

BS"D



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INTERNET PARSHA SHEET ON BECHUKOSAI - 5765

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Tonight, the evening of Friday, May 27, will be day 34, which is 4 weeks and 6 days of the omer.

From: Peninim-bounces@shemayisrael.com on behalf of Shema Yisrael Torah Network [shemalist@shemayisrael.com] Sent: May 26, 2005 To: Peninim Parsha PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBUAM - ParshasBechukosai

If you will follow My decrees. (26:3) Rashi explains that this pasuk, which enjoins us to follow in Hashem's decrees, is an injunction to engage in intensive Torah study, to study diligently, to toil in the field of Torah. There are many definitions for the *ameilus baTorah*, toiling in Torah, and there are many situations in our history during which this indomitable commitment to Torah study has been demonstrated. Going back to the Talmud in Eiruvim 54b, wherein Chazal cite the incredible episode concerning Rabbi Preida, who had a student who was educationally challenged. Rabbi Preida would have to repeat each lesson four hundred times before the student would grasp it. One day, Rabbi Preida was required to leave and attend to a certain matter involving a mitzvah. Prior to leaving, he taught his student the usual four hundred times, but, for some reason, he still did not grasp the lesson. Rabbi Preida thereupon asked him, "Why is today different?" The student answered, "From the very moment that the rebbe was notified that he must attend to a mitzvah, my attention was diverted. I was concerned that at any moment the rebbe will leave me and, thus, I could not concentrate well." Rabbi Preida then said to him, "Pay attention, and I will teach you." He then taught him the lesson another four hundred times. A Heavenly voice emanated and asked Rabbi Preida, "Do you prefer that four hundred years be added to your life, or that you and your generation merit life in the World to Come?" Rabbi Preida replied, "I ask that I and my generation merit the life of the World to Come." Hashem said, "Give him both rewards."

This is a truly powerful story about an incredible rebbe who would give up so much of his time to teach one student. This is how important Torah was to him. He toiled and labored a labor of love, so that his student would achieve proficiency in his Torah lessons. What should bother us is how did Rabbi Preida allow himself to spend so much time with one student at the apparent expense of perhaps hundreds - or even thousands - who could have imbibed his teachings during this time? During those long, difficult hours of teaching one simple lesson to one student, Rabbi Preida could have taught many halachos to multitudes of students who certainly thirsted for the knowledge he could impart.

Horav Yitzchak Zilberstein, Shlita, gleans an important lesson from here concerning Rabbi Frieda's personal *derech ha'limud*, approach towards learning Torah. In order to achieve success in Torah, one must exhibit patience. Not every sugya, topic, is simple. At times, one must labor with great intensity in order to understand the profundities of Chazal's lessons. This requires patience and perseverance. One who gives up quickly, as soon as the going gets difficult, does not go very far. When a passage in the Talmud is perplexing, it is easy to give up in exasperation or despair. Yes, that is the easy way out. The correct way is to review the passage, research the commentaries, and, with a little patience, the student of Torah will soon himself become a master.

Rabbi Preida accepted upon himself to teach this student, because it helped him develop his own middah, character trait, of *savlanus*, patience. From teaching this

student, he would himself become a better student. He would develop greater patience in dealing with his own issues in learning.

Moreover, we might add that a rebbe, to be successful, must develop the middah of *savlanus*. In today's day and age, it is increasingly difficult to succeed in reaching out to students unless one exhibits much patience. A rebbe who is quick to become angry, not only hurts the student, but he hurts himself, as well. Anger produces confusion, and what is normally apparent to the calm mind becomes obscured by rage. Additionally, the issues and problems that a rebbe faces today, with students that are exposed to the many blandishments of contemporary society's ills, are many and different from the "old days." Patience and perseverance, hope, encouragement and much *Tehillim* - that is the only road towards achieving the goals we set for our students.

One more lesson that is to be derived from Rabbi Frieda's actions is: he did not lose out because of the extra time he invested. In fact, he gained by receiving both rewards. Hashem calculates the amount of *ameilus* that a person expends for Torah study and rewards him accordingly.

If you will follow My decrees. (26:3)

Rashi explains that following in Hashem's decrees is a reference to *ameilus baTorah*, toiling in Torah. One must exhaust great energy and diligence in studying Torah and, indeed, his reward for Torah study will be commensurate with the effort he expends. The Chafetz Chaim, zl, once spent a number of hours together with his son-in-law immersed deeply in a difficult halachic question. They studied the various sources in Talmud, Rishonim and Achronim. After great effort and toil, they arrived at a decision which was then written into the Mishnah Berurah. The entire effort took hours; the result was one and one half short lines in the Mishnah Berurah. The Chafetz Chaim's son-in-law turned to his venerable rebbe and asked, "Will anyone who studies the Mishnah Berurah have a clue as to how much effort and toil went into producing this one and one-half line addendum to the halachah?"

The Chafetz Chaim replied in his patient and sweet voice, "Let me tell you a story that will clarify the issue. It was during the reign of the Czar of Russia, a father and son worked together in Siberia to lay the tracks for the railroad. This was backbreaking labor. Night and day, under the most brutal conditions, from freezing cold to stifling heat, they worked putting their blood, sweat and tears into the Czar's railroad. One day, the son turned to his father and asked, "Father, will the people that ride the train have any idea concerning the backbreaking labor that went into preparing this railroad?"

The father looked at his son and said, "Czar Papushka. It is not important what people will or will not think, what they will or will not know. We work for one reason and for one purpose: to fulfill the command of the Czar. He is our leader, our father, who provides for our country. He has asked us to build the railroad. That is all that counts."

"The same idea applies to Torah study," continued the Chafetz Chaim. "It is unimportant for us to know if those who later delve through our *chidushim*, *novellae*, will appreciate the time and effort expended in their production. Likewise, it should not matter to us the amount of toil that we put into learning a difficult sugya. Everything that man does in this world should be executed with one focus in mind: he is carrying out Hashem's will."

This idea should apply to every endeavor that we are asked to do on behalf of Klal Yisrael. When the *gedolei Yisrael*, Torah leadership, issue forth a proclamation asking for our attendance at a function or our participation in an assembly, we must attend regardless of the hardship and inconvenience. We should have one mission in mind: to serve Hashem and carry out His will as interpreted by His emissaries, *gedolei Yisrael*.

But despite all this... I will not have been revolted by them, nor will I have rejected them to obliterate them. (26:44)

Hashem consoled His exiled people with the notion that, regardless of the suffering they endure in *galus*, exile, they still remain Hashem's nation, His Chosen People. This covenant remains in force until the end of time. We will suffer in exile, and we will be tormented, but we must remember the source of our pain and the promise that accompanies it: Hashem will never forsake us. This idea applies equally to all suffering. While it does not mitigate the pain, it should allay the depression that is intrinsic to our travail. The commentators emphasize that while we are all affected with pain at one time or another, some more, some less, we should, nonetheless, focus on acceptance and acquiescence, rather than defer to the abjectness and gloom that tends to envelop us. Hashem has given us the resolve and fortitude of spirit to cope. We must attempt to be upbeat, conjuring up whatever feelings of affirmation that we can muster, so that the pain and negativity do not overwhelm us. Everything comes from Hashem with a reason and for a purpose.

Horav Yitzchak Zilberstein, Shlita, cites an incident in the Talmud Taanis 22a, that relates that once Rabbi Beroka encountered Eliyahu HaNavi and asked him to show him a ben Olam Habah, an individual destined to receive the ultimate reward of life in the World to Come. Eliyahu HaNavi pointed out two men who had achieved this great accolade. Rabbi Beroka then approached these men to ascertain the reason for their incredible reward. "What do you do?" he asked them. They replied, "We are comedians, and we go to cheer up those who are depressed." The Maharasha explains that they actually perform a dual service. Since Hashem shares in everyone's pain, when these men relieved someone of his depression, they were also relieving Hashem of His "pain."

Now, it goes without saying that these comedians were not simply making jokes as a vehicle for ridding someone of his depression. How then did they effect this transformation? Rav Zilberstein cites two sources to explain this phenomenon. First is from the Shlah HaKadosh in his Shaar Ha'Osiot. He explains that these men would address whatever emunah and bitachon, faith and trust issues, a person might have. When a person understands that whatever occurs in his life is from Hashem, for a purpose, he will relate to his pain on a totally different plane. Whether it is bad news, illness, financial crisis or an annoying neighbor - they are all agents of Hashem sent on a mission: to cause pain for the designated individual. When one knows the source, he can better relate to and deal with the accompanying depression. The pain is still there, but the depression no longer has the power to overwhelm.

The second approach is that of the Ben Ish Chai, written in his Aderes Eliyahu, that depression is a man-made nuisance. Hashem, indeed, decrees pain and misery, but the ensuing depression is self-inflicted. On the contrary, Hashem wants man to accept his misery with a positive attitude, even with joy. Depression represents a lack of emunah, faith, in the Almighty. Why would Hashem decree that a person lose emunah in Him?

The Ben Ish Chai suggests three approaches through which one can triumph over depression. First, he should speak over and share his worries with others. Human nature is such that when one talks about his problems, they seem to dissipate. Second, one should look around at other Jews, at members of his immediate community, of other people in his generation who have undergone trials and tribulations and emerged triumphant. Individuals have gone from rags to riches, from sickness to good health, from misery to good fortune. This encourages and heartens a person and elevates his spirits from the depths of depression. Last, he should speak to a tzaddik, righteous person, who will share with him stories of individuals who had suffered greatly and triumphed over adversity and travail. At the very last moment, when it appeared that all was lost, Hashem granted them a miracle.

This scenario is to be derived from the pasuk in Tehillim 115:2,5. "Our G-d, is in the Heaven; whatever He pleases, He does. Their idols are silver and gold, the work of the hands of man. A mouth they have, but cannot speak; eyes they have, but cannot see; ears they have, but cannot hear." A man should not be overcome when he is afflicted with pain and suffering, because of the origin of this torment - "Our G-d, is in the Heaven; whatever He pleases, He does." Those that are depressed about the losses they have incurred in their silver and gold should realize that atzabeihim, their idols, using a word which has a similar root as atzeiv, depression, to imply that this depression/idols is maasei yedei adam, "the work of the hands of man." The depression does not originate from Heaven; it is self-inflicted, the work of man. Indeed, why should one worry? He has a mouth - let him speak to others. He has eyes - let him look around at the success achieved by others who, until recently, had also suffered. He has ears - let him go hear from the righteous Torah leaders; let him listen to them relate the success stories of the past generations. Yes, the suffering comes from Hashem, but the emotional upheaval, the depression, is a creation of man.

He shall not exchange it nor substitute it, good for bad or bad for good. If he does substitute one animal for another animal, then both it and its substitute will be holy. (27:10)

Once one has designated a specific animal as a korban to Hashem may not exchange it for another animal, regardless of the value or quality of the second animal. In the event that he does replace the animal, the substitute animal attains the same kedushah, sanctity, as the korban, and both must now be brought as korbanos. This is referred to by the Torah as Temurah, substitution. What is the rationale behind this law?

The Rambam in Hilchos Temurah 4:13 explains that the Torah has delved into the human psyche and understands that it is human nature for a person to be concerned regarding his possessions, always seeking to increase his holdings. Although he has chosen an animal to serve as his korban, there is always the possibility that he will retract his first choice and seek to replace it with an inferior animal. Thus, the

Torah discourages his action by consecrating both animals. It is, likewise, forbidden to exchange an animal of lower quality with one of better quality, since this will ultimately lead to substitution of animals in which one might substitute an inferior animal for one of improved quality.

Horav Avrohom Pam, zl, in his Ateres Avraham, recently translated by Rabbi Sholom Smith, cites the Sefer HaChinuch who derives a fundamental lesson in Jewish history from the law of Temurah. Once an animal has been consecrated as a korban, the kedushah is lasting. Unless the animal develops a mum, physical blemish, that renders it pasul, invalid, it retains a holiness that cannot be removed or exchanged. If the owner attempts to rescind the kedushah, not only will his attempt be in vain, it will bring about additional kedushah, for the second animal will now also be sanctified, since he came with his actions to uproot holiness. Instead, the converse will occur. The kedushah will expand further, and other objects will, in turn, become sanctified.

Rav Pam notes that the history of Klal Yisrael's persecutions coincides well and attests to the rationale of the Temurah law. Throughout the millennia, attempts have been made to impugn the integrity of Torah and to undermine the kedushah of Klal Yisrael. Each time they ultimately failed, and, in fact, the paradoxical result was unprecedented Torah expansion. Let us go back to the first exile, galus Mitzrayim, whereby the Egyptians sought to assimilate Klal Yisrael into their immoral society. They failed, and Klal Yisrael grew and became stronger. Indeed, a number of Egyptians converted and joined Klal Yisrael upon their redemption.

A parallel was experienced by the Jews during the tenure of Mordechai and Esther, when the wicked Haman sought to destroy every Jew. The result was the same: failure for Haman and increased devotion to Hashem by the Jews, followed by joy and festivity with the Yom Tov of Purim. Haman's downfall catalyzed an increased awareness of, and respect for, the Jewish religion bringing about mass conversions in the land. This was the Jewish response to Haman's decree: the more they were pushed down, the more they would grow.

The more things change, the more they stay the same. The lesson extends into contemporary times. We live in a day and age when Orthodoxy and its way of life are not accepted - nor can it be ignored. The non-Jewish world either vilifies us or, at best, views us as parasites. Some of our own alienated brethren who would do anything to remove the taint of Jewishness from themselves have established ideological platforms to extirpate the Torah's teachings and traditions from this assimilated society. Rav Pam suggests that while this circumstance is certainly tragic, we cannot and must not forget the lesson of Temurah. Wherever there is an attempt to abate kedushah, it eventually results in a positive augmentation of Torah life and a rise in commitment. Not only will those who asperse Torah fail, they will personally attest to its veracity and sanctity. Today we find baalei teshuvah, newly-returned, committed Jews, descendants of prominent free-thinkers who contended with the Torah authorities of their day, who devote their lives to Torah and mitzvos. This is the ultimate victory: the eternity of our Torah and its intrinsic kedushah within our People.

In honor of the bar mitzvah of our son Avigdor Yitzchok n"y with appreciation to the Ribono Shel Olam and all his shluchim who share in our simchah today.

Shimon and Leah Weiner and family

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From: ravfrand-owner@torah.org on behalf of RABBI YISSOCHER FRAND [ryfrand@torah.org] Sent: Wednesday, May 25, 2005 10:09 PM To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Bechukosai

"RavFrand" List - Rabbi Frand on Parshas Bechukosai -

The Legend Of The Name of Rabbeinu Tam

The Tochacha [rebuks, curses] in this week's parsha contains the following passage: "I will break the pride of your might; I will make your heavens like iron and your land like copper. Your strength will be spent in vain; your land will not give its produce and the tree of the land will not give its fruit." [Bamidbar 26:19-20].

This is a description of futility and frustration. Work will be to no avail. Effort will be expended for no gain. We will toil, but it will all be in vain.

I heard a very interesting observation regarding this pasuk on a tape from Rabbi Berel Wein.

Anyone who has ever learned a Tosofos in his life has heard of Rashi's famous grandson, Rabbeinu Tam. Why was he called Rabbeinu Tam? His first name was not Tam -- it was Yaakov. Why then was he called Rabbeinu Tam? There is a legend that Rabbeinu Tam was given that name because of the following incident.

In the time of the Rishonim (the early Middle Ages), there was a custom that in order for a girl to get married, the father of the bride had to put down a large sum of money for her dowry. The young couple would live on this money for their first years of marriage. On many occasions, the couple would become engaged but for some reason the marriage never came to fruition. Either the girl would die (which was not so uncommon in the Middle Ages) or she would become ill or the engagement would be broken off for some other reason. The custom was that in any of those circumstances, once the engagement had been formalized, the boy would keep the money.

This would be a terrible tragedy. People would work for years and years and years in order to put down a dowry for their daughter. Then, even though the marriage never happened, they lost their dowry. The groom or his family kept the money and the girl's family was left penniless.

Rashi's grandson, Rabbeinu Yaakov, stepped in to oppose this practice. He said this institution was a fulfillment of the curse foretold in the above-quoted pasuk: "v'Tam l'rik kochachem" [your strength will be spent in vain]. He therefore instituted a rabbinic enactment (takanah) such that in the event a marriage did not take place, the groom and his family would have to return the entire dowry to the family of the bride. He inscribed this decree with the words: Let there be an end (v'Tam) to the curse of "v'Tam l'rik kochachem."

As a result of this takanah, Rabbeinu Yaakov was thereafter called Rabbeinu Yaakov Tam because he put an end (a 'Tam') to the curse of "v'tam...".

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape #460 Obligation of Checking One's Tefillin. Good Shabbos! 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.

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EMES LIYAAKOV

Weekly Insights from MOREINU
HORAV YAAKOV KAMENETZKY zt"l
[Translated by Ephraim Weiss]
AND I WILL REMOVE ALL THE
WILD ANIMALS FROM THE LAND

One of the brachos that Klal Yisroel is promised if they keep the Torah, is that they will not have to fear wild animals attacking them on their land. The Ramban on this pasuk explains that when Klal Yisroel are living in Eretz Yisroel and properly observing the mitzvos, the world will be similar to the world of Adam HaRishon before the sin of the eitz ha'daas, and no animal will be able to kill a human.

HaRav Yaakov Kamenetzky zt"l explains this Ramban in the following way. There are certain mitzvos in the Torah that are completely beyond our comprehension. We must view these mitzvos simply as decrees from Hashem, and perform them despite our lack of understanding. However, we must understand that these mitzvos are not arbitrary decrees that are simply there to control our lives, but rather, that there is reason for all these mitzvos. Indeed, these mitzvos exist as part of the natural order of the world. The Midrash tells us that Hashem used the Torah as the blueprint for the world. The world was created based on the mitzvos. We cannot understand how this works, as we, in this world cannot hope to fathom the depth of Hashem's intellect. As such, we have no choice but to view these mitzvos purely as decrees that we must follow.

For this reason, the Torah promises us that we will merit all the brachos of the Torah "If you will walk with my commandments." A person is obligated to keep all the mitzvos, but the ultimate level is for a person to keep the mitzvos not for any pleasure or because of any understanding, but because he realizes that this is the way in which the world must run. This is what is meant by walking in the path of the chukim; a person should conduct himself in a manner that reflects the idea that the mitzvos are part and parcel of the existence of the world, despite the fact that he doesn't understand how this works. When Klal Yisroel reach this madraigah, and are keeping the mitzvos in this way, then midah kineged midah, Hashem will revert the world to the state in which it was intended to run, as it existed before the cheit of the eitz ha'daas. In the natural order of the world, animals should not have been able to harm humans, and as such, when Klal Yisroel are zocheh to revert back to this world, they will no longer have to fear animal attacks.

May we be zoche to keep the Torah properly, so that we may merit all the brachos that are written in the Torah.

From DR. SAM FRIEDMAN [Teaneck, NJ] NFSF613@aol.com

A GREAT PROOF

One of the curses that the Torah says will occur if the Jews don't observe the commandments is, "I will make the land desolate; and your foes who dwell upon it will be desolate" (Vayikra 26:32). Rashi (1040-1105) quotes the Midrash that teaches that this curse contains a measure of benefit for the Jews because "the enemies will not find contentment in (Israel's) land, for it will be desolate of its inhabitants." If the Jews are, G-d forbid, in exile and the enemies of the Jews are living in Israel, they will not prosper there.

This is one of the most amazing statements in the entire Torah. The Torah promised thousands of years ago and predicted, that for all the years that the Jews are in exile and that gentiles govern in Israel, they will not prosper and the land will remain desolate. It is remarkable how true this has been. Israel has only prospered under Jewish rule. The great American author, Mark Twain, visited Israel and was astounded how desolate Israel was. In 1867 he wrote, "Of all the lands that are for dismal scenery, I think Palestine must be the prince. It sits in sackcloth and ashes...it is a hopeless, dreary, heartbroken land" (quoted by Rabbi Jacob S. Rubenstein, Words of Torah, p. 384). It is absolutely amazing how utterly desolate Israel was before 1948, and how it has blossomed since then. Israel was a barren desert before 1948. Only under Jewish rule has Israel prospered.

The Ramban (1195-1270, great Biblical commentator, Talmudist and Kabbalist), agrees with Rashi and writes, "This also is a great proof and promise, for in the whole inhabited part of the world one cannot find such a good and large land which was always lived in and yet is as ruined as it is (today), for since the time that we left it, it has not accepted any nation or people, and they all try to settle it, but to no avail" (adapted from the translation by Rabbi Dr. Charles B. Chavel).

The Ramban writes that the sentence "...and your foes who dwell upon it will be desolate" (Vayikra 26:32) is "a great proof and promise...." Rabbi

Chavel explains that the fact that Israel prospers only when under Jewish control is "a great proof" that Hashem gave the Land of Israel to the Jews. Perhaps, I can suggest, that the Ramban also meant that the sentence "...and your foes who dwell upon it will be desolate" (Vayikra 26:32) is "a great proof" as to the Divine origin of the Torah. Only a Divine Being would dare to foretell the future and predict thousands of years ago "...and your foes who dwell upon it will be desolate" (Vayikra 26:32). Only a Divine Being could promise with certainty thousands of years ago that the Land of Israel will prosper only while it is governed by Jews. As Mark Twain testified in 1867, the Land of Israel, while under gentile control "...sits in sackcloth and ashes...it is a hopeless, dreary, heartbroken land." It is clearly miraculous that Israel blossoms only while under Jewish control, as it has since 1948. Indeed, the prediction that "...and your foes who dwell upon it will be desolate" (Vayikra 26:32), has been true for thousands of years and is, "a great proof" as to the Divine origin of the Torah.

From: Rabbi Goldwicht [rgoldwicht@yutorah.org] Sent: Wednesday, May 25, 2005 8:12 PM Subject: The Weekly Sich'a - Rabbi Meir Goldwicht

Weekly Insights by RAV MEIR GOLDWICHT
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B'ATZERET AL PEIROT HA'ILAN

The gemara in Megillah (31b) teaches: R' Shimon ben Elazar says, Ezra enacted that B'nei Yisrael read the klalot (curses) of sefer Devarim before Rosh HaShanah and those of sefer VaYikra before Shavuot so that we "finish the year and its curses." This makes sense for Rosh HaShanah, but is Shavuot a "rosh hashanah" that the principle of "finish the year and its curses" applies? To answer this challenge, the gemara quotes a mishnah that says on Shavuot we are judged regarding peirot ha'ilan (the fruit of the trees), and therefore it is also a rosh hashanah. As the year comes to an end, we wish to leave behind all of the curses and start the coming year with bracha.

The gemara's answer is perplexing. After all, the same mishnah that says Shavuot is a rosh hashanah for peirot ha'ilan also says that Pesach is a rosh hashanah for crops. Why don't we read the klalot before Pesach?

Rather, the explanation of this gemara is as follows: The Torah compares Man to a tree, as it says, "Ki ha'adam eitz hasadeh, For man is the tree of the field" (Devarim 20:19). Man's avodah (mission) in life is compared to a tree, as we say, "V'chayei olam nata b'tocheinu, He planted eternal life within us" (Birchot haTorah). Man's reward is compared to a tree – this is Gan Eden. This comparison to the trees is not meaningless – there are several parallels between us and the trees. Unlike a seed, which must rot in order to produce a new plant, a tree remains kayam, intact and alive, even as it produces peirot (fruit). So too, Man remains kayam as he produces peirot, both in bringing life to the next generation and in being productive and creative in many other ways. This explains why the Gra points out, when the Torah says that Hashem created Man "b'tzelem El okim, in the image of the L-rd," that the gematriah of tzelem is eitz, tree. Similarly, every tree consists of three parts: roots, trunk, and fruit. In avodat Hashem there are also three parts: tefillah, Torah, and ma'asim tovim. These three parts of avodat Hashem parallel the three parts of the tree. Tefillah is parallel to the roots of the tree, because through tefillah we attach ourselves to HaKadosh Baruch Hu. Torah is parallel to the trunk, because Torah is the pillar that holds up the world. Ma'asim tovim parallel the fruit of the tree.

When HaKadosh Baruch Hu created Man, the Torah says "vayitzer, He created" with two yuds. Rashi explains that each yud represents an act of yetzirah: one for this world and one for the next. The yetzirah of this world was performed by HaKadosh Baruch Hu, Who created Man physically. The second yetzirah is up to Man, who must be born anew spiritually.

What does it mean that on Shavuot we are judged regarding the peirot ha'ilan? Man is judged how much siyata dishmaya he will have in Torah from this Shavuot until the next Shavuot and whether or not he will produce abundant peirot this year. For this reason, before Shavuot we read the klalot, in order to keep them behind us as we start a new blessed year.

We can now understand a Rashi at the beginning of this week's parasha. The Torah says, "Im bechukotai teileichu, If you walk in My statutes" (VaYikra 26:3) and Rashi explains, "That you shall be ameilim (toil) in Torah." Rashi's mission is to explain pshat in the passuk – how does pshat here refer to ameilut in Torah? The answer is that chok does not just mean "law," but it also comes from the word "chakikah, engraving." Becoming a person in whom the Torah is engraved, that he and the Torah are one, requires tremendous ameilus. This is the meaning behind "Im bechukotai teileichu," and this leads to "V'eitz hasadeh – Man – yitein piryo."

For this reason, we find trees associated with every new beginning in Am Yisrael. Immediately after yetziat Mitzrayim and the splitting of Yam Suf, the Torah says, "Vayoreihu Hashem eitz...vayimteku hamayim, Hashem showed [Moshe] a tree...and the waters became sweet" (Shemot 15:25). When B'nei Yisrael enter Eretz Yisrael, the Torah commands them, "Ki tavo'u el ha'aretz untatem kol eitz, When you come to the land and plant trees" (VaYikra 19:23). When a child is born, the gemara in Gitin says, there is a custom to plant one type of tree for boys and another type of tree for girls. When the children grow up, we use the branches of these trees to hold up the chuppah. The prominent role trees play in every new beginning is meant to serve as a reminder that every time a person starts something new, in order for it to blossom, grow, and succeed, he must remember his own relationship to the tree, leading him to be very serious about tefillah, Torah, and ma'asim tovim.

Every Shabbat in "Mizmor shir l'yom haShabbat" (Tehillim 92) we say, "Shetulim b'veit Hashem, b'chatzrot Elokeinu yafrichu, Those planted in the house of Hashem will blossom in the courtyards of our L-rd" (v. 14). Beit Hashem is the beit midrash; chatzrot Elokeinu is where one goes after he leaves the beit midrash, every person to his own field of work and to his own place. In order for everything to blossom and be successful in the chatzrot Elokeinu, one first needs to be shetulim b'veit Hashem. As long as the shatil (plant) grew up in the house of Hashem, you can be sure that it will succeed on the outside as well.

This is what we are judged about on Shavuot – how much we will be shetulim b'veit Hashem. According to this judgment, we will merit to blossom in the chatzrot Elokeinu, leading us to "Od yenuvun b'seivah, d'sheinim v'ra'ananim yih'yu, They will continue to be fruitful in their old age, they will be full of sap and richness" (v. 15). May we understand these lessons and merit to live the passuk, "V'hayah k'eitz shatul al palgei mayim, And he shall be like a tree planted by streams of water" (Tehillim 1:3).

Shabbat Shalom! Meir Goldwicht

Baruch Hashem, hundreds of people have joined this mailing list since it began about two months ago. We would be delighted to hear your thoughts and comments at talliskattan@sbcglobal.net.

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From: RABBI SHLOMO RISKIN'S SHABBAT SHALOM PARSHA COLUMN [Shabbat_Shalom@ohrtorahstone.org.il] on behalf of Rabbi Shlomo Riskin's Shabbat Shalom Parsha Column [parshat_hashavua@ohrtorahstone.org.il] Sent: Wednesday, May 25, 2005 6:05 AM To: Rabbi Shlomo Riskin's Shabbat Shalom Parsha

Column Subject: Shabbat Shalom: Parshat Behukotai - Lag B'omer by Rabbi Shlomo Riskin

Shabbat Shalom: Parshat Behukotai - Lag B'omer (Leviticus: 26:3-27:34) By Shlomo Riskin

Efrat, Israel - "The mystery of Lag B'omer"

One of the most obscure of the Festivals of the Hebrew calendar, whose origins seem to have been buried in the sands of time, is Lag B'omer, (the 33rd day of the count of the Omer between Passover and Shavuot). Despite the fact that it comes as a welcome respite from the days of mourning which precede (and according to some customs also follow) it, and it is therefore an extremely busy day for catering halls and wedding participants, its origins are shrouded in mystery.

Yes, our legal codes (Shulhan Arukh Orah Haim 493,1) record that 24,000 students of the famed Rabbi Akiba died during the period between Passover and Shavuot (either in a plague or in the Bar Kochba rebellion and its aftermath), and they did not die on Lag B'omer. But does the absence of tragedy for one day justify such a national celebration, which is marked in Israel by massive visitations to the grave of Rav Shimon Bar Yohai in Safed and very large bonfires by the teenagers which makes Efrat resemble a pyromaniac's paradise?

The Hidah (OT 223) maintains that Lag B'omer is the date of Rav Shimon bar Yohai's death, which would explain all of the celebrations around his grave; indeed, our mystical tradition records that his last day on earth was the day in which the Almighty revealed to him the Holy Zohar. And Shir Rappaport, the well-known historian of the 19th Century, suggests that Lag B'omer is the day in which Rav Shimon bar Yohai left the cave - which signaled the death of the Roman Emperor Hadrian, the end of the Hadrian persecutions, and therefore the cessation of the horrific persecution and execution of Rabbi Akiba's disciples as the tragic conclusion to the abortive Bar Kochba rebellion!

Permit me to suggest an added significance to our celebrating Lag B'omer as the day in which Rav Shimon bar Yohai left the cave - which is especially important in the light of our present-day Hebrew calendar. The Talmud (B.T. Shabbat 33b) records a conversation between three disciples of Rabbi Akiba: one praised Rome for her market-places, her bath-houses and her bridges; the second was silent; Rav Shimon denigrated the accomplishments, insisting that the market-places encouraged prostitution, the bath-houses were only for individual hedonistic satisfaction and the bridges levied exorbitant taxes on the average citizen. The Rabbi who praised Rome was rewarded with a ministerial position, the Rabbi who was silent was exiled, and Rav Shimon was given the death penalty.

Rav Shimon and his son escaped to a cave in Pekiin, where a fig tree and a well of water were miraculously created to provide their nourishment. They remained hidden away for twelve years, totally absorbed in the study of Torah. When Elijah the Prophet informed them that the Roman Emperor was dead and his evil decree rescinded, they left the cave - only to see a farmer tilling the ground. "How can you forsake the eternal world of Torah and occupy yourself in the temporal world of agriculture?," criticized Rav Shimon - and a fire emanated from his eyes, about to consume the hopeless farmer. "You left the cave to destroy my world," thundered a Divine voice. 'Return to the cave from whence you came!' They returned to the cave for 12 months. They then exited for the second time; and it was Friday, close to dusk, and they saw an old man running with two myrtle twigs. "One is for, 'Remember the Sabbath day to keep it holy', and the other is for 'Observe the Sabbath day to keep it holy,'" he explained. They returned to the world in peace.

Apparently, the old man taught them that even agricultural activity could be sanctified since myrtle twigs could be used to enhance the Sabbath table and that every area of the material world must be uplifted during the six days of the week if we are eventually to be able to observe and experience the redemptive bliss of a world which is wholly Sabbath.

The Talmudic story doesn't end there. Rav Shimon decided that since he had been miraculously saved from death - he had been granted the privilege of leaving the cave alive - he ought "repair something" in gratitude to the almighty. He noted that when grandfather Jacob had emerged whole from his encounter with Esau (the fore-runner of Rome), he also repaired his city: either by establishing market-places, or building bath-houses, or minting coins. Mark well that Rav Shimon now realizes that the most special of the Biblical Patriarchs had dedicated his creative energies to precisely those aspects of society for which he had denigrated Rome thirteen years before: market places, bath-houses, and moneys which could be used to pay taxes. Rav Shimon then goes on to purify a parcel of land which had been of a questionable status (Safek Tamei), and had therefore been previously considered to be defiled. Rav Shimon learned a crucial lesson: true sanctity comes about not by escaping the material, incomplete world of the present, not by divorcing Torah from society, but rather by involving Torah in all of the regular daily, worldly pursuits and "Kedoshufying" them. True sanctity means going into a place of questionable purity and making it pure!

Let us now return to Lag B'omer. The days between Passover and Shavuot are days of repentance and return to Torah and Israel which define our march towards redemption. Tragically we have fallen short of our goal, and these days have become days of mourning, culminating in the worst tragedy of Jewish exile, the holocaust, with Yom Hashoah just a few days after Passover.

But this period has also seen Israeli Independence Day and Jerusalem Day, specifically as new festivals in our fortunate generation. Rav Shimon bar Yohai's lesson of Lag B'omer when he left the cave for the second time is especially poignant and pregnant with meaning today. We dare not turn our eyes away from the miraculous gift of the Jewish State because it has not yet reached spiritual perfection, because it is still a work-in-progress brought about by G-d and special individuals who accomplish much but falter as well. We must learn from Rav Shimon bar Yohai that the highest sanctity lies in entering an area of questionable status and working towards purifying it, in turning the "beginning of the sprouting of the redemption" into the complete redemption of a world of peace and harmony.

Shabbat Shalom

From: TorahWeb.org [torahweb@torahweb.org] Sent: Thursday, May 26, 2005 10:27 PM To: tw710@torahweb.org Subject: Rabbi Yonasan Sacks - The Uniqueness of the Tochachah

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RABBI YONASAN SACKS

THE UNIQUENESS OF THE TOCHACHAH

The mishna (Megillah 21a) outlines the number of individuals called to the Torah throughout the year. Although one cannot reduce the number of required aliyos, occasionally additional aliyos are permitted. Rashi explains that additional aliyos unnecessarily prolong the tefillah, causing undue hardship to those who work. Accordingly, on Shabbos, Yom Kippur, and yom tov, when melacha is forbidden, hosafos are permitted.

The Ran, however, maintains that the number of aliyos reflect the level of the kedushas hayom, the sanctity of the day. To underscore the heightened sanctity of yom tov above chol hamoed, the chachamim insist that on yom tov an extra person is called to the Torah. If one would add aliyos on chol hamoed, it would appear as though one is inappropriately equating yom tov and chol hamoed. If so, hosafos would only be allowed on Shabbos, the pinnacle of kedushas hayom.

Although hosafos are generally permitted on Shabbos, the mishna (Megillah 31a) teaches, "ein mafsikin b'klalos, ela echad koreh es kulo -

we may not interrupt the reading of the curses, rather one person is called and reads the entire passage."

The gemara (31a) which limits the teaching to the tochacha in parshas Bechukosai offers two explanations of this mishna. According to Rav Chiya bar Gamda amar Rabi Assi our mishna reflects the passuk (Mishle 3), "mussar Hashem b'ni al timmas - the admonishment of Hashem, my son, do not disdain," which underscores the inappropriateness of interrupting mussar Hashem. Reish Lakish, however, maintains that the mishna is based on the general principle, "ein omrim beracha al hapuranus - we do not recite a bracha on punishment." If an aliyah was added in the middle of the tochacha, the new oleh would be reciting a bracha on a davar ra.

The Taz (Orach Chaim 428) raises an obvious difficulty. Although the view of Reish Lakish conforms to our common practice where each oleh recites his own brachos, the custom in the time of the mishna was that only the first and last oleh recite brachos. If so, even if we were to add an oleh in the middle of the tochacha, the new oleh would not recite an additional bracha. How, then, can Reish Lakish explain the mishna in this way?

The Taz answers that although in the time of the mishna each oleh relied on the first bracha of the kohein and the concluding bracha of the acharon, each oleh could recite his own bracha. Indeed if an individual called to the Torah did not hear the initial bracha, he would be obligated to recite his own bracha. Therefore the concern of Reish Lakish is applicable even in earlier times.

The Nachalas Yaakov (peirush to maseches Sofim, perek 12) based on the maseches Sofim and Yerushalmi suggests a novel answer. Although generally only one set of brachos was recited for the entire krias haTorah, this was not true regarding the reading of the tochacha. The gemara (Megillah 31b) explains that the reading of the berachos u'klalos this Shabbos is a special enactment of Ezra. "Ezra tikein lahem l'Yisroel she'yehu korin klalos sheb'toras kohanim kodem atzeres v'sheb'mishna Torah kodem Rosh Hashana - Erza decreed that we should read the tochacha of Vayikra prior to Shavuos and the tochacha of Devarim before Rosh Hashana". As an independent takana of krias haTorah separate brachos were recited even in the time of the mishna. Therefore Reish Lakish explains that hosafos are forbidden.

The gemara teaches that we read the tochacha at this time to emphasize that "Atzeres nami Rosh Hashana he d'tnan u'b'Atzeres al peiros hailan - Shavuos is also the beginning of the year, for on Shavuos we are judged concerning the fruit of the trees." May we merit the bracha of "Abayey v'e'teima Reish Lakish - kdai shetichle hashana v'kilaloseha" - Shavuos should mark an end to all curse, tragedy and suffering.

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From: ZeitlinShelley@aol.com Sent: Monday, May 23, 2005 7:26 PM
To: ZeitlinShelley@aol.com Subject: Praying Like a Mentch by Rabbi Moshe Meir Weiss

**PRAYING LIKE A MENTCH
BY RABBI MOSHE MEIR WEISS**

In the Kisvei Rebbe Yehuda Halevi we find a scary thought. He writes that sometimes Hashem will withhold someone's livelihood or other needs in order to motivate him to reconnect with his Creator through tefilah. How scary a notion! Indeed, we find in today's economy that the sudden collapse of the 'dot.com' phenomenon has sent many people scurrying anew with feverish zeal to their Tehillim books and Siddurim begging Hashem to come to the rescue.

How important is the Gemora in Sanhedrin, "L'olam yakdim adam tefilah l'tzorah -- One should always pray before distress befalls him." So too we find that when suffering befell Iyov, his colleagues asked him, "Haya aroch shuacha shelo batzor -- Did you arrange your prayers before your travail?" In a similar vein, the Gemora in Masechtas

Shabbos tells us the important directive, "L'olam yispallel adam shelo yechele -- A person should always pray not to become sick." As the commentators teach us, it is much easier to thwart the decree before it happens than after the hammer strikes.

Thus we find that a very important discipline of tefilah is to pray in anticipation rather than in reaction. This is what the posuk says in Asheri, "Karov Hashem l'chal kor'ov, l'chol asher yikrauhu ve-emes -- Hashem is close to all those that call to Him, namely to all those who call to Him in truth." Note the emphasis "those that call in truth, rather than in need.

We are charged to pray to Hashem before we are propelled to do so. We therefore can understand the famous verse, "Ashrei adam m'facheid tomid -- Fortunate is the one who is always fearful." We cannot interpret this to be referring to the worrywart for the Gemora tells us that worry breaks the very spirit of Man. Rather, the verse is lauding the virtues of one who is ever mindful of dangers that can happen and constantly prays for Divine protection.

Thus, when we hear of school bus tragedies, it reminds us to pray for the safety of our children. When we hear of someone suffering from dreaded diseases, it prompts us to pray for a healthy body. When we see flashing lights on the highway, it should jolt us to pray for safe travel. When we see the frightening number of unmarried singles before us, we should pray at an early stage that our children find their destined mate easily, and that when they do get married, they should live in harmony, conceive and have children. With the baby-boomer generation rapidly approaching retirement, we should pray that we age gracefully and not need to become a burden on our children and grandchildren.

Suffice it to say, that with proper anticipatory training, our tefilahs should be able to take on enough of a variety that we should be able to successfully avoid the great pitfall of our tefilos becoming repetitive and a boring routine.

It behooves us to remember Reb Yehuda Halevi's urgent dynamic, that if we ignore Hashem and fail to connect with him through the gift of prayer, He might, chas v'shaolm lo aleinu, motivate us by withholding something from us that is important and dear to us. Therefore it is incumbent upon us to self-motivate in this all-important life's arena.

I would like to share with you a wonderful tool we have just been blessed with to aid us in better prayer. Recently, ArtScroll published a superb sefer by Rav Schwab, Zt"l, on proper prayer. It is a 'must read' for every serious student of proper tefilah. Rav Schwab relates the well-known Talmudic dictum that our tefilahs were enacted to correspond to the korbanos. And, just like the root of the word korban/sacrifice is k'rov, which means to come close, so too the aim our prayer is to come close to Hashem.

Carrying the analogy one step further, Rav Schwab says that there are three steps in the bringing of a korban: Hefshet, flaying the animal of its skin; Nituach, dissecting it into its many separate limbs; and finally V'kalil la'ishim, consigning it to the fire. In a similar vein Rav Schwab says, we find these steps by our prayer as well. The flaying is when we strip ourselves of our worldly thoughts as we get ready to talk to Hashem. Thus, in preparation for tefilah, we block out thoughts of clients and carpools, dinner and fashions, vacations and recreation. The dissecting part is accomplished when we work to humble ourselves and cut ourselves down to size in preparation to approach our Maker. For, as we are taught, the proper approach to prayer is to envision ourselves as an, "Oni ha-omeid al ha-pesach -- A pauper standing by the door asking for mercy." As the posuk tells us, "Lev nishbar v'nitke Elokim lo sivez -- A heart that is broken and crushed Hashem does not despise." Finally, Rav Schwab concludes that the analogy to consigning the sacrifice to the fire is when we pray with fiery passion.

I once heard from a Mr. Lowinger in the name of his father that since every sacrifice is accompanied with salt, where is the salt in our prayers?

He answered beautifully, that if we accompany our prayer with some tears, we even include salt in our tefilos since the tears contain salt. Once again, in the merit of our efforts in the arena of prayer, may Hashem fulfill all of our wishes.

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(Sheldon Zeitlin transcribes Rabbi Weiss' articles. If you wish to receive Rabbi Weiss' articles by email, please send a note to ZeitlinShelley@aol.com.)

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Covenant & Conversation

Thoughts on the Weekly Parsha from

RABBI DR. JONATHAN SACKS

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago]

Bechukotai

THE BOOK OF VAYIKRA REACHES A CLIMAX with an account of the blessings and curses attendant on Israel's obedience, or lack of it, to the terms of the covenant. The blessings are relatively brief. The curses (known as the *tochakhah*) are, by contrast, set out at length and with elemental power. They are terrifying. To this day we recite them in a low voice, barely above a whisper. From the perspective of the twenty-first century, secular time, they read like Holocaust literature (which is not to say - G-d forbid - that the Holocaust was a punishment for sin). This is the dark side of covenant. It may be (it is) a privilege to be chosen by G-d, but it is also an awesome responsibility. As the prophet Amos says, in a verse at once paradoxical yet definitive of the Jewish destiny: "You only have I known of all the families of the earth: therefore I will punish you for all your iniquities" (3:2). 1

One verse in the *tochakhah*, however, gave rise to one of the great doctrines of Judaism:

"They shall stumble over one another" - one because of another. This teaches that all Israel are responsible (literally "sureties") for one another. 2

The rule of Kol Yisrael Arevin Ze Bazeh - the Jewish people is collectively, not just individually, responsible before G-d - is one of the great principles of rabbinic Judaism, and in explaining it the sages gave a number of striking metaphors:

Rabbi Shimon bar Yochai taught: It can be compared to people on a boat. One took out an awl and began boring a hole in the boat beneath his seat. The others said to him, "What are you doing?" He replied, "Is that any concern of yours? [I am not boring a hole beneath your seat] but only under mine." They said: "But you will sink the whole ship, and we will all drown." 3

It is the way of the world that if a person takes a bundle [agudah] of reeds and tries to break them together he cannot. If, however, the sticks are taken one by one, even a child can break them. So too with Israel: they are redeemed only when they form one band [agudah achat]. 4

"A [holy] nation" - this teaches that they [the Jewish people] are like one body with one soul [the midrash identifies *goi*, a nation, with the word *geviyah*, a body], and thus it says, "Who is like your people Israel, a nation one on earth." When one sins, all are punished, as it says, "Did not Achan ben Zerach sin in the matter of devoted things, and wrath fell upon all the congregation of Israel, and he did not perish alone for his iniquity" (Joshua 22:20). When one is injured, all feel the pain. 5

The idea of collective destiny and responsibility is more than a metaphor. It is constitutive of Jewish identity. The covenant at Mount Sinai was made not with individuals alone but with a people - an entire people, righteous and not yet righteous alike. This principle has many halakhic ramifications (among them, for example, the rule that one person can recite a commandment-blessing of behalf of another even though he has already fulfilled the mitzvah. As Ritva [Chiddushei ha-Ritva, Rosh Hashanah 29a] 6 explains, this is based on the idea that I am responsible for your fulfillment of the commands. Therefore even though I have already fulfilled my personal duty, I can make a blessing over yours and exempt you thereby, because your duty is in a sense mine as well).

To be a Jew is to be part of a people, sharing its joys, participating in its griefs, recalling its history, making its hopes my own. That is why our most basic prayers, even our confessions, are in the first person plural. The primary experience of Judaism is not that of "the lonely man of faith" but rather of being part of the community of faith. More significantly, Martin Buber misrepresented the spiritual encounter as "I-Thou." In Judaism it is fundamentally We-Thou.

ONE QUESTION, not widely raised by the commentators, is however of the essence. Let us remind ourselves of the prooftext the rabbis took for the principle of collective responsibility:

As for those of you who survive, I will send faintness into their hearts in the lands of their enemies. The sound of a driven leaf shall put them to flight, and they shall flee as one flees from the sword, and they shall fall though no one is pursuing them. They shall stumble over one another, as if to escape the sword, though no one pursues; and you shall have no power to stand against your enemies. 7

This is an extraordinary place in which to locate the idea. First, it is not the plain sense of the verse. "Stumbling over one another" is not a description of a nation bound by a sense of shared duty. To the contrary, it is a description of panic, as people fall over one another in their efforts to escape. Second, the passage is not speaking of strength-in-unity but about weakness and fear. The third difficulty, though, is the most fundamental.

It should not be necessary to search for a prooftext for the idea that the Jewish people flourishes and suffers together. The whole of the Chumash is dedicated to this principle. It is basic to Moses' vision and to the people's experience. They suffered slavery together. They experienced liberation together. If a text were needed, the second paragraph of the Shema would do as well as any: "If you are careful to heed my commandments . . . I will give the rain for your land in its season . . . and you will eat and be satisfied . . . Be careful that your heart not be tempted to go astray . . . The land will not give forth its crops, and you will rapidly vanish from the good land that G-d is giving you." Why then search for so *recherché* a source when the whole Torah testifies to this idea?

THE ANSWER, I believe, is fundamental. It is not too much to say that the whole of Jewish history subsequent to the fall of the Second Temple depended on it. The idea that "all Israel are responsible for one another" is not, in and of itself, unusual. It is part of the normal experience of any people living in the same land, under the same political system and sovereign power. When the rain falls, it falls on the righteous and wicked alike. When there is drought, all farmers suffer, whatever their virtue or lack of it. When a nation is at peace, and its economy strong, most people benefit. When government breaks down and anarchy takes its place, the suffering is general and widespread. Within a societal or national context, fate is shared. Though some are rich and some poor, some healthy and others stricken by disease, there is a sense in which the general conditions of life affect all. What made biblical Israel unique when it was a nation in its land were many things, but not this.

The concept of collective responsibility was not problematic in biblical times. It became so after the devastating tragedy of defeat at the hands of the Romans - first, when the Temple was destroyed, then, some sixty

years later, with the suppression of the Bar Kochba revolt and the subsequent Hadrianic persecutions. The Jewish people lost its most basic institutions, its sovereignty (or autonomy) and its national life. There were no more kings or prophets. There was no Temple, no sacrifices, no central site of collective worship. Little by little, Israel ceased to be the home of most Jews. The intellectual centre moved to Babylon. There were significant Jewish communities elsewhere: in Egypt and many parts of Europe. Israel was no longer a nation in the conventional sense: a people living in a single territory under the same government. It was in exile, but a more profound, scattered exile than Jews had ever known before.

It was then that the question arose in all its force and potential tragedy: Is Israel still a nation? If so, how? In what respect? By virtue of what characteristic? Yes, to be sure, Jews shared memories, dreams, prayers. But within two or three generations, memories fade, dreams falter, and prayers, unanswered, slowly lapse into silence. It was the deepest crisis in Jewish history. And it was then that from the very heart of tragedy the sages rescued a vestige of hope. The covenant of Sinai was still in force. The Jewish people were still bound by its terms. They were therefore still a nation - constituted by the responsibility they had undertaken together, first at Sinai, then on the banks of the Jordan at the end of Moses' life, then again in the last days of Joshua, and subsequently during the period of Israel's kings and in the days of Ezra. Bound to G-d, they were bound to one another. That is what Saadia Gaon meant when he made his famous remark that "Our people is a people only in virtue of its Torah." No other nation ever constituted itself in such a way. Lacking all the normal prerequisites of nationhood - territory, proximity, sovereignty - Jews remained even in exile a people, the world's first global people, the first ever virtual community, a community not in space but in the mind, held together solely by the invisible filaments of collective belonging, shared fate and mutual responsibility.

It is now dazzlingly clear why the sages chose their prooftext from this most poignant of all biblical passages, the curses of Bechukotai. All other Mosaic texts refer to Israel's fate as a nation in, or journeying toward, its own land. This passage alone spoke of exile and the "hiding of the face" of G-d. "They shall stumble over one another - one because of another. This teaches that all Israel are responsible for one another." This strange and apparently unintelligible act of exegesis is one of the most majestic of all leaps of the rabbinic imagination in discerning the deep underlying meaning of Torah. Though they may be scattered across the world, divided by space, language, culture and outward fortune, Jews remain a people, inextricably bound to one another in and through their covenant with G-d. Though they are parted physically, they remain united spiritually, and that unity will one day give them the strength to return to G-d and to the land He gave their ancestors. And so it happened. For almost two thousand years Jews were sustained as a nation by faith alone. They preserved it, and it preserved them. Thus was a curse turned into a blessing, and a description of weakness turned into a source of indomitable strength.

From: Aish.com [mailto:newsletterserver@aish.com] Sent: Sunday, May 22, 2005 7:49 AM Subject: New @ Aish.com - May 22, 2005
http://www.aish.com/spirituality/odysseys/Growth_Through_Rules.asp
GROWTH THROUGH RULES
BY ANTHONY S. FIORINO

From reductionism to Judaism: A convert describes his path to Jewish observance and spiritual fulfillment.

In the fading days of the summer of 1989, I began a journey of self-discovery, a journey in which my long-neglected soul has grown from an atrophied state into an all-encompassing spirituality -- to the point where the single most prominent characteristic of my identity is that of a religious Jew.

As I reflect upon the process of my conversion, it has become clear to me that this transformation was brought about through the observance of halacha, Jewish law. My experience has been counter to what I had intuitively thought of as the path of

religious awakening -- my commitment to religion and observance preceded and caused my spiritual transformation. Now, I seek to understand this process, to glimpse an answer to the question "How does halacha cause spiritual growth?"

The answer requires an examination of what led me to Judaism. I grew up in a fairly religious Italian Catholic home, but I never had any real feeling for Catholicism. From an early age I found the imagery repelling, the rituals empty, and the theology cold. I never felt that I would or could be a practicing Catholic. As education assumed a primary role in my life, religion became merely an issue which caused arguments on Sunday mornings, when fights over church attendance would inevitably break out.

Attending public school in a heavily Jewish, although not religious, community on Long Island gave me an elementary knowledge of Judaism and more importantly, a tremendous, and permanent, affinity for the Jewish people.

I had learned to value scientific information above all other information, which lured me into an unexamined agnosticism. But what really set the stage for the future transformation was the education I was receiving. The emphasis placed on the rational thought and the scientific process by American society had an enormous impact on my developing personality and vision. Technology is viewed as the answer to all wants; the media, schools, government, and the scientific establishment contribute to a secular yearning for a technological messiah -- a science which will cure diseases, feed the hungry, increase leisure time, bring world peace. A young and eager mind endowed with the gift of scientific aptitude is particularly sensitive to these societal influences. By the end of high school, I had learned to value scientific information above all other information, and what science had lured me into -- an unexamined agnosticism.

REDUCTIONIST APPROACH

The decision to pursue a career in the biological sciences led me to the Massachusetts Institute of Technology, where I received rigorous training in the methodology of science as well as an enormous quantity of information. This intense scientific training expanded my belief in the supreme value of reason and rationality; at the same time, excursions into existential philosophy led to my assessment of morals as both relativistic and arbitrarily defined. As my reasoning ability was challenged and forced to develop further, in the context of an existentialist worldview, I was able to carry my view of science to the inescapable conclusion that only that which is observable is believable. The methods of scientific inquiry, I believed, yield "truth" in the absolute sense, and furthermore, that which is not open to scientific evaluation and verification must be valueless.

This reductionist approach provided answers to some otherwise difficult questions; for instance, the philosophical problem of Body and Mind was no problem at all -- there is no aspect of "mind" separate from the brain. The trouble with the Dualists, as I saw it, is that they mistakenly assign intentional and moral states to units of action which in reality are valueless -- there are no morals in electrical impulses and chemical reactions. From such a position, one must inevitably conclude that human beings, and thus human behavior, cannot have any moral content. If a single bioelectrical impulse traveling along a neuron in a petri dish is not a moral action, then the same must be true of human thought and behavior -- merely a complex system of such impulses. From this perspective, "right" and "wrong" are meaningless, and G-d is denied.

I believed in this... yet somehow, I was still an ethical person. It was not simply the fear of being caught breaking the law which shaped my behavior, because I found myself drawn to humanitarian issues, expending time and energy on behalf of others, sometimes at expense to myself. In fact, this deep feeling of a responsibility to others was a factor in my decision to pursue medicine. I looked to the character Rieux in Albert Camus' "The Plague" as the model of a man, a physician, creating value in a world which he recognized to be devoid of meaning. He appealed to me so much more than Meursault of "The Stranger" precisely because he value and does good. I concluded that morals are the natural product of rationality and reasoning.

THE PROCESS IS SET QUIETLY IN MOTION

At M.I.T., cracks began to appear in my carefully constructed world vision. Slowly, cracks began to appear in my carefully constructed world vision. Ironically, it began at M.I.T., where the environment of intense rationality had contributed greatly to my atheistic reductionism in the first place. Two specific events had a lasting impact on me and began the path to Judaism.

First, I read Noam Chomsky's critique of B.F. Skinner's behavioral theory of linguistic development. Then I researched intelligence testing while writing a paper describing the use of the IQ test in supporting racist social policies. Both of these cases profoundly impressed upon me the effect that dogma can have on the ability to reason. I saw the scientific process twisted as scientists misrepresenting data, making unsubstantiated claims, sometimes lying, in order to generate results that were consistent with their preconceived notions.

I wondered if dogma could influence the scientific process in the physical sciences, which deal directly with the material reality of the world, the final truth to which I thought all else must answer. Indeed, biology, chemistry, and physics lay at the core of my reductionist outlook. My initial reaction was "No," since the very nature of the physical sciences is objective -- they study not ideas, but matter, and matter is not subject to debate in the way that ideas are.

I entered the M.D.-Ph.D. program at the Albert Einstein College of Medicine confident in my reductionism, not recognizing that the process which would shatter this vision had been set quietly in motion.

The issue that would topple my reductionism arose during my first few months at Einstein. All through high school and college, and then again in graduate classes, I had heard the classic biological explanation of the origin of life. And it had always seemed reasonable. But when considering the awesome complexity, structure, and order within even single cells, in the context of how dogma can influence reason, I came to the realization that molecular biology too is gripped by dogma. It postulates the origin of life as a tremendous, complex series of events, each of which alone has an infinitesimally small chance of occurring. Forced by its basic tenets to deny even a hint of transcendence, biology must explain the beginning of life as a cumulation of events the possibility of which occurring is so slight that it is essentially zero.

Nobel laureate, Jacques Monod, has written: "Life appeared on the earth: what, before the event, were the chances that this would occur?... its a priori probability was virtually zero."

Constrained by reductionism, the scientist can draw only one conclusion; in the words of the Nobel laureate Salvador Luria, "each human being is the actualization of an extremely improbable chance -- in fact, a series of improbable chances, extending all the way back to the unique event that more than 3 billion years ago started life on the earth on its chancy course."

Instead of attempting to convince myself of the unreasonable, I had to admit that for there to be a creation there could be, perhaps there must be, a Creator. Biology is forced by its basic premises to postulate that life began as a "unique event" -- an event which has no possibility of occurring, yet which must have occurred -- an idea which is not only absurd, but scientifically unsatisfying. Freed of this burdensome dogma, I could contemplate the origin of life without bias. Instead of attempting to convince myself of the unreasonable, I had to admit that for there to be a creation -- the physical reality of existence -- there could be, perhaps there must be, a Creator.

SYMBOLS AND BELIEFS

This insight radically altered my approach to the world around me. No longer could I view science, and the scientific method, as providing absolute truth, for if science yielded absolute truth, then dogma could not impact its results. But this was not the case. Consequently, as I reconsidered the value of scientific information, I realized that science is a belief system. Like all other belief systems, it has a set of basic assumptions and a methodology which generates information that is meaningful only in the context of those assumptions.

Understanding that each belief system has its own language or symbolism which gives meaning within the belief system to fit results of the inquiry, and that there is incompatibility between the symbolism of different belief systems, was a critical step. Somehow, I had given science a greater status, viewing the results generated by all other belief systems, if unintelligible under or contradicted by the basic tenets of science, as "untrue" in an absolute sense. No longer could I reject what history, philosophy, or religion might say about the nature of a human being simply because it disagreed with the rational view of science.

I subsequently began to examine what I had been forced to reject as untrue while I held science supreme. I had viewed morals, and moral behavior, as the natural outcome of reason alone. But this idea withered under scrutiny. There were too many instances in which reason clearly indicated a course of action, but I acted in another way, the "right" way. If morals were the outcome of reason, how could reason and morals demand a contradictory course of action?

As a rationalist, I had been compelled to deny that anything could transcend or supersede human reason, but this belief had forced me to postulate something unreasonable and untrue -- that because I clearly possessed morals, they must be the result of reasoning. Just as biologists, when considering the origin of life, must reject other views and postulate something unreasonable -- that because life clearly exists, it must be the result of a unique biochemical event.

Liberated from the confines of rationalism, I could for the first time consider the idea that morals have an existence independent of and sometimes contrary to human reason.

UNSETTLING EXPERIENCES -- AND CONSIDERATIONS OF CONVERSION

Obviously, this was a time of marked transition. What are described as "liberating" experiences in retrospect were at the time much less defined and rather unsettling. I searched through boxes of books in the basement of my parent's house to find the Bible I had received for my Confirmation in the ninth grade (still unopened). As I read through the Old Testament, it became clear that Judaism is not a random collection of arbitrary rules, a view I inherited from my high school friends, but rather it is an organized, and practical system. And not only did I find the ethics and values of that system compelling, but also the results -- the numerous observant Jews whom I had come to know as classmates...

As my knowledge grew, I found myself viewing Judaism not as an interested outsider, but as a potential insider -- the thought of Judaism as a way of life for me was appealing. Yet I had to repeatedly justify to myself the idea of being religious; years of ranking all epistemological methods inferior to science were hard to erase.

I consequently developed practical reasons for my continued interest. I saw the closeness of Jewish families and the Jewish community, and the emphasis that Judaism places on education and scholarship. I saw a means of transmitting a set of values and tradition to my children. My own somewhat limited participation in the rituals of Judaism had been positive experiences. But these were aspects that could be found in many religions; there was much more to Judaism specifically which called to me. I found the theology pure and accessible, unlike the mystery-shrouded, complex morass that I had previously known. Because of an intense dislike of missionary activity, I found Judaism's view of the non-Jew to be enlightened.

Appealing to me was that Judaism allows, even requires, enjoyment of what is in this world.

Also appealing to me, especially after struggling for years to eliminate all vestiges of the Catholic view of pleasure, was that Judaism allows, even requires, enjoyment of what is in this world. But the most appealing aspect was the freedom that Judaism offered -- demanding a specific set of behaviors, yet allowing the mind to wander, to explore, to question, even to doubt -- the idea that the way in which one acts is at least as important as what one thinks made intuitive sense to me.

This was no spiritual awakening. My attraction, my experience, was purely pragmatic, carefully reasoned and justified, and it continued to be. Passover, 1990, I attended two Seders, and after participating in the unique religious-political-historical event that a Seder is, I decided that I wanted to experience Judaism fully, to see if my intuitive feelings of affinity were strong enough to support both the lifestyle and the emotional stress of conversion...

The change which proceeded from this was spectacular, if not in rate then in magnitude. Assumed faith has led to genuine faith, and being observant of Jewish Law has awakened a spirituality which has consumed the boundaries of my "scientific" and "Jewish" belief systems. It has grown, not as a blazing flame, but rather as a slow burning, blurring the distinction between my two selves before I was even aware of the process. What was an ultimately untenable duality has been replaced by a new, unitary identity -- a cold rationality and a hot spirituality linked by, nurtured by, and restrained by halacha, Jewish law.

HOLY AND MUNDANE

It is not immediately apparent how simply behaving as a Jew leads to spiritual growth, but the observation has been made throughout the ages. In the Talmud, the following is said to have been spoken by G-d: "Would that they had forsaken Me and kept My Torah, since by occupying themselves with Torah, the light which it contains would have led them back to Me" (Yerushalmi Chagigah 1:7). Rabbi Judah HaLevi observed in "The Kuzari": "Men cannot approach G-d except by means of deeds commanded by Him."

Rabbi Moshe Chayim Luzzatto in "The Path of the Just": "Outer movements awaken inner ones... for as a result of the willed quickening of movements there will arise in him an inner joy and a desire and a longing."

...Mitzvot constantly remind a person of the limitations of rational science, of a metaphysical truth beyond his empirically defined reality, and a divine significance becomes attached to the objects and events of the world.

Virtually every object, event, or experience has a halachic significance; therefore the world is appreciated not only in a physical sense, but also as having an inherent religious quality. Halacha demands an appreciation of and interaction with the world on a divine plane; with increased knowledge, physical reality assumes an ever-increasing halachic significance. Thus the will of G-d is placed at the center of one's vision, balancing the crushing rationality of cognitive man and keeping his gaze lifted above and beyond his mundane reductionist activities.

Halacha forces one to explicitly recognize G-d's presence regularly and repeatedly.

Furthermore, halacha forces one to explicitly recognize G-d's presence regularly and repeatedly. The simple act of uttering a blessing has profound implications: it is first, a recognition of the existence of G-d; and, an admission that what is in this world comes from G-d; third, an act of submission to the will of G-d. Even a trip to

the supermarket, as one searches for kosher items, reiterates this statement of recognition of, dependence on, and submission to G-d. In this manner as well, halacha places G-d as the central focus of one's activities.

TO FEEL GOD'S PRESENCE

Through performing mitzvot, we increase G-d's presence in the world, and we feel spiritual by sensing His presence, by sensing holiness in our world and in ourselves.

"You shall be holy, for I the Lord your G-d am holy" (Leviticus 19:2). This mitzvah of holiness is followed by a description of how it can be fulfilled: the next 35 verses describe a variety of commandments. Thus, the way to holiness as individuals and as a nation is through the adherence to G-d's will.

This relationship between mitzvot and sanctification is reflected in the text of the blessing recited over mitzvot: "Blessed are you, Lord our G-d, King of the universe, Who has sanctified us with His commandments." All halachic acts are endowed with the power to sanctify because they are the method by which we may fulfill G-d's desire and command for us to be holy; they are the means through which G-d sanctifies us. Halachic acts reverse the contraction of G-d's presence in the world: each mitzvah sanctifies by reducing this contraction, by increasing G-d's presence. Our awareness of G-d's presence, is spirituality.

While it is easy to feel spiritual in holy places -- standing before the Western Wall, or at holy times like Yom Kippur -- we have the ability, by living halachic lives, to bring spirituality and holiness to every place we might be, to bring holiness to our excursions into and involvements with that which is mundane.

Halacha sanctifies by regulating human activity, limiting the promptings and attractions of the body. For the greater good, impulse can be conquered, and to do so for the will of G-d is holy.

...Our appreciation of the synthesis of holy and mundane, our inability to divide the sacred and the profane into completely unconnected spheres, reflects the human unity of soul and body: "The Holy One brings the soul and joins it, to the body and judges them as one" (Sanhedrin 91b). Halacha gives expression to the transcendent yearnings of a soul bound inextricably to a physical man, and only by relating to the world through halacha can soul and body be satisfied not as discrete entities, but as integrated one. And in this is the recognition of and imitation of G-d's unity, a unity which we acknowledge every day: "Shema Yisrael -- Hear O Israel, the Lord our G-d, the Lord is one..."

As my spiritual awareness grows, my actions are performed increasingly for G-d's sake, not for my own satisfaction. Not that the satisfaction which I receive from mitzvot has declined, but my reasons for pursuing mitzvot are no longer as dependent upon that personal satisfaction. A pleasant consequence is that my enthusiasm for certain areas of halacha has improved greatly. This increased devotion to mitzvot further increases my spirituality, which in turn increases my devotion to mitzvot.

To feel G-d's presence... it certainly was not part of my original set of pragmatic reasons for conversion, but it has been the most significant outcome.

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Anthony (Eitan) Fiorino studied at the Albert Einstein College of Medicine. Article excerpted with permission from Jewish Action magazine (Winter 1992-93), published by the Orthodox Union - <http://www.ou.org>

From: Kol Torah [koltorah@koltorah.org] Sent: Friday, May 20, 2005 2:41 PM To: koltorah@koltorah.org Subject: Kol Torah Parshat Behar

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MEDICINES THAT CONTAIN NON-KOSHER INGREDIENTS OR CHAMETZ – Part One

BY RABBI CHAIM JACHTER

Before Pesach, we explored the debate regarding owning and using products that contain inedible Chametz on Pesach. This week we shall begin to discuss a more challenging issue, the question of the permissibility of taking medicines that contain non-kosher ingredients or Chametz.

Background – The Three Categories of Sick Individuals When discussing Halachic issues regarding sick individuals and ailments it is important to outline the three classes of sick people, as presented in Shulchan Aruch Chapter 328. The categories are a Choleh She'yesh Bo Sakanah (a sick individual whose life is endangered), a Choleh She'ein Bo Sakanah (someone who is ill but his life is not endangered) and a Meichush (someone who is functioning normally but is bothered somewhat by a minor problem such as a mild headache or a mild cold). A Choleh She'yesh Bo Sakanah is unquestionably permitted to take medicine that contains Chametz if it is necessary to cure his illness (such as antibiotics). One is defined as a Choleh She'yesh Bo Sakanah even if we are unsure if the patient's life

is endangered (Safek Nefashot Lihakel; Shabbat 129a and Yoma 83a).

However, even a Choleh She'yesh Bo Sakanah should avoid medicine with forbidden ingredients if an equally effective medicine that contains only kosher ingredients is readily available. This is an application of the Gemara's (Yoma 83a) principle that Ma'achilin Oto HaKal HaKal Techilah (we seek to reduce the severity of prohibitions that even a sick person violates). The Rama (Yoreh De'ah 155:3) codifies this rule and the Biurei HaGra (Y.D. 155:24) clarifies that this rule applies even to a Choleh She'yesh Bo Sakanah. For example, one should ask if a medicine comes in an equally effective tablet form as an alternative to a capsule, to avoid consuming a gelatin coated capsule (common custom in this country is to regard gelatin as non-kosher, as we outlined in a Kol Torah essay a number of years ago). In this series, we shall focus on the question of the permissibility for a Choleh She'ein Bo Sakanah or one who is suffering only from a Meichush to take medicines that contain non-kosher ingredients or Chametz.

It is vitally important to emphasize, though, a Choleh She'yesh Bo Sakanah should never risk his life by improperly delaying taking a pill due to Kashrut concerns. For example, one should never inappropriately delay taking antibiotics, even if there is only a possibility that the delay might cause damage. We must always recall the Talmudic principle that Safek Nefashot Lihakel.

Does Achshevei Apply to Medicines? It is important to distinguish between medicine that tastes good and medicine that does not taste good. We shall first focus on medicine that does not taste good. Before Pesach, we discussed that one is permitted to own and benefit from Chametz that is Nifsal Meiachilat Kelev (unfit for canine consumption). However, we noted that the Shulchan Aruch (Orach Chaim 442:9) rules that one is forbidden to eat an item that contains Chametz even if it is unfit for canine consumption. The reason for this is that by eating the Chametz one "upgrades" the food (Achshevei) and renders it as if it is edible. We noted, though, that the Aruch Hashulchan and other Acharonim rule that Achshevei is only a rabbinic level concern. The Rambam (Hilchot Ma'achalot Asurot 14:11) seems to support this view. We should add that the Achshevei principle is not unique to the prohibition to consume Chametz. Rather, it applies to all forbidden foods.

A major question is whether one is considered to have upgraded inedible food if he takes it as medicine. The Acharonim debate this issue. The Shaagat Aryeh (75) rules that Achshevei applies even when one consumes an inedible item for medicinal purposes. Rav Chaim Ozer Grodzinsky (Teshuvot Achiezer 3:31) takes this opinion of the Shaagat Aryeh into consideration when rendering Halachic decisions. However, the majority of Acharonim disagree with the Shaagat Aryeh. These authorities include Yad Avraham (Y.D. 155:3), the Chazon Ish (O.C.116:8), Teshuvot Igrot Moshe (O.C. 2:92), Rav Gedalia Felder (Yesodei Yeshurun 6:221) and Rav Ovadia Yosef (Teshuvot Yechave Da'at 2:60). The Rama (Y.D. 155:3 and Orach Chaim 320:1) seems to reject the Shaagat Aryeh's stringent view. Moreover, the Yad Avraham and Chazon Ish write that Achshevei applies only when one eats the inedible forbidden item alone. However, one is not considered to have upgraded the inedible item when consuming it mixed with other permissible items.

Accordingly, Rav David Heber writes in the Orthodox Union's journal Mesorah 7:91-96 (in 1992, when Rav Heber worked as a rabbinic Kashrut coordinator for the OU; Rav Hershel Schachter and Rav Menachem Genack are the editors of Mesorah) that one may take medicine that contains non-kosher ingredients if it either has a poor taste or no taste, in accordance with the ruling of Rav Moshe Feinstein and Rav Ovadia Yosef. However, in deference to the Shaagat Aryeh and in keeping with the Rama (Y.D. 155:3) one should make an effort to take medicines that contain no forbidden ingredients (see the Pri Megadim, Orach Chaim 328:11, who explains that this rule applies even to foods that are only rabbinically prohibited). This is one of the reasons why lists are compiled of medicines that do not contain Chametz. Another reason for these lists is that it is difficult to determine whether an item is considered Nifsal Meiachilat Kelev, as Rav Shlomo Zalman Auerbach writes (Teshuvot Minchat Shlomo 1:17). Rav Shlomo Zalman writes that he is inclined to rule that even most medicine tablets are not Nifsal Meiachilat Kelev. Indeed, Rav David Heber, who currently works as a rabbinic coordinator for the Star-K, presents (in an essay available at www.star-k.org; also see his essay in Mesorah 14:90-94) Rav Moshe Heinemann's (rabbinic administrator of the Star-K) definitions of edibility regarding medicines "Medication is considered not fit for human consumption if all ingredients have no food, hydration or nutritional value [e.g. charcoal tablets generally consisting of one hundred percent charcoal]. However, most tablets contain a substantial amount of starch, which is a food." Swallowing Pills – Shelo Kiderech Hana'atan Rav Shlomo Zalman and Rav Heinemann, though, present a different approach to permit swallowing medicines that contain non-kosher ingredients or Chametz. The Gemara (Pesachim 25b) states that a

Choleh She'ein Bo Sakanah may derive benefit from Orlah (the product of the first three years of a new fruit tree) in an unusual manner (Shelo Kiderech Hana'atan) even though the Torah forbids deriving benefit from Orlah. The Shulchan Aruch (Y.D. 155:3) codifies this Talmudic passage as normative and states that it applies to all Torah prohibitions except for the three cardinal sins for which one is required to sacrifice his life (murder, idolatry and adultery). The Acharonim (cited in Pitchei Teshuvah Y.D. 155:6) debate whether swallowing a food without chewing is considered Shelo Kiderech Achilato. The stringent opinion of Teshuvot Noda Biyehuda (Y.D. 35) seems compelling as the Gemara (Pesachim 115b) rules that one who swallows Matzah at the Seder without chewing has fulfilled the Mitzvah of eating Matzah. The Rashbam (ad. loc. s. v. Bala Matzah) explains that swallowing without chewing is considered an act of eating. However, Rav Shlomo Zalman Auerbach (ad. loc.) rules that the Nodah Biyehuda's strict ruling applies only to swallowing conventional food without chewing. Rav Shlomo Zalman argues that even the Noda Biyehuda would agree that swallowing medicine pills does not constitute an act of eating. This is because pills are made to be swallowed and are intended only for sick individuals. Thus, Rav Shlomo Zalman rules that swallowing medicine pills is regarded as benifitting She'lo Kiderech Hana'atan and is permissible even for a Choleh She'ein Bo Sakanah. Rav Chaim Ozer Grodzinsky (ad. loc.) seems to disagree with Rav Shlomo Zalman and permits swallowing medicines with non-kosher ingredients only if he wraps the medicine with paper. This is analogous to the Gemara that states that one has not fulfilled the Mitzva of eating Matzah if one wraps Matzah in bark of a palm tree and swallows it (Pesachim ad. loc.; see Rashbam, ad. loc. s.v. Korchan, who explains that this is not considered to be an act of eating). I recall Rav Yisroel Belsky telling me that he heard that Rav Yosef Eliyahu Henkin ruled in accordance with Rav Chaim Ozer. However, Rav Yoezer Ariel (Techumin 15:353) presents compelling evidence for this leniency of Rav Shlomo Zalman and Rav Heinemann also rules in accordance with Rav Shlomo Zalman's ruling. Rav Heber reports (on a tape available from the Star-K) that most Rabbanim do not rule in accordance with Rav Chaim Ozer and Rav Henkin.

Conclusion Next week, IY" H and B" N, we shall continue our discussion of this important issue.

From: Kol Torah [koltorah@koltorah.org] Sent: Thursday, May 26, 2005 9:13 PM
 To: koltorah@koltorah.org Subject: Kol Torah Parshat Bechukotai Medicines that Contain Non-Kosher Ingredients or Chametz – Part Two
 MEDICINES THAT CONTAIN NON-KOSHER INGREDIENTS OR CHAMETZ – PART TWO BY RABBI CHAIM JACHTER

In last week's essay (available at www.koltorah.org) we introduced the issue of consuming medicines that contain non-kosher ingredients and/or Chametz. We noted that, essentially, one whose life is endangered should take no chances in this regard. The more complex challenge is in regard to a sick individual whose life is not endangered. We saw that most opinions (including Rav Moshe Feinstein and Rav Ovadia Yosef) permit one to take medicine that is not fit for canine consumption, although Poskim debate how to define this category. We also quoted Rav Shlomo Zalman Auerbach who permitted one to swallow medicine that contains non-kosher ingredients or Chametz. According to Rav Shlomo Zalman Auerbach's ruling, one should take a medicine that is in pill form rather than chewable form. In addition, it is important to note that Rav Shlomo Zalman might even permit swallowing pills that taste good (coated tablets, for example, though perhaps he would not rely upon this regarding Pesach). Moreover, Rav Shlomo Zalman permits owning pills that contain Chametz, even though he is not certain that the Chametz contained in the pills are classified as Nifsal Meiachilat Kelev. This seems to be based on Shulchan Aruch Orach Chaim 442:4 (also see Mishnah Berurah 442:19; but see Chazon Ish ad. loc.). Teshuvot Chavalim Beneimim 5:4 (authored by Rav Yehuda Leib Graubart who lived in Toronto in the early twentieth century) explicitly states (and cites other Acharonim who agree) that one does not violate the prohibition to own Chametz with medicine pills.

According to the standards of Rav Moshe Feinstein and Rav Ovadia Yosef (as presented in the Mesorah article that we cited last week), one would be permitted to take a chewable medicine lozenge that does not taste good or has no taste. However, Rav Shlomo Zalman would not be lenient. Thus, if one's Rav permits one to take Lactaid pills on Pesach (they reportedly contain Chametz, but appear to be tasteless) it seems to be preferable to swallow them with water rather than chew them, in order to accommodate Rav Shlomo Zalman's opinion. One should consult his Rav for guidance regarding this issue, particularly since lactose intolerance may be classified only as a Meichush Bialma, a category that we will discuss shortly. We should note that the question of classifying medicine tablets as Eino Ra'ui Laachilat Kelev seems to depend to a great extent on an assertion of the Chavat Daat (Y.D. 103:1, in the Bi'urim). He asserts that when a

bitter tasting item has been added to a food, it is not considered to be Nifsal Meiachilat Kelev. Rather, one who eats such an item is considered to have consumed the food in an unusual manner, which is permitted for a sick person, but perhaps not for someone who is suffering from a mere Meichush as we shall explain in the next section. Based on this Chavat Daat, Rav Heber (Mesorah 14:92-93) argues that medicine tablets are not considered Nifsal Mei'achilat Kelev.

However, Rav Yoezer Ariel (a prominent Israeli Dayan) writes (Techumin 15:356) that the Chavat Daat applies only when the bitter addition to the food is easily removable. Since this is not the case with medicine tablets, Rav Ariel rules that it is considered Nifsal Meiachilat Kelev. It is important to note that pleasant tasting chewable tablets, lozenges and liquid medicine that contain non-kosher ingredients seem to be forbidden even according to both Rav Moshe and Rav Ovadia Yosef (see Teshuvot Minchat Yitzchak 9:79). Rav Heber, though, notes (Mesorah 14:92) notes that many of these medicines have a bitter aftertaste and might still be considered either not eating in the normal manner or Nifsal Meiachilat Kelev. He concludes that this is a judgment call that is left to the discretion of each Rav to decide. Perhaps, though, there is a way to be lenient regarding children and a possible solution for adults, as we shall discuss in the coming weeks (IY" H and B" N).

Meichush Bialma The Shulchan Aruch (O.C. 328) permits only a Choleh She'ein Bo Sakanah to take medicine on Shabbat. One who suffers from what is regarded as a Meichush Bialma (minor discomfort) is not permitted to take medicine on Shabbat (as part of the rabbinic prohibition to take medicine on Shabbat lest one come to grind the medicine, that we outline in essays that are available at www.koltorah.org). The Shulchan Aruch, though, in the context of taking forbidden food for medicinal purposes (Y.D. 155:3) does not state that one who is suffering only from a Meichush is not permitted to take advantage of the Shelo Kiderech Hana'ato leniency. Thus, the Chochmat Adam (Binat Adam 52) and Rav Shlomo Zalman Auerbach (ad. loc. and Nishmat Avraham 2:54) raise the possibility that even one who suffers a Meichush may consume medicine that contains forbidden foods Shelo Kiderech Hana'ato. Although the Chochmat Adam and Rav Shlomo Zalman conclude that they are uncertain about this matter (and Teshuvot Zera Emet Y.D. 48 rules strictly about this matter), the Chochmat Adam understands the Shach (Y.D. 155:13) as permitting even one who suffers from just a Meichush to consume forbidden food Shelo Kiderech Hana'ato for healing purposes.

Rav David Heber stated (on a tape that is available from the Star-K) that most Rabbanim follow the lenient approach to this matter (regarding Chametz, though, they might be more strict). Common practice also seems to follow the lenient approach to this question. For example, observant Jews take Advil even for a minor headache even though Rav Heber reports that Advil contains ingredients that might not be kosher.

Perhaps the reason for this lenient practice is the fact that one is almost always only at risk of violating a rabbinic prohibition when taking medicine, since we generally take medicine in small doses. An introduction to the topic of Chatzi Shiur (consuming less than the minimum amount) is necessary to understand this suggestion. In general, one is not punished for consuming a forbidden item unless he eats a minimum amount (a Shiur) of that item. Thus, Beit Din will not administer Malkot (lashes) to someone who ate pig unless he consumed at least a Kezayit (reported as equivalent to 1.1 ounces according to Rav Moshe) of this forbidden animal. Similarly, Beit Din will not punish one for drinking wine used for idolatrous purposes unless he drinks at least a Revi'it (reported as 3.3 fluid ounces according to Rav Moshe). Nevertheless, it is forbidden to consume less than a Shiur of the forbidden item (Chatzi Shiur). Rav Yochanan and Reish Lakish argue (Yoma 73b) whether Chatzi Shiur is a biblical or a rabbinic prohibition. The opinion of Rav Yochanan that Chatzi Shiur constitutes a biblical prohibition is the accepted opinion (Rambam Hilchot Shvitat Asor 2:3). However, Rav Eliezer Waldenberg (Teshuvot Tzitz Eliezer 6:16) cites the Minchat Kohen (Shaar Hataarovet 1:4) and Pri Chadash (O.C. 442) who rule that a Chatzi Shiur constitutes only a rabbinic prohibition when a forbidden food is mixed with permitted food and the permitted food is in the majority (and the mixture is smaller than the Shiur). Accordingly, Rav Waldenberg rules that taking medicine that contains forbidden foods potentially constitutes only a rabbinic prohibition since one usually takes doses of no larger than a teaspoon or a tablespoon. Thus, it is understandable why the common practice is that even one who is suffering only from a Meichush is permitted to swallow poor tasting or tasteless medicine that contains non-kosher ingredients. Since only a rabbinical prohibition is involved, we rely on the Chochmat Adam's understanding of the Shach (though regarding Chametz we might be stricter, as we have stated). Another possible reason to be lenient in certain cases is the fact that we often are not sure if the potentially forbidden ingredients are indeed forbidden, as Rav Heber writes in Mesorah (7:95). For example, we mentioned in an essay printed before Pesach that it is often impossible

for even the manufacturer of a medicine to determine if the alcohol in a medicine is made from grain or is simply synthetic alcohol. Similarly, Rav Heber reports (on the tape available from the Star-K) that it is usually impossible to determine if the glycerin in a product is made from a forbidden animal, coconuts or petroleum. Rav Heber reports that he visited a factory that makes glycerin and he observed that even the drums in the factory do not state the origin of the glycerin. Finally, Rav Heber writes (Mesorah 14:92) that many possible non-kosher ingredients such as magnesium stearate might be Batel Bishishim (nullified in sixty parts, i.e. they constitute less than 1.6% of the volume of the product). In addition, it is debatable whether consuming some ingredients such as lactase and gelatin is forbidden. Lactose (a sugar molecule that is predominantly found in cheese and is commercially used as a product from the cheese production process) is not included in the prohibition to consume Gevinat Akum (cheese produced by Nochrim) according to Rav Moshe (Teshuvot Igrot Moshe Y.D. 3:17; also see the essays on this topic that are available at www.koltorah.org). Gelatin is permitted by Rav Zvi Pesach Frank and is regarded by Rav Moshe (Teshuvot Igrot Moshe Y.D. 2:32) as only possibly forbidden, as we explain in an article on gelatin that is also available at www.koltorah.org. Accordingly, there seems to be sufficient basis to permit even one who is suffering from only a Meichush to swallow a bitter or tasteless pill that seems to contain forbidden food, if an unquestionably permitted product is not available. Indeed, Rav Ovadia Yosef in Teshuvot Yechave Da'at (ad. loc.) rules that on Pesach only a Choleh (even She'ein Bo Sakanah) may take either bitter or tasteless medicine that seems to contain Chametz. He writes that one who suffers from only a Meichush is not permitted to consume such medicine. However, in Yalkut Yosef (Kitzur Shulchan Aruch p. 586 in the 5760 edition, published about twenty years after the publication of Teshuvot Yechave Da'at) Rav Ovadia is cited as permitting either bitter or tasteless medicine even for one who suffers only from a headache, even if the medicine might contain Chametz (Rav Ovadia occasionally changes his mind, as is known by those who closely follow his rulings). Nonetheless, Rav Ovadia forbids pleasant tasting chewable and/or liquid medicines and vitamins if they possibly contain Chametz (as does Rav Heber in the aforementioned Mesorah article). Many pleasant tasting medicines contain no Chametz but contain Kitniyot such as corn syrup, which Ashkenazim customarily avoid on Pesach. The Mishnah Berurah (453:7; also see my Gray Matter 1:243) permits even a Choleh She'ein Bo Sakanah to consume Kitniyot for medical purposes, if there is no viable alternative to the Kitniyot product. It is not clear, however, if medicines with Kitniyot ingredients are permitted to one who is suffering from a mere Meichush. We should also note that Kitniyot are nullified in a mixture if the permitted food is in the majority. One should consult his Rav for a ruling regarding this matter.

Conclusion Next week, Im Yirtzeh Hashem and Bli Neder, we shall continue our discussion of medicine that contains non-kosher ingredients. We shall discuss a possible basis to permit giving pleasant tasting liquid or chewable medications to children, an interesting possible manner to render pleasant tasting cough medicine that contains glycerin as permissible, taking medicine on a fast day and the question of reciting a Bracha on medicines.

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