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Human Involvement in the Divine Master Plan

Rav Binyamin Blau, former Rosh Kollel, Cleveland

Let us begin our analysis of this weighty topic by posing four distinct questions that, theoretically, can be independently answered, but hopefully will collectively provide insight into the relationship between G-d's master plan and human activity. Our first query is attempting to understand a cryptic midrash dealing with Yoseph languishing in the pit.

The midrash explains why various personalities were too busy to save him. Reuven was engaged in the process of teshuva; he felt that he should have initially exerted himself as the eldest brother and was presently so engaged in introspection that he could not assist Yoseph. Hakadosh Baruch Hu was busy preparing the "light of mashiach" and was also too preoccupied to save Yoseph. While the midrash continues in this vein the latter example is clearly quite perplexing. Is the Almighty incapable of doing two activities at once that he could not intervene on Yoseph's behalf? What lesson is the midrash trying to impart?

Leaving that issue in abeyance, let us move on to another puzzling midrash, this one in Rut Raba (5 - 6). There the midrash recounts how three famous personages - Reuven, Aharon and Boaz - all acted nobly in given situations but each one would have done much more had they only realized that their actions were being recorded for posterity. Yes, Aharon went to greet his brother Moshe when he returned from years of exile but had he only known that this episode would be written in the Torah he would have prepared an entire entourage etc. The words of the midrash are rather disturbing; do we really mean to imply that these righteous individuals, who were engaged in wonderful deeds, would have done more merely because of greater publicity? Surely there is more to these words than meets the eye.

Moreover, the midrash concludes by noting that in olden times when a person performed a mitzvah it would be recorded by the navi (prophet) of the generation. Who records our deeds now asks the midrash rhetorically. Eliyahu writes it down, answers the midrash, and both melech hamashiach and Hakadosh Baruch Hu himself sign off on the matter. While a beautiful image this too requires explanation - both in terms of the words themselves as well as the connection to the previous discussion regarding those famous personalities who would have done more had they only known.

Two additional problems arise when examining the observance of Chanuka: Generally the festival occurs concurrently with the reading of Parshat Mikeitz. The obvious question emerges as to whether there is a correlation between these two events or is it merely a calendric quirk? An interesting suggestion has been that the dream of Pharaoh, where seven lean cows swallow seven corpulent cows, corresponds to the fact that the

"small" defeated the "many" (the Chashmonayim were victorious against overwhelming odds). Hopefully, however, a more profound explanation can be offered.

Finally the celebration of Chanuka - while joyous - seems rather muted when compared to other festive events. There is no formal obligation to eat a seuda, and there is not even a custom to adorn oneself with Shabbat clothing. Why is this so? Admittedly, the festival is only rabbinic in nature but could there not still be a more elaborate means of observing this momentous occasion?

Perhaps the solution to all these problems is as follows: Human beings must exhibit a blend of faith and action. While it may seem almost inherently paradoxical, human involvement can play a role in fulfilling the divine master plan. On the one hand there are instances when we simply step back and observe the events unfolding around us and all we can do is believe that what we are witnessing is part of the Master Architects' design. This is the message of the first midrash depicting Yoseph languishing in the pit. The sale of Yosef down to Egypt was a necessary step for our ultimate redemption - as powerfully symbolized by the "light of mashiach" - and therefore not even the Almighty Himself could intervene at that instant.

In truth, not only was this part of Hashem's plan, it was also the initial fulfillment of Yoseph's own dream. Only after his descent to Egypt followed by his emergence as viceroy, would the image of the sheaves bowing (from his dreams) become a reality. A powerful parallel emerges between the story of Yoseph and that of the Maccabees' success for that too was the unlikely fulfillment of what had been seen as a wild dream. (Mattisyahu too, could only dream that his revolt would result in a great military victory) Perhaps that is the deeper connection between these two events.

The parallel continues in the fact that both victories are temporary in nature. Yes, the fulfillments of Yoseph's dreams causes his family to be saved but it eventually leads to 210 years of bitter slavery. While the Chanuka victory and the restoration of the Beit Hamikdash are surely reasons to be joyous, unfortunately, this too proves to be short lived and we soon descend into exile. Perhaps the diminished expression of simcha reflects this principle.

Returning to our primary point, however, there are instances where our actions do matter; when we are not allowed to merely sit back as observers content that we are in good hands. This is the message of the second perplexing midrash. Boaz, Aharon, and Reuven all conducted themselves with tremendous nobility but they had no way of knowing the full impact of their deeds. Had they appreciated the total effect, even they would have behaved differently. The conclusion of the midrash is a powerful illustration of this idea. Indeed our actions are no longer recorded in the cannon of TaNaCh but they do have meaning and purpose. Every deed is noted by Eliyahu - a figure symbolically linked in rabbinic literature to our ultimate redemption - and signed and sealed by none other than the Almighty and mashiach himself. They watch our every move with great scrutiny waiting for us to tip the scales and bring about the complete geula. We are not impartial observers, but rather we are actors with a dramatic mission to implement and hasten the fulfillment of the divine master plan.

The task of blending faith and action, of knowing when to step back and when to forge ahead, is indeed quite daunting. Nonetheless, it is what we as individuals and as a community must attempt to do. May we all be successful in our efforts.

from **Rabbi Yissocher Frand** <ryfrand@torah.org> hide details Feb 7 (14 hours ago) reply-to ryfrand@torah.org, genesis@torah.org to ravfrand@torah.org date Feb 7, 2008 10:03 AM subject Rabbi Frand on Parshas Teruma mailed-by torah.org

Rabbi Yissocher Frand Rabbi Frand on Parshas Teruma
Torah Comes Down From Between Two Child-like Figures

The parsha contains one of the more unique artifacts used in the Mishkan — the Cherubim [Cherubs], which were placed on top of the Aron which housed the Luchos. The Torah states: "It is there that I shall arrange audience with you, and I shall speak with you from atop the lid, from between the two Cherubim that are on the Ark of the Testimony, and it is all that I shall command you pertaining to the Children of Israel [Shmos 25:22]."

We do not have an exact picture of what the Cherubim looked like, but we are taught that their faces were child-like. Imagine the scene: The holiest city in the world (Jerusalem), the holiest place in the city (the Temple Mount), the Holy of Holies within the Temple complex — this was the holiest spot on the face of the planet. The Master of the Universe speaks to Moshe from above the Aron and His Voice comes out from between the two Cherubim! The Heavenly Voice comes out from between the faces of babes.

What is the symbolism? What is the message?

Rav Shmuel Rozovsky, zt"l, one of the Roshei Yeshivas from Ponnevit writes that Torah can be taught from the best Rebbe in existence (the Almighty), to the best disciple in the world (Moshe Rabbeinu), under the best of conditions (in the Holy of Holies), but the receiver has to be child-like. In order to learn Torah, we need to maintain the child-like enthusiasm and child-like innocence that will allow us to accept Torah and integrate it into our personalities.

This is a challenge because the older we become, the less child-like we are. This is a Jewish quality that the prophet refers to: "For Israel is a young lad and I love him" [Hoshea 11:1]. The Almighty testifies that He constantly loves Klal Yisrael because Klal Yisrael is still like a child. We have not become jaded and we have not become turned-off. We are still willing to accept, like a child.

This is mussar [chastisement] to all of us. The older we become, the more cynical we become. Cynicism is at the opposite end of the spectrum from the idea of "Israel is a young lad and I love him." The pasuk [verse] in Hoshea advises us to maintain our innocence and maintain our purity. It is a challenge for us all.

But what should NOT be a challenge for us is that at least our CHILDREN should still be "child-like". It may be difficult at age 40, at age 50, at age 60 to maintain child-like innocence. But it should not be a challenge that when a kid is 10 years old, he is no longer a child. It is unfortunately more and more the case that our children have picked up from us and from our society, even when they are 10 and 12 and 15, a cynicism that does not allow them to be considered "child-like" anymore. They are no longer the innocent Cherubim and as such, the Torah they are supposed to learn becomes exceedingly difficult for them to accept.

We have to try to ensure that our children should at least not become cynics, at least while they are still children. The only way we can try to ensure that is if there are incidents in life that tend to make us jaded and more cynical, we not bequeath that attitude to our children. There is plenty of time, unfortunately, for them to become cynical on their own. We do not need to help to make them cynics.

The Difference Between The Gentile and Jewish View of The Cherubim

The Talmud quotes in the name of Rav Katina that when the Jews came up for the pilgrimage festivals, the priests would pull back the curtain in the Beis HaMikdash and show them that the Cherubim (one of which had masculine features and one of which had feminine features) were embracing one another. The priests would say: "See how beloved you are before the Almighty, like the love of a male and female." [Yoma 54a]

The Gemara continues [Yoma. 54b], Reish Lakish stated that when the Gentiles invaded and entered the Holy of Holies, they saw the Cherubim embracing like man and wife and they brought them out to the street and mocked. "These Jews whose blessing is a blessing and whose curse is a curse, look at what they occupy themselves with in their Holy of Holies." They debased Klal Yisrael and ridiculed them for this perceived

impropriety. This, Chazal interpret, is the meaning of the pasuk: "All who once respected her, disparage her, for they have seen her disgrace (ervasah, literally her nakedness)" [Eicha 1:8].

[The Rishonim in tractate Yoma ask a very interesting question: The Cherubim were not always embracing. They were only embracing when the Jews "did the Will of the Almighty". Their embrace mirrored how G-d felt toward His people. When He loved them, they embraced; when G-d was angry with His people, they were separate. The Rishonim ask that when the Gentiles came into the Beis HaMikdash to destroy it, the last thing we would expect to find was the Cherubim embracing. They should have not even have been looking at one another! Why were they apparently mirroring G-d's Love for us at that moment?

The Rishonim answer -- at that point the destruction (Churban) had happened already. G-d's Wrath was already spent. The Temple had already been destroyed. "Now let's make up." Thus, even while the walls were still burning, the Cherubim were embracing again. They were back in love.]

Why, in fact, do we have in our Holy of Holies the image of a husband and a wife engaging in an embrace? This is something that the Gentiles could not understand. They mocked it. They used it to make us a laughing-stock.

How do WE understand this? The interpretation is that the Cherubim are like the famous Rorschach inkblot test. Psychologists and psychiatrists take blotches of ink that come out in random form and ask patients to tell them what they see. What a person "sees" says everything about what he is, where his thoughts are, where his values are, where his mind is.

The Cherubim were Rorschach tests. They were a man and a woman embracing in a loving and adoring fashion. What is that? Is that pure or impure? Is it holy or profane? The answer is — it is all in the eyes of the beholder. A Gentile looks at that and has impure thoughts. There is only one thing that happens when a man and a woman are in such an embrace and it is very far from being holy. Therefore, to the Gentiles it was the biggest demonstration of an incongruity. "How incongruous!" they mocked, "to have such imagery in the Holy of Holies."

But to Klal Yisrael, the embrace between a husband and wife does not have to be impure and profane. It can be the holiest of acts. The mitzvah of onah (having conjugal relations with one's wife) of a Torah scholar is specifically on the night of the Sabbath, the holiest day of the week. If one would ask an untutored mind "On the holiest day of the week in what activities should a Talmid Chochom engage?" the secular or non-Jewish perspective would be that marital relations would be the last thing one should do on such a day.

This is the difference between Jews and the nations of the world who destroyed our Beis HaMikdash. To us, the embrace of the Cherubim represented exactly what the Holy of Holies is all about — holy intimacy. This is what Kedusha [holiness] is all about: There is no aspect of human existence that can't be elevated and can't be made holy. This is symbolic of everything else in life.

Rabbi Akiva states: "All Biblical writings are holy, but the Songs of Songs (portraying the love of a male for a female) is holy of holies." [Yalkut Shimoni] The unlettered person reads Shir HaShirim with a snicker. The sensual descriptions seem far from holy writings. Rabbi Akiva states that not only is it holy, it is holy of holies. It symbolizes our relationship with the Almighty. Holiness or lack of it is all in the eyes of the beholder.

This write-up was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tape series on the weekly Torah portion. The complete list of halachic topics covered in this series for Parshas Teruma are provided below: These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #582 - Silk in Halacha.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - 5766]

<http://www.chiefrabbi.org/tt-index.html>

Terumah

This week's sedra and those that follow it to the end of the book of Exodus, describe the great collective project of the Israelites in the desert: building a mikdash, a portable Sanctuary, that would serve as the visible home of the Divine presence. It was the first collective house of worship in the history of Israel.

The opening command, however, emphasizes an unusual dimension of the project:

G-d spoke to Moses saying: "Speak to the Israelites and have them bring Me an offering. Take My offering from everyone whose heart impels him to give . . . They shall make me a Sanctuary, and I will dwell among them." (Ex. 25: 1-2, 8) The emphasis is on the voluntary nature of the gifts. Why so? The Sanctuary and its service were overwhelmingly compulsory, not voluntary. The regular offerings were minutely prescribed. So too were the contributions. Everyone had to give a half-shekel for the silver sockets needed for the building, and another half-shekel annually for the sacrifices. The Sanctuary itself was the pre-eminent domain of the holy, and the holy is where G-d's will rules, not ours. Why then was the Sanctuary specifically to be built through voluntary donations?

There are some biblical passages whose meaning becomes clear only in hindsight, and this is one. To understand this week's sedra we have to move forward almost five hundred years, to the time when King Solomon built the Temple. The story is one of the most ironic in Tanakh.

Our initial impression of Solomon is that he was a supremely wise king. He had asked G-d for wisdom, and was granted it in abundance:

G-d gave Solomon wisdom and very great insight, and the breadth of his understanding was measureless as is the sand on the sea shore. (I Kings 4: 29) During Solomon's reign, Israel reached its greatest heights, economic and politically. The building of the Temple was itself seen by the Bible as the completion of the exodus from Egypt. Unusually the text tells us the date of the project, not only in terms of years of the king's reign, but specifically also in terms of the exodus:

In the 480th year after the Israelites had come out of Egypt, in the fourth year of Solomon's reign . . . he began to build the Temple of the Lord. (I Kings 6: 1) The reference to the exodus is striking and deliberate. It reminds us of the phrase Moses used to the Israelites as they were about to enter the land:

Now you have not yet come to the resting place and the inheritance that the Lord your G-d is giving you. (Deuteronomy 12: 9) The classic commentators take this to be a reference to Jerusalem and the Temple. Thus Solomon's project brought the narrative of the exodus to closure. It was the last chapter in a long story.

Yet ultimately, and significantly, Solomon failed as a king. After his death the kingdom divided. The ten northern tribes seceded from Solomon's son Rehoboam, and formed their own kingdom under the rebel Jeroboam. This was the critical turning-point in biblical history. Weakened by division, it could only be a matter of time before both kingdoms eventually fell to neighbouring empires, and so it happened.

The real question is not, why did Jeroboam rebel? Politics is full of such events. It is: how was he able to do so and succeed? Coups d'etat do not happen when a nation is flourishing, successful and at peace. Israel was all

these things in Solomon's reign. How then was Jeroboam able to mount a coup, with real expectation of success?

The answer lies in the impact the building of the Temple had on the people. We are told:

King Solomon conscripted labourers from all Israel - thirty thousand men. He sent them off to Lebanon in shifts of ten thousand a month, so that they spent one month in Lebanon and two months at home. Adoniram was in charge of the forced labour. Solomon had seventy thousand carriers and eighty thousand stonecutters in the hills, as well as thirty-three hundred foremen who supervised the project and directed the workmen. (I Kings 5: 27-30) The Tanakh tells us that it was this burden that made the people restive after Solomon's death:

So they (the people) sent for Jeroboam, and he and the whole assembly of Israel went to Rehoboam and said to him: "Your father put a heavy yoke on us, but now lighten the harsh labour and the heavy yoke he put on us, and we will serve you." (I Kings 12: 3-4) The elders who had been Solomon's advisors told Rehoboam to accede to the people's request: "If today you will be a servant to this people and serve them and give them a favourable answer, they will always be your servants" (12: 7). Rehoboam, influenced by his own young, impetuous advisors, ignored their advice. He told the people he would increase, not reduce, the burden. From then on his fate was sealed.

Something strange is happening in this narrative. On several occasions we hear words that appear in the Mosaic books either in the context of Egyptian slavery or in laws forbidding the Israelites to act harshly towards slaves. The phrase "harsh labour", spoken by the people to Rehoboam, is used at the beginning of Exodus to describe the enslavement of the Israelites (Exodus 1: 14). The description of Solomon's "carriers", nosei saval, reminds us of the sentence, "Moses grew up, and went out to his brothers and saw their burdens" (sivlotam, Ex. 2: 11). After Solomon's death, the people use the word yoke: "Your father put a heavy yoke on us" (I Kings 12: 4) - yet another term that recalls slavery in Egypt: "Therefore, say to the Israelites: I am the Lord, and I will bring you out from under the yoke of the Egyptians. (Ex. 6: 6).

Solomon's supervisors are described as ha-rodim ba-am, the verb used in Leviticus 25 to describe how a master should not treat a slave: "Do not rule over (tirdeh) them ruthlessly" (Lev. 25: 43, 46, 53). Solomon built "store cities", miskenot, the same word used to describe the cities built by the Israelite slaves for Pharaoh (I Kings 9: 19; Ex. 1: 11). Like Pharaoh, Solomon had and chariots and riders (rechev and parashim, I Kings 9: 19; Exodus 14-15).

Without saying so explicitly (indeed, at one point denying it: "But Solomon did not make slaves of any of the Israelites", I Kings 9: 22), the Tanakh is hinting that the building of the Temple turned Israel into a second Egypt. Solomon was altogether too close to being an Israelite Pharaoh.

The irony is overwhelming. Solomon was Israel's wisest king. The nation stood at the apex of its power and prosperity. Momentarily, it was at peace. The king was engaged in the holiest of tasks, the one that brought the exodus narrative to completion. Yet at that precise moment, the faultline developed that was eventually to bring centuries of tragedy. Why? Because Solomon in effect turned the Israelites into a conscripted labour force: the very thing they had left Egypt to avoid. On the surface, the text tells another story. Solomon fell from grace because his foreign wives led him astray into idolatry (I Kings 11: 4). Yet it was not this that led to the rebellion of the people.

No sooner do we understand this than we appreciate the significance of another text. When David first conceived the plan of building the Temple, G-d sent word through the prophet Nathan:

"I have not dwelt in a house from the day I brought the Israelites up out of Egypt to this day. I have been moving from place to place with the tent as My dwelling. Wherever I have moved with all the Israelites, did I ever say to any of their rulers, whom I commanded to shepherd my people Israel:

Why have you not built Me a house of cedar?" (2 Samuel 7: 6-7) There is a hint here that G-d disclosed to David the danger involved in the project. Only later did it become clear. Even then, Solomon's son could have salvaged the situation, had he listened to the advice the elders gave him.

There is a profound theological statement here. The free G-d desires the free worship of free human beings. As the sages used to say: "The Holy One blessed be He does not behave tyrannically to his creatures" (Avodah Zarah 3a). It was not accidental but of the essence that the first house of G-d - small, fragile, portable, the opposite of the grandeur of the Temple - was built by free, uncoerced, voluntary contributions. For G-d lives not in houses of wood and stone, but in minds and souls of free human beings. He is to be found not in monumental architecture, but in the willing heart.

from [Rabbi Dr. David Fox] <PROFFOX@aol.com> to internetparshasheet@gmail.com date Feb 7, 2008 10:53 PM subject A thought on Parshas Teruma "...v'nosata al ha'shulchan lechem..." "...and on this table place the bread..." (25:30) The Torah instructs us to place the lechem ha'panim on tubes and to leave it on the Temple table. The Recanati writes that the function of having bread on the table was to show our recognition that on HaShem's "table," namely, the Temple table which was a symbol for the higher concept of a "table" Above from which HaShem's will showers His people with sustenance, there is never a shortage of Divine resources and shefa. We make this gesture of placing bread below in that consecrated spot, as a means of boosting our awareness that we must make an effort here to display our fervent quest for Heavenly care and shefa which comes to us from Above. (We actually find this paralleled in halacha. In Shulchan Aruch (O.C. 180:1) we are given the rule that bread must be placed on the table at the time of bentching. Even though our meal is finished, we signify our recognition that all of our sustenance comes from HaShem, Who is there to sustain His people.) The question which remains is "why the tubes?" Why was the bread placed in holders rather than put on the bare table? What is the symbolism or lesson to be learned from this?

The Recanati writes that we must be aware that there are times when we are not aware. When we lose our sense of being connected to HaShem by forgetting our role below, when we fail to engage in serving Him and doing His will, our access to Divine sustenance is affected. He will still sustain us, but that blessing will be indirect. It will be manifest in obscure or hidden ways. The bread will descend, but it gets to the table through conduits. Those tubes are symbols of those pathways and conduits which disguise the sense of Presence in the same manner in which our preoccupation with our selves has distracted us from an awareness of the Above. In my home, as in my parents home, we keep the challa on the table when it is time to bench, and we are among those who are also accustomed to cover the challa at that time, as well. This custom may well be traced to the insight of the Recanati here: by covering the bread, we signify our sober awareness that our sustenance is not necessarily readily available. There are times when the gift of sustenance is rapid and uncomplicated but there are times when our own errors and straying may impede the flow of shefa from Above. Like the tubes which enclosed some of the lechem ha'panim and left it hovering just above the shulchan, we cover our bread, encasing it in a way which partially conceals it, delaying our immediate access as we bless HaShem and ask Him to bless us in return by sending us "bracha meruba b'bayis ha'zeh v'al shulchan zeh sh'achalnu alav" - abundant blessing to this home and upon this table at which we have eaten. Leaving you with yet another insight to implement this Shabbos at your se'udos. Good Shabbos. D Fox

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Next week: TETZAVEH

F. Chassidic Dimension (the **Lubavitcher Rebbe**, Rabbi Menachem M. Schneerson, z'tl)

Minutiae: an entree to holiness. Why does the Torah go into such detail about the Mishkon, particularly since (unlike the Temple), it was never meant to be a permanent edifice? The command to build the Mishkon came soon after the Jews had experienced Hashem's revelation at Mt. Sinai; when Hashem's physical presence departed, a second stage in the revelation took place -- a stage where it is incumbent upon man to actively draw G-dliness into the world and provide a dwelling place for Hashem in it. The Mishkon allowed the Jews to transform the physical into a dwelling place for the spiritual. The name of this Parsha -- Terumah -- has the dual meanings "separating" and "uplifting" -- by separating material objects from their mundanity and uplifting them to holiness, a Jew is empowered by Hashem to transform the entire world into one vast Tabernacle; in such service, every step and detail is important.

G. Wellsprings of Torah (Rabbi Alexander Zusia Friedman)

1. "Take" An Offering. "And the L-rd spoke to Moshe, saying Speak to the Children of Israel, that they may take for Me an offering . . ." Why does the Torah use the word "take," rather than "give"? Because we aren't in a position to "give" anything to Hashem. Everything we have belongs to Hashem. Only through the act of using our possessions to perform good deeds for Hashem's sake do we truly acquire them, and if we then make a gift of them to Hashem it is as if we have given of our own property.

(**Malbim**)

2. Building A Sanctuary In Your Heart. "And let them make Me a Sanctuary, that I may dwell among them." Shouldn't the text read, "that I may dwell within it?" The words "that I may dwell among them" refers to the Jewish people. It implies that it is the duty of each and every Jew to make a sanctuary within his or her heart, a place in which the Divine Presence may dwell. If all Jews build such a sanctuary, Hashem will dwell in the heart of each and every one of them. (**Moses ben Chaim Alshekh**)

H. Peninim on the Torah (**Rabbi A.L. Scheinbaum**)

1. The Lessons of the Keruvim. "And the Keruvim shall be spreading out their wings on high . . . with their faces one towards another."

a. Each Jew must strive to achieve both attributes which are implied by the Keruvim. He should "spread his wings upward", making every attempt to consecrate his whole being to Heaven. At the same time, however, it is necessary to maintain "their faces one towards another," concerning himself with his fellow Jews' welfare and thinking of ways to be of service to his friends during their times of need. These two behavior patterns must be integrated into the behavior patterns of a Jew. Rather than being contradictory, they compliment each other.

b. The Talmud (Bava Basra 99a) questions the disparity between two verses -- the verse in our Parsha which describes the Keruvim as facing each other, and the verse in Divrei HaYamim which depicts them as facing away from each other. The Talmud explains this disparity by noting that when the Jews fulfilled Hashem's words, their virtue was reflected by the Keruvim embracing each other as a sign of Heavenly approval. However, when they didn't properly uphold Hashem's mitzvos, the Keruvim faced away from each other. We may suggest that the Keruvim were not merely indicating Hashem's displeasure, but were also portraying the underlying source of His disapproval -- when Jews are loving and caring to one another, they are fulfilling Hashem's Will. This effects a favorable response, represented by the Keruvim's embrace. When Jews turn away from each other, each only concerned with his well-being, the source of displeasure is likewise portrayed by the Keruvim. Our relationship with others reflects our orientation with Hashem. (HaRav Yitzchak Spektor, z'tl)

2. Holding On to Spiritual Inspirations. "That they take for Me a terumah." The Bal Shem Tov, z'tl noted that this Parsha, which contains the mitzvah of donating towards the building of the Mishkon immediately follows

Parsha Mishpotim, which ends with the receiving of the Torah. He explains that the command to build the Mishkan was Hashem's way of telling the Jews to substantively actualize their acceptance of the Torah. It wasn't enough for them to proclaim, "We will do and we will hear," and then return to their normal lives as if nothing had transpired. It is imperative to stimulate the potential of our statements into action. If it remains dormant, eventually it will lose its spirit and vibrance. We may apply this concept to other forms of spiritual inspiration. Often one listens to a moving speech or has a heightened spiritual experience, only to let its effects dissipate. Beyond the change one experiences at the initial encounter, one must seek to sustain the original feelings. This form of emotional response is reinforced by Torah study. One who is spiritually inspired, but doesn't continue on to Torah study will unfortunately remain spiritually stagnant. The effort one expends in immortalizing his moments of spiritual elevation will be reflected in his personal growth and development.

3. An Offering From the Heart. "And offering from everyone whose heart motivates him to give . . . gold, silver and cooper." Each of these metals has a different value, yet they are mentioned together and considered of equal importance, for this is an "offering of the heart", regarding which it is stated "whether one gives more or less it is meaningless, as long as his thoughts are focused for (the honor of) Heaven." (Berachos 5b).

I. Darash Moshe (Rav Moshe Feinstein, z"tl)

Individual Sanctity. "Like everything that I show you." Rashi comments that this verse is to be read together with the preceding one: Make a Sanctuary for Me, like everything that I show you. If so, why does the Torah interrupt this thought with the promise: "so I may dwell among them?" The Torah wishes to show that Hashem's explicit instructions apply only to creating this sanctity, the sanctity of the Sanctuary. But, there is also another sanctity -- that which each Jew is required to bring into his heart and home by educating his children and instilling in his family the behavior and customs that the Torah holds as proper and desirable behavior. For this kind of sanctity, there are no general instructions which apply to everyone equally -- each person must develop for himself ways of educating his children which are best suited to the child's individual nature, personality and abilities. The essential point is that everything we do must be for the sake of Hashem (however that can be accomplished in a particular situation), to drawing others close to Hashem and his mitzvos.

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Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas
Terumah

PARSHAS TERUMAH

Like everything that I show you and so shall you do. (25:9) The vov, and, of v'chein taas, "And so shall you do," seems superfluous. It is not as if there is anything else mentioned here other than the building of the Mishkan. Therefore, it should have said, kein taas, "so you should do." In the Talmud Sanhedrin 16B, Chazal teach us that this refers to the future. In the event any of the vessels or any aspect of the Mishkan needs to be replaced, their form and pattern should parallel the original design as stated here in the Torah.

Horav Aizik Ausband, Shlita, explains this idea homiletically. The pasuk alludes to the Mishkan which we all build: our Jewish home, which serves as our Mishkan me'at, mini Mishkan, our Sanctuary. When we build our home, it should be built along the same lines as the Mishkan in the wilderness. Its values, concepts, and leit motif should concur with those of the Mishkan.

Let us see how this plays out in our lives. In the average American home, the primary room is the living room. Others might consider the kitchen to be the preeminent room in their house. It all depends on where one spends the most time and to what one attaches greatest significance. We should be different from the denizens of contemporary society because, hopefully, our goals, objectives and values are different from theirs. The Mishkan was to be the symbol of holiness and the standard for the Jewish home. The room in the Mishkan which was considered the most holy was the Kodoshei Kodoshim, Holy of Holies, which housed the Aron HaKodesh which had the Keruvim on top. These Keruvim resembled the faces of little children. This teaches us that the focus in a home should be on the Torah, the seforim. The study-- or wherever the location of the bookcases that contain Torah literature--should be a child's primary room: it should be where he sees his father; it should be where he finds his reading material; it should be the focal point of the home.

If we want our homes to be a veritable sanctuary, where children grow up focused on the important things in Jewish life, then we have to set the standard. We have to set the example. We must change our priorities from plasma to Torah and from living room to study. Our children will learn to appreciate and value what we value.

In his book, "Touched by a Seder," Rabbi Yechiel Spero relates an inspiring story which I feel encapsulates the above idea. In the early part of the twentieth century, money was a scarce commodity, especially for Jews. Materialism was not the primary focus in life, and the little things that might not matter as much today, had much greater value at that time. Clothes were a luxury. One did not simply walk into a store - sale or no sale - and take a couple of suits or dresses off the rack, charge them to the credit card and wear it once or twice before the desire for a new fancy began to fester. Hard-earned money was spent only for something important. A dress for the mother was important, but it was a process that took time. It entailed deciding on the fabric, design, and color. Then there were the measurements that were taken at different intervals of the garment's creation. In other words, purchasing a dress was an "event."

The story takes place in the early 1900's, as the family of Yitzchak, an outstanding young boy of eleven, waited in anticipation for the new dress the father had ordered for the mother. It would be the first new dress she would have in years. Pesach was coming soon, and what better time than Yom Tov to banei, put on the new dress for the first time. The entire family waited eagerly in anticipation of the arrival of the new dress. Finally, news came that it was ready, but the mother was not going to put it on until Yom Tov. It was just not right.

Yitzchak was an exceptional student who was very adept at his Torah studies. Although young in age, he had skipped a few classes and was already studying with boys much older than himself. He came home a few days before Pesach and matter-of-factly told his mother that he had just completed Meseches Bava Kamma. His mother kvelled, beamed, with pride. Yitzchak made nothing of the accomplishment, but his mother was thrilled.

The next evening, Yitzchak came home from the yeshivah to be greeted by an astonishing sight. The table, covered with Shabbos linen, was set with their finest china; the candles were lit; and - his mother was wearing her brand new dress that she had been saving for Yom Tov!

Understandably, Yitzchak was shocked. After taking a few moments to compose himself, he blurted out, "What is all of this? It is not Shabbos! It is not Yom Tov! Yet, you are wearing the dress that you were saving for Pesach. What is the happy occasion?"

His mother looked glowingly at Yitzchak, smiled and said, "You are correct. I was saving the dress for Yom Tov. What greater Yom Tov is there, however, than when my son completes a Mesechta, tractate in the Talmud? There is nothing more special to me than my son's Torah learning. If you are making a siyum, completing a Mesechta, then I want to celebrate with you."

Yitzchak never forgot this incident. He knew how proud his mother was of his achievements, and he was now acutely aware of the value she placed upon them. As he continued to complete one Mesechta after another, his mother's message reverberated within him. As Yitzchak grew into the venerable Horav Yitzchak Hutner, zl, Rosh Yeshivah of Mesivta Rabbeinu Chaim Berlin, he imparted this lesson to his thousands of students.

Having said that, let us ask ourselves: Do we demonstrate to our children the proper esteem in which we hold their Torah studies? What message do we send them? Do we attend their siyumim? Do we encourage their learning? Do we appreciate their rebbeim? Are we setting the proper example?

They shall make an Aron/Ark of shittim wood, two and a half cubits its length, a cubit and a half its width, and a cubit and a half its height. You shall make a Table of shittim wood, two cubits its length, a cubit its width, and a cubit and a half its height. (25:10, 23)

The Torah devotes an entire parshah to the construction of the Mishkan and its utensils. As the repository for the Shechinah, every aspect of the Mishkan contains profound esoteric meaning, much of which is beyond the limitations of our human comprehension. Nonetheless, the commentators derive important lessons from various aspects of the design, measurements and materials used for the Mishkan. In Rabbi Sholom Smith's latest anthology of Horav Avraham Pam's ethical discourses, he cites a powerful thought that the Rosh Yeshivah heard from his father, Rav Meir Pam, who quoted from the Chafetz Chaim. It is a lesson that whoever studies Torah should acknowledge and constantly reiterate.

The measurements of the Aron which contained the Luchos were all presented in half-cubits. This contrasts the Shulchan which contained the twelve Lechem HaPanim, Shewbread, whose dimensions were not presented in fractions. The Aron symbolized Torah study, while the Shulchan was more representative of the physical dimension, serving as the source through which financial prosperity flowed to Klal Yisrael.

The Chafetz Chaim, zl, explained that the Aron represents Torah, and, as such, teaches us that regardless of an individual's diligence or acumen, no human being can claim that he has achieved sheleimus, perfection, in his knowledge and understanding of the Divine Torah. The Torah is Hashem's wisdom - a wisdom that is infinitely greater than anything man can conjure. We can attain more and delve deeper and understand better, but we will never attain perfection. We are human, and the material we are studying is Divinely inspired. Regardless of how often we study the same passage of Talmud, we will always derive new and deeper insights into the topic. One studies the same parshah numerous times in his life and never fails to discover new ideas and messages. Indeed, the more one learns the greater is his perception of how little he really knows, because now he has an inkling of the vastness of Torah.

Rav Pam suggests that this might be the reason that each tractate of Talmud begins on daf beis, page two, rather than on page one. This tells us that no matter how much we have learned, we have not yet begun. There is no beginning to Torah and certainly no end.

The opposite perspective applies with regard to our financial and material requirements. The Shulchan's measurements were presented in full amos, except for its height which was presented in fractions. Rav Pam explains that the length and width of the Shulchan were presented in full amos because in matters of parnassah, livelihood, a Jew should believe that whatever he has is exactly what he needs. Hashem has determined that his present financial state satisfies what he needs. This is why we bless Hashem every day, She'asah li kol tzarki, "Who has provided me with all my needs." While we all recite this blessing every day, how many of us stop to consider its meaning?

It is related that a man once noticed an indigent Jew reciting this blessing with unusual fervor and joy. The spectator was stunned. What about this person's life could have motivated him to recite the blessing with such intensity? Seeing the onlooker's questing glance, the poor man turned to him and said, "Apparently, Hashem has decided that my need in life is to

be poor. Clearly, Hashem has given me a full measure of my needs. Therefore, I bless Him."

The Chafetz Chaim once walked by two people who were discussing their financial situations. "How is parnassah going for you?" one of them asked. The other man gave a sigh and said, "It would not hurt if parnassah would be a little better." The Chafetz Chaim turned to the man and asked, "How do you know that it would not hurt?"

Hashem Yisborach is tov u'meitiv, good and benevolent. He wants to do good and, thus, all of His actions are inherently good. Regrettably, we do not always understand this, because we do not see it. Nonetheless, our myopic vision does not change the fact that whatever Hashem does is good. Therefore, at times, when what we want does not coincide with what Hashem knows is good for us, we will not receive what we want and this will often provoke us to complain or feel bitter. The next step is a laxity in mitzvah observance, coupled with a negative attitude against anything related to religious observance.

We must realize that the degree of wealth that we enjoy - regardless of its size - is custom-tailored for us, in accordance with our total needs. This is symbolized by the presentation of the Shulchan's measurements in complete amos. Whatever we have is complete.

The Shulchan's height is stated in half amos - one and a half amah. Rav Pam derives from here that one's table has potential for elevation. Two people can eat the same meal, but one of them has a "higher" table, because his meal has been sanctified, thus elevating his table. One person eats to fulfill his physical desires. The other eats in order to have the strength to serve Hashem properly. One eats to live; the other lives to eat. One has elevated his table to the status of a mizbayach, altar; the other has designated his to become like a trough. One has transformed the food he eats into a korban, sacrifice; the other has destroyed its potential and left it as nothing more than feed. One performs a Divine service when he eats, the other performs a self-service.

The Table's fractioned height teaches us that one can always elevate his materialistic needs into a venue for spiritual growth. Thus, one should never consider himself complete. He always has room for growth.

And they shall make an Ark of shittim wood. (25:10)

The Midrash questions the change in form from the singular to the plural concerning the making of the Aron. Regarding all other vessels, the command is expressed in the singular: "And you shall make," while concerning the Aron, the Torah writes, "And they shall make." They explain that when it involves the Aron, the symbol of Torah learning, it is important that all Jews have a part in its construction, so that they will all have a share in the Torah. The Ramban expounds on the Midrash saying that quite possibly the Torah is alluding to us that all of Klal Yisrael should in some way take part in making the Aron, so that they will all merit a share in the Torah. He concludes by stating three ways that the people could involve themselves in the Aron: by contributing gold towards the Aron; by assisting Betzalel in making the Aron; or by having kavanah, intention, for the construction of the Aron.

Horav Henschel Leibowitz, Shlita, derives an important lesson in avodas Hashem, serving Hashem, from the third form of endeavor. Apparently, having intention to participate in an endeavor means something. After all, the individual who is only "intending" is one who has no money and is unable to help. He cannot physically carry out his wishes, but he "wishes" nonetheless. He wants to help, although he does not intend to actually help because he is unable, either due to a lack of resources or a lack of talent. Nonetheless, he considers how much he would want to help, were he able to do so. The Rosh Yeshivah cites the Talmud Kiddushin 40A that teaches us that Hashem in His Infinite kindness values our positive intentions as actual deeds. This means that if one intends to perform a mitzvah, but has been prevented from seeing his intention achieve fruition due to an accident, Hashem credits him to some degree as if he actually did the mitzvah. Chazal are addressing one who has been prevented from carrying

out his intention due to matters beyond his control. This implies that he was originally prepared, able and willing to do the mitzvah. In such a situation he receives credit for his intention. The Ramban seems to go beyond this stipulation. According to his commentary, one can even have a share in mitzvos that are beyond his grasp, in circumstances in which there is no real possibility of performing them. Simply by sincerely wishing to do the mitzvah, one earns credit.

We learn a powerful lesson from the Ramban. How often do we throw up our hands in despair, giving up before we even begin, simply because we do not have the wherewithal, the talents, the capabilities to succeed? After all, it is not for me, why bother to get involved? We see from here, that even if we do not have the money, the aptitude, the ability, we can and should feel an overwhelming desire to do so. Just simply to wish, to express and feel an eagerness to do, to share in this mitzvah if Hashem would permit me to do so. We see from here that having positive thoughts, maintaining our yearning, indicates our love and demonstrates our sincerity and care. Hashem gives us credit for wanting to do - even if we do not carry out our wish.

It is all in the attitude. Hashem wants us to manifest an eagerness, an unquenchable thirst, an insatiable desire for Torah and mitzvos. We should not disassociate ourselves from a mitzvah just because we feel that we are not in the "parsha." It does not apply to us, either because we lack the funds or the ability. If we have a burning desire to perform a mitzvah, we will ultimately find some way to "grab" hold of it. Even if we do not actually carry out the mitzvah, our sincere yearning for it will guarantee that we earn a portion in the World to Come - just for trying.

You shall make the planks of the Mishkan of shittim wood, standing erect. (26:15)

Rashi notes the prefix hay preceding the word Kerashim (ha'kerashim), which causes the word to stand out: the Kerashim, as if there were unique significance to these beams. Rashi explains that the Torah is addressing Kerashim which are to be made from specific trees. Yaakov Avinu saw through Divine Inspiration that his descendants would erect a Mishkan in the wilderness. They would need shittim wood for this purpose. He planted the trees as he was leaving for Egypt, and he commanded his sons to see to it that one day when they would leave Egypt, they would take the trees with them: "This way when Hashem commands you to 'make for Me a Sanctuary;' you will have the wood prepared." This statement begs elucidation. Were the beams the only component of the Mishkan that would be lacking in the wilderness? What about the Shoham stones? They certainly were not available in the wilderness. Why was Yaakov not concerned about them?

Apparently, in his Heavenly vision, Hashem only showed him the shittim wood. Nothing was mentioned about the precious stones. The reason for this is that Hashem miraculously provided them with the stones through the medium of the clouds. The question still remains: Why was it necessary to notify Yaakov concerning the wood and not concerning the stones? The same miracle that brought the stones could have also delivered the shittim wood.

Horav Sholom Schwadron, zl, explains that the shittim wood which was used to create the beams/walls of the Mishkan served a unique purpose, unlike that of the stones. When we define a house, we refer to its walls, which are the primary agent for separating the interior and its contents from the external elements. Likewise, the Mishkan as a holy edifice is a reference to the walls or Kerashim. They set the parameters of sanctity, dichotomizing the holy from the unsacred, the consecrated from the profane. Encapsulated within these walls are the Mishkan's holy vessels: the Aron, Ark; Shulchan Table; Menorah, Candelabra; Mizbayach, Altar, etc. They are all part of the Mishkan which is separated from the outside world by the Kerashim.

The purpose of the Mishkan is to infuse Klal Yisrael with kedushah, holiness. It is the power source from which the energy that illuminates the

hearts and minds of all Jews emanates. In order for this source to inspire the people it must have an intrinsic bond with the people. This bond is created through the people's involvement in its creation. In other words, for the Mishkan to have a long-term effect on the Jewish People, it is necessary that the people play a primary role in its inception and formulation. A Mishkan that comes to us via miraculous intervention will not have an enduring influence. It will not be able to implant within us the kedushah necessary to withstand the test of time and the vicissitudes of life. When it is the product of man's blood, sweat and tears of bitter sacrifice, it is able to imbue holiness into the hearts of the people for generations to come.

Va'ani Tefillah Bo'u she'arav b'Todah, chatzeirosav b'Tehillah. Enter His gates with Thanksgiving, His courtyards with praise.

The Chayei Adam explains todah, thanksgiving, as referring to the korban one offers in gratitude for Hashem's favor. Tehillah, praise, refers to prayer. One enters the "gates" to bring his sacrifice and comes to the "courtyards," the shuls, where he recites the Birkas HaGomeil, Blessing of Thanksgiving.

Horav S.R. Hirsch, zl, comments concerning the redundancy of she'arav, gates, and chatzeirosav, courtyards. He explains that the gates allow one to enter into the azarah, Sanctuary, while the chatzeiros refer to the actual Sanctuary. Todah, thanksgiving, gratitude, is an expression of one's appreciation. One acknowledges and affirms the awareness of our debt of gratitude to the Almighty for His personal care and benevolence to us. Tehillah, praise, is a contemplation of G-d in general terms and of His significance as such. A person is awe-inspired by Hashem's greatness. Todah is personal; tehillah is general. David HaMelech is teaching us that prior to lauding Hashem for His distinction as G-d of the world, we must first assimilate our personal gratitude to Hashem for everything that He does for us - individually. Before we can express ourselves as members of the world community, we must first get our own house in order.

L'zechar nishmas ha'isha ha'chasuva Glicka bas R' Avraham Alter a"h niftara b'shem tov 8 Adar II 5760 In loving memory of MRS. GILKA SCHEINBAUM BOGEN by her family

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Terumah: The Iron Wall

"They shall make Me a sanctuary, and I will dwell among them." [Ex. 25:3]

The Torah describes in great detail the vehicle for bringing God's Presence into our world: the Mishkan (Tabernacle), the forerunner of the holy Temple in Jerusalem. This sanctuary was a "house of prayer for all peoples," a focal point of Divine service, prayer, and prophetic vision.

Our current situation, without the holy Temple, is one of tragic estrangement from God. The Sages described this woeful state with a striking metaphor. From the day the Temple was destroyed, the gates of prayers have been locked - and "a wall of iron separates us from our Father in heaven" [Brachot 32b].

Why did they describe the spiritual divide separating us from G-d as a "wall of iron"? Why not, for example, a wall of stone?

The Rule of Iron

The metaphor of an iron wall, Rav Kook explained, is accurate for several reasons.

A stone wall is built layer by layer, stone by stone. An iron wall is more complex to construct; but when it is erected, it is set up quickly. The destruction of the Temple and its disastrous ramifications did not occur gradually, but was an abrupt, catastrophic setback for the people of Israel and the entire world. This tragedy took place like the sudden erection of an iron wall.

Furthermore, the essential nature of the Temple is the exact opposite of iron. Iron represents war and destruction. Implements of death and slaughter are wrought from metal and iron. Iron, the Sages wrote, is a material used to shorten life.

The Temple, on the other hand, lengthens life. Its purpose is to spread harmony, unity, and enlightenment. The dissonance between iron and the Temple is so great, that the stones used to construct the Temple could not be hewed with iron implements [Deut. 27:5, Midot 3:4].

With the Temple's destruction, the sweet music of prayer and song ceased. It was replaced with the jarring clamor of iron and steel, reaping destruction and cutting down life. The moral and spiritual influence of the Temple was replaced by the merciless rule of iron. Only when justice will be restored, when the world will accept the authority of morality and truth, will the "wall of iron" come down. And the Temple will once again take its place as a universal center of prayer and peace.

[adapted from Ein Ayah vol. I, p. 149]

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Are women permitted to sing in public? Are Arabs allowed to live anywhere they choose? Can teachers legally go on strike? The answer to these questions is affirmative, according to the laws of the State of Israel. Halakha (Jewish religious law) ostensibly has no answers to most of the questions relating to the management of a modern state - particularly one in which the majority of the residents are nonreligious. Indeed, this assumption about halakha, which for years was accepted by the majority of rabbis, is one of the reasons they legitimized the existence of the civil judicial system in the country. But now this approach is being challenged.

A few months ago, **Naftali Bar-Ilan, a rabbi from Rehovot** who is totally unknown to the general public, quietly published a four-volume work entitled, "Mishtar ve' Medina beyisrael al-pi hatorah" ("Regime and State in Israel According to the Torah"). If its principles are adopted, women will not be permitted to sing in public, for reasons of modesty; Arabs will not be allowed to live in communities close to the state's borders, for reasons of security; and teachers, like all those engaged in holy work, will not be able to strike.

In his opus - published by the partially state-funded Ariel Institute for Torah research, headed by the chief rabbi of Haifa, Shaar Yashuv Cohen - Bar-Ilan tries to summarize halakhic perceptions of the state, ranging from the system of the regime to the quality of the environment. The work's 1,700 pages cite 1,300 references and contain 16,000 footnotes and comparisons to more than 50 existing constitutions worldwide. Working alone, the author, an autodidact with no scientific or academic training, devoted 20 years of his life to the project without any public funding (other than from one prize for Torah study). It was all done in his spare time. Bar-Ilan decided to embark on this undertaking after serving as the rabbi of a religious kibbutz, Be'erot Yitzhak, following the Yom Kippur War.

"As a community rabbi you actually cope with most of the public questions a state copes with," he explains. "In the final analysis, there is a great deal of similarity between a community and a state, even if a state is far stronger, of course. After writing a book about the laws of tzedakah [charity], I felt a desire to tackle broader public thought, and thus I came to deal with the rulings that apply to society and the state."

A monarch for Israel?

Bar-Ilan's work differs radically from others in the judicial sphere. For one thing, its assertions are not always unequivocal. In many cases, as is common in the world of halakha, it presents the debates between religious authorities over various subjects. For example, concerning the authority of sages to lay down new regulations, in order to meet changing needs, Bar-Ilan cites the approach of Rabbi Ovadia Yosef (the spiritual mentor of Shas) and of another chief rabbi of Israel, the late Rabbi Ben Zion Uziel, who grant such authority - as well as the position taken by the Hazon Ish (the late Rabbi Abraham Isaiah Karelitz) and the late Rabbi Yaakov Kanievsky, who are vehemently against this. At the same time, in many cases, Bar-Ilan offers his opinion concerning a specific dispute, whether by citing the approach most congenial to him first, or by distinguishing between positions he quotes in the primary text and those he consigns to footnotes. Thus, when addressing the question of women's enfranchisement he first quotes the arbiters who permitted this in principle (the late chief rabbis Yitzhak Halevi Herzog and Uziel), and then the responsum entitled

"Seridei eish" ("Remnants of the Fire"), which permits women to vote only to preserve "darchei shalom" ("peaceful ways") so as not to offend them, and Hazon Ish, who states that women can vote only by "emergency order" (intended to prevent the weakening of the religious public's electoral power).

How did you allow yourself to make decisions?

Bar-Ilan: "First of all, as a rabbi that is my prerogative. Second, I try to decide according to the prevailing consensus in halakha. One could, of course, write the book from the viewpoint of the Satmar Rebbe, but after all he represents a small group."

Contrary to books on civil legislation, this work in question does not specify punishment for those who violate rules and regulations. Another difference is that Bar-Ilan does not deal only with the practical rules of behavior that can be subject to exact judgment and punishment. As though realizing the dream of organizations concerned with the quality of government, Bar-Ilan does not distinguish between criminal behavior and behavior that is "only" in breach of ethics. His work sets forth the ethical standards required of leaders: honesty, good judgment and moderation, dedication, long-range planning, success in winning public support and more. "It is important for me to feel that, in contrast to the modern world, which in the final analysis examines its leaders according to the criminal criterion - whether they perpetrated an offense - the Torah approach examines first of all the leader's qualifications and virtues," says the rabbi.

Asked about the tension between halakha and the formal rules-of-the-game of democracy, Bar-Ilan says that in his opinion no such situation exists: "The fact that the regime that appears in the Bible, and also the one designated for the messianic period, is monarchic, is not binding for our time. The power of the Scriptural king also derives from the fact that this is the regime the people wanted and agreed to. What this means is that the supreme criterion for a regime according to halakha is the consent of the public, and in our time such consent is accorded only to a democratic regime."

Bar-Ilan does not say so explicitly, but it would seem, in light of the great emphasis he places on the personal responsibility of the person who heads the government (similar to that of a king), that the democratic regime he would prefer is a presidential one. But he himself shies away from that conclusion: "It is true that a presidential regime meets the criterion of personal responsibility, but it is less compatible with other criteria, such as listening to the public. So I would not draw an unequivocal conclusion."

In any event, the demands halakha makes of politicians appear almost impossible to meet in today's terms. Their decisions would have to be made solely for the sake of heaven. They would be prohibited from criticizing one another publicly or from letting self-interest dictate their actions. Candidates running for office would not be permitted to make promises, much less to offer election bribes.

Some arbiters, such as the Hazon Ish, believed that people appointed to posts according to the party system that now exists lack halakhic validity as do their decisions, which are by necessity vacuous. Others, among them Rabbi Abraham Isaac Kook, accepted the party system. According to Bar-Ilan, halakha espoused the idea of the separation of powers long before Montesquieu. But contrary to the three powers that exist in the contemporary system, in halakha there are only two powers, and they are distinguished not by their authority but by their areas of activity. On the one hand there is the executive power, namely the monarch, who is empowered to legislate, execute the law and make rulings in regard to the political sphere and the organization of life in the state. On the other hand, the judicial authority (the Sanhedrin) is also empowered to legislate, execute the law and rule - in respect to the commandments of the Torah. At the same time, because the monarch, too, is subservient to the laws of the Torah, halakha grants clear supremacy to the judicial over the executive power. In the view of Bar-Ilan, the public is not authorized to forbid the court to interpret the constitution based on its judgment, because according to halakha, it is the judge who always "will be in those days." In other words, the judges of each generation possess sole authority to interpret legislation as they understand it. In even clearer words: In the ongoing clash between Justice Minister Daniel Friedmann and Supreme Court President Dorit Beinisch, halakha comes down clearly on Beinisch's side.

However, Bar-Ilan, who is extremely cautious about actualizing his concepts, has reservations about this last conclusion: "It is true that the conceptual principle gives the judicial system preference, but that power was granted only to dayanim [religious-court judges] who rule according to halakha. Besides, in practice many situations will arise in Jewish communities in which the leaders of the public will be the ones to decide."

'Limits of power'

In contrast to the apparent compatibility of halakha to the tenets of democracy, when it comes to the content of legislation, unbridgeable tension exists. Bar-Ilan asserts that the laws of the state carry no power if they conflict with the approach of halakha. However, he is very careful about drawing practical conclusions from this

principle: "The work portrays the ideal halakha, for messianic times; it is clear that in the present situation I recognize the limits of the power I possess."

Consequently, he says, he makes an effort to interpret halakhic rulings as much as possible in terms of the values of liberal democracy - for example, by trying to glean from halakha all the rights and freedoms accruing to women. There are two reasons for this approach. One is a matter of principle: to prove the validity of his assertion at the beginning of the book that "the Torah is able to propose a constitution for our time, too - a period in which the broad public is not willing to observe the precepts, and in which many adherents of other religions reside in the Land of Israel - which will be largely compatible with the liberal democratic approach that is accepted in all developed states." The second reason is that he himself has apparently internalized some of the values of the liberal approach and wants to see them preserved: "Not only because this is the way things are done in developed countries, but also because this is how they should be done, particularly in present conditions and circumstances."

In this connection the rabbi quotes Maimonides, who asserts that all the regulations are intended to strengthen religion and heal the world. "In my view, tikkun olam [repairing or perfecting the world] is the Jewish formulation for liberal democratic values," Bar-Ilan says, "and tikkun olam takes precedence even over strengthening religion. After all, our sages said that, 'even if the Jewish people commits the transgression of idolatry but there is peace among them, they will continue to exist; if there is no peace among them, they will not exist.'"

In other words, you maintain that liberal- humanistic values always take precedence over the values of the Torah?

"The Torah itself taught the world many liberal humanistic values, and any issue on which there is a clash between the values must be discussed on its merits."

Even though this approach, which does not accord automatic precedence to religious values, is exceptional in the world of Orthodox halakha, it is hard to imagine any liberal democrat accepting Bar-Ilan's ideas. For example, in regard to the disparity between men and women, he finds that the halakhic distinction stems from the special sensitivity in Jewish religious law to the preservation of female modesty. Accordingly, women are not permitted to dance or sing in front of men. On the other hand, this same reasoning also discriminates in favor of women, such as in the case of ransoming female prisoners before male ones, or in exempting women from the obligation to provide for the family. By the way, as to the comparison between the status of women and the status of non-Jews, "It is clear that the status of Jews is higher; after all, they were with us at Mount Sinai." He quotes arbiters who explain that discrimination against gentiles is a value in itself, particularly in the Land of Israel, so they will not be tempted to flock to Israel and jeopardize the state's Jewish character. At the same time, he makes it clear that decisions concerning gentiles must also be subject to an orderly judicial procedure. Moreover, the difference between Jews and gentiles must give rise to discrimination in favor of the latter in relevant areas, such as "a state exemption from bastardy for children of gentiles who violated the incest laws." Bar-Ilan would also ban homosexuality, curtail the right to strike and allow punishment by flogging.

Do you accept all these forms of discrimination?

"I am a person of halakha and my task is to present the position of halakha. As a follower of Rabbi Kook, I know that everything in the world contains an element of truth, and this applies also to the liberal approach. But that does not mean I have to accept the entire liberal approach. I also distinguish between ideological and practical liberalism: In my view, ideological liberalism is postmodernism - there is not one truth, but many truths. Practical liberalism says that I do not have to forgo my truth, but I recognize that I will not be able to realize it in full. As I said, it is a matter for the future that will come."

And in your view the ideological reality also includes discrimination of women or gentiles?

"First, many of the differences between the various groups will be modified in the messianic age, including the relations with the nations of the world (as the gentiles will then also observe the precepts). Second, I assume that in the messianic era the public will want and accept this reality: of a Temple and miracles. Part of the weakness of my approach today lies in the fact that there are no prophets and there is no Temple. True, it is difficult today to imagine how this transition will be effected, but 100 years ago it was also difficult to imagine that we would move from exile to life in the Land of Israel. Things are fluid, you see."

Cautious approach

In any event, he continues, the primary criterion concerning the functioning of the leadership is that it act with "composure": "It is clear to me that the way to reach the Torah state is not by revolutions and force, but calmly and patiently, and mainly by means of education and information efforts. I am not against religious legislation, but only in those cases in which the public at large can live with it."

Who will decide whether the public can live with it?

"Not the rabbis. Just as a rabbi cannot rule on whether someone who is sick should eat on Yom Kippur - he needs the expert physician to examine how sick the person is

- so, too, experts are needed in regard to religious legislation: the religious politicians. They are well informed about public affairs and they know what the public can digest in each period, and we have to rely on their opinion in this matter, just as we also have to rely on their opinion in the opposite case: on the question of which laws the religious public will not be able to live with."

Taking a cautious approach, Bar-Ilan refrains from providing relevant, present-day conclusions which might be thought to follow from his text - for example, when he is asked, on the basis of his constant emphasis on the obligation to respect the government and the judicial system, about the religious girls who recently denied the authority of that system and refused to identify themselves when questioned by the police about their presence at an illegal outpost in the West Bank. Bar-Ilan, one of whose four children was evacuated with his family from the Kfar Darom settlement in the disengagement from the Gaza Strip, is unwilling to give a direct answer: "My work contains the approach in principle toward the importance of obeying the law, but I do not take a stand on any current issue. In order to rule on a specific matter, one has to be familiar with all the conditions. Issuing a ruling is a very individual affair, which in many cases is influenced by the desire of the questioner himself. For example, if someone calls to ask whether he can attend a wedding even though he is in a year of mourning following the death of one of his parents, I tend to ask, 'Do you want a ruling that will exempt you from the happy event, or a ruling that will make it possible for you to attend it?' Because one can find endorsement for both possibilities in halakha. That is why I am also very careful in my congregation not to address current events in a general and public way, but only in response to a personal question someone asks me directly - and for the same reason I am not willing to address the question of the girls."

Rabbi Naftali Bar-Ilan might be unknown to the general public, but he enjoys a privileged lineage in the religious world. His great-grandfather, Rabbi Naftali-Zvi Berlin, was the last head of the Volozhin yeshiva, the "mother of the yeshivas," in the 19th century. Most of the important rabbis of Eastern Europe, among them Rabbi Kook, attended this yeshiva, as well as people who later gained fame in other areas, such as the poet Haim Nahman Bialik. Bar-Ilan's grandfather was Rabbi Meir Bar-Ilan, a leader of the religious Zionist movement in the pre-state period, who founded the daily newspaper Hatzofe and after whom Bar-Ilan University is named.

Naftali Bar-Ilan was born in 1942 in Rehovot, "but when Grandmother died we moved to Jerusalem, to live with Grandfather." The family later moved to Rehovot and then to Holon. Bar-Ilan attended a religious high school in Tel Aviv and was drafted as part of a group from the Bnei Akiva religious youth movement that served within the framework of the paramilitary Nahal infantry brigade. He also resided in a Bnei Akiva "commune" in Jerusalem during this period. Later, like many of the members of the religious elite of his generation, he attended Merkaz Harav Yeshiva in Jerusalem. He fought in the Paratroops in the battle for Jerusalem in the Six-Day War, but was wounded almost immediately and was thus not among those who entered the Old City.

After the war he took part in the legendary dialogue presented in "Siah lohamim" (English title: "The Seventh Day") with people from Merkaz Harav - an exchange that would later be cited as marking the onset of tension between the moral sensibility of the young kibbutz members and the uncompromising national-oriented approach of the yeshiva students. (The renowned kabbala scholar Gershon Scholem was sharply critical even of the Hebrew they spoke.) Bar-Ilan feels he and his fellow yeshiva students were misled in the dialogue: "They did not tell us that it was going to be part of a book that would juxtapose us, the 'fanatic zealots,' with the bleeding hearts who 'shoot and cry.' We had no idea that they were also holding other conversations and interviews."

After his years in the yeshiva, Bar-Ilan embarked on a completely different path from the political road taken by his more famous colleagues, among them Hanan Porat and Yoel Bin Nun, immersing himself in anonymity as a communal rabbi. He began his career as rabbi of Kibbutz Be'erot Yitzhak and for the past 30 years has served in his hometown of Rehovot. The most significant public position he has undertaken is in dealing with halakhic questions arising from medicine and psychology. He teaches kashrut (religious dietary) laws in the nutrition department of the Hebrew University's Faculty of Agriculture in Rehovot and is a member of the ethics committee in the city's Kaplan Hospital. But after decades it turns out that while his friends implemented a life project in the form of a settlement enterprise of uncertain future, it was he, the unknown, who implemented a major literary undertaking whose shelf life looks a lot more promising.

Asked if he thinks his friends may have taken the wrong road, Bar-Ilan, always circumspect, says: "Each person has to work according to his talents. I think the sphere I entered is quite neglected. There were, of course, many who did wonders, but until now we did not have the full picture of the laws of the state, and the full picture is very important."

Reviving an old idea

Naftali Bar-Ilan's propositions are undoubtedly the most detailed ever written in this vein, but hardly the first. Several efforts, most of them in the early years of Israel's

existence, were aimed at inducing the fledgling state to accept from the outset a constitution that would be based on the "law of the Torah." At that time a number of leaders of the religious Zionist movement were considered salient supporters of a constitution for Israel, notably MK Rabbi Zerach Warhaftig. Their hope was that the constitution would reflect a traditional Jewish approach.

The first attempt was by Dr. Leo Cohen, a legal expert, who was asked by the provisional government at the time to draw up a proposal for a constitution. He accepted the challenge, and his proposal, which was also debated by the Knesset, afterward served as a basis for discussion in the religious Zionist rabbinical world. Among the important figures who were interested then in the subject were the country's chief rabbis, Herzog and Uziel. About 18 years ago, Herzog's writings on the subject were published as a three-volume work entitled "Huka leYisrael al-pi hatorah" ("A Constitution for Israel According to the Torah"). One volume publishes Cohen's proposal together with comments by Herzog and other senior rabbis (including Bar-Ilan's grandfather, Meir Bar-Ilan). The other two volumes contain Herzog's views on some of the constitutional issues that concerned him (without any connection to Cohen's proposal). As Bar-Ilan notes, "Rabbi Herzog was bothered in particular by a number of cardinal issues: the question of the inheritance law (the disparity between the halachic approach, which discriminates in favor of the eldest son, and in favor of the males of the family in general, and the civil law on the subject) and the issue of the attitude toward gentiles. His book did not contain a systematic elaboration of all the subjects relating to the constitution of a democratic Jewish state."

After the failure of the attempts to persuade the Knesset and the public to accept a constitution of this kind, the religious politicians, including Warhaftig, became critics of the idea of a constitution in principle. Almost 60 years later, Bar-Ilan's opus revives the idea of a Torah-based constitution in a far more elaborate fashion, and also tackles questions that were not on the agenda at that time, such as economic and ecological issues.

YatedUSA Parshas Terumah 2 Adar I 5768 Halacha Discussion
by Rabbi Doniel Neustadt Adoption in Halachah

In numerous places in the Talmud, our Sages lavish praise on one who raises another person's child as his own.¹ Obviously, a matter as sensitive as adopting a child should only be undertaken with the guidance of an halachic authority who is experienced in these matters. When the adoption process conforms to halachic guidelines, it is considered to be a noble deed whose rewards are incalculable. What follows is a short primer to make those who are considering adoption aware of certain crucial issues before making this momentous decision.

Question: When considering an adoption, should one try to adopt a child who is born Jewish, or a non-Jewish child who will need to undergo conversion? Discussion: Both options have their advantages and disadvantages. Theoretically, a Jewish child would be preferable, since it is a great mitzvah to raise a Jewish child who may otherwise not have a Jewish home. In practice, however, it may prove difficult to verify the lineage (yichus) of the child, in which case problems may arise in the future when the time comes for him to enter into a halachically valid Jewish marriage. Thus, before adopting a Jewish child, one must thoroughly investigate the child's background to clarify his yichus. A non-Jewish child, however, has no yichus problem. At the time of adoption the child undergoes conversion, which allows the child to marry any person permitted to wed a convert. The drawback, however, is that the child must be told of his conversion when he or she reaches the age of maturity, thirteen for a boy and twelve for a girl. At that time, the child is given the option to reject the earlier conversion which took place without his consent. Should the child choose to reject his conversion, he would be rendered a non-Jew. Obviously, a non-Jew would not be adopted or raised as one's own child.³ [There is a possible solution that circumvents this eventuality. At the time of adoption, the parents can stipulate that the child is being halachically bought as an eved (a slave). When the time comes, the parents will halachically free the child. Freeing him renders him a complete Jew (a "righteous convert") who cannot reject his conversion.]

Question: Should the child be told that he is adopted? Discussion: Adopted children should be told of their origin at the earliest possible time. People who choose to hide the origin of their adopted children from them

may unwittingly cause these children grave halachic hardships or complications in the future and it is forbidden to do so.⁴

Question: What type of a "physical" relationship may the adoptive parents have with their adopted child? Discussion: Although in a spiritual sense an adopted child may be considered as one's own child, the poskim stress that this does not apply to physical contact. Yichud (being alone), hugging, kissing, etc., are not permitted as they are with one's natural child. Most poskim strictly forbid this type of physical contact.⁵ Yichud with an adopted child may be even more stringent than with a stranger, since it would fall under the category of libo gas bah.⁶ [Note that these halachos apply to foster children and stepchildren as well.] There is, however, a view⁷ that tends to be lenient on this issue. This view holds that when a child is adopted at a young age, we assume that a normal father/daughter or mother/son relationship has developed between them. We do not fear that any illicit relations will take place and hence do not restrict the parents from treating their adopted children as their own. This leniency applies only to children who were adopted before the age when yichud is prohibited, three for a girl and nine for a boy.⁸ A couple may not adopt a child of an older age unless they observe all restrictions of yichud and physical contact.⁹ Rav M. Feinstein¹⁰ also holds that yichud is permitted with adopted children, but for a different reason. No adoptive father, he suggests, would dare commit an illicit act with his adoptive daughter for fear of being found out by his wife upon her return home. That intimidation factor alone is enough to permit yichud. Consequently, as long as both adoptive parents are alive, married and living together in one home, yichud with an adopted child (in their home) is permitted.¹¹ According to Rav Feinstein, it is also permitted to kiss and hug an adopted child, since the kissing and hugging is done as any parent does to his or her child, which is permitted.¹² Others allow this only till the age of five or six.¹³ As we mentioned earlier, most poskim do not agree with this approach altogether. In their opinion, an adopted or a stepchild is just like any other stranger with whom yichud, hugging and kissing etc., are prohibited.

Question: How is an adopted child called to the Torah? Discussion: The poskim disagree as to whether an adopted child should be called to the Torah as the son of the adoptive father.¹⁴ Rav S.Z. Auerbach¹⁵ rules that if the biological father's name is known, then the child should be called to the Torah by that name. If the biological father's name is not known, then he may be called to the Torah as the son of the adoptive father. It is appropriate that a son serve as sheliach tzibbur after the passing of an adoptive parent. The standard rules of priority, however, do not apply and he does not take precedence over other mourners.¹⁶

Footnotes 1 Rav Y.Y. Kanievsky, among other eminent Torah giants, endorsed the practice for those unable to have children of their own; See Devar Halachah (addendum to fourth edition). See also Chazon Yechezkel (preface to Tosefta Yevamos), and ruling of Rav Y.H. Henkin, quoted in Yagel Yaakov, pg. 133. Rav Shlomo Kluger (Chochmas Shlomo, E.H. 1:1) holds that the mitzvah of procreation can be accomplished through adoption. Most other authorities do not agree with this.

2 Igros Moshe Y.D. 1:161-162; Kisvei Rav Henkin 2:86.

3 See Igros Moshe, Y.D. 1:162.

4 Igros Moshe E.H. 4:64-2; Kisvei Rav Henkin 2:99; Minchas Yitzchak 4:49; 5:44; 9:140; Otzar ha-Poskim, vol. 9, pg. 130; Rav S.Z. Auerbach (quoted in Nishmas Avraham, vol. 5, pg. 132). Rav Y. Kamenetsky (oral ruling) advised that adopted children be told of their origin before their teenage years.

5 Chazon Ish (quoted in Devar Halachah 7:20); Otzar ha-Poskim, vol. 9, pg. 132 ? written responsum from Tchebiner Rav and Rav Y.Y. Kanievsky; Rav Y.H. Henkin (Yagel Yaakov, pg. 134); Minchas Yitzchak 4:49; 9:140; Shevet ha-Levi 5:205-8; 6:196; Devar Yehoshua, E.H. 3:16-17; Nachalas Tzvi, vol. 1, pg. 150-151; Divrei Yatziv, E.H. 46; Rav S.Z. Auerbach and Rav Y.S. Elyashiv (quoted in Nishmas Avraham, vol. 5, pg. 134. See also Yashiv Moshe, pg. 191); Teshuvos v' Hanhagos 3:316.

6 Devar Halachah 7:20.

7 Tzitz Eliezer 6:40-21; 7:44, 45. Note that his view is stated as a limud zechus and in order to make it easier for abandoned children to find good, Jewish homes that would adopt them.

8 See The Weekly Halachah Discussion on Parshas Vayishev and Hebrew Notes, pg. 237, for an elaboration of the halachos concerning the age when yichud applies.

9 Tzitz Eliezer, *ibid*.

10 *Igros Moshe*, E.H. 4:64-2. See also *Igros Moshe*, E.H. 4:71 (concerning marrying a woman who has a daughter).

11 Nor does Rav Feinstein limit this leniency, as the Tzitz Eliezer does, to a child who was adopted before the age of three for a girl or nine for a boy. See also *Avnei Yashfei* 2:89-12.

12 Based on the *Shach*, Y.D. 157:10.

13 Rav S.Z. Auerbach and Rav Y.Y. Neuwirth (quoted in *Nishmas Avraham* vol. 5, pg. 135). For further explanation, see *The Weekly Halachah Discussion on Parshas Vayeishev* and *Hebrew Notes*, pg. 237.

14 *Minchas Yitzchak* 4:49; 5:44; 6:151, strictly prohibits this practice. See also ruling of Rav Y.E. Henkin (*Yagel Yaakov*, pg. 133). Other contemporary poskim find room for leniency; see *Lev Aryeh* 1:55 and *Nachalas Tzvi*, vol. 1, pg. 31-35.

15 Quoted in *Nishmas Avraham*, vol. 5, pg. 136 and in *Halichos Shlomo* 1:12-18. The same ruling applies to writing the adopted child's name in a *kesubah* or a *get*. See also *Igros Moshe*, E.H. 1:99; 4:26-2.

16 Rav S.Z. Auerbach (*Nishmas Avraham*, vol. 5, pg. 141).