

BS"D

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## INTERNET PARSHA SHEET ON 5762 - 5762

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From: RABBI YISSOCHER FRAND [ryfrand@torah.org] To: [ravfrand@torah.org](mailto:ravfrand@torah.org) Subject: Rabbi Frand on Parshas Pinchas "RavFrاند" List - Rabbi Frand on Parshas Pinchas -  
This will be our last Dvar Torah until the month of Elul when we will begin again, G-d Willing, with Parshas Shoftim, the week of August 4th. We pray that everyone will have an enjoyable summer and we sincerely hope that it will be enjoyable and restful and peaceful for Achenu Bnei Yisroel in Eretz Yisroel as well.  
Why Did Pinchas Deserve The 'Peace Prize'?  
After Pinchas acted with zealotry by killing Zimri and Kozbi, he was rewarded by G-d with the "Covenant of Peace". The Netziv (1817-1893) explains why - contrary to our intuitive expectation -- the "Covenant of Peace" is in fact the appropriate response for Pinchas' activities. The Netziv says that by nature, a person's actions have a profound effect on him. "You are what you do."  
(In a similar vein, the Sefer HaChinuch writes that if a person is naturally a kind and compassionate person, but for whatever reason must become involved in cruel or non-compassionate activities, then eventually he will become a cruel and a non-compassionate person.)  
Therefore, explains the Netziv, the Torah rewarded Pinchas with a "Covenant of Peace." In spite of the fact that what Pinchas did was violent and the antithesis of peace, the reward was that it will not have the natural effect that such actions usually have on those who carry them out. He would remain a peace-loving and kind, compassionate, person.

The law of the Ir HaNidachas [city gone astray] is that when an entire city worships idolatry, given the right conditions (which are in practice exceedingly improbable), the entire population of that city has to be wiped out. After the Torah describes the details and the punishment of this commandment, the pasuk states "and He will grant you mercy" [Devarim 13:18]. The commentaries point out that G-d is herein providing assurance to the people. Normally, executing an entire city would have an effect on those who executed the judgement. They might become executioners by nature. The Torah therefore steps in with a blessing: He will grant you mercy -- fulfillment of this command will NOT have the natural effect on those who carry it out.  
The reward that Pinchas received, was that since he acted "for the sake of Heaven," G-d promised that his action would not have a lasting spiritual effect on his soul. He would nevertheless be granted the "Covenant of Peace."

On a related matter, I saw it written in the name of Rav Aharon Kotler, zt"l, (1892-1962) that the world misunderstands the idea of "Shalom" [peace]. The popular perception is that peace consists of making up, hugging, and kissing. Likewise, the popular notion is that killing someone is the antithesis of "Shalom."

The pasuk testifies that, contrary to popular opinion, Pinchas actually performed an act of "peace". It was not war, the antithesis of peace, but it was precisely an act of peace. By putting an end to wickedness, Pinchas restored peace between Israel and their Father in Heaven. Likewise, Rav Aharon Kotler pointed out, when the shepherds of Lot were having an argument with the shepherds of Avram, Avram proposed "Let there not be a fight between me and you -- separate please from me" [Bereshis 13:9]. The popular notion would be that the

solution to a problem of strife would be "let's be friends." Avram, on the contrary suggested "let's separate." What kind of "peace-making" effort is that? Why did he not suggest "let's live together in peace"?

The answer is that sometimes we cannot live in peace together with certain people. Avram perceived that there was no possible peaceful coexistence between his shepherds and those of Lot. The only viable solution in such a situation is "Let's separate."

In the case of Pinchas as well, the solution of "peace" involved killing two people, in order to restore peace between Israel and G-d.

### Defying Statistical Projections

The book of Bamidbar is known as 'The Book of Numbers' (Chumash haPekudim) because it both begins and ends with a counting of the Jewish people. This week's parsha contains another listing of the populations of the various tribes. The Chofetz Chaim points out that the Tribe of Benyamin had 45,600 people while the Tribe of Dan had 65,400 people. Thus Dan had approximately 20,000 more people than Benjamin. However, if you examine the progeny of the founders of the tribes themselves, you will see that Dan had only 1 son while Benyamin had 10 sons. And not only was Chushim the only son of Dan, but he was deaf as well.

If at the beginning of the Egyptian exile, we had tried to predict which of these two tribes would be larger a few generations forward, clearly the mathematical projection would have been that the Tribe of Benyamin would be far more populous than the Tribe of Dan. This statistical likelihood, of course, never materialized. The Chofetz Chaim (1838-1933) says that we learn from here that if G-d wants to bless a person with many descendants, he WILL be blessed with many descendants, even if through natural factors that is unlikely. "G-d decrees and fulfills His decrees." Conversely, if G-d feels that a person should not merit many descendants, then it will not happen even if he has the best situation "on paper".

This lesson applies to everything in life, explained the Chofetz Chaim. It applies to wealth. It applies to finding a suitable marriage partner. It applies to health. It applies to everything!

Sometimes we look at a situation and ask - based on natural projections (derech haTeva) - how will this person earn a living? How will he be able to survive financially? G-d has many messengers. The Tribes of Dan and Benyamin are testimony to the fact that G-d is All Powerful. He has His own calculations. That which we think will happen, by the natural order of events is not always what happens. Everything is in the Hands of Heaven.

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Technical Assistance by Dovid Hoffman; Baltimore, MD [dhoffman@torah.org](mailto:dhoffman@torah.org) These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 425, The Minhagim of the Three Weeks.

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From: RABBI RISKIN'S SHABBAT SHALOM LIST [[parsha@ohrtorahstone.org](mailto:parsha@ohrtorahstone.org).il] To: [Shabbat\\_Shalom@ohrtorahstone.org](mailto:Shabbat_Shalom@ohrtorahstone.org).il Subject: Shabbat Shalom: Parshat Pinchas by Rabbi Shlomo Riskin  
Shabbat Shalom: Parshat Pinchas (Numbers 25:10-30:1) By Shlomo Riskin

Efrat, Israel - What is the magical quality of the Land of Israel, which has caused it to intoxicate the Jewish people for 4,000 years? Why did the overwhelming majority of Zionist delegates to the World Zionist Congress vote against Uganda and for Israel at the turn of the 19th Century - even though Uganda was available for Jewish settlement and Israel was (and still is) in a "bad neighborhood" for Jews, fraught with neighbors who would murder us in cold blood before they would

welcome us into "their" region?! And even now, when Herzl's vision of a Jewish homeland which was to make the Jews a nation among nations and finally solve the problem of anti-Semitism has been proven a delusion (much the opposite, the State of Israel has been turned into the blackest expression of Jewish cruelty by the blatantly unfair anti-Semitic world media), why does the Jewish State still remain the only magnet around which world Jewry continues to rally? Why is it the spiritual and cultural center to which Jews continue to send their children for significant periods of study and celebrations despite the dangers of drive-by shootings and suicide attacks?

I believe the answer is to be found in a striking request - even reminiscent of a feminist demand - made by the daughters of a gentleman named Zlofhad in this week's Torah reading:

"Our father has died in the desert.. And he had no sons. Why should the name of our father be removed (literally, be lessened) from the midst of his family because he has no sons". Give us (women) a possession together with the brothers of our father." (Numbers 27:3,4). Remarkably enough, the five daughters of Zlofhad (a scion of the tribe of Menashe) make their claim in the presence of Moses himself - no mean feat for prestige-less women who undoubtedly had to get through many lesser officials and overcome many bureaucratic obstacles before securing a hearing in the presence of the "Chief Justice of the Supreme Court", the prophet par excellence, and the King of Israel all rolled into one. Moses then turns to G-d, who accepts their argument and uses their right to inherit the land as the first law in the most basic Biblical passage delineating the proper order of inheritance (Numbers 27:6-11).

I believe that the most striking words in the argument of the daughters are that, if their father's possession of land in Israel cannot be passed down to his progeny, his name will be lessened - or removed, erased - from his family, he will lose his place and portion in Jewish posterity. They maintain - and their position is confirmed by Divine law (G-d says that "the daughters of Zlofhad spoke correctly" - Numbers 27:7) - that Jewish eternity is linked to the land, specifically the land of Israel.

This fundamental truth is the primary message of the Scroll of Ruth, which we read just a few weeks ago on the Festival of Shavuot. If the Festival of the Giving of the Torah eternalizes the Jewish religion, the Scroll of Ruth with its emphasis on the Land of Israel eternalizes the Jewish nation; if Torah guarantees the continuity of Jewish law, the Land of Israel guarantees the continuity of Jewish history. Elimelekh, Mahlon and Kilion exited from the drama of Jewish history when they left the Holy Land for the fields of Moab; Naomi, Ruth and Boaz entered Jewish eternity - and even redeemed Elimelekh - when they restored the possession of land to its original familial owners. It is the joint and joined heritage of the Torah of Israel and the Land of Israel, which brings redemption and guarantees eternity.

The cardinal place of the land - as explained by the daughters of Zlofhad and confirmed by the Scroll of Ruth - has both historical as well as existential significance. The Talmud (B.T. Horayot 3b) insists - and proves with a Biblical text - that only in the Land of Israel are the Jewish people to be called a community (Kehal). I believe that is because only in Israel is there a continuity of Jewish history, from Hebron the City of our patriarchs and matriarchs, to the Galilee where our Mishnah developed, until Jerusalem, where King David's descendant will eventually bring peace to the entire world. Babylon, Iraq may have produced great Yeshivot of Amoraim and Geonim, Jewish Spain may have experienced a Golden Age - but barely a trace of these achievements are in evidence today and neither country can lay claim to a contemporary robust Jewish Community. Only the Land of Israel has the Divine guaranty that "it will never be bereft of a community of Jews," no matter what or when - and G-d has kept this promise for the past 4,000 years! (Maimonides, Book of Commandments, Positive Commandment 153).

>From an existential perspective, when an individual is buried in a parcel of land, his physical remains eventually merge with the very earth in which he lies. If that land is the Holy Land of Israel, then the body merges with sacred Jewish eternity. Is it any wonder, then, that the first parcel of land acquired as a Jewish possession was Abraham's purchase of a burial site for Mother Sarah, the Maarat ha'Machpela

(Cave of the Couples) - and that a vital community of Jews live around the Ma'ara and pray in it thrice daily to this very day! That is why burial in the Land of Israel does not require a coffin. No foreign element should serve as an obstruction - partition between the sacred holy and the sacred earth. The Talmud urges every Jew to be buried in the Land of Israel even if he/she had not been privileged to live in it. (the end of Tractate Ketubot).

The daughters of Zlofhad understood that the desert generation - including their father - would not be privileged to enter the Promised Land. However, they realized that if his progeny had a share in the eternal land, he would have a share in it as well; "as long as his descendants participated in the eternal land, so would he participate in the eternal land." Those of us privileged to live in the land bring with us the generations, which prepared the way - but were not so privileged. In the words of the Talmudic Sages: "the inheritance of land in Israel is different from every other inheritance in the world; in every other inheritance, the living inherit the dead, but, in the case of Israel, the dead inherit the living." (B.T. Bava Batra 117a) By means of the eternal land, the daughters of Zlofhad brought their father into Israel together with them.

Shabbat Shalom.

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From: SHLOMO KATZ [skatz@torah.org] To: hamaayan@torah.org  
Subject: HaMaayan / The Torah Spring - Parashat Pinchas  
Hamaayan / The Torah Spring Edited by Shlomo Katz Pinchas: Going Home to a New House

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on the yahrzeit of grandfather, R' Moshe Raphael Hakohen Kaplan

Today's Learning: Daf Yomi (Bavli): Bava Batra 101

In this week's parashah, Moshe appoints his successor, Yehoshua, to lead Bnei Yisrael into Eretz Yisrael. The Midrash (Bemidbar Rabbah 19:13) says that the reason Moshe did not enter Eretz Yisrael was so that he might lead the generation of the desert into the Land at the time of the resurrection. R' Yehuda Rosannes z"l (Turkey; 18th century) asks: If that generation deserves to return, why does it need Moshe? If it does not deserve to return how will Moshe help it?

He explains: Hashem has taken an oath (Tehilim 95:10-11): "For forty years I was angry with the generation; then I said, 'They are an errant-hearted people, they do not know My ways.' Therefore I have sworn in My wrath, they shall not enter My [land of] rest." Because of Hashem's oath, the generation of the desert may not enter Eretz Yisrael.

However, the halachah provides that if a person makes a vow excluding another from his house, then if the house is razed and rebuilt, the vow is nullified. Our Sages teach that had Moshe entered Eretz Yisrael, he would have built the Temple, and, had he done so, it would never have been destroyed. However, it is precisely because the Temple was destroyed that Hashem's oath can be nullified. This is what is meant by the statement that, because Moshe died in the desert, his generation could enter the Land. (Parashat Derachim)

"Pinchas the son of Elazar the son of Aharon Hakohen turned back My anger which had been over Bnei Yisrael by being zealous on My behalf among them . . . Therefore tell [him] that I am making with him a covenant of peace." (25:11-12)

R' Avraham Yitzchak HaKohen Kook (1865-1935; Ashkenazic Chief Rabbi of Palestine from 1921 until his death) was known for his cooperative relationship with all segments of the Jewish community, even the anti-religious. Nevertheless, this did not allow him to compromise Torah principles for the sake of "peace" with his brethren, as he explained in an article published in 1901:

A clear understanding that the One G-d is the Master, Creator, and Manager of the Universe, and that all sustenance comes from His hand, is necessary for the perfection of all mankind. Only when people come to this realization will they truly understand that we are all brothers who were created by one Father. Only then will man's fear of his neighbor cease and will people stop building implements of war to destroy each other.

To our great dismay, this goal is a long way off. Our own sins prevent this "fruit" from "ripening". Before we can reach out to mankind as a whole, G-d's Name (which is "Peace") [see Shoftim 6:24] must be emblazoned on the flag of Israel. When the nations see that Israel has fulfilled its own destiny, then the light of G-d will shine upon them, and they too will know Him.

If we could see clearly our nation's spiritual needs, we would realize how precious the Torah and the mitzvot are. They are the only means to preserve our national spirit as a viable being. The way to bring about mutual love between all members of the nation of Israel is for all of us to share in strengthening that way of life which gives us our unique identity, not, as some think, to be "tolerant" of each person's "right" to go his own way.

We must accustom ourselves and our friends to behave solely according to the Torah of Moshe and Yisrael. In this way we make ourselves into a vessel worthy of G-d's blessing, as described in the verse (Tehilim 29:11), "Hashem will give strength to His nation, Hashem will give His nation the blessing of peace," and Chazal's comment on this verse, "Strength comes through Torah." This is our national destiny.

(Otzrot HaRayah, I p.705)

"And the daughters of Tzelofchad approached, [they were] from the family of Menashe, the son of Yosef." (27:1)

Rashi says that Yosef is mentioned here to teach us that just as Yosef loved Eretz Yisrael (and asked to be buried there), so his descendants loved Eretz Yisrael. Their request for a share of the land was not motivated by materialistic concerns.

R' Moshe Feinstein z"l asks: Whether or not Tzelofchad's daughter received a share of the Land, they would still live there. Why, then, did they insist on owning their own portions? The Torah is teaching us that if one loves something, he should want to own it. Thus we can understand the halachah which requires a person to own a Torah library (see Y.D. section 270:2). For studying alone, it is enough to borrow Torah works. However, to enhance one's love of Torah, he should try to own its works.

(Darash Moshe)

"And of these, there was no man of those counted by Moshe and Aharon the Kohen, who counted Bnei Yisrael in the Wilderness of Sinai." (26:64)

Rashi comments: There was no man, but the women did not die for the sin of the Spies, for the women loved Eretz Yisrael.

This implies, writes R' Avraham Yaakov Hakohen Pam z"l (Rosh Yeshiva of Torah Vodaath in Brooklyn, New York; died 2001), that the sin of the Spies and their contemporaries was not loving Eretz Yisrael. Such an understanding would find support in the words of Tehilim (106:24), "They despised the desirable Land, they had no faith in His word."

In contrast, it appears from Parashat Shelach that their sin was a lack of faith. Thus Hashem said (14:11), "How long will this people provoke Me, and how long will they not have faith in Me, despite all the signs that I have performed in their midst?" How can this contradiction be resolved?

Another question: Where is there any hint in the Torah that the Spies despised the Land? Their entire report revolved around the strength of the Canaanites. It appears from the Spies words that they gladly would have lived in the Land, but they were afraid!

R' Pam explains: The Gemara (Bava Batra 142b) states that if a person gives a gift to a fetus (through an agent appointed to receive the gift), the gift is not effective. No legal transfer takes place.

However, if the fetus is the child of the gift giver, the transfer is legally effective.

Why? R' Shmuel ben Meir ("Rashbam"; 1085-1174) explains that a person who gives a gift to a fetus is not completely sincere in his renunciation of ownership of the object. However, if the child is his, he is sincere. R' Pam explains (quoting an unnamed "great man") that the gift-giver harbors lingering doubts when the child is not his: Perhaps the fetus will not be born and the gift will revert to me. Because of this doubt, the giver's renunciation of ownership is not complete, and the transfer to a new owner cannot take place. However, when the fetus is one's own child, one does not think this way. One pictures his own future child as a strong healthy baby.

What causes this distinction? One's love for his child. Similarly, had Bnei Yisrael loved Eretz Yisrael sufficiently, they would have pictured it in a positive light. They would not have had doubts about their ability to conquer it. Yes, their sin was a lack of faith, but it was made possible by their failure to love the Land. [In this light, we may revisit the above verse from Tehilim and read it: "They despised the desirable Land, therefore they had no faith in His word."]

(Atarah La'melech p. 130)

"Give us a possession among our father's brothers." (27:4)

R' Yisrael Yaakov Lubchansky z"l (Mashgiach of the Baranovitch Yeshiva) observes: Korach requested something spiritual, and he was killed. The daughters of Tzelofchad requested something physical (a share in Eretz Yisrael), and the Torah praises them. Why? Because they acted with G-d's Honor in mind, while Korach acted selfishly.

How can one know his own motives? adds R' Lubchansky. Only through learning mussar / ethics and introspection. (Ikvei Yisrael)

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From RABBI BEN KELSEN From: bgkelsen [benish@att.net] To: parshas\_hashavuah@yahoogroups.com Subject:

[parshas\_hashavuah] HaRav Shlomo Elimelech Drillman, zt"l on Parshas Pinchas

HAGAON HARAV SHLOMO ELIMELECH DRILLMAN, zt"l Rosh Yeshiva, Yeshivas Rabbeinu Yitzchok Elchonon

Editor's Note: The following is based upon a private conversation between HaRav Drillman, zt"l and the editor that took place in Tammuz of 5756 (June 1996). BGK

"And G-d spoke to Moses saying, `Pinchas son of Elazar son of Aharon HaKohein has removed My fury from being sent upon the children of Israel did not destroy . . . ." (Bamidbar, 25:10)

HaRav Drillman commented that it is written in Maseches Sanhedrin (82b) that the Malochei HaShoreis asked the Ribbono Shel Olam for permission to punish Pinchas for killing Kozbi and Zimri. HKB"H said to them "let him go, he is a "Kanoi"(zealot), the son of my Kanoi, an appeaser of my wrath, the son of one who appeased My wrath."

Why did the Malochei HaShoreis wish to punish Pinchas? HaRav Drillman explained, in the name of the Mei Shiloach, that the Malochim wanted to punish Pinchas, because there is a din that a mortal may not exact the punishment of HKB"H on another person unless he, too, has not committed the sin in question. For this reason HKB"H

responded to the Malochim's request that Pinchas was "a Kanoi, the son of my Kanoi," in order to demonstrate that Pinchas was pure. And yet why is Pinchas called the "son of my kanoi"? HaRav Drillman explained that it is because he was descended from Levi who together with his brother Shimon exacted revenge upon Shechem and the entire city for what was done to their sister Dina. Furthermore, said HaRav Drillman, Pinchas is called "the son of one who appeased My wrath" because he was the grandson of Aharon HaKohein who appeased HKB"H's fury during the Korach Controversy.

"And Pinchas son of Elazar son of Aharon HaKohein saw . . . and took a spear . . ." (Bamidbar, 25:7)

HaRav Drillman, again citing the Mei Shiloach explained that Zimri was not engaged in simple Niuf (random or lewd sexual behavior) because had this been the case, the Ribbono Shel Olam, would not have made a special Parsha in the Torah. Therefore there must be something deeper to the story.

HaRav Drillman explained that there is indeed a "Sod", a secret, in this story. HaRav Drillman explained that there are ten different levels of zenus (perversity or general licentiousness). The first, and worst, level is the case of one who intentionally goes to commit a sexual transgression, someone who deliberately invites the Yeitzer HaRah upon himself. The next nine levels correspond to situation in which a man's freedom choice is increasingly taken from him and with each level it becomes more and more difficult to resist. The tenth level corresponds to a situation where one does his best to distance himself from the evil inclination and guards himself from sin to the best of his ability but the Yeitzer HaRah overwhelms him and he commits the sin. In such a situation, the Ishbitzer says, it must truly be the Ribbono Shel Olam's will that the two people be together. An example of this tenth level is the case of Yehudah and Tamar, because she was his soul-mate.

HaRav Drillman said that this is also the case here, in our parsha. Zimri tried as best as he could to resist his desires but once it was not within his power to resist any longer he concluded that she was, in actuality, his soul-mate. Yet how did he arrive at this idea? In Maseches Sanhedrin (83a) Chazal tell us that in truth Kosbi was Zimri's soul-mate but the time was not yet right and she was still not ready for him.

Pinchas, however, felt that it was still in Zimri's power to resist. The Mei Shiloach suggests that this is hinted at in Maseches Sanhedrin (82b) which states that "six miracles were performed for Pinchas." The Gemara explains that if Zimri had killed Pinchas, then he would have been found innocent of murder because he was acting in self-defense. The miracle, Chazal tell us, is that he did not do this.

HaRav Drillman pointed out though that Pinchas' actions were not without room for improvement. Pinchas considered Zimri to be a noef b'alma (sexually corrupt) and according to Halacha (as brought down in Maseches Sanhedrin (81b) worthy of Kanoim Pogim Bo, death at the hands of a zealot. However, the secret, as referred to earlier, is that according to the AR"l HaKadosh as brought down by Rav Chaim Vital, Kosbi was, in fact, Zimri's soul-mate as declared during Ma'aseh Bereishis, the six days of creation. It was for this reason that Moshe Rabbeinu himself did not become involved and sentence Zimri to death. Therefore, HaRav Drillman explained, Pinchas' response is compared to that of a child which means that he did not fully comprehend the situation.

So why did HKB"H give Pinchas a beracha? Because in Pinchas' mind he had done a great and selfless act.

"Therefore say, I give him My covenant ..."

HaRav Drillman explained that unfortunately Tzlofchad did not keep the second Shabbos that was commanded since the Mattan Torah. This is especially disheartening because had he only kept this second Shabbos, we would have all been able to learn the secrets of Shabbos because the deepest level of Shabbos, that of Moshe Rabbeinu, would have been revealed immediately to all of Klal Yisroel. It was because of Tzlofchad sin that this deep level of understanding of the light of Shabbos was hidden from us. It was for this reason that Moshe Rabbeinu was uncertain what to do in the case of Tzlofchad's daughters, whether or not he could be lenient. As Chazal tell us in

Maseches Yoma (23a) when dealing with physical damage it is forbidden for a Dayan to be lenient, however, with regards to monetary damage he is required to be lenient. We are also told in this gemara that "all who restrain their anger and act toward others with lenience" will have their sins forgiven. In other words, monetary damage, since it is of this world, can be corrected through restitution, while a physical injury is something that leaves a scar forever, and therefore complete restitution cannot be made. Since full and complete restitution cannot be made in the case of a physical injury it one cannot be completely forgiven.

Moshe's uncertainty arose because he was unsure how to classify Tzlofchad's sin. Was this a case of monetary damage which would mean that since in the future HKB"H would return this light to Klal Yisroel the loss was only temporary. Or, perhaps, this should be considered a case of physical damage, because if the Klal Yisroel knew the secret depths of Shabbos they would have been able to serve the Ribbono Shel Olam with great strength and awesome devotion.

Furthermore, because Moshe Rabbeinu himself was uncertain as to the proper application of the Halacha in this case the rest of the dayanim were afraid to rule on the case for fear that they would insult Moshe Rabbeinu's honor. HKB"H, through his giving of a brochah to Pinchas was telling Moshe that since the light of Shabbos was only hidden from Klal Yisroel temporarily, this could be considered a case of monetary damage, and thus Moshe could be forgiving.

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From: ohr@ohr.edu To: weekly@ohr.edu Subject: Torah Weekly - Pinchas \* TORAH WEEKLY \* Highlights of the Weekly Torah Portion Parshat Pinchas For the weeks of 19 Tammuz / June 29 (Pinchas) Sponsored by the Kof-K Kosher Supervision www.kof-k.org | info@kof-k.org

Insights:

GET RICH QUICK!

"You (Moshe) shall place some of your majesty upon him (Yehoshua). "Some of your majesty but not all of it. This implies that the face of Moshe was like the sun, and that of Yehoshua was like the moon." (Rashi)

What's your reaction to get-rich-quick schemes?

Skeptical?

Once there was a man who came up with a brilliant scheme to make a fortune. All he needed was some seed money. He approached several people, but none of them gave him more than scant attention and turned him down.

One man, however, took the time to hear him out. He thought carefully about the proposal and realized that it was indeed a brilliant idea and worthwhile investment. After a year, his faith in the scheme paid off "in spades" and the money began rolling in with mountainous monotonous regularity. He became fabulously wealthy, a millionaire many times over. Needless to say, he didn't make as much as the scheme's inventor - who was in the billionaire class - but he made sufficient money for him and his children never to have to do a day's work again.

When the people who had turned down the original investment heard of this blockbuster success they were broken. They had missed the opportunity of a lifetime. Maybe several lifetimes.

It wasn't so much that they were jealous of the inventor of the scheme.

He, after all, had a brilliant mind. Few are blessed with that kind of talent. Rather when they saw his partner they realized that he was no different than them. All he had done was to invest a little money, time and attention to what was being said to him. Everyone can do that. The difference was that — he had.

The difference was that — he had.

"Woe to us for that embarrassment! Woe to us for that disgrace!"

That's what the elders said when they saw that Moshe had selected Yehoshua to lead the Jewish People.

Yehoshua was chosen to lead the Jewish People not so much because of his own brilliance. As the moon is no more than a reflector of the sun, so too Yehoshua's greatness was no more than the reflected light of Moshe.

The elders realized that Moshe's greatness was beyond them. What broke them, however, was the realization that had they invested a little "seed time," time to be around Moshe, to stick to him like glue, and learn everything from him as Yehoshua had done, they too might have been worthy to lead the Jewish People.

And there's no bigger get-rich-quick scheme than that.

Sources: Rabbi Chaim Zvi Senter from Rabbi Yehuda Wagshal based on the Chafetz Chaim Written and compiled by Rabbi Yaakov Asher Sinclair

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From: listmaster [listmaster@shemayisrael.com] To: Peninim Parsha  
Subject: PENINIM ON THE TORAH  
BY RABBI A. LEIB SCHEINBAUM  
PARSHAS PINCHAS

Behold! I give my covenant of peace. (25:12) This is the first time Hashem validates the act of taking another person's life. Pinchas acted with true zealotry. Every fiber of his body remained true to the ideal of serving Hashem. He did not murder; he carried out the halachah of kanaim pogin bo, "a zealous one may slay him." Let us analyze his actions and his motivations. Rather than ceasing to curse the Jews, Bilaam devised a foolproof method for turning the Jews away from Hashem. Indeed, Bilaam had the patent for destruction: "Their G-d abhors immorality." The key to destroying the Jew is immorality. Let us tell the Moavite girls to entice the Jewish men, and the rest will fall into place. It happened as Bilaam foresaw. The simple men followed the blandishments of their yetzer hora, evil inclination, and fell prey to the enemy. While this in itself is a tragedy, something else occurred that warranted much greater concern. Zimri ben Salu, the distinguished Nasi, Prince, of the tribe of Shimon suddenly became an ideologue. He was not satisfied simply to wallow in the filth of immorality, to give in to his base inclination; he had to develop a shitah, ideology, to justify his lack of self-control. This was devastating, since it could erode the very structure of Torah leadership. As is usual, whenever a great breach occurs, everybody was in a state of shock - "What do we do?" The kanai, level-headed zealot, who had only one objective - kiddush shem Shomayim, sanctifying Hashem's Name - takes upon himself one thing: damage control. Pinchas understood the overwhelming responsibility of his next move. He was fully aware of the repercussions, but what else could he do? Hashem's Name was being blatantly denigrated in the most revolting manner! Someone had to take action! People questioned his act of taking a life. Some called him a murderer, noting that he was a grandson of Yisro, who once worshipped idols. This is always the response to the zealot who has the courage to act for Hashem. He is called names; his faculties are questioned, his motives are brought to task - everything is done to delegitimize his act. Why? Because people envy the zealot's courage and commitment. They fear a movement of zealotry. They wonder, "Am I going to be next?" It is much easier to criticize the zealot than to punish the sinner! Hashem agreed with Pinchas and blessed him with the covenant of peace. Why was it necessary to bless Pinchas with peace? He was a peaceful person who acted out of necessity. The Netziv, zl, explains that while Pinchas' act of zealotry was, without question, motivated by the lofty ideal of Kiddush Hashem, he still took a life. Since the very nature of this act leaves an everlasting impression upon one's psyche, there was a real fear that the gentle Pinchas would be forever tainted. His sensitive heart would become hardened, cold, as a result of his exposure to the act of taking a human life. Hence, Hashem conferred upon him the blessing of peace which guaranteed that Pinchas' sensitive nature would not change. He would always continue to be a gentle man of peace. The act was violent - although he himself was not.

May Hashem, G-d of the spirits of all flesh, appoint a man over the assembly. (27:16) Moshe Rabbeinu was faced with the reality that his days of leadership were numbered. He would not lead the people that he had shepherded throughout the wilderness into Eretz Yisrael. The time had come to search for his successor. Chazal teach us that Moshe's deliberations for the future were interrupted by the ruling that

the daughters of Tzalaphchad would share in the land as if he were to have had sons. He figured that now it was time to think of his own sons. Perhaps, they should be his successors. Hashem responded that Moshe's sons would not succeed him. His successor would be Yehoshua, his trusted disciple who never left his side, who would daily see to it that the bais hamidrash where Moshe taught was prepared for him. He would spread the mats and arrange the chairs in their proper order. He would be the next leader, as Shlomo haMelech says in Mishlei 27:8, "He who watches over the fig tree shall eat its fruit." There are a number of compelling lessons to be derived from the words of Chazal. Horav Baruch Mordechai Ezrachi, Shlita, sees Hashem's response as establishing Heavenly criteria for defining the essence of a Jewish leader. One would think that a leader should primarily possess the qualities intrinsic for leadership: the ability to lead the people in battle, to adjudicate law, to deal with the various types of personalities that comprise his constituency. Quite possibly, if these were the criteria, Moshe Rabbeinu's sons would have passed the test. After all, who was closer to Moshe than they were? They were with him from "day one." They also inherited his Divinely inspired character traits and qualities. Yet, the Heavenly perspective did not deem them to be worthy to assume Moshe's position. They were lacking something, a necessary component in the makeup of a leader that only Yehoshua possessed. What did Yehoshua have that Moshe's sons do not possess? He served Moshe, his Master, his rebbe, dutifully. He arranged the seats and the mats in the study hall. This total devotion prepared Yehoshua for leadership. Yehoshua was not being rewarded for his work. No! His work developed within him the requisite quality for leading Hashem's nation. Leading the people in to battle is an act of leadership. Klal Yisrael triumphs because Hashem battles their enemies for them. The Aron haKodesh is up there in the forefront of the battle protecting the people. What are the intrinsic characteristics of a leader? A leader is one who values his rebbe. Moshe Rabbeinu was known by many titles. Prophet, king, leader, prince, scholar: all of these are true descriptions of Moshe. The most distinguished and significant title that Moshe Rabbeinu enjoyed was that of "Rabban Shel Kol Yisrael," Moshe Rabbeinu, our teacher, the rebbe of all Klal Yisrael. Moshe's successor had to be more than a leader - he had to be able to assume the title of Rabban Shel Kol Yisrael. He had to be equipped to become the quintessential teacher of the Jewish People. The lesson is penetrating! Moshe is our leader because he is our rabbeinu, teacher. The essence of leadership is the ability to guide, to teach, to mentor the nation. To become the teacher of Klal Yisrael one must possess utter devotion to his rebbe. He must serve him and see to it that the classroom where he teaches is prepared and ready for his lesson. He must show devotion towards the students, caring for them, arranging their seats, so that they can learn better. Yehoshua exhibited this quality of leadership in which he was unsurpassed. His total abnegation to his rebbe, to the subject, to the students, earned him the right to succeed Moshe Rabbeinu. There is still a pressing question that must be addressed. Why did Moshe wait until now to address the issue of his sons succeeding him as leader of the nation? Surely, there must have been other opportunities when this issue could have been addressed. Indeed, the laws regarding yerushas ha'ben, a son's inheritance, preceded the episode of bnos Tzalaphchad. Horav Moshe Shternbuch, Shlita explains that the laws concerning a son inheriting his father's possessions has at its foundation a strong case for the male offspring as being the sole - or primary - inheritor. A son carries on his father's legacy and name, while a daughter, upon marriage, now carries her husband's name. Her father's lineage is not manifest with her in the same manner as it is with her brother. Consequently, had the Torah not taught us about the daughters of Tzalaphchad, we might not have known the laws of yerushas ha'bas, a daughter's inheritance. She does not necessarily follow in the footsteps of her father. Only after the laws of a daughter's inheritance were revealed, did Moshe realize that inheritance is available to everyone. Moshe was acutely aware of his sons' abilities. He fully understood that they could not ascend to his position based upon their own qualities. When he saw that a daughter could inherit her father's possessions and continue his legacy despite her incapacity for fitting into her father's "shoes," he felt

this concept would provide a strong argument for his sons' succeeding him. Hashem responded that Yehoshua merited the position as a result of his service and stewardship. Torah is unlike other appointments and positions which one inherits. It passes on to the one who works hardest for it, who earns it by his toil and commitment. The crown of Torah does not just pass on to children as an inheritance. Alternatively, Nachlas Tzvi cites Horav Mordechai Weinberg, zl, who explains that there are two concepts connected to Moshe Rabbeinu's leadership over Klal Yisrael. On the one hand, he was the Sar haTorah, Prince of Torah, Manhig and Rosh haSanhedrin, leader and head of the Sanhedrin, High Court. He was a judge whose halachic decisions equaled that of all seventy-one members of the Sanhedrin. He was also Klal Yisrael's melech, king. Moshe Rabbeinu understood that his position as judge and adjudicator of the law can only be granted to one who is the undisputed scholar of the nation. It is a position that demands erudition and wisdom. Thus, it can not be inherited. It must be achieved. His position as king, however, should be one that could be inherited by his sons. Why should it be any different than a possession that a child inherits? Hashem's response went to the core of his reign as the Jewish nation's monarch. He was the king because of his distinction in Torah. The two go hand in hand and can, therefore, not be passed on unless the beneficiary is worthy of both simultaneously: monarchy and Torah leadership.

May Hashem, G-d of the spirits of all flesh, appoint a man over the assembly. Who shall go out before them. (27:16.17) Moshe Rabbeinu lists the qualifications inherent in the leader who would succeed him. The Piascesner Rebbe, zl, was a rebbe who was devoted to his flock to the extreme. If it ever occurred that a student of his was conscripted into the army, he would do everything possible to free him from the terrible spiritual and physical fate that awaited him. He would pray for him, entreating the Almighty with heart-rending prayers to spare him this fate. He raised money and resorted to all sorts of endeavors, even to the point of exhibiting his miraculous powers - all to save a Jewish soul. Indeed, the Rebbe did not rest until the young man was freed. He was once queried by a chassid as to why he expended such superhuman efforts, to the point that he would become ill, just to save a single person. After all, is it worth all of this? The Rebbe responded, "Any rebbe who is not prepared to sacrifice his life on behalf of any member of his congregation is not a rebbe!" When Moshe Rabbeinu established the criteria for leadership, he said, "who shall go out before them," yeitzei lifneihem, who shall go out. This means, whose soul/life will go out for his flock. He should be prepared to give up his life. That is the criteria for Torah leadership." Horav Sholom Schwadron, zl, related the following story concerning the Chafetz Chaim, zl, to emphasize this point. A young man with an incurable disease came before the Chafetz Chaim to ask for a brachah, blessing. The Chafetz Chaim listened intently to the young man's tragic story and responded, "I will advise you on the condition that you never reveal what I am telling you to anyone. You must go to a certain community to the home of a great talmid chacham, Torah scholar, and request his blessing. He will acquiesce to your request, and - with Hashem's help - you will have a speedy recovery." The young man followed the Chafetz Chaim's instructions, and in a short time he was healed from the dreaded disease. Life went on, and he later moved away from Radin, the home of the Chafetz Chaim. In time, he married and set up a home. Twenty years went by, and tragedy struck again. The young man's brother-in-law was stricken with a disease similar to the one with which he had been afflicted years earlier. He did not utter a word. He adhered to the Chafetz Chaim's wishes that he never reveal the source of his own miraculous cure. His wife remembered that he had once suffered from a serious illness and was miraculously cured. She begged him to reveal how he was cured. He remained impassive and would not relate the facts behind his cure. He refused to tell. His wife did not stop. She kept asking him, begging him, entreating him to please reveal how he was cured. Her brother's life was hanging in the balance. He finally relented and decided to reveal what he had kept secret for over twenty years. After all, surely the Chafetz Chaim did not mean "forever" when he had instructed him never to divulge what had occurred. Perhaps his

brother-in-law would likewise be spared. A short while later, he began to feel sick. At first, it seemed like an innocuous illness. Then it progressed rapidly into a full-scale reproduction of his original illness. He became deathly afraid that his end was near. As a last resort, he decided to travel to Radin, to visit the aged Chafetz Chaim. Perhaps, he would help him - again. The Chafetz Chaim recalled quite well their earlier meeting and what he had instructed him to do. The Chafetz Chaim turned to the man, and with a heavy heart, he said, "I wish I could help you. But, what can I do? The last time you were stricken with this disease I was much younger. I was therefore able to fast forty days and entreat Hashem in your behalf. Now, I have become old and weak and no longer able to do so." We now have a glimpse of the character of a true Torah leader and to what lengths he would go to intercede in order to help a member of his flock.

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From: elaine@jewishdestiny.com Subject: RABBI WEIN'S WEEKLY COLUMNS

Parsha Archive June 28 2002 PINCHAS A portion of the Torah reading of Pinchas is read on the days of every major holiday of the Jewish calendar. This Pinchas reading always forms the "maftir" - the additional reading for the day. And it is also read from a second, different Torah scroll than the main reading of the day that describes the holiday itself. The obvious and correct reason for this use of the "parsha" of Pinchas on the holidays is because the special additional Temple service and sacrifice - the "musaf" of the day for each of the holiday days of the Jewish year - is recorded and described there. In a Jewish world, now far removed from the Temple service and alien to the cosmic reasons for animal sacrifices, this entire additional reading ("maftir") strikes as foreign, strange and irrelevant. However, there perhaps may lie within these "maftir" readings an important and valuable lesson for ourselves, one that has survived the destruction of the Temple and the consequent suspension of the "musaf" sacrifice itself.

The rabbis of Israel have always warned their flock that there are no easy victories in life. This is certainly true in all realms of daily physical life, but it is even more appropriate and definitive in matters of the spirit and the soul. One of the cruelest hoaxes that the modern, progressive, socially-correct but spiritually-empty, forms of Judaism have perpetrated on their hapless and ignorant constituents is that religion, and especially Judaism, makes no hard demands on its believers. The portrayal of Judaism as a feel-good, guitar playing, kumsitz-type of liberal, secular humanist faith is a travesty and a tragedy. The synagogue was never meant to be a place of comfort, but rather one of challenge and goal seeking. The Sabbath and the holidays are days of spirit that have to be earned - that require sacrifice and effort and preparation. They are not cheaply obtained.

The rabbis of the Talmud stated: "Torah is as expensive and difficult to acquire as vessels of gold, and it is as fragile and as easily shattered as the thinnest crystal glass." Thus, on the holidays of the Jewish calendar, Jewish tradition demands that we read of the sacrifices that were part of the Temple service in order to remind us of the sacrifices necessary from us in order to achieve an inner appreciation of the holidays and their meaning. The concept of sacrifice as described in the Torah relating to the Temple service, is, according to the insight of Rabbi Moses ben Nachman (Ramban), to impress upon us the idea of self-sacrifice for the Torah and G-d of Israel.

Thus, on the easiest and most enjoyable days of the Jewish year, the holidays, we are nevertheless bidden to remember the constant cost involved in remaining a Jew and in achieving the spiritual pleasure and meaning that the holidays invariably bring with them. We can therefore return to examine and understand why these portions of Torah sacrifices were specifically placed in the "parsha" of Pinchas. For is not Pinchas, in his heroism, courage, selflessness and denial of self-interest, the epitome of sacrifice, both physically and spiritually? The Lord Himself recognizes Pinchas' act of sacrifice and extends to him and his descendants the eternal spiritual blessings of peace, harmony and G-dly service. These blessings, as we all know from our own personal life-experiences, are not easily obtained. But Pinchas, the

champion of sacrifice, has earned them and will be able to maintain them throughout Jewish history. Every day that we give ourselves over to G-d's service, that we willingly sacrifice our time, talents, energies and wealth in His cause, is a holiday. The attitude of sacrifice ennobles our days and makes us a special people - a kingdom of priests and a holy nation.  
Shabat Shalom. Rabbi Berel Wein

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From: RABBI JONATHAN SCHWARTZ jschwrtz@ymail.yu.edu To: internetchaburah@yahoo.com Subject: [internetchaburah] Internet Chaburah -- Parshat Pinchas

Prologue: We are a people who get excited about the extraordinary. When an individual can perform a feat that is not in accord with the rules of nature, we become amazed and, when without other explanation we apply special status to the sorcerer. Moshe Rabbeinu was able to get his message to the Jews in Egypt after he began with the signs Hashem had told him to display to the people. The Rambam notes that the ability to declare oneself a *Novi* must come with an ability to perform the extraordinary. Clearly, our attention is grabbed in extraordinary moments.

The same is true in regard to service to Hashem. Aharon HaKohen was upset about the fact that the *Nesii* were able to warrant a *Horaat Shaah*. However, Hashem told him *Shelcha Gedola MeeShelahem* (See prologue to Internet Chaburah, Parshat *BeHaalosecha* 5761). Rav Nissan Alpert ztl. used to explain that it took a greater person to be able to be *Mikadesh Hashem* through natural laws rather than rely on *Horaat Shaah*. Thus, Aharon's glory was that he could have merited a *Horaat Shaah* but did not need to. He was *Mikadesh Hashem* each day through the lighting of the *Menorah - V'Lo Shinah*.

There is a known Midrash with an unknown source (see introduction to Ein Yaakov) that speaks about the great rules in the Torah. Ben Zoma notes that it is the *Possuk of Es HaKeves Echad Taaseh BaBoker* that is the *Klal Gadol BaTorah*. Why? Elsewhere (FAS *Derashot*, Pinchas, 5761) we have explained that it is based upon the principle of continuity. We celebrate many great moments and *Mitzva* occasions during the year and throughout life but it is the consistency, the *Kvesh Echad Baboker U'BaErev Shelo Sheena* (the *Korban Tamid* that never changed) that fit within the bounds of nature and guarantee continuity. Continuity and consistency in our relationship with Hashem and in *Mitzva* performance are the essential component that will guarantee our survival. Achi Hagadol, R. Jason Schwartz explained that it precisely the consistency that is being aimed at when we are granted moments for deviation. The extraordinary is the exception that helps us realize the rule. And in this case it is the rule of continuity of performance that will be crucial to the survival of the Jewish nation.

Jewish continuity and extraordinary experience converge in the realm of *Avoda She'B'Lev*. *Tefilla*, our daily opportunity to converse with Hashem is the greatest example of an extraordinary experience that falls within rules of nature. What happens when one needs to employ technological advances in order to fulfill the ordinary and preserve *Minyan* consistency? This week's *chaburah* examines that topic. It is entitled:

For the Record: Responding Amen to pre-recorded *Tefillot*

The Talmud (*Sotah* 38a) quotes Rabbi Yehoshua Ben Levi who notes that even an iron wall cannot separate the Jewish people from their father in heaven. *Tosafos* (*Rosh Hashana* 27b, *Pesachim* 85b) explains that when a group hears the pronouncements of *Tefilla* (like *Kaddish* or *Kedusha* or *Barchu*) and they are not with the praying group, they should respond. The *Bais Yosef* cites Rav *Yitzchak Aboab* (O.C. 55) who places a limit on this principle by noting that if there is a separation of *Avoda Zara* or *Tinofet* (filth, these are places where prayers cannot be uttered) then the prayer cannot be recited. The *Shulchan Aruch* (O.C. 55:20) cites both opinions in his decision. However, does the *Shulchan Aruch* accept the position of *Tosafos* or does he side with R. *Yitzchak Aboab*?

The *Levusei Srad* notes that the *Michaber* is clearly agreeing with the position of *Tosafot*. Thus, whenever one hears a *Beracha* or a call

that requires a *Kedusha* response, he must answer. (See Also *Mishna Berura* 55:62). However, the *Kaf Hachaim* (55:95) maintains that the *Shulchan Aruch* agrees that in a situation where a separation of that which nullifies *Tefilla* (like a place of idolatry or *Tinofet*) occurs, then the *Tefilla* may not be responded to, by the listeners. The *Minchas Elazar* (*Shut Minchas Eluzar*, II:72) concurs with this position. Based upon this position it would seem that one should not respond with *Amen* or any response to a *Beracha* heard on a live radio broadcast or phone call as there is likely a separation of a forbidden zone between the *Beracha* and the receiving end of the phone line.

The *Gra* (*Maaseh Rav*, 47) felt that if one cannot see the forbidden zone, it cannot serve as a *Hefsek*. The *Minchas Eluzar* arrives at this conclusion in regards to responding to *Berachot* on the phone. However, it has been noted that this question is markedly distinct from the case of a recording of *Tefilla*. For in that instance, it is clear that since there is no source for the *Beracha* (i.e. it is emanating from a tape) so there is no one to answer to. However, in regard to a live radio recording, an audience is responding and the *Beracha* is being recited. In that situation, Rav *Chaim Berlin* (*Shut Ohalei Aaron* II:64) felt that one could recite the *Amen* in response to a *Beracha*. This is similar to *Tosafos'* explanation of why one was able to respond *Amen* in the great shul in Alexandria, Egypt. According to the Talmud the crowd was so large that those in the back responded on the basis of waving of flags (*Berachos* 47a). *Tosafos* explains that since the people knew that the *Chazan* was reciting a *Beracha* at that moment it was not a response without a basis.

Rav *Yaakov Moshe Tolidano* (*Shut Yam Hagadol*, 29) offers a similar explanation. When one hears a tape recording, the *Koach Gavra* (source) has already finished by the time you respond. However, during a live broadcast, the only delay is in distance and the recitation and response can flow (What he would say in regard to today's radio broadcasts, which are on 7 sec. delay is unclear).

*Shut Maarchei Lev* (p. 476) examines the question from an entirely different perspective. He notes that the main reason one broadcasts on the radio is not to intend prayer, rather to offer concert. Thus, he feels that reciting *Amen* is wrong as it is a response to an insincere *Beracha*. (This would be called into question in the case where a hospital broadcasts daily services for its patients on an internal closed circuit TV). Rav *Ovadia Yosef* too, (*Shut Yichaveh Daas* II:68) calls this matter into question when the origin of the *Tefilla* is from a Shul. In cases like these, he instructs the listener to respond *Amen* to these *Berachot*. It seems that Rav *Shlomo Zalman Auerbach* agreed (See *Shearim Mitzuyanim B'Halacha* p. 81).

The preceding does not include a discussion of whether one may broadcast such programs *L'Chatchila* (See further in *Shut Be'Er Moshe* VII:108), nor whether one may be *Yotzai* with a *Mitzva* that he heard through the microphone (See *Minchas Shlomo*, I:9). These matters will need to be clarified in a future *Chaburah*.

Battala News

Mazal Tov to Cantor and Mrs. Joseph Malovany upon the Cantor's recent appointment as *Shtut Chazzan* of Vilna.

Mazal Tov to Josh Fine and Jeannie Klapper upon their recent engagement.

Mazal Tov to Jeremy Feinerman and Avigal Zion upon their recent engagement. Special Mazal Tov to the Feinerman (Jamaica Estates) and Zion families.

Mazal Tov to Jason and Chani Schwartz and families upon the recent Brisin of Gavriel Ephraim and Netanel Akiva (Gavi and Kivi). Special Mazal Tov to big brothers, Yoni and Eli and to Meira Chaya.

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From: Jeffrey Gross [jgross@torah.org] Sent: Tuesday, June 25, 2002 10:05 AM To: weekly-halacha@torah.org Subject: Parshas Pinchas WEEKLY-HALACHA FOR 5762

By RABBI DONIEL NEUSTADT Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav.

## HAIRCUTS AND SHAVING DURING THE THREE WEEKS(1)

The Talmud(2) tells us that only one who has properly mourned the Temple's destruction will merit to see its rebuilding. Accordingly, the three-week period between the fast of the seventeenth of Tammuz and Tishah b'Av, known as Bein ha-Metzarim, was established by the Rabbis(3) as a period of mourning over the destruction of the two Batei ha-Mikdash. To create an atmosphere of mourning, they restricted certain activities that are normally permitted. What are these restrictions? One of them(4) is the injunction against men, women and children taking a haircut or a shave. These are the basic rules(5):

1. It is permitted to trim a mustache that interferes with eating.(6) 2. It is permitted to pluck one's eyebrows or eyelashes.(7) 3. Married women may cut hair that is protruding from their head covering.(8) 4. It is permitted to comb one's hair even though some hair will get torn out while combing.(9) 5. Nail cutting is permitted.(10) 6. A mourner who completed his mourning period during the Three Weeks may take a haircut and a shave.(11) 7. The prohibition of haircutting applies even to small children under the age of chinuch.(12) Thus if an upsheren falls during the Three Weeks, it should either be moved up or postponed.(13) 8.If absolutely necessary, it is permitted to take a haircut or a shave on the evening preceding the Fast of the Seventeenth of Tammuz.(14) 9. On the day of a baby's bris,(15) the father, the sandak and the mohel may take a haircut.(16)

QUESTION: In some communities it has become customary to shave or trim one's beard on erev Shabbos during the Three Weeks in honor of Shabbos. Is there a halachic source for this leniency?

DISCUSSION: Yes, there is. It is based on the ruling of the Shulchan Aruch,(17) which permits laundering [during the Nine Days] for Shabbos if one has no other garments to wear. Magen Avraham, quoted by all later authorities and the Mishnah Berurah,(18) wonders why a similar leniency does not exist concerning haircutting as well. He answers that haircutting is not permitted for Shabbos since people do not take a haircut every week, while everyone needs clean clothing every week. Thus the Rabbis allowed laundering for Shabbos under certain circumstances but did not allow haircutting. Based on this Magen Avraham, it may be argued(19) that this restriction applies only to taking a haircut but not to shaving. Many men shave several times a week or even daily, so that shaving is comparable to laundering, not to haircutting. Accordingly, it would be permitted to shave on erev Shabbos, and possibly this is the source for those who do so.(20) While those who have this custom are permitted to rely upon it,(21) most communities did not accept this leniency.(22) As with all established customs, one may not deviate from his traditional custom.

QUESTION: Many people involved in the business, academic or professional world shave or trim their beards throughout the Three Weeks. Is this allowed?

DISCUSSION: While Shulchan Aruch and Mishnah Berurah do not mention such a leniency, it is mentioned by several contemporary poskim.(23) Harav M. Feinstein(24) rules that the custom not to shave during the Three Weeks does not apply to situations where a monetary loss would result. Accordingly, if one would incur a loss by not shaving, he may shave. Harav Feinstein writes that this leniency does not apply to the week of Tishah b'Av itself (i.e., from the Sunday before Tishah b'Av until Tishah b'Av), where it would be prohibited to shave even if a monetary loss would be sustained. Harav Feinstein further explains(25) that shaving is permitted only if otherwise a loss would be incurred. If appearing unshaven would merely engender ridicule [or would cause one to suffer embarrassment], the leniency does not apply.

Based on Harav Feinstein's rulings, the following rules apply: A. Before one relies on the leniency of shaving during the Three Weeks, he must ascertain whether or not doing so would actually cause him a financial loss. With the relaxed standards of dress prevalent in today's world, it is difficult to find situations where one would actually lose his job or suffer monetary loss if he did not shave. When in doubt, one should discuss his case with a rabbi. B. The leniency applies only to those days or those times when one must attend business meetings or discharge professional obligations, etc. It is not a blanket permit which allows any businessman, academician or professional to shave any

time during the Three Weeks. Nowhere is it suggested that since it is permitted for a businessman to shave under extenuating circumstances, he may therefore dispense with the prohibition altogether. The prohibition remains in full force and it is lifted only when there is no other choice. Accordingly, a businessman who goes on vacation or is away from his office for several days over the weekend or a legal holiday, is not permitted to shave during that time. C. Some people who became accustomed to shaving during their years of employment continue to do so even upon retirement. This is not permitted.

### FOOTNOTES:

1 The Three Weeks period includes another period of more intensive mourning, called the Nine Days. The halachos of those days - from Rosh Chodesh Av through midday of the tenth of Av - are more restrictive in several areas. We are discussing the laws of the Three Weeks only, not the special, more stringent, halachos of the Nine Days. 2 Ta'anis 31b, quoted in Shulchan Aruch O.C. 554:25. 3 This is the custom of the Ashkenazic community, as recorded by Rama O.C. 551:4. Sephardic communities have different customs. 4 The others are: 1. Getting married or participating in a wedding; 2. Listening to music and dancing; 3. Reciting shehecheyanu. See The Weekly Halachah Discussion, pgs. 423-428, for the details. See also Hebrew Notes, pgs. 41-43. 5 These rules apply to the days of Sefiras ha-Omer as well. 6 O.C. 551:13. 7 Bein Pesach l'Shavuos, pg. 241, quoting an oral ruling from Harav S.Z. Auerbach and Harav S. Vosner. 8 Mishnah Berurah 551:79. When necessary, women may shave their legs; Harav M. Feinstein (Oholei Yeshurun, pg. 9). See also Igros Moshe Y.D. 2:137 where he allows women to take haircuts when necessary during the Three Weeks. When necessary, a girl of marriageable age may take a haircut; Harav S.Z. Auerbach (Halichos Beisah, pg. 371). 9 Mishnah Berurah 551:20. 10 Kitzur Shulchan Aruch 122:5. 11 Mishnah Berurah 551:87. 12 Sha'ar ha-Tziyun 551:91. Aruch ha-Shulchan 551:31, however, seems to hold that only children above the age of chinuch are prohibited from taking a haircut. See also Igros Moshe Y.D. 1:224, who agrees with this opinion. 13 Mishnas Yaakov O.C. 551 quoting Harav Y.Y. Teitelbaum (the Satmar Rav). 14 She'arim Metzuyanim b'Halachah 122:1, based on Igros Moshe O.C. 1:168. 15 Or the evening before; Mishnah Berurah 493:13. If the bris is on Shabbos, it is permitted to take a haircut on Friday; ibid. If the bris is on Sunday, most poskim do not permit taking a haircut on Friday; see Kaf ha-Chayim 493:36. 16 Kitzur Shulchan Aruch 122:15; Sha'ar ha-Tziyun 551:4, quoting Chasam Sofer; Kaf ha-Chayim 551:10; Pischei Teshuvah 551:1; She'arim Metzuyanim b'Halachah 122:16. See, however, Be'er Heitev 551:3, who rules stringently. 17 Rama O.C. 551:3. 18 551:32. 19 See Chasam Sofer (Y.D. 348), who advances this argument. 20 She'arim Metzuyanim b'Halachah 122:5. See also Rav Akiva Eiger and Beir Halachah (551:3), who quote the view of Tosafos which even allows haircutting in honor of Shabbos, just as laundering is permitted. 21 Kaf ha-Chayim 551:66. See also Nefesh ha-Rav, pg. 191. 22 Shemiras Shabbos K'hilchasah 42:52. One of the reasons suggested is that most people who rely on this leniency are not really doing so for the sake of honoring the Shabbos but rather for their own sake... (Teshuvos Sha'ar ha-Zekeinim, quoted by Pischei Teshuvah and Kaf ha-Chayim 551:66). 23 A possible source is Chasam Sofer (O.C. 158), who discusses permitting a mourner who had to attend an important business meeting to take a haircut during shivah and sheloshim. 24 Igros Moshe O.C. 4:102. See also She'arim Metzuyanim b'Halachah 122:5. 25 Igros Moshe C.M. 1:93. Weekly-Halacha, Copyright © 2002 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/> 122 Slade Avenue, Suite 203 [learn@torah.org](mailto:learn@torah.org) Baltimore, MD 21208 (410) 602-1350 FAX: 510-1053