

INTERNET PARSHA SHEET
ON TZAV - 5760

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From: rmk@torah.org

Subject: Drasha Parshas Tzav - Fitting Work
RABBI MORDECHAI KAMENETZKY
Drasha Parshas Tzav - Fitting Work

It is not a glamorous job, but somebody has to do it. And so the Torah begins this week's portion by telling us the mitzvah of terumas hadeshen, removing the ashes that accumulate from the burnt-offerings upon the altar. The Torah teaches us: "The Kohen shall don his fitted linen tunic, and he shall don linen breeches on his flesh; he shall separate the ash of what the fire consumed of the elevation-offering on the Altar, and place it next to the Altar" (Leviticus 7:3).

What is simply derived from the verse is that the service of ash-removal is done with the priestly tunic. What is noticeable to the Talmudic mind is the seemingly innocuous adjective "fitted." Rashi quotes the derivation that applies to all the priestly garments: they must be fitted. They can not be too long, nor can they be too short. They must be tailored to fit each individual Kohen according to his physical measurements.

The question is simple. The sartorial details of the bigdei kehuna (priestly vestments) were discussed way back in the portion of Tezaveh, which we read five weeks ago. Shouldn't the directive of precise-fitting garments have been mentioned in conjunction with the laws of tailoring?

Further, if the Torah wants to teach us those requisites in conjunction with any service, why not choose a more distinguished act, such as an anointment or sacrifice? Why choose sweeping ashes?

My dear friend, and the editor of the Parsha Parables series, Dr. Abby Mendelson, was, in a former life, a beat writer for the Pittsburgh Pirates baseball club. In the years that we learned Torah together, he would recount amusing anecdotes and baseball minutia. Some of his stories have retained an impact on me years after I heard them. This is one of them.

Roberto Clemente was an amazing athlete who played the game of baseball with utmost dedication. One day, late in the 1968 season, he was playing outfield against the Houston team. The Pirates were no longer contenders, and the game had no statistical meaning.

A ball was hit deep toward the outfield wall. As Clemente raced back, it seemed that the ball was going to hit the wall way over his head. With superhuman strength he propelled himself like a projectile toward the wall. Speeding at a forty-five degree angle he collided with the wall at the same time that the ball hit it, two feet above his head.

Strictly adhering to the laws of nature, both Clemente and the baseball rebounded from the wall, the former's return to earth much less graceful than the latter's. While the white sphere gently bounced to the playing surface and rolled toward the infield, the much larger uniformed and spiked entity came crashing after it with a resounding thud.

Bruised and embarrassed, Clemente clamored after the elusive orb and finally threw it to a less traumatized member of his team who completed the hapless mission.

In the post-game interview an innocent reporter asked Clemente, "Roberto, your team is out of contention. There are three games left. Why in the world did you try so hard to make that play? Was it worth bruising yourself?"

Clemente was puzzled. In a few short sentences he explained his actions. "I am not paid to win pennants. My job is to catch the ball. I tried to catch the ball. I was trying to do my job."

B'S'D' When the Torah tells us that the clothes have to fit perfectly for a particular service it is telling us that the job is exactly right for the man who is doing it. The ash-cleaner is not doing another Kohen's job, wearing an ill-fitted garment as if it were thrown upon him as he entered for the early morning shift.

What seems to be the most trivial of jobs is the job that must be done! That is the job of the hour, and that is exactly what the Kohen is designated to do. And for the job or service that is tailor-made for the individual the clothes must also be tailor-made for the job as well!

I once asked a high-level administrator of a major institution what was his job. He answered in all seriousness, "I do what ever has to be done to get the job done and that becomes my job." Whatever we do, and however we do it, we must realize that the end can only come through the menials. Whatever it takes to get to the goal is as integral as the goal itself. It requires devotion and commitment, and it requires self-sacrifice. If you dress with dignity to collect the ash, if you approach every task with both with sartorial and personal pride and grace, then you are certainly up to any task.

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From: Ohr Somayach ohr@virtual.co.il

* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshat Tzav

LIONS OF THE SOUL

"He (the kohen) will separate the ash" (6:1)

July 1956. Saturday afternoon. A taxi leisurely turns off Dizengoff Street. Close up on the taxi driver's face. He is wearing a blue baseball cap.

Driver: "They went to their deaths like sheep. They asked their Rabbis, "Rabbis -- should we run away to Israel or should we stay here in Europe? And you know what those great rabbis said? (Puts on fake Yiddish accent) "Don't leave! Don't go to Israel! Here, your life is in peril. But in Israel, your souls will be in peril. Jews there drive down Dizengoff on Shabbes afternoon! You're better off here in Poland."

The driver chuckles, pleased with his own joke. He thinks for a second.

"So I ran away in 1937. I came here. I got a job as a taxi driver. I used to be religious but I gave it up here. Those poor fools are now ashes and I'm alive and driving down Dizengoff on Shabbes.

The picture freezes on the face of the driver.

Dissolve. We hear Shostakovitch's String Quartet no. 8. A large hearse is seen leaving a graveyard. Cut to a freshly filled-in grave in the mid-distance. Hanging on the grave marker is a blue baseball cap. The camera tracks backward. All around are grave-stones. The camera keeps tracking back through what seems to be like hundreds and hundreds of identical gravestones. Suddenly, the camera stops and slowly tracks in, lingering on one of thousands of identical stones. At the top of the gravestone there is a carving, six pieces of barbed wire arranged in a Star of David. The camera moves downward. We read the inscription: "For one of the Six Million, a place in the earth for someone whose ashes are blown on the four winds."

No one gets out of here alive. We all make our exit one way or another. The question is what we do during our brief stay here. We can live like heroes and die like martyrs, with the name of G-d on our lips. We can live for our beliefs, for the sake of religion and our people. We can die like Jews and because we are Jews.

Or we can shorten our names, shorten our noses and vanish into the background. Either way, we all end up in that same room waiting before our cases come up in the "Supreme Court." There, we will reflect on what we did, and on what we didn't do.

The world sees our martyrs as lambs to the slaughter. We see them as gigantic heroes of the soul. Heroes who never allowed their fiendish enemies the pleasure of seeing them falter in their trust in G-d's ultimate justice. Heroes who, with the worst imaginable horrors staring them in the face, never slackened in the observance of their faith. They were quick to do the Will of their Father in Heaven. And in death they are not separated from Him.

Marching to the "showers," one great rabbi cautioned his students that no impure thought should enter their minds so that they might be a pure offering, an atonement for their brothers and sisters who would live on in Israel and in America.

"Who is like Your people Israel, one nation in all the world?"

If we live on today, it is because of them. Our lives are founded on the ashes of the millions. They gave their most precious gift to us. Even though they never met us. They were not sheep. They were lions of the soul.

"He will separate the ash..."

The first service of the day in the Holy Temple -- that on which the service of the rest of the day was built -- was the *terumat hadeshen*. The kohen took ashes from the innermost part of the altar and placed them on the floor next to the altar. These ashes came from the incinerated flesh of the previous day's offerings.

Every day the kohen would perform this service, placing the ashes at the base of the altar. And, miraculously, the ash would be swallowed by the ground around the base of the altar. In other words, the ashes, became part of the altar on which that service was performed.

Today's service of G-d is built on yesterday's service. A Jew serves G-d today with his life as willingly as ultimately he is prepared to serve Him with his ashes.

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Shabbat Shalom: Tzav (Leviticus: 6:1-8:36) by Shlomo Riskin

Efrat, Israel - It has often been said that if an individual was to be incarcerated for his evil thoughts, no one would be living outside of a penitentiary. Jewish law strongly corroborates this piece of conventional wisdom: "Thoughts or emotions (*dvarim shebalev*) are not of significance," since only a person's actions, and not his/her fanciful imaginings, create culpability. However, this week's Torah reading continuing our journey into the remote world of ritual sacrifices, specifies an exception from this "common sense" rule of the paramount importance of accomplished deed over intentional design.

According to the text, the peace offering must be eaten on the same day of the sacrifice. When the peace offering is brought to fulfill a vow, then the time period for eating it is extended to the next day, but not to the day after that. Therefore, "...if any of the flesh of the sacrifice of his feast-offering should be eaten at all on the third day, it shall not be

accepted... it shall be an abomination [*pigul*], and the soul that eats it shall bear his iniquity." [Leviticus 7:18]

Rashi's comment [7:18] based upon the Talmudic interpretation (B. T. Kritot Sa), expands the waves of the 'pigul-effect' to include thought as well as action; -- not only is it forbidden to eat a peace offering on the third day, but merely thinking at the time of the sacrifice, that one will eat it on the third day disqualifies it from being brought as a valid offering.

And since our prayers are linked to the sacrificial ritual -- one view in the Talmud maintains that the three statutory prayers we recite each day correspond to the morning and afternoon and late sacrifices and the evening incense (B.T. Berachot 26a) - it is no wonder that just almost all of our Sages insist that improper thoughts or even a lack of internal devotion will disqualify the prayer -- no matter how carefully the words may be articulated. Why are prayers and sacrifices so inextricably bound up with the thoughts of the individual -- whereas in the case of most other commandments, the rule of thumb is that "Divine ordinances do not require internal intent (*Kavannah*).."?!

Perhaps the answer to this question can be found in the Midrash Rabbah (Chukat 8), which reports how a pagan once confronted the great sage Rabban Yochanan Ben Zakai about the Biblical commandment of the 'red heifer,' -- the special portion which we also read this Sabbath arguing that it resembled sorcery. "You bring a cow, and burn it and grind it up and then take the ashes; if one of you has been defiled by death, you then sprinkle two or three drops on him and you declare him pure!" And even stronger, while the ashes of this red heifer purify the impure, another individual who touches those ashes becomes defiled by them! When his students balked at the simplistic response their Master gave to the pagan -- "Our Master, you pushed him away with a reed, but what do you say to us?"

The great Sages responded as follows:

"By your lives," it's not death which defiles, and it's not water which purifies. It is rather the Holy One blessed be He who declares, 'I made my statutes, I have decreed my decrees.'"

Now, I believe that Rabban Yechonan Ben Zakai is saying something far more profound than merely expressing the arbitrary nature of the commandments. Let us look at another midrashic comment, Midrash Tanhuma B'Shallah, and a fascinating insight will hopefully emerge: "There were three things over which the Israelites protested, because they brought suffering and tribulation: the incense, the holy ark, and the staff. The incense is an instrument of tribulation, because it caused the death of Nadav and Avihu (Leviticus 10:2); therefore G-d informed Israel that it is also an instrument of atonement on the Day of Forgiveness. The Holy Ark is an instrument of tribulation, because when Uzzah touched it he was immediately struck down (2 Samuel, 6:7); therefore G-d informed Israel that it is also an instrument of blessing of Oved Edom the Gitiite. The staff is an instrument of tribulation, because it brought the plagues upon Egypt; therefore G-d informed Israel that it is also an instrument of blessing when Moses did miracles with it..."

In effect, the midrash is explaining that objects -- staffs, incense, a holy ark, sacrifices, words of prayer -- are not necessarily sacred in themselves. Their purpose is to bring one closer to G-d -- and, in order for this purpose to be realized, the individual must wholeheartedly utilize them to bring him/her closer to G-d. As far as ritual objects are concerned, it is not the object WHICH IS INTRINSICALLY HOLY, BUT IT IS RATHER WHAT ONE DOES WITH IT AND HOW ONE RELATES TO IT IN THOUGHT AND INTENT which creates the holiness. Therefore, the very same ashes of the red heifer can purify or defile, just as the very same holy ark can bring death or blessing -- depending upon the purpose for which it is utilized.

That is as far as ritual objects are concerned; the situation is radically different concerning ethical actions. When an individual gives charity, or extends a loan, to a person in need, the intent of the donor is

of little or no account; his action is intrinsically significant, no matter the motivation. Hence, the Talmud rules that "a person who says 'I am giving a sum of money to charity so that my son may live' is still considered a completely righteous individual - a Zaddik Gamur" (B.T. Pesahim 8a).

Jewish theology is here teaching a critical lesson. The goal of Judaism, is ethical and moral action, is walk in G-d's ways - just as He is compassionate, so must we be compassionate", etc. Acts of compassion are intrinsically sacred; they are the very purpose of our being. The purpose of ritual, on the other hand, is in order to bring us close to the G-d of compassion, is a means to an end. "You shall build me a Sanctuary, IN ORDER that I may dwell in your midst," commands G-d. Therefore, only rituals which are accompanied with proper intent will lead to the desired end and will therefore have eternal significance.

Shabbat Shalom.

You can find Rabbi Riskin's parshiot on the web at:

<http://www.ohrtorahstone.org.il/parsha/index.htm> Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash
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Student Summaries of Sichot Delivered by the Roshei Yeshiva
Parashat Tzav - Shabbat Para

SICHA OF HARAV AHARON LICHTENSTEIN SHLIT" A

PARA ADUMA - FINDING REASONS FOR THE MITZVOT

Summarized by Matan Gildai Translated by David Silverberg

The laws of the "para aduma" (red heifer) are known to be one of those areas which come under attack by the nations of the world and the evil inclination. The Midrash (in Parashat Chukat) identifies two specific problems latent within the institution of the para aduma that invite criticism from the various forces without. First, the evil inclination points to an inherent contradiction regarding the red heifer - although its function is to purify, it renders impure anyone who comes in contact with it. The Midrash (Bemidbar Rabba 19:5) lists this halakha as one of the five instances in the Torah when such an apparent contradiction arises.

The continuation of the Midrash (19:8), however, deals with a basic conceptual problem with the para aduma, going beyond this contradiction:

"A certain gentile asked Rabban Yochanan Ben Zakkai, 'These things that you do appear to be some sort of sorcery! You bring a cow, burn it, crush it, take its ashes, sprinkle on one who had been defiled by contact with a dead body two or three drops, and then tell him that he is pure!' [R. Yochanan] answered him, 'Have you ever seen one who was stricken by the force of lichen?' [The gentile] said to him, 'Yes.' [R. Yochanan] said, 'And what do they do for him?' [The gentile] said to him, 'They bring roots [of a plant], smoke them underneath him, pour water, and it [i.e. the illness] runs away.' [R. Yochanan] said to him, 'Your ears should hear what comes forth from your mouth! This force is impurity. B They sprinkle upon it purifying waters, and it runs away. B' After [the gentile] left, the students asked [Rabban Yochanan], 'Our rabbi, him you dismissed easily; but what do you say to us?' He said to them, 'I swear that the corpse does not defile and the waters do not purify. But the Almighty said: I instituted a statute, I issued a decree, and you are forbidden to violate My decrees.'"

The gentile sought the practical basis of the efficacy of the para aduma. He assumed that every mitzva must serve a concrete purpose, and one does not fulfill a mitzva whose practical benefit he does not understand. Recognizing his challenger's presuppositions, Rabban Yochanan Ben Zakai responded along the lines of these mistaken notions and defended the practical benefit of sprinkling the purifying

waters of the red heifer.

While this sufficed for the gentile questioner, the students were unsatisfied for two reasons. Firstly, they were proficient in all details of Halakha and knew that practical explanations cannot be given for all halakhot. Although one can claim that a particular mitzva has a practical benefit (e.g. the nutritional value of kosher food, the hygienic benefit of the laws of nidda), one can never rationalize all the details of Halakha by following this approach. Secondly, these explanations downsize the significance of the mitzvot; they turn the Torah into a helpful health guide and strip the mitzvot of their intrinsic value.

Indeed, Rabban Yochanan responded that one can never properly understand the underlying reason behind the institution of para aduma. The system of mitzvot is divine in origin, and as such we have no need to unearth the practical benefit of each mitzva. This is also the position of the Rambam (Moreh Nevukhim III:26), who maintains that although we may ascertain the rationale behind the generalities of mitzvot, we will never arrive at the reasons behind all the details therein. As the midrash teaches (Bereishit Rabba 44:1), "Does the Almighty care whether one slaughters from the front of the neck or the back? We must conclude that the mitzvot were given only to cleanse the human being."

Judaism believes in the utilitarian quality of mitzvot, namely, that they sanctify body and soul. As opposed to secularism, Judaism maintains a distinction between sacred and profane actions, just as it differentiates between sacred and non-sacred locations and times. We may even unearth the rationale behind some of the details, but regarding many others we will never discover the reasons. We must view them as decrees and statutes established by the Almighty, and observe each detail, with all its minutiae, regardless of what we understand and what we don't.

True, when we attempt to explain the mitzvot and their reasoning to the non-religious, we may offer functional explanations to which they can relate and which they can understand. Nevertheless, caution must be exercised in this regard, and excessive use of these rationalizations ought to be avoided. Firstly, too much explanation of this type may prompt the non-observant person to conduct a thorough inquiry into all the details and thereby contradict our responses. Secondly, indulgence in functional rationalization may lead us to convince ourselves that these indeed constitute the ultimate reasons behind the mitzvot. Ultimately, whether or not we perceive the benefit of the mitzvot, we are commanded beings, and questions of practical benefit are not of the essence.

(Originally delivered at seuda shelishit, Shabbat Para 5755 [1995].)

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The 20th Annual Dinner of Yeshivat Har Etzion will take place on Sunday April 2, 2000 at the Grand Hyatt Hotel, NY Guests of Honor: Dr. Heschel and Adinah Raskas Parent Recognition Award: Dr. Mark and Susan Wiesen Alumnus of the Year: Rabbi Dr. Michael and Elisheva Berger Preceding the dinner at 4PM, there will be a symposium with HaRav Aharon Lichtenstein and Rav Yoel Bin-Nun. The topic of the symposium will be: The Study of Tanakh Today and Tomorrow: New Vistas and Challenges To place your reservation, please contact the NY office: 212-732-4874 or email gush@panix.com We look forward to seeing you there!

From: RABBI ARI KAHN Arkahn@aish.edu Subject: MI-ORAY-HA-AISH - Tzav - Thoughts of Sin
PARSHAT TZAV
THOUGHTS OF SIN
This week's Torah portion opens with a description of a sacrificial offering

called olah, which is entirely consumed by fire. The Sages have a tradition which explains the purpose of this offering:

Rabbi Shimon Bar Yochai taught: The olah is brought for hirhur halev, "contemplation of the heart." (Vayikra Rabbah 7:3)

This idea is further explained in the Jerusalem Talmud:

The olah brings about kappara, "expiation/atonement," for thoughts of the heart. (Yerushalmi Yoma 8:7, 45b)

Thus we learn that "sinful" thoughts of the heart necessitate forgiveness.

At first glance this idea seems strange, especially from a contemporary western perspective. After all, we live in a society which condones almost any type of behavior between adults as harmless so long as it is mutually consensual.

Most certainly, ones thoughts are private, and no harm -- and therefore "sin" -- takes place if one has mere thoughts. In some circles, thoughts and fantasies are encouraged, and are seen as a part of a healthy, well-adjusted mind.

Yet here we have the opposite teaching: mere thoughts can be sin, and therefore forgiveness is required.

THOUGHT CONTROL

The idea that thoughts must be controlled is a very basic one, found in the third section of the Sh'ma:

Do not turn after your hearts or your eyes which entice you. (Numbers 15:39)

What, then, is the connection between the olah and the thoughts for which it compensates? The Midrash explains:

Thus taught our Sages: "The olah is completely holy, because it was not brought for sins, the asham was brought for theft, but the olah was not brought for sin or theft, rather for thoughts of the heart." (Tanchuma Tzav, 13:13)

Here the olah is called "completely holy," referring to the fact that the olah -- which literally means "ascending" -- is completely consumed by fire, and man derives no benefit from it.

And God said to Moshe saying: 'Command Aaron and his children saying, "These are the instructions of the olah. It is an olah which shall burn on the altar the entire night, until morning. And the fire of the altar shall be kept burning in it." (Leviticus 6:1-2)

This is further explained by some commentaries to the verse:

The olah is an offering which brings about forgiveness for thoughts. Just as a person's passions burn at night, this sacrificed animal -- which represents the physical side of the person -- burns all night, until only spirit is left. (See Torah Shelema Tzav note 9.)

There is nothing "physical" left of the offering.

This idea can be further elucidated by a passage in the Talmud:

Thoughts of sin are kasha, "more difficult," than sin. (Yoma 29a)

Rashi understands this teaching to mean that thoughts of sin are more difficult to control than actually committing the sin itself. But this explanation does not indicate which is more serious, or for that matter if a thought of sin is actually a sin in and of itself:

Sexual passion is more difficult to contain than the act itself. (Rashi)

As we have already noted, many people do not consider thoughts a religious or moral issue.

It is more difficult to control something which is not considered to be a problem in the first place. And, furthermore, crimes of the heart are never known by others.

One conclusion of Rashi's analysis might well be that the reward for controlling one's thoughts would be greater than the reward for avoiding an "actual" sin, following the principle taught in the Ethics of the Fathers:

In accordance with the difficulty is the reward. (Mishna Avos 5:26)

Even though a real sin in the world of action is worse, one would nonetheless receive a greater reward for avoiding thoughts of sin because of the sheer difficulty of thought control.

SANCTITY OF THE MIND

Maimonides, in the Guide for the Perplexed, has a radically different understanding:

You already know the teaching "Thoughts of sin are kasha, more difficult, than sin." (Yoma 29a) I have a wonderful explanation: If a person sins, it is generally due to circumstances which result from his being a physical creature -- that is, a person will sin due to the animal side of himself. But thoughts are the treasure of a person which follow his "form" (his image of God) and if a person sins with his thoughts, then he has sinned with his greatest asset B [because] the purpose of the mind is to cling to God, not to slip below [to the animal level]. (Guide for the Perplexed 3:8)

Maimonides is explaining that thoughts of sin are worse than sin! He posits that a person is made up of two parts -- the animal/physical and the intellectual/spiritual. Therefore, if a person sins with his body, it is understandable

because the body is physical, and therefore has all sorts of physical urges and animal instincts. The mind, on the other hand, is the manifestation of the image of God. To sin with one's mind is therefore a greater desecration than sinning with one's body.

There is one caveat -- man is punished, in general, for action, not thought. Nonetheless, sinful thoughts may be more spiritually debilitating.

The image of the olah now takes on new meaning. The person who has sinned with their mind has, in effect, turned his spiritual side into something animal. Therefore the animal offering brought to make amends for such a sin must be completely consumed by fire, indicating that the mind must be completely dedicated to the spiritual.

THE ANTIDOTE IS TORAH

This idea may be illustrated by a second teaching -- by Rabbi Shimon Bar Yochai, the authority who taught that the olah is brought for forbidden thoughts:

Rabbi Shimon bar Yochai said in addition: "Whoever puts the words of Torah on his heart [mind] is saved from thoughts of sin, thoughts [fear] of the sword, fear of tyranny, idle thoughts, thoughts of the evil inclination, thoughts of sexual licentiousness, thoughts of evil women, thoughts of idolatry, fear of being controlled by others, and obsessive thoughtsB" (Tana d'Bei Eliyahu Zuta, Ch. 16)

Here, Rabbi Shimon bar Yochai is teaching that there is an antidote to sinful thoughts -- Torah.

As we have seen, the mind represents the image of God and the spiritual side of man. This image was created in order to enable us to have a relationship with God; therefore, the person whose mind is involved in words of Torah is spared the types of thoughts which haunt man.

This teaching reminds us of the passage in the Talmud, taught in the name of Rabbi Yishmael, that if the "Evil Inclination" takes control of a person, the remedy is to pull him into the House of Study. (See Kedushin 30.)

Whenever there is a tension between the physical and spiritual aspects of man, Rabbi Yishmael's advice is to bring the battle onto your own turf.

The Kotzker Rebbe once commented on Rabbi Yishmael's advice:

Don't think for one second that the Evil Inclination isn't waiting for you in the House of Study as well! Rabbi Yishmael's advice will only afford a "home court advantage."

ELEVATING THE PHYSICAL

Man's role in this world is to elevate the physical. To facilitate this, man's mind, which is the core of his spirituality (and, according to Maimonides, of the "image of God") must remain pure, focused, and spiritual.

The insidiousness of thoughts or fantasies of sin is that the physical/animal has attained dominion over the spiritual, and the battle is thus lost before it is begun.

The Temple, as we saw in last week's Torah portion, is a place where errant man is rehabilitated. The sin offering, with the powerful cathartic imagery we examined last week, helps man when he has actually performed a sin.

The olah, which is described at the beginning of this week's Torah portion is brought for the "sin" of forbidden thoughts. As the entire animal is consumed by the fire, man's thoughts are again turned towards the direction of all his mental energies -- entirely to God.

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From: kenblock@att.net[SMTP:kenblock@att.net] Subject: NCYI Weekly Divrei Torah - Parshat Tzav, Parshat Parah

RABBI ZVI WALKENFELD Associate Member, Young Israel Council of Rabbis

18 Adar II 5760 March 25, 2000 Daf Yomi: Yevamot 116

The laws regarding the Para Aduma (Red Heifer), in this week's special Torah reading, are perplexing and provide an easy target for those who would debate the Torah's truth. All those involved in the Para Aduma's preparation and application become ritually impure, and the one who is ritually impure (from contact with a dead person) becomes purified through it. We have no similar law in all of Torah. And, indeed, the Torah refers to this law as a "Chok", a statute; it is in the class of Torah laws whose reasons are hidden from us.

Rashi teaches us that the first words of Parshat Para, "Zot Chukat HaTorah, This is the Statute of the Torah," are there for the challengers. He tells us that, "Since the evil inclination and the nations of the world challenge Israel (regarding the Para Aduma) saying, ΦWhat is this

command and what reason is there for it?' Therefore, HaShem wrote by it Φ Statute' ϕ It is a decree from me, you have no right to question it."

Rashi shows us similar direction in his commentary on the very first word in the Torah. Rashi wonders why the Torah starts with the story of creation. The Torah is not a storybook, he reasons, but it is, however, the ultimate legal guide. The Torah should then begin with the first mitzva, the first command, that HaShem gives us. Rashi explains that, "HaShem told His nation about the power of His actions in order to give them the land of nations". The Torah is preparing us for the inevitable challenge to our claim to the Land of Israel (that was previously settled by seven Canaanite nations and promised by HaShem to Avraham Avinu and us, his descendants). "In case the nations of the world would tell Israel, Φ You're thieves! You conquered the lands of seven nations!" We could now respond that HaShem created the world and gave the land to whomsoever He saw fit, "When He wanted to, He gave it to them (the seven nations), and when He wanted to, He took it from them and gave it to us." Essentially, it was G-d's will to give the land to us.

It would seem from Rashi that the response to any challenge is always the same. Whether we are accused of stealing the Land of Israel or if we are challenged and told the law of the Red Heifer is nonsensical, we are to respond, "This is G-d's will."

At first glance, Rashi's approach seems to be somewhat shortsighted. Does Rashi really believe that telling the world that the Land of Israel is ours because HaShem gave it to us is going to work? I can imagine it now, Yasir Arafat is in final status talks with the Israeli Prime Minister and he barks, "You know that you took the land from us! Now it is time for you to return it to its rightful owners!" The Prime Minister looks at him, shakes his head a few times and says, "Sorry, this is G-d's will." And, Arafat looks at the ground and, somewhat sheepishly, responds, "Okay, well... no harm in asking, is there? If it's G-d's will and all, I'll just retract everything I said. No hard feelings, okay?"

Rashi was one of our greatest thinkers and most astute sages; he gave answers to our most perplexing problems and his teachings influence our lives daily, nearly one thousand years later. Rashi was anything but shortsighted.

Compare my scenario with the exodus from Egypt. Moshe used a similar approach with Pharaoh and was rebuffed with "Who is HaShem that I should listen to his voice?"

So, what are we missing?

Let us examine a case history recorded in the Midrash (Midrash Raba; Parshat Chukat, 19:8).

An idolater asked Rabbi Yochanan ben Zakkai. "You have a ritual that you perform that looks like witchcraft. You bring a cow, burn it, grind it down and take its ashes. When one of you is defiled from a dead body, you sprinkle him with the ashes two or three times and tell him he is pure."

Rabbi Yochanan ben Zakkai responded, "Did you ever have a Spirit of Madness possess you?" The idolater answers no. "Did you ever see somebody possessed by a Spirit of Madness?" The idolater answers yes. "And," asked Rabbi Yochanan ben Zakkai, "What did you do to him?" "We would bring roots, make them smoke beneath him, sprinkle water and the Spirit of Madness would flee." Rabbi Yochanan ben Zakkai tells him, "Listen to what comes out of your mouth! It's the same with this spirit, the Spirit of Impurity...We sprinkle it with the ashes and it flees."

After the idolater left, Rabbi Yochanan ben Zakkai's students asked him, "Our teacher, this one (the idolater) you knocked down with a reed (you brushed him off with a false answer as there isn't any Φ Spirit of Impurity'), what would you say to us?"

He responded, "As you live! The dead do not make (someone or thing) ritually impure and the water (that the ashes of the red heifer are mixed with) does not purify, except that the Holy One, Blessed Is He, said, Φ I have made a statute, I decreed a decree. You have no right to

violate my decree.' As it is written: Φ This is the statute of the Torah'."

Amazing! Rabbi Yochanan ben Zakkai, who preceded Rashi (and whom Rashi must have been aware of, having been the penultimate expert in Talmud and Midrash) does not follow Rashi's prescription when answering the idolater. It is only after he answered the challenge with an artificial reason that he returns to the Torah's response, and then he is responding to his very own students.

It would seem that we have to distinguish between answers and answers. There are two answers that we must have when our faith is challenged. The first is the answer to the challenger that stops his attack, the second is the answer we have for ourselves. It is this one that we tell ourselves when the challenger leaves. The second answer is the reason for our continued faith and it is this answer that Rashi is telling us.

Rashi's answer presupposes a foundation of faith. Rashi is talking to the person who believes in HaShem and His Torah. It is to this person that the Torah explains the story of creation, of how HaShem created the world, populated it, destroyed the corrupt population and then repopulated the world through a single righteous family. The Torah teaches how HaShem governs the world, how He uprooted the corrupt and evil Sodom and rewarded Avraham Avinu, for his love of HaShem, with the Land of Israel. The Land of Israel was a gift to us from G-d ϕ we did not steal it.

It is to this same person that the Torah addresses certain laws without explaining the whys and wherefores. The person who accepts HaShem's Divinity will also accept not being privy to all of HaShem's thoughts and considerations.

How, you might ask, does one attain this foundation of faith? Consider then that much of what we claim to know is really belief. We believe that there was a Spanish Armada. We didn't see it. We don't know anybody who ever saw it, nobody in existence today has firsthand, eyewitness knowledge of the Spanish Armada and nobody alive today ever knew anybody that did have firsthand knowledge of it. But, we believe in its having existed so strongly that if anyone would come over and say, "Spanish Armada? What nonsense! What a hoax! It never existed!", we would dismiss the person as an ignorant boor with absolutely no knowledge of what he is saying. We believe that the Spanish Armada existed because it is recorded in the history books, because the details have been transmitted from generation to generation to generation.

Our foundation of faith stems from our being freed from Egyptian slavery by HaShem and from our having witnessed HaShem's presence on Mount Sinai. There were more than one million witnesses to these events, and these witnesses transmitted their testimony to their children, who transmitted it to theirs; an unbroken chain of testimony that we received and will transmit to our children. No other events in the world have such a solid chain of testimony as do those surrounding Jewish history. It is because HaShem redeemed us from Egypt that we are indebted to Him and follow His Torah.

When Rashi writes that we have no right to question the law of the Para Aduma because it is HaShem's decree, Rashi is telling us the answer that we must tell ourselves. We have no right to question HaShem's decree because we are indebted to HaShem who redeemed us from Egypt, who appeared to us and gave us the Torah at Mount Sinai and who has thereby earned and gained our trust and faith. When Rabbi Yochanan ben Zakkai answered the idolater, he answered to stop the idolater's challenge. However, he had a very different answer when he had to face his students; he had the truth.

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[RABBI JONATHAN SCHWARTZ] From: jschwartz@ymail.yu.edu

Subject: Internet Chaburah -- Parshas Tzav/Parah

Prologue: Desperation. It often leads one to make a decision he would not normally make, had normal plans prevailed. In Judaism this situation is often likened to a B'Dieved which, despite common conceptualization, does NOT refer to a more lenient commentary to Jewish law. B'Dieved, like moments of desperation, can cause practical Halachic decisions to be made that would normally not be the rendered decision if initial thought were to be considered. B'Dieved is a decision of a moment of desperation.

The Gemara (Menachos 110a) building off one of the more pronounced Possukim in the Parsha (7:37) notes that anyone who learns the Torah, it is as if he has brought a Korban Olah. In explanation, the Talmud elsewhere (Taanis 27b) explains that Hashem told Moshe that after the Churban, the way to serve Hashem and rectify sin is the recitation of the Parshas HaKorbanos. He told Moshe that at the time when the Jews read these Parshiyos, Hashem will consider the Korbanos as brought and will forgive them for their sins.

Rav Zalman Sorotzkin questions the language of this Chazal. It seems from the Gemara that the recitation of the Parshiyos concerning Korbanos applies only after the destruction of the Beis HaMikdash. This is due to the Ones of the lack of a place to bring the actual Korban. However, if the Beis HaMikdash were to exist, one would be required to bring the proper Korbanos since without them, there wouldn't even be a Shomayim V'aretz.

Notes Rav Sorotzkin that indeed this is the case. The recitation of the Parshiyos of Korbanos does not EXCUSE one from bringing the actual Korban when the Beis HaMikdash will be rebuilt. In fact, we find that Rabbi Yishmael Ben Elisha (Shabbos 12b) wrote down his obligation to bring a Korban after transgressing a certain sin. Why did he not simply recite Parshas Hakorban and allow Hashem to consider the recitation as if he brought the actual thing? The power of Korban-recitation is clearly of secondary-B'Dieved nature to that of actively bringing the Korbanos.

In Jewish ritual as well as in Jewish life, situations (sometimes even desperate ones) call for us to determine L'Chatchila and B'Dieved. We also are often asked to choose between being active and passive in our approach to Yahadus. This week's Chaburah examines a common situation of desperation where the decision can determine Kodesh from Tamai. It is entitled:

DRYING OFF

The Gemara (Berachos 51a) notes the opinion of Beis Shammai that one must dry his hands with a cloth. Tosfos (Sukkah 39a D"H Oiver) writes that for this reason we make the Beracha of Al Netilas Yadayim after washing without the concern for Beracha Oiver La'Asiyasan (Making the Beracha prior to performing the Mitzva). The opinion of Tosfos is that drying one's hands is a part of the Mitzva of Netilas Yadayim which is not complete until the hands are dried.

The Mordechai (Pesachim 539) agrees and notes that one makes the Beracha on Netilas Yadayim AS HE DRIES HIS HANDS. This is because one who eats without drying his hands is as if he has eaten a Tamai item. The source for this Psak is the Gemara (Sotah 2a) where the Gemara continues to explain that if one dips his hands into the water, he need not dry his hands off. The Mordechai there explains that when he dips his hands (like into a Mikva), the waters into which he dips his hands are not Tamai.

Based upon this Psak, the Beis Yosef explains that if one pours a full Reviis of water onto each of his hands - there is no Tamai water there and he need not dry his hands. Still, the Rema (Orach Chaim, 158:11) takes the opinion that drying one's hands is considered part of the Mitzva.

Once we accept the need to dry one's hands when washing Netilas Yadayim, what does he dry them with? The Kaf HaChaim (158:87) notes that one should use a cloth and not merely dry them on their own (i.e. in the sun). The Levush (Siman 13) agrees and notes that Netilas Yadayim

requires some active effort with a towel (See Pri Megadim and Shut Oneg Yom Tov <Siman 18> who demonstrate that since the drying of the hands helps create a situation of Oiver L'Asiyasan, it must be an important part of the Mitzva). For these Poskim, it seems that the reason for drying one's hands is to create a situation of Oiver L'Asiyasan. The creation of that situation requires the drying process to contain some activity like with a towel. If it were to come passively, then the Beracha wouldn't be Oiver L'Asiyasan. This is the position of the Mishnas Yaakov who notes that one who dries his hands with an electric air blower does not create a Beracha Oiver L'Asiyasan since it is just a speeded up version of passive drying by the sun (i.e. air).

However, there are Poskim who disagree. The Shut Az Nidbiru (Viii: 52) notes that the Gemara's statement concerning drying one's hands after washing is based upon the fact that eating without drying one's hands is disgusting. However those hands dry, if by towel or by air, improves the situation. (This position is based on a Taz and a Rashi who compare Tumah to a disgusting situation and thus should be removed prior to eating.) Thus, this position maintains that using air dryers for drying one's hands would be OK. After all, so long as one uses a Reviis, there is no need to actually dry one's hands, the need to have one's hands dried can come any way it can. The Az Nidbiru goes further to suggest that air dryers are actually active drying methods as the person must rub his hands together under the dryer to make the hands dry faster and well. He calls this a "Maaseh Niguv Mamash." (See also Rivivos Efraim II:68). The Shiarim Mitzuyanim B'Halacha (V:20) goes so far as to suggest that an air dryer is a more preferable method of drying one's hands than a wet towel would be.

Thus, when drying off, if there is no towel available or if it is soaking wet (and you used a Reviis) one can use an air dryer for Netilas Yadayim and even call it Oiver L'Asiyasan (Shut Mi Yam HaHalacha III:1).

Battala news Heartfelt condolences to Rabbi Wes Kalmar upon the loss of his father. HaMakom Yinachem Oso B'Soch Sha'ar Aveilei Tzion V'Yirushalayim

From: Ohr Somayach[SMTP:ohr@virtual.co.il]
The Weekly Daf #318 Yevamot 104 - 110 By RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions
This issue is sponsored by Koshersfinder.com - "Your guide to everthing kosher!" <http://www.koshersfinder.com>
PRICELESS WISDOM

What is the connection between the exorbitant fee of an expert surgeon and the chalitzah of a yevamah? It all begins with the story of Rabbi Papa's wife's sister whose husband died childless. The husband's brother, upon whom it was incumbent to marry her in performance of the mitzvah of yibum, was an unsuitable mate for her but was unwilling to free her through chalitzah. When the case came before the Sage Abaye, Rabbi Papa suggested that they lure him into doing chalitzah by offering him the generous sum of 200 zuz. After the chalitzah was performed Abaye asked the woman to give the fellow the money she had promised.

Even if she would not give the money, Rashi points out, the chalitzah would be valid. Only something which can be done through an agent is subject to conditions imposed by the parties and is nullified upon non-fulfillment of a condition. Since chalitzah cannot be performed through an agent, the failure to fulfill a condition attached to it does not nullify its effectiveness. Since the woman, however, had "hired" the services of her yavam, it was Abaye's opinion that she was legally obligated to pay the sum to which she had agreed.

Rabbi Papa contested this claim by comparing this case to that of an innocent man fleeing from dangerous pursuers whose only hope for freedom is a ferry which will take him across the river. In desperation he offers the uncooperative ferry man a sum of money much larger than

his usual fee. After he reaches safety, says the halacha, he has no obligation to pay more than the regular fee and can dismiss his offer as not being a serious one. [Mishate Ani Bach Avda.] This is so because the ferry man has a responsibility to save him and can therefore not demand an exorbitant fee. The yavam who is unfit for the yevamah similarly has a responsibility to free her through chalitzah, and since he loses nothing in doing so, the woman is not bound to fulfill her promise of money.

Ramban extends this concept to the case of a sick man who can only acquire the medicine he needs by promising the one possessing it an exorbitant sum of money. Not only is it wrong for the medicine's owner to demand such a price, but even if the sick man consents to promise him the money, he is not obligated to later fulfill his promise, and all he must pay is the market value of such medicine. When it comes to a physician charging for his services, however, there is a difference of opinion amongst the commentaries. Ritva contends that since the physician, like the medicine owner, is obligated to save the life of the patient, he can charge only for the time spent attending him. Ramban, however, rules that since it is his wisdom which the doctor is selling, there is no definable price tag and whatever they agree upon must be paid. (The latter opinion is upheld in Shulchan Aruch Yoreh Deah 335:3.) * Yevamot 106a

WELCOME THE CONVERT

What is the Torah community's attitude towards conversions? The answer to this very topical question is a simple one: Conversion to Judaism is not encouraged nor is there acceptance of a candidate for conversion before there is ample evidence of his or her sincerity. It goes without saying that the conversion process itself must be handled by a qualified rabbinical court according to halacha.

A first glance at the statement of Rabbi Yitzchak in our gemara would seem to indicate a total policy of hands off from conversion. "Evil after evil," he declares on the basis of a passage in Mishlei (11:15), "will come upon those who accept converts."

This warning against accepting converts, explains Tosefot, is directed towards situations in which the candidate for conversion is persuaded to make this move, or in which he is readily accepted without properly determining his sincerity. Where the candidate, however, genuinely strives to join the Jewish nation, we are required to accept him. Tosefot then lists historic examples of famous conversions: Yehoshua accepted the conversion of Rachav, the Jericho woman who hid the Israelite spies; Naomi encouraged the conversion of the Moabitess Ruth, from whom King David was descended.

While both Rachav and Ruth positively demonstrated their sincerity, there are examples of conversion in which the Sages relied on their penetrating evaluation of human character. The Sage Hillel accepted the conversion of a person who made his conversion dependent on being taught the entire Torah while he stood on one leg (Shabbat 31a). Although such a proposition smacks of insincerity, Hillel's reading of the man convinced him that he would be a genuine convert -- and his judgment was indeed vindicated.

The most powerful argument for accepting converts presented by Tosefot is the gemara (Sanhedrin 99b) about the descendants of Avraham, Yitzchak and Yaakov suffering at the hands of Amalek as a punishment for the forefathers' rejection of Timna's bid for conversion. After this heathen princess was turned away by the patriarchs, she became the concubine of Elifaz, son of Esav, because she preferred being a maidservant to the nation of the patriarchs to being a princess in another nation. From her was descended Amalek who made so much trouble for Israel. This was a punishment for rejecting his mother in her bid for conversion.

* Yevamot 109b

Written and Compiled by Rabbi Mendel Weinbach General

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From: BAIS-MEDRASH@TORAH.ORG Bais-Medrash Friday, March 17 2000
Volume 02 : Number 014 Bais -Medrash is an open forum for discussion among those with a solid Jewish education. Opinions and Halachic positions represented herein are not necessarily those of anyone but the writers of the respective posts, and have not been checked or verified in any way by Project Genesis.

Date: Mon, 28 Feb 2000 11:52:40 -0500 From: Debbie <compugraphd@earthlink.net>
Subject: Re: BORO PARK EIRUV

M. Shulman <mshulman@NOSPAMix.netcom.com> wrote: <<The Chassidisher rabbanim did not always hold like Reb Moshe. There is a difference between greatly respecting someone and following his views...(What I always found interesting is that Reb Moshe was matir an eruv in Queens, which I could never understand. I fail to see the difference between Queens and Brooklyn, since the only real difference is a line on a map.)>>

I don't know if municipal boundaries or the like affected Rav Moshe's psak (halachic -- Jewish legal -- decision), but if you look at postal designations, Boro Park, Flatbush, Canarsie, etc. are all "Brooklyn, NY 112XX" whereas, Queens is not a postal designation -- it is "Forest Hills, NY..." or "Flushing, NY" or "Bayside, NY". Postal designations also intrude to some degree into popular ideas and thoughts. I most often, when asking people where they live, hear "Brooklyn" rather than "Boro Park" or "Midwood" or "Coney Island" but Queens residents usually say "Forest Hills" or "Rego Park" or "Jackson Heights" rather than "Queens". It seems to me that people in Queens see their communities as separate entities where Brooklyn residents see Brooklyn as one big entity.

As I said, I don't know if this is the reason, but it could be one possible explanation. Debbie

Date: Tue, 29 Feb 2000 00:07:17 -0500 From: Gershon Dubin <gershon.dubin@juno.com> Subject: Re: Boro Park Eiruv

Jonathan Chipman <yonarand@internet-zahav.net>'s review of the basics of eruv is very good, but I would like to make some comments thereon. Most, but not all, of my information comes from an excellent sefer on the issue, The Contemporary Eruv, by Rabbi Yosef Gavriel Bechofer.

<<Basically, the dispute revolves around a pesak halakhah issued by Rav Moshe Feinstein ztz"l some twenty years ago, saying that one cannot make an eruv in Manhattan or, by extension, presumably in other places where similar conditions apply.>>

Rav Moshe specifically said that one cannot make an eruv in Flatbush. It was not by inference from Manhattan; he was quite clear about it.

Since the rationale was that Brooklyn as a whole is a reshus harabim, this would apply to Boro Park as well. I am not aware, as I wrote previously, of any special circumstances which would allow Boro Park to be considered an exception.

<<a ruling given by Rav Hayyim Ozer Grodzinski for Paris>>

The teshuva referenced actually says that if not for the walls, Paris would be a reshus harabim due to there being 600,000 people on the streets. He too does not require them to pass any one place at any one time, only to be on all the streets in aggregate.

<<In prewar Warsaw there was an eruv under the aegis of Rav Meir Shapira of Lublin.>>

As I alluded to in the previous paragraph, Rav Moshe's definition was based on people on the street, not people who reside in the area. Rav Moshe himself mentions the Warsaw eruv and says that there were never that many people on the street in Warsaw.

<<The present Boro Park eruv was put up and maintained, I believe, under the guidance of Rav Menashe Klein, who is himself a major posek.>>

I repeat what I had asked previously: why did this issue suddenly surface now, given that the geographic and demographic factors have not changed?

<<There is always room in halakhah for mahloket, for differences of opinion. One (I refer here to a qualified rav, not any person) may disagree with even the greatest gedolim>>

While there is room to follow other halachic opinions on the definition of reshus harabim, one needs to have an appreciation for the breadth and depth of Rav Moshe's Torah knowledge before taking upon oneself the responsibility of disputing him. The responsibility of doing so should not be taken lightly. That said, those who say that Rav Moshe himself "would have approved" of this eruv are on very shaky ground.

<<This is especially so where it comes in response to a felt need of the Jewish public>>

I assure you most definitely that Rav Moshe's concern for the Jewish public was no less than any of those who dispute his psak.

Gershon Dubin gershon.dubin@juno.com

Date: Tue, 29 Feb 2000 01:14:39 EST From: Ydfrankel@aol.com Subject: Re: Boro Park Eiruv

In part Rav Yehonatan Chipman wrote: <<...R. Moshe Feinstein's ruling represents an in-between position, based upon an unusual reading of the sources...so long as there are 600,000 people residing within the area enclosed by the eruv...if in addition there is a mavoy mefulash of the requisite width, etc., in that same area, than the area as a whole is considered a reshut harabim deoraita, and it is impossible to make an eruv in such a place...Needless to say, there were and are other Torah giants who allow the making of an eruv. Among those who supported an eruv in Manhattan during the early post-war years were Rav Henkin and Rav Menahem Kasher...Rav Hayyim Ozer Grodzinski for Paris...the Hazon Ish and Rav Zvi Pesach

Frank, one of the major poskim of Yerushalayim two generations ago. In prewar Warsaw there was an eruv under the aegis of Rav Meir Shapira of Lublin. The present Boro Park eruv was put up and maintained, I believe, under the guidance of Rav Menashe Klein, who is himself a major posek.>>

I believe that there are serious clarifications necessary.

1. The opinion of Harav Feinstein Z.Tz.Vk.L. was that a reshut haRabim included any area that was similar to the machaneh Yisroel in the midbar. This, in fact is the source for Rashi in Eruvin. This means that an area of approximately 8 by 8 square miles (the size of the camp of klall Yisroel in the midbar was 12 x 12 mil) that had *three times* 600,000 people with a main thoroughfare which carried that amount of people daily created a reshut haRabim in the entire area. This does not seem unusual to me.

2. In order to find an opinion that argued with this opinion you would have to find a t'shuva that dealt with a population of at least *1.8 million* people. Most major cities in America to this day don't have this number! To discuss the eruv of Prewar Paris and Warsaw only obfuscates the issue since Harav Feinstein Z.Tz.Vk.L. NEVER disagreed with those decisions. Those cities, in those times, never had such large populations. I therefore must respectfully disagree with the conclusion that...

<<Before Rav Moshe, the mainstream of poskim was to rely upon the heter of 600,000 (Orah Hayyim 345.7), and the Be'er Heiteiv there adds that "the world is accustomed today to accept that there is no reshut harabim...>>

3. I certainly would not call this opinion an in between opinion nor do I believe that this Be'er Heiteiv is relevant, since the t'shuva in Igros Moshe deals with, basically, new territory. This issue is not discussed in the earlier poskim since this m'tzius, until modern times, didn't exist.

4. The original issue of the Eruv in Manhattan is not twenty years old, rather it dates back to 1952 when the greatest Torah giants of the last 50 years were alive, wrote and debated. Rav Yosef Eliyahu Henkin Z.Tz.Vk.L. passed away first in 1973 and in all of those years there was total *practical* unanimity amongst the Gedolei HaPoskim. (I would be most interested to see the source of the opinion of Rav Henkin. I myself heard Rav Henkin discuss very many of his disagreements with other Poskim on many issues and while lo rainu aino raya, not once did I hear him discuss the Eruv issue.)

As is always the case there were relatively small dissenters but the issue did not come up again in a public manner until the Flatbush Eruv controversy of the late 70's. The history of that issue can be found in Igros Moshe O.Ch. 4: 87-88.

5. What I do totally agree with unequivocally is that "the new Eruv is not the result of any change in the reality. The avenues are not any narrower, and the population of Brooklyn has not decreased."

What truly bothers me is the fact that the proponents of the eruv find it necessary to falsify Harav Feinstein's opinion and claim that he would have been in their camp in order to promote their cause. While this claim has already been publicly repudiated by yibadlu l'chaim Harav Dovid Feinstein shlita and Harav Reuven Feinstein shlita, just a cursory reading of the t'shuvos should have dispelled this myth. This is just one sad sidebar to the controversy. Where is the honesty of this approach?

Another is a personal, philosophical commentary. What are we in klall Yisroel gaining by this? Is it worth what we are losing? To suddenly be poretz geder of a hanhaga of more than a half century on a question of a sofek isur koreis. Are most of us lay members of the communities involved so pure of purpose to claim the high ground of lishmah l'ma'ani ha'emes? The tactics being used certainly cause me to wonder.

Sincerely, (Rabbi) Yitzchok D. Frankel Cedarhurst, NY

Date: Mon, 28 Feb 2000 22:01:04 -0500 From: M. Shulman <mshulman@ix.netcom.com>
Subject: Re: Boro Park Eiruv

Gershon Dubin <gershon.dubin@juno.com> wrote: <<Rav Moshe Feinstein said that no eruv can be made in Brooklyn. Do you have sources that state otherwise?>>

The Klausenberger ZTL wrote a tshuva that it would be allowed. (He forbade making it l'ma'asah for another reason which is unrelated to what Reb Moshe wrote.) I have also seen the tshuva of the Munkatcher Rov Shita who allows it.

I wrote: <<Those who are not allowing it is based on there not being a kehillah organization that can assure it will always be maintained. >>

Gershon Dubin replied: <<Do you have sources for this? Rav Moshe was quite clear on the prohibition and on the reasons, and this was definitely not even a factor, much less the main reason.>>

This was related by the son of the Voideslover Rov ZL.

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