

## Weekly Internet Parsha Sheet Beshalach 5770.

*Mazal Tov to Jodi and Zev Stender on the birth of a son. Mazal Tov to the proud grandparents Barbara & Mickey Wohl.*

**Jerusalem Post :: Friday, January 29, 2010**  
**TU BSHVAT – THE “GREEN” HOLIDAY :: Rabbi Berel Wein**

This Shabat is a doubly memorable one. Aside from the holiness of the Shabat day itself the date also is Tu Bshvat, the fifteenth day of Shvat, and the Shabat is called Shabat Shira – the Shabat of song, for in the Torah reading we hear the song of Moshe and Israel at the Red Sea after Pharaoh's destruction and the Haftarah is the lyrical song of the prophetess Deborah in celebration of the defeat of the Canaanite tyrant king and general.

Tu Bshvat is mentioned in the Mishna as being the Rosh Hashana - the new year for fruits and nature. As in all aspects of Judaism and Jewish life there are halachic consequences to this day but that is not the subject of this article.

Tu Bshvat reminds us of our connection to our land and its soil and its produce. It also points out the deep connection that the Torah teaches us exists between the natural world, its ecology and preservation and the Jewish people particularly and humankind generally. We were placed by God on this world to work it and guard it, to use its resources for our benefit but at the same time to safeguard it from ruthless exploitation and man made destructive forces.

One of the prohibitions of the Torah is not to destroy trees, food, produce and the planet generally, needlessly and heedlessly. The fruits of the Land of Israel have a holiness attached to them. When we partake of them on Tu Bshvat we reaffirm our commitment to the preservation of that holiness and our continuing obligations to create a blessed planet for those who will come after us.

As civilization progressed and technology opened new vistas for the exploitation of our planet's natural resources, the ecological health of the planet seemingly declined. From the disappearing rain forest to the threat of global warming and melting icecaps, our planet has itself become an endangered species. So-called “Green” political parties have therefore arisen all over the Western world in an attempt to restore the correct equilibrium to nature's benefit.

But as is also usual in most cases, political action, legislation and community activism alone are not enough to accomplish the goal set by that particular political party. It requires the winning of human hearts and minds to the cause that alone can reverse what appear to be impending difficulties and potential natural disasters. It is a matter of education and commitment, tenacity and sophistication that is required to win this long range struggle.

And Judaism and Jewish values have an important role to play in this situation. Jews are the experts in long term education, commitment, tenacity and sophistication. It is the secret of our survival over these many long millennia. Viewing Tu Bshvat as part of this educational project gives the enterprise a holy tone and an historical backdrop.

It will help guarantee that later generations will also be able to eat new delicious fruits grown from the carefully nurtured soil of the Land of Israel. “Green” is not and should not be a secular enterprise solely. Torah ideas and Jewish values have much to say about it as well.

In the long exile of the Jewish people from their homeland, Tu Bshvat was always a warm reminder of what once was and what would yet be once more. Jews ate dried and hard carob fruit and thought about Jerusalem and a better world for all.

Unable to own land they nevertheless appreciated the sanctity and blessing of the earth and its bounty. They were careful not to destroy plant life, not to wantonly uproot trees, not to waste the value of nature's gifts to humans. And these attitudes were codified into Jewish law and enshrined in Jewish practice.

It is related that a great rabbi was once walking with Rav Avraham Yitzchak Kook, the Chief Rabbi of the Land of Israel, and in the heat of a complicated Talmudic discussion this rabbi absentmindedly and inadvertently picked a leaf off of a nearby branch of a tree. Rav Kook turned to him and said sadly: “Did it really disturb you that this leaf would be able to live months longer?”

Reverence for life, all forms of life on our wondrous earth is a keystone of Jewish attitude and thought. So, on Tu Bshvat we should appreciate the deep values that lie behind the delicious fruit that we eat. It is our “Green” holiday – our reminder that we are the custodian and responsible guardian of God's gifts of nature that have been granted to us. Shabat shalom.

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### Weekly Parsha :: BSHALACH :: Rabbi Berel Wein

The people of Israel had a charmed existence in their life in the desert. Unlike us, their descendants, they did not face economic downturns or long lines waiting at the supermarket checkout counter. Their food was delivered to them daily (for the righteous at their doorstep) and a magical well of Miriam sustained their needs for water without bills and taxes and surcharges.

The great clouds of honor protected them from heat and the sun and their clothing was miraculously laundered and cleaned for them. It was the idyllic life. But apparently it wasn't. The rest of the Torah, including this week's parsha, is replete with repeated complaints about the food, the water, about everything, about life itself.

Their memories of Egypt become fonder and fonder and their ingratitude towards Moshe and God reaches startling proportions. Moshe, the redeemer of Israel and their unquestionably revered leader, is heard to say to God in this week's parsha that he feels his life endangered by the murmurings of dissatisfaction of the people against God and him. “Soon they will stone me,” he states.

What happened to their belief in “God and in Moshe, His servant?” How did it occur that they could complain about the marvelous situation of security and freedom in which they now found themselves? How can they proclaim that they want to return to Egypt, the country of their oppression and persecution? These questions are very disturbing ones and all of the great Jewish commentators to the Torah have attempted to deal with them.

Though each of the commentators offers a differently nuanced answer to these questions there is a common thread that runs through all of their words and ideas. And that is that human beings are basically dissatisfied creatures. The rabbis taught us that he who has one hundred (million, billion, trillion?) always wishes for two hundred!

The rabbis, therefore, defined wealth in terms of personal satisfaction and gratitude and they ruefully remarked that there are rather few wealthy people present in our world. “Most of the world is poor,” they declaimed and they were not speaking of material artificially and statically arrived at poverty lines. In fact, the largesse and ease poured unto our ancestors as they left Egypt was meant to teach them that no amount of material well being would ever be enough for them.

There had to be another dimension that had to enter their lives and beings. And that was an intangible one of spirit and holy purpose, of Godly behavior and gratitude for life itself. It was represented by the Torah that they would receive and accept at Mount Sinai fifty days after their liberation from Egyptian slavery.

For fifty days their ingratitude would be forgivable for they had no other insight into life except the always unsatisfactory material one. After receiving the Torah at Sinai they would now be held to a higher standard of appreciation and thankfulness.

That has been the secret of Jewish resilience and survival throughout many a very bleak physical time. It remains valid and true for our current time as well.

**Ohr Somayach :: Torah Weekly :: Parshat Beshalach**  
**For the week ending 30 January 2010 / 14 Shevat 5770**  
**by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com**  
**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**

**Life's Rich Tapestry**

**“Then Moses and the Children of Israel chose to sing this song to G-d.” (15:1)**

As a young boy, I remember my mother weaving a tapestry of Gainsborough's “The Boy In Blue”.

It took her forever. One day, shortly before she finished it, I remember picking it up and thinking to myself. “Mommy, forgive me. You're maybe the best mother in the world, but when it comes to needlework, well, this is a mess! There's a piece of red sticking out here. Over here, there's a turquoise thread that seems to go nowhere.” The whole thing looked more like Bauhaus than Gainsborough.

Suddenly, my fingertips detected smooth regular stitching on the other side of the tapestry. I turned the tapestry over and saw the most beautiful sight: an exquisite and precise copy of Gainsborough's “Boy in Blue”. The stitches were so regular and well formed. The colors all blended so beautifully together. A divine tapestry! All the disjointed threads that I saw on the other side of the tapestry harmonized into a complete and beautiful whole.

Sometimes we can view life's rich tapestry from the wrong side. Sometimes it's very difficult to make sense of world events. It's difficult to believe that the world is being run by Someone. You wonder how things could be part of a Divine coherent plan. You hear about earthquakes and terrible suffering, and you wonder how this can be the handiwork of a Merciful G-d.

Don't think you're alone if you feel like that.

You're in good company. Because one of the greatest men who ever lived felt exactly like you.

Moses, our greatest teacher, himself had his questions about how G-d was “running the show”. In last week's public Torah reading, Moses went to Pharaoh to ask him to let the Jewish People go. Pharaoh, as you may remember, was not the easiest of negotiating partners. In reply to Moses' request, Pharaoh told the taskmasters to stop giving the Jews straw. However the Jews were still required to produce the same quantity of bricks as before. Not surprisingly, the Jews complained bitterly to Moses. So Moses went back to G-d and said, “My L-rd, why have You done evil to this people, why have You sent me? From the time I came to Pharaoh to speak in Your Name, he did evil to this People, but You did not rescue Your people.”

Moses wasn't just complaining about the problems he was having now with Pharaoh. He was saying that “from the time” — from its very beginning — the whole plan to take the Jews out of Egypt was fatally flawed. He was saying to G-d that he didn't see any order in what was going on.

When you look at life's rich tapestry from the wrong side it looks like a complete mess. Moses didn't see the Divine needlework of the Creator. He was looking at events from the wrong perspective. However the same word that Moses used to complain to G-d, he repeated in G-d's praise when he saw the perfection of the Divine Plan. The Midrash says that just as Moses erred with the expression “me'az” — “from the time” — so too with that same word, “az”, Moses rectified his mistake.

After the Jewish People emerged from the splitting of the sea, they saw the mighty Egyptian army strewn across the beach like so many broken toy soldiers. It was there that every Jew, from the greatest to the most humble, reached a level of insight into the workings of the world that has never been repeated.

This perception moved Moses and the children of Israel to song. Song in Jewish thought represents the ability to harmonize all the disparate events in our world and plug them back into the One. G-d is One.

“Then — “az” — Moses and the children sang a song.”

That song is part of the prayers we say every single day of the year. Maybe one of the reasons we say it every day is to remind ourselves that when life seems like a bad attempt at modern art, we must know that there is a Supernal Artist weaving life's rich tapestry.

And not a single thread is without design and beauty.

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**Peninim on the Torah by Rabbi A. Leib Scheinbaum**  
**Parshas Beshalach**

**Moshe took the bones of Yosef with him. (13:19)**

Simply translated, Moshe Rabbeinu fulfilled Yosef's request that he be buried in Eretz Yisrael. While the rest of Klal Yisrael was preoccupied with fulfilling Hashem's command to request and obtain valuable gold and silver utensils from the Egyptians, Moshe was busy locating and returning Yosef's coffin. The Megaleh Amukos suggests a homiletic approach towards understanding this pasuk. Moshe took along with him the atzmiyus, which is a play on the word atzmos, bones - or essence or essential character - of Yosef. What was Yosef's greatest strength? Wherein lay that quality that Moshe, as he was about to assume the reins of leadership over the nascent Jewish people, wanted to emulate? It was Yosef's ability to forgive and forget, to overlook and let bygones be bygones. His brothers had sold him into slavery, an ordeal which had transformed his life, as it separated him from his father for years. Yet, he harbored no animus, only demonstrating love and forgiveness towards his brothers. He went out of his way to sustain them, to support them when they came to Egypt. Moshe "took" all of this and incorporated it into his psyche, as he led the people through their forty-year journey in the wilderness. With calm and patience he tolerated their complaints and criticism, their ingratitude and pettiness. He never "lost it" with them, always responding with a smile. Moshe took "Yosef" with him out of Egypt.

Leadership requires patience borne of love and tolerance, which is the manifestation of sensitivity and caring. This contrasts patience and tolerance which are manipulated in accordance with the winds of politics. While many Torah leaders demonstrate these qualities, Horav Shlomo Halberstam, zl, the Bobover Rebbe, was the embodiment of love for all Jews. He effusively manifested this fatherly love in a manner that lay the groundwork for his outstanding success in rebuilding Bobover chassidus in this country and throughout the world, following the horrors and destruction of World War II. When one entered the Rebbe's office to pour out his heart or to share with him news of an upcoming simchah, the reaction often paralleled that of the petitioner. When he listened to a tale of woe, he would cry as if he was - and he was! - totally immersed in the pain of the supplicant. Moments later he could be embracing a young man who

was finally blessed with a child, the Rebbe's joy was equal to that of the new father. He was a Rebbe, but he acted as a loving father.

In his "Warmed by their Fire," Rabbi Yisrael Besser very poignantly describes the Bobover's fatherly love, his tolerance and patience with all. Once, a chasid entered and told the Rebbe that he had just been diagnosed with a life-threatening disease. The Rebbe arose from his chair, embraced the man and held him tight. Then, suddenly, he began to weep profusely. The sobbing of the Rebbe and the petitioner could be heard from outside the room. After a few moments, the Rebbe called his aide to bring another handkerchief. His was already soaked.

The tears were not yet dry when a young chasid entered with his three-year-old son who was there for his upsherin, first haircut. The rebbe's countenance changed drastically, as he now embraced the little boy and prepared to imbue this joyful occasion with the majesty and warmth of accompanying a child through another milestone of tradition.

The Rebbe acted this way towards all Jews. Once, during the wedding of one of his grandchildren, he entered his room to rest for a few minutes, so exhausted was he from the joyous dancing. Someone who was not a Bobover chasid entered the room during a time that was really inappropriate. Just next door, thousands of chassidim were waiting for the Rebbe to return and honor them with his presence. The young man wanted to take advantage of this auspicious occasion, during the Rebbe's elevated state of joy, to ask for a brachah, blessing. He was very ill and in great need of blessing. After the man described the seriousness of his condition, the Rebbe replied, "Come, let us say Tehillim together!" Everyone was waiting outside; the crowd was becoming edgy, but the Rebbe was transported to a different world - a world of Tehillim and tears for another Jew. After they concluded the Tehillim, the Rebbe said, "Come let us give tzedakah, charity, together." They did, and the young man walked out hand-in-hand with the Rebbe.

The Rebbe carried the burden of thousands of Jews; he, likewise, rejoiced in the simchos of the many who enjoyed joyous occasions. After all, he was their father. He could look at a room filled with thousands of chassidim and note a detail about one person. Once, at the height of simchah, as thousands of chassidim danced in a throng before him, he noticed an elderly chasid in front of him. The Rebbe immediately called over a young boy and said, "Do me a favor. Go stand between that elderly man and the tall fellow in front of him. This way, he will not have to stretch out his arms that much."

The Rebbe felt the pain of the Ribono Shel Olam. The chair in which he had sat for hours and hours wore out, and it was time for a new one. The Rebbe refused, "We must repair this one." "It does not pas, it is unbecoming, for the Rebbe to sit in such a chair," his gabbai, aide, said. The Rebbe disagreed - and this is what strikes me the most about him - asserting, "Chazal teach us that as long as Amalek is around, obstructing Hashem's complete dominion over the world, Hashem's Throne, His chair, is incomplete. It is lacking perfection. Hashem's chair is not whole, and mine should be?" This defines a true leader.

#### **Bnei Yisrael cried out to Hashem. (14:10)**

Rashi comments, "They adopted the craft of their forefathers - namely prayer." Avraham, Yitzchak and Yaakov all prayed to Hashem. Thus, now, when they were surrounded on three sides, they understood that it was "crunch time," and they turned to the only One Who could help them - Hashem. This was not a novel approach. It was part of their "family craft," their umnas avosam. What is the relationship between the umnus, craft, of prayer and the Jewish People?

Horav Yeruchem Levovitz, zl, writes that he remembered when part of the city of Mir was threatened by a fire, firemen from all the surrounding communities came running to extinguish the conflagration. Alas, they did not succeed. The fire was too powerful and out of control. During the ensuing tumult and devastation, one of the secular Jews, who had regrettably alienated himself from the religion of his parents, called out, "If the Ribono Shel Olam would only send His firemen (namely, rain from heaven), the fire would be quickly extinguished. What can these people hope to achieve at this point?" Rav Yeruchem commented his incredulous reaction to this man. Many years had gone by since he had reneged religious belief and observance. Yet, when "push came to shove," when he

saw how meaningless and powerless mortals were in combating the fire, he turned to the One Whom he knew was able to put an end to the devastation - Hashem. This is the meaning of umnus avosam. Prayer is part of a Jew's DNA. Just as the secular Jew cannot dismiss Hashem from his life, because being a Jew means that one is connected to the Almighty, likewise a Jew understands that prayer is an integral part of his life.

Rav Yeruchem puts it simply, "A tailor takes his sewing basket; a carpenter takes his tool chest; a shoemaker takes his special tools; a Jew takes his "prayer," which is the tool of his trade. It all is transmitted to us through our ancestors. Indeed, the Bnei Yissaschar writes that the word "daven," to pray, is derived from de'Avunon, that of our fathers, which is a reference to the Avos, Patriarchs. This is how they interfaced with Hashem, and so do we. With this in mind, why does Rashi emphasize that Klal Yisrael adopted the craft of their forefathers? What novel idea is he teaching us? The Jewish People did not initiate prayer. It was transmitted to them through the generations.

The venerable Mashgiach of Mir explains this pragmatically. When one considers the constraint and misery which have become Klal Yisrael's lot throughout the years, we wonder what has kept us going. We are drowning in a sea of anti-Semitism from all sides; some are malignantly overt, while others are subtle, concealed under a veil of diplomacy and benign friendship. Yet, we continue to survive and even thrive. Why have we not "thrown in the towel"? What has generated within us the hope to triumph over the constant adversity which plagues us? It is the realization that we cannot rely on anyone or anything. The only stability in our lives is Hashem, and it is to Him that we turn.

When we allow ourselves to think cogently and clearly, we confront the reality that this sense of assurance is not something that comes to mind only during periods of adversity. Veritably, is it any different when things are seemingly good? Do we then have anyone to rely on other than Hashem? In other words, one who uses His G-d-given capacity to think understands that, regardless of the circumstances, we always rely on Hashem. Even in the best of times, our only source of salvation is the Almighty. Why, then, do we overreact with such intensity and fear during times of travail? Do we need Hashem any more then? That is our mistake. We need Him all of the time.

We now understand the meaning of the phrase, "They adopted the craft of their forefathers." One might suggest that our prayers are different from those offered by the Avos. After all, we pray when we hurt, and they prayed because it was their way of speaking to Hashem. This is our first mistake. Chazal are teaching us a profound understanding of the nature of tefillah, prayer. The Jews stood at the banks of the Red Sea, surrounded on all sides. Wherever they gazed, they saw the enemy. They had nowhere to go. What does a Jew do when he has nowhere to go? He prays. The Avos prayed in a similar fashion. True, they were not plagued by adversity. They prayed to Hashem, however, in a manner that reflected their deep conviction that they had nowhere else to turn. They understood that Hashem is totally in control of everything and that He is the only one to Whom we should pray, regardless of the situation. In other words, the Avos taught us to pray to Hashem all of the time - not only when trouble lurks around the corner.

Why should we wait until we are "compelled" to pray? Why not make a practice of "speaking" with Hashem on a regular basis, recognizing that our next breath is in His hands?

Tefillah is more than conversation. What transforms conversation into Tefillah is kavanah, concentration. Wherever one happens to be - in shul or at a rest area on the turnpike - he closes his eyes and applies himself to the words and he is in another world - just the individual and Hashem. Tefillah is supplication from the heart. It is an expression from the deepest recesses of oneself. It is sincere.

How does one concentrate? How does one divorce himself from all that is around him, in order that he focus on Hashem and his relationship with the Almighty, so that he can entreat Him properly? In his "Touched by a Prayer 2," Rabbi Yechiel Spero cites an incident in which Horav Aharon, zl, m'Karlin was asked how he prepared himself properly for prayer. His reply is intriguing: "I imagine that I am lying in bed, weak and dying. Slowly my strength is declining, until I die. The Chevra Kaddisha, Jewish

Burial Society, come and make their necessary preparations. My body is washed, the taharah, purification, is performed in the mikvah, and I am dressed in my tachrichim, shrouds. As they are about to leave, they each stop by my body and ask mechillah, forgiveness, in case anything inappropriate was done to my body during the preparations. They place me in the casket, and I am taken out of the room. After a short walk, the casket is in the cemetery about to be lowered into the ground. They are about to begin the final descent to the grave.

"Suddenly, a voice is heard, 'Stop the levayah, funeral! A decree has been issued in Heaven that Hashem is granting this Jew one reprieve, one more chance to open his mouth in prayer.'

"One prayer, that is all. After the prayer, the funeral will continue."

Rav Aharon looked at the questioner and said, "This is how I prepare for tefillah."

This is an amazing story with a powerful lesson. The efficacy of our tefillah is determined by how much we value and appreciate it. If we view our next "conversation" with the Almighty as a one-time deal that would make it or break it; if we perceive it as our one and only chance to make our request, as our only opportunity to express ourselves to Hashem, it certainly would have as much different meaning. Perhaps, that is exactly what we must do.

### **For I am Hashem, your Healer. (15:26)**

How quickly we forget that Hashem is our only Healer. His healing comes to us by way of His agents: the physicians and drugs. Yet, there are still those who forget Hashem's covert role in the healing process. Horav Shimshon Pincus, zl, relates an analogy he once heard concerning the much heralded work going on with baalei teshuvah, recent returnees to religious observance. The individual who related the story was one of the most successful kiruv professionals, literally having effected change in the lives of hundreds of people. He was asked how this is possible. To what did he attribute his success, given the fact that, in previous generations, some of the most inspirational speakers never had the good fortune of "turning on" another Jew. Perhaps the greatest tzaddikim, righteous persons, might have successfully inspired two or three alienated Jews, surely not hundreds.

Rav Pincus gave the following analogy. Large buildings use heavy steel beams to frame the structure. It is impossible for a construction worker to budge one of these girders, certainly not to lift it up many stories until it is put in place. They use a winch to raise up the girder, until it is exactly over its designated spot. Then the worker is able to guide it into place. In other words, when the girder is strapped to the winch, it is the winch that does all the work. The worker only guides the winch.

A similar idea applies to teshuvah in our generation. Rambam in Hilchos Teshuvah 7:5, writes, "The Torah has already assured us that in the End of Days, Klal Yisrael will repent and the redemption will follow immediately thereafter." There is a specific havtachah, affirmation, that prior to the advent of Moshiach, Klal Yisrael will repent. That havtachah is the winch! The Jews of our generation are practically lining up to return home. All we have to do is guide them into place, whereas in previous generations the tzaddik literally had to raise the penitent up from the muck of secular life. In addition, the person was "weighed down" by his many sins. It was an extremely difficult endeavor, and, therefore, only a few succeeded. Today, we are very fortunate to have "outside help" in bringing them back home.

This analogy applies equally to the healing experience. Hashem is called Elokim Chaim, the Living G-d. He is the essence and source of all life. The definition of life is a connection with Hashem. Just as one who enters a store which sells sweet fragrances invariably leaves with a fragrant odor attached to himself, every moment that one lives in Hashem's world is a moment of attachment to the Almighty.

Ani Hashem Rofecha, "I am Hashem, your Healer." We must realize that we are not the center of attraction. It is all Hashem. We live as a result of our connection to Him. This thought should penetrate the psyche of the physician. Therefore, regardless of the critical nature of a person's illness, even one who is officially beyond hope, it is still in the hands of Hashem, Who is the Healer of all flesh. We position the winch; Hashem lifts it off the ground. The actual remedy is in His power. We go through the motions. The word "impossible" is a physical term that applies to the

limitations of man. This word is not in the lexicon that describes Hashem. Nothing is impossible for Him. Therefore, one should never despair of salvation - regardless of the "odds." The fact that there is a dispute among the great poskim, Halachic decisors, concerning how one prays for a chronically ill person, who - according to all medical expertise - is beyond help, does not mean that it is no longer possible for him to be saved. Nothing is impossible for Hashem. It is just that there are specific Halachic guidelines regarding prayer and its efficacy under certain conditions.

The concept of refuah regarding a person is quite different from that of repairing a broken car or an electronic device. As mentioned above, refuah means to attach oneself to Hashem, the Source of all life. In this sense, there is no closed door, no impossibilities.

Rav Pincus asks: how should a physician approach his profession? How should he view a patient who - according to medical science and natural law - is clearly not going to live? What should he do? If the physician views himself as a technician, then just as one trades in a car that is no longer functioning, he will, likewise, decide not to waste time and energy on a patient that will, in any event, expire shortly.

This is not the Torah's perspective. One should believe that by connecting with Hashem, he attaches himself to a source of unlimited chesed. Through prayer, one can alter the course of nature and stump the laws of science. It is all in the relationship. A Torah physician understands this. Thus, he never gives up.

### **What then are we? - Your murmurings are not against us, but against Hashem. (16:8)**

Moshe Rabbeinu is referred to as the anav mikol adam, most humble of men. He claimed - and sought - nothing for himself. He attributed everything to the Almighty. Indeed, he gave everything up just to be the servant of G-d. Horav S.R. Hirsch, zl, notes Moshe's total humility, his complete subservience to Hashem, from his excluding himself from the miracle of the manna. How would he not allow some particle, some slight reflection of the blinding brilliance of such a miracle, not to filter down to himself? For forty years, he was involved in the process of feeding a nation of one and a half million people, and he never once took any credit for himself. Moshe trembled at the thought of receiving any recognition for his part in the miracle. "What are we?" tells it all. He is but an instrument of G-d.

Moshe emphasized Hashem's total leadership. The people stood directly beneath Him, with Moshe not serving even as an intermediary. He insisted that his significance and that of his brother, Aharon HaKohen, vanish from their minds. Indeed, the success of Moshe's mission was dependent upon its being recognized as G-d's work - and not that of Moshe. There can be no semblance of human contribution whatsoever.

Rav Hirsch goes so far as to say that for Moshe to ascribe to himself such institutions as Shabbos, Shemittah, and other mitzvos which supposedly make material demands on us - together with the actual forty-year journey in the barren wilderness - would not only be folly, it would be criminal. Man neither has the right to impose his will on others, nor does he have the right to desist from his duty to provide his family with daily sustenance. To leave Hashem out of the command would be a violation of human rights. Commanded by G-d, demanded by G-d as an everlasting sign of unreserved trust, that which otherwise would be felonious is transformed into profound wisdom and activity of sublime virtue. Indeed, not carrying out the command would be denying G-d and bringing disrepute upon oneself.

Shabbos is the institution in Jewish life that is directly connected with the manna. Indeed, the forty-year experience of the Heavenly sustenance called manna taught the people that man, with all of his limited - but indispensable - requirements of daily family life, stands directly under the purview of the Almighty. He can whisper all of his worries directly to Him without an intercessor to carry forth the message. Shabbos also relies on this relationship. A Shabbos observant Jew senses this direct bond with Hashem. Thus, with strong conviction, he maintains his fidelity to Hashem. Shabbos, as well as the entire Torah, was to outlive Moshe, because he saw to it that the people were made aware that he was but a "man" - a man, who, with time would disappear, but his relationship with the Almighty was a bond that would continue to eternity.

**livnei Yisrael am kerovo. To the Bnei Yisrael His near/close nation.**

Klal Yisrael is referred to in different terms concerning their relationship with Hashem: chosen nation; servants; His people; His children; and various other terms of endearment. Am kerovo, His close nation, means that He has kept us close to Him, despite our iniquities, whether we were deserving of the nearness or not. Hashem never let us go. Essentially, even those who assimilated over the generations, as a result of the pressures brought on by the travail and adversity to which they were subjected, can still return. It might be too late for the individual himself, but not for his descendants. The bond that is expressed by the words am kerovo means that, despite all that we have suffered since our inception, we still remain close to Hashem. This is a virtue that will stand in our favor at the End of Days.

True nearness is called deveikus b'Hashem, cleaving to the Almighty. How does one cleave to Hashem? When we are close to the sages and exponents of Torah, when we view our gedolim, Torah leaders, as representatives of Torah and agents of Hashem, thus gravitating closer to them, we are, in effect, coming closer to Hashem. David Hamelech declares in Sefer Tehillim (27:4), Achas shoalti me'eis Hashem, "One request I make from Hashem..." Shivti b'vais Hashem kol yemei chayai, "That I dwell in the House of Hashem all the days of my life." He did not ask for wealth or distinction - just to live in Hashem's Presence, to be close to Hashem, to be constantly under His watchful eye. What a wonderful request!

Sponsored in loving memory of Vivian Stone Chaya Leah bas Shimon a"n niftara 18 Shevat 5769. By her children Birdie and Lenny Frank and Family

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**Rabbi Yissocher Frand on Parshas B'Shalach  
Illogical Treatment May Yield Bonanza For The Nation That is "Close" To G-d**

The Parsha begins "And it was when Pharaoh sent out the nation and the L-rd did not lead them by way of the land of the Philistines for it was close. For the L-rd said 'lest the people fear when they see warfare and return to Egypt'" [Shmos 13:17]. The most logical route for traveling from Egypt to the Land of Canaan is by way of the land of the Philistines. However G-d did not want them to take that route precisely "because it was close".

Rashi interprets the words "ki karov hu" [because it was close] at a "simple" (peshat) level to mean that the proximity between Egypt and Canaan via the land of the Philistines would be a drawback in the sense that any slight setback could send the Jews scurrying back to Egypt. Rashi alludes to the fact that there are also many Medrashic interpretations to this expression.

The Daas Zekeinim m'baalei haTosfos offers a novel interpretation: "Ki karov hu" should be translated for He is their relative, as it states elsewhere "to the Children of Israel, the nation related to Him (am k'rovo) [Tehillim 148:14]. According to this translation, "ki karov hu" has nothing to do with geography and nothing to do with the route. It relates to the closeness (literally the relationship) between the Jews and the Almighty. Since Klal Yisrael is the relative of G-d, they should not travel the normal route.

The Rosh Yeshiva of the Chevron Yeshiva, Rav Simcha Zissel Brody, elaborates on the Daas Zekeinim m'baalei haTosfos. A great lesson for life lies in these few words of the Daas Zekeinim. We Jews believe that we have a special closeness to the Almighty. As such, we are subject to personal Divine Providence (Hashgocha Pratis). What is normal and logical for the rest of the world is not necessarily what the Master of the World wants for His special people. For His special people, the Almighty - as it were - takes them by their hand and leads them through life. Were we to logically think out what is the best way to accomplish something, we would come to a different conclusion. But we have to have faith in the Almighty that He is treating us differently. He is treating us differently as a nation and He treats us differently as individuals.

The lesson is - and this is a lesson that is so much easier said than done - that when things happen in life and we ask ourselves "This does not make any sense; why is this happening to me?"; we have to remember that "He is close to us". He is taking us by the hand and is giving us a different type of

treatment. Things do not always work logically or the way we would want them to.

Imagine how the Jewish people felt. Here they are in the desert, having just left Egypt. They have a basic sense of where they are going. Everyone assumes they will be travelling via Eretz Plishtim. Suddenly, G-d does something different. Hashem takes them and leads them towards the Yam Suf [Reed Sea]. Then the Egyptians are suddenly in hot pursuit. What thoughts would be going through their minds at such a time?

The natural reaction would certainly have been "Why did He do this to us? Why did He trap us like this between the sea and the desert and the Egyptian army? If he had taken us by way of the normal route, we would not be in this predicament!" The answer to that question is "Ki Karov hu" - because the Jewish people are different. They have a close and intimate relationship with G-d and He treats them differently.

What was the result of that detour to the Yam Suf? It was a Red Letter day in the history of Klal Yisrael. They were never the same people spiritually or materially after that day because of this detour. "And Israel saw the Great Hand ... and they believed in Hashem and in Moshe His servant." [Shmos 14:31] They came to a level of belief in G-d and in Moshe at Yam Suf that surpassed the level they had achieved in Egypt. They were a changed people, not to mention the material spoils of Yam Suf. It was a bonanza. All the money and gold of the Egyptians floated to the top and the Jews collected it all.

That which they thought and said to themselves (this is the stupidest thing one can imagine) turned out to be 180 degrees from the truth.

Rav Simcha Zissel concludes: There are two things in life that Chazal compare to the splitting of the Yam Suf - Shidduchim [matrimonial matches] and Parnassah [earning a livelihood]. Sometimes young men or women have to go through terrible trials and tribulations when it comes to shidduchim. So often children suffer in this period of their life and as a result of that their parents suffer as well. They ask: Why is this happening? I am a normal boy or a normal girl. I come from a wonderful family. Why is this so difficult? Why is G-d doing this to me? Everyone must keep in mind "Ki Karov Hu". Maybe there is a splitting of the Yam Suf that the Almighty wants you to experience. The bonanza may be yet to come.

The same is true regarding Parnassah. It affects all of us, and we know how difficult it can be. Again, we ask ourselves so many times: Why is this happening? I went to school. I got my degree. I am a professional. I had a good job. Why am I having so much trouble now? This should not be happening! Why can't I make a living? Why did I lose my job?

The answer is: Ki Karov Hu. The Almighty has His ways.

There was a group of religious Jews who worked for a brokerage house in the World Trade Center. On the Friday before September 11, 2001, they received their pink slips and were told to return Monday to collect their belongings and leave. I heard this story from the Rabbi of one of these people. This person returned Monday morning with a security guard on top of him to make sure he would not take anything extra. He packed up his belongings and went home on Monday thinking "Where will I get a job now?" He could not sleep all Monday night worrying about his future and feeling depressed about what just happened to him. He woke up Tuesday morning and at 8:46 AM the world changed. He then thought to himself "I am the luckiest person in the world". Ki Karov Hu. G-d takes us by the hand. He leads us down a path and we sometimes cannot understand why He is doing this to us. Only later do we understand why "The L-rd did not lead them by way of the Land of the Philistines."

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

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**Parshas Beshalach: Pride And Prejudice  
By Rabbi Mordechai Kamenetzky  
Matzav.com**

The beginning of this week's parsha describes the Jews' exodus from Egypt. Jews gathered their possessions and took gold and silver from the Egyptians. With sacks of dough they prepared for a trek into the unknown

desert. One person, however, was preoccupied with other treasures. Exodus 13:19: “Moshe took Yoseph’s bones with him, for Yoseph, had made the children of Israel swear, saying, “Hashem will remember you, and you shall bring up my bones from here with you.”

The Midrash explains a verse in Proverbs 10:8: “A man with a wise heart shall choose Mitzvos.” “This verse,” says the Midrash, “refers to Moshe during the Exodus. While the entire nation was busy collecting gold, silver, and precious stones from their former masters, Moshe was busy looking for the remains of Yoseph, the pioneering sojourner who laid the groundwork for Jewish survival in exile.”

An obvious question arises. Why is Moshe lauded as a man searching for Mitzvos and praised as one who has special wisdom? Didn’t the Jewish people gather gold and silver at the request of Hashem? The Torah openly commands the people in Exodus 11:2 “that each man ask his fellow (Egyptian) man and each woman ask her fellow (Egyptian) woman for gold and silver utensils.”

If that is the case — both Moshe and the Jews were all doing Mitzvos. Why then, is Moshe considered “wise of heart?”

During the early 1920s, Velvel Epstein drove a truck on the Lower East Side for the Mittleman Seltzer Company. He delivered promptly and was courteous to his customers. But one day a most terrible event occurred. A horse-drawn wagon veered in front of his truck and he swerved sharply to avoid it. Dozens of cases came barreling out of the truck and went crashing to the cobblestones. Glass and bubbles were everywhere, and Epstein knew that his career at Mittleman’s Seltzer Company was over.

All of a sudden from the small throng of spectators a heavy-set man appeared with his fedora outstretched in his hand. He turned to all the onlookers. “Why are you all just standing there? Let’s help this poor man out!” With that he thrust a ten dollar bill into the hat and passed it around. He cajoled and persuaded the gathered to help the driver in his plight. After a few minutes the man had gathered a sizable collection and approached the hapless driver.

“Now, young man. You give this money to your boss, and I’m sure he will be happy with the compensation!” With that the distinguished gentleman disappeared from the crowd.

The onlookers were amazed. “What a mensch,” cried one woman. “A real hero,” shouted another. “Such a mitzvah!” declared a third.

Epstein rolled his eyes heavenward. “Mitzvah, Shmitzva,” he sighed, “that was Mr. Mittleman!”

There are many, many Mitzvos to do. Some are very enjoyable and easily performed. Some even mete out to us personal gain and honor. Others, however, require self-sacrifice and hard work. The mitzvah of retrieving gold and silver was quite honorable. However, there may have been much self-motivation involved. We do not know where the actual wealth finally ended up. It may have been contributed to the Mishkan (Tabernacle), or it could have served as a portion of the Golden Calf. One thing we do know. The bones of Yosef that were taken by Moshe served as an inspiration to a generation that faced hardship, questions, and uncertainty. Even today, those bones, interred in Shechem (Nablus), still do. That is, thanks to Moshe, the man of wise heart who had a vision of the future.

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**Mann and Parnassa**  
**Rabbi Yakov Haber**  
*The TorahWeb Foundation*

One of the core methods through which Hashem’s hashgacha p’ratis is manifested is through His granting parnassa - the daily sustenance of His creatures, especially mankind. Countless passages in Tanach address this very point. One of the more prominent ones is recited thrice daily in the Ashrei prayer: “Posei’ach es yadecha umasbi’a l’chol chai ratzon - You open up your hand and satisfy with favor all living creatures”. The Talmud (B’rachot 4b) tells us that “Ashrei’s daily recital leads to one becoming a ben ‘olam haba - one worthy of entering the World to Come”. This is due to the presence of the passage dealing with parnassa in this Psalm coupled with its Aleph-Beis structure. Meshech Chochma (beginning of B’chukosai) explains that the complex, inter-related natural structures and

cycles (represented by the order of the Aleph-Beis) all leading to the daily parnassa of all of the creatures in the world (represented by the passage “Posei’ach es yeadecha”) indicate G-d’s daily miracles masquerading as “the Natural Order”. One who constantly recognizes this truth is surely on the road to the Next World. Parnassa is one of the three central features concerning which G-d orchestrates massive sequences of events in the world to bring about and which are not necessarily subject to the individual’s merit - “banei, chaye, u’mzonei lav b’zchusa talya milsa ela b’mazla talya milsa - Children, life, and sustenance are not (solely) dependent on merit but on mazal” - special Divine Providence (Mo’eid Katan 28a). [See Rabbi A. Kaplan, Handbook of Jewish Thought p. 296 ff.]

Commentaries note that the mann, described in our parsha, served as a supernatural example of Hashem’s sustaining us throughout our lives. With the mann it was obvious that this was so. When the Jewish people entered into Eretz Yisrael, it would be less obvious, but just as true nonetheless. Not surprisingly then, many aspects of our attitude toward the pursuit of parnassa and our faith and reliance on Hashem in providing it are to be found in the description and laws of the mann. Although these principles are well known, incorporating them into our lives requires constant study and review. This article is an attempt to inspire study concerning some of these important principles.

One, parnassa will never have permanence if achieved by violating the d’var Hashem. This is manifest by the mann’s getting wormy for those who attempted to leave some over for the next day against the Divine command (16:20). Similarly, money earned through theft and dishonest business practices or other violations of halacha will have no permanence. Second, Sh’miras Shabbos only increases one’s parnassa; it will never decrease it notwithstanding the missing workday. This is highlighted by our Sages’ promise that expenditures for Shabbos are not included in the decree of how much one will earn in any given year (Beitzta 16a). The mann which fell as a double portion before Shabbos indicates this idea (16:22 ff.).

Third, although hishtadlus, human effort, is generally necessary - even the mann had to be collected and, according to the simple reading of the text, had to be prepared (16:23) - excessive hishtadlus does not lead to extra parnassa. This concept emerges from the fact that “He who took more, did not have more; he who took less, did not receive less” (16:18). [See Mishna Berura 1:(13).] What is considered a reasonable amount of effort and what is excessive requires individual analysis and consultation with Rabbinic authorities.

Fourth, we need to constantly remind ourselves that it is Hashem who provides for us through the agency of our efforts. It is not our efforts which produce the sustenance. This was taught by the mann not falling on Shabbos. The Midrash comments on the passage in B’reishis: “And he blessed the seventh day and sanctified it” - “He blessed it with mann - that a double portion fell on Friday; He sanctified it with mann - that it did not fall on Shabbos” (quoted by Rashi to B’raishis 2:3). Rav C. Y. Goldwicht z”l, the founding Rosh HaYeshiva of Yeshivat Kerem B’Yavneh, explained that that sanctification by the mann not falling one day a week was the reinforcement that the mann was a miracle from G-d. Even something as patently supernatural as the mann would lose its mystery if it fell every day. Hergeil maivee liday shich’cha - regularity leads to forgetfulness. So too we must constantly reinforce our dependency on Hashem for parnassa. Many read the Parshas HaMan every day to serve as a daily reminder of this idea. Not surprisingly, this also serves as a segula for parnassa. (See Shulchan Aruch (1:5) and Mishna Berura 1:(13).)

Fifth, oftentimes our parnassa comes not through our merit but through the merit of others. My rebbe, Rav Hershel Schachter shlit”a, taught us that sometimes an entire institution might exist in the merit of one scrupulous individual who deserves a parnassa. The mann fell in the merit of Moshe Rabbeinu and stopped upon his death (Ta’anis 9a). The Gemara (B’rachos 17b) tells us that the whole world was supported through the merit of the great tanna and miracle-worker R. Chanina b. Dosa, and yet, he sufficed with a meager portion of carob fruit from week to week. The religious truth that the wealthy’s enormous assets might be in the merit of righteous individuals in that generation - who do not seem to have too much even to

eat - is both a humbling thought concerning the true effect of our hishtadlut and should inspire us to support Torah scholars and other worthy institutions.

R. Yisrael Meir HaKohen Kagan, the Chafetz Chaim, in his Seifer Ahavas Chessed (footnote to 2:4) has a fascinating insight as to the nature of parnassa. King David declares in T'hillim (62:13): "For kindness belongs to you; for you compensate every man according to his actions". The Chafetz Chaim asks: shouldn't Hashem's compensation for man's action be considered acts of justice, not kindness? He explains through an analogy that an artisan who provides free room, board, clothing, raw materials and tools to his apprentice need not feel obligated to compensate the apprentice fully, or even at all, for his work. Similarly, Hashem, who provides us with our parnassa and other needs - often way beyond our needs - and gives us all of our abilities in order to serve Him, should not have to reward us for our actions. Nevertheless, because of His kindness, He does compensate us both in this world and the next.

In the merit of our studying the parsha of the mann and internalizing the ultimate purpose of parnassa - to serve the One who grants it, may Hashem bless us with "chayim sheyeish bahem parnassa tova."

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## Earthquake and Tsunami

**Rabbi Dr. Abraham J. Twerski**

*The TorahWeb Foundation*

The recent tragedy in Haiti has elicited a number of comments. People question why G-d permits such catastrophes to happen. Others ask, why go to places of worship to pray for the victims to the G-d who smote them? Some people see such tragedies as expressions of G-d's wrath, but, are the victims of earthquake, tsunami and tornadoes to be considered the most sinful people in the world?

My understanding of these happenings is based on the statement of the Zohar, that the Torah was the "blueprint" according to which G-d created the world. In other words, Torah is Natural Law, according to which the world operates. The Law of Gravity is Natural Law and is inviolable as are other physical laws, and so is the Natural Law of Torah. If the physical law that keeps the moon in its orbit were somehow suspended, the moon would crash into the earth, but this would not be a punitive act by G-d. If someone puts one's hand into a fire, one gets burned, but that is not a punitive act of G-d. Rather, it is the result of Natural Law that fire burns.

According to the Torah, there are seven Noahide Laws that are binding on all human beings, and these constitute the Natural Law according to which the world operates; these are:

Prohibition of idolatry

Prohibition of murder

Prohibition of theft

Prohibition of sexual promiscuity

Prohibition of blasphemy

Prohibition of flesh taken from a live animal

Requirement to have just laws.

All human beings, religionists and non-religionists are required to abide by these laws, which underlie the Natural Law according to which the world operates. Violation of these laws is tampering with Natural Law, whose consequences can be catastrophic.

The world is a closed system. When a butterfly flaps its wings in Norway, it affects the ecology in Australia. When the Natural Law is intact, the earth's crust and the atmosphere are stable. When air pollution tampers with the ozone layer, or sulfur dioxide pollution causes acid rain, the effects may be felt hundreds of miles away from the perpetrators. The people suffering these effects are not being "punished" by G-d, but are the victims of the reckless behavior of other people.

Is this an injustice? Yes, just as it is an injustice for a pedestrian to be killed by a reckless driver. Such happenings occur because G-d does not interfere with the free choice and behavior of human beings. Just as we do not fault G-d when an innocent person is killed by a reckless driver, we should not fault G-d when innocent people, victims of hurricanes,

tornadoes, earthquakes and tsunami, suffer from the reckless behavior of those who violate the Natural Law.

No one is singled out to suffer the consequences of tampering with Natural Law. Violation of the seven Noahide Laws by people on one continent may result in a disruption of the Natural Law according to which the world operates, and the consequences of such disruption may occur on a distant continent. The disruption of the Natural Law which affected Indonesia and Haiti may have been caused by violations of the Noahide Laws by people the world over. No individual or group of people can be singled out as responsible and as being punished.

The seven Noahide Laws are the basis of decency and morality. Every human being should behave according to them.

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## Parshas Beshalach

**by HaRav Zev Leff**

### A Three Days Journey in the Desert

I declare that I will bring you out of the wretchedness of Egypt to the land of the Canaanites, Hittites, Amorites, Perizzites, Hivites and Yebusites-to a land flowing with milk and honey.... You and the elders of Israel will then go to the King of Egypt. You must tell him, Hashem, God of the Hebrews, revealed Himself to us. Now we request that you allow us to take a three day journey into the desert to sacrifice to Hashem our God (Shemos 3:17-18).

The commentators are puzzled by the fact that when Hashem 1 revealed His plan for the Jewish people, He immediately told Moshe of their destiny in Eretz Yisrael, but at the same time instructed Moshe to ask Pharaoh only for permission to leave for three days. Many answers have been proposed to this question (see Ohr Hachaim to Shemos 318). We shall offer yet another based on one of the unique aspects of matzah.

The matzah, the bread of slavery, is at once the symbol of our slavery and the symbol of freedom. In the Pesach Haggadah it is both poor bread" and the symbol of how Hashem redeemed us in an instant.

It could be asked why a richer, more tasty cake was not chosen as a symbol of our redemption from the bitter slavery of Egypt. The answer is that we did not cease to be slaves with our redemption. As the Gemara (Megillah 14a) says, commenting on the verse (Tehillim 1131), "Praise God, give praise, you servants of Hashem" "Originally we were slaves to Pharaoh; now we are slaves to Hashem." We did not emerge from slavery to freedom; we remained slaves with a new master.

The Jew is not free. "Frei" is the password of alienation from Judaism. The Jew is the model slave, accepting the yoke of the kingdom of Heaven, and unequivocally yielding to his master, the Master of the Universe, Who he serves with unswerving dedication. The Talmidei Rabbeinu Yonah to Berachos (9b) explain the halachah that the blessing of geulah (redemption) must be linked to Shemoneh Esrei, service of the heart. There is for the Jew no hiatus, no free moment between redemption and acceptance of God's yoke.

After our redemption, we continued to dine on the bread of slavery to emphasize that our status as slaves had not changed. Even the good Land that we were given is a land suited to slaves, whether they be slaves to human masters or slaves to the King of kings. It was first given to Canaan, who himself bears the curse of eternal servitude.

Our freedom is the freedom to be God's slaves. And it is this servitude which is the ultimate freedom. On the Tablets was engraved our freedom "Do not read 'engraved on the Tablets' but 'freedom on the Tablets.'" Freedom is total immersion in Torah, total dedication and obedience to God Himself. Only when the Jew is able to express his deepest inner will, the thirst to do God's will, is he truly free. He is no longer a slave whose inner will is suppressed and stifled by the "se'or sheb'issa"-literally, the yeast in the dough, and figuratively, the yetzer hara with its infinite array of desires and lusts that wrench one from submission to God's will.

Subjugation to the nations of the world, whether physical or cultural subjugation, is enslavement, for it suppresses our ability to express our inner will, to come close to Hashem. Redemption from that enslavement is

totally God's doing. We are passive objects when God takes us into His jurisdiction. We do not bring our redemption; we graciously and gratefully accept it.

But we must show ourselves worthy of freedom by displaying an understanding of the implications of freedom from outside forces, a desire for the opportunity to subject ourselves to Hashem.

The Ruler of the World did not need permission from Pharaoh to take us out of Egypt. Therefore Moshe did not approach Pharaoh with a request to leave Egypt to settle in Eretz Yisrael. But, the Jewish people, then under Pharaoh's rule, had to show that they deserved geulah. That is why they petitioned Pharaoh for three days in the desert to sacrifice to God. The nature of these sacrifices was not clearly defined even to Moshe. As he told Pharaoh, "For we do not know how we are to serve Him until we get there" (Shemos 10 26).

Three days after leaving Egypt, Hashem told the newly freed Bnei Yisrael to return towards Egypt. Return towards Egypt, give up your newly acquired freedom, cease running towards safety and put yourselves in the clutches of your oppressors. Why? Because God wills it. That was the "sacrifice" after three days in the desert-not animal sacrifices, but the giving up of the thing most dear to them, their new freedom. That was the test of their worthiness for redemption.

We stand today on the brink of redemption and are being tested to see if we merit God's redemption. We can safely leave bringing Mashiach to Hashem, but we must merit his coming. Only by intensifying our commitment to Torah and mitzvos, by dedicating ourselves to serving Hashem in all areas of life, by removing the chametz from our hearts, will we successfully discharge our three days in the desert.

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## Rav Kook List

### Rav Kook on the Torah Portion

#### Beshalach: Innate and Acquired Holiness

##### Crossing the Jordan River

On the banks of the Red Sea, with Egyptian slavery behind them, the Israelites triumphantly sang Shirat HaYam. This beautiful 'Song of the Sea' concludes with a vision of a future crossing into freedom and independence - across the Jordan River, to enter the Land of Israel.

"Until Your people have crossed, O God; until the people that You acquired have crossed over." [Ex. 15:16]

Why the repetition - "until Your people have crossed", "until the people... have crossed over"?

The Talmud [Berachot 4a] explains that the Jewish people crossed the Jordan River twice. The first crossing occurred in the time of Joshua, as the Israelites conquered the Land of Israel from the Canaanite nations. This event marked the beginning of the First Temple period. The second crossing took place centuries later, when Ezra led the return from Babylonian exile, inaugurating the Second Temple period.

The verse refers to both crossings. In what way does each phrase relate to its specific historical context?

##### Two Forms of Holiness

Rav Kook wrote that the Jewish people possess two aspects of holiness. The first is an inner force that resides naturally in the soul. This trait is a spiritual inheritance passed down from the patriarchs, which Rav Kook referred to as a *segulah* (innate) holiness. It is an intrinsic part of the Jewish soul, and is immutable.

The second aspect of holiness is based on our efforts and choices. Rav Kook called this *willed-holiness*, as it is acquired consciously, through our actions and Torah study. Innate-holiness is in fact infinitely greater than *willed-holiness*, but it is only revealed to the outside world according to the measure of acquired holiness. It is difficult to perceive an individual's inner sanctity when it is not expressed in external actions or character traits.

Each of the two eras in Jewish history, the First and Second Temple periods, exemplified a different type of holiness.

The First Temple period commenced with Joshua leading the people across the Jordan River. The people of Israel at that time were characterized by a

high level of intrinsic holiness. The Shechinah, God's Divine Presence, was openly revealed in the Temple, and miracles occurred there on a constant basis. It was an era of prophecy, and books were still being added to Scripture. This period corresponds to the phrase, "until Your people have crossed, O God." The expression 'Your people' emphasizes their inherent connection to God, i.e., the aspect of innate-holiness.

The return to Zion in the time of Ezra marked the beginning of the Second Temple period. The Second Temple did not benefit from the same miraculous phenomena as the First Temple. Prophecy ceased, and the canonization of Scripture was complete.

However, the *willed-holiness* of that era was very great. The Oral Law flourished, the Mishnah was compiled, and new rabbinical decrees were established. This period corresponds to the second phrase, 'until the people that You acquired.' The main thrust of their connection to God was *willed-holiness*, acquired through good deeds and Torah study.

##### The Generation Preceding the Messiah

The Rabbi of Safed, Rabbi Jacob David Willowsky (known by the acronym the Ridbaz), criticized Rav Kook for his congenial relations with the non-religious (and often anti-religious) pioneers who were settling the Land of Israel. Rav Kook responded to this criticism by noting the distinction between different forms of holiness.

"In our generation, there are many souls who are on a very low level with regard to their *willed-holiness*. Thus, they are afflicted with immoral behavior and dreadful beliefs. But their innate *segulah* light shines brightly. That is why they so dearly love the Jewish people and the Land of Israel." [Igrot HaRe'iyah vol. II, letter 555 (1913), pp. 187-188]

Rav Kook went on to explain that heretics and non-believers usually lose their inner *segulah* holiness, and separate themselves from the Jewish people. However, we live in special times. The Zohar describes the pre-Messianic generation as being "good on the inside and bad on the outside." That is to say, they have powerful inner holiness, even though their external, acquired holiness is weak and undeveloped. They are the allegorical 'donkey of the Messiah' [see Zechariah 9:9], as the donkey bears both external signs of impurity, but nonetheless, contains an inner sanctity, as evidenced by the fact that firstborn donkeys are sanctified as *bechorot* [Ex. 13:13].

[Gold from the Land of Israel, pp. 124-126. Adapted from Olat Re'iyah vol. I, p. 236]

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## Haftorah - Parshas Beshalach - Shoftim 4:4

### by Rabbi Dovid Siegel

This week's haftorah shows the effect of the Jewish nation's faith in Hashem irrespective of their level of mitzva observance. After the passing of Moshe Rabbeinu's devout disciple, Joshua the Jewish people were led by numerous judges. Their authority and influence was considerably limited and the Jewish people adopted foreign cultures and strayed from the Torah's ways. They typically fluctuated between sincere service of Hashem and repulsive idolatry. Hashem would respond to their abhorrent behavior and release one of the powerful nations to oppress them. The Jewish people would hear the message and sincerely return to Hashem until they succumbed again to foreign influences.

This week's haftorah speaks of one of those times when the Jewish nation severely strayed from the path. Hashem responded and permitted Yovin, the king of Canaan to capture the Jewish nation and annex her to his mighty empire. After twenty years of firm control the message hit home and the Jewish people began to repent. Hashem recognized their initial stages of repentance and sent the Prophetess Devorah to help them complete the process. They merited through her efforts an incredible miracle and Devorah composed a moving song of praise describing Hashem's revelations.

The miracle occurred when Devora instructed the leading Jewish general, Barak to select ten thousand men and charge into the Canaanite lines. Yovin gathered an army of hundreds of thousands and planned a massive

attack against the Jewish people. Hashem intervened on behalf of His people and created an illusion of enormous proportions forcing the Canaanites to flee for their lives. In the midst of this, Hashem sent blazing heat to the battle front and brought the Canaanites down to the Kishon Brook to cool off. At that exact moment, Hashem caused the brook to overflow and drown the Canaanites. Devorah sang about this miracle and said, “Kishon Brook swept them away - that brook of age my soul treads with strength.” (Shoftim 5: 21) Devorah referred to the Kishon as a brook of age seeming to relate it an earlier experience.

Chazal explain that this earlier incident was, in fact, the splitting of the Sea of Reeds recorded in this week’s parsha. They quote an intriguing conversation between Hashem and the angel appointed over the sea of Reeds. Chazal reflect upon a verse in Tehillim (106:7) that indicates the Jewish people’s imperfect faith while crossing the sea. Chazal explain that although the entire nation heard Moshe Rabbeinu’s prediction of Egypt’s downfall at the sea many found it difficult to accept in full. Hence, after the sea miraculously opened they entertained the possibility that Egyptians were also safely crossing and would continue their chase. The Jewish people felt undeserving of a miracle performed solely for their sake and reasoned that the sea split in numerous places. Hashem dispelled this fiction and instructed the angel over the Sea of Reeds to cast the dying Egyptians onto shore. When the Jewish people saw this they understood retroactively what truly transpired for them.

The angel, however, argued that the fish deserved their promised prize of thousands of Egyptian bodies and requested a replacement in the future. Hashem consented and informed the angel that the Kishon Brook would eventually sweep replacements into the sea and grant the fish their earlier present. (Mesichta Pesachim 115b)

The above discussion suggests a direct corollary between the splitting of the Sea of Reeds and the overflowing Kishon Brook. It points to a missing dimension of faith at the sea that was ultimately rectified through the Kishon Brook. The analogy of the fish reflects the Jewish people’s imperfect perception of Hashem’s miracles. The splitting of the sea served a dual function- to rescue the Jewish people and to punish the Egyptian nation. The first function was fully accomplished however the second was not. Although the mighty Yam Suf waters delivered the Egyptians their fair share of brutal torture it did not drown them. In essence, the sea played an imperfect role in Hashem’s miraculous scheme. This undoubtedly reflected the Jewish people’s imperfect faith in Hashem’s miracles and concern for His people. The angel of the sea responded to Hashem that the sea deserved a perfect role in Hashem’s miracles and should be granted future opportunity for a perfect revelation of Hashem’s might. Hashem responded to the angel that the miracle of the Kishon Brook would serve this capacity in full.

In the days of the prophetess Devorah the Jewish people’s spiritual level suffered serious decline. They shared similar feelings with the Jewish people at the Sea of Reeds and feel unworthy of great revelations. They recently began their long process of return and could not imagine Hashem performing miracles on their behalf. However, when Devora instructed Barak to select ten thousand men and charge into the massive Canaanite army he immediately accepted his role. He and his men demonstrated total faith in Hashem and believed wholeheartedly that Hashem would perform an open miracle solely on their behalf. Although their level of spirituality was far from perfect they displayed total faith in Hashem. This time they had no doubts and Hashem did not need to prove His involvement on behalf of His people. The sea was therefore granted its full role and its fish eagerly devoured the wicked Canaanites sent to it by the Kishon brook. This miracle was unequivocally clear and bore testimony to all of Hashem’s absolute commitment to His people and total involvement on their behalf. Although their mitzva observance was far from perfect they were sincerely committed to rectifying it and deserved Hashem’s grace and favor.

We learn from this the power of absolute trust in Hashem. Many question how the present Jewish people could deserve to witness the miraculous era of Mashiach. Our spiritual level is far from perfect and certainly does not warrant Hashem’s intervention on our behalf. Let us draw strength and encouragement from our Haftorah’s lesson and realize what Hashem

expects from us. The road to return is undoubtedly long, however, Hashem only asks for sincerity. Let us resolve to follow Hashem’s lead wherever He takes us and trust that He cares for us in untold proportions. In this merit we will hopefully be privileged to witness Hashem’s greatest revelations ever to be seen, surpassing even those in Egypt and at the Sea of Reeds.

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## **Weekly Halachah - Parshat BeShalach & Tu B'Shvat 5750**

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### Tu Bishvat Fruit

The proper blessing over some of the fruits eaten on Tu Bishvat is unclear: The following is a short review:

Applesauce: Commercially produced applesauce in which the apples are reduced to a nearly liquid state – shehakol. Homemade applesauce which is usually lumpy and contains small pieces of the apple – ha-eitz.<sup>1</sup>

Blueberry: Ha-eitz. It grows on a tree which stays alive throughout the winter months and reaches a height of well over ten inches.<sup>2</sup>

Chocolate-covered nut or raisin: This is a “combination food,” generally eaten because the two items complement each other’s taste. According to some poskim, both shehakol and ha-eitz<sup>3</sup> are recited.<sup>4</sup> [Individuals who regard either the chocolate or the raisin as merely an “enhancer” to the “main” food, should recite the blessing on the main food.] Other poskim maintain that only the blessing over the majority ingredient is recited.<sup>5</sup> Still other poskim suggest that only ha-eitz should be said.<sup>6</sup>

Chocolate-covered orange peels: Shehakol.<sup>7</sup>

Cranberry: Ha-adamah.<sup>8</sup> Cranberries grow on a bush which does not reach a height of ten inches.

Fruit cocktail<sup>9</sup>: Recite the blessing over the fruit that constitutes the majority of the mixture.<sup>10</sup>

Fruit salad (large chunks of fruit): Separate blessings of ha-eitz and ha-adamah are required.

Halavah: Shehakol.<sup>11</sup>

Papaya: Ha-adamah.<sup>12</sup>

Popcorn: Ha-adamah.<sup>13</sup>

Potato chips: Ha-adamah.<sup>14</sup>

Pringles: Ha-adamah.<sup>15</sup> Some poskim maintain that a shehakol is recited.<sup>16</sup>

Raspberry: The poskim debate whether its blessing is ha-eitz<sup>17</sup> or ha-adamah.<sup>18</sup> Because of the doubt, ha-adamah is preferable.<sup>19</sup>

Rhubarb: Ha-adamah.<sup>20</sup>

Tomato juice: Shehakol.<sup>21</sup>

Sabra: Ha-eitz.<sup>22</sup>

Strawberry: Ha-adamah.<sup>23</sup>

Question: When one wishes to eat several different foods at one sitting, each requiring a different blessing, in what order must he recite the blessings over the different foods?

Discussion: In addition to mandating a specific blessing for each of the foods that we eat, Chazal also established a hierarchy of “more important” and “less important” blessings. A blessing considered “more important” takes precedence over a blessing considered “less important.” There are various criteria that Chazal employed to determine the “importance” of a blessings. The more exclusive and specific a particular blessing is, e.g. ha-motzi, which is recited for bread only, the more “important” it is. In addition a blessing is considered more “important” if it is recited over fruits of shivas ha-minim, if it is recited over foods which are whole (as opposed to foods which have been cut up), and if it is recited over foods which one enjoys and prefers.

The following, in order of preference, is the correct<sup>24</sup> order for blessings when eating several different kinds of foods, each of which requires a different blessing:<sup>25</sup>

1. Ha-motzi over bread.

2. Mezonos over cake, cookies and other “cake family” products, such as pretzels.
3. Mezonos over pasta, cooked grain or cereal and other non-“cake family” products.
4. Mezonos over rice<sup>26</sup> and rice products.
5. Ha-gafen over wine or grape juice.
6. Ha-eitz over shivas ha-minim.
7. Ha-eitz over other fruits.
8. Ha-adamah. When eating a ha-eitz item and a ha-adamah item, and the ha-adamah item is the preferred<sup>27</sup> food, ha-adamah is said first, even if the ha-eitz is from shivas ha-minim.<sup>28</sup>
9. Shehakol.<sup>29</sup>
10. The blessing over a pleasant fragrance.

Question: When one wishes to eat several different foods at one sitting, each requiring the same blessing, does it matter which item one eats first?<sup>30</sup>

Discussion: Yes. When faced with a variety of foods requiring the same blessing, one recites a blessing first on the most “important” and best food. The following is the correct order in which the foods should be eaten:

1. If the several foods are different types of bread, or different types of cake, or different types of non-“cake family” mezonos, priority is given to products made out of wheat; then barley, spelt, rye<sup>31</sup> and oats in descending order. [Note, however, that the hierarchal order of the grains (wheat precedes barley, etc.), does not override the hierarchal order of the blessings (ha-motzi precedes mezonos, etc.). Thus a ha-motzi on oat bread (ha-motzi) will precede a mezonos on wheat cake (mezonos). Similarly, within the mezonos category, a cake made out of oat flour (baked mezonos) will take precedence over macaroni (boiled or cooked mezonos), even though macaroni is made out of wheat flour and the cake was made out of oat flour.]

2. If the several foods are fruits of the shivas ha-minim, ha-eitz is recited over olives first, then dates, grapes, figs and pomegranates in descending order.

3. If the several foods are non-shivas ha-minim fruits (or if the several foods are shehakol type foods) priority is given to whichever fruit (or food) is whole. If all the fruits (or foods) are whole or all are cut up, then priority is given to the fruit (or food) that is usually preferred by the eater [even if it is not necessarily his preference just then].

There are some exceptions to the above rules. The hierarchy of blessings applies only if:

\* One wishes to eat two or more foods at one sitting. If he wants to eat only one food, for instance an apple, but there are also grapes on the table before him, he need not be concerned that grapes take priority over apples. He may make the blessing over the apple and eat only the apple.<sup>32</sup>

\* One’s preference for a given food does not violate normal eating patterns or mealtime routines.<sup>33</sup> Thus one need not eat the fruit intended for dessert before the meat of the main course, even though ha-eitz usually has priority over shehakol. Also, if one is thirsty, he need not eat his vegetables before drinking, even though ha-adamah is generally said before shehakol.

\* If preferring one food over the other will not result in a questionable blessing being said. Some examples:<sup>34</sup>

1. Shehakol on chocolate should be said before ha-eitz over fruit, since some poskim<sup>35</sup> hold that b’diavad the blessing of ha-eitz covers chocolate as well.

2. Shehakol on pure (not from concentrate) orange juice should be said before ha-eitz over fruit, since some poskim<sup>36</sup> hold that b’diavad the blessing of ha-eitz covers pure orange juice as well.

3. Shehakol on a soy-based product should be said before ha-adamah over vegetables, since b’diavad some poskim<sup>37</sup> hold that the blessing of ha-adamah covers soy products as well.

1 Based on Mishnah Berurah 202:40 and 42 and Minchas Shlomo 1:91-3. One who recites ha-eitz on all kinds of applesauce has valid sources upon which to rely; see Yabia Omer 7:29 and Pischei Halachah, pgs. 170-171.

2 Igros Moshe O.C. 1:85; Vesein Berachah, pg. 396; Vezos ha-Berachah, pg. 372. Wild blueberries, which grow on bushes that do not reach a height of ten inches, require a ha-adamah, but often, these berries are infested with worms and require careful inspection.

3 First the shehakol on a bit of chocolate, with specific intention not to exempt the fruit, then the ha-eitz over the fruit.

4 Igros Moshe O.C. 3:31.

5 Rav S.Z. Auerbach (quoted in Vesein Berachah, pg. 417); Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 97). When in doubt which ingredient is the majority, recite a shehakol; *ibid*.

6 Mekor ha-Berachah 22.

7 Mishnah Berurah 202:39.

8 Rav S.Z. Auerbach (quoted in Vesein Berachah, pg. 394).

9 Or a fruit salad in which the fruit is cut up into small pieces and eaten together in one spoonful.

10 Mishnah Berurah 212:1. Different kinds of ha-eitz fruits (e.g., apples and oranges) combine to form a majority of ha-eitz, and vice versa (Vezos ha-Berachah, pg. 94, quoting Rav S.Z. Auerbach and Rav Y.S. Elyashiv).

11 Rav S.Z. Auerbach (quoted in Vesein Berachah, pg. 415).

12 Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 375, note 66); Yechaveh Da’as 4:52; Vesein Berachah, pgs. 395 and 422; Pischei Halachah, pg. 155.

13 Vezos ha-Berachah, pg. 102, quoting several poskim.

14 Igros Moshe Y.D. 4:48-5.

15 Rav S.Z. Auerbach (quoted in Vesein Berachah, pg. 407); Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 239).

16 Vezos ha-Berachah, pg. 365.

17 Mishnah Berurah 303:1; Aruch ha-Shulchan 303:5; Pischei Halachah, pg. 154.

18 Taz 304:8; Ketzos ha-Shulchan 49:6.

19 Rav S.Z. Auerbach and Rav Y.S. Elyashiv (quoted in Vesein Berachah, pg. 396).

20 Vesein Berachah, pg. 396; Vezos ha-Berachah, pg. 370.

21 Rav S.Z. Auerbach (Vesein Berachah, pg. 429); Rav Y.S. Elyashiv (Vezos ha-Berachah, pg. 374, note 45).

22 Yechaveh Da’as 2:21.

23 Igros Moshe O.C. 1:86.

24 L’chatchilah; b’diavad the order does not invalidate the blessings.

25 Based on O.C. 211, according to Mishnah Berurah. There are other opinions as well.

26 Whether or not rice comes before wine or shivas ha-minim is questionable — there is no clear-cut custom or decision; see Vezos ha-berachah, pg. 124. If the rice is the preferred food, then all poskim agree that it has priority over ha-gafen and shivas ha-minim; see Piskei Teshuvos 211:6.

27 “Preferred” means that this fruit is usually preferred by him and it is also preferred by him now. If the ha-eitz is preferred by him now — even though usually he would prefer the ha-adamah — ha-eitz is recited.

28 If neither fruit is preferred, some poskim hold that a shivas ha-minim fruit is first while others hold that the whole one is first.

29 Aruch ha-Shulchan 211:17 rules that shehakol over food should be said before shehakol over a drink. But the Mishnah Berurah does not mention this, and the Peri Megadim (Mishbetzos, 211:6) specifically says that neither has priority; the blessing should be recited on the preferred item.

30 In this case, there are situations when the wrong order could result in a berachah levatalah, an unnecessary blessing, since a blessing specifically recited on a “less important” item would not automatically include a “more important” item, even if both items are of the same blessing and both are on the table; see Mishnah Berurah 211:32-33.

31 Rye bread sold in today’s bakeries is made (mostly) from wheat. The same holds true for oatmeal cookies.

32 Rama, O.C. 211:5.

33 See Kaf ha-Chayim 211:5.

34 See Vezos ha-Berachah, pg. 126, quoting Rav Y.S. Elyashiv and other poskim.

35 See Minchas Shlomo 1:91-2 and Shevet ha-Levi 8:27 for the halachic debate concerning the proper blessing over chocolate.

36 See Sha’ar ha-Tziyun 202:54 and 205:21, Chazon Ish 33:5 and Shevet ha-Levi 4:19.

37 See Piskei Teshuvos 202, note 118.

## Carrying in Public and the Use of an Eruv By Rabbi Yirmiyohu Kaganoff

In this week’s parsha, the Torah recounts the story of the manna, also including the unbecoming episode where some people attempted to gather it on Shabbos. In the words of the Torah:

And Moshe said, “Eat it (the manna that remained from Friday) today, for today is Shabbos to Hashem. Today you will not find it (the manna) in the field. Six days you shall gather it, and the Seventh Day is Shabbos – There will be none.”

And it was on the Seventh Day. Some of the people went out to gather, and they did not find.

And Hashem said to Moshe: “For how long will you refuse to observe My commandments and My teachings. See, Hashem gave you the Shabbos. For this reason He provides you with two-day’s supply of bread on the sixth day. On the Seventh Day each person should remain where he is and not leave his place” (Shemos 16:25- 29).

Although the Torah’s words each person should remain where he is and not leave his place imply that even leaving one’s home is forbidden, the context implies that one may not leave one’s home while carrying the tools needed to gather manna (Tosafos, Eruvin 17b). The main prohibition taught here is to refrain from carrying from one’s house or any other enclosed area (halachically called *reshus hayachid*), to an area available for the entire Bnei Yisroel in the Desert to traverse, a *reshus harabim*. Chazal further explain that moving an item in any way from a *reshus hayachid* to a *reshus harabim* violates the Torah, whether one throws it, places it, hands it to someone else, or transports it in any other way (Shabbos 2a, 96). Furthermore, we derive from other sources that one may also not transport an item from a *reshus harabim* to a *reshus hayachid*, nor may one transport it four amos (about seven feet) or more within a *reshus harabim* (Gemara Shabbos 96b; Tosafos, Shabbos 2a s.v. *pashat*). Thus, carrying into, out of, or within a *reshus harabim* incurs a severe Torah prohibition. For convenience sake, I will refer to portage of an item from one *reshus* to another or within a *reshus harabim* as carrying regardless of the method of conveyance.

One should note that with reference to the *melacha* of carrying on Shabbos, the terms *reshus hayachid* and *reshus harabim* do not relate to the ownership of the respective areas, but are determined by the extent that the areas are enclosed and how they are used. A *reshus hayachid* could certainly be public property and there are ways whereby an individual could own a *reshus harabim*.

Notwithstanding the Torah’s clear prohibition against carrying into, from, or within a *reshus harabim*, we are all familiar with the concept of an *eruv* that permits carrying in areas that are otherwise prohibited. You might ask, how can poles and wires permit that which is otherwise prohibited *min haTorah*? As we will soon see, it indeed cannot, and the basis for permitting use of an *eruv* is far more complicated.

We are also aware of controversies in which one respected authority certifies a particular *eruv*, while others contend that it is invalid. This is by no means a recent phenomenon. We find extensive disputes among early authorities whether one may construct an *eruv* in certain areas; some considering it a *mitzvah* to construct the *eruv*, whereas others contend that the very same “*eruv*” is causing people to sin.

#### AN OLD MACHLOKES

Here is an instance. In the thirteenth century, Rav Yaakov ben Rav Moshe of Alinsiya wrote a letter to the Rosh explaining why he forbade constructing an *eruv* in his town. In his response, the Rosh contended that Rav Yaakov’s concerns were groundless and that he should immediately construct an *eruv*. Subsequent correspondence reveals that Rav Yaakov did not change his mind and still refused to erect an *eruv* in his town. The Rosh severely rebuked Rav Yaakov for this recalcitrance, insisting that if Rav Yaakov persisted, he, the Rosh, would place Rav Yaakov in *cherem*! The Rosh further contended that Rav Yaakov had the status of a *zakein mamrei*, a Torah scholar who rules against the decision of the Sanhedrin, which in the time of the Beis HaMikdash constitutes a capital offence (Shu”t HaRosh 21:8). This episode demonstrates that heated disputes over *eruv* are by no means recent phenomena.

The goal of this article is not to make halachic decisions; that is the role of one’s *rav*. The purpose here is to explain what allows the construction of an *eruv*, and present some circumstances in which one authority permits carrying within a specific *eruv* while another forbids it.

#### IS IT A MITZVAH?

Before I present the arguments for and against *eruv* manufacture in the modern world, we should note that all accept that it is a *mitzvah* to erect a kosher *eruv* when this is halachically and practically possible, as the following anecdote indicates.

Rabbah the son of Rav Chanan asked Abayei: “How can it be that an area in which reside two such great scholars (Abayei and Abayei’s Rebbe) is without an *eruv*?” Abayei answered: “What should we do? It is not respectful for my Master to be involved, I am too busy with my studies, and the rest of the people are not concerned” (Gemara Eruvin 68a).

The commentaries note that Abayei accepted the position presented by Rabbah that one should assemble an *eruv*. Abayei merely deflected the inquiry by pointing out that no one was readily available to attend to the *eruv*, and that its construction did not preempt other factors, specifically Abayei’s commitment to Torah study, and the inappropriateness for Abayei’s Rebbe to be involved in the project. Indeed, halacha authorities derive from this Talmudic passage that it is a *mitzvah* to erect an *eruv* whenever halachically permitted (Tashbeitz 2:37, quoted verbatim by the Birkei Yosef, Orach Chayim 363:2). These rulings are echoed by such luminaries as the Chasam Sofer (Shu”t Orach Chayim #99), the Avnei Nezer (Orach Chayim #266:4), the Levush Mordechai (Orach Chayim #4) and Rav Moshe Feinstein (Shu”t Igros Moshe, Orach Chayim 1:139:5 s.v. *vilichora*).

I mentioned before that the construction of an *eruv* of poles and wire cannot permit carrying that is prohibited *min haTorah*. If this is true, upon what basis do we permit the construction of an *eruv*? To answer this question, we need to understand that not every open area is a *reshus harabim* – quite the contrary, a *reshus harabim* must meet very specific and complex requirements, including:

- (A) It must be unroofed (Shabbos 5a).
- (B) It must be meant for public use or thoroughfare (Shabbos 6a).
- (C) It must be at least sixteen amos (about twenty-eight feet) wide (Shabbos 99a).
- (D) According to most authorities, it cannot be inside an enclosed area (cf., however, Be’er Heiteiv 345:7, quoting Rashba; and Baal HaMaor, Eruvin 22a, quoting Rabbeinu Efrayim). Exactly what is the definition of an “enclosed area” is the subject of a major dispute that I will discuss.
- (E) According to many authorities, it must be used by at least 600,000 people daily (Rashi, Eruvin 59a, but see Rashi ad loc. 6a where he only requires that the city has this many residents.). This is derived from the Torah’s description of carrying into the encampment in the Desert, which we know was populated by 600,000 people.
- (F) Many authorities require that it be a through street, or a gathering area that connects to a through street (Rashi, Eruvin 6a).
- (G) Some authorities add still other requirements.

Any area that does not meet the Torah’s definition of a *reshus harabim*, and yet is not enclosed, is called a *karmelis*. One may not carry into, from, or within a *karmelis* following the same basic rules that prohibit carrying into a *reshus harabim*. However, since the prohibition not to carry in a *karmelis* is only rabbinic in origin, Chazal allowed a more lenient method of “enclosing” it.

#### CAN ONE “ENCLOSE” A RESHUS HARABIM?

As I mentioned earlier, carrying within a true *reshus harabim* is prohibited *min haTorah* – for this reason, the use of a standard *eruv* does not permit carrying in such an area (Eruvin 6b). Nevertheless, the construction of large doors that restrict public traffic transforms the *reshus harabim* into an area that one can now enclose with an *eruv*. According to some authorities, the existence of these doors and occasionally closing them is sufficient for the area to lose its *reshus harabim* status. (Rashi, Eruvin 6b; However, cf. Rabbeinu Efrayim, quoted by Baal HaMaor, Eruvin 22a).

#### PLEASE CLOSE THE DOOR!

There are some frum neighborhoods in Eretz Yisroel where a thoroughfare to a neighborhood or town is closed on Shabbos with a closing door in order to allow an eruv to be constructed around the area. However, this approach is not practical in most places where people desire to construct an eruv.

So what does one do if one cannot close the area with doors?

This depends on the following issue: Does the area that one wants to enclose meet the requirements of a reshush harabim min haTorah or is it only a karmelis. If the area is a reshush harabim min haTorah and one cannot occasionally close the area with doors, then there is no way to permit carrying in this area. One should abandon the idea of constructing an eruv around the entire city or neighborhood (see Gemara Eruvin 6a; Shulchan Aruch Orach Chayim 364:2). Depending on the circumstances, one may still be able to enclose smaller areas within the city.

#### TZURAS HAPESACH

However, if the area one wants to enclose does not qualify as a reshush harabim, then most authorities rule that one may enclose the area by using a tzuras hapasach (plural, tzuros hapasach), literally, the form of a doorway. (However, note that Shu"t Mishkenos Yaakov #120 s.v. amnom and Shu"t Mishnas Rav Aharon #6 s.v. Kuntrus Bi'Inyanei Eruvin paragraph #2 forbid this.) A tzuras hapasach consists of two vertical side posts and a horizontal "lintel" that passes directly over them, thus vaguely resembling a doorway. According to halacha, a tzuras hapasach successfully encloses a karmelis area, but it cannot permit carrying in a true reshush harabim (Gemara Eruvin 6a). Using tzuros hapasach is the least expensive and most discreet way to construct an eruv. In a future article, I hope to explain some common problems that can happen while constructing tzuros hapasach and how to avoid them, and some important disputes relative to their construction.

Let us review. One can permit carrying in a karmelis, but not a reshush harabim, by enclosing the area with tzuros hapasach. Therefore, a decisive factor in planning whether one can construct an eruv is whether the area is halachically a karmelis or a reshush harabim. If the area qualifies as a karmelis, then an eruv consisting of tzuros hapasach permits one to carry; if it is a reshush harabim, then the existence of tzuros hapasach does not. The issues concerning the definition of a reshush harabim form the basis of most controversies as to whether a specific eruv is kosher or not.

#### 600,000 PEOPLE

An early dispute among Rishonim was whether one of the requirements of a reshush harabim is that it be accessible to 600,000 people, the number of male Jews over twenty the Torah tells us exited Egypt (see Tosafos, Eruvin 6a s.v. Keitzad). According to Rashi and the others who follow this approach, one may enclose any metropolis with a population smaller than 600,000 with tzuros hapasach to permit carrying. (Rashi in some places describes that the city has 600,000 residents, and in others describes that 600,000 people use the area constantly. The exact definition to be used is the subject of much literature, see Shu"t Mishkenos Yaakov #120 s.v. hinei harishon; and Igros Moshe, Orach Chayim 1:139:5.)

However, other early authorities contend that an area with less than 600,000 people still qualifies as a reshush harabim, providing that it fulfills the other requirements that I listed above. In their opinion, such an area cannot be enclosed with tzuros hapasach. Although many authorities hold this way, the accepted practice in Ashkenazic communities was to follow the lenient interpretation and construct eruvim. Nevertheless, the Mishnah Berurah discourages carrying in such an eruv since many Rishonim do not accept it (364:8; Bi'ur Halacha to 345:7 and to 364:2). There are different opinions whether Sefardim are at liberty to follow this lenience, although the prevalent practice today is for them to be lenient.

#### MODERN CITY

Most large metropolitan areas today are populated by more than 600,000 people. Some authorities still define many of our metropolitan areas as a karmelis based on the following definition: Any area less concentrated than was the Jews' encampment in the Desert is considered a karmelis. Since this encampment approximated 50 square miles, these authorities

permit an eruv anywhere that the population density is less than 600,000 people per 50 square miles (Shu"t Igros Moshe 4:87). However, other authorities consider any metropolitan area or megalopolis containing 600,000 people to be a reshush harabim regardless of its population density. Does this mean that there is no heter with which to construct an eruv in a large city? Indeed many authorities contend this way (Shu"t Mishnas Rav Aharon 1:2).

#### A LARGE BREACH

Nevertheless, the Chazon Ish presented a different approach to permit construction of an eruv in a contemporary large city. His approach requires an introduction.

In general, an area enclosed by three or four full walls cannot be a reshush harabim (Eruvin 22a). What is the halacha if each of the three sides of an area is enclosed for most of its length – however, there are large gaps in the middle of the enclosure. For example, walls or buildings enclose most of an area – however, there are gaps in the middle of the area between the buildings where streets cross the city blocks. Does the area in the middle, surrounded on both sides by buildings and other structures, still qualify as a reshush harabim, or has it lost this status because it is mostly "enclosed"? The basis for the question is the following: There is a general halachic principle that an area that is mostly enclosed is considered enclosed even in its breached areas (Eruvin 5b et al.). For example, a yard enclosed by hedges tall enough to qualify as halachic walls may be considered enclosed notwithstanding that there are open areas between the hedges, since each side is predominantly enclosed either by the hedges or by the house.

On the other hand, a breach longer than ten amos (about 17 feet) invalidates the area from being considered enclosed. Therefore, one may not carry within a fenced-in area that has a 20-foot opening without enclosing the opening in some way.

The issue that affects the modern city is the following: Granted that a large breach needs to be enclosed to permit carrying within the area, is this required min haTorah or only rabbinically? Let us assume that one encloses a large area with walls that run for miles, but has large gaps in this middle – is this area considered enclosed min haTorah on the basis of its walls, or is it considered open because of its gaps?

This question was debated by two great nineteenth-century authorities, Rav Efrayim Zalman Margoliyos, the Rav of Brody, the Beis Efrayim and Rav Yaakov of Karlin, the Mishkenos Yaakov. The Beis Efrayim contended that the breach is only a rabbinic prohibition, but that the area is considered enclosed min haTorah, whereas the Mishkenos Yaakov held that the breach qualifies the area as a reshush harabim min haTorah. The lengthy correspondence between the two of them covers also a host of other eruv related issues (Shu"t Beis Efrayim, Orach Chayim # 25, 26; Shu"t Mishkenos Yaakov, Orach Chayim, #120- 122).

What difference does it make whether this area is considered open min haTorah or miderabbanan, since either way one must enclose the area?

The difference is highly significant. If we follow the lenient approach, then even if the area in the middle meets all the other requirements of a reshush harabim, the Beis Efrayim contends that it loses its status as a reshush harabim because of the walls surrounding it, notwithstanding the large gaps in the walls, in which case it may be possible to construct an eruv in such a place.

On the other hand, the Mishkenos Yaakov contends that this area is considered a reshush harabim because of the gaps, and we ignore the walls. According to him it will be impossible to construct an eruv.

How one rules in this dispute between these two gedolim affects the issue of constructing an eruv in a contemporary city. Most modern cities contain city blocks which consist predominantly of large buildings with small areas between the buildings, and streets that are much narrower than the blocks. If we view these buildings as enclosures, then one can easily envision that both sides of the street are considered enclosed min haTorah according to the Beis Efrayim's analysis. This itself does not sufficiently enclose our area. However, at certain points of the city, these two parallel streets dead end into a street that is predominantly enclosed either with buildings, fences, walls, or some other way. The result is that this section of the city can now be considered min haTorah as enclosed on three sides

by virtue of the buildings paralleling both sides of the street and those on its dead end. Since this area now qualifies as an enclosed area min haTorah, the entire area is considered a reshus hayachid min haTorah.

The Chazon Ish now notes the following: Once you have established that this part of the city qualifies as a reshus hayachid min haTorah, this area is now considered completely enclosed halachically. For this reason, other city blocks that are predominantly enclosed on both sides of the street that intersect with this first area are also now considered to be enclosed areas min haTorah. As a result, a large section of most cities is considered min haTorah enclosed on at least three sides, according to his calculation. Although one cannot carry in these areas midrabbanan because of the “breaches” in their “enclosures,” they are no longer reshus harabim min haTorah and one can therefore enclose the entire area with tzuros hapesach (Chazon Ish, Orach Chayim 107:5). As a result of this calculation, the Chazon Ish concludes that many large cities today qualify as a karmelis and therefore one may construct tzuros hapesach to permit carrying there.

However, other authorities reject this calculation for a variety of reasons, some contending that the gaps between the buildings invalidate the enclosure, thus leaving the area to be considered a reshus harabim, which cannot be enclosed (Shu”t Mishkenos Yaakov; Shu”t Mishnas Rav Aharon).

In conclusion, we see that disputes among poskim over eruv are not recent phenomena. In practice, what should an individual do? The solution proposed by Chazal for all such issues is “Aseh lecha rav, vehistaleik min hasafek,” “Choose someone to be your rav, and removes doubt from yourself.” He can guide you whether it is appropriate to carry within a certain eruv, after considering the halachic basis for the specific eruv's construction, the level of eruv maintenance, and family factors. Never underestimate the psak and advice of your rav!

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### **Ohr Somayach :: TalmuDigest :: Bava Batra 163 - 169**

**For the week ending 30 January 2010 / 14 Shevat 5770**

**by Rabbi Mendel Weinbach**

**The Happy Buyer • Bava Batra 168a**

When a field is being sold it is the buyer who must pay the scribe to write the document of sale.

This ruling of the mishna seems superfluous since the responsibility for paying for the writing of a document is always that of the party gaining the greater benefit, as we see in the cases of a divorce document or a loan.

The explanation given by the gemara for stating this rule is that it applies even in a case in which the seller derives a great benefit from getting rid of a field he doesn't want because there is something wrong with it. To dismiss the idea that in such a case the seller should be responsible for paying the scribe, the mishna declares that it is nevertheless the responsibility of the buyer whose benefit is still greater.

Rashi offers two sources for this approach that the buyer is always happier than the seller. One is a passage in the Book of Yechezkel (7:2), which speaks of the buyer rejoicing and the seller mourning. The other source is this folk saying: "If you bought, you gained; if you sold, you lost." (Bava Metzia 51a)

#### **What the Sages Say**

"Most people are vulnerable to sinning in money matters, a minority sin in sexual matters and all of them in subtle form of lashon hara (evil speech)."

•Rabbi Yehuda in the name of the Sage Rav - Bava Batra 165a

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### **Yated Ne'eman USA**

**The “Der Heim” Myth**

**By Rabbi Avrohom Birnbaum**

He is a Holocaust survivor, raised in a very distinguished rabbinic family, a scion of a family of very well-known admorim, and he vividly remembers pre-war Europe. That is why I was so surprised to hear what he said:

“I am tired of hearing about ‘der heim,’” he said. “In many ways, ‘der heim’ was an awful place. ‘Der heim’ was a place where Yidden were slaughtered in cold blood. ‘Der heim’ was a place where the majority of ehrliche Yidden lived in grinding poverty, where hunger and want were everywhere.

“In ‘der heim,’ there were rodents all over - and we were from a rich family! The poor families pined after moldy pieces of bread and sometimes didn't even have that. They lived in such an unspeakable poverty, unfathomable by anyone living in today's day and age.

“Every time we children would walk out of the house, we knew it was possible that the local Poles would beat us up or throw rocks at us. Such abuse, violence and hatred were part of our daily life in ‘der heim.’

“People in America today, who live better both materially and spiritually than any generation since the churban habayis, talk about ‘der heim’ as if things were great back then while here in America they are terrible.

“This is an outright lie. They are romanticizing one of the most terrible periods in our history. From what I remember, in addition to the material poverty, there was great spiritual poverty. People were leaving Yiddishkeit; falling away like flies. One could almost say that ‘ein bayis asher ein shom meis’ - no house was without a meis, a spiritual casualty, and in some homes it was ‘ein bayis asher yeish bo chai’ - every one of the children was lost to Yiddishkeit. Youth were rebelling against the old order, attracted by virtually every new ideology except for Torah.

“America today serves as the best home for Jews, both in ruchniyus and gashmiyus, in many centuries. I am tired of people not recognizing their tremendous fortune at being able to live in America and, instead, longing for a time and place that they cannot possibly envision, a time and place where they would not even be able to spend one week before fleeing back to Boro Park or Lakewood as quickly as possible.

“Of course, there were great tzaddikim and kedoshim in ‘der heim,’ and yes, some of the youth were truly special - even holy, but as a general rule, life, both spiritually and materially, was absolutely dreadful.”

### **THE MIRACLE OF THE POST-WAR AMERICAN TORAH COMMUNITY**

Although I must admit that as someone with some degree of knowledge of pre-war history I had already known that circumstances in pre-war Poland, Lithuania, Russia and Hungary were far from ideal, nevertheless, I was struck by the depth of conviction and, yes, the anger displayed by this usually soft spoken, distinguished Yid, as he railed against the revisionism and romanticizing of life before the war.

Indeed, the statistics show that what he said is correct. Today, there are more young men engaged in full-time Torah study and there are more talmidei chachomim even among baalei batim than perhaps ever existed in our long golus.

There are more girls seeking to marry bnei Torah and wanting to be moser nefesh so that their husbands can learn Torah than at any other time since the churban Bais Hamikdosh.

In pre-war Europe, a ben Torah couldn't find a girl willing to marry him. Just look at the way the Chofetz Chaim laments in his sefer Shemiras Haloshon (written before World War I) the fact that only bochorim with parnassah were sought as husbands for frum girls. Bochorim who were learning were viewed with disdain (Shemiras Haloshon, Shaar HaTorah, chapter 5).

The greatest talmidei chachomim in the Mirrer Yeshiva of Poland, a yeshiva of roshei yeshiva, as Rav Leizer Yudel Finkel zt”l, rosh yeshiva of Mir, called it, could not find shidduchim. At the outbreak of the war, many were well into their thirties and still not married...

Today, the best and brightest girls line up to marry a ben Torah who is a masmid and a talmid chochom. There are even lines waiting to marry bnei Torah who are not what we would call the greatest metzuyanim, by any means...

America, for all its faults, has produced a culture of learning, a culture of Torah amidst an atmosphere of material bounty that our brethren in the pre-war yeshivos and Chassidic centers of Europe couldn't even dream of because they could never fathom the existence of such a gan eden hatachton.

From HAMELAKET@hotmail.com – Redistributed by webmaster@parsha.net

Even with the current financial challenges and the other very difficult nisyonos facing us as a community, we are still far better off in this golus than in pre-war Europe.

#### RECOGNIZING THE PAST IN ORDER TO APPRECIATE THE PRESENT

So as not to be misunderstood, it is important to realize that all that we have today - the yeshivos, the burgeoning Chassidic courts, the tremendous fidelity to halacha among the entire cross-section of Chareidi Jewry - is built on the foundations of the Yiddishkeit practiced in pre-war Europe.

Our yeshivos of today are patterned after the great yeshivos in Europe. Chassidus of today bears the names of the cities where the tzaddikim who led them lived.

The giants of those times were far greater than anything that we have today. The pre-war yeshivos operated at a far higher level than yeshivos do today. Without them, without their example and their mesirus nefesh, we would not be here today, and our own beautiful Torah communities here would not exist.

Still, they were a minority in pre-war Europe. How many yeshiva bochurim existed in the entire pre-war Europe? A fraction of what we have today. The hamon am, the average Jew, was by and large in a far more precarious material and spiritual position during the years preceding the outbreak of the war than his post-war counterpart is today.

I think that this elderly Holocaust survivor who decried the romanticizing of 'der heim' was trying to convey that, in a way, by painting too rosy a picture of Europe - making it look as if everyone was a malach and life was absolutely idyllic - we are being kafui tov and not recognizing the

infinite kindness that Hashem bestowed upon us both in America and in Eretz Yisroel.

We have it great - despite everything.

We must thank Hashem for what we do have, even as we beg for what we lack. By incorrectly extenuating how good, holy and rosy life was then, we are by extension expressing displeasure with the situation today. It is negative nostalgia. It is yiush.

#### NOSTALGIA: A CONTRADICTIONARY FORCE

In truth, nostalgia is a funny thing. It can be simultaneously positive and negative. Often, one hears people reminiscing about the past and how good it was. They then continue by contrasting how bad things are today, generally ending with a krechtz, "Oy, those were the good old days."

That is unproductive, negative nostalgia, referred to by the seforim as yiush, despair. It serves no purpose other than to cause depression.

Positive nostalgia is when memories of the past spur one to practical action. When utilizing the memories of good times to try recapturing some positive aspects of those memories and deriving the same chizuk today as one derived in the past, the nostalgia is a positive force that is still paying dividends.

So next time we talk about the great Torah centers of Europe, let's make sure to do so in a context that spurs us to emulate the positive without complaining how terrible things are today in comparison with the past.

Things today are not terrible. They are comparatively great, despite the many problems we face. They may even be the best that Klal Yisroel has had in the last 2,000 years of our golus.

Let's remember to focus on the big picture. More importantly, let's appreciate it!