

Mazal Tov to Adeena (Feinberg) and Jeremy Rosenfeld on the birth of a son. Mazal tov as well to all the proud grandparents, great-grandparents & uncles and aunts.



Rabbi Hershel Schachter
The TorahWeb Foundation
On Freedom and Independence

The commentaries on the Chumash find it difficult to understand why the exodus from Egypt had to be accomplished by means of a deception. Moshe Rabbeinu only requested three days off from slavery in order to worship the Jewish God, but he knew quite well that

they did not plan to ever return to slavery. Why did Hashem have Moshe fool Pharaoh?

Some have suggested (based on historical evidence) that in Egypt of old there was a law that no slave may worship any religion at all. Pharaoh's granting of permission for the Jewish slaves to worship the Jewish God implicitly meant that he was freeing them. Therefore, there was no deception at all.

In the Talmud (Gittin 40a) we find a similar idea regarding an eved K'nani. An eved K'nani did not put on tefillin. If a Jewish adon would encourage his eved K'nani to wear tefillin, this was understood as an implicit indication that he had just freed him.

The Talmud (Bava Metziah 10a) comments on the passuk (Vayikra 25:55) "ki li Bnei Yisroel avodim' velo avodim l'avodim – Jews are exclusively God's servants, and therefore it is improper for a Jew to sell himself as a slave". God wants us to be totally and absolutely subservient to Him and direct slaves of His. One who is a slave to another human being can not be totally committed to God.

On the Shalosh Regalim all Jewish men are obligated to visit the Beis Hamikdash and bring special korbanos, but women do not have this obligation. Any mitzvah which women are exempt from also does not apply to an eved K'nani, but a man who is half freed and still half eved K'nani is obligated to wear tzitzis and tefillin etc. because of the half of him that is free. However, with respect to the mitzvah of aliyah laregel, a man who is half freed and still half eved K'nani is exempt. That Talmud (Chagigah 4a) derives this from the phrase used in the passuk regarding aliyah laregel, "lir'os es penei ha'adon Hashem – to see the countenance of The Master Hashem". The use of the word "ha'adon – The Master" implies exclusivity and thus indicates that only one who is totally free of other masters can submit himself with total commitment to the servitude of Hashem.

Makkas bechoros is the only one of the ten plagues that we have mitzvos to remember. It was on the night that makkas bechoros occurred that Pharaoh made the official government declaration freeing the Jews. The mitzvos that recall makkas bechoros (pidyon haben, etc.) are not so much intended to recall the miracle involved in this makkah but rather to celebrate our gaining independence. Our independence enables us to commit ourselves to total and absolute subservience to God.

The Baal Hatanya writes (in Likutei Torah) that it is well known that it was during the period of the Second Temple that the rabbis instituted many gezeiros and harchokos, as opposed to the period of the First Temple. He suggested (based on Kabbalah sources) that at the time of the First Temple, since the Jewish people had independence, they were able to be totally committed to Hashem, and therefore the yetzer hara had less control over them. But during the period of the Second Temple, since they lacked independence, their commitment to Hashem suffered (by definition), and therefore there was a much greater need for gezeiros, because the yetzer hara had a stronger hold on the people.

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THE SECRET OF REDEMPTION :: Rabbi Berel Wein

The Torah readings of this month deal with the redemption of the Jewish people from Egyptian bondage. The Jewish world always saw the events of the redemption from Egypt as being the matrix and prototype of all future redemptions that would occur to Israel. The Torah emphasizes that the process of redemption is twofold and parallel.

Pharaoh, the outside enemy and oppressor has to be somehow convinced that it is no longer in the best interests of Egypt and of him personally to continue to enslave the Jewish people. But just as importantly, the Jewish people have to also be convinced that it is in its best interest to be freed from Egyptian bondage and to believe in the justice of their cause.

Moshe pleads correctly to God: "Behold the Jewish people do not believe in my words of redemption. How can I therefore expect Pharaoh to pay attention to them?" Eventually the Jewish people will believe in the justice of their cause and leave Egypt triumphantly and successfully. But it will take time, sacrifice and effort for that to happen. And tragically Jewish tradition informs us that many Jews who did not believe in their cause therefore never left Egypt, perishing and assimilating there in the country of their bondage and pain.

Pharaoh was banking on the fact that the Jewish people would not follow Moshe out of Egypt into the desert of Sinai. He listened to the naysayers of Israel and missed the true secret of Israel's redemption – belief in one's self and in the justice of the Jewish cause.

Throughout the ages, facing the overwhelming onslaughts of others faiths with hundreds of millions of adherents, Jews and Judaism stood fast in their beliefs and faith. There always were Jews who left the fold, who converted to other faiths, who had no faith to believe in at all, but the core of Israel remained steadfast in its way of life, value system and worldview. So much so that when Theodor Herzl, in assessing the chances for the rise of a Jewish state in the Land of Israel, over a century ago stated correctly: "If you will it then it will happen." Well, there were all types of Jews who were prepared to will it then and therefore it did happen. The Jewish people collectively then held no doubts about the justice of their cause, its necessity and its practicality, unlikely as the success of this venture appeared to be.

Herzl found a ready audience for his message because Jews believed for centuries on end that they would be redeemed from their exile and freed from the oppressive bondage that then prevailed upon them. It is difficult to imagine that Herzl's vision could have been fulfilled without that secret of redemption – the will of the people being present even before his Zionist movement was fully formed.

After World War II Ben Gurion upon visiting the DP camps in Europe was strengthened by the will of the survivors to continue to live, build and to come to the Land of Israel. As he said: "I came to try and give them strength and encouragement and I found that they were giving me necessary strength and encouragement." He discovered within these shattered remnants the secret of redemption – the iron will to believe and succeed.

Every generation faces its own tests and its moments of truth and decision. The past decade of the twenty-first century has not been kind to the Jewish people generally, the State of Israel particularly and to the Western world at large. Because of this, the secret of redemption has receded back to its secretive state for many Jews both here in Israel and in the Diaspora. There is a lack of will found amongst us that is engendered by a waning belief in the justice of our cause and of our eventual ability to triumph and succeed over the formidable odds that face us.

Many Jews are willing to abandon the entire enterprise of redemption. Let God take care of it. Or we are not worthy of it. Or we never believed in it originally. Or it was a mistake and cannot succeed in the long run. These

are essentially the same objections that were raised to the redemption of the Jews from Egypt.

These ideas led to the destruction not of the Jewish people as a whole but to the demise of a very large number of Jews who never made it to the moment of redemption. We dare not repeat this type of error. Convincing ourselves will go a long way in convincing others as well. Shabat shalom.

Weekly Parsha :: VAEIRA :: Rabbi Berel Wein

The Lord appears to Moshe at the beginning of this week's parsha with a recounting of His relationship with the fathers of Israel, Avraham, Yitzchak and Yaakov. The Talmud comments that the Lord, so to speak, complained that it is a sadness and loss that those who were once here and alive are no longer so. This is in connection with Moshe's complaint to God that since the beginning of his mission to Pharaoh and to the enslaved Jews things had gotten far worse instead of improving.

The fathers of Israel never complained in such a fashion when faced with their own many tests and challenges. They fully believed in God's promise that all would somehow turn out well for them and their descendants. Avraham and Yitzchak saw the "place from afar" and even though they would first have to undergo the supreme test of the akeidah – the proposed sacrifice of Yitzchak – they also saw "from afar" the Temple and the redemption of Israel that would take place on that very spot of Mount Moriah.

God always preaches patience and a long term outlook on events. The rabbis preached that the wise person was one who took the long term view of one's actions and is cognizant of how the future will view present behavior and ideals.

Moshe's task in Egypt is not to be fazed by the current rather bleak scene. Rather he himself must be able to see the future which will be better and even more importantly to have the Jewish people share his faith and belief in that better future. Moshe is to be held to the standard of faith of Avraham, Yitzchak and Yaakov.

It is interesting to note that God appears to Moshe and to the Jewish people always as the God of Avraham, Yitzchak and Yaakov and not as the Creator of the universe or other attributes that can be used to identify Him. We Jews imitate that type of description in the Amidah prayers that we recite thrice daily by blessing You, the God of Avraham, the God of Yitzchak and the God of Yaakov.

Our connection to God is through our parents, our ancestors, through the founders of our faith and people. Midrash tells us that the voice that spoke to Moshe at the burning bush sounded in Moshe's ears and heart as the voice of his father Amram. As long as Jews feel that the voice of their past is speaking to them even now they will yet have a valid connection to Godliness and holiness.

For so many Jews this ancient and vital chord of memory has been weakened if not even severed. God is therefore no longer a personal presence or factor in their lives. Truly they and we should mourn over "what has been lost and can no longer be found."

The Lord, so to speak, is the storekeeper who has serviced generations of our family granting them credit and sustenance and we are His latest customers applying for further credit from Him on the basis of our long term family relationship with Him. Truly the past lives within us. Shabat shalom.

Ohr Somayach :: Torah Weekly :: Parshat Vaera
For the week ending 16 January 2010 / 29 Tevet 5770
by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com
Overview

G-d tells Moshe to inform the Jewish People that He is going to take them out of Egypt. However, the Jewish People do not listen. G-d commands Moshe to go to Pharaoh and ask him to free the Jewish People. Although Aharon shows Pharaoh a sign by turning a staff into a snake, Pharaoh's

magicians copy the sign, emboldening Pharaoh to refuse the request. G-d punishes the Egyptians and sends plagues of blood and frogs, but the magicians copy these miracles on a smaller scale, again encouraging Pharaoh to be obstinate. After the plague of lice, Pharaoh's magicians concede that only G-d could be performing these miracles. Only the Egyptians, and not the Jews in Goshen, suffer during the plagues. The onslaught continues with wild animals, pestilence, boils and fiery hail. However, despite Moshe's offers to end the plagues if Pharaoh will let the Jewish People leave, Pharaoh continues to harden his heart and refuses.

Insights

To Drink Or Not To Drink?

"And I shall bring you to the Land..." (6:8)

One of my childhood's magical moments at the Pesach Seder was when I was dispatched to open the front door for Eliyahu HaNavi – Elijah the Prophet.

I would stand there gazing into the somewhat unpromising night air of Hampstead Garden Suburb hoping to catch a glimpse of our illustrious and elusive guest.

Not too long ago here in our house in Jerusalem at the Yom Tov meal on the first day of Pesach, I took the cup of Eliyahu — that had been covered from the previous night — to use it for the morning Kiddush. As I removed the plate we all saw that the cup was barely three quarters full, far below its level at the Seder.

My younger son offered this as proof positive that Eliyahu had indeed visited us the previous night.

Why is this cup of wine — that we pour but don't drink — called the cup of Eliyahu?

Rabbi Yochanan explains that the four cups of wine that we drink at the Seder correspond to the four "redemptions" of which the Torah speaks: "I shall take you out ..." "I will rescue you..." "I will redeem you..." and "I shall take you to me..." (Talmud Yerushalmi Pesachim 9:1)

However, there is a fifth redemption written in the Torah, "I shall bring you to the Land..."

Why then don't we drink five cups at the Seder?

In fact, there is a dispute amongst the early commentators, if indeed we should drink a fifth cup or not.

Thus our custom is to pour the cup but not to drink it.

But why is this called the cup of Eliyahu HaNavi?

In the time of the Mashiach, Eliyahu will return to us. It is he who will reconcile all previously unresolved halachic questions, and he will also resolve the question of the fifth cup: To drink or not to drink?

•Sources – The Vilna Gaon, Talmud Bavli Pesachim 118

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Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Vaera

This was Aharon and Moshe. (6:26)

Rashi notes that in some places Moshe precedes Aharon, while, in others, the Torah lists Aharon's name prior to Moshe's. He explains that this teaches us that they were equal to one another. This is surprising, given that Moshe Rabbeinu was the greatest prophet of all time; Hashem selected him to be the individual through whom the Torah would be given; Moshe was the rebbe of all Klal Yisrael, as well as its quintessential leader. Clearly, he had to have been greater than Aharon. Horav Moshe Feinstein, zl, responds to this discrepancy in two ways, both of which can teach us profound lessons.

First, although Moshe's power was greater than that of Aharon, the mere fact that Moshe could not do it alone, that he needed Aharon to be his "partner" in catalyzing the redemption, indicates that Aharon had an element of equality with his brother. It is no different than a business partnership, in which one partner might play a greater role in the running of the business. Since the enterprise would not function without the participation of both, however, they were equals in that sense. An organization has leadership, but it cannot operate without the cooperation of its entire staff. Thus, in a sense, all members of the staff should be considered to be equal.

Second, Aharon is considered to be Moshe's equal, since throughout his life he carried out Hashem's will to the utmost of his ability and with total conviction. Veritably, Moshe was more capable. Therefore, Hashem gave him greater responsibility and instructed him to perform more significant tasks. As far as their dedication and commitment, however, they were both equal.

We find individuals who are not blessed with superior talents or outstanding acumen. Yet, they produce and achieve to their maximum potential. Truthfully, they are on a higher plane than those who have been granted superior capabilities but do not utilize their talents to the maximum. Moshe and Aharon were dissimilar in their abilities, but are considered equal in that they each achieved to the limit of his individual potential.

And you shall know that I am Hashem your G-d, Who takes you out from under the burdens of Egypt. (6:7)

The above pasuk seems redundant since, previously in pasuk 6, the Torah writes, "And I will take you out from under the burdens of Egypt." What is added by the words, v'yidatem, "and you will know"? It is almost as if all of the miracles Klal Yisrael experienced in Egypt, followed by the splitting of the Red Sea, were insufficient in raising Klal Yisrael to the level of yediah, knowledge. What were they lacking in order to achieve the level of "v'yadatem"? Horav Sholom Schwadron, zl, explains that v'yadatem occurs after the pasuk, v'Lakachti eschem le'am, "And I will take you to Me for a nation," which signifies the giving of the Torah. Only after the Jewish nation accepted the Torah did the people acquire the ability and the tools to really "know" Hashem in the true spiritual sense of the word. Their connection with Torah became one by which they transcended physicality and materialism, both obstacles which prevent the development of a profound understanding of Hashem.

The ten plagues were undeniably a miraculous experience for both the Egyptians and the Jews. The Torah makes a point of listing these plagues in great detail. Why? What does all of the detail accomplish? The Chazon Ish, zl, explains that the intention was not to prove to a world of non-believers that the Jewish faith is real and it is true. Rather, it is for the benefit of those who already believe in Hashem. The non-believers are not stirred by the miracles. They find some scientific phenomena - or natural occurrence - to validate their non-belief. Neither is the Torah likely to have an effect on their thinking, nor any other form of proof. The believer, however, does not really need proof. He believes in Hashem because he has faith. He recognizes the truth. The purpose is to relate the story of the Exodus, so that he will know what occurred and so that he can observe the commandment of remembering the Exodus daily. In other words, it is all about knowing. For some, their belief leads to knowledge, while others refuse to know the truth.

Hashem actually conceals His miracles under a veil of nature. He wants man to seek the miraculous within nature in order to reveal the truth. The non-believer always finds excuses. The believer is charged to concretize his belief to the point that he knows the truth. He can only accomplish this through his affiliation with Torah.

Horav Shlomo Wolbe, zl, related that he once sought advice from Horav Yechezkel Levinstein, zl, concerning a difficult student in the yeshivah. The revered Mashgiach of Ponevez gave his response, and, as Rav Wolbe was about to leave, the Mashgiach called him back. Rav Chatzkel looked at him and asked, "Tell me: Do you know that there is a Borei Olam, Creator of the World?" Rav Wolbe reviewed the question a number of times in his mind before replying, "Yes, I know that there is a Creator."

Rav Chatzkel was not satisfied with his response, and he repeated the question, "Do you really know that there is a Creator?" Once again, Rav Wolbe creased his forehead in deep thought and replied, "Yes. I know that there is a Creator." Rav Chatzkel countered, "So, if you are so certain that there is a Creator, return and share this awareness with the students of your yeshivah."

Understandably, Rav Wolbe was troubled by this mysterious dialogue. What did the Mashgiach want? What was he trying to convey to him? Two weeks later, as Rav Wolbe was taking a walk, immersed in deep thought, an understanding of the Mashgiach's words suddenly dawned on him. He

realized that it was possible for one to be completely observant, yet unaware of the existence of Hashem. The individual performs all that is asked of him, yet he still has no relationship with the One Who commanded him to carry out these mitzvos. This is what the Mashgiach was intimating when he instructed him to share his awareness of Hashem with the students. It was necessary for them to hear about Hashem from an individual who had this elusive relationship. They had to hear it from someone who did not just "believe," but from someone who "knew" Hashem - someone who felt a strong relationship with the Almighty - someone who felt connected to Hashem at every moment, at every juncture. An individual who recognizes and is constantly aware of Hashem's Presence strolls through the palace of the King, because he understands that he is always in the presence of the King.

Not everyone seeks to know the truth, as a result of the added responsibilities this awareness incurs. Let me explain. The Torah refers to the two ancestors of the wife of Elazar ben Aharon HaKohen as Putiel. This is a reference to both Yisro and Yosef. Yisro is called Putiel, since, prior to the time in which he learned about Hashem, he would fatten calves for idolatrous worship. In this sense, Putiel is a construct of piteim, fatten, and la'eil, to god. Yosef, his other ancestor, is called Putiel due to his ability to vanquish his yetzer hora, evil inclination, when Potifar's wife attempted to seduce him. In this instance, Putiel is a derivative of pitpeit, which means to oppose or disparage.

At first glance, Yisro, who had seven names, is being referred to by a name that has a negative connotation. The other names seem much more praiseworthy. Why, in connection to Elazar's wife, does the Torah use a name that alludes to a derogatory aspect of Yisro's spiritual journey?

Horav Mordechai Gifter, zl, opines that it all depends through which perspective we seek to view Yisro. The name Putiel might not seem to signify the most laudatory qualities, but appearances can be deceiving. While it is true that Yisro worshipped every idol under the sun, it was all in an attempt to ascertain which one was real, which one was true. It took time, but eventually he found Hashem, the only true G-d. True, fattening calves for idol worship seems highly negative, but Yisro did this for one purpose: in search of the truth. The name Putiel, thus, signifies Yisro's quest for truth, which is a totally positive trait.

Character traits are no different than physical DNA: they both carry over to the next generation. The hereditary effect occurs in such a manner that Yisro's search for the truth, which was a part of his essence, also became an inherent component of the character makeup of his descendant. This heritage evidenced when Elazar HaKohen's son, Pinchas, slew Zimri ben Salu, the Nasi, Prince, of the tribe of Shimon, who publicly consorted with a Midyanite woman, defying Moshe Rabbeinu and the spiritual leadership of the Jewish People. When this rebellion took place, an immediate response to the outrage was lacking. Indeed, the Zekeinim, Elders, wept at the entrance to the Ohel Moed. Chazal explain that their weeping was generated by the fact that they had forgotten the halachic response to Zimri's mutiny. Halachah requires a kanai, person who is inspired to act zealously, a true zealot, whose commitment to Hashem and His Torah is uncompromising, to slay the transgressor. One person, however, came forward and acted appropriately: Pinchas. He did not forget the law, because, as Yisro's grandson, he was imbued with a burning desire and uncanny ability to uncover the truth. He recalled the halachah and, as a result, saved Klal Yisrael.

Yes, some individuals have the ability - but lack the desire - to search for the truth. Others have the desire, but are not equipped to deal with the challenges that one must overcome in achieving a successful result. In any event, both of them are handicapped by their incapacity to access the truth.

And Moshe and Aharon did just as Hashem commanded them... And Moshe was eighty years old, and Aharon was eighty-three years old when they spoke with Pharaoh. (7:6,7)

Hashem describes the entire scenario which would occur when Moshe Rabbeinu and Aharon Hakohen were to present their case to Pharaoh. Everything in the pesukim seems to fit together except the last pasuk, which notifies us about the ages of Moshe and Aharon when they stood before Pharaoh. This bit of information seems out of place in the context of

the sequence of pesukim. Horav Shimon Schwab, zl, suggests the following solution to this problem. When we consider the timing of Aharon's birth, we realize that it coincides with the general time frame in which Pharaoh decreed that all Jewish male infants should be killed at birth. Moshe was born three years later, when Pharaoh's decree to have Jewish infants thrown into the Nile River was in effect. Indeed, the root of Aharon's name is *harah*, which means conception. This might be interpreted as a special thanks to Hashem for allowing this infant to see the light of day, at a time when most other Jewish infants were being put to death.

Keeping the above in mind, we see that Moshe and Aharon were projecting a powerful message to Pharaoh: his decrees were meaningless against Hashem. They were living and breathing examples of the futility of his machinations against the Jews. He decreed that all infant Jewish males be killed. They were "survivors" of his decrees, and they were destined to be the ones who would lead the Jewish people from his country. Pharaoh could not contend with Hashem.

A number of lessons can be derived from here. First, man is not in control. He is nothing but a pawn in the hands of Hashem. Second, situations are not what they seem. The Jews in Egypt must have thought that it was all over; their chances of salvation were slim to nil, at best. Yet, Hashem turned the tables on Pharaoh, and the Jews were liberated. One should never give in to despair, for during man's bleakest hour, a ray of hope can spring forth that can illuminate the darkest situations. Last, it is the individual who is least expected to succeed who can emerge as tomorrow's leader. Moshe and Aharon should have succumbed to Pharaoh's decree. Yet, not only did Moshe live, but he was raised in Pharaoh's palace under the watchful eye of Pharaoh's own daughter! Appearances are deceiving, especially when they contradict Hashem's Divine Plan.

Hashem carried out the word of Moshe. (8:9)

Moshe Rabbeinu petitioned Hashem to remove the frogs from Egypt, and Hashem responded positively to his plea. This is consistent with the Rabbinic dictum, *Tzadik gozeir v'Hakadosh Boruch Hu mekayeim*, "The righteous person decrees, and Hashem fulfills his request." While there is no dearth of stories confirming this adage, I recently saw one which I feel is quite inspirational. A number of years ago, in the city of Petach Tikvah, a recent *oleh*, immigrant, to the Holy Land, was called up to the Torah. He began to recite the *brachah*, blessing. Suddenly, he broke down in bitter weeping. He could not continue, and he had to sit down, whereupon he continued his uncontrolled sobbing for some time.

After the davening was concluded, the man told his story: "Today is my birthday. I was born eighty-three years ago. The last time I had an *aliyah* to the Torah was on my *bar mitzvah*, seventy years ago. The event took place in Vilna, in the *shul* of the *gadol ha'dor*, pre-eminent leader of the generation, Horav Chaim Ozer Grodzenski, zl. After my *aliyah*, Rav Chaim Ozer called my father over and queried him concerning my school. My father responded that I went to the local gymnasium, a secular school.

"At that moment, Rav Chaim Ozer grabbed my father by the lapel of his suit and said, 'You should know, that if your son continues his education in a secular school and does not receive a Torah education, he will assimilate, and seventy years will pass before he will again be called up to the Torah.' Regrettably, my father ignored the sage's warning, and exactly seventy years have gone by since my last *aliyah*. This is why I broke down." Interestingly, the street in Petach Tikvah on which the *shul* was located was *Rechov Chaim Ozer*. One does not ignore the admonition of a *tzadik*. Hashem does not; we certainly should not either.

Pharaoh sent and summoned Moshe and Aharon and said to them, "This time I have sinned; Hashem is the Righteous One, and I and my People are the wicked ones." (9:27)

Pharaoh's paradoxical reactions to the plagues never cease to amaze the reader. He stubbornly endured six devastating plagues, never once conceding that he was wrong, that he was a sinner, a despot who had enslaved an entire nation for no reason. He suffered and subjected his nation to suffering, but at no time was he going to admit that he was evil and that Hashem was righteous. Then along came the seventh plague. The plague of hail did something to his resolve. "This time I have sinned; G-d

is the righteous One, and I and my people are the wicked ones." Something about this particular plague catalyzed Pharaoh's about-face. What was it?

The *Daas Zekeinim m'Baalei Tosfos* explain that prior to the plague of hail, Hashem had Moshe Rabbeinu warn Pharaoh and the Egyptians concerning the devastating nature of this plague. "And now send, gather in your livestock and everything that you have in the field; all the people and animals that are found in the field that are not gathered in the house, the hail shall descend upon them and they shall die" (*ibid.* 9:19). Pharaoh acknowledged Hashem's righteousness for offering sufficient warning to the people and the cattle. The Egyptians, for the most part, were wicked and ignored the warning, thus allowing their cattle to be killed.

This commentary begs elucidation. It is not as if Moshe had not warned Pharaoh prior to the other plagues, but Pharaoh had ignored his warnings. What was there about this warning that produced such a positive reaction from Pharaoh? The warning seems to have been the same as the previous ones.

Horav A. Henach Leibowitz, zl, explains that this warning was different than the others. This warning demonstrated Hashem's altruism, His profound sense of *chesed*, kindness, His boundless compassion. True, before the previous plagues, Hashem had warned Pharaoh that they were going to be seriously affected by the upcoming plague. Hashem always told Pharaoh that it all could be averted if he would release the Jews. This time, Hashem went one step further. He told Pharaoh to take in the cattle. Why should they suffer? Why should they be subjugated to gruesome, painful deaths? They had done nothing. Pharaoh may be perverse, but the cattle need not be victims of his obstinacy. Pharaoh not only recognized Hashem's righteousness in caring for the innocent animals, but he also underscored Hashem's righteousness, despite the fact that he and his entire nation had disregarded the previous warnings. The idea that they were beneficiaries of a genuinely selfless act of kindness made an incredible impression on Pharaoh, to the point that he was compelled to concede his guilt.

A number of lessons can be derived herein. I will focus on one: selfless devotion, genuine concern, wholehearted kindness. They all describe the same trait. Many of us act kindly towards others, but how many are genuine? How often do we have a self-serving, underlying motive for our actions? While the most important thing is the result, the motive plays a critical role in how an act of kindness is presented, and how willing we are to repeat it. We all seek ways to make a good and lasting impression on others, whether it be in business, education or simply in social relationships. Who is not trying to make friends and influence people? Pharaoh, the evil oppressor of the Jews, was moved by Hashem's sincere kindness to the animals. This speaks volumes about acts of loving-kindness, especially when they are sincere. It is not only the good that we do that is important, but the accompanying attitude also makes a world of difference.

Horav Avraham Pam, zl, was a *Rosh Yeshivah* par excellence. He was also an individual who set the standard for the Torah world in terms of *chesed*, acts of loving-kindness. His sensitivity to all people was legendary and continues to inspire people until this very day. In his book, "Stories From the Heart," Rabbi Binyamin Pruzansky relates an inspiring story concerning Rav Pam which emphasizes the principle of acting with sincerity.

An elderly Jew was laying critically ill in a hospital which was situated in an area of Brooklyn which one goes to only if he has reason to be in the hospital. The patient's son, a distinguished *rav* and student of Rav Pam, was sitting with his father, keeping him company, attempting to soothe the pain with his words of comfort and encouragement. His father dozed for a short while. When he awoke, he made an unusual request of his son, "I want you to go and ask your *rebbe*, Rav Pam, to come to the hospital and give me a *brachah*, blessing, to leave this hospital a healthy man." This was a highly unusual request. One does not just ask a distinguished *Rosh Yeshivah*, whose every moment is either spent learning, teaching, or in the service of *Klal Yisrael*, to take off part of a day to visit someone in the hospital. The patient's son was actually hoping that his father would forget about his request. He wasn't prepared to impose on Rav Pam. He had no

such luck. The very next day his father asked him, "Nu, did you speak to the Rosh Yeshivah? What did he say?" Clearly, his father really wanted this, and his request was not going away. His father truly yearned for Rav Pam's brachah.

Kibud Av is a powerful motivational force, and the son went to his rebbe. "My father is a patient in the hospital. He asked if there was any way the Rosh Yeshivah could visit him and give him a brachah," the son meekly asked Rav Pam.

The Rosh Yeshivah replied, "I would love to visit your father, but there is one problem: I am a Kohen, and, therefore, do not go to hospitals, but let me think. Maybe there is a way that we can work something out." The Rosh Yeshivah thought for a moment and asked, "Is there a window in your father's room? Can your father get over to the window?"

"I think so," replied the son.

"Then, I have a plan. At 2:00 p.m. on Tuesday, bring your father over to the window. I will stand on the street and wave up to him. When I see him, I will give him my brachah for a speedy recovery."

That is exactly what happened. Rav Pam's sincere love of chesed, his genuine desire to help lift the spirits of another Jew, made a difference in the patient's recuperation. He could have easily denied the request. Not only did he not refuse, he sought every possibility to make it happen.

Chesed is not always about visiting the sick, bringing food to the shut-in, or giving sustenance to the poverty-stricken. It is about smiling at those who need it, listening to the problems - even if they might be imaginary - of those who need a listening ear, and just being there for those who are alone. Listening to those who have a need to be heard is an incredible act of kindness. Oftentimes, one must listen to boring, mundane - even foolish - complaints, anecdotes and personal stories; but, that is exactly what the other person needs: someone who will listen.

Chacham Yaakov Ades, zl, Rosh Yeshivah of Porat Yosef was an individual whose sensitive heart complemented his brilliant mind. The Rosh Yeshivah's shiur was scheduled to begin in fifteen minutes. One would expect that he would be in his office engrossed in his preparation. His son went to walk with him to the bais hamedrash. His father was sitting in his office, listening to an elderly woman drone on about her family, her children, their babysitters, the schools that her grandchildren attended, etc. R' Ades's son could not understand how his father could waste such precious time talking to this woman. Furthermore, his father talked with her as if he did not have a care in the world.

"Father, the shiur is in ten minutes," the son called in.

"Oh my," the woman gasped. "I am sorry, R' Ades. I have taken up so much of your time."

"No, no," the Rosh Yeshivah countered. "I enjoyed your visit. Please feel free to come whenever you want."

His father's words kept on reverberating in his ears. "I enjoyed your visit." He even welcomed her to return whenever she wanted. His father had no free time. He remained in the yeshivah until ten o'clock at night, returning home to respond to the request of petitioners and to bless them. He finally retired for a few hours. At 2:00 A.M., he delivered a shiur, lecture, to a group of working men who had no other time to learn. This continued until sunrise, when he would daven. Then his regular daily routine began once again. When would he have time for this woman?

Finally, he asked his father, "You always taught me concerning the value of time. Why, then, do you allow that woman to tell you stories that have no meaning? All she does is repeat them over and over again. She has been here three times this month. Is that not a waste of time?"

R' Ades replied, "My son, that woman is a widow. She needs someone to talk to, someone who will listen, someone who will make her feel important. The Torah admonishes us to take great care concerning the feelings of a widow. I am prepared to listen to her stories over and over again. Chesed is defined by the needs of the beneficiary - not by the ability of the benefactor."

Va'ani Tefillah

Va'yaamideim la'ad l'olam.

He placed them so that they would last forever.

The S'fas Emes notes that the word la'ad, forever, can also be read as l'eid, for/as a witness. One should realize that everything in this world attests to its Creator. Anyone with a modicum of sense understands that nothing in this world could have just "happened" or "evolved." Everything is here by design as a part of Hashem's Divine Plan. Thus, the creation testifies to the Oneness of Hashem, His singularity, for such a diverse world with its unique harmony would only have been created by one Creator.

Horav Avigdor Miller, zl, adds that the praise offered by the various creations is especially magnified when one takes into consideration that this all took place as the result of Hashem's "command." He said, Yehi, "Let there be!" and it was! Also, the fact is that all that Hashem originally created remains standing forever. The components of our solar system have never suffered internal upheavals or collisions with one another. Each one is in its place since Creation; neither the sun nor the moon have been diminished perceptibly. After more than 5700 years, we continue to see clearly that which is testimony to the Master Architect Whose creations are of the most enduring quality.

l'zechar nishmas R' Yaakov Shimon ben Yisrael Tzvi z"l. Mrs. Helen Pollack, Mrs. Patti Pollack, Rivki & Yossi Kornfeld, Mendy & Raizy Pollack, Yoni & Bumie Goldstein, Avi & Estee Pollack, Pnina & Stephen Glassman, Moti & Evy Pollack

Rabbi Yissocher Frand on Parshas Va'eyra

Pharaoh Underestimated Moshe's Empathy For His Brethren

The parshiyos at the beginning of the book of Shmos all recount the terrible enslavement the Jewish people endured in Egypt. The enslavement was so intense that even when Moshe came to Klal Yisrael to announce their impending redemption, the pasuk [verse] informs us that "They were unable to listen to him out of shortness of spirit and hard work." [Shmos 6:9]

Rav Yonasan Eibeshutz [Tiferes Yonasan] asks why Pharaoh excused the entire Tribe of Levy from servitude. It seems uncharacteristic of the ruthless ruler to give such a dispensation. Rav Yonasan Eibeshutz answers that Pharaoh saw through his astrologers that the eventual redeemer of Israel would come from this tribe. Pharaoh reasoned that a person who was not part of the pain and suffering of the people would never be able to redeem them. Simply, he would not be able politically to rally the people behind him. The masses would discount his ability to lead them by virtue of the fact that he was not one with them during their time of suffering.

This indeed is how Rav Yonasan Eibeshutz interprets the above referenced pasuk. The people were not able to listen to Moshe because of the fact that they had experienced shortness of spirit and hard work - and he never had. Moshe lived in the lap of luxury. They were not ready to listen to him or to let him become their redeemer!

Pharaoh's logic seemed very reasonable. So where did he go wrong? His error was that he underestimated what the Torah highlights as the most prominent character trait of Moshe Rabbeinu. If we look back in Parshas Shmos, we notice that there is very little we are told about Moshe Rabbeinu before he became the leader. We are told "Vayigdal Moshe" [Moshe grew up], which Rashi says means he became prominent in Pharaoh's household - he became a prince. He could have stayed in the luxury of the palace and sufficed with saying a few chapters of Tehillim for his brethren. But Moshe Rabbeinu went out. He went out to see what was happening with his brothers and he saw their suffering. He risked his life by killing the Egyptian, thereby taking part in the misery and the drama of his brethren's enslavement. He identified not only with the "macro" suffering of his brothers, but with that of each individual, as indicated by his rescue of the unfortunate Jew being beaten by the Egyptian. Even when two Jews were fighting, he came to the rescue of the victim, again demonstrating his attribute of empathy and association for the burden of his fellow man (noseh b'ol chaveiro). In Midyan, he again came to the rescue of Yisro's daughters because his personality could not tolerate oppression. Finally, we are told that he watered the flocks.

In all these descriptions, the Torah emphasizes over and over again that Moshe demonstrated the character trait that Pharaoh thought he would never have - the attribute of empathy for the suffering of others. Logically,

Pharaoh was right, but he underestimated Moshe's strength of character that despite the fact that he was not part of the enslavement, he did feel the pain as acutely as anyone who experienced it personally.

Giving Pharaoh His Due Respect

The pasuk says, "And Hashem spoke to Moshe and Aharon and commanded them regarding the Children of Israel and regarding Pharaoh, King of Egypt, to take the Children of Israel out of Egypt" [Shmos 6:13]. Rashi comments that Moshe was commanded to deal respectfully with Pharaoh, by virtue of his role as King. We derive from here that we are obligated to give honor to monarchy (malchus). Even though Moshe was called upon to warn, threaten, and rebuke Pharaoh, he was commanded to deliver all of these messages with respect and honor.

There are some pasukim at the end of the parsha that seem very strange. At the conclusion of the plague of hail, Moshe tells Pharaoh, "When I leave the city, I shall spread out my hands to Hashem, the thunder will cease and the hail will no longer be, so that you shall know that the earth is Hashem's..." [Shmos 9:29]. Then the Torah says, "The flax and the barley were struck, for the barley was ripe and the flax was in its stalk. And the wheat and the spelt were not struck; for they ripen later. (They were softer and did not break from the force of the hail's impact.)" [Shmos 9: 31-32]

The insertion of these pesukim is quite strange. In the middle of the dialogue between Moshe Rabbeinu and Pharaoh, Pharaoh says, "Stop this. I can't take it." Moshe agrees and tells Pharaoh what he would have to do to stop the plague. The narration should have continued directly with pasuk 33 - "And Moshe went out from Pharaoh, from the city, and he stretched out his hands to Hashem, the thunder and hail ceased and rain did not reach the earth." At this point, when the plague was over, perhaps it would be appropriate to give us the damage assessment documenting the fact that the barley and flax were damaged and the wheat and spelt were not. Why, however, is this damage assessment stuck right in the middle of the dialogue between Moshe and Pharaoh, regarding cessation of the plague?

The Ramban asks this question. The Ramban quotes an answer in the name of Rav Sadiah Gaon that pasukim 31-32 are in fact not the Torah's narrative of damage assessment, but are a continuation of Moshe's words to Pharaoh. Rav Sadiah explains that Moshe was informing Pharaoh that although he would be able to stop the plague, he was not able to undo the damage that was already done. Moshe told Pharaoh that it was too late to do anything about the ruined barley and flax crops, but that he could still salvage the wheat and spelt crops.

The Ramban is not satisfied with Rav Sadiah Gaon's interpretation. The Ramban gives his own interpretation. However, I saw a very interesting interpretation in the Sefer Kometz HaMincha from Rav Chanoch Ehrentroy. Pasukim 31-32 are indeed the words of Moshe Rabbeinu and part of the dialog with Pharaoh. But, unlike the approach of Rav Sadiah Gaon, they are not meant as a "damage report". Moshe was sending Pharaoh a message.

The Gemara says [Tanis 20a]: A person should rather be soft like a reed than stiff like a cedar tree. In terms of personality and behavior, a person should be flexible, bendable like the reed. He should not be inflexible like the cedar. Why? When there is a windstorm with hail and driving winds, a reed that is flexible will bend and survive. The cedar will either stand up to the wind or will break in half.

Moshe could have been rude and told the King of Egypt: "Wake up and smell the coffee, Pharaoh. You are doomed! Look where your obstinacy has gotten you. You have ruined the country. Everyone is suffering because of you. Don't be such a stubborn idiot! Listen to Hashem already!"

That is how he could have talked to Pharaoh. However, mindful of G-d's exhortation regarding Kavod Malchus [honor due the King], Moshe delivered his message in a much more gentle fashion. Moshe politely told Pharaoh to look out his window and consider how the respective crops fared during the storm of hail. The flax and barley were broken because they were too inflexible. That is what happens when something is inflexible. The wheat and spelt on the other hand were flexible and they survived. The message was the same, but it was delivered in a more subtle

fashion, out of respect for the monarchy. V'hamayven yavin. [And the one who understands will understand.]

Transcribed by David Twersky Seattle, WA; Technical Assistance by David Hoffman, Baltimore, MD
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Parshas Va'eirah: Raise the Baton! By Rabbi Mordechai Kamenetzky

In this week's parsha, once again, Hashem sent Moshe and Ahron to Pharaoh in a second effort to sway his heart and have him change his mind to let the Hebrews leave Egypt. Unlike the unembellished appeal in last week's portion, this time they were equipped with more than pleas - this time they came with miracles. Standing in front of the ruler, Ahron threw his stick down and it turned into a snake. Pharaoh was not impressed. He countered with a little magic of his own. His sorcerers matched the miraculous stick-to-snake act by having his spooks throw down their sticks and by transforming them into snakes.

Ahron one-upped the Egyptian magicians as his stick swallowed all of their sticks. But that obviously was not enough. Pharaoh's heart was once again hardened and he refused to let the Jews leave Egypt. And so, Hashem decided that the benign miracles would not be effective with the stubborn king. It was time for the heavy artillery — the ten plagues.

Hashem commands Moshe: "Go to Pharaoh in the morning — behold! He goes out to the water — and you shall stand opposite him at the river's bank, and the staff that was turned into a snake you shall take in your hand" (Exodus 7:15). A simple question bothers me. Moshe had only one special stick. There are various Midrashic explanations as to its origin, but everyone agrees it was a unique one. It was a special one with special powers. Moshe may have been a leader of many hats, but he only carried one stick. Why did Hashem need to define the stick as the one that turned into a snake? He could have simply asked Moshe to come with his stick. Moshe would surely have known exactly which stick Hashem wanted him to take.

Charles Lutwidge Dodgson is better known to us as Lewis Carroll, author of the 1865 children's fantasy story, Alice in Wonderland. What most of us do not know about him was that he was also a brilliant mathematician spending more than twenty-five years teaching at Oxford University.

An apocryphal story relates that Queen Victoria was so delighted after reading his fantasy-laced novel, Alice in Wonderland that she asked him to send her any other works penned by the same quill. Dodgson responded immediately, but the Queen was somewhat taken aback when she received two of his other works, Syllabus of Plane Algebraical Geometry and An Elementary Treatise on Determinants.

We tend to look at the world and forget that routine natural events are also replete with awe-inspiring miracles and supernatural properties. We become acclimated to the mundane miracles of life so that we also shrug when Hashem turns proverbial sticks into proverbial snakes. We feel we can do that too!

Therefore, before orchestrating the largest insubordination of natural law in world history, by turning the flowing Nile into a virtual blood bath, Moshe is told to bring with him the stick that Pharaoh only considered to be capable of performing minor miracles. Moshe is told that the same stick that was not able to impress Pharaoh has the ability to shatter the Egyptian economy and with it the haughty attitude that kept the Hebrew nation enslaved.

Sometimes our marvel of G-d's wonders is dulled by the scoffing of the naysayers. They lead us to forget that the same power behind the minor miracles of life are the generators of great miracles that we can hardly fathom and surely not anticipate! Even the incomprehensible miracle of life itself is blunted by its ongoing regularity. Our emotions become bored and our intellect spoiled with the majestic events that are considered trite by their regular reoccurrence. And when we fail to see the greatness of genius in the wonderland in which we live, we expect G-d to send us a more prominent message. But we must never forget that even the most

awe-inspiring message comes from the same Hand and Stick that bring us the simplest benign worms!

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Dvar Torah
by Rabbi Label Lam
Communication

And Moshe spoke before HASHEM saying, "They, the Children of Israel will not listen to me and how will Pharaoh listen to me and I am of uncircumcised lips. (Shemos 6:12)...HASHEM said to Moshe, "See, I have made you a master over Pharaoh, and Aaron your brother shall be your spokesman. You shall speak everything that I command you, and Aaron your brother shall speak to Pharaoh, that he should send the Children of Israel, from his land. But I shall harden Pharaoh's heart and I multiply My signs and My wonders in the land of Egypt. Pharaoh will not heed you, and you shall put My hand upon Egypt; and I shall take out My legions-My people the Children of Israel- from the land of Egypt, with great judgments. And Egypt shall know that I am HASHEM, when I stretch out My hand over Egypt; and I shall take the Children of Israel out from among them." (Shemos 7:1-5)

What is the nature of Moshe's complaint? He correctly claims that the Children of Israel and (how much more so) Pharaoh refuse to listen and then he goes back to an old argument and states again that he has uncircumcised lips. Why does he regress? Is this a restatement of the "unworthiness for leadership" argument? That was resolved earlier and Moshe had already accepted the mission. Is the problem with the recipients of the "message" or with imperfection of the "messenger"?

In that strategy meeting between HASHEM and Moshe, we may find the answer to Moshe's objection and a clue to the nature of his problem? 1-He is assured that he is a master over Pharaoh, and his brother will be his spokesman. 2-He is commanded to carry out the mission. 3- He's given certain talking points; like insisting that Pharaoh send the Children of Israel out of Egypt. 4-He is informed that there will not be instant results. There will be some foot dragging on Pharaoh's part. A steep price will be exacted in the form of compounding "plagues". 5-In the end though even the people of Egypt will know as fact that, "I am HASHEM". Egypt then will have heard but is that the goal? Is it all only to convince Egypt?

I have identified five critical ingredients necessary for effective communication. I like to call them the five "M's" of communication. Let's check off the boxes and see which are accounted for and attempt to determine by the process of elimination, what the basis was of Moshe's hesitancy. 1) The messenger: Moshe and Aaron are affirmed as the ones fitting to communicate. 2) The message: The script, the text of the communication is tight and couldn't be more-clear, "Let My people go!" 3) The motive: I don't think it's possible to find a more-noble or just cause than following the precise dictates of the Creator-HASHEM. Moshe doesn't need to apologize to any creature or power for what he must do. 4) The method: Sure it's a tough love approach. "The words of the wise are heard when spoken softly" but they are backed up by a big stick because there's a lot convincing to be done. What's left? 5) The moment: When is the real "teachable moment"? When will all of Moshe's concerns have been dispelled?

The Sefas Emes offers the following amazing insight, "Because the Children of Israel will not listen, therefore he was of uncircumcised lips...Speech is in exile as long as the recipients are not ready to hear the words of HASHEM..." He goes on to explain that to the extent that the listener is unavailable, the words are hidden. The more ready and willing the recipients are the more open and revealed the message might be. The greatest proof of this is found by the giving of the Torah when the sky opened up and it was declared, "I am HASHEM..." it's no mistake that that was the most pure moment of preparedness as we stood then poised to receive the highest and holiest communication.

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Rav Kook List
Rav Kook on the Torah Portion
Va'eira: Order in Miracles

Presenting his 'credentials' before Pharaoh, Moses threw down his staff before the Egyptian king, and it transformed into a viper. When the magicians of Egypt did the same with their magic, "the staff of Aaron swallowed up their staffs" [Ex. 7:12].

The Sages in Shabbat 97a noted that the Torah does not say that Aaron's snake swallowed up the magicians' staffs. It says Aaron's staff did the swallowing. A double miracle, a "miracle within a miracle" occurred. The viper became a staff once again, and only then - as a staff - did it swallow up the other staffs. What is the significance of this double miracle?

Levels of Miracles

Just as there is an underlying order in the world of nature, so too there is order and structure in the realm of miracles. We may distinguish between two types of laws of the natural world: those of a fundamental nature, and those that have a detailed and specific function. The extent to which a miracle defies natural law depends on the purpose of that divine intervention.

Sometimes it is sufficient to have a minor disruption, and still remain within the overall system of natural law. For example, when the prophet Elisha advised the widow in debt how to miraculously produce oil [II Kings 4:1-7], the oil was not created ex nihilo. Rather, the miracle was based on an existing jar of oil. There occurred no blatant abrogation of the laws of nature; they were merely 'extended,' as the small cruse of oil sufficed to fill up many large pots. But the basic framework of natural law was left undisturbed.

The purpose of Elisha's miracle was to help out a poor woman in need. The goal of Moses' miraculous signs in Egypt, on the other hand, was far more grandiose. These wonders were meant to demonstrate the power and greatness of the Creator, "so that you will know that I am God here on earth" [Ex. 8:18].

In Egypt, God willed to demonstrate His ability to overrule any law and limitation of the natural world. Therefore, it was necessary to have a "miracle within a miracle." This exhibited independence and autonomy at all levels of natural law, both specific and fundamental. The miracle of the staff occurred not only as a minor disruption of nature - a level at which the Egyptian magicians could also function - but also at the level of total disregard for the most basic laws of nature, so that one staff could 'swallow up' other staffs.

[Gold from the Land of Israel pp. 108-109. Adapted from Ein Eyah vol. IV, pp. 243-4]

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

Weekly Halachah - Parshat VaEira 5750
Rabbi Doniel Neustadt (dneustadt@cordetroit.com)
Yoshev Rosh - Vaad HaRabanim of Detroit

Cleaning Help on Shabbos

Question: Is it permitted on Shabbos to ask a non-Jew to wash dirty dishes knowing full well that he will use a dishwasher? Similarly, is it permitted to ask a non-Jew to sweep the floor knowing that he will use a vacuum cleaner?

Discussion: It is a Rabbinic¹ prohibition² to instruct a non-Jew to perform a forbidden, whether Biblical or Rabbinic, Shabbos Labor. It makes no difference whether the instructions are given on Shabbos or before Shabbos.³ This strict prohibition is known as amirah l'akum.⁴ It should follow, therefore, that a non-Jew may not be instructed to wash the dishes or sweep the floor if performing a forbidden Shabbos Labor will result from this command.

In our specific case, however, an argument for leniency can be made based on a ruling of the Taz.⁵ The Taz rules that one may instruct a non-Jewish maid to wash the dishes on Friday night even if he knows that she will light a candle⁶ in order to be able to wash the dishes. He explains that the Jew gains no benefit from the light, since the Jew's only concern is that the dishes be washed. The candle is not being lit for the Jew, but for the sake of the maid. This is not amirah l'akum, since a non-Jew may perform a Shabbos Labor for himself on Shabbos.

Based on this principle, we find several cases where some poskim were lenient concerning amirah l'akum:

* It is permitted to instruct a non-Jew to "clean the floor," even though he will use a mop and do so in a prohibited manner (transgressing the Labor of Squeezing). This is because it is possible for him to clean the floor in a permissible manner – by pouring water on the floor and then pushing it aside.⁷ He is performing forbidden Shabbos Labors only in order to make it easier for himself. This is not amirah l'akum.⁸

* Using makeup remover on Shabbos may be prohibited because of the prohibition of Smoothing, Memareiach. It is permitted, however, to instruct a non-Jew to "cleanse my face" even though the non-Jew will use makeup remover to do so. This is permitted because the face can be cleansed by scrubbing it with water, which is allowed on Shabbos. The decision to use makeup remover rather than water is made by the non-Jew, for his benefit, and it is not based on the instructions of the Jew.⁹

In the cases cited above, the Jew's orders, which could be filled in a permissible manner, will actually be filled in a prohibited manner. Still, it is apparent that the poskim were lenient and did not view this as amirah l'akum. Accordingly, one would be permitted to instruct a non-Jew to wash dishes or sweep the floor even though he will use a dishwasher or a vacuum cleaner to do the job. This is because the dishes can be washed on Shabbos in a halachically permissible fashion, and using the dishwasher benefits the non-Jew by making his job quicker and easier.¹⁰ Zilzul Shabbos

Regarding practical halachah, however, there is another issue to consider before we may permit a non-Jew to use a dishwasher or vacuum cleaner on Shabbos. There is an opinion based on a ruling of the Rama¹¹ that preferably a Jew should not allow his windmill – or any other noisy machine – to be operated on Shabbos because of zilzul Shabbos, degradation of the Shabbos. The Rama is concerned¹² that running a noisy machine on Jewish-owned premises on Shabbos casts suspicion on the owner of the premises: Is he operating the machine? For this reason some poskim¹³ forbid a non-Jewish maid to operate a dishwasher or a vacuum cleaner inside a Jew's home, since the noise might cause people to suspect the homeowner of violating the Shabbos.¹⁴

[It is permitted, however, to have a machine running in one's home only when it is clearly evident that the machine making the noise was set or turned on before Shabbos (such as a grandfather clock); or when it is common knowledge that such a machine is usually activated by a Shabbos clock (such as electric lights) or by a thermostat (such as an air conditioner).¹⁵ In these instances, no suspicion will be cast on the owner of the premises and it is, therefore, permitted to use machines such as these.¹⁶]

The fact of the matter is, however, that many yeshivos and camps allow non-Jews to operate dishwashers on their premises on Shabbos. While this practice seems to contradict the aforementioned ruling of the Rama, it is nevertheless permitted since the Rama himself adds that where a monetary loss would be incurred, one may be lenient and not concern himself with zilzul Shabbos. Since it would otherwise be impossible for the yeshiva or camp to have clean dishes, they view their situation as a case of "avoiding a loss" and they are lenient. Nevertheless, individuals in their private homes should not rely on this leniency.

1 A minority view maintains that amirah l'akum is Biblically forbidden. While the poskim generally reject this approach, it is an indication of the severity of the prohibition; see Sha'ar ha-Tziyun 253:7.

2 There are several reasons given for this prohibition; see Rambam, Hilchos Shabbos 6:1; Rashi, Avodah Zarah 15a and 22a.

3 O.C. 307:2.

4 To reinforce this prohibition, the Rabbis went so far as to forbid one to derive direct benefit from a non-Jew on Shabbos even if the non-Jew performed the Labor on his own without being told; O.C. 276:1.

5 Quoted by Mishnah Berurah 276:27.

6 Or use hot water: Shemiras Shabbos K'hilchasah 30:23.

7 Although there is no permissible method for a Jew to wash a floor on Shabbos (see O.C. 337:4), there are permissible ways for a non-Jew to do so; see Rama 337:2 and Mishnah Berurah 10.

8 Birkei Yosef, O.C. 333:2, quoted in Kaf ha-Chayim 337:21. Rav M. Feinstein is also quoted (The Sanctity of Shabbos, pg. 93) as allowing this.

9 Igros Moshe, O.C. 2:79.

10 Shemiras Shabbos K'hilchasah 30:23. See, however, Melachim O'meich 9:20, who makes a distinction between the case of the Taz and our case, since in the Taz's case, turning on the light is not directly connected to the washing of the dishes, while here the dishes themselves are being washed while transgressing a prohibited Shabbos Labor.

11 O.C. 252:5. See Peri Megadim 21 that this is only a chumrah.

12 As explained in Darkei Moshe and Shulchan Aruch Harav. This explanation is also evident from the Rama himself, who permits a clock to chime on the hour since everybody knows that it can be set before Shabbos.

13 See Kol ha-Torah # 42, pg. 255, where Rav Y.Y. Neuwirth amends a previous ruling and writes that if the noise of the dishwasher is heard by others it may be prohibited because of zilzul Shabbos. Rav M. Feinstein is also quoted (The Sanctity of Shabbos, pg. 89) as prohibiting the use of a dishwasher because of zilzul Shabbos. See also Minchas Shlomo 2:20, who prohibits setting a time clock to turn on a dishwasher because of zilzul Shabbos. See Shemiras Shabbos K'hilchasah 12:35, who adds another reason why a dishwasher may not be used with a time clock.

14 See Igros Moshe, O.C. 4:70-6 who prohibits setting an alarm clock – which is normally set on the previous evening – before Shabbos if the ringing noise will be heard outside the room on Shabbos. See Minchas Shlomo 1:9, who prohibits a non-Jew to use a washing machine on a Jew's premises because of zilzul Shabbos. See Minchas Yitzchak 1:107, who prohibits leaving a radio or a tape recorder on from before Shabbos because of this concern.

15 See Rama, O.C. 252:5, Igros Moshe O.C. 4:60 and Shulchan Shlomo 252:14. Shulchan Shlomo adds that concerning electric lights there is no problem of zilzul Shabbos in any case since there is no noise involved.

16 Similarly, one is not required to shut off his telephone ringer, since a ringing phone does not cast suspicion on the homeowner that he is violating the Shabbos. It is also permitted to leave the phone attached to an answering machine or to a fax machine, as it is well known that these machines are set to operate before Shabbos.

What if I goofed and said Tikanta Shabbos by Mistake?

By Rabbi Yirmiyohu Kaganoff

Question: I realized in the middle of Musaf this Shabbos, that I was reciting the regular Shabbos Musaf rather than the special Musaf for Shabbos Rosh Chodesh. What should I have done?

Answer:

This Shabbos is also Rosh Chodesh, requiring the recital of a special text for Musaf, which includes elements of the usual Shabbos Musaf, the usual Rosh Chodesh Musaf, and a special introductory passage. This passage, beginning with the words Atah Yatzarta, is different from the usual introduction of the middle either of the Shabbos Musaf, or of Tikanta Shabbos, or of the middle of the usual Rosh Chodesh Musaf, but actually bears close resemblance to the introductory part of Yom Tov Musaf. The continuing of the middle bracha of Musaf combines elements of both Shabbos Musaf and Rosh Chodesh Musaf.

The predicament mentioned above is very common: What do I do if I mistakenly began reciting Tikanta Shabbos and then realize that today is also Rosh Chodesh, and that I should have said Atah Yatzarta.

I once edited an article in which the author quoted several anthologies, all of which ruled the same way, but I believe this ruling is in error. According to the sources quoted, someone still in the middle bracha of shemoneh esrei should immediately stop where he is, and go to the

beginning of Atah Yatzarta, and recite the entire bracha. I will explain shortly why I am convinced that this answer is erroneous, but first...

I attempted to trace the sources quoted in the article that I edited to see if perhaps I was missing some logic or information that I would clarify in the course of my research.

What I did discover is that each source was simply quoting a previous one, and that they all traced to one obscure 19th century work who did not explain at all why he ruled this way. Classic group-think.

I will now explain why I believe this ruling is in error, and what one should do. My major concern is that the approach advocated results in repeating many parts of the shemoneh esrei, and that this repetition constitutes a forbidden interruption in the tefillah. Furthermore, to the best of my knowledge, there is no essential requirement to recite this middle bracha of the shemoneh esrei precisely in the order. Obviously, one should maintain the order as is, but there is ample evidence from major halacha authorities that, in general, mistakenly rearranging the order of a bracha is not calamitous. Thus, when left with the choice of rearranging the order of a bracha to avoid repetition, or repeating parts of the bracha and ignoring what was already said, one should follow the first approach.

Based on the above, it appears that someone who discovers that he/she began reciting Tikanta Shabbos rather than Atah Yatzarta should only mention those parts of the bracha that he/she has as yet not recited, but not repeat any theme or part of the bracha that one has already said. Although fulfilling this may be confusing to someone unfamiliar with the bracha, this should provide us with a valid reason to pay more attention to the details of this bracha and understand its different parts.

In order to explain how one does this correctly, I will divide the bracha of Atah Yatzarta into its constituent parts, so that we can identify what parts we should not repeat. We can divide the bracha Atah Yatzarta into the following seven sections:

1. The Introduction – until and including the words shenishtalcha bemitzvosecha
2. The prayer for our return – beginning with the words Yehi Ratzon – until (and including) the word kehilchasam.
3. The sentence that introduces the mention of the pesukim of the Musaf Ve'es Musafei Yom HaShabbos hazeh... until (and including) the word ka'amur.
4. Mention of the pesukim of Shabbos korban Musaf.
5. Mention of the pasuk of Rosh Chodesh korban Musaf.
6. Yismichu Bemalchusecha –
7. The closing of the bracha -- Elokeinu Veilokei avoseinu

On a regular Shabbos we recite the following sections: I have numbered them in a way that parallels the previous list:

1. Tikanta Shabbos – the introduction
2. Yehi Ratzon – the prayer for our return. This passage then introduces the mention of the pesukim of the Musaf, which only includes mention of the pesukim of Shabbos.
3. Ve'es Musaf Yom HaShabbos hazeh... until the word ka'amur.
4. Mention of the pesukim of Shabbos korban Musaf.
6. Yismichu Bemalchusecha – until (and including) Zecher lemaasei bereishis.
7. The closing of the bracha -- Elokeinu Veilokei avoseinu. We should note the closings of these two shemoneh esrei prayers are very different. On Shabbos Rosh Chodesh we recite a version that is almost identical to what we recite on weekday Rosh Chodesh, but we insert three passages to include Shabbos.

Parts 2, 4 and 6 of the two brachos are identical, whether it is Shabbos or Shabbos Rosh Chodesh. Therefore, one should not repeat these sections if one had said them already.

Part 1 on Shabbos Rosh Chodesh, Atah Yatzarta, is very different from what we usually recite on a regular Shabbos. Therefore, someone still in the middle of this bracha should recite this passage again.

If someone missed part 5, mention of the pesukim of Rosh Chodesh, and is still in the middle of this bracha, he/she should recite it and introduce it

with the section 3 above, which introduces the korbanos of the Musaf. However, if he/she already recited the pesukim of Shabbos korban Musaf (#4) above, he should omit the reference to Shabbos in this piece and only mention Rosh Chodesh. In the latter case, one should also change the plural Musafei to a singular Musaf since he/she now is only mentioning the Rosh Chodesh Musaf.

Having explained the rules governing these halachos, I will now present the conclusions in a hopefully clearer way, depending on when you discover your mistake:

A. If you were still reciting the beginning of Tikanta Shabbos, and had not yet reached Yehi Ratzon:

Return to Atah Yatzarta and recite it in order without any changes.

B. If you had already begun the Yehi Ratzon, but are before Ve'es Musaf Yom HaShabbos hazeh:

Complete the Yehi Ratzon until Ve'es Musaf; then recite Atah Yatzarta until the words Yehi Ratzon, then resume from the words Ve'es Musafei Yom HaShabbos Hazeh Veyom Rosh Hachodesh from the Shabbos Rosh Chodesh Musaf and continue through the rest of the tefillah.

C. If you had just begun Ve'es Musaf Yom HaShabbos hazeh:

Add the words Ve'es Musaf Yom Rosh Hachodesh hazeh, then continue in the Shabbos Rosh Musaf until Yismichu Bemalchusecha. Immediately prior to saying Yismichu Bemalchusecha insert the words from Atah Yatzarta until the words shenishtalcha bemitzvosecha. Then return to Yismichu Bemalchusecha and recite the rest of the tefillah in order.

D. If you are already in the middle of Ve'es Musaf Yom HaShabbos hazeh:

Recite Uveyom Hashabbas... until Veniskah. Then insert the words from Atah Yatzarta until the words shenishtalcha bemitzvosecha. Then return to the words Ve'es Musaf but say the following Ve'es Musaf Yom Rosh Hashodesh Hazeh until the word ka'amur. Then say Uverashei Chadshchem in the Shabbos Rosh Chodesh section and continue in order.

E. If you are in the middle of Yismichu Bemalchusecha, complete it until Zecher lemaasei bereishis, and then insert the words from Atah Yatzarta until the words shenishtalcha bemitzvosecha. Then return to the words Ve'es Musaf but say the following Ve'es Musaf Yom Rosh Hashodesh Hazeh until the word ka'amur. Then say Uverashei Chadshchem in the Shabbos Rosh Chodesh section. Then go to Elokeinu Veilokei avoseinu (after Yismichu Bemalchusecha) and finish the end of the bracha and the davening.

F. If you are already in the middle of the closing part of the bracha (Elokeinu Veilokei avoseinu) complete the clause that you are saying, and then insert the words from Atah Yatzarta until the words shenishtalcha bemitzvosecha. Then return to the words Ve'es Musaf but say Ve'es Musaf Yom Rosh Hashodesh Hazeh until the word ka'amur. Then say Uverashei Chadshchem in the Shabbos Rosh Chodesh section. Then return to chadeish aleinu beyom hashabbos hazeh es hachodesh hazeh and finish the end of the bracha in the Shabbos Rosh Chodesh section.

Although all this may sound very confusing, if one spends a few seconds familiarizing oneself with the divisions of this bracha that I have made, one will easily realize why this is true, and will be ready to make the necessary adjustments should we find that we have erred. This readiness has of course a tremendous value on its own: It familiarizes one with the shemoneh esrei, something we always should do, but unfortunately often do not pay attention to.

**Ohr Somayach :: TalmuDigest :: Bava Batra 149 - 155
For the week ending 16 January 2010 / 29 Tevet 5770
by Rabbi Mendel Weinbach**

A Questionable Expression •Bava Batra 153a

A gift made by a healthy person is not retractable while one made by a man facing death is not effective until after his death, and can therefore be retracted if the giver recovers.

What happens if the gift document reads that the gift is being made to the recipient "in life and death" – is this to be interpreted as a gift to be effective in his lifetime or only upon his death?

The ruling of the Sage Rav is that this is considered as the gift of a man facing death. The reason for his mentioning "in life" is that he wants to

avoid pronouncing death upon himself and expresses the hope that Heaven will grant him the ability to recover and live.

Rashbam notes that this is in accordance with the counsel of the Sages to avoid "opening your mouth to Satan" by mouthing something of a negative connotation.

What the Sages Say

"It can be assumed that witnesses will not sign on a document of sale unless they, the seller and the buyer, are all adults."

•Rabbi Shimon ben Lakish - Bava Batra 155a

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Please address all comments and requests to HAMELAKET@hotmail.com