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ON **VAYAKHEL** - 5776

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Rabbi Zvi Sobolofsky
The Fire of Anger

In Parshas Vayakhel the Torah singles out the prohibition of lighting a fire on Shabbos from amongst all of the thirty nine melachos. Not kindling a flame is so essential to Shabbos observance that Shabbos begins with the lighting of candles and concludes with Havdala being accompanied by aberacha recited over the creation of fire. In addition to the prohibition of literally creating a fire, Chazal speak of a different kind of flame that may also not be lit on Shabbos; Chazal include the fire of anger in this Shabbos prohibition. Although not acceptable even during the week, there is a dimension of anger that is diametrically opposed to Shabbos.

How does anger contradict Shabbos? Chazal teach us that public Shabbos desecration is tantamount to idolatry. How so? Rashi explains that just as idolatry negates the truth of Hashem's existence, so too chilul Shabbos negates Hashem as the Creator of the world. Chazal equate one who gets angry with one who serves idols because in a state of anger a person makes himself into an avodah zarah. Chilul Shabbos and anger share the same attitudinal effect of being akin to avodah zarah. On Shabbos, therefore, one especially has to be careful not to become angry and thereby demonstrate his worship of himself.

Chazal instituted the mitzvah to light candles before Shabbos to enhance shalom bayis. Sitting in darkness inevitably leads to tension which will result in anger, thereby desecrating the essence of Shabbos, as explained above. The Gemara tells us that the Satan dances on Friday afternoon. It is a time when people may become tense as the last moments of Shabbos preparations occur, and therefore the yetzer harah of anger is present to potentially undermine Shabbos even as we prepare for the Shabbos.

The Mishna in Shabbos teaches us that one should instruct the members of ones household to complete the Shabbos preparations culminating with a reminder to light the Shabbos candles. Not surprisingly, we are instructed to give these instructions in a gentle tone. To insist on lighting Shabbos candles in an angry tone would undermine the shalom bayis the candles are coming to usher

in. Such a tone of voice would enable the Satan to dance as proper Shabbos observance would give way to anger and ultimately a subtle form of idolatry. As we begin and end our Shabbos from our Shabbos candles to our Havdala candle, it is fitting for us to focus on the power of fire in our lives. We can use this gift to bring light and warmth to those around us or become consumed with the fire of anger and dispute. May we learn the lesson of shalom bayis that our candles are teaching, and keep the Satan of anger far away from us.

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The Social Animal

Britain's Former Chief **Rabbi Lord Jonathan Sacks**

At the beginning of Vayakhel Moses performs a tikkun, a mending of the past, namely the sin of the Golden Calf. The Torah signals this by using essentially the same word at the beginning of both episodes. It eventually became a key word in Jewish spirituality: k-h-l, "to gather, assemble, congregate." From it we get the words kahal and kehillah, meaning "community". Far from being merely an ancient concern, it remains at the heart of our humanity. As we will see, recent scientific research confirms the extraordinary power of communities and social networks to shape our lives.

First, the biblical story. The episode of the Golden Calf began with these words: "When the people saw that Moses was so long in coming down from the mountain, they gathered themselves [vayikahel] around Aaron ..." (Ex. 32:1). At the beginning of this week's parsha, having won G-d's forgiveness and brought down a second set of tablets, Moses began the work of rededicating the people: "Moses assembled [vayikahel] the entire Israelite congregation ..." (Ex. 35:1). They had sinned as a community. Now they were about to be reconstituted as a community. Jewish spirituality is first and foremost a communal spirituality.

Note too exactly what Moses does in this week's parsha. He directs their attention to the two great centres of community in Judaism, one in space, the other in time. The one in time is Shabbat. The one in space was the Mishkan, the Tabernacle, that led eventually to the Temple and later to the synagogue. These are where kehillah lives most powerfully: on Shabbat when we lay aside our private devices and desires and come together as a community, and the synagogue, where community has its home.

Judaism attaches immense significance to the individual. Every life is like a universe. Each one of us, though we are all in G-d's image, is different, therefore unique and irreplaceable. Yet the first time the words "not good" appear in the Torah are in the verse, "It is not good for man to be alone" (Gen. 2:18). Much of Judaism is about the shape and structure of our togetherness. It values the individual but does not endorse individualism.

Ours is a religion of community. Our holiest prayers can only be said in the presence of a minyan, the minimum definition of a community. When we pray, we do so as a community. Martin Buber spoke of I-and-Thou, but Judaism is really a matter of We-and-Thou. Hence, to atone for the sin the Israelites committed as a community, Moses sought to consecrate community in time and place.

This has become one of the fundamental differences between tradition and the contemporary culture of the West. We can trace this in the titles of three landmark books about American society. In 1950, David Riesman, Nathan Glazer and Reuel Denney published an insightful book about the changing character of Americans, called *The Lonely Crowd*. In 2000 Robert Putnam of Harvard published *Bowling Alone*, an account of how more Americans than ever were going ten-pin bowling but fewer were joining bowling clubs and leagues. In 2011, Sherry Turkle of MIT published a book on the impact of smartphones and social networking software called *Alone Together*.

Listen to those titles. They are each about the advancing tide of loneliness, successive stages in the long, extended breakdown of community in modern life. Robert Bellah put it eloquently when he wrote that "social ecology is damaged not only by war, genocide and political repression. It is also damaged by the

destruction of the subtle ties that bind human beings to one another, leaving them frightened and alone.¹

That is why the two themes of Vayakhel – Shabbat and the Mishkan, today the synagogue – remain powerfully contemporary. They are antidotes to the attenuation of community. They help restore “the subtle ties that bind human beings to one another.” They reconnect us to community.

Consider Shabbat. Michael Walzer, the Princeton political philosopher, draws attention to the difference between holidays and holy days (or as he puts it, between vacations and Shabbat).² The idea of a vacation as a private holiday is relatively recent. Walzer dates it to the 1870s. Its essence is its individualist (or familial) character. “Everyone plans his own vacation, goes where he wants to go, does what he wants to do.” Shabbat, by contrast, is essentially collective: “you, your son and daughter, your male and female servant, your ox, your donkey, your other animals, and the stranger in your gates.” It is public, shared, the property of us all. A vacation is a commodity. We buy it. Shabbat is not something we buy. It is available to each on the same terms: “enjoined for everyone, enjoyed by everyone.” We take vacations as individuals or families. We celebrate Shabbat as a community.

Something similar is true about the synagogue – the Jewish institution, unique in its day, that was eventually adopted by Christianity and Islam in the form of the church and mosque. We noted above Robert Putnam’s argument in *Bowling Alone*, that Americans were becoming more individualistic. There was a loss, he said, of “social capital,” that is, the ties that bind us together in shared responsibility for the common good.

A decade later, Putnam revised his thesis.³ Social capital, he said, still exists, and you can find it in churches and synagogues. Regular attendees at a place of worship were – so his research showed – more likely than others to give money to charity, engage in voluntary work, donate blood, spend time with someone who is depressed, offer a seat to a stranger, help find someone a job, and many other measures of civic, moral and philanthropic activism. They are, quite simply, more public spirited than others. Regular attendance at a house of worship is the most accurate predictor of altruism, more so than any other factor, including gender, education, income, race, region, marital status, ideology and age.

Most fascinating of his findings is that the key factor is being part of a religious community. What turned out not to be relevant is what you believe. The research findings suggest that an atheist who goes regularly to a house of worship (perhaps to accompany a spouse or a child) is more likely to volunteer in a soup kitchen than a fervent believer who prays alone. The key factor again is community.

This may well be one of the most important functions of religion in a secular age, namely, keeping community alive. Most of us need community. We are social animals. Evolutionary biologists have suggested recently that the huge increase in brain size represented by *Homo sapiens* was specifically to allow us to form more extended social networks. It is the human capacity to co-operate in large teams – rather than the power of reason – that marks us off from other animals. As the Torah says, it is not good to be alone.

Recent research has shown something else as well. Who you associate with has a powerful impact on what you do and become. In 2009 Nicholas Christakis and James Fowler did statistical analysis of a group of 5,124 subjects and their 53,228 ties to friends family and work colleagues. They found that if a friend takes up smoking, it makes it significantly more likely (by 36 per cent) that you will. The same applies to drinking, slenderness, obesity, and many other behavioural patterns.⁴ We become like the people we are close to.

A study of students at Dartmouth College in the year 2000 found that if you share a room with someone with good study habits, it will probably raise your own performance. A 2006 Princeton study showed that if your sibling has a child, it makes it 15 per cent more likely that you will within the next two years. There is such a thing as “social contagion”. We are profoundly influenced by our friends – as indeed Maimonides states in his law code, the *Mishneh Torah* (Laws of Character Traits, 6:1).

Which brings us back to Moses and Vayakhel. By placing community at the heart of the religious life and by giving it a home in space and time – the synagogue and Shabbat – Moses was showing the power of community for good, as the episode of the Golden Calf had shown its power for bad. Jewish

spirituality is for the most part profoundly communal. Hence my definition of Jewish faith: the redemption of our solitude.

¹ Robert Bellah et al., *Habits of the heart: individualism and commitment in American life*, Berkeley: University of California Press, 1985, 284. ² Michael Walzer, *Spheres of Justice*, Oxford, Blackwell, 1983, 190-196. ³ Robert Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us*, New York: Simon & Schuster, 2010. ⁴ Nicholas Christakis and James H. Fowler, *Connected: The Surprising Power of Our Social Networks and How They Shape Our Lives*. New York: Little, Brown, 2009.

from: Office of Rabbi Berel Wein <info@jewishdestiny.com> reply-to: info@jewishdestiny.com date: Wed, Mar 2, 2016 at 2:40 PM subject: **Parshat Vayakhel 5776- Rabbi Berel Wein**

This week’s parsha deals at its onset with the holiness of Shabbat. The Torah also emphasizes that this subject and concept was dealt with b’*hakhel* – publicly and nationally. We may derive an instructive lesson from this – a lesson that has much current relevance in our present society. There are two aspects of Shabbat – one public and one private. The private Shabbat has a more active, positive nature attached to it. It is more in the nature of *zachor* – the remembrances of Shabbat: of kiddush wine, sumptuous meals and the leisurely rest combined with Torah study. But there is also a public aspect of Shabbat that the opening words of this week’s parsha represent. It is the concept of a public day of rest - a day of *shamor* – a time of restraint and the absence of the everyday hustle and bustle of commercial and daily life. It is meant to mark what is absent on this day from what we are accustomed to seeing and experiencing. The blessings of public quiet, of shuttered shops and the serenity of Friday nights and Saturday afternoons are the hallmarks of the public Shabbat. The public Shabbat – the *shamor* Shabbat, if you will – stands guard to protect the private Shabbat, safeguarding its observance and guaranteeing its survival and holiness. It is not for naught that the Talmud states that *zachor* and *shamor* were uttered at Sinai, so to speak, simultaneously in one sound breath. The success of Shabbat can only be realized when both the public and private Shabbat are present together.

For various reasons and differing causes, the public Shabbat has been drastically weakened in much of the Jewish world over the past century. Even those who claim to wish to preserve the private Shabbat, often desecrate the public Shabbat. The result of that error is clear to see today, for where there is no presence of a public Shabbat there will eventually be no private one either. The fact that the stores in Jerusalem are closed on Shabbat and that the public busses and trains do not operate on that day is admittedly inconvenient to some or even to many. But the mere absence of these usual everyday factors in our lives creates for us at least the semblance of a public Shabbat and therefore has facilitated the slow but steady growth and strength of the private Shabbat. The absence of the ordinary always reminds us of the extraordinary. A non-Jewish tourist asked for a freshly brewed cup of coffee at the Jerusalem hotel where she was staying on Shabbat morning. The solicitous Arab waiter explained to her that he could not comply with her wishes since it was Shabbat. She persisted in her request until the waiter told her in exasperation: “Madam, this is the holy city!” It is the Shabbat, both public and private that reminds us where we are and what type of life we are bidden to follow while being privileged to live here. The Shabbat will continue to protect Jerusalem just as Jerusalem will continue to protect the Shabbat. Shabbat shalom Rabbi Berel Wein

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The Power of Beauty Rabbi Eliyahu Safran

The L-rd spoke to Moses, saying: “You shall make a *kiyor* [washstand] of copper... and you shall put water therein. Aaron and his sons shall wash their hands and feet from it. When they enter the Tent of Meeting, they shall wash with water so that they will not die; or when they approach the altar to serve.” – (Exodus 30:17-20)

What can a washstand, of all things, teach us about beauty and holiness?

To understand how this can be, and to more fully understand the power of beauty, true beauty – physical and spiritual – we need to return to the construction of the *kiyor*. Remember, the Jews had not long since been redeemed from slavery; they had experienced the miracle of the sea parting; had

bickered and complained in the desert, and been witness to Sinai – but not before fearing and doubting enough to build the Golden Calf.

Though they had experienced the power and majesty of G-d they seemed unable to respond with anything other than the weakness inherent in their being former slaves.

And now it was time to build the space to house the Tablets of the Law. Moses called the people to bring their offerings to the Tent of Meeting so that they might donate to the Tabernacle (Exodus 35:21-22). Rashi understands the pasuk “And the men came al hanashim” (Ex. 35:22) to mean that the men came with the women. But the Da’as Zekeinim understands this pasuk differently. The narrative of the Tabernacle suggests that the donated items were women’s jewelry. The Da’as Zekeinim teaches that this tells us that the women, “...participated and were meticulous to contribute in the Service of Heaven.”

In this we see an implicit divergence in how men and women approached the holy task of building the Tabernacle. For the Da’as Zekeinim notes that when the people made the Golden Calf, the men took their wives’ jewelry by force. In other words, the women had refused to contribute to the creation of this idol. However, when it came to the Mishkan, the women enthusiastically donated their valuables.

Filled with fear, the men rushed to build the Golden Calf, forcing their wives to give their jewelry to the effort. When it came to housing the Shechina, the men proved to be the more reluctant contributors. After the sin of the Calf, they held back from an effort they saw as “confining” G-d’s Shechina to a sanctuary. They wanted G-d everywhere, without division. They overlooked that it was their sin of the Golden Calf that created the division, not the Mishkan.

The women eager and faithful in redemption, were happy to participate in the housing of G-d’s Shechina wherever He would have her rest.

For their sacred generosity, the women were rewarded with a “women’s holiday”, Rosh Chodesh.

But why Rosh Chodesh of all days? With our calendar based on the phases of the moon, the “new month” celebrates rebirth and renewal, imbuing the month, and the movement of time, with a powerful, feminine quality.

G-d blessed the women and their faith. Further, we learn that the kiyor was formed from copper. Where would the Children of Israel have gotten copper? Once again, the women were the source of what was precious and necessary.

They had used the copper in Egypt to form mirrors.

It is told that the men, exhausted and dejected from long days of labor, remained in the fields, not wanting to return to their tents and their wives. They shunned their wives because they did not want to father children who would only be born into a life of slavery. So the women took their copper mirrors and went out to the fields to beautify themselves and entice their husbands to come home and to lie with them and to have children.

Those mirrors represented Klal Yisrael. If not for those mirrors and the women’s determination to entice their men with their beauty, there would not have been a Jewish nation and we would have died out under the lash of slavery.

Even so, Moses initially rejected using the mirrors in the Mishkan. He argued that, because they were used for beautification, they were a tool of the yetzer hara. But G-d overruled Moses, judging them, “more precious to Me than anything else.”

Beauty, enticement, even seduction. How often do we denigrate these very powerful qualities, sometimes mistakenly suggesting that they run counter to tzniut? How often do those who are “more religious” go to extreme lengths to deflate a woman’s natural tendency toward beauty, never realizing that this inclination is captured in the copper mirrors used to form the kiyor of the Mishkan?

Tzniut is not the rejection of beauty! Far from it. It is the recognition that true beauty – physical and spiritual – must reside in a vessel dedicated to the glory and affirmation of G-d. Moses sought to dismiss the copper of the mirrors as mere objects of “vanity”. So too, the most seemingly religious amongst us seek to reject aspects and objects in life that they associate with beauty and femininity.

When they do, they call it tzniut but it is not tzniut!

Often, these women integrate their inclinations to the “mirrors” – to beauty and enticement – with their most sacred task, continuing the Jewish nation. This is

why G-d wanted the kiyor fashioned from these mirrors, to emphasize and elevate the holiness of women’s sacred role in Jewish history. G-d dismissed Moses’ protest against the mirrors. To Him they were precious.

As long as they are used properly, in an attitude of humility and sacredness, then they too are sacred. They belong in the Mishkan.

Rosh Chodesh speaks to a powerful, feminine reality. Life waxes and wanes, but there is always the promise of rebirth. We must place our faith in that promise.

Men too often view the world before them and see an unchanging landscape. We are slaves today, we will be slaves tomorrow, we will be slaves always. Women know that just as the pangs of childbirth result in a glorious gift, the difficulties we face can often serve as preamble for better days ahead. Even if they were unable to convince the men to share their faith, in Egypt, they used their mirrors – and their beauty – to entice the men to act in a way that prepared the Jewish nation for a more glorious future.

Women are often very good at figuring out what is really at stake, even as men fight and argue about matters that turn out to be trivial. G-d not only appreciates that, He respects it. So he bestowed upon the sisters and daughters of Miriam a holiday that celebrated their faith in renewal, Rosh Chodesh.

The women teach us not to get mired in darkness. To find beauty in each day and to be patient and faithful. Renewal is before us.

We need only, sometimes, to get out of our own way.

From: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: **Parsha Potpourri** <parshapotpourri@shemayisrael.com> date: Thu, Mar 3, 2016 at 8:08 PM subject: [Parshapotpourri] Parsha Potpourri by Ozer Alport Parshas Vayakhel - Vol. 11, Issue 22

Compiled by **Oizer Alport**

Vaya’as Betzalel v’Oholiav v’chol ish chacham lev asher nasan Hashem chachma u’sevunah ba’heima la’da’as la’asos es kol meleches Avodas HaKodesh l’chol asher tziva Hashem (36:1) At first glance, Parshas Vayakhel and Parshas Pekudei appear to essentially be a lengthy repetition of Parshas Terumah and Parshas Tetzaveh, detailing how all of the vessels for the Mishkan and vestments for the Kohanim were crafted and assembled, which is difficult to understand. Chazal teach us that every letter in the Torah contains vital lessons, and the Gemora is replete with legal derivations based on a single seemingly superfluous letter. If so, how could the Torah effectively repeat two entire portions?

Rav Avrohom Yaakov Pam explains the need for Parshas Vayakhel and Parshas Pekudei based on one key difference between them and the preceding portions which also discuss these topics. In Parshas Terumah and Parshas Tetzaveh, the operative verb in the discussion of each of the vessels and vestments is v’asisa - you shall make, while in the latter portions it is va’ya’as - and he (Betzalel) made.

Rav Pam explains that there are many people who make elaborate plans to build a house or building, but when the time to actually execute those plans arrives, they discover that the project takes far longer and costs far more than anticipated, and when they’re finally done, they often find that the final product bears little resemblance to the original blueprint, as anybody who has ever built a house can testify. Therefore, in the case of the Mishkan, the Torah stresses that every single detail of this magnificent edifice was carried out exactly as Hashem had commanded Moshe. The concept of following through on one’s plans is so fundamental and such a chiddush (novelty) that the Torah essentially dedicates two entire portions to teach us this idea.

Rav Pam adds that this insight doesn’t only apply to constructing a physical structure. During the Aseres Y’mei Teshuvah (10 Days of Repentance) and at other inspiring times throughout the year, we get motivated to make grandiose plans about building our spiritual “houses,” only to unfortunately discover that the end product doesn’t bear any resemblance to our blueprints.

One example Rav Pam gives is that every 7.5 years, there is a gala celebration of the Siyum HaShas, the completion of the entire Talmud by those who participate in the Daf Yomi program of learning one page of Gemora each day. Many people who observe and experience the excitement are moved to accept upon themselves to join in the next cycle, and for the next nine weeks their new undertaking goes relatively smoothly, as the first tractate of the Talmud is

Berachos, which discusses many practical laws and interesting stories, and it is relatively easy to understand.

However, Berachos is immediately followed by the far lengthier and more intricate Shabbos, leading Rav Gedaliah Schorr to pithily remark Ba Shabbos ba menucha - when Shabbos comes, it's time to rest, which literally refers to the respite we enjoy on the seventh day of the week, but in a play on words, can also refer to aborting one's Daf Yomi plans when tractate Shabbos arrives.

Rav Simcha Sheps uses this concept to explain why after the Mishkan was finally built and assembled for the first time, Moshe blessed the Jewish people that the Shechinah (Divine Presence) should rest on their handiwork (Rashi 39:43). Wouldn't it seemingly have been more logical to give this blessing at the outset of the project, as they began to collect donations or when they started the actual construction? Why did Moshe specifically wait until the end to bless them with success?

Dovid HaMelech writes in Tehillim (24:3) Mi ya'aleh b'har Hashem u'mi yakum bim'kom Kadsho - Who will ascend the mountain of Hashem, and who will stand in the place of His sanctity? Rav Sheps explains that Dovid is teaching us that there are two different challenges in life. The first test is Mi ya'aleh b'har Hashem - Who is strong and determined enough to make it all the way up the mountain of Hashem? This is one level of difficulty. However, there is an even bigger challenge: Mi yakum bim'kom kadsho - After managing to ascend the mountain, who is able to maintain his spiritual level and remain there? After a person makes it to the top of the mountain, the adrenaline begins to wear off, and boredom and monotony slowly creep in, making it much harder to remain on the mountaintop than it was to reach there in the first place.

When the Jewish people began the project of building the Mishkan, they were naturally quite enthusiastic. Despite the sin of the golden calf, Hashem had not only agreed to forgive them, but he also gave Moshe a second set of Luchos (Tablets) and instructions to build a dwelling place for Him. They immediately began the phase of ascending the mountain with tremendous fervor and passion. When Moshe saw that they successfully carried out the project and utilized their enthusiasm to transform àòùéú into àéòù, he decided to bless them that after the excitement dissipated and the daily routine set in, they should still maintain their initial enthusiasm, and in that merit, the Shechinah should rest on their creation.

The next time we find ourselves inspired to grow in our mitzvah performance and our relationship to Hashem, it is essential to remind ourselves that these plans are an essential prerequisite, but they are only a first step. We must not allow the yetzer hara (evil inclination) to distract us and cause our dreams and aspirations to remain stuck in the planning stage. Only after the plans have been successfully carried out can they truly be considered as accomplishments and even then, we must not allow ourselves to rest on our laurels, but must remain cognizant that ascending the mountain is only the first stage, and we must work equally as hard to preserve and maintain our hard-earned achievements.

from: Kol Torah Webmaster <webmaster@koltorah.org> to: Kol Torah <koltorah@koltorah.org> date: Thu, Mar 3, 2016 at 8:48 PM subject: Kol Torah Parashat VaYakheil 2016

Don't Play with Fire – at Least Not Always
by **Rabbi Raphi Mandelstam**

In the beginning of Parashat VaYakheil (Shemot 35:1), we are told of what must have been quite an exciting scene. It's the day after Yom Kippur (Rashi ad loc. s.v. VaYakheil Moshe), Moshe has descended from Har Sinai, and the Cheit HaEigel drama is finally over; we are now ready to return to the building of the Mishkan. However, for some reason, when Moshe Rabbeinu gathers the people, instead of jumping into the Mishkan details, he begins with the commandment to not violate Shabbat (Shemot 35:2-3). Why does Moshe teach us about Shabbat here? After all, we've already learned about Shabbat several times in Sefer Shemot?

Whenever a Mitzvah is repeated in the Torah, there are usually two helpful clues as to why: either the repetition adds new laws or details, or the repetition is in a different context which adds a new dimension of understanding. Here, the prohibition against doing Melachah on Shabbat is followed by the specific prohibition against Hav'arah, lighting a fire on Shabbat: "Lo Teva'aru Eish BeChol Moshevoteichem BeYom HaShabbat," "You shall not kindle fire in any of your dwelling places on Shabbat" (35:3). Why is this Melachah singled out?

Is it not included in the overall category of Melachah which was already mentioned?

There are many Halachic explanations offered for this question. For example, there is a debate between Rebbi Natan and Rebbi Yossi as to whether Hav'arah is treated less severely than the other Melachot (Talmud Bavli Mesechet Shabbat 70a). Another answer, offered by Ramban (Shemot 35:3 s.v. Lo Teva'aru Eish BeChol Moshevoteichem BeYom HaShabbat), is that unlike Yom Tov, in which Hav'arah is allowed for Ochel Nefesh, Hav'arah is forbidden on Shabbat in all cases. Either way, we still need to explain why the Torah would wait until here to make these points, considering that it could have done so earlier.

Our answer begins by noting another strange aspect of the prohibition against Hav'arah. Unlike the general prohibition against doing Melachah on Shabbat, the Torah states that kindling a flame cannot be done "BeChol Moshevoteichem," "in all of your dwellings" (Shemot 35:3). What does this phrase come to teach us? Are there places in which we can light a fire on Shabbat?!

Chizkuni (ad loc. s.v. Lo Teva'aru Eish) explains that the phrase "BeChol Moshevoteichem" teaches that while the prohibition of Hav'arah exists in our communities, it does not exist in the Mishkan in the context of performing the Avodah. In other words, the phrase "BeChol Moshevoteichem" appears in our Pasuk simply to contrast the Mishkan with all other places. This could not have been stated before, since the concept of the Mishkan was not yet introduced to Bnei Yisrael. With the Chizkuni's Halachic contrast of the Mishkan and our dwellings in terms of the prohibition of Hav'arah, a very deep message emerges, especially when we remember that these Pesukim appear right after the Cheit HaEigel.

Many Meforashim (such as Ramban and the Kuzari) explain that the motivation behind the Cheit HaEigel was not to replace Hashem, but rather to replace Moshe. Until now, Bnei Yisrael had viewed Moshe as more than just a leader – he was an intermediary between them and Hashem. When the people thought Moshe was gone, they became desperate to find an alternative way of serving Hashem, for they felt that direct communication with Hashem was beyond them, and they therefore needed a tangible and physical way of connecting with Him. As much as those intentions seem proper, the obvious problem is that the Torah explicitly forbids the creation of such images, regardless of the intentions. And, as the Beit HaLeivi explains, the message we all need to learn from the Cheit HaEigel is that despite our intentions, the service of Hashem must be done on His terms, not ours.

I think that this is precisely the message that "Lo Teva'aru Eish BeChol Moshevoteichem" is meant to teach us, especially as it comes right after the Cheit HaEigel. While we may have a genuine passion and desire for spirituality, as symbolized by fire, the Torah tells us that we can't light that fire "BeChol Moshevoteichem," in any place or way which we desire. Rather, that fire and passion needs to be channeled through the Mishkan, using its light to guide us. And, just as the Aron HaKodesh is at its center, Torah needs to be at the heart and center of our lives, guiding our decisions, making us unlike the people who sinned by the Cheit HaEigel who relied solely on themselves. While in no way should we as a people lose our fire and passion to connect with Hashem, we must remember that what we do is on His terms.

From: Yeshivat Har Etzion <office@etzion.org.il> to: yhe-parsha@vbm.etzion.org.il date: Mon, Feb 29, 2016 at 5:55 AM subject: VBM-PARSHA76 - 22: Parashat Vayakhel YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM) PARASHAT HASHAVUA

This year's Parashat HaShavua series is dedicated in loving memory of Dov Ber ben Yitzchak Sank z"l.

VAYAKHEL SHABBAT

By Harav Yaakov Medan

And Moshe gathered all the congregation of the children of Israel together, and said to them: These are the words which the Lord has commanded, that you should do them. Six days shall work be done, but on the seventh day there shall be to you a holy day, a Sabbath of rest to the Lord; whoever does work on it shall be put to death. You shall kindle no fire throughout your habitations on the Sabbath day. (Shemot 35:1-3)

The importance of these verses regarding Shabbat stems primarily from the juxtaposition of the mitzva of Shabbat to the building of the Mishkan, which we will discuss below. Let us begin with the section regarding Shabbat in the Ten Commandments:

Remember the Sabbath day to keep it holy. Six days shall you labor and do all your work, but the seventh day is a Sabbath to the Lord your G-d; on it you shall not do any work, you, nor your son, nor your daughter, nor your manservant, nor your maidservant, nor your cattle, nor your stranger that is within your gates. For in six days the Lord made heaven and earth, the sea, and all that is in them, and rested on the seventh day; therefore the Lord blessed the Sabbath day and sanctified it. (Shemot 20:7-10)

I. The Mitzva of Remembering

The first mitzva in the Shabbat passage in the Ten Commandments is the mitzva of remembering: "Remember the Sabbath day to keep it holy." Chazal learned from here the mitzva of reciting Kiddush:

Our Rabbis taught: "Remember the Sabbath day to keep it holy" – Mention it over wine. (Pesachim 106a)

In other words, the mitzva does not involve remembering Shabbat in the heart, but rather mentioning it with the mouth, like other mitzvot involving remembering (remembering the Exodus from Egypt, Amalek, and others). One must make explicit mention of Shabbat on the day of Shabbat, along with a show of importance, as reflected in the recitation of the Kiddush over a cup of wine. In this way, a person sanctifies the day of Shabbat by mentioning it in a blessing, and in this way he even resembles G-d, who also sanctified Shabbat with a blessing: "Therefore the Lord blessed the Sabbath day and sanctified it" (20:11). Blessing and remembering/mentioning are performed over wine: "The remembrance thereof shall be as the wine of Lebanon" (Hoshea 14:8); "We will remember your love as more fragrant than wine" (Shir Ha-Shirim 1:4).

However, according to the plain meaning of the verses, it seems that the mitzva is also to remember Shabbat. The mitzva to remember applies before Shabbat; when Shabbat arrives, the person will be able to sanctify the day by refraining from work and through other means because he remembered Shabbat before it began. We have suggested elsewhere that this aspect of the mitzva is fulfilled when we refer to the other days of the week by numbers, rather than by names, as is the practice among non-Jews (the names of the days of the week in English are the names of idols). When a person counts the days of the week, he remembers every day how many more days it is until Shabbat and he knows every day how more days he has to prepare for Shabbat and to sanctify it. This is the mitzva to "remember the Sabbath day to keep it holy."

II. Creative Work and Rest

The reason for keeping Shabbat, as it is explained in the Ten Commandments, is that G-d created the world in six days and rested on the seventh. Knowing the number of days of creation might be intended to reinforce the idea that the world did not come into being through a gradual process of development (evolution), but rather through a series of deliberate steps arranged by G-d. The sanctity of the seventh day marks this. Knowing that G-d created the world from nothing, willingly and deliberately, is one of Judaism's fundamental beliefs; it reflects G-d's lordship over the world, with all that this implies.

But Shabbat marks not only the creation of the world in six days, but also G-d's "resting" on the seventh day. In our minds, rest is a need that stems from fatigue, but this is certainly not true of G-d's rest after His creation of the world. G-d's rest is not a response to fatigue, but rather a phenomenon that meant to introduce the value of rest to the created world. The aim is that man, who was created in the image of G-d and whose destiny it is to continue G-d's work in the world and perfect it – "to work it and to keep it" (Bereishit 2:15) – should maintain in the world the value of rest that he learned from his Creator.

The value of rest that comes after toil and creative work lies in the contemplation of that creativity and the ability to mentally absorb its truth. Endless work raises the concern that the person will always look outwards, toward that work and its refinement, and not make room for internalization and emotional development. When Pharaoh enslaved the people of Israel more and more, even withholding from them the straw that they needed for the bricks, they reached the situation described in the verse: "But they hearkened not to Moshe due to anguish of spirit and difficult work" (Shemot 6:9). Rest, followed by internal absorption, is meant to develop the person himself, help him understand the value of his work, and raise him up further. A person's resting enables him to receive from G-d blessing and holiness; it allows him to refrain from trying to create everything by himself, as he will never reach blessing and holiness on his own.

Rest involves another principle: Together with the importance of creating and developing the world, there is a need to limit endless creative activity and refrain from it from time to time, so that we not live under the false impression that human creation has no boundaries. This is for three main reasons:

1) The story of the Tower of Babel teaches us the limits of human creativity. Man should not say that "the sky is the limit." Shabbat fixes this principle in law. G-d limited His own creating with Shabbat and said "Enough" to His world so that man and the world, limited and partial as they are, should not compete, as it were, with their perfect and unlimited Creator.

2) Limiting human creative activity was meant to instill in man's consciousness the idea that this world is merely a vestibule to another world that is more real, the world of communion with G-d, and one should therefore not invest excessively in this world.

3) Breaching the boundaries of creative activity is liable to bring into the world unlimited destructive forces, forces that man also seeks to reach. And who can predict what will happen in the end with such forces?

III. What Creative Work was Forbidden on Shabbat?

The primary labors are forty less one: Sowing, plowing, reaping, binding sheaves, threshing, winnowing, selecting, grinding, sifting, kneading, baking, shearing wool, bleaching, hackling, dyeing, spinning, stretching the threads, the making of two meshes, weaving two threads, dividing two threads, tying and untying, sewing two stitches, tearing in order to sew two stitches, capturing a deer, slaughtering, or flaying, or salting it, curing it, curing its hide, scraping it [of its hair], cutting it up, writing two letters, erasing in order to write two letters [over the erasure], building, pulling down, extinguishing, kindling, striking with a hammer, [and] carrying out from one domain to another. These are the forty primary labors less one. (Shabbat 72)

There are different sources for the list of these labors. The Tosefta in Berakhot discusses the blessing that one must recite upon seeing a multitude of people together. Ben Zoma thanked G-d on such an occasion because a person living alone must perform many different kinds of work in order to satisfy his needs. However, when many people live together, each person plies his craft, and the rest of a person's needs are satisfied by the others, who work in their own crafts, each person bartering for what he needs with what he can produce:

Ben Zoma, when he saw a large body of people on the Temple Mount, said: "Blessed is He who created these people to serve me." How hard the first man, Adam, must have labored before he could eat a bit of bread! He had to plow and sow and weed and hoe and reap and thresh, winnow and sift, grind, sift again, knead, moisten and bake, and only after all this eat his bread; whereas I get up in the morning and find the bread all ready for me. What toil Adam had until he could be clothed with the simplest raiment! He had to shear, bleach, beat the wool, dye it, spin it, weave it, wash it, and sew it together, and only after all this was he clothed; whereas I get up in the morning and find all my clothes prepared for me. (Tosefta, Berakhot 6:2)

The Tosefta cites here as an example the many labors that a person would have to do for himself in order to satisfy his basic needs were he by himself, and these are identical to the labors that are forbidden on Shabbat. This implies that on Shabbat, one is forbidden to perform labors that are meant to satisfy man's needs.

This also follows from the count of the thirty nine labors that are forbidden on Shabbat:

Again they sat and pondered: Regarding what we learned: The principal categories of labor are forty less one – to what do they correspond? R. Chanina bar Chama said to them: To the forms of labor in the Mishkan. R. Yonatan son of R. Elazar: Thus said R. Shimon the son of R. Yose ben Lakonia: They correspond to [the words] "work" [melakha], "his work" [melakhto], and "the work of" [melekheth], which are [written] thirty-nine times in the Torah. (Shabbat 49b)[1]

The opinion of R. Yonatan son of R. Elazar implies, as it follows from the Tosefta, that the number and nature of forbidden labors is connected to the mundane work that a person performs in order to ensure his own existence in this world.

But the first opinion, that of R. Chanina bar Chama and many similar sources, indicates that the source of the forbidden labors on Shabbat are the labors that were performed for the construction of the Mishkan,[2] as is learned from the juxtaposition in two different places of the prohibitions of Shabbat and the building of the Mishkan (Shemot 31 and 35):

For it was taught: Liability is incurred only for work of which the same was performed in the Mishkan. They sowed, hence you must not sow; they reaped, hence you must not reap; they lifted up the boards from the ground to the wagon, hence you must not carry in from a public to a private domain; they lowered the boards from the wagon to the ground, hence you must not carry out from a private to a public domain; they transported [boards, etc.] from wagon to wagon, hence you must not carry from one private to another private domain. (Shabbat 49b)[3]

It is possible that we have here different ways to understand the nature of the forbidden labors. The question that distinguishes between the two opinions is: Is a person forbidden on Shabbat to occupy himself with his physical needs, and is instead commanded to occupy himself with his spiritual needs? According to this, a person must prepare for all his physical needs on the weekdays, and also trust in G-d that He will provide for his material needs. On the other hand, it is possible to understand that a person is first and foremost forbidden on Shabbat to build a house for G-d, and from this stem all the prohibitions of Shabbat, as will now be explained.

According to the second approach – that the Shabbat prohibitions are derived from the labors that were performed in the Mishkan – the question naturally arises: Why is the main prohibition of Shabbat to build a Mishkan for G-d on Shabbat?

Shabbat is a reminder of the world that G-d created in order to put man in it. G-d Himself is found outside the world, as Chazal said: "He is the place of the world, but the world is not His place" (Bereishit Rabba 68:9). In other words, G-d's world needs Him, but He does not need His world.

But the Mishkan is a house that man builds, as it were, for G-d. King Shlomo already asked about this when he built the Temple:

For will G-d indeed dwell on the earth? Behold, the heaven and heaven of heavens cannot contain You; how much less this house that I have built? (I Melakhim 8:27)

In this respect, Shabbat and the Mishkan are opposites regarding the question: Who needs whom; does man need G-d, or does G-d need man? It is necessary for the Torah to emphasize that the sanctity of Shabbat is greater than the sanctity of the Mishkan and that the fact that G-d created a place for man is more important than the fact that man creates, as it were, a place for G-d. That Shabbat is more important than the Mishkan is reflected in the fact that one must not perform any labors on Shabbat for the purpose of building a house for G-d. Therefore, it is forbidden for all generations to perform on Shabbat those labors that were connected to the building of the Temple.

IV. Time and Place

There is another reason for the priority given to Shabbat over the Mishkan that explains the prohibition to build the Mishkan on Shabbat. Shabbat is the highest expression of the sanctity of time, whereas the Mishkan is the highest expression of the sanctity of place. The prohibition to build the Mishkan on Shabbat may express the superiority of the sanctity of time over the sanctity of place.

Why is the sanctity of time superior to that of place? Let us consider the verses that present these two types of sanctity:

And there I will meet with the children of Israel, and it shall be sanctified by My glory. And I will sanctify Aharon and his sons to minister to Me in the priest's office. And I will dwell among the children of Israel and I will be their G-d. (Shemot 29:43-45)

The sanctity of meeting is the sanctity of time – the time when G-d decides to meet with man. In contrast, the sanctity of G-d's Shekhina in the Mishkan is the sanctity of the place where He chose to rest His name. The source of the sanctity of meeting is above the kaporet between the two keruvim, and it is the original and supreme sanctity. The sanctity of the Mishkan is at a level below it.

Let us now consider the juxtaposition of the mitzva of Shabbat to the mitzva of building the Mishkan from another perspective. The Torah says:

You shall keep My Sabbaths and revere My sanctuary; I am the Lord. (Vayikra 26:2)

This verse brings the sanctity of time (Shabbat) and the sanctity of place (the Mishkan) together as a single unit.

This common sanctity is a continuation of the revelation at Mount Sinai, and therefore its mitzvo were stated in a "gathering":

The day that you stood before the Lord your G-d in Chorev, when the Lord said to me: Gather Me the people together, and I will make them hear My words, that they may learn to fear Me all the days that they shall live upon the earth, and that they may teach their children. (Devarim 4:10)

And Moshe gathered all the congregation of the children of Israel together, and said to them: These are the words which the Lord has commanded that you should do them. Six days shall work be done, but on the seventh day there shall be to you a holy day, a Sabbath of rest to the Lord; whoever does work on it shall be put to death. You shall kindle no fire throughout your habitations on the Sabbath day. And Moshe spoke to all the congregation of the children of Israel, saying: This is the thing which the Lord commanded, saying: Take from among you an offering to the Lord; whoever is of a willing heart. . . . And every wise-hearted man among you shall come, and make all that the Lord has commanded; the Mishkan, its tent, and its covering. (Shemot 35:1-11)

What was established on Mount Sinai for eternity, and is strongly emphasized in the book of Devarim, is that G-d alone chooses the time and place for His encounter with man. Every encounter depends on time and place. If two parties arrive in the same place at different times or in the same place at different times, they do not meet. The fact that G-d alone dictates the time and the place of the meeting determines from the outset the nature of the encounter between G-d and the people. Sometimes, He dictates only the time or only the place – as in the Mishkan and on Shabbat – but this depends solely on His will. According to this approach, the juxtaposition between Shabbat and the Mishkan was not intended to subordinate one of them to the other, but rather to note what they share in common – the encounter with G-d depends solely on His choice.

V. Kindling

The passage from Parashat Vayakhel that was cited above prohibits all labors in general, with the exception of one labor that is singled out and stated explicitly:

You shall kindle no fire throughout your habitations on the Sabbath day. (Shemot 35:4)

What is special about kindling a fire that it alone was spelled out explicitly? Chazal struggled with this question and offered two halakhic answers:

For it has been taught: The prohibition of kindling [on Shabbat] was singled out [from the general prohibition of work] to teach that it is merely the object of a negative precept; these are the words of R. Yose. But R. Natan says: It was particularly specified to indicate "separation." (Sanhedrin 62a)

According to R. Yose, kindling a fire is more lenient than the other labors. The assertion "Whoever does work on it shall be put to death," which was stated before it, does not apply to it, and so kindling a fire involves an ordinary negative precept. It is not clear why kindling a fire is forbidden by a more lenient prohibition than the other labors.

According to R. Natan, kindling a fire was specified in order to indicate "separation" – in other words, to clarify that the Shabbat is desecrated even with the performance of a single labor; one need not perform many labors to desecrate the Shabbat. It is not clear why kindling a fire was chosen to teach this.

Let us expand upon the position of R. Natan and then close with an explanation of the position of R. Yose.

It is possible that kindling expresses the essence of the prohibition of performing labor on Shabbat more so than do the others because it is the only labor that involves creating something out of nothing. Fire is created from something that did not exist before the person rubbed the two stones together or, in our day, lit a match. Therefore, this labor expresses the transition from sacred to mundane, as what happens during havdala on Motzaei Shabbat. We open the week with the allowance to create something from nothing on weekdays. Despite our human creativity, we bless G-d that it is He "who creates the light of the fire," and not us. Anthropologists and experts on ancient religions view the discovery of the secret of creating fire as the beginning of the human development that distinguishes man from all other creatures.

The Torah specifically records the prohibition of kindling a fire, and it would have been possible to conclude that it would be the only labor for which one is liable. But then we read of the building of the Mishkan and we discover that all of the labors of the Mishkan are treated like kindling; all of them are creative labors, for the highpoint of human creativity is the building of the Mishkan.

According to this, there is room for a position opposite that of R. Yose, a position that is more stringent about kindling than about the other labors:

For R. said: I found a secret scroll of the school of R. Chiyya, wherein it is written: Issi ben Yehuda said: There are thirty-nine principal labors, but one is liable only [for] one. (Shabbat 6b and 96b)

It seems that the meaning of the phrase, "but one is liable only [for] one," is that one is liable for only one of the forbidden labors.[4] It might be suggested that the only labor for which one should have been liable, according to Issi ben Yehuda, is kindling, the only labor that is mentioned specifically in our parasha, which mentions the death penalty. For the reasons explained above, the other labors are only prohibited by an ordinary negative precept, the violation of which is punishable by flogging.

Perhaps this provides another explanation of the mitzva to light candles at the time that Shabbat enters. The woman (according to the prevalent custom) lights a fire, which is the labor that is most clearly forbidden on Shabbat, at the very moment that she rests from all labors. In this way, the moment that she rests from the prohibited labor and stops doing it, she accepts Shabbat. This rest from labor continues, as stated, until havdala, which involves renewed kindling of the havdala candle, which is the "one" labor, or the clearest and most explicitly prohibited labor. In this way, resting becomes a striking act, and not just a cessation of activity.[5]

The gemara, however, rejected this option, and reformulated the statement of Issi ben Yehuda so that he says something entirely different:

Rather, say thus: For one of these he is not liable. (Shabbat 6b)

In other words, he is liable for thirty eight labors, and for one labor alone he is not liable. Once again, we assume that this exceptional labor is kindling, but the gemara reverses the meaning of Issi ben Yehuda's words, so that they are now identical with those of R. Yose – that "kindling is merely the object of a negative precept," and that it is the only labor for which one is not liable for the death penalty. This understanding, however, is forced. The gemara in Shabbat (96b) suggests that it offered this forced explanation because we find that the gatherer of sticks in the wilderness was liable for the death penalty,[6] and his transgression did not involve kindling, but rather reaping or binding sheaves.

However, according to the gemara's initial understanding and the plain meaning of Issi ben Yehuda's words, it is possible that Issi ben Yehuda understood that the "gatherer" gathered sticks and kindled them, similar to what is stated about the Tzidonian woman:

And she said, "As the Lord your G-d lives, I have nothing baked, but a handful of meal in a jar, and a little oil in the cruse: and, behold, I am gathering two sticks, that I may go in and prepare it for me and my son, that we may eat it and die." (I Melakhim 17:12)

The woman gathered sticks for the purpose of kindling them in order to create a fire on which to prepare the flour for eating. It is also possible that Issi understood that gathering sticks for the purpose of kindling them is a derivative labor of the principle labor of kindling, and for that reason the gatherer was liable for the death penalty.

We must still explain the position of R. Yose that kindling is a more lenient prohibition than the other labors. It might be that kindling – owing to its vital role in basic human functioning, which requires light and heat – is not considered creative work even with respect to Shabbat,[7] and so it is only forbidden by way of an ordinary negative precept that is not punishable by the death penalty.

(Translated by David Strauss)

[1] Much has been written about how to count the number of times the word "labor" is written in the Torah. The word "labor" in all its forms appears sixty five times in the Torah, and not thirty nine (or forty one, as follows from the entire passage). The answer depends on emending the text found in the gemara. We must count all instances of the words "melakha" and "melakhto," but not "melekhet."

Indeed, the two first words appear thirty nine times. Alternatively, if we count the instances of "melakha" and "melekhet, but not those of "melakhto," and count not the instances of these two words, but the number of verses in which these words appear, we arrive at the figure of thirty-nine, as four verses contain both forms of the word (Shemot 31:15; 35:2, 35; Vayikra 23:3). The different readings depend on a dispute between the Bavli and the Yerushalmi, but we will not expand upon the matter. All this I learned from my revered teacher, R. Yoel Bin-Nun; see his website.

[2] And perhaps also the labors that were performed after the Mishkan was erected. This is a broad issue, about which little has been written. See Iglei Tal, chapter 1.

[3] A similar derivation is found in the Yerushalmi (Shabbat 7:2), which states that the number of labors correspond to the number of the instances of the word "melakha" (all forms) and the number of the instances of the word "avoda" (all forms, with the exception of verbs and infinitives attached to verbs) appearing in connection with the Mishkan (Shemot 25-31, 35-40), which add up to thirty nine.

[4] Rashi (ad loc.) understands differently – that if one performed all of the labors in one period of unawareness, he is liable for only one sin-offering. This is a very forced explanation of the words of Issi ben Yehuda. In any event, the gemara in the end explains the matter very differently, as we will see below. The plain understanding of the words of Issi, in my humble opinion, follows our interpretation.

[5] The Acharonim discuss the mitzva of "You shall put away leaven out of your house" (Shemot 12:15), stated with regard to Pesach. The simple understanding is that a person must take care that there is no chametz in his house on Pesach. However, the Minchat Chinukh (positive commandment 9) raises the possibility that a person must actively remove chametz, and that if he has no chametz, he must acquire some in order to remove it. It is possible that the prohibition of labor on Shabbat should be understood in a similar manner. Resting from labor does not mean refraining from work, but actively ceasing to work, as we have explained with regard to lighting Shabbat candles, refraining from kindling fire over the course of Shabbat, and renewed lighting of fire after Shabbat.

[6] See Bemidbar 15:32-36.

[7] On Yom Tov, this labor is permitted outright, because it is not "melekhet avoda." We have suggested that, according to R. Yose, even on Shabbat this labor is one level lower in stringency. f22-76vayakhel.doc

<http://5tjt.com/>

The Great Jolly Rancher Packaging Controversy and Halacha jolly rancher

By Rabbi Yair Hoffman

The city of Golden, Colorado is a friendly place. For example, it is the home of both the Coors beer plant as well as the prestigious, "Colorado School of Mines." Each St. Patrick's Day, Coors pipes in green colored beer to the college students at no charge. That's friendly.

It is also the birthplace of the product known as "Jolly Rancher" candies, named to connote the friendly nature of the people of Golden, Colorado. The product has since passed through several hands and is now owned by the Hershey Company. The candies are no longer produced in or near Golden, Colorado, and the kosher-labelling aspect of these candies is now no longer so friendly.

Indeed, the kosher-labelling aspect of the 9.1 ounce package of Snack Size Jolly Rancher Bites and Twizzlers Bites is causing enormous controversy in Brooklyn and in other Jewish neighborhoods.

How so?

Well, it has caused great confusion among consumers. The 9.1 ounce package actually contains three varieties of candies: One non-kosher Jolly Rancher Bites Filled Gummies—Watermelon, Green Apple and Cherry (.7 ounce size) together with two "OU"-certified varieties, Twizzlers Bites Mixed Berry and Jolly Rancher Bites Soft Chews.

That first variety, "Filled Gummies" contain non-kosher gelatin.

There is no false labelling happening here. The outer packaging bears a warning label that states, "Package contains kosher and non-kosher items." The controversy lay in the fact that, after all is said and done, thousands of kosher consumers erroneously purchase the product and feed tartuf to their children.

Why do some consumers erroneously purchase the 9.1 ounce package?

It is because the outer packaging bears two small tiny "OU" symbols directly after the ingredients are listed. The non-kosher Jolly Rancher Bites do not bear that tiny "OU." People are trained to just quickly look for any OU, and then they deem the entirety of the product kosher.

The OU has thus far allowed this type of packaging because (1) – the OU symbols that appear on the outer package clearly show that they appear only for the specific sub-item in the package. They are listed only after the ingredients and (2), there is a clear disclaimer on the outer package that there are non-kosher items in that package.

THE OU'S RESPONSE

This author has reached out to Rabbi Menachem Genack, the CEO of OU Kosher responded that he is reviewing the policy with the hope of changing it. He also explained, "I understand that it can be confusing and therefore we should move in a direction to eliminate this kind of situation."

IS THIS LIFNEI IVER?

It is this author's view that there is no prohibition of Lifnei Iver (placing a stumbling block before the blind) here, but that, in general, if a Kashrus agency places a kashrus symbol on an item that is non-kosher – it can be a violation of Lifnei Iver.

THE CONTRADICTION IN LIFNEI IVER AND THE THREE RESOLUTIONS

In order to understand why some cases are or are not actual Lifnei Iver, we must first understand an apparent contradiction in the Talmudic sources that concern this prohibition, and the three methods in the Poskim that are used to resolve the contradiction. The contradiction is between the Gemorah in Nedarim (62b) versus the Gemorah in Bava Metziah (5b)

THE FIRST SOURCE

The Talmud (Nedarim 62b) tells us that Rav Ashi had an Avah, a forest, and he sold it to a fire-temple. When he was asked about the prohibition of Lifnei Iver he responded that most of the wood would be used for ordinary heating and not idol-worship. The Ran explains that whenever it is possible to assume a permitted purpose, (Teliya), we do so. This is the authoritative Halachic view.

[The TaZ rules like this Ran in beginning of YD 151, as does Rav Ovadiah Yoseph in Yecheve Daas Vol. I §10. It is interesting to note that Rav Yitzchok Elchonon Spector (Ain Yitzchok OC #13) writes that since it was almost definite that the fire-temple would use the wood for idol-worship Rav Ashi required a majority of most wood being used for heating in order to permit it.]

We also find a similar Mishna in Shviis where there is a debate between the Bais Shammai and Bais Hillel regarding the permissibility of selling a cow for plowing immediately before the onset of the Sabbatical year to someone of whom it is suspected will plow with the cow during the Sabbatical year. Bais Shammai forbids the sale, while Bais Hillel permits it based upon the fact that the purchaser might use the cow for slaughtering purposes.

The implication of the Nedarim Gemorah is that Lifnei Iver is, in a certain perspective, more lenient than other Biblical prohibitions since, generally speaking, if there exists any doubt in it, there is no violation. This is how it is viewed in the Responsa Chsam Sopher YD #9 and in the Liflagos Reuvin as cited by Rav Waldenberg z"l in his Tzitz Eliezer Vol.IV 5:3.

THE SECOND SOURCE

On the other hand, there is an enlightening passage in the Talmud (Bava Metziah 5b) concerning shepherds. It seems that shepherds have a tendency to allow their own flock to pasture on land that is not their own.

This is true regarding one's own flock, but not regarding shepherds that watch someone else's flock.

There is a Talmudic principle that a person will only sin for his own possessions, but he will not sin for another. Were it not for this principle it would have been forbidden to give one's sheep to a shepherd because of his propensity to steal. Clearly, whenever there exists a very strong likelihood that a law will be violated, the issue of Lifnei Iver exists as well.

The Talmud further states (Bava Metziah 75b):

Rabbi Yehudah said in the name of Rav:

Whoever has money and loans it without witnesses is in violation of Lifnei Iver.

The Shulchan Aruch (CM 70:1) codifies this as Lifnei Iver.

This Gemorah shows that whenever there is a strong likelihood of a violation – there is a prohibition of Lifnei Iver. This lies in apparent contradiction to the notion of assuming a permitted purpose that was implied in the first Gemorah!

RESOLVING THE CONTRADICTION

There are three different methods cited in the Poskim in which this contradiction can be resolved. This is an important issue as there are many Halachic differences depending upon which approach is taken. It may also delineate when and whether a hechsher is a violation of Lifnei Iver.

FIRST APPROACH

Some authorities understand the distinction as follows: If the action that is being performed will directly lead to a violation on the part of the recipient, and without him the recipient would not have had the desire to violate the Halacha, then it is a violation of Lifnei Iver.

This was the approach to resolve the contradiction that was given to me by Rav Dovid Feinstein Shlita, slightly before I published my Sefer on Lifnei Section 5:3.

This may be alternately expressed as follows: In a case of non-certain violation there is a prohibition of Lifnei Iver only when the person created the opportunity for the sin. If he did not create the opportunity, then it is permitted.

SECOND APPROACH

Others approach this contradiction by understanding the prohibition of loaning money without witnesses as only a Rabbinically prohibited form of Lifnei Iver. The wording of the Talmud, however, does not strongly support this approach. This is the first approach of the Tzitz Eliezer in Volume IV section 5:3.

THIRD APPROACH

The third approach is that whenever there is a greater probability of a violation than a non-violation then we do not assume a permitted purpose. The earlier cases cited were only permitted because each of them had a greater probability of a permitted purpose than a prohibited purpose.

According to this third approach, whenever the possibility of violation is greater than non-violation, we must assume that there is a biblical prohibition of Lifnei Iver. If we are unable to determine whether the possibility of violation is greater, then we must be stringent.

The proponent of this third approach is the HaGaos Tosfos Anshei Shaim (Mishnayos Shviis 5:7). This approach disagrees with the aforementioned TaZ in the beginning of YD 151. The case of Rav Ashi would have to be understood as Rabbi Yitzchok Elchonon Spector writes (Ain Yitzchok OC 13) that Rav Ashi required a majority of most wood being used for heating in order to permit it. In other words, one would have to examine each piece of wood individually rather than looking at the forest as a whole.

CONCLUSIONS

The three different methods of resolving the contradiction are crucial in determining whether it is permitted to make an assumption of a permitted use when embarking upon any item that could be Lifnei Iver. In this case, the permitted use would mean that the consumer will give the non-kosher candy away to a gentile. This assumption of a permitted use is called in Hebrew "Tlia."

Many authorities have written that one is only permitted to make use of the assumption of Tlia when it is absolutely necessary. For example, if one needs to make the assumption in order to provide himself with his livelihood.

One is permitted to sell an item that has both permitted and non-permitted uses. One may assume a permitted use even when it is a case of Trei Ivra DeNahara. One may assume a permitted use even when the prohibition involved is biblical.

It is this author's view that although allowing this type of placement of the OU on the package is not Lifnei Iver – it is certainly not a good idea because, at the end of the day, people are purchasing it.

It seems, however, that the OU is determined to change the policy that had allowed it until now. In addition to this consumer alert, the author would like to thank the wonderful people at the Orthodox Union whose hard work and dedication to Kashrus allows us to enjoy hundreds of thousands of the most remarkable products. It is hoped that the efforts of the OU in this area as well as their remarkable role in Kashrus halacha will be appreciated by the kashrus observing public.

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from: **Rabbi Kaganoff** <ymkaganoff@gmail.com> to: kaganoff-a@googlegroups.com date: Sun, Feb 28, 2016 at 11:23 AM subject: Raiding the Pushka and Related Questions

In honor of Shabbos Shekalim, I present:

Raiding the Pushka and Related Questions

By Rabbi Yirmiyohu Kaganoff

Question #1: TREMENDOUSLY APPEALING!

Yehudah presents the following dilemma: "I often feel pressured to pledge to the tzedakah appeals in shul; however, I am afraid that I will forget to pay afterwards. Is there a simple way to avoid creating a problem?"

Question #2: BORROWERS ANONYMOUS

Susan asks: "I often borrow small change from the pushkas that I keep on my window sill, but I am meticulous to return what I borrowed. Am I, indeed, permitted to borrow from the pushka?"

Question #3: DIVERTING ACTIVITIES

Tamar calls: I have a pushka in the house from an organization with which I have no contact. Instead, I would like to donate the money to my son's yeshiva, to demonstrate my hakaras hatov.

Answer: In order to answer these questions, I first need to explain how a few general concepts affect the laws of tzedakah:

1. NEDER – A VOW

The Torah requires us to fulfill our vows (Bamidbar 30:3), and the consequences for neglecting this obligation are very serious (see Kesubos 72a). To avoid violating this prohibition, it is better to simply fulfill the mitzvah involved without reciting a vow to commit oneself (Nedarim 9a). For this reason, concerned people say "bli neder" whenever stating something that may imply a commitment to perform a good deed. The words bli neder prevent the commitment from becoming a vow, although one is still obligated to fulfill what one has promised to keep (Shu"t Shevet HaLevi 10:156:1; see also Shla'h, Torah SheBe'kesav, Parshas Matos, Derech Chayim). (In this article, I am not going to distinguish between the technical differences that exist between a neder, a vow, and a shavua, an oath; but I will refer always to neder.)

TZEDAKAH PLEDGES

Pledging money to tzedakah is a vow that one must fulfill. To quote the Torah: Motza sifasecha tishmor ve'asisa ka'asher nadarta LaHashem Elokecha nedava asher dibarta bificha. You must be careful and fulfill that which exits your mouth, according to the vow that one recited to Hashem your G-d – anything that you spoke with your mouth (Devarim 23:24).

The Gemara rules explicitly that tzedakah is included in the requirements of this verse (Rosh HaShanah 6a). Therefore, one is required min haTorah to redeem a pledge that one made to tzedakah. Because of this law, it is strongly advisable to make charitable commitments bli neder so that the pledge does not assume the severity of a vow (Shulchan Aruch Yoreh Deah 203:4 and 257:4).

2. BAL TE'ACHEIR -- Do not delay paying

This mitzvah prohibits delaying the redemption of a pledge, such as a commitment to offer a korban in the Beis HaMikdash. Reciting a charitable pledge requires one to fulfill it as soon as possible; failure to do so violates the prohibition of bal te'acheir (Devarim 23:22; Rosh HaShanah 6a). The Gemara notes that the requirements of bal te'acheir for a tzedakah pledge are even more exacting than they are concerning other mitzvos, such as korbanos. One who (at the time of the Beis HaMikdash) pledges a korban may wait until the Festivals (Pesach, Shavuos, and Sukkos) to offer them, since he will then be traveling to Yerushalayim, anyway. (Technically, he is required because of a positive mitzvah to offer the korban the first Yom Tov, but does not violate the lo saaseh until all three Yomim Tovim pass.) However, since a pledge to tzedakah can easily be fulfilled as soon as one locates a poor person, one must disburse the funds quickly.

The mitzvah of bal te'acheir provides another reason why one's pledges to tzedakah should be made bli neder. If someone pledged tzedakah without specifying bli neder, he/she is obligated to redeem the pledge immediately. However, if one specified that the obligation is bli neder, failing to redeem it immediately does not violate bal te'acheir.

We can now address Yehudah's concern about responding to tzedakah appeals. His question was that he felt pressured to pledge donations and was concerned that he might forget to pay them. Ideally, he should donate without pledging, or alternatively, he can say that he is pledging with the understanding that he is not making any commitment whatsoever. (Essentially, this is disallowing his pledge.) A less preferable choice is to pledge bli neder, which accomplishes that, should he forget to redeem his pledge, he will not have violated either the prohibition of vows or of bal te'acheir.

THE APPEAL WAS SUCCESSFUL, BUT THE INSTITUTION DIED!

By the way, it appears that although the organizations making appeals in Yehudah's shul are doing a good job, they could use logistic help in recording and collecting the pledges to their cause. Any reader interested in volunteering to help them out?

BORROWING FROM TZEDAKAH FUNDS

At this point, we will address Susan's concerns about borrowing from the pushka. Her first question was: May one borrow tzedakah's funds for one's personal use? The following passage of Gemara discusses this issue:

Rabbah bar Avahu stated, "Someone who declares: 'This sela coin shall go to tzedakah,' may use it for his own purposes, and then later pay tzedakah a different coin" (Arachin 6a, as explained by Rashi).

Rabbah bar Avahu's is teaching that although pledging a coin to tzedakah creates a charitable vow that one must redeem, one may still borrow that coin and replace it. The reason this is true is that tzedakah does not create sanctity that forbids its use (Rambam, Hilchos Matanos Aniyim 8:5). In essence, declaring "this coin shall go to tzedakah" is equivalent to saying, "I hereby commit myself to donate to tzedakah an amount of money equal to the value of this coin." The coin remains the donor's, and he may borrow it and later replace it (see Shulchan Aruch Yoreh Deah 259:1).

The Gemara subsequently teaches that one may borrow the pledged coin only if it was not yet given to the gabbai, the tzedakah treasurer. Once the gabbai receives the money it is tzedakah's property, and one may not borrow it. Under normal circumstances, a treasurer is not authorized to lend or exchange tzedakah funds (Bava Basra 8a; Rambam, Hilchos Matanos Aniyim 8:4). One exception is when the lending or exchanging benefits the recipient of the funds (Arachin 6b; see Pischei Teshuvah, Yoreh Deah 259:4 for another exception).

LIMITED LIABILITY

By the way, the sanction to borrow pledged money is also a liability, since it sometimes makes the person responsible to replace the money if it is stolen (see Choshen Mishpat 301:6). On the other hand, in a case when one may not use tzedakah money, he is not liable, unless he is negligent, such as forgetting where he put it.

WHO OWNS THE MONEY IN THE PUSHKA?

May Susan borrow from the pushka? According to what we have just learned, this depends on whether the money in the pushka already belongs to the organization or is still Susan's property. Many authorities debated this question extensively about 150 years ago. The shaylah that spawned this literature is interesting.

HISTORICAL BACKGROUND

For the last few hundred years, many Jewish Diaspora households owned a pushka dedicated to Rabbi Meir Baal HaNes, a fund whose purpose was to succor the indigent Jews living in Eretz Yisrael. In a responsum dated Marcheshvan 18, 5626 (1865), Rav Mordechai Eitinga, then rav of Lvov (currently located in western Ukraine), was asked about someone who had accumulated a large sum of money in his Rabbi Meir Baal HaNes pushka and now felt that the local poor had a much greater need for these funds. Could he divert the money to local needs, instead of sending it to Eretz Yisrael? Rav Eitinga discusses two issues:

- (1) May money pledged to one charitable cause be diverted to a different one?
- (2) Do the poor of Eretz Yisrael already own the money in the pushka?

If the answer to the first question is "yes," and to the second question is "no," then the money may be diverted to the local indigent. Otherwise, it must be sent to Eretz Yisrael, because either the terms of the pledge must be absolutely fulfilled, or one is "stealing" money that already belongs to the poor of Eretz Yisrael (Shu't Maamar Mordechai #15).

Let us follow his analysis.

DIVERTING OR A DIVERSION

Whether one may divert tzedakah money from one individual or organization to another is, indeed, a dispute among early poskim. Why should one be permitted to divert the funds? Explaining this approach requires that we note a new factor that the Gemara did not discuss. In Rabbah bar Avahu's case, the donor simply declared, "This coin goes to tzedakah," without specifying a specific individual or organization. However, what happens if someone holding a wad of hundred dollar bills declares, "I dedicate this money to the Asher Richman Hebrew Academy." Must he contribute this amount of money to the Richman Academy, or may he afterwards decide to send them to the Pauper Yeshiva? Does halachah require him to honor a pledge to a specific organization or individual, or is he simply required to donate this amount of money to any tzedakah? If indeed the pledge is simply a generic requirement to donate this amount to tzedakah, then it should follow that one may actually contribute the funds to a charity different from what he originally intended.

13TH CENTURY CHUTZPAH

Early authorities discuss this question. A major posek of 13th century Germany reports a very unusual din Torah. A pauper claimed that a wealthy individual promised him a specific amount of money and had not paid it, whereas the rich man denied ever pledging any money. The poor man contended that the pledge obligated the donor to pay him and that the case is therefore no different from any plaintiff claiming money from a defendant who denies that he owes any. The halachah, in such instances, is that the defendant is required to swear an oath (shevuas heses) denying the claim. Similarly, the Mordechai (Bava Kamma #172) ruled that the affluent man is required to swear that he never pledged any money to the pauper! He does not report whether this pauper was subsequently offered any positions as a publicity director for any major Torah institution.

The poskim prove from this Mordechai that when one pledges money to an individual tzedakah, the particular tzedakah can demand payment. Otherwise, what claim does the pauper have on the rich man? Even assuming that the rich man pledged him money, this is merely an obligation to give tzedakah, which the affluent man may donate anywhere. If the pauper indeed has a claim, it must follow that a pledge automatically includes a debt to the specific individual. Following this line of reasoning, money pledged to one tzedakah cannot be subsequently rerouted to a different one, however legitimate the need (Shach, Choshen Mishpat 87:51; Machanei Efrayim, Hilchos Tzedakah #7).

LOCAL OR ISRAEL?

Although not all authorities accept this position of the Mordechai (cf. Shu't Maharit #22 and #39), many later authorities do follow his ruling (Ketzos HaChoshen, 87:21). Based on this analysis, most later authorities contend that money placed in a Rabbi Meir Baal HaNes pushka may not be given instead to

the local poor (Shu't Maharya HaLevi #49; Shu't Beis Yitzchak, Orach Chayim #21).

This allows us to answer our third question asked above: "I have a pushka in the house from an organization with which I have no contact. I would like to donate the money instead to my son's yeshiva, to demonstrate my hakaras hatov." The answer is that although supporting the Torah institutions that educate our children is vital, since this money is already designated for one organization, one may not transfer it to another.

PUSHKA BORROWERS ANONYMOUS

All of this does not answer Susan's question whether she may borrow money from the pushka. Even if money pledged to one institution cannot be transferred to another, until the money becomes the property of the institution, one may borrow it, as we learned before. Thus, we need to determine whether money in the pushka is already the property of the institution or not.

Now we reach an interesting question: What is the status of money in the pushka? Do I still have some control over it, and may I, therefore, borrow it, subject to the above conditions? Or is it now the property of the tzedakah and I may not?

This halachah depends on the following: Who owns the pushka? If I own the pushka, then placing money in the pushka requires me to donate it to tzedakah, but it is not yet their property and I may borrow it. As I mentioned above, this situation may create liability for the funds, should they be stolen.

On the other hand, if the organization assumes that money placed in the pushka belongs to them, then I may not borrow any of that money. The reason for this is that since the pushka is their vessel, money placed inside is equivalent to being given to the gabbai, the tzedakah treasurer (based on Shulchan Aruch Choshen Mishpat 200:3). Most authorities follow this latter interpretation of the halachah.

HABITUAL BORROWERS

Some people are in the habit of borrowing money from the pushkas on a regular basis. Now, after reading my words, they may realize that this practice is sometimes forbidden. Nevertheless, there is a method whereby a person may put money into any pushka and yet still be able to borrow it afterwards; he should make a condition in advance that when he puts money into the pushka, he is not donating it to the institution, but simply pledging it to them. This way, the money is not yet the property of the institution, and one may borrow it. Although this solution will not help for the money already in the pushka, it can be used to avoid this problem in the future.

Some contemporary authorities suggest that someone who usually borrows from the pushka might be considered as if he made this condition from the beginning, i.e., that he is not giving the money yet to the tzedakah cause, but only pledging it (Derech Emunah, Matanos Aniyim 7:note 121).

To answer Susan's question, I would suggest that she make a condition, henceforth, that when she places money in the pushka, she is not donating it at this time. In so doing, she reserves the right to borrow from the pushka, although she also creates a responsibility for herself, should the money be stolen. She may decide that she is better off curbing her habit of borrowing from the pushka and make an appointment to join Borrowers Anonymous.

Making change from the pushka benefits the tzedakah which would rather not distribute, transport or deposit its money as small change, but rather in the form of bills (Tzedakah Umishpat Chapter 8, footnote 25, page 148).

Unfortunately, most people do not realize the complex shaylos that arise from shul appeals and pushkas – hopefully this article helps repair this breach. May we all always be showered with berachos for contributing generously to tzedakah!

From: **Rabbi Yitzchok Adlerstein** <ravadlerstein@torah.org> to: mchochmah@torah.org date: Thu, Mar 3, 2016 at 4:05 PM subject: **Meshech Chochmah** - Parshas Vayakhel

Taking a Back Seat to the Mishkan Six days you shall work, and on the seventh day it shall be holy for you... Moshe said to the entire congregation of the Bnei Yisrael... take from yourselves a donation for Hashem... all wise of heart of you should come and make all that Hashem commanded: the mishkan....

Meshech Chochmah: The Torah juxtaposes Shabbos and the construction of the mishkan in two nearby parshios. In our parshah, Shabbos takes pride of

place, followed by the mishkan. Earlier,[2] however, order was reversed, with Shabbos following on the heels of the mishkan.

Constructing the mishkan does not fit neatly into one of the other known categories of mitzvos that come into conflict with the laws of Shabbos. On the one hand, the avodah itself trumps the restrictions of Shabbos. Parts of the avodah that require the performance of one of the 39 types of forbidden labor go ahead on Shabbos just as they do during the week.

Building the mishkan, however, is not at all comparable to the avodah. The mishkan is the place where the avodah takes place, but the sundry procedures in putting it together are preparatory to the avodah, but they are not the avodah itself.

On the other hand, it is well established that procedures that prepare for the avodah, but are not part of the avodah per se, do not override the strictures of Shabbos. We might be tempted to see mishkan construction, then, as a set of preparatory activities that facilitate the avodah, but do not rise to the level of avodah that can set aside the prohibitions of Shabbos.

We would be incorrect in making that argument. While preparatory activities for other parts of the avodah cannot be performed at the price of violation of a Torah precept, we could argue that the mishkan project is exceptional. There is no escaping the presence of Shabbos in the operation of the avodah; the avodah goes on as usual. Because the mishkan regularly displays business-as-usual on Shabbos, we could easily reason that its very construction also continues unabated on Shabbos.

Let us develop the thought. Why is it that Shabbos seems to lose out in asserting itself against the avodah? The answer might well be that the mishkan itself complements and enlarges upon the essential themes of Shabbos! Shabbos reminds us that the world came into existence only because Hashem created it ex nihilo. By its very nature, the mishkan unequivocally states that Hashem's Will sustains the world, and His providence directs the course of all events. Because His Shechinah resides in the mishkan, we respond to that Presence with unceasing service of Hashem, and with the symbolic references to enlightenment, to sustenance, to connection with Him. It should not be surprising that some preparatory activities to the avodah, e.g. the cutting of the barley for the omer offering the next morning, do in fact push aside considerations of Shabbos.[3] The avodah doesn't so much ignore the restrictions of Shabbos as it makes their case in a different way.

Why, then, do we not treat construction of the mishkan the same way? Why does our parshah tell us, according to the way Chazal understand it, that the mishkan-construction project ground to a halt on Shabbos?

The mishkan speaks the same language as Shabbos only when the Shechinah takes up residence within it, and the homage we pay it then teaches the lessons we mentioned above. The Shechinah does not make that move, as it were, until the mishkan is completed. Before that time, building the mishkan is on a lesser plane in relation to Shabbos than preparatory activities of the mishkan after the mishkan's inauguration!

It was only after the sin of the Golden Calf, however, that the Shechinah would be localized in a small area in the mishkan. Prior to that tragic event, the Presence of the Divine was felt all over. "Every place that you mention my Name, I will come to you and bless you." [4] No mishkan was needed to proclaim the reality of G-d through His Presence. Hashem was equally accessible all over. The mishkan's function was different than what it was after the sin. It was to act simply as a place to serve the Shechinah that was manifest throughout the community. At that point in time, the process of building the mishkan was as much an "avodah" – and not just a necessary precursor – than what we would call mishkan later.

In Ki Sisa, prior to the chet ha-egel, the Torah places the building of the mishkan before Shabbos, because it, too, – and not the actual avodah – overrode the laws of forbidden labor on Shabbos. Only after the chet, when the Shechinah restricted itself to a much smaller area, was a completed, functioning mishkan necessary to house the Shechinah, and for that Presence to supplement the truth that Shabbos declares. Therefore, in our parshah, Shabbos is listed first.

[1] Based on Meshech Chochmah, Shemos 35:2 [2] Shemos 31:2 [3] Rambam, Temidin U-musafim 7:6 [4] Shemos 20:21

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From: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: Peninim <peninim@shemayisrael.com> date: Thu, Mar 3, 2016 at 8:10 PM subject: **Peninim on the Torah**

by Rabbi A. Leib Scheinbaum - Parshas Vayakhel

The men came with the women. (35:22)

Rashi translates the phrase, al ha'nashim, on the women, as with the women. Targum Onkelos, however, translates it as al neshaya, on the women. This implies that the men brought the donations on the women, suggesting that the men accompanied their wives to the collection center, after which the women removed their jewelry and contributed it to the Mishkan. Why did they follow this procedure? Could the men not just have brought the jewelry on their own?

Horav Moshe Feinstein, zl, derives an important insight from here. The women wanted to show that they were wearing the jewelry, that it had great value to them. They were not taking jewelry from a box that no one was using, about which no one cared. On the contrary, the gold and silver jewelry which they gave was quite dear to them. The Mishkan, however, was more precious. Therefore, they were removing their jewelry and readily contributing it to the Mishkan. They showed that, as much as they cared for their jewelry, the Mishkan had greater significance. It gave them greater pleasure to give to the Mishkan than to wear the jewelry.

The Rosh Yeshivah adds that this is the manner in which one should give tzedakah, charity; indeed, this is how he should perform all mitzvos, especially limud ha'Torah, Torah study. Despite the fact that one may have other things to do, other opportunities for easing his life; nonetheless, Torah and mitzvah performance take precedence.

As I am writing this, I am reminded of a story I wrote a while back, which underscores this idea.

It was Yom Kippur night, and a huge crowd had assembled in the Berditchever Shul where the saintly Horav Levi Yitzchak, zl was preparing to usher in the holiest day of the Jewish calendar year. The Berditchever motioned to the chazzan to wait a while; he was not quite ready to begin the Kol Nidre prayer. The minutes passed by as the packed congregation began to whisper silently, "What could be holding up the Rebbe?" Soon, Rav Levi Yitzchak turned to his shammes, attendant, and asked, "Is Reb Mottel from Zhitomia here?" The shammes looked around and, after noticing Reb Mottel, he told the Rebbe that he was in attendance. "Please ask him to come here," said Rav Levi Yitzchak. When Mottel came over, Rav Levi Yitzchak began to question him. "Tell me, do you not live on land owned by a certain gentile landowner?" "Yes," responded the surprised Mottel. "Does he not own a dog?" asked the Rebbe. "Yes, Rebbe, he owns a very fine dog," answered Mottel, not having any idea why Rav Levi Yitzchak would be asking such questions prior to Kol Nidre. "Do you know how much he paid for the dog?" the Rebbe asked. "I surely do," answered Mottel proudly. "He said it was a special dog with a distinguished pedigree and that he had paid four hundred rubles for it." This was a huge sum to pay for anything in those days, let alone for a dog. Hearing the amount, Rav Levi Yitzchak was thrilled, exclaiming, "Four hundred rubles! That is fantastic!" He quickly summoned the chazzan to begin the Kol Nidre prayer to usher in Yom Kippur.

It was not surprising that everyone who was privy to this entire episode was bewildered. First, why would the saintly Rebbe care about a gentile's dog? And what difference did it make how much the dog had cost? After Maariv, a close group of the Rebbe's disciples gathered around him and worked up the courage to ask him to explain to them what had occurred.

The Rebbe related to them the following incident: "A melamed, tutor, came to our town this past year to earn enough money tutoring to repay the many debts that he had accumulated in his hometown. After a while, he had earned enough money to repay his debts and still have sufficient funds to support his family for the coming year. On his way home, he stopped overnight at an inn. You can imagine what happened. He was careless with his money bag, and it was stolen. He woke up the next morning to discover the terrible thing that had occurred,

and he became hysterical. He screamed and cried. He was crushed: months and months of his work were lost, gone forever.

"Mottel's gentle landowner was staying at the same inn. Upon hearing the melamed's wailing, he inquired about the commotion. He listened to the melamed broken-heartedly relate the entire story: how he had worked hard for months to pay off his debts and support his family, and now it was all gone. The landowner was moved by the story. After hearing how much the melamed had lost, he took out four hundred rubles - the amount that had been stolen - and gave it to the melamed."

The Rebbe continued, "As we were about to begin Kol Nidre, I became concerned about the episode and its far-reaching effect on us as we stand in judgment before Hashem. Do we deserve that Hashem should look at us favorably? Let us ask ourselves: 'Are we deserving of His favor? Did any of us do an unusual act of chesed, kindness, that would stand in our behalf?' If a gentile could perform such an exemplary act of kindness, Hashem's nation should do no less. Can we say that we did?"

"I then remembered the dog - the dog for which the gentile had spent so much money. When I discovered that he had spent four hundred rubles for a dog, an ordinary pet, it indicated to me that this gentile does not place a premium on his money. Thus, while the act of giving the melamed four hundred rubles was clearly a remarkable act of chesed, it surely did not represent an act of sacrifice on the gentile's part. A man who can spend so much money on a dog does not truly appreciate the value of money."

Many of us give tzedakah with an open hand, responding to a multitude of charities both private and communal. Are we aware of the theory of "relativity," whereby our tzedakah's value is "relative" to how much we actually spend on ourselves? Spending money for mitzvah performance is wonderful and the appropriate manner of observance, but when the funds that we spend are a far cry from what we spend on our personal lives, the merit is diminished. Our spiritual dimension should maintain center stage in our lives.

Every wise-hearted woman spun with her hands...all the women whose hearts inspired them with wisdom spun the goats. (35:25,26)

This was extraordinary craftsmanship, for they would spin the fibers from the fleece on the backs of the goats before it was shorn from them. Sforno explains that, after it is shorn from the animal, goat's hair loses more and more of its luster each time that it is handled. Thus, by combing and spinning the fleece while it was still growing, they were able to preserve much of the luster that would otherwise have been lost. How much luster is diminished after a few hours of spinning? Probably a minimal amount, which is unnoticeable. Yet, the women made the effort to enhance their work, so that it would retain that slight bit of extra luster. Horav Boruch Shimon Solomon, zl, Rav of Petach Tikveh, observes that the Torah made a point to emphasize the wisdom of these women. How demanding we should be of ourselves to see to it that nothing is spared in our effort to enhance the glory of the Mishkan.

This idea applies to every aspect of Jewish life. We should never settle when it involves kavod Shomayim, honor/glory of Heaven. Kavod haTorah, the esteem reserved for the Torah, is commensurate with the value one places on Torah study. An individual is as great as the knowledge he embodies. I use the word "embodies," because Torah knowledge is unlike any other form of erudition. A mathematician does not have to epitomize math, nor does a scientist have to actualize his scientific specialty. A Torah scholar, however, must personify the Torah which he studies in every aspect of his total demeanor. Otherwise, it is no different than studying math or science.

How one feels about himself, how he views his merit of being able to devote himself to Torah study, is largely based upon his rebbeim's appreciation of him and the extent to which they imbue this sentiment in their students. In other words, when a student sees how much his rebbe values his Torah, his learning, his potential, it obviously will leave a lasting impression on the student.

While this concept is virtually true of all successful rebbeim, Horav Eliezer Yehudah Finkel, zl, Rosh Yeshivas Mir, exemplifies kavod haTorah with the respect that he gave each and every talmid, student. He made a point to cogitate over each talmid's chiddush, innovative Torah thought, remembering every dvar Torah, storing it in his brilliant mind, and, often, years later, laud the student for his wonderful work. Certainly, having a Rosh Yeshiva of his stature remember a student's chiddush can be most ennobling. Indeed, for some, it could spark the

difference between a life in which Torah reigns paramount and one in which it does not.

Another aspect of kavod haTorah is in the manner a ben Torah carries himself. There is a certain sholtz, dignity, to the bearing of a ben Torah which should be the result of a profound understanding of his mission in life. When I recorded the history of the yahudus of Ashkenaz, I gained a glimpse into the world of the rabbanim of Germany. There was not a profession, but a calling, representing Jewish spiritual leadership at its apex. Indeed, it was crucial that they maintain this dominance, as their flock was being slowly blinded by the dazzling rays of seemingly permanent economic security, which catalyzed their distancing themselves from Hashem and His Torah. These leaders navigated through the stormy seas created by the secularists who were bent on assimilating into German society and who were prepared to outdo the gentile with their German fervor. The rabbanim were armed with Torah scholarship which gave their minds access to a deeper understanding of life and its challenges to the Torah-oriented Jew. They preached the importance of adhering to tradition, because the Torah is immutable, an eternal truth which rises above the falsehoods of contemporary society. These men, their Torah dignity intact, spearheaded the revolution of Torah which saved generations of Jews from spiritual extinction. They demonstrated to the charlatans who painted Judaism and its leaders as parasites that Judaism was very much alive and that tradition was the mainstay and anchor of our people.

This idea is exemplified in the life story of Horav Yosef Carlebach, zl, the last Orthodox Rav in Germany, Chief Rabbi of Altona/Hamburg, an individual who exuded kavod haTorah. A giant of the spirit, he was friend and mentor to Jews of all stripes, from the most powerful who sought his counsel, to the orphans and the destitute for whom he was a loving father and sympathetic friend. I take the liberty of quoting excerpts from his installation sermon upon assuming the pulpit of the chief rabbinate of Hamburg.

"As I try to read what is in all your eyes, your hearts, what is it that you are expecting from the rabbi you have chosen?... I believe that this distinguished congregation is wishing for a man in whom all the infirm can find a source of strength; a man to whom they can say, 'We want to go with you because we know that G-d is with you'..."

"What do I bring to you that I can regard myself strong enough for that task? When I was just a child, the rabbinical personality of my father, zl, became my life's model. In him I saw the ideal of a man who was modest, pure and noble, whose heart was open to the needs of all, without distinction between the high and the low-- one to whom the welfare of the criminal behind prison walls was just as important as the honors and celebrations of the mighty of his congregation. His benevolent eyes unlocked every heart to trust and to a willingness to be educated."

In describing the common denominator which wove its thread through all of the great Torah luminaries whom he met in Germany, Lithuania, and Poland, the Rav says, "The outstanding character traits of these great men were the maalos enoshios, that simple, selfless humanity that heals and redeems all human frailty. In their presence, one thought neither of their genius in Torah and other fields of knowledge, nor of their far-reaching activities for the benefit of the Jewish community. One felt only, zos Toras ha'adam, "so shall a true human being look," (Shmuel II:7).

In closing, the Rav intoned, "I will cry and laugh with you and bear all the anguish of your soul with you; I will regard the honor of having been called to this rabbinical position only as an obligation to relate to everyone with simple *mentchlichkeit*, humanity."

True dignity is defined by its integrity. True kavod haTorah is applied to one who personifies Torah without embellishment, whose values are simple, but whose actions on behalf of all men speak volumes about the Torah which guides him. The unembellished Jew is the Jew who is kulo Torah, his Torah is all encompassing, reigning in full force throughout every aspect of his life.

In honor of the upcoming marriage of Tzvi Menachem Hefter to Dina Tova Dear Peninim mailing list Peninim@shemayisrael.com
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