



BS"D

To: parsha@parsha.net  
From: cshulman@gmail.com

## INTERNET PARSHA SHEET ON SHAVUOS - 5773

In our 18th year! To receive this parsha sheet, go to <http://www.parsha.net> and click Subscribe or send a blank e-mail to [parsha-subscribe@yahogroups.com](mailto:parsha-subscribe@yahogroups.com). Please also copy me at [cshulman@gmail.com](mailto:cshulman@gmail.com). A complete archive of previous issues is now available at <http://www.parsha.net>. It is also fully searchable.

---

Sponsored in memory of  
**Chaim Yissachar z"l ben Yechiel Zaydel Dov**

---

To sponsor a parsha sheet (proceeds to tzedaka) contact  
[cshulman@parsha.net](mailto:cshulman@parsha.net)

---

from: Aish.com <[newsletterserver@aish.com](mailto:newsletterserver@aish.com)> via madmimi.com  
date: Mon, May 13, 2013 at 10:19 AM subject: News Flash: Sleep  
Is Overrated

<http://www.aish.com/h/sh/t/48959111.html>

### **ABCs of Shavuot**

Celebrating our receiving the Torah at Mount Sinai.

#### **by Rabbi Shraga Simmons**

It is ironic that Shavuot is such a little-known holiday, given that it commemorates the single most important event in Jewish history – the giving of the Torah at Mount Sinai. Shavuot occurs on the 6th of Sivan, the culmination of a seven-week period, "counting of the Omer," that occurs following Passover. The very name "Shavuot" means "weeks," in recognition of the weeks of preparation and anticipation leading up to the Sinai experience. Since Shavuot occurs 50 days after the first day of Passover, it is sometimes known as "Pentecost," a Greek word meaning "the holiday of 50 days." (Shavuot, however, has no connection to the Christian Pentecost holiday.) Three millennia ago, after leaving Egypt on the day of Passover, the Jews traveled into the Sinai desert. There, the entire Jewish nation – 3 million men, women and children – directly experienced divine revelation: God spoke to you from the midst of the fire; you were hearing the sound of words, but you were not seeing a form, only a sound. He told you of His covenant, instructing you to keep the Ten Commandments, and He inscribed them on two stone tablets. (Deut. 4:12-13) The giving of the Torah was an event of awesome proportions that indelibly stamped the Jewish nation with a unique character, faith and destiny. And in the 3,300 years since, the Torah's ideals – monotheism, justice, responsibility – have become the moral basis for Western civilization. In the words of U.S. President Calvin Coolidge, "The Hebraic mortars cemented the foundations of American democracy."

How to Celebrate Shavuot is a full-fledged Yom Tov, and as such carries most of the same restrictions as on Shabbat – no driving, no writing, etc. The exception is that food preparation (e.g. cooking) is

permitted. In Israel, Shavuot lasts one day; outside of Israel it is two days. Perhaps the reason for the relative obscurity of Shavuot is because this holiday has no obvious "symbols" of the day – i.e. no Shofar, no Sukkah, no Chanukah Menorah. On Shavuot, there are no symbols to distract us from the central focus of Jewish life: the Torah. So how do we commemorate Shavuot? It is a widespread custom to stay up the entire night learning Torah. And since Torah is the way to self-perfection, the Shavuot night learning is called Tikkun Leil Shavuot, which means "an act of self-perfection on the night of Shavuot." Those who study all night then say the morning prayers at the earliest permitted time – thus expressing the enthusiasm of the Jewish people to receive the Torah. Most synagogues and yeshivot will organize special classes and lectures throughout the night of Shavuot. At synagogue services on Shavuot morning, we read the biblical book of Ruth. Ruth was a non-Jewish woman whose love for God and Torah led her to convert to Judaism. The Torah intimates that the souls of eventual converts were also present at Sinai, as it says: "I am making [the covenant] both with those here today before the Lord our God, and also with those not here today." (Deut. 29:13) Ruth has a further connection to Shavuot, in that she became the ancestor of King David, who was born on Shavuot, and died on Shavuot. On Shavuot, it is customary to decorate the synagogue with branches and flowers. This is because Mount Sinai blossomed with flowers on the day the Torah was given. The Bible also associates Shavuot with the harvest of wheat and fruits, and marks the bringing of the first fruits to the Holy Temple as an expression of thanksgiving. (see Exodus 23:16, 34:22, Numbers 28:26) On Shavuot morning, the Yizkor memorial prayer for the departed is also said.

**Dairy Foods** There is a universal Jewish tradition of eating dairy foods on Shavuot. Various reasons have been suggested, among them: The Biblical book Song of Songs (4:11) refers to the sweet nourishing value of Torah by saying: "It drips from your lips, like honey and milk under your tongue." The verse in Exodus 23:19 juxtaposes the holiday of Shavuot with the prohibition of mixing milk and meat. On Shavuot, we therefore eat separate meals – one of milk and one of meat. Upon receiving the Torah at Mount Sinai, the Jews immediately became obligated in the laws of Sh'chita – slaughter of animals. Since they did not have time to prepare kosher meat, they ate dairy instead. The numerical value of milk – chalav – is 40. This hints to the 40 days that Moses spent atop Mount Sinai, and the 40 years the Jews spent wandering the desert.

**Pilgrimage to the Western Wall** In 1967, the Six Day War ended just a few days before Shavuot. Israel had reclaimed the Western Wall, and for the first time in 19 years Jews had access to the area surrounding the Temple Mount, Judaism's holy site. On Shavuot itself, the Western Wall first became open to visitors, and on that memorable day over 200,000 Jews journeyed by foot to the Western Wall. (In Jerusalem, no cars or buses run on Jewish holidays.) In subsequent years, this "pedestrian pilgrimage" has become a recurring tradition. Early on Shavuot morning – after a full night of Torah learning – the streets of Jerusalem are filled with tens of thousands of Jews walking to the Western Wall. This tradition has biblical precedence. Shavuot is one of Judaism's three main pilgrimage festivals, where the entire nation would gather in Jerusalem for celebration and study.

---

from: Shabbat Shalom <[shabbatshalom@ounetwork.org](mailto:shabbatshalom@ounetwork.org)> reply-to:  
[shabbatshalom@ounetwork.org](mailto:shabbatshalom@ounetwork.org) date: Fri, May 10, 2013 at 2:18 PM  
subject: Shavuot, Society's Moral Compass, Relationships on  
Autopilot - Parshat Bamidbar - Shabbat Shalom from the OU

### **Shavuot: To Teach, To Learn, To Repent By Rabbi Eliyahu Safran**

There is an urgency in the two Torah commandments whose obligation is constant and ever-present, to learn Torah and to repent. The Torah is

clear about this urgency in the Sh'ma: "These words, which I command you this day, make them as a sign upon your heart and between your eyes..."

Our Sages comment that the word hayom, "this day" means that "the Torah should be ever fresh in your mind, as though you received the Torah today." As for the duty to repent, Rambam teaches, "A man should always regard himself as if his death were imminent and think that he may die this very hour, while still in a state of sin. He should therefore repent of his sins immediately and not say, 'When I grow old I shall repent,' for he may die before he becomes old."

This matter of days and Torah is fresh in our minds as we turn our attention to S'firat Haomer and the coming of Shavuot, for what more concrete example of the importance of Torah and the power of days than the counting down from the beginning of Pesah to the Chag Matan Torah? Yet, despite our celebration of the revelation at Sinai, the chag is not named in the Torah. How can we help but be intrigued by this omission of the name of the day towards which we ultimately count – Chag Shavuot – or better yet Chag Matan Torah, the holiday of the giving of the Torah. There is the sense that the Torah is hiding the festival's name

"And you shall count for yourselves from the morrow of the Sabbath, from the day-you brought the sheaf of wave-offering; seven complete Sabbaths: Even unto the morrow of the seventh Sabbath You shall count fifty days . . ." Why not simply inform us to count towards the significant date of Matan Torah? Why doesn't the Torah find it important to communicate that this counting is not merely related to Pesach, but rather that this day on which we received the Torah, this consequential Jewish historical event, is worthy in its own right?

Yet, it doesn't. And so the Talmud considers Shavuot to be the culmination of Pesach, not even a chag in its own right. Does this diminish the power of that day at Sinai? Not at all. It is simply that the commemoration of the giving of the Torah must not be limited to a particular time. It applies at all times. This day is each and every day. As it is written, "This day the Lord thy God hath commanded thee to do these statutes and judgments."

Every day is Yom Matan Torah. Every day, the excitement, enthusiasm, and vigor of being a committed and learned Jew must be renewed and reinforced. It is with this understanding that the Keli Yakar found significance in the Torah's use of the phrase Vehikravtem mincha chadasha – "and you shall offer a new offering" – in regard to Shavuot. Each and every day, the Torah must be received anew, just as if it was received from Sinai each and every day.

The joy and satisfaction of Torah study must not be limited to special days, or occasions. It is to be ongoing, continually renewed and continually renewing. Torah study must always spiritually excite and emotionally uplift. It is for this reason that the Keli Yakar says the same enthusiasm and ecstasy that occurred at the Revelation at Sinai must be searched for and found everyday.

The Keli Yakar posits the same rationale for the Torah's omission of the name Rosh Hashanah and its direct association with din and repentance. Should a man sin all year round and think of repenting only as he comes closer to Yom Hashem, when God sits in judgment? No. Rather, he should imagine that God sits in judgment recording his deeds everyday. If he can think this way, he will continually engage in repentance, each and every day.

Analysis, reflection, and introspection of man's deeds and misdeeds must be an everyday experience. For the thoughtful Jew every-day is a Yom Matan Torah and Yom Hadin. Such an attitude might also help us understand Lag B'Omer, the thirty-third day of the counting of the Omer when, according to the Talmud, the plague that caused the death of 24,000 disciples of Rabbi Akiva ended.

24,000 brilliant young scholars! Lost! Our Sages ask why so many scholars died. According to Talmudic and Midrashic sources, they died

because they did not sufficiently respect one another. Their scholarship, Torah learning, and erudition were taken for granted. For them, Torah learning was pursued as if any other knowledge, without an excitement, enthusiasm, and fire resulting in new insights, renewed motivation, and novel ideas. They reveled in their Torah brilliance rather than the brilliance of Torah. They tallied up the pasukim and dapim they memorized, rather than the power of the words they were memorizing.

They hoarded their successes in learning the Torah rather than being humbled by them.

They were "satisfied" with their learning, not challenged or enlivened by it.

Lag B'Omer came to be known as "Scholar's Festival" to remind those who devote themselves exclusively to the pursuit of Torah learning that there is more to Torah learning than the "quantity" of knowledge, more than book knowledge and text absorption. Torah learning encompasses the "quality" of learning as well, the love and devotion for fellow students, an excitement for the Divine word, growing sensitivity and feelings emanating from the subject being studied, a reaction to learning Torah that is to be likened to that of Matan Torah. Students of Torah are charged with examining their activity with the gauge of Mincha Chadasha. Is this day of learning like Yom Matan Torah and Yom Hadin?

The Ramban notes that when the Torah communicates the observance of Shavuot, it makes use of a phrase found only once more in the Torah, in regard to Yom Kippur – "And you shall proclaim on this very day (b'etzem ha-yom ha-zeh) a holy convocation..." This call to observe Shavuot is the same call to refrain from work on Yom Kippur – "and you shall do no manner of work b'etzem ha-yom ha-zeh, on this very day."

Why are both Shavuot and Yom Kippur referred to as "this very day"?

Who would ever question or doubt the unique and unequalled features of Yom Kippur? The affliction of the soul, the abstention from physical pleasures, and the consecration of the day are powerfully evident. Who could ever confuse Yom Kippur with any other day in the calendar – chag or no?

Yom Kippur is such a powerful spiritual presence that its spiritual effects must linger on b'etzem ha-yom ha-zeh, every day.

A Chassidic master once taught that the blowing of the shofar at Neilah is simply a signal to begin preparing anew for the coming Yom Kippur, to count every subsequent day as ha-yom ha-zeh.

The same must be true of the effect of Shavuot, on this very day, every day. The awe, trepidation, and ecstasy of the very day of Shavuot must be an each and everyday experience. No matter what day it is, on etzem ha-yom ha-zeh, one must excite, inspire, innovate, and communicate as God did on "this very day."

The charge to make each day of learning like Yom Matan Torah rests not only with students but with their teachers as well. Everyone involved in teaching Torah would do well to reflect and ask: Am I seeking new methods and exciting approaches for our Torah presentations? Am I creative and innovative in my Torah methodology and curriculum?

It is incumbent on students to learn.

It is incumbent on teachers to teach as we want our students to learn. The goal of effective Torah education must be to attempt to make each day, every day, a unique and special experience for students so that they leave our classrooms as our forefathers departed from Sinai – awed and inspired.

Each and every day.

The Midrash in Tanhuma (Ki Tavo) sums it up: What is meant by "this day"? Had the Holy One, blessed be He, not ordained these precepts for Israel till now? Surely the year in which this verse was stated was the fortieth? Why does the Scripture therefore state: "this day"? This is what Moses meant when he addressed Israel: "Every day

let the Torah be as dear to you as if you had received it this day from Mount Sinai.”

Happy the man, and happy he alone, -- He who can call today his own; -- He who, secure within, can say -- Tomorrow, do thy worst; for I have lived today. -- Be fair or foul, or rain or shine, -- The joys I have possessed, in spite of fate, are mine. -- Not heaven itself upon the past has power. But what has been, and I have had my hour. -- So much may happen in a single hour, -- A field of flowers may be touched by frost; -- A war may start, a King may lose his power; A precious thing may be forever lost. -- So many lovely things may pass away, -- My dear, we dare not trust in a frail tomorrow; Let's grasp and hold today while we may. -- John Dryden

**In memory of HaRav Yosef Betzalel ZT"L ben HaRav Yaakov Moshe Rabinowitz** who made each day, every day, a unique and special experience for students... who left his classroom as our forefathers departed from Sinai – awed, inspired, eager for more. Each and every day! Yehi zichro baruch.

---

from: Kol Torah Webmaster <webmaster@koltorah.org> to: Kol Torah <koltorah@koltorah.org> date: Thu, May 9, 2013 at 5:07 PM subject: Kol Torah Parashat BeMidbar/Shavu'ot

**Partnering with Hashem  
by Rabbi Josh Kahn**

A fascinating Midrash in Shemot Rabah portrays the giving of the Luchot. The Midrash describes that the Luchot were 6 Tefachim tall. Hashem grasped the top two Tefachim, Moshe held the bottom two, and the middle two served as a separation between Hashem and Moshe. What is the meaning of this Midrash? What is this image trying to convey to us regarding the role of the Torah?

Mitzvot can be divided into three categories. Some Mitzvot are fulfilled in our mind. For example, we are commanded to believe in God, a commandment of the mind. A second category of Mitzvot relate to speech. In the Aseret HaDibrot we are commanded to sanctify Shabbat, and we do so with words. Finally, there are some Mitzvot that relate to our actions, such as shaking a Lulav, or blowing a Shofar. The Sochatchover Rebbe, in an essay about Shavu'ot in his Sefer Sheim MiShmuel, points out that we have varying degrees of control over these three categories of Mitzvot. We have limited control over our thoughts. Sometimes a person's thoughts may wander, even against his will. Actions are on the other extreme. They are fully within one's control. Speech is in the middle. On the one hand, it is within a person's control. On the other hand, sometimes a person tries to express himself, but it is up to God how the words will come out. For this reason, we often pray that our words should come out accurately (Mishlei 16:1).

This model can be seen in the Midrash's description of the Luchot. The upper two Tefachim, grasped by Hashem, represent the Mitzvot of our mind. The bottom two Tefachim, held by Moshe, represent our actions. The middle two Tefachim are not fully in Hashem's, nor our, hands. It is a partnership.

On a practical level, the Midrash is illustrating that these three categories work in consonance. It is our responsibility to take care of what we can. If we take control of our actions and direct them towards the service of Hashem, than Hashem meets us halfway and helps with the rest.

Rav Paysach Krohn relates a remarkable story. Rav Yosef Gutfarb lived in Yerushalayim and was very strict in ensuring that he always Davened with a Minyan. Since he lived in Yerushalayim, this practice was easy to uphold; there was a "Minyan factory" in Mei'ah She'arim where Rav Gutfarb could find a Minyan at any time. He maintained this practice for over 30 years. But one night, he had several projects he needed to complete and did not finish work until close to 3:00 p.m. He

went straight to the "Minyan factory," but unfortunately, found only one other man there. Rav Gutfarb waited for a few minutes and went outside to see if he could find anyone, but there was no such luck. The other man turned to Rav Gutfarb and told him that he thought they would not get a Minyan that night. Rav Gutfarb asked him to wait five minutes and give him a chance. Suddenly, Rav Gutfarb pulled out his cell phone and started dialing.

"Hi, I need eight taxis, all with Israeli drivers," said Rav Gutfarb. The best the company could do was send five. So Rav Gutfarb called another company and asked them to send an additional three taxis. When the eight taxis pulled up, the drivers got out of their cars with a quizzical look. This did not look like a wedding hall, but why else would someone need eight taxis at 3 am?

Rav Gutfarb came out to greet them and explained that each driver should go back to their cab, turn on the meter, grab a Kippah, if they had one, and come inside. They all followed his instructions. Rav Gutfarb gave them each a Sidur and they Davened Ma'ariv together. The special Minyan was made up of eight not fully observant Israeli taxi drivers, Rabbi Gutfarb, and the other stranger at the "Minyan factory."

When Ma'ariv ended, Rav Gutfarb approached each taxi driver to follow through on his end of the deal. As he tried to pay them, each driver responded that he should be the one paying Rav Gutfarb for the inspirational experience he provided. With that, they refused his money and drove off.

Just as the Sheim MiShmuel illustrated, when Rav Gutfarb committed to purity of action and doing everything that was in his control, Hashem helped provide Rav Gutfarb with a creative solution. If we follow through on what is asked of us, Hashem will help us complete the task.

---

[ravaviner] Bemidbar - Mordechai Tzion <toratravaviner@yahoo.com> to ravaviner

**Yeshivat Ateret Yerushalayim** From the teachings of the Rosh Yeshiva

**Ha-Rav Shlomo Aviner Shlit"á** Prepared by Rabbi Mordechai Tzion Visit our blog: [www.ravaviner.com](http://www.ravaviner.com)

On Shavuot... Laws of Staying Awake All Night on Shavuot [Shut She'eilat Shlomo 1:26-27, 222 and Q&A from radio call-in show] The custom of learning Torah the entire night of Shavuot is mentioned by the Magen Avraham (Orach Chaim #494), based on the Zohar: we dedicate the night to learning Torah in an attempt to rectify a mistake made by the Nation of Israel at the time of the Giving of the Torah. When Hashem "arrived" to give the Torah to the Nation of Israel, we were still sleeping and had to be woken up. The custom therefore developed to stay awake all night to spirituality make-up for our oversleeping and to show our zeal for the Torah. But one should be aware that if, on account of the exhaustion of learning Torah all night, he cannot daven Shacharit in the morning with proper concentration, it is better not to stay up since davening properly is a clear obligation (the Magen Avraham makes this exact point regarding staying up all night on Yom Kippur – see Orach Chaim 611:11). In fact, Ha-Rav Yitzchak Zev Soloveitchik, the Brisker Rav, was surprised that people are so particular to stay awake the entire night of Shavuot, which is a custom, while on Pesach night, when there is a law to discuss the Exodus from Egypt until one is overcome by sleep, people are not so careful. And in the city of Brisk, people were not careful to follow the custom of staying awake the entire night of Shavuot, since why is this night different from all other night...? And also, learning on Shavuot night is not more important than learning during the day... (Uvdot Ve-Hanhagot Le-Beit Brisk vol. 2, p. 79). And it is related in the book "Ha-Shakdan" (vol. 2, p. 240) that one of Ha-Rav Yosef Shalom Elyashiv's grandsons once asked him why he does not stay awake all night on Shavuot like everyone else, but follows his regular learning schedule of waking up at 2:00 AM to learn Torah.

Rav Elyashiv explained that he calculated that if he changed his few hours of sleep on that night, he would not gain more time learning Torah - he would actually lose 15 minutes of learning! For a few precious minutes of learning Torah, he decided that it is preferable to go to sleep at the beginning of the night as usual. Each person should therefore carefully consider if it is worthwhile for him to stay up all night since there is a concern that "his gain is offset by his loss." For one who remains awake all night, this is how he should act in the morning: 1. Talit

One who wears Tzitzit all night should not recite a new blessing on it in the morning. One should try to hear the blessing said by someone who is obligated to recite it or have the Tzitzit in mind when he recites the blessing over his Talit (Shulchan Aruch, Orach Chaim 8:16 with Mishnah Berurah #42). 2. Netilat Yadayim

One should wash "Netilat Yadayim" without a blessing or hear it from someone who is obligated to recite it (Shulchan Aruch Ha-Rav 4:13). It is preferable to use the restroom as one is then obligated according to all opinions to wash "Netilat Yadayim." After washing "Netilat Yadayim," he should recite the blessing of "Al Netilat Yadayim" and "Asher Yatzar" (Shulchan Aruch, Orach Chaim 4:13 with Mishnah Berurah #27, 29, 30). 3. "Elohaim Neshamah" and "Ha-Ma'avir Sheinah"

They should be recited without the ending of using Hashem's Name or be heard from someone who is obligated to recite them, since these blessings were established over the return of the soul and removal of sleep and neither of these occurred (Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #30 and Biur Halachah). If one sleeps a half an hour, one is obligated to recite these blessings (Shulchan Aruch, Orach Chaim 4:16 with Mishnah Berurah #34-35 and Biur Halachah). 4. "Ha-Noten Le-Yaef Koach"

One should recite this blessing even if he is very tired, since this blessing was not established for the person's individual state, but as a general praise of Hashem who created His world which includes the removal of tiredness (Shulchan Aruch, Orach Chaim 46 with Mishnah Berurah #22 and Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #28). Chasidim recite all of the morning blessings even if they remain awake all night (Shulchan Aruch Ha-Rav 47:7 and Siddur Chabad in the laws before the morning blessings and blessings over learning Torah). 5. Blessings over Learning Torah

There is a dispute whether these blessings should be recited if one remains awake all night. One option is that the morning before Shavuot, one make a condition that the blessings will be for the following day as well. One can also hear the blessings from someone who did sleep, with both individuals having in mind that the blessings will apply to both of them (Shulchan Aruch, Orach Chaim 47 with Mishnah Berurah #25-28).

If neither of these is an option, one can recite the blessings based on the opinion of the Shut Sha'agat Aryeh (#24-25) that these blessings are a Torah Mitzvah and in the case of a doubt, one is strict to recite them. This ruling is found in Maran Ha-Rav Kook's commentary on the siddur "Olat Re'eiyah" (vol. 1, p. 59 #5) and in Ha-Rav Ovadiah Yosef's responsa (Shut Yabia Omer vol. 5, Orach Chaim #6 and Shut Yechaveh Daat 3:33). In this regard, women are also required to recite the blessings over learning Torah and these blessings are printed in all of the Siddurim for women. But how can they recite the blessing "Blessed is Hashem...who has made us holy and commanded us to engage in words of Torah" when they are not obligated to learn Torah? There are various answers, but the answer of Ha-Rav Yitzchak Zev Soloveitchik, known as the Griz, on the Rambam (at the end of Hilchot Berachot, p. 10) and Maran Ha-Rav Kook (Orach Mishpat 11, 2) is that these are not blessings over performing a mitzvah but blessings of praise. If the Torah was not given, the world would be in darkness for both men and women. Women therefore also thank Hashem for the Torah being in the world.

YESHIVA UNIVERSITY • SHAVUOT TO-GO • SIVAN 5771

### Yatziv Pitgam, One of Our Last Aramaic Piyyutim

**Dr. Lawrence H. Schiffman** Vice Provost for Undergraduate Education, Yeshiva University

How many times have you been in a shul on the second day of Shavuot and noticed confusion at the beginning of the haftarah? Either the person called up to maftir suddenly finds out that after the first verse of the haftarah he is to recite an Aramaic text that he may never have seen before and/or the melody of which he does not know, or if the maftir does indeed know what he is doing, the congregation is flustered when he begins to chant the unfamiliar text that is often not in their Siddurim. This situation results from a combination of historical tendencies but gives us the opportunity to learn about, and be inspired by, a very beautiful poem that is part of our yom tov Machzor.

In ancient times, after Hebrew gradually gave way to other languages as the spoken language of the Jewish people, the custom of translating the Bible into the vernacular became common. Already in Hellenistic times, in the 3rd century BCE, the process of translating the Bible into Greek began, leading to the creation of the Septuagint. The Dead Sea Scrolls preserve not only fragments of Greek translations of parts of the Bible, but also a fragment of a Targum (an Aramaic translation) of Vayikra as well as large parts of a Targum to Job. The Mishnah (Megillah 4:4) discusses the custom of translating Torah and Haftarah readings into Aramaic, the former verse by verse and the latter in groups of three verses. This custom spread to the Diaspora and flourished especially in Babylonia way into the Geonic period (c. 640-1050 CE). The rise of Arabic as the vernacular of Jews in the Middle East as well as dialects of Judeo-German (later Yiddish) practically drove this custom out of use by the Middle Ages, except that it has persisted until today among Yemenite Jews.

Medieval Ashkenazic Jews, as we learn from the Machzor Vitry and other sources, for some reason retained this ancient custom on Pesach and Shavuot. But they went even further: in Byzantine times when Aramaic flourished in the land of Israel and in Babylonia it became customary to write poetic introductions to important portions and Festival readings, as well as to insert poetic and prose expansions into the text. This is a further development from what can be seen by comparing Targum Onkelos and the Targum Eretz Yisrael, usually titled Targum Yonatan, in a standard Mikra'ot Gedolot. This pattern of expansion eventually resulted in more extensive poetic and prose passages being added to the Targum. Such poetic expansions continued to be composed in the Middle Ages, and two of them survived in our Machzor for Shalosh Regalim, Akdamut before the Torah reading on the first day of Shavuot, and Yatziv Pitgam, an introductory poem for the haftarah of the second day of Shavuot.

The survival of these two Aramaic poems is no doubt due to their beautiful content and to the traditional melodies associated with them. (The melody for Akdamut is also used for the Kiddush for Shalosh Regalim and that for Yatziv Pitgam used to be used also for Ya-h E-li.) Otherwise, we would have expected them to have fallen out of disuse. Two factors might have led to their elimination from our liturgy. First, as already described, is the fact that the Aramaic translations to which these poems are introductions are no longer part of our service. However, the second factor is the overall elimination of most of the piyyutim (liturgical poetry) for the Shalosh Regalim. While some halakhic justifications have been given for this process, it is clear today that daveners have no patience for complex, medieval praises of God, no matter how beautiful they may be. The reality is that special prayers for holidays have been in decline in the Ashkenazic Jewish community for several hundred years. Nonetheless, these two poems remain part of the tefillot of most communities.

Yatziv Pitgam is intoned after the reading of the second verse of the haftarah, Habakkuk 3:1, since it is an introduction to that chapter of

Habakkuk. (The first verse of the haftarah is Habakkuk 2:20, the last verse in the chapter.) In a similar way, Akdamut used to be recited after the first verse of the first aliyah on the first day of Shavuot, since it is an introduction to that Torah reading. Since translations are no longer recited as part of the Torah reading, Akdamut was considered a hefsek (interruption) by poskim and is now recited before the kohen says the blessing before the kri'ah. Because the reading of the haftarah is treated more leniently, Yatziv Pitgam was left in its original place.

The poem Yatziv Pitgam consists of sixteen stanzas, only fifteen of which appear in our Machzor and are recited. The extra stanza is omitted because it refers specifically to the recital of the Targum that follows, no longer the case in our ritual. Each stanza is composed of two lines of one or two words each which rhyme with each other, followed by a third line of 3 or 4 words. The third line of each stanza ends with the syllable "rin."

The initial letters spell out the name of Jacob ben Meir Levi, most probably a reference to Rabbenu Tam (c. 1100-c.1171) from Orleans in France, the grandson of Rashi. Many have speculated that the popularity of this poem, like that of Akdamut, stems in part from its composition soon after the First Crusade in 1096. Yatziv Pitgam describes the majesty of the revelation that took place at Har Sinai and closes with a prayer for the protection of those who keep the Torah.

Here is an original translation and some comments on this beautiful hymn:

Firm is the praise (of God) Who is the sign and mark, (Who stands out among) the myriads of myriads of angels. I do here chant In the presence of a quorum, Of those who have hewn through the four mountains. Before Him, Into His cisterns, Does flow and proceed a river of fire. In a mountain of snow And flash of light, And shooting stars, fiery flashes and torches, He created and perceives What is (concealed) in darkness, While with Him there reposes light. He observes what is distant With nothing unnoticed While to Him are revealed hidden things. I ask of Him His permission, And then that of men, Those who know the laws, Mishnah, Tosefta, Sifra and Sifrei. The King Who lives Forever, May He protect the people who place their hope in Him. Of these it was stated, "They will be as sand, And will be innumerable like (grains of) dust. " White as sheep May their valleys be (filled with grain), And may their vats overflow with wine. Grant their wishes; May their faces be joyous, May they shine like the morning light. Grant me strength And lift Your eyes, And see Your enemies who deny You. Let them vanish as straw Within the brick, May they be silenced like a stone in shame. (While I stand (here), I (will) translate The words of the greatest of all books.) God gave (the Torah) (through) the humble one (Moshe), Therefore to Him let us express our gratitude. Who is the sign and mark. Based on the explanation of the description of the revelation at Sinai in Devarim 33:2, as explained by Bavli Hagigah 16a, God revealed Himself surrounded by myriads of angels, yet nonetheless His presence could be distinguished from the angels. His presence was considered to be a sign or mark that the Torah was truly given by God. I do here chant in the presence of a quorum. The reader is about to chant the haftarah in the presence of a minyan. hewn through the four mountains. This refers to those who have studied the four orders of the Babylonian Talmud, Mo'ed, Nashim, Nezikin, Kodashim, since most of Zera'im and Tohorot have no gemara. a river of fire. The entire stanza is derived from Daniel 7:10 describing a river of fire that comes forth from before God's throne. The stanza seems to emphasize divine control of all power in the universe. In a mountain of snow. This entire stanza is influenced by the visions of the divine throne in Daniel 7:9 and Yehezkel 1:13. The greatness and power of God are symbolized by bright lights in these passages that represent prophetic mystical experiences and are not to be taken literally. He created. This stanza is simply a paraphrase of Daniel 2:22. This and the following stanza emphasize that God is omnipotent and omniscient.

And then that of men. Before reading the haftarah, the reciter asks permission from the congregation to proceed. It is forbidden to serve as chazzan or read from the Torah or haftarah without the permission of the congregation. Mishnah. This stanza, as well as the reference above to those learned in the four Sedarim of the Talmud Bavli, indicate that the author of the poem intended it to be recited before a very learned audience. The medieval Ashkenazic tradition of piyyut generally assumes a very high level of learning on the part of communities who would have understood and been inspired by complex poems in difficult Hebrew. Tosefta. A collection of tannaitic statements and traditions not included in the Mishnah but arranged in the order of the Mishnah. Sifra. Literally, "the book," referring to the tannaitic, halakhic midrash on Vayikra. Sifrei. Literally, "the books," short for Sifrei deVe Rav, referring to the tannaitic, halakhic midrashim to Bemidbar and Devarim. Omission here of the Mechilta, the tannaitic midrash to Shmot, may be because the author intended it to be included under the heading Sifrei, a phenomenon sometimes observable in medieval texts.

May He protect the people. In the next few stanzas, the author prays for the welfare of the Jewish people. No doubt, in the circumstances of medieval Franco-German Jewry, the reader would have thought directly about the welfare of his own and surrounding communities. it was stated. Bereshit 13:16, 28:14, 22:17, 32:13. White as sheep. In this stanza, the author prays for the economic welfare of his community. Grant their wishes. On the Festival, the author asks God to grant joy to His people. While today Ashkenazic synagogues recite this prayer on Shavuot, in the Middle Ages, some recited it as well on Pesach. And see Your enemies who deny You. This is clearly a reference to Christian persecutors of the Jews. Their attacks on God's people are seen as tantamount to denying Him. While I stand. This stanza, originally part of the medieval version of the poem, has been omitted in our Machzor since it refers directly to the translation of the haftarah into Aramaic that used to follow when the old custom was maintained in the Middle Ages on Pesach and Shavuot. Since all that follows today is the reading of the haftarah in Hebrew, with no Aramaic translation, this line does not appear in modern versions. God gave (the Torah). Hebrew yeho-natan (normally the name Jonathan). This is likely a play on the name of Yonatan (Jonathan) ben Uzziel who translated the prophets into Aramaic (Bavli Megillah 3a). Actually, the title Targum Yonatan refers directly only to this Targum. It was from a version of this text that medieval Jews read when they continued to recite the translation in between the verses of haftarah readings on the festivals. The humble one (Moshe). Bemidbar 12:3 describes Moshe as the humblest of all human beings. Therefore to Him let us express our gratitude. The expression is derived from the very last words of Bavli Bava Metzia 119a, the end of the tractate. The reference in Yatziv Pitgam is clearly to giving praise to God, not to Moshe to whom He had given the Torah. It is possible that this poem was originally intended to be recited before the brachah before the haftarah that thanks God for giving Israel the Torah through Moshe and the Prophets. In this case, the reference to "gratitude" specifically refers to reciting of the benediction before the haftarah.

Bibliography Avrohom Davis, trans. and annotated, The Metsudah Shavuot Reader: A Machzor Supplement for Synagogue & Home (Metsudah Publications, 1984), 115-17. Ismar Elogon, Jewish Liturgy: A Comprehensive History; trans. Raymond Sheindlin (Philadelphia-Jerusalem: Jewish Publication society; New York-Jerusalem: The Jewish Theological Seminary of America, 1993), 151-5.

---

from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Fri, May 10, 2013 at 2:18 PM subject: Shavuot

**Shavuot: The Torah's Mystery Man Excerpted from Rabbi Norman Lamm's Festivals of Faith**

<http://www.ou.org/oupres/item/81407>

The Book of Ruth read on Shavuot is a beautiful and inspiring story, instructive to us in many ways. The story itself is fairly simple, and most of us are, or should be, well acquainted with it. The cast of characters is well-known: Boaz, Ruth and Naomi as the major characters, and Orpah, Elimelekh, Mahlon and Kilyon as the minor characters.

But there is one personage who makes a brief appearance in this Book (chapter 4) whom we may designate as the “Mystery Man”! The Bible doesn’t even give him a name. He is an anonymous and therefore mysterious character. You recall that Boaz was determined to marry this young widow of his cousin, this Moabite girl Ruth who had embraced Judaism. Now since Ruth and her mother-in-law Naomi owned the land left to them by their respective husbands, marriage would mean that these estates would be transferred to the new husbands. Let us remember that in those days real estate had more than commercial value—it meant the family inheritance, and sentiment was supported by law in making every attempt to keep property within the family or as close to it as possible. Now while Boaz was a first cousin, there was a closer relative—the brother of Elimelekh, the father of her late husband. Before Boaz could marry her and take possession of the family property, he needed the closer relative’s consent (this relative is called the *go’el* or redeemer, for he redeems the family’s possessions). Boaz therefore met this man and offered him priority in purchasing the lands of father and sons. He seemed willing to do this, regardless of price. But when Boaz told him that he would also have to marry Ruth if he should redeem the land, the *go’el* hesitated, then refused. I can’t do it, he said. Boaz was then next in line for the right of redemption, and that he did, and, of course, he married Ruth. From this union, four generations later, came one of the greatest Jews in our long history, King David.

Who is this relative who missed the historic opportunity to enter history? What is his name? We do not know. The Bible does not tell us. It does tell us rather pointedly that it does not want to mention his name. When the book describes Boaz’s calling to the man to offer him the chance of redemption, we read that Boaz said, “Come here such a one and sit down” (Ruth 4:1). *Peloni Almoni*—“such a one.” Lawyers might translate that as “John Doe.” Colloquially we might translate those words as “so-and-so,” or the entire phrase in slang English would read, “and he said, hey you, come here and sit down.” Translate it however you will, the Torah makes it clear that it has no wish to reveal this man’s name. Evidently he doesn’t deserve it. He isn’t worthy of having his name mentioned as part of Torah.

We may rightly wonder at the harsh condemnation of this person by the Torah. Why did he deserve this enforced anonymity? He was, after all, willing to redeem the land of his dead brother and nephew. But he balked at taking Ruth into the bargain as a package deal and marrying her out of a sense of duty. Well, who wouldn’t do just that? Are those grounds for condemnation?

As a matter of fact, our Rabbis tried to pry behind this veil of secrecy and they found his true name. It was, they tell us, *Tov*, which means “good” (Ruth Rabbah 6:3; *Tanhuma*, Behar, 8). He was a good chap. He showed a generally good nature. There was nothing vicious about him. And yet the Torah keeps him as a mystery man, it punishes him by making him a nameless character. He remains only a faint and anonymous shadow in the gallery of sacred history. His name was never made part of eternal Torah. He was deprived of his immortality. He is known only as *Peloni Almoni*, “the other fellow,” “so-and-so,” “the nameless one.” A goodly sort of fellow, yet severely punished. Why is that so? Our Sages have only one explanation for that harsh decree. By playing on the word *Almoni* of the title *Peloni Almoni*, they derive the word *illem*—mute or dumb. He remains without a name *she-illem hayah be-divrei Torah* because he was mute or dumb, speechless in Torah (Ruth Rabbah 7:7). He was not a Torah-Jew. Some good qualities, yes, but not a ben Torah. When it came to Torah, he lost his tongue. He could

express himself in every way but a Torah way. Had he been a Torah kind of Jew, he would not have sufficed by just being a nice chap and buying another parcel of land. He would have realized that it is sinful to despise and underrate another human being merely because she is a poor, forlorn, friendless stranger. Had he been imbued with Torah he would have reacted with love and charity to the widow and the orphan and the stranger, the non-Jew. The Rabbis suggest that his reluctance to marry Ruth was for religious reasons: that the Torah forbids marriage with a Moabite, and Ruth was a Moabite. Had he ever bothered to study Torah in detail, as a Jew ought to, he would have known the elementary principle of *Mo’avi ve-lo Mo’aviyyah* (Yevamot 76b)—only male Moabites could never marry into the Jewish nation; female Moabites are acceptable spouses. Once this Moabite girl had decided to embrace Judaism from her own free will and with full genuineness and sincerity, she was as thoroughly Jewish as any other Jewish woman, and a Jewish man could marry her as he could the daughter of the Chief Rabbi of Israel. But this man was *illem be-divrei Torah*, he was unfeeling in a Torah way, he was out of joint with the spirit of Torah, he was ignorant of its laws and teachings; he had no contact with it. And a man of this sort has no name, insofar as Torah is concerned. He must remain *Peloni Almoni*—the nameless one. Such a person is unworthy of having his name immortalized in the Book of Eternal Life. His name has no place in Torah.

What we mean by a “name” and what the Torah meant by it, is something infinitely more than the meaningless appellative given to a person by his parents. It refers, rather, to a spiritual identity; it is the symbol of a spiritual personality in contact with the Divine, hence with the source of all life for all eternity. A name of this kind is not given; it is earned. A name of this sort is not merely registered by some bored clerk in the city records. It is emblazoned in the sacred letters of eternity on the firmament of time. One who is, therefore, *Almoni*, strange to Torah, can never be worthy of such a name. He must remain a *Peloni Almoni*. It is told of the famous conqueror, Alexander the Great, that he was inspecting his troops one day and espied one particularly sloppy soldier. He said to him, “soldier, what is your name?” The soldier answered, “Sir, it is Alexander.” The great leader was stunned for a moment, then said to him, “well, either change your name or change your behavior.” That is what we mean by a name in Torah. It is the behavior, the personality, the soul, and not the empty title that counts.

As far as we Jews are concerned as a people, we can be identified primarily through Torah. Without it we are a nameless mass. Our history, like that of other peoples, has in it elements of military ventures, politics, economics. But more than any other people, it is a history of scholarship, of Torah. It was a non-Jew—Mohammed, the founder of Islam—who called us “The People of the Book”—not just books, but “The Book.” It was a non-Jew—the famed economist Thorsten Veblen—who called Jews “eternal wayfarers in the intellectual no-man’s land.” It was a non-Jew—the Protestant philosopher Paul Tillich—who said that, for Christians, Jews serve the spiritual purpose of preventing the relapse of Christianity into paganism. It was a non-Jew—the King of Italy—who in 1904 told Theodor Herzl that “sometimes I have Jewish callers who wince perceptibly at the mere mention of the word Jew. That is the sort I do not like. Then I really begin talking about Jews. I am only fond of people who have no desire to appear other than they are.” The King of Italy was referring to nameless Jews, those who reject the name “Jew,” those who are “mute in the words of Torah.” For the Jew who is not *illem be-divrei Torah* knows that the function and destiny of our people is to be a “holy nation and kingdom of priests” (Ex. 19:6). As a people we have the choice: remain with Torah and be identified with the House of David, be *benei melakhim*, princes of the spirit—or become nameless and faceless blurs in the panorama of history; the people of Boaz, or a collection of *Peloni Almonis*.

And what holds true for our people as a whole holds true for us as individuals as well. The Kabbalah and Hasidism have maintained that the name of every Jew is merummaz ba-Torah, hinted at in the Torah. Here too they meant "name" as a source of spiritual identification, as an indication of a living, vibrating, pulsating, soulful personality, a religious "somebody." When you are anchored in Torah, then you are anchored in eternity. Then you are not an indistinguishable part of an anonymous mass, but a sacred, individual person.

We who are here gathered for Yizkor, for remembering those dearly beloved who have passed on to another world, we should be asking ourselves that terrific question: will we be remembered? How will we be remembered? Or better: will we deserve to be remembered? And are we worthy enough to have our names immortalized in and through Torah? Are or are we not illemim bedivrei Torah?

Oh, how we try to achieve that "name," that disguise for immortality! We spend a lifetime trying to "make a name for ourselves" with our peers, in our professions and societies. We leave money in our wills not so much out of charitable feelings as much as that we want our names to be engraved in bronze and hewn in stone. And how we forget that peers die, professions change, societies vanish, bronze disintegrates and stone crumbles. Names of that sort are certainly not indestructible monuments. Listen to one poet who bemoans the loss of his name:

Alone I walked on the ocean sand/A pearly shell was in my hand; I stooped and wrote upon the sand/My name, the year, the day. As onward from the spot I passed/One lingering look behind I cast, A wave came rolling high and fast/And washed my lines away. The waves of time wash names of this kind away, indeed. Try as we will, if we remain each of us an illem be-divrei Torah, unrooted in Judaism, then we remain as well Peloni Almoni. Is it not better for us to immortalize our names in and through eternal Torah, so that God Himself will not know us other than as Peloni Almoni?

There is a custom which we do not practice but which Hasidic congregations do, which throws this entire matter into bold relief. The custom stems from the famous Shelah ha-Kadosh, Rabbi Isaiah Horowitz, who recommends that in order she-lo yishkah shemo le-Yom ha-Din, that our names not be forgotten on Judgment Day, we should recite a verse from the Bible related to the name at the end of the daily Shemoneh Esreh (Siddur ha-Shelah s.v. pesukim li-shemot anashim). There is a Biblical verse for every name. Thus my own is Nahum. And the verse I recite is from Isaiah, Nahamu nahamu ammi yomar Eloekhem—console, console My people, says your God (Is. 40:1). My, what that makes of an ordinary name! Even as a child I was terrifically impressed with it—a job, a mission, a destiny: console your fellow man, your fellow Jews!

Let any man do that and no matter what his parents called him, God knows his name—it is not Peloni Almoni; it is an eternal verse which will be read and taken to the hearts of men until the end of days.

On this Yizkor Day, think back to those whom you will shortly memorialize: does he or she have a name in Torah—or must you unfortunately refer to Peloni Almoni a shadow of a memory about to vanish? How will we be remembered— not by children, not by friends, not by other men at all . . . but at Yom ha-Din, on the day of judgment, by God Himself? Will we distinguish ourselves with humility, so that our names will become merged with the glorious verse of Micah (6:8): Ve-hatznea lekhet im Eloekha, walk humbly with thy God? Or will we prove ourselves men and women of sincere consideration and kindness and love for others so that our names will be one with ve-ahavta le-re'akha kamokha, love of neighbor (Lev. 19:18)? Or will we devote our finest efforts to the betterment of our people and effecting rapprochement between Jews and their Torah, so that our names will be beni bekhori Yisrael, Israel is my firstborn (Ex. 4:22)? Will we delve to the limits of our mental capacity into the study of Torah, so that our names will be an etz hayyim hi la-mahazikin bah, a tree of eternal life to

those that hold it (Prov. 3:18)? Or will we do none of these things, just be tov, good-natured men and women. with no special distinction in Torah, no real anchorage in Jewishness, and find that our lives have been spent in nothingness and that even God has no name for us, that we will be just plain Peloni Almoni?

On this Shavuot day, when we recall the giving of the Torah at Sinai, the "Mystery Man" of the Book of Ruth calls to us from the dim obscurity in which he has been shrouded: Do not do what I did. Do not be illem be-divrei Torah, mute and speechless when it comes to Torah. Do not end your lives in a puff of anonymity. Grasp the Tree of Life which is Torah. Live it. Practice it. Overcome all hardships and express it in every aspect of your life. Do not abandon it lest God will abandon you. Jump at this opportunity for immortality. In short: make a name for yourself—through Torah, and with God.

---

from: TorahWeb <torahweb@torahweb.org> to: weeklydt@torahweb2.org date: Wed, May 8, 2013 at 10:01 PM subject: Rabbi Benjamin Yudin - Naaseh v'Nishmah: Faith and Intellect

### **Rabbi Benjamin Yudin**

#### **Naaseh v'Nishmah: Faith and Intellect**

Our nationhood and redemption started with emunah - faith, it progressed with faith and is perpetuated by faith. When Moshe acquiesced and accepted the mantle of leadership to be the spokesman of Hashem to His enslaved nation, the Torah (Shemos 4:31) informs us that the people believed Moshe, that he was the messenger to lead their emancipation. The Medrash (Shemos Rabbah 5:13) comments on this verse that it was not the signs and wonders that Moshe performed that won them over, rather the faith that the one who brought the message of "pakod yifkod - Hashem will redeem you" is the true representative of Hashem.

Regarding the Jews at Yam Suf we are told, "and they had faith in Hashem and in Moshe, His servant" (Shemos 14:31.) Finally, at Sinai "Hashem said to Moshe, Behold! I come to you in the thickness of the cloud, so that the people will hear as I speak to you, and they will believe in you forever"(Shemos 19:9.) Thus, the revelation at Sinai was predicated on faith and maintains that faith.

The Talmud (Shabbos 88B) relates the Rava was questioned, how could the Jewish nation at Sinai not question Hashem as to the content of His Torah prior to accepting it? Unlike all other nations that asked, "What is written in it?", "What are its laws?", "Let us see if we can comply with it?" (Sifrei 343), the Jewish nation responded "Naaseh v'nishmah - we will do and we will obey" (Shemos 24:7.) Rava answered by citing the verse from Proverbs (11:3), "tumas yesharim tancheim - the perfect faith of the upright shall lead them". Rashi understands this to mean we trusted Hashem out of love, and relied on Him that He would not burden us with something we could not do. Kabolat haTorah was based on the pure faith of our ancestors, that not only could we observe and follow His Torah but that this is the best possible life for us.

The Talmud (Nidah 70b) asks what should a person do to become rich? Rebe Yehoshua answered that (1) he should invest time in his business, (2) he should conduct his business affairs with integrity and (3) he should pray to Hashem, the source of all wealth. The above is understandable, as the Kli Yakor (Vayikra 25:36) explains the prohibition of charging interest to a Jew is based upon the reality that for all business transactions one needs Divine assistance. Will they be successful, will they and their merchandise find favor in the eyes of the next one? Willy-nilly, the merchant looks heavenward, prays for success in his endeavors. Not so the one who lends on interest, he has taken care of matters himself. He is ensured of his success and profit by stipulating in advance the interest he will take. Such an individual has removed

Hashem from the equation. The Torah therefore prohibits lending with interest, to bolster and maintain the faith of the businessman.

What is fascinating however, is the earlier question posed in the above gemara. What should a person do to become a scholar? Rebe Yehosua answered that he should spend more time studying in the Yeshiva, spend less time in business, and pray to Hashem for wisdom, as He is the source of all wisdom. Regarding wealth it is understandable that one is to pray, as this reinforces the faith and recognition that ultimately it all comes from On High. What role does prayer play with Torah knowledge?

Every morning we are privileged to recite two blessings prior to the recitation of the Shema. The first speaks of Hashem as the Creator, and His daily renewal of nature. In the second blessing we thank Him for the gift of Torah. In fact, if one is late in coming to Synagogue and did not yet recite birkas haTorah, the daily blessings in honor of a Torah, one can satisfy their obligation with this second beracha of Ahava Rabbah (Shulchan Aruch Orach Chaim 46.) Note, in it we not only ask Hashem for Divine assistance "to instill in our hearts the desire to understand and discern, to listen learn and teach, to observe perform and fulfill all the teachings of Your Torah in love". We also ask Hashem in the merit of our ancestors who trusted in You and to whom You taught the laws of life, be gracious also to us and teach us). As the original kabolas haTorah was predicated on emunah, so too our personal and communal kabolas haTorah is only meaningful if it is coupled with faith. Specifically, we have faith that the Torah speaks to our generation and provides meaning and purpose for life as it did for the generation at Sinai and to all subsequent generation. We Pray to Him daily that we remain steadfast in our faith.

Perhaps this is why we most always read Parshas Bamidbar on the Shabbos prior to Shavuos. While there are no specific mitzvos found in this parsha, the setting of the desert, and as our Rabbis (Mechilta) inform us "The Torah was only given to those who ate and were nourished by the mun - the daily ration of manna that descended from heaven". Hashem, who could have provided them with their gift of mun annually, chose to do so daily to bolster their emunah. We, their proud descents, are the beneficiaries of their basic training in emunah, enabling us to take Hashem's Torah and "transform wastelands into Eden" (Yeshaya 51:3.)

Copyright © 2013 by The TorahWeb Foundation. All rights reserved.

---

from: TorahWeb <torahweb@torahweb.org> to:  
weeklydt@torahweb2.org date: Sun, May 12, 2013 at 11:40 AM  
subject: Rabbi Zvi Sobolofsky - Days and Weeks: Two Worlds yet One Goal

#### **Rabbi Zvi Sobolofsky**

#### **Days and Weeks: Two Worlds yet One Goal**

As sefiras hamoer reaches its culmination, we are actually concluding two different counts; Chazal (Menachos 66a) teach us that there are two parts to this mitzvah, i.e. the counting of days and the counting of weeks. These two dimensions of sefiras hamoer conclude with the yom tov of Shavuos, which celebrates the completion of both days and weeks. Although we are all familiar with the one-day celebration of Shavuos (with a second day outside of Eretz Yisroel), during the time of the Beis Hamikdash there was an entire week of celebration. Specifically, if a person couldn't bring the korbanos of Shavuos on the first day, there was a week of tashlumin to make up these korbanos.

The Ohar Sameach suggests that there may be halachik ramifications that emanate from the dual count. The counting of days which culminates in the one day celebration of Shavuos does not depend on the Beis Hamikdash as this one day celebration occurs in all places at all times. Therefore, the counting of days is a mitzvah d'oraysa even today. The counting of weeks, on the other hand, which concludes with the week-long celebration in the Beis Hamikdash does not apply midioraysa

today in the absence of Beis Hamikdash. This is the rationale for the view of Rabbeinu Yeruchum who maintains that, in fact, the counting of days today is midioraysa, whereas the counting of weeks is midirabanan as azecher lamikdash.

These dual aspects of counting go beyond the actual mitzvah of sefiras hamoer and subsequent celebration on yom tov; there is a fundamental distinction between the unit of time of a day and that of a week. Days correspond to the physical reality of the earth rotating on its axis. Other units of time, such as a month and a year are also rooted in the world of astronomy - a month measures a lunar cycle and a year measures the earth's revolving around the sun. A week, however, corresponds to nothing in the physical universe. The unit of a week only has meaning because Hashem created the world in six days and sanctified the seventh. The counting of days relates to this world, whereas the counting of weeks belongs to the world of kedusha. Counting of days can exist even without a Beis Hamikdash, whereas the counting of weeks is in the realm of the Beis Hamikdash. Shavuos is the culmination of both counts, because the essence of zman mattan Torahseinu is our ability to count both days and weeks.

Chazal relate to us how the angels tried to dissuade Hashem from giving the Torah to the Jewish People. It was only the response of Moshe that we, as human beings, need the mitzvos of the Torah which are not relevant for pure, spiritual beings such as angels, which ended the argument in favor of giving us the Torah. On Shavuos we celebrate our ability to infuse kedusha into a physical world, our ability to combine the counting of weeks to complement our counting of days.

As we approach the yom tov of Shavuos, we realize that our ability to truly transform our physical world into a world of kedusha is inhibited by our lack of a Beis Hamikdash. Chazal understood that even without an actual Beis Hamikdash we must continue to count weeks, albeit as a zecher lamikdash. It is our constant yearning to once again have a Beis Hamikdash that keeps us focused on the fact that our physical world is not yet complete. As we anticipate the counting of weeks and the celebrating of the entire week of Shavuos in the Beis Hamikdash, we look forward to the day when kedusha will infuse our physical world. When Hashem returns to us that opportunity, zman mattan Torahseinu will have finally achieved its goal. May we merit that day very soon.

Copyright © 2013 by The TorahWeb Foundation. All rights reserved.

---

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com>  
to: Potpourri <parshapotpourri@shemayisrael.com> date: Mon,  
May 13, 2013 at 5:19 PM subject:

[Parshapotpourri] **Parsha Potpourri by [Rabbi] Oizer Alport - Shavuos**

Shavuos - Vol. 8, Issue 32

Compiled by Oizer Alport

Vayis'u lahem nashim Mo'aviyos sheim ha'achas Orpah v'sheim ha'sheinis Rus (Rus 1:4)

Due to a famine in the land of Israel, Elimelech traveled with his family to the land of Moab. After his death, his sons Machlon and Kilyon married Rus and Orpah, two local Moabite women. Did Rus and Orpah convert prior to marrying them? It would be difficult to say that they did not convert, as the Gemora (Bava Basra 91a) refers to Machlon and Kilyon as gedolei ha'dor - among the greatest men in their generation - a title which could hardly be applied to men who married non-Jewish women. Further, how can Rus and Orpah be referred to as Naomi's daughters-in-law (1:6) and Rus described as the wife of Machlon (4:10), as if they did not convert, their "marriages" did not take effect and had no legal significance? Additionally, why was Boaz interested in marrying Rus so that Machlon, who died childless, could have a remembrance through her when they were never actually married, and why would Boaz want to establish a remembrance for such a

tremendous sin? On the other hand, to say that Rus and Orpah did convert before marrying Machlon and Kilyon also presents several difficulties. Why are they referred to as Moabite women (1:4) if they had converted and become full-fledged Jewish women? Further, the Gemora in Yevamos (47b) derives many of the laws governing interactions with a prospective convert from Naomi's conversation with Rus as they were returning to the land of Israel (1:16-18). However, if Rus had already converted ten years earlier prior to her marriage to Machlon, why was Naomi discussing these topics with her at this time? Finally, if Rus and Orpah had already converted to Judaism, why did Naomi encourage them to return the idolatrous houses of their parents in Moab (1:8) instead of returning with her to Israel? The Medrash (Rus Rabbah 2:9) says clearly that Rus and Orpah did not immerse in a mikvah and convert. How could men as great as Machlon and Kilyon marry Rus and Orpah if they did not convert? At that time, the law that it was permissible to marry a female Moabite was not yet widely-known and established, as evidenced by Ploni Almoni's refusal to marry Rus (4:6). Therefore, Machlon and Kilyon reasoned that if Rus and Orpah converted, it would be forbidden to marry them. Living with a non-Jew, on the other hand, is only forbidden if it is done publicly, but in this case, Machlon and Kilyon were living in Moab away from the rest of the Jewish people, so this concern did not apply. There is an additional Rabbinical prohibition against having relations with a non-Jewish woman, but the Gemora (Sanhedrin 82a) records that this decree was not made until much later, in the times of the Chashmonaim, in which case, paradoxical as it may seem, Machlon and Kilyon did not transgress any prohibition by "marrying" Rus and Orpah in their non-Jewish state. If so, why were they killed (1:5)? Rav Chaim Kanievsky explains that they were punished for settling in Moab and despairing of ever returning to the land of Israel, as evidenced by the fact that they lived with non-Jewish women for ten years. Although they had originally been compelled to leave Israel with their father and were not initially punished for doing so, their decision to remain in Moab voluntarily for ten years and their despondence of ever returning rendered them liable to Heavenly punishment. On the other hand, the Zohar HaKadosh says chas v'shalom - G-d forbid - that we should make such a statement about Machlon and Kilyon. The Zohar maintains that Rus and Orpah did convert but explains that they are still referred to as Moabites because they only converted due to eimas ba'aleihem – fear of their husbands, who were wealthy and came from a prestigious family. As an interesting aside, the Zohar questions why Rus didn't receive a new name when she converted and explains that she formerly had a non-Jewish name, which was changed to Rus at this time. The Vilna Gaon brilliantly explains that the name Rus hints to her transformation. As a non-Jew, she kept seven mitzvos, while as a Jew she observed 613. Through her conversion she added an additional 606 mitzvos, which is the exact numerical value of Rus. The law is that one may not convert for ulterior motives, such as marriage, money, or power. What should be done post-facto if somebody did convert for other reasons? The Rambam rules (Hilchos Issurei Biah 13:14-16) that the conversion is legally questionable. We do not bring the person close by treating him as a full-fledged Jew, but we also do not push him away. Rather, we wait until the legitimacy of his intentions is clarified. This explains why Naomi decided to test Rus and Orpah by attempting to dissuade them from returning with her to the land of Israel. For the first time, the original motive for their conversions was no longer applicable, as their husbands had died, so Naomi wanted to clarify their true motivations. She did this by explaining to them that she was old and unable to bear additional children for them to marry and encouraging them to return to their idolatrous homes. Orpah, whose original conversion had indeed been motivated by other considerations, recognized the new circumstances in which she found herself and was content to return to Moab and her idolatrous past, thereby revealing that her conversion was invalid. Rus, on the other hand, responded by

expressing her genuine desire and conviction to convert for the sake of Heaven, which retroactively legitimized her original conversion ten years earlier. This explains why Naomi only reviewed Jewish law with Rus during their return to Israel, but no mention is made of Rus immersing in a mikvah, as her wholehearted acceptance of the mitzvos retroactively rendered her original conversion and immersion legitimate, in which case there was no need to repeat the immersion. Orpah revealed that when confronted with a life of poverty with no apparent hope for a better future, she was no longer interested in living a Jewish life, and she returned to her idolatrous roots, which she had never fully discarded. Rus, on the other hand, maintained her confidence even when the prospects for a brighter future seemed bleak. The next time that we find ourselves feeling unable to persevere when faced with a difficult situation, we should remember Rus, who inspires us to remain hopeful and optimistic even in the darkest of times.

Pen ashchis es nachalasi ge'al lecha atah es ge'ulasi (4:6)

Boaz told Rus that he was unable to marry her because there was another redeemer - Tov - who was closer than him, but if the other redeemer was unwilling to marry her, then Boaz would do so (3:12-13). Boaz encountered him the next day and asked whether he was interested in marrying Rus, to which Tov responded that he was afraid to do so, lest he destroy his inheritance, and he encouraged Boaz to do serve as the redeemer in his stead. What precisely was Ploni concerned about that prevented him from marrying Rus, and why didn't the same concern apply to Boaz? Rashi explains that Tov was worried about the status of his future offspring. He was unfamiliar with the law permitting marriage to a female Moabite, so he was concerned that if he married Rus, his children would be considered blemished. However, this raises the obvious question: According to Tov's opinion that it was forbidden to marry Rus, why was he only worried about his children, but not about the Biblical prohibition that he would be transgressing? Additionally, the Gemora in Kesuvos (7b) says that Boaz specifically assembled ten elders in order to publicize the law which permits marriage to a female Moabite. If Tov heard this teaching from Boaz, why was he still worried about his offspring? The Brisker Rov explains that although Tov accepted Boaz's legal ruling, he made one critical mistake: He assumed that it was based on a logical derivation. Therefore, he was afraid that in a future generation, others may come up with counterarguments and reverse the ruling. For this reason, Tov said ?? ????? - perhaps I will destroy - as he wasn't certain that this would transpire, but was merely concerned about the possibility. This explains why Tov was not worried about his own actions, as he understood that he was permitted to rely upon the decision of the contemporary legal authorities who permitted marriage to a female Moabite. What he was worried about was the status of his children, as if the ruling was rejected in a future generation, his descendants would become blemished and unable to marry regular Jews.

The Brisker Rov explains that Tov's mistake was that the permissibility of marrying a female Moabite is not based on logical reasoning and derivations. The Rambam writes (Hilchos Issurei Biah 12:18) that it is a Halacha L'Moshe MiSinai - law that Hashem taught Moshe at Mount Sinai, which is given over from generation to generation and cannot be reversed or challenged based on logical refutations. The Gemora (Yevamos 76b-77a) records that when Doeg attempted to question Dovid's lineage and to invalidate him due to his Moabite ancestry, one of those present placed a sword in the ground and announced that he had an oral tradition that female Moabites are permissible, and whoever challenges it will be killed by the sword. He did not attempt to refute any of Doeg's arguments, but simply declared that this was a Halacha L'Moshe MiSinai which cannot be disputed, and anybody who attempts to do so will be killed. Because Boaz was aware of this, he was not worried about the future status of his children, and he proceeded to marry Rus without any qualms or compunctions.

Answers to the weekly Points to Ponder are now available! To receive the full version with answers email the author at oalport@optonline.net.

Parsha Points to Ponder (and sources which discuss them): 1) The Gemora in Shabbos (88a) teaches that when the Jewish people were encamped at the foot of Mount Sinai, Hashem lifted the mountain above them like a barrel and threatened them that if they won't accept the Torah, there will be your burial place. If Hashem's intention was to frighten them so that they would accept the Torah, why did He transform the mountain into a barrel, which isn't particularly scary, instead of simply picking it up and leaving it looming over their heads like the scary mountain that it already was? (V'Halsh Moshe) 2) The Jewish people told Moshe (Shemos 19:8) that everything that Hashem has spoken, we will do. How could any individual Jew respond that he will do all of the mitzvos when there are numerous mitzvos which can only be performed by specific subsections of the population and no single person is capable of doing all of the mitzvos himself? (Genuzos HaGra) Parshapotpourri mailing list Parshapotpourri@shemayisrael.com [http://shemayisrael.com/mailman/listinfo/parshapotpourri\\_shemayisrael.com](http://shemayisrael.com/mailman/listinfo/parshapotpourri_shemayisrael.com)

In My Opinion :: **Rabbi Berel Wein The Book Of Ruth** With the holiday of Shavuot lurking joyfully just around the corner, I have spent some time reviewing the holy book of Ruth. Traditionally read in many synagogues on the holiday, the narrative quality of this book itself is masterful and its delineation of the main characters is sharp and arresting. But it is the moral and idealistic quality of the book, especially as it is reflected through the prism of thought and interpretation of the rabbis of the Midrash and the Talmud and the latter commentators, which gives this book its transcendent relevance and importance. It is a book about family destruction and rebuilding, about loyalty to others and self-interest, about hope, faith, despair and loneliness. It is so human in its portrayal of events and people that all who read its story are able to identify with it and aspire to incorporate its greatness into one's own behavior. The book, authored by the prophet Samuel, speaks to each of us on an individual basis because it was meant to do so. The great heroine of the story is Naomi, widowed, bereft of her children, poverty stricken and shunned by the community which only remembered her former privileged status, and still resents her abandoning the Land of Israel at a time of need and crisis. Through Ruth, Naomi will also be redeemed and rehabilitated and reinstated as one of the great matriarchs of the Jewish people. The tenacity of Ruth in refusing to abandon her mother-in-law to her fate guarantees her place as the mother of Jewish royalty. Ruth arrives at greatness from outside of the camp of Israel. She is originally a pagan princess who now, through Naomi's presence and example, finds her fate inextricably bound together with the people and God of Israel. She takes advantage of Judaism's openness to strangers, converts and the downtrodden and refuses to be rejected and cowed by the slights and insensitivity of individual Jews whom she encounters. She has lost her pride and arrogance and her external trappings of royalty and wealth but has gained an inner conviction and tenacity of purpose, a vision of fulfillment and hope.

But as is often the case in life, one cannot accomplish such a mission by one's self. A partner is always needed. And the unlikely partner to this drama of Ruth's life is Boaz, a leader in Israel, also widowed, alone and searching for his own fulfillment and immortality in Jewish life. Together, Ruth and Boaz will create the Jewish future for all eternity, even if at the moment of their marriage they are unaware of anything more than their personal needs and happiness. Naomi apparently has a greater sense of the true import of their union and therefore when the child is born to Ruth and Boaz, the women of Bethlehem, gifted with the Godly intuition given to them by the Creator, correctly state: "A child is born unto Naomi." It is Naomi's vision that is the catalyst for the entire enactment of this human and national drama. The story revolves about small details and seemingly unimportant events. The menu of a meager lunch served to a poor woman gleaner in the fields of Judah, the loyalty of a younger person to the care of an impoverished older woman, the unwillingness of an otherwise good person – his name is Tov, goodness itself – to take the risk of public disapproval or private financial loss in order to help someone else, all somehow fit into the matrix of this divine story. The warning of the rabbis in Avot, that one should never take a small matter of Torah and kindness lightly, resonates throughout the Book of Ruth and its events. The negative personal results of abandoning the Land of Israel and

its Jews are explicit in the story and in the words of all of the commentators to the book. For good or for better the individual Jew is tied to the fate of the Jewish people and the Land of Israel as a whole. Great people were undone simply by not realizing that their own personal comfort and welfare is not always paramount to God's wishes and the fate of the Jewish community. It will be a long and painful road back to Bethlehem for Naomi but she is aware of the mistake that was originally made and is determined, through Ruth, to correct it. That is really the sublimely great message of this holy book. Chag Sameach Shabat shalom

---

Yeshiva University • A To-Go Series • Sivvan 5772

### **Derech Eretz Kadma LaTorah A Multi-faceted Perspective Rabbi Elchanan Adler Rosh Yeshiva, RIETS**

One of the most oft quoted rabbinic aphorisms is "derech erez kadma laTorah – derech erez precedes Torah". As we prepare to celebrate our receiving the Torah on Shavuot, it is worth exploring the origin of this concept, as well as various layers of its interpretation.

Defining Derech Eretz The term derech erez, in Chazal's parlance, has multiple meanings. First, it refers to the notion of *menschlichkeit*, decency, common courtesy. Second, it relates in a broad sense to the notion of a *livelihood*, a *parnasa*. R. Samson Raphael Hirsch explains how both of these notions are reflected in the expression derech erez. Derech erez connotes: we are part of a social fabric, and within this context we find our fulfillment.

"Derech erez includes everything that flows from the human being's necessity to perfect his destiny and his life, together with his society, through the medium of the earth's bounty. Hence, the term is used in reference to earning a livelihood and establishing civic order, and in reference to the paths of discipline with manners and refinement that social life require, and to everything that touches upon the development of humankind and civility." Commentary of R. S.R. Hirsch to Pirkei Avos, 2:2

Derech Eretz as a Basis for Torah According to the Midrash, the expression "derech erez kadma laTorah" originates in the Torah's description of the divine gatekeepers at the Garden of Eden whose purpose was Lishmor Es Derech Eitz Hachayim – "to guard the way of the tree of life". The Midrash notes, in homiletic fashion, that the word "derech", an allusion to norms of derech erez, precedes the words "eitz hachayim", a symbolic reference to Torah. The Midrash associates this with the historical phenomenon that societal norms were enshrined in human consciousness from time immemorial while Torah was presented to the Jewish People via Moshe, who numbered the 26th generation to Adam.

"R. Yishmael son of R. Nachman said: Derech erez preceded Torah by 26 generations. This is the meaning of what is written: "to guard the way of the tree of life" – "the way" refers to derech erez; afterwards, "the tree of life" which is Torah." Vayikra Rabba Chapter 9

As understood by the baalei musar, the message of the Midrash is that derech erez norms are axiomatic to Torah. In other words, intuitive principles which inhere in the human condition are binding in their own right and serve as a foundation for the mitzvos of the Torah. As elucidated by the Alter of Slabodka: "However, upon reflection we will see that character traits and attributes are an introduction to the Torah and the primary foundation of the essence of a person, without which a person is not worthy at all of Torah ... This is the intent of the Rabbis: Derech erez preceded Torah by twenty six generations, for all of the good character traits and attributes are included in derech erez; they were ingrained in human nature and for them there is no need for the giving of the Torah. The giving of the Torah came to build on these [traits and attributes] and to command him to continue to rise heavenward to ever higher levels transcending those which are in the realm of derech erez." Or HaTzafun Vol. 1 pg. 173, 175

The Alter writes further: "Upon reflection we will see that this code, too, that which is referred to as "derech erez", which preceded Torah from Sinai, is a comprehensive system which encompasses the entire man." Or HaTzafun Vol. 1, pg. 176

That humans possess an innate capacity to intuit certain norms of derech erez is implicit in the following Talmudic observation:

"R. Yochanan Said: Had the Torah not been given, we would have learned to be modest from cats, to avoid theft from ants, to avoid promiscuity from doves, and derech erez from roosters." Eruvin 100b

In a sweeping statement, Rabbeinu Nissim Gaon posits the binding nature of derech erez norms: "For all precepts that are dependent on logic and intuition of the heart are already binding upon all [humanity] from the day that G-d created man on the earth, upon man and his offspring for all future generations." R. Nissim Gaon, Introduction to the Talmud

Additionally, Chizkuni (Bereishis 7:21) understands this to be the basis upon which the generation of the flood was punished, despite having never received specific divine commandments about how to behave: "If you will ask: Why was the generation of the flood punished if they were never commanded to fulfill mitzvos? The answer is that there are numerous mitzvos that people must keep based on logic even if they were not commanded to keep them. Therefore, they were punished."

We see that the moral intuition that Hashem instilled in humankind, which in the world's first millennia was an integral component of universal human experience, imposes an obligation irrespective of formal commandments. Indeed, Rav Eliyahu Dessler suggests that the obligation to act with respect toward another person derives from that other's very humanity:

"The root of this obligation lies in our obligation toward a human being by virtue of his being a human being." *Michtav Me'Eliyahu*, Vol. 4, P. 246

Rav Dessler writes further: "One who does not appreciate the obligation to respect others lacks the attributes required for success in Torah [learning]." *Ibid* P. 248

Rav Dessler's contention that *derech erez* is a prerequisite for Torah echoes the Mishna in *Pirkei Avos* which states: Without *derech erez* there cannot be Torah. As Rabbeinu Yona explains: "One must first improve one's own character traits and with that, the Torah can endure with him because it cannot endure with a person that doesn't have good character traits. One cannot learn Torah first and then acquire good character traits because this is impossible." Rabbeinu Yona to *Avos*, Chapter 3

In sum, the dictum "*derech erez kadma laTorah*" is not only historical, but moral-ethical. Man must excel in *derech erez* in order to fully absorb Torah. The *Derech Eretz* "within" Torah Viewing *derech erez* as axiomatic to Torah may imply that one should not pursue serious Torah learning before becoming proficient in social etiquette. In fact, nothing could be further from the truth. Such a notion is refuted by the Mishna's corollary statement: Without Torah, there is no *derech erez*. As explained by Rabbeinu Yona, most of the principles of *derech erez* can be found in the Torah, more than anywhere else.

"Without Torah there is no *derech erez*-Meaning that one who doesn't know Torah is incomplete in character traits of *derech erez* because a majority of the good character traits about the ways of the world are in the Torah. For example, extending loans, severance pay, honest weights and measures and many others like this. If so, without Torah, one's character traits cannot be complete with *derech erez*." Rabbeinu Yona to *Avos*, Chapter 3

Apparently, then, the relationship between *derech erez* and Torah is reciprocal and mutually reinforcing. On the one hand, Torah presupposes a requisite, baseline level of *derech erez*. For an individual who lacks even such a minimal standard of *derech erez*, Torah loses its redeeming value, and may actually be dangerous, *chas ve'shalom*. Moreover, a deficiency in *menschlichkeit*, however slight, may serve as an impediment to the Torah's ability to ennoble one's personality. On the other hand, Torah which is studied and observed properly is designed to reinforce standards of common decency. As noted by Rabbeinu Yona, the principles of *derech erez* underlie countless mitzvos. In addition, the Torah helps us aspire to loftier, more sublime standards of *derech erez*.

Hence, in a post *MatanTorah* world, the demarcation between Torah and *derech erez* need not be so sharply defined. Ultimately, our *derech erez* protocol ought to be informed and enhanced by the laws and values of Torah. Indeed, we may discern this in the Talmud's language that one could have learned *derech erez* from roosters "*ilmalei nitna Torah*" - had the Torah not been given; the clear implication being that once the Torah was given, however, human moral intuition must be reinforced and sharpened by Torah study.

*Sefer Bereishis: Book of Derech Eretz* As noted, the Midrash patterns the dictum "*derech erez kadma laTorah*" on the wording of a pasuk in *Parshas Bereishis*. We have also seen that *derech erez* is an overarching concept that is interwoven into the fabric of Torah itself. *Derech erez* is, at once a prerequisite for Torah as well as an outgrowth of Torah. Let us sharpen our understanding of these ideas by exploring the relationship between *Sefer Bereishis* and *Sefer Shemos*, as well as between the *parshiyos* of *Beshalach* and *Yisro*. The *Netziv* (in his introduction to *Sefer Bereishis*), notes that the first book of the Torah is also known as "*Sefer Hayashar* (the book of "the Just") because it describes the lives of the Patriarchs who are called *yesharim* (ehrlich or decent people). The *Netziv* explains that the hallmark of *yashrus* is a spirit of benevolence and tolerance which is displayed even toward those who may espouse a worldview that is antithetical and diametrically opposed to one's own. Such an attitude is apparent in the Torah's account of the lives of the Patriarchs and the dealings that they had with the various personalities with whom they interacted. The *Netziv* explains further that the rationale for such conduct is the premium attached to preserving

the social order of the world to the greatest degree possible – the quintessential notion of *derech erez*. Based on this analysis, it follows that *Sefer Bereishis* - the *Sefer Hayashar* - serves as a fitting prelude to *Sefer Shemos* - which contains the account of *Matan Torah* - in the spirit of *derech erez kadma laTorah*. Interestingly, this same insight is advanced by R. Tzadok haKohen of Lublin (*Or Zaru'a La'Tzadik*, p. 7) who posits that *Sefer Bereishis* precedes *Sefer Shemos* since it contains the narratives of the Patriarchs, stories of their exceptional character traits, and accounts of their settling and civilizing the world – all of which are, by definition, narratives of *derech erez*. Moreover, the Patriarchs, as paragons of *derech erez*, stand in stark contrast to societies such as the *dor hamabul* (generation of the flood) and Sodom whose failings in *derech erez* norms caused them to be wiped off the face of the earth. Only after experiencing these narratives, writes R. Tzadok, are we prepared for *Sefer Shemos*, the book wherein Torah is given. In a homiletic vein, R. Yosef Dov Soloveitchik develops a similar idea. Jewish chosenness is a function of two discrete historical events: Hashem's choice of the Avos, the Patriarchs, and His choice of the Jewish nation at Sinai. R. Soloveitchik compares the patriarchal covenant to the process of *ibud* (lit. work), wherein parchment is treated in order to render it suitable for writing a Torah scroll on it, and he compares the Sinai covenant to writing the letters of the scroll itself. Just as the letters of the scroll cannot be written without *ibud*, the Jew cannot observe Torah unless he performs *ibud* upon his personality, relates to the Patriarchs, and models his behavior after their *derech erez*. Expanding this metaphor, R. Soloveitchik notes that there are two types of *ibud*. For *mezuzah*, *ibud* is performed on the inner, hairless side of the parchment (known as *duchsustus*), the side that touches the animal's flesh and muscle. This *ibud* corresponds to our efforts in controlling desire and passion, which results in protection of our inner selves, just as a *mezuzah* protects the interior of one's house. These efforts represent the antithesis of the sin of *dor hamabul*, whose society was characterized by unbridled hedonism and a complete breakdown of self-discipline. By contrast, the *ibud* for *tefillin* is performed on the outer, hairy side of the parchment (known as *klaf*), the side that interfaces with the world. This *ibud* parallels our efforts to develop empathy toward others, symbolized by *tefillin*, which highlights the link between Hashem's unity and the Jewish nation's unity; "who is like Your nation, Yisrael, a distinguished, unified nation in the world." These efforts are the antithesis of the sin of the *dor hapalagah* (generation of the dispersion) whose communist-like society was characterized by a total disregard of the worth of the individual and an utter lack of empathy and compassion.

*Parshas Beshalach: The Parsha of Derech Eretz* Let us turn to the relationship between *Parshas Yisro*, which contains the narrative of *Matan Torah*, and the Torah portion which precedes it, *Parshas Beshalach* – a parsha which, as we will see, epitomizes *derech erez*. One need go no further than the very first verse of *Parshas Beshalach* to discern an allusion to *derech erez*. Firstly, this is the sole place in the Torah where the words "*derech erez*" appear in succession: "*Velo nacham Elokim derech erez Pelishtim*." For the literary purist, this equation is erroneous, since "*derech erez*" here means "through the path of the land [of *Pelishtim*]"; if so, the phrase bears no relation to the "*derech erez*" of Chazal's parlance. Nonetheless, given the tradition that "*leika midi de'la remiza be'oraisa*" – there is nothing to which the Torah does not allude - the semantic parallel is unmistakable, and leaves room for drawing a subtle message. We can also infer the notion of *derech erez* in the parsha's title, "*Beshalach*". The Torah records: "*Vayehi beshalach Par'oh es ha'am*" – And it was when [Pharaoh] sent out [the nation]". "*Beshalach*" (sent out) implies that the nation's departure from Egypt was dependent on Pharaoh's formal acquiescence and granting permission. Why would this be so? R. Chaim Shmuelevitz explains that despite its failings, Egypt served as the Jews' host country, and *derech erez* demanded that the Jews receive a formal discharge before departing. He illustrates this by citing the example of Chananya, Mishael, and Azarya, who were thrust by Nevuchadnetzar into a fiery furnace, and did not step out until receiving a formal discharge order from the King. The Midrash draws a parallel between their conduct and that of Noah who also waited for Hashem to formally discharge him before exiting the ark. This pattern of conduct in all of these cases, explains R. Shmuelevitz, is typical of *derech erez*.

The third verse of *Parshas Beshalach* recounts Moshe's involvement with Yosef's bones. This, too, represents an aspect of *derech erez*: honoring another's request, and extending a gesture of gratitude. Later in *parshas Beshalach*, the Torah recounts the episode of the manna. As we know, the manna was the archetype of *parnasa*. In fact, the daily recitation of *parshas ha'man* is supposed to insure that one's efforts toward providing for a livelihood will be met with success (see *Mishna Berura* 1:13). And earning *parnasa*, as we have seen, also falls within the larger purview of *derech erez*. "*le'sefer Torah*". For the portion referenced here,

see pp. 46-55 (Yiddish version) and pp. 86-95 (Hebrew translation). An English translation was recently printed, in several installments, in Yeshiva University's student publication Kol HaMevaser, but has yet to appear in any of the published posthumous books containing the Rav's discourses.

Chok U'Mishpat of Mara Perhaps the most compelling indication that Parshas Beshalach epitomizes derech erez is the Torah's account of Mara, the desert way station visited by the Jews shortly after experiencing kerias yam suf. The Torah describes how, after traveling for three days without water, the Jews arrived in Mara, where they could not partake of the waters, which were bitter. The Jews immediately complained to Moshe, who cried out to Hashem for assistance. Hashem, in turn, guided Moshe to miraculously sweeten the waters. The Torah concludes this verse with the words, "sham sam lo chok uMishpat, veSham nisahu" – "there he established for them a decree and a law, and there he tested them". The reference to "decree and law" is fraught with ambiguity. What is its precise meaning? Does this refer to specific mitzvos? If so, which ones?

The Ramban, Shemos 15:25, suggests the following explanation: "When they began to enter the great and awesome desert, and thirst where there was no water, He established for them practices concerning their livelihood and their necessities, that they should follow until their arrival in an inhabited land ... Alternatively, He disciplined them with the rules of the desert, i.e. to endure hunger and thirst, and to call out regarding them to Hashem, but not in a manner of complaint. And laws, for life, to love each man his fellow, to act upon the elders' advice, to be modest in their tents regarding women and children, and to be peaceful with merchants who enter the camp to market their wares, and admonitions that they not act like the camps of marauders who commit all manner of abomination without remorse ... similarly, in Joshua (24,25) it is said "...and he established for him decree and ordinance in Shechem"; these are not Torah decrees and laws, but rather standard practices and bylaws for regulating a civilized society.."

In other words, the laws of Mara were not Torah laws; they were norms of derech erez. They were a regimen for life, for getting along, a code for living. And, as noted by the Alter of Slabodka (cited earlier), derech erez norms are "a comprehensive system which encompasses the entire human being." Rashi, on the other hand, cites a Midrashic explanation that "decree and ordinance" refers to a series of mitzvos that were presented to the Jewish people before their formal receiving the Torah at Sinai. These included the following: Shabbos, kibud av va'eim, parah adumah,<sup>5</sup> and dinim (the legal code spelled out in Parshas Mishpatim).

If we consider the nature of these particular mitzvos, it is obvious that they all reflect, to some degree, the ideals of derech erez. This is most apparent in the mitzvah of dinim (laws), which form the basis for the fabric of society. So too, the mitzvah of kibud av va'em is based on hakaras hatov, recognizing and appreciating one's parents for their role in bringing one into the world and their efforts in nurturing one's development. The mitzvos of Shabbos and parah adumah can likewise be seen as rooted in derech erez norms in that both are characterized by the notions of surrender and self-discipline: Shabbos through withdrawal from daily activity and parah adumah through surrendering intellectually by acknowledging that there are matters that lie beyond the pale of human comprehension. Taken together, the mitzvos of Mara serve to create an integrated "derech erez personality" who would be naturally receptive to the rigors demanded by a Torah lifestyle. It can therefore be argued that the pre-Matan Torah mitzvos of Mara serve as a paradigm of "derech erez kadma laTorah."<sup>6</sup> The "Test" of Mara If we interpret the mitzvos of Mara as reflecting aspects of derech erez, we may better appreciate Rashi's explanation of the pasuk's concluding words: "ve'sham nisahu" – "and there He tested it (the nation)". The juxtaposition of "ve'sham nisahu" with "sham sam lo chok u'mishpat" suggests a link between the phrases. What is the connection between the chok, the mishpat, and the test? Many commentaries (i.e. Ramban) explain that the "decree and ordinance" were meant as a test – namely, to gauge the people's response to these laws. According to this explanation, we may surmise that the Nation "passed" the test by embracing the rules and commandments presented to them. Rashi, however, interprets "ve'sham nisahu" as referring to the outset of the story when the nation was unable to drink the bitter waters: "And there He tested it – that is, He tested the people, and saw the stiffness of their neck, for they did not consult with Moshe using gracious language, saying "pray on our behalf that there should be water for us to drink." Rather, they complained." Rashi, Shemos 15:25

If the test was meant to probe the manner in which the Jews would request water, then it appears that they failed the test miserably. Why, then, is this failure – captured by the words "ve'sham nisahu" – mentioned in connection with the nation's being presented a series of mitzvos – "sham sam lo chok u'mishpat"? Once we link the mitzvos of Mara with the ideals of derech erez, the answer is clear. Precisely because the Jews exhibited a failing in derech erez by demanding

water in an unrefined manner, it became necessary to present them with a series of mitzvos which encapsulate the spirit of "derech erez kadma laTorah".

Accordingly, the closing phrase of the pasuk – "ve'sham nisahu" –

"And there he tested them – provides the context and rationale for "sham sam lo chok u'mishpat" – there he established for them decree and ordinance. In fact, Rashi's language implies (as noted by the Ramban), that these mitzvos were given not in a binding capacity, but rather as cognitive/intellectual tools – "parshiyos she'yisasku bahem" – selected portions of Torah with which they would "occupy themselves with". We may suggest, in line with Rashi's approach, that the prime purpose of this intellectual exercise was to sensitize the Jews to aspects of derech erez, an area in which they needed dramatic improvement.<sup>7</sup> A Novel Insight into the Blessing of Ahava Rabba Our understanding of Mara's "decree and ordinance" as epitomizing the spirit of "derech erez kadma laTorah," sheds fresh light on a seeming redundancy in the prayer for success in Torah recited each day. First, we pray: In the merit of our ancestors who trusted in you, And you taught them decrees of life, So, too, favor us and teach us.

As explained by the Abudraham, the word "avoseinu" – our forefathers – refers to our ancestors who left Egypt to enter into the desert without any provisions. If so, we may suggest that "va'telamdeim chukei chayim" – "And you taught them decrees of life" – refers to the Torah of derech erez, in Mara. We ask similarly: "kein techaneinu u'selamdeinu" – so, too, favor us and teach us" – the norms of derech erez, so that we can be prepared to absorb Torah. Having asked for instruction in "derech erez" we proceed to pray for enlightenment in Torah itself: Place in our hearts to understand... Enlighten our eyes with Your Torah ...

R. Yanai and the Simpleton We began with an excerpt from a Midrash which is the source of the rabbinic aphorism "derech erez kadma laTorah". The crux of the Midrash tells of an interaction between the great scholar R. Yanai and an anonymous wayfarer whom R. Yanai mistook as a scholar of equal rank and invited to his home to dine. The Midrash depicts the harsh reaction of R. Yanai upon his discovery that the man was ignorant of even the most rudimentary knowledge of Torah. But upon probing further into the background of this individual and becoming aware of his sterling character and lofty standards of derech erez, R. Yanai experienced an epiphany: There is a story that R. Yanai once walking in the road, saw a man who looked very distinguished and (R. Yanai) said to him:

"Would you, Rabbi, care to accept my hospitality?" He answered: 'Yes,' whereupon he brought him to his house and entertained him with food and drink. He (R. Yanai) tested him (the guest) in [the knowledge of] Scripture, and found [that he possessed] none, in Mishna, and found none, in Aggada, and found none, in Talmud, and found none. Then he said to him: 'Take up [the wine cup of Birkas HaMazon] and recite Grace.' The man answered: 'Let Yanai recite Grace in his own house!' Said the Rabbi to him: 'Are you able to repeat what I say to you?' 'Yes,' answered the man. Said R. Yanai: 'Say: A dog has eaten of Yanai's bread.' The man rose and caught hold of him, saying: 'You have my inheritance, which you are withholding from me!' Said R. Yanai to him: 'And what is this inheritance of yours which I have?' The man answered: 'Once I passed a school, and I heard the voice of the youngsters saying: The Law which Moses commanded us is the inheritance of the congregation of Yaakov; it is written not 'The inheritance of the congregation of Yanai', but 'The inheritance of the congregation of Yaakov'. Said R. Yanai to the man: 'How have you merited to eat at my table?' The man answered: 'Never in my life have I, after hearing evil talk, repeated it to the person spoken of, nor have I ever seen two persons quarrelling without making peace between them.' Said R. Yanai: 'That I should have called you dog, when you possess such derech erez!' Vayikra Rabba Chapter 9 (adapted from Soncino Translation)

Let us explore the message of this powerful anecdote by highlighting the contrast between its protagonists. On the one hand, R. Yanai, a man of enormous Torah knowledge, must certainly have felt betrayed and disappointed by the degree of his guest's ignorance. Additionally, R. Yanai's derisive description of his guest as a dog surely smacked of elitism, based as it was on the notion that one who is ignorant of Torah is unworthy of being sustained. The guest, for his part, exposed the host's condescending attitude by invoking a pasuk which he happened to overhear from school children (though he had never studied himself) – "Torah tziva lanu Moshe morasha kehilas Yaakov" – from which he was able to intuit a basic truth which challenged the elitist assumption of his host. When R. Yanai probed this individual's background, he was genuinely moved to discover the incredible degree to which the latter, despite being ignorant of Torah, had managed to distinguish himself in the realm of derech erez – menschlichkeit. Clearly, this individual's heightened sensitivity for the feelings of others, and his incredible self-sacrifice in tirelessly promoting peace between people, were nothing short of legendary.<sup>8</sup> How ironic it is that while this individual was so

solicitous of the feelings of others, the same can not be said about R. Yanai who had no compunctions about uttering a slur which the average listener would surely find offensive. To this individual's credit, and consistent with his sterling personality, he did not overreact. (In fact, the language of the Midrash in the first example that he reported about his conduct is "la shema'is mila bisha ve'chazarti le'mara." According to some commentators, this refers to the fact that he endured insults without responding negatively in kind.) Rather than becoming embittered or disillusioned, he turned the situation into an opportunity to firmly chide his host and lead him to reconsider his elitist mindset. Self-Evaluation: Knowing Where to Place the Dot There is an additional "twist" in the Midrash which is equally fascinating. It concerns the pronunciation of a word which appears in the following verse in Tehilim (50): He who offers confession honors me; and one who orders [his] way, I will show him the salvation of G-d.

The Midrash opens with the words "ve'sam derech" from the above verse, and cites the interpretation of R. Yanai, who, by way of changing the letter "sin" to a "shin", rendering "ve'sam" – he who orders [his way] – into ve'sham" – he who evaluates [his way], observed the following: "One who evaluates his way, is worth a lot.

The Midrash uses this exegetical comment as a springboard for the anecdote of R. Yanai and the wayfarer and returns to it at the story's conclusion. When R. Yanai became aware of his guest's greatness, he saw in him a personification of the message of this homily: He declared regarding him: "One who evaluates his way, is worth a lot."

Apparently, R. Yanai was inspired to this novel interpretation of the verse in Tehilim as a result of his encounter with this individual who exhibited an extraordinary sense of derech ertz. Interestingly, the Talmud cites another story involving the same R. Yanai which indicates how much he took to heart this particular interpretation of the words "ve'sam derech": R. Yanai had a student who would ask him questions daily; on the Shabbos of the festival [when a large crowd assembled to hear the lecture] he did not ask. He [R. Yanai] attributed to him the verse "ve'sam derech arenu beyesha Elokim". Moed Katan 5a - 5b

There is an interesting story told about the Meshech Chochma (R. Meir Simcha of Dvinsk) in connection with this Gemara. One day R. Meir Simcha overheard an individual thoughtlessly shouting a question at a Rabbi who was in the midst of teaching Mishnayot to a group of people in shul. The teacher was stumped by the question and at a loss for words. Whereupon R. Meir negate even the firmest of natural law postulates. This does not preclude the possibility of an individual's mastery of derech ertz principles, even while lacking a rudimentary knowledge of Torah. Simcha rose up and declared loudly: "A man who does not differentiate between right and left will ask such a question!" All those present assumed that the question was flawed and the teacher resumed teaching. Later, the questioner, who could not detect any faulty logic in his argument, approached R. Meir Simcha and demanded an explanation for the latter's uncharacteristic outburst. R. Meir Simcha responded by citing the story from Tractate Moed Katan regarding the student who showed discretion about when to ask questions and R. Yanai's comments applying to that student the pasuk "ve'sam derech", rendered as "ve'sham derech" – he who evaluates his way. As R. Yanai's homiletical interpretation hinges on exchanging the sin (whose dot is on the left) with a shin (whose dot is on the right), it follows that this individual whose ill-timed questioning of the magid shiur revealed an utter lack of discretion could not possibly subscribe to R. Yanai's interpretation; he did not differentiate "between right and left". Deciphering the Code in the Mara Episode If we are correct in equating the lesson of "derech ertz kadma laTorah" with the "chok u'mishpat" of Mara, then it would not be surprising to find an allusion there to R. Yanai's interpretation of "ve'sam derech" and the exegetical word play of "sam- sham". Sure enough, the narrative of Mara yields precisely such a link: This pithy phrase contains three combination of shin/sin followed by a mem. First, the word "sham" (shin-mem); next, "sam" (sin-mem). These two words appear in succession, and are identical in all respects except for the position of the dot. This linguistic peculiarity seemingly alludes to a "sin-shin" letter exchange. How remarkable that this "code" appears in connection with the "chok u'mishpat" – "decree and ordinance" - that symbolize notions of derech ertz! The parallel to R. Yanai's exposition of "ve'sam derech"/"ve'sham derech" is striking.<sup>9</sup> Several words later this combination of letters recurs in the word "ve'sham" (shin-mem) of "ve'sham nisahu". Perhaps this third allusion is necessary in order to unlock the shin-sin code alluded to previously in the words "sham-sam" (sham sam lo chok u'mishpat). Without this third combination (the "kasuv ha'shelishi"), it would be unclear which letter substitutes for which: whether the shin for a sin (as in R. Yanai's exegesis) or the sin for a shin. By repeating the combination in a "shin-mem" format, we learn that the "sin" is to be exchanged with a "shin" rather than the reverse, in consonance with R. Yanai's derivation. May we be blessed with the

wisdom to discriminate "right from left" and internalize a true sense of derech ertz. May the Torah that we study reinforce these lessons and lead us to ever higher levels of derech ertz and beyond. May we merit, on Shavuot and throughout the year, to take the story of R. Yanai and its lessons to heart, and may it serve as an inspiration to us in our individual lives and in our communities.

---

from: Rabbi Kaganoff <yorkkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Sun, May 5, 2013 at 4:06 PM subject: articles for this week's parsha attached The following article is certainly appropriate for the week before our kabalas hatarah.

### What May I Not Write?

By Rabbi Yirmiyohu Kaganoff

"I was told that I should not include quotations from pesukim on my daughter's wedding invitation. Yet I see that 'everyone' does! Could you please explain the halacha?" "Someone told me that sukkah decorations should not include any pesukim. Is this true? My children bring home decorations like this from school." "Does a newspaper containing divrei Torah need to be placed in sheimos?" To answer these questions, we need to explain several halachic issues, including: 1. The original prohibition against writing Torah she'be'al peh, and the later "heter" to write and publish it. 2. The concern about producing divrei Torah that will not be treated appropriately. 3. What items must be placed in sheimos? The original prohibition against writing Torah she'be'al peh Originally, it was prohibited to write down any Torah she'be'al peh (Gittin 60b), except for an individual's personal notes recorded for one's own review (Rambam, Introduction to Mishneh Torah; see also Rashi, Shabbos 6b s.v. Megilas). The Oral Torah was not permitted to be taught from a written format. Torah she'be'al peh was meant to be just that - Torah taught completely without any written text. Thus, Moshe Rabbeinu taught us the halachos of the Torah orally, and Klal Yisrael memorized them. Although each student wrote private notes for the sake of review, the Oral Torah was never taught from these notes. The prohibition against writing Torah she'be'al peh included writing midrashim, prayers and the texts of berachos, as well as translations and commentaries of the Written Torah, since all these are considered Torah she'be'al peh. In those times, all these devarim she'be'kedusha were memorized, and the only parts of the Torah written were the pesukim themselves. The Gemara (Gittin 60b) records this halacha as follows: "Devarim she'be'al peh, iy atah resha'ie le'omram bichsav," "You are not permitted to transmit the Oral Torah in writing." The Ritva (ad loc.) explains that this is because divrei Torah taught verbally are understood more precisely, whereas text learning is often misunderstood. Another prohibition forbade writing the books of Tanach except when writing a complete sefer (Gittin 60a). Thus, one could not write out Parshas Toldos (or any other parsha) or a few pesukim for learning, although it was permitted to write an entire Chumash such as Sefer Shemos. Similarly, one could not write out part of a sefer of Navoi to study or to read the haftarah. In order to recite the haftarahs regularly, every shul needed to own all of the eight Nevi'im (Yehoshua, Shoftim, Shemuel, Melachim, Yeshaya, Yirmiyahu, Yechezkel, and Terei Asar) to read the haftarah from the appropriate sefer. Similarly, a person who wished to study Shiras Devorah or the prayer of Channah had to write the entire Sefer Shoftim or Sefer Shemuel. Why do we no longer abide by this prohibition? Chazal realized that it was becoming increasingly difficult for people to learn Torah and to observe certain other mitzvos, such as reading the haftarah. Therefore, they ruled that the prohibition against writing Torah must be superseded by the more vital need of keeping Torah alive among the Jews. This takanah was based on the pasuk, "Eis la'asos laShem heifeiru torasecha," which is understood to mean "It is the time to act for Hashem since Your Torah is being uprooted," (Tehillim 119:126). In order to facilitate Torah study, they permitted writing individual verses and teaching Oral Torah from written texts. (We will refer to this takanah, or heter, as "eis la'asos.") The first part of the Oral Torah to be formally written for structured teaching was the Mishnah, edited by Rebbe (Rabbi Yehudah HaNasi) at the end of the period of the tanna'im (circa 396/200 c.e.). To quote the Rambam, "Rebbe gathered all the laws and explanations that had been studied and interpreted by every beis din since the days of Moshe Rabbeinu and organized the Mishnah from them. He (Rebbe) proceeded to teach publicly the scholars of his generation from this text so that the Oral Torah would not be forgotten from the Jewish people. Why did Rebbe change the method that had been used previously? Because he saw that the numbers of Torah students were decreasing, the difficulties facing the Jewish people were on the rise, the Roman Empire was becoming stronger, and the Jews were becoming increasingly scattered. He therefore authored one work that would be in the hands of all the students to make it easier to study and remember the Oral Torah"

(Introduction to Mishneh Torah). We see that Rebbe instituted the first formalized use of a text to teach the Oral Torah because of the new circumstances confronting klal Yisrael. After Rebbe's days, Chazal gradually permitted writing down other texts, first Aggadah (ethical teachings of the Gemara), later the entire Gemara, and still later the explanations and commentaries on the Gemara. As a very important aside, we see from the end of the quoted Rambam, "to make it easier to study and remember the Oral Torah," that even though it is now permitted to write down the Mishnah, it is still important to know the entire Oral Torah by heart.

In the context of the rule of eis la'asos, the Gemara tells us the following story:

Rabbi Yochanan and Reish Lakeish (amora'im in Eretz Yisrael shortly after the time of Rebbe) were studying from a Talmudic anthology of ethical teachings, a "sefer Aggadah." The Gemara asks, "How could they study from such a book, since it is prohibited to learn Torah from a written text?" The Gemara replies, "Since it is now impossible (to retain all the knowledge of the Torah without a written text), 'it is the time to act for Hashem, since Your Torah is being uprooted,'" (Gittin 60a). We see that the Gemara initially assumed that it was still prohibited to study Torah from a written text, except for the study of Mishnah. The Gemara responded that the prohibition had been further relaxed because it had become even more difficult to learn Torah than it had been in the days of Rebbe.

The Gemara relates a similar episode concerning the recital of the haftarah. As mentioned above, it was originally forbidden to write part of a book of Tanach, and therefore, every shul needed to own scrolls of all the Nevi'im in order to read the haftarahs. However, as communities became more scattered, making this increasingly difficult, the Gemara permitted the writing of special haftarah books that contained only the haftarah texts, but not the text of the entire Nevi'im. This, too, was permitted because of eis la'asos (Gittin 60a). What is permitted because of eis la'asos?

We see that in order to facilitate Torah learning, Chazal permitted the writing of the Oral Torah and parts of the books of the Written Torah. To what extent did they override the original prohibition? This is a dispute among early poskim, some contending that it is permitted to write only as much as is necessary to prevent Torah from being forgotten. According to this opinion, it is prohibited to write or print even tefillos that include pesukim that are not intended for learning Torah (Rif and Milchemes Hashem, Shabbos Chapter 16). This opinion also prohibits translating Tanach into any language other than the original Aramaic Targum, because proper translations constitute Torah she'be'al peh. In addition, this opinion prohibits the printing of a parsha of Chumash in order to teach Torah, since one could write or print the entire sefer (Rambam, Hilchos Sefer Torah 7:14; Shulchan Aruch, Yoreh Deah 283:2). Other poskim permit the writing of any Torah that one uses to learn. Thus, they permit writing a single parsha in order to teach Torah (Taz 283:1; Shach 283:3) and the translating of Tanach into any language. These poskim rally support to their opinion from the fact that Rav Saadya Gaon wrote sefarim in Arabic, including commentaries on Tanach (Ran, Shabbos Chapter 16). Both opinions agree that it is prohibited to publish translations of Tanach that will not be used to spread Torah knowledge (Ran, Shabbos Chapter 16). How does this prohibition affect us? All of the opinions quoted above prohibit writing disparate parts of the Written Torah and any of the Oral Torah in situations where there is no Torah benefit. For this reason, early poskim note that one may not embroider pesukim or a beracha on a talis, since writing this pasuk does not serve to teach Torah (Rabbeinu Yerucham, quoted by Beis Yosef, and Taz, Yoreh Deah 283:3. It should be noted that the Levush is more lenient, see Shach 283:6.). Another concern There is an additional reason why one should not embroider pesukim on a talis. Since the talis could be brought into an unclean place, it is not proper to have a pasuk written on it. A third concern – causing the words of Torah to be destroyed To explain this concept, we must first introduce a surprising statement of the Gemara: "Ko'sevei berachos kesorfei Torah," "Those who write berachos (to enable people to recite them) are considered as if they burnt the Torah" (Shabbos 115b). What does this Gemara mean? We would think that these individuals have performed a tremendous mitzvah, since they have enabled people to recite berachos correctly! This statement was authored at the time when it was still prohibited to write down the Oral Torah. At that time it was forbidden to teach any halachos in written form, even the correct text of a beracha. Everything had to be taught orally. Therefore, the Gemara states that by writing a beracha, even without the name of Hashem (Shu't Tashbeitz #2), one is violating the halacha by teaching Torah she'be'al peh in writing. But why is it considered like "burning the Torah?" This Gemara introduces a new prohibition. Someone who writes prohibited Torah works is considered culpable afterwards if those divrei Torah become consumed by a fire! We know that it is prohibited to erase or destroy the name of Hashem (Shabbos 120b), and that this prohibition includes erasing or destroying words of Torah and all other holy writings, including notes of Torah classes, stories of Chazal, sefarim for learning,

"benschers," etc., even if they do not include Hashem's Name (Shu't Tashbeitz #2). Therefore, even small benschers, tefillos haderech and similar items published with abbreviated names of Hashem are still considered divrei Torah imbued with kedusha. For the above reason, one must treat these items with proper care and dignity and place them in sheimos when they become unusable. It is also prohibited to cause an indirect destruction of words of the Torah or to produce divrei Torah that might subsequently be destroyed. This prohibition exists whenever there is insufficient reason to write and publish the divrei Torah. For this reason, the Gemara states that someone who wrote berachos when it was prohibited to do so is held responsible if the words of Torah are subsequently destroyed. Although nowadays, we are permitted to write and print berachos and siddurim to enable people to recite them properly, it is forbidden to produce these items unnecessarily. It is certainly prohibited to put pesukim, parts of pesukim, or divrei Torah in places where it is likely that they will be treated improperly. Both of these reasons preclude writing pesukim on Sukkah decorations, unless one can assume that they will be properly cared for. How much of a pasuk is considered to be divrei Torah? Even three words in a row are considered a pasuk that cannot be written without sufficient reason (see Gittin 6b). However, if the letters are improperly or incompletely formed or spelled, it is permitted (Shu't Tashbeitz #2).

For this reason, some people print on invitations the following, "Naaleh es Yerushalayim al rosh simchaseinu," "We will place our memories of Yerushalayim above our celebrations." This is permitted because it is not a quotation of a pasuk, although it is similar to one (Tehillim 137:5). There is another solution that may be used: rearranging the words of the pasuk so that they are not in the correct order. When doing this, one must be certain that one does not have three words in the proper order. I once received an invitation which stated on the cover, Yom zeh asah Hashem nismecha venagila bo, "This day was made by Hashem. We shall rejoice and celebrate on it." The person who prepared this quotation had done his halachic research. Although very similar to the pasuk, "Zeh hayom asah Hashem nagilah v'nismecha bo" (Tehillim 118:24), the words of the original pasuk were transposed in such a way that there were no longer three consecutive words together! Some authorities permit printing pesukim if marks are placed between the words or if the words are not in a straight line. They feel that these arrangements of words do not constitute pesukim (cf. Shu't Tashbeitz #2 who disagrees). Some producers of "lulav bags" are meticulously careful not to quote three words of the pasuk in order. Thus, they write, "Ulekachtem lachem... kapos temarim... vesimachtem" avoiding writing three consecutive words of a pasuk. This is permitted. Any written dvar Torah has sanctity and must be treated with appropriate dignity. When it will no longer be used, one must be careful to treat it respectfully, including eventually placing it in sheimos. Reference notes that are incomprehensible on their own are not considered divrei Torah and may be placed in the regular trash (Shu't Igros Moshe, Yoreh Deah 2:75). When is something placed in sheimos? Placing Hashem's name or words of Torah into sheimos to bury them is considered a tragedy. Putting sefarim in genizah is permitted only when they are worn out and no longer usable. The Gemara rules that sifrei Torah that are unusable should be placed in earthenware vessels before burial to forestall their destruction as long as possible (Megillah 26b). This teaches us that burying holy things is permitted only after they have become unusable. Other sefarim do not require being placed in earthenware before burial. It is sufficient to place them in a protective wrapping before burying them. Quoting pesukim as a writing style The Ramban and other authors sometimes use the words of pesukim or Chazal out of the original context, as part of their poetic style. If someone wrote a letter using a pasuk this way, must it be treated with appropriate respect like holy writings? This question is disputed by the early authorities. The Shulchan Aruch rules that such correspondence is not considered divrei Torah, whereas the Shach rules that it is (Yoreh Deah 284:2). The writer's intent Some authorities contend that if a printer or writer did not intend to make sefarim or divrei kedusha, then the item produced does not have kedusha (Shu't Ein Yitzchak 5:7; Shu't Masas Binyamin #100; Magen Avraham 334:24). On this basis, Rav Moshe ruled that if the name of Hashem was printed in a secular newspaper, the name has no kedusha at all. However, Rav Moshe ruled that it is preferable to cut the name out of the paper and place it in sheimos (Shu't Igros Moshe, Yoreh Deah 1:172). Similarly, Rav Elyashiv ruled that one is not required to put a newspaper containing divrei Torah into sheimos. However, one should still not treat the dvar Torah with disrespect, such as by putting it directly into the trash (quoted in Ginzei Hakodesh pg. 236). This is based on the assumption that it should not be treated with less dignity than worn-out tzitzis (see Mishnah Berurah 21:7). Rav Vozner rules that one may place the newspaper inside a bag and place it in the garbage. However, he contends that a regular Torah column or Torah section should be placed in sheimos (quoted in Ginzei Hakodesh pg. 253). Apparently, he feels that when there is a regular column or section, the printer knows that he is producing divrei Torah and

not just a newspaper. Others are less strict, requiring only that the paper be wrapped up before being discarded. Others rule that any divrei Torah printed in a newspaper should be placed in sheimos (quoted in *Ginzei Hakodesh* pg. 154). I'll allow each reader to ask his own halachic authority what to do. Invitations Perhaps people who print pesukim on invitations rely on the fact that this is considered mere poetic writing style or that the printer has no intent to produce divrei kedusha. However, contemporary authorities prohibit this practice, since the invitations end up being treated with lack of dignity, which is worse than being destroyed. In Sivan 5750/June '90 an open letter signed by the poskei hador warned that advertisements, invitations, receipts, signs, and raffle tickets should not include pesukim or parts of pesukim, except when the pasuk is written as part of literary style, with no connection to its context. We live in an age of proliferation of written material. Many pamphlets have the positive value of spreading Torah. We must be careful to show our honor to Hashem by treating pesukim and divrei Torah with proper respect. May we always merit to demonstrate Hashem's honor in the appropriate way!

### Weekly Halacha by Rabbi Doniel Neustadt Shavuos: Questions and Answers

Question: What are the Yom Tov restrictions in regard to flowers? Discussion: Flowers, while still connected to the ground, may be smelled and touched, provided that their stems are soft and do not normally become brittle.<sup>1</sup> Flowers in a vase may be moved on Shabbos and Yom Tov.<sup>2</sup> They may not, however, be moved from a shady area to a sunny area to promote blossoming. If the buds have not fully bloomed, the vase may be moved but only slightly, since the movement of the water hastens the opening of the buds.<sup>3</sup> One may remove flowers from a vase full of water, as long as they have not sprouted roots in the water.<sup>4</sup> Once removed, they may not be put back in the water if that will cause further blossoming. Water may not be added to a flower vase on Shabbos.<sup>5</sup> On Yom Tov, however, a small amount of water may be added but not changed.<sup>6</sup> Flowers should be placed in water before Yom Tov. In case they were not, they may not be placed in water on Shabbos if the buds have not blossomed fully. If the buds are completely opened, however, some poskim permit placing them in water on Yom Tov while others do not.<sup>7</sup> One may not gather flowers or create an arrangement and place it in a vase on Shabbos, even if the vase contains no water.<sup>8</sup>

Question: Does one recite a blessing over the pleasant fragrance exuded from flowers in a vase? Discussion: Just as one may not derive pleasure from food or drink before reciting a proper blessing, so too, one may not enjoy a pleasant fragrance before reciting the appropriate blessing.<sup>9</sup> There are two different types of blessings that can be recited over pleasant<sup>10</sup> fragrances exuded from flowers: 1. Borei atzei vesamim: Recited over fragrant shrubs and trees or their flowers (e.g., myrtle, roses<sup>11</sup>). 2. Borei isvei vesamim: Recited over fragrant herbs, grasses or flowers. The blessing is recited immediately before one intends to smell the pleasant fragrance. B'diavad, one may recite the blessing within a few seconds after he smelled a pleasant fragrance.<sup>12</sup> But a blessing over a pleasant fragrance is recited only over an object whose purpose is to exude a pleasant fragrance. If the object is primarily for another purpose — even if the object is sweet-smelling — no blessing is recited.<sup>13</sup> Although flowers in a vase exude a pleasant fragrance, since people usually buy flowers for their beauty, one who walks by and smells them does not recite a blessing. If, however, the flowers are picked up and smelled, a blessing must be recited.

Question: Within the same meal, may one eat cheese or other dairy food and then eat meat immediately thereafter? Discussion: According to the basic halachah it is permitted to eat meat or chicken immediately after eating cheese or any other dairy food, even during the same meal; there is no requirement to recite Birkas ha-mazon or a berachah acharonah between the dairy and the meat. The only separation required is to clean and rinse the mouth and teeth, wash the hands and clean the table (or change the tablecloth) to make sure that no dairy residue or crumbs remain. While there are scrupulous individuals who wait at least an hour<sup>14</sup> between eating dairy and meat in addition to reciting Birkas ha-mazon or a berachah acharonah between them — and their custom is based on the Zohar and quoted by several poskim<sup>15</sup> — it is not required by the halachah.<sup>16</sup>

Question: Does the same halachah apply to hard cheese as well? Discussion: When "hard" cheese is eaten, the halachah is different. Shulchan Aruch quotes an opinion that requires one to wait a full six hours between eating hard cheese and meat. This view maintains that the taste and oily residue of hard cheese lingers in the mouth long after the cheese has been consumed, just as the taste and residue of meat lingers long after consumption.<sup>17</sup> In addition, other poskim hold that hard cheese can get stuck between the teeth just as pieces of meat do.<sup>18</sup> While other poskim do not consider either of these issues to be a problem with hard cheese and

permit eating meat immediately after eating hard cheese, Rama and the later poskim<sup>19</sup> recommend that one be stringent and wait six hours between consuming hard<sup>20</sup> cheese, and meat or poultry. (See tomorrow's Discussion for a definition of "hard cheese.")

Question: How do we define "hard" cheese concerning this halachah? Discussion: Exactly how to define "hard" cheese is another controversial subject. All poskim agree that cheese which has been cured for at least six months before being packaged and refrigerated is considered hard cheese.<sup>21</sup> While many of the hard cheeses sold in the United States are not aged for six months, there are several brands of cheese that advertise that they have been cured for ten months or longer and those are surely considered hard cheeses. Parmesan cheese, for instance, is aged for at least a year, if not longer. The poskim are also in agreement that cheeses that are not aged six months but are cured long enough to become wormy<sup>22</sup> are considered "hard" cheese.<sup>23</sup> There are, however, some poskim who maintain that all hard cheeses, including all kinds of American (yellow) cheese, etc., are considered hard cheese and one who eats them should wait six hours before eating meat.<sup>24</sup> While some individuals follow this opinion, the widespread custom follows the more lenient view.<sup>25</sup> It is appropriate, though, to wait at least one hour between eating any hard cheese and meat.<sup>26</sup>

Question: Why do some women omit the blessing of shehecheyanu when they light Yom Tov candles? Discussion: The validity of the custom to recite shehecheyanu at candle-lighting time, a prevalent long-standing custom,<sup>27</sup> has been extensively debated by the poskim.<sup>28</sup> The preferred time to recite shehecheyanu is right after the recitation of Kiddush, while the cup of wine is still being held aloft. Since ladies listen and answer amen to the shehecheyanu which is recited after Kiddush, there is no halachic reason for them to recite this very blessing when they light candles. There are other halachic objections as well. Still, since many women are inspired by the important mitzvah of candle-lighting and feel the need to express their joy at that time, the custom evolved of reciting shehecheyanu at candle-lighting time. Most poskim feel that while we do not encourage this practice, we need not object to it and the ladies who recite their own shehecheyanu at candle-lighting time may continue to do so.<sup>29</sup>

1 Mishnah Berurah 336:48. 2 Rav M. Feinstein (quoted in *Sefer Hilchos Shabbos*, pg. 64). 3 Rav Y.S. Elyashiv (quoted in *Shalmei Yehudah*, pg. 73); *Bris Olam*, pg. 32. 4 Rav S.Z. Auerbach, quoted in *Shemiras Shabbos K'hilchasah* 26:26. 5 *Mishnah Berurah* 336:54. 6 O.C. 654:1 and *Aruch ha-Shulchan* 654:2; *Shemiras Shabbos K'hilchasah* 26:26. 7 See *Sha'ar ha-Tziyun* 336:48; *Shulchan Shlomo* 336:12; *Yechaveh Da'as* 2:53. 8 *Igros Moshe*, O.C. 4:73. 9 O.C. 216:1. A berachah acharonah, however, was not instituted for pleasant fragrances; *Mishnah Berurah* 216:4. 10 One who does not enjoy a particular fragrance does not recite a blessing. 11 *Mishnah Berurah* 216:17. 12 *Halichos Shlomo* 1:23-38. 13 O.C. 217:2. See also *Mishnah Berurah* 217:1; 216:11. 14 Some wait an hour; see *Peri Hadar* on *Peri Megadim*, Y.D. 89:16. 15 See *Minchas Yaakov* 76:5 and *Beir ha-Gra*, Y.D. 89:2. See *Darchei Teshuvah* 89:14 who rules like these poskim. See also *Igros Moshe*, O.C. 1:160. 16 *Mishnah Berurah* 494:16; *Aruch ha-Shulchan*, Y.D. 89:9. 17 *Taz*, Y.D. 89:4. 18 *Peri Chadash*, Y.D. 89:2. 19 *Chochmas Adam* 40:13; *Aruch ha-Shulchan*, Y.D. 89:9; and *Mishnah Berurah* 494:16 and *Sha'ar ha-Tziyun* 15. *Sefaradim*, however, do not follow this stringency; see *Yabia Omer*, Y.D. 6:7. 20 If the hard cheese is softened through boiling or cooking, it is no longer considered hard cheese; *Darchei Teshuvah* 89:43. But if it is merely fried or baked (as in pizza), it is still considered hard cheese; Rav Y.S. Elyashiv (*Sefer ha-Kashrus*, pg. 280; *Me'or ha-Shabbos*, vol. 3, pg. 426). 21 *Shach*, Y.D. 89:15. 22 These "worms" are kosher and are permitted to be eaten as long as they remain within the cheese; see *Rama*, Y.D. 84:16. 23 *Taz*, Y.D. 89:4; *Chochmas Adam* 40:13. 24 Rav Y.Y. Weiss, quoted in *Teshuvos v'Hanhagos*, Y.D. 1:388; Rav S.Z. Auerbach, quoted in *Me'or ha-Shabbos*, vol. 3, pg. 427; Rav Y.S. Elyashiv, quoted in *Sefer ha-Kashrus*, pg. 280; *Shevet ha-Levi* 2:35. 25 *Ma'asei Ish* 5, pg. 22, quoting *Chazon Ish*; *Kitzur Shulchan Aruch* (Feiffer), pg. 138, quoting Rav A. Kotler; *Yagel Yaakov*, pg. 148, quoting Rav M. Feinstein; *Debrein Rav* in *Pischei Halachah*, pg. 108; *Mi-Beis Levi* 6; Rav C. Kanievsky, quoted in *Nezer ha-Chayim*, pg. 213; *Mesorah*, vol. 20, pg. 91, ruling by Rav Y. Belsky. 26 Rav Y.E. Henkin, written ruling published in *Yagel Yaakov*, pg. 148. 27 *Mateh Efrayim* 581:4; 619:4. 28 See *Sh'eilas Ya'avetz* 107, *Kaf ha-Chayim* 263:40 and *Moadim u'Zemanim* 7:117 quoting the *Brisker Rav*. 29 *Sha'arei Teshuvah* 263:5; *Mishnah Berurah* 263:23; *Aruch ha-Shulchan* 263:12; *Emes l'Yaakov*, O.C. 585:2; *Halichos Shlomo*, *Moadim* 2:9-22.

Weekly-Halachah, Weekly Halacha, Copyright © 2013 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. Rabbi Neustadt is the Yoshev Rosh of the Vaad Harabbonim of Detroit and the Av Beis Din of the Beis Din Tzedek of Detroit. He could be reached at dneustadt@cordetroit.com