

INTERNET PARSHA SHEET
ON BO - 5759

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Holocaust is something that a Jew can identify with nationally, without having to inconvenience himself by having a relationship with G-d. It allows him to feel that he has paid his spiritual dues to Judaism by empathizing with his people. Then he can drive off to the Saturday afternoon game with a clear conscience.

One of the pre-requisites for eating the Pesach offering was bris mila (circumcision). What is the connection between the Pesach offering and bris mila? A bris is a covenant. It comes from the root word "bar" meaning "to exclude." We have the same word in English, "to bar." A covenant implies a desire to enter into a unique and exclusive relationship. Only those who are part of the covenant are to share in this special relationship. Others are "barred." Both bris mila and the korban Pesach were brisos -- the establishment of a special relationship between G-d and the Jewish People. But there's a difference. Bris mila is the covenant between G-d and the individual Jew. The korban Pesach is the covenant between G-d and the Jewish People as a nation.

It's significant that the Torah prohibits someone who does not have bris mila from partaking of the korban Pesach. The message is that the individual commitment to G-d must precede the individual's identification with the Jewish People. It's not enough to say: "I'm Jewish. I identify. I cry over the Holocaust. I send money to Israel." If we don't first commit ourselves to G-d, we lack an authentic commitment to the Jewish People as well. Sources: * Human Rights - Rabbi S.R.Hirsch, The Lehmann Haggada, Rabbi Uziel Milevsky, Rabbi Mordechai Perlman * March Of The Living - Rabbi Dovid Kaplan, Rabbi Uziel Milevsky Written and Compiled by Rabbi Yaakov Asher Sinclair General Editor: Rabbi Moshe Newman Production Design: Eli Ballon Prepared by the Jewish Learning Exchange of Ohr Somayach International 22 Shimon Hatzadik Street, POB 18103 Jerusalem 91180, Israel Tel: 972-2-581-0315 Fax: 972-2-581-2890 E-Mail: info@ohr.org.il Home Page: http://www.ohr.org.il (C) 1999 Ohr Somayach International - All rights reserved.

* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshas Bo For the week ending 6 Shevat 5759 / 22 - 23 January 1999 http://www.ohr.org.il/tw/5759/shmos/Bo.htm Insights

Human Rights "But if the household is too small for a lamb or kid, then he and his neighbor who is near his house shall take according to the number of people..." (12:4) The Five Books of the Torah are the basis of the world's major legal systems. What is considered "human rights" by international jurisprudence is based on the Torah of Moshe. And yet, if you look at the written Torah, you'll be hard pressed to find a single mention of the word "rights." Obligations -- that the Torah is full of. The obligations of a child to his parents; of a pupil to his teacher; of a community to the poor; of the individual to the community; obligations to the orphaned, to the sick, to the convert; the obligations of man to G-d. "Rights," however, are something that the Torah hardly mentions. Why?

The answer is -- to the extent that I have obligations, you don't need rights. You can write a legal code that enumerates people's rights: "that all men are created equal and endowed by their Creator with certain inalienable rights..." Or you can write a code which lists their obligations. Yet there is one big difference. When you talk about rights, you cast man in the role of a taker. But when you talk about obligations -- you force him to realize that he has been put in this world to give. Society reveals its nature through the choice of its metaphors. In English, we say "My duty calls." Meaning, I start off unencumbered by obligation. My obligation calls to me. I am over here and my duty is over there. In the Holy Tongue, we talk about a person being "yotzei chovaso" -- "going out from his obligation." The Jew starts off by seeing himself obligated. He doesn't have to go anywhere to heed the call. Life and obligation are simultaneous.

In the above verse, the Torah instructs someone whose family is too small to consume an entire paschal lamb to find a neighbor to join his seder and help finish the Pesach lamb. Obviously, such a neighbor must have been someone not eating his own lamb, probably someone poor. The Torah could just have easily have written: "If you don't have a lamb yourself, go out and find someone who has too much food and eat at his table." However, it chose to phrase the obligation in terms of giving rather than taking.

March Of The Living "No uncircumcised male may eat of it." (12:48) It's a sad fact that vastly more money is spent in America on Holocaust museums and memorials than on Jewish Education. The

yhe-sichot-return@vbm-torah.org Sichot -15: Parashat Bo Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash Project(vbm) Student Summaries of Sichot Delivered by the Roshei Yeshiva Parashat Bo Sichah of Harav Aharon Lichtenstein Shlit"a "They are Slaves to Me - Not Slaves to Slaves" Summarized by Rav Yosef Zvi Rimon

In Parashat Bo, we witness for the first time the appearance of a set of practical mitzvot. In essence, most of these mitzvot are related to the Exodus. The first mitzva of this set, however, that of Kiddush Ha-Hodesh, is seemingly an exception. We may therefore ask ourselves in what way is it connected with the great event of the Exodus. We may begin to understand this by noting a particular halakha cited by Rabbeinu Tam, according to which a laborer may decide to cease his work at any time, based on the principle that "they are slaves to Me, not slaves to slaves." On the other hand, a different law applies to the contractor, who is not able to give up his work at any time he chooses. Hence, there is a qualitative difference between the contractor and the laborer. The laborer is a slave, while the contractor is not. However, what really is the difference between them? It seems that the source of the difference lies in that the laborer's submission to a time-frame is dictated to him by his master. The laborer has no regulation of his work other than the constraints of time. He is enslaved to a certain framework of work hours, in which he may do nothing but the work of the owner. His obligation in this regard is so great that the Chakhamim absolved him from saying the fourth berakha of Birkat Ha-mazon - in order that he not waste the master's time. This is not the case with regard to the contractor. The contractor takes upon himself the execution of a certain task, and he is free to plan his work timetable in whichever way he chooses. He is not forced to do his work during certain hours. He is not a slave of time, but rather its master and ruler.

This point characterizes the mitzva of Kiddush Ha-Chodesh. The determination of time was placed in the hands of Bnei Yisrael, as it is written: "This month will be for you the First of Months..." - the time is given to you, to use as you see fit. This is the essence of freedom from slavery. This freedom from the yoke of time also finds expression in the halakhic and social spheres, as explained above, in relation to the laborer and the contractor. But its significance is far greater.

Within the mitzva of "This month will be for you..." lies the

command to number the months of the year starting from Nissan. In other words, years are no longer to be counted from the Creation, but rather from the Exodus. This is not merely a technical difference, but rather represents an important and fundamental shift. A qualitative difference exists between relating time back to the Creation and relating it to the Exodus.

Relating to the Creation lends time something of the spirit of the Creation, a kind of partnership with the natural world, a world in which a person acts in a given and bounded space which limits his freedom of action. Nature confines his steps, with time representing one of the chains which confine him.

Relating time to the Exodus, on the other hand, places man in the framework of history, and he therefore feels that he is part of an all-encompassing process. Here, he is not chained and confined, but rather an active and creative agent. With his own hands, through his own actions, he determines his progress. He is not swept through life's currents against his will; rather, he has the responsibility of directing, navigating and leading his own way. He no longer acts as an "object", but is now a "subject" - a subject with free choice, with a will of his own, with the ability to act.

When a person relates to the world from this point of view, he is freed from enslavement to nature. He is no longer a slave to the laws of nature, but rather he is able to control them, and to act as he wills. He may rise and progress without nature interfering with him. He is free to act and to navigate his path towards God, to venture towards and to arrive at his true Master. Indeed, "they are slaves to me - not slaves to slaves": we are slaves to God, not slaves to nature. (Originally delivered on Leil Shabbat, Parashat Bo 5732. Translated by Kaeren Fish.)

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owner-shabbat-zomet[SMTP:owner-shabbat-zomet@vjlists.com]
Shabbat-B'Shabbato Subject: Shabbat-B'Shabbato: Bo 5759

THE FOUR SECTIONS IN TEFILLIN by Rabbi Mordechai Zamir, Rabbi of Sedei Yaacov and the surrounding area Two of the four sections in the Tefillin appear in this week's Torah portion, and the other two appear in Devarim. Each of the sections deals with a different principle of our faith. "Sanctify each firstborn for me" [Shemot 13:2] is concerned with choosing Bnei Yisrael; "And when He brings you ... to the land [Shemot 13:11] is related to the choice of Eretz Yisrael; "Hear, Yisrael" [Devarim 6:4] is concerned with the uniqueness of G-d; and "It will happen if you pay attention to my mitzvot" [Devarim 11:13] is related to observing the commandments. The first three were promised to Avraham as part of the covenant of his circumcision (Bereishit 17): (1) Choosing the nation: "And I will establish my covenant between me and you, and with your offspring, a permanent covenant for all their generations" [Bereishit 17:7]. (2) Choice of the land: "And I will give to you ... the whole of the land of Canaan as a permanent heritage" [17:8]. (3) G-d's unique characteristics: "And I will be a G-d for you" [17:8]. Each of the forefathers took on himself the task of emphasizing one of the three principles: (1) Avraham taught the concept of monotheism: "And he called out in the name of G-d" [Bereishit 12:8]. This is the concept of the uniqueness of G-d. (2) Yitzchak observed the command, "Do not go down to Egypt, dwell in the land ... Live in this land" [26:2-3]. He thus showed the love of the land. (3) Yaacov became Yisrael, the father of twelve tribes, thereby establishing Yisrael, the chosen nation. For the forefathers, these three principles were sufficient. They observed the mitzvot without being commanded to do so, in accordance with their own natural inclinations. For Bnei Yisrael, a numerous and powerful nation with many different kinds of people, the principles alone were not enough, and it was necessary to have reinforcements to strengthen them. This leads to the fourth section in the Tefillin, "If you pay attention to all the mitzvot." Even before they stood at Sinai, while they were still in Egypt, they were given commandments: sanctifying the new month, bringing the Pesach sacrifice, recounting the story of the Exodus, and wearing Tefillin. From this point on, Bnei Yisrael were decorated with three symbols: circumcision, which is performed once

in a lifetime, the Pesach sacrifice, an annual occurrence, and wearing Tefillin, every day. In wearing Tefillin on his arm and on his head, the Jew bears witness to the four principles in the four written sections: (1) He is sanctifying the name of G-d (2) by observing His mitzva (3) in Eretz Yisrael, (4) which was given to the nation of Yisrael. A MITZVA

IN THE TORAH PORTION: Never Miss an Opportunity for a Mitzva by Rabbi Binyamin Tabori We can learn the trait of diligence in our

desire to perform the mitzvot from our father Avraham, who rose early in the morning to perform the mitzva of circumcision. It is also learned by the Mechilta from a verse in this week's Torah portion, "Keep watch over the matzot" [Shemot 12:17]. Just as we must guard the dough to make sure it doesn't become Chameitz, so we must take care not to miss any possible mitzvot (mitzvot and matzot have the same spelling in Hebrew). This principle is evidently not just a memory device provided by the rabbis (as was suggested by the Torah Temima, in the name of the Radbaz), but is a mainstay of the Torah laws. For example, for this reason the ashes are removed from the inner altar before the Menorah is lit, since one who enters the Temple reaches the altar before he gets to the Menorah. "One who encounters a mitzva should not pass it by ... Do not wait until it becomes stale." [Rashi, Yoma 33]. Similarly, it should be possible to learn from this principle that blood left over from a sacrifice should be poured out at the western foundation of the altar, since one who leaves the Temple entrance, passes by the western foundation first (see the Tosafot on Megilla 6b). The innovation in the above proof of the Tosafot is to apply the concept of "never miss an opportunity for a mitzva" not only to set a priority but as a way of establishing the correct way to perform a mitzva. Thus, because of this reasoning the mitzva is performed only in the specific place and nowhere else. According to the Tosafot, delaying the performance of a mitzva is the same as canceling it completely. Thus, they explain the words of the Talmud, "the Kohanim cancel their work in order to hear the reading of the Megilla" [Megila 3a], to mean not that they really cancel the rituals but that they are permitted to delay the act, and in spite of this, they write, "it is considered cancellation." According to the Rambam in his

commentary on the Mishna, the reason that one occupied by a mitzva is freed from the obligation to perform another one is, as is written, "You do not know the reward of the mitzvot" [Avot 3:1]. In a similar way, the reason that one should not give up the opportunity to perform a mitzva is that we cannot rank them in order of importance, so we should pick the mitzvot in the order that they appear. The rule that we hurry to perform a mitzva even takes precedence over the possibility that a delay might give us a chance to perform it with greater honor. This can be seen from Rosh Hashana 32b, which states that the Hallel prayer is to be recited as part of Shacharit, even though it might be expected that a larger crowd would participate if we waited a while until Musaf. The reason is that "diligent people rise early to perform the mitzvot." Similarly, if one of several brothers dies childless, the one to perform the "chalitza" ritual with the widow is the brother who is closest at the time, in spite of the fact that in general the oldest brother should have been preferred. For the same reason, the Radbaz ruled that a prisoner who was promised by the governor that he can have one day a year of freedom to pray in a community should not wait for special days like Yom Kippur or Purim but should take advantage of his first opportunity. His reasoning was that one should not delay performing a mitzva, and that we do not know the relative rewards of different mitzvot.

From: Jonathan Schwartz[SMTP:jschwartz@ymail.yu.edu] To: chabura
Subject: Internet Chaburah -- Parshas Bo

Prologue: Tomorrow the children will ask you "Mah Zot". You must respond "Bchozek Yad Hotzianu Hashem MiMitzrayim. Rav Moshe Feinstein asks why the simple question of the simple son ("Mah Zot?") appears in the Torah before that of the Wise Son ("Maah HaEidot" etc.)? He notes that the lessons gleaned at the moment of Yitzias Mitzrayim were lessons of pure belief. In order for one to properly assess the specifics of Torah law and the underpinnings of belief, one must first have a basic

encompassing knowledge of the Ribbono shel Olam and his ways within the world. Hence, the general response "Ki B'Yad Chazaka Hotzianu Hashem MiMitzrayim" serves as the basis for exploration into the foundations of belief.

Similarly, the Holy Belzer Ztl. noted that the style of teaching Yitzias Mitzrayim is one of transmission. This transmission serves as a facilitator for both listener and storyteller to declare belief in God. This is seen clearly in the opening of the Parsha where Hashem tells Moshe that he is Hardening Pharaoh's heart so that people will tell their children and grandchildren "Vi'Yidatem" "And YOU will know" --- both listener and storyteller--- That I am Hashem. The Baal Shem Tov writes that one cannot sin if he is a true believer in God. Hence many parts of the teshuva process involve a recognition of Hashem and the fostering of a bond with him. There are other key elements to teshuva that are often unique to specific situations of sin. On occasion one can argue for substitute dispensation bringing us to this week's chaburah entitled:

Fallen Tefillin: Not a Sign for the times The Mogen Avraham (44:5) quotes the sefer Mishpetei Shmuel who notes that the minhag of the world is to fast when one drops his tefillin. There is no chilik made between tefillin shel yad and shel Rosh in this matter. Still, the Tosfos Chaim (commentary to Chayei Adam 14:25) writes that in the Ashkenazic countries there was a specific minhag to fast when the Shel Rosh was dropped and not the Shel Yad. The Eliyahu Rabba (40:5), Machatzis HaShekel (44), and Beer Haitev (571) contend that despite the fact that the Shel Rosh has a Shin on the box itself (whereas the Shel Yad contains nothing more than the parshiyos and has no marking on the box itself,) there is kedusha to both tefillin as the parshiyos need the boxes to make them into tefillin. The Beer Haitev suggests that even if the Retzuos (straps) fall on the fall (a common occurrence) one would need to fast. This implies that even for tefillin shel yad one fasts if they are dropped. Now, in terms of fasting, there are many reasons why one is undertaken: Shut Mahari Brunna (127) suggests that a set of fallen tefillin should be taken as a heavenly sign for teshuva. The Sefer Kapos Temarim (Sukka 41b) quotes Rashi who feels that one should not carry a Sefer Torah and tefillin in his hands as he davens lest he become engrossed in his thoughts and drop them and see them get ruined. The Kapos Temarim infers that Rashi's hanging from the phrase "and they will get ruined" seems to provide the understanding that he did not place enough care which caused the Tefillin's destruction. He should fast for the Zilzul as teshuva for his sin. Still, Chazal did not require those who could not fast due to the strain of the fast, to undertake the process. Rather, They allowed people to redeem the obligation through the giving of Tzeddaka. Even a talmid Chacham whose Torah learning would be hampered by the fast can redeem the fast through tzeddaka. This seems to be based upon the notation that Talmud Torah and Tzeddaka are greater than a fast. (It also seems to be due to the nature of the fast-teshuva-which can be accomplished through other means) (Shut Chaim Shaal I:12, Ben Ish Chai, Chayei Sarah 18, Kaf HaChaim, 40:5). This seems to be the generally accepted Halachic view (Shulchan Aruch Harav 44, Machatzis Hashekel 44:5).

Now if the tefillin fall while they are in the case, the Mogen Avraham (44:5) and the Mishna Berurah (41:3) write that one should not have to fast. Still, the Tashbatz feels that an acceptable case must have the space of a Chalal Tefachso that it is not Battel to the tefillin. Other poskim note that one should give the money to Tzeddaka in place of fasting no matter how large or small the case is (Eliyahu Rabba 40:5).

perceptions@torah.org Subject: Perceptions - Bo: Coming or Going?

G-d said to Moshe, "Stretch out your hand towards Heaven, so that darkness will come over Egypt, a darkness which can be felt (vayamaish)." (Shemos 10:21) What is a "darkness which can be felt"? Why do we ask such a question? Because to us, darkness is merely that absence of light, the result, for example, of when the sun leaves our part of the world for another. However, the truth is that it is not so simple, as the Vilna Gaon

(Gra) indicates: "There are some who say that light is an independent creation, and that darkness is an independent creation, not like those who say that darkness is just an absence of light. In truth, it is not like this, but rather, darkness is in fact an independent creation that is pushed away by light, and that's the way The Holy One, Blessed is He, made nature. Therefore, here (in this plague), G-d changed nature, because it says, 'a darkness which can be felt,' which means that the darkness 'pushed' away the light, and not the light, the darkness (the root of the word 'vayamaish' is from 'and he [Yehoshua] didn't move (yamish) from his tent (Shemos 33:11)')." (Kol Eliyahu, Bo 53)

In other words, says the Gra, the posuk means "a darkness that can move light." A sefer called HaK'sav v'HaKabbalah on Parashas Bereishis also quotes the Gra saying that darkness is in fact an independent creation. However, the Radak seems to hold that darkness is the result of an absence of light. The Talmud, which treats darkness as an "object," seems to provide support for the Gra's opinion: ... This is what it means to say: G-d called to the light and commanded it in the mitzvos of the day, and G-d called to the darkness and commanded it in the mitzvos of the night ... (Pesachim 2a) As well, the Talmud states that: ... We must mention the "trait" of night during the day blessings, and the "trait" of day during the evening blessings, to counter the heretics who claim that He who made the day did not also make the night. (Brochos 11b) If darkness is only the absence of light, then how could the heretics think such a thing? We would only be dealing with one creation, the creation of light, and the lack of its presence. (Nevertheless, the Bach on the Tur considers darkness to only be an absence of light, though there are so many proofs to support the Gra.)

What makes this discussion so chilling is what happens to the letters of "vayamaish," when you consider the letter preceding each: you arrive at the letters heh, tes, lamed, raish. Without vowels, you may have difficulty recognizing the significance of these letters, but with the proper vowels, the letters form the word: Hitler. Inserting this word into the posuk yields a hidden meaning: Hitler is darkness. Well, that is for sure. However, what is uncanny is the way that the only plague to affect the Jewish population, during which 12,000,000 million Jews died, has an allusion to one of the vilest anti-Semites to ever live. Draw your OWN conclusions.

Perceptions, Copyright (c) 1999 Rabbi Pinchas Winston and Project Genesis, Inc. Rabbi Winston teaches at both Neve Yerushalym (Jerusalem) - <http://www.torah.org/neve/> and Neveh Tzion (Telzstone) - www.neveh.org/ Project Genesis: Torah on the Information Superhighway learn@torah.org 6810 Park Heights Ave. <http://www.torah.org/Baltimore>, MD 21215

Yhe-intparsha-return@vbm-torah.org] Yeshivat Har Etzion Israel Koschitzky Virtual Beit Medrash Introduction to Parashat Hashavua By Rav Alex Israel Parashat Bo

New moons and the Renewal of the Soul The images of our parasha are immensely dramatic: the red blood on the doorposts, the terrifying crushing darkness of that night when the firstborn of Egypt were killed, and then, the sweeping triumph of a slave nation tasting its first moments of freedom. These are the scenes of the Exodus - immense, powerful, historic moments. It is somewhat enigmatic, then, to find a rather modest and unassuming Godly instruction to Moses placed as an introduction to this dramatic and imposing story: The Lord said to Moses and Aaron in the land of Egypt: This month shall mark for you the beginning of months; it shall be the first of the months of the year for you (12:1-2).

What do these verses tell us? They inform the incipient nation of Israel as to the concept of Rosh Chodesh - the New Moon. To be more exact, these two lines contain two separate commands:

1. The notion that the beginning of a month shall commence with the visual sighting of the "new moon," just visible. 2. That the order of months in the Jewish calendar will start with Nissan, the month of Redemption. THE FIRST LAW On the surface, this law defines a calendar. It establishes a uniquely Jewish system of time-keeping - a Godly rhythm of time. This we will discuss in due course. But there is an additional dimension here. From a halakhic-legal point of view, these verses are significant far beyond their actual content. These two

unobtrusive lines have monumental import, for they describe the very first command, or mitzva, that the Children of Israel receive as a nation. Rashi, in his opening comment to the Pentateuch, raises the hypothetical suggestion that these verses should have been the opening lines of the Torah. After all, proposes Rashi, the primary function of the Torah is to present the unique Jewish system of living embodied in its laws, its prohibitions and directives. This is the first verse to issue a command to the Children of Israel as a nation. Rashi rejects the suggestion for other reasons, but the point is well taken. It is with these verses that Jewish Law - Halakha - and the system of the mitzvot, take their first steps. So, this technical law might seem a little dwarfed by the drama and cataclysmic events of the night of the killing of the firstborn, but in truth, it inaugurates the entire world of Jewish Law and the notion of mitzva. Let us now turn to investigate the content of the mitzva itself and the concepts which underlie it. QUESTIONS Looking at the text itself, we have many questions to ask. The language here is begging for further investigation. First, the introductory verse. Why does it tell us that God commanded Moses and Aharon "in the land of Egypt?" Why is the Egyptian location given emphasis? This phraseology is found nowhere else in the Egypt story.

But there is also the command itself - it is a double-barrelled sentence. First "This month shall mark for you the beginning of months ..." and then "... it shall be the first of the months of the year for you." What does one phrase tell us that the other does not? And is Nissan - the month of Redemption - really the "first of the months?" Rosh Hashana, the Jewish "New Year," is in Tishrei! (the seventh month).

"THIS MONTH" The great commentator, Rashi, was fully aware of all the problems that we have raised. Rashi's comment on verse 2 is interesting: God showed him the moon at its moment of renewal and told him: "When the moon renews itself, it will be Rosh Chodesh - the advent of a new month. However, the verse should not be understood other than in accordance with the words themselves (ki-peshuto). As regards the month of Nissan God told him "This will be the first of the system of months, Iyar will be called the second month, Sivan the third etc."

THIS MONTH: Moses found it difficult to grasp the exact point and size at which one can sanctify the moon. God pointed to the moon with His finger and showed him saying; "Look at this! When you see this, call it holy." And how could He show him by night? Does God not restrict His communication to Moses to the day? ... He spoke to him at sundown and the visual demonstration was at night. This is an intricate Rashi. In essence, Rashi offers two interpretations. The first explanation translates the words in the most appropriate reading contingent with standard rules of grammar, the context and flow of the verse. This is called the explanation of "peshat." According to this reading, the text reads: "This month (of Nissan) will be the head month, it is the first of the year." The word "Chodesh" refers to the month of Nissan.

This reading, however, has its problems. First is a problem of repetition. The second section of the verse would seem to repeat the first, and thus, half of our statement becomes somewhat superfluous. For if this is the head month, then it is obvious that it is the first month in the year. The second problem is the use of the word ZEH - "THIS" - which indicates something that one can point to, a concrete object. In the biblical text, when the Torah talks about a specific object using the term "ZEH," Rashi frequently notes that we are dealing with a visual display of a concrete form. In each place, he talks about being able to point to the object and say "This is it, look at it." (See Rashi on Shemot 15:2, Bamidbar 8:4.) But here, if we translate "chodesh" as "month," we have a problem. You cannot point to a month! What was God pointing at? Rashi is forced to introduce a second explanation. He tells us that God was pointing to the moon. He had to show Moses what he meant by the "renewing" moon. When exactly does the moon become the signal for the commencement of the new month? God gave Moses a practical demonstration and showed him how it was all to work. Textually, this reading solves our earlier problem. We can now read the verse as: "This moon is the signal for you for a Rosh

Chodesh. This (month) will now be for you the first of all the months." Here we have two statements saying very different things! This is not the "pshat" explanation because it pushes the words too much. Chodesh cannot really translate as "moon" in Hebrew. Both explanations of Rashi are flawed. The preferable translation of the word "chodesh" leads to a duplicity in the verse. But the clearer reading of the verse has certain linguistic shortcomings. Rashi chooses to quote both readings.

A DIVINE PEDAGOGUE What is quite fascinating in Rashi's reading here is Moses' response to this first mitzva. Rashi tells us that he did not understand it - "Nitkasheh Moshe" - Moses found a particular point difficult to grasp. He could not see what God was trying to tell him. What does Moses do? Does he give up? Does he just let it go? No! He asks God, he questions Him. We might possibly be able to imagine God telling him again and still Moses doesn't understand. It is now God's response that is remarkable. Moses is not understanding the concept. He isn't grasping the concept when it is described to him in words. God chooses to teach Moses "out of the classroom." They go on a "field trip." They leave the walls of the Beit Midrash and choose to look up at the moon. Moses has an educational need and - "lo ha-bayshan lamed - a bashful demeanor inhibits successful study" (Avot 2:6) - he is not afraid to challenge God when he fails to understand a particular detail. God, in turn, is prepared to invent new modes of learning, new pedagogic frameworks, in order to teach his student Moses. Rashi informs us that God did not usually appear to Moses at night. This time He did. Why? Because Moses is His student and Moses needs to learn. Rashi teaches us here a profound message. That in the teaching of Torah, we must be creative. We must use new methods. God could have told Moses that he can't get nevu'a at night - it is against the rules. But He does. He invents a new framework in which Moses can understand. A teacher must always try to find new, more successful methods to teach Torah and a student must always be determined and unashamed when learning. (I heard this idea many years back from Rav Shimon Felix - now at the Chief Rabbi's Office in London.)

COUNTING FROM THE EXODUS Nachmanides - the Ramban - understands the rationale of this law in the following way: The Children of Israel should mark this month as the first, and should count months in relation to this one - the second, the third, to the twelfth month. This is to ensure that we remember the great miracle; for whenever we mention the month, we will (effectively) be mentioning the miracle. That is why there are no names of months in the Torah, but the Torah will say (for example): "And it came to pass in the third month" (19:1) or "In the second month of the second year" (Numbers 10:11). This is the same as our counting the days of the week from Shabbat. And this is why it says in the verse "it shall be the first of the months of the year FOR YOU." In truth, it is not the first month of the year (as the world was created in Tishrei), but it is the first month for you as it is a remembrance of our redemption.

The Ramban sees this mitzva as marking the centrality of the Exodus experience in the Jewish mindset. In the same way as the days of the week have no names in Judaism (and in modern Hebrew) - just "yom rishon, yom sheni" - to emphasise the prominence of Shabbat, similarly the months are simply a pointer to the month of miracles and redemption. (See also the Ramban at the end of our parasha where he sees the entire Exodus experience as an important factor in building a framework of faith in God.) Indeed, the establishment of a calendar should be seen as a significant step in our march to freedom. A slave is not master of his own time. When I create a calendar, I am implicitly stating that I DO control my time, my rest days and holidays, my work days and solemn times. I am in control of my life. In this sense, the establishment of a Jewish month system at the verge of national freedom is most significant in all senses and the Ramban's comment that our calendar begins at, and points to, our month of release and redemption is most appropriate.

It is interesting to read the Ramban's explanation as to the development of the month names from the numerical (chodesh ha-rishon, chodesh ha-shevi'i) to the names that we

have today. (Our month names - Nissan, Iyar etc. are of Persian extraction.) He doesn't view this as a product of assimilation or Persian influence. Instead, he has a rather fascinating theory which is totally consistent with his explanation until now. This is his approach: ... The Talmud Yerushalmi states that "They brought new (month) names back from Babylon." This is because originally we had no names for the months because the months were a memorial to yetziat Mitzrayim. But when we returned from Bavel (Babylon) and the prophetic verse was fulfilled "It shall no longer be said 'As the Lord lives who brought the Israelites out of Egypt' but rather 'As the Lord lives who brought the Israelites out of the Northland and out of all the lands to which he had banished them'" (Jeremiah 16:14-15) then we began to use the names as they are called in Bavel so that we would remind ourselves of our stay there and that God brought us out. For these names Nissan, Iyar, Sivan etc. are all Persian names. The Persian names remind us of our redemption from Babylon in the same way that the numerical identification was a pointer to the exodus from Egypt.

THE MOON AND MONTHLY RENEWAL Rav Shimshon Raphael Hirsch has a fascinating image of the spiritual power latent in this mitzva. He raises a popular critique of this mitzva. There are those who see the practice of following the renewal of the moon as a primitive rite. Ancient tribes would be scared when the moon "disappeared" fearing that it was lost, gone, and they rejoiced when the moon became visible once more. Rabbi Hirsch rejects the critique and he proposes a positive spiritual foundation for this mitzva. Hirsch points to the halakhic side of this law: To proclaim the new month, there must be two witnesses as to the renewed sighting of the moon. The two witnesses must be received in Beit Din - a Jewish court of law - by a full panel of the Judiciary. Even with this evidence, the month is not started nor the day sanctified as Rosh Chodesh unless it is formally proclaimed by the Beit Din. Sometimes the Beit Din can proclaim the New Moon without even a sighting (if the month is already 30 days). Rabbi Hirsch gives this intricate description to impress upon the reader the detailed legalistic ceremony of the New Moon proclamation. It is a formal legal process, not a spontaneous primitive rite.

But what as to its significance? Rav Hirsch begins by explaining an etymological connection. The word festival in Hebrew is "mo'ed." But this word does not only tell us of religious festivals. In its original Hebrew, it can also indicate special moments of any sort, or even a meeting between two parties. He explains: Were the beginning of our months and consequently the dates of our festivals (mo'adim) to be fixed exactly by the astronomical phases of the planets so that the ... moon automatically made Rosh Chodesh and the festivals (mo'adim), then we and our God too, would appear to be bound by the blind and unalterable laws of nature and our mo'ed (time) of a new moon ... would give impetus to the idolatry of the cult of Nature ... It is not the conjunction of the moon with the sun, not the moon receiving the rays of illumination afresh ... but each time the moon finds the sun again, each time it receives its rays of light ... God wants His people to find Him again and to be illuminated with fresh rays of His light wherever and however, in running their course, they have had to pass through periods of darkness and obscurity. ... The moon finding itself again in conjunction with the sun is only to be a model for our finding ourselves again with God. The rejuvenation of the moon, is a picture of, and incentive to, our own rejuvenation. Mo'ed is literally a conjunction (meeting) ... we have to MAKE our Chodesh and to FIX the day of our mo'ed. "...Ha-chodesh hazeh LAKHEM Rosh Chodashim" - "This renewal of the moon shall be a beginning of renewals to YOU." I.e., noticing the fresh birth of the moon shall induce you to achieve a similar rejuvenation. You are to fix your moons, your periods of time by taking note of this ever fresh recurring rejuvenation ... It is not a question of actual months but of OUR months - LAKHEM... Without this regularly bringing ourselves back to a commitment with our God, ... we should always slide farther and farther from Him, always be getting more and more estranged from Him; quite unconsciously and without noticing it, our natures would become less

and less responsive to the light of His spirit, our natures would become darker and darker until - like Pharaoh - our hearts would be hard and heavy and even the most startling signs and the most affecting wonders would not achieve rebirth.

In our prayers, Rosh Chodesh is described as a time of atonement - kappara. It is a time of periodical atonement because it is a time ripe for return to God. It is a monthly time of teshuva because the rebirth of the moon beckons us to become born again, to renew our ways. The moon invites us to become different and were it not for this constant message, we might find ourselves on a constant downward slope. The new moon tells us that even if we have become eclipsed from God, we can and must find Him again and become connected to the rays of His light.

In life, we too wax and wane. Our spirituality and halakhic observance intensify and fade periodically. The moon is a constant message. We celebrate rebirth and renewal on a monthly basis. We hope that we too can re-experience the excitement of finding the rays of God touching our lives. But in the end WE fix Rosh Chodesh. It cannot happen without the human proclaiming that it will be. God affects the light of the moon, but we humans fix Rosh Chodesh and in the same way, we can control the spirituality in our lives. This is the message that precedes yetziat Mitzrayim. It is a message which precedes the birth of Israel as a nation. It is a magnificent message of hope and growth, a message of ongoing connection with our God. For a people in the making, there is nothing more important than knowing that we can transform and renew ourselves, as individuals and as a nation. Shabbat Shalom.

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daf-insights@shemayisrael.com Insights to the Daf: Yoma 13-14 INSIGHTS INTO THE DAILY DAF brought to you by Kollel Iyun Hadaf of Yerushalayim Rosh Kollel: Rabbi Mordecai Kornfeld daf@shemayisrael.co.il YOMA 11 (27 Teves) - dedicated to the memory of Chana Elka Krieger, Z"L, wife of Hagaon Rav Yisrael Avraham Abba Krieger (author of Yad Yisrael on Rambam and other Sefarim), by their son, Benayahu Krieger. Our primary website is now WWW.DAFYOMI.CO.IL, please update your bookmarks. Daf dedications - MONTH: \$5,000; WEEK: 1,250; DAF: \$250. Write to donations@dafyomi.co.il for contribution information. Yoma 13 1) MAKING A "KIDUSHIN" THAT WILL TAKE EFFECT ON YOM KIPUR QUESTION: The Torah requires that the Kohen Gadol be married when he performs the Avodah on Yom Kipur (Vayikra 16:11). Furthermore, he may only be married to one woman, and not to two (ibid.). If the Kohen Gadol is not married, he may not perform the Avodah. Because of these requirements, Rabbi Yehudah maintains that, prior to Yom Kipur, another wife was arranged for the Kohen Gadol in order to ensure that he remains married in case his first wife dies on Yom Kipur. However, he could not simply marry another woman, because he may not be married to two wives when he performs the Avodah. The Gemara proposes a complex arrangement whereby the Kohen Gadol marries a second woman before Yom Kipur and then divorces both wives conditionally, in such a way that at any given moment during Yom Kipur, he has one wife and not two, yet he is assured that if one dies he will still be married. The conditions are made such that if one of the two women dies then that woman will be divorced retroactively (from before Yom Kipur) so that he was not married to two women when he begins the Avodah. If both women live, then the second wife will automatically be divorced retroactively. There seems to be a much simpler solution that the Gemara could have offered to ensure that the Kohen Gadol remain married. The Kohen Gadol should simply marry a woman (that is, do Kidushin (Erusin) and Nisu'in (Chupah)) on Yom Kipur at the moment that his first wife dies! Alternatively, if it is argued that it is not possible to marry a woman on Yom Kipur because of the Halachah (Beitzah 36b) that one may not be Mekadesh a woman on Yom Tov, then let him be Mekadesh her *before* Yom Kipur on condition that if his present wife does on Yom Kipur, the Kidushin of the second one will take effect *at the moment* that the first one dies. Why did the Gemara not offer this solution? (SHA'AGAS ARYEH #93) ANSWERS: (a) TOSFOS (13b, DH v'Chada) cites a Yerushalmi that says that indeed, the Kohen Gadol marries a second wife on Yom Kipur if his first wife dies. Even though marrying a woman on Yom Tov is forbidden because of Shevus, the principle of "Ein Shevus b'Mikdash" (the prohibitions of Shevus do not apply in the Beis ha'Mikdash) permits it. However, the Bavli clearly does not accept this, seemingly because this type of Shevus is not permitted even in the Mikdash ("Shevus d'Medinah Lo Hutar ba'Mikdash," Erubin 103a). However, why does the Bavli not allow the Kohen Gadol to be Mekadesh the second wife before Yom Kipur with a condition that it take effect on Yom Kipur, as we asked? (In fact, according to our Girsa in the Yerushalmi, this is actually what the Yerushalmi suggests.) (b) REBBI AKIVA EIGER (Teshuvos I:159) and the SI'ACH YITZCHAK discuss whether a person is allowed to make an act of Kinyan prior to Shabbos which will take effect on Shabbos. They prove from our Sugya that it is considered a Shevus and is prohibited, because if it was permitted, then the Gemara should have said that the Kohen Gadol should make a Kidushin with a second wife on condition that it takes effect on Yom Kipur when the first wife dies, as the Sha'agas Aryeh suggested. Since the Gemara does not say this, it must be that it is prohibited because of Shevus. However, Rabbi Akiva Eiger adduces proof that it is permitted from the TERUMAS HA'DESHEN (cited by the Magen Avraham OC 339:8) who implies that it should be permitted to perform a Pidyon ha'Ben on Shabbos even though the money cannot be given on Shabbos. The father may give the money to the Kohen before Shabbos and say that he wants the Pidyon to take effect on Shabbos. (The Terumas ha'Deshen concludes that the only reason this is not done is because it will not be possible to recite

the blessings neither on Shabbos nor on Erev Shabbos.) We see that the Terumas ha'Deshen assumes that it is permitted to do an act of Kinyan (and similarly, Kidushin) which will take effect on Shabbos.

(c) TOSFOS understands from the Yerushalmi that the act of bringing a wife into the Chupah (the Nisu'in) is also a Shevus, like the Kidushin. Accordingly, perhaps the reason why one may not make a Kidushin on condition that it take effect on Yom Kipur is because even though the Kidushin itself can take effect later, the Chupah will have to be done on Yom Kipur, and that is prohibited because of Shevus.

The Chupah cannot be done prior to Yom Kipur on condition that it take effect on Yom Kipur, because the act of Chupah cannot take effect at a later time. Unlike the money given to consummate a Kinyan or a Kidushin, which will be extant the next day, an act that is transitory and will no longer be extant the next day cannot take effect the next day. (REBBI AKIVA EIGER (ibid.), though, appears to assume that a Chupah *can* take effect on the following day.)

The RI HALAVAN suggests that the act of Chupah cannot be done on Yom Kipur for a different reason. Even if it is not a Shevus, there is another problem. There is no way to make a Chupah -- it cannot be done with Bi'ah because Bi'ah is forbidden on Yom Kipur; a normal walk-under Chupah cannot be done on Yom Kipur because the Kohen Gadol must remain sequestered and cannot leave the Azarah. (Similarly, the new wife cannot come to join him there for a Chupah, either because it would be a breach of his Perishah, or because of the ruling of Rashi (Kidushin 52b DH v'Chi) and the Tosefta (Erchin 2:1) that prohibit women from entering the Azarah when not bringing a Korban.)

Rebbi Akiva Eiger adds that a Chupah cannot be performed at this point for an additional reason. The Gemara (Kesuvos 56a) discusses whether a Chupah which is not fit to be consummated with Bi'ah is a valid Chupah or not. The RAMBAM (Hilchos Ishus 10:2) rules that it is not a valid Chupah. Thus, a Chupah done on Yom Kipur is not valid since Bi'ah is forbidden on Yom Kipur, and the Chupah is not fit for Bi'ah. Even according to those who do not rule Halachically like the Rambam, and prohibit such a Chupah, our Gemara might be trying to avoid the issue of making such a Chupah because of the doubt cast on it in Kesuvos.

(d) The RITVA says that even if it is permitted to do the act of Chupah on Yom Kipur, there is still a concern that his wife will die while he is in the *middle of an Avodah* and he will not be able to interrupt to marry another wife, and make a Chupah, at that moment. (Chupah cannot be done through a Shaliach.)

(See also what we wrote at the end of the following Insight.) Mordecai Kornfeld [Email: kornfeld@dafyomi.co.il|Tl/Fx(02)6522633 6/12 Katzenelbogen St. | kornfeld@netvision.net.il|US:(718)520-0210 Har Nof, Jerusalem,ISRAEL] kornfeld @shemayisrael.co.il|POB:43087, Jrslmowner-daf-insights

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