

BS"D



To: Parsha@YahooGroups.com
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**INTERNET PARSHA SHEET
ON VAYAKHEL PEKUDEI - 5764
PARSHAS HACHODESH**

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Abraham lived alone with his family, true to his faith. He fought battles for his neighbours; he prayed on their behalf; but he did not adopt their values. He was, he said to the Hittites after Sarah died, "a stranger and a resident among you". Yet they called him "a prince of G-d in our midst". To be true to our faith while being a blessing to others - that is what it means to be part of a holy nation.

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From: Rafael Salasnik [rafi@brijnet.org] Sent: March 17, 2004 To: daf-hashavua@shamash.org Subject: daf-hashavua Vayakhel-Pekudei 5764/2004 U N I T E D S Y N A G O G U E - L O N D O N (O)

Shabbat Mevarachim Shabbat Hachodesh
Shabbat ends in London at 7.00pm
JEWISH VALUES

by CHIEF RABBI DR JONATHAN SACKS
HOLINESS 3

If to be holy is to be different, it follows that Jews have been called on by G-d to have the courage to be different. The sages interpreted the phrase Avraham ha-ivri, "Abraham the Hebrew", to mean "the rest of the world was on one side, and he on the other." At most periods of history to be a Jew has meant living at a calibrated distance from the surrounding society while at the same time making contributions to it so that "through you all the families of the earth shall be blessed".

Mass behaviour - "the herd instinct" - has been responsible for many of the greatest crimes in history. In 1914 many of the most idealistic young men of Europe enthusiastically looked forward to the prospect of war. It took millions of deaths for them to realise its futility. The passions that accompanied the Russian Revolution and the enthusiasm with which the Nazis were greeted are, in retrospect, among the most tragic phenomena of the twentieth century. Too often revolution begins with a dream of utopia and ends in a nightmare of hell.

That is why, at the very beginning of the Torah, we read the momentous affirmation that it is the human individual as such that is holy, carrying within him or her the image and likeness of G-d. That too is why the famous Mishnah in the tractate of Sanhedrin declares that "a single life is like an entire universe", that the first man was created alone "so that no one can say, My father was greater than yours", and that we are all different, unique, so that we can say "the world was created for my sake" meaning that each life is irreplaceable.

To be a Jew in wider society has therefore often been a lonely experience. Tradition describes Abraham as the first iconoclast, having the imagination and courage to break his father's idols. Jewish life generally has often been at odds with prevailing fashion, political correctness, the conventional wisdom.

It is so today. To believe in the sanctity of marriage, to insist on responsibilities as well as rights, to affirm objective moral principles - all these and many others involve cognitive dissonance between Judaism and the current libertarian individualism of the West. But if we were not different, we would have nothing distinctive to contribute. Judaism remains the great counter-voice in the conversation of mankind.



From: RABBI YISSOCHER FRAND [ryfrand@torah.org] Sent: March 18, 2004 Subject: Rabbi Frand on Parshas Vayakhel-Pikudei

The Spirit of The Mishkan Should Permeate Our Entire Lives

We are taught in the Parsha [Shmos 38:8] that Bezalel made the Kior [laver] from which the Kohanim would wash their hands and its base out of copper from the "mirrors of the legions

who massed (mar-os ha'tzovos) at the entrance of the Tent of Meeting".

There is a very beautiful Rashi here that fills in the details. The women of the Jewish people had mirrors that they would use to adorn themselves. They donated these mirrors to the building fund of the Mishkan [Tabernacle]. Moshe initially rejected these mirrors, feeling they were an inappropriate gift for the Holy Mishkan. Moshe felt that the mirrors were a tool of the evil inclination. G-d overruled Moshe and ordered him to accept the mirrors. "These are the dearest donations to Me of all the donations to the Mishkan building fund."

Rashi explains that those mirrors had a long and glorious history. The women were able to create the large population of Jews that eventually left Egypt using these mirrors. When the Jews were enslaved and the men were exhausted from the slave labor, the women would bring food and water to their husbands in the fields where they were working. The men were hesitant to live with their wives. They were reluctant to bring any more children into a world that appeared to them to be hopeless and depressing. The women used the mirrors to beautify themselves and enticed their husbands to procreate, and thereby were able to give birth to and raise another generation of Jews. G-d therefore told Moshe that these mirrors saved the day -- do not reject these mirrors!

Rashi's language is very dramatic: "Nothing is more precious to Me in the Mishkan than these mirrors!" We can understand why the mirrors were "acceptable" and why Moshe's original reluctance to accept them may have been misplaced. But why in fact were they the most favorite of all donations?

The Succas Dovid commentary suggests that these mirrors represent a form of service to G-d to which every Jew must aspire. The pasuk [verse] states "And to serve him with all your heart (b'chol levavchem)" [Devorim 10:12]. Our Sages make a play-on-words. They say b'chol levavchem indicates two hearts -- the heart of one's inclination to do good and the heart of one's evil inclination. A person must serve G-d not only with his Yetzer HaTov (the 'good heart'), but even with the Yetzer HaRah (the 'bad heart').

There is a dichotomy in people. We have a spiritual side that drives us to pray, learn Torah, do acts of Kindness, do mitzvos. That is one aspect of our personalities. But the other aspect of our personalities is the less than holy drives -- the mundane, sometimes the profane. These drive us toward eating, drinking, and the other activities of human life. Our Sages charge us with the challenge of even serving G-d with our 'evil inclinations'.

Those women in Egypt were able to meet this challenge. They showed how to worship and serve G-d even with their 'evil inclination'. They

took the mirrors and made themselves attractive and engaged their husbands in physical relations. This is an aspect of human activity in which we indulge ourselves that we usually consider to be non-holy. But they went ahead and elevated it. They took beauty and elevated it to its highest form.

This is what the Mishkan and the Temple Service is all about. The Temple Service teaches us that a Jew can bring a sacrifice on the altar and sit down to eat a piece of meat and make the consumption of that steak a holy experience. The eating of sacrificial meat is a mitzvah. It can bring a person atonement and spiritual reward. It can be Divine Service.

The goal of the Mishkan is to take every aspect of human life and elevate it to a higher plane. G-d therefore said that nothing is a more appropriate symbol of what the Mishkan is supposed to accomplish for the Jewish people than precisely these copper mirrors that the Jewish women used to beautify themselves so they would succeed in enticing their husbands and thereby raise another generation of Jewish souls.

In Parshas Pekudei, at the conclusion of the process of building the Mishkan, the pasuk says: "And Moshe blessed them" [Shmos 39:43]. What blessing did he give them? Rashi says that the blessing was "May the Shechinah [Divine Presence] rest in the work of your hands". Homiletically, this blessing could mean that the Shechinah is not only supposed to dwell within the four walls of the Mishkan. The blessing was that the Mishkan should reach its fruition and purpose in the "actions of your hands" -- in your daily activities. Through the Mishkan, may you find spiritual motivation in eating, in drinking, and in the other aspects of human activity. Let the spirit of the Mishkan be felt, not only when you enter its confines, but let it permeate your existence and make you into what a Jew is supposed to be. Take the spirit of the Mishkan and put it into your daily lives.

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 409, The Melacha of Melabain (Laundering). Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2004 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org



From: Bennett Ruda [bruda@idt.net] Sent: March 17, 2004
To: teaneckshulsisrael@yahoo.com Subject: Rabbi Nataf: Why We Hate Tachanun
Other articles by Rabbi Nataf can be read at www.tzemachdovid.org/ideas

WHY WE HATE TACHANUN

Reflections for Rosh Chodesh Nissan

RABBI FRANCIS NATAF

I have always been perplexed by the loathing so many people have for the prayer we regularly say between the Amidah and Ashrei, commonly known as Tachanun. All one need say is the word "Tachanun" and the most common response will be, "Do we get to skip it today?" I remember frequently seeing grown men act as if they had just won the lottery, when by surprise a guest chatan walked into shul, thereby canceling the requirement to say Tachanun. I wonder how G-d reacts to the high-fives we give each other when given such an opportunity to pray less.

On one level, this phenomena shows our true feelings towards prayer in general. Since we rarely feel that our prayers are meaningful, it appears that we view them as a burden on our time. As such, we are happy to dispense with whatever part of the prayers we can.

But there is another issue that may explain why Tachanun begets our scorn more than any other prayer. The problem with Tachanun is that it

is very negative. In it, we focus on our shortcomings and supplicate G-d to forgive us. In a world more and more dominated by a very upbeat American culture, we are not so comfortable with such negativity.

While part of what makes America great is the can-do positive attitude of its citizens, to some extent, it is also what makes America shallow. Dale Carnegie, a very insightful representative of American values, called one of his books, "How to Stop Worrying and Start Living". Granted, it is counterproductive to worry too much and become neurotic? still a Jew is supposed to worry.

We see that the greatest Jews worried. And the greater they were, the more they worried. When R. Yochanan ben Zakai was about to die, he was worried -- he told his students that he didn't know how he would be judged by the celestial court (Berachot 28b). R. Yochanan ben Zakai! He may well have learned this from our forefather Yakov -- when it came time to confront Esav, he too worried that he was no longer worthy of G-d's protection (ibid. 4a).

What Yakov and R. Yochanan ben Zakai understood better than us is the need for constant introspection. I am not sure if you can't fool all of the people all of the time, but I am sure that you can never really fool yourself. Besides G-d, we are the only ones who really know the true motivation for what we do. We are also the only ones who really know if we could do more. As such, we are in a position to be our most effective critics. This, only if we take the time to worry a little. Tachanun allows us those daily minutes of introspection and self-criticism that can allow us to be the spiritual leaders that G-d expects us, as Jews, to be.

Woody Allen and others may joke about Jewish guilt, but it is this very proclivity to self-critique that has allowed us to provide the Western world with its spiritual legacy. More than one scholar has noted the absence of self-critique in ancient literature of all peoples except the Jews. The checks and balances provided by our prophets who criticized the Jews each step of the way is what allowed us to avoid the inevitable decadence of all other vanished civilizations. These civilizations became drunk with their own success and were unwilling to reassess whether they may have gradually veered off the original course that brought them greatness, until it was too late.

The month of Nissan is the longest period of time when we do not say Tachanun. It is a period of rebirth, where we are allowed to weaken our level of introspection, in order to focus on the positive messages of Pesach and Spring. It is easier to rejoice in the positive messages of Nissan. Even so, we must also learn to appreciate the need for occasional but regular negativity during the rest of the year. David haMelekh was very careful in the order of the phrase "sur mera ve'aseh tov" (remove evil and do good). He was telling us that the way to attain the most positive scenario of doing good is to first find what is bad and remove it.

Chodesh tov.

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From: Heritage House [innernetmag@hotmail.com] Sent: March 17, 2004 4:20 PM To: innernet@innernet.org.il Subject: InnerNet - The Kaddish Dream
INNERNET MAGAZINE <http://innernet.org.il> March 2004

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"THE KADDISH DREAM"

BY AVRAHAM ERLANGER

* * *

A highly respected woman, the wife of a prosperous businessman in the Hungarian city of Pressburg, adopted the custom of periodically donating a sum of money to the yeshivah, on the condition that someone there recite Kaddish for the souls of those unfortunates who have no one

to say it for them. The yeshivah administration agreed, appointing one of the students to recite Kaddish for those departed souls.

After some time, the woman's husband passed away. His business suffered greatly without his leadership, and eventually fell into such dire straits that the woman was forced to close it down. Her financial situation worsened dramatically. As time passed, she was faced with a new problem. Her two daughters had reached marriageable age, but from where was the money to come for their weddings?

The mother bore her burdens in silence, courageously resigned to her fate. There was, however, one thing she was not willing to accept. The recitation of Kaddish must not stop just because she could no longer afford to pay her usual stipend. In great bitterness of spirit, she turned to the yeshivah administration, pleading with them to continue the Kaddish custom until her fortune turned and she would once again be able to pay.

The Yeshivah, moved by the widow's sincerity, agreed to do as she asked. The promise filled her with boundless joy. With beaming countenance, she left the yeshivah and started for home. Her situation did not press upon her quite as much as before. As long as Kaddish would be said, she felt she lacked nothing in this world. As far as her two daughters were concerned, she would place her trust in G-d. The merciful Father of orphans and the compassionate Judge of widows would surely see their poverty and supply them with suitable grooms and all their needs.

* * *

One day, as the woman stepped out into the street, she saw an elderly Jew approaching. His beard was full and white, and his face shone like the sun. The woman was startled by the warmth of his greeting -- after all, the old man was a stranger to her. Her surprise grew when he began conversing with her, asking about her situation and that of her children. The woman sighed deeply, pouring out the tale of her hardships. She described her fall from prosperity to poverty, to the point that she lacked the means with which to marry off her grown daughters.

"How much do you estimate you need for their wedding expenses?" the old man asked.

"What's the difference?" she sighed. "With all due respect, why do you wish to know?"

Rather than responding, however, the man pressed her for an answer until she gave him the estimate he wanted. Immediately, he drew a page from his notebook and wrote instructions to the local bank to pay her the amount she had mentioned.

Because this was a very large sum of money, he suggested to the stupefied widow, it was preferable that the note be signed in the presence of witnesses. They would see with their own eyes that he was signing over the money, and would add their own signatures to that effect.

Astonished and shaken, the widow went to the yeshivah to request that two students accompany her. The old man asked them to witness his signature on the check. For additional security, he asked them for a piece of paper, on which he signed his name once again for authentication purposes. He handed the check to the woman with instructions to redeem it at the bank on the following morning.

The whole business seemed extraordinary to her. Why had the old man, a stranger to her, seen fit to show her such largess -- to the point of covering the entire wedding expenses for her two daughters? Nevertheless, she hurried to the bank the next day to try her luck.

When the bank clerk read the check, he stared at the widow in amazement. He looked at the check again, then again at the widow. In some confusion, he asked her to wait. Check in hand, he went into the manager's office.

The bank manager took one look at the check -- and fainted dead away!

A babble of distress and bewilderment arose from every corner of the bank. The clerks, hearing of the incident, hustled the widow into a small

room and stood guard over her to make certain she did not leave. Clearly, something was amiss.

* * *

When the manager recovered consciousness, he demanded to see the woman who had brought in the check. As she stood before him, trembling, he demanded an accounting of how she had come by the check.

"I received it just yesterday from a very respectable Jew. There were two witnesses to his signature, too," she explained anxiously.

"Would you be able to identify the man who gave you the check, if you saw a picture of him?" the manager asked.

"Of course I could! And I have no doubt that the two yeshivah students who witnessed his signature could identify him as well."

The manager reached into his desk and pulled out a picture.

"Yes!" The woman beamed. "That's the man. He's the one who so generously gave me the check."

Slowly, the manager turned to his clerks. "Give this woman the money," he ordered. "And then let her go."

It was only after the widow's departure that he confided his story to those present, who were naturally agog with curiosity.

"The man who gave that woman the check," he said, "was my father -- who passed away 10 years ago. Last night, he appeared in a dream and told me these words: 'Know this. Since you strayed from Judaism and stopped reciting Kaddish for me, my soul found no rest -- until this woman, this widow, came and arranged for the recitation of Kaddish for those who have no one to say it for them. The Kaddish they said for me in the yeshivah, on that woman's instructions, led to ascendancy and peace for my soul.'

"Tomorrow morning, this woman will appear in your bank with a check that I have given her to cover her daughters' wedding expenses.'

"When I woke up this morning, I was shaken by the dream. I described it to my wife, who just laughed. But when the woman appeared with the check, I realized that the dream had come true."

(Rabbi Chaim Sonnenfeld would tell this story, adding that he was one of the yeshivah boys who witnessed the signature.)

Excerpted with permission from "She Shall Be Praised." Published by ArtScroll/Mesorah Publications Ltd., Brooklyn, NY - <http://www.artscroll.com>

InnerNet Magazine is published monthly as an on-line digest of fascinating articles from the Jewish world. Topics include relationships, spirituality, personal growth, philosophy, incredible true stories, and special editions for the Jewish holidays. Archives of past articles are accessible on-line at <http://www.innernet.org.il> (C) 2004 InnerNet Magazine

http://www.torahweb.org/torah/2003/parsha/rtwe_vayakhel.html

TorahWeb.org [from last year]

RABBI MAYER TWERSKY

THE SOURCE OF KEDUSHA

Parshas Vayakhel opens with Moshe Rabbeinu reiterating the mitzvah of abstaining from melachah on Shabbos. Immediately thereafter, Moshe Rabbeinu communicates to the entire Jewish people the mitzvah of building the mishkan. This juxtaposition of mitzvos Shabbos and the mishkan provides the foundation for much of hilchos Shabbos. This juxtaposition, according to Chazal, teaches that the 39 forms of melachah needed for the mishkan constitute melachah on Shabbos, and accordingly are prohibited.

Primo facie, this derivation is most paradoxical. The melachas performed for the sake of the mishkan are sources of kedusha; how can these very same melachas serve as the standard for profaning kedushas Shabbos?

In order to recognize the answer to this question, we must reverse our perspective on the relationship between Shabbos and the mishkan. In

terms of derivation, the issur melachah on Shabbos is defined by melachas of the mishkan. The correct conceptual relationship, however, is that these activities from which we abstain on Shabbos (i.e., the 39 melachas) accordingly become capable of generating kedusha. It is precisely because we abstain from the 39 melachas on Shabbos that we can utilize them to create kedusha during the sheishes yemei hama'aseh. The wellspring for human creativity in the realm of kedusha is Shabbos. Our embrace of kedushas Shabbos which involves withdrawal from worldly pursuits and signifies recognition of HASHEM's sovereignty and our own absolute dependence upon Him enables us to create kedusha. Our rendezvous on Shabbos with HASHEM who is the source of kedusha allows us to create kedusha.

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From: E-Mail Staff [dana@eretzhemdah.org] Sent: March 15, 2004 6:20 AM To: dana@eretzhemdah.org Subject: Parshat Vayakhel-Pekudei 27 Adar 5764 Hemdat Yamim Parshat Vayakhel- Pekudei 27 Adar 5764

Eretz Hemdah is the premier institution for training young rabbis to take the Israeli Rabbinat's rigorous Yadin Yadin examinations. Eretz Hemdah, with its distinctive blend of Religious Zionist philosophy and scholarship combined with community service, ensures that its graduates emerge with the finest training, the noblest motivations resulting in an exceptionally strong connection to Jewish communities worldwide.

THE TEMPORARY KOHEN

HARAV YOSEF CARMEL

After all the preparations for the erection of the mishkan, the time came to actually erect it. We would have expected this holy task to belong to Aharon and his sons or the Levi'im, in general. Why does the Torah stress several times (see Shemot 40) that Moshe specifically was commanded to do so? What is even more puzzling is why Moshe, who was not a kohen, was also entrusted to bring the korbanot (sacrifices) at that time (ibid.:29).

One could imagine that Moshe's involvement had to do with his exalted status as the holiest man and the greatest prophet in the history of the Jewish people. However, as we search Tanach for parallel examples, we find that it was Moshe's other role, as the king/ruler of Bnei Yisrael that was apparently responsible for his involvement. For indeed we find that in later consecrations of later sanctuaries, the kings are involved in similar roles to that of Moshe. In Melachim (I, 6) it tells of Shlomo Hamelech bringing sacrifices and sanctifying the courtyard of the Beit Hamikdash. Let us look further in history, at the Beit Hamikdash which is still to be rebuilt. The navi Yechezkel (see 45:18-25) tells us that the nasi (king or equivalent national leader) will bring the korbanot when the Beit Hamikdash will be consecrated in the days to come.

One more precedent in Tanach involves David Hamelech. When he escorted the aron (holy ark) to Yerushalayim, dancing before it, he was wearing an efod bad (an apron of linen), which sounds like the vestment of the kohen gadol. Why an efod? Apparently, bringing the aron to Yerushalayim, which would be its permanent place of rest during the period of the Beit Hamikdash, which was in the planning stage, had an element of the practical steps towards construction of the Beit Hamikdash.

We explained last year that there is a clear distinction between the service in the Beit Hamikdash and its construction. The former can be done even when it involves desecrating Shabbat, while the latter cannot. During the period of building, the sanctity of the mikdash is not yet permanent. With a lack of permanence and the issues being of a temporary nature, the king, who is responsible for the nation's day-to-day operations, is the one who is in charge. After the building, when the sanctity is permanent, then the kohanim, who have the permanent role of tending to the service of the mikdash, are appropriate. Shabbat is also a

permanent time of sanctity, from the time of the creation of the world and on. Only the permanent operation of the mikdash can supercede it. Construction of the mikdash, representing the temporary efforts towards kedusha, cannot be allowed to desecrate Shabbat.

Let us pray for the speedy arrival of the time when the Kingdom of Israel will be involved in the building of the Beit Hamikdash and then give over its operation to the kohanim.

Harav Shaul Israeli zt"l Founder and President Deans: Harav Yosef Carmel Harav Moshe Ehrenreich ERETZ HEMDAH 5 Ha-Mem Gimmel St. P.O.B 36236 Jerusalem 91360 Tel/Fax: 972-2-5371485 Email: eretzhem@netvision.net.il web-site: www.eretzhemdah.org

From: Kol Torah [koltorah@koltorah.org] Sent: March 12, 2004 Celebrating Thirteen Years of Kol Torah KOL TORAH A Student Publication of the Torah Academy of Bergen County Parshat Ki Tisa 20 Adar 5764 March 13, 2004 Vol.13 No.25

MECHIRAT CHAMETZ: The Source of the Deal by RABBI CHAIM JACHTER

A standard component of our Pesach preparation is the sale of Chametz to a non-Jew. We appoint our Rabbi as our agent to sell the Chametz year after year, and it would seem to a casual observer that this procedure is as ancient as the eating of Matzah and Maror. The manner in which we currently perform Mechirat Chametz, though, is a relatively recent phenomenon. In the time of the Mishnah, if a Jew could not finish consuming his Chametz before Pesach, one of his options was to sell his remaining Chametz to a non-Jew (see Pesachim 21a). This Mishnah, however, refers to a permanent sale of the Chametz to a non-Jew.

The Tosefta In our first discussion of this issue we mentioned Rav Halperin's concern that when an elevator carries a heavy load the motor turns into a generator and produces electricity which is fed into the power lines. Rav Halperin writes that this involves a Torah prohibition since the generator powers various machines and appliances that perform many "Melachot." Professor Lev (Techumin 5:65-73) responds with a factual and halachic argument. He points out factually that no new current flow is created by added passenger weight. He also states that any power that is generated by the elevator is dissipated in the electric wire and is of no use. Furthermore, even if Rav Halperin were to be correct factually, the problem would constitute a rabbinic level prohibition not a biblical level prohibition because the creation of the power is a "Melacha She'einah Tzricha L'gufa." This term is a halachic category describing situations where one intends to perform "Melacha" but it was not his purpose to perform that Melacha. A classic Talmudic example is one who digs a hole but his intention is only to collect dirt, not to prepare the ground for planting. The Tanaim disagreed as to whether a "Melacha She'eina Tzricha L'gufa" is forbidden biblically or rabbinically (see Shabbat 93b). Although the Rambam (Hilchot Shabbat 1:7) rules that it is biblically forbidden, most Rishonim rule that it is only rabbinically forbidden (see Raavad ad. loc. and Shulchan Aruch Orach Chaim 316:8 and Mishna Berurah 316:34). Accordingly, Professor Lev argues that if indeed the elevator motor is turned into a generator which powers many machines and appliances, only a rabbinic prohibition is violated. He argues that the intention of the elevator passenger is to descend to lower floors and not to create a generator. Thus, the passenger's action can be deemed a "Melacha She'einah Tzricha Legufa." Rav Halperin disputes this point. He argues that "the passengers require and therefore desire that power be generated by his weight and utilized, for otherwise the car speed increases without control and it is impossible to slow down and stop except by emergency measures."

The Shulchan Aruch Nevertheless, many Rishonim disagree with this assertion of the Ritva and the Ritva's explanation is not accepted as normative. The Shulchan Aruch (Orach Chaim 448:3) cites this Tosefta, does not record the words that appears in the Ritva's version of the Tosefta and does not quote the Ritva's assertion that it is forbidden to routinely sell Chametz to a non-Jew every year. The Shulchan Aruch does, however, write that "the Jew must give the Chametz to the non-Jew with full intention to transfer title of the Chametz to the non-Jew." Accordingly, we must regard the sale of Chametz as a legitimate sale and not a Halachic trick. The Kitzur Shulchan Aruch (114:1) writes, "The matter of Mechirat Chametz should not be merely a routine habit, rather one should seriously intend to sell the Chametz to a non-Jew in a fully valid sale. The matter should not be regarded as a mere joke, but rather as a conventional business deal." Rav Kenneth Auman's (of the Young Israel of Flatbush) practice (that I saw in 1992) of selling his community's Chametz to a non-Jewish accountant, and Rav Mordechai

Willig's (of Riverdale) practice of selling Chametz to a non-Jewish real estate agent serve to develop a proper attitude to Mechirat Chametz. These two Rabbis make sure that the non-Jews to whom they choose to sell the Chametz are people who have a sophisticated understanding of how business and sales are conducted, so that the Jewish sellers understand that a legitimate sale is being conducted (we should note that this is not the common practice and the sale is valid even if the purchaser is the janitor of the Shul, based on the Gilyon Maharsha that we shall cite later). Rav Yosef Eliyahu Henkin (Kitvei HaRav Henkin 2:41) writes that placing the Chametz in a specially designated area that one does not enter at all during Pesach serves to strengthen the seriousness of the sale in the eyes of the seller. Rav Henkin adds (ibid p. 39) that it is best for the Mechirat Chametz to be conducted in a manner that is valid by civil law standards. We should note, though, that the question of the necessity of Mechirat Chametz being valid by civil law standards is a matter that is discussed at length, see Teshuvot Chatam Sofer O.C. 113, Teshuvot Divrei Chaim 2:37, Teshuvot Shaarei Deah 1:5, and Rav Shlomo Yosef Zevin, Lior Hahalacha pp.120-122. We need not be concerned that the non-Jew is not serious about the sale, see the Gilyon Maharsha Yoreh Deah 320:6 s.v. Meshichah, that when the seller is serious about the sale, we are not concerned that the purchaser does not take the sale seriously.

The Development of the Current Practice Although the Tosefta serves as a source for our sale of Chametz, there are two significant differences between the sale of Chametz described in the Tosefta and our practice today. The first difference is that in the Tosefta's case the Chametz is removed from the Jew's home and given to the non-Jew. Today, of course, the non-Jew is given title to the Chametz, but the actual Chametz remains on the premises of the Jewish seller. Second, the Tosefta involved an individual Jew selling to a non-Jew. Today, the community Rabbi sells the Chametz on behalf of everyone in the community. These two practices have developed over the past five centuries. The great sixteenth century authority Rav Yoel Sirkes, known as the Bach (O.C. 448), records that in his time it was necessary that the Chametz remain in the Jew's home even after the sale of that Chametz to the non-Jew. He writes, "In this country, since the main business is selling liquor (mostly because it was one of the few businesses the Polish authorities permitted Jews to engage in) and it is impossible to remove all the liquor and equipment from the premises of the Jew; it is permitted for the non-Jew to acquire the Chametz, and the Chametz may remain on the premises of the Jew." He describes the manner in which a non-Jew takes title to the Chametz without actually bringing the Chametz into his premises. The Bach also emphasizes that the sale should be conducted seriously and not merely as a trick to avoid violating the prohibition of owning Chametz. He stresses that the non-Jewish purchasers should also understand that it is genuine sale, and not "Halachic fiction". Rav Shlomo Yosef Zevin (see his essay on this topic in Hamoadim Bihalachah along with the writings of Rav Gedalia Felder on this topic, Yesodei Yeshurun 6:241-331) estimates that this practice continued for about 250 years. The sales were conducted by individuals and not by the community Rabbis. The great Rabbis of these generations such as the Noda B'yehudah and the Baal Hatanya composed documents to be used for these individual sales. Copies of these documents are printed at the end of the contemporary work Mechirat Chametz Kehilchata.

However, problems arose with these sales since many of these transactions were executed by individuals who were not experts in Halacha. The mistakes that were commonly made were the seller's forgetting to sign the Shtar Mechirah (bill of sale), selling Chametz on Erev Pesach after the time it is forbidden to benefit from Chametz, and forgetting to sell the places upon which the Chametz was placed. Therefore, starting from the early 19th century, the sale of the Chametz by the Rabbi, on behalf of everyone in the community, gradually became the standard practice. Having the sale conducted by a Halachic expert greatly reduced the occurrence of errors, and thus our practice emerged in which everyone in the community appoints his Rabbi as his agent to sell the Chametz on his behalf. Some Rabbis today use a power of attorney form printed in English to emphasize the seriousness of both the appointment of the rabbi as an agent and the actual sale of the Chametz. The change to a communal sale did not escape criticism from some of the great authorities of the nineteenth century. The great Rav Yosef Shaul Natanson (Teshuvot Shoel Umeishiv 2:2:77) objected to this communal method of the sale of Chametz. It appeared to him not to be genuine sale, rather a clear subterfuge of the Halacha (Haaramah). Nevertheless, Rav Zevin notes that by the end of the nineteenth century the communal sale had become the norm (Rav Zevin outlines the locations and times of the epicenters of this controversy and the places where this change was received without dispute). Indeed, the Aruch Hashulchan (O.C. 448:27), writing at the turn of the twentieth century, notes that the practice has been for quite a number of generations for communities to appoint their rabbi to sell Chametz. In fact, the Chatam Sofer (Teshuvot O.C. 113) writes that "the sale is effective and one who casts doubts on its validity should be

castigated." Moreover, Rav Yosef Adler relates that he heard Rav Yosef Dov Soloveitchik tell about his visit to Brisk before Pesach one year when he attended the Mechirat Chametz that was conducted by the famed Dayan of Brisk, Rav Simcha Zelig Riegeur. One individual, recalls the Rav, began to ridicule the sale of Chametz, whereupon Rav Simcha Zelig threw the individual out the room. When the Rav related the incident to his grandfather Rav Chaim Soloveitchik (who served as the Rav of the town), Rav Chaim applauded Rav Simcha Zelig's actions. Rav Chaim asserted that just as Rabbeinu Tam issued a ban on anyone who casts frivolous doubts on the validity of an executed Get (see Shulchan Aruch Even Haezer 154:22), so too it is forbidden to ridicule the accepted practices of Am Yisrael.

Selling Actual Chametz However, some authorities continue to maintain that it is preferable not to sell actual Chametz and to include only mixtures of Chametz (in which Chametz is not a majority of the contents of the particular item). The Vilna Gaon (cited in Maaseh Rav 180) felt that one should sell actual Chametz, unless he does not intend to repurchase it from the non-Jew. Rav Aharon Kotler (cited by Rav Shimon Eider, Halachos of Pesach p. 123) followed this view.

Rav Hershel Schachter (Nefesh Harav p.177) writes that Rav Yosef Dov Soloveitchik essentially agreed with the opinion that actual Chametz should not be included in the sale. If less than half of the food consists of Chametz (Taarovet Chametz) then the Rav agreed that it might be sold to a non-Jew. In this case, the Rav felt that it would be appropriate to rely on the opinion of Rabbeinu Tam (cited in Tosafot Pesachim 42a s.v. Vieilu) that it is only Rabbinically forbidden to possess Taarovet Chametz on Pesach. Hence, since Taarovet Chametz is only Rabbinically forbidden, it would be permitted to engage in a Haaramah (a "Halachic trick"), based on the Gemara in Shabbat (139b), which teaches that we tolerate a Haaramah when dealing with matters that are only rabbinic law. However, since we are forbidden by the Torah to own actual Chametz, it would be forbidden to employ a Haaramah such as the sale of actual Chametz to a non-Jew, to avoid a Torah prohibition. Rav Schachter writes that the Rav stated this point repeatedly to both his students at Yeshiva University and in the Shiurim he delivered to the general public. The Rav did not feel that this was a stringency that should be limited to the very learned and the very pious.

Rav Yosef Eliyahu Henkin takes a somewhat similar approach. He writes that it is appropriate for a pious Jew to try not to include "actual Chametz" in the sale of Chametz. However, in case of significant monetary loss, Rav Henkin writes, one may rely on the accepted practice to sell even actual Chametz to a non-Jew. Rav Moshe Feinstein (cited by Rav Shimon Eider, Halachos of Pesach page 123) believes that even actual Chametz may be included in the sale. This also appears to be the opinion of the Mishnah Berurah and Aruch Hashulchan, as they do not discourage the inclusion of actual Chametz in the sale to the non-Jew. Rav Eider notes that the commonly accepted practice reflects the view of Rav Moshe. Since the prevalent practice is to follow this opinion of Rav Moshe Feinstein, it is appropriate to point out a possible basis for the common practice. It is possible that the sale of Chametz should not be regarded as a Halachic trick or Haaramah. Rather, it is a fully legitimate way of avoiding violating the prohibition to own Chametz. In fact, Rav Hershel Schachter once argued that according to Tosafot (Pesachim 4b s. v. Midioraita), Bittul Chametz (nullification of Chametz) functions with essentially the same Halachic mechanism as the sale of Chametz. Unlike Rashi (ad. loc. s.v. Bevitul), who believes that Bittul Chametz constitutes a fulfillment of the mitzvah to destroy Chametz ("Tashbitu"), Tosafot believe that Bittul Chametz merely sidesteps the prohibition of owning Chametz by declaring the Chametz ownerless. One could argue that the sale of Chametz similarly avoids the prohibition to own Chametz by selling the Chametz to a non-Jew.

Furthermore, the fact that the Tosefta and Shulchan Aruch sanction the sale of Chametz without stating that it should be limited only to mixtures of Chametz seems to strongly support the view of Rav Feinstein and the common practice. Moreover, the original practice of Mechirat Chametz that was initiated by the Bach was intended for the sale of alcohol, which is Chametz B'ein (actual Chametz) according to the ruling of the Mishnah Berurah (442:4). We should note, though, that there is some controversy about this point, as some Acharonim (cited in the Shaarei Teshuva 442:3, B'ur Halacha 489:10 s.v. Af, and Aruch Hashulchan Yoreh Deah 293:18) argue that alcohol is "mere sweat" (Zeiah Bialma", see Berachot 38a and Tosafot ad. loc. s.v. Hai) and thus does not constitute Chametz B'ein (also see Shaarei Teshuva 448:8 for another possible lenient approach to justify the sale of liquor). Nevertheless, since the issue of what items are permitted to be included in the sale is debated by the great contemporary Halachic authorities, one should consult his Rav for Halachic guidelines regarding what opinion to adopt in practice. We should note that there are quite a number of areas in Halacha where Chazal tolerate (and sometimes encourage) a sale to avoid certain prohibitions (see the list in Rav Zevin's Lior Hahalacha p.112). Indeed the sale of Chametz is modeled to a great

extent on the sale to a non-Jew of a portion of an animal that is about to give birth for the first time, in order to avoid the restrictions of Bechor Beheimah. See Shulchan Aruch Y.D. 320:6 and its commentaries for a full discussion of this sale and see Techumin (20:88) for a copy of the document that Israeli farmers currently employ in this context today. Next week we shall continue in our discussion of the details regarding Mechirat Chameitz.

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From: Aish.com [newsletterServer@aish.com] Sent: March 15, 2004
Subject: Appel's Parsha - Vayakhel-Pekudei
<http://www.aish.com/torahportion/appel/showArticle.asp>

Parsha: Pekudei (Exodus 38:21-40:38)

TAKE A SPIRITUAL ACCOUNTING

BY: RABBI YEHUDA APPEL

Imagine if a corporation conducted business without keeping track of its accounts and made no effort to chart profits and losses. The whole endeavor would be destined to fail!

The Sages note that this is exactly the approach many people take in their personal lives. When asked whether or not it is important to be a good person, virtually everyone will nod in the affirmative. Most people would also agree that to be a truly good person one should not be satisfied and complacent with one's current "level of goodness" but must continue to grow and improve. Yet one finds very few people keeping track of their growth and character development. We may check the status of our mutual funds each week, though we are far less likely to tally up the number of kindnesses we performed during the same period! The Sages say that every person must regularly do "Cheshbon Hanefesh" - a spiritual accounting. For example, if someone is trying to refrain from speaking Loshon Hara (gossip), he should keep track of the number of times he speaks Loshon Hara during the day. The power of this exercise is so great, that if a person performs a Cheshbon for 80 consecutive days, they will assuredly become a new person.

This idea of monitoring one's progress is built into the Jewish calendar as well. The final day of any time period is considered an ideal time to conduct a review. For example, during Elul (the last month of the Jewish year) we are expected to analyze the previous year's doings.

Similarly, the last day of each Hebrew month is called Yom Kippur Katan ("small Yom Kippur"), in which we are enjoined to review the month's activities. Also before the start of each Shabbat is an opportune time to analyze the events of the week.

This concept of a spiritual accounting plays an important role in this week's Torah portion, Pekudei. A major theme in the Parsha is how Moses gives an accounting of the materials used to build the Tabernacle. But why was there a need for an accounting of how the materials were used? Could not Moses have been trusted to keep things above board?

Various answers are offered to this question; among them how this emphasizes the need for all charity collectors (no matter who they are) to make an accounting to their donors.

Another explanation is that an accounting of all the materials revealed the miraculous nature of its construction - since the gifts the people gave were exactly what was needed!

The Chassidic masters offer another explanation: Moses' recounting of how the materials were used is consistent with the aforementioned principle that, at the end of an important period, one should take an accounting of one's actions.

The construction - and completion - of the Tabernacle was a truly fantastic event. Never before had a human project been so blessed by G-d. While in the past, the Almighty had performed great miracles for the Jewish people, He had never placed His blessing on something the nation itself had built. With the completion of the Tabernacle, however, the Almighty rested His cloud of glory upon the structure.

Given the incomparable holiness of this event, it is evident that everything associated with the Tabernacle must be in perfect order. A Cheshbon, therefore, was a quite necessary part of the construction process!

It should be a necessary part of the construction of our own lives as well.

Rabbi Yehuda Appel studied and taught Torah for many years in Jerusalem, and is now Executive Director of Aish HaTorah in Cleveland. You can contact him directly at: YAppel@aish.com

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SHABBOS PARSHAS VAYAKHEL-PEKUDEI

PARSHAS HACHODESH

MARCH 20, 27 ADAR The usual Shabbos Shemonah Esrei; the Chazzan's Repetition (those who say yozros [Piyutim for special occasions], say the yozros for Parshas HaChodesh); Kaddish Tiskabel; Torah Reading: we take out two Sifrei Torah; seven Aliyahs in the first Sefer Torah from the weekly Sidrah ó Vayakhel-Pekudei; Half-Kaddish; the Maftir reads in the second Sefer Torah from Parshas Bo (Exodus 12:1-20); the Haftorah of Parshas HaChodesh is read in Ezekiel 45:16-46:18. We bless the month of Nisan (no Kel Malei or Av Harachmim); Ashrei; Yehalelu; Half-Kaddish.

MUSSAF As usual; (those who say yozros [Piyutim for special occasions], say the yozros for Parshas HaChodesh).

MINCHA Three Aliyahs in Parshas Vayikra. We say Tzidkascha Tzedek..

EREV ROSH CHODESH MONDAY, MARCH 22, 29 ADAR (Some observe Yom Kippur Koton.) No Tachanun at Mincha.

From: ohr@ohr.edu Sent: March 16, 2004 To: weekly@ohr.edu Subject: Torah Weekly - Parshat Vayakhel - Pikudei

TORAH WEEKLY - For the week ending 20 March 2004 / 27 Adar I 5764 - from Ohr Somayach | www.ohr.edu

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-- Parshat Vayakhel - Pikudei <http://ohr.edu/yhiy/article.php/1604>

OVERVIEW

Vayakhel - Moshe Rabbeinu exhorts Bnei Yisrael to keep Shabbat, and requests donations for the materials for making the Mishkan. He collects gold, silver, precious stones, skins and yarn, as well as incense and olive oil for the menorah and for anointing. The princes of each tribe bring the precious stones for the Kohen Gadol's breastplate and ephod. G-d appoints Betzalel and Oholiav as the master craftsmen. Bnei Yisrael contribute so much that Moshe begins to refuse donations. Special curtains with two different covers were designed for the Mishkan's roof and door. Gold-covered boards in silver bases were connected, forming the Mishkan's walls. Betzalel made the Holy Ark (which contained the Tablets) from wood covered with gold. On the Ark's cover were two figures facing each other. The menorah and the table with the showbreads were also of gold. Two altars were made: a small incense altar of wood overlaid with gold, and a larger altar for sacrifices made of wood covered with copper.

Pikudei - The Book of Shemot concludes with this Parsha. After finishing all the different parts, vessels and garments used in the Mishkan, Moshe gives a complete accounting and enumeration of all the contributions and of the various clothing and vessels which had been fashioned. Bnei Yisrael bring everything to Moshe. He inspects the handiwork and notes that everything was made according to G-d's specifications. Moshe blesses the people. Hashem speaks to Moshe and tells him that the Mishkan should be set up on the first day of the first month, i.e., Nissan.

He also tells Moshe the order of assembly for the Mishkan and its vessels. Moshe does everything in the prescribed manner. When the Mishkan is finally complete with every vessel in its place, a cloud descends upon it, indicating that G-d's glory was resting there. Whenever the cloud moved away from the Mishkan, Bnei Yisrael would follow it. At night the cloud was replaced by a pillar of fire.

INSIGHTS

Enough Is More Than Enough

"But the work had been enough for all the work to do it - and there was extra" (36:7)

The command to build the Mishkan brought forth from the Jewish People an unprecedented wave of generosity. They brought gold and silver and copper; turquoise, purple, and scarlet wool; linen, goat hair, red-dyed ram skins, tachash skins; acacia wood; together with all manner of precious gems, spices and oil.

The Torah teaches us that work of gathering all the materials produced "enough for all the work to do it - and there was extra."

If there was enough, how could there be more than enough. How could there be extra?

The Ohr HaChaim teaches us that miraculously the Mishkan accommodated all that was brought for it. In order that no one be embarrassed by the return of his or her contribution, all the "extra" became "enough." The Mishkan miraculously incorporated every gift, without it or its vessels changing in any way.

If you think about it, it really couldn't be any other way.

Back in Parshat Terumah it says, "Make Me a Mishkan (lit. a "dwelling"), and I will dwell in you." The commentators are quick to point out that the verse is a non sequitur. It should have said, "Make Me a Mishkan and I will dwell in it." Not "in you."

Every Jew has the ability to make his heart a place where the Divine Presence may dwell in this world. The Mishkan is no more than a physical representation of the longing for G-dliness that lies in every Jew.

Thus, by definition, no gift could ever be superfluous, for the Mishkan was no more than the physical embodiment of this desire to give, the desire for holiness.

Written and compiled by Rabbi Yaakov Asher Sinclair

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