

## Weekly Internet Parsha Sheet

### Metzora 5765

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*Mazal Tov to Chaya & R' Reuven Butler on the birth of a baby Girl.  
Mazal Tov to the Grandparents Rabbi Raphael & Pessy Butler.*

#### WEEKLY-HALACHA FOR 5765

By Rabbi Doniel Neustadt, Rav of Young Israel in Cleveland Heights  
A discussion of Halachic topics. For final rulings, consult your Rav  
**SHABBOS EREV PESACH: FREQUENTLY ASKED QUESTIONS**

This year, Erev Pesach falls on Shabbos, a fairly infrequent occurrence. While our lack of familiarity with observing Erev Pesach on Shabbos may catch us off-guard and cause some confusion, with the proper planning and know-how it need not be a difficult Shabbos to keep. Indeed, it actually gives us an opportunity to be well-rested for the seder and to be able to fulfill the mitzvos of Pesach in a more alert and dignified manner. The following are some of the frequently asked questions that deal with the special halachos of this Shabbos:

**QUESTION:** Why do we burn and sell the chametz on Friday morning when it is actually permitted to eat chametz until Shabbos morning?

**DISCUSSION:** Although Friday is not really "Erev Pesach," in certain respects we act as if it really is "Erev Pesach." This is done in order to avoid confusion in subsequent years when Erev Pesach does not fall on Shabbos. Thus any chametz which will not be consumed before Pesach is burned or sold(1) no later than 11:34 p.m.,(2) the time that would have been the deadline had this day truly been Erev Pesach.(3)

*But concerning other halachos we do not treat Friday as Erev Pesach.*

Thus:

The paragraphs usually omitted from Shacharis on Erev Pesach are recited on Friday.

Kol Chamira, which is a statement that nullifies all of our chametz and is normally recited when the chametz is burned, is not recited this year on Friday. Instead, it is recited on Shabbos morning after the last remnants of chametz are gone.

The special Erev Pesach restrictions that apply to taking a haircut and doing laundry after midday, do not apply on Friday(4).

Dishes may be kashered until the onset of Shabbos.

**QUESTION:** When should the marror and the other seder items be prepared?

**DISCUSSION:** All seder preparations should be done on Friday, since it is prohibited to prepare anything(5) for the seder on Shabbos. While technically the preparations may be done after Shabbos ends and before the seder begins, this is not a good idea since it unnecessarily delays an already late start for the seder.(6) Thus the horseradish,(7) charoses, shank bone, roasted egg and salt water should all be prepared on Friday.(8)

The romaine lettuce should also be washed and checked on Friday. Care must be taken, however, not to leave the lettuce soaking in water, as lettuce that was soaked in water for twenty-four hours may no longer be used for marror.

**QUESTION:** How do we discard the chametz crumbs on Shabbos?

**DISCUSSION:** Leftover crumbs on the table, dishes or floor should be swept, gathered together and then flushed down the toilet. Larger pieces of bread may be crumbled<sup>9</sup> and then flushed down.

If the Sanitation Department will not pick up the garbage before 11:30 a.m., do not place chametz in your trash can.

If the floor needs to be swept,(10) one must make sure that no chametz crumbs remain on the broom. Since it is extremely difficult to adequately clean a broom on Shabbos, it is advisable to put away the broom with the chametz utensils which have been sold to a non-Jew.

**QUESTION:** Some people use chametz rolls for lechem mishneh on this Shabbos, and then serve the rest of the meal with kosher for Passover foods. Which dishes should be used during those meals?

**DISCUSSION:** The recommended method is to use disposable (paper or plastic) dishes only as long as any chametz is being eaten. After the chametz is gone, the rest of the meal may be served on Pesach dishes.

**QUESTION:** In order to rid one's teeth of chametz, is it permitted to brush them on Shabbos, with or without toothpaste?

**DISCUSSION:** The consensus of many contemporary poskim is that it is forbidden to use toothpaste on Shabbos.(11) Their main concern is that applying toothpaste to the teeth or the brush could result in a transgression of the prohibited Shabbos Labor of Memareiach, Smoothing.

Brushing without toothpaste is permitted,(12) provided that the following conditions are met:

Use a toothbrush that is designated for Shabbos use only.(13) Some poskim require that the Shabbos toothbrush also look different from the weekday one, e.g., be of a different color or style.(14)

Use a soft brush so as not to irritate the gums and cause bleeding.

[People with extremely sensitive gums who bleed whenever they brush their teeth may not use a toothbrush at all.]

To avoid the prohibition of Sechitah, Squeezing, a dry toothbrush should be used. It is, however, permitted to rinse the mouth with cold water first and then use the toothbrush.(15)

The toothbrush should not be rinsed off after it is used unless it is going to be used again this Shabbos.(16)

**QUESTION:** Many people do not want to have any chametz in their home on Shabbos. Instead, they use egg matzah(17) for lechem mishneh at both the Friday night and Shabbos morning meals and recite ha-motzi over the egg matzah. Is this permitted?

**DISCUSSION:** Yes, it is.(18) In fact, this is the preferred method for homes with little children who may scatter chametz crumbs around the house. This is also recommended for hotels, for large gatherings where Shabbos meals are being served, or for anyone who feels more secure with having no chametz in the house on Shabbos.

Although usually the proper blessing over egg matzah is mezonos, when egg matzah is eaten during a full-course meal and substitutes for bread, ha-motzi is recited.(19) One should eat at least a k'zayis(20) (about 1 fl. oz.) of egg matzah for each meal in addition to the other foods served at the meal.

Even when egg matzah is eaten for lechem mishneh one should finish eating it no later than 10:15 a.m.(21) The other foods served at the meal may be eaten later.

**QUESTION:** When is seudah shelishis, the third Shabbos meal, eaten on this Shabbos?

**DISCUSSION:** Scheduling the third meal on this Shabbos is difficult, since the third meal is supposed to be eaten after midday. At that time, we may no longer eat chametz, matzah or egg matzah. Thus, there is no perfect system for the third meal on this Shabbos.(22) Instead, the poskim offer two alternatives, neither of which is ideal:

1. Divide the morning meal into two parts - i.e., wash, recite ha-motzi, eat a meal,(23) recite Birkas ha-Mazon, take a break (15-30 minutes),(24) wash again, recite ha-motzi, eat a meal and recite Birkas ha-Mazon. The chametz or egg matzah(25) which is used for lechem mishneh at the second meal, the seudah shelishis, must be consumed before 10:15 a.m.

2. Eat a meal consisting of "other foods," such as cooked matzah-meal(26) balls (knaidelech27), meat, fish(28), fruit(29) or a kosher-for-Passover cholent(30) any time after one-half-hour after chatzos (approx. 1:30 p.m.) until the beginning of the tenth hour of the day (approx. 4:30

p.m). After that time, one is required to minimize his intake of food so as not to ruin his appetite for the seder.

Since both of these options are halachically problematic, some people have the custom of following both procedures, i.e., they split the morning meal, and then eat a meal of "other foods" after 1:30 p.m.

Points to remember...

Although we do not eat matzah on this Shabbos, the matzos are not considered muktzeh, since it is permitted to feed small children matzah on Erev Pesach. It is permitted, therefore, to use a matzah for lechem mishneh on this Shabbos. Care should be taken that no chametz crumbs attach themselves to the matzah.(31)

On Shabbos, it is advisable not to cast chametz crumbs to the winds even within an eiruv, as some poskim hold that this may be a violation of the Shabbos Labor of Zoreh, Winnowing.(32)

The challos which are designated for lechem mishneh should be left in a safe place where children cannot reach them.(33)

A small child who will not participate in the seder may eat regular matzah this Shabbos.(34)

Before the women begin to prepare for the seder after Shabbos is over, they should recite Boruch hamavdil bein kodesh l'kodesh.(35)

FOTNOTES:

1 There are different customs concerning when exactly the chametz is sold this year, since many people eat chametz and use chametz dishes until Shabbos morning.

2 All times are for New York City.

3 This custom is only l'chatchilah. If the chametz was not burned by this time, it may be burned anytime prior to the onset of Shabbos.

4 See Beirur Halachah 468:1.

5 Even a "verbal preparation," such as stating that the Shabbos nap is for the purpose of being well-rested for the seder, should be avoided; see Mishnah Berurah 290:4.

6 For the sake of the children, who are a primary focus of the seder, the seder should begin as promptly as possible once Shabbos is over.

7 The horseradish should be ground and stored in an airtight container until the seder.

8 When feasible, even the seder table should be set on Friday.

9 Mishnah Berurah 321:30.

10 A soft-bristled broom should be used. A carpet sweeper should not be used on Shabbos.

11 Igros Moshe O.C. 1:112; Seridei Eish 2:28; Minchas Yitzchak 3:48;

Shevet ha-Levi 5:45; Tzitz Eliezer 7:30. [Although a minority opinion permits using toothpaste - see Ketzos ha-Shulchan (Badei ha-Shulchan 138:31), Yabia Omer 4:28 and Nefesh ha-Rav, pg. 168 - it is generally accepted not to do so.]

12 See Minchas Shelomo 2:35:3.

13 Based on Mishnah Berurah 327:10.

14 Minchas Yitzchak 3:50.

15 Igros Moshe O.C. 1:112; Shevet ha-Levi 5:45.

16 Igros Moshe O.C. 1:112.

17 Although egg matzos contain some eggs, they are mainly kneaded with either apple cider or grape juice.

18 Igros Moshe O.C. 1:155. There is, however, a minority view that objects to eating egg matzah on Erev Pesach; see Nezer ha-Kodesh 52 and Teshuvos v' Hanhagos 2:211-23 for an explanation of this view. [To satisfy this view, it is preferable to use egg matzah which is kneaded with grape juice.]

19 Mishnah Berurah 168:24; Igros Moshe O.C. 1:56; 3:32; 4:41. See explanation in Pirkei Moed on Pesach (Harav M. Gifter), pg. 17-19.

20 According to some poskim, it is preferable to eat a k'beitzah (about 2 fl. oz.) of egg matzah, since Al netilas yadayim is only recited over a k'beitzah or more; see Mishnah Berurah 158:10 and Igros Moshe O.C. 4:41.

21 Igros Moshe O.C. 1:155, based on Rama 444:1.

22 Indeed, some poskim hold that there is no mitzvah to eat seudah shelishis at all on this Shabbos, and that none of the following options should be employed; Aruch ha-Shulchan 444:6.

23 The more important Shabbos foods should be served during the first morning meal, as the second Shabbos meal is considered more significant than seudah shelishis.

24 If time allows, taking a short walk outside between the meals is recommended.

25 When using egg matzah at this meal, other foods must also be served; otherwise ha-motzi and Birkas ha-Mazon cannot be recited.

26 Although it is prohibited to eat matzah on Erev Pesach, cooked or boiled matzah-meal products are permitted according to all of the poskim.

Fried matzah-meal products, however, should be avoided (see Sha'ar ha-Tziyun 444:1). Baked matzah-meal products, such as cakes or cookies, are prohibited; Harav S.Z. Auerbach (Erev Pesach Shechal b'Shabbos, pg. 207); Shevet ha-Levi 8:117.

27 For those who eat gebrochts. Some people eat gebrochts on Erev Pesach even if they do not do so on Pesach; She'arim Metzuyanim b'Halachah 115:7.

28 Even if they were prepared with matzah-meal. A shehakol is recited over them.

29 When possible, eating matzah balls - whose blessing is mezonos - is preferable to eating meat or fish. Eating meat or fish is preferable to eating fruit; O.C. 291:5.

30 Mishnah Berurah 444:14.

31 Igros Chazon Ish 1:188, quoted by Shemiras Shabbos K'hilchasa 55:14.

32 Magen Avraham 446:2; Shulchan Aruch Harav 446:5-6; Maharsham(Derashah to Shabbos ha-Gadol, 76). Mishnah Berurah, however, is not concerned with this; see Beirur Halachah 319:17 (s.v. efazer).

33 Mishnah Berurah 444:3

34 Rama 471:2.

35 Mishnah Berurah 299:36.

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### JEWISH POPES by Rabbi Berel Wein

There have been persistent legends circulated in the Jewish world over the centuries about the fact that certain Jews who either posed as Christian converts or were actually converted, rose to become pope. There was an excellent book written about the subject a number of decades ago entitled "Three Jewish Popes." Alas, all of the legends have never been authenticated. There is one favorite legend about the son of a tenth century rabbi and scholar, a member of the school that eventually gave rise to Rashi and to the Tosafists of France and Germany, who was kidnapped, baptized and eventually became pope. His father somehow managed to contact him and even visit him (in a version of the legend he played chess with him) and this pope escaped from his Christian world and returned to the bosom of Judaism. This legend has had remarkable staying power in the Jewish world and is recounted in many books. Yet, there never has been any evidence that would substantiate its veracity. It may be that these legends arose as a form of Jewish "revenge" against an institution that persecuted the Jewish people horribly for millennia. Whatever the reason, Jews seemed to find some perverse pleasure in believing that one of them had actually become a pope. It is the feeling of triumph that a weak and persecuted minority has when it feels that somehow it has outwitted its stronger and more powerful adversary. So the legends about Jewish popes live on until our day.

The origin of the legend about a Jewish pope seems to have arisen in the story of Rabbi Shimon ben Elchanan HaGadol (the Great) of tenth century Mainz, Germany. Rabbi Shimon's son, Elchanan was captured and kidnapped as a child by Christians and baptized and raised as a Christian. Rabbi Shimon, distraught and heartbroken, never gave up hope of finding his son and restoring him to Judaism. Rabbi Shimon is the author of a piyut (prayer poem) that has found a permanent place in the recitation of the Ashkenazic liturgy for the shacharit/morning prayer service of Rosh Hashana. In this prayer there is an acrostic that begs God, "...my son, Elchanan, live into the eternal world." This is apparently a reference to the boy's kidnapping and forced conversion to Christianity. Legend has it that Rabbi Shimon somehow gained an audience with the pope to plead for the relaxation of Catholic decrees against the Jews and in that meeting both the pope and Rabbi Shimon realized that they were father and son. The chess game between the two was a later embellishment of the original legend. That Rabbi Shimon's son was kidnapped and baptized is a fact. What happened to him afterwards is open to legend and conjecture. Of course, the original pope, Peter, was Jewish. Jewish legend here also plays a role. There arose legends in the Jewish world regarding Peter that he returned to Judaism and deserted the cause of Christianity before his death. There is even a legend that when he returned to Judaism he somehow authored the anonymous but exalted piyut prayer, "nishmat kol

chai,” which is recited in the shacharit services of Shabat and the holidays. Though many scholars have refuted this idea, it is still held to be true in some Jewish circles until today. Among the cardinals of the Church today there is a converted Jew, Cardinal Lustiger, the archbishop of Paris. He was converted to Christianity when he was barely a teenager, after his family was deported to Auschwitz and he was entrusted to Christians to be saved from a similar fate. He has risen in the hierarchy of the Church. He has visited Israel and, as could be foreseen, received a very mixed reception here. Jewish apostates obtain very short shrift in the Jewish world, even if they become cardinals. Nevertheless there have been numerous articles about him in the Jewish press over the years and all have somehow raised the possibility that he someday could be pope. The debate on the matter always ends with the classical Jewish question about all world events – “Is it good for the Jews or not?” I am hopeful that the more positive turn in relations with the Jews that the last pope inaugurated will continue and that the ancient hatreds and tensions will diminish and perhaps even eventually disappear. We do not need Jewish popes. We need popes who will treat Jews fairly and with compassion.

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### **Weekly Parsha METZORA by Rabbi Berel Wein Apr 15 2005**

The parsha discusses a type of plague that settles itself in the walls of one’s home. If the plague spreads along the walls of the house in a certain halachically defined pattern, the house eventually may have to be destroyed. There is opinion in the Talmud that this plague in the walls of a house remains a purely hypothetical case, since the halachic requirements for the plague’s pattern of spreading in those walls are so technically exacting as to make this a case impossible of actual fulfillment. Nevertheless, the Talmud admonishes us to study this matter in order to be rewarded for so doing. Apparently the Torah wishes us to understand the consequences of plagues in the walls of one’s home. I have always connected the appearance of a plague in the walls of a house to the biblical verse that states that a stolen stone in a wall and an ill-gotten beam in the ceiling continually shout that they are stolen. Strictly speaking, Jewish law would require the demolition of the wall or the ceiling so that the stone or beam can be returned to its rightful owner. However, the rabbis lightened the burden of the thief by saying that monetary compensation would suffice, doing so in the hope that this would lead the thief to repent of his deed more easily. Yet, a house that has a plague in its walls, in the sense of stones that constantly proclaim that they are stolen, is doomed to destruction. Technically, the plague may not be able to bring the house down. But morally speaking, the house is doomed at some point of its existence.

The entire concept of tzoraat – the plagues discussed in last week’s parsha of Tazria and this week’s parsha – are related to the issues of speaking poorly and slanderously against others. A house filled with bad language, poor speech and slander of others is truly a wrecked and wretched home. There are plagues that descend on one’s clothing – one’s outside appearance, one’s public standing in the community, if you will – as well. Again, the person who is known as a slanderer and tale-monger is eventually reviled by his or her own community. The plague of personality that slander inflicts on its perpetrators becomes visible and obvious to all. But the worst of all forms of this plague of tzoraat is the one that infects the person, the slanderer, directly. For it corrodes one’s soul and renders one a cynic, a mocker, a person to stay away from.

Just as the plague of tzoraat was deemed to be a contagious one by most of the biblical commentators, so too is the weakness of slander a contagious condition. The Talmud teaches us that the slanderer is a triple murderer. He kills himself by speaking bad speech, he kills the person he is speaking to who will now accept the slander, and he kills the victim of his slander about whom he is speaking. These twin causes of tzoraat in one’s home – thievery and slanderous speech – must be combated at all levels of our lives and beings. Only by so doing can we aspire to have a plague-free home and general environment. Shabat shalom.

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### **Penim on the Torah by Rabbi A. Leib Scheinbaum**

#### **PARSHAS METZORA**

#### **This shall be the law of the metzora on the day of his purification. (14:2)**

Tzaraas is the result of a number of transgressions, one of which is lashon hora, slanderous speech. I recently read an article which focused on the many uses of words and how the most abominable act can be transformed by a word into something acceptable and even noble. This, I feel, falls under the aegis of lashon hora, evil speech. To consider an act of terrorism to be the work of extremists, insurgents, or activists is evil. The way we define the activities of those with whom we disagree does not damage them alone; It is, by definition, a misuse of our G-d-given tongue, which damages us in the process.

The Nazis were well-practiced in their ability to paint the most heinous act in terms that were noble and respectable. They referred to the wholesale murder of the Jewish People as “extermination”. People are not exterminated; insects are exterminated. They compared us to parasites, thereby reducing the value of our lives to that of bugs and parasites. The writer tells a story of an inhumane Nazi guard who had a dog which he called “mentch.” One night a seven year old Jewish boy attempted to escape the camp. The guard told his dog to go after the boy with the command, “Mentch, go after the dog!” This is how the Holocaust was able to take place. Jews were dogs, and dogs became human beings. Today, the world is plagued with “ethnic cleansing,” a contemporary term for murder. The Nazis had concentration camps. I think the word camp is absurd. The list goes on. They dehumanized us and presented us to a crude and cruel world as subhuman beings who should be exterminated in their camps. All fancy words for murder.

Today’s terrorists are “militants” and “freedom fighters”. The Jew who is not as observant as we are is often denigrated in terms which I find too callous to use in this paper. The term chareidim is no longer a mark of distinction, but a degrading term used to describe religious zealots who are out of control and unworthy of respect. This is lashon hora, evil speech. Words hurt, especially if they are used by people in order to degrade and sabotage the actions of others with whom they disagree. The name we call a person, or the word we use to describe an activity, destroy the hard work of many. An organization can suddenly lose credibility, an individual’s self-sacrifice can be denigrated - all with a bad word. This does not mean that we are to search for positive terms to describe activities or people that are spiritually vacuous and destructive. We just have to think hard and speak softly, realizing the impact of our words, or a word quoted out of context.

#### **When you arrive in the land of Canaan that I gave you as a possession, and I will place a tzaraas affliction upon a house in the land of your possession. (14:3)**

Among the seven negative actions and character traits cited by Chazal in the Talmud Arachin 16a as the cause for tzaraas? is tzarus ayin, stinginess, selfishness and its accompanying traits of envy and meanness. The Chida, zl, derives this from the above pasuk in response to his questioning of the lengthy text. Why does the Torah emphasize that the house in which the plague is discovered is in “a house in the land of your affliction”? Why does it not simply say, “In your house”? He explains that a person who has merited to receive from Hashem a beautiful and spacious home must realize that he has this home, compliments of the Almighty, for a specific reason: to provide for others who need a place to rest and to feed the needy. Hashem gave him his home, so that others can also benefit from his good fortune. He should never forget that “I gave you [the land] as a possession.” What we have is from the Almighty - for a reason and a purpose.

One who has tzarus ayin, who cannot tolerate sharing his blessing with those who are not as fortunate as he, who ignores the reality that his home is G-d’s gift to him, will lose that gift. He will suddenly notice a plague

on the walls of his home. After the contamination period has ended, he is obligated to bring an offering consisting of two birds. There is a profound lesson to be derived from these birds. Wealth does not last forever. One day it is here, but on the next day it may very well be in the possession of another person, just like birds who spread their wings and fly away. They can be here today, they can be anywhere by tomorrow.

In the Talmud Eruvin 54a, Chazal likens this world to a bei hillula, a wedding hall. The Ahavas Yisrael, Viznitzer Rebbe, zl, notes that Chazal have used the analogy of a wedding hall as opposed to a wedding. He explains that one who enters a wedding hall on any given night will be met with music, joy and festivity. Everyone is bedecked in his or her finery; the foods are fancy and sumptuous; the decor is elegant. Certainly, one will not find any sadness in a wedding hall. It is a place designated for joy. There is one factor to take into consideration: every night it is someone else's affair. True, there is joy and festivity, but it is always a new couple that catalyzes the joy.

Life on this world is quite similar. One day, Reuven is doing well; the sun is shining on him. His material concerns seem to be non-existent. Everything is just great - today. Tomorrow might bring another page in the story. The wealth that was Reuven's one day, might become Shimon's the next day. Just like a wedding hall. There are always sounds of joy, but it is never that of the same person. We have a choice: We can either enjoy it while it lasts, or have the foresight to invest it in the lives and needs of others, so that the capital gains will endure long after the principal is gone.

**And I will place a tzaraas affliction upon a house in the land of your possession... He shall demolish the house - its stones, its timber, and all the mortar of the house. (14:34,45)**

The Torah describes what is clearly a supernatural occurrence - the appearance of a tzaraas affliction upon the walls of one's house. These afflictions occurred in stages, basically as subtle messages from the Almighty notifying the individual that his social behavior left much to be desired. First, the guilty party's house was stricken, then his clothing, and finally his skin. Chazal tell us that tzaraas is the result of gossip and slander which harm the purity of the soul. The afflictions are a sign that the soul cannot handle the false actions of this person. There was, however, a silver lining in the initial stage. The afflicted house was to be dismantled piece by piece and taken away. What the Jewish owners did not know was that the pagan owners who preceded them had hidden treasures in their homes, which were discovered as a result of the dismantling. Suddenly, the Jewish homeowner, who was probably wringing his hands from worry as his house was being taken apart stone by stone, was now a man of great wealth.

What is the lesson of this ordeal? What message is Hashem conveying to us? Surely, this does not mean that by speaking lashon hora we might be able to access hidden treasures.

Chazal offer one explanation that serves as a practical lesson in education: those who slander, who disparage others, fail to see the inherent good in every human being. They prefer to view people through their jaundiced eyes, seeking the negative, and overlooking the positive. Thus, they end up habitually discrediting people.

The dismantled house teaches them a lesson. The visible structure displays some terrifying blotches across its walls, taints that make the house appear uninhabitable. What we do not know is that beneath those blotches, hidden away in inner recesses of the house, concealed from the human eye, is a treasure that we often ignore. Every human being has that inner gold, that internal kedushah, holiness, that is derived from Hashem. How can we disparage others when we do not even know them?

This does not mean that if we are certain that an individual is evil, we have license to make his life miserable. I am just attempting to emphasize the importance of seeking out and viewing the positive within each Jew. This brings me to the real purpose of this thought. In every Jewish community, there are people, especially teenagers, whom we all have viewed in the most negative light. If a boy does not dress in the

appropriate yeshivish'e begadim, attire, he is disdained and viewed with a malignant eye. If a boy or girl just does not follow the prescribed way of life deemed appropriate for a Torah-oriented lifestyle, he or she is immediately condemned, their parents disparaged by some and pitied by others. This approach does not solve the teenager's problems with self-esteem.

We must look at every person through the prism of the Torah. Every Jew is salvageable; every neshamah can be brought back. It takes patience and support - not pity and disdain. The one whose home was to be dismantled must have thought that everything was coming to a bitter end, until he saw the hidden treasure. We can bring those kids back from their abyss of torment and misery. Just because they cannot cope with the highly pressurized environment to which some of us subject our children, they are not necessarily "losers" or whatever terminology we might use to describe these tormented souls. All these souls want is someone who cares about them.

There is an anecdote that emphasizes this idea. A father comes home after a long hard, day at work to be greeted by his wife, who is complaining, "Moishe is acting up again. He is impossible. He is starting up with everybody, and he refuses to listen to me!"

The father, a no-nonsense disciplinarian, immediately sends Moishe to bed with a stern admonishment. A few minutes of quiet go by in which the father feels that he has the situation under control. Then, as if from nowhere, a quiet voice is heard. "Tatty, I am thirsty. Can I come down for a glass of water?" Moishe asks in a sweet tone. "No! I know your shtick. You are to go to bed, and no more whining", his father replies.

A few minutes go by and once again Moishe tries his luck, "Tatty, I am so very thirsty. Please let me come down for some water."

The father is no fool. He knows exactly what his son is attempting. "No! And that is final. I do not want to hear another word from you. If you do not quiet down, I will come upstairs and give you a potch!"

A minute goes by, and Moishe once again tries his luck. "Tatty, when you come upstairs to give me a potch, will you please bring me a glass of water?"

This is not chutzpah. It is an indication that Moishe knows that his father's disciplinary measures will be administered with love and care. Likewise, we know that while Hashem is punishing us for the improper use of our mouths, He finds a way to give us a treasure. We know He cares, and we know that His punishments are not punitive, but therapeutic.

This is what children need and want: a sense that they are loved, that someone cares for them, that their accomplishments, however small, are significant. This is certainly true of the secular world, but does it apply to our world, the Orthodox, the Yeshivish, the Chassidish world? I think my response is superfluous. Just go into shul, and you will discover that small percentage that we either ignore or disdain, students who could not cope with the pressures of a highly-pressurized society. Let me ask you, do you think these boys feel that someone views them positively, or have they been convinced by their parents and mentors that they have no future?

This is, regrettably, a common feeling. We have a responsibility to our other students, and these "other" boys are pulling down the class and impugning the integrity of the school's reputation. Veritably, at one time, I was in agreement with this tragic philosophy, until I read a story that occurred with the sainted Bobover Rebbe, Horav Shlomo Halberstam, zl. There was a student in the yeshivah that had succeeded in turning off every rebbe. He had serious discipline issues, and, in addition, his peers did not care for him either. In short, he had reached the end of the rope. His principal approached the Bobover Rebbe seeking advice. In reality, he was asking permission to do what the previous principals in other yeshivos had done: expel him from school. The Rebbe heard the request and with sensitivity and compassion, he looked at the principal and asked, in Yiddish, Vus? Arois varfen a Yiddish'e neshamah? Chas v'shalom! "What? Throw out a Jewish soul? Heaven forbid!"

The Rebbe viewed this student from a totally different perspective. We might take into consideration that this remark came from the mouth of a man who, after World War II, went from village to village searching for the young children whose parents had left them in the care of gentiles as they themselves were being taken away to the Nazi infernos. There is no question that the Rebbe agreed that the boy needed to be disciplined, but to be thrown away, rejected like a broken object, Heaven forbid!

Perhaps I have gotten carried away with my musings, but if it will make the difference in saving one Yiddishe neshamah, if it will mean that we might view those students more favorably, if it will mean that we will offer a glass of water with the potch: it would be well worth it.

#### **This is the law for every tzaraas affliction. (14:54)**

It is the nature of people to search high and low for blessings and segulos, good omens, and remedies for success in life, health and welfare for themselves and their families. They do not realize, says the Chafetz Chaim, zl, that the greatest opportunity for blessing is within our grasp - if we so choose to take it in our hands. There is a unique and special blessing that Hashem Himself gave in the presence of the Kohanim, Leviim, and all Yisrael, a blessing that is certainly greater than anything that can be obtained from a mortal, regardless of his spiritual stature.

The Torah states in Devarim 27:12, "Accursed is one who strikes his fellow stealthily. And the entire people say, Amen." Rashi interprets this curse to apply to lashon hora, slanderous speech. These eleven curses were preceded by the word Baruch, implying a blessing for he who would be vigilant in observing the commands. In other words, the Torah ensures blessing for the one who is careful with his mouth, who does not speak lashon hora. Do we need a greater source of blessing? To paraphrase the Chafetz Chaim, "It is a wonder how a person can search for blessings and segulos for success in earning a livelihood. How can a blessing help a person if he speaks lashon hora? The Torah curses such an individual. No blessing can supercede the Torah's curse! If someone were wise, he would take My advice and be extremely vigilant in refraining from speaking any form of lashon hora. This will be his greatest source of blessing."

#### **Va'ani Tefillah**

##### **U'mah yafah yerushaseinu - and how beautiful is our heritage.**

A number of times, during our daily tefillah, we invoke the z'chus, merit, of our avos, ancestors. We wonder what this merit can accomplish for us; After all, Avraham Avinu was not able to save his son, Yishmael. In his commentary to Parashas Va'eira, the Bais Halevi gives the following explanation. The nature of a father extends to his son and, thus, for the most part, the actions of a son are rooted in the nature of his father. Hence, the positive deeds and actions that we perform are an inheritance bequeathed to us by our ancestors. We, therefore, come before the Almighty and entreat Him to remember our z'chus avos, a reference to the good deeds that we perform as a result of our yerushah, inheritance from our avos. Certainly one who is devoid of positive activities cannot ask that his z'chus avos protect him, since he is not actively accepting the "z'chus" that he received from his avos.

This is the underlying meaning of the phrase, "and how beautiful is our heritage." We say that the chelek ha'tov, positive component, of our actions is our heritage which we inherited from our ancestors. It is not us; it is them, and, therefore, we ask that Hashem listen to our supplications.

In memory of our beloved parents Rabbi Dr. Avrohom Yitzchok Wolf Rebbetzin Anna Moses Sruly and Chaya Wolf and Family Ari and Rivky Wolf and Family Abba and Sarah Spero and Family Pesach and Esther Ostroy and Family Sruly and Chaya Wolf and Family

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#### **Ohr Torah Stone - Rabbi Riskin's Shabbat Shalom**

##### **Shabbat Parshat Metzorah 7 Nisan 5765, 16 April 2005**

Efrat, Israel - "And He shall restore the heart of the fathers to the children and the heart of the children to their fathers." (Malachi 3:24) This coming Sabbath - at least as far as the Rabbinical homili (drashah) before the

festival of Passover is concerned - is known as Shabbat Hagadol, or the Great Sabbath. In a usual calendar year, when there are at least several days between the Sabbath and Passover, we read on Shabbat Hagadol the prophetic portion from Malachi, who speaks of the "great and awesome day" which will precede the redemption. It is actually Elijah the prophet who will herald this day, and Elijah's major task will be "to restore the hearts of the parents to their children and the hearts of the children to their parents."

Apparently our prophet understood that the major issue facing each and everyone of us is discord within the family, and if the period of redemption will be one of harmony and love such rapprochement must begin with parent-child relationship. However, there is one strange note within this verse, the fifth commandment ordains that children honor their parents; Malachi begins his familial charge to the parents who must first turn their hearts to the children. What does this mean? Many years ago I suggested that imbedded in the prophetic verse was the prophets vision of our very unique generation, when the ba'al teshuvah (penitent) movement will be so successful that many parents will be learning from their children around the seder table. Although it is undoubtedly true, as Maimonides teaches us, that there will be no redemption without penitential return (teshuva), life experiences have taught me that there is still another interpretation to Malachi's words. Of all of the challenges that each of us adults have in life, none is greater than that of being a parent and grand-parent. Tragically, although in order to drive a car or provide a professional service one requires a license which is only issued after successfully passing difficult examinations, one becomes a parent without having taken a single course and without having to prove one's parental abilities. The seder, which is an expression of the commandment, "And you shall tell (the Jewish tradition - Haggadah) to your children" expresses the challenge of parenting at its very opening. Each of the participants around the table takes karpas, which is usually translated as a green vegetable portending the spring season. However, Rabbi Shlomo Kluger suggests in his interpretation of the Haggadah that the word karpas is derived from the special striped and colored garment which father Jacob gave to his favorite son Joseph, called in Hebrew passim and which Rashi links to the special karpas embroidery decorating King Achashverosh's palace (Genesis 37:3 and Rashi ad loc). We generally dip our vegetable in salt water; however there is an alternative custom to dip the karpas in charoset a mixture of nuts and wine which the Jerusalem Talmud suggests is reminiscent of blood. When we remember that the brothers of Joseph dipped his karpas cloak into the blood of the slaughtered ram (Genesis 37:31), it is clear that we are opening the seder remembering the relationship between father Jacob and Joseph, about which the Rabbis of the Talmud criticized the parent who favors one child among the others and thereby causes familial jealousy (B.T. Shabbat 10b). From this perspective, the seder is at one and the same time instructing the parent of his major task to impart Jewish traditions to his children, but warning the parent of the challenges and even difficulties which goes along with parenthood. How can we avoid the pitfall? First of all, it is crucial to be loving and accepting of all of our children, even of those who may have strayed far from the path. That is why there are four children type-casted around the seder table one of them being the wicked child. He too must be given a place which enables him to feel the familial embrace. Even more noteworthy is how the Haggadah defines the wicked child: he is neither a Sabbath desecrator nor a partaker of non-kosher food but is rather one who excludes himself from the community of Israel. For Judaism it is critical that the Jew feels him/herself to be a member of the Jewish family entire. It is incumbent upon every Jewish parent to inclusively accept all the children. The wicked child may even ask provocative and sometimes insolent questions to the parents, and is then told by the author of the Haggadah:

"hakhkeh his teeth" a difficult verb usually translated as "blunt his teeth" or give him a slap across the mouth. Nothing could be further from the true interpretation. The Hebrew verb hakhkeh means to remove the

sharpness of an iron implement by the warmth of fire (Kohelet 10:10). The wise parent will take away the sting from the words of a wicked child through familial love and warmth.

Finally, I would suggest that parents must never stereotype their children. Indeed, each of the stereotypes in the Haggadah can be looked at in an opposite way. The wise child may turn out to be a know-it-all, who is supercilious and arrogant. Indeed, the famed Seer of Lublin would always say, "I prefer the wicked person who knows he is wicked to the righteous who thinks he is righteous." At least the wicked person is honest and he has a real chance of repenting. The one who is called foolish may in reality be naïve and wholehearted and the child does "not know how to ask" may be operating in a realm far beyond logic and much closer to the Divine. At any rate, each of us has a little bit of each of the four children within our own personality; hardly anyone is consistent - either in being good or being wicked - all the time. The message of the Haggadah: be loving and not judgmental, wise and not punitive. Shabbat Shalom.

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**Yeshivat Hamivtar - Orot Lev - Parshat Hashavua  
Parshat Metzora, Rabbi Chaim Brovender**

**If you have comments or questions please feel free to e-mail Rabbi Brovender at: [rcb@netvision.net.il](mailto:rcb@netvision.net.il)**

**Let us learn a posuk with Rashi**

**Hashem spoke to Moshe and Aharon: "When you arrive in Canaan that is yours to possess, I will inflict zaraas upon a house in the (newly) possessed land..." (14: 34).**

Rashi is concerned that the verse contains a promise: Hashem will inflict the house(s) with zaraas, a necessary result of coming into the land. This is contrary to the usage in all the other afflictions. For example, "If a person will have on the skin of his flesh..." (13: 2). Here there is no promise, but a punishment for the sin of idle talk and lashon hara. Our verse seems to guarantee with no reference to transgression that a house will be afflicted.

Rashi resorts to the medrash in order to solve this puzzle: "The Amorites hid treasures in the walls of their houses during the forty years that the people were in the desert. The affliction (in the house) caused the Jew to break down the house and to find the treasures." Rashi's position is clear. There is a problem in the text and it is dealt with by the words of chazal in the medrash. The question has an answer in a reliable source and that is Rashi's method. However, the story in the Torah becomes somewhat complicated. Why is this affliction different than the other? Why is the medrash so positive about zaraas even connecting it to hidden treasure?

Perhaps the Gemara in Sanhedrin 71a can help. The Gemara says that (braita) "there never was an afflicted house." This seems to be an objective statement about the past: there never was a house such as that described in the Torah. The braita adds: "and there never will be." We don't know how the braita comes to this conclusion, but it is clear to the author of the statement. Why then is it included in the Torah? The answer in the braita: "study the material (Hebrew: derosh) and then you will receive your reward."

Perhaps this means that there is value in learning the Torah connected to the "afflicted house" for which Hashem guarantees reward even though it does not relate to the reality of life in Canaan; perhaps that, in the peculiar idiom of the medrash, is the treasure hidden in the walls of the "afflicted house."

Another meaning is possible. Derash is a method that involves searching for meaning in order to explain a verse often in a profound sense. Rashi teaches us that our verse is not, as we might expect, about punishment. Quite the opposite, even though the people had spent the last for forty years in the desert, they did not lose any advantage. Had the nation entered the land immediately (as originally planned) they would have benefited from the fear of the nations. However, when they didn't invade the nations took the opportunity to hide their riches in an attempt to deny them to the people of Yisrael.

Heaven determined that what the Amorites hid would be uncovered. Just as the Jews left Egypt with great wealth because the Egyptians feared them; so too, they would enter Canaan and take its spoils despite all their setbacks.

Those who studied the verse about "the afflicted house" with Moshe understood its special meaning. Without study they would have turned away from houses bearing the zaraas afflictions; with study, they could find hidden treasures. This is the meaning of the statement derosh and you will be rewarded. If you study the verse properly (derosh) then you will be properly rewarded. Shabbat Shalom, Chaim Brovender

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**Bar-Ilan University 's Parashat Hashavua Study Center  
Parshat Metzora 5765/ April 16, 2005**

**Leprosy and the Land of Israel**

**Rabbi Shimon Golan**

**The Ludwig and Erica Jesselson Institute for Advanced Torah Studies Midrasha for Women**

Tzara'at, usually rendered as "leprosy," is an inclusive name for a variety of different and strange afflictions, including eruptive plagues upon houses, as appears in this week's reading (Ex. 14:34): "When you enter the land of Canaan that I give you as a possession, and I inflict an eruptive plague upon a house in the land you possess."

Based on the opening of the verse, Ibn Ezra asserted, "This law is practiced solely in the land of Israel, for the sake of the greatly elevated status of the land – for the Sanctuary is amidst them, and the Glory of the Lord is within the Sanctuary." Even though this chapter about plagues upon houses was not included in the obligations and commandments pertaining to the soil (mitzvot ha-teluyot ba-aretz), the laws regarding this affliction are only practiced in the land of Israel, the reason being the great sanctity of the land. Below we shall elucidate the connection between tzara'at and the elevated status of the land of Israel.

**The Walls Came Tumbling Down**

Rashi suggests one way of understanding the connection between plagues on houses and the land:

The plagues on houses bring them [the Israelites] good tidings; for the Amorites buried gold treasure in the walls of their houses throughout the forty years that the Israelites were in the wilderness, and the plague causes them to break apart the house and find it.

In other words the Holy One, blessed be He, directs matters in such a way that the Israelites entering the land will have the good fortune of discovering gold treasure and becoming rich. This explanation is reasonable for plagues on houses during the first few years after their entry into the land. But presumably the land would continue to be built up and new houses would be built by the Israelites; how are plagues on them to be explained? The Zohar also emphasizes that the laws relating to diseased houses pertain to the first period after entering the land, but gives a different reason for breaking apart the houses. Whereas Rashi emphasizes the material advantage in taking apart the walls, the Zohar focuses on the spiritual:

When the Israelites arrived in the land, the Holy One, blessed be He, sought to purify and sanctify the land for them, to make room for the Presence of the Lord, so that the Presence not dwell in an unclean place. Therefore, when the plague came upon a house they would destroy the buildings of wood and stone that were erected in a state of impurity. Consider, if the act of breaking apart the affected stones were solely for the purpose of finding treasure, they should have returned the same stones to their places afterwards... But Scriptures orders the stones "to be pulled out," and says, "and take other coating," in order to remove the spirit of uncleanness, so that the land be cleared and sanctified as it had previously been, and the Israelites will be in a state of sanctification, in sacred dwellings, so that the Presence dwell among them. In order to make this idea of sanctifying the land and its dwellings relevant, the Zohar concludes: "Therefore, whoever erects a home must recall with his

mouth that he is building it for the sake of the Holy One, blessed be He, and then heavenly Providence will dwell in his home.”

#### Purity of the Land

I would like to suggest yet another explanation for the connection between plagues upon houses and the land of Israel, one based on an idea advanced by Maimonides when he explains what biblical leprosy is ( *Hilkhot Tum'at Tzara'at* 16.10):

Tzara'at is a noun used collectively for many different things which do not resemble one another; whiteness in human skin is called tzara'at, and loss of patches of hair from the head or beard is called tzara'at, and a change in look of one's clothing or houses is called tzara'at. The change that is discussed in clothing or houses, which the Torah calls by the same word tzara'at, is not something which occurs in the normal way of the world, rather it is a wondrous sign that occurred in Israel to warn them against lashon ha-ra (slanderous gossip), for the walls in the home of someone who spoke lashon ha-ra would become affected, but if he mended his ways the house would become pure. If he continued in his wickedness until the house was broken apart, then the leather goods in his home, on which he sat and lay, would become affected. If he mended his ways they would become pure, but if he persisted in his wickedness until they be burned, then the garments he wore would become affected. If he mended his ways, they would become pure. But if he persisted in his wickedness his skin would change and become leprous, and he would be separated from society and publicly left alone until he no longer participated in the conversation of the wicked, which is jesting and gossiping, and it is this which the Torah cautions us against, saying: “In cases of skin affection be most careful ... Remember what the Lord your G-d did to Miriam on the journey after you left Egypt.” The Torah says, take note of what happened to Miriam the prophetess, who spoke out against her brother, although she was older than him and had raised him, endangering her life to save him from the sea; nor she did not even speak ill of him, rather she erred in comparing him to the rest of the prophets; and he did not even take note of all these things, for it is said that Moses was extremely modest; nevertheless, she was immediately stricken with leprosy. All the more so for wicked and foolish human beings, who speak “great and wondrous things” [said in sarcasm].

According to Maimonides, tzara'at (first and foremost, plagues upon houses) is a heavenly sign warning us against the sin of lashon ha-ra and calling on us to mend our ways.

We should add to Maimonides' remarks what Nahmanides said (in his commentary on Leviticus 18:25) regarding the special connection of the Holy One, blessed be He, with the land of Israel:

The venerable Lord created everything, ... and gave each and every people, according to their nationality and land, a known star and fortune, ... as it says, “These the Lord your G-d allotted to other peoples everywhere under heaven” (Deut. 4:19), for He gave all of them Zodiac signs in the heavens, and above them He gave the heavenly angels to be rulers over them... Lo, the venerable Lord is the supreme G-d and Lord of Lords of the entire universe; but the land of Israel ... is G-d's inheritance, reserved for His Name; He placed no angels over it to be officers policing it and ruling it, when He gave it to His people, who proclaim the oneness of His name and are the seed of those He loved.”

“But outside of the land, even though everything be for the venerable Name, the purity there is not complete, on account of the servants [angels] that rule over it, and the peoples who go astray after their minister angels, worshipping them as well.”

Learning from all the sources cited, we can suggest the following idea: tzara'at, as we said, is a sign from G-d. The initial sign, and apparently the least destructive, is a plague upon houses. In order to receive a weak signal one needs extremely good receptive conditions, which exist only in the land of Israel, not outside it; for outside of Israel, as Nahmanides put it, the purity is not complete. This imagery, of course, is a metaphorical presentation of the idea that the affliction of tzara'at should be viewed in its spiritual sense in which the land of Israel has a special status, and not

in its medical sense, in which case there would be no difference between different countries.

#### The Case of Naaman

Based on this distinction, I wish to propose a new way of looking at the story of Naaman, commander of the army of Aram (II Kings 5:1-15), who was “important to his lord and high in his favor... But the man, though a great warrior, was a leper.” According to the biblical story, a Hebrew maiden, who had been taken captive and was working as a servant in Naaman's household, suggested that Naaman come “before the prophet in Samaria; he would cure him of his leprosy.” Elisha suggested to Naaman, “Go and bathe seven times in the Jordan, and your flesh shall be restored and you shall be clean,” however Naaman found it hard to accept this advice: “But Naaman was angered and walked away.” In the end, after being persuaded by his servants, “he went down and immersed himself in the Jordan seven times, as the man of G-d had bidden; and his flesh became like a little boy's, and he was clean.”

I would interpret this as indicating that Naaman expected a medical solution, and from that point of view there was no need to immerse himself in the Jordan, of all rivers, for “are not the Amanah and the Pharpar, the rivers of Damascus, better than all the waters of Israel?” (5:12). The message to Naaman, however, was that he had to cope with his affliction on the spiritual level, and in this respect the rivers of Israel, especially the Jordan, play an important role. The baraita in Tractate Bava Metzia (21b-22a), which asserts, “The Jordan river that took from one and gave to another, what it took it took and what it gave it gave,” is interpreted by Nahmanides in his novella ( *Hiddushei ha-Ramban*) in light of the Jerusalem Talmud as follows:

Sometimes the Jordan is drawn in the direction of the land of Israel, so that it ends up taking from the land of Israel and giving abroad, and sometimes it is drawn towards the land of the other nations, so that it ends up taking from the land of the other nations and giving to the land of Israel; what it took it took, and what it gave it gave, as it is written, “The boundary of the Reubenites was the edge of the Jordan” (Josh.13:23). The boundary depends on the Jordan river.

#### A Spiritual Sickness

Assuming that treatment of Naaman's leprosy was done on the spiritual level brings us to suppose that the reason for his leprosy should also be sought on the spiritual level. In this regard I found two different legends bearing on the subject. Numbers Rabbah (7.5) says:

Tzara'at comes from eleven things: cursing the Lord, illicit sexual relations, bloodshed, attributing to one's fellow traits that he does not have, being arrogant, entering an area that is not one's own, lying, stealing, swearing falsely, profaning the name of G-d, and idolatry. On being arrogant – that is Naaman, for it says, “Naaman, commander of the army of the king of Aram, was important.” What is meant by being important? That he was arrogant because he was a great warrior, and that is how he became leprous.

Midrash Tanhuma ( *Tazria* 11) has a different explanation:

What brings affliction upon one? ... Provoking the Israelites, as it is said: “The Lord will smite them with this plague,” for rising against Israel. Do not be naïve, for in this world the Holy One, blessed be He, has exacted a price from Israel's adversaries, smiting them with leprosy. Who was he? Naaman, as it is said: “Naaman, commander of the army of the king of Aram, was important to his lord and high in his favor,... But the man, though a great warrior, was a leper.” Why was he smitten with leprosy? Because he took a young maiden captive from the land of Israel.

It seems one could combine both interpretations (illustrating that both are the words of the ever-living G-d). The arrogance mentioned in Midrash Rabbah finds expression in the desire to subjugate Israel, while in actual practice this was implemented by taking captive a young maiden from the land of Israel. Correction of the wrong can be made by; therefore Naaman must present himself before the prophet Elisha (following the recommendation by the maiden who was taken captive) and must immerse in the Jordan river, and not in one of the rivers of Damascus, as

a correction of his ways: he must recognize the special traits of the people of Israel and the land of Israel, represented by the river Jordan.

The midrash of the Sages (Gittin 57b) provides a fitting conclusion to our thoughts: “Naaman became a resident alien (ger toshav).” In the end he accepted the seven commandments of the sons of Noah and chose to live in the land of Israel.

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## Devar Torah - Metzora

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Howard Jackson

### The Seder

“And the Kohen shall order that for the person undergoing purification (from Tzara’at) there be taken two live birds, a piece of cedar, some crimson wool and some hyssop.” (VaYikra 14:4).

Let’s compare the order in the above verse with the following verse describing the person undergoing purification from coming in contact with a dead body: “And the Kohen shall take a piece of cedar, some hyssop and some crimson wool ...” (BeMidbar 19:6).

Rabbi Chaim Kanievsky explains that the verse in BeMidbar is written in order of decreasing size: the cedar is the largest, next the hyssop and then the crimson wool (whose dye comes from a worm). So, what about our verse in VaYikra?

Rambam famously writes (De’ot 2:2) that the remedy for any bad character trait is to initially conduct oneself in accordance with the opposite extreme and eventually one will return to the middle path. For instance, if a person has a strong tendency to get angry, he should endeavour to behave in an extremely calm manner. After a period of time, he will moderate back to the middle path, knowing when it is appropriate to display anger or extreme calmness.

The Gemara (Arachin 16a) teaches that one of the causes of Tzara’at (a spiritual disease with physical symptoms) was Gasut HaRuach (arrogance). The cedar, a very tall tree and the largest item in the list of ingredients, symbolizes the arrogant person. He needs to move immediately to the opposite extreme, represented by the smallest item in the list, the crimson wool (whose dye comes from a worm). Only then, will the person return to the middle path. Therefore, the order for the person undergoing purification from Tzara’at is a piece of cedar, some crimson wool and some hyssop.

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*YatedUsa* Parshas Metzora April 8, 2005

## Halacha Talk - How Do We Sell Our Chometz?

by Rabbi Yirmiyohu Kaganoff

As we all know, the Torah’s double prohibition, bal yira’eh and bal yimatzei, forbids every Jew from owning chometz on Pesach. Furthermore, the Torah commands us with a mitzvas aseh, a positive mitzvah, to destroy any chometz left in our possession after midday on Erev Pesach.

According to most poskim, these prohibitions apply both to chometz gamur (pure chometz) and to ta’aroves chometz (chometz mixed into another product). Furthermore, the Torah prohibits benefiting from chometz from midday on Erev Pesach regardless of whether a Jew or a gentile owns it. Chazal prohibited benefiting from chometz an hour earlier. In addition, Chazal instituted a penalty that any chometz owned by a Jew during Pesach may never be used. They also required us to search our homes and property the night before Pesach for chometz that we may have forgotten. Because Erev Pesach is on Shabbos this year, we will perform the bedikah the night before.

Although a Jew may not own chometz on Pesach, there is nothing wrong with selling his chometz to a gentile before it becomes prohibited. The Mishnah (21a) states explicitly that one may sell chometz to a gentile before Pesach, although this meant that the gentile took the chometz home

with him (see Terumas HaDeshen #120). Today, however, we sell chometz to a gentile and leave it in our homes, knowing that the gentile intends to return it to us after Yom Tov. Is such a sale problematic?

### REASONS TO ARRANGE MECHIRAS CHOMETZ

Before addressing this question, we should note that there are several valid reasons to arrange a mechiras chometz even if one has no significant chometz:

1. One is required to rid one’s house and property of chometz. However, some items, such as toasters, mixers, wooden kneading bowls, and flour bins are difficult, if not impossible, to clean. Shulchan Aruch and the Rama (442:11) recommend giving wooden kneading bowls and flour bins and the chometz they contain as a gift to a non-Jew before Pesach, with the understanding that the gentile will return them after the holiday.

However, if one cannot find such a gentile, one needs the different solution of including this chometz and these appliances in the sale of chometz.

One should not sell utensils that require tevilas keilim, such as metal or glass appliances, but rather rent them out. Otherwise one will have to toivel them again according to many poskim (Pischei Teshuvah, Yoreh Deah 120:13). Alternatively, one can simply sell the chometz that is attached or inside them but not the appliances themselves.

2. Someone who owns stocks directly or through mutual funds and/or retirement programs has another reason to sell his chometz. Although some poskim contend that one may own stocks in a chometz business over Pesach, most poskim prohibit owning shares on Pesach of such a company. They contend that owning part of such a corporation is considered as if I own chometz myself (Shu”t Minchas Yitzchok 3:1). In their opinion, even someone whose house is completely chometzfree must arrange a mechiras chometz in order to sell his shares.

3. The Mishnah Berurah mentions an additional reason to arrange mechiras chometz; in order to avoid performing bedikas chometz in areas that are very difficult to check (433:23) or where one plans to store non-Pesach items (436:32). Many poskim contend that when using the sale to preempt the bedikah, it must take affect prior to the time of bedikas chometz (Mishnah Berurah 436:32). This way, when the mitzvah of bedikah begins, these areas and their chometz are already under the gentile’s jurisdiction.

4. Modern manufacturing creates an additional reason to arrange mechiras chometz, since it is difficult to ascertain whether medicines, vitamins and cosmetic items such as colognes and mouthwashes contain chometz. This is why many people perform a standard mechiras chometz even if they destroy all their known chometz and search all the areas they own for chometz.

### SOURCES FOR MECHIRAS CHOMETZ

The Mishnah (Pesachim 21a) and Gemara (Pesachim 13a) discuss selling chometz before Pesach in cases where one does not expect to receive the chometz back. In these instances, the sale is fairly easy to arrange: the gentile pays for the chometz (or receives it as a gift) and takes it home with him. However, when the Jew expects to receive the chometz back after Pesach, how does one guarantee that the chometz indeed becomes the property of the non-Jew? Does the Jew’s expectation to receive the chometz back undermine the sale? Also, does the gentile really intend to buy the chometz, or does he think that this is a make-believe procedure that lacks real validity? This would, of course, undermine the purpose of the sale. The Tosefta (Pesachim 2:6) provides us with background to these questions:

A Jew traveling by ship has chometz that he needs to dispose of before Pesach. However, the Jew wants the chometz back after Pesach because there is little other kosher food available. (Apparently, there was no mehadrin hechsher on his ship.) The

Jew may sell the chometz to the gentile before Pesach, and purchase it back afterwards. Alternatively, the Jew may give the chometz to the gentile as an unconditional gift, and the gentile may then return the

present after Pesach. Thus we see that one may sell or give away chometz to a gentile and expect it back without violating any halachos, provided the agreement does not require the gentile to return it.

#### **REMOVING THE CHOMETZ TO THE GENTILE'S PROPERTY**

Terumas HaDeshen (#120) also discusses whether one may give chometz to a gentile as a present which he intends to return after Pesach. He permits this, although he stipulates that the gentile must remove the chometz from the Jew's house (as explained by Bach, Orach Chayim 448). This condition presents us with a problem in our mechiras chometz. The gentile is willing to cooperate and purchase our chometz, but he does not remove the chometz to his own house. Is there a way to alleviate this problem?

This problem became common when many Jews owned taverns, which in many places was one of the few forms of livelihood open to them. It became common practice to sell the whiskey and beer to a gentile before Pesach even though it remained in the Jew's tavern (Bach, Orach Chayim Chapter 448). This procedure seems to violate the Terumas HaDeshen's instructions. Before addressing this question, we must analyze why the Terumas HaDeshen requires the removal of the chometz from the Jew's premises.

The poskim present different reasons for this stipulation, some suggesting that leaving the chometz on the Jew's property implies that the Jew assumes responsibility for the chometz even though he no longer owns it (Magen Avraham 448:4). The halacha prohibits a Jew from being responsible for a gentile's chometz during Pesach (Gemara Pesachim 5b; Shulchan Aruch, Orach Chayim 440:1).

Others contend that the sold chometz should be removed from the Jew's property out of concern that the Jew might eat it by mistake since it was once his (Shu"t Radbaz #240). If the Jew never owned the chometz, he may leave it on his property as long as he places a very noticeable barrier around it (Gemara Pesachim 6a).

The poskim rule that transferring ownership of the area where the chometz is stored to the gentile satisfies these concerns (Bach 448). Thus, rather than moving the chometz onto the gentile's property, we transfer the property holding the chometz into his ownership. The contract selling the chometz also sells the area where the chometz is located. Contemporary poskim argue whether one may enter the sold area where the chometz is located.

If the Jew does not own the area holding the chometz but is renting it, he should rent the area to the non-Jew for Pesach rather than sell it. (To simplify matters, many Rabbonim always rent the areas rather than selling them.) Similarly, in Eretz Yisroel, where the Torah prohibits selling land to a gentile, one should rent his property to a gentile rather than sell it.

There is another approach which explains why the gentile should remove the chometz from the Jew's property when he buys it. This opinion contends that in order to take possession halachically of the chometz, the gentile must transfer it into his property (Chok Yaakov, 448:14). This requires a bit of explanation.

#### **WHAT MAKES A TRANSACTION VALID?**

Everyday we buy and sell without paying attention when the item changes possession – that is, at what point does the transaction become valid. Indeed for most of our daily activities, this question is not germane. I go to the supermarket to buy groceries. Does the item become mine when I pick it up to place it into my shopping cart, when I pay for it, or when I pick up the bag to leave the store? The vast majority of times it makes no difference.

However, sometimes it does. For example, if the item accidentally breaks after I paid for it but before I picked up the bag, is it already mine or not? If the item is indeed mine already, do I have a right to ask the merchant to replace it?

When selling chometz, it is of paramount importance to determine that the transaction has actually transpired. If the transaction has occurred, then the chometz now belongs to the gentile and there is no violation of

bal yira'eh and bal yimatzei on Pesach. However, if the transaction has not taken effect, then the chometz still belongs to the Jew, who will violate bal yira'eh and bal yimatzei.

#### **HOW DOES THE CHOMETZ BECOME PROPERTY OF THE GENTILE?**

An item changes ownership when there is an agreement between the parties followed by a maaseh kinyan, an act that transfers ownership. There are many types of maasei kinyan, each of which is halachically affective in some cases and ineffective in others. Here is an example of a maaseh kinyan that is ineffective. Reuven decides to purchase a candy, and draws up a contract for the sale. He mistakenly assumes that if a written contract works for real estate it will also work for candy. In reality, this document will not transfer ownership of the candy to Reuven since it is not a recognized maaseh kinyan for transacting movable items. However, the candy becomes Reuven's property when he picks it up (assuming that the seller has agreed to the transaction) because this is a maaseh kinyan for movable items.

The poskim dispute what is the maaseh kinyan when selling movable items to a gentile, some contending that movable property becomes the buyer's when he pays (Rashi, Bechoros 3b), others contending that it does not become his until he picks it up or takes physical possession in a similar way (Rabbeinu Tam, quoted by Tosafos, Avodah Zarah 71a). If it is a large or heavy item, it becomes his when he pulls it or causes it to move some other way, or when it is delivered to his property. Thus the chometz will not become property of the gentile until he takes physical possession.

This presents us with a practical problem. Since the gentile is not bringing the chometz home with him nor picking it up, no maaseh kinyan is taking place to transfer the ownership of the chometz to him according to Rabbeinu Tam.

Several poskim suggest alternative methods of carrying out the transaction (see Mishnah Berurah 448:17). In some of these methods, one rents to the gentile the places where the chometz is stored.

Since not all poskim accept this method of transacting chometz, we perform several maasei kinyan to guarantee that the chometz indeed becomes the property of the gentile.

The rav who arranges the mechirah is knowledgeable in the different types of kinyan and performs the various maasei kinyan necessary. These concerns are also one of the reasons why some people refrain from selling chometz gamur and only use the mechirah as a back-up measure. (See also Tevuos Shor Pesachim 21a and Maasei Rav.)

We see from this that conducting a proper mechiras chometz is a complicated procedure, and certainly beyond the halachic skills of the typical layman. Thus, it is not advisable for a lay person to arrange his own mechiras chometz without a rav's supervision and advice.

#### **A PRIVATELY ARRANGED SALE**

In one of my previous positions, I was the only rav in the vicinity arranging mechiras chometz. One member of my shul, an attorney, had not approached me to arrange for the sale of his chometz, which I assumed was an oversight on his part.

Wishing to avoid a crisis, I diplomatically asked whether he had forgotten to take care of mechiras chometz. He replied that he had arranged his own sale with a non-Jewish acquaintance and had drawn up the deed-of-sale himself.

The attorney did not consult with me before arranging this sale.

In all likelihood, his contract was valid according to civil law, and therefore some poskim will contend that he sold his chometz (Masas Binyamin quoted by Magen Avraham 448:4). However, according to many poskim, this attempt to sell chometz did not follow the rules that govern mechiras chometz (see Magen Avraham; Machatzis HaShekel; Sdei Chemed).

Thus, the attorney violated bal yira'eh and bal yimatzei according to many opinions.

#### **DIFFERENT TIME ZONES**

Shimon is looking forward to his visit with his children in Eretz Yisroel for Pesach. He must make sure to mention this to his rav who is arranging his mechiras chometz. Since the sixth hour of Erev Pesach will arrive for Shimon in Eretz Yisroel many hours before it arrives for his rav in New York, Shimon's chometz must be sold before the sixth hour of Erev Pesach in Eretz Yisroel, many hours earlier than in America. The rav must make sure that the sale on Shimon's chometz takes affect earlier than the other sales. This year, when Erev Pesach is on Shabbos, this has only minor significance, since we make all the mechirah arrangements on Friday, the thirteenth of Nissan. However, in regular years, the rav sells the chometz to the gentile on the morning of Erev Yom Tov in America. By this time it is already afternoon in Eretz Yisroel, and the sale of Shimon's chometz is invalid since it is too late to sell his chometz (Shu"t Igros Moshe, Orach Chayim 4:94). Instead, the rav must arrange to sell his chometz earlier.

#### **CAN I SELL CHOMETZ WITHOUT AUTHORIZATION?**

A neighbor stored a case of whiskey in Yosef's garage and then left for a lengthy vacation, telling Yosef he would be back by Purim. A few days before Pesach, Yosef notices that the whiskey is still in his garage, and he has not heard from his neighbor, nor does he know how to reach him. What does he do with the whiskey? Can he arrange mechiras chometz on it without explicit authorization?

Zevulun's father, who lives in South Africa, is unfortunately suffering from dementia. Months ago, Zevulun moved his father into his own home in New York and closed up his father's house for the time being. Now Zevulun realizes that he has no idea if his father owns any chometz in the house, or where it possibly might be. Can he authorize mechiras chometz on his father's property without authorization? The Gemara tells a story connected with these shaylos. Someone placed a large sack of chometz with Yochanan the Sofer for safekeeping. On the morning of Erev Pesach, Yochanan went to ask Rebbe whether he should sell the chometz before it becomes prohibited. Rebbe ruled that Yochanan should wait since the owner might still claim his property.

An hour later, Yochanan returned to ask the shaylah again and received the same reply. This happened hourly until the fifth hour, the last opportunity to sell chometz, at which time Rebbe instructed him to sell the chometz to gentiles in the marketplace (Gemara Pesachim 13a). This Gemara is problematical. How could Yochanan sell the chometz without the owner's authorization? The answer is that although the owner had not instructed Yochanan to sell the chometz, the chometz will become prohibited if it remains in a Jew's possession until the sixth hour, therefore he should sell it as a favor. This is a form of hashavas aveidah, returning a lost object to its owner, since otherwise it will become worthless (Mishnah Berurah 443:11). Similarly, both Yosef and Zevulun may arrange mechiras chometz even though the owner had not authorized them (see Magen Avraham 443:4).

According to the Kabbalah, searching for chometz symbolizes searching deep within ourselves to locate and remove our arrogance. As we go through the mitzvos of cleaning the house, searching, burning and selling the chometz, we should remember to keep this aspect of our "search and destroy" mission in focus.

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#### **Meaning in Mitzvot**

*Each week we discuss one familiar halachic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by Rabbi Asher Meir Making a Zimun before the Afikoman*

In general, making a zimun (invitation to grace after meals) is considered a decisive declaration that the meal is over. Therefore, after saying "Let us make a blessing" he is not allowed to eat more of the meal unless he makes a new blessing on the food. (SA OC 179:1.)

What happens if someone makes such a zimun before eating the afikoman on Pesach? The Avi HaEzri writes that the ruling is unchanged: on the

one hand, he must eat the afikoman; on the other hand, he cannot do so without making a new blessing. Therefore, he is required to wash again and make a new hamotzi blessing on the afikoman.

The Itur agrees that it is forbidden to eat any more matza without washing and saying a new blessing, but he writes that this is unnecessary. The last matza that a person ate during the meal can be considered his afikoman (assuming it was shmurah matza).

However, the Shulchan Arukh rules like Rabbeinu Peretz who explained that even after making an invitation to grace, a person does not have to make a new blessing. He can go ahead and eat the afikoman and make grace afterwards as usual. (SA OC 477:2. All opinions are cited in Tur OC 477.)

The surprising basis for this ruling is a seemingly unrelated rule relating to a guest. Although a householder puts an end to his meal by making a zimun, a guest does not. The reason is that a guest is not in control of the meal; only the householder knows what courses were planned and when they will be served. He, not the guest, decides when the meal begins and when it ends. (SA OC 179:2. We learned this ruling in the daf yomi this past week, Berachot 42a. Rabbeinu Peretz's ruling is brought down in the Tosafot there.)

This rule reflects the guest's honor, but also his dependence. It is the responsibility, but also the prerogative, of the host to decide what to feed the guest; the guest cannot take care of himself, since nothing in the house belongs to him. The Talmud urges the guest to recognize the honor he receives and acknowledge that the host exerted himself solely for the guest's comfort. (Berachot 58a.) But they also indicate that the guest should follow the instructions of the host. (Tractate Kalla chapter 9.)

Rabbeinu Peretz explains that all of us are merely guests in this world, eating from the table of Hashem. Since He decided that the seder meal has an additional course - the matza of the afikoman - our zimun is of no relevance, and the meal has not ended.

The world does not belong to us but rather to its Creator, and we are only visiting here for a short time. We are completely dependent on HaShem, and He in turn gives us a dignified livelihood. However, we should not make the mistake of thinking that we are the masters and the world merely serves us. Our decisions, while significant, are not decisive, for "Man proposes and God disposes". It is our responsibility to acknowledge the wonders of creation which HaShem makes available to us, and to follow His instructions to the best of our ability.

The OU/NCSY Israel Center - TORAH tidbits

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#### **THE WEEKLY DAF Berachos 44 - 50**

**For the week ending 16 April 2005 / 7 Nisan 5765**

**from Ohr Somayach | [www.ohr.edu](http://www.ohr.edu)**

**By Rabbi Mendel Weinbach, Dean, Ohr Somayach Institutions**

#### **THE TENTH MAN**

"A tenth man for a minyan!"

This classical need once confronted even the great sage, Rabbi Eliezer. With no possibility in sight for completing the quorum of ten male, adult Jews which makes it possible for Hashem's Name to be sanctified in prayer, Rabbi Eliezer emancipated his Canaanite slave and made him eligible for inclusion. Although it is normally forbidden to emancipate such a slave, the importance of the mitzvah involved justified this action.

It has been suggested that proof can be brought from this incident to resolve a halachic question raised by the eighteenth century scholar Rabbi Tzvi Ashkenazi, author of "Responsa of the Chacham Tzvi." He asks, "Can a man created through mystical powers be counted as a tenth for a minyan?" (See Responsa Number 83)

(Incidentally, to prove that this is not a purely theoretical question, he cites the tradition that his grandfather, Rabbi Eliyahu of Chelm, created such a man. The fact that he fails to mention the famed "golem" allegedly created by Rabbi Yehuda Lowe (Maharal of Prague) who lived more than a century earlier, casts doubt on the credibility of that legend!)

Rabbi Ashkenazi's conclusion that such a man-made man cannot be included in a minyan is based on an incident mentioned in Sanhedrin 65b. The sage Rava created a man through the mystical combination of the letters in the Divine Name and sent his creation to Rabbi Zeira. When the latter saw that this creature could not speak, he ordered it to return to its dust. Had such a creature been capable of providing such a valuable service as completing a minyan, Rabbi Zeira would not have ordered its destruction. Perhaps Rabbi Eliezer's insistence on violating the ban on freeing a slave in order to complete a minyan rather than create a man, as he was certainly capable, is an indication as well that such a creature is ineligible for inclusion in a minyan. Berachos 47b

#### **OPEN, WIDE**

"Blessed is He from Whose we have eaten and Who sustains us with his goodness."

This introduction to the bircas hamazon which we say after a meal where at least three have eaten together expresses our appreciation of the limitless kindness of the Creator, and reflects a scholar's understanding of the nature of the blessing. One who says instead "Who sustains us from His goodness" is considered a boor for limiting his praise of the Creator to the minimum necessary for survival.

While there is a need to speak in such broad terms when praising Hashem, a different manner is in order when it comes to asking something of Him. When the request is for material prosperity, it must be in the modest (in the manner of a beggar at the door - Rashi) fashion of King David, who prayed "May Your servant's household be blessed from Your blessing forever." (Shmuel II 7:29)

But when the request is for success in regard to Torah study, the same King David invites us in the name of Hashem "Open wide your mouth and I shall fill it." (Tehillim 81:11)

This is a powerful incentive for every Jew involved in Torah study - from the full-time Yeshiva student to the businessman and professional with only a limited time to study - to pray to Hashem for unlimited assistance in achieving the most ambitious goals in his learning. Berachos 50a

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#### **Cleaning for their own good - Jewish Media Resources**

**by Jonathan Rosenblum**

**Hamodia, April 15, 2005**

Motzaei Shabbos the Rosenblum family war council met in special session to prepare for the final assault on the remaining chametz in the house. In recent years, troop levels have been depleted by marriage, including the loss of the only pair of female hands to aid Mother Rosenblum. On the other hand, the experience and capacity of the remaining troops increases by the year, and senescence has not yet set in the upper ranks.

Still there are kinks in the battle plan. One of the junior officers raises the issue of recent surveys in his yeshiva showing that no good yeshiva bochur has any cleaning responsibilities prior to Pesach. This incipient rebellion must be nipped in the bud. If the yeshiva bochurim go AWOL, troop levels will be reduced to near zero and mercenaries will have to be hired.

To squelch the incipient rebellion in the ranks, I cite an ancient rule in the Rosenblum family - to wit, "We couldn't care less what Reuven's parents do or do not let him do."

Actually, to say that my own parents ignored all arguments adduced from the behavior of other parents is not strictly accurate. Rather they took account of what other parents did and then deliberately did the opposite. Sort of the Rosenblum version of the familiar saying, "Daas Torah is the opposite of daas baalebatim."

Citation of the familiar rule, coupled with a threat to deduct from any monies spent on mercenaries from that available to replace worn hats, suits and shoes, has its desired effect. And the Rosenblum troops sally forth into battle at full strength.

Alas, one does hear anecdotal evidence that the above cited survey may not have been entirely the product of an overactive imagination, and that there really are yeshiva bochurim granted a draft exemption from Pesach cleaning. To some extent, such exemptions are even understandable. What parent's heart would not swell with pride at the sight of a bochur who after a long winter zman still wants nothing else than to put in a full day in the beis hamedrash?

Yet the impulse to allow the apple of one's eye do so should be stifled - for his sake if not one's own. As the term *bein hazemanim* implies, this period is not simply a continuation of the zman in a different setting. Rather it is a time for a different type of growth than can be achieved in the yeshiva.

*Bein hazemanim*, I heard recently from Rav Reuven Leuchter, one of the closest talmidim of the famed Mashgiach Rav Shlomo Wolbe, ז"ל, is a time for a type of interaction with the world that cannot take place hunched over one's Gemara. As the Steipler Gaon used to say, it is hard to even assess a bochur's middos while he is in yeshiva. After all, did his shtender ever speak back to him or express a contrary opinion?

Talmudic prodigies exist. But there is a certain type of wisdom that only comes with age and life experience, no matter how brilliant a person may be. That is why the leaders of the Torah world are inevitably drawn from the ranks of the *ziknei hador*. If the first adjective still used to describe a person is *ilui*, he is probably not yet ready for leadership.

*Bein hazemanim* is the time for acquiring some of the experience of interacting with the world that is crucial for the development of middos and self-knowledge. That, and the need to recharge batteries after a long winter zman, likely explains why a rosh yeshiva in one of Israel's leading yeshivos told the bochurim that they should not learn more than 3 hours a day during *bein hazemanim*.

There is a second major reason not to grant draft exemptions from Pesach cleaning: It fosters an attitude of entitlement that can work against true striving in Torah. Every talmid chacham, the Gemara says, needs *ashemini she'be'shiminis* of pride. And instilling pride in oneself as a yeshiva bochur is a crucial function of yeshivos.

We stare today in wonder at pictures of Slabodka Yeshiva bochurim of the early 20<sup>th</sup> century - many of whom went on to become *gedolei olam*. Their dandified dress seems totally inconsistent with our image of a yeshiva bochur. Yet in an age where there was a general flight from the yeshivos, a certain stress on one's personal appearance helped instill the pride necessary to resist the temptations of the time.

Similarly, in the 1950s, when the total number of yeshiva bochurim in Eretz Yisrael numbered less than a thousand, instilling pride in being a yeshiva bochur, including the uniform, was a crucial to fostering the remarkable growth of yeshivos in the following decades.

Today, however, remaining in yeshiva no longer involves going against the tide, and the greater danger is too much pride based on too little substance, which can lead to a loss of ambition for true *gadlus* in Torah. A good example is the way too many yeshiva bochurim, even mediocre ones, (and their parents) discuss openly their "demands" in *shidduchim*, and their expectation that they will be provided with an apartment by the time of the *chuppah*.

Recently the letters page of *HaModia* were filled for many weeks with complaints of parents groaning under the unsustainable burden of providing apartments as a condition of marrying their children. Yet too often the incredible sacrifice of parents is not even appreciated by their children. They view the apartment as part of their birth rite.

We do our sons and their Torah learning no favor by encouraging such attitudes. If we ask ourselves why pre-War Europe, with a fraction of the yeshiva students in the Israeli yeshivos today, produced so many more *gedolim*, the answer surely lies in the greater *mesirus nefesh* demanded of that earlier generation. Not only was each yeshiva bochur going against the tide in a society in which yeshiva students were increasingly the subjects of ridicule, but they were doing so at great self-sacrifice.

When Rabbi Aryeh Leib Gurwicz's father sent his young son across the border to learn in Lithuania, with no expectation of ever seeing him again, he gave him the greatcoat off his back, knowing that his son would be sleeping on a bench in an unheated beis medrash. Nor did marriage, even when a girl could be found who still wanted to marry a yeshiva bochur, lead to life on easy street. As a young rav in Tzitevian, Rabbi Yaakov Kamenetsky and his wife shared one pair of galoshes, without which it was impossible to go out during the winter on the muddy streets, and Reb Yaakov owned exactly one shirt.

If we want to protect our sons against an exaggerated sense of entitlement, the time to start is when they are young, and the expectation that they participate in Pesach cleaning is as good a time to instill this lesson.

Happily that is also the halacha. One of the major poskim of my neighborhood was asked by a bochur why the yeshiva bein hazemanim in his shul is only in the morning, and not afternoon and night seder as well. The rav replied that bochorim also have to share in the Pesach cleaning, and noted that the obligation to clean falls on all those living in the house, and not exclusively on the mother.

So let our precious bochorim spend a few hours a day cleaning for Pesach. For their own good.

Chag Kasher Ve'Sameach,

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## Dei'ah veDibur - Information & Insight

### OPINION & COMMENT

4 Nissan 5765 - April 13, 2005 | Mordecai Plaut, director

Joyous Fasting: Understanding the Fast of the Firstborn

by Rabbi Daniel Yaakov Travis

#### Fasting in Nisan

On the first day of the month of Nisan, the Mishkan was erected by the Jews in the desert, and on each of the twelve ensuing days, the leaders of the twelve tribes brought offerings to Hashem. This historic event, combined with the annual festival of Pesach, transforms the whole of Nisan into a joyous time. Fasting is prohibited throughout the entire month.

On erev Pesach, we have an exception to this rule, and every firstborn male fasts Ta'anis Bechoros — the Fast of the Firstborn (Maseches Sofrim 20, 3). (This year because erev Pesach is on Shabbos, the Fast is on Thursday, 12 Nisan.)

In general, national fasts are either a sign of mourning over the destruction of the Temple, or to facilitate repentance. Ta'anis Bechoros was established to commemorate the miraculous salvation of the Jewish firstborns when Hashem passed through Egypt killing all firstborn (Tur 470).

On Chanukah and Purim the Jewish people faced complete annihilation —

Chanukah on a spiritual and Purim on a physical level. In both instances, joyous festivals were instituted to remember the miracles that Hashem performed for us. If so, why did our Sages treat the miracle of the Plague of the Firstborns differently and mark it with fasting rather than with rejoicing?

On the night of the 15<sup>th</sup> of Nisan as the Jewish people were celebrating their first Seder and preparing to leave Egypt, the threat of death loomed over all firstborn in Egypt. Every Jewish household was commanded to take an "agudas ezov" (a bundle of hyssop) and to use it to wipe lamb's blood on the doorposts of their homes from the Korbon Pesach. This would distinguish the Jewish from the Egyptian homes as the miraculous plague passed through.

Even though Hashem had promised that the Jewish people would be spared from this punishment, the firstborn Jewish males felt some degree of trepidation on the night of the plague. In order to guarantee their protection, all of the Jewish firstborns fasted on the 14<sup>th</sup> of Nisan. Their

actions established a precedent, and as a result our Sages established a fast on that day (Chasam Sofer, Pesochim 108a).

Bon Appetit

The Sage Rav Sheishes would fast the entire erev Pesach. We do not base the general halacha on Rav Sheishes' actions for he was an istenis (someone who is easily satisfied by food). If Rav Sheishes would even taste something in the morning he would not be able to perform the mitzvah of eating matzoh with an appetite at night (Pesochim 108a). Most of us are not like that. However, a firstborn who will not have an appetite at night, if he eats in the day, should fast on erev Pesach. (Tur 470) As long as erev Pesach is on a weekday, any istenis (even not a firstborn) can deal with his weak appetite by joining the firstborns in their fast. However, when Pesach starts on Saturday night (like this year), he is obligated to eat Shabbos meals beforehand. What is the correct course of action in such a situation?

Regarding such situations our Sages say, "a wise person has eyes in his head." A person with such a constitution should eat the minimum amount required to fulfill the mitzvah of the Shabbos meals (slightly more than a kebeitzoh). This should leave him with enough appetite for the matzoh later on (Mishna Berurah 470,1).

Making a Siyum

Some authorities suggest that if a firstborn is invited to a bris milah on the 14<sup>th</sup> of Nisan he can participate in the festive meal and is not obligated to make up the fast at a later date (Mogen Avrohom 470). Others extend this to any seudas mitzva (Pri Chodosh). Based on this ruling, on erev Pesach most firstborns attend a siyum of a maseches and consider that this frees them from their obligation to fast. Even though they personally did not study the material, since they are joining the celebration of a person who did, they are permitted to eat (Mishna Berurah 470,10). Must one finish a tractate of Talmud in order to make a siyum? HaRav Moshe Feinstein said that there is a mitzvah to make a siyum upon completing any section of Torah which was studied over an extended period of time. Therefore even if one finishes just one of the twenty-four books of Bible, a celebration may be held.

Rav Moshe adds that in order to make a siyum on a book of the Bible, one must learn it with one of the accepted commentaries of the Rishonim, and not with a lesser commentary. Similarly, one should try not to learn the material quickly just as an excuse to make a siyum. The underlying principle is that one should only make a celebration if the book took long enough to learn that one naturally feels joy upon its completion (Igros Moshe 1,157).

Fasting or Eating

The Oruch HaShulchan notes that the practice to join a siyum has become so widespread that almost no firstborns fast nowadays. If, however, our Sages established erev Pesach to be a day of fasting for firstborns, do we really have the power to eliminate this entirely? He suggests that the tremendous amount of work we do on erev Pesach combined with the consumption of morror on Seder night makes it very difficult to fast on erev Pesach. Since this fast is only a custom and is not mentioned in the Talmud, the rabbis did not see fit to protest its virtual non-observance (Oruch HaShulchan 470,5).

Another point is that fasting has an effect on the stomach, making it constrict. So fasting makes it difficult to perform the mitzvos of eating on Seder night afterwards (Olas Shmuel 28). Thus, it is the general custom to be lenient and to avoid the fast by making or attending a siyum. However if a firstborn knows that he has the strength and stamina to fast on erev Pesach and still participate fully in the Seder, it is praiseworthy to follow the time-honored custom of fasting (Igros Moshe 4,89,4).

The Mishna Berurah adds that if one feels very sick as a result of not eating, he may break the fast even if he didn't attend a siyum. So too if he knows that fasting will hinder his ability to eat matzoh and morror and to drink the four cups of wine, he is not obligated to fast. Nonetheless, he should avoid eating bread (which is only permitted until about 9 a.m.), as explained in the following section (Mishna Berurah 470,2).

## Nibbling

There is a fundamental dispute amongst the Rishonim as to the nature of Ta'anis Bechoros. Most agree that it is a regular fast day. Therefore if one did not attend a siyum and has no other exemption, e.g. feeling sick, he is not allowed to eat anything during the day. But some Rishonim maintain that this fast differs from all other fasts, and one is only forbidden to eat filling foods such as bread or other wheat products. According to this view, foods such as fruits and vegetables may be consumed (Rabbeinu Yechiel as cited in the Mordechai). What is the meaning of a fast on which it is permissible to eat? All Jews must refrain from eating these types of foods in the afternoon of erev Pesach so that we have an appetite for the matzoh (Shulchan Oruch 471,1). As a further precaution (that the mitzva should be performed with the proper enthusiasm), firstborns are instructed to watch what they eat for the entire day.

Ultimately, we follow the first opinion and firstborns are not allowed to eat on Ta'anis Bechoros at all. However, as mentioned previously, if one did not attend a siyum and knows that the mitzvos of erev Pesach and Pesach will tire him out (to the point that he will not fulfill his obligations properly), he may eat. However, since some Rishonim reason that one is only forbidden to eat wheat products and other satisfying foods on this day, it is preferable to eat only fruit, vegetables and other lighter foods (Mishna Berurah 470,2).

## Who is a Firstborn?

Our Sages tell us that during the Plague of the Firstborn at least one person died in every Egyptian household, and in some homes there were a number of deaths. As is well known from the halachos of pidyon haben, there are many factors that can exclude a child from being considered a bechor. Therefore, it is very unlikely that there was a bechor in every household. But surely it is impossible that there was more than one firstborn in one family?

The Midrash states that as a result of the prevalent immorality in Egypt, some parents had firstborn children from more than one partner. Since all of these children shared firstborn status, they all died during the plague. Based on this, the custom is for every firstborn child to fast, be he the firstborn of his father or of his mother (Shulchan Oruch 470,1). In a house where there was no bechor in Mitzrayim, the eldest child of the family died. Nonetheless, nowadays an oldest child who is not a firstborn does not fast. Even if there is no other bechor in the household he may eat without attending a siyum (Tur as cited by Mishna Berurah 470,2). The Midrash relates that the firstborn Egyptian girls also died during the Plague of the Firstborn. Based on this, the Shulchan Oruch cites an opinion that firstborn women are also obligated in Ta'anis Bechoros. Does this mean that women must attend a siyum in order to eat? Since many opinions hold that they are not obligated to fast, some Sephardic authorities write that a woman may eat on erev Pesach as long as she ate food from a siyum, even if she did not attend the actual celebration (Yechaveh Daas 4,42). The Ramo rules that women are not included in this fast, since they do not have the bechor status regarding other matters (470,4).

A birth via a Caesarean section presents a fascinating halachic issue, and the poskim discuss whether a child born this way is obligated to fast on Ta'anis Bechoros. Such a child is not considered a firstborn with regard to receiving a double portion of inheritance, but there are some who argue that because he is the firstborn child of his mother he should fast (Chok Yaakov 470,2). Others write that since his status is uncertain, he need not fast (Kaf HaChaim 470,3).

## Averting Danger

Our Sages chose to commemorate dates when terrible tragedies befell the Jewish people with fast days. On a personal level, the Ramo recommends fasting on the yahrtzeit of one's parents. On a national level, we are instructed to fast on the 17<sup>th</sup> of Tammuz, the 10<sup>th</sup> of Teves, the 3<sup>rd</sup> of Tishrei and the 9<sup>th</sup> of Av — all dates when devastating calamities took place.

Perhaps this is a further reason why firstborns are instructed to fast on erev Pesach. After the Plague of the Firstborn took place on the 15<sup>th</sup> of Nisan, this date became a time of historic foreboding for firstborn children. The merit of Ta'anis Bechoros on erev Pesach continues to protect them from all harm.

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## **YatedUSA Parshas Metzora April 8, 2005**

### **Rav Shimshon Dovid Pincus, ZT"l**

**5704/1944 – 12TH OF NISSAN, 5761/2001**

*By D. Sofer*

The Negev town of Ofakim is three hours away from Yerushalayim and though still considered a development town, was once a spiritual wasteland and a Labor party stronghold. A large movie theater, which loomed forth in its commercial center, was open on Shabbos and attracted the city's youth.

So what motivated a brilliant talmid chacham such as Rav Shimshon Dovid Pincus to move there when he could have continued to study in Bnei Brak, where he lived after his marriage? To a man like Rav Shimshon, who burned with a desire to spread Torah and to influence others, the circumstances which distinguished Ofakim about twenty-five years ago were precisely what spurred him to move there and to join the remarkable kernel of mezakei harabim who were living there, among them Rav Avraham Deutsch, Rav Yosef Goldental and Rav Chaim Kamil. Nowadays, Ofakim is a vibrant Torah community with eight hundred families, an outstanding yeshivah, Talmudei Torah for boys, elementary schools for girls, and a noted girl's high school and seminary. The theater mentioned above is now a center for Torah studies and activities. Talmidei chachamim of great stature live there, heading its yeshivos and institutions. It is also a beacon to the entire surroundings, lighting up the Negev with the flame of Torah.

## **SHIMSHI**

Rav Shimshon Dovid Pincus, the son of Rav Avraham Chaim and Chavah Pincus, was born in the United States in 5704/1944.

His unique characteristics, which included special kedusha and taharah, were evident even when he was very young. His younger brother relates, "Once, when my mother was taking me for a walk, she told me, 'Do you know what Shimshi would do when he walked with me? He would hold my hand and shut his eyes [so as not to see any unseemly sights]. Then he would say, 'Ima, tell me when I can open them.'" The enthusiasm of his tefillos, for which he is famed, was also evident when he was still a child. "On one occasion," related his father, "young Shimshon wanted to join a special study session, which lasted all night in the shul. However, only adults were allowed to participate in this session, and not children. I went to shul, but suddenly I decided to take Shimshi nonetheless, and returned home. To my surprise, I found him dressed for Shabbos and ready to go to shul. " 'Shimshi,' I asked him, 'why did you get dressed?'"

" 'I knew you would return to take me,' he replied.

" 'How did you know?'"

" 'I davened to Hashem that you would change your mind and let me go with you, and felt that my prayer had been answered.'"

In his youth, Rav Shimshon studied in the Beis HaTalmud yeshivah in New York, and was a beloved student of Rav Aryeh Leib Malin. Rav Shimshon was also close to Rav Chaim Wisoker who had been Rav Yerucham Leibowitz's talmid muvhak in Europe. Later on, Rav Shimshon went to study in the Brisk yeshivah in Yerushalayim. After his marriage to Chayah Mindel, the daughter of Rav Mordechai Man, rosh yeshivah of Knesses Chizkiyahu, he studied in Bnei Brak, and began to found yeshivos and to disseminate Torah. Twenty-four years ago, at the request of the Steipler Gaon and Rav Shach, and with their blessings, Rav Shimshon moved to Ofakim, and helped the other great mezakei harabim already there to transform the Negev into a blooming garden of Torah.

**ADAM SHALEM**

Rav Shimshon was called an “adam shalem” - perfect in his middos, perfect in his interpersonal relationships, perfect in his avodas Hashem and devotion to Hashem. Where do we start our description of Rav Shimshon? How can we describe his towering personality and great impact in so brief an article?

### **DVEIKUS TO HASHEM**

Perhaps the underpinning of Rav Shimshon’s entire personality was his dveikus (devotion) to Hashem. This dveikus motivated every one of his deeds; it was total and all encompassing to a degree rarely found in our days.

It would take him a full hour to count the Omer every single day of the sefirah, and twenty minutes to recite the blessings over the Chanukah candles. However, he did not reserve these acts of dveikus only for himself but influenced others to follow suit.

Rav Shimshon himself always recited the bracha of Asher Yatzar with inspirational fervor and, in many drashos, urged others to realize the great importance of this tefillah. Regarding Kerias Shema al HaMitah, he declared, “We spend a third of our lives sleeping. If a person would have the correct intentions when reciting that prayer, one’s sleep will also become avodas Hashem.”

He was also one of the first to arouse the public to be more careful regarding shaatnez. This activity began when he discovered shaatnez in a sofa in his home. In order to do teshuvah for this mishap, he learned the laws of shaatnez thoroughly, and even studied weaving. Then he would go from home to home urging people to check their sofas, armchairs and rugs for shaatnez.

In a similar vein, in his speeches he spurred people to recite one hundred brachos a day, and not to leave shul until Aleinu had been recited. Calling Aleinu “the wrapping of the entire prayer service,” he would exhort, “One who leaves shul before saying Aleinu, is like a person who gathers diamonds but doesn’t have a sack in which to store them.”

### **A GIANT IN CHESED**

Rav Shimshon was regarded as the father of Ofakim’s chareidi community. In that capacity, his chesed was unlimited, and expressed itself in every facet of life.

Despite his busy schedule and his great hasmadah, whenever he saw a person who needed a lift, he would drive him to his destination, and not just part way. When asked why he was so particular on this point, he said: “I am afraid of being one who begins a mitzvah but doesn’t complete it.” One time he noticed a kollel student who was shopping in Ofakim’s commercial center. Rav Shimshon offered to take him home, but the young man said that he hadn’t finished his affairs. “Neither have I,” Rav Shimshon replied. “Call me on your cell phone when you’re done, and I’ll pick you up.” In the meantime, Rav Shimshon went home and studied with his children. Suddenly the telephone rang. “I’m finished,” the young man told him. Quickly Rav Shimshon ran to his car, and rushed over to the commercial center to pick him up.

In every facet of life, he treated others as if they were his own children. One time, he had a substantial sum in his pocket, with which he planned to buy his daughter an apartment. Knowing Rav Shimshon’s nature, Rav Avraham Deutsch ran over to him and offered to bring the money to the seller as quickly as possible.

“But there’s nothing left,” Rav Shimshon said. “Some people were here with very sad stories, and I gave it all away.”

### **MEZAKEH HARABBIM**

Rav Shimshon’s greatest forte was his Torah dissemination through which he taught the community and encouraged them in their Torah observance. As a dynamic speaker, he would conquer his audience’s hearts and minds with his drashos and talks, changing the lives of people and strengthening them in Torah and yiras Shamayim.

For this purpose, he would travel throughout not only Eretz Yisroel but also the world over, including countries such as the United States, South Africa and Chile (where his father headed a kollel). There was no place to which he refused to go, if he believed that he could influence people

there. In his speeches, he was like an ever-flowing spring and a glowing flame. However, it was not Rav Shimshon’s wording and phraseology that captured the hearts of his listeners, but his truth.

His sefarim were also another means by which he spread Torah, among them Tiferes Torah on the Shas, Tiferes Torah on the parsha and Shaarei Tefillah on prayer, a sefer which changed the lives of many. In addition, the thousands of tapes of his shiurim and shmuessen were heard by untold numbers of people.

### **HIS ESSENCE**

Rav Shimshon was a living mussar sefer, and every one of his deeds was a source of instruction to others. He said that he never opened or closed a window but would either put on a sweater if he was cold or take off a sweater if he was warm, in order not to cause others in the room to suffer on account of his own preferences.

On one occasion, Rav Shimshon crushed a cigarette with the sole of his shoe in his living room. To his stunned wife, he explained, “I saw someone putting out his cigarette that way in shul today, and I am worried how Shamayim might judge him. It says that one should treat a shul with the same respect he treats his home. Therefore I hurried to put out a cigarette in our home, too, hoping that if I do so, that man will be judged more favorably.”

When he was dancing in one of the main circles at a wedding one evening, people began to sing Yamim al Yemai Melech in his honor. Quickly, he grasped the hand of a small boy and began dancing with him in an outer circle. When asked to explain his behavior, Rav Shimshon said that he wanted to nullify the feeling of pride and, as a result, hurried to do something a bit strange. When asked if his humility was exaggerated, he replied “No.”

There was one episode when Rav Shimshon traveled all the way to Ramat Gan to serve as a sandek at a bris. When he arrived there, he saw the newborn’s grandfathers in the hall and asked if they had, in the past, been honored with sandek in that family. Learning that one of them had never been sandek, Rav Shimshon yielded this honor, and conferred it on the grandfather.

### **THE LEADER**

The recently deceased Rav Chaim Kamil, ZT”L, rosh yeshivah of Ofakim, once said that the Rambam’s definition of a king suited Rav Shimshon. The Rambam calls the king “the heart of Klal Yisroel.” Rav Shimshon was the heart of Klal Yisroel, the king and the leader in all of the communities he spread his wings, such as Ofakim, Yerucham and Tifrach, and the mosdos Torah he headed.

### **MOTHER OF OFAKIM**

Rav Shimshon was considered Ofakim’s father and his wife, Rebbetzin Chayah Mindel, its mother. When she first moved to Ofakim, she taught in the elementary school in the nearby Tifrach settlement. Afterwards, when the principal of Ofakim’s high school for girls retired, she was asked to head it. Initially, her husband hesitated to let her accept it, knowing that heading a school for three hundred girls was a tremendous burden. However, when no suitable principal was found, he feared that if she did not accept the position, chaos might reign in the community. Taking out a copy of Mesilas Yescharim, Rav Shimshon read her the section which says that a person is like a soldier in Hashem’s army and must accept whatever role is placed on one’s shoulders. Rebbetzin Chayah Mindel accepted the position and in her quiet, warm, pleasant and noble manner led the school, dedicating herself to each and every student under her care.

### **TRAGIC PETIRAH**

Rav Shimshon was killed in a tragic car accident on the 12<sup>th</sup> of Nissan 5761/2001, along with his wife Rebbetzin Chayah Mindel and his eighteen-year-old daughter, Miriam. The tragedy occurred when Rav Shimshon was in the prime of his harbatzas Torah. He had just delivered a shmeuss to a large audience in the Beis Shmaya –Chanichai HaYeshivos shul in Ashdod. When it was over, he drove to Bnei Brak to

take his wife and four children, who were there, back to Ofakim. The three other children were injured, one very severely. News of the tragic accident spread like wildfire throughout the country, and the following afternoon, a few hours before bedikas chametz, a massive levayah took place, which began in Ofakim, and proceeded to the Torah Ore yeshivah in Yerushalayim, and then to Har HaMenuchos. A number of great roshei yeshivah, as well as Rav Shimshon's father, brother and brother-in-law delivered hespedim in which the great loss to Klal Yisroel was bemoaned. With the petirah of Rav Shimshon, who had by then been serving as rav of Ofakim's chareidi community for twenty years, the world lost one of its greatest mezakei harabim. The light that had influenced tens of thousands through drashos, tapes and sefarim was

extinguished. With Rebbetzin Chayah Mindel's petirah, the community, the school and her family lost a mother. After the tragic accident, one of the roshei yeshivah of the Negev said: "We are paralyzed without Rav Shimshon. We can't move a hand or a foot. Rav Shimshon was everything. He was our guide, our backbone. We don't know how we will continue this summer. The institutions and the yeshivos are in a terrible state of confusion." May Rav Shimshon's memory be a blessing.

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