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Rabbi Benjamin Yudin Transforming Attitude into Gratitude

The Ashkenazik practice is to begin the recitation of Selichos on a Motzaei Shabbos, minimally four days before Rosh Hashanah. A popular source (Mishna Berurah 581:6 citing Eliyahu Rabba) for this is the fact that in conjunction with every yom tov the Torah introduces the korban mussaf in Parshas Pinchas using the word "v'hikravtem - and you shall offer" the particular additional sacrifice. In contrast, regarding Rosh Hashanah the Torah mandates (Bamidbar 29:2) "va'aseesem - and you shall make an offering", understood by the rabbis to infer that man should make himself worthy of an offering. As an animal in the Beis Hamikdash required a "bikur mumm - physical inspection" over a period of 4 days assuring and insuring that the animal is blemish free and fit to be offered, so too is man to introspect and examine his ways, thoughts, and actions that they are worthy and appropriate for the service of Hashem.

At first glance the particular krias HaTorah that is read on the Shabbos before Selichos need not be related to Selichos. At the same time, this year Parshas Ki Tavo is read and I believe that a careful understanding of the opening mitzvah of bikurim can shed light and enhance our appreciation of Selichos.

There are two mitzvos out of the 613 that deal with bikurim. In Mishpatim (23:19) the Torah legislates the mitzvah of bringing the first fruits to the Beis Hamikdash, and in Ki Tavo (26:5-10) the Torah provides an exact text of a declaration, mikreh bikurim, that the farmer is to recite upon presenting his first fruits to the Kohen in the Beis Hamikdash. The essence of this declaration is thanksgiving to Hashem for the produce, for the land of Israel, and for His directing history and redeeming the enslaved Jewish nation from Egypt and bringing them to the promised-land. Upon completion of the declaration, the farmer prostrates himself before Hashem.

Dovid Hamelech (Tehillim 50:23) says, "Zoveiach todah yechabdoneni" which can be understood in one of two ways. One way is: the one who offers a thanksgiving offering honors Me. The Talmud (Brachos 54b) teaches that individuals that underwent challenging and dangerous situations are obligated to bring a thanksgiving offering, including seafarers, those who go

through wildernesses, one who was ill and recovered, and one who was incarcerated in prison and came out. Their offering, the prescribed korban todah, is a recognition of Hashem's divine providence, and thereby honors Hashem. Today, when we do not yet have the third Beis Hamikdash, we recite the Birkat Hagomel instead.

Rashi, however, understands the word "todah" not as thanksgiving but as an admission and confession. Thus the verse is to be understood as: the one who brings an offering of repentance and confesses his sins is truly honoring Me. It is interesting to note that the root of the word "todah" means both to admit and to offer thanks. Indeed, Rav Hutner zt"l noted that the two understandings complement each other in the beracha of modim, which is the theme of the final section of every Shemoneh Esrei. The Jew acknowledges and admits (as in modeh b'miktzas, when one admits to part of a financial claim against him). Here too the worshipper admits that he could not do it alone, that he needed the assistance of other. Indeed, every time we say thank you we are first stating that we needed something, and that we could not do it all on our own. Subsequently having admitted this reality, the second meaning of "todah" - thanks - emerges, and one expresses appreciation for the good they have received.

The Torah mandates that upon completion of the recitation of mikreh bikurim the farmer prostrates himself before the mizbeach - the altar of Hashem. The act of hachna'ah, of total submission to Hashem, follows naturally the detailed declaration of hakaras hatov - thanksgiving. The more one realizes that they have been the beneficiary of His bounty the more grateful and humbled they become and desire to reciprocate in kind, fulfilling His every wish.

The Talmidei Hagra share, in the name of their teacher, a related insight into the Shema. The opening line of Shema expresses the sovereignty of Hashem, Shema continues to tell us to love God with ALL our hearts, ALL our souls, and ALL our might. Why the threefold repetition of "b'chol - with all"? It is teaching us not only the existence and uniqueness of Hashem, but that ALL emanates from Him. Thus our hakaras hatov - gratitude is directed to one Source only, hence the three "all"s concretizing this idea.

There is an interesting difference of opinion when the ideal time is to recite the opening Selichos. Rav Elyashiv zt"l opined that it is best to say Selichos early Sunday morning. This is based on the words of the Shulchan Aruch (Orach Chaim 581:1) that the practice is to rise early to recite Selichos. The very rousing of one's self from their sleep and slumber sets the tone for acknowledging their sins. The motivation is one of todah - viduy - admission of guilt, i.e. not having actualized one's full potential.

The Leket Yosher (a student of the Trumas Hadeshen) taught that we recite Selichos on Saturday night going from the joy of Shabbos to the joy of Selichos. The joy of Shabbos emanates from the spiritual effect of greater and more meaningful studying of Torah on Shabbos, and the physical oneg - delight of Shabbos. The positive mood and delight of Shabbos is the ideal prerequisite for Selichos. This is the todah of thanksgiving leading to the todah of admission, namely in view of the excessive bounty that Hashem gives each and every one of us - B'ezras Hashem our health, our family, our environment, our sustenance - one realizes that we can never sufficiently repay Him and therefore we come to Selichos with a happy countenance, wanting to improve ourselves to give Him nachas.

The Medrash Rabbah explains the opening words of the Torah, "Bereishis barah Elokim", to mean, "for reishis - the first Hashem created" the world, and that "reishis" refers to the Torah, Bnai Yisroel (see Rashi on the opening verse of Torah), and Bikurim (which are called "reishis" in Shemos 23:19.) Now we understand why the world was created for Bikurim - its declaration of hakaras hatov sets the tone and foundation for man to serve Hashem. The attitude that it's all me is transformed to appreciate and recognize that everything comes from Him.

Thus, the Medrash Rabbah (Bereishis 22) teaches when Adam asked Cain what occurred after his horrific act of fratricide and he said "I did teshuva and was pardoned", Adam responded with "Tov l'hodos l'Hashem - it is good

to thank the Lord". The Chasam Sofer cites the Medrash which explains, "Tov l'hodos l'Hashem" to mean "it is good to confess and accept total submission to Hashem". His beneficence leads to our character development. May we be ever aware and makir tov of His constant showering us with goodness and be thereby prompted to reciprocate and be worthy thereof. Copyright © 2015 by TorahWeb.org. All rights reserved.

From: **Rabbi Yissocher Frand** <ryfrand@torah.org> reply-to: do-not-reply@torah.org to: ravfrand@torah.org date: Thu, Sep 3, 2015 at 10:05 AM subject: Rabbi Yissocher Frand - Parshas Ki Savo

Parshas Ki Savo

The Dual Significance of Bowing In Both Bikkurim and Tefillah

Yad Yechiel Never Miss Subscription These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Series on the weekly portion: CD #999, Can Your Mother Serve You Dinner? Good Shabbos!

Amongst the many mitzvos mentioned in our parsha is the mitzvah of Bikkurim [Bringing the First Fruit]. The Jewish farmer came into the Land of Israel. The Almighty showered him with the bounty of the first crop. The farmer must bring the First Fruits to the Bais Hamikdash [Temple], give them to the Kohen, and declare his thanks and gratitude to the Almighty:

"And now behold! I have brought the first fruit of the ground that You have given me, O Hashem! And you shall place it before Hashem, your G-d, and you shall prostrate yourself before Hashem, your G-d." [Devorim 26:10] This is the section of "Bringing the First Fruit" (Ha'va'as Bikkurim) and the section of "Declaring the First Fruit" (Mikra Bikkurim).

The Medrash Tanchuma writes that Moshe saw with Ruach Hakodesh [Divine Spirit] that the Bais Hamikdash would be destroyed and that the bringing of Bikkurim would be suspended. In lieu of the mitzvah of Bikkurim, which would come to an end, Moshe proactively enacted that the Jews should pray Shmoneh Esrei.

This Medrash is somewhat perplexing. Who amongst us would have thought that Tefillah [prayer] is related to Bikkurim? And yet, that is exactly what this Medrash teaches. What is the connection between Bikkurim and prayer?

Rav Asher Weiss, in his Sefer Minchas Asher, offers the following suggestion: The activity of prostrating oneself (hishtachavayah) appears several times in the Torah. For instance, when Yaakov met Eisav, after Yaakov was away from home all those years and he finally came back, the pasuk says: "And he went on ahead of them and bowed earthward seven times until he reached his brother." [Bereshis 33:3] In fact, not only did Yaakov bow down to Eisav but the handmaidens and their children did so likewise; Leah and her children did so likewise; Yosef and Rachel did so likewise [Bereshis 33:6-7].

What does bowing down signify? It is an example of submission. When someone wishes to demonstrate that he accepts someone else as his master, when one wants to show submission, he bows down.

A couple of years ago, I quoted a letter written by the Israeli ambassador to England, Yehuda Avner, when he first began his job and was supposed to present his credentials to Queen Elizabeth. He mentioned that he had to take three steps and bow and then take another three steps and bow again. (For a woman the protocol is to curtsy which is a form of bowing.) What is this all about? When one meets the Queen of England (reminiscent of a time when the monarch of the British Empire actually had power), one bows down as a sign of submission indicating "You are my master." The Japanese – until today – are still very into bowing. When a Japanese minister is caught in a scandal, they need to bow. This is also about submission.

So on the one hand, bowing is a symbol of submission. On the other hand, when Eliezer came to find a mate for Yitzchak and when he was successful in that mission, the pasuk teaches, "And it was when the servant of Avraham heard their words and he bowed to the ground to Hashem." [Bereshis 24:52]. Likewise, when Klal Yisrael was in Egypt and they were given the

information that they would soon be redeemed: "And the people believed, and they heard that Hashem had remembered the Children of Israel and that He saw their affliction and they bowed their heads and prostrated themselves." [Shmos 4:31] What is THIS bowing down about?

This is a different type of bowing down. When a person wants to express his gratitude, his "hakaras haTov" and appreciation, he literally bows down. There are thus two forms of bowing – the bowing that symbolizes submission and the bowing that symbolizes appreciation.

In Shmoneh Esrei, there are two Brachos in which we bow at the beginning and end of the blessing – the first Bracha of Magen Avraham – and the seventeenth Bracha of Birkas Modim. What are these bowings about?

These blessings represent examples of these two forms of prostration. When one begins the Amidah (Shmoneh Esrei), one begins to address the Almighty, the King of Kings, the Holy One Blessed is He. At the beginning, we bow down as we would for the Queen of England, a prostration of humility and submission. When we get to the blessing of Thanksgiving – Modim Anachnu Lach – we bow in appreciation of the fact that we are standing, we are breathing, we are alive, we are relatively well. We thank the Ribono shel Olam for everything. When one expresses appreciation, what does he do? He bows down!

Let us analyze the following question: When the pasuk specifies by the Mitzvah of Bikkurim that "one places them before the L-rd your G-d and one prostrates himself before the L-rd your G-d" what type of prostration is taking place here? Is it a bowing of submission or a bowing of appreciation?

The answer is that it is a machlokes (there are differing opinions on the matter). The Vilna Gaon writes in his Aderes Eliyahu that this bowing down has nothing to do with Bikkurim. Rather, every time one leaves the Bais Hamikdash, he bows down – this is an act of submission. This is akin to what we do at the conclusion of Shmoneh Esrei – we step back three steps and we bow. When one leaves the presence of the King, one must show submission as well, just as when one enters His presence. According to the Gaon, the fact that this bowing follows the Bikkurim ceremony is coincidental. It is not part of that ritual at all; rather it is standard protocol for exiting from the Temple compound.

Tosfos in Tractate Succah disagrees. According to Tosfos, the bowing took place when the Kohen took the Bikkurim from the farmer and waved it (the Tenufah ceremony). While the Kohen waved the Bikkurim, the Yisroel who brought them would bow down. Thus, according to Tosfos, the bowing was clearly an integral part of the Bikkurim ceremony. Clearly, the Bikkurim ceremony is an expression of Hakaras HaTov [appreciation for the good] so the bowing related to it was a bowing of appreciation, not a bowing of submission.

As the Talmuc tells us many times, Elu v'Elu divrei Elokim Chaim [both opinions are valid]. The bowing down done during the Bikkurim ceremony express deep appreciation and it also expresses submission before G-d.

The Medrash states beautifully: Moshe saw with Ruach HaKodesh that the Bais Hamikdash [Temple] was destined to be destroyed and that the ritual of bringing Bikkurim was destined to be suspended. He therefore arose and enacted that the Jews should pray. We asked before, "What does prayer have to do with Bikkurim?" The answer is that when we had Bikkurim, we had a way of bowing to express not only our submission to the Ribono shel Olam but our appreciation to Him as well.

Moshe said, "Now you will use the medium of Tefillah to bow as a sign of both submission and gratitude: You will bow by the first blessing and express submission. You will show that you accept the Almighty as your King. You will then get to Birchus Modim and bow again, saying to Hashem, "We are thankful to You..." We thank Hashem not only for the Bikkurim but for everything – for our very lives that are given over into His Hands." A Jew expresses his Hakaras HaTov together with his prostration. Therefore, Tefillah takes the place of the mitzvah of Bikkurim.

Transcribed by David Twersky; Har Nof, Jerusalem DavidATwersky@gmail.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's

Commuter Chavrusah Series on the weekly Torah portion. A listing of the halachic topics dealt for Parshas Ki Savo are provided below: 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. To Support Project Genesis- Torah.org Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD RavFrاند, Copyright © 2007 by Rabbi Yissocher Frand and Torah.org. Questions or comments? Email feedback@torah.org. Join the Jewish Learning Revolution! Torah.org: The Judaism Site brings this and a host of other classes to you every week. Visit <http://torah.org> or email learn@torah.org to get your own free copy of this mailing. Need to change or stop your subscription? Please visit our subscription center, <http://torah.org/subscribe/> -- see the links on that page. Permission is granted to redistribute, but please give proper attribution and copyright to the author and Torah.org. Both the author and Torah.org reserve certain rights. Email copyrights@torah.org for full information. Torah.org: The Judaism Site Project Genesis, Inc. 122 Slade Avenue, Suite 250 Baltimore, MD 21208 <http://www.torah.org/> learn@torah.org (410) 602-1350

From: Ohr Somayach <ohr@ohr.edu> to: date: Thu, Sep 3, 2015 at 5:20 AM subject: Insights into Halacha - Shemittas Kesafim and The Prozbol mailed-by: liquidweb.ohr.edu

Shemittas Kesafim and The Prozbol by Rabbi Yehuda Spitz

The Ben Ish Chai[1] relates a story of a certain Talmud Chacham who, at the Pesach Seder, exhorted his son during Korech, to perform not only the 'Zeicher L'Mikdash K'Hillel' of Korech, but to make sure to also perform the important Takkana of Hillel's of the Prozbol before Rosh Hashanah of the eighth year. Perhaps anecdotal, yet, all the same, the story has important ramifications for us all. But first some background is in order.

Shnei Shmittos

The Torah enumerates the importance of observing Shemitta, not working the land on the seventh year, several times, stressing its significance. That there are agricultural prohibitions and produce restrictions (addressed at length in several previous articles) in letting the land lie fallow is known to most. Yet, there is another important aspect of Shemitta observance, and that is the cancelling of debts.

The pasuk states in Parshas Re'eh (Devarim Ch. 15: 2): 'And this is the matter of Shemitta: every creditor that lends to his neighbor shall release it; he shall not demand payment of debts from his neighbor or brother'.[2] This teaches that all loans between Jews are cancelled by the Torah. This is known as Shmittas Kesafim.

Yet, there is another pasuk regarding this issue, which adds another dimension to this rule: (Devarim Ch. 15: 9), "Guard yourself, lest there be in your heart a lawless thought, thinking that the seventh year, the year of Shemitta, is approaching, and you look selfishly upon your needy brother and do not lend him anything, and he cries out to Hashem against you, and it is considered a sin on your part". This teaches us that one transgresses a prohibition if he refuses to lend to a fellow Jew before Shemitta due to fear of his debts being cancelled.

Enter... The Prozbol

Yet, unfortunately that is exactly what happened. The wealthy refused to loan to their poorer brethren out of fear of not recouping their cash. The Mishnah[3] teaches us that Hillel Hazakein instituted the device of Prozbol (or Pruzbol) to alleviate the plight of the poor on Shemitta. Quite interestingly, and not even remotely connected to the similar sounding All-Star Football game, Prozbol is an abbreviation of the words ProZBoliBoli - meaning institution for rich and poor people. In other words, it allowed the poor to benefit from loans from the wealthy, who would not be afraid that their loans would be automatically cancelled in the Shemitta year.

The Prozbol entails handing one's debts over to Beis Din, or appointing Bais Din to collect on his behalf.[4] The actual Shemitta prohibition is that a lender may not pressure a borrower to pay him back. This does not preclude Beis Din's being able to collect on his behalf. Hillel's institution of Prozbol

is considered so incredible that the Mishnah literally describes it as a 'Tikkun HaOlam' (loosely translated as 'World Saving').

Bezman Hazeh

There is some debate among the authorities whether Shmittas Kesafim nowadays is biblical in nature or not. Although the Ramban and Baal Halturn maintain that in this day and age it is still a Mitzvah D'Oraysa, we find at the other extreme that the Rema cites several Rishonim who are of the opinion that this Mitzvah is currently not applicable at all.[5] However, the vast majority of poskim rule that in our time it is nevertheless a Mitzvah Derabbanan.[6] Moreover, and as opposed to Shemittas Karka'os, the Shemittah of the Land, regarding this Shemittas Kesafim, the halachic consensus is that it applies equally in Chutz La'aretz.

This is indeed the halacha. The Tur relates that his father, the Rosh, screamed at those who did business as usual without writing a Prozbol. In fact, many later authorities, including the Levush, the Bach, Rav Yonason Eibeshutz, the Shulchan Aruch Harav, the Chasam Sofer, the Shlah, the Kitzur Shulchan Aruch, Ben Ish Chai, and the Aruch Hashulchan,[7] all stressed Shmittas Kesafim's significance, even nowadays, and in Chutz La'aretz, as well as the importance of making sure to write a Prozbol.

Pre- or Post-Prozbol?

Another important matter is defining when the Prozbol should be written, prior to the onset of the Shemitta year, or before it ends. The Torah clues us in. Regarding the issue of Shmittas Kesafim it states: "Mikeitz Sheva Shanim Taaseh Shemitta, At the end of every seven years, you should make a release". The Gemara (Erechin 28b) explains that this is referring to the end of Shemitta.

The Sifri[8] elucidates that this is similar to the Mitzvah of Hakhel, which is exclusively observed at the end of every Shemitta cycle - which means the eighth year, where similar wording is used. So too, concludes the Sifri, Shmittas Kesafim only wipes out loans at the end of the Shemitta year. Therefore, a Prozbol must be written at the conclusion of the Shemitta year, prior to the onset of the eighth year. This is the actual halacha.[9] In fact, the Beis Yosef writes that "this is the minhag pashut in Eretz Yisrael and its environs, to write a Prozbol on Erev Rosh Hashana of Motzai Sheviis".

Tale of Two Prozbols?

Yet, we find that the Rosh,[10] quoting a Tosefta, maintains that a Prozbol should be written before the Shemitta year, not at the end. He explains that although Shmittas Kesafim takes effect only at the end of the Shemitta year, nevertheless the prohibition of 'lo yigos', not demanding the lent money during Shemitta, already applies from the start of the Shemitta year. Therefore, he maintains that a Prozbol should be written prior to the onset of Shemitta. Several Rishonim agreed with this approach. However, it has since been proven that the version of the Tosefta the Rosh quoted had textual mistakes (incorrect girsa)[11]. Additionally, most authorities reject this novel approach outright, averring that it is not normative halacha.

On the other hand, several authorities, including Rav Yonason Eibeshutz and the Shulchan Aruch Harav,[12] argued that lechatchila one should take the Rosh's opinion into account and should write a Prozbol before the onset of Shemitta as well. It is said that the Vilna Gaon was machmir to write two Prozbols, one before and one again at the end of the Shemitta year, to fulfill both opinions.[13] Although not the basic halacha, and many great authorities did not write a Prozbol before the Shemitta,[14] it is known that Rav Shmuel Salant zt"l of Yerushalayim ruled that it is proper to do so, as later did the Steipler Gaon zt"l and Rav Yosef Shalom Elyashiv zt"l.[15]

That is why many were makpid to write an additional Prozbol before the onset of Shemitta. However, practically, regarding this Prozbol, the rules are somewhat relaxed. In fact, according to Rav Moshe Sternbuch,[16] since this Pre-Shemitta Prozbol is not me'ikar hadin, one need not bother to seek out an actual Beis Din, or even members of a Beis Din, but may suffice with three fellow knowledgeable Yidden serving as an ad hoc Beis Din, similar to the annual Erev Rosh Hashanah Hataras Nedarim.

Either way, whether or not one performed the chumrah of a pre-Shemitta Prozbol, everyone should ensure that he follow the actual halacha to write an end-of-Shemitta Prozbol, as the Talmud Chacham in the Ben Ish Chai's story exhorted his son. To sum it up, a little Prozbol can alleviate a lot of future complications.

This article was written L'iluy Nishmas the Ohr Somayach Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga and l'zechus Shira Yaffa bas Rochel Miriam v'chol yetzei chalatzeha for a yeshua sheleimah teikef umiyad!

Rabbi Yehuda Spitz serves as the Sho'el U' Meishiv and Rosh Chabura of the Ohr Lagolah Halacha Kollel at Yeshivas Ohr Somayach in Yerushalayim.

For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspitz@ohr.edu.

[1] Ben Ish Chai (Year 1, Parshas Ki Savo 26 s.v. prozbol).

[2] In fact, the Gemara (Gittin 36a) derives from the double language of the word Shemittah in this pasuk that there are two types of Shmitta: Shmittas Karkah and Shmittas Kesafim. See also Sefer Hachinuch (Parshas Re'eh, Mitzvah 477). The Rambam (Hilchos Shmitta V'Yovel Ch. 8: 1) writes that from the fact the Torah used the word 'Shmote' (which is a command) to describe this occurrence, it is an actual Mitzvah D'Oraysa incumbent upon us to actively let Shmitta erase a debt.

[3] Mishnayos Sheviis (Ch. 10: 3 & 4) and Gittin (34b) and accompanying Gemara (36a-b) and commentaries.

[4] There is some debate among the Rishonim whether writing a Prozbol and Mesiros Shtaros L'Beis Din are considered the same institution or not. See Tosafos (Gittin 36a s.v. mi and Makkos 3b s.v. hamoser), Ritva (ad loc.), Meiri (Gittin 37a), Rambam (Hilchos Shemittat V'Yovel Ch. 9: 15), Sefer Haterumos (Shaar 45, 11), Yam Shel Shlomo (Gittin Ch. 4: 45), and Minchas Chinuch (Parshas Re'eh Mitzva 477: 12). Either way, both are practically effective methods of not having debts cancelled by Shmitta [see Mishnayos Sheviis (ibid.), Rambam (ibid. 15 & 16), and Tur and Shulchan Aruch (Choshen Mishpat 67: 11, 18, and 19)].

[5] See Rema (Choshen Mishpat 67: 1, and in Darchei Moshe ad loc. 1), Beis Yosef (ad loc. s.v. v'hashmatas), Biur HaGr"a (ad loc. 5), SM"A (ad loc. 3), Aruch Hashulchan (ad loc. 1), and Shu"t Igros Moshe (Choshen Mishpat vol. 2: 15 s.v. uv'etzem). The Rishonim who held this way include the Baal HaMaor, Maharil, Maharik, Terumas Hadeshen, and the Raavad. Although not the practical halacha, this nonetheless does make a practical halachic difference, there are those who hold [see, for example Shulchan Aruch Harav (Choshen Mishpat, Hilchos Halva'ah 35)] that nowadays a Prozbol does not need a genuine actual set Beis Din, nor the applicant to actually own karka, as opposed to the strict letter of the law in the Mishnah (Sheviis Ch. 10), and later the Rambam (Hilchos Shemitta V'Yovel Ch. 9) and Shulchan Aruch (Choshen Mishpat 67).

[6] This is due to the fact that we no longer have Yovelos. Therefore Shmittas Kesafim is no longer D'Oraysa, but rather Derabbanan. See the main commentaries to Gittin (36-37) - Rashi, Tosafos, Rif, Ran, and Rosh, SMAg (Lavin 270), Sefer Hachinuch (Parshas Re'eh, end Mitzvah 477), Tur and Shulchan Aruch (Choshen Mishpat 67: 1), Shulchan Aruch Harav (ibid. 34), Pe'as HaShulchan (Ch. 29: 3), Aruch Hashulchan (Choshen Mishpat 67: 1), and Ben Ish Chai (Year 1, Parshas Ki Savo 26). See also Rambam (Hilchos Shmitta V'Yovel Ch. 8: 1 - 3) who writes that although it is an actual Mitzvah D'Oraysa to actively let Shmitta erase a debt, he nonetheless concludes that nowadays with Yovel currently non-applicable, this Mitzva Chiyuv is strictly Derabbanan. The Rambam adds a very important point (ad loc. 16), based on Abaye's conclusion in Gemara Gittin 36a, that the whole reason a Prozbol works is because Shemitta nowadays is Derabbanan. When Shmitta's status reverts to a D'Oraysa obligation, he avers that a Prozbol will not help one to collect his loans.

[7] Levush (Choshen Mishpat 67: 1), Bach (ad loc. 6), Urim V'Tumim (67, Tumim, 1), Shulchan Aruch Harav (Choshen Mishpat, Hilchos Halva'ah 35), Shu"t Chasam Sofer (vol. 5, Choshen Mishpat, beg. 113 s.v. kibalti), Shlah (Shaar Ha'osiyos, Kedushas Ha'achilah), Kitzur Shulchan Aruch (180: 1), Ben Ish Chai (Year 1, Parshas Ki Savo 26 s.v. prozbol), and Aruch Hashulchan (Choshen Mishpat 67: end 10). See also Elef HaMagen (on the Matteh Efraim, 581: 133).

[8] Sifri (Devarim, Re'eh, Piska 58 pg. 122b), cited by the Bach (Choshen Mishpat 67: end 4). The Rambam (Hilchos Shemitta V'Yovel Ch. 9: 4) gives the same explanation. For more on this drush, see the commentaries of the Malbim and Netziv on the Sifri, and Shu"t Shoel U'Meishiv (Mahadura Rivivai vol. 1: 10).

[9] See Rambam (ibid.), Ramban (Teshuvos 98), Rashba (Shu"t vol. 2: 314), Ohr Zarua (Avoda Zara vol. 1: 107), Sefer Hachinuch (ibid. s.v. m'dinei), Shu"t Radbaz (vol. 5: 2238), Beis Yosef (Choshen Mishpat 67: 32), Shulchan Aruch (ad loc. 30), Shu"t Chasam Sofer (vol. 2, Yoreh Deah 19 and vol. 5, Choshen Mishpat 50 s.v. nachzor; cited by Pischei Teshuva ad loc. 5), Shu"t Shoel U'Meishiv (Mahadura Rivivai, vol. 2: 53), Kitzur Shulchan Aruch (180: 13), Aruch Hashulchan (Choshen Mishpat 67: 2), and Shu"t Rav Pe'alim (vol. 1, Kuntress Sod Yesharim 11).

[10] Rosh (Gittin Ch. 4: 18 and 20) citing the Tosefta (Sheviis Ch. 8: 11). The Baal Hatur (Os 'Pei', Pruzbol pg. 76c), and Tur (Choshen Mishpat 67: 30) hold this way as well. Rabbeinu Chananel (Shabbos 148b) heavily implies that he is of the opinion that the beginning of Shemitta cancels debts. [Thanks are due to Rabbi Yehoshua Pasternak for pointing out this important source.] The Yerushalmi (Rosh Hashanah Ch. 3, end Halacha 5), according to statement of Rabbi Yochanon, implies this way as well, regarding the Shmittas Kesafim of Yovel. See also Netei Gavriel (Hilchos Shemittas Kesafim U'Prozbol Ch. 15 pg. 101 - 102, footnote 3) who adds that Rabbeinu Yerucham, Rabbeinu Nasan Av HaYeshiva, the Mahar"i ben Malki Tzedek, and the Kaftor VaFerach all held akin to the Rosh's shittah, that the issuer of 'lo yigos', not demanding the lent money during Shmitta, already applies from the start of the Shemitta year, and therefore a Prozbol should already be written

prior to the onset of the Shemitta year. This is also the explanation of the Minchas Bikkurim on that Tosefta.

[11] The Ramban (Teshuvos 98), cited by the Beis Yosef (ibid.), proves that the Rosh and Baal Hatur had an incorrect girsa in the Tosefta. Similarly, see Haghos HaGr"a on that Tosefta (Sheviis Ch. 8: 11, 3) who amends the Tosefta's text to read that the proper time to write a Prozbol is on Erev Rosh Hashana of Motzai Sheviis; and not Erev Rosh Hashana of Sheviis. See also Ketzos Hachoshen (67: 1) who maintains that if the Rosh's shittah holds true, then there is an apparent stirah in his shittah here and Shu"t HaRosh (77: 4); the Ketzos concludes that the Rosh's opinion is 'tzarich iyun'. Interestingly, the Bach (ibid. 32) and the Radbaz (ibid.) maintain that there really is no machlokes between the approaches of the Rosh and the Ramban. However, it seems that most authorities do not concur. See also Shu"t Chasam Sofer (vol. 5, Choshen Mishpat 50) at length.

[12] Urim V'Tumim (67: Urim 54 and Tumim 26; 'hayarei v'chareid yesh lehachmir la'asos pruzbol b'erev Sheviis') and Shulchan Aruch Harav (Choshen Mishpat, Hilchos Halva'ah 36). The Mahar"i Assad (Shu"t Yehuda Yaaleh vol. 2: 179), the Misgeres Hashulchan (on Kitzur Shulchan Aruch 180: 9), and Chasdei Dovid (on Tosefta, Sheviis Ch. 8: 11) wrote similarly, to be makpid for the shittah of the Rosh.

[13] The Vilna Gaon being machmir for both opinions is cited in Pe'as Hashulchan (ibid. 97), Rav Moshe Sternbuch's Shemitta Kehilchasa (Prozbol Erev Shnas HaSheviis s.v. uva'ikar), and Netei Gavriel (Hilchos Shemittas Kesafim U'Prozbol Ch. 15, pg. 102 - 103).

[14] See, for example, Rav Chaim Kanievsky's Derech Emunah (vol. 4, Hilchos Shemitta V'Yovel, Ch. 9: 80) who relates that the Chazon Ish did not write a Prozbol before Shemitta. See also Shu"t Chelkas Yaakov (vol. 3: 143), Shu"t Divrei Yisrael (vol. 2: 41), Shu"t Kinyan Torah B'Halacha (vol. 3: 15), Shu"t Lechem Shlomo (Choshen Mishpat 17), Mikzooa L'Torah (Choshen Mishpat 67: 15), and Netei Gavriel (Hilchos Shemittas Kesafim U'Prozbol Ch. 15, pg. 101 and 104) citing the Klausenberger Rebbe, the Tzehlemer Rav, Rav Shmuel HaLevi Wosner, and the Minchas Yitzchak.

[15] Aderes Shmuel (Piskei Rav Shmuel Salant z"l); Hilchos Sheviis, Pruzbol, 420, pg. 428 - 429), Orchos Rabbeinu (vol. 2, 378; to have an additional zechus for Rosh Hashana), and Netei Gavriel (ibid. pg. 105), citing that Rav Elyashiv z"l told him that "although me'ikar hadin one does not need a Prozbol before the Shmitta year, nevertheless 'Yakirei Yerushalayim Mehadrim B'zeh', as this was the custom of Rav Shmuel Salant". This author has also heard this psak from Rav Elyashiv's noted talmid, Rav Nochum Eisenstein.

[16] Shemitta Kehilchasa (Prozbol Erev Shnas HaSheviis s.v. ula"d).

from: **Rabb Eli J Mansour** DailyHalacha

<[return@email.dailyhalacha.com](mailto:reply-to:mail@dailyhalacha.com)> reply-to: mail@dailyhalacha.com date: Tue, Sep 1, 2015 at 12:33 AM subject: **Prozbol Document for Lenders As This Shemita Year Concludes**

An important Halachic requirement for lenders, in order to maintain their receivables as this Shemita Year concludes with the onset of Rosh Hashana next week at sundown Sept 13th 2015.

Guidelines: The law of Shemita Kesafim (Debarim 15:9) mandates that all outstanding loans, which are already due, are cancelled with the end of the Shemita year. As the current year (5775) is Shemita, outstanding debts will be cancelled with the onset of this Rosh Hashanah, at sundown on September 13, 2015

The Talmud tells that the sage Hillel established a system to circumvent this law so potential lenders will not be discouraged from extending loans as the Shemita year approached. Namely, the lender formally transfers his loans to a Bet Din, and they thus are no longer subject to Shemita Kesafim, which applies only to debts owed to private individuals.

The lender signs a special document called a Prozbol declaring the transfer of his debts to Bet Din, and has two witnesses sign the document, as well. This may be done at any time during Elul, either by day or by night. Signing this document allows the lender to collect his debt after the end of Shemita.

The document does not have to be presented to Bet Din, but it should preferably identify the Bet Din to which the loans are transferred, with the three judges named.

As long as the Prozbol was signed during Elul, loans granted after the signing may be collected after Rosh Hashanah, because loans are not due before thirty days after they are given (unless the parties stipulate otherwise), and thus loans granted during Elul are not subject to Shemita Kesafim. Attached to this email is the Prozbol form in English. Please use it and as above, keep it filed.

Provided by Torah Learning Resources, The Edmond J Safra Synagogue in Brooklyn NY, and Rabb Eli J Mansour

From: Rabbi Kaganoff <ymkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Sep 1, 2015

Between Yishtabach and Borchu

By Rabbi Yirmiyohu Kaganoff

Question #1: Between Yishtabach and Kaddish Avraham asks: "In the shullen in which I used to daven, during the aseres yemei teshuvah we always recited the chapter of tehillim, 'Shir hama'alos mima'amakim,' right after Yishtabach. Someone recently told me that the reason why I do not see this custom practiced any more is because it is a hefsek in the davening. Is this true?"

Question #2: Between Kaddish and Borchu Yitzchak queries: "Because of my work schedule, I must daven at a very early minyan. At times, we begin davening when it is too early to put on talis and tefillin, so we put on talis and tefillin after Yishtabach. Someone told me that when we do this, we are creating a problem with reciting Kaddish after Yishtabach. Is this true? And if it is true, what should we do?"

Question #3: Between Borchu and Yotzeir Yaakov inquires: "If I need to use the facilities during davening, may I recite the brocha of Asher Yatzar after answering Borchu, provided I have not yet begun to say the brocha of Yotzeir Or?"

Introduction: Pesukei Dezimra, Yishtabach and Borchu All of the above questions deal with the same general issue: What are the laws about making an interruption, a hefsek, between completing the recital of Yishtabach and prior to reciting the Birchos Kerias Shema, the blessings that are recited before and after the shema, which begin with the brocha of Yotzeir Or. Let me begin by explaining the reason why we recite Yishtabach in our davening.

The Mishnah recommends contemplation as an introduction to praying (Brochos 30b). This experience is reflected when we recite or sing the Pesukei Dezimra, literally, Verses of Song, prior to Borchu and Birchos Kerias Shema. To show how important this aspect of serving Hashem is, we find that the great tanna, Rabbi Yosi, yearned to receive the special reward granted to those who recite the Pesukei Dezimra daily (Shabbos 118b). Reciting Pesukei Dezimra properly helps elevate one's entire tefilah to a completely different level. This has the potential to cause our prayer to soar!

Chazal established that we say two brochos, Baruch She'amar and Yishtabach, one before and one after Pesukei Dezimra. Baruch She'amar notes that we use the songs of David to praise Hashem. Since these two brochos are part of the Pesukei Dezimra introduction to our prayer, one may not converse from when he begins Baruch She'amar until after he completes the Shemoneh Esrei (Rif, Brochos 23a). This prohibition includes not interrupting between Yishtabach and the brocha of Yotzeir Or (Rabbeinu Yonah, ad locum, quoting a midrash).

The Tur (Orach Chayim 51), after citing this ruling, quotes, in the name of the Talmud Yerushalmi, that one who talks between Yishtabach and Yotzeir Or commits a sin serious enough that he loses the privilege of joining the Jewish army when it goes to war. According to halachah, prior to the Jewish army going into battle, a specially appointed kohen announces those who are exempt from warfare, which includes, according to this opinion, those who are concerned that their sins may cause them to become war casualties. The Jewish army is meant to be comprised of tzaddikim gemurim, the completely righteous, so that their merits will protect them on the battlefield. Those who are less righteous have no such guarantee, and the Torah therefore exempts them from fighting. Someone whose greatest sin is that he once spoke between Yishtabach and Yotzeir Or without having performed full teshuvah is too sinful a person to be allowed to serve in the Jewish army, out of concern that he might become a casualty.

Interrupting between Yishtabach and Borchu As I mentioned above, the questions introducing this article all deal with the laws of interrupting between Yishtabach and the beginning of the Birchos Kerias Shema. The details of these halachos are not discussed in the Gemara, and, therefore, in order to establish what are the rules related to them, the halachic authorities

needed to compare these laws to those of Birchos Kerias Shema, which are discussed in the Gemara.

In general, it is prohibited to interrupt during the Birchos Kerias Shema, although the Gemara mentions a few exceptions, including, at times, responding to a person's greetings, so as not to offend him. The Rishonim dispute whether one may respond to Borchu, Kedusha, and Amen yehei shemei rabbah (in Kaddish) during the Birchos Kerias Shema -- the Maharam Rotenberg prohibiting, whereas his disciple, the Rosh, permitted it (Rosh, Brochos 2:5). The Maharam Rotenberg contended that these responses are prohibited during Birchos Kerias Shema because it is inappropriate to interrupt praise of Hashem in order to recite a different praise, even something as important as responding to Kaddish or Kedusha. The Rosh permitted this interruption, because he held that responding appropriately to Hashem's praises should not be treated more strictly than responding to the greeting of a person, which is permitted under certain circumstances.

The poskim follow the opinion of the Rosh, concluding that one may answer the following responses while reciting the Birchos Kerias Shema:

(1) Kaddish: one may answer "Amen, yehei shemei rabbah mevorach le'olam ule'almei almaya," and one may also answer "Amen" to the Chazzan's da'amiran be'alma (at the point that we end what is called chatzi-Kaddish. However, one may not respond to the other places in Kaddish (Chaye Adam 20:4).

(2) Borchu: One may answer "Boruch Hashem hamevorach la'olam va'ed." This is true whether it is the Borchu that the chazzan recites before Birchos Kerias Shema morning and evening, or whether it is the Borchu that the person receiving an aliyah recites prior to his aliyah (Magen Avraham 66:6).

(3) Kedusha: One may respond "Kodosh kodosh..." and "Boruch kevod Hashem mimkomo" in Kedusha, but one may not respond to the other parts of Kedusha we traditionally say, even the sentence beginning Yimloch (Ateres Zekeinim).

(4) Amen to Brochos: One may respond "Amen" to the brochos of Ha'Keil Hakadosh and Shema Koleinu (Rama 66:3), but not to other brochos.

Thundering applause The poskim also dispute whether one should recite the brochos on lightning or thunder while in the middle of Birchos Kerias Shema. The Magen Avraham 66:5 rules that one should, whereas the Bechor Shor (Brochos 13a) disagrees, contending that one should not interrupt one praise of Hashem with another. The Chaye Adam reaches a compromise, ruling that one should recite the brocha on lightning or thunder if he is between the brochos of keriyas shema, but not when he is in the middle of reciting one of the brochos. The dispute between the Magen Avraham and the Bechor Shor remains unresolved (Mishnah Berurah 66:19), and, therefore, someone who hears thunder while in the middle of the Birchos Kerias Shema may choose whether to recite the brocha or not.

Between Yishtabach and Borchu Now that we understand the accepted halachah concerning interrupting the Birchos Kerias Shema, we can discuss the laws that apply between Yishtabach and Borchu. We should note that between the completion of Yishtabach and the beginning of Yotzeir Or can be subdivided into three points:

(A) Between Yishtabach and Kaddish.

(B) Between Kaddish and Borchu.

(C) Between Borchu and beginning the brocha of Yotzeir Or.

Although one might think that the Birchos Kerias Shema do not begin until one begins reciting the words of the brocha, the early authorities rule that once one has said or responded to Borchu it is considered that he is already in the Birchos Kerias Shema (Sefer Haminhag, quoted by Beis Yosef, Orach Chayim 57; Rama 54:3). Thus, one may not interrupt once one has recited Borchu, except for the list of four items mentioned above.

What interruptions are permitted? Notwithstanding the fact that it is prohibited to speak between Yishtabach and Borchu, interrupting at this point is less severe than between Baruch She'amar and Yishtabach or during the Birchos Kerias Shema. Therefore, under certain circumstances, some

interruptions are permitted. For example, if one needs to recite a brocha, it is better to do so after completing Yishtabach before answering (or saying) Borchu than during the Pesukei Dezimra. For this reason, someone who did not have tzitzis or tefillin available before davening, and they become available during Pesukei Dezimra, should put them on immediately after Yishtabach and recite the brochos on them.

The authorities discuss several other instances of interruptions and whether they are permitted between Yishtabach and Borchu, even though none of these interruptions is permitted during the Birchos Kerias Shema. All of the permitted interruptions qualify either as tzorchei mitzvah, mitzvah requirements, or community needs. To quote the Tur (Orach Chayim 54): "One may not interrupt between Yishtabach and Yotzeir if it is not for community needs or for someone who needs to be supported from charity." Thus, the Tur rules that, even though it is prohibited to talk after Yishtabach, one is permitted to make an appeal for charity at this point. Although, as we will soon see, this position is not universally agreed upon, there were other early authorities who held this way (Rav Amram Gaon, quoted by Tur; Beis Yosef quoting Kolbo #4). The Shulchan Aruch (54:3) quotes this opinion, although he considers it to be a minority view (see also Hagahos Maimoniyos 7:70). In many places, it was customary to extend this leniency to include requesting personal assistance for other needs, as we will see shortly.

It is certainly permitted to recite the brocha upon hearing thunder between Yishtabach and Yotzeir, and most authorities permit one to recite Asher Yatzar at this point (Mishnah Berurah 51:8. However, see Chayei Adam [20:3], who prefers that one not recite Asher Yatzar until after Shemoneh Esrei.)

At this point, we can answer one of the questions we raised at the beginning of this article: "If I need to use the facilities during davening, may I recite the brocha of Asher Yatzar after answering Borchu, provided I have not begun to say the brocha of Yotzeir Or?"

The answer is that one may recite Asher Yatzar before answering Borchu, but if one has already answered Borchu, he should wait until after Shemoneh Esrei before reciting it.

Before Kaddish or after? In a situation when one may interrupt after Yishtabach, is it better to interrupt before reciting Kaddish or after Kaddish and before Borchu? This exact question is discussed at length by the Darchei Moshe, the Rama's commentary on the Tur (Darchei Moshe, Orach Chayim 54:1):

"The custom is to make a mishebeirach for the ill between Yishtabach and Yotzeir; and occasionally, someone cries out [at this point in the davening to call attention to the need] to bring someone to justice, and these are considered mitzvah needs. (The Rama codifies this last practice in his comments to Shulchan Aruch 54:3.) However, I do not understand why the custom is to do so before Kaddish, and then after the interruption to recite Kaddish. Since this Kaddish refers back to Pesukei Dezimra, as I will explain in Chapter 55, we should not interrupt before it. Furthermore, one following this practice no longer has a basis to recite Kaddish afterwards, since it now no longer concludes the Pesukei Dezimra." The Rama then quotes the Kolbo (6), who says that if one did, indeed, interrupt between Yishtabach and Kaddish, then one should say Borchu without Kaddish. The Kolbo suggests another option for someone who interrupted after Yishtabach -- he should recite three or more pesukim of tehillim and then say Kaddish.

On the basis of this Kolbo, the Rama, with the agreement of other talmidei chachamim, changed the practice in his city. However, he subsequently retracted this decision, because he found a more authoritative source that followed the original practice of interrupting before Kaddish rather than afterwards. The Or Zarua quoted a teshuvah ha'geonim that someone who began davening because he did not yet have a talis should stop after Yishtabach, recite the brocha, and put on the talis. However, if the community had already begun Kaddish, he should not recite the brocha. Thus, we see that if one needs to interrupt at this point in the davening, it is

better to do so before Kaddish than afterwards. The Rama continues that this position is in line with the kabbalistic works that hold that one should not interrupt between Kaddish and Borchu. (By the way, the Rama himself was heavily steeped in Kabbalah, and authored a work on the topic.)

The Rama then concludes that it is best to avoid any interruption at all, and he cites that, in Prague, they had stopped all interruptions after Yishtabach. In a place where the custom is to interrupt, the Rama concludes that the best procedure is to interrupt after Yishtabach and before Kaddish, and that the chazzan should recite a few pesukim prior to saying Kaddish, combining the positions of the Or Zarua and the Kolbo (Darchei Moshe 54:1; Rama 54:3).

At this point we can now answer Yitzchak's question that we mentioned above: "Because of my work schedule, I must daven at a very early minyan. At times, we begin davening when it is too early to put on talis and tefillin, so we put on talis and tefillin after Yishtabach. Someone told me that when we do this, we are creating a problem with reciting Kaddish. Is this true? And if it is true, what should we do?"

The "someone" who corrected the procedure was familiar with the opinion of the Kolbo. However, the Rama concludes that this is not a halachic concern, and that the procedure followed in Yitzchak's shul is fine.

Kaddish before Musaf There is a very interesting side point that results from this above-quoted Rama: In a place where the rabbi delivers a sermon prior to Musaf, the custom is to do so before Kaddish. Is there any problem with reciting Kaddish before Musaf, although there is now a huge interruption between the recital of Ashrei and the Kaddish?

Whether the chazzan may immediately recite Kaddish should depend on the above-cited dispute between rishonim. Just as the Kolbo ruled that the chazzan may not recite Kaddish once he interrupted, unless he recites a few verses prior to saying Kaddish, here too, he would be required to recite a few verses prior to reciting Kaddish. According to the Or Zarua, an interruption after the recital of the verses of Ashrei does not pose any problem with saying Kaddish afterward. Since the Rama concluded this way, one does not need to be concerned, and that is the basis of the custom.

Az Yashir after Yishtabach?! Prior to addressing the last remaining question, we need to discuss a curiosity. The last Biblical passage cited as part of Pesukei Dezimra is Az Yashir, the Shiras Hayam that the Jewish people sang as praise to Hashem, after witnessing the miracles at the crossing of the Red Sea, the Yam Suf. The Tur (51) and the Avudraham explain that this passage is included immediately before Yishtabach because it contains fifteen mentions of Hashem's holy Name, thus corresponding to the fifteen praises of Hashem that are stated in Yishtabach.

Others cite a different, but similar, idea: We complete Pesukei Dezimra with Shiras Hayam, because the four-lettered name of Hashem is mentioned eighteen times between the words Vayehi Be'ashmores (that precede Az Yashir in the Torah) until the end of the Shiras Hayam. This adds up to a total of 72 letters of Hashem's name and, thereby, represents a very high level of kedusha (Beis Yosef, 51, explaining Orchos Chayim). By the way, these two allusions are not conflicting, but complementary. One explains Az Yashir as the introduction to Yishtabach, and the other makes it a representative of the entire Pesukei Dezimra as an introduction to the Shemoneh Esrei.

Notwithstanding the fact that it is now standard practice to include Az Yashir, the earliest versions of Pesukei Dezimra did not include any recital of Az Yashir, and others recited it after Yishtabach. For example, the Rambam's Seder Hatefillos (located at the end of Sefer Ahavah in his Yad Hachazakah) places Az Yashir after the recital for Yishtabach.

With this introduction, we can now address one of the questions asked above: "In the shullen in which I used to daven, during the aseres yemei teshuvah we always recited the chapter of tehillim 'Shir hama'alos mima'amakim' right after Yishtabach. Someone recently told me that the reason why I do not see this custom practiced any more is because it is a hefsek in the davening. Is this true?"

Here is the background: The Magen Avraham (54:2) quotes the Arizal that during the aseres yemei teshuvah one should add Shir hamaalos mima'amakim after Yishtabach. The Magen Avraham then asks why this is not considered a hefsek. In response to this concern, the Dagul Meirevavah notes the Rambam's placement of Az Yashir after Yishtabach; thus, it is curious to understand what was bothering the Magen Avraham. (One could also mention the Tur and others, who noted the custom of making charity and other communal appeals after Yishtabach, as proof that reciting Shir Hama'alos should not be considered an interruption.)

Presumably, the Magen Avraham feels that adding Az Yashir is not a hefsek, since this is a praise of Hashem, which is the same theme as the entire Pesukei Dezimra. We may, therefore, add other praises to Pesukei Dezimra. However, Shir Hama'alos is being added as a supplication, and the Magen Avraham considers this to be an interruption. And, although the Tur and Rama mention a custom of interrupting for communal or mitzvah needs, today the prevalent practice is to not interrupt, as the Rama himself preferred. We could then conclude that although one may add quotations and passages from Tanach that praise Hashem both to the Pesukei Dezimra and immediately afterwards, one should not add passages that are being used as supplication, and that this is the reason why some did not observe this practice. However, those who do recite Shir Hama'alos Mima'amakim after Yishtabach are following the practice of the Arizal, and should continue to do so.

Conclusion: The Ramban (Commentary to Shemos 13:16) explains: "All that Hashem desires from this world is that Man should thank Him for creating him, focus on His praise when he prays, and that the community pray together with concentration. Mankind should gather together and thank the Lord who created them, announcing: We are your creations!"

Rabbi Aharon Ziegler

To All My Dear Friends and Relatives,
Parashat Ki Tavo- 2013, 5773

In preparing us for the Yamim No'ra'im Chazal arranged that we should be subjected to hearing the terrible To'cha'cha- the 98 curses delineated in graphic detail, through which HaShem warns us of what will happen if we do not keep His Torah. The curses contain the mirror image of the blessings. Rather than being "blessed in the city and blessed in the fields, blessed in our coming in and blessed in our going out", we will be "cursed in the city and cursed in the fields, cursed in our coming and cursed in our going out".

Strangely enough, the Targum Yonatan ben Uziel translates and interprets the pasuk (28:19) "You will be cursed when you come in" meaning, "you will be cursed when you come into the theaters and when you come into the circuses- because you wasted your time on frivolous entertainment rather than spending time in learning Torah. Then the Targum concludes, "You will be cursed when you go out" meaning, you will be cursed when you go out to make a living".

What is wrong with making a living? We have to support our family and earn a living! As a matter of fact the Torah implicitly states [Parashat Eikev 11:14] "VE'ASAFTA DEGANECHA", and you shall gather in your produce". One can well understand the curse associated with lewd or inappropriate forms of entertainment which the Romans were notorious for, but what is the curse associated with trying to earn a living?

The Tanna R' Yonatan ben Uziel was well aware of the fact that there is nothing wrong with earning a living and time spent earning a living is NOT considered as 'bitul Torah'. Yehoshua, during battle of city Ai, (Yehoshua 5:14) was criticized by an Angel of G-d, according to Gemara Megillah (3a-b) for neglecting Torah study. Not during time of battle was he expected to be involved in studying Torah, but at night, when there was no battle taking place [in those days-without proper lighting] the Malach tell him he should have organized Torah classes for the soldiers. So too, with earning a living.

There are enough minutes, or even hours, after work to set aside time for Torah study. It's all a matter of priorities.

Rav Henkin, once met the Chazon Ish when they were both in Europe. At that time, Rav Henkin did not know the Chazon Ish and he certainly did not realize his greatness. They were both coincidentally in the home of a certain Rav, and while waiting to see him in his study, began talking with one another. Rav Henkin asked the Chazon Ish "What is your name?" and he replied "My name is Avraham Yeshaya Karelitz". "What do you do?" inquired Rav Henkin, "I own a store", replied Rav Karelitz. [The fact is that the Chazon Ish's wife ran the store while he learned most of the time-that's how he earned a living]. Rav Henkin then asked, "Do you set aside fixed times for learning Torah daily?" The Chazon Ish replied, "When I have time I learn".

Later, when Rav Henkin got in to the study to see the Rav, the Rav told him that he was about to leave his position for several months and he was planning on leaving his community in the interim with the gentleman in the parlor named Rabbi Avraham Yeshaya Karelitz, who was noted as a great Talmid Chacham. What the Chazon Ish told Rav Henkin was absolutely true. Whenever he had time, he learned! That is why he became the Chazon Ish.

Time is our most precious possession. Every minute that ticks away is a minute less for us to live. Let us not squander our precious days, hours, minutes or seconds. A pocket Siddur, Chumash, Mishnayot or Gemara can help us fill many long periods of time while waiting on a line, while waiting for a bus. Let us resolve to "Learn whenever we have time", so that we will be in the pasuk of "blessings", BARUCH ATA BE'TZEI'TECHA You will be blessed when you go out to earn a living and have a fixed time for learning.

Shabbat Shalom from our home in Yerushalayim, Rabbi Aharon and Libby Ziegler

Rabbi Berel Wein <info@jewishdestiny.com> reply-to:
info@jewishdestiny.com date: Wed, Sep 2, 2015 at 2:05 PM subject:
Parshat Ki Tavo 5775- Rabbi Berel Wein

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The next few parshiyot of the Torah, leading up to the final uplifting and glorious conclusion, portray for us a somber picture of the experiences that the Jewish people will undergo in their march through history. The descriptions of the horrors that will overtake the Jewish people, when their national entity is destroyed and they embark on a long and painful exile of millennia, are graphic, frightening...and tragically accurate. As we read in the Torah, the Jewish people wondered how it was possible for the world to worship with intense loyalty the false gods and imperfect faiths. Because of this vexing question, the Jewish people as a whole also succumbed to such worthless worship and falsity. This in turn led the Jewish people to wonder why they suffered such an onerous fate in their history. The Torah itself will teach us in a later chapter that the nations of the world will also wonder in amazement as to the extent of the destruction that the Jewish people and their land will suffer at the hands of others. And even though the Torah proposes an answer to this question – that the Jewish people were guilty of forsaking their God and faith – they seem to be entitled to complain that the punishments inflicted upon them were unduly harsh and cruel. The descriptions of these punishments that appear in this week's Torah reading, in their graphic detail, leave little room for imagination of the disasters that will fall upon the Jewish people individually and nationally. If there is a portion of the Torah that truly rattles our cage, this week's reading is certainly the one. There are no easy words of comfort that can be offered to ameliorate the stark accuracy of the parsha or soften its impact. The only slight comfort that I can derive is that all of this, which has transpired literally before Jewish eyes over the last century, was predicted long ago, and that the words of the Torah remain true for all eternity. Ramban, writing in the thirteenth century, stated then that the accuracy of the words of Moshe uttered seven hundred and fifty years earlier should be sufficient to renew the

faith of every Jew in the veracity of Torah and the tenets of Judaism. How much more so is this relevant to our times and generation living as we do nine hundred years after the time of Ramban. The total accuracy of what Moshe prophesied is itself a proof of that truth as well as the greatness of his character and leadership. Rabbi Akiva taught us that the fulfillment in every detail, of the prophecies of doom and destruction, is itself a confirmation of the accuracy of the prophetic writings about our redemption and restoration to physical and spiritual greatness and serenity. I had a history teacher who said that Jewish history is really mainly a story of pogroms and books. That is far too somber an assessment. It is much more than that. It is more importantly the history of loyalty and tenacity, creativity and purpose, faith and achievement and an undying belief in a better tomorrow for the Jewish people and all of humankind. Shabbat shalom Rabbi Berel Wein

from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Sep 3, 2015

The Pursuit of Joy

Britain's Former Chief Rabbi

Lord Jonathan Sacks

Happiness, said Aristotle, is the ultimate goal at which all humans aim.[1] But in Judaism it is not necessarily so. Happiness is a high value. Ashrei, the closest Hebrew word to happiness, is the first word of the book of Psalms. We say the prayer known as Ashrei three times each day. We can surely endorse the phrase in the American Declaration of Independence that among the inalienable rights of humankind are life, liberty and the pursuit of happiness.

But Ashrei is not the central value of the Hebrew Bible. Occurring almost ten times as frequently is the word simcha, joy. It is one of the fundamental themes of Deuteronomy as a book. The root s-m-ch appears only once in each of Genesis, Exodus, Leviticus and Numbers, but no less than twelve times in Deuteronomy. It lies at the heart of the Mosaic vision of life in the land of Israel. That is where we serve God with joy.

Joy plays a key role in two contexts in this week's parsha. One has to do with the bringing of first-fruits to the Temple in Jerusalem. After describing the ceremony that took place, the Torah concludes: "Then you will rejoice in all the good things that the Lord your God has given you and your family, along with the Levites and the stranger in your midst" (26:11).

The other context is quite different and astonishing. It occurs in the context of the curses. There are two passages of curses in the Torah, one in Leviticus 26, the other here in Deuteronomy 28. The differences are notable. The curses in Leviticus end on a note of hope. Those in Deuteronomy end in bleak despair. The Leviticus curses speak of a total abandonment of Judaism by the people. The people walk be-keri with God, variously translated as 'with hostility,' 'rebelliously,' or 'contemptuously.' But the curses in Deuteronomy are provoked simply "because you did not serve the Lord your God with joy and gladness of heart out of the abundance of all things" (28:47).

Now, joylessness may not be the best way to live, but it is surely not even a sin, let alone one that warrants a litany of curses. What does the Torah mean when it attributes national disaster to a lack of joy? Why does joy seem to matter in Judaism more than happiness? To answer these questions we have first to understand the difference between happiness and joy. This is how the first Psalm describes the happy life:

Happy is the man who has not walked in the counsel of the wicked, nor stood in the way of sinners or sat where scoffers sit. But his desire is in the Torah of the Lord; on his Torah he meditates day and night. He shall be like a tree planted by streams of water, bearing its fruit in its season, and its leaf does not wither; and in all that he does he prospers. (Ps. 1:1-3)

This is a serene and blessed life, granted to one who lives in accordance with the Torah. Like a tree, such a life has roots. It is not blown this way and

that by every passing wind or whim. Such people bear fruit, stay firm, survive and thrive. Yet for all that, happiness is the state of mind of an individual.

Simcha in the Torah is never about individuals. It is always about something we share. A newly married man does not serve in the army for a year, says the Torah, so that he can stay at home "and bring joy to the wife he has married" (Deut. 24:5). You shall bring all your offerings to the central sanctuary, says Moses, so that "There, in the presence of the Lord your God, you and your families shall eat and rejoice in all you have put your hand to, because the Lord your God has blessed you." (Deut. 12:7). The festivals as described in Deuteronomy are days of joy, precisely because they are occasions of collective celebration: "you, your sons and daughters, your male and female servants, the Levites in your towns, and the strangers, the fatherless and the widows living among you" (16:11). Simcha is joy shared. It is not something we experience in solitude.

Happiness is an attitude to life as a whole, while joy lives in the moment. As J. D. Salinger once said: "Happiness is a solid, joy is a liquid." Happiness is something you pursue. But joy is not. It discovers you. It has to do with a sense of connection to other people or to God. It comes from a different realm than happiness. It is a social emotion. It is the exhilaration we feel when we merge with others. It is the redemption of solitude.

Paradoxically, the biblical book most focused on joy is precisely the one often thought of as the unhappiest of all, Kohelet, a.k.a. Ecclesiastes. Kohelet is notoriously the man who had everything, yet describes it all as hevel, a word he uses almost forty times in the space of the book, and variously translated as 'meaningless, pointless, futile, empty,' or as the King James Bible famously rendered it, 'vanity.' In fact, though, Kohelet uses the word simcha seventeen times, that is, more than the whole of the Mosaic books together. After every one of his meditations on the pointlessness of life, Kohelet ends with an exhortation to joy:

I know that there is nothing better for people than to rejoice and do good while they live. (3:12)

So I saw that there is nothing better for a person than to rejoice in his work, because that is his lot. (3:22)

So I commend rejoicing in life, because there is nothing better for a person under the sun than to eat and drink and rejoice. (8:15)

However many years anyone may live, let him rejoice in them all. (11:8)

My argument is that Kohelet can only be understood if we realise that hevel does not mean 'pointless, empty, or futile.' It means 'a shallow breath.' Kohelet is a meditation on mortality. However long we live, we know we will one day die. Our lives are a mere microsecond in the history of the universe. The cosmos lasts for ever while we, living, breathing mortals, are a mere fleeting breath.

Kohelet is obsessed by this because it threatens to rob life of any certainty. We will never live to see the long-term results of our endeavours. Moses did not lead the people into the Promised Land. His sons did not follow him to greatness. Even he, the greatest of prophets, could not foresee that he would be remembered for all time as the greatest leader the Jewish people ever had. Lehavdil, Van Gogh sold only one painting in his lifetime. He could not have known that he would eventually be hailed as one of the greatest painters of modern times. We do not know what our heirs will do with what we leave them. We cannot know how, or if, we will be remembered. How then are we to find meaning in life?

Kohelet eventually finds it not in happiness but in joy – because joy lives not in thoughts of tomorrow, but in the grateful acceptance and celebration of today. We are here; we are alive; we are among others who share our sense of jubilation. We are living in God's land, enjoying His blessing, eating the produce of His earth, watered by His rain, brought to fruition under His sun, breathing the air He breathed into us, living the life He renews in us each day. And yes, we do not know what tomorrow may bring; and yes, we are surrounded by enemies; and yes, it was never the safe or easy option to be a Jew. But when we focus on the moment, allowing ourselves to

dance, sing and give thanks, when we do things for their own sake not for any other reward, when we let go of our separateness and become a voice in the holy city's choir, then there is joy.

Kierkegaard once wrote: "It takes moral courage to grieve; it takes religious courage to rejoice." [2] It is one of the most poignant facts about Judaism and the Jewish people that our history has been shot through with tragedy, yet Jews never lost the capacity to rejoice, to celebrate in the heart of darkness, to sing the Lord's song even in a strange land. There are eastern faiths that promise peace of mind if we can train ourselves into habits of acceptance. Epicurus taught his disciples to avoid risks like marriage or a career in public life. Neither of these approaches is to be negated, yet Judaism is not a religion of acceptance, nor have Jews tended to seek the risk-free life. We can survive the failures and defeats if we never lose the capacity for joy. On Sukkot, we leave the security and comfort of our houses and live in a shack exposed to the wind, the cold and the rain. Yet we call it zeman simchatenu, our season of joy. That is no small part of what it is to be a Jew.

Hence Moses' insistence that the capacity for joy is what gives the Jewish people the strength to endure. Without it, we become vulnerable to the multiple disasters set out in the curses in our parsha. Celebrating together binds us as a people: that and the gratitude and humility that come from seeing our achievements not as self-made but as the blessings of God. The pursuit of happiness can lead, ultimately, to self-regard and indifference to the sufferings of others. It can lead to risk-averse behaviour and a failure to 'dare greatly.' Not so, joy. Joy connects us to others and to God. Joy is the ability to celebrate life as such, knowing that whatever tomorrow may bring, we are here today, under God's heaven, in the universe He made, to which He has invited us as His guests.

Toward the end of his life, having been deaf for twenty years, Beethoven composed one of the greatest pieces of music ever written, his Ninth Symphony. Intuitively he sensed that this work needed the sound of human voices. It became the West's first choral symphony. The words he set to music were Schiller's Ode to Joy. I think of Judaism as an ode to joy. Like Beethoven, Jews have known suffering, isolation, hardship and rejection, yet they never lacked the religious courage to rejoice. A people that can know insecurity and still feel joy is one that can never be defeated, for its spirit can never be broken nor its hope destroyed.

[1] Aristotle, Nicomachean Ethics, Book 1.

[2] Journals and Papers, vol. 2, Bloomington, Indiana University Press, 1967, p. 493.

From: Chanan Morrison <ravkooklist@gmail.com> reply-to: rav-kooklist+owners@googlegroups.com to: Rav Kook List <**Rav-Kook-List**@googlegroups.com> date: Wed, Sep 2, 2015 at 4:36 AM subject: [**Rav Kook List**] Ki Tavo: The Farmer's Declaration

Ki Tavo: The Farmer's Declaration

Tax reporting in the Torah? In a way, yes....

Twice every seven years, in the fourth and seventh years of the Sabbatical cycle, the Jewish farmer must testify that he correctly distributed tithes from his crops. He makes the following declaration, preferably in the Temple itself:

"I have removed all the sacred portions from my house. I have given the appropriate ones to the Levite and to the orphan and widow.... I have not violated Your commandments, and have forgotten nothing." (Deut. 26:13) What exactly is this declaration? The Mishnah explains as follows: "I have not violated Your commandments" - I have been punctilious in all the laws of ma'aserot, such as tithing each type of produce separately. "And have forgotten nothing" - this does not refer to forgetting the mitzvah, but its spiritual context: I did not forget to bless You and mention Your Name when tithing (Ma'aser Sheini 5:11).

What is special about tithing, that only this mitzvah requires such a declaration? Why must we testify that we were punctilious in all its minutiae,

and remembered to praise God when distributing ma'aser to the Levite and the poor?

Meticulousness in Mitzvot

There are two aspects to every mitzvah. First, each mitzvah has its own unique function and purpose. In addition, all mitzvot are Divine commands, enabling us to connect to God. They elevate our emotions and character traits, as they resonate with the innermost soul.

How do we show that we are performing a mitzvah as a command from God? By carefully complying with all of its rules. Many mitzvot have a clear and obvious purpose. Were they simply a matter of good citizenship or societal obligations, we would perform them anyway - but without such meticulous observance. Punctilious attention to each detail demonstrates our awareness that we are fulfilling God's Will.

The mitzvah of tithing serves obvious purposes. Some of the produce goes to feeding the poor and needy (ma'aser ani), while the rest (terumah and ma'aser rishon) supports Torah study and Divine service by providing for the kohanim and Levites, the spiritual leaders of the nation. Especially with regard to mitzvot whose purpose seems obvious, it is important that we recognize that our intellectual powers cannot fully grasp all of their significance and beauty; nor can we truly appreciate the extent of their national and universal benefit throughout the generations.

For mitzvot with revealed reasons such as tithing, it is important to declare that we discharged them meticulously. We should look at mitzvot just as any other creation of God. The commandments have exact parameters, just as the laws of nature operate according to precise rules and processes.

The Privilege of Giving

Why is it so important that we praise God by reciting a blessing when performing the mitzvah of tithing?

An individual who supports others could mistakenly believe that he is the one providing assistance. He may harbor thoughts of his own greatness and importance, leading him to look down on those who receive his help. Such an attitude could undo any spiritual benefit gained from the charitable act. This danger is particularly serious with regard to the kohanim. It is not enough that the nation supports the kohanim's efforts to disseminate Torah. The kohanim and their spiritual activities need to be beloved and respected by the people. How sorry are those who measure success by the amount of glittering metal they manage to hoard!

In order to prevent this misconception - that those giving are superior to those receiving due to their greater financial means - the benefactors must truly understand that not only are they giving, they are also receiving an immense benefit. By supporting Torah study and the Temple service, they become partners in spiritual endeavors that uplift the entire world.

Therefore, they must not forget to bless God, and express their gratitude for the wonderful privilege to be part of this great enterprise.

(Sapphire from the Land of Israel. Adapted from Ein Eyah vol. II, pp. 406-407)

From: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: peninim@shemayisrael.com date: Thu, Sep 3, 2015

Subject: **Peninim on the Torah by Rabbi A. Leib Scheinbaum** - Parshas Ki Savo

You shall come to whoever will be the Kohen in those days, and you shall say to him, "I declare today to Hashem, your G-d, that I have come to the land." (26:3)

Once Eretz Yisrael was conquered and allocated among the tribes, the farmers were able to take their first ripened fruit to the Sanctuary and present them to the Kohen in a ritual which included a moving declaration of gratitude to Hashem. Hakoras hatov, gratitude, is one of the most basic middos tovot, positive character traits, without which one is not a mentch, decent human being. Only a person who is a makir tov, one who recognizes and appreciates the good which he receives from others, has a chance of achieving shleimus, perfection, in his relationship with Hashem. One who does not acknowledge the plethora of gifts of which he has been the beneficiary cannot properly serve Hashem. Likewise, such a person will also reject the favors he receives from people. Thus, an ingrate has no place in society.

In his commentary to the above pasuk, Rashi comments, "And you shall say: That you are not an ingrate." Why does Rashi focus on the negative, underscoring that the individual is not ungrateful? Why not simply say that he is showing his positive gratitude to Hashem? Horav Elyahu Baruch Finkel, zl, derives a profound insight from Rashi's choice of words. It is impossible to really tally up what we owe Hashem. Does anybody have any idea how much we are in His debt just for our daily existence? Thus, to make the statement that we are performing a ritual through which we recognize our debt to Hashem would be ludicrous. We can only say that we are making a feeble attempt to not be an ingrate. This idea is consistent with the verse in Tefillas Nishmas which we recite on Shabbos: V'ilu finu malei shirah kayam... "Were our mouth as full of song as the sea, and our tongue full of joyous song as the multitudes of waves, and our lips as full of praise as the breadth of the heavens... We still could not thank You sufficiently... and to bless Your Name... for even one of the thousand thousand, thousands of thousands and myriad myriads of favors, miracles and wonders that You performed for our ancestors and for us." When one concentrates on the depth of meaning implied by this pasuk, we see how the concept of achieving hakoras hatov status vis-?-vis Hashem is totally distant from us.

Sadly, the nature of the human being is always to focus on what he still lacks, rather than on what he has already received. Therefore, he is too busy complaining about what he still does not have, rather than offering gratitude for the many benefits of which he has already been the beneficiary. The idea of the cup being half full, rather than half empty, is for most of us a nice cliché, but not a way to view life. The story is told of a chasid who came to his Rebbe with a list of complaints. "Rebbe," he began, "While it is true that I am blessed with a large family of fifteen children, on the other hand I live in a tiny apartment, unable to properly house my children. I have a decent job, but I simply do not make enough to support my family. What am I to do?"

The Rebbe looked at the chasid and replied, "Yankel! Mazel tov on the large family with which you have been blessed! Also, I am so happy for you that you are among the lucky ones who have been able to obtain an apartment. There are so many who are not blessed with children, and an apartment is such a luxury today. Additionally, you intimate that you have a job. How fortunate you are! How many people do not even have a roof over their heads, and a job to boot! How fortunate you are!

"My dear Yankel," the Rebbe continued, "I suggest that, from today on, rather than complain about what you feel to be your deficiencies, why not begin to thank Hashem for all your blessings? In due time, you will see that those areas in which you are lacking will suddenly be satisfied."

Every night, prior to retiring, the Chafetz Chaim, zl, would recount the good fortune of which he had been the beneficiary. He had been orphaned at a young age, when it could have been very easy for him to fall victim to despair. He was able to devote his life to the study and dissemination of Torah. His children, sons and sons-in-law were all accomplished Torah scholars. He was so thankful for all of this goodness that he felt the need to share his good fortune with his Benefactor.

The Chasam Sofer was once informed by a group of "do gooders" that when his son, the brilliant (soon to be) K'sav Sofer, recited the Bircas HaShachar, Morning Blessings, he apparently did not recite the blessing of Shelo asani goy, "That He did not create me as a gentile." It was difficult for the Chasam Sofer to accept such slander against his son. The next morning, he made it a point to stand next to his son when he recited the Berachos, and, lo and behold, he did not recite the blessing of not being created as a gentile. His father immediately asked his son, "Why are you not saying the brachah, shelo asani goy?"

"Father," the K'sav Sofer replied, "of course I recite the blessing, but, when I arise in the morning, I am so overwhelmed with the joy that Hashem created me as a Jew that I cannot wait to recite the blessing in shul. I immediately recite the blessing at home! To be a Jew is the greatest gift from Hashem. How could I wait to reach the shul to make my declaration of gratitude?"

We have so many vignettes, stories and Torah thoughts which address the middah, attribute, of hakoras hatov. I am certain that the reading audience has been inundated with them. This Shabbos I heard a wonderful analogy, which I had never heard before. It is inspiring and well-worth repeating. A young woman replete with middos tovos, refined character traits, was severely challenged in her quest to achieve matrimony. Sadly, despite her many wonderful attributes, she suffered from a physical challenge that had thus far precluded her ability to find a mate: she was blind. It would require a very special young man who would be willing to overlook her sightlessness in order to focus on the character and personality of this special young woman.

One day, she met "Mr. Right," a ben Torah who looked beyond the superficial and concentrated on the intrinsic, essential person. He knew that she was blind, but, once he spoke to her, he no longer viewed it as an impediment. She was the type of person he was looking for, with whom he was prepared to spend the rest of his life. They soon became engaged, followed by an emotional wedding. A short while after they married, the husband informed his wife of an incredible discovery. It seemed that a doctor in

Cleveland had perfected a surgical procedure during which he was able to transplant healthy eyes successfully into the sockets of a person who had previously been unable to see. The excitement in their home was palpable. The husband immediately purchased a ticket to Cleveland, so that he could speak with the doctor to investigate whether his wife was a candidate for the surgery. Two days later, he returned with the wonderful news: she was a candidate for the surgery. There was, however, one problem: there was a ten-year wait.

The wife had become used to various letdowns in life. Chalk it up to a bad experience, insensitive person, whatever explanation one employed to ameliorate a sad situation. This, however, was too much. So close, yet so far. She finally had hope of experiencing sight for the very first time, to be like everyone else, to enjoy Hashem's world to the fullest. Ten years was a long time to wait, even for hope. She broke down and cried like she never had before. Having the hope that one has waited for so patiently smashed before your eyes is worse than not having any hope to begin with. This woman's hopes had been raised, only to discover that it could be a lifetime before it would be realized.

The husband could not tolerate seeing his wife in such pain. She meant the world to him. He decided to pull out all stops to move his wife to the top of the list. A few days went by, and the husband conveyed to his wife the good news: she had been moved up the list. Surgery was scheduled for that week! The joy was indescribable. Now, for once, there was a chance. True, it would be a dangerous surgery, and nobody was making any promises, but it was the only chance they had.

The day of surgery arrived, and Hashem guided the surgeon's deft hands. The procedure was a remarkable success. At first, she saw blurred images, which increased in clarity, until, for the very first time in her life, she was able to see! (For anyone who has taken the gift of vision for granted, the first-time encounter with the experience of sight is staggering, almost indescribable.) In just a few days, this woman's life changed. She could now look forward to going places, seeing things, enjoying her life as never before. She was so involved with enjoying her good fortune that she did not notice a change in her husband. It was on the day that she was finally leaving the hospital, after having completed weeks of therapy, that she discovered the note on her bed. It was a simple, poignant note from her husband which, upon reading it, sent her whole life into a tailspin, "My dear wife, during our courtship and ensuing marriage, the issue that loomed over our heads had always been your physical impediment. Now that it is behind us, you will see that it was not only you who had been sightless, but that I, too, am blind. I hope that this discovery will not change our relationship, because there is nothing in the world more important to me than you."

Some people can handle such life-altering news better than others. Sadly, this woman, who had throughout her life endured so much physical and emotional challenge, was unable to navigate the turbulent emotions that were crashing down on her from all sides. To have come so far, and then have total triumph evade you can be - and was - devastating. This was too much for this frail woman who had absorbed so much. She tried to accentuate the positive, but it was not working. She so much wanted to enjoy the new world that had been revealed to her. She wanted out. One morning, a few weeks later, the husband discovered an envelope on his bed. He had someone read it to him and it was not good. Essentially, it was a farewell letter from his wife. She thanked him for being there for her all of these years, but now it was time to move on. She was moving out.

That night, when his wife came home, there was an envelope on her bed. Inside, was the following note. "My dear wife, I thank the Almighty for the time that I shared with you. I do not want to put you out, because you have suffered so much in your life. I am moving out, and I am taking along the wonderful memories of the time that we spent together. I ask only one favor. Please, please take great care of your new eyes. You see, they were mine originally, but, when I saw how devastated you were at being at the bottom of the transplant list, I decided to donate my eyes to you."

A very sad story, but one that plays itself out daily in our lives. Perhaps our stories are not so dramatic, but do we ever bother to ask ourselves: What are we doing for Hashem? How are we repaying Him for everything that He gives us? Are we any different from the wife who, after receiving her husband's eyes, left him, because she wanted to enjoy life - unimpeded, unrestricted and unsuppressed? Whatever we have is from Hashem, Who has given it to us out of His great love. Is fidelity so much to ask for? If we are outraged by the woman's reaction to what her husband did, we might want to take a close look in the mirror.

Then you shall call out and say... "An Aramean tried to destroy my forefather... the Egyptians mistreated us and afflicted us..." You shall rejoice with all the goodness. (26:5,6,11)

I met someone the other day who a number of years ago had been at the brink of bankruptcy. His financial profile was in such serious straits that, at one point, he could not afford food on the table. Hashem blessed him, and he flowered exponentially; today, he is a very successful, wealthy man. We began talking about "old times," and the topic of his not so recent past came up. When I alluded to how far he had come, he practically

became indignant and said, "We do not talk about those times. What was - was, and it is nothing more than a bad memory, a nightmare from which we have woken up. The pain and shame that enveloped us then is gone, and I refuse to bring it back."

While I understand how this man feels, the Torah does not seem to agree. In the Bikurim declaration, the farmer reiterates his ancestor's past-- from the wily attempts of Lavan to destroy Yaakov Avinu, to the misery, persecution and death which were a daily part of our lives while we were slaves to Pharaoh in Egypt. Why bring up the past? Today, Baruch Hashem, the farmer has his own plot of land in the homeland of his dreams, surrounded by family in the spiritual center of the Holy Land. Why should we rehash what once was? Perhaps this is when it is especially valuable to remember the past, or else we might become so complacent in the present that we might endanger our future. We must always look to the future, but keep an eye on the past. Who we are and what we have become are born of the fabric of the past, present, future continuum. We should never ignore this reality.

Accursed is one who strikes his fellow stealthily. (27:24)

Rashi interprets this prohibition as reference to speaking lashon hora, slanderous speech. We do not realize the serious consequences which result from lashon hora. While it is true that refraining from speaking what comes to mind can be difficult, when we realize that the Torah considers it a hakaah, tantamount to striking someone - which most of us would never do - it might serve as a deterrent. We might say or even allude to something ethically or morally negative about someone. This statement might be overheard by someone who conveys the comment to others who embellish it. By the time the statement has been copiously enhanced, the person's reputation has been impugned, possibly destroyed, resulting in financial loss or having his child meet with increased difficulty in finding a shidduch, matrimonial match.

This Torah thought is not directed toward the individual who thrives on speaking lashon hora. Very little will prevent him from carrying out his nefarious goals. There are people, however, who, as a rule, do not seek to put down their fellow, but do respond with negativity when they are hurt. During such moments, which surface more often than we care to acknowledge, one can easily lose himself. It is to such a moment of challenge that the following inspirational story applies. The Chafetz Chaim writes that he heard the story from Horav Yehoshua Heller, zl, who heard it from his Rebbe, the Nachalas David, who heard it from Horav Chaim Volozhiner, zl, primary disciple of the Gaon, zl, m'Vilna - with whom the episode occurred.

During a certain period in the Gaon's life, he accepted upon himself to go into galus, exile. He traveled by wagon, hiring a Jewish driver to take him from place to place. One day, the driver was more tired than usual, and he started dozing behind "the wheel." As a result, the wagon went off the road and damaged a few rows of crops owned by a gentile farmer. The gentile saw this take place, and he immediately ran over to the wagon to confront the individual responsible for his loss. He came to the wagon and noticed two men in it: one was out cold, while the other was reading from some book. Assuming that the Gaon, who was learning, was the culprit who had damaged his crops, he began to pummel him repeatedly all over his body. The Gaon could have easily said that he had not been the driver, but the passenger, but that would mean that the other Jew (who was the responsible party) would get hurt.

Later on the Gaon was queried as to why he did not speak up. His response was, "Had I laid the blame on the wagon driver, I would have transgressed the prohibition of Makeh reieihu baseiser, he who strikes his fellow stealthily. Although the wagon driver is guilty, he must pay only for the damages. He is not subject to being pummeled by the gentile." Then the Gaon added a frightening statement: If he had not held himself back from revealing who was the guilty party - none of the Torah and mitzvot which he had studied and achieved throughout his life would have spared him from terrible punishment. This is a statement from one of the greatest Jews of the last millennia, whose Torah commentary has illuminated the minds and hearts of Torah devotees for almost two centuries. So, what should we say?

You will be left few in number. (28: 62)

What a terrible curse. Our numbers will diminish as a result of the troubles of the exile to which we will be subjected. What makes it worse is the loneliness that results from depleted numbers. When one is the member of a large group, he will always find a partner, someone to whom he can gravitate and develop a friendship. When the numbers are greatly diminished, however, allowing for one person in one place and another distant from him, the feeling of loneliness begins to set in. The curse of b'm'sei me'at, being left few in number, has a dual connotation. First of all, our numbers will be greatly diminished. The once proud nation, whose numbers rivaled those of its enemies, was now cut down to one here and one there, an insignificant number. Second, we will no longer be together. Once the numbers are cut down, all that will remain will be small pockets of individuals with little in common with one another.

Following the greatest tragedy of the twentieth century -- and perhaps in the history of our long exile -- the European Holocaust, only a small number of survivors remained, one or two from a village, a few more from a city, a completely disjointed group of people shell-shocked and having to go at it alone. In one of his travels throughout the United States, the Klausenberger Rebbe, zl, hero of the Holocaust, a scholar of epic proportion -- who had very few peers in his vast erudition which was overshadowed only by his outstanding love of the Jewish People and our G-d - Hashem-- was once sitting on a train traveling to a city in the Midwest. He sat in his seat all by himself, reciting from Sefer Tehillim. At one of the stops, a middle-aged Jew entered his car. As the man walked through the car, he noticed the Rebbe fervently engrossed in his Tehillim recital. This man was extremely bothered by this sight, since he had sadly rejected the religion of his ancestors following the many tragedies that he had personally experienced. There is nothing that fosters bitter animus more than seeing someone doing what, deep in your heart, you know you should also be doing.

Seeing the Rebbe engrossed in his Tehillim, the Jew had the nerve to go over to the Rebbe and ask, "You (people) are still saying Tehillim after what we went through. You should know, it does not make a difference. I was on the lowest level of the yeshivah students of our town, yet I lived; I survived. All my friends -- who were so much more learned and G-d-fearing than I was -- died. Indeed, from all those who were G-d-fearing, I, who was the least, am the only survivor. How do you explain this?"

The Rebbe listened intently to the man's denouncement, and he began to cry bitterly. The Rebbe looked at him and said, "I, too, was the weakest, and least spiritually inclined of my town. I have no idea why I was saved when so many others, who were clearly more spiritually adept than I was, died in Hitler's Holocaust. This is why I cry!"

When the Jew saw the Rebbe's reaction to his comment, he was struck with awe of the Rebbe. He sat down next to the Rebbe and also began to cry. He practically fell on the Rebbe. Two men crying - each one had sustained a terrible loss: one left Judaism; one stayed. Now they were both together, connected by a common bond. They were both the remnants, the survivors. They represented the future.

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Ki Tavo(Deuteronomy 26:1-29:8)

Parsha Potpourri by Rabbi Ozer Alport

Threats and Consolation Parshas Ki Savo is commonly referred to as the parsha of tochacha - "rebuke." It is full of frightening threats of unimaginable punishment to be meted out to those who brazenly refuse to observe the Torah's laws (Deut. 28:15). It is interesting to note that this is not the first parsha which contains a lengthy rebuke. Parshas Bechukosai is similarly filled with a terrifying list of punishments which will befall those who fail to observe the mitzvot (Leviticus 26:44-45). This raises two questions. Why was there a need to repeat the threats after they were already described in gruesome detail in Parshas Bechukosai? Further, why don't the terrible curses described in our parsha conclude with words of consolation as do those mentioned in Bechukosai? The Ohr HaChaim HaKadosh answers by noting that the curses detailed in Bechukosai are written in the plural, while those in our parsha are expressed in the singular. He suggests that the punishments mentioned previously are national in nature and will only transpire if the entire nation engages in inappropriate activities. For this reason, they are written in the plural. Our parsha, on the other hand, is expressed in the singular, as it addresses individuals who sin even at a time when the nation as a whole is behaving properly. With this distinction, we now understand that the rebuke in Bechukosai ends with words of encouragement because it pertains to the entire nation. No matter how far they may stray, the Jewish nation is guaranteed a continued existence in the merit of God's covenant with our forefathers. Each individual within the community, however, isn't as fortunate. Since our parsha discusses the case of the individual who sins, it doesn't conclude with words of consolation, as they have no such assurance. The Alter of Kelm uses this concept to resolve an apparent contradiction regarding the nature of Rosh Hashana. On one hand, it is considered a festive day, on which we dress in our finest clothes and eat enjoyable meals. On the other hand, the tone of the day is solemn. Hallel isn't recited due to the fear and trembling

which accompany the knowledge that the books of life and death are open on this day. The Alter explains that as a nation, we are confident in God's mercy and conduct ourselves with joy and optimism. At the same time, each individual is filled with dread and terror at the recognition that he has no such guarantee. As the Day of Judgment approaches, we may find comfort in this message. If we live in our own vacuums, we will be judged on our own merits in less than a month, a scary thought. However, our Sages teach that if we affiliate ourselves with a community, becoming part of our synagogues and volunteering to help with communal projects and organizations, we will share in their collective merits. As a result, we will enjoy an inscription for a year of health, happiness, and blessing. * * *

EXPRESSION OF GRATITUDE A farmer is required to bring bikkurim, the first ripened fruits of the seven species for which the land of Israel is praised, to the Holy Temple in Jerusalem (Deut. 26:5). There he presents them to a Kohen as a sign of gratitude to God for giving him a successful harvest. He then recites a declaration of appreciation for God's role in Jewish history. Rashi writes that this proclamation is made in a raised voice. Why does the Torah require the farmer to make this statement in a loud voice? The following story will help us appreciate the answer to this question. Amuka, located in the north of Israel, is the burial place of the Talmudic sage Rabbi Yonason ben Uziel. Amuka is famous for its mystical ability to help those who are longing to get married find their matches, and people travel there from around the world to pray for a spouse. Although it is common for people to pray in Amuka with an intensity emanating from personal pain, somebody was once surprised to see a married woman praying there with great happiness. In her response to the onlooker's curiosity about this, she taught a beautiful lesson. "I had a very difficult time with dating. Somebody finally suggested that I travel to Amuka, where I poured my heart out in prayer. Shortly thereafter, I was introduced to the man who is now my husband. I felt that if I came here to cry out from pain, it was only appropriate to return here to joyfully express my gratitude." The S'fas Emes explains that every person's livelihood is dependent upon God's decree. Many times, this correlation is masked by events which make it appear that the person earned his income through his own creativity and perspiration. The farmer, on the other hand, has no difficulty recognizing that his financial situation is beyond his control and precariously rests in God's hands. As diligently as he plows and plants his land, he realizes that the success of each year's crop depends upon the frequency and intensity of the rains, factors completely beyond his control. After putting in his own hard work, he prays fervently that the rains should come in the proper amounts and at the proper times. When the farmer's prayers are answered and he sees the first "fruits" of his labors, it would be easy for him to take credit for the successful harvest. The Torah requires him to bring his first fruits to the Temple as a reminder that his success comes from God, and he must express the appropriate gratitude for His kindness. One might incorrectly assume that mumbling a quick "thank you" under his breath suffices to fulfill this obligation. The Torah therefore teaches that in expressing appreciation, lip service is insufficient. The feelings of gratitude must be conveyed with the identical intensity with which one initially prayed. Just as the farmer screamed out with his entire heart beseeching God to bless him with a bountiful harvest, so too must he express his thanks with the identical raised voice. So many times we cry out to God from the depths of our hearts for a desperately-needed salvation - to bear children, to find our spouse, to recover from illness, or for a source of livelihood. When our prayers are answered and the salvation comes, let us remember the lesson of the first-fruits and loudly call out our thanks with the same intensity with which we prayed in our time of trouble. * * *

SEVENTY LANGUAGES Moshe instructed the people (Deut. 27:8) to write on stones all of the words of the Torah well-clarified. Rashi explains that "well-clarified" means that it should be written in all 70 languages, so that it may be easily read by anybody who wishes to do so. Why was it necessary to make the Torah accessible to the other nations of the world

when the Talmud (Avodah Zara 2b) teaches that each of them was offered the Torah and refused to accept it? Rabbi Yosef Sorotzkin (Meged Yosef) notes that the Talmud (Shabbos 88b) teaches that even when the Torah was initially given to the Jewish people at Mount Sinai, each word that emanated from God's mouth was expressed in all 70 languages. He explains that several early sources write that although each of the nations of the world collectively rejected the Torah, there were individuals among every nation who did express a desire to accept it, only to be outvoted. The non-Jews who legitimately convert to Judaism in every subsequent generation are descended from these individuals who initially agreed to accept the Torah. In light of this, it was necessary to give the Torah and to translate it in all 70 languages so that it would be accessible to those who sincerely desired to observe its laws, as their souls were also present for the receiving of the Torah at Mount Sinai. * * *

REACCEPTING THE TORAH After the Jewish people initially accepted the Torah while standing near Mount Sinai, why were they required to reaccept it by standing on top of Mount Gerizim and Mount Eival (Deut. 27:11-26)? Rabbi Eli Munk (Peninim Vol. 6) distinguishes between the initial giving of the Torah at Mount Sinai, where the Jewish people were commanded to stand at the bottom of the mountain, and the reaffirmation of their commitment at Mount Gerizim and Mount Eival, where they were specifically commanded to ascend and stand on top of the mountains. The change in their positions vis-à-vis the mountain wasn't coincidental. Symbolically, it alluded to the fact that their original acceptance of the Torah was passive in nature, as they didn't yet know what was contained in the Torah. While important and necessary, this level of acceptance was insufficient. At this point, they had studied the Torah and its laws and were commanded to actively reaccept the Torah in order to transmit it to the next generation, as symbolized by their positioning on top of the mountain. Rabbi Munk adds that this paradigm is a metaphor for the Torah study of every individual Jew, as he initially begins by learning the Torah's laws and inculcating them within himself. However, there must eventually come a time when he progresses to the higher level of accepting a responsibility to actively teach and share his knowledge with others in order to ensure the continual and eternal transmission of the Torah.