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Weekly Internet Parsha Sheet
Beshalach 5768

This Shabbat is Shabbat Shirah. Tu B'Shevat is celebrated on Tuesday, January 22.

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LOCKED OUT :: Rabbi Berel Wein

On my current trip to the United States I was staying at an apartment to which I had a key. However, due to circumstances beyond my control (forgetfulness), when I arrived at the apartment after a long and eventful day I discovered to my horror that the key was not in my pockets.

I was ignominiously locked out of my abode and bed. What an embarrassment for a man of my stature and position! I was forced to find someone, a cooperative if somewhat amazed relative, who had a spare key to the apartment, hire a car service for \$65.00 to bring the key to me and wait impatiently for over an hour for it to be delivered into my hands.

But since I am convinced that everything is for the best and somehow has a magisterial purpose to it, I got to thinking about the phenomenon of being locked out of one's own dwelling. I then realized that this is not as rare an occurrence as I had originally thought.

There are millions of people who are locked out of their inheritance and true home by ignorance, circumstance and forgetfulness. And to our great misfortune, many of those millions are our fellow Jews. The door to Judaism and Jewish values is absolutely sealed to them.

They do not even know where the key can be found. They don't realize that there are spare keys that can be obtained from their neighbors and relatives. And, oftentimes, they are unwilling to pay for the car service that will deliver that key to them. And that is really a tragic situation.

Standing in line at the security checkpoint at JFK airport on the way to catch a flight to the wedding of my grandson in Detroit, I was behind a young Israeli man and his girl companion (also Israeli) who were having an animated conversation in Hebrew. The young man had the requisite number of earrings in his ear to qualify as a member of the progressive youth group that exists in some parts of our beloved country.

I was dressed in my full Diaspora rabbinic garb, black jacket and black hat, et al. and they naturally paid me no notice. However, the security guards in the airport targeted them for a full body search and they were obviously panicked. I spoke to them in my fluent Hebrew and attempted to calm them and reassure them that there would be no untoward problems. My prediction, as usual, proved to be correct and they accompanied me part of the way to my departure gate.

They confessed to me that this was the first time in their lives that they had ever spoken to a Haredi Jew. I wanted to disabuse them of that idea (since I am, at most, only Haredi light) and we had a pleasant conversation and I wished them well on their tour of the United States.

As I left them they thanked me for my help and asked for my e-mail address after I informed them about some of the projects of my Destiny Foundation. I don't know if I will ever hear from either of them again but I definitely feel that they are locked out of their heritage and home and though I may not have the key, someone here in Israel does have the key. We just have to find the right car service to deliver it to them. I think that there are many Jews in Israel and in the Diaspora who would like to have that door to home unlocked for them.

There are many obstacles to unlocking our door. Generations of failed secularism and false ideologies have locked the door rather securely for so many of our brothers and sisters. Many of our fellow Jews do not even realize that the door is locked at all. More than that they don't realize that their real home is behind the locked door.

Of course, the attitude of those who do have the key is not always helpful. Though there are many kiruv organizations in our society, the spirit of kiruv is still not strong in the religious world. There is a feeling that those who are locked out are to be pitied but not really helped. After all, they lost or forgot the key so if they are locked out that is basically their problem.

But whether that attitude is really consistent with Torah values and our Godly responsibilities is certainly an existential question that should at least be debated. So, if God forbid, you are ever locked out of your home, at least think about this question.

Shabat shalom.

Weekly Parsha :: B'SHALACH :: Rabbi Berel Wein

Victories and triumphs inevitably are followed by letdowns, frustrations and sometimes even disappointments. The high point of the story of the Exodus of the Jewish people from Egypt is recorded in this week's parsha with the eternal song of Moshe and Israel at the Reed Sea.

The exultation of Israel at seeing its hated oppressors destroyed at its feet knew no bounds. It is as though its wildest dreams of success and achievement were now fulfilled and realized. However, almost immediately the people of Israel, faced with the problems of the real world which seemingly never disappear no matter how great the previous euphoria may have been, turn sullen and rebellious.

Food, water, shelter all are lacking. And even when Moshe provides for them the necessary miracles that are required for minimum sustenance in the desert of Sinai, their mood of foreboding and pessimism is not easily dispelled.

And this mood is heightened by the sudden unprovoked attack of Amalek against the people of Israel. Again, Amalek is defeated by Yehoshua and Moshe but the mere fact that such an attack occurred so soon after the events of the Exodus has a disheartening effect upon the people.

The moment of absolute physical triumph is not to be repeated again in the story of Israel in the Sinai desert. But physically speaking, the experience of the desert of Sinai will hardly be a thrilling one for Israel. So it is with all human and national victories. Once the euphoria settles down, the problems and frustrations begin.

In relating the miracle of the sweetening of the waters at Marah, the Torah teaches us that "there did the Lord place before them laws and justice and there did He test them." There are many interpretations in Midrash, Talmud and rabbinic literature as to what those "laws and justice" actually were.

But it is certainly correct to say that the main "laws and justice" that were taught to Israel at Marah was that the problems of life go on even after miraculous victories and great achievements. Victories bring high if sometimes unrealistic expectations. Measured realistic response and realistic assessments are necessary in order to harvest the fruits of such victories.

The less grandiose our expectations are the less painful our disappointments become. The generation of the descendants of those who left Egypt, who were now accustomed to the grueling challenges of the desert and who had not shared in the euphoria of the destruction of the Egyptian oppressor, were much better equipped to deal with the realities entailed in conquering the Land of Israel and establishing Jewish sovereignty and society there.

Our times have also witnessed great and unforeseen accomplishments here in Israel. But because of that very success, we are often given over to disappointment and frustration at the current unsolved problems that still face us. We would all wish to sing a great song of exultation and triumph over our enemies and problems.

With God's help we may yet be able to do so. Yet until then we would be wise to attempt to deal with our realities and problems in a moderate, practical and wise fashion.

Shabat shalom.

TORAH WEEKLY :: Parshat Beshalach
For the week ending 19 January 2008 / 12 Shevat 5768

OVERVIEW

Pharaoh finally sends Bnei Yisrael out of Egypt. With pillars of cloud and fire, G-d leads them toward Eretz Yisrael on a circuitous route, avoiding the Pelishtim (Philistines). Pharaoh regrets the loss of so many slaves and chases the Jews with his army. The Jews are very afraid as the Egyptians draw close, but G-d protects them. Moshe raises his staff and G-d splits the sea, enabling the Jews to cross safely. Pharaoh, his heart hardened by G-d, commands his army to pursue, whereupon the waters crash down upon the Egyptian army. Moshe and Miriam lead the men and women, respectively, in a song of thanks. After three days' travel only to find bitter waters at Marah, the people complain. Moshe miraculously produces potable water. In Marah they receive certain mitzvot. The people complain that they ate better food in Egypt. G-d sends quail for meat and provides manna, a miraculous bread that falls from the sky every day except Shabbat. On Friday a double portion descends to supply the Shabbat needs. No one is able to obtain more than his daily portion, but manna collected on Friday suffices for two days so the Jews can rest on Shabbat. Some manna is set aside as a memorial for future generations. When the Jews again complain about a lack of water, Moshe miraculously produces water from a rock. Then Amalek attacks. Joshua leads the Jews in battle while Moshe prays for their welfare.

INSIGHTS

Permission To Heal

“I, the L-rd, am your Healer.” (15:26)

Samuel Goldwyn once remarked, “A hospital is no place to be sick.”

According to the Talmud, doctors don't have a very bright prospect ahead of them; “.the best of doctors go to Gehinom.” (Kiddushin 82a)

Why should doctors expect a ‘warm welcome’ when they exit this world? Either because they don't exert themselves sufficiently on behalf of their patients, or considering themselves undoubted experts, sometimes they make mistaken diagnoses or prescribe incorrect treatment and end up killing the patient.

There are many recorded cases (and doubtless many more unrecorded ones) of misdiagnosis. Doctors aren't perfect, but many behave as though they were. As John Webster put it, “Physicians are like kings - they brook no contradiction.” In other words - don't argue with the doctor.

New studies show a high rate of misdiagnosis of the coma-like persistent vegetative state. Researchers say that the findings are grounds for “extreme caution” in decisions that might “limit the life chances” of patients.

The latest study conducted by Belgian researchers indicates that around a quarter of the patients in an acute vegetative state when first admitted to the hospital have a good chance of recovering a significant proportion of their faculties, and up to a half will regain some level of consciousness.

Another study shows that around 40% of the patients were wrongly diagnosed as in a vegetative state when they in fact registered the awareness levels of minimal consciousness, and comparing past studies on this issue shows that the level of misdiagnosis has not decreased in the last 15 years.

And even when the diagnosis may be correct, doctors still don't have the last word. In Parshat Mishpatim, the Torah repeats the phrase, v'rapoh, yerapeh, “And he will certainly heal.” (Shmot 21:19). This repetition teaches us the doctors are allowed to heal people. Why would I think in the first place that healing is forbidden? Because the Torah also says, “I, the L-rd, am your Healer.” Maybe only the L-rd is “your Healer;” maybe healing is from G-d, and no mortal has the right to interfere in this process? Thus the Torah has to tell us “he will surely heal.”

The lesson here seems needlessly convoluted. Why does the Torah set up a presumption that only G-d can heal, “I, the L-rd., am your Healer;” and then counter this presumption with another verse, “he will surely heal.” The answer is that another lesson is being taught here as well.

Doctors may have the right to heal, but they have no right to despair.

The word “incurable” has no place in the doctor's lexicon. A doctor may say, “We have no cure for this at the present time,” or “This case is beyond my expertise,” or “There's nothing more we can do,” but the word “incurable” should never escape a doctor's mouth.

For “I, the L-rd, am your Healer.”

Sources, Meiri, Medical News Net, North Country Gazette

Written and compiled by Rabbi Yaakov Asher Sinclair

Peninim on the Torah by Rabbi A. Leib Scheinbaum

PARSHAS BESHALACH

So G-d turned the People toward the way of the wilderness. Moshe took the bones of Yosef with him. (13:18, 19)

It seems strange that the Torah interrupts its narrative which describes Klal Yisrael's journey toward Eretz Yisrael via the wilderness, to reveal that Moshe had taken Yosef's bones with him. Is this fact sufficiently important to place it right in the middle of their trip? It actually belongs in the previous parsha, which relates the exodus from Egypt and the series of events surrounding this seminal experience. At the moment of their departure, the people left carrying bags on their shoulders with whatever garments they had. At that point, it would be appropriate to mention that Moshe Rabbeinu was carrying something of greater importance: Yosef HaTzaddik's mortal remains.

Horav Yosef Shalom Elyashiv, Shlita, cites the Yalkut that explains why Hashem did not lead the Jewish People to Eretz Yisrael through the shortest possible route. Hashem said, “If I bring them to the land in a straight- forward way, they will immediately take to the fields, each one setting up his orchard and vineyard, planting his grain - doing everything but studying Torah.” The neglect of Torah study will be a result of the people's sudden exposure to a way of life which until now had been quite foreign and unrealistic. Slaves do not have fields. By taking the people on a circuitous course in the wilderness that was to last forty years, they would learn the meaning of bitachon, trust, in Hashem. For forty years, a diet of Torah and Heavenly manna sustained them. They learned that life is a constant sequence of miracles - blessings from the Almighty Who guards and sustains us. He sees to it that we receive whatever we need to live. Forty years of this learning experience inculcated this belief and trust into our psyche. Now, we were prepared to enter the land.

As the Torah relates how the Jewish People took a labyrinthine path to Eretz Yisrael, it adds that the moreh derech, guide, who served as their beacon of inspiration on this extended journey, consisted of the atzmos Yosef, bones of Yosef. They raised their eyes and saw Yosef's remains; and they were looking at what represented the banner of the Jewish People, the symbol of commitment—despite adversity, pain and constant challenge. Yosef survived it all. From his early youth, he was reviled by his brothers, sold to the Yishmaelim, later sold as a slave to the Egyptians, condemned by his master's wife, and, despite all of this, he maintained his unequivocal faith in Hashem. He is the exemplar to follow into Eretz Yisrael. He will show us the way to survive. He will demonstrate that Torah study comes first, as spiritual endeavor is the primary vocation of a Jew. Then they will be able to enter the land with their priorities in place and their commitment in order.

Torah is much more than a vehicle for defining priorities. Torah is the reason that a Jew wants to be a Jew. In an inspirational discourse, Horav Simcha Wasserman, zl, delves into the Jew's motivation for developing a positive attitude about his Jewishness. If we peruse Jewish history, we find few encouraging moments. Between the blood libels, pogroms, racial incitements and holocausts, we have had little opportunity for positive reflection. Yet, we have remained unwaveringly committed and totally dedicated to our heritage. Why? Furthermore, does anybody feel less significant because the world is against us? If anything, we are proud of our status as heirs to Avraham HaIvri, the Patriarch who stood on one side, while the rest of the world stood on the other side. While there have been Jews throughout the millennia who have been consumed with self-loathing, theirs was a self-inflicted attitude. They should have realized that being Jewish is a consequence of birth. Since they have been compelled to pay the price, they might as well enjoy taking pride in who they are.

We return to the original question: What makes a Jew want to be a Jew? The answer is Torah. This feeling is not necessarily the result of the conscious knowledge that we amass. It is primarily the result of the subconscious influence which Torah has on one who studies it properly. In

other words, imbibing Torah into our system has a positive, mind-altering effect on us. It is not the actual taste of Torah or the understanding of Torah; it is the inspiration that one receives by ingesting it into his system. When one studies Torah correctly, it enters his system and penetrates his subconscious. It makes a Jew into a Jew. Indeed, that is the reason Hashem gave it to us: to make a Jew into a Jew.

When there is Torah learning, there is continuity, inspiration and spiritual illumination. The study of Torah is the road marker which guides the Jew's return to his Maker. It is what connects us to the Almighty.

I recently read about a comment made by the Chafetz Chaim, zl which I feel encapsulates the concept of Torah and gives us an idea why those who do not study it remain uninspired and unmoved. In his book, "Warmed By His Fire," Rabbi Yisrael Besser, relates that when the Chafetz Chaim's granddaughter emigrated to Eretz Yisrael from Russia, the most distinguished Rosh Yeshiva greeted her with the hope of picking up a few morsels of eternal truths from her saintly grandfather. She was, lamentably, the victim of having been raised in a country which had long ago outlawed religion as being the opiate of the masses.

She recalled that as a young, idealistic student, beguiled by the allure of modernity, entranced by the vague promises of science and technology, she was in the process of shedding the shackles of "archaic beliefs" from her life. She had asked her saintly grandfather the following question, "Zeide, you know there is a new world out there, a world far-removed and advanced from your little shtetl. This world is filled with scientific discovery, modern technology, a world which is constantly changing. Why do you not come out of the darkness and limitations associated with your antiquated world?"

The sage looked into his granddaughter's eyes and firmly replied, "With their technology and sophistication, they will develop a bomb that will ultimately kill many people. It will bring death and destruction to the world." Then, in his weak voice, he whispered, "Ubber mir machen mentchen. But we are developing people! Do you hear? Mir machen mentchen."

Pharaoh will say of Bnei Yisrael, "They are locked in the land." (14:3)

Many of us go through life locked into a position, which we have either chosen for ourselves or others have chosen for us. We have fallen prey to the disease of complacency, and we refuse to change. Horav Yitzchak Zilberstein, Shlita, cites Rabbi Akiva Eigar, zl, who questions the sequence of one of the tefillos which we recite on Rosh Hashanah and Yom Kippur:

Adam, yesodo mei' afar, v' sofo le'afar, b'nafsho yavi lachmo. "Man, his foundation is from dust, and his end is dust, with his soul he brings his bread." The correct sequence should have been: first, man's origins; second, his livelihood; third, his passing and burial in the ground. Why is the "bread" he earns the last of the three defining moments in his life? It really should be the second one.

Rabbi Akiva Eigar explains that the middle passage is not related to physical bread or any form of material sustenance. Rather, it is a reference to the "bread" that is to sustain a person in Olam Haba, the World to Come. After one has passed from this world, he brings to the Eternal World of Truth the mitzvos and good deeds that he has been privileged to perform in this world. We now read this passage in the following manner: Man is created from dust, and he ends up as dust. Afterwards, he brings the bread that he has gathered in this world to the Olam Haba to sustain his soul in its repose. We pray that we do not have to be sustained from nahama d'kisufa, bread of shame, bread that is granted to us, even though we are not worthy of it. This is embarrassing. We pray that we should not feel as shnorrers, beggars, in the World to Come, that we should be worthy of carrying out His word and His command in this world, and, thus, warrant bread of spiritual sustenance. We do not want to be "locked" into a position from which we cannot escape. We want to grow spiritually and benefit from the rewards of this growth.

Rav Zilberstein takes the idea of nevuchim heim, "they are locked in," a bit further. Each individual has his unique purpose in life for which Hashem created him. Some of us rise to that purpose, while others, regrettably, go through life doing well, succeeding at our chosen endeavor, but never fulfilling the purpose for which we have been created or achieving the status that the Almighty has destined for us. He gives us the choice, and it

is up to us to make the correct decisions in life. Some of us make the right decision, while others have either fallen into the rut of complacency or have had the choice made for them when they were young, such that they just followed along, reading the script and acting the part that others have selected for them.

Perhaps the following narrative will give us insight into the choices that present themselves and what we can—and should—do about them. Horav Aharon Kotler, zl, Rosh Hayeshiva of Beth Medrash Govohah and architect of Torah in America, came to Yeshivas Slobodka at the young age of fourteen. Orphaned at a young age, his extended family were his guardians. "Concerned" that such a brilliant boy would spend his life in a yeshiva with no "hope" of "succeeding" in the "real" world, they attempted to remove him from the yeshiva and, instead, send him to dental school. As a successful dentist, he could achieve prominence and support his family. While they had no problem with his observance and even his diligence in Torah study, they were concerned lest it become a lifelong endeavor.

The members of the family came to Slobodka and spoke to the Alter, Horav Nosson Tzvi Finkel, zl. He listened and replied, "I understand your concerns. Give me three weeks and then as far as I am concerned, you may do as you please."

When they left, the Rosh Yeshiva asked a number of his most distinguished students to take the young boy under their wing and give him a geshmak, good taste, in learning, so that he could sense first hand the effect that Torah study has on a person. Those three weeks in such an exceptional environment, under the tutelage of some of the most brilliant young Torah scholars in Europe, established the foundation of the man who would one day change the spiritual panorama of America.

Three weeks went by very quickly, and the family returned to pick up their young charge. They called him, and, in the presence of the Rosh Yeshiva, asked, "Would you like to leave here and go to school to become a dentist?"

(Rav) Aharon looked at them incredulously and exclaimed, "What? You have nothing to do with yourselves? I should leave the yeshiva? I have never had it so good. Why would I dream of leaving?" The case was closed, and we are the fortunate beneficiaries.

There are choices in life that we must make. We pray that they are the correct ones. We could live out our greatest dreams, or they could one day be the source of our most frightening nightmares.

Egypt was journeying after them, and they were frightened; Bnei Yisrael cried out to Hashem. They said to Moshe, "Were there no graves in Egypt that you took us to die in the wilderness?" (14:10, 11)

The Yalkut Shimoni comments that Klal Yisrael cried out to Hashem, and Moshe Rabbeinu stood in prayer on their behalf. Hashem told him, "Now is not the time to entreat a lengthy prayer. The Jewish People are in a moment of distress." Sforno contends that Moshe was included in the phrase, "Bnei Yisrael cried out to Hashem." The cry of Moshe, however, was not motivated by fear of Pharaoh and his army, for he had already told Klal Yisrael that the Egyptians would perish. His cry was a complaint against the arrogance of the Jewish leaders who had asked, "Were there no graves in Egypt that you took us out to die in the wilderness?" Moshe thought that because of their defiance of him, the people would not listen to what he told them and would not enter the sea. Thus, Hashem told him, "Why do you cry out to Me? You err in not trusting the people. They will listen to you."

Horav Baruch Sorotzkin, zl, derives an important lesson from here. There are moments in a leader's career that, despite his total dedication to his flock to the point of mesiras nefesh, self-sacrifice, he feels at a loss. He senses that his influence on the people is waning. He hears them screaming, blaming him for their misery and problems. Therefore, he refrains from issuing a command or reproving their behavior. He certainly does not command them to risk their lives by jumping into a stormy sea. He senses such negativity that he feels uncomfortable in his position, and he refuses to take an aggressive stand. Hashem knows the truth: the Jewish people might complain; they might mumble, but they respect their spiritual leadership. Thus, if they are told to go forward, to jump into the sea - they

will jump. The leader should command, and the people will listen. That is the nature of the Jewish People.

There is, however, another aspect to this relationship that we should address. If the people do not believe in their leader, then he will be ineffective in leading them. Choni Ha'maagal woke up after a seventy year sleep and returned to discover, to his chagrin, that nobody recognized him; nobody knew who he was. He prayed for death, and his wish was granted. This is enigmatic. All he needed to do was deliver a Torah discourse, give a lecture, and the people would recognize who he was. They would recognize the nuances, the novella, and the style of his lecture. They would know that it was truly Choni.

We see from here, notes Horav Michael Perets, Shlita, that if one's family and friends do not believe in him, he will simply not have the power to reveal his true self. Choni is Choni as a result of the people's belief in him. This motivates him to deliver a lecture of the caliber that only the original Choni could give. If the people no longer believe in him, then he has lost that hidden ability, the self-confidence necessary to teach as he had before. People must believe. The sin of the meraglim, spies, was a result of a negative belief on the part of the Jewish People about their ability to conquer the land. Thus, they were punished with losing their rights to enter the land. If they did not think that they could make it, then they would not be able to make it.

This is what Moshe was saying to Hashem. The people did not have the self-confidence to enter the Red Sea. They did not believe that they would make it out of the water. With such a negative attitude, they would not be able to succeed. Hashem allayed Moshe's fears, telling him that the people did believe.

Yisrael saw the great hand that Hashem inflicted upon Egypt. (14:31)

The people complained against Moshe saying, "What shall we drink?" (15:24)

We are confronted with a striking paradox. The Revelation at the Red Sea was unprecedented and unparalleled in human experience. In fact, Chazal teach us that the simple maidservant at the Red Sea was privy to greater revelation than the great prophet Yechezkel. If so, how does the nation so quickly revert to complaining about a lack of water? After what they had experienced, they should have at least exhibited a bit of patience.

This question repeats itself following the Revelation at Har Sinai and the giving of the Torah. Surely, such an event should have inspired the Jewish People to the loftiest heights of spirituality. Yet, we see how quickly they fell from their high perch to the nadir of depravity when they made the Golden Calf. What happened to the inspiration? How did they fall so quickly from the zenith of spirituality to the rock bottom of idolatry?

The essence is the source of one's inspiration: Is it intrinsic, or extrinsic? Let us analyze these two discrepant approaches. Artificial stimulation, such as a seminar conference, Shabbaton, dancing, singing, are all inspirational, leaving the participant with a positive drive toward greater spiritual growth. He is excited, enthusiastic, ready to do anything, given the opportunity. Regrettably, this extrinsic infusion of spiritual proclivity does not last very long. Very soon, he returns to a life of complacency, a life of insipid observance, emotionless and even filled with negativity. The excitement has dissipated; the enthusiasm has waned. The reason for this quick reversion to his earlier self is that the inspiration was not from within. He did not toil at changing. It just happened; easy come, easy go. Once the music ends and the dancing stops, the feeling is gone, and he is back where he started: nowhere.

In contrast is the individual that responds to an internal stimulus to change. He begins with a simple turn to the right, a slight movement upward, accepting to daven better, longer, with greater devotion and sincerity. He makes a slight change in his Shabbos observance; his dedication to Torah study increases. In any of these situations, the motivation is authentic; it is from within. He works on himself; he makes the decision; he accepts the responsibility - nothing artificial - nothing external - only he, himself. A few weeks later, he takes another step forward and upward. After a few months, he is no longer the same person he once was. This time, his spiritual demeanor is real; it will endure.

Veritably, both approaches are important, playing a crucial role in one's spiritual ascendancy. The quick, artificial inspiration, the kumsitz, the

inspiring story, the powerful speaker, the emotional singing, the lively dancing: it all works and inspires. It must, however, be followed up with practical commitment. Artificial stimuli spur growth and encourage reform, but it must immediately be concretized if it is to endure. One's personal impetus determines the longevity of his commitment.

Klal Yisrael reached incredible heights of spirituality, both during the Exodus and at the Revelation at Har Sinai. These experiences, however, were extrinsic occurrences, albeit spectacular, but, nonetheless, peripheral. Thus, the moment that they were in doubt about Moshe Rabbeinu's return, they reverted to sin. A maidservant remains a maidservant, despite the miracles of the Red Sea, unless she internally substantiates her experience. The maidservant saw, but she continued to be a maidservant; her spirituality remained unchanged. Seeing is not enough - unless one sees from the heart.

There is also the flip side: the individual who sees a miraculous occurrence, experiences a mind-blowing event that can only be interpreted as a miracle from G-d, yet chooses to ignore what he has experienced. The Torah tells us (ibid 14:31), "Yisrael saw the great hand that Hashem inflicted upon Egypt; and the people revered Hashem, and they had faith in Hashem." What novel idea is the Torah teaching us? Certainly, if they saw Hashem's miracles, they would believe in Him. Seeing is believing. Is it not?

Horav Shlomo Twersky, zl, explains that it is not axiomatic. One who sees believes - only when he wants to see and wants to believe. There are those who see clearly, without any question, yet they impose blinders on their eyes to color what they see, to distort what they envision, to destroy the message which they perceive. The result is that they do not believe. One can look and not see, and, subsequently, not believe. Klal Yisrael saw and believed, because this is what they wanted. They wanted to believe in Hashem. What they perceived brought them closer to Him.

Va'ani Tefillah

Hu asanu. He made us

Of course, Hashem made us. What is this statement attempting to emphasize? Horav Avigdor Miller, zl, explains that Hashem made us: 1) He made each one of us out of earth which He created from nothing; 2) He made us into a people, a nation. Contrary to what some of us might think, it neither just happened nor did we do it; 3) He made us His nation. The word asanu, made us, does not simply refer to our creation. It is a reference, says Rav Miller, to creation with a purpose. In other words, Hashem made us for a purpose. We have not been brought into this world simply to enjoy. We are here because Hashem brought us here to serve Him, to fear Him, to remember and always acknowledge His many kindnesses to us. Likewise, we are to impart this awareness to others, so that it does not appear that we are living just for ourselves. This is all part of our purpose, for, without purpose, there really is no meaning to life; and life without meaning really is no life.

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Rabbi Yissocher Frand on Parshas B'Shalach

Don't Squander It

Rav Zevulun Groz was a student of the Alter of Slabodka in the Slabodka Yeshiva in Europe. He subsequently made Aliyah and became a Rav in Rechovot. Rav Groz writes that when he first went to Yeshiva, his father sat him down and read him the following Medrash from our parsha:

"Vayehi B'Shalach Pharaoh es ha'am" [And it was when Pharaoh sent out the nation]. [Shmos 13:17]. The Talmud states that a pasuk introduced by the word "Vayehi" always connotes pain and suffering. The word "vayehi" is etymologically related to the word "vay" meaning "woe."

The Medrash compares Pharaoh's plight to a fellow who found a satchel of precious stones, but who didn't know what was inside it. He asked a stranger, "Would you like to take this packet I have in my hand? Take it. It's yours!" The stranger took it, opened it up and found diamonds inside. He began separating the diamonds into small, medium, and large size

stones. He set up shop and started selling them at various prices depending on their size. The person who originally gave him the satchel came by the shop and saw that the small diamonds were being sold for \$10,000, the middle size diamonds for \$50,000, and the larger diamonds were selling for \$100,000! When he saw what was happening and understood what he gave up, he tore his clothes in mourning. "I had all this wealth in my hands and I let it slip through, without gaining anything in return! Woe is me!"

The Medrash compares Pharaoh to the man who gave away the diamonds. The diamonds are the nation of Israel that was in his hands. When Pharaoh saw the great numbers of Jews that Moshe was taking out, he called out "Woe (vay)!" It is with these words our Parsha begins: When Pharaoh sent out the people he cried out, "Woe is me. Look what I did!"

The father of Rav Reuven Groz asked his son a question on this Medrash. How does the story of Pharaoh compare to the story in the parable? There is no analogy whatsoever. Pharaoh did not give anything away. He was forced by the Ten Plagues to let the Jews go! His arm was twisted until he said "Uncle!"

The father of Rav Reuven Groz explained to his son that the Medrash does not mean that Pharaoh was saying "woe" that he had to let the people go. That was not up to him. Pharaoh was saying that when he realized what Klal Yisrael was, he said, "I had such a people among me and look what I made them do!"

Consider a person who hires a worker and doesn't know that this worker is a genius, a Nobel laureate, or a virtuoso violinist, and makes him the janitor. He has him cleaning floors for years and years. Suddenly, he discovers that he could have booked this worker in great concert halls throughout the world. He could have made a fortune off of him! "For such a person, I paid minimum wage to sweep floors?"

Pharaoh felt the same way. He said, "I was an idiot! I had a Klal Yisrael and I made them build pyramids! I enslaved them. How foolish of me. What a waste of talent all those years!" Concerning this he moaned "Woe unto me. I did not appreciate what I had when I had it."

This ends the Medrash. What does it have to do with Zevulun Groz going off to Yeshiva? Going to Yeshiva is an opportunity that is like a treasure. As I constantly say — and I have a folder full of letters from former students who will attest to this — everyone says after they leave the Beis HaMedrash that they did not appreciate what they had while they had it. Young boys fail to realize that their years in Yeshiva are numbered. It is an idyllic situation. Their physical needs are taken care of. Their parents pay the bills. They do not need to worry about holding down a job. Baruch Hashem, most of the time, they do not need to worry about their wife or children or some family member being sick. The only thing they need to do is to learn and to grow as a Jew.

When one has that opportunity and does not take advantage of it to its fullest advantage, he may one day have the same reaction as the fellow in the Medrash who gave away the packet of diamonds or like Pharaoh at the beginning of the parsha: "Look what I had in my possession and I gave it away! I squandered it."

This is perhaps the most important thing that a father can tell his son when he goes off to Yeshiva. I always say this to my current students, based on generations of students who have come and gone: "Don't squander the opportunity while you have it. Your days are numbered."

Remembering the Exodus

We say in our prayers (in the paragraph preceding the morning Shmoneh Esrei), "From Egypt you have redeemed us; from the house of slavery you have brought us forth; all their first-born you killed; and the Reed Sea you split." This is a fulfillment of the halacha requiring us to mention the Exodus during the daily morning prayer.

However, the sequence appears to be incorrect. The killing of the first-born should have been mentioned first. Only after that event took place were we able to move on to the next phase: "From Egypt you have redeemed us; from the house of slavery you have brought us forth."

This question is strengthened when we look at the narration of the Exodus mentioned in the evening prayer. In Ma'ariv we say: "who smote with His Anger all the first born of Egypt; who took His nation Israel out from their midst for eternal freedom." There, the sequence is correct.

Another question may be raised. In Shachris, we say the first-born were killed (haragta). In Ma'ariv we only say they were smitten (haMakeh es bechoreihem). Why the difference?

Rav Shlomo Zalman Auerbach, zt"l, addresses both of these issues: It says in the beginning of Tractate Semachos: "And it was in the middle of the night, Hashem smote every firstborn in the Land of Egypt" [Shmos 12:29]. Rabbi Yochanan states: Even though He smote them a fatal blow, from midnight their souls fluttered within them (e.g. — they lingered on) until morning."

The Almighty wanted Klal Yisrael to see the plague of the first-born. The Jews were forbidden to leave their homes until morning [Shmos 12:22]. Had the first-born children died at midnight when the plague struck, the Jews would not have witnessed their death. Therefore, according to Rav Yochanan, although they were struck at midnight, the first-borns lingered until morning and only then did they expire.

In the night-time prayer, we say "who smote in His Anger the first-born of Egypt" because at night they did not yet die. In the morning prayer, we first mention the redemption because the Jews went out from Egypt in the morning. Then we say: "all the first-born You killed" because it was then -- at the time that the Jews were leaving Egypt -- that these first-born (who were smitten the previous midnight) died.

The Connection Between Tu B'Shvat and Parshas B'Shalach

Parshas B'Shalach / Shabbos Shirah always comes out near the holiday of Tu B'Shvat. What is the relationship between the 15th day of Shvat -- the "New Year of Trees," and this week's parsha?

The book Ziv HaMinhagim gives a beautiful explanation of this linkage. Tu B'Shvat is the Rosh HaShanah of trees. Look outside today and gaze at the trees. They appear deader than door nails! Is this the time to celebrate "The New Year for Trees?" There is not a leaf to be seen. It would seem more appropriate to celebrate "Tu B'Shvat" in the springtime when the trees are in full bloom -- April or May.

The answer is that the trees LOOK dead. They LOOK like they will never see another green leaf in their existence. But right now the sap is beginning to run within them. If one travels up to Vermont -- the Maple syrup capital of the world -- he will find Vermonters dressed up in earmuffs boring holes in trees to extract the sap from the maple trees. This is the time of the year when the sap is flowing within the trees. The leaves and the beauty of the fruits that the trees will produce in the spring and summer are all being prepared right now, in the dead of winter.

The trees represent the idea that even when something looks terribly bleak and looks like it has no future, one should not give up on it. One should not give up on the trees when they look like that, and one should not give up on oneself when things look like that for him.

There are periods in a person's life when the future looks bleak and things look miserable all around. "What will be?" But the salvation of the Lord comes in the blink of an eye! The Almighty is already "running the sap" so to speak so that salvation may come. For this reason Tu B'Shvat is celebrated in the dead of winter.

It states in Parshas B'Shalach "They came to Marah and they could not drink the water, for it was bitter." [Shmos 15:23] Hashem then showed Moshe a tree and told him to throw it into the water. Why a tree? Why not a rock or a piece of dirt?

The symbolism is as we said before. The people felt hopeless. They were a couple of million people in the desert with no food or water. The natural reaction was: "What is going to be? How are we going to live? What will be our future?"

At that point, Hashem showed them a tree. The tree is the symbol that when all looks futile and bleak, desolate and destroyed, we see that the situation can turn around. Rebirth happens! There can be renaissance and renewal. Throwing the tree into the water was meant as a message to the people: "Don't give up. Don't worry about the desert. Things look bleak now but the salvation of the Lord comes in the blink of an eye."

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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Rabbi Yaakov Neuburger (The TorahWeb Foundation)

The Magic of Torah

According to the Talmud, quoted by Rashi, Bnei Yisroel learned at Marah a lot about Shabbos, the laws of tumah and tahara including the cleansing effects of the parah adumah, and even the details of property law and litigation. This was their “introductory shiur”, their entry into the world of “the yeshiva”. It came after Hashem had sweetened the bitter waters that they finally came upon after three days without water. Nevertheless the reference to the teachings of “Marah” are alluded rather cryptically, (15:25) “[Moshe] cried out to Hashem, and Hashem showed him a tree; he threw it into the water and the water became sweet; There [Hashem] placed [various laws] and there He tested [them].” Ramban simply translates the pasuk as a reference to the information they need to survive a trip through the desert. Hashem was teaching them coping techniques. While it may be unsatisfying to see even half a pasuk refer to what may be fit for a Boy Scout manual, the obscurity of the Talmud’s rendition, as the Ramban himself says, is quite striking. This may be the only time in Torah that a “shiur” is mentioned and the substance omitted from Torah Shebichsav; that we are told that Torah was taught, but not given much more than a clue about what was said.

It follows that Hashem indeed did create a “bais hamedrash” for the sake of learning per se, very different from the pre-exodus teachings which were detailed instructions of the mitzvos at hand. Ramban points out that Rashi had already made this point, as he is careful to say that these laws were given “lehisasek bohen” to involve oneself in their study.

Upon careful consideration and following the Ramban’s commentary, there is hardly another way to see it. After all, the Torah laws would not be binding at Marah, if at all, in the same manner as they would be after Har Sinai. Only then, would we be bound with “na’aseh venishma” and the force of “nitna torah venischadsho halocho”.

What is the significance of establishing the concept of “leshem Talmud Torah”, especially at this time, well before matan Torah? Drawing our attention to the very end of the pasuk, which establishes this bais hamedrash as a “nisayon”, a “test”, Ramban explains that Hashem was testing our joy and happiness during the study of Torah. Now, bear in mind that in Ramban’s thinking, since a divine test cannot be an inquiry to find out that which is not known to Hashem, rather it must be to bring to the fore latent parts of a person that one may not be aware of. Once successfully tested and aware of strengths that may have been heretofore unbeknownst to us, we can incorporate them into our thinking and build and aspire with them in mind. Thus according to Ramban, Hashem wanted us to experience the joy of Torah study. Indeed, the magic of Torah study. Be it the seeming distant laws of the parah aduma or the complex laws of property or the familiar laws of Shabbos, studying them can bring great joy and inner peace. Do we readily understand it and can we rationally explain it? If so, we may not have needed the bais hamedrash of Marah. Only experiencing it can convince one of its realness. That is the magic of Torah, the magic of Marah - ta’amu u’reu ki tov!

Nesivos Shalom :: by Rabbi Yitzchok Adlerstein

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Parshas Beshalach 5768

You Shall Not See Them Ever Again 1

“Vayehi” is one of those words that sets a tone from which you cannot escape. Chazal teach us that it flags painful, troubled times. Beginning the parshah with the word veyehi is a give-away that something is amiss. This is itself troubling. What, asks the Ohr Hachaim, could be amiss at this moment of supernal triumph, as Hashem reached out to dramatically save Klal Yisrael by splitting the Sea? There are other questions. Was it Paroh who sent them out to freedom? Was it not Hashem who led them? Furthermore, the Torah’s explanation of their circuitous route seems unsatisfactory. They avoided the direct and well-traveled route for fear of encountering hostile military action along the way, which might

demoralize them and convince them to return to Egypt. But if such an incident would not be good for them, surely G-d could see to it that they would not meet up with any! What was there to fear, when all the circumstances of their existence were coordinated by Hashem Himself?

Taking this episode as an allusion to our avodas Hashem, we can piece together an approach that will resolve these issues. Conscious of our vulnerability and limitations, we often turn to HKBH for assistance in resisting our yetzer hora. Sometimes, we simply entreat Hashem to help us through a battle we fear is too large for us to handle on our own. Effectively, we ask Him to awaken some response within us - for isra’usa dele’eyla – that will meet the challenge. While this may see us through a crisis, it does nothing to address the root problem. Without dealing with the very basis and foundation of the yetzer hora within us, we are just as vulnerable and exposed the next time. The assistance we receive is more of a band-aid than a cure.

At other times, however, we take on the yetzer hora directly. We rouse ourselves, rather than Hashem arousing us. Through this isra’usa delesasa/ arousal below, we succeed in the first steps of taming the yetzer hora, in subjugating it to some extent. Hashem indeed helps us complete the process, but His help comes on the heels of, and is preconditioned on, our fighting the first battles with strength we find in ourselves. When we succeed in those opening skirmishes, the yetzer hora is fundamentally changed. Its strength attenuated, it remains less of a problem from that point on.

Prior to leaving Egypt our midos were coarse and unrefined. We were incapable in such a state, explains the Be’er Avraham, of tapping any reservoir of strength within our own internal chemistry. Our spiritual tools were sent from above; we did not provide them ourselves. All of the tumah of Egypt remained intact and unscathed, and showed itself quickly enough in Egypt’s pursuit of them with a mighty army and fearsome chariots.

Full redemption required isra’usa delesasa. Hashem afforded them the opportunity to display it by orchestrating the encounter at the shores of the Sea. Those who found the strength to jump into the waters broke the stranglehold of kelipas Mitzrayim². They completed the redemption.

Everything that happened prior to that moment was a precursor to this event. Why was it that Paroh “sent” them out? In retrospect, it would seem more efficient for Hashem to have taken them out against the wishes of a protesting but helpless Paroh. But this is not what happened. HKBH carefully brought Paroh to his own decision to let them go, by gradually “persuading” him through ten plagues that turned the customary laws of nature into a broken plaything. Paroh sent them out – but in his mind, it was still his decision that was crucial. If he could make that decision, he could renege on it as well.

A medrash³ reconstructs the dialogue between Paroh and his advisors. The latter point out the magnitude of the loss to Egypt: the spoils they took with them, the presence in their midst of some well-heeled individuals, many wise men, skilled artisans, etc. Paroh rues his granting the Jews freedom – and sets off for the trap that awaited him.

At the Sea, the Jews “lifted their eyes, and behold, saw Egypt journeying after them.”⁴ Rashi takes “Egypt” here to mean the guardian angel, the spiritual force of the entire Egyptian culture. At this point in time, that force was fully intact. It’s “vehicle” traveled smoothly and efficiently. Through the mesiras nefesh of the Jews who jumped in, through their isra’usa delesasa, the redemption was completed. “He removed the wheels of their chariots;”⁵ the Egyptian tumah machine was immobilized. They could indeed be promised that “As you have seen Egypt today, you shall not see them ever again!”⁶ The kelipah of Egypt was permanently denatured, never to return.

Revisiting our opening questions, we now understand that something indeed was amiss at the beginning of the parshah. When Klal Yisrael left Egypt, redemption was far from complete. The damaging negative force of Egypt was very much alive, and the Jews lacked the ability to do very much about it. Should they see war – should they meet up with the challenge of an encounter with kelipas Mitzrayim – they might return to the spiritual position they occupied earlier. Even if Hashem spared them such an encounter, they would have missed the opportunity to rid the world of this tumah.

Instead, Hashem "turned the nation towards the way of the wilderness." 7 All their meanderings, all their tests in that wilderness were part of a Divine plan for them to achieve full redemption through *isra'usa delesasa*. They left Egypt *chamushim*⁸, an allusion to the fifty times that *yetzias Mitzrayim* is mentioned in Torah, which in turn alludes to their working their way past fifty aspects of Egypt's poison. The 42 "journeys" enumerated at the end of Bamidbar invoke the same idea. Taken with the seven stops through which they doubled back between Hor HaHor and Moseirah, there were 49, alluding to the 49 days of Sefirah that form the body of the 50 day period of spiritual growth each year.

Here, too, the result that we seek comes only through *isra'usa delesasa*, through our own reaching within to find the substance with which to begin the battle. This is the meaning of those journeys.

1 Based on Nesivos Shalom pgs. 94-96

2 The "shell" of Egypt; i.e. the encrusting of tumah that accompanied Egypt

3 Shemos Rabbah 20:2

4 Shemos 14:10

5 Shemos 14:25

6 Shemos 14:13

7 Shemos 13:18

8 Lit. armed, but related as well to the word "fifty"

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h a a r e t z

Portion of the Week / Sweet bitterness

By Benjamin Lau

Before the Red Sea's parting, the Israelites complained about the approaching Egyptian army; after that miracle, they have another complaint: "So Moses brought Israel from the Red Sea, and they went out into the wilderness of Shur; and they went three days in the wilderness, and found no water. And when they came to Marah, they could not drink of the waters of Marah, for they were bitter: therefore the name of it was called Marah. And the people murmured against Moses, saying, What shall we drink? And he cried unto the Lord; and the Lord shewed him a tree, which when he had cast into the waters, the waters were made sweet: there he made for them a statute and an ordinance, and there he proved them" (Exodus 15:22-25).

Rabbi Shimon Ben Gamliel (in "Mehilta de-Rabbi Yishmael") argues that the manner in which the water is sweetened is uniquely divine: "Here is such a clear example of how God's ways differ so from mortal ones. Whereas mortals would sweeten something bitter with something sweet, God cures the bitterness with something that is bitter." This secret has been learned by homeopathic medicine, which heals a disease by using the disease's very symptoms.

The miracle ends with the establishment of a legal framework for the liberated Jewish nation: "There he made for them a statute and an ordinance." Two rabbinical scholars dispute the nature of that framework: Rabbi Joshua interprets "a statute" as the Sabbath, and "an ordinance" as the commandment to respect one's father and mother. According to Rabbi Elazar Hamodai, "a statute" is the body of commandments forbidding incest and "an ordinance" is the body of laws concerning rapists, the levying of fines and the penalties for bodily injury.

But what connection is there between this miracle and the laws concerning the Sabbath and other matters? On the surface, there appears to be none. However, one marvelous midrash ("Midrash Tanhuma," in the section dealing with the weekly portion of Vayakhel) suggests a totally different reading of this incident. The midrash offers a unique interpretation for "for they were bitter": "Rabbi Levi states, 'Why does the Torah tell us "for they were bitter"? Because that generation's actions were bitter.'" This is a surprising reading indeed: As Rabbi Levi sees things, it is not the water that is bitter, but rather the Jewish nation. Here we have a people that has just been freed from a state of bondage in which all its needs were met, even if in a cruel, minimalistic fashion; certainly, the Jews never experienced a shortage of water in Egypt. When we encounter them in this week's Torah portion, they have had a very eventful week: Pharaoh and his

forces pursued them, they witnessed the Red Sea's miraculous parting, and, in response, they burst into a song of praise for God. Immediately following these tumultuous events, they return to the desert that is so alien to them.

Suddenly, this nation of former slaves is exposed to the grayness of a routine day in the wilderness. The main threat in the desert is from a lack of drinking water. All those who have ever journeyed in the desert are familiar with the joyful experience of encountering fresh water. The Israelites, who have previously enjoyed the abundance of water from the Nile, must feel dreadful. They now understand the gap between the worry-free existence of slaves and the day-to-day battle for survival waged by free individuals. They shout to Moses for help, not because they lack water, but rather because they have found water! They ask Moses, "What shall we drink?" But what they are actually asking is "Is this what we are going to have to drink from now on?"

Their bitterness stems from the fear they experience as they journey toward independence. That is what Rabbi Levi means when he states, "Because this generation's actions were bitter." Unlike the other instances when the Israelites complain, God's reaction here is not an angry one. He instructs Moses to take a tree and cast it into the water. The instruction is symbolic: The bitter water can become sweet only if you perceive it differently.

This is the first time the Torah compares human beings to trees and asks us to take a close look at the process of a tree's growth and at the vitality of trees. The healing can take place only if the tree touches the water; this is an internal process we must all experience. Rabbi Shimon Bar Yohai compares the Torah that is cast into the water and says "God showed Moses a passage from the Torah, as it is written, '... and the Lord shewed him a tree.'" The text does not read, "Vayarehu hashem ha'etz" [And the Lord pointed out a tree to him] but rather "Vayorehu" (The latter comes from the root yod-reish-heh, which means both "to point out" and "to instruct"; the word "torah" is derived from the same root).

The Jews, who are now in the process of purchasing their freedom, learn that, even when it drinks from bitter water, a tree can bear sweet fruit. The bitterness they sense is rooted in their fear and frustration, feelings that will pass and will be replaced by understanding and by a sensation of renewed growth. Thus, we can understand why the Torah ends this episode with the words, "There he made for them a statute and an ordinance, and there he proved them." In this incident, we complete yet another stage in our emergence from slavery. We have encountered the bitterness inside us that stems from a lack of personal responsibility and from total dependence on foreign masters. Now we will receive the first elements of a free society: The Sabbath, which, more than any other commandment, teaches us that even free individuals must rest, and a body of laws that formalize our relations with our surroundings - an arrangement that does not reflect the wildness of a slave existence but which is based on the decent behavior of individuals who are aware that they were created in God's image.

Orthodox Union / www.ou.org

Parashat Beshalach 5768

Rabbi Shlomo Aviner

Parashat Beshalach - What do you see when you see a tree in Israel?

When you are walking along and you see a tree, what are you actually seeing? While it is certainly correct to say that you are seeing a tree, you are actually seeing much more than that, much more.

One hundred and seventy years ago, the French writer Alfonse De Lamartine wrote: "(Outside the walls of Jerusalem) we saw nothing living. We heard no sound of life. We found that same emptiness, that same silence that we would have expected to find before the buried gates of Pompei or Herculanium...total silence reigns over the city, along the highways, the villages... the whole country is like a graveyard."

One hundred and thirty years ago, the American author Mark Twain visited the Land of Israel and he wrote: "There is not a solitary village throughout its whole extent -- not for thirty miles in either direction. One may ride ten miles, hereabouts, and not see ten human beings. We traversed some miles of desolate country whose soil is rich enough, but is

given over wholly to weeds -- a silent, mournful expanse. Desolation is here that not even imagination can grace with the pomp of life and action. We safely reached Tabor...We never saw a human being on the whole route. There was hardly a tree or a shrub anywhere. Even the olive and the cactus, those fast friends of a worthless soil, had almost deserted the country. Palestine sits in sackcloth and ashes. Over it broods the spell of a curse that has withered its fields and fettered its energies. Palestine is desolate and unlovely. And why should it be otherwise? Can the curse of the Deity beautify a land? Palestine is no more of this work-day world." Did you hear that? There was hardly a tree or a shrub anywhere, not even an olive tree!

Therefore, when I see a tree, I see the Jewish People rising to rebirth in our Land. For almost two thousand years, this Land was angry at us and would not smile at us. Obviously, and by no coincidence, "because of our sins we were banished from our country and distanced from our Land."

As we know, our Sages objected to making Messianic calculations. They even said, "Let the bones be blasted of those who calculate the end of days!" (Sanhedrin 97b). If so, how can we know that the end is near? They answered, "We have no better sign of the end of days than that of Yechezkel (36:8): 'But you, O mountains of Israel, you shall shoot forth your branches and yield your fruit to My people Israel; for they are at hand to come'" (Sanhedrin 98a). Rashi comments, "If you see the Land of Israel yielding its fruits plentifully, be aware that the end of the exile has arrived."

Indeed, one hundred and twenty years ago, the Land began to blossom, and since then this sign has not proven to be a disappointment. Our country is being built up, and despite all the harsh shortcomings visible in our public lives, we have to admit that we are rising up to rebirth, and we have to be happy, hold on and look forward.

[Parashah sheet "Be-Ahavah U-Be-Emunah" of Machon Meir – Beshalach 5767]

Stories of Rabbenu – Our Rabbi: Ha-Rav Tzvi Yehudah Ha-Cohain Kook

Feeling the pain of the community

When our Rabbi heard the news that a minister of the Government of Israel committed suicide, even though he himself was hospitalized, he suddenly cried out: A horrible thing has occurred!

Our Rabbi was very distressed when the Israeli athletes traveled to the Olympics in Germany. He said: Why are they traveling to an impure land? When he heard what happened and that some of them were murdered, however, he was so alarmed that the doctors were frightened and some of them fled from his room.

When the doctors examined our Rabbi, they saw that he experienced terrible pain, but they could not find a cause. The students explained that our Rabbi is pained over the Nation of Israel. He experienced actual pain based on what was happening to the community. (From Ha-Rav Yosi Bedichi)

Reciting the Shema

During the recitation of the Shema, Our Rabbi would raise his voice when he said: "And you shall perform ALL of the mitzvot." (From Ha-Rav Yehudah ben Yishai)

Special thank you to Fred Casden for editing the Ateret Yerushalayim Parshah Sheet Ha-Rav Shlomo Aviner is Rosh Yeshiva of Ateret Yerushalayim. All material translated by Rabbi Mordechai Friedfertig. For more Torah: RavAviner@yahoo.com

Rav Kook List

Rav Kook on the Torah Portion - Beshalach

Two Levels of Love

When the Israelites saw that they had been rescued from Pharaoh's army at the sea, they sang out with gratitude:

"This is my God, and I will enshrine Him; My father's God, I will exalt Him." [Ex. 15:2]

Is the repetition in this line from Shirat Hayam (the 'Song at the Sea') merely poetic? Or is there a deeper significance to the two halves of the verse?

Although not apparent in translation, the verse uses two different names of God. The first half of the verse uses the name El, while the second half uses Elokim. What is the significance of each name? How do they specifically relate to the desire to 'enshrine' and 'exalt' God?

Innate and Contemplative Love

The song, Rav Kook explained, refers to two types of love for God. The first is an innate love and appreciation for God as our Creator and Provider. God, the Source of all life, sustains us every moment of our lives. All things are inherently drawn to their source, and this love for God comes naturally, like the innate feelings of love and respect for one's parents.

This natural love of God corresponds to the Divine name El. The word El is in the singular, reflecting an appreciation for God as the only true power and the ultimate reality of the universe.

A second, higher form of love for God is acquired through thoughtful contemplation of God's rule of the universe. As we uncover God's guiding hand in history, and recognize the underlying Divine providence in the world, we experience this higher, contemplative love. This love corresponds to the name Elokim - in the plural - referring to the myriad causes and forces that God utilizes to govern the universe.

Enshrining and Exalting

These two types of love differ in their constancy. The natural love of God as our Creator should be a constant and unwavering emotion, like love and respect for one's parents. But the elevated love, the product of contemplation and introspection, is nearly impossible to sustain continually, due to life's many distractions.

Regarding the innate love of God, the verse speaks of enshrining God. With this natural emotion, we can create a permanent place - an emotional shrine - for God in our hearts. "This is my God, and I will enshrine Him."

The higher, contemplative love, on the other hand, does not benefit from this level of constancy. One should always strive for an ever-deeper appreciation and awe of God. This is our spiritual goal, achieved by utilizing our faculties of wisdom and insight. Regarding this form of love, it is appropriate to speak about exalting God, indicating an emotion that is the product of concentrated effort. "My father's God, I will exalt Him."

[adapted from Olat Re'iyah vol. I, p. 235]

Comments and inquiries may be sent to: RavKookList@gmail.com

YatedUSA Parshas Beshalach 11 Shevat 5768

Halacha Talk

by Rabbi Yirmiyahu Kaganoff

Could the Fruit On My Tree be Orlah?

QUESTION:

Recently, our school had several fruit trees planted for decorative and educational purposes. Someone told us that we must carefully collect the fallen fruits and bury them to make sure that no one eats them. Is there really an orlah prohibition in chutz la'aretz, and is it possible that these fully grown trees are producing orlah fruits? If indeed we need to be concerned about orlah, do we also need to redeem the fruits of the tree in the fourth year?

Before we can answer these questions, we need to discuss the following topics:

- I. Is there a mitzvah of orlah in chutz la'aretz?
- II. Can a fully-grown tree possibly have a mitzvah of orlah? I thought orlah only applies to the first three years of a tree's growth!
- III. Does orlah apply to an ornamental tree?
- IV. Does the mitzvah of reva'ie apply in chutz la'aretz?

I. ORLAH

Introduction: The Torah (Vayikra 19:23) prohibits eating or benefiting from fruit grown on a tree during its first three years. Those fruits are called orlah, and the prohibition of the Torah applies whether the tree was planted by a Jew or a gentile, and whether it grew in Eretz Yisroel or in

chutz la'aretz, although many leniencies apply to trees growing in chutz la'aretz that do not apply to those growing in Eretz Yisroel (Mishnah Orlah 3:9). Orlah fruit must be burnt to guarantee that no one benefits from it (Mishnah Temurah 33b); in addition, Rav Shlomo Zalman Auerbach, zt"l, ruled that one must remove orlah fruits as soon as it begins to grow to prevent someone from mistakenly eating it.

REVA'IE

The Torah (Vayikra 19:24) teaches that the fruit a tree produces the year following its orlah years has a unique halachic status called reva'ie. One may eat this fruit only within the area surrounded by the original city walls of Yerushalayim and only if one is tahir, a status that is virtually unattainable today as we have no ashes of a parah adumah. However, the Torah permitted us to redeem reva'ie by transferring its sanctity onto coins which must be treated with special sanctity. After performing this redemption, the reva'ie fruit lose all special reva'ie laws and one may eat it wherever one chooses to and even if one is tamei. We will discuss later whether reva'ie applies outside of Eretz Yisroel.

Why does orlah apply in chutz la'aretz? Is it not an agricultural mitzvah that should not apply outside of Eretz Yisroel (Mishnah Kiddushin 36b)?

The Gemara (Kiddushin 39a; Mishnah Orlah 3:9) teaches that orlah in chutz la'aretz has a special status. Although it is true that agricultural mitzvos usually apply only in Eretz Yisroel, a special halacha liMoshe miSinai teaches that the mitzvah of orlah applies in chutz la'aretz. (A halacha liMoshe miSinai is a law Hashem taught Moshe Rabbeinu at Har Sinai that has no source in the written Torah.) However, this particular halacha liMoshe miSinai came with an intriguing leniency.

QUESTIONABLE ORLAH

The usual rule is that in a case of doubt whether or not something is prohibited, one must rule stringently if it is a Torah law and prohibit the item (Gemara Avodah Zarah 7a). Even though orlah in chutz la'aretz has the status of a Torah prohibition, the halacha liMoshe miSinai teaches that any doubt concerning a chutz la'aretz orlah fruit may be treated with a unique leniency. In Eretz Yisroel, one may not purchase a fruit in a market without first determining whether there is a significant possibility that the fruit is orlah. In the case of orlah from chutz la'aretz, however, one is not required to research if the fruit is orlah. Even more, the fruit is prohibited only if one knows for certain that it is orlah and if one is uncertain it is permitted. Thus, doubtful orlah grown in chutz la'aretz is permitted even though definite orlah is prohibited min haTorah. This is indeed an anomaly.

This leads us to our next discussion point:

FULLY GROWN ORLAH TREES

II. Can a mature tree possibly have a mitzvah of orlah? I thought orlah only applies to the first three years of a tree's growth!

Today someone living in chutz la'aretz may actually be the proud owner of a mature tree whose fruit is prohibited min haTorah because of orlah. How can this happen?

The Mishnah (Orlah 1:3) teaches that if a tree was uprooted and replanted, its orlah count sometimes begins anew. If the uprooted tree retained enough of its soil to survive, the old orlah count remains, and if the tree was past its three orlah years its fruit is permitted. But if the tree's soil was removed from its roots during the uprooting, it is considered as planted anew and its orlah count starts all over. Thus halacha can consider a fully mature tree as newly planted.

What factor determines whether the tree is halachically new or old? The criterion is whether the tree can survive with the soil still attached to its roots. However, the Mishnah omits one important detail: for how long must the tree be able to survive with that soil on its roots? Obviously, if the tree continues to grow for a long time, the small amount of soil on its roots will be insufficient. How much soil must the tree have on its roots to not lose its orlah count?

The Rishonim dispute this question, some contending that soil for fourteen days is sufficient, while others require enough soil for considerably longer (see Beis Yosef, Yoreh Deah 394; Chazon Ish, Orlah 2:10-12). Since we rule leniently on orlah questions in chutz la'aretz, one may be lenient and permit a tree that has only enough soil to live for fourteen days. In Eretz Yisroel, many poskim rule that one must follow the stricter opinion.

It is important to note that, according to all opinions, if one replanted a tree with little or no soil attached, the tree is halachically considered as newly planted and the next three years of fruit are orlah. The Torah not only prohibits one to eat these fruits, but also to benefit from them – or even give them to a non-Jewish neighbor.

HOW COMMON IS THIS?

How often is a mature, replanted tree considered new for orlah purposes?

According to the expert I contacted:

“In most parts of the United States, fruit trees sold in late winter and very early spring are usually bare root, meaning no soil around the roots but rather some material, like wood shavings, just to keep them moist. Unsold trees are then potted into bucket-size pots or bags of soil which begin to grow as spring progresses and the tree leafs out. The nurseryman is being perfectly honest when he says it is a three-year-old tree — except that for orlah count it is in year one because it was replanted without soil. This problem is very common with many varieties of fruit trees that lose their leaves in autumn such as pears, plums, peaches, cherries, apricots, and nuts.”

The same expert pointed out that there can be other orlah problems in chutz la'aretz, such as trees grafted onto a root stock that was cut down to less than a tefach above the ground. This case, which is apparently very common, is halachically orlah midirabbanan (see Gemara Sotah 43b). This would apply even with a potted tree that never lost its soil. The orlah count starts over from when the tree is replanted.

WHAT DO I ASK THE GARDENER?

When purchasing a fruit tree from a nursery or gardener, what questions should one ask?

According to the horticultural-halachic expert I asked, the most common, and unfortunately little known, problem is not orlah but kilayim, mixing of species, or more specifically, harkavas ilan, grafting of a fruit tree onto the stock of a different species which also applies outside of Eretz Yisroel.

In regards to orlah, both of the above-mentioned problems could, and frequently do, happen: The tree may be replanted into your yard as bare-root, or it may be grafted onto a short stock that halachically qualifies the fruit that now grows as orlah.

Other orlah problems may occur. Here is a common case: Someone purchased a tree from a nursery where the soil was still attached to its root; the tree's root ball was wrapped in burlap and tied. (This type of tree is called “balled and burlapped” in the nursery industry.) When purchasing such a tree, one should try to verify when the tree was planted, and also whether the soil ball fell off while replanting the tree, which is a common occurrence. All of these affect whether the fruits of the tree are orlah, and for how many years.

I will share with you one more case that some authorities consider an orlah problem. Some people grow fruit trees in pots and move them outdoors for the summer and back indoors for the winter. Some opinions contend that moving this tree outdoors is considered replanting it, particularly if the pot is placed on earth, and means that the fruit of this tree is always orlah!

III. ORLAH ON ORNAMENTAL TREES

If one plants a tree with no intention of using its fruit, is the fruit prohibited because of orlah?

The Mishnah (Orlah 1:1) rules that fruit growing on a tree planted as a barrier or hedge, for lumber, or for firewood is not orlah. The reason for this leniency is that the Torah states that the mitzvah of orlah applies “when you plant a tree for food” (Vayikra 19:23), and these trees are not meant for fruit. Perhaps the planting of our ornamental fruit trees is included in this leniency and their fruit is not orlah?

Unfortunately, this is not true. The Yerushalmi (Orlah 1:1) rules that this leniency applies only to trees planted in a way that makes it clear to an observer that they are not planted for their fruit. Examples of this are trees planted too close together for the proper growth of their fruit, or trees pruned in a way that the lumber will develop at the expense of the fruit. However, people usually do not grow ornamental trees in a way that demonstrates that they have no interest in the fruit.

Most poskim rule like this Yerushalmi (Rosh, Hilchos Orlah 1:2; Tur Yoreh Deah 294) including the Shulchan Aruch (Yoreh Deah 294:23). (Note that the Rambam [Maaser Sheni 10:2] does not quote this

Yerushalmi as normative halacha. Those interested in researching why the Rambam seems to ignore the Yerushalmi should research the explanation of the Rishonim and the comments of the Beis Yosef on the above-quoted Tur.)

Many years ago when I was a rov in Baltimore, someone asked me a shailah that is very germane to this discussion. He had planted a hopvine and asked me whether there was an orlah or reva'ie prohibition involved in this plant. Knowing only that hops are used as an ingredient in beer, I asked him what a "hopvine" is and why would one plant it? He answered that it is an ivy runner that climbs the walls of a building. He had planted the vine primarily because he liked the ivy cover for his house, but also because he was interested in brewing his own beer using organically grown hops. At that time I was under the impression that there was certainly an orlah problem since he also planned to harvest the fruit. But what would happen if the planter had no interest in the fruit and was simply interested in the vine's aesthetics? Would that absolve the vines from the mitzvah of orlah? I leave it to the reader to ponder this issue.

I subsequently discovered that hops are not an orlah concern for a totally different reason: Although hops do not need to be planted annually, halachically they are not considered trees since their shoots die off in the winter and re-grow each year. Such a plant is called a herbaceous perennial plant, not a tree, and is not subject to the halachos of orlah. Nevertheless, the concept of planting a tree not for its fruit is very halachically germane.

IV. DOES REVA'IE APPLY TO FRUITS GROWN OUTSIDE OF ERETZ YISROEL?

Does the mitzvah of reva'ie apply in chutz la'aretz as the mitzvah of orlah does, or is it treated like other agricultural mitzvos that apply only in Eretz Yisroel? The Rishonim debate this question, and its answer depends on two other interesting disputes. The first, mentioned in the Gemara (Brachos 35a), is whether the mitzvah of reva'ie applies only to grapes or to all fruits. According to some opinions, the mitzvah of reva'ie applies only to grapes (see Tosafos, Kiddushin 2b s.v. esrog); according to a second opinion, it applies to all fruits (see Gemara Brachos 35a); and according to a third approach, the mitzvah applies min haTorah only to grapes, but it applies midirabbanan to all fruits (see Tosafos, Kiddushin 2b s.v. esrog).

A second dispute is whether the mitzvah of reva'ie applies outside the land of Israel, like the mitzvah of orlah, or whether it follows the general rule of most other agricultural mitzvos and applies only in Eretz Yisroel (Tosafos, Kiddushin 2b s.v. esrog and Brachos 35a s.v. ulimaan; Gra, Yoreh Deah 294:28). The logical question here is whether reva'ie is an extension of the mitzvah of orlah, in which case the halacha liMoshe miSinai that orlah applies in chutz la'aretz extends to reva'ie. On the other hand, it may be that reva'ie is a separate legal concept totally unrelated to the mitzvah of orlah. If the latter is true, reva'ie should be treated like any other agricultural mitzvah and would not apply in chutz la'aretz.

We should bear in mind that even if we conclude that reva'ie applies in chutz la'aretz, it applies only when these fruits are definitely obligated in reva'ie. If the fruit might be from a later year, one may eat the fruit without any kashrus concern. If the chutz la'aretz fruit may be third year (orlah) or may be fourth (reva'ie), one may be lenient and redeem the fruit as one treats reva'ie.

How do we rule?

There are three opinions among the poskim:

- (1) Reva'ie applies to the fruit of all trees growing outside Eretz Yisroel.
- (2) Reva'ie applies only to grapes, but not to other fruit trees of chutz la'Aretz. This opinion assumes that since there is an opinion that even in Eretz Yisroel reva'ie does not apply to species other than grapes, one may be lenient with regard to chutz la'aretz and treat the fruits as a safek.
- (3) Reva'ie does not apply in chutz la'aretz.

These last poskim contend that the halacha liMoshe miSinai forbidding orlah in chutz la'aretz applies only to orlah, but not to reva'ie, which is a separate mitzvah. Concerning reva'ie, the general rule that agricultural mitzvos only apply in Eretz Yisroel applies, thus exempting these fruits from the mitzvah of reva'ie.

How do we paskin?

The Shulchan Aruch (Yoreh Deah 294:7) quotes the first and third opinions, but rules primarily like the first opinion that the mitzvah of reva'ie does apply outside of Eretz Yisroel. The Rama and the Gra both rule like the second opinion that it applies only to grapes outside of Eretz Yisroel and not to other fruits. Therefore, Ashkenazim may be lenient and need not redeem fourth-year fruits grown outside of Eretz Yisroel except for grapes, whereas Sefardim must redeem them.

HASHKAFAH OF TU B'SHEVAT AND ORLAH

We all know that Tu B'Shevat is the "Rosh Hashanah" for trees, but what does that mean? Do the trees ignite fireworks on their New Year? Does Hashem judge their deeds and misdeeds and grant them a fruitful year or otherwise, chas veshalom? (In actuality, the Mishnah in Meseches Rosh Hashanah teaches that the judgment for trees is on Shavuot, not Tu B'Shevat!).

The truth is that the arboreal New Year does indeed have major halachic ramifications for man, who is compared to a tree (see Rashi, Bamidbar 13:20); these ramifications are intimately bound up with the orlah count that depends on Tu B'Shevat. As Rav Shimshon Raphael Hirsch explains, by observing Hashem's command to refrain from the fruits of his own property, one learns to practice the self-restraint necessary to keep all pleasure within the limits of morality.

While nibbling on the fruit this Tu B'Shevat, we should think through the different halachic and hashkafah ramifications that affect us.

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YatedUSA Parshas Beshalach 11 Shevat 5768

Halacha Discussion

by Rabbi Doniel Neustadt

Reciting Shema and Shemoneh Esrei: Proper Times

When Yaakov met Yosef for the first time since their separation, the Torah tells us that Yosef fell on Yaakov's neck and wept. Rashi comments that Yaakov, however, did not fall upon Yosef's neck, for as our Sages say, Yaakov was reciting Shema at that moment. Many commentators wonder why Yaakov was reciting Shema while Yosef was not. If it was time for Shema to be recited, why, then, did Yosef not recite Shema as well? Rav Yosef Dov Soloveitchik of Yerushalayim¹ suggested the following answer: Yaakov met Yosef just before sunrise. L'chatchilah, one should recite Shema at that time, as Yaakov did. B'diavad, however, one may recite Shema for the first three hours of the day. Since Yosef was engaged in the mitzvah of honoring his father at the time, he reasoned that he could recite Shema a bit later. Yaakov, who had no reason to delay the l'chatchilah time of Shema, recited Shema at the preferred time. Let us elaborate:

Correct Times for Reciting Shema

In order of halachic preference, there are several time slots in which Shema may be recited:

1. Several minutes before sunrise. This is known as vasikin and it is the preferred time to recite Shema and its blessing² according to the majority of the poskim.
2. From thirty-five minutes before sunrise (misheyakir³) until sunrise. This time slot is l'chatchilah according to most of the poskim.⁴
3. From after sunrise until a quarter of the day has passed. This is the time slot in which most people recite Shema even l'chatchilah,⁵ even though Mishnah Berurah and other poskim are critical of those who delay until after sunrise in performing this important mitzvah.⁶
4. From sixty minutes before sunrise until thirty-five minutes before sunrise. This is the time of misheyakir according to a minority view of the poskim, and may be relied upon even l'chatchilah in case of need.⁷
5. From seventy-two minutes before sunrise (alos ha-shachar⁸) until sixty minutes before sunrise. Neither Kerias Shema nor its blessings may be recited at this time. If, however, one mistakenly did recite Shema or its blessings during this time, he need not repeat them later on.⁹ Under extenuating circumstances, e.g., one would be unable to recite Shema later

due to work, travel or medical reasons, it is permitted to recite Shema at this time.¹⁰ The blessing of Yotzer Ohr, however, is omitted,¹¹ and should be said later on by itself.

6. After a quarter of the day passed. One can no longer fulfill his Shema obligation. How to calculate a quarter of the day is a subject of great dispute: Magen Avraham rules that the day begins at alos ha-shachar and ends at tzeis hacoachavim, while the Gaon of Vilna maintains that the day begins at sunrise and ends at sunset.¹² While the prevalent custom follows the second view,¹³ there are many individuals who are particular to recite Shema in accordance with the first opinion.¹⁴

Although one cannot fulfill the mitzvah of Kerias Shema after a quarter of the day has elapsed, one should still say Shema at the time he says birchos Kerias Shema and Shemoneh Esrei.¹⁵ Birchos Kerias Shema may be recited for the first third of the day. In case of an emergency, Birchos Kerias Shema may be recited until chatzos.¹⁶

Correct Times for Reciting Shacharis Shemoneh Esrei

In order of halachic preference, there are several time slots in which Shemoneh Esrei may be recited:

1. Exactly at sunrise. This is the known as vasikin and it is the preferred time for reciting Shemoneh Esrei.

2. After sunrise until a third of the day has passed. This is the time slot in which most people recite Shemoneh Esrei l'chatchilah.

3. From seventy-two minutes before sunrise until sunrise. When necessary, e.g., before embarking on a trip or going to work or school, one may daven at this time l'chatchilah.¹⁷ Otherwise, one is not allowed to daven at this time.¹⁸ A retired person who was formerly permitted to daven before sunrise due to his work schedule should now daven after sunrise only. B'diavad, if one davened before sunrise, he has fulfilled his obligation and does not need to repeat Shacharis.¹⁹

4. After a third of the day has passed until chatzos. L'chatchilah, one must daven before this time, as this time is considered after zeman tefillah. But if one failed to daven earlier for any reason, he must still daven during this time period, although his davening is not considered as if he davened "on time."²⁰

5. After chatzos. It is no longer permitted to daven Shacharis at this time.²¹ If his failure to daven Shacharis earlier was due to circumstances beyond his control or because he forgot, a tashlumin (makeup tefillah) may be said during Minchah. If he failed to daven Shacharis because of negligence, however, tashlumin may not be davened.²²

Question: As stated earlier, one should not daven before sunrise l'chatchilah. What should one do if an early minyan needs him to join in order to have the minimum number of men required for a minyan?

Discussion: Contemporary poskim debate this issue. Some²³ rule that he may join to form a minyan but he may not daven with them. Since a minyan requires a minimum of six men who are davening (in addition to at least another four who must be present but are not required to daven together with them), if there are only five people davening besides him, he should not be the sixth one, even though that will in effect preclude the formation of a minyan. If, however, there are nine other people davening besides him, he may join them — in order to complete the minyan with his presence — but he may not daven along with them.

Other poskim hold that if his refusal to join will preclude the formation of a minyan, he should daven with them so that they, too, will daven with a minyan. But this may not be relied upon on a regular basis.²⁴

Question: What should one do if the only minyan in town recites Shemoneh Esrei after misheyakir but before sunrise — is it better to daven without a minyan after sunrise or to daven at an improper time but with a minyan?

Discussion: If the choice is to daven without a minyan but exactly at sunrise, thus gaining the advantage of vasikin, then one should do so. If he cannot do so, some poskim rule that he should daven with the existing minyan,²⁵ while other poskim maintain that he should wait for the proper time and daven without a minyan.²⁶

(FOOTNOTES)

1 Quoted in Rinas Yitzchak al ha-Torah, pg. 230.

2 Mishnah Berurah 58:6.

3 Igros Moshe, O.C. 4:6. Rav Y. Kamenetsky calculated the correct time as 36 minutes before sunrise (Emes l'Yaakov, O.C. 58:1). There are other opinions as well.

4 O.C. 58:1. A minority view in the Rishonim holds that Shema may not be recited before sunrise, but this is not practical halachah.

5 Based on Shulchan Aruch 58:1 who does not mention that l'chatchilah one should recite Shema before sunrise. See Shulchan Aruch ha-Rav 58:4 and Kaf ha-Chayim 58:8 who quote two views on this issue and tend to be lenient. Note also that neither Chayei Adam 21:3 nor Kitzur Shulchan Aruch 17:1 require that l'chatchilah one recite Shema before sunrise.

6 This is the view of Rif, Rambam and Gra, quoted without dissent by Mishnah Berurah 58:3-4, and it is the ruling of the Aruch ha-Shulchan 58:6 and Rav Y.S. Elyashiv (oral ruling quoted in Avnei Yashfei, Tefillah, pg. 103). According to these poskim, one should recite Shema before sunrise even if he is not wearing tefillin and even if he is unable to recite birchos Kerias Shema at that time.

7 See Kaf ha-Chayim 58:18 and Rav Y.M. Tikuchinsky in Sefer Eretz Yisrael, pg. 18.

8 Beuir Halachah 89:1, s.v. v'im, quoting the Rambam. But others opinions maintain that also could be 90, 96 or even 120 minutes before sunrise.

9 O.C. 58:4, provided that this "mistake" takes place infrequently (more than once a month is considered too frequent); Mishnah Berurah 58:19.

10 O.C. 58:3 and Mishnah Berurah 12, 16 and 19.

11 Mishnah Berurah 58:17 and Beuir Halachah, s.v. belo. See Emes l'Yaakov, O.C. 58:4.

12 Both views are quoted in Mishnah Berurah 58:4 without a decision. See also Beuir Halachah 46:9, s.v. v'yotzei.

13 Aruch ha-Shulchan 58:14; Chazon Ish, O.C. 13:3; Igros Moshe, O.C. 1:24; Y.D. 3:129-3; Minchas Yitzchak 3:71; Yalkut Yosef, pg. 100.

14 See Teshuvos v'Hanhagos 1:56 quoting Rav A. Kotler and Orchos Rabbeinu 1:53 quoting Rav Y.Y. Kanievsky. Many shuls in Eretz Yisrael conduct themselves in accordance with the first view.

15 O.C. 60:2. See Mishnah Berurah 4 and Aruch ha-Shulchan 2.

16 O.C. 58:6 and Beuir Halachah, s.v. korah.

17 O.C. 89:8; Igros Moshe, O.C. 4:6. Tallis and tefillin, however, may not be put on until at least sixty minutes before sunrise.

18 This is the consensus of most poskim. A minority view rules that it is permitted l'chatchilah to daven after the time of misheyakir (Pri Chadash). Beuir Halachah 89:1, s.v. yatza, rules that although it is preferable not to do so, (possibly) we should not object to those who are lenient.

19 Mishnah Berurah 89:4.

20 O.C. 89:1. See Mishnah Berurah 6 who recommends davening a tefillas nedavah if his failure to daven until this time was on purpose.

21 Rama, 89:1.

22 See

O.C. 108 for details.

23 Rav Y.S. Elyashiv (quoted in Tefillah K'hilchasah, pg. 78 and in Avnei Yashfei, Tefillah, pg. 169).

24 Rav S.Z. Auerbach (Halichos Shlomo 5:13).

25 Pri Yitzchak 1:2; Yaskil Avdi 5:10; Minchas Yitzchak 9:10. Chazon Ish is reported (Ishei Yisrael 13, note 21) as ruling like this view.

26 Responsa Sh'eilos Shmuel, O.C. 12; Igros Moshe, O.C. 4:6; Rav Y.S. Elyashiv (oral ruling quoted in Avnei Yashfei, Tefillah, pg. 167); Rav O. Yosef (Yalkut Yosef, pg. 137-139).

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Beshalach - Muktze

Rabbi Asher Meir

When HaShem tells Moshe how His manna will feed the Jewish people, He says, "And on the sixth day they will prepare what they brought, and it will turn out to be twice as much as they gather every day." (Shemot 16:5.) Of course the people must prepare the manna every day; still, this preparation is mentioned specifically with regard to Shabbat.

This emphasis is echoed later in the same chapter, as Moshe explains to the people, "Tomorrow is a solemn day of rest, holy to Hashem. Bake what you will bake, and cook what you will cook, and everything left over from today leave over and save for tomorrow". (Shemot 16:23.) Again, the preparation of the manna is mentioned specifically in the context of preparing on Friday for Shabbat.

These verses hint at the special importance of preparing on weekdays for Shabbat. Of course this preparation is partially a matter of practical

necessity. Baking and cooking are forbidden on Shabbat, and so if we want cooked food on Shabbat we need to prepare it in advance. “One who toiled on erev Shabbat will eat on Shabbat; but one who didn’t toil on erev Shabbat, what will he eat from on Shabbat?” (Avoda Zara 3a.)

But behind the necessity is a matter of principle. After all, HaShem could have freed us from the need for food one day a week, as He did for the forty days Moshe ascended Mount Sinai without eating or drinking. Or for Shabbat He could have provided special manna which requires no preparation. In both cases, no preparation would need to be done on Shabbat; yet no weekday preparation would be necessary.

Instead, the Torah emphasizes that there is a special importance of preparing on weekdays for Shabbat. Weekdays are not merely days when we may do labors of preparation; they are days which are intended to prepare specifically for Shabbat. The fourth commandment tells us to remember the Sabbath day; our Sages learned that already from Sunday we should have Shabbat in mind (Mechilta Yitro, Mechilta deRashbi Yitro).

Likewise, Shabbat is not merely a day when preparation is forbidden; it is a day which depends on the preparation of weekdays. On Shabbat, we may only use items which were prepared for use already during the week. This is the essence of the “muktze” prohibition, which our Sages based on the verse “they will prepare”. (Pesachim 47b.) By demanding that only items prepared during the week may be handled on Shabbat, we create an interdependence of Shabbat and weekdays. Shabbat is not only different than weekdays, it depends on them; the weekdays are not only different than Shabbat, Shabbat is what gives them direction and meaning.

In all, we have three levels of distinction. In a previous shiur (Chukat), we explained that weekdays are a time of giving, Shabbat a time of receiving. On Shabbat, work which contributes to the world is forbidden, while enjoyment (oneg Shabbat) is mandatory. This principle creates a contrast between weekday and Shabbat.

The mitzva of preparing some Shabbat needs on weekdays, as we did in the desert, sharpens this distinction: Shabbat is specifically a time of

receiving from the weekdays; there must be a relationship between weekday and Shabbat.

In the laws of muktze, the Sages sharpen this distinction further: Shabbat is to receive only from the weekdays. Anything which was not ready before Shabbat is muktze and forbidden to use. This addition creates a dependency between weekday and Shabbat.

Given this background, we can easily understand the various categories of muktze: Items which the owner specifically demonstrated are not meant for Shabbat use (the literal meaning of muktze); objects that are not prepared for any use as Shabbat comes in; items which did not even exist as Shabbat came in, like an egg laid on Shabbat (nolad). Rather, we use those objects which were prepared on weekdays, in order to use them on Shabbat.

The 7th Day and the 7th Year

In the shiur on parshat Nitzavim, we pointed out the parallel to shemitta: Like Friday lechem mishneh, the Torah emphasizes that the year preceding sheviit will produce enough to make up for the shemitta shortfall (Vayikra 25:21). Like muktze, the Rabbinical prohibition of sefichin strengthens the dependence of shemitta on regular years, by forbidding most produce which grows by itself in the shemitta year and forcing us to depend on produce grown in previous years. For this also the Sages found a source in the Torah which is from the same section of the Torah dealing with the special blessing of erev Sheviit, hinting that it is an extension of the same idea. (Pesachim 51b.)

Rabbi Asher Meir is the author of the book Meaning in Mitzvot, distributed by Feldheim. The book provides insights into the inner meaning of our daily practices, following the order of the 221 chapters of the Kitzur Shulchan Arukh.

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