

Reb Yeruchom led the interrogation. He asked his talmid, "We know that a malach (angel) can perform only one shlichus (mission). But nowhere do we see such a limitation on a man. How can it be that a malach, who is at a much higher spiritual madrega (level) can seemingly not do as much as a human being?"

In the dream, Reb Leib challenged the premise that human beings can do more than one shlichus at a time. A malach who has been sent by Hashem for a particular task performs that task with total concentration and effort, without be diverted in any way, he said. Only because human beings do not act with a similar total concentration and determination do they perceive themselves as capable of performing more than one task at a time.

But, in fact, we have only one overarching mitzvah: to be marbeh kavod Shomayim in this world. And that must be the focus of our concentration in whatever situation we find ourselves.

At that point, Reb Yeruchom nodded slightly. As soon as Reb Yeruchom nodded, Reb Leib's fever broke and he regained consciousness, on the way to a full recovery.

In honor of his deliverance, Rabbi Bakst reprinted in Shanghai, the classic Torah work Tomer Devorah by the great Tzefat kabbalist Rabbi Moshe Cordevero to which he appended his own ma'ama ron the horrible destruction then overtaking European Jewry. Fittingly, Tomer Devorah is a guide to how we can each imitate the middos of Hashem in our lives – the greatest possible increase of Kavod Shomayim.

from: Aish.com <newsletterserver@aish.com> date: Tue, Jul 4, 2017

Jewish "Fake News"

5 common misconceptions about Jews and Judaism.

by Rabbi Benjamin Blech

Jews have been around for thousands of years. Judaism is older by far than Christianity and Islam, the two other major religions of the world – both of which claim descent from our patriarch Abraham. You would think enough time has passed for us not to be misunderstood or to remain victims of the kind of "fake news" which distorts our faith, misrepresents our teachings and falsifies our beliefs.

Here are five common mistakes people make which need to be corrected:

1. Jews are a race

To speak of a Jewish race is to perpetuate a myth propagated by Adolf Hitler and the Nazi regime. In their fanatical quest to carry out a final solution, the total extermination of the entire Jewish people, the standard was "Jewish blood" going back countless generations. Even the smallest trace of Jewish ancestry was sufficient to warrant execution.

In fact, over the course of centuries and as a result of migrations around the globe, Jews developed a multitude of different physical characteristics because of their fusion with other racial blends wherever they lived.

Although, unlike Christianity they never actively missionized, Jews readily accepted sincere converts into their fold. Ruth, born a Moabite who voluntarily chose to enter into the covenant, is not only a biblical hero but

also – by way of blessing for her noble deed – the ancestress of King David. From David will eventually come forth the Messiah whose mission is to bring the entire world together as children of one God.

No one can change their race but people can and have, through the ages, chosen to share their lot with the Jewish people. Which means quite clearly that the Jews are not a race. They are people who share a religion whose ideal is to perfect the world and make all human kind worthy of God's care and compassion.

2. Israeli and Jew are synonymous

Israel was always "the promised land" – in Jewish tradition the holiest place on earth. But Jews long ago learned that their faith transcends boundaries, that with Torah they could find spiritual fulfillment even when they were in exile.

Why, the rabbis asked, did God give the Ten Commandments in the desert of Sinai rather than in the holiest of all lands, Israel? So that, they explained, Jews would never be misled into thinking that the Torah is a Constitution meant only for the state of Israel or that God's law is limited to a special place, no matter how holy and unique.

After 2000 years of separation, the Jews miraculously returned to the land promised them by the prophets. Calling the newly created state "Israel", Jews became modern day Israelis. But in a remarkable display of universal brotherhood, Israel was created as a democracy. Citizenship is open to all. You don't have to be Jewish to be an Israeli. There have been 77 past and present Israeli Arab members of the Knesset ever since the first Knesset elections in 1949 and one of Israel's Supreme Court judges is a Palestinian Arab.

So non-Jews can be Israelis. And Jews living outside of Israel are still Jews – as well as Israelis by way of their shared faith and heritage.

3. Jews believe in a God of law; Christians believe in a God of love
Christianity has long claimed that the difference between it and Judaism is that Christianity is a religion of love and Judaism is a religion of law. The comparison was meant to put Judaism in a less favorable light. Jews, however, accept this analysis not as criticism but rather as a compliment.

For Jews, a religion that stresses God's love even for those who continue to sin too readily takes for granted that men and women can't be better. It emphasizes humankind's great faith in God but diminishes God's faith in human kind. A God of law forces people to recognize that their blessings impose obligations, that privileges carry responsibilities and that obeying rules is the rent we pay for the gift of being allowed to live here on earth.

Jews recognize that God has two names. One of them, Adoshem, Hebrew for Lord, emphasizes God's attribute of love. The other name, Elokim, Hebrew for God, stresses divine strictness and justice. For Judaism, the Lord our God is a God of love who forgives imperfect people even when they don't get it 100 percent right – but at the same time he is a God of law who has enough confidence in us to believe we can live up to our responsibilities at least for a passing grade.

4. Jews believe in "an eye for an eye"

How can Jews claim to be kind and compassionate when their Torah teaches something as cruel as "an eye for an eye"? We teach our kids two wrongs don't make a right – should we commit a barbaric act just because someone else did?

No, of course we shouldn't, and put your mind at ease – in spite of this "fake news" the Torah doesn't want us to either. Here is a perfect example of the need to understand the written law as interpreted by the oral law. The Talmud makes clear that the intent is to fine a person who put out another's eye, to exact monetary retribution, not physical vengeance.

Why then does the text say "an eye for an eye"? For a simple reason: the Torah couldn't possibly say "money for an eye" because that would suggest there is parity between them! Just imagine a very wealthy man who hates his neighbor. He looks at the Bible and sees "money for an eye." He says to himself, "I can afford it," and knocks out the other person's eye.

The written law says "an eye for an eye" because as far as God is concerned, that's what should be the law. If God based law on strict justice, when you take out somebody's eye you ought to lose your own. But God won't stoop to your level. The oral law teaches us how God tempers justice with mercy. Together the written and oral law manage to convey the duality of God's response: the harsh sentence that should be carried out and the merciful judgment that is in fact the law.

5. Kosher food is food that's blessed by a Rabbi

No, kosher food isn't food that's blessed by a Rabbi. That's probably the first misconception people have. The second is that kosher means clean – which sometimes I can only wish were really so. Actually the word kosher in Hebrew means "fit" or "suitable by Jewish law." It doesn't have to be applied to food; it can refer to almost anything else as well. Immodest dress can be not strictly kosher and a man who steals from his employer is doing something that's definitely not kosher. In the realm of food it's what's accepted a Jewish law as permissible. Hopefully it's also clean, but what makes it kosher is that is prepared according to the dictates of the Highest Authority.

And interestingly enough, nowhere are we told that the laws of kashrut for food are based on matters of health and are meant to prevent disease and sickness. Instead, the Bible explicitly says these laws should be followed so that "you sanctify yourselves and be holy" (Lev. 11:44). We are to be concerned with what we eat not for the sake of our bodies but for the sake of our souls.

How can observing dietary laws make a person more holy? How does the way we eat affect the spirituality of our souls?

Perhaps the best answer is that the laws of kashrut impose the need for self-discipline. We all know how hard it is for people to stick to a diet. The dietary laws are even more demanding. To learn to control cravings, to say, "This I can eat and this I can't because God said so", is to become holy – because holiness means to learn how to conquer our own passions, so that we control them and they don't control us.

The very first law God ever gave humankind had to do with food: "From all the trees of the garden you may surely eat, but from the tree of knowledge of good and evil you shall not eat of it" (Genesis 2:16 – 17). God didn't give Adam and Eve a reason. Maybe that was the very meaning of the commandment. Do it even though you don't understand it to prove you acknowledge that God has more knowledge than you. That's why disobeying meant they ate of the "tree of knowledge" – they felt they knew better. To refrain from eating something just because God commanded it is to demonstrate that we will accept what he says even if we don't know the reason. And that, too, makes us holy.

These five misconceptions hardly begin to summarize the many misconceptions about Jews and Judaism. At least they represent a good start and hopefully in the future I can add some more to the list. After all, the world does acknowledge we are the people of the book – and we surely should share the truth about ourselves and our faith.

This article can also be read at: <http://www.aish.com/sp/ph/Jewish-Fake-News.html>

from: Aish.com <newsletterserver@aish.com> date: Wed, Jul 5, 2017 at 4:30 PM subject: Advanced Parsha - Balak

Getting What You Want by Rabbi Ozer Alport

Many times in life we are convinced that we know what we need, and we become upset when circumstances don't work out the way that we had hoped and we can't get what we wanted. Rabbi Avraham Pam points out that when Bilaam was riding his donkey to go curse the Jews, the donkey turned aside because it saw a sword-wielding angel in the middle of the path (Numbers 22:22). Bilaam didn't see the angel, so he got upset at the donkey for making it difficult for him to do what he wanted. In reality, Rashi writes that it was

an angel of mercy, meaning that God had sent an angel to try to stop Bilaam from going on his journey.

Bilaam unfortunately didn't get the message and ultimately met a bitter fate, but Rav Pam commented that many times in life, when we are convinced that we have to get a certain job or get into a certain school, and it seems like the harder we try, the more inexplicable obstacles pop up in the sabotage our efforts, we should remember that it might be an angel of mercy trying to save us from becoming our own worst enemies.

In "Ashrei," we say (Psalms 145:19), "God will do the will of those who fear Him, and He will hear their cry and save them." This seems to be a redundant expression. If God does the will of those who fear Him, why does the verse have to continue to say that He listens to their cries and saves them when they call out to Him? Isn't that already included in the first statement?

Rabbi Tzvi Pesach Frank explains that the verse can be read as saying that when people pray to God for something which they think they want but which is actually going to be detrimental to them, He still grants the request, as the verse says: "He does the will of those who fear Him" - and if this is something that they want and ask for, God will give it to them.

Then, after the person gets what he asks for and realizes how detrimental it is for him, he screams out to beg God to take it away. Even though a human would be tempted to say that if this is what you asked for, now you have to live with it, God doesn't work this way. Instead, the verse continues to say "He will hear their cry and save them," meaning that when they cry out to God to undo the damage that they brought on themselves with their initial request, He honors this petition as well and fixes the situation. The following story illustrates this point. There was once an aspiring psychiatrist who arranged to get a tour of a mental hospital. He went into the first room and saw a broken man sitting on the edge of his bed, staring at the wall and saying "Nechamaleh, Nechamaleh, Nechamaleh." He went outside to ask one of the nurses what the man's problem was. The nurse explained that the man had been madly in love with a woman named Nechamaleh and was devastated when she refused to marry him. He was unable to handle the rejection and move on, and all he could do was repeat her name over and over again.

The visitor decided to go into the next room. To his surprise, he saw another man sitting on the bed, staring at the wall, and saying "Nechamaleh, Nechamaleh, Nechamaleh." He went back out to speak to the nurse and asked, "Another person who got rejected by the same Nechamaleh?" The nurse replied, "No, that's the guy who married her!"

NO PAIN TO ANIMALS

Judaism forbids causing unnecessary pain and suffering to animals. There is a Talmudic dispute (Bava Metzia 32b) regarding the origin of this prohibition: is it Biblical or Rabbinical in nature? As there seems to be no explicit verse anywhere in the Torah forbidding a person to afflict animals, what is the source of the prohibition according to the opinion that maintains that it is a Biblical commandment?

Maimonides (Moreh Nevuchim 3:17) suggests that this opinion is derived from Parshas Balak. God attempted to impede Bilaam's journey by sending an angel to block his path, but only Bilaam's donkey saw the sword-wielding angel. When the donkey attempted to turn to avoid the angel, Bilaam grew angry at the donkey, striking it and threatening to kill it. God opened the donkey's mouth and it asked him, "What have I done to you that you struck me these three times?" (Numbers 22:28) Maimonides writes that these words of the donkey serve as the source for the opinion that it is Biblically forbidden to strike or otherwise cause needless pain to animals.

THE SIN OF IGNORANCE

God attempted to impede Bilaam's journey by sending an angel to block his path, but only Bilaam's donkey saw the sword-wielding angel. When the angel attempted to turn and avoid the angel, Bilaam grew angry at the donkey, striking it and threatening to kill it. Finally, God opened Bilaam's

eyes and allowed him to see the angel. Bilaam commented (22:34), "I have sinned, for I didn't know that the angel was on the road." How can lack of knowledge be considered a sin?

Paneiach Raza and Shelah HaKadosh answer that people are held responsible for lacking knowledge which they should have been able to attain through contemplation and study, as it was for this purpose that God endowed man with the ability to think and reason, and their failure to do so is considered a transgression. For this reason we confess on Yom Kippur - "for the sin which we transgressed before You without knowledge." Similarly, in this case, even if Bilaam didn't see the sword-wielding angel, he should have understood that his donkey would not behave in this unusual manner without a legitimate reason, and it was considered a mistake for him to hit the donkey for its conduct.

This article can also be read at:

<http://www.aish.com/tp/i/pp/160994505.html>

from: **Chanan Morrison** <ravkooklist@gmail.com> to: Rav Kook List <Rav-Kook-List@googlegroups.com> date: Wed, Jul 5, 2017 at 1:58 AM subject: **[Rav Kook Torah]** Psalm 145: To Pray "in Truth"

Psalm 145: To Pray "in Truth"

Jew_in_Prayer

"God is near to all who call to Him - to all who call to Him in truth."

(Psalms 145:18)

What does it mean "to call to God in truth"?

This phrase describes prayer that is sincere and from the heart. However, it does not refer only to how we should pray.

Even more, it indicates why we should pray. For what we should pray.

Falsehood is transitory and fleeting. Truth, on the other hand, is eternal and enduring. The World to Come is called Olam HaEmet - the World of Truth - reflecting its eternal nature.

We call out to God "in truth" when we pray, not for that which is fleeting and insignificant, but for goals which are true and eternal. Prayer in truth aspires to uncover the inner meaning of our existence, the very essence of our lives.

"Return us, our Father, to Your Torah. Draw us near, our King, to Your service." (Amidah prayer) When we pray to find our purpose in life and our path to serve God, such a prayer is an authentic reflection of the soul's inner desires.

God answers prayers that are "in truth," prayers that express our true inner will. As the psalm continues, "He fulfills the will of those who revere Him" (145:19).

(Adapted from Olat Re'iyah vol. I, pp. 226-267)