

B'S'D'

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INTERNET PARSHA SHEET
ON SHLACH - 5761

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From: Ohr Somayach[SMTP:ohr@ohr.edu] To: weekly@ohr.edu
Subject: Torah Weekly - Shelach *TORAH WEEKLY* Highlights of the Weekly Torah Portion Parshat Shelach

REPORTING - AND DISTORTING

"We arrived at the land to which you sent us, and indeed it flows with milk and honey, and this is its fruit. But - the people that dwell in the land are powerful, the cities are very greatly fortified, and we also saw there the offspring of the giant." (13:27)

Truth is the first casualty of any war.

With the tragic deaths of twenty Israeli teenagers and the serious wounding of scores more has the cynical manipulation of the head of the Palestinian Authority been unmasked.

But world opinion is as fickle as an English summer. Let us not forget that a short time ago the Los Angeles Times printed a cartoon portraying a couple of religious Jews bowing before the Wailing Wall; the rearranged stones of the wall spelled "HATE." The caption read: "Worshipping Their G-d..."

And around that time, papers worldwide topped their front pages with a large AP photo of an Israeli soldier wielding a club over a bleeding man. According to the caption, the bleeding man was a "Palestinian," but in fact it was Tuvia Grossman, an American Jew, who was on his way to the Western Wall when Arabs pulled him from the back of a taxi, stoned him and beat him. An Israeli soldier was intervening to protect him when his photo was taken.

The destruction of one of Judaism's holy sites, Joseph's Tomb, was barely reported. Would Israel have been treated the same if it destroyed the mosque of Al Aksa? Other barely reported stories: Arafat's threat to declare war on Israel in a Saudi interview; the PA offering \$2,000 to families whose children become martyrs.

Huge blasts, miraculously killing no one, are termed "non-fatal bombs" - as if no harm was intended. The Arabs who plant these "non-fatal bombs" are "freedom fighters" and "guerrillas," never "terrorists."

Arabs butcher two boys hiking in a cave near Tekoa and smear their blood on the wall. (One, Kobi Mandell, was the son of a colleague and friend here at Yeshivat Ohr Somayach. I can't express what it was like to go and try and do the mitzvah of nichum aveilim, comforting the bereaved.)

Yet, the world compares this deliberate torture and slaying of innocent boys on a hike to the killing of Arab youth placed directly in the line of fire by their parents and teachers.

Do Arabs fear meeting Jews in a cave? Do PA "policeman" fear taking a wrong turn into an Israeli town and being lynched? Does a Palestinian mother fear that her infant's head will come into the cross-hairs of an Israeli sniper?

No; the Israelis are fighting for their right to exist while the Arabs martyr their children as fodder for world propaganda.

Propaganda is no new invention. Propaganda goes back a long way. Right back to this week's Torah reading: "We arrived at the Land to which you sent us, and indeed it flows with milk and honey, and this is its fruit. But - the people that dwell in the Land are powerful, the cities are very greatly fortified, and we also saw there the offspring of the giant."

"But" is a little word with a big meaning. The key word which revealed the spies' lack of faith was "but." With that little word, they turned their factual report into propaganda. Of course, it was their duty to report to Moshe that the people were powerful and that the towns were fortified. But... By the introduction of this superfluous qualifier, the spies gave their true colors away. They betrayed that they believed that however rich and blessed the Land might be, it was unattainable. The message was: Ordinary beings are no match for giants. Truth is the first casualty of any war.

Sources: Ramban; Steven Rosenberg - editor of The Jewish Advocate
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From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]
Subject: Rabbi Frand on Parshas Sh'lach

"RavFrand" List - Rabbi Frand on Parshas Sh'lach -

Dedicated This Year Le'eluy Nishmas Chaya Bracha Bas R.

Yissocher Dov - In memory of Mrs. Adele Frand -

What It Means To Be An Educator: Knowing When Not To React
Rav Motel Katz, zt"l, who was the Head of the Telshe Yeshiva in Cleveland for many years, had a very difficult life. He lost most of his family in Europe. He came to America and had to rebuild not only a Yeshiva, but his own family as well.

The following poignant vignette describes the man and his life. Someone once walked into Rav Motel's study in the middle of the day and found him crying. The visitor inquired as to why he was crying. Rav Motel explained that he had 10 children in Europe who were all killed during the Holocaust and now he was beginning to forget their names. He began to cry when he could not remember the names of his own martyred children. This gives us a picture of the very difficult personal life that he led.

Rabbi Abba Spero from Cleveland told me an incident involving Rav Motel Katz. When I told him that I could not believe that the incident occurred, he responded that he had documentary proof of the incident. He sent me a copy of the incident described by Rav Motel himself in his own collected writings. I received permission from the son of Rav Motel, Rav Yakov Velvel Katz to publicly relate this incident, which I will in a moment.

The basic idea that Rav Motel wished to illustrate by documenting this incident is an idea to which everyone subscribes. The idea is that there is no ONE way to raise a child or to educate a student. Chinuch [education] is a very individualized and dynamic type of activity. It is ever changing. There are really no hard and fast rules. That which works for one child will not necessarily work for another child. That which works in one situation will not necessarily work in another situation. Parents and educators must always understand the demands of the situation.

"Sometimes," Rav Motel writes, "'Educating' requires 'not Educating'". Sometimes a parent or teacher must NOT react. Even though the situation really demands that something be said - sometimes it is counter-productive to react.

This idea is really from the Talmud: "Just as it is a Mitzvah to say something (rebuke) which will be heard and accepted, so too it is a Mitzvah to not say something which will not be heard and accepted" [Yevamos 65b].

Rav Motel explained that this principle is illustrated in Parshas Shlach. The pasuk [verse] says, "Shlach LECHA" - send out FOR YOURSELF [Bamidbar 13:2]. Rashi explains that Moshe was instructed to send out the spies "for your own sake". In effect G-d was telling Moshe, "I know that no good will come of this. Spies are not necessary; they will ruin things; they really should never be sent out... But if you want to send - then you go ahead and send them to satisfy your needs."

Rav Motel asks, if it was so clear that this was not the way to proceed and that the mission had all the markings of a disaster, then why didn't G-d say straight out "Do not send the Spies!"? Forget the people's clamoring and yelling that they DO want spies; if it was clear to G-d that it was a bad idea then He should have forbid them from sending out spies! He could have told the people, "Sorry. I am G-d. I know better!"

The answer, says Rav Motel, is that the people were not on the spiritual level where they were ready to hear that. It would not have helped. Moshe could have given the people that message from G-d but they were not spiritually sophisticated enough to appreciate the message. They would have countered, "What do you mean that we are not sending spies? Everyone knows that the way to conquer a country is by sending spies and gathering intelligence!"

Under such circumstances, there was no other choice but to let them have their way. Objections would fall on deaf ears.

Anyone who has a child who is older than a toddler and certainly anyone who has adolescents or older children will understand this concept. Often, we as parents know what is good and what is right, but we know that our children will not listen to us. Sometimes, as difficult as this is for a parent, we must simply keep quiet. We can hint or suggest or perhaps provide incentives. But in the final analysis, our children have to make the decision themselves. It sometimes just does not help to say anything.

This was the situation with the Spies. The 'right' thing to do would have been to tell the Children of Israel 'No Spies'! But that approach would not have worked.

The incident that Rav Motel related occurred at the Telshe Yeshiva in Cleveland [presumably sometime in the 1950s]. The incident, which was an applied example of the above lesson, was as follows:

"I was asked by the students of the Yeshiva to permit them to daven Ma'ariv [conduct evening prayers] early. They requested that the established schedule of the Yeshiva be changed for the evening. Why did they wish to change the Yeshiva's prayer schedule? So that they could listen on the radio to the Championship Prize Fight in New York to hear who wins."

Imagine if students came to the Rosh Yeshiva [Dean] today to ask that the Yeshiva prayer times be changed because of the NBA Playoffs!!

Rav Motel explained: "I knew full well that it was inappropriate to change the time of Ma'ariv and the Yeshiva's schedule for a Heavyweight Prize Fight between people who are trained to hurt and injure one another."

But what did this great product of Lithuanian Yeshivas -- this product of Telshe in Europe -- decide to do? What did Rav Motel respond to the request to daven Ma'ariv early so they could listen to the fight on the radio?

"I could not stop them and prohibit them from doing this. I knew that this was not the time to say no. Famous and respected people come from all over the country to be present at a Heavyweight Championship Fight, to get ringside seats. A thousand people come from all parts of the country! This prizefight was viewed by the masses as an event of major proportions! It is difficult to forbid it. I could not say no because they would not know where I was coming from and they would not understand my reasoning."

The majority of students in the Telshe yeshiva in the 1940s and 1950s came from public schools. They came to Telshe from small isolated communities. High level Torah study was just beginning to take

root in America. They had not achieved the spiritual level whereby they could understand the idea that watching two people hitting each other in a boxing ring is a foolish pastime. To get up in the Yeshiva and castigate such activity as stupidity and nonsense would fall on deaf ears.

Rav Motel could not consider what his teachers in Europe would think about changing the time of Ma'ariv to accommodate such an event, because he knew that HIS students were not at the level of his teacher's students. His students at that time were not ready to fully appreciate priorities based on Torah values.

That is Chinuch: Knowing when to say and when not to say -- knowing one's children and one's students and knowing the time and the mentality prevalent in the era in which one is teaching. That is Chinuch!

In the great Yeshiva of Telshe, 'Chinuch' in that situation was to schedule Ma'ariv early so that the students could listen to a prizefight on the radio.

I would not have believed this story if I had not seen it written by Rav Motel himself. This is a great tribute to the pedagogic wisdom of Rav Motel Katz, zt"l. It is a tremendous insight into the meaning of being an educator or a father or a Rebbi or a Rosh Yeshiva. Sometimes it is necessary to say "Yes". But sometimes it is just necessary to not say anything at all!

This is what we pray for when we recite the prayer (in Shmoneh Esrei, the Amidah) for wisdom and understanding. We are asking G-d to grant us the wisdom to do what is right in the education of our children, our students and our community.

Transcribed by David Twersky; Seattle, Washington twerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org This dvar Torah was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 287, Women and Tzitzis. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2001 by Rabbi Yissocher Frand and Torah.org. Torah.org depends upon your support. Please visit <http://torah.org/support/> or write to dedications@torah.org or donations@torah.org. Thank you! Torah.org: The Judaism Site <http://www.torah.org/> 17 Warren Road, Suite 2B learn@torah.org Baltimore, MD 21208

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Parashah Talk Parashas Shelach Excerpt from Living Each Week, by RABBI ABRAHAM J. TWERSKI, M.D.

You may send men to scout the land of Canaan (Numbers 13:2).

The episode of the spies was not only disastrous for the generation of the Exodus who perished during the forty years of wandering in the desert, but it has also cast a pall over future generations. The Talmud states that the night the Israelites wept upon hearing the alarming report of the spies (14:1) was the eve of the ninth day of Av, the day on which both the First and Second Temples in Jerusalem would be destroyed centuries later. "You wept for naught," said G-d. "You will therefore have reason to weep on this day for many generations" (Taanis 29a).

In contrast, Joshua sent spies prior to entering Canaan, and the mission was highly successful (Joshua 2:1-24). Why did these two apparently similar incidents have such radically different consequences?

The answer is quite simple and most instructive. As their response indicates, the spies of Moses went to see whether the land was conquerable or not. Although G-d had assured them that they would receive the land, they did not have trust in Him, and they deliberated whether or not the Divine word was reliable. The spies of Joshua, on the other hand, had no doubt about their ultimate triumph. Their mission was to determine the best method for entering the land, and they sought only how to implement the Divine will.

Today, no less than thousands of years ago, this principle is valid: If one questions whether or not to obey the Divine will, there will be no scarcity of reasons why not to do so. If, however, one is determined that G-d's instructions will be fulfilled, and one seeks only how one can best fulfill them, then one's efforts will be blessed with success.

I recall first-generation immigrants from Eastern Europe, who struggled to provide adequately for their families and did so without violating Shabbos. This was in the early years of the century when earning a living without working on Shabbos was extremely difficult. They triumphed over the challenge for only one reason: The thought of working on Shabbos simply did not enter their minds. When violation of the Torah is absolutely ruled out, obeying the Torah's feasible even under the most difficult circumstances. If one debates whether or not to observe the Torah, the battle is lost at the outset.

When observance of Torah is not negotiable, everything else falls into place.

From: listmaster@shemayisrael.com Subject: PENINIM ON THE PARSHA BY RABBI A. LEIB SCHEINBAUM PARSHAS SHELACH

... Calev hushed the people toward Moshe. (13:30) Calev sought to attract the people's attention, in order to listen to what they were saying against Moshe: "Is it this alone that the son of Amram has done to us?" Calev gave the inaccurate impression that he would now disparage Moshe. They were wrong. He only wanted their attention, so that he could reveal the wonderful things that Moshe had done for them. Is one permitted to resort to subterfuge, to give the impression that he is not very observant, only to clarify the matter shortly thereafter? The following halachic query was presented to Horav Yitzchak Zilberstein, Shlita, by a talmid chacham, Torah scholar, who was seeking a rabbinical position in a community whose religious observance was, at best, left of center. The attitude of several of the board members was antagonistic towards the Torah community. They hammered the candidate with questions that had little to do with the rabbinical position. Their intention was to sidetrack the prospective rabbi to observe whether he would compromise his stance in regard to religious issues. In short, they sought to "weed out" any candidate who might be too frum, observant. The question that the candidate posed to Horav Zilberstein was a practical one. Was it permitted to respond in the affirmative to the question, thereby giving the impression that he was a progressive and liberal rabbi who would have no problem compromising in areas of Torah law - if that was what was needed to keep the congregants in good spirits. After the position was his and he would have an opportunity to endear himself to the congregants, he would, of course, show his "true colors." He would explain to the membership that the only authority in regard to Jewish law was Daas Torah, the authority of Torah interpreted by the gedolei Yisrael, Torah giants of each generation. Regrettably, when he would be questioned, he would be compelled to present himself as one who is estranged from the Torah way of life. Horav Zilberstein responded that it is forbidden to present oneself in a negative light even if it is only for a short time. He supported his psak, halachic decision, with a Mishnah in Meseches Ediyos 5:6. Akavia ben Mahalalel testified concerning four things: he was in dispute with the Sages regarding four areas of Jewish law. They said to him, "Akavia, withdraw these four things in which you are in dispute and we will promote you to be the Av Bais Din, head of the Rabbinical court." He said to them, "It is better for me to be called a fool all my life than I should become a wicked man in the presence of the Almighty even for one hour. Let not men say: 'He withdrew his opinions for the sake of getting power.'" Chazal attempted to persuade Akavia ben Mahalalel to change his view. Iyun Yaakov understands from the Mishnah that the request was temporary in nature. They wanted him to change his view for one hour, during which they would elect him as the Av Bais Din. Afterwards, he could revert to his original decision. He responded that he would rather be called a fool for the rest of his life than to compromise his opinion of halachah and consequently be viewed as a rasha - even for one hour. We may add that certainly what was expected of Akavia was in no way as potentially

damaging to halachah as what was expected of this young rabbi. Yet, one's commitment to halachah must be unwavering. This does not apply only to rabbis; it applies to their congregants, as well.

And it will be in front of the eyes of the assembly. (15:24) The Torah refers to leadership, the Sanhedrin, as the *einei ho'eidah*, the eyes of the assembly. Their ability to see far beyond that of the common person; their penetrating insight; their global perspective; their clear vision and comprehension of a situation makes this *nom d"guerre* highly appropriate. Their vision and perception is honed and refined by their constant immersion in the sea of Torah. The eyes that never leave the Gemorah are capable of seeing beyond the limits imposed by nature. Horav Yitzchak Zilberstein, Shlita, relates that Horav Isser Zalmen Meltzer, zl, was able to look at a vessel and ascertain if it had been *toiveled*, immersed in a mikvah, prior to its first use. He said that a keili, vessel, that has been immersed has the *Shem Havaya*, Ineffable Name of Hashem, in it. We cannot see the Name, but someone of Rav Isser Zalmen's holy stature can. When this was related to the Brisker Rav, zl, he was unimpressed. He said, "Do you think this is something surprising? Do you have any idea who Rav Isser Zalmen is? Do you even begin to understand his *sichas chullin*, simple, mundane conversation? In other words, when one begins to fathom the greatness of Rav Isser Zalmen, one does not become surprised by his spiritual perception. Horav Zilberstein continues, explaining that the distinction of the Torah giant does not extend itself only to the great actions that he performs. On the contrary, it is the little things, the simple activities, the everyday actions, that distinguish a *gadol b'Yisrael*, our nation's Torah leaders. He cites the following incident that left an indelible impression on him. He was a young student in Yeshivas Eitz Chaim in Eretz Yisrael, and Rav Isser Zalmen, the Rosh HaYeshiva, was escorting his son-in-law, Horav Aharon Kotler, zl, and grandson, Horav Shneur Kotler, zl, prior to their return to America. Rav Aharon and Rav Shneur had recently been saved miraculously from the clutches of Satan's representatives - the Nazis. They had spent a short while in Eretz Yisrael and were now about to journey on to America. Rav Shneur was a *chassan*, whose marriage would take place upon his arrival in America. Rav Isser Zalmen accompanied them down the steps, but did not continue on to the street where the taxi to take them to the airport was waiting. He bid them an emotional good-bye on the steps. He would not walk with them to the street, to the waiting cab. The students who observed their rebbe's actions were somewhat taken aback by his reluctance to walk them to the street. They knew that everything their rebbe did, or did not do, was by design. What was his reason? Finally, someone conjured up the courage to ask Rav Isser Zalmen the rationale behind his actions. He gave a response that tears the heart and should cause us to shudder. "Not all of my grandson's friends were fortunate enough to be in the situation he is in today. Most of them were slaughtered after being persecuted in the most heinous and brutal manner. They were sacrificed *Al Kiddush Hashem*, sanctifying G-d's Name. How can I walk them down to the street and publicly kiss them good-bye, knowing that there are others who did not attain such a moment? How many mothers and fathers lost their children? How can I not be sensitive to their emotions?" When one plumbs the depths of these words and is cognitive of the true sense of caring that is emitted by this special human being, it is no longer any wonder how this person could sense whether Hashem's Name was on a vessel or not! We now understand why the Brisker Rav was not impressed when he heard about Rav Isser Zalmen's supernatural powers. Apparently, Rav Shneur inherited the unique sensitivity and caring for another human being that exemplified Rav Isser Zalmen's character. He, too, exhibited incredible sensitivity for others, as demonstrated by the following little-known episode. As mentioned before, Rav Shneur was engaged to his *rebbetzin* prior to the outbreak of World War II. The two miraculously survived the war by Divine design. A short time after they

had been reunited, Rav Shneur received a letter from his intended. She wrote that due to the war's hardships, her physical condition was no longer as fit as when they had first become engaged. She, therefore, was absolving him from the engagement, and she would have no complaint if he were to decide to break the engagement and seek another bride. What did Rav Shneur, the man who was Rav Aharon's son and successor to head the greatest Torah center in the world, answer to his kallah? He said, "You lost your father during the war. You no longer have the material wealth that you once had. Your health is no longer what it used to be. You have undergone much pain and anguish. Do you think that I, too, your chassan, will also forsake you at a time like this? Never - it will never be!" The rest is history. Rav Shneur, zl, and tibadel l'chaim, his rebbitzen, married and raised a family that includes some of the greatest Roshei Yeshiva and marbitzei Torah of our generation. This is how Torah is built - on the small things - on the simple concerns - on caring and sensitivity to all people. The small acts define great people.

From: RABBI MORDECHAI KAMENETZKY rmk@torah.org
Subject: Drasha - Parshas Shelach - A Matter of Perspective

Dedicated by Steve & Faye Kollander and family with great praise to Hashem upon the marriage of our children Arielle and Adam Parkoff Parshas Shelach - A Matter of Perspective

This week we read about the twelve spies who were sent to scout out the Land of Canaan. Their mission of surveillance was meant to prepare the Jewish nation so that the entry into their promised homeland be smooth and virtually without surprises. Total trust in Hashem's Divine design should have warranted no mortal meddling, but mortal prudence or perhaps apprehension and skepticism prompted their desire to manage the situation in their own way. And, as has been the case with the relationship between Jews and their land from time immemorial, the results were disastrous. All the spies, save the righteous Calev and Yehoshua, brought back tales of woe, predictions of destruction, and assurances of defeat. The Jews were quickly and simply swayed, and the buoyant expectancy of a gallant entry into the land promised to our forefathers, quickly turned into a night of bemoaning anticipated enduring misfortunes. That night, the 9th day of the fifth month, became engraved in the annals of our history as a night of weeping. What began as unwarranted wailing turned into a forever fateful night the 9th of Av. From the saga of the spies to the destruction of two Temples, to the signing of inquisition, to the outbreak of World War I, the war to end all wars, the 9th of Av is a hallmark of Jewish misfortunes. But if we analyze the complaints of the meraglim (spies), we find an emerging pattern of skewed vision. They saw fruit so big and beautiful that it had to be carried on a double pole. Yet they viewed it as an indication of giant produce, indicative of the degree of food matter that nourished their powerful and physically giant adversaries.

But not only the living species gave them conniptions. They brought forth to the Children of Israel an evil report on the Land that they had spied out, saying, "The Land through which we have passed, to spy it out, is a land that devours its inhabitants! All the people that we saw in it were huge! (Numbers 13:32).

Rashi explains the meaning of "a land that devours its inhabitants." The meraglim complained, "In every place which we passed we found the inhabitants burying their dead" They missed the point. In fact, Hashem caused many deaths amongst them at that time, and so the Canaanites were engaged in burying their dead. This proved beneficial for the spies, because the giants were occupied with their mourning and paid no attention to the spies.

How can an event that was providentially meant to be so beneficial, be misconstrued as an omen of misfortune?

Back in the early 1950's a large shoe consortium with stores across the United States and Canada, decided to take their business venture into

the emerging continent of Africa. They sent two of their salesman to explore the prospects of business in the remote villages across the Dark Continent. After just one week, they received a cable from the first salesman: "I am returning at once. No hope for business. Nobody here wears shoes!" They did not hear from the second salesman for four weeks. Then one day an urgent cable arrived. "Send 15,000 pairs of shoes at once! I have leased space in five locations. Will open chain of stores. This place is filled with opportunity. Nobody has shoes!"

The Steipler Gaon, Rabbi Yisrael Yaakov Kanievsky, in his classic work on chumash, Birchas Peretz explains that poor attitudes help forge opinions that are diametric to the truth. The Talmud tells us that, "Man is led in the path that he chooses to travel!"

Imagine. The spies see these giants wailing and weeping at massive funerals day after day. They should have figured that this plague was an anomaly, for if this was the norm, then the funerals would have become part of their everyday existence, and hardly an event worthy of disrupting their normally tight security.

In fact, comments the Steipler, that in the times of Yehoshua, the two spies who entered Canaan were immediately detected on the very day they arrived, and they were hunted with a vengeance! Yet these twelve spies remained unnoticed. But the spies did not look at the events with that view. When people have sour opinions and want to see only doom and gloom, then even a ray of light will blind them. When one is constantly weighed down with worry, he will only drag his feet down the path of discontent. However, if we take life's bumpy road, as a chance to exercise our endurance, and turn the lemons handed to us into lemonade, then unlike the meraglim we will glean light from even the seemingly darkest abyss. And one day we will follow the path of that light to the Promised Land. **1** 2001 Rabbi Mordechai Kamenetzky

On a personal note: Mazel Tov to Mr. and Dr. Michael and Susan Ickow, faithful Faxhomily subscribers, the Parents of the Year at Betzalel Hebrew Day School's Annual Dinner. Best Wishes to School President Dr. Neal Gittleman, thank you for your good wishes...and of course... Mazel Tov to Teacher of the Year, Rebbitzin Rochel Gruner! Drasha, Copyright **1** 2001 by Rabbi M. Kamenetzky and Torah.org. Drasha is the e-mail edition of FaxHomily, a Project of the Henry and Myrtle Hirsch Foundation. Rabbi Mordechai Kamenetzky is the Associate Dean of the Yeshiva of South Shore, <http://www.yoss.org/>. Torah.org depends upon your support. Please visit <http://torah.org/support/> or write to dedications@torah.org or donations@torah.org. Thank you! Torah.org: The Judaism Site <http://www.torah.org/> 17 Warren Road, Suite 2B learn@torah.org Baltimore, MD 21208

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SHABBAT SHALOM: Recognizing the roots
By RABBI SHLOMO RISKIN

(June 14) - Shlach [Numbers 13:1 - 15:41]

"The people that dwell in the land are fierce, and the cities are fortified, and very great, and moreover we saw the children of Anak there [Num. 12:28]."

Ever since the Exodus from Egypt, setbacks have plagued the nation - disillusionments, complaints, rebellions - but the reconnaissance mission in our portion of Shlach which decides not to enter Israel is the straw that breaks the camel's back: the egregious sin of the spies.

The tragedy of the evil report of 10 out of 12 "princes" of Israel on that fateful ninth day of Av - subsequently the memorial day of both destroyed Temples - reverberates throughout Jewish history.

How can the grandchildren of Abraham - whose first command from G-d was "Get thee forth from thy land, thy birthplace, thy father's house to the land [of Israel] which I shall show thee" - cast aside the greatest goal of the Patriarchs and Matriarchs? How can they totally disregard the Book of Genesis, recording the "covenant between the pieces" guaranteeing the borders of Israel for the Israelites, and concluding with Joseph's last request: "I die, but G-d will surely remember you, and bring you up 6 unto the land which He swore to Abraham, to Isaac and to Jacob" [Gen. 50:24-25].

To understand what's going on we have to consider the one scout

who, virtually on his own, resists the trampling of the defectors, Caleb the son of Yefunah. When the report of the scouts is finally presented to the nation, the wondrous fruits of a land of milk and honey are drastically compromised and rendered meaningless in light of the giant Hittites, Jebusites and Amorites, who cannot be overcome [Num 13:28].

Alone among the spies, Caleb steps forward and "...stilled the people toward Moses and said, 'We should go up at once and possess it (the land) for we are well able to overcome it' [Num. 13:30].

Take note that Caleb emphasized "it," the land, totally ignoring the daunting inhabitants previously depicted. From his perspective, "it" is our only homeland; we will manage to overcome all obstacles - because we must!

The masses respond by directing the subject away from the land and back to the strength of its inhabitants: "We are not able to go against those people, for they are stronger than we" [Num 13:31].

Why do the people turn their attention towards the inimical local population, and why do they seem apathetic about the drama and destiny hidden behind every slab of stone and scintilla of sand in the holy land of Israel? How could the Princes of the Tribes have so easily forgotten the goals of Genesis, the vision of our forbears, the patrimony of our Patriarchs?

I'd like to suggest that in this exchange we have an early manifestation of a very significant problem in Jewish life - two radically different ways of carving out an identity, two antithetical attitudes which are especially manifest in the ideological debate threatening to tear asunder the very fabric of contemporary Israeli society.

Apparently, the events in Egypt, the 210 years of slavery culminating in an unexpected, miraculous escape were so overwhelming that the vast majority of the people began to look upon the Exodus as the beginning of their new-found existence.

INDEED, THE very first of their newly received and enthusiastically accepted Divine Commandments was: "This month shall be unto you the beginning of months" [Ex. 12:2], indicating a new era at hand, the first day of the rest of their lives, and that the first of the months of the year shall henceforth be Nissan, the anniversary of the exodus.

A new nation has little time for the memories of those remote grandparents Abraham, Isaac and Jacob. At best they remain relics of an irrelevant past, their staffs and robes, coins and shards featured in special exhibits of the Lower East Nile Museum. The Israelites see themselves as proud Exodus Jews, relegating the Book of Genesis to a primary source for scholars of ancient history. If a military battle seems overwhelming, we might as well establish our new nation in the desert - Uganda, or perhaps even return to Egypt!

But not Caleb. It's not that he rejects the report as an exaggeration; on the contrary, he was there, and can vouch for every word.

But he carries another spirit within the essence of his being. Initially, when Moses directs the tribal leaders to embark on their "spy" mission, every reference is in the plural. But at one point, in mid-verse, we find the following switch: "And they went up into the South, but he came [vayavo] unto Hebron" [Num. 13:22]. Rashi explains, "Caleb alone went there, and prostrated himself on the graves of the ancestors."

Caleb's nation was not born in Egypt; it was born in Hebron, Israel!

In effect, the ideological struggle today in Israel can be seen as a great divide between the Jews - whose sense of history goes back to Abraham, and to Hebron, with a deep historical and cultural attachment to the land of Jerusalem and to our Bible - and the Israelis, for whom the year 1948 represents a new beginning and a new culture, whose epicenter is Tel Aviv and whose national literature is Amos Oz and Shulamit Har Even.

If, indeed, our history begins in 1948, the Arabs have far more rights to their land than we do, and perhaps we should have settled in Uganda in order to fulfill our national aspirations. At the very least, a bi-national State of Israel is in order.

Only if we recognize our 4,000-year-old roots in this land do we deserve to have finally come home. And no nation willingly gives up its homeland, especially after experiencing the cruel vulnerability of homelessness.

The 10 scouts were Exodus Israelis; Caleb and Joshua were also Genesis Jews. Caleb looked back to Abraham. We need Israel-Jewish leadership that will look back to Caleb!

Shabbat Shalom.

http://www.torahweb.org/torah/2001/parsha/rsob_shlach.html

RABBI ZVI SOBOLOFSKY

Perception and Reality

The mission of the spies sent to Eretz Yisroel was a simple one involving two tasks. Firstly, the spies were to observe different aspects of Eretz Yisroel including the geography, the agriculture, and the people. Upon returning, they were to report their observations. These seemingly simple assignments were not performed correctly and the results were catastrophic. Why were spies unable to observe correctly what they saw in Eretz Yisroel?

During the forty days through which the spies traveled in Eretz Yisroel they witnessed bizarre events. Chazal tell us that wherever they went they saw people burying their dead. The spies observed fruit which was so large that it could barely be brought back with them. Each of these two events could have been interpreted in two opposite ways. From one perspective, the hand of Hashem could have been perceived clearly. Hashem had brought a plague throughout the land to divert the inhabitants' attention from the spies in their midst. The tremendous fruit could have been viewed as being representative of the overwhelming physical blessing Eretz Yisroel had been endowed with. Alternatively, these two observations could have been made and then interpreted in a completely different way. Eretz Yisroel could be seen as a land that is deadly (hence the wide spread funerals), and just as its fruits are abnormally large, so too must its inhabitants be too powerful for us. Logically, either one of the aforementioned approaches could have been equally employed. That is, the events themselves were neutral, and it was the choice of the spies to interpret in what they had seen in such a negative light.

Upon returning, the spies reported that they had appeared as grasshoppers in the eyes of the giants who lived in Eretz Yisroel. The Torah relates the dual phrase the spies used to describe the feeling of inferiority. "We were like grasshoppers in our own eyes and we appeared as grasshoppers in their eyes" (Bamidbar 13:33). Their negative image of themselves was the source of their tragic mistake; they viewed themselves as "grasshoppers". If in their own eyes they were inferior they immediately projected that self image onto the perception others must have of them. A person who is pessimistic about himself will view the whole world as full of potential disasters. Rather than seeing the wonderful protection and blessing from Hashem they saw in the people and the fruit a foreboding of horrible consequences if they would attempt to enter the land.

The downfall of the spies was their inability to observe correctly. Parshas Shlach concludes with the mitzvah of tzitzis. The purpose of tzitzis is to teach us how to correctly observe what we see. Tzitzis instructs us not to follow the frailties of our hearts when we look at things; tzitzis tells us not to see things with preconceived notions. Rather, Tzitzis teaches us to look at the world searching for the hand of Hashem. Looking at the string of blue on the tzitzis, which reminds us of the heavens above, we are instructed to look at the world around us as a blessing from Hashem. Let us constantly look at ourselves, others, and the entire world, in an optimistic light, searching to find all of the good that Hashem has given us. May Hashem bless us with the clear vision to find Him.

From: RABBI JONATHAN SCHWARTZ jschwrtz@ymail.yu.edu
To: chaburah@hotmail.com Subject: The internet chaburah -- Parshas Shelach

Prologue: Ever notice how the subtle changes in tone can make the biggest difference in conveying a message? When a speaker raises or lowers his voice, when he uses a sing-song, when he speaks without emphasis, it changes the potency of the speech and the ability that the speech with have in actuating the audience.

Mitzvos generally follow that pattern. They are all introduced with the word "VaYidaber." Each Dibbur was strong enough to actuate the people into following it. Except Parshas Tzitzis. Parshas Tzitzis begins with the word "VaYomer." Why?

Many suggest that this difference is based in the fact that Tzitzis is not an obligation on the man (Chovas Gavra) unless he is wearing a 4 cornered garment (Chovas Mana). Thus, there is a change in obligation not necessitating Dibbur where mere Amira would be enough. However, if we were to accept this as true, how could a section of a Mitzva that is so important that it reminds the wearer of all Mitzvos Hashem, (all which were given B'Dibbur BTW) be one that is not obligatory all the time? And why start it with Amira alone?

Rav Moshe Feinstein (Darash Moshe II) ztl. Suggests a fundamental lesson being taught here. Forced memory does not remain with a person. Nor does it have an effect on the person. When one crams for an exam, the information is likely to leave him as fast as it entered him. In order to leave an impression on a person, one that will last and lead the person to make connections with information, it must be fostered and internalized by the individual. Rav Moshe suggests that had the Torah required Tzitzis on each person, the Tzitzis could not serve as a reminder of all Mitzvos of Hashem. For in order to be able to make that connection, the wearer must be able to consider and think about the Tzitzis he is looking at (Hisbodedus) and make his own conclusions. Therefore the Parsha begins with a non-forceful Amira to give the wearer the room to make the determination and the connections himself in order to fully appreciate Tzitzis and Kol mitzvos Hashem associated with it.

...

Battala News

Mazal Tov to Mr. and Mrs. Norman Pearlman and family upon of the engagement of their son Zvi

Mazal Tov to Mr. and Mrs. David Weiner and family upon the Aufruf and forthcoming marriage of their son Dov Mazal Tov to the entire Chaburah as we celebrate 5 years of growth through Torah together. may we continue to grow quantitatively as well as qualitatively in the future.

From: RABBI LIPMAN PODOLSKY podolsky@hakotel.edu
Parshas Shlach 5761
...As It Should Be Lived!

I just bid farewell to many of my talmidim (students). After investing so much time, energy and emotion, it breaks my heart to say goodbye. True, as long as we're all connected to Torah our relationship transcends the boundaries of time and space. We are always, as it were, together. Still, though, I am only human, and parting is such sorrow; there's nothing sweet about it!

My pain, however, is exacerbated by a worrying thought. Will my students continue to grow? Will they fulfill their potential in this world? Is there any one piece of advice I can give them to help them stay strong?

"These are the names of the men that Moshe sent to spy out the land; and Moshe called Hoshea bin Nun, Yehoshua (Bamidbar 13:16)." What did Moshe hope to accomplish by changing Hoshea's name? Rashi on the spot comments, "[Moshe] prayed for him: 'Hashem (indicated by the

extra yud) should save you from the scheme of the spies.' " Moshe davened for his prize disciple. His prayer was so intense, so Heaven-shattering, that it engendered an essential change in Yehoshua, as evidenced by his name.

Let's just ask one simple question. Yehoshua was not the only tzaddik among the spies. What about Calev? Why did Moshe not pray for him?

Rav Yaakov Kaminetzky zt"l, in his Emes l'Yaakov, suggests a most beautiful and inspirational elucidation. Calev had one advantage over Yehoshua. He was married to an eminent tzadeikes (pious woman), Miriam the prophetess, sister of Moshe (Sotah 11b). Apparently, Moshe felt that being married to such an eishes chayil (woman of valor) would in itself safeguard Calev from the evil influence and malicious machinations of his colleagues. He was thus not in need of a special prayer.

And this is what I tell my talmidim. The wife is known as the 'Akeres HaBayis'. She is the Ikar -- the mainstay of the home. She sets the tone; she creates the ambience. She provides the stability.

Many young men sincerely desire to grow in Torah and yiras shomayim (Fear of Heaven). Their heart is most certainly in the right place. But the Yetzer HaRa is terribly strong and persistent. We sometimes get "blown away" by the slightest breeze. How can we anchor ourselves to a firm foundation of Torah? What will assist us to accomplish the potential that is uniquely ours?

Marry a Bas Torah -- a young woman who aspires to Torah Truth and ethical excellence. Just by bonding with such an individual will already aid us in maximizing our achievement. (By the way, I'm speaking from personal experience!)

Of course, it goes without saying that in order to marry a Bas Torah one must earn the privilege. Common goals are of the utmost significance. She can only help bring out your latent qualities. She cannot be expected to do the job for you!

And finally, allow me to add one word of caution. Although Moshe did not pray for Calev, we find that Calev himself was not so self-assured. While the other spies were distracted, Calev made a quick detour to Chevron (Hebron) to pray at the graves of our forefathers (Rashi 13:22). True, he had a tzadeikes of a wife, a veritable prophetess, but Calev did not become over-confident. Every human being is liable to succumb to peer-pressure, especially when away from home. When that happens, there is only One to Whom to turn. This is something we dare not forget.

And so I pray for all my talmidim. Hashem, watch over them, guide them to their appropriate soul mates, and help them truly live life as it should be lived!

AMEN!!!

<http://www.hakotel.edu/torah/rp.html> Also try: - HaRav Nebenzahl on the parsha in English (hk-nebenzahl-subscribe@lists.hakotel.edu) - HaRav Bina - thoughts for alumni (hk-bina-subscribe@lists.hakotel.edu) - HaRav Steinberger on the Rambam (hk-rambam-subscribe@lists.hakotel.edu) (C) 5761/2001 by Lipman Podolsky and American Friends of Yeshivat Hakotel

From: Eretz Hemdah[SMTP:eretzhem@netvision.net.il]
Hemdat Yamim Parashat Shelach
In memory of our Rav and Mentor Shaul ben HaRav Binyamin Yisraeli z.t.l. whose 6th yearzeit is this week

Moresheet Shaul (from the works of Hagaon Harav Shaul Yisraeli zt l)

Erasing Hashem's Name from a Cassette Tape (excerpts from Amud HayEmini, siman 42)

Rav O. Yosef (Yabia Omer IV, YD 20) brings several reasons for

permitting erasing Hashem's name off a cassette tape. One can take issue with some of the claims. He quotes Even YEkara who allows entering a bathroom with a microfilm copy of Tanach. The rationale is that writing which is so small that it cannot be read by the naked eye is not considered writing, with all its halachic ramifications. He brings a proof that microscopically sized objects are halachically non-existent from the fact that even the healthiest animal has tiny holes in its lungs, yet it is not a treifa since holes of that size do not count. The assumption Rav Yosef makes is that the prohibition to erase Hashem's name applies only when letters which are halachically recognized as k'tav (writing) are erased. However, it would appear that desecration of the name of Hashem is not dependent on the status of writing, per se, but on any object which is read as Hashem's name. The reading does not need to be through the visual sense but can even be oral (as with a cassette). After all, as far as unnecessarily uttering Hashem's name, speaking is more stringent than writing the name. Even the aforementioned Even YEkara says that one must treat the names of Hashem within the microfilm Tanach with respect. What difference is there between the names of Hashem and the Tanach itself? The Holy Scriptures require a written text to receive kedusha and possess the related, special halachot. But regarding Hashem's name, whatever is a manifestation of the name, even if it is illegible must not be desecrated, and most prominently, not erased. That which the Even YEkara allows one to enter a bathroom with the names that are included in the Tanach is due to the fact that, in their microscopic form, they are considered covered, not non-existent. Certainly one cannot erase a covered name of Hashem. Rav Yisraeli agreed that, as opposed to the microfilm, the cassette tape can be erased for another reason [ed. note - in all fairness, we should note that Rav Yosef makes mention of this distinction, as well]. The tape does not contain a name of Hashem which just needs a machine's help in reading. Rather, there are only imprinted codes which prompt the tape player to create the sounds of Hashem's names. The player is not reading the sounds of the tape but using electric impulses to mimic the voice that was coded on the tape. Thus, microfilm names need to be preserved, while a cassette tape does not.

ERETZ HEMDAH Harav Shaul Israeli ztl Founder and President
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www.erezhemdah.org

From: Jeffrey Gross jgross@torah.org] Weekly-Halacha For 5761
Selected Halachos Relating To Parshas Shelach By RABBI DONIEL
NEUSTADT Rav of Young Israel of Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav.
HONOR and RESPECT FOR THE SEFER TORAH

A Sefer Torah, which is the living testimonial of G-d's covenant with the Jewish people, must be treated with the highest degree of respect and dignity. Accordingly, there are special halachos which are associated with the removal and returning of the Sefer Torah when it is taken out of the Aron ha-Kodesh for Kerias ha-Torah, the Reading of the Torah. The following is the proper procedure:

The chazan should not be the one to take the Torah out of the aron. To accord the Torah due respect, another person is appointed to open the aron,(1) take out the Torah and hand it to the chazan to carry to the bimah.(2) If no one was appointed to the task, the chazan may "rush to grab this mitzvah for himself."(3)

The Torah is taken out of the aron with one's right hand although the left hand may be used to help. A left-handed person may take out the Torah with his left hand.(4) But the Torah is always handed, received and held with one's right hand(5) even if its being given, received or held by a person who is left-handed.(6)

At the time that the Torah is being taken out of the aron, it is

customary(7) to recite Berich Shmei,(8) which is a section of Zohar written in Aramaic.(9) Some recite Berich Shmei before the Torah is removed from the aron,(10) while others insist that Berich Shmei be said only after it has been taken out.(11) One who neglected to recite Berich Shmei at the proper time may recite it until the Torah is unrolled.(12)

When the chazan recites Shema and Echad he should face the congregation. When he recites Gadlu, he turns to face the aron.(13) He should raise the Torah slightly when reciting each of these verses.(14)

One is required to stand,(15) without leaning, anytime the Torah is "in motion." [Many poskim attempt to give the benefit of the doubt to those who sit on Simchas Torah during the hakafos even though the Torah is in motion.(16) Still, it is proper for a G-d-fearing person to stand during the hakafos unless he himself is holding a Torah.(17)] Thus when the Torah is being carried from the aron or being raised for hagbahah, one is obligated to stand until it is placed on the bimah or until it is no longer within view.(18)

[When the Torah is not "in motion" the following rules apply(19): 1) If the Torah is in the aron and the aron is closed, if it is placed on the bimah or is being held by someone who is sitting down, there is no reason to stand. 2) If it is being held by someone who is standing up (e.g., during Keil maleh rachamim), or it is standing upright in the aron and the door of the aron is open, it has become standard practice to honor the Torah by standing - even though one is not required to do so.(20) 3) If, while being carried, the person carrying the Torah stops to rest, one is required to remain standing, as this is considered "in motion".]

As the Torah makes its way through the right-hand side of the shul towards the bimah, it is considered proper for the congregants to honor it by following behind(21) as it passes by them.(22) Others hold that it is considered "haughty" to do so and it should not be done.(23) All agree that there is no point for those who are not in the path of the Torah (e.g., their seat is behind the bimah) to come to the front of the shul so that they can follow the Torah.

It is customary and considered correct chinuch for people to bring their young children forward so that they can respectfully kiss the Torah mantle.(24) Some have the custom that adults also kiss the Torah when it passes,(25) while others frown upon this custom and allow only touching or pointing at the Torah and then kissing that hand.(26)

When some people carry the Torah to the bimah, they detour or bend down to allow those who are not within reach of the Torah to kiss it or touch it. Some poskim refer to this as an act of degradation, and those who do so should be strongly reprimanded.(27)

When two or more Sifrei Torah are taken out of the aron, the ones that are not currently being used are entrusted to a responsible individual to hold until they are to be used. It is improper to allow a child to hold the Torah,(28) and it is prohibited to leave a Torah unattended even if it is left in a safe place.(29)

It is prohibited to turn one's back to a Torah.(30) Accordingly, those who sit in front of the shul directly in front of the Torah must turn around during Kerias ha-Torah. When, however, the Torah is read from a bimah(31) [or from a table which is over forty inches high(32)], this prohibition does not apply.

Often, those holding a second or a third Sefer Torah (e.g., on Yom Tov) sit behind the Torah reader or the person being called to the Torah, who are then turning their backs towards those Sifrei Torah. While some poskim disapproved of this,(33) the custom to do so is widely accepted.(34) Others hold that this is only permitted during Kerias ha-Torah or during haftarah that is read from a klaf. But during a haftarah that is read from a Chumash or during Ashrei, etc., the reader or the chazan should move to the side so that his back is not directly facing the Torah(35).

FOOTNOTES: 1 It is considered a segulah bedukah for an easy labor, for the husband of a woman in her ninth month of pregnancy to receive the honor of opening the aron; Chida, Avodas ha-Kodesh, Moreh B'etzba 3:4. 2 Aruch ha-Shulchan 282:1, based on Mishnah

Yuma 68b. 3 Sha'arei Efrayim 10:2. 4 Sha'arei Efrayim 10:2. 5 Rama O.C. 134:2. 6 Mishnah Berurah 282:1. The Chazon Ish held that the "face" of the Torah should be towards the person who is holding it (Tefilah K'hilchasa, pg. 312), but many people hold the Torah facing away from themselves. 7 German communities do not recite Berich Shmei; Siddur Avodas Yisrael, pg. 122. Many Sephardim recite it only on Shabbos; Ben Ish Chai, Toldos 15. 8 Several Kabbalists attach great importance to the recital of Berich Shmei, since the time when the Torah is removed from the aron is considered an eis ratzon (auspicious time) in which one's prayers are more readily answered; see Yeshurun Torah Journal, vol. 2, pg. 579. 9 Since Aramaic tefillos may be recited only b'tzibur, it is important to recite Berich Shmei together with the congregation; See Mishnah Berurah 101:19. See also Yesod v'Shoreh ha-Avodah 5:8 who says that an individual should recite Berich Shmei even in middle of Ve'hu rachum (during the week). During Pesukei d'Zimrah, however, one should not stop to recite Berich Shmei; Teshuvos Maharshag 1:52. 10 Darchei Chayim v'Shalom 196. This also seems to be the view of Aruch ha-Shulchan 282:1, and is the custom in most places. 11 Mateh Efrayim 619:48; Rav Pealim 3:8; Igros Moshe O.C. 4:70-9, based on Sha'arei Efrayim 10:1; Az Nidberu 8:48. Harav S.Z. Auerbach (Halichos Shelomo 12:9) maintains that either way is acceptable. 12 Mishnah Berurah 134:13. Pischei She'arim to Sha'arei Efrayim 10:1 maintains that it may be said during hagbahah as well. 13 Aruch ha-Shulchan 282:1. 14 Mishnah Berurah 134:13. 15 "Stand" means that if one is sitting he must stand up and if one is walking he must stand still (until the Torah passes by); Aruch ha-Shulchan Y.D. 282:3. 16 See Aruch ha-Shulchan Y.D. 282:5; Shulchan ha-Tahor 149:2; B'tzeil ha-Chochmah 5:139; Minchas Shelomo 1:33; Halichos Shelomo 12:13; Teshuvos v'Hanhagos 2:319 and Tzedakah u'Mishpat 16, note 37. 17 Orchos Rabbeinu, vol. 2, pg. 308. 18 Mishnah Berurah 146:17, based on Y.D. 282:2. According to some opinions, the requirement is to stand as long as one can sense that the Torah is being carried, even if it is not visible to him. 19 Based on Sha'ar ha-Tziyun 146:18; Igros Moshe O.C. 5:38-4; Minchas Shelomo 1:33. 20 Accordingly, a weak or ill person may sit; Meishiv Halachah O.C. 248. 21 Some poskim mention that it is proper to follow until it reaches the bimah (Chayei Adam 31:42), while others write that it is sufficient to follow along "a bit" (Sha'arei Efrayim 10:4; Halichos Shelomo 12, note 17). 22 Mishnah Berurah 149:7. 23 Aruch ha-Shulchan 149:3; 282:1. 24 Rama O.C. 149:1. 25 Sha'arei Efrayim 10:4; Kaf ha-Chayim 134:10; 149:10. 26 Pischei She'arim 10:4 quoting Kitzur Shelah; Siddur Tzelosa d'Avraham, pg. 375; Harav Y.E. Henkin (Eidus l'Yisrael 63). 27 Teshuvos Yad Yitzchak, quoted by Beis Baruch 31:171; Teshuvos Rivam Shneituch, quoted in Tzitz Eliezer 12:40. [Possibly, if the detour is for the sake of a person who is unable to come to the Torah, i.e., a handicapped person, it would be permissible.] 28 Mishnah Berurah 147:29. 29 Igros Moshe O.C. 1:38. 30 Y.D. 282:1. 31 Rama Y.D. 242:18; Mishnah Berurah 150:14. 32 Taz Y.D. 242:13. See, however, Pischei Teshuvah Y.D. 282:2, who seems to imply otherwise. See also Minchas Yitzchak 5:78. 33 Mishnah Berurah 147:29. 34 Halichos Shelomo 12, note 21. 35 Emek Berachah, pg. 43.

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From: RABBI MORDECHAI KORNFELD Kollel Iyun Hadaf
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Kidushin 35

THE REASON A WOMAN IS EXEMPT FROM "MITZVOS ASEH SHEHA'ZEMAN GERAMA" QUESTION: The Gemara teaches that had the verse not taught specifically that a woman is obligated in the Mitzvah of "Mora Av v'Em" (fearing one's parents), we would have thought that a woman is exempt, because, when married, she does not have the wherewithal to fulfill that Mitzvah ("Lo Sipek b'Yadah La'asos"). RASHI explains that because of this we would have thought that the Torah exempts a woman from the Mitzvah of "Mora Av v'Em" even when she is not married. Therefore, a verse is necessary to teach that she is obligated.

This logic serves as a source for the AVUDRAHAM's way of understanding the Gemara's distinction between a woman's obligation in Mitzvos Aseh she'Ein ha'Zeman

Gerama, and their exemption from Mitzvos Aseh sheha'Zeman Gerama. The reason the Torah exempts a woman from Mitzvos Aseh sheha'Zeman Gerama is because she is Meshu'abad to her husband; because of her responsibilities to her family, the Torah does not obligate her in Mitzvos that can be performed only at a limited time period, since she needs to be free to occupy herself with her other responsibilities.

This also explains why an Eved Kena'ani is exempt from Mitzvos. He, too, is Meshu'abad to his master. The Torah takes into consideration his obligation to his master and exempts him from Mitzvos Aseh sheha'Zeman Gerama like women.

According to the Avudraham, how are we to understand why Tefilin and Tzitzis are called Mitzvos Aseh sheha'Zeman Gerama merely because they do not apply at night or, in the case of Tefilin, on Shabbos? When the Torah does not require a person to wear Tefilin or Tzitzis at night, it is not limiting the Mitzvah to a specific time period and making it more difficult to fulfill. On the contrary, the Torah is *exempting* a person from the obligation to wear Tzitzis and Tefilin at night! The fact that these Mitzvos do not apply at night should not be a reason to exempt a woman from these Mitzvos, and yet the Mitzvah of Tefilin serves as a source for a woman's exemption from all Mitzvos Aseh sheha'Zeman Gerama!

In addition, in the case of Tzitzis no added action is required of the woman at the time she fulfills the Mitzvah. She simply puts on her shirt, or cloak, as usual, but there are Tzitzis tied to its corners! Why, then, should her familial obligations prevent her from fulfilling this Mitzvah?

ANSWER: It could be that the Mitzvah of Tefilin has two different parts. The first part of the Mitzvah is that a person fulfills the Mitzvah any time he wears Tefilin, but he does not transgress a Mitzvah if he does not wear them (for a number of reasons; for example, because he has not prepared himself by cleansing his body property, which is a prerequisite for wearing Tefilin; see TOSFOS in Rosh Hashanah 17a, DH Karkafata). This would not seem to be the part of the Mitzvah that is affected by the fact that a woman is Meshu'abad to her husband, since, her Shi'abud to her husband would not cause her to transgress a Mitzvah (because there is nothing to transgress).

The second element of the Mitzvah of Tefilin is that a person must wear Tefilin at least once during his lifetime, and if he fails to do that then he *has* transgressed a Mitzvah (see RIF in Rosh Hashanah 17a). If the Mitzvah of Tefilin would apply on Shabbos and at night, then the Torah's Mitzvah to don Tefilin could be fulfilled by wearing Tefilin a single time in a person's lifetime. If the Mitzvah of Tefilin does not apply on Shabbos or at night, then this divides each week, and each day, into separate, independent Mitzvos to wear Tefilin (see Beitza 30b, "d'Mafseki Leilos"). Consequently, one fulfills the Mitzvah of Tefilin only by wearing them at least once each day. That is why the Torah exempts women from this Mitzvah -- since night is not the time for the Mitzvah of Tefilin, it causes the Mitzvah to become limited to once a day, rather than being a Mitzvah that can be fulfilled at any time.

Alternatively, even with regard to the first part of the Mitzvah of Tefilin, that one fulfills a Mitzvah whenever he wears them, we can understand the logic of why the Torah exempts women from Tefilin because it is a Mitzvah limited to a certain time. Perhaps the Torah exempts women not because it would be "overtaxing" to them to *require* them to fulfill the Mitzvah, but rather because the Torah does not *see it necessary* to obligate them in a Mitzvah which, practically, they would not be expected to fulfill (because of her obligations to her family and husband). A woman, who is Meshu'abad to her husband, cannot be expected to fulfill -- in addition to all of her other responsibilities -- the Mitzvah of Tefilin. Therefore, the Torah does give them the Mitzvah in the first place.

This, however, does not explain why the Mitzvah of Tzitzis should be affected by a woman's Shi'abud to her husband. Firstly, it is clear that there is *never* a Mitzvah to put on a four cornered article of clothing *in order* to wear Tzitzis. Secondly, it does not require more time or effort to don clothing with Tzitzis, than it does to don the same clothing without Tzitzis on its corners. To fulfill the Mitzvah of Tzitzis, one simply dresses the way he normally dresses, but with a garment that has Tzitzis on it. As for the effort that must go into *tying* the Tzitzis in the first place, even if nighttime is not a time to fulfill the Mitzvah of Tzitzis, Tzitzis can certainly be tied at night. If so, a woman can tie Tzitzis onto her garment at any free time she has, at any time of day, when she is not fulfilling her other responsibilities. What difference does it make if the actual fulfillment of the Mitzvah is done only during the day, if she does not have to do any extra actions during the day in order to fulfill the Mitzvah?

The answer might be that a person does not think about his obligation to wear Tzitzis, or to do any other Mitzvah, except during the time that he is obligated to do the Mitzvah. Therefore, the Torah does not expect a woman to think about tying the Tzitzis during the night if there is no obligation to wear them at night. (M. Kornfeld)

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