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Chaim

From: Rabbi Goldwicht [rgoldwicht@yutorah.org] Sent: Thursday, June 23, 2005 11:16 AM Subject: The Weekly Sichah - Parashat Shelach

WEEKLY INSIGHTS BY RAV MEIR GOLDWICHT
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Parashat Shelach

The majority of parashat Shelach deals with the cheit hameraglim. When we examine the pesukim on the level of pshat, several questions arise: In our parasha, the Torah indicates that the idea to send the meraglim came from Hashem: "Vayedaber Hashem el Moshe leimor shelach lecha anashim v'yaturu et Eretz K'na'an, And Hashem spoke to Moshe, saying, 'Send men, that they may spy out the Land of Canaan'" (BaMidbar 13:1-2). In parashat Devarim, however, the Torah indicates that the idea to send the meraglim came from B'nei Yisrael: "Vatikrevun eilai kulchem vatomru nishlecha anashim l'faneinu v'yachperu lanu et ha'aretz v'yashivu otanu davar et haderech asher na'aleh bah v'et ha'arim asher navo aleihen, And you all approached me and said, 'Let us send men before us, and they will search the land for us and report back the way we must go up and the cities to which we must come'" (Devarim 1:22). These pesukim seem to contradict each other! Rashi at the beginning of our parasha resolves the contradiction, explaining that the original idea came from B'nei Yisrael. Moshe Rabbeinu was unsure whether to grant their request or not, so he consulted HaKadosh Baruch Hu. HaKadosh Baruch Hu replied that He did not think it was worthwhile, but that if Moshe wanted to send spies, he could – "Shelach lecha – I'da'atcha, as you wish." Our first question: Why did Moshe Rabbeinu go ahead with the plan to send the spies after HaKadosh Baruch Hu indicated that it was not worthwhile? This question is strengthened by Rashi at the beginning of parashat Devarim, where he writes that Moshe also thought it was a bad idea, and he agreed so readily only in the hopes that they would abandon their request when they saw how confident Moshe was that the land was truly as good as Hashem promised. If Moshe thought it was such a bad idea, why didn't he nix the plan himself after he saw that B'nei Yisrael still wanted to go through with it?

Furthermore, at the beginning of parashat Devarim, the Torah says that the nation wanted to send the spies only to find out the most strategic way to enter the land and ultimately conquer it. The information they wanted was entirely of a strategic nature. In our parasha, however, Moshe adds a list of other things the spies should check: the richness of

the land, the strength of its inhabitants, the strength of its cities, among others. Why did Moshe add to the original mission of the spies, when arguably these are the questions that caused the meraglim to speak poorly of the land?

When B'nei Yisrael approached Moshe to determine the best way to conquer the land, Moshe saw that finally the nation had come to truly believe in Hashem and rely upon Him, ready to enter the land even though once they got there they would lose the easy lifestyle they had enjoyed in the desert. After all of the whining and griping, the nation finally understood that everything is in the Hand of Hashem, and when they trust in Him and fulfill His Word, they will readily merit everything they need. Moshe took great joy in this display of emunah and believed the nation could now handle the entire picture, so he added a list of questions for the meraglim report back about – even though the inhabitants of the country are mighty and the cities within it well-fortified, even though the giants live in the land, Moshe was convinced that B'nei Yisrael would truly rely on Hashem despite the apparent dangers and difficulties.

This was Moshe's mistake. He did not realize that the nation's emunah was in fact too weak to withstand these challenges. Their nature was to complain constantly, an indication of a lack of emunah, as the Torah says, "Uvadavar hazeh einchem ma'aminim baShem Elokeichem, Yet in this thing you do not believe in the Hashem, your L-rd" (Devarim 1:32), and, "Uvishlo'ach Hashem etchem...leimor alu urshu et ha'aretz...v'lo he'emantem lo v'lo shematem b'kolo, And when Hashem sent you...saying, 'Go up and inherit the land'...and you did not believe Him and you did not fulfill His Word" (Devarim 9:23).

When the nation's emunah is weak, the ability to conquer the land is lost. The passuk in Tehillim demonstrates that trust in Hashem must precede dwelling in the land: "B'tach baShem va'aseh tov, shechon etz ur'eh emunah, Trust in Hashem and do good, dwell in the land and cherish faith" (37:3). For this reason, the first time emunah is found in the Torah – when Avraham trusts in Hashem that he will have offspring at the brit bein habetarim – Eretz Yisrael follows immediately, with Hashem's promise that Avraham's offspring will inherit the land. Where there is emunah, there can be inheritance of the land.

R' Yehuda HaLevi explains in the first ma'amar of the Kuzari (ot 24) that in the time of Ezra and Nechemiah, the potential existed for the nation to return to the land and remain there forever and ever, as Zechariah says, "Roni v'simchi bat Tzion ki hineni va, v'shachanti v'tochech ne'um Hashem, Sing and rejoice, daughter of Zion, for here I come, and I will dwell in your midst, says Hashem" (2:14). Ultimately, we lost the opportunity because the majority of the nation was complacent in the exile, and only 42,360 Jews returned home to the land.

The cheit hameraglim comes to teach us that the more we increase our emunah in and partnership with HaKadosh Baruch Hu, meaning combining emunah and action, the closer we will come to meriting the land. Perhaps this is also the reason why the three mitzvot that close our parasha are nisuch hayayin on the Mizbe'ach, separation of challah, and tzitzit. Each of these mitzvot is performed in partnership with HaKadosh Baruch Hu. In the desert, we were accompanied by the be'er, which provided water with no effort on our parts. The nisuch hayayin corresponds to the be'er – unlike the water, however, we take part in the winemaking process. In the desert, man fell and provided sustenance with no effort on our parts. The separation of challah corresponds to the man – unlike the man, however, we are partners in making bread. In the desert, the ananei hakavod, the Clouds of Glory, surrounded us with kedushah. With tzitzit, we surround ourselves with kedushah, taking part in making the garments and the tzitzit. The gemara expounds that the tzitzit have a law of ta'aseh v'lo min ha'asui. These three mitzvot allow us to make the transition to action with emunah, to partnership with Hashem. The parasha closes with these mitzvot in order to indicate that

the more we believe and the more our actions are inspired by our belief, the greater the opportunity to inherit the land.

There are three events from the past which we are commanded to experience as if they are happening currently: Yetziat Mitzrayim – "B'chol dor vador chayav adam lirot et atzmo k'ilu hu yatza miMitzrayim, In every generation, a person must see himself as if he left Egypt" (Haggadah shel Pesach); Kabbalat haTorah – "B'chol yom yih'yu b'einecha kachadashim, Every day they must be in your eyes as new" (Rashi, parashat Yitro); and Eretz Yisrael – "t'hei b'einecha k'ilu n'tanah lecha bo bayom v'al t'hei b'einecha kirushat avot, Consider it as if it was given to you today, not as an inheritance" (Rashi, parashat Bo). As we grow to realize that Eretz Yisrael is given every day anew, and that that netinah is dependent upon our emunah and our actions, so will we grow to merit the speedy fulfillment of "Ufaratzta yamah va'kedmah v'tzafonah va'negbah v'nivrechhu vecha kol mishpechot ha'adamah uv'zarecha, And you shall spread to the west and to the east, to the north and to the south, and in you and your seed shall all the nations of the earth be blessed" (Bereishit 28:14). Shabbat Shalom! Meir Goldwicht

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Murex Trunculus

The Rediscovery of Techeiles

or Just Another Fashion Fad

Summarized by

Chaim Shulman

שבת עקב תשס"ג

I. History & Background

A. Lost after חתימת הגמרא

גמרא מנחות מג. - מר ממשכי אייתי תכלתא בשני רב אחאי בדקוה כו'

מדרש נחומא פ' שלח - ועכשיו אין לנו תכלת תכלת נגנו.

B. 1857 Murex discovery

C. 1888 Radziner Rabbi identifies cuttlefish (*Sepia officinalis*) as techeiles

D. 1913 Rav Herzog Disproves Radzyner Techeiles

E. 1913 Rav Herzog Identifies Murex trunculus as a likely candidate as chilazon, but it's purple

מנחות דף מג. - תניא, היה ר' מאיר אומר: מה נשתנה תכלת מכל מיני צבעונין? מפני

שהתכלת דומה לים וים דומה לרקיע ורקיע לכסא הכבוד.

F. Rav Herzog suggests that *Janthina* snail may be chilazon, but secretion turns brown

G. 1980 - Professor Elsner discovers that exposure to sunlight causes Murex trunculus dye to produce blue dye

H. 1993 - Amutat Ptil Tekhelet founded to produce tekhelet strings

II. Proofs for Murex Trunculus Being Chilazon

A. Archeological evidence shows tremendous amounts of Murex shells in coast of Northern Israel and Lebanon, in area identified in Maseches Shabbos as place chilazon trappers are

שבת דף כו. - "ומדלת הארץ השאיר נבזוראדן רב טבחים לכרמים וליוגבים" (ירמיה' 16

52). כורמים - תני ר' יוסף אלו מלקטי אפרסמון מעין גדי ועד רמתא. יוגבים - אלו צייד

חלזון מסולמות של צור ועד חיפה

B. Chilazon is identified as having a shell in Shir Hashirim Raba and in Maseches Shabbos

שיר השירים רבה (11:4) - שמלתך לא בלתך מעליך כו' ולא היו גדלים? אמר ליה צא ולמד מן החלזון שכל זמן שהוא גדל נרתקו גדל עמו

שבת דף עה. - הצד חלזון והפוצעו כו' ר' יהודה אומר חייב שתיים.

C. Zevulun is promised Sefunei Timunei Chol - Murex Snail Burrows in Sand

גמרא מגילה ו. - אמר זבולון כו' לאחיי נתת להם שדות וכרמים ולי נתת הרים וגבעות

לאחיי נתת להם ארצות ולי נתת ימים ונהרות. אמר לו כולן צריכין לך על ידי חלזון

שנאמר (דברים ל"ג) [עמים הר יקראו כו' כי שפע ימים יינקו] ושפוני טמוני חול.

D. Etymology - In Farsi Chilazon is a Snail; Raavia quotes Yerushalmi that Chilazon is Propheerin which is Greek word for Murex

ראבי"ה ברכות דף ט. סי' כ"ה - וגרסינן בירושלמי בין תכלת לכרתי בין פרופירין לבין

פרופירין

Identifies techeiles with the Greek word for Murex (not *Janthina* or cuttlefish).

E. Gemara Shabbos says the chilazon must be alive to produce good dye - consistent with mucus of Murex that deteriorates soon after death

גמ' שבת דף עה. ולחייב נמי משום נטילת נשמה? כו' מתעסק הוא אצל נטילת נשמה. והא

מודה ר' שמעון בפקיס רישא ולא ימות? שאני הכא דכמה דאית ביה נשמה טפי ניחא ליה

כי היכי דליציל ציבעיה. (רש"י שם החי טוב מדם המת)

F. If Not Murex, Should Have Excluded It Like Kala Ilan

III. Problems With Murex Theory & Solutions

A. Chilazon Braisa

מנחות דף מד. ת"ר: חלזון זהו - גופו דומה לים, וברייתו דומה לדג, ועולה אחד לשבעים

שנה, ובדמו צובעין תכלת, לפיכך דמיו יקרים.

B. Problem 1 with Braisa - גופו דומה לים

Solution - Sea fouling gives it appearance like the seabed

C. Problem 2 with Braisa - ברייתו דומה לדג

Solution - Its creation is like fish in that it spawns eggs like fish

D. Biggest problem with Braisa - עולה אחד לשבעים שנה

Possible solution - Comes up on the beach very infrequently

E. Problem with chemical tests in gemara if Murex dye is chemically identical to Kala Ilan (indigo)

Perhaps test detects impurities in plant-derived indigo - Not satisfactory answer

מנחות דף מב. מג. - ת"ר תכלת אין לה בדיקה ואין נקחית אלא מן המומחה כו' ותכלת

אין לה בדיקה? והא רב יצחק בריה דרב יהודה בדיק ליה מייתי מגביא גילא ומיא

דשבילתא ומימי רגלים בן ארבעים יום ותרי לה בגווייה מאורתא ועד לצפרא איפרד

חזותיה פסולה לא איפרד חזותיה כשרה. ור' אדא קמיה דרבא משמיה דרב עזירא אמר

מייתי חמירא ארכסא דשערי ואפאיה לה בגווייה אישתנאי למעליותא כשרה לגריעותא

פסולה כו'. מאי אין לה בדיקה נמי דקאמר אטעימה. כו' היכא דבדקנא בדבר יצחק בריה

דרב יהודה לא איפרד חזותא כשרה איפרד חזותיה בדקינון לה בדבר אדא בחמירא ארכסא

אשתנאי למעליותא כשרה לגריעותא פסולה.

F. How same chemical could be valid if snail-derived and invalid if

plant-derived

IV. Is Mesorah Needed to Determine Techeiles? Should You Wear

Murex Dyed Tsitsis if Just a ספק?

A. Do you need a Mesorah? Differing Views of Beis Halevi's Objection

1. Negative mesorah

2. The Rav says need positive mesorah.

B. What if just a ספק if Murex is techeiles? Should you wear the Murex tsitsis?

1. ספק argument would likely apply for just a ספק

2. Need color of beged according to one view of rishonim שולחן ערוך סי' ט' סעי' ה' - ויש אומרים שצריך לעשות הצצית מצבע הטלית והמדקדקין

נוהגין כן.

רמב"ם פ"ב מהל' צצית ה"ח - טלית שהוא כולו אדומה או ירוקה או משאר צבעונין עושה

חוטו לבן שלה כעין צבעה אם ירוקה ירוקאם אדומה אדומין.

רמ"א סי' ט' סעי' ה' - והאשכנזים אין נוהגין לעשות הצציות אלא לבנים אף בבגדים

צבועים ואין לשנות (תרומת הדשן סי' מ"ו)
מנחות דף מא: - טלית אין פוטר בה אלא מינה ועי"ש ברש"י ותוס'
(מנחות דף מ. - ולא יהא אלא לבן.)

C. Concern of Rav Avner of מחזי כיוהרא - See 'ש' ע ס' ל"ד סעי' ג and
'ש' ע ס' ל"א סעי' ט משנה ברורה.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

SIR JONATHAN SACKS

Chief Rabbi of the United Hebrew Congregations of the British
Commonwealth

[From last year]

Shelach Lecha - Without Walls

Listen carefully to the report brought back by the spies sent by Moses to
examine the promised land: They gave Moses this account: "We went
into the land to which you sent us, and it does flow with milk and honey!
Here is its fruit. But the people who live there are powerful, and the
cities are fortified and very large. We even saw descendants of Anak
there. The Amalekites live in the Negev; the Hittites, Jebusites and
Amorites live in the hill country; and the Canaanites live near the sea and
along the Jordan." Then Caleb silenced the people before Moses and
said, "We should go up and take possession of the land, for we can
certainly do it." But the men who had gone up with him said, "We can't
attack those people; they are stronger than we are." And they spread
among the Israelites a bad report about the land they had explored. They
said, "The land we explored devours those living in it. All the people we
saw there are of great size. We saw the Nephilim there (the descendants
of Anak come from the Nephilim). We seemed like grasshoppers in our
own eyes, and we looked the same to them."

This is the language of fear and demoralization. They are big, we are
small. They are strong, we are weak. They do not fear us, but we fear
them. We cannot prevail.

Was this, in fact, the case? As the parallel passage in the book of Joshua -
read as the haftarah to the sedra of Shelach - makes clear, the spies could
not have been more wrong. A generation later, Joshua too sent spies.
They stayed at the house of a prostitute named Rahab, who turned out to
be a heroine in her own right. Hearing about the spies, the king of
Jericho sent men to capture them, but Rahab hid them and saved their
lives. What is more interesting is what she tells them of the feelings of
her people when they heard that the Israelites were on their way:
Before the spies lay down for the night, she went up on the roof and said
to them, "I know that the LORD has given this land to you and that a

great fear of you has fallen on us, so that all who live in this country are
melting in fear because of you. We have heard how the LORD dried up
the water of the Red Sea for you when you came out of Egypt, and what
you did to Sihon and Og, the two kings of the Amorites east of the
Jordan, whom you completely destroyed. When we heard of it, our hearts
melted and everyone's courage failed because of you, for the LORD your
G-d is in heaven above and on the earth below."

The people of Jericho were anything but giants. They were terrified. The
spies of Moses' day should have known this. They had already said in the
song they sang at the Red Sea: The nations will hear and tremble;
anguish will grip the people of Philistia. The chiefs of Edom will be
terrified, the leaders of Moab will be seized with trembling, the people of
Canaan will melt away; terror and dread will fall upon them.

It was not the Israelites who should have been afraid of the people of the
land. It was they who were afraid of the Israelites. How did the spies
come so to misinterpret the situation?

There is a fascinating midrashic passage - cited by Rashi in his
commentary - with far-reaching implications.

How were they [the spies], to know [the people's] strength? [By looking
at their cities], "are they unwalled or fortified? If they live in unwalled
cities, they are strong and trust in their own strength. If, however, they
live in fortified cities, they are weak and insecure.

The spies, suggests the midrash, misread the signs. They correctly noted
and reported that the cities were fortified, but they drew the wrong
conclusion: But the people who live there are powerful, and the cities of
fortified and very large.

Moses puts it even more strongly in recounting the events 40 years later
to the next generation: But you were unwilling to go up; you rebelled
against the command of the LORD your . You grumbled in your tents
and said, "The LORD hates us; so he brought us out of Egypt to deliver
us into the hands of the Amorites to destroy us. Where can we go? Our
brothers have made us lose heart. They say, 'The people are stronger and
taller than we are; the cities are large, with walls up to the sky. We even
saw the Anakites there.'"

Clearly, the sight of the cities made a deep impression on the spies. This
makes psychological sense, and it accords with historical fact. The cities
in ancient Canaan were indeed surrounded by high and thick walls which
made them seem impregnable.

It is easy to enter into the mindset of the spies. They had been living in
the wilderness, in fragile, temporary dwellings. They had not seen a city
for some time. The fortifications surrounding towns like Jericho must
have been awe-inspiring. But they did not stop to consider what this
might mean in terms of the strength of the opposition they faced.

According to the Midrash they drew precisely the wrong conclusion: the
cities are strong, therefore the people are strong. In fact the opposite was
the case: the cities are strong, therefore the people are weak. People who
are strong do not have to live behind defensive walls.

In the Guide of the Perplexed, Moses Maimonides gives a daring
interpretation to the whole episode. It occurs in the context of one of the
most controversial theories he advanced in that work, namely that
sacrifices are not at the heart of Judaism as a way of serving G-d. Instead
they were commanded because the people, children of their time, were
not yet ready for a pure "service of the heart." They were surrounded by
cultures, whether in Egypt or Canaan, that saw sacrifice as the natural
way of winning the favour of the gods. To demand of them that they
discontinue sacrifice entirely would be like lifting them from antiquity to
modernity. It was impossible - humanly impossible.

But how can we speak of impossibility in the context of G-d, for whom
all things are possible? Maimonides' answer is simple and profound. G-d
desires the free worship of free human beings. Therefore even G-d must
work with the grain of human nature - and it is simply impossible for
human beings to change overnight. G-d never intervenes to change

human nature, for were He to do so, He would take away their freewill which was the very point of creating humanity in the first place.

What support can Maimonides bring for this claim? The answer is the forty years of wandering in the wilderness. This is what he says: There is a passage in the Torah which contains this idea, namely: "led them not through the way of the land of the Philistine is, although that was near; for said, lest the people repent when they see war, and they return to Egypt. led the people about through the way of the wilderness of the Red Sea" (Ex. 13: 17). Here, led the people by a circuitous route, not the direct one He originally intended, because He feared that they might encounter hardships too great for their strength. He took them by another road in order to achieve his objective . . . It was the result of 's wisdom that the Israelites were led about in the wilderness until they acquired courage. For it is a well-known fact that traveling in the desert, and being deprived of physical enjoyments such as bathing, produce courage . . . And besides, another generation arose during the wanderings that had not been accustomed to degradation and slavery.

What is striking about this analysis is that it does not mention that the Israelites were condemned to spend forty years in the desert only because of the sin of the spies. Maimonides almost makes it seem as if knew in advance that people would prove unable to muster the courage needed to fight the battles of conquest, and that it would take a new generation, born in freedom, to do so.

Thus understood, the episode of the spies is a powerful commentary on the experience of Jews in the modern age.

Jews were, in John Murray Cuddihy's telling phrase, "latecomers to modernity." Unlike Christians, they had not been prepared for it through the long centuries between the Reformation (1517) and Emancipation, which spread throughout Europe in the course of the 19th century.

It was an immense and sudden challenge. For the first time in the history of the Diaspora, they were being offered a place in the mainstream of society. But the promise came at a price. They were expected to integrate, adopting the manners and mores of the surrounding culture. It spelled the end of the ghetto.

In one way, this was good news. The ghetto condemned them to being - as Max Weber put it - a "pariah people." But in another, it was a momentous crisis. Until then, Jewish life had been a totality, infusing every aspect of existence with a distinctively Jewish flavour - dress, food, the Yiddish language, the Bet Din which resolved internal disputes, and the rich literatures, sacred and secular, which Jews had accumulated. Now they were being asked to fit their faith into essentially Protestant dimensions, a "religion" confined largely to private life. A measure of how radical a demand this was is the fact that before the nineteenth century there was no word for "Judaism." There was Torah, there were Jews, and there was Jewish life. The question was: could Jews become Europeans in culture, while remaining Jews in faith and practice? Could they - as 19th century Jews themselves put it - be "people in the street, and Jews at home"?

It was a formidable challenge, a sudden break with 18 centuries of habit - all the more so because, underneath the veneer of tolerance, many European societies remained ferociously hostile to Jews. Within decades, it shattered Jewry into fragments. Some were only too keen to assimilate. They were willing to give up key elements of Jewish faith and life, from the dietary laws to belief in the return to Zion. Others, fully aware of the danger to Jewish continuity, retreated into a self-created ghetto. A few - the most famous was Rabbi Samson Raphael Hirsch - managed the delicate balancing act. Jews could be culturally European (Hirsch himself loved German poetry) while remained uncompromising in their religious practice. The synthesis was widely known as Torah im derekh erez, "Torah combined with [secular] culture."

The entire story, viewed in retrospect, is deeply tragic. The countries - France and Germany in particular - that most loudly proclaimed their liberalism gave birth to the most persistent anti-Semitism. Already by the

end of the 19th century, far-seeing Jews, some religious, some secular, had already reached the conclusion that European emancipation had failed. That was when Zionism was born (a more detailed account can be found in my book Arguments for the Sake of Heaven). A half-century later, the Holocaust had taken place.

Looking back on those years, it is hard not to feel the force of Maimonides' analysis. People cannot change overnight. What was asked of Jews was unrealistic, even inhuman. It was precisely because of this that Western societies today have adopted a different policy. In Britain it is called "multiculturalism." The concept was first formulated by an American Jew, Horace Kallen, in 1915. He called it, as many still do, "pluralism." Minorities are no longer required to give up their identity, traditions and sense of community in order qualify as citizens. Indeed the change has gone further. Today we recognize that societies are not threatened, but enlivened and enlarged, by cultural diversity.

Time has passed, and the West has changed. To be sure, anti-Semitism has not disappeared, but that is another subject for another time. The question has therefore returned: what is the appropriate mode of engagement between Jews and the wider society? To this, the Midrash suggests a powerful answer. Those who are strong do not need to hide behind defensive walls.

Two centuries ago, segregation and the voluntary ghetto might have been the right response. Jews were not ready for the challenge of Europe and Europe was not ready for the challenge of the Jews. But now is not then. Ours is not the age of the spies but of their descendants, born in freedom. We have had time enough to realize that we can be at home in Western culture without it calling into question Jewish faith or Jewish life. Rabbi Samson Raphael Hirsch's dream - that Jews could become a moral and spiritual influence on the societies of which they are a part - did not come true in his lifetime, but it has in ours.

The model is Maimonides. For it was he who showed that one could be a supreme exponent of Jewish law (his halakic work, the Mishneh Torah, is perhaps the greatest ever written) while at the same time contributing to philosophy, medicine and many other disciplines of his time. Of course, there was only one Maimonides, and not everyone has the strength to live in a world without walls. But the story of the spies tells us that our fears are sometimes exaggerated. Judaism is strong enough to withstand any challenge. The question is now as it was then: do we have the confidence of our faith?

From: Halacha [halacha@yutorah.org] Sent: Monday, June 20, 2005 1:20 PM
Subject: The Weekly Halacha Overview- The Mitzvah of Lighting Shabbat Candles- Parts I & II

THE MITZVAH OF LIGHTING SHABBAT CANDLES

RABBI JOSH FLUG

Part I

The mitzvah of lighting Shabbat candles is generally assumed to be a woman's mitzvah. Nevertheless, Rambam, Hilchot Shabbat 5:1, states that both men and women are obligated to ensure that a candle is lit in their home on Shabbat. However, Rambam, ibid, 5:3, writes that women have the primary obligation to perform this mitzvah.

One can question the nature of the mitzvah of lighting Shabbat candles. Is the mitzvah to ensure that a candle is lit in the home, or is the mitzvah to actually light a candle? This question is addressed by Tosafot, Shabbat 25b, s.v. Chovah, who quote an opinion that if there is already a candle lit in the home, there is no specific obligation to light Shabbat candles. Tosafot then cite Rabbeinu Tam who rejects this opinion and contends that if there is a candle already lit, one must extinguish the candle and rekindle it prior to Shabbat. Apparently, the first opinion maintains that the mitzvah is to ensure that a candle is lit, and therefore if there is a preexisting light, there is no obligation to light candles. Rabbeinu Tam is of the opinion that the mitzvah of lighting Shabbat candles demands that one light a candle specifically for the purpose of Shabbat, and a preexisting light does not suffice.

R. Yitzchak Z. Soloveitchik, in Chidushei HaGrach Al HaShas no. 11, notes that in fact there are two aspects to the mitzvah of lighting Shabbat candles. One

aspect of lighting candles relates to oneg Shabbat, the mitzvah to enjoy Shabbat. In order to enjoy Shabbat properly one must ensure that one's home has sufficient light. However, there is an additional aspect of lighting candles which relates to kavod Shabbat, the mitzvah to honor the Shabbat. Rambam, *ibid*, 30:2-5, writes that the mitzvah of kavod Shabbat is fulfilled on Erev Shabbat by preparing for Shabbat. Rambam includes lighting candles among the activities that are part of the mitzvah of kavod Shabbat. R. Soloveitchik notes that even if it were permissible to light candles on Shabbat, one would still be required to light the candles prior to Shabbat as lighting candles is part of the mitzvah of kavod Shabbat. [See R. Yosef Falk, Introduction to Perisha and Derisha, Yoreh Deah, who notes that his mother was insistent on lighting Yom Tov candles prior to Yom Tov (whenever it is permissible) even though it is permissible to light candles on Yom Tov. She did this in order to fulfill the mitzvah of kavod Yom Tov.]

Accepting Shabbat Immediately After Candle Lighting

The dual nature of the mitzvah of lighting Shabbat candles manifests itself in numerous ways. First, the Gemara, Shabbat 23b, quotes a Beraita that one should not light the Shabbat candles too early or too late. Why can't one light the Shabbat candles too early? Rashi, *ad loc.*, s.v. Shelo, explains that if one lights too early, it is not recognizable that it is done for the purpose of Shabbat. Tosafot, Berachot 27a, s.v. D'Rav, add, that the Beraita is referring to someone who lights the candles but does not accept Shabbat immediately. If someone lights candles early and then accepts Shabbat, it is recognizable that the lighting was done for the purpose of Shabbat. Shulchan Aruch HaRav, Orach Chaim 263:6,11, notes that one who lights and does not accept Shabbat immediately does not fulfill the mitzvah of kavod Shabbat. This is why Rabbeinu Tam rules that one must extinguish a candle that was already lit and relight it immediately prior to the acceptance of Shabbat. Shulchan Aruch HaRav adds that if a woman must perform melacha after lighting the Shabbat candles, she should designate a different member of the household to accept Shabbat at the time in which she lights candles. By doing so, one can ensure that the lighting is recognizable that it was done for the purpose of Shabbat.

Reciting a Beracha on Oneg Shabbat

Second, Magen Avraham 263:11, discusses a case of a woman who attends a wedding on Friday afternoon (which was common in earlier times) and does not want to accept Shabbat prior to the wedding. He quotes Maharam who suggests that she should light the candles prior to the wedding, and after the wedding she may recite a beracha on the candles. Magen Avraham questions this practice because at the time of the beracha she didn't perform the mitzvah of lighting the candles.

R. Ya'akov B. Zolty, Mishnat Ya'avetz, Orach Chaim no. 75, explains that in such a situation there will be no fulfillment of the kavod Shabbat aspect of lighting Shabbat candles because at the time the candles are lit, it is not recognizable that they are lit for the purpose of Shabbat. However, there still is a fulfillment of the oneg Shabbat aspect of lighting Shabbat candles because the woman ensures that there is sufficient light in the home for Shabbat. Maharam is of the opinion that one may recite a beracha upon fulfillment of the oneg Shabbat aspect of lighting Shabbat candles. Magen Avraham maintains that one may only recite a beracha upon fulfilling the kavod Shabbat aspect of lighting Shabbat candles.

Magen Avraham notes that this dispute also applies to a case where a woman lights the candles in the proper time, but forgets to recite a beracha. According to Maharam, she may recite a beracha on the oneg Shabbat aspect of lighting Shabbat candles, and may recite a beracha until the candles are extinguished. According to Magen Avraham's own opinion, if she forgot to recite a beracha at the time of lighting, she may no longer recite a beracha. Magen Avraham admits that b'dieved, *ex post facto*, one may rely on the opinion of Maharam.

Third, Mordechai, Shabbat no. 294, quotes Maharam as ruling that in the summertime, one may light the Shabbat candles indoors, and eat in the courtyard during the daylight hours. Mahariel, Teshuvot Mahariel no. 53, disputes this position and contends that if the candles do not have enough fuel to last until everyone returns to the house, the beracha recited on the candles is considered a beracha l'vatala (a blessing recited in vain). Apparently, Maharam is of the opinion that one may recite a beracha on lighting the Shabbat candles even if those candles are for kavod Shabbat purposes only, and do not contribute to oneg Shabbat. Mahariel maintains that one cannot recite a beracha on candles that are not going to be used for oneg Shabbat.

Alternatively, one can suggest that the dispute between Maharam and Mahariel is contingent on whether one can fulfill the mitzvah of kavod Shabbat in the absence of Oneg Shabbat. Maharam is of the opinion that kavod Shabbat can include preparations that are not necessarily for the purposes of enhancing one's enjoyment of Shabbat. Therefore, one can light Shabbat candles for the purpose of kavod Shabbat even if one is not planning on deriving any benefit from them. Mahariel is of the opinion that kavod Shabbat only includes preparations for the

purpose of oneg Shabbat. Therefore, if one lights candles without any intention of benefiting from those candles, one does not even fulfill the kavod Shabbat aspect of lighting Shabbat candles.

Shulchan Aruch, Orach Chaim 263:9, rules in accordance with the opinion of Mahariel. Mishna Berurah 263:41, adds that if one derives benefit from the candles prior to the meal, the beracha is valid. [Mishna Berurah adds that the benefit one receives from the candles must relate in some way to the preparation of the meal. Shemirat Shabbat KeHilchata ch. 45, note 41, based on Mishna Berurah 263:45, notes that the benefit does not have to be specifically related to food preparation, but rather to any activity that requires light.] Therefore, one who is not going to eat in the same place as the candles must either derive benefit from the candles before the meal or after the meal, in order to fulfill the oneg Shabbat aspect of the lighting of the candles.

For safety reasons, it is not advisable and it may be dangerous to leave lit candles unattended. One who is not eating the Friday night meal at home should light candles that will only last a short amount of time and derive benefit from the candles during that time. If that is not possible, one should light an electric light in addition to the Shabbat candles at the time of candle lighting. In this way one can derive benefit from the electric light after returning home, and need not worry about using candles that will last a long time. The use of electric lights for the purpose of lighting Shabbat candles will be discussed in next week's issue.

The Mitzvah of Lighting Shabbat Candles Part II

Last week's issue discussed the dual nature of the mitzvah of lighting Shabbat candles. There is an aspect of kavod Shabbat, preparing for the Shabbat, and an aspect of oneg Shabbat, enjoying the Shabbat. One element of oneg Shabbat is shalom bayit, tranquility in the home (Gemara, Shabbat 25b). Rashi, Shabbat 25b, s.v. Hadlakat, explains that when there is darkness and people are stumbling, there is no tranquility. The other element of oneg Shabbat is use of the light for the various activities one performs to enjoy Shabbat. Either way, the candles serve a practical purpose in illuminating the home. It would stand to reason that one may fulfill the mitzvah of lighting Shabbat candles with anything that can provide sufficient light in the home. Therefore, use of electric lights would be acceptable for the mitzvah of lighting Shabbat candles.

There are a few objections raised by contemporary poskim to the use of electric lights for the purpose of the mitzvah of lighting Shabbat candles. Before exploring these objections, some background information is required. There are two categories of electric lights. The first category includes bulbs that illuminate due to the heating of metal to the point that it glows. The most common forms of light bulbs in this category are incandescent bulbs (the standard light bulb) and halogen bulbs. The second category includes bulbs that illuminate without any heat. This category includes fluorescent bulbs, neon bulbs, and light emitting diodes (LEDs).

What Type of Light is Valid for Lighting Shabbat Candles?

Many poskim (see Shemirat Shabbat KeHilchata ch. 43 note 22) write that an incandescent light bulb is comparable to a gachelet shel matechet, a glowing hot piece of metal, which most Rishonim (see Teshuvot Avnei Nezer, Orach Chaim no. 229) consider to be a fire for halachic purposes. Therefore, they permit use of an incandescent bulb for the mitzvah of lighting Shabbat candles. However, R. Yitzchak Shternmel, Kochvei Yitzchak 1:2, disagrees and rules that one may not use a fire that has no fuel. An electric light which doesn't run directly on fuel but rather through resistance of electrons is not considered a ner for these purposes.

A further question arises regarding fluorescent bulbs that do not provide light in the form of fire. R. Shmuel A. Yudelevitz, HaChashmal Le'Or HaHalacha 3:6, rules that since the light is not derived from glowing metal, it is not considered fire, and is therefore not suitable for lighting the Shabbat candles. However, Encyclopedia Talmudit, Chashmal, note 308, comments that one can question the requirement for fire based on the comments of Moshav Zekeinim MiBa'alei HaTosafot, Vayikra 24:2. Moshav Zekeinim discuss the dispute regarding whether one recites a beracha on lighting the Shabbat candles (as discussed on last week's issue). They quote Rabbeinu Meshulam who claims that if one has a shiny stone that provides light there is no need for a candle. Therefore, one does not recite a beracha even when one does light a candle because the candle is not inherently obligatory. Moshav Zekeinim then quote Rabbeinu Tam who states that even if one has a shiny stone that provides sufficient light, there is still an obligation to light the Shabbat candles. Encyclopedia Talmudit claims that this dispute is limited to whether there is an active requirement to light Shabbat candles. If there was some way to actively "light" the shiny stone, even Rabbeinu Tam would agree that its use for Shabbat candles would be sanctioned. The implication is that there is no requirement for fire, and any light would suffice. Therefore, fluorescent lights, which can be actively lit, may be used for Shabbat candles.

Reciting a Beracha on Electric Lights

R. Tzvi P. Frank, *Har Tzvi* 2:114, quotes R. Yosef Rosen (The Rogatchover) that one may not recite a beracha on lighting an electric light because turning on a light is not considered a sufficient enough action to warrant saying "Ihadlik" (to light). Ostensibly, R. Rosen considers lighting an electric light to be gerama (an indirect action). [R. Frank notes that completing a circuit is not considered gerama for the purpose of permitting melacha on Shabbat. R. Rosen's concern is that one should consider it gerama as a matter of stringency to prohibit reciting a beracha on electric lights.] R. Frank addresses the issue of gerama regarding lighting Shabbat candles, and states that since Maharam (cited in last week's issue) allows recitation of a beracha on a candle that was not lit for the purpose of Shabbat, (i.e., one may recite a beracha on one's Shabbat without fulfilling the kavod Shabbat aspect of lighting Shabbat candles) one may also recite a beracha on a light that was lit through gerama. R. Shmuel A. Yudelevitz, *op. cit.*, adds that even if one requires that the beracha is recited on a light lit for the purpose of kavod Shabbat, an electric light would fulfill that requirement even if it is considered gerama.

R. Chaim Y.A. Halberstam, in *Teshuvot Yerushat Peleitat* no. 7, contends that even if one can fulfill the requirement of lighting Shabbat candles using electric lights, one may not recite a beracha on that lighting. His opinion is based on a ruling of Rashba, *Teshuvot HaRashba* 1:18, who rules that one does not recite a beracha on a mitzvah that requires the assistance of other people in order to perform that mitzvah. With regards to reciting a beracha on electric lights, R. Halberstam suggests that since one must rely on the electric company in order to provide power, one does not recite a beracha on such a mitzvah. Rav Shlomo Z. Auerbach (cited in *Shemirat Shabbat Kehilchata* ch. 43, note 22) notes that if the concern to refrain from reciting a beracha is the reliance on the power company, one may recite a beracha on a battery-powered light (such as a flashlight with an incandescent bulb). It should be noted that R. Moshe Feinstein (cited in *The Radiance of Shabbos*, page 12) was of the opinion that one should not recite a beracha on electric lights.

Combining the Use of Candles and Electric Lights

Under normal circumstances, most women opt to fulfill the mitzvah of lighting Shabbat candles with actual candles or oil rather than electric lights. Nevertheless, the presence of the electric lights in the room does impact the mitzvah in a number of ways. First, the purpose of the Shabbat candles is to provide light for activities that are going to be performed on Shabbat. Maharil, *Teshuvot Maharil* no. 53, questions whether one may recite a beracha on lighting candles in a room in which other women have lit their Shabbat candles. He writes that although there are opinions that maintain that one does not recite a beracha in such an instance, there are grounds to recite a beracha as the additional candles provide added light to corners of the room that the original candles do not illuminate sufficiently. Shulchan Aruch, *Orach Chaim* 263:8, rules that one may not recite a beracha upon lighting candles in a room where there are other lit candles. Rama, *ad loc.*, rules that one may rely on the opinion of Maharil. R. Shlomo Z. Auerbach (cited in *Shemirat Shabbat Kehilchata* 43:171) questions whether Maharil's leniency is applicable to lighting candles in a room in which there are electric lights, as the candles are not going to provide any additional light. Although R. Auerbach does provide justification for this practice, he notes that it is preferable to either turn off the electric lights prior to lighting the candles (and then have someone else turn on the electric lights), or to incorporate lighting of the electric lights into the candle lighting service.

Second, *Mishna Berurah* 263:38, notes that if one is in a situation where a few people in the same house must light Shabbat candles, it is preferable for the guest to light in her private quarters rather than the dining room in order to avoid relying on Maharil's leniency. By incorporating electric lights into the candle lighting service, one can follow *Mishna Berurah's* ruling by lighting an electric light in one's private quarters and then lighting actual candles in the dining room (after the hostess has lit her candles).

Third, there is a certain element of danger in lighting actual candles, especially when left unattended. Incorporating electric lights into the candle lighting service provides a means of minimizing the danger. By incorporating electric lights, one can use a candle or oil that will only burn for a short amount of time, and the electric lights will fulfill the task of providing one's Shabbat after the candles are extinguished.

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From: Kol Torah [koltorah@koltorah.org] To: koltorah@koltorah.org
Subject: Kol Torah One Slice of Pizza

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THE BRACHA ON ONE SLICE OF PIZZA BY RABBI CHAIM JACHTER

In recent years there has emerged a dispute whether Hamotzi or Mezonot should be recited on one slice of pizza. We will present the background to this issue in the Gemara, Rishonim, and Acharonim. Then we will explain the two sides of the contemporary debate on this issue.

Gemara and Rishonim The Gemara (Berachot 42a) records the rule that one should recite Mezonot on "Pat Habaah BeKisnin" as long as he does not "establish a meal" (Kovei'ah Seudah) on it. If, however, he does establish a meal on Pat Habaah BeKisnin then he must recite Hamotzi. The Rishonim debate two major points about this Gemara. First, what exactly is Pat Habaah BeKisnin? Second, how do we determine that one has "established a meal" on Pat Habaah BeKisnin?

We will first examine the issue of when is one considered to have established a meal on Pat Habaah BeKisnin. The Rishonim argue if establishing a meal is determined by every individual according to his particular standard or by what most people consider constituting a meal. The Rosh (Berachot 6:30) cites the Raavad who believes that each individual determines what is considered to be a meal by his own individual standard. The Rashba (commenting to Berachot 42a), however, disagrees and believes that it is determined by what most people consider a meal. The Rosh agrees with the Rashba. The Shulchan Aruch (*Orach Chaim* 168:6) rules in accordance with the opinion of the Rashba and the Rosh. Thus one must recite Hamotzi if he has eaten an amount of Pat Habaah BeKisnin that most people consider a meal, even though by his personal standards he is merely consuming a snack (also see the varying opinions cited in the *Mishna Berura* 168:24).

It should be noted that the *Biur Halacha* (168b s.v. Af Al Pi) asserts that the "objective standard" varies from group to group. He specifically mentions a distinction between young and old people. Thus, if an older individual plans to eat an amount of Pat Habaah BeKisnin that most older people consider to constitute a meal, he must recite Hamotzi even though a younger person would view that amount of food as merely a snack. Rav Daniel Wolf of Yeshivat Har Etzion (Yeshivat Har Etzion's *Daf Keshet* volume 6) suggests that a distinction can be made between men and women regarding this matter, as men generally eat more than women. I have often wondered whether adolescent boys should be considered as a distinct group regarding this matter as well, since they tend to eat more than most other people. Personally speaking, I considered three slices of pizza to constitute a meal when I was a teenager, and as an adult I consider two slices of pizza to constitute a meal. It should be noted that, according to many opinions, one need not eat an entire meal of Pat Habaah BeKisnin in order to establish a meal. One must recite Hamotzi when he plans to eat some Pat Habaah BeKisnin along with enough food to establish a meal (*Mishna Brura* 168:24 and *Teshuvot Igrot Moshe* O.C. 1:56 and 3:32; see, however, the *Aruch Hashulchan Orach Chaim* 168:17 who disagrees). Interestingly, Rav Yaakov Kaminetzsky (cited in *The Halachos of Brachos* p. 261 note 6.1 and *Emet LeYaakov Orach Chaim* 168, note 196) argues that this rule does not apply if the Pat Habaah BeKisnin is consumed only as dessert. Thus, for example, if one eats potato pie or crackers along with the main course, he must wash and recite Hamotzi and Birkat Hamazon but if he eats a full meal and then has cake for dessert he is not required to recite Hamotzi and Birkat Hamazon. Rav Shlomo Zalman Auerbach (cited in *Shemirat Shabbat Kehilchata* 54 note 132) similarly suggests that only when the Pat Habaah BeKisnin is consumed together with meat or fish (i.e. the main course) does the meat or fish combine with the Pat Habaah BeKisnin to establish a meal. Rav Moshe Feinstein, though,

rules that even cake eaten for dessert combines with the rest of the meal to be Kovei'ah Seudah and thereby require one to recite Hamotzi and Birkat Hamazon. Rav Mordechai Willig (Am Mordechai page 101) discusses this issue at some length and rules in accordance with the views of Rav Yaakov Kaminetzky and Rav Shlomo Zalman Auerbach.

What is Pat Haba'ah BeKisnin? Next we will review the three opinions in the Rishonim regarding the definition of Pat Habaah BeKisnin. Rabbeinu Chananel and the Aruch define it as "bread that is baked with a pocket full of honey, sugar, nuts, or spices." This appears to be similar to what we call pie. The Rambam (Hilchot Berachot 3:9) defines it as "dough which has honey, oil, milk, or spices mixed in it." This appears to be similar to what we call cake. Rama (O.C.168:7) explains that it is called cake only when a considerable amount of spices or honey is added to the dough. Mishna Berura (168:33) explains that it is considered a "considerable amount" only when the spices or honey is a dominant taste. Only then is it defined as cake and not as bread.

Parenthetically, it should be noted that this is one of the reasons that Rav Aharon Lichtenstein, Rav Hershel Schachter, Rav Mordechai Willig and virtually every Rav that this author is acquainted with believe that Hamotzi should be recited over "Mezonot bread." Even though apple juice is added to the dough in the baking of "Mezonot bread", its Bracha is Hamotzi because the taste of apple juice is hardly noticeable. Moreover, people treat "Mezonot bread" exactly as bread and thus cannot qualify as Pat Habbah BeKisnin that by definition is a snack type of food. For a full discussion of the fallacy of "Mezonot bread", see Rav Binyamin Forst's The Laws of Berachos pages 253-256.

The third opinion regarding the definition of Pat Habaah BeKisnin is the view of Rav Hai Gaon, who believes that it is crackers. Interestingly, it is for this reason that Sepharadim recite Mezonot when they eat Matzah (as a snack) other than during Pesach (see Rav Ovadia Yosef Teshuvot Yechave Da'at 3:12). See, however, Rav Eliezer Waldenberg (Teshuvot 11:19) for a full defense of the Ashkenazic practice to recite Hamotzi on Matzah (even if eaten as a snack) year round. Interestingly, the Shulchan Aruch (168:7) rules in accordance with all three views. Indeed, many Acharonim query as to why the Shulchan Aruch decided to do so. One suggestion is that the Rishonim do not disagree but are simply offering different examples of what is Pat Habaah BeKisnin. Thus all agree that pie, cake and crackers are considered Pat Habaah BeKisnin (see Biur Halacha s.v.Vehalacha and Rav Mordechai Willig's Am Mordechai page 100).

The Shulchan Aruch (168:17), however, writes that dough baked when filled with meat, fish, or cheese requires the bracha of Hamotzi. The Mishna Berura (168:94) explains that Hamotzi is required even if he did not "establish a meal" on these foods. This is because these are "meal type foods" and not snacks, in contradistinction to pie, cake, and crackers. This rule is not absolute as the Mishna Berura rules that "franks in a blanket" are snacks and Mezonot is recited on it (unless one establishes a meal on it).

An analysis of the Pat Habaah BeKisnin rule might help us understand this ruling. Rav Meir Lichtenstein told me that his grandfather Rav Yosef Dov Soloveitchik believes that fundamentally the Bracha of Hamotzi is not a Bracha on bread. Rather, it is a Bracha recited upon a meal (Seudah). According to this insight, one recites Mezonot on Pat Habaah BeKisnin even if it is formally defined as "bread", since one is consuming it as a snack and not as a meal. However, if one eats Pat Habaah BeKisnin as part of a meal then it follows that one should recite Hamotzi on the Pat Habaah BeKisnin. Similarly, the Bracha of Mezonot is appropriate only for cake or crackers since they are "snack foods" and not for meat or cheese pies since they are "meal foods."

Contemporary Rabbinical Authorities The debate whether the bracha for one slice of pizza is Mezonot or Hamotzi hinges on the question if pizza is viewed as "meal food" or "snack food." Many people recite Mezonot on one slice of pizza based on Rav Moshe Feinstein's reported

ruling that pizza is Pat Habaah BeKisnin. Rav Moshe is reported to have asserted that pizza is a snack type food and that one does not establish a meal when he eats only one slice of pizza. Other Poskim disagree. Rav Mordechai Willig (Am Mordechai page 99) rules that Hamotzi should be recited even on one slice of pizza because most often pizza is consumed on the context of a meal and not as a snack. This argument might hinge on what is meant as a "meal." Rav Moshe might respond that the Halacha refers to a full meal such as dinner and not lunch, which in America is regarded as a light meal (see Rav Forst, The Laws of Berachos page 249 footnote 77 who advances a similar argument). Rav Ovadia Yosef (cited in Yalkut Yosef, Kitzur Shulchan Aruch, page 223 in the 5760 edition) and Rav Yisroel Belsky (Mesora 1:40) also rule that one should recite Hamotzi even on one slice of pizza. Rav Zalman Nechemia Goldberg and Rav Hershel Schachter also told this author that Hamotzi is the appropriate Bracha even for one slice of pizza. Rav Willig, however, notes that pretzels are considered Pat Habaah BeKisnin because it is commonly eaten as a snack.

It appears to me that the reason why common practice seems to accord with Rav Moshe's view (aside from the convenience factor) is that when kosher pizza was first introduced in the United States in the 1970's, Rav Moshe Feinstein was the preeminent Halachic authority in America at that time. It appears that the authorities who disagree with Rav Moshe issued their rulings only after Rav Moshe's ruling became entrenched among Am Yisrael. One should consult his Rav for a ruling regarding this matter.

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Young Israel Weekly Dvar Torah From: National Council of Young Israel [YI_Torah@lb.bcentral.com] Sent: Wednesday, June 22, 2005 Subject: NCYI Dvar Torah: Parshat Shelach Parshat Shelach 18 Sivan 5765 June 25, 2005 Daf Yomi: Shabbos 54 Guest Rabbi: RABBI SHOLOM TENDLER

Young Israel of North Beverly Hills, CA

To Build or to Destroy Why does the story of the spies follow the story of Miriam? The Midrash, as quoted by Rashi, explains that the spies, who were guilty of speaking lashon hora, should have learned from Miriam that the consequences of this sin of the tongue are quite severe. Is this, then, just a story of lashon hora? Is this the essence and extent of the sin of the ten spies? Wasn't their sin much more serious than mere gossip mongering or slander? Wasn't their sin a clear violation of faith and trust in the G-d who redeemed the nation from the servitude of Egypt? These spies heretically questioned whether or not to follow G-d into the "promised land" and seemed to actually question His ability to lead them in the conquest of this land. After all the miracles of Egypt, the splitting of the sea, the water from the rock, the manna - after having stood themselves at Mt. Sinai - they still questioned G-d. It is for this terrible sin that an entire nation was sentenced to wander in the wilderness for forty years. Yet, the rabbis attribute this sin, not as much to a breach of faith, but rather as a sin of lashon hora. If someone would commit a truly grievous sin such as murder or idolatry while speaking lashon hora would we even mention the lashon hora they said? Of course not, because the sin of lashon hora would pale in comparison to the more serious crime. How, then, are we to understand the emphasis of lashon hora in the context of what are clearly much more serious

transgressions? Another perplexing point regarding the connection of the sin of the ten spies to lashon hora is that this particular case of lashon hora was uttered against a land, not a person. The Torah states (BaMidbar 14:36, 37) that they uttered a "slandorous report against the land". Did the earth of Canaan turn white from embarrassment? Did its mountains blush? Why cite an inanimate victim for the slings and arrows of their tongues?

The key to understanding Chazal's (sages) great wisdom and deep insight in this matter is to first define the essence of the sin of lashon hora. One is tempted to define lashon hora by the damage it causes to an individual or to society. It can do terrible damage to people. It can cause great embarrassment. It can ruin livelihoods, break up friendships, and destroy marriages. It can destroy shuls and schools and tear communities apart. But these terrible consequences, although compounding the severity of the transgression, are not the essence of the sin. The sin of lashon hora goes much deeper within the human soul and represents man's eternal struggle to choose between good and evil, to choose between being a builder or a destroyer.

Unfortunately, there exists a primal need within every human being to destroy what is not his, and, sometimes, even what is his. There is an evil inclination within every human, symbolized by the snake of Eden, to see bad in others and to derive pleasure from such observation. This worst of all middot (attributes), the need to destroy with our tongue, has been the cause of much of mankind's shortcomings. This explains how one can be guilty of lashon hora spoken about an inanimate object such as a land. Since this is primarily a sin of middot, it makes no difference if man's destructive evil tongue is aimed at another human being or at an object, such as a land. The indication of the presence of the snake within the human soul is the same.

The reason the rabbis connect the sin of the ten spies to lashon hora is not as much a description of the sin as it is an explanation of the source of the sin. Chazal have a serious question with which to deal in explaining this Parasha. How is it possible that ten great leaders, who stood at Mt. Sinai and witnessed so many other miracles, can be guilty of such an obvious breach of faith and trust? Do we really understand how people like these can suddenly turn around and question G-d's ability to lead them into the land?

An understanding of lashon hora provides Chazal with both the explanation and the basis for the moral lesson to be learned by all future generations. Sin is the result of bad middot and these men who did achieve greatness in their lifetime, and were most definitely considered tzaddikim, were nonetheless guilty of this primal sin of the bad middah of lashon hora. This middah perverted their objectivity, clouded their perspective, and enabled them to rationalize and justify what is for the objective observer an incomprehensible expression of a lack of faith in the Creator. There can be no other explanation for such blatant heresy on the part of such people if not for their obvious inability to see the good and their disposition for focusing on the bad.

Why did Yehoshua and Caleb interpret everything for the good while the others understood those very same observations as something negative? Large fruit was a good sign for the two while it was a bad sign for the ten. The pre-occupation of the people with funerals was seen by the two as G-d's helpful intervention, distracting the Canaanites from noticing the foreigners in their midst, while the ten interpreted these same events as a deficiency within the land. Chazal teach us that it was Yehoshua and Caleb's middah of lashon tov which allowed them to see the good while the others' middah of lashon hora provided them with the bias to see the bad. Their sin was clearly one of breach of faith, but the cause of this breach was their bad attribute of lashon hora. It is interesting to note that the Rambam's placement of the laws of lashon hora is in Hilchot De'ot (ch. 7), the laws of human attributes, rather than in his section on civil law (Mechira 14:13) where he does include examples of verbal damages.

When the Torah in Beresihit describes the Creator blowing the "living spirit" into Adam, the Targum translates "living spirit" as "spirit of speech". Indeed, it is this ability to speak which separates Man from the animal kingdom and indicates the presence of a holy soul, a neshama. Lashon hora may seem not as serious as other transgressions, but, of all the sins, it is the one which is a direct crime of the spirit, not of the flesh. It is the most direct affront to our neshama because it abuses the power of speech which is a force of the neshama. It may seem minor and trivial to us, but not to our teachers. They saw this sin as the ultimate blemish on one's soul and the cause behind the spiritual downfall of the ten spies.

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From: weekly-owner@ohr.edu on behalf of Ohr Somayach [ohr@ohr.edu] Sent: Monday, June 20, 2005 3:00 AM To: weekly@ohr.edu Subject: Torah Weekly - Parshat Shlach TORAH WEEKLY - For the week ending 25 June 2005 / 18 Sivan 5765 - from Ohr Somayach | www.ohr.edu Parshat Shlach by RABBI YAAKOV ASHER SINCLAIR <http://ohr.edu/yhiy/article.php/2224>

The Biggest Bribe In The World "These are their names..." (13:4) Look at the order in which the Torah lists the spies in this week's parsha. Calev is listed fourth and Yehoshua is listed fifth. The Ramban says that the Torah lists the spies according to their greatness. In other words, it cannot be that what saved Calev and Yehoshua from the mistake of the other spies was their greatness, for at least two of the spies were greater people than them, and they still failed. What was it then that allowed Yehoshua and Calev to avoid the disastrous pitfall of the sin of the spies?

Calev was married to Miriam, and one of the best protections that a man can have is a righteous wife. Yehoshua had the advantage that Moshe prayed for him to be spared from the spies' conspiracy. Moshe changed Yehoshua's name from Hoshea by adding a yud at the beginning of his name. This made the first two letters spell one of G-d's names. It also changed the meaning of his name to "G-d will save." However, maybe Yehoshua and Calev had more than just these advantages going for them.

One of life's amazing facts is that that two people can hold diametrically opposed opinions and yet cite the identical fact as proof to their opposing opinions. How is it that we can look at the world so totally differently from one another? How was it that Yehoshua and Calev saw a Land that was "very, very good" (14:7) whereas the other spies saw a "Land that devours its inhabitants"? Surely both cannot be true.

The Rambam says that the first mitzvah is to know and believe that there is a G-d. How is it possible to command belief? To whom is this mitzvah addressed? If someone already believes, then he doesn't need a commandment, and if someone doesn't believe, all the commanding in the world isn't going to make him believe. Another thing. Judaism expects every 13-year-old boy and 12-year-old girl to believe in G-d. How is it that, at their tender ages and with their limited intellects, they are expected to accomplish something that even Aristotle, one of the all-time brightest people who ever lived, wasn't able to attain? The Rambam says that Aristotle was on such a high intellectual level that he was just one step below being a prophet. And yet, Aristotle, for all his brilliance, was not able to arrive at a belief in G-d. So how can we expect the comparatively feeble mind of a teenager to achieve belief in G-d?

The answer is that belief in G-d isn't something that requires tremendous intellect. There once was an atheist who challenged Rabbi Akiva: "Who

created the world?" "G-d," replied Rabbi Akiva. "Prove it!" said the atheist. "Who wove your cloak?" asked Rabbi Akiva. Replied the other, "The weaver." "Prove it!" said Rabbi Akiva. Just as the cloak testifies to the existence of the weaver, so too the world testifies to the existence of G-d.

So if belief in G-d is something so obvious, what stops so many people from believing?

Bribery.

The Torah tells us "a bribe blinds the eyes of the wise". Even the wisest person loses his objectivity when faced with a bribe. Obviously the degree of bias will vary depending on the intellect of the person and the attractiveness of the bribe. However, even the smallest bribe has some kind of influence on even the greatest intellect. What's the biggest bribe in the world? The biggest bribe in the world is to do what I want to do when I want to do it without the slightest feeling of guilt. Judaism says that your life isn't your own. You were born against your will and you'll die against your will. Our lives are not our own. Ah, but if I don't believe in G-d then my life is mine! I can do exactly what I want! (Provided of course that I don't get caught.) And I don't have to worry about some "Celestial Big Brother in the Sky" watching every move I make and every step I take.

Atheism isn't logical. It's psychological.

If there were a mitzvah in Judaism that you had to travel around the world eating at the best treif restaurants in the world, a lot more people would be observant.

The spies knew that they would very possibly lose their positions as leaders when the Jewish People entered the Eretz Yisrael. It was this unconscious bias that caused them to speak unfavorably about the Land. Rather than say what they saw in the Land, their eyes 'saw' the subconscious prior agenda that they had already dictated for themselves. Their eyes saw the agenda of their mouths, for a bribe blinds the eyes of even the wisest and the greatest.

From: Peninim-bounces@shemayisrael.com on behalf of Shema Yisrael Torah Network [shemalist@shemayisrael.com] Sent: Thursday, June 23, 2005 7:58 AM
To: Peninim Parsha

PENINIM ON THE TORAH
BY RABBI A. LEIB SCHEINBAUM
- Parshas Shelach

Send forth men if you please (for yourself) and let them spy out the land of Canaan. (13:2) Rashi explains that the word lecha, for yourself, means according to your own counsel. Hashem said, "I am not commanding you to do so. If you so want, you may send them." Hashem "gave in" - so to speak - to Klal Yisrael's request to send spies. It was not an enthusiastic acquiescence, as indicated by Rashi, "I (Hashem) told them that the land was good, but they do not trust Me." While Hashem was not pleased with the people's determination to send spies to the land which He had told them would be good for them, He, nonetheless, permitted it. History proved that the people had seriously erred, something for which we are paying until this very day. The entire episode begs elucidation. If Hashem was not happy and Moshe Rabbeinu was aware of this, why did Moshe allow the people to send spies? Furthermore, we even find later in Sefer Devarim that Moshe had no problem sending spies. Why did he proceed as planned, fully aware of Hashem's displeasure? Also, Hashem surely knew that this mission would lead to disaster. Why did He not immediately halt it? Last, what is the meaning of "For yourself"? Hashem was telling Moshe to send spies. He distanced Himself from the mission by adding the words, "For yourself." If He issued the command, then it could not really have been "for yourself."

In "Forever His Students," a collection of essays based on the teachings of Horav Yaakov Weinberg, zl, Rabbi Boruch Leff offers the following fundamental lesson in Jewish philosophy. Hashem deals with us in accordance with our spiritual position - not in accordance with His. Sending the spies should not necessarily have catalyzed the downfall of Klal Yisrael. Thus, under the circumstances, it was the proper course of action. Hashem felt that the people had made an ineffective decision. Yet, once they made the decision, He dealt with them according to their present position. Their spiritual level had plummeted, leaving them vulnerable to the physical elements. They would have to deal with whatever challenges arose in

the appropriate manner. This meant sending spies and relying on conventional tactics of warfare in order to succeed.

A holy person whose trust and faith in Hashem are unequivocal can simply pray to Hashem, asking that his sustenance be provided in an unnatural manner. One who is not on this spiritual plateau must resort to conventional methods - together with prayer. When Hashem said, "for yourself," He was implying that He was disappointed in their decision not to place complete trust in Him. If they wanted spies, however, so be it. Hashem certainly did not want Klal Yisrael to send spies, an action which led to such disastrous consequences. They asked for it, as they had made the fatal error of not trusting Hashem and, consequently, they would have to deal with the spies' report and the challenges that ensued. We made the decision; we had to live with it.

Hashem deals with where we are. We design the playing field for our own lives. If we err, Hashem will, nonetheless, support and guide our decision. He will also hold us accountable for our choices and actions, judging and recording our failure. He will, however, always be there to guide us, regardless of how much we err and how far we stray. Today, we are still experiencing the consequences of that fateful decision.

We were like grasshoppers in our eyes, and so we were in their eyes. (13:33)

The incident of the meraglim, spies, is one of the compelling tragedies that occurred during Klal Yisrael's sojourn in the wilderness. The commentators, each in his own inimitable manner, try to find a rationale for the way in which Klal Yisrael's leadership/turned spies literally transformed overnight into a scared and rebellious people. This attitude quickly infected much of the nation, creating a situation that engendered a night of bechiah I doros, weeping for generations. Indeed, until this very day, we are plagued by the consequences of that ill-fated night.

The Sfas Emes takes a somewhat psychological approach towards understanding what occurred. The night that the meraglim returned, the lines were drawn and a debate ensued: Could Klal Yisrael triumph over the Canaanites? Could they conquer the land that Hashem had promised to them? The meraglim emphatically declared that they had no chance for success. Regrettably, they prevailed.

Now, why were they so "sure" they could not conquer the land? The Sfas Emes explains that they were unsure of themselves. They reported that the inhabitants of the land were huge, like giants, and that "we were in our eyes like grasshoppers" in comparison to them. When people view themselves as grasshoppers, as insignificant in relation to the Canaanites, they are precluding their chances for success. To win, an individual must have motivation, courage, and vigor. This gives him the momentum to achieve. When one is plagued by feelings of inadequacy and incompetence, he has lost the war before the first shot has been fired.

It all boils down to pride - Jewish pride. Throughout the millennia, there have been Jews who have been so self-deprecating that they felt that the only way they could achieve any form of significance would be by assimilating and becoming part of their host nation. Whatever happened to the pride associated with being Jewish, with having a Torah, with maintaining a life of mitzvah observance, with adhering to the ethical and moral values that distinguish us from the nations of the world? Unfortunately, when one is infused with feelings of inadequacy, he does not see beyond himself. He does not see the full context of the greater picture.

If we peruse history, we may note the incredible achievements of our forbears, their spiritual stamina, their willingness to sacrifice their lives for Hashem, but, above all, their pride in being Jewish. There have certainly been those who have fallen by the wayside, but they were the individuals who viewed themselves as parasites, because they were concerned with public opinion, with the opinion of the pagans, the gentiles, the cruel oppressors, the secular elite, as well as the itinerant farmers. How did our ancestors combat these feelings? How were they able to inculcate pride in their children, to raise the banner of Torah and to perpetuate the eternal verities of our people?

The answer is that they had the Torah. What does Torah do? Let me explain. David Hamelech says in Sefer Tehillim 84:5, Ashrei yoshvei veiseicha, od yehallelucha selah, "The praises of those who sit in Your House, more, will they praise You, forever." Ashrei is defined as praise. The word od means "more." Thus, we say that the praise of the Almighty is an expression of od, moreness. What does this all mean? Horav Shlomo Freifeld, zl, explains that this refers to the praises attributed to a person, the excellence of a person, his brilliance, his aura, his glow, the achievement of the optimum, the ultimate expansion of his being. When a person is at the point of fulfilling his potential, when he shines the brightest; when he has achieved his ultimate: this is the power of od. This point occurs not when he is wealthy, not when he is famous, but when he is making maximum use of his Divinely endowed abilities. This is when he has achieved true and maximum

excellence, when he is in an expanded state of being, when he is "more," when he is ensconced in the power of "od."

This achievement is realized when he is yoshvei veisecha, "dwells in Your House," when he sits in the bais ha'medrash studying Torah. That is when he has access to the power of od, when he can transcend the here and now in order to attain true excellence.

Torah is mesamchei lev, "gladdens the heart" (Tehillim 19:9). When one studies Torah, when he embraces it, his heart expands with a pure, transcendent joy, and he enters into an expansive state of mind and soul. His vision broadens, and he develops an increased level of tolerance for the irritations that life has handed him. He becomes a person of "moreness," all from the joy of embracing and studying the Torah.

Rav Freifeld cites the Baal HaTanya, who makes an interesting observation concerning the extremes of joy and depression. In the Talmud Eiruvin 3b, Chazal discuss the various forms of amah measures. All amos are comprised of six tefachim, each being approximately the size of a closed fist. There are, however, two types of closed fist: a tightly closed fist and a loosely closed fist. The difference in size between the two is about a third of a finger. Chazal refer to these two fists as an amah sochekes, literally a smiling amah, and an amah otzeves, a depressed amah.

The Baal HaTanya explains the deeper meaning of this unusual metaphor. A depressed person's face is long, taut and scrunched up, while a happy person's face is relaxed and wreathed in smiles. When a person smiles, his face, and, indeed, his entire body, expands. Thus, a loose, larger amah is sochekes, smiling, while a tight, scrunched up amah is otzeves. In addition, the Baal Hatanya explains that this expansion is not merely physical; it is also spiritual. A person's face is a reflection of his inner soul. When a person is happy, the powers and abilities of his soul expand, resulting in a physical expression: a smile. In contrast, when he is depressed, his soul shrivels and constricts. His powers and abilities are now limited, and his face crumples. When a person is happy, a metamorphosis occurs, and he is transformed into a different person.

When a person is happy he tolerates whatever he confronts. He is in an expanded state of being, and he is able to transcend adversity and challenge. Suddenly, his enemies become his friends, his troubles become opportunities, and his pain is a stepping-stone for spiritual growth. On the other hand, one who is in a state of depression is constricted. He has no patience. He cannot listen. He does not think straight. Everything is a problem, and even the smallest obstacle is insurmountable. The greatest person can overnight become very, very small. That is what occurred that night in the wilderness. It was the genesis of Tisha B'Av, our national day of mourning and grief. We felt like grasshoppers, and our whole world came tumbling down on us. Only one thing can pull us out of the abyss of depression: the joy that comes with embracing the Torah.

What about the common Jew who has not achieved that level of relationship in which Torah is his companion, his friend, his life? What gives him hope? What comprises his sense of pride? Horav Yissachar Frand, Shlita, relates the following story which gives us much to be proud of. The Klausenberger Rebbe, zl, one of the few and strong who rebuilt Torah on these shores in the aftermath of the Holocaust, was an individual whose indomitable spirit and love of every Jew paralleled his encyclopedic knowledge of Torah. When he arrived in America, after surviving internment in the Nazi concentration camps, he opened a small shul in the Williamsburg section of Brooklyn. The shul's congregants had the same history as the Rebbe: suffering, pain and misery. Broken in body, but healthy in spirit, these survivors were prepared to rebuild their lives with hope and courage.

Parashas Ki Savo arrived, and it came time to read the Tochachah, the dread curses which foretold Klal Yisrael's punishment for not observing the mitzvos. The custom is for the baal korei, Torah reader, to read this portion quickly in a quiet, subdued voice, which is what he began to do. Suddenly, the Rebbe exclaimed, "Louder!" The baal korei raised his voice slightly, hypothesizing that he had been reading too low for the Rebbe to hear.

Once again, the Rebbe emphatically said, "Louder!" The baal korei raised his voice again, but, apparently, it was not enough, as the Rebbe again said, "Louder! Read it the way that you always read the Torah." The baal korei listened, completing the Tochachah in his regular tone. Afterwards, he approached the rebbe for an explanation.

"Let me explain," said the Rebbe. "In the past, we have read this quietly, because these curses were nothing more than distant images, far-off tragedies to which we could not personally relate. Therefore, we would quickly read the words without dwelling on them. Times have changed. Our generation has lived through these curses! We know exactly what they are and how they feel, but we have managed to survive them. We are still here today. We are entitled to read the Tochachah out loud."

The Rebbe viewed his Holocaust experience and survival as a badge of honor, a source of pride. He had triumphed over the Nazi beasts. This idea applies equally to us, the descendants of that generation. We have maintained what they had begun to create. They planted the seeds of Torah in this country. We have nurtured, harvested and planted again. We have continued their work. They survived the Tochachah. We carry on the torch, which they kindled. Therefore, we share in their badge of honor, in their sense of pride. We are entitled to hope, because we have earned that right.

When you will come to the land of your dwelling places... and you perform a fire offering to Hashem... and a quarter-hin of wine for libation shall you prepare. (15:1,2,4)

The position which the Torah accords to the laws of the ritual libations that were placed on the Altar in the Bais Hamikdash seems somewhat misplaced. Klal Yisrael had just been informed of the tragic news that they would not enter Eretz Yisrael, as a result of their involvement in the sin of the meraglim, spies. To immediately relate to them laws that are applicable only in Eretz Yisrael seems like pouring salt on an open wound! These people were mourning their impending deaths in the wilderness. Everything they had hoped for had just been lost. Why would Hashem add to their misery by discussing laws that would not pertain to them? Furthermore, it is stated in the Tanna D'bei Elyahu that Moshe Rabbeinu requested of Hashem, "How can I appease the Jews who are mourning their fate?" Hashem responded by telling him to teach them the laws of the libations. How would that appease them?

Horav Moshe Shapiro, Shlita, derives an important lesson from here regarding the awesome power of Torah. When Moshe Rabbeinu began teaching the people the laws of libations, the sweetness of Torah embraced and enveloped them, so that they completely forgot about the tragic decree and their impending doom. There is no greater form of consolation than to hear a shiur from Moshe. Torah does that for a person. Indeed, it is like an anesthetic that allows the individual to transcend the here and now to enter into a different, more pleasant world.

When two people study Torah, Chazal refer to the ensuing dialogue between them, as each one presents and argues his point, as milchamatah shel Torah, literally, the battle of Torah. The two study partners contend with one another, each one seeking to understand and acquire the Torah to the greatest degree possible. The Brisker Rav, zl, was once at a health resort together with Horav Shimon Schkop, zl, when a group of senior yeshivah students approached Rav Shimon to speak with him "in learning." The Brisker Rav listened by the side as Rav Shimon delivered a brilliant lecture on the topic about which they had queried him. Afterward, the Brisker Rav told Rav Moshe Shapiro that what Rav Shimon said could have been delivered by any Torah scholar, but the sweetness that was infused in the words of Torah as they emanated from Rav Shimon was unparalleled.

The ability to experience mesikus, sweetness, in Torah learning is the result of ameilus baTorah, toil in Torah. When one applies himself in such a manner, when he toils and labors to understand the profundities of Torah, he will enjoy its sweetness. It becomes a sweet melody whose dulcet tones swathe him with Heavenly sound. This creates a mood that enables the individual to transcend his present worries as he embraces the Torah.

Sponsored by Shiya and Edith Zeitman in honor of the marriage of their daughter Devorah to Nassan Treitel 'yehi ratzon shtizkeh l'vnos bayis ne'eman b'yisrael'

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