

Weekly Internet Parsha Sheet Vaera 5776

Weekly Blog :: Rabbi Berel Wein *The Newest Holocaust Deniers*

I rarely if ever comment or disagree with pronouncements or public statements of other rabbis. These are people who are driven to publicity and even sensationalism and I never feel inclined to spoil their fun. However, every so often there comes along a rabbinic pronouncement so outrageous and damaging that even my reticent nature forces me to respond.

A rabbi is reported in public print and electronic media to have claimed that only one million Jews died in the Holocaust and that because of assimilation and intermarriage, the other approximately five million victims were not “real” Jews.

This claim is outrageous on numerous grounds – certainly in outlook but moreover in the sheer stupidity of not realizing the harm that such a statement by a rabbi can have in today’s anti-Jewish and anti- Israeli world. The rate of Jewish intermarriage in pre-World War II in Eastern Europe was relatively small – probably less than five percent. Even amongst the Communist Jews in Russia, the intermarriage rate before the war was low and only grew substantially later as a result of the war itself.

Thus, the three million Polish Jews, the million Jews of Lithuania, Belarus and Ukraine were all Jewish even by any stretch of halachic exclusionary stringencies. The Jews of Slovakia, Hungary, Bohemia, and Romania were more assimilated but not in the main intermarried. One has to remember that intermarriage requires two to tango and in anti-Semitic pre-World War II Europe, the non-Jews were loath to marry Jews even if the Jews were unfortunately willing to do so.

So the overwhelming majority of people whom the Nazis considered Jewish were in fact, halachically and in every other way Jewish. And that number is far closer to six million than one million.

It has been well established in Jewish tradition that Jews who are killed simply because they are Jews are considered holy martyrs no matter what the level of their religious observance in their lifetime. All Jews killed in the Holocaust were killed simply because they were Jews. Their designation as holy martyrs cannot be taken away from them by current political correctness in certain sections of Orthodoxy.

The rule of: “A Jew who sins is nevertheless still considered a Jew,” remains inviolate and in force even in today’s fractured Jewish society. Assimilated Jews are still Jews as are Jews who somehow no longer affiliate themselves with Orthodoxy and traditional Jewish ideas and lifestyle.

Kamenev, Lenin’s colleague and a leading Communist leader who was Jewish and an atheist, was purged by Stalin and subjected to a show trial. When being led away to be shot, he muttered to himself Shema Yisrael. All Jews, and especially rabbis, should be very reticent about terming other Jews, no matter what their level of observance may be, as being out of the fold. This is especially true when the people being excluded were martyred simply because they were Jewish. Our motto should always be “A Jew is a Jew. A Jew is a Jew.” For, so it is in Heaven and on earth.

And finally, how does one in the current climate of hatred against our people and state ally one’s self with Abbas, David Irving, the mullahs of Iran and other assorted haters and liars in minimizing, if not even thereby denying the reality of the Holocaust?

Even if what the rabbi said had some truth to it, which it does not, why the publicity and the notoriety? Are there no opinions that somehow can remain bottled up within rabbinic minds and stomachs? Where is common sense and Jewish loyalty? The statement of one instead of six million is the classical man bites dog story that the media constantly hungers for.

Maybe the rabbi was naive enough not to realize this, but we were long ago warned in Avot that “Wise men should be very careful with their words.” Silence is truly golden and sensationalist opinions and statements can only cause harm to all concerned. I have received emails from different

types of Jews in different parts of the world asking my opinion about this rabbi’s comments about the Holocaust.

Apparently they think me to be some sort of expert on the matter, which I am not. However, their writing to me made me think that a response is truly necessary to this new and strange form of what can be termed rabbinic Holocaust denial. This article and my thoughts on this matter are the result. It is too damaging a matter to be left unanswered and unrefuted. Shabbat shalom

Weekly Parsha Blog:: Rabbi Berel Wein *Leadership*

The fact that the current Torah readings concentrate on the life and career of Moshe as being the all-time supreme leader of the Jewish people, and through them of civilization generally, caused me to give some thought to the trait of leadership. We always think of leadership as a positive trait. Yet, some of the most charismatic and successful leaders of nations and empires have been very bad people who have led their people to ruinous disaster.

So, a case can be made that certainly not all phases of leadership are to be viewed as positive attributes. Like all traits of character and behavior, there are many qualifying circumstances that will determine the positive or negative aspects of leadership as it is expressed in particular times and places.

Hitler, Stalin, Chairman Mao and others all possessed great leadership qualities. Yet there is no doubt that the world would have been better off if they never would have become leaders of millions and killers of many millions more. Yet in spite of the fact that on balance one could easily conclude that there have been more bad leaders than good ones, and that leadership is certainly not an absolute as a beneficial trait for humankind overall, there are countless seminars and courses offered on developing the art of leadership.

In business, education, politics, government, sports and the arts, everyone wants to be a leader, no matter what type of person he or she may be or whether that individual’s leadership will be constructive or destructive to themselves or to society generally.

There is a chicken or egg quality to the issue of leadership. Is leadership a built in personality trait, hard wired into us the moment we are born or is it rather an acquired societal trait that can be taught and inculcated into others? Again, looking at the plethora of leadership training seminars and courses being offered at all times and places worldwide, it is obvious that the prevailing wisdom is that leadership is an acquired trait – one that anyone can pick up at will by signing up to one of those leadership training course or weekend seminar.

But I have always believed that leadership is like hitting a baseball – either you can or you can’t – and that only fine-tuning can be accomplished by training and practice. The innate qualities to lead people and have them follow your ideas and visions are some of the most powerful personal traits that one can possess.

Of course, leadership requires the ability to articulate one’s ideas and vision clearly and understandably. And even sometimes, though rarer, just the presence of the leader even without great oratorical skills is all that is needed. Probably our teacher Moshe is probably the leading example of this truism. But over most of world history, oratorical skills accompanied political leadership, sometimes with baleful consequences such as the cases of Hitler and Mussolini and sometimes with more beneficial results as in the cases of Churchill and Franklin Roosevelt. As we can see, leadership is a very tricky thing to assess.

Rabbinic or religious leadership is even harder to evaluate correctly. For centuries, rabbinic leadership was based solely on Torah scholarship and erudition. However in today’s society within the Orthodox Jewish world,

leadership has become more a matter of dynasty and pedigree and less of a matter of true meritocracy.

This is true in the Chasidic world as well as in the Lithuanian yeshiva society and, to a certain extent, even in the more “modern” sections of Jewish religious society. This dynastic trend has occasioned great splits in Chasidic courts and in the Lithuanian yeshiva world. It has also inhibited needed talent from rising to leadership roles in our community.

If one is not a son or a son-in-law of the present day leader then the chances of attaining a leadership role, no matter how talented, is automatically severely limited. Insular communities are by their very nature hostile to new ideas and programs, no matter how necessary they may be for the preservation and growth of the community itself. These communities are certainly suspicious of “outsiders” or any new people rising to power.

Moshe, if he suddenly appeared on the scene and claimed a leadership role for himself, would probably have a hard time being accepted in today’s Orthodox religious world, for he was the ultimate “outsider.” It is a long road back to meritocracy as being the criterion for Jewish religious leadership. But I believe that it is a road that eventually must be traveled in order to guarantee a successful Jewish future.

Shabat shalom

Ohr Somayach :: Torah Weekly :: Parshat Vaera

For the week ending 9 January 2016 / 28 Tevet 5776

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Insights

Longing For Redemption

“And I will bring you out, and I will rescue you, and I will redeem you and I will take you...” (6:6-8)

The Jewish People have experienced four great exiles: Babylon; Persia and Medea; Greece, and our current and longest exile — that of Rome and its cultural heirs.

These four exiles are hinted to in the verse in this week’s Torah portion, “And I will bring you out, and I will rescue you, and I will redeem you and I will take you...”

The matrix and seed of these four exiles is that of Egypt.

We say in the Kedusha prayer (Nusach Sefarad) “I have redeemed you — the last as the first.” As our final redemption nears, it mirrors more and more that first redemption from Egypt three and a half thousand years ago.

The greatest strength that the Jewish People has in exile is the longing for redemption. As the Jewish People cried out to G-d under the crushing oppression of Egypt, so we too must cry out, “G-d, we long for Your salvation!”, however far we feel from meriting that deliverance.

We are currently in the month of Tevet.

Each of the twelve months of the Jewish Year corresponds to one of the Twelve Tribes. The Vilna Gaon, the Arizal and others parallel the Hebrew months with the order of the encampment of the tribes as they journeyed through the desert. According to this calculation, our current month, Tevet, corresponds to the tribe of Dan.

We are a lot like Dan.

All the Tribes were holy but they were not on the same level. Dan is known as the yarud sh’bshvatim – the lowest of the Tribes. It was the tribe in which idol worship was so rampant that the Clouds of Glory which escorted the Jewish People through the desert would not accompany them. In the Book of Devarim (29:17), when Moshe warns of the possibility of “a man or a woman or a family or a tribe turning away from G-d”, our Sages understand that the Torah is referring to the tribe of Dan.

And even at the height of the revelation at the splitting of the sea, where the lowliest servant saw more than what was revealed to the prophet Yechezkel ben Buzi when G-d showed him the mystical secrets of the interface between this world and the realities beyond this world, even then, Dan carried idols with them into the sea.

Yet, despite this, there are only two tribes in Yaakov’s blessings who are referred to as “Gur Aryeh” (lion cub): Dan, and Yehuda the tribe of the Kings of Yisrael. Yehuda is known as “Gur Aryeh Yehuda”, and Dan as

“Dan Gur Aryeh”. What is the connection between Yehuda, whose very name contains the ineffable four-letter Name of G-d, and Dan, the most distant from that loftiness?

In the middle of Yaakov’s blessing to Dan at the end of the Book of Genesis, he suddenly says, “For Your salvation I long, G-d!” What is the meaning of this interjection that ostensibly has nothing to do with what precedes it?

The Midrash describes Dan as a bitter people. They know how pathetic idol worship is and they long to escape from it. They long with all their heart to be saved. “For Your salvation I long, G-d!” It is this longing that makes them a significant and irreplaceable part of the Jewish People.

The Jewish People are compared to the body of a man. As each generation passes, we descend to a lower level. Our generation is called the “Ikveta d’Mashicha”. Ikveta is connected to the word in Hebrew for a “heel” — ekev. We are the generation of the heel. The lowest part of the body.

When we look at ourselves and see how pathetic are most of our thoughts and aspirations, polluted by the exile in a world that has lost all connection to propriety, all we can cry out is “For Your salvation I long, G-d!”

But that is our strength. We know who we are. We know where we are. And we long to escape. It is that longing that will surely bring Mashiah very soon.

“I have redeemed you — the last as the first.

Sources: Sefer Yetzira; Tur Orach Chaim 417; Bamidbar 2; Pesikta d’Rav Kahana 3:12; Midrash Tanchuma Ki Tissa 13; thanks to Rabbi Doniel Baron

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The Person In The Torah Reading For This Week.

Rabbi Dr. Tzvi Hersh Weinreb

On the shoulders of giants

Thursday, January 07, 2016

“They don’t make them the way they used to.” We have all heard this comment with reference to all sorts of things, usually tools and utensils. Despite all the technological advances from which we benefit, we often are convinced that certain things were of superior quality in the old days. We believe that the old hammer Grandpa once used was stronger, and the snow shovel he wielded more effective, than the newfangled “throwaway” junk that they produce nowadays.

We even extend this belief of things being better back in the old days to human beings. Today’s leaders cannot be compared to those of old, and today’s athletes are cheap imitations of the Babe Ruths and Ty Cobbs of yesteryear.

In the Jewish tradition, there is a concept of “nitkatnu hadorot, the generations get progressively smaller.” Talmudic sages are no match for biblical heroes, and the great rabbis of recent times cannot compare to the rabbinical leaders of centuries ago.

Like any other belief, this one requires a healthy dose of skepticism. Surely technological progress has provided us with tools that are superior to those we once used. And, whereas every generation has its outstanding heroes, not everyone in the past was a perfect person. Furthermore, there are plenty of people today who can stand up to the best of previous generations in their courage, in their erudition, or in their piety.

In this week’s Torah portion, Parashat Va’era, we encounter what might be the first example in history of the comparison of a current personage with previous ones in which the former comes off poorly.

Rashi shares with us, and ultimately rejects, the Talmud’s version of what the opening verses in our parsha tell us. The Talmud understands these verses in the context of the concluding episodes of last week’s Torah portion, where Moses challenged the Almighty and asked Him why He has “mistreated this people,” thereby questioning his very mission. Indeed, somewhat earlier in last week’s portion, he asked God, “What will I tell the people if they ask me for Your name?”

With this background, the rabbis understand the opening verses of this week’s Torah portion as follows: God compared Moses to Abraham, Isaac, and Jacob. From this perspective, the patriarchs were much more trusting

in God and demonstrated greater faith than Moses. They did not question God in spite of their frustrations. Moses did.

“A pity that they are gone and no longer to be found.” This statement, which the rabbis attribute to the Lord, closely resembles the opening statement of this essay, “They don’t make them like they used to.”

Personally, I have come to appreciate the opinion of those other commentators who defend Moses and who point out that Moses challenged God, not out of faithlessness, but out of a profound and powerful empathy for the suffering of His people.

Abraham, Isaac, and Jacob were individuals. At best, they were heads of families, whereas Moses held the role of a leader of a large nation. In his circumstances, blind faith would have been irresponsible.

When comparing later generations with earlier ones, we must take into account the changed circumstances of those later generations. We must judge them, not by the standards of those who came before them, but in their own contexts.

In the reading that I do about the Holocaust victims and survivors, I often ask myself whether I could possibly have struggled to remain alive in the conditions of torture and horror that they experienced, retaining their will to live. And I am certain that had I personally suffered the Holocaust experience, I would not have been able to emerge from it with the faith commitment of so many of the survivors who came to these shores with recreated families, practicing their faith punctiliously, and reconstructing vibrant religious institutions.

I believe that it is not that we are innately inferior to them. Rather, our circumstances have softened us, whereas their circumstances strengthened them.

There is indeed a theme in our tradition that sees a generation as diminished in comparison with the previous one; the later generation in fact becoming “smaller.”

But our tradition also encourages us to realize that later generations have one great advantage over previous ones: We stand on their shoulders. We benefit from their precedent.

Moses had this advantage: He could learn from Abraham, Isaac, and Jacob and could model his faith and leadership capacities upon them.

From this view, Moses’ confronting the Almighty in defense of his people was simply something he learned from Abraham, who similarly confronted God in defense of the people of Sodom.

It might be true of us that “they don’t make them the way they used to,” but that need not stop us from asking ourselves, as our sages did, “When will my deeds approach the deeds of my fathers?” For we have the deeds of our fathers to learn from as we build our own spiritual lives.

We stand on the shoulders of long generations of giants. Perhaps future generations will similarly look up to us.

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Britain’s Former Chief Rabbi Lord Jonathan Sacks

Spirits in a Material World

The Torah sometimes says something of fundamental importance in what seems like a minor and incidental comment. There is a fine example of this near the beginning of today’s parsha.

Last week, we read of how Moses was sent by God to lead the Israelites to freedom, and how his initial efforts met with failure. Not only did Pharaoh not agree to let the people go; he made the working conditions of the Israelites even worse. They had to make the same number of bricks as before but now they had to gather their own straw. The people complained to Pharaoh, then they complained to Moses, then Moses complained to God. “Why have you brought trouble to this people? Why did you send me?”

At the beginning of this week’s parsha God tells Moses that he will indeed bring the Israelites to freedom, and tells him to announce this to the people.

Then we read this:

So Moses told this to the Israelites but they did not listen to him, because their spirit was broken and because the labour was harsh. (Ex. 6:9)

The italicised phrase seems simple enough. The people did not listen to Moses because he had brought them messages from God before and they had done nothing to improve their situation. They were busy trying to survive day by day. They had no time for utopian promises that seemed to have no grounding in reality. Moses had failed to deliver in the past. They had no reason to think he would do so in the future. So far, so straightforward.

But there is something more subtle going on beneath the surface. When Moses first met God at the burning bush, God told him to lead, and Moses kept refusing on the grounds that the people would not listen to him. He was not a man of words. He was slow of speech and tongue. He was a man of “uncircumcised lips”. He lacked eloquence. He could not sway crowds. He was not an inspirational leader.

It turned out, though, that Moses was both right and wrong, right that they did not listen to him but wrong about why. It had nothing to do with his failures as a leader or a public speaker. In fact it had nothing to do with Moses at all. They did not listen “because their spirit was broken and because the labour was harsh.” In other words: if you want to improve people’s spiritual situation, first improve their physical situation. That is one of the most humanising aspects of Judaism.

Maimonides emphasises this in *The Guide for the Perplexed*.^[1] The Torah, he says, has two aims: the well-being of the soul and well-being of the body. The well-being of the soul is something inward and spiritual, but the well-being of the body requires a strong society and economy, where there is the rule of law, division of labour and the promotion of trade. We have bodily well-being when all our physical needs are supplied, but none of us can do this on our own. We specialise and exchange. That is why we need a good, strong, just society.

Spiritual achievement, says Maimonides, is higher than material achievement, but we need to ensure the latter first, because “a person suffering from great hunger, thirst, heat or cold, cannot grasp an idea even if it is communicated by others, much less can he arrive at it by his own reasoning.” In other words, if we lack basic physical needs, there is no way we can reach spiritual heights. When people’s spirits are broken by harsh labour they cannot listen to a Moses. If you want to improve people’s spiritual situation, first improve their physical conditions.

This idea was given classic expression in modern times by two New York Jewish psychologists, Abraham Maslow (1908-1970) and Frederick Herzberg (1923-2000). Maslow was fascinated by the question of why many people never reached their full potential. He also believed – as, later, did Martin Seligman, creator of Positive Psychology – that psychology should focus not only on the cure of illness but also on the positive promotion of mental health. His most famous contribution to the study of the human mind was his “hierarchy of needs”.

We are not a mere bundle of wants and desires. There is a clear order to our concerns. Maslow enumerated five levels. First are our physiological needs: for food and shelter, the basic requirements of survival. Next come safety needs: protection against harm done to us by others. Third is our need for love and belonging. Above that comes our desire for recognition and esteem, and higher still is self-actualisation: fulfilling our potential, becoming the person we feel we could and should be. In his later years Maslow added a yet higher stage: self-transcendence, rising beyond the self through altruism and spirituality.

Herzberg simplified this whole structure by distinguishing between physical and psychological factors. He called the first, Adam needs, and the second Abraham needs. Herzberg was particularly interested in what motivates people at work. What he realised in the late 1950s – an idea revived more recently by American-Israeli economist Dan Ariely – is that money, salary and financial rewards (stock options and the like), is not the only motivator. People do not necessarily work better, harder or more creatively, the more you pay them. Money works up to a certain level, but beyond that the real motivator is the challenge to grow, create, find

meaning, and to invest your highest talents in a great cause. Money speaks to our Adam needs, but meaning speaks to our Abraham needs.

There is a truth here that Jews and Judaism have tended to note and live by more fully than many other civilisations and faiths. Most religions are cultures of acceptance. There is poverty, hunger and disease on earth because that is the way the world is; that is how God made it and wants it. Yes, we can find happiness, nirvana or bliss, but to achieve it you must escape from the world, by meditation, or retreating to a monastery, or by drugs or trance, or by waiting patiently for the joy that awaits us in the world to come. Religion anaesthetises us to pain.

That isn't Judaism at all. When it comes to the poverty and pain of the world, ours is a religion of protest, not acceptance. God does not want people to be poor, hungry, sick, oppressed, uneducated, deprived of rights, or subject to abuse. He has made us His agents in this cause. He wants us to be His partners in the work of redemption. That is why so many Jews have become doctors fighting disease, lawyers fighting injustice or educators fighting ignorance. It is surely why they have produced so many pioneering (and Nobel Prize-winning) economists. As Michael Novak (citing Irving Kristol) writes:

Jewish thought has always felt comfortable with a certain well-ordered worldliness, whereas the Christian has always felt a pull to otherworldliness. Jewish thought has had a candid orientation toward private property, whereas Catholic thought – articulated from an early period chiefly among priests and monks – has persistently tried to direct the attention of its adherents beyond the activities and interests of this world to the next. As a result, tutored by the law and the prophets, ordinary Jews have long felt more at home in this world, while ordinary Catholics have regarded this world as a valley of temptation and as a distraction from their proper business, which is preparation for the world to come.[2]

God is to be found in this world, not just the next. But for us to climb to spiritual heights we must first have satisfied our material needs. Abraham was greater than Adam, but Adam came before Abraham. When the physical world is harsh, the human spirit is broken, and people cannot then hear the word of God, even when delivered by a Moses.

Levi Yitzhak of Berditchev said it well: “Don't worry about the state of someone else's soul and the needs of your body. Worry about the needs of someone else's body and the state of your own soul.”

Alleviating poverty, curing disease, ensuring the rule of law and respect for human rights: these are spiritual tasks no less than prayer and Torah study. To be sure, the latter are higher, but the former are prior. People cannot hear God's message if their spirit is broken and their labour harsh.

[1] Book III, chapter 27.

[2] Michael Novak, *This Hemisphere of Liberty*, Washington DC, American Enterprise Institute, 1990, 64.

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Echoes of Eden

Rabbi Ari Kahn

You Say You Want a Devolution

Hard work is one thing, servitude quite another. Hard work is respectable, respected, and laudable; slavery is humiliating, dehumanizing. When a person is treated like chattel, the divine spark with which every human being is endowed is eclipsed. More often than not, this is true not only in the eyes of the enslaver, but in the eyes of the enslaved: Compounding the physical burden, slaves may develop psychological and emotional scars as the slave mentality seeps into their self-image and they begin to believe that they are unworthy, subpar human beings.

In order to implement his plan to enslave the Jews, it was important for Pharaoh to dehumanize his victims. Thus, the Jews' birthrate is described from the Egyptian perspective, in language that would have made

Goebbels grin: “They multiply like vermin (vayishretzu).” (Shmot 1:7). From this starting point, the murder of the males could be easily couched in politically correct terminology: This would not be infanticide; it would be “pest control,” “extermination.” This dehumanization was so pronounced and so firmly entrenched that the Jewish midwives used Pharaoh's own bias against him: In explaining their failure to comply with his orders, the midwives claimed that the Jewish women were like animals, that they gave birth ‘in the wild,’ as it were, before the midwife arrived, and without any assistance. (Shmot 1:19) Captivated and convinced by his own anti-Jewish propaganda, Pharaoh accepted the midwives' excuse as a reasonable explanation.

As the story of the punishments and plagues visited upon Pharaoh and his people unfolds, this theme of dehumanization comes to the foreground of the narrative – in reverse: The plagues may be seen as a process designed to turn the tables on Egyptian society and to punish Pharaoh and his people for their dehumanization of the Jews. Slowly, relentlessly, the Egyptians themselves are reduced to the level of animals – and the higher their original station, the more dramatic the fall proves to be.

Pharaoh was a self-anointed deity. He presented himself as god of the Nile – the life force of Egypt:

“Thus says Almighty God: Behold, I am against you, Pharaoh king of Egypt, the great crocodile (tannin) that lies in the midst of his streams, who has said, ‘My river is my own, and I have made it for myself.’ (Yehezkel 29:3)

For the Jews, the affliction of the Nile may have been perceived as Divine retribution for the murder of their innocent babies, but the Egyptians may have seen this plague very differently: The transformation of the Nile's waters to blood was a severe strike against the power of Egypt – the Nile and, by extension, Pharaoh, the god of the Nile. For Pharaoh himself, this first plague began the process of devolution from deity to man, and with subsequent plagues, from human to subhuman. Pharaoh's fall would be the furthest and the hardest of all.

Other elements of Moshe's confrontation with Pharaoh point to the steady devolution and eventual dehumanization of the Egyptian monarch. The verse from the Book of Yehezkel quoted above gives an additional clue to this general theme: Yehezkel's prophesy refers to Pharaoh as a tanin (crocodile) – the same word used to describe the miraculous omen performed by Aharon. When Moshe instructed Aharon to throw down his staff before Pharaoh, it was no coincidence that the omen took the form of the very creature Pharaoh chose as his symbol. The message was unavoidable: Pharaoh's specious claims of power and supernatural ability were no more than smoke and mirrors. Aharon's tanin swallowed up all the others (Shmot 7:12), just as the power Moshe and Aharon represented would soon swallow up Pharaoh and all his minions.

The omen of the tanin is, in fact, an evolution of a sort: At the burning bush, Moshe's staff was transformed into a nachash (serpent); now, standing before Pharaoh, in a reversal of the events in the Garden of Eden, the serpent becomes a crocodile; its legs are (at least partially) restored. The primordial serpent had caused man to sin by claiming that eating the forbidden fruit could make him like God. The serpent was punished by being stripped of its human features; specifically, the serpent lost its voice and its legs. With each successive plague, Pharaoh, whose symbol was a serpent with legs (a tanin or crocodile), who saw himself as a deity, would lose not only his claim to divinity but his humanity as well.

As the plagues build up to a crescendo, confusion reigns – particularly when the Egyptians bring their cattle into their homes for shelter. (Shmot 8:20) Egyptian society, the hierarchical construct par excellence, the economic and political structure visually represented by the pyramid, is upended: Who is the master and who the slave? Who leads and who is led? Who is human and who is animal? In this context, Pharaoh's eventual loss of free will comes into sharper focus: The ability to make conscious, intelligent decisions is a human trait, whereas the animal world is for the most part driven by instinct. Pharaoh had enslaved others by labeling them as sub-human. God's response is to bring Pharaoh down, one rung at a time: First, Pharaoh is stripped of the trappings of divinity in which he had

cloaked himself. Then, like the serpent in the Garden of Eden, he is stripped of the symbols of humanity that he has forfeited through his own dehumanizing behavior. Pharaoh loses the quintessential defining trait of humanity, free will. When this final devolution is complete, the road to Pharaoh's doom is a short one indeed.

For a more in-depth analysis see:
<http://arikahn.blogspot.co.il/2016/01/audio-and-essays-parashat-vaera.html>
Torah.org

Rabbi Yissocher Frand - Parshas Vaera

What's The Screaming All About?

In this week's parsha, Moshe warns Pharaoh of the impending plague of Frogs. Moshe warned that the frogs would overwhelm the entire land of Egypt: "The Nile shall swarm with frogs, and they shall ascend and come into your house and your bedroom and your bed, and into the house of your servants and of your people, and into your ovens and into your kneading bowls." [Shmos 7:28] Of course, Pharaoh ignored the warning. The frogs came and then Pharaoh called to Moshe, begging that he get rid of the frogs. The pasuk then states: "Moshe and Aharon went out from Pharaoh's presence; Moshe cried out to Hashem (va'Yitz'ak Moshe el Hashem) concerning the frogs that he had inflicted upon Pharaoh." [Shmos 8:8]. Moshe's prayer was answered "...and the frogs died – from the houses, from the courtyards, and from the fields."

The expression used to describe Moshe's prayer here is noteworthy. Chazal say that there are ten distinct expressions used in Tanach to describe prayer. Among these expressions are tefilah, techinah, bakasha, and various other expressions used to express man's beseeching of the Almighty. (It is said that the Eskimos have ten different expressions for snow – because they are so cognizant of this meteorological phenomenon. To the rest of us, snow is snow, but there are in fact different types of snow. L'Havdill [one should excuse the comparison] we have 10 different words describing prayer.)

Moshe Rabbeinu had many different occasions in which he had to daven for Klal Yisrael as leader of the Jewish nation. The Torah rarely uses the expression "Va'Yitz'ak Moshe el Hashem". More common expressions include VaYisparallel, VaYechal, Ve'Eschanan, va'Ya'ateeru and so forth. What does the word "Va'Yitz'ak" mean? In plain and simple language it means "he screamed". The connotation of scream connotes a certain urgency and pain. It would seem to us that the situation here did not warrant a scream, a "Va'Yitz'ak". Why is he screaming when he should have engaged in a more typical form of prayer? Moshe Rabbeinu was clearly in control here. Pharaoh was on the ropes, so to speak. He and his people were suffering – not a bad thing. It was not such an urgent matter that required a "Va'Yitz'ak"! Why, then, did Moshe specifically engage in this form of prayer at this moment?

In the sefer Ner Uziel, Rav Uziel Malevsky, z"l, makes an interesting observation (based on a Kli Yakar). When Moshe warned of the impending plague of frogs, he prophesized that they would come "into your house and your bedroom and your bed, and into the house of your servants and your people, and into your ovens and kneading bowls". However, when the frogs departed, the Torah only testifies that they died "from the houses, from the courtyards, and from the fields". What happened to the frogs that jumped into the ovens? One would think that they certainly died. A frog that jumps into a hot barbecue is not going to live to tell the tale! Yet the pasuk does not mention that the frogs that went into the ovens in fact died.

The Kli Yakar suggests a novel interpretation: They did not die! Why did they not die? They did not die because the frogs here were a paradigm for the mitzvah of Kiddush Hashem [Sanctifying G-d's Name by fulfilling His command]. These frogs could have safely jumped into the houses or into the bedrooms. However, in order to fulfill the Will of the Almighty, they jumped into the ovens, al Kiddush HaShem. This is not some mere story. The Talmud says [Pesachim 53b] "Tudos of Rome expounded: What did Chananya, Mishael, and Azariah (who were given the option by the King

of Bavel to bow down to his idol or be thrown into the fire) see that allowed themselves to give themselves over to martyrdom and allow themselves to be thrown into the pit of fire? They applied a Kal V'Chomer reasoning upon themselves from the frogs (in Egypt): If the frogs who were not commanded to sanctify G-d's Name jumped into a fiery oven, we who are commanded to sanctify G-d's Name should surely do so."

Thus, the Kli Yakar writes, the frogs are the paradigm for so many Jews throughout the generations who gave up their lives to sanctify G-d's Name when the situation warranted it. The Ner Uziel uses this background idea to explain Moshe's use of the urgent "Va'Yitz'ak" mode of prayer regarding the end of the plague of frogs. The pasuk says, "He cried concerning the matter of the frogs". The Ner Uziel points out that the pasuk does not say he cried that the frogs should leave. No. He cried about the matter of the frogs (al dvar ha'tzefardim). Merely praying for their departure from Egypt would not warrant a pained scream. Rather, he was "Tzo'ek" for the frogs, because he was really crying for all the Jews who throughout the generations would be moser nefesh [sacrifice their lives] in order to sanctify the Name of G-d. Moshe was praying that all those Jews should meet the same fate as Chananya, Mishael, and Azaryah. This is something that is indeed worthy for a person to scream about.

Why Did The Famous Rosh Yeshiva Water His Neighbor's Flowers?

I would like to share an insight on the parsha which I have mentioned in the past, but this time I would like to buttress it with a story.

By the third plague, the Torah relates, "Aaron stretched out his hand with his staff and struck the dust of the land, and the lice-infestations was on man and beast; all the dust of the land became lice, throughout the land of Egypt." [Shmos 8:13] Chazal explain why it was appropriate that Aaron rather than Moshe bring about the plague of Lice. As Rashi quotes, "The soil did not deserve to be stricken by Moshe because the soil protected Moshe when he killed the Egyptian and hid him in the sand." Out of a sense of gratitude, Moshe Rabbeinu did not want to hit the ground and make the dirt turn into lice. Similarly, Moshe did not want to hit the Nile by the plagues of Blood and Frogs because the Nile saved his life when he was hidden there in a basket as an infant to escape the decree that male children be drowned. Moshe felt indebted to these objects – the Nile River and the dirt of Egypt.

This raises an obvious issue: Does it make a difference to the water of the Nile or to the dirt of Egypt - objects which cannot feel and cannot think – whether anyone strikes them or not or whether they are stricken by Aaron instead of by Moshe? How is it possible for inanimate objects to feel a sense of Hakaras HaTov [gratitude] expressed by a grateful human being? We learn from this that the exercise of expressing gratitude is not for the benefit of the person who gave the favor, but for the benefit of the person who received the favor. When a person is a recipient of any type of gift or favor, it creates an obligation on him to show his appreciation. Whether the "benefactor" of the favor can appreciate the gratitude being demonstrated or not is in fact secondary. A person must go through life realizing that people and things provide favors for him on many different occasions. The person is obligated to express that Hakaras HaTov because such expression makes him into a more decent human being.

There was a Rosh Yeshiva named Rav Yisroel Zev Gustman. He founded a Yeshiva in Brooklyn called Netzach Yisrael, which he moved to Eretz Yisrael, when he made Aliya in the 1960s. As a young man in his twenties, Rav Gustman was appointed to the Beis Din of Rav Chaim Ozer. Given what Vilna was like at that time, considering all the great Rabbinic figures who lived there, the appointment of a person who was literally in his twenties as a member of the Beis Din of Rav Chaim Ozer speaks volumes about the person.

Rav Gustman took walks with Rav Chaim Ozer in the woods surrounding Vilna. Rav Chaim Ozer would from time to time stop and point out to him certain vegetation. Rav Chaim Ozer would say, "Pick up this plant. If you eat this plant, it can provide you sustenance for days." They would walk further and Rav Chaim Ozer would say "See this leaf? I want you to pick up this leaf. If you put this leaf on your tongue, it can quench your thirst for a long time." Rav Gustman had no idea why Rav Chaim Ozer, the

Posek of the Generation, the Leader of the entire Jewish world, would be spending his time giving botany lessons.

It turns out that the knowledge Rav Gustman acquired on these walks with Rav Chaim Ozer saved his life. During the war, to escape the Nazi holocaust, Rav Gustman fought alongside partisan soldiers in the forests. He lived in the woods for several years. The plants that Rav Chaim Ozer had shown to Rav Gustman kept Rav Gustman alive – at least for part of the time that he was hiding from the Nazis. This of course, says something about Rav Chaim Ozer as well. He clearly had Ruach HaKodesh. I always heard from our Rosh Yeshiva (Rav Yakov Ruderman, zt"l) that Ruach HaKodesh is the ability to say something at the right time because it will be needed at some time in the future. The Rosh Yeshiva once told me that Rav Aharon Kotler once came into the Chofetz Chaim and the Chofetz Chaim told him out of the blue "If you start a masechta [tractate] of Talmud, you need to finish it." & nbsp; At that time, Rav Aharon had started Maseches Krisos, but he had not finished it. Out of the blue, the Chofetz Chaim told him, he needed to finish it. This is Ruach HaKodesh. Rav Chaim Ozer started telling Rav Gustman something that was so out of character and seemed so trivial at the time, yet it literally saved his life. When Rav Gustman moved to Eretz Yisrael, he apparently lived next to a person who had a nice garden. Rav Dovid Mishkovsky writes that he used to see Rav Gustman watering the plants in his neighbor's garden. I don't know many Rosh Yeshivas who water plants. When he asked Rav Gustman why he was watering those plants, he replied "It was such plants that kept me alive during the Holocaust. Out of Hakaras HaTov, I feel an obligation to water these plants."

It did not make a difference to the plants. Even if it did, they were not the same plants. Those were plants in Lithuania and these are plants in Yerushalayim. However, it does not make a difference. The obligation to express gratitude is not for the benefit of the person (or object) that provides the favor. It is for the benefit of the person who receives the favor. It is to make a person aware of all the things that he has been provided with in life – all the things that people provide to him and all the things that the Ribono shel Olam provides to him. The more a person becomes hypersensitive to the concept of showing appreciation and paying back favors and recognizing past favors, the more the person will be receptive to appreciate present and future favors that are done for us by people – parents, friends, neighbors & nbsp; and certainly for favors the Almighty does for all of us.

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

By Rabbi Shmuel Rabinowitz

Parshat Va'era – The Redemption That Is Never Canceled
January 7, 2016 Thursday 26 Tevet 5776

The Jewish nation went through periods when man needed deep faith and tremendous optimism to sense the possibility of redemption.

In this week's Torah portion, we read about the first stages in the great mission of Moses: liberating the People of Israel from Egypt. God instructs Moses to tell the Children of Israel, those enslaved in Egypt doing hard labor, what they can expect in the near future – redemption and being set free.

This redemption consisted of five stages, as we read in God's words to Moses: "I will take you out from under the burdens of the Egyptians, and I will save you from their labor, and I will redeem you... And I will take you to Me as a people... And I will bring you to the land..." (Exodus 6:6-8)

Rabbi Naftali Zvi Yehuda Berlin (the Netziv), among the great biblical commentators of the previous century and the dean of the Volozhin Yeshiva in Russia, explained the five stages of redemption in his book Ha'amek She'eila (Delve into the Question): The first stage of the redemption was stopping the suffering.

Even after this ceased, they still had the status of slaves without rights; a status that was to change only in the second stage. The third stage in the

redemption itself followed – being set free to be personally and nationally independent. The fourth stage was at Ma'amad Har Sinai when the entire Jewish nation experienced Divine revelation and received the Torah, becoming a "holy people unto the Lord." The conclusion of the redemption was in the fifth stage, when the nation of Israel came to the Promised Land and established the Jewish nation's independent and sovereign entity.

When we examine our situation today, in the 21st century, it seems like these five stages are behind us. We are no longer enslaved, we have personal and national independence, we have the Torah and we try to keep it, and the Land of Israel is flourishing with millions of Jews residing in it. Things are not perfect – we are still being persecuted by enemies wishing to destroy us, and the Temple is not standing – but we have much to be thankful for.

However, things were not always this pretty. The Jewish nation went through periods when man needed deep faith and tremendous optimism to sense the possibility of redemption. One of the most harrowing situations is described in a book by Rabbi Sinai Adler, a Holocaust survivor who moved to Israel and served as the chief rabbi of Ashdod. This is how he describes running the Passover Seder in the Mauthausen concentration camp: "After the evening roll call and before we went into the hut to sleep, we were allowed some time to wander around the open space in front of the huts. I asked one of the chaps to walk with me a bit, and while we were walking back and forth, we recited extracts from the Haggada by heart, as much as we could remember.

A unique Seder night, without matza or wine, without a festive meal during which all the members of the family reclined around one table, but rather a Seder of walking. Our bodies were humiliated and enslaved, but they could not enslave our spirits again... because in spite of everything, we felt that we were free." (Sinai Adler, In the Valley of the Shadow of Death, Jerusalem: Yad Vashem, 1979) Later in the description he asks: "How were we able to celebrate liberation when we ourselves were in a more difficult situation than that of our forefathers in Egypt? What 'redemption' were we celebrating in the concentration camp?!" His incredible answer, full of tenacious faith typical of the Jewish nation, can serve as a basic text for every Jew. He writes as follows: "The three redemptions mentioned in the first verse – 'I will take out, I will save you, I will redeem you' that the Jewish nation merited in the Exodus from Egypt, were canceled during certain times throughout the generations. But the fourth redemption, 'I will take you to Me as a people,' is an eternal redemption that cannot be canceled no matter what the situation or the exile. We will forever remain the nation of the Blessed Be He, and we will forever remain His sons, whether He kisses us or hits us. A Father always stays a Father, even if sometimes we do not understand why he causes us pain. "During that same Leil Haseder [Seder night] in the horrible concentration camp of Mauthausen, the first three redemptions did not exist. Not the taking or the saving or the redeeming. They were all totally and completely canceled. But the redemption that says 'And I will take you to Me as a people, and I will be a God to you,' was firm and abiding even on that dark night."

These powerful words, spoken by someone who experienced the terrible atrocity of the Holocaust with his body and soul, convey the story of the Jewish nation. The nation that always yearned for complete redemption, even in times of horrific darkness, always believed that redemption can never be canceled.

The writer is rabbi of the Western Wall and holy sites.

The Blogs :: Ben-Tzion Spitz

Vaera: Daily Exodus

January 7, 2016

Of all the marvelous works of God, perhaps the one angels view with the most supreme astonishment, is a proud man. -Charles Caleb Colton

One of the cornerstones of Judaism is how we relate to the Exodus from Egypt. We mention it daily in our prayers. In the Torah, God refers to Himself most often, not as the God of Creation, nor even as the God of our Forefathers, but as the God who took us out of Egypt.

The Sfat Emet in 5634 (1874) explains that the concept of Exodus is one which we experience personally on a daily basis. And it is most directly connected to pride. When a person thinks that any achievement in his life is the result of his own efforts, it will not be long before God will bring him travails to demonstrate how little he truly controls. The frequent and even daily travails are then meant to humble us, to lead us to remember God, to call to God and then to find redemption from those same travails. The God who saved us from Egypt will likewise save us from our current hardships, enslavement and anguish. The path to redemption is to lose the self-pride of success, to be humble, to remember the Almighty and to hope for divine salvation, all with the requisite healthy and reasonable efforts. And we need to repeat this daily. Hence the daily recollection of the Exodus.

May we experience successive redemptions, both small and large.

Shabbat Shalom

Dedication - To Avi Spitz and Yael Kohn on their upcoming wedding.

Ben-Tzion Spitz is the Chief Rabbi of Uruguay. He is the author of two books of Biblical Fiction and over 400 articles and stories dealing with biblical themes
The Blogs | The Times of Israel

Rav Kook List

Rav Kook on the Torah Portion

A Wise Old Nation

Rav Kook once visited a kibbutz, a cooperative agricultural settlement. The rabbi noticed that its members were very meticulous about their work, but not so much about the laws of the Torah.

“My sons,” he said to them, “let me tell you a true story.”

There was a wise, old man who became ill. As a result of his illness, he forgot all twenty-two letters of the Hebrew alphabet. The doctors told the man, “We are sorry, but nothing can be done to restore your memory. You have no choice but to go back to school and start from scratch.”

So the old man enrolled in the local kindergarten and began learning the alef-bet all over again.

After a while, the teacher noticed that his new pupil started acting like the other children. He would get into fights with his classmates and do other silly things. The teacher realized he needed to have a talk with the man.

“It is true that, in terms of your studies, you are like the children here,” the teacher explained. “But do not forget that you are a wise, old man!”

Rav Kook concluded his story, telling the kibbutz members:

“The same holds true for the Jewish people. Ever since we were exiled from our Land, we have forgotten how to work and farm. So we are starting again from scratch. Nonetheless, let us not forget that we are a wise, old nation.”

(Adapted from Malachim Knei Adam, p. 394)

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

Rabbi Nachman Kahana

BS”D - Parashat Va’aira 5776

Eradication of evil doers and evil ideologies

This Shabbat, we will begin reading seven of the ten devastating plagues which eventually brought Paro and Egypt to their knees: water into blood, frogs, lice, wild beasts, diseased livestock, boils, thunderstorm of hail and fire. Next week’s parsha will continue with the remaining three: locusts, darkness and the death of Egypt’s firstborn.

Only HaShem could have brought about these plagues, nevertheless, Moshe and Aharon were commanded to be personally involved by performing a symbolic act, like raising a staff or hitting the water, as a condition for effecting each plague. Why?

Judicial process vs. revenge

The book of Shmuel 1 relates how King Shaul defeated the nation of Amalek, but sinned by leaving the last of them alive – Agag, the King.

The prophet Shmuel is filled with righteous indignation at Shaul’s violation of HaShem’s command to kill all Amalek and destroy all their possessions (to the last Volkswagen).

Agag is brought before Shmuel, and in his wrath the prophet declares:

ויאמר שמואל כאשר שכלה נשים חרבך כן תשכל מנשים אמך וישסף שמואל את אגג
לפני ה' בגלגל:

As your sword has made women childless, so will your mother be childless among women. And Samuel put Agag to death before the Lord at Gilgal.

The book of Shmuel 1 (22,3) relates that when David and his family were escaping from King Shaul, David sent his parents and brothers to safety with the King of Moav, who was a distant cousin by David’s great grandmother, Ruth the former Moabite.

The King of Moav betrayed David’s trust by murdering his parents and brothers, save for one brother who escaped.

When David ascended the throne of Israel, he avenged the death of his family, as stated in Shmuel 2 8,2:

וידך את מואב וימדדם בחבל השכב אותם ארצה וימדד שני חבלים להמית ומלאה החבל
להחיות ותהי מואב לדרה לעבדים נשאי מנחה:

David defeated the Moabites. He made all the men lie down on the ground and measured them off with a length of cord. Every two lengths of them were put to death, and the third length was allowed to live. The Moabites became subjects to David and brought him tribute.

Shmuel’s killing of Agag was the fulfillment of the Torah’s commandment to destroy every vestige of Amalek. But, it is apparent that David’s acts were not the result of a Torah commandment or by judicial process, they were acts of pure revenge.

The illustrious Shimshon, who preceded Shmuel and David, killed many Philistines without judicial process, but acts of revenge for the evil that the Philistines did to Am Yisrael.

There are many examples of punishment of evil-doers by acts of revenge not having come under judicial process.

Conclusion: According to the Torah, when judicial process is not feasible, victims of evil may take the law into their own hands and perform acts of vengeance against the perpetrators.

It is no secret, that at the end of the Second World War, many Jews from Eretz Yisrael who were serving in the British army in Europe, joined in groups to capture German sadists and pour out Jewish vengeance on them. I was told of the exploits of these groups by one of the proud Jews who took part in them.

The nation carried out judgement

We know Moshe and Aharon as HaShem’s messengers to free the Jews from Egyptian bondage, and to bring the Torah from HaShem to His chosen people. However, their first task was performed in Egypt much before the actual exodus.

The Egyptians were the original Nazis! They enslaved the Jewish people, degraded and murdered them and their young children. The Jews deserved the right to take revenge on the Egyptians for their suffering while the perpetrators were still alive.

However, HaShem did not want the killing of millions of Egyptians by the people who were soon to stand at the foot of Mount Sinai to receive the holy Torah; beginning the next four thousand years of “Yiddishkeit” by acts of murder, as justified as they were.

Moshe and Aharon were proxies for the entire nation. When Moshe and Aharon raised their staffs to bring about a plague, every Jew felt as if he was holding the staff.

In 1962, Adolf Eichman was judged and sentenced by an Israeli court in Yerushalayim to death by hanging. On the appointed day, every Jew felt as if he was putting the noose around the neck of one of the arch murderers of our people, and that he was pulling the lever to that sent the murderer to Gehennom. That is how our ancestors felt when Moshe and Aharon raised their staffs.

Eradication of evil doers and evil ideologies

The Jewish people, as well as much of the enlightened world, are suffering from the disastrous merger of the insane religion of Islam, that depicts their god as angry and fearsome; a deity who delights in the beheadings and amputations of his own creations, together with the murderous, sadistically evil nature of the Arabs.

The Jewish people have suffered beyond words from Esau and his son-in-law Yishmael. However, the day of reckoning is approaching, as predicted by the prophet Ovadya (chapter 1):

כי קרוב יום ה' על כל הגוים כאשר עשית יעשה לך גמלך ישוב בראשך
כי כאשר שותיתם על הר קדשי ישתו כל הגוים תמיד ושתו ולעו והיו כלוא היו
ובהר ציון תהיה פליטה והיה קדש וירשו בית יעקב את מורשיהם
והיה בית יעקב אש ובית יוסף להבה ובית עשו לקש ודלקו בהם ואכלום ולא יהיה שריד
לבית עשו כי ה' דבר

ועלו מושעים בהר ציון לשפט את הר עשו והיתה לה' המלוכה

The day of the Lord is near for all nations.

As you have done, it will be done to you; your deeds will return upon your own head.

But on Mount Zion will be deliverance; it will be holy, and Jacob will possess his inheritance.

Jacob will be a fire and Joseph a flame; Esau will be stubble, and they will set him on fire and destroy him. There will be no survivors from Esau. The Lord has spoken.

People from the Negev will occupy the mountains of Esau, and people from the foothills will possess the land of the Philistines. They will occupy the fields of Ephraim and Samaria, and Benjamin will possess Gilead.

This company of Israelite exiles who are in Canaan will possess the land as far as Zarephath; the exiles from Jerusalem who are in Sepharad will possess the towns of the Negev.

Deliverers will go up from Mount Zion to judge the mountains of Esau.

And the kingdom will be the Lord's.

AMEN!!!!

Medinat Yisrael, through our holy army of Tzahal is the 'extended arm' of HaShem to implement the annihilation of evil in the world.

However, as it appears today, our Father in Heaven has a more elegant plan for the eradication of evil, without having to involve our holy soldiers. Esau and Yishmael will explode upon each other, as we are now witnessing. ISIS, Taliban, Hezbollah, Hamas and Al Quaida are murdering Moslems in Syria, Iraq, Afghanistan and Africa. The Saudis and their Gulf State allies will soon take on Iran more effectively and at a lower cost to Israeli lives. Turkey and Russia. Egypt and the up-stream Nile River nations will neutralize each other. The European countries will be combatting with the millions of Moslems on the streets of Paris and London. And the Americans will be battling tens of millions of Moslems on the streets of St. Louis, Los Angeles and Flatbush.

The picture which our prophets paint of the future annihilation of evil is not be a pretty one. But, it is a law or nature that for a seed in the ground to germinate it must first decompose. So, too, the prior condition for a more perfect world is the eradication of evil doers and evil ideologies.

Let us just pray that when it comes about, the Jews now in galut will have the merit to come home to the protective embrace of Eretz Yisrael.

Shabbat Shalom

- See more at: <http://nachmankahana.com/vaaira-5776/#sthash.uvFzDBem.dpuf>

Rabbi Nachman Kahana is an Orthodox Rabbinic Scholar, Rav of Chazon Yechezkel Synagogue – Young Israel of the Old City of Jerusalem, Founder and Director of the Center for Kohanim, and Author of the 14-volume "Mei Menuchoth" series on Tosefot, "With All Your Might: The Torah of Eretz Yisrael in the Weekly Parashah", as well as weekly parasha commentary available where he blogs at <http://NachmanKahana.com>

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The Contemporary Kosher Bakery and its Halachic Issues.

By Rabbi Yirmiyohu Kaganoff

My wife and I are thrilled to announce the engagement of our youngest daughter, Shalva, to Itzik Scarr, son of Dr. Tzvi and Mrs. Cindy Scarr of Har Nof, Yerushalayim. The chosson studies in Yeshivas Chevron (in Yerushalayim).

Frogs jumping into Egyptian kneading bowls and ovens will create kashrus problems for the local bakeries. Thus, I present a revised version of part of an article I wrote originally over thirty years ago.

Question #1: Labels

"May I rely on the label of a product that it contains no non-kosher ingredients?"

Question #2: Visiting Mom, but May I Eat?

"I will be visiting my mother, who lives in a small North American community. How can I find out if I can use the bread and other products made in the local 'kosher-supervised' bakery?"

Question #3: How Can They?

"How can a *hechsher* supervise as kosher a business that is open on *Shabbos*?"

Answer:

Since the twenty-first-century household does not bake its daily bread at home, a kosher bakery is a necessity for any sizable Jewish community. This often becomes one of the many challenges of a local rabbi: how to have a reliably kosher bakery in a town where there are not enough Jews who keep kosher to make it worthwhile?

Often, the situation is not ideal. In general, a food establishment should seek to be kosher supervised, rather than be solicited to become kosher. However, because of the need for a local kosher bakery, the local rabbi/*rabbonim* may not have that luxury, and they may have to convince a proprietor that it is worth his while to be kosher supervised.

Numerous *kashrus* and *halachic* issues must be clarified to enable this supervision. The *rav hamachshir*, or supervising rabbi, must assume many responsibilities, including ascertaining the *kashrus* of all incoming ingredients, the proper koshering of equipment, the maintenance of separate production facilities for dairy and *pareve*, assuring that no dairy products are added to the breads, and determining the practicality of the products being *pas Yisrael* (bread where a Jew participated in the baking). In other articles, I discussed at length the issues germane to having dairy bread. One of these articles is currently available on *RabbiKaganoff.com*

To begin with, let me explain why one may not use baked goods on the basis of a scanning of the label to see that no obvious animal ingredients appear. There are several reasons that this is true, even if one knows that the label is accurate, which, I can tell you from personal experience, is not always the case. Even in an instance where the label meets legal requirements, and the government concerns itself with truth in labeling, government regulation does not usually require the listing of every ingredient on the label of a product. For example, release agents, which keep food products from sticking to machinery, may be produced from animal shortening. Legally, they are considered production aids, and not ingredients, and, as such, do not need to be listed on the label. Yet, they are sprayed or smeared directly on food, or on equipment immediately before food items are placed on them. Thus, the fact that they are legally not considered ingredients does not provide any *halachic* leniency. Thus, bread and other products must be certified kosher by a reliable rabbi or organization.

Ingredients

Even in a bakery where the owner is attempting to keep kosher, there are commonly problematic ingredients, such as the stabilizers, emulsifiers, and dough mixes since they frequently are animal-shortening based or include animal fats. Because these products often present a *kashrus* problem, it is fairly common to find that the same manufacturer produces two varieties of the product – one, a less expensive animal-oil based non-kosher version, and a replacement product, manufactured from vegetable oils and produced under responsible kosher supervision.

Tolayim

Of course, the *hechsher* also needs to make certain that the raw materials and the production facility itself are maintained in a way to resolve all *kashrus* concerns about insect contamination.

Raisin juice

Specifically in the case of pastry or some varieties of sweet bread or bagels, raisins can create a *halachic* problem that may go unnoticed by the *hechsher*. In addition to the *hechsher's* requirement to ascertain that there are no *tolayim* concerns, raisins are often mixed or cooked with water to create a raisin juice, which functions both as a sweetener and as a natural, healthy preservative. However, this raisin juice now has a *halachic* status of wine, and when handled by a non-Jew becomes prohibited because of *stam yeinam*. Thus, one can have a very unusual situation where mixing two kosher ingredients, raisins and water, creates a non-kosher product.

Equipment

When the *hechsher* begins, the rabbi/*rabbonim* need to decide how to *kasher* the equipment of the bakery. This can sometimes be quite challenging, since the equipment may require *libun gamur*, burning in fire, which is not easy to do.

A bigger problem is keeping dairy and *pareve* equipment separated. Many years ago, I was asked to perform a *kashrus* review of a local *vaad hakashrus*. When I checked the *shomer Shabbos* bakery that the whole town was using, I discovered that the baking trays for *milchig* and *pareve* were not being kept separate. Nor was there any separation of production schedule. This meant that a tray may have been used to bake cheese Danishes, and then immediately used for *challos* for *Shabbos* without even being cleaned in between.

I drew up a program to be followed to keep the breads *pareve*, but, to the best of my knowledge, the plan was not followed.

Jewish owned

If the local bakery is Jewish owned, additional questions must be dealt with, including *Shabbos* and *Pesach* production, ritual immersion of the equipment in a *mikveh*, and *hafrashas challah* -- proper separation of the *challah* portion. (It is important to clarify that the commonly used word *challah*, meaning *Shabbos* bread [as I used it in the previous paragraph], is technically a misnomer. Here, I am using the word *challah* to mean the special portion removed from dough as mandated by Jewish law.) I will discuss the issues germane to *challah* taking in a different article.

Shabbos

Frequently, a local rabbinate, particularly in a community with a small Jewish population, is unable to arrange for a Jewish-owned bakery to be closed on *Shabbos*. This creates a strong moral dilemma for the *rabbonim* involved. By providing such a bakery with kosher certification, one is providing tacit approval to public desecration of *Shabbos*. In addition, one must deal with the *halachic* issues regarding whether the products made by a Jew on *Shabbos* are permitted to be used by a consumer after *Shabbos*. In practice, many communities allow the existence of these bakeries and provide them with kosher supervision, reasoning that this way the community at least has kosher product.

It has become more common today to have a kosher supervised bakery that is closed on *Shabbos* inside a supermarket that is open on *Shabbos*. In this instance, the supervising organization is not assuming any responsibility for the supermarket, which indeed sells non-kosher. The visiting consumer may still want to verify whether the standard maintained at the bakery is of a level similar to what he is accustomed.

Chometz and Pesach

A more serious problem is the instance of a bakery that is open on *Pesach*. Any *chometz* owned by the bakery during the festival is forbidden for use, even after *Pesach*. The rabbinate could remove supervision after *Pesach*, until all *chometz* items that were owned during the holiday have been consumed, thus permitting only items which were acquired after *Yom Tov*, but of course this leaves the community without "Kosher" bread for the duration. Based on a responsum from Rav Moshe Feinstein, some rabbis arrange a sale of all *chometz* items with a standard *mechiras chometz* document, but not all authorities agree that this sale has validity. The *Maharam Schick*, the *Tevuos Shor*, and others state that the sale of *chometz* is effective only for someone who does not want to own *chometz* during *Pesach*. According to this opinion, the *mechiras chometz* of a bakery that is open on *Pesach* would have no *halachic* validity. The bakery's products

may not be used until all *chometz* that it owned during *Pesach* has been used up or discarded.

Because of the potential *chillul Hashem* of having a "kosher supervised bakery" that operates on *Shabbos*, I know of *hechsherim* that supervise the "ingredients" of a bakery, but not the bakery itself. They contend, therefore, that it is not their responsibility to deal with the concerns about *challah*, *chometz*, or *Shabbos* desecration.

Personally, I do not see this as a solution to a problem, but as the cause of the problem. Even if we assume that the product produced on *Shabbos* is still kosher, and that it is not our concern to warn people about *chometz she'avar alav hapesach*, the average consumer does not realize that he is required to take *challah*. As someone once humorously put it, "this is a *hechsher* that everything was kosher before it got into the bakery, but what left might be *treif*."

Pas Yisrael

The *Mishnah* in *Avodah Zarah* states:

The following items of a non-Jew are forbidden to be eaten, but are permitted for benefit: milk milked by a non-Jew without a Jew supervising; bread and oil of a non-Jew, although Rebbe and his rabbinic court permitted the oil of a non-Jew, and items cooked by a non-Jew [bishul akum, which, if certain conditions exist, would not be permitted.]

The latter items are prohibited because of the likelihood that increased social interaction would lead to intermarriage. Many of the *rishonim* note that there is evidence that the prohibition against *pas akum*, bread baked by a non-Jew, was not accepted in all places when introduced, because of the principle that a rabbinic injunction becomes universally binding only if the majority of people abides by it. Based on this approach, the *Rema* rules that one may use bread baked by gentiles for commercial sale, which is called *pas paltar*. Other opinions state that the permissibility of *pas akum* is dependent on whether there is comparable *pas Yisrael* (bread baked by a Jew) available. When *pas Yisrael* is available, one may not use *pas akum*. However, when suitable *pas Yisrael* is not available, one may use *pas paltar*. Bread baked for private use is still included under the rabbinic injunction of *pas akum* except for rare circumstances.

The *Shulchan Aruch* reaches the following conclusion: In a place where the custom is to use *pas paltar*, one is permitted to use bread prepared for commercial usage – provided that no comparable *pas Yisrael* is available. If *pas Yisrael* becomes available, then the *pas paltar* should not be used until the *pas Yisrael* is no longer available. The *Rema* disagrees and says that *pas paltar* can be used even when *pas Yisrael* is available in any place where the custom is to permit *pas paltar*. The *Bach* and the *Gra* follow the opinion of the *Rema*, whereas other opinions agree with *Shulchan Aruch* and permit *pas paltar* only when *pas Yisrael* is not available.

During the Ten Days of Repentance, even a place where the custom is to be lenient in the usage of *pas paltar* is required to be stringent. Most opinions also agree with the *Magen Avraham* that on *Shabbos*, one should use only *pas Yisrael*.

The entire issue of whether and under what circumstances a Jew may eat bread baked by a non-Jew is problematic, if the entire baking procedure is done without any participation of a Jew. However, if a Jew increases the heat of the fire being used for baking in any way, even by merely symbolically adding a splinter to the fire, the bread baked is considered *pas Yisrael*. The *Rema* furthermore states that if a Jew increased the fire once, and the oven was not turned off for twenty-four consecutive hours, then all the bread baked in that time is considered *pas Yisrael*. The *Chachmas Adam* concurs with the *Rema*, although the *Aruch Hashulchan* does not accept all these leniencies.

In conclusion, according to predominant opinion, if a Jew participated in heating the oven, then the bread is considered *pas Yisrael*. If no Jew participated in heating the oven, the bread baked by a non-Jew can be used wherever there is no suitable usage of *pas paltar*, except during the Ten Days of Penitence and *Shabbos*. According to the *Rema*, in a place where the custom is to be lenient, one can use *pas paltar*, even if *pas Yisrael* is available.

We have as yet not discussed the complicated topic of separating *challah* from a bakery that is owned and managed by a non-observant Jew. We will continue that part of this topic in a future issue. I am also planning articles that will discuss *pas akum*, the *stam yeinam* issues germane to the use of raisin juice, and the topic of dairy bread in more detail.

Conclusion

Based on the above information, we can gain a greater appreciation as to how hard it is to maintain a high *kashrus* standard. We certainly have a greater incentive to become better educated kosher consumers who better understand many aspects of the preparation of kosher food, and why it is important to ascertain that everything one consumes has a proper *hechsher*. We should always hope and pray that the food we eat fulfills all the *halachos* that the Torah commands us.

Ohr Somayach :: Insights into Halacha

Rabbi Yehuda Spitz

For the week ending 2 February 2013 / 21 Shevat 5773

The Colored Water Caper

Red Alert

Several months ago, pleasure seekers at Australia's famous Bondi (pronounced Bond-eye) Beach, located in the Sydney suburb of Bondi, were left high and dry when a Crimson Tide rolled in, effectively transforming its normally tranquil waters into the 'Red Sea'. This rare natural phenomenon, known as an algal bloom, occurs when there is a rapid increase or accumulation in the production of microscopic algae (dinoflagellates, usually toxic phytoplankton) in an aquatic system. This results in a visible coloration of the water, typically taking on a reddish hue. Apparently all was not "fair dinkum" for the Aussies. Not that it's any consolation for those robbed of a pleasure swim, nonetheless, at least this gives us an inkling of what Makkas Dam might have seemed like, as well as helping us understand an interesting halacha.

Colored Water?

The Shulchan Aruch[1] rules, as did the Tur before him, and based on a Mishna in Masechos Yadayim, that regarding Netilas Yadayim for eating bread[2], if the water's appearance has changed, whether by itself or due to something else falling inside it or due to its location, that water is pasul, disqualified for being used for washing purposes[3]. This would mean that it would be prohibited to use water during "red tide" to wash for Hamotzi.

Yet, many authorities argue on part of the Shulchan Aruch's statement. They point out that the Mishna does not actually mention the water color being changed "by itself" with no outside stimulus as making the water assur. The Mishna only mentions the other criteria, namely different types of inks and dyes falling in, for prohibiting colored water!

Additionally, regarding such 'dyed water' for use as a mikva, only when the color has changed due to something else falling in would such a mikva be invalidated, and not when the color has changed by itself[4]. It stands to reason that the rules of Netilas Yadayim, which are a Takanas Chachamim, cannot be any stricter than those regarding the Biblical mikva!

A further proof cited is that the Rambam[5], when codifying this halacha, omitted any mention of water whose color has been changed by itself being prohibited. Therefore, many halachic decisors, including the Taz, Magen Avraham, Gr"a, Pri Megadim, Shulchan Aruch HaRav, Kitzur Shulchan Aruch, and Mishna Berura[6] rule that water whose color has been changed by itself is perfectly permissible to be used for Netilas Yadayim. Accordingly, this would mean that 'red tide' water due to an algal bloom would in fact be permitted for Netilas Yadayim, as no one added anything and it is a natural phenomenon that actually occurs on a microscopic level.

Color Coded

However, other authorities disagree, concurring with the Tur and Shulchan Aruch's stringent ruling. They explain that there truly is no such thing as water changing color "by itself". It actually occurs when the water is sitting exposed to the elements, that it gets contaminated, possibly by (microscopic) organisms in the air, which change its color. It is only

referred to as changing by itself because nothing was purposely added to the water that might change its color. Proof is that if someone would place water in an airtight sealed clear container, its appearance would remain unchanged.

These authorities argue that the Rema, who does not comment on the Shulchan Aruch's ruling, and perhaps even the Rambam, would actually agree to this. Although the Rambam did not mention water whose appearance changed "by itself", he nonetheless added that water whose color was changed "by the ground" is passul for use for Netilas Yadayim. These decisors opine that it is possible that this was his intent, referring to water sitting exposed on the ground whose appearance was changed naturally. Additionally, they point out that Chazal, and later the Shulchan Aruch, use extremely strong terms for the punishments awaiting those negligent with washing Netilas Yadayim properly[7]. Therefore, they maintain that one may not compare it to a mikva, which would not become invalidated with this type of water. In fact, many halachic authorities, including the Prisha, Chida, Ma'amar Mordechai, Shulchan HaTahor, Ben Ish Chai, Aruch Hashulchan, Kaf Hachaim, and Chazon Ish[8] rule that water whose color has been changed by itself is prohibited to be used for Netilas Yadayim. This would also seemingly include our 'Crimson Tide'.
Breaking Out the Bubbly?

This whole background will help us understand a more common case. Have you ever filled up your cup to wash for Hamotzi and found the water a bit whitish, cloudy or bubbly? Usually, the water settles down and returns to its normal appearance after a few seconds. A quite common question is whether one needs to wait for the water to settle down in order to wash, as it would have the status of water whose appearance changed "by itself", or whether this is not the same issue.

Many contemporary poskim, including Rav Yosef Shalom Elyashiv, Rav Yisrael Yaakov Fischer, Rav Ben Tzion Abba Shaul, Rav Nosson Gestetner, and the Yalkut Yosef[9] rule that there is no reason to wait for the water to settle. They explain that the reason the water looks this way at first is due to air pressure in the pipes. Therefore, they maintain that this is not the same case as 'shinui mareh machmas atzmo' as the water's appearance did not truly change. They bring proof from the Shulchan Aruch himself who rules that if the water's appearance changed due to rocks and dirt getting mixed in, then it is still kosher for Netilas Yadayim[10]. Therefore, a temporary whitish tinge or bubbles in the water cannot be considered any worse for Netilas Yadayim.

Yet, other authorities, including the Minchas Yitzchak, Rav Yaakov Blau zt"l, and the Netei Gavriel[11], still maintain that even though washing with such water would be permissible, it is nevertheless preferable to wait until the water clears before washing l'chatchila.

When one views the world through the lens of halacha, current events, Crimson Tides, and even simple tasks like hand-washing take on a whole other dimension.

Postscript[12]: There is another interesting related topic about whether water with bubbles has the halachic status of water: drinking seltzer during Shalosh Seudos (Seudat Shlishit). There is an obscure custom of not drinking water during Bein Hashmashos on Shabbos. This is loosely based on the Rema's comment in O.C. 291, 2 about the dangers of drinking well water during this time period[13]. The Steipler Gaon, as well as his son Rav Chaim Kanievsky[14], maintain that this includes seltzer (which is intrinsically water with carbon dioxide added in), as the bubbles do not detract from the water's status. However, Rav Moshe Halberstam zt"l, citing many earlier authorities including the Maharsham[15], argues that seltzer is not included in the water category in respect to this minhag. A little fizz goes a long way.

The author wishes to thank his friend and talmid, renowned business consultant and marketing specialist Rabbi Issamar Ginzberg, whose sheilah was the impetus for this author's interest and research in this topic.

[1]Tur / Shulchan Aruch (O.C. 160, 1), Mishnayos Yadayim (Ch.1, 3).

[2]The Mishna Berura (158, 1; see also Shaar HaTzion ad loc. 1 & 2) gives an excellent summary of the sources and reasons why Netilas Yadayim is mandated before eating bread, one of them being that it is alluded to by the pasuk in Parshas

Kedoshim (Vayikra Chapter 20, verse 7) “V’hiskadeeshtem, V’heyisem Kedoshim”, “And you shall sanctify yourselves, and be holy”. The Gemara (Brachos 53b) clarifies that “And you shall sanctify yourselves” refers to washing the hands before the meal, Mayim Rishonim, and “and be holy” refers to washing the hands after the meal, Mayim Acharonim. In other words, by washing our hands before making a bracha (in this case before eating bread), we are properly sanctifying ourselves. See previous article titled “Mayim Acharonim, Chova?”. Another reason why we wash is to be akin to the Kohanim eating Terumah, who had to eat their food in purity. One should not make light of this obligation as the Shulchan Aruch writes (O.C. 158, 9) extremely strong ramifications for one who does, based on three separate maamarei Chazal (Mishnayos Ediyus Ch. 5 Mishna 6, Gemara Shabbos 62b, and Gemara Sotah 4b). See also Shmiras HaGuf VeHanefesh (vol. 1, Ch. 55 at length).

[3]This halacha is gleaned from the water in the Kiyor in the Beis HaMikdash, used to wash the Kohanim’s hands and feet. Just as if that water’s appearance was changed it would be rendered unfit for use, so too our water would - Ra’ah (Brachos 53b s.v. chamei), cited by the Beis Yosef (O.C. 161, 1 s.v. tzarich) and Mishna Berura (ad loc. 1).

[4]Mishnayos Mikvaos (Ch.7, Mishna 3), Rambam (Hilchos Mikvaos Ch.7, 12), Beis Yosef and Shulchan Aruch (Y”D 201, 25 - 27).

[5]Rambam (Hilchos Brachos Ch.6, 7).

[6]O.C. 160 ad loc. - Taz (1), Magen Avraham (2), Gr”a (1), Pri Megadim (M.Z. end 1), Shulchan Aruch HaRav (1), Kitzur Shulchan Aruch (40, 8), and Mishna Berura (160, 2).

[7]See end footnote 2.

[8]O.C. 160 ad loc. - Prisha (2), Chida (Birkei Yosef 2), Ma’amar Mordechai (1), Shulchan HaTahor (1), Ben Ish Chai (Year 1, Parshas Kedoshim 1), Aruch Hashulchan (3, who writes that the appearance change is due to maggots and flies), Kaf Hachaim (5), Chazon Ish (O.C. 22, 7 & 13). Additionally, the Bach (end 1) who argues on this rule, nevertheless concludes that if at all possible it is preferable to be stringent. Similarly, the Machatzis Hashekel (end 2) who likewise refutes this rule still concludes that if after washing with the colored water one finds water whose appearance has not changed, it would be prudent to wash again without a bracha.

[9]Rav Elyashiv’s opinion is cited in Shu”t Rivevos Efraim (vol. 6, 410), Rav Yisrael Yaakov Fischer (Shu”t Even Yisrael vol. 7, 11), Rav Ben Tzion Abba Shaul (Shu”t Ohr L’Tzion vol. 2, Ch. 11, 7), Rav Nosson Gestetner (Shu”t L’Horos Nosson vol. 4, O.C. 8), and the Yalkut Yosef (Kitzur Shulchan Aruch O.C. 160, 2). The Chazon Ish (O.C. 22, 9 s.v. sham) implies this way as well, regarding permitting water that got ‘dirty’ due to something small falling in that does not intrinsically change the water’s actual color.

[10]Shulchan Aruch (O.C. 160, 9). It still must be water that a dog would drink. Although there are two different explanations why the Shulchan Aruch’s ruling holds true, it is possible that both would apply here. [The Pri Megadim (ad loc. M.Z. 1) explains that since in the end the water itself remains truly clear as the dirt and mud do not actually change the color of the water itself, it is not deemed a problem. The Shulchan Aruch HaRav (ibid.) maintains that since it is the derech of the ‘gidul’ of water to have dirt and mud mixed in, it won’t affect the water’s status. See also Mishna Berura (ad loc., 3).]

[11]Shu”t Minchas Yitzchak (vol. 9, 13), Netei Gavriel (Ch.66, 7, pg. 441). This author personally heard this psak of Rav Blau’s zt”l, to be choshesh l’chatchila for the Minchas Yitzchak’s position, approximately a week before he was niftar. The Minchas Yitzchak held that the hetter of rocks and dirt mixing into the water was not a comparable case according to several opinions and therefore it would be preferable to wait until the water settled down.

[12]Thanks are due to Rabbi Yaakov Nissan for pointing out this related interesting machlokes.

[13]See Shmiras HaGuf VeHanefesh (vol. 2, 130) and Shu”t Divrei Moshe (O.C. 13) at length, explaining how this custom can be sourced in the Rema’s enigmatic and seemingly unrelated ruling.

[14]The Steipler’s minhag is found in Orchos Rabbeinu (vol. 1, 109). Rav Chaim Kanievisky’s short responsa on topic, defending his father’s shitta, is printed in Shu”t

Divrei Moshe (O.C. end 14). He concludes that it is “kasha lehakel b’makom sakana”.

[15]Shu”t Divrei Moshe (O.C. 14) at length; Maharsham (Shu”t vol. 3, 375; Daas Torah O.C. 158 & Y”D 339, 5).

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L’iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R’ Yechezkel Shraga, Rav Yaakov Yeshaya ben R’ Boruch Yehuda, and l’zchus for Shira Yaffa bas Rochel Miriam and her children for a yeshua teikef u’miyad!

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Ohr Somayach :: Talmud Tips :: Gittin 30 – 36

For the week ending 9 January 2016 / 28 Tevet 5776

by Rabbi Moshe Newman

“Whoever marries does so according to the agreement of the Rabbis, and the Rabbis dissolved the marriage from him.” Gittin 33a

This statement is taught in our daf to explain how a get that was given to an agent to deliver and was nullified by the husband in the presence of Beit Din is still considered to be valid, and therefore the wife who receives it will not be married. This explains the opinion of Rabbi Shimon ben Gamliel, who says that a husband who transgresses the decree of Rabban Gamliel Hazaken in the mishna on 32a that forbids nullifying a get that has been sent with an agent, even in the presence of a Beit Din — “cannot nullify it or add onto his condition.” As a result, they are not married.

The commentaries explain that Rabbi Shimon ben Gamliel’s reason for “dissolving” the marriage if this occurs is because we look at every marriage as being made conditionally. If the Rabbis agree to it, it is a marriage; if not, it is not. Therefore, the gemara explains that if the husband nullifies the get in this proscribed way, we view it as if the Rabbis did not agree with this marriage from the very beginning. In other words, since the marriage is conditional on the Rabbis agreeing to it, in the event that a husband acts in this manner, the Rabbis do not agree to the marriage and the “condition” necessary for the marriage to be valid is not fulfilled. In this sense, the marriage is not really “dissolved”; rather, the marriage never really took place. (Rashi)

If the marriage never took place, we would expect the money the man gave her initially for marriage to return to him at the end. However, Rashi writes in this same sugya, that when the Rabbis don’t agree to the marriage the initial money is now considered to be a gift for her, and not as money for kiddushin which would now return to him. Why is the money a gift for her to keep? Since the Rabbis declared that the condition wasn’t fulfilled and that the marriage never happened, shouldn’t she need to return the money? One explanation is that the “trigger” which sets off the disqualified marriage is the mere statement of the husband to nullify the get. Only words. No action. The power of these words is enough to undo the power of his words of marriage that he originally spoke to the woman (and invoke the Rabbis not wanting the marriage and therefore not fulfilling the condition of their consent), but the words are not “strong enough” to undo the action of his originally giving her the money. She therefore keeps the money and it is considered as a gift. (See Maharitz Chiyut who discusses this subject at length).