

BS"D



To: Parsha@YahooGroups.com
From: crshulman@aol.com

INTERNET PARSHA SHEET ON MATOS - 5765

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From: TorahWeb.org [torahweb@torahweb.org] Sent: July 26, 2005 5:16 PM To: tw764@torahweb.org Subject: Rabbi Herschel Schachter - Straightening Out Our Priorities

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RABBI HERSCHEL SCHACHTER

STRAIGHTENING OUT OUR PRIORITIES

In parshas Matos Moshe Rabbeinu rebuked bnei Reuven and bnei Gad for their improper attitude in asking to remain on the eastern side of the Jordan river and build enclosures for their flocks and cities for their children. Rashi (Bamidbar 32:16) explains their mistake: by placing their flocks first, they seemed more interested in protecting their monetary possessions than in looking after their own children! Many of us, too, are so eager to strike it rich that we make the same mistake and place higher priority on our jobs and money than our children.

In a certain sense, our children are our most valuable possession. Nobody lives forever. The Talmud (Yevamos 97a) understands from the possuk in Tehillim (90:10) a halachic principle, that the average life of an individual is seventy years. We have the ability to extend our years by living in the past and the future in addition to the present[1]. If we identify with our ancestors - Avraham, Yitzchak and Yaakov - as well as with all the tzadikim and anshei maaseh of previous generations, we can live in the past. And if we always look forward to the coming of Eliyahu Hanavi and the days of the moshiach, we can live in the future as well. The rabbis, commenting on Breishis 30:1, noted that one who leaves no descendants (or, for those who cannot have children, disciples) is considered to have never lived[2]. If one can not live into the future - by extension, through his descendants, his meager "seventy years" are insignificant. Reshaim are neither interested in living in the past (by identifying with the tzadikim of years ago), nor in living on into the future (by hoping for the coming of Eliyahu and moshiach); they only want to live for the pleasure of the present. The rabbis comment that such reshaim, even during their lifetime, are not considered "living". Tzadikim are considered to be "living on" even after they die (see Rashi to Breishis11:32). By caring properly for our children, and seeing to it that they preserve our Torah way of life, we extend our own lives, and in a certain sense, live on into the future.

Before mattan Torah, the mitzvah or pru u'rvu applied to all people, and the essence of the mitzvah was populating and controlling the world (see Sanhedrin 59b). After mattan Torah, the entire nature of the mitzvah changed: it no longer applies to non-Jews, and Jews are commanded as part of the mitzvah to transmit the Torah to the next generation. If a Jew will have non-Jewish children[3], or (according to many poskim) even non-observant children[4], he will not fulfill this mitzvah. Furthermore, if one is not able to have children, but teaches Torah to the children of others[5] or supports Jewish education[6], it is considered as if "he has given birth to

these children", and has at least partially fulfilled the mitzvah of periyah verivyah.

For the mitzvah of pru u'rvu it is not sufficient to merely give birth to the children, rather we must transmit Torah values to them as well. And we should not be fiscally conservative in performing this crucial mitzvah! We should not focus on the cost of tuition when determining which school to enroll our children in. The only criteria to be considered ought to be where they will receive the best education in middos (character development), deios (principles of faith), and Torah knowledge. The cost should not be a deciding consideration. The rabbis of the Talmud had a tradition that whatever one spends on the Torah education of one's children will be reimbursed. At the outset of the year (i.e. in Tishrei) it is determined how much money one will earn, but this does not include s'char limud which he pays (Beitza 16a). That is an additional allocation that we receive min hashomayim. Whatever we spend on our children's Torah education will not reduce the amount of money we are supposed to earn during the year.

We should not underestimate the potential of our children and provide for them an inadequate Torah education because we assume that they cannot become talmidei chachamim. The Talmud uses an expression, in connection with teaching young children, that we should "stuff them like one would a fat ox" (Bava Basra 21a). The more Torah knowledge the mind absorbs, the more it becomes capable of retaining. Before we start reciting shmoneh esreh we recite the possuk from Tehillim, "G-d, open up my lips, and my mouth will recite your praises" (Tehillim 51:17). In the essay "Emunah u'Bitachon" attributed to the Ramban, a different interpretation is offered to this possuk: G-d, open up the bounds and the limits of my potential, and enable me to accomplish more than my present potential. The child's mind is, in a certain sense, like a sponge. If parents would engage a private tutor to enrich their children with more Torah learning, in most cases this would not cripple the child, neither socially, psychologically, nor scholastically. Rather their children would become more learned; and by becoming more learned, according to our tradition, it would follow that the children would become more observant (Avodah Zarah 28b).

All children should be treated as if they might reach the greatest spiritual heights. The Medrash[7] tells us that because Moshe Rabbeinu was destined to become a prophet and speak with the shechinah, it was not proper for him as an infant to nurse from non-Jewish women (who ate non-kosher food). The Rema (Yoreh Deah 81:7) encourages all parents to consider the possibility that their children too will some day become neviim, and therefore in the event that a mother is unable to nurse her child and a non-Jewish woman must nurse the child, the parents should see to it that the wet-nurse should not eat any non-kosher food as long as she is nursing the Jewish child.

We should not be afraid of our children becoming more knowledgeable or observant than we are. The Talmud tells us that normal parents are never jealous of their child's accomplishments (Sanhedrin 105b). Parents view the child as an extension of themselves, and consider the child's accomplishments as their own. A parent who cherishes Torah knowledge would be very proud to say that his child is more learned than he. And likewise, a parent who cherishes observance of mitzvos would be very proud if his child were more observant than he.

On a communal level, we have lost our bearings regarding what is a normal and proper lifestyle, and what is an opulent and improper one[8]. In that context, some Orthodox people spend large sums of money on non-essentials without making yeshiva tuition a top priority, and consequently want to send their children to public school to save money. We, too, need Moshe Rabbeinu's rebuke! What an unfortunate confusion of priorities! Our children are immeasurably more valuable than our homes and all other material possessions. If we really believed G-d that the Torah is the "kli chemdah" (Avos 3:18), and that observance of the mitzvos is the wish of

the Creator of the world, how could we possibly be so lax regarding the Torah education of our children?

[1]See Mipninei Horav, parsha Va'eirah [2]See Nedarim 64b [3]See Beis Shmuel to Shulchan Aruch Even Hoezer (1:12) [4]See commentaries to Ein Yaakov (Brochos #51) [5]Sanhedrin 19b [6]This is the interpretation of the Chafetz Chaim to Yeshaya (56,4) [7]See Rashi to Shemos 2:7 [8]As Rabbi Dr. Abraham J. Twerski recently said during a TorahWeb leil iyun, "the frum world is up to its eyebrows in looking for pleasure". See the MP3 or video of Rabbi Dr. Twerski at <http://www.torahweb.org/drugs.html>

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From: ravfrand-owner@torah.org Sent: July 27, 2005 To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Matos

Note: There will not be a "RavFrand" shiur next week, Parshas Masei. The next shiur will be the following week, Parshas Devarim.

RABBI YISSOCHER FRAND

Ramban: Why was Parshas Nedarim given over specifically to "Roshei haMatos?"

The beginning of Parshas Matos contains the laws of Nedarim [vows]. The beginning of the parsha is unique in that it begins with the words "Speak to the heads of the tribes saying..." When Moshe Rabbenu relayed most of the Torah, he did so either directly to the children of Israel (Daber el bnei Yisroel) or to the Kohanim (Emor el haKohanim). This is the only parsha that was given over specifically to the Roshei haMatos [Heads of the Tribes]. Why was this parsha of Nedarim different?

The early commentaries themselves were bothered by this question. The Ramban, in his commentary on Chumash, suggests that Nedarim should not be said over to the masses. The concept of taking oaths and vows is very serious, and when people will hear that you can be "matir" [release] a neder or that a father or husband can be "mefir" [nullify] a neder, people will come to take the matter lightly. Consequently, according to Ramban, these laws were only given to the Roshei HaMatos, the leaders of the nation, who could be trusted to deal with these concepts with the level of sophistication and reverence that they deserved.

The Chasam Sofer, however, offers a different answer to this question. He suggests that the leaders of the nation had a special need to be aware of these laws. He quotes the story of Yiftach the Shofet [leader of Israel during the time of Judges (Shoftim Chapter 11)], who made a vow in haste to offer as a sacrifice to G-d the first thing that came to greet him when he returned victoriously from battle. The first thing that came to greet him was his own daughter].

The Medrash in Bereishis Rabba asks why Yiftach didn't go to Pinchas [the Kohen Gadol (High Priest) at that time] and have his vow "permitted" through the vehicle of "Hataras Nedarim" [releasing a vow]? The Medrash answers that Pinchas was waiting for Yiftach to come to him (Pinchas being the leading scholar of the day) and Yiftach was waiting for Pinchas to come to him (he being the chief political and military officer in the country).

While each was trying to protect the honor of their own position, the daughter lived in solitude.

The Medrash says that both Yiftach and Pinchas were punished for this: Yiftach lost his life to a terrible disease where limbs started falling off one by one (as it says "he was buried in the cities (plural) of Gilead") and Pinchas lost his ability to receive Ruach HaKodesh [Divine Inspiration]. The Chasam Sofer says this could be why the Torah was particularly concerned that the leaders be extremely careful and well-versed in the laws of Nedarim.

Two observations are to be made on this teaching:

1. We cannot project our own petty midos on people of the stature of Pinchas and Yiftach. Although the Medrash does say that in this situation they were punished for their actions, we must never confuse our own petty shortcomings with those of people who were Gedolei Olam [unimaginably great leaders (literally "greats of the world")].

2. Many times people do things because their Kavod [honor] was slighted. They do these things even though doing so is clearly to the detriment of both them and their own families. It is not unheard of for a person to sacrifice his own welfare or the welfare of his children on the altar of his ego. When a person's Kavod is affected, he can literally let his own children die.

We as human beings have a passion for kavod. The older we get the more we have a tendency to be particular about our honor. A person needs an independent opinion to turn to -- be it his Rebbe (teacher), his Rav, his Rosh Yeshiva, or his good friend -- who can open his eyes to his own blindness regarding matters of Kavod. Only an independent opinion can help prevent a person from leading himself to self-destructive action or inaction.

Transcribed by David Twersky; Seattle, WA DavidATwersky@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape # 108, Toiveling Dishes. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2005 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

From: Rabbi Goldwicht [rgoldwicht@yutorah.org] Sent: July 28, 2005
WEEKLY INSIGHTS BY RAV MEIR GOLDWICHT
www.yutorah.org Parashat Matot

In Parshat Matot we are presented with the request of B'nei Gad and B'nei Reuven to settle on the East bank of the Jordan. Moshe Rabbeinu responds with anger, viewing their apparent apprehension to enter the land as a repetition of the sin of the meraglim, and reminds B'nei Gad and B'nei Reuven of the sin and its negative repercussions. They respond that Moshe Rabbeinu misunderstood, and really they were prepared to lead B'nei Yisrael into Eretz Yisrael in battle and remain in the land until every Jew had inherited his portion in the land. At this point, Moshe Rabbeinu should have granted their request, satisfied that they were not in fact afraid to enter the land. However, he instead makes a t'nai kaful (a conditional statement explicitly stating both the positive and the negative sides of the condition) with them to go before Hashem to war, to which they readily agree. Moshe Rabbeinu then reviews the t'nai kaful with Elazar haKohen and Yehoshua bin Nun. Our first question is: Why did Moshe Rabbeinu remain so suspicious of B'nei Gad and B'nei Reuven that he felt it necessary to make a t'nai kaful with them and to later go over it again?

The last mitzvah of the next parasha, Parashat Massei, is the mitzvah of arei miklat, commanding B'nei Yisrael to designate six cities as cities of refuge to which those who murder accidentally can flee. Although there is one more short parasha after the mitzvah of arei miklat, this is essentially the last mitzvah, and the last new topic, of sefer BaMidbar. As Parashat Massei is essentially the end of the Torah, as sefer Devarim is a review of all that has already been written, the parasha of arei miklat is essentially the end of the whole Torah. Why is it that the Torah closes with this mitzvah?

The arei miklat appear again in Parashat Shoftim, where the Torah says that HaKadosh Baruch Hu will extend our borders, the borders of Eretz Yisrael, and that when He does extend our borders we will be obligated to set aside three more arei miklat (Devarim 19:8-9). Rambam in Hilchot Rotzeach (8:4) writes that this passuk describes the days of Moshiach, and commands us to set aside three more arei miklat on top of the original six. Our third question is why there will be a need to set aside more arei miklat in the times of Moshiach. On the contrary -- there will certainly be fewer murderers, intentional and unintentional, in those times!

To answer these questions, we will begin as follows: The mishnah in Avot (4:3) says: There is no man without his time, and there is no man without his place. The geographic location where a person lives is not

something technical or insignificant. Rather, it is a part of his personality and his very being. When the gemara refers to R' Yosei haGelili, it is telling us that he achieved the level he achieved because he lived in the Galil; had he lived in the Negev he would have been a different R' Yosei altogether. The gemara in Sotah (2a) says that forty days before a fetus is formed, a bat kol declares: the daughter of X to Y. The bat kol also declares: The house of X to Y and the field of X to Y. This is because a person's location must also be set aside for him. Some people are fit for loud places, some for quiet places, some for busy places, and some for tranquil places. This is true not only of people, but of nations as well. Americans belong in America, Frenchmen belong in France, and Jews belong in Eretz Yisrael. These are their natural environments and are the most conducive to the development of their particular traits. What makes Eretz Yisrael unique is that it is "eretz asher...tamid einei Hashem Elokecha bah mereishit hashanah v'ad acharit shanah, a land which...the eyes of Hashem, your Lord, are always upon, from the beginning of the year to the end of the year" (Devarim 11:12). Eretz Yisrael is the place where a Jew can feel lifnei Hashem.

For this reason, when a person accidentally kills another human being, he essentially forfeits his right to his location. The Torah places a death sentence upon him, in a sense, by allowing the goel hadam (redeemer) to pursue the murderer in order to kill him. HaKadosh Baruch Hu, by commanding us to set aside arei miklat, essentially reassigns him a place. That person, when he arrives at the ir miklat, feels that he is truly lifnei Hashem. This being the case, the arei miklat are not just a place to escape from the goel hadam, but rather a concept that expresses lifnei Hashem and a code that reminds us to live lifnei Hashem. This is why sefer BaMidbar, and thus the Torah, as explained above, concludes with this mitzvah, in order to teach us that the ikkar of Torah, is to feel lifnei Hashem always, and this will enable us to accomplish what must be accomplished. Even in the times of Moshiach, although there will be much Torah, we will still need to remember that we are lifnei Hashem. This prevents pride and domineeringness, and allows a person to do everything in the proper proportions and take the proper approach.

How appropriate, then, the conversation between Moshe Rabbeinu and B'nei Gad and B'nei Reuven. B'nei Gad and B'nei Reuven asked to go into battle lifnei B'nei Yisrael; their mistake was that in Eretz Yisrael you go lifnei Hashem and not lifnei anyone else. Therefore, Moshe made with them a t'nai kaful, in order to make clear to them that they were going lifnei Hashem, not lifnei B'nei Yisrael. The Ba'al HaTurim writes that the words lifnei Hashem appear seven times in Moshe's response to B'nei Gad and B'nei Reuven, corresponding to the seven years it took to conquer Eretz Yisrael. Eretz Yisrael can only be inherited if we feel lifnei Hashem – living lives of yirat shamayim, kiyum mitzvot, ahavat habriot, children respecting parents, young respecting old, respect for rabbanim, and respect for one another. Only one who lives lifnei Hashem sees the strengths of every person, and not his shortcomings. If we accept upon ourselves to strengthen this yesod of lifnei Hashem, we will merit the fulfillment in each of us immediately: "Usmachtem lifnei Hashem Elokeichem, And you will rejoice before Hashem, your Lord," on the har hakodesh in Yerushalayim.

Shabbat Shalom! Meir Goldwicht Please feel free to forward the weekly sichah to friends and family. If you aren't yet subscribed, you can subscribe here. We would be delighted to hear your thoughts and suggestions at talliskattan@sbcglobal.net. Weekly Insights on the Parsha and Moadim by Rabbi Meir Goldwicht is a service of YUTorah, the online source of the Torah of Yeshiva University. Get more parsha shiurim and thousands of other shiurim, by visiting www.yutorah.org. To unsubscribe from this list, please click here.

Recently, at the foot of the highway known as New York 17, there was a horrific car accident resulting in three Jewish fatalities. This tragedy took place on a Friday afternoon as thousands of men made their weekly trek back up to their families in the Catskills. Since the '17' is basically the only artery up to the Catskills from the metropolitan New York City and New Jersey areas, this accident caused a massive traffic jam that resulted in hundreds of people sitting in their cars for up to seven hours and, even worse, causing many people to arrive at their destinations on Shabbos. When such an event that wreaks havoc in so many people's lives occurs, the smart person studies it and tries to figure out what he or she can learn from such a happening. This is particularly true when thousands of people use this route daily and might – with a chill – realize that what happened to those unfortunate victims could have just as easily happened to them, Rachmana litzlan.

I think at first such a terrible vehicular fatality dictates that we review with our loved ones and ourselves the basic elements of driving safety. While seatbelts are a nuisance, they certainly save lives. A good friend of mine, Dr. Averick, who served as a triage specialist in a prominent trauma center, told me that he never had to pronounce dead a car accident victim who was wearing a seatbelt. So please, buckle up!

Another important issue is the subject of driving when drowsy. Many car accidents and deaths are attributed to people who nodded off at the wheel. The New York custom of thousands of Jewish men coming up to vacation for the weekend and returning late Sunday evening is a recipe for disaster. After cramming davening, Daf Yomi, ball playing, swimming with the kids, shopping with the wife, barbequing with the family, and Mincha and Maariv into a single Sunday, he gets in the car on the verge of collapse for the long commute home. One must exercise extreme caution not to sit behind the wheel when there is even a remote chance of falling asleep. For some, the solution to this problem is to schedule a Sunday afternoon nap on the hammock or in the air-conditioned room. For others, it is to wisely choose to sleep over Sunday night and leave early on Monday morning (even if it means traveling before davening). This suggestion has the added advantage of affording husband and wife another evening together – something that should be the objective as much as possible anyway.

We Jews, especially New Yorkers, are always in a rush and this manifests itself on the road. We speed even when there is fog or other inclement weather conditions – even when there are deer lurking in the woods and bungalow colonies full of children on both sides of the narrow roads. We also have a vast population of walkers and joggers who exercise, sometimes unwisely, three abreast on these narrow and winding country roads. When the city speeder comes around the bend, it is – at best – a very close squeak by indeed. Then, there is the vehicular madness known as "passing," where impatient drivers (usually youthful ones) start tailgating the car in front of them on a one lane country road. When there is a break in the double yellow line they bravely shoot out into the opposing lanes' traffic at high speed, passing the car that was going a mere 55 miles per hour. I have watched with dismay when these young drivers act as if they are playing Pac Man, weaving their vehicles in and out, not realizing that, unlike in the video game, neither they nor others get another life if they make a mistake.

It goes without saying that one should not be driving – especially at high speeds – on the highway with a cellphone in one's hand. While most of us are quite capable to maneuver with one hand, if there is – G-d forbid – a flat tire or a sudden accident ahead, that phone in our hands could mean all of the difference from being able to swerve to safety in the nick of time.

An important benefit of practicing driving safety, besides arriving home alive and in one piece, is that we avoid making a chilul Hashem, a desecration of G-d's Name. When people who are identifiably Jewish speed, pass, tailgate, or do any other foolish vehicular practice, the people who witness it look in disgust and say, 'Look how Jews drive.' This is a terrible chilul Hashem and as such must be avoided at all costs. So, for

starters, let's sit down and talk with our families about these rudimentary lessons.

Finally, an obvious lesson from this Friday afternoon disaster is to leave even more time for our commute. One should never say, 'I'll leave 5:00 for Shabbos doesn't begin for another three and a half hours,' for as we've observed, when a mishap happens, one needs a lot more time!!

Then, let's go to the next step. Are we saying our Tefilas HaDerech with a proper kavanah, proper concentration and feeling? What about our kavanah when we daven Maariv on Sunday night and in it we say the stanza in the bracha of Hashkiveinu, "U'shmor tseiseinu u'vo-einu l'chaim u'l'shalom meiatah v'ad olam - [Please G-d.] guard our goings and our comings for life and for peace, from now and forever." Isn't it meaningful, when thousands of people take to the roads, to beseech Hashem that all of our goings and comings should be safe and peaceful?

May Hashem bless us that in our fulfillment of the mitzvah d'Oriasa, the Biblical command, 'Ushemartem meod nafshoseichem - Guarding exceedingly our lives,' and our collective prayers for each other, may we be zoche to have long life, good health with safety, and everything wonderful. To receive a weekly cassette tape (\$20 monthly) or CD (\$26 monthly) directly from Rabbi Weiss, please send a check to Rabbi Moshe Meir Weiss, P.O. Box 140726, Staten Island, NY 10314 or contact him at RMMWSI@aol.com. Attend Rabbi Weiss's weekly shiur at the Landau Shul, Avenue L and East 9th in Flatbush, Tuesday nights at 9:30 p.m. Rabbi Weiss's Daf Yomi shiur can be heard LIVE on Kol Haloshon at (718) 906-6400 beginning at approximately 8:15 p.m. and again at 10:25 p.m. (EDT) on Monday thru Thursday nights. Previous shiurim are also available. Kol Haloshon expanded its coverage to include toll free dialing in the Chicago area. The phone number there is 773.290.2355. In London, Kol Haloshon can be reached at (208) 150-6889. In Toronto, Kol Haloshon can be reached at (416) 907-8305. In Mexico City, Kol Haloshon can be reached at (52) 555 3512476. (Sheldon Zeitlin transcribes Rabbi Weiss' articles. If you wish to receive Rabbi Weiss' articles by email, please send a note to ZeitlinShelley@aol.com.)

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Avodah Mailing List

Date: Tue, 28 Jun 2005

From: arnold.lustiger@exxonmobil.com

Subject: Rav Y.B. Soloveitchik on Territorial Compromise

Here is a translation of a five minute segment of the Rav's 1967 Teshuva drasha (although the drasha was summarized in Al Hateshuva, this portion never appeared). After some discussion by the moderators, it was decided that this post was more appropriate for Avodah than for Arevim - there are obvious political ramifications to the post which will hopefully be subsumed under, as Micha calls it, "fodder for discussing when one goes to a secular professional, and when a rav". ...

"I don't intend here to engage in politics, but this is a matter that has weighed heavily upon me since last June. I am very unqualified to assess the extent of the deliverance that the Ribono Shel Olam accomplished on behalf of Klal Yisrael and the Jewish victory over those who hate Israel.

But in my opinion, the greatest deliverance, and the greatest miracle, is simply that He saved the population of Israel from total annihilation. Don't forget that the Arabs were Hitler's students, Amalek, and in regard to the Arabs there is a Mitzvah of utterly blotting out Amalek's memory.

Today they are Hitler, they want to uproot the Jewish people, and it is possible that Russia is together with them in this regard, so the status of Amalek falls upon Russia as well. The blood congeals when one considers what would have happened to the Yishuv, to the hundreds of thousands of religious Jews, of gedolei Yisrael, or to all the Jews in Israel for that matter--"there is no difference"-- all Jews are Jews. This is the greatest salvation--but also that the State itself was saved.

Because even if the population would remain alive, but if G-d forbid the fate of Israel would fall, there would be a wave of assimilation and apostasy in America as well as in all Western countries. In England I heard that Rothchild said that Israel's victory saved Judaism in France. He is 100%

correct--this was better articulated by him than many Rabbis in Israel regarding the ultimate significance of the victory. But one thing I want to say. These reasons constitute the primary salvation behind the Six Day War.

Indeed, we rejoice in the [capture of] the Western Wall, in the Cave of the Patriarchs, in Rachel's tomb. I understand the holiness of the Kotel Hamaarovi. I studied Kodshim since I was a child: Kidsha leasid lavo, kedushas makom, kedushas mechitzos, lifnei Hashem--these are concepts with which I grew up in the cradle. The Kotel Hamaarovi is very dear, and the Har Habayis is very dear to me: I understand the kedusha perhaps much more than many religious journalists who have written so much about the Kotel Hamaarovi. But we exaggerate its importance. Our Judaism is not a religion of shrines, and it seems from this that it lies in the interests of the Ministry of Religions to institute a [foreign] concept of holy sites in Judaism--a concept we never had. We indeed have the concept of kedushas mokom, this is the Bais Hamikdash, [but] graves are not mekomos hakedoshim. As important as kivrei tzaddikim are, they are not holy. Perhaps there is a different halacha. To visit kivrei tzaddikim is important, like mekomos hakedoshim. I will tell you a secret--it doesn't matter under whose jurisdiction the Kotel Hamaarovi lies--whether it is under the Ministry of Parks or under the Ministry of Religions, either way no Jew will disturb the site of the Kotel Hamaarovi. One is indeed on a great spiritual level if he desires to pray at the Kotel Hamaarovi. But many mistakenly believe that the significance of the victory lies more in regaining the Kotel Hamaarovi than the fact that 2 million Jews were saved, and that the Malkhut Yisrael was saved. Because really, a Jew does not need the Kotel Hamaarovi to be lifnei Hashem. Naturally, mikdash has a separate kedusha which is lifnei Hashem. But there is a lifnei Hashem which spreads out over the entire world, wherever a Jew does not sin, wherever a Jew learns Torah, wherever a Jew does mitzvos, "minayen sheshnayim yoshvim veoskim beTorah hashechinah imahem"--through the entire world. I want you to understand, I give praise and thanks to the Ribono Shel Olam for liberating the Kotel Hamaarovi and for liberating and for removing all Eretz Yisrael from the Arabs, so that it now belongs to us. But I don't need to rule whether we should give the West Bank back to the Arabs or not to give the West Bank to the Arabs: we Rabbis should not be involved in decisions regarding the safety and security of the population. These are not merely Halakhic rulings: these decisions are a matter of pikuach nefesh for the entire population. And if the government were to rule that the safety of the population requires that specific territories must be returned, whether I issue a halakhic ruling or not, their decision is the deciding factor. If pikuach nefesh supercedes all other mitzvos, it supercedes all prohibitions of the Torah, especially pikuach nefesh of the yishuv in Eretz Yisrael. And all the silly statements I read in the newspapers-- one journalist says that we must give all the territory back, another says that we must give only some territory back, another releases edicts, strictures and warnings not to give anything back. These Jews are playing with 2 million lives. I will say that as dear as the Kotel Hamaarovi is, the 2 million lives of Jews are more important. We have to negotiate with common sense as the security of the yishuv requires. What specifically these security requirements are, I don't know, I don't understand these things. These decisions require a military perspective which one must research assiduously. The borders that must be established should be based upon that which will provide more security. It is not a topic appropriate for which Rabbis should release statements or for Rabbinical conferences."

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EMES LIYAAKOV

Weekly Insights from MOREINU HORAV YAAKOV KAMENETZKY zt"l [Translated by Ephraim Weiss <Easylkgh@aol.com>]

In this week's parsha, we read about the war that Bnei Yisroel fought with the nation of Midyan in order to take revenge against the Midyanim for causing Bnei Yisroel to sin. After Bnei Yisroel had wiped out the Midyanim, and collected all the spoils of the war, they took off a certain percentage of the spoils, and set them aside to be used for hekdesh. Interestingly, this is one of the few wars that Bnei Yisroel fought, where we find that a portion of the spoils was sanctified for Hashem.

HaRav Yaakov Kamenetzky zt"l offers an explanation on why there were times when Bnei Yisroel were allowed to keep the spoils for themselves, and when they were obligated to donate them to the mishkan. Through all the wars that Bnei Yisroel fought, there was clear hashgacha pratis in their victories. However, some wars were fought in a natural way, and all the miracles that took place were hidden beneath the shroud of nature. On the other hand, there were other wars that were won with open miracles. The war with the Midyanim was one that was won with nissim geluyim, open miracles that no one could fail to recognize. In fact, during the duration of the war, Bnei Yisroel did not lose a single soldier. As such, Bnei Yisroel could not derive benefit from the spoils of this war until they had set aside a percentage for Hashem.

Rav Yaakov points out that this concept is not limited to the war with the Midyanim, but rather is a pattern that is noticeable throughout Tanach. When Avraham fought the war with the four kings in order to save Lot, he refused to take any of the spoils. This was clearly a miraculous victory, as Avraham with only three hundred eighteen people was able to wipe out the four most powerful armies in the world. Similarly, when Bnei Yisroel fought against the city of Yericho upon entering Eretz Yisroel, they were forbidden from taking any of the spoils of the city, and rather everything was set aside for use in the mishkan. Once again, there were open miracles involved in this war, when the huge walls of Yericho sank right into the ground.

Despite the distinction of nissim geluyim, it is important not to lose focus of the hidden miracles that take place in our lives everyday. If we look carefully at the events of our lives, we can often see how the Yad Hashem is always there. May we be zocheh to recognize the nissim nistarim in our lives, so that we may merit the nissim geluyim that will take place with the coming of Moshiach, bi' mihayra bi'yameinu, amen.

From: Halacha [halacha@yutorah.org] Sent: July 25, 2005

The Weekly Halacha Overview -

by RABBI JOSH FLUG -

READING THE HAFTORAH FROM PRINTED MATERIALS

<http://www.yutorah.org/showShiur.cfm?shiurID=711551>

Reading the Haftorah from Printed Materials

Kriat HaTorah on Shabbat, Yom Tov, and fast days is followed by reading of the haftorah. The haftorah is the reading of a passage from nevi'im that has relevance to the Torah portion or to the day's occasion. R. David Avudraham, Seder Shacharit Shel Shabbat, suggests that the reason why the haftorah is read is because in earlier times there was a decree prohibiting Jews from reading the Torah. The rabbis instituted reading from nevi'im in place of reading from the Torah. Although we now read the Torah, the practice of reading from the nevi'im continues.

Levush, Orach Chaim 284:1, notes that many communities read the haftorah from the text printed in the chumashim. They do not use sifrei nevi'im that are written on parchment and follow all of the laws of writing a sefer Torah. Levush questions the validity of such a practice and states that the haftorah should be read from a text that conforms to all of the laws of writing a sefer Torah.

Taz, Orach Chaim 284:2, comments that the issue raised by Levush is already discussed in the Gemara. The Gemara, Gittin 60a, quotes Rabbah and Rav Yosef that one may not use a sefer aftarta (for the haftorah reading) on Shabbat. A sefer aftarta is a collection of all of the haftorah texts in one book (see Tosafot Rid, ad loc). The reason why one may not use a sefer aftarta is because one is not allowed to write Torah Shebichtav (the written scriptures) unless it is written following all of the laws of writing a sefer Torah. The Gemara then states that since nowadays, it is

impossible to demand that all written scriptures be written like a sefer Torah, it is permitted to use a sefer aftarta.

Taz states that the leniency that allows one to use a sefer aftarta negates any requirement that one must use a text that conforms to all of the laws of writing a sefer Torah. The requirement to use parchment only applies when an entire book of Tanach is written. Therefore, the leniency to use a sefer aftarta implies a leniency to use paper instead of parchment.

The Use of the Printing Press

Taz notes that one can argue that the sefer aftarta has an advantage over the printed haftorah text. The sefer aftarta is written by hand, whereas the printed haftorah text is printed by machine. While the leniency to read from a sefer aftarta implies that there is no requirement that the haftorah be read from a text that has kedushat kitvei hakodesh (sanctity of one of the books of Tanach), there is a requirement that the text have some minimal level of sanctity. In order to achieve this minimal level of sanctity, the text must be written in a halachically valid form of writing.

With the invention of the printing press, numerous responsa were written discussing whether the printing press can produce a halachically valid form of writing. Teshuvot HaRama MiPanu no. 93, writes that the requirement to use parchment and proper ink only applies to a sefer Torah and not to the other books of Tanach. Therefore, the only leniency that the sefer aftarta necessitates is the allowance of a non-complete book of Tanach. In the times of the Gemara, it was too difficult to demand that every congregation own a complete set of nevi'im. Therefore, the rabbis allowed the use of the sefer aftarta. Magen Avraham contends that with the invention of the printing press this leniency is no longer applicable. The cost of a complete set of printed nevi'im is affordable, and it must be used for the haftorah reading.

Magen Avraham, 284:1, notes that one does not require the leniency of sefer aftarta to allow the use of paper instead of parchment. He quotes the opinion of Tosafot, Shabbat 115b, s.v. Megillah, that the requirement to use parchment and proper ink only applies to a sefer Torah and not to the other books of Tanach. Therefore, the only leniency that the sefer aftarta necessitates is the allowance of a non-complete book of Tanach. In the times of the Gemara, it was too difficult to demand that every congregation own a complete set of nevi'im. Therefore, the rabbis allowed the use of the sefer aftarta. Magen Avraham contends that with the invention of the printing press this leniency is no longer applicable. The cost of a complete set of printed nevi'im is affordable, and it must be used for the haftorah reading.

Practical Differences Between Taz and Magen Avraham

According to Taz, the allowance to use printed materials is based on the Gemara's leniency to use a sefer aftarta. According to Magen Avraham, there is no leniency applied, and one may read from a text printed from a printing press. R. Moshe Sofer, Teshuvot Chatam Sofer, Orach Chaim no. 68, notes that if one assumes that reading from printed materials is based on the leniency of sefer aftarta, the recitation of the haftorah is considered as if it is recited ba'al peh (by heart). Tosafot, Temurah 14b, s.v. Devarim write that when reciting text from Tanach by heart, one cannot fulfill another person's obligation. Chatam Sofer suggests that since reading the haftorah from printed material is considered like recitation by heart, every person must read the haftorah along with the ba'al koreh. One cannot fulfill the obligation of haftorah by listening to the ba'al koreh. According to Magen Avraham, if one reads from a complete book of Tanach, there is no need to rely on the leniency to recite the haftorah by heart, and therefore, one can fulfill his obligation by listening to the ba'al koreh.

Another difference between the opinions of Magen Avraham and Taz lies in the requirement to use a complete book of Tanach. According to Magen Avraham, a congregation that can afford a complete set of Tanach must use it for the haftorah. According to Taz, nothing is gained by using a complete book written on paper.

Mishna Berurah seems to adopt the position of Magen Avraham. He rules (284:1) in accordance with Magen Avraham, that one must read from a complete book of Tanach, unless it is not available. He also rules (284:11) that if the haftorah is being read from a chumash, all of the congregants should read along with the ba'al koreh. If the haftorah is being read from a navi, the congregants should not read along with the ba'al koreh. The distinction between chumash and navi seems to be a distinction between a collection of haftarot and a complete book of Tanach. If the haftorah is read from a chumash, according to Chatam Sofer, every person must read the haftorah along with the ba'al koreh. If the haftorah is read from a complete book, it is not necessary for each person to read along with the ba'al koreh. [Alternatively, it is possible that Mishna Berurah does not totally accept the position of Magen Avraham. If so, when Mishna Berurah refers to "navi," he refers to a complete navi that is written in accordance with all of the laws of sefer Torah.]

Chazon Ish, Orach Chaim 60:11, and R. Yosef D. Soloveitchik (in Nefesh HaRav pg.161) present a major limitation to Magen Avraham's opinion. They suggest that printed material cannot be considered a complete book unless the left side of one page is connected to the right side of the next page. A book that has

writing on both sides of the page, and is bound together by a binding is not considered a complete book. [According to this opinion, if one wants to fulfill the position of Magen Avraham, one can print the books of nevi'im on banner paper.]

Mishna Berurah, Sha'ar Hatzion 284:4, notes that since (at least according to Taz) the leniency to use printed materials is based on the inability of congregations to purchase properly written sifrei navi, congregations that can afford it should certainly purchase a set. R. Ovadia Yosef, Yecheve Da'at 5:26, quotes Eliah Rabbah 284:3, who is of the opinion that using a sefer aftarta that is written in accordance with all of the laws of sefer Torah, is certainly better than using a printed text. R. Yosef therefore rules that if a congregation cannot afford a set of sifrei navi, they should purchase a sefer aftarta that is written on parchment. Mishna Berurah 284:1, in omitting the suggestion of Eliah Rabbah, implies that he prefers a complete book printed on paper over a sefer aftarta written on parchment.

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From: rabiwein-owner@torah.org [rbwein@torah.org] Sent: July 28, 2005 To: rabiwein@torah.org Subject: Rabbi Wein - Matos
RABBI BEREL WEIN

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Jerusalem Post July 29, 2005 www.rabiwein.com/jpost-index.html

DAYS OF FASTING <http://rabiwein.com/column-943.html>

Having just recently passed through the fast day of the Seventeenth of Tammuz, the Jewish world sadly prepares for the fast day of the Ninth of Av, the day that marks the destruction of both Temples and commemorates other later national tragedies in Jewish history. The penultimate day of fasting on the Jewish calendar is naturally Yom Kippur. However, Yom Kippur differs from the other four biblical fast days – the Fast of Gedaliah on three Tishrei, the Tenth day of Tevet, the Seventeenth of Tammuz and the Ninth of Av – in that it is not a fast day that commemorates any sadness or tragedy. It is rather a holiday, a day of peace and forgiveness, of contemplation, repentance and spirituality. In fact, Maimonides, in his great code of Mishne Torah, describes Yom Kippur as a day of rest and not as a fast day per se. Part of our “rest” on that day is that we abstain and rest from consuming food and drink. Thus we see that there are two types of fast days that exist in Jewish life. One is to commemorate past tragedies and historical national events while the other is to be seen as an act of contrition and repentance and a means of spiritual self-improvement. Because of this second type of fast day, the one of repentance, there is a custom of Behab – Bet, hey, Bet - Monday, Thursday and Monday – fast days that occur at the beginning of Cheshvan and Iyar. These are days of repentance to ask forgiveness for any excesses of behavior that may have occurred during the preceding holiday months of Tishrei and Nissan. There also was an additional fast day observed in Ashkenazic Jewry of the Twentieth of Sivan, which commemorated the pogroms and destruction of large Jewish communities in Eastern Europe in 1648-9. Individual Jewish communities also instituted fast days to commemorate sad events that befell them. There was a time in Jewish life when days of fasting were common fare amongst Jews.

However, over the last century, fasting and fast days have become less common in the Jewish world, with the natural exceptions of the biblical fast days. Rabbi Yisrael Meir Kagan, known as Chafetz Chaim, in his monumental work on halacha, Mishna Brurah, already noted that physical fasting was no longer possible for much of the Jewish people. He therefore proposed that instead of fasting from food and drink, one should “fast” by abstaining from speech on that day. The avoidance of silliness, pettiness, slander and obscenity, all of which are intimately associated with speech and words, would truly make the day one of both commemoration and of repentance and spiritual self-improvement. In today’s Jewish world even

Behab is no longer observed that much as days of physical fasting. Rather, these are now days of special penitential prayers, charity and kindness. It has become apparent that in our more affluent society, the have find it more difficult to fast than did our have-not ancestors of previous generations.

In the times that preceded the destruction of the Second Temple there were fast days instituted by the rabbis in times of drought. An entire tractate in the Talmud, Taanit, deals with these fast days and their ritual. In those times there were also many days on the Jewish calendar when a fast day was forbidden. These were special days that were anniversaries of miracles and glorious victories for the Jews against their foes. The record of these days was kept in a special book called Megilat Taanit. This work is still extant today but since the destruction of the Temple and the loss of Jewish sovereignty, the book is no longer empowered to prevent the declaration of fast days by the Jewish community. It has always troubled me that a special fast day in commemoration of the Holocaust was never instituted. The Chief Rabbinate of Israel wished to have Yom Hoshoh fall on the day of the Tenth of Tevet, so as to have a fast day as part of the remembrance of this great tragedy of Jewish history. The Israeli Knesset, in one of its less than wise decisions, instituted instead a moment of silence on the 27th of Nissan as the memorial for the victims of the Holocaust. This secular remembrance, devoid of any connection to Jewish tradition in these matters, has created a further rift in Israeli society. Instead of being a day of unity, which a fast day such as the Tenth of Tevet would have been, Yom Hashoh has become a day of dissension and further pain in Israeli public life. Perhaps a day of silence, a ‘fast’ of inappropriate speech instead of only minutes of silence, would have been more appropriate.

Parsha MATOT <http://rabiwein.com/column-944.html>

A person’s word should be that person’s bond. In Jewish law, oral agreements when properly witnessed at the time of the agreement are as binding as any written contract. The Torah teaches us that “everything that comes forth from one’s mouth requires that person’s fulfillment of his declaration.” Commitments, such as vows, are viewed very seriously in Jewish law and the penalties associated with breaking one’s commitment and/or vow are quite severe. Because of this, King Solomon stated in Kohelet that “it is better not to vow at all than to vow and not fulfill that vow.” Due to the seriousness of vows, it has become customary in Jewish life for one to qualify any commitment that one may make, no matter how sincere and noble that commitment may be, with the Hebrew words bli neder – this is not to be construed as a vow. In order to extricate people from vows already made, the halacha has provided a legal mechanism that can retroactively annul vows. This mechanism is founded on the principle that the vow was made in error, under an erroneous assumption that circumstances would allow the vow to be fulfilled. However, now, when it is apparent that because of changing or unforeseen circumstances, the person is unable to execute his vow, then the vow may be annulled retroactively. This is in reality the basis for the famous and moving Kol Nidrei prayer that ushers in the holy day of Yom Kippur. We cannot ask for Divine forgiveness if we are yet burdened with unfulfilled commitments and pledges. However, there are limitations on the power of the Jewish court to annul vows and commitments. A vow or pledge made publicly is not capable of being annulled in most instances. There are other exceptions to the possibility of annulment of vows retroactively. An entire tractate of the Talmud, Nedarim, is devoted to the complexity of this subject. It is one of the “regular” tractates that form the basic Talmud curriculum in the yeshivot of the world.

The name of this week’s parsha is Matot – the tribes. Moshe speaks to the heads of the tribes of Israel and instructs them regarding the laws of vows and oral commitments. Why is this the only place in the Torah that the laws are given specifically to the heads of the tribes? Perhaps it is a lesson that leaders have to be doubly careful in their words of promises and

commitments. We are well aware that in the election campaigns that are currently mounted in the Western democratic world and here in Israel as well, the words of the candidates must be greatly discounted. People run on a certain platform of expressed views and commitments and once elected, often completely disregard their publicly stated pledges and policies. If the Torah holds a private individual to his word, then how much more so public officials and elected leaders should be held to those statements which form the basis for their election victory. Therefore, Moshe first instructs the heads of the tribes, the leaders of Israel, regarding these laws of the Torah. Only by fulfilling one's words can trust and confidence be achieved between the public and its leaders.

Shabbat shalom. Rabbi Berel Wein

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by CHIEF RABBI SIR JONATHAN SACKS
THE POWER OF HOPE

The month of Av is the saddest in the Jewish year, and Tisha b'Av the saddest day. On it the two Temples were destroyed, the first in 586 BCE by the Babylonians, the second in 70 CE by the Romans. It is also the day on which Betar - the last stronghold of the Bar Kochba rebellion - fell in 135 CE, and on which, one year later, the Roman emperor Hadrian rebuilt Jerusalem as a pagan city, Aelia Capitolina. In 1492, Tisha b'Av was the day on which Jews were finally exiled from Spain.

How did Jews survive these tragedies? That is one of the most enthralling questions about Judaism. It is an iron law of history that civilizations rise, achieve greatness and appear indestructible, but in the end they fail and fall. Only Jews and Judaism have experienced catastrophe after catastrophe, exile after exile, but have endured. Each new defeat inspired resilience. Jews wept, but then rebuilt their lives, often in new and strange places. More remarkably still, each tragedy inspired a new burst of creativity.

After the destruction of the first Temple came the renewal of Torah under Ezra and the returning exiles. After the loss of the second Temple came the great literature of the sages: Midrash, Mishnah and the two Talmuds. The Crusades gave birth to the spirituality of the Hassidei Ashkenaz; the Spanish expulsion to the mysticism of Sfat. The greatest tragedy of all in human terms, the Holocaust, was followed a mere three years later by the single greatest collective affirmation of life in 2000 years - the rebirth of the State of Israel. There is something remarkable about this story, unparalleled in the history of any other nation.

I remember the moment when I first stood on Mount Scopus - today the site of the Hebrew University - looking down on the old city of Jerusalem, and realised that it was here that Rabbi Akiva and his colleagues stood, contemplating the ruins of what had been Judaism's holiest place. While the others wept, Rabbi Akiva smiled.

"Why do you weep?" asked Rabbi Akiva. They replied "How can we not weep, when we see a fox walking through the Holy of Holies. The question is, how can you smile?" Rabbi Akiva replied: "The prophets foresaw Jerusalem's destruction and they also foresaw its rebuilding. I have seen the first prophecy come true. Now I know the second will also come true."

Rabbi Akiva shared with the prophets the courage to hope. Hope is not a mere instinct. It is born in faith - the faith that G-d exists, that He keeps His promises and that He forgives. That hope is contained in the very name tradition gave to this month: Menachem Av, the month of consolation as well as tragedy. A people that never loses hope cannot be defeated. The Jewish people kept hope alive. Hope kept the Jewish people alive.

Produced by the Rabbinical Council of the United Synagogue. Editor: Rabbi Ephraim Mirvis <mailto:editordaf@brijnet.org> Address: Finchley Synagogue, Kinloss Gardens, London N3 3DU Editorial Board: Rabbi Yisroel Fine, Rabbi Philip Ginsbury, Mr Simon Goulden, Rabbi Dr Michael Harris, Rabbi Emanuel Levy, Rebbetzin Sarah Robinson, Rabbi Meir Salasnik, Rabbi Dr Julian Shindler Copyright 2005 United Synagogue Publications Ltd.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

SIR JONATHAN SACKS

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth [From 2 years ago] <http://www.chiefrabbi.org/ft-index.html>
Mattot-Masei

IT IS A FASCINATING STORY AND FROM IT COMES ONE OF THE GREAT PRINCIPLES OF JUDAISM. Two of the tribes, Reuben and Gad, see that the land east of the Jordan is ideally suited as pasture for their large herds and flocks of livestock. They approach Moses and ask to have permission to settle there rather than cross the Jordan. Moses is initially furious at their request. It is, he says, bound to demoralise the rest of the people: "Shall your fellow countrymen go to war while you sit here?" Had they learned nothing from the sin of the spies who, by de-motivating others through their behaviour, condemned an entire generation to forty years of wandering in the desert?

The Reubenites and Gadites take the point. They explain that they have no wish to exempt themselves from the struggles of their fellow Israelites. They are fully prepared to accompany them into the promised land and fight alongside them. "We will not return to our homes until every Israelite has received his inheritance." Moses makes them take a public pledge to this effect and grants their request on condition that they fulfil their word. "When the land is then conquered before G-d you may then return, free of any obligation before G-d and Israel and this land will be yours as your permanent property before G-d."

The italicised phrase - literally you will be innocent before G-d and Israel - became in the course of time an ethical axiom of Judaism. It is not enough to do what is right in the eyes of G-d. One must also act in such a way as to be seen to have done the right in the eyes of one's fellow man. One must be above suspicion. That is the rule of *veheyitem neki'im*, "You shall be innocent in the eyes of G-d and Israel."

How did this translate itself into Jewish law and life? The Mishnah in Shekalim speaks of the three periods in the year when appropriations were made from the collective donations stored in the Temple treasury. The Mishnah states that "The person who made the appropriation did not enter the chamber wearing a bordered cloak or shoes or tefillin or an amulet, so that if he subsequently became poor, people would not say that he became poor because he committed an offence in the chamber, and so that if he became rich people would not say that he did so by misappropriating contributions in the chamber - for we must be free of blame in the eyes of people just as we must be free of blame before G-d, as it is said, 'You shall be innocent in the eyes of G-d and Israel.'"

Similarly the Tosefta states: "When one went in to take up the offering of the chamber, they would search him when he went in and when he came out, and they continue chatting with him from the time he goes in until the time he comes out." Not only must there be no wrongdoing when coins are taken from the Temple treasury; there must be no suspicion of wrongdoing. Hence the person who gathered the money should not wear any item of clothing in which coins could be hidden. He was to be searched before and afterwards, and even engaged in conversation so that he would not be tempted to secrete some of the money in his mouth.

Two rabbinic teachings from the Second Temple period speak of families famous for their role in Temple life and the lengths they went to place themselves beyond suspicion. The Garmu family were expert in preparing the showbread. It was said of them that "their memory was held in high esteem because fine bread was never found

in their children's homes, in case people might say, they feed from the preparation of the showbread." Likewise the Avtinas family were skilled in making the incense used in the temple. They too were held in high regard because "Never did a bride of their family go forth perfumed, and when they married a woman from elsewhere, they stipulated that she was not to go out perfumed, in case people should say, They perfume themselves from the preparation of the Temple incense."

The general principle is stated in the Talmud Yerushalmi:

R. Samuel bar Nachman said in the name of Rabbi Jonathan: In the Mosaic books, the Prophets and the Writings, we find that a person must discharge his obligations before men just as he must discharge them before G-d. Where in the Mosaic books? In the verse, 'You shall be innocent in the eyes of G-d and Israel.' Where in the prophets? In 'G-d, the Lord G-d, He knows and Israel too shall know.' Where in the Writings? In the verse, 'You shall find grace and good favour in the eyes of G-d and men.' Gamliel Zoga asked R. Yose bar Avun,. Which verse says it most clearly? He replied, 'You shall be innocent in the eyes of G-d and Israel.' " This concern became the basis of two halakhic principles. The first is known as chashad, "suspicion", namely that certain acts, permitted in themselves, are forbidden on the grounds that performing them may lead others to suspect one of doing something forbidden. Thus, for example, R. Shimon bar Yochai held that one of the reasons why the Torah prescribes that peah [the corner of the field left unharvested for the poor] should be left at the end of harvesting was because of suspicion. If the owner of the field had set aside an unharvested corner at the beginning or middle, the poor would come and take what is theirs before the end of harvesting, and a passer-by might think that no corner had been set aside at all. Likewise the rabbis ordained that if a house has two doors on different sides, Hanukah candles should be lit at both so that a passer-by, seeing one door but not the other, should not think that the owner of the house had failed to fulfil the command.

A closely related halakhic principle is the idea known as *marit ha-ayin*, "appearances". Thus for example, before milk substitutes became common, it was forbidden to drink milk-like liquids (made, for example, from almonds) together with meat on the grounds that people might think it was milk itself. Similarly it is forbidden on Shabbat to hang out garments that had become wet (for example, by falling into water) to dry, in case people think that one has washed them on Shabbat. In general one is not allowed to perform actions which, permitted in themselves, lend themselves to misinterpretation.

The connection or contrast between these two principles is a matter of some debate in the rabbinic literature. There are those who see chashad and *marit ha-ayin* as very similar, perhaps even two names for the same thing. Others however see them as different, even opposites. Chashad represents the possibility that people might think you have done something forbidden and thus think badly of you. *Marit ha-ayin* concerns cases where people, knowing that you are not the sort of person to do something forbidden, draw the mistaken conclusion that because you are doing X, Y is permitted, because X is easily mistaken for Y. Thus, to take one of the cases mentioned above, people seeing you hanging out clothes to dry on Shabbat might conclude that clothe-washing is permitted, which it is not.

This concern for appearances is, on the face of it, strange. Surely what matters is what G-d thinks of us, not what people think of us. The Talmud tells us of a moving encounter between the dying Rabban Yochanan ben Zakkai and his disciples:

They said to him: Master, bless us. He said to them: May it be G-d's will that the fear of heaven should be as important to you as the fear of [the opinions of] human beings. They said: Is that all? He said: Would that you were able to attain this [level of spirituality]. You can see [how difficult it is] because when someone wants to commit a sin, he says, I hope no one will see me [thus placing his fear of human beings above the fear of G-d who sees all]. What is more, it is forbidden to suspect people of wrongdoing. The rabbis said, "One who suspects the innocent is [punished by being] bodily afflicted" and "One should always judge a person in the scale of merits." Why then, if the onus is on the observer not to judge harshly, should we -- the observed -- be charged with the duty of acting above suspicion?

The answer is that we are not allowed to rely on the fact that others will judge us charitably, even though they should. Rashi makes a sobering comment on the life of Moses:

If he left his tent early, people would say that he had had a row with his wife. If he left late, they would say, He is devising evil plots against us. Even Moses, who devoted his life with total selflessness to the people of Israel, was not able to avoid their suspicion. R. Moses Sofer goes so far as to say that he was troubled throughout his lifetime by the challenge of the command, 'You shall be innocent in the eyes of G-d and Israel,' adding that it was far easier to fulfil the first half of the command ('in the eyes of G-d') than the second ('in the eyes of Israel'). Indeed he wondered if it was possible for anyone to fulfil it in its entirety. Perhaps, he said, this is what Ecclesiastes meant when he said, "There is not a righteous man on earth who only does what is right and never sins."

Yet there is a profound idea embedded in the concept of *veheyitem neki'im*, 'You shall be innocent.' The Talmudic sage Rava was scathing of those who stood in the presence of a Torah scroll but not in the presence of a Torah sage. To be a Jew is to be summoned to become a living *sefer Torah*. People learn how to behave not only from the books they study but also - perhaps more so - from the people they meet. Jewish educators speak of 'text-people' as well as 'text-books,' meaning that we need living role models as well as formal instruction. For that reason, Rabbi Akiva used to follow Rabbi Yehoshua to see how he conducted himself in private, saying 'This too is part of Torah, and I need to learn.' The twin principles of chashad and *marit ha-ayin* mean that we should act in such a way as to be held as a role-model (by being above suspicion - the rule of chashad) and that, just as a book of instructions should be unambiguous, so should our conduct (by not laying itself open to misinterpretation - the idea of *marit ha-ayin*). People should be able to observe the way we behave and learn from us how a Jew should live.

The fact that these rules apply to every Jew, not just to great sages, is eloquent testimony to the spiritual egalitarianism of the halakhah. Each of us is bidden to become a role-model. The fact, too, that these rules exist despite the fact that we are commanded not to suspect others of wrongdoing, tells us something else about Judaism, namely that it is a system of duties, not just of rights. We are not allowed to say, when we have acted in a way conducive to suspicion, 'I have done nothing wrong; to the contrary, the other person, by harbouring doubts about me, is in the wrong.' To be sure, he is. But that does not relieve us of the responsibility to conduct our lives in a way that is above suspicion. Each of us must play our part in constructing a society of mutual respect.

This brings us back to where we began with the request of the tribes of Reuben and Gad to settle the land east of the Jordan. Moses, we recall, granted their request on condition that they first joined the other tribes in their battles. They did so. Years later, Joshua summoned them and told them that they had fulfilled their promise and were now entitled to return to the place where they had built their homes (Joshua 22). However, by a profound historical irony, suspicion was aroused again, this time for a quite different reason, namely that they had built an altar in their territory. The other tribes suspected that they were breaking faith with the G-d of Israel by constructing their own place of worship. Israel was on the brink of civil war. The suspicion was unfounded. The Reubenites and Gadites explained that the altar they had built was not intended to be a place of worship, but rather a sign that they too were part of the Israelite nation - a safeguard against the possibility that one day, generations later, the tribes living in Israel proper (west of the Jordan) would declare the Reubenites and Gadites to be foreigners since they lived on the other side of the river:

That is why we said, 'Let us get ready and build an altar - but not for burnt offerings or sacrifices.' On the contrary, it is to be a witness between us and you and the generations that follow, that we will worship the Lord at sanctuary with our burnt offerings, sacrifices and fellowship offerings. Then in the future your descendants will not be able to say to ours, 'You have no share in the Lord.' And we said, 'If they ever say this to us or to our descendants, we will answer: Look at the replica of the Lord's altar which our fathers built, not for burnt offerings and sacrifices, but as a witness between us and you.' Civil war was averted, but only just.

Suspicion is a pervasive feature of social life and it is intensely destructive. Judaism - a central project of which is the construction of a gracious society built on justice, compassion, mutual responsibility and trust - confronts the problem from both directions. One the one hand it commands us not to harbour suspicions but to judge people generously, giving them the benefit of the doubt. On the other, it bids each of us to act in a way that is above suspicion, keeping [as the rabbis put it] "far from unseemly conduct, from whatever resembles it, and from what may merely appear to resemble it."

Being innocent before G-d is one thing; being innocent before one's fellow human beings is another, and far more difficult. Yet that is the challenge - not because we seek their approval (that is what is known as *pandering*) but because we are summoned to be role models, exemplars, living embodiments of Torah, and because we are called on to be a unifying, not a divisive, presence in Jewish life. As the Chatam Sofer said, we will not always succeed. Despite our best endeavours, others may still accuse us (as they accused Moses) of things of which we are utterly innocent. Yet we must do our best by being charitable in our judgement of others and scrupulous in the way we conduct ourselves.

From: Jeffrey Gross [jgross@torah.org] Sent: July 27, 2005 To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Matos
WEEKLY-HALACHA FOR 5765
By RABBI DONIEL NEUSTADT
Rav of Young Israel in Cleveland Heights A discussion of Halachic topics. For final rulings, consult your Rav
SHE'AILOS UTESHUVOS

QUESTION: Is permitted to buy a major appliance (a refrigerator or a washing machine, etc.) or expensive furniture (a couch or a bookcase, etc.) during the Three Weeks until Rosh Chodesh Av?

DISCUSSION: All shopping is permitted during the Three Weeks except for those items upon whose purchase one recites the blessing of shehecheyanu. Nowadays, most people no longer recite shehecheyanu even on the purchase of major, expensive appliances and furniture.(1) It is permitted, therefore, for them to make all such purchases during the Three Weeks, until Rosh Chodesh Av. If one customarily recites shehecheyanu when purchasing expensive appliances, furniture or a car, etc., he should not take delivery of that item during the Three Weeks if the item that he is buying is exclusively for his personal use. [A chosson, therefore, should not give his kallah her engagement ring during the Three Weeks, since she is required to recite a shehecheyanu upon receiving it.(2)] If, however, it is a type of purchase that will be used by other people as well, e.g., his wife or children, then it may be purchased during the Three Weeks. This is because the proper blessing on an item which is shared with others is ha-Tov v'ha-Meitiv, not shehecheyanu,(3) and it is permitted to recite ha-Tov v'ha-Meitiv during the Three Weeks.(4)

QUESTION: Is it permitted to buy and wear new clothes during the Three Weeks until Rosh Chodesh Av?

DISCUSSION: As we mentioned earlier concerning appliances, only the type of clothes that require a shehecheyanu should not be bought during this time. Thus shoes, shirts, pants and all undergarments may be purchased and worn without restriction until Rosh Chodesh Av. One who never recites shehecheyanu on clothes, even on expensive ones,(5) could also purchase and wear expensive clothes during this time. Those who do recite shehecheyanu when putting on new clothes, may still buy and alter them until Rosh Chodesh Av but they may not be worn until after the Nine Days are over.(6) Mishnah Berurah(7) rules that on Shabbos in the Three Weeks it is permitted to wear an item that requires shehecheyanu.(8) Other poskim are more stringent and do not permit wearing such clothes even on Shabbos.(9)

QUESTION: May the contents of baggage that was lost by an airline and delivered to the passenger's home after the beginning of Shabbos [or Yom Tov] be used on Shabbos [or Yom Tov]?

DISCUSSION: If the contents are not Shabbos necessities, then it is prohibited to use them, since one is forbidden to benefit from a Shabbos Labor done on his behalf by a non-Jew.(10) In this case, the Shabbos Labor of Carrying was transgressed expressly for the recipient; the contents, therefore, may not be used.(11)

But in a situation of pressing need - if one's Shabbos clothing or food, etc. are in the suitcase - it is permitted to use the contents of the suitcase. This is so because many poskim maintain that our streets and thoroughfares are not considered a reshuv harabim min ha-Torah, only a karmelis,(12) and therefore the Biblical Shabbos Labor of Carrying was not violated.(13) The rule is that when a Rabbinic prohibition is transgressed by a non-Jew on behalf of a Jew (shevus deshevus), it is permitted to benefit from the non-Jew's action for the sake of a mitzvah or for a pressing Shabbos need.(14)

QUESTION: If the suitcase that was delivered by the airline was outside the techum Shabbos at the time that Shabbos began, is it still permitted to use the contents when they are needed for Shabbos?

DISCUSSION: If the suitcase was outside of the Shabbos techum limits(15) at the time Shabbos began, then the halachah is more complicated. Shulchan Aruch clearly prohibits one [and his family members] from benefiting from an item that was brought for him from outside the techum Shabbos.(16) Still, when the suitcase contains indispensable Shabbos necessities, the contents may be used,(17) but only inside the home to which the suitcase was delivered, or anywhere within the limits of the city or community eiruv. If there is no valid eiruv, then the contents may be used only inside the home to which the suitcase was delivered.(18)

QUESTION: Does the Halachah object to conducting a weekly Shabbos minyan in a multi-purpose room which is used during the week for activities in which a Jew may not engage, e.g., eating non-kosher food, playing cards, etc.?

DISCUSSION: In response to a similar query, Harav M. Feinstein ruled that it is halachically forbidden to establish a minyan in a party room which is used for parties where mixed dancing takes place. He explained that the purpose of davening with a minyan is to create an eis ratzon, to give the davening a greater chance of being heard and accepted by Hashem. But if the minyan davens in a place where abominable deeds are performed, in a place which is "despised" by Hashem, then the Schechinah will not be with them even if an entire minyan is present. Harav Feinstein ruled that it is better to daven at home alone than to daven in a "unseemly" place with a minyan, since such a tefillah will not be accepted at all.(19)

QUESTION: If a community observes "early Shabbos," must each individual comply with the earlier onset of Shabbos?

DISCUSSION: Yes. In a small community, e.g., a Yeshiva, camp, hotel or bungalow colony that has only one congregation which ushers the Shabbos in early, all

members of the community are obligated to begin Shabbos at that time.(20) But in communities which feature several congregations, some of which accept Shabbos early and others which do so on time, each household may join the congregation of its choice with the following provisions:

* An individual must accept the Shabbos at the time "his" congregation does. "His" congregation means the shul where he is planning to daven this Friday night.(21) An individual may rotate from week to week, sometimes beginning Shabbos early and sometimes on time.(22)

* Although an individual must refrain from transgressing any forbidden Shabbos labors once the community Shabbos begins, he may still privately (23) daven the Friday Minchah.(24)

* A temporary or a permanent minyan which meets in a private home is not considered a separate congregation. Therefore, a private minyan may not make Shabbos on time if the rest of the community accepts Shabbos early. (25)

* Many poskim hold that if a husband accepts Shabbos early, his wife and children must do so as well.(26) Others hold that a wife and children may accept Shabbos whenever they wish regardless of when the husband or father began the Shabbos.(27)

* Poskim debate the status of a shul where the majority of the congregants wants to accept the Shabbos early and a minority wants to make a second minyan in the same shul which will begin Shabbos on time. Some authorities do not allow for such an arrangement,(28) while others are more lenient. (29)

FOOTNOTES: 1 Shulchan Aruch ha-Rav (Birchas ha-Nehenin 12:5); Kaf ha-Chayim 223:20; Halichos Shelomo 23, note 23. 2 Harav Y.S. Elyashiv, quoted in V'zos ha-Berachah, chapter 18). See also Igros Moshe E.H. 4:84-2. 3 O.C. 223:5. 4 Igros Moshe O.C. 3:80. Similarly, if the item is needed for one's business, it may be purchased, and the shehecheyanu is recited after the Three Weeks are over; ibid. 5 See Teshuvos Mahrshag 1:95 6 Mishnah Berurah 551:45; Kaf ha-Chayim 551:88; Harav S.Z. Auerbach (Shalmei Moed, pg. 478) 7 Mishnah Berurah 551:45 and Sha'ar ha-Tziyun 48. See also Kinyan Torah 1:109. 8 But only on Shabbos itself - it may not be worn for the Minchah on erev Shabbos; Bein Pesach l'Shavuos, pg. 293. 9 Chayei Adam 133:14; Kitzur Shulchan Aruch 122:2; Aruch ha-Shulchan 551:18. 10 O.C. 276:1. 11 O.C. 325:10 and Mishnah Berurah 53. 12 See O.C. 345:7 and Beir Halachah s.v. sh'eain. 13 Although other poskim disagree and hold that our streets are considered a reshuv harabim min ha-Torah, in our case, where the carrying is being done by a non-Jew, we may rely on the lenient opinions; Sha'ar ha-Tziyun 325:13. See also Aruch ha-Shulchan 307:18 and Shemiras Shabbos Khlilchasah 30, note 121, quoting Harav S.Z. Auerbach. 14 O.C. 307:5; Rama 325:10 and Mishnah Berurah 59-63. 15 If the suitcase was still in the air at the time Shabbos began, it is not considered as being outside of the techum Shabbos; Mishnah Berurah 325:38. 16 O.C. 325:8; 515:5. 17 Since here, too, we can rely on the dispensation of shevus deshevus mentioned earlier, as many poskim are of the opinion that techum Shabbos is a Rabbinic prohibition, see Mishnah Berurah 404:7, especially in a karmelis, see Beir Halachah 404:1 s.v. vohe'el. See also Yeshuos Malko 52. 18 O.C. 325:8; 515:5. 19 Igros Moshe O.C. 1:31; 2:30. See also Tzitz Eliezer 12:15 for a concurring ruling. 20 Igros Moshe O.C. 3:38 who questions - and remains undecided - whether or not this ruling applies nowadays, when accepting early Shabbos is made for the sake of convenience, and not for the sake of extending the sanctity of Shabbos. But other poskim, including Harav S.Z. Auerbach (addendum to Shulchan Shelomo O.C. 263, pg. 22), Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak vol. 8, pg. 234) and Shevet ha-Levi 7:35, reject this distinction. 21 551:56. 22 263:19. See, however, Machatzis ha-Shekel 263:24 who holds that one is obligated to accept Shabbos at the time designated by the congregation where he regularly davens [even if he davens elsewhere that particular week]. Harav Y.S. Elyashiv is quoted (Shevus Yitzchak, vol. 8, pg. 237) as ruling that an individual who regularly davens with the early minyan in his shul must accept early Shabbos even if he is planning to daven in a later minyan which will meet in the same shul. 23 In his home or in the shul hallway. 24 263:15 and Beir Halachah (s.v. shel). See explanation in Chayei Adam 33:4. 25 263:51. For a definition of a congregation, see Beir Halachah 468:4 (s.v. v'chumrei). 26 263:17; Pri Megadim Mishbetzos Zahav 263:1; Aruch ha-Shulchan 263:22; Ketzos ha-Shulchan 76 (Badei ha-Shulchan 5); Shevet ha-Levi 7:35. 27 Teshuvos R' Yonasan Shteif 42; Igros Moshe O.C. 3:38; Be'er Moshe 2:16. 28 1:24; 10:20-2. See also Igros Moshe O.C. 5:15 and She'arim Metzuyanim B'halachah 75:1. 29 2:19; Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak, vol. 8, pg. 237). Weekly-Halacha, Copyright © 2005 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc.