



To: parsha@groups.io
From: cshulman@gmail.com

BS"D

INTERNET PARSHA SHEET ON TZAV – SHABBOS HAGADOL (with COVID-19 Shailos) - 5780

parsha@groups.io / www.parsha.net - in our 25th year! To receive this parsha sheet, go to <http://www.parsha.net> and click Subscribe or send a blank e-mail to parsha+subscribe@groups.io Please also copy me at cshulman@gmail.com A complete archive of previous issues is now available at <http://www.parsha.net> It is also fully searchable.

Sponsored in memory of
Chaim Yissachar z"l ben Yechiel Zaydel Dov

Dedicated for a refuah shleimah to **Yisrael Yaakov ben Rut**

To sponsor a parsha sheet contact cshulman@parsha.net
(proceeds to tzedaka)

From: typalumni@gmail.com to: iggud-typ@googlegroups.com
date: Apr 2, 2020 subject: Pesach Guidance

Attached please find guidance for Pesach this year from the Rosh Yeshiva **Rav Shmuel Shlit"a** that was prepared by **Reb Daniel Osher Kleinman** for his Kehilla.

BASIC GUIDANCE FOR PESACH 5780

REVIEWED BY MARAN HARAV SHMUEL KAMENETSKY SHLIT"A BE"H 6 Nissan, 5780

...I hope this letter finds you all in good health. We are currently in trying times, and the nisayon we are all faced with is multi-faceted. One of the elements of the nisayon is the fact that the monumental task of making Pesach at home has been thrust upon many of us unexpectedly.

We are also faced with limited ability to shop, tovel keilim & access many of the conveniences which typically aid those who make Pesach. .. In an effort to address the many facets of the Pesach preparation, I compiled a list of the most basic fundamentals of preparing for Pesach, and tried to address some of the potential issues which are unique to this year's situation.

As is common with inyanei halacha, there may be divergent opinions and shitos, and as always "nahara, nahara u'pashtei". These halachos were reviewed via phone (and edited) by the Rosh Yeshiva - Mori V'Rabi Maran **Harav Shmuel Kamenetsky** shlit"a, and reflect his halachic opinions. Hopefully this will aid with the avoda of preparing for Pesach. With tefillos for rachmei shamayin and hope for yeshuos & besuros tovos, **Daniel Osher Kleinman**

Cleaning for Pesach:

Where

1. The obligation to clean for Pesach only applies to areas which you are liable to have entered with chometz. Therefore, if you're careful never to bring food to certain rooms, i.e. bedrooms, clothes closets, bathroom etc.; those places are exempt from a thorough cleaning, however it is kedai to do a

cursory cleaning.

2. In homes with little children who are liable to bring chometz to all areas, the entire house needs to be cleaned.
3. Areas which you plan on selling in the mechiras chometz can be exempted from the cleaning.
4. If you sometimes eat while learning, any sefarim which you may use on Pesach must be shaken out of chometz. Any sefarim which you will not use on Pesach need not be cleaned.
5. Vehicles must be cleaned
6. Pockets of any clothing which may be worn on Pesach must be cleaned.
7. Offices, classrooms, vacation homes etc. should be sold in the mechiras chometz.

What

1. Areas which will not be used for eating or food storage on Pesach only need to be cleaned of significant pieces of chometz. There is no Halachic requirement to clean & remove crumbs in these areas.
2. Areas which will be used for eating (i.e. Kitchen & Dining Room, tables, chairs etc.) or food storage (Pantry, Cabinets, Fridge/Freezer) or Pesach utensils (Cabinets, Drawers) must be cleaned very well to ensure the removal of any vestiges of chometz.
3. Any chometz which cannot be totally removed should be sprayed with a cleaning agent until it is totally inedible

Preparing the Kitchen

1. It is recommended to line the shelves of pantries, cabinets, drawers, fridge & freezer (i.e. with paper, silver foil etc.).
2. Countertops & backsplash must be lined well. The lining should be as tall as your tallest Pesach pot.
3. Tables should be cleaned thoroughly and covered with a double covering.
4. High-chairs should be thoroughly cleaned and covered well.
5. Towels, tablecloths, bibs etc. should be washed with detergent & may be used Pesach.
6. Heavy appliances - i.e. oven, fridge & freezer - need not be moved to clear chometz from underneath if they were in place and haven't been moved from before Purim. Clean underneath as far as you can reach.
7. Benchers from all year round should be checked thoroughly to ensure that there is absolutely no food stuck to them. It is preferable to have Pesachdike benchers.
8. Garbage cans should be cleaned.

Tevilas Keilim

1. It is not so safe to go to keilim mikva'os as the surfaces may be contaminated. In fact many keilim mikva'os are closed. Therefore for tevilas keilim you should go to the bay, and tovel in the ocean water. The bay can be easily accessed via Burnett St. off Ave. U. Opposite the courtyard of the apartment building there is a path to the water (right behind the guardrail). The area is open, quiet & safe.
2. **B'sha'as hadchak**, i.e. if you have no access to a natural body of water fit for tevila within a 72 minute drive from your home, you **can sell a share in the k'li to a non-jew**, thus exempting the k'li from tevila.
3. B'sha'as hadchak gadol if you cannot do any of the aforementioned options, you can be mafkir the keilim in front of three people and then use without tevila. This is only b'sha'as hadchak gadol where one of the other options are absolutely unfeasible.

Kashering

1. Sink basins

Stainless steel/Aluminum:

- A. Kashering & no sink insert: a. Don't use sink with hot chametz for 24 hrs.
 - b. Boil water in a pot which is kosher l'Pesach. c. Dry the sink, then pour the boiling hot water directly from the pot over all areas of the sink. The water must directly hit all areas of the sink, including the walls. d. The pot does not need to be kashered afterwards.
- B. Sink insert: a. When using a

sink insert or lining the entire sink with silver foil etc no koshering is necessary.

Ceramic/Enamel: A. Cannot be kashered. Use sink insert or line the entire sink with silver foil etc.

2. Sink Faucets & Knobs A. Boil water in a kashered pot & pour over the faucet. B. The faucet filter should be kashered as well by pouring boiling water on it. C. Sink knobs should be thoroughly cleaned

3. Gas stove top A. Grates should be kashered in a self-clean oven. B. If you don't have a self-clean oven, you can kasher the grates by covering them with a blech or a (wide) pot & burning them on the highest flame for 10-15 minutes. **DON'T KASHER MORE THAN 1 BURNER AT A TIME WITH THIS METHOD, IT CAN BE A FIRE HAZARD.** C. Stovetop burners need not be kashered, it is sufficient to clean them thoroughly. D. Stovetop surface should be cleaned & covered well. **DO NOT COVER THE HOLES OF THE EXHAUST VENT FROM THE OVEN** (usually by the back of the stovetop). E. Knobs should be thoroughly cleaned.

4. Electric stove top A. Turn on coils to their highest setting for 10-15 minutes. No covering is necessary while burning the coils. B. Stovetop surface should be cleaned & covered well.

5. Ovens A. Self-clean: Run a full self-clean cycle and the oven is Kosher L'Pesach. B. Non Self-clean a. Clean the oven well. b. Heat to the highest temperature. c. Once the oven hits the highest temperature it should burn for a 1/2 hour.

6. Oven Racks A. Kasher them in a self-clean oven B. If you don't have a self-clean oven you must cover the racks for Pesach.

7. Oven Knobs Oven Knobs should be cleaned thoroughly.

8. Oven Hood An oven hood should be cleaned thoroughly.

9. Urns An urn may be kashered by pouring boiling hot water over the entire spout area. If the spout is plastic it cannot be kashered.

10. Hot Plate & Crockpot A. A hot plate may be used if cleaned thoroughly & covered well by multiple layers of silver foil. B. Crockpots: Most crockpot inserts are made of ceramic or porcelain and therefore cannot be kashered. If it is made of metal it can be kashered and its base should be cleaned well & covered thoroughly.

11. Silver cups (Bechers) Bechers which are used year-round and will be used on Pesach should be kashered.

12. Baby bottles, nipples & accessories Baby bottles, nipples and accessories which come into contact with hot chometz (i.e. in the sink) cannot be kashered. Thus, one should have different ones for Pesach.

13. Chometzdike Keilim & the Breakfront A. Keilim which weren't kashered for Pesach should be covered & obstructed, or put in a place designated for mechiras chometz. B. If the breakfront has silver which is used year-round and hasn't been kashered for Pesach, its shelves should be obstructed.

Mechiras Chometz

1. Appointing a shaliach You may appoint a Rav via phone or email to be a shaliach to sell you chometz.

2. Chometz Gamur Even if you typically do not sell chametz gamur, **this year** you may be makil. The place of the chometz should be included in the mechira. No hataras nedarim is needed.

3. Chometz in the fridge/freezer Chometz in the fridge or freezer which is sold in the mechira should be sealed off and well obstructed, and the place of the chometz should be included in the mechira.

Cosmetics & Medications

1. Medications which contain chometz which isn't fit for consumption it is permitted on Pesach. In a situation of medications containing potentially edible chometz, a competent halachic authority should be consulted.

2. Solid, tasteless vitamins which contain chometz that isn't fit for consumption are permitted on Pesach.

3. Creams, soaps, shampoos & cosmetics etc. which contain chometz which

are not fit for consumption, are permitted on Pesach.

Kitniyos, Processed foods

1. Baby formula which is made of kitniyos and has no equivalent alternative may be used on Pesach.

2. Many people have the custom not to use processed foods on Pesach. In the event that someone is faced with making Pesach for the first time and is strapped and overwhelmed by the workload, they may be makil to use processed foods. No hataras nedarim is necessary.

Ta'anis Bechorim, Bi'ur Chametz & Miscellaneous Erev Pesach Halachos

1. Bechorim should make a siyum on a mesechta of mishnayos. No minyan is necessary for the siyum. A siyum via telephone is very questionable.

2. A bechor who cannot make or attend a siyum may rely on Rav Henkin who rules that a bechor may redeem the ta'anis by **giving tzedaka** equivalent to the value of his daily food intake.

3. Many government municipalities are prohibiting fires for bi'ur chometz, and we have an obligation to be sensitive to their needs. Therefore this year bi'ur chometz should be done via **breaking a k'zayis of chometz into little pieces and flushing them down the toilet.**

4. All garbage with chometz should be brought to the curb before the z'man biur chometz. Make sure there are no substantial pieces (larger than a k'zayis) of edible chometz remaining in your garbage cans.

Matza & Maror

1. If there are any shortages of hand shmura matza, one may use machine shmura matza regardless of his usual custom. No hataras nedarim is necessary.

2. One of the symptoms of Coronavirus is a loss of the sense of taste. Even if you lost your sense of taste, you may still make the brachos "al achilas matza" & "al achilas maror".

from: torahweb@torahweb.org to: weeklydt@torahweb.org subject: **Piskei halacha from Rav Shachter on Coronavirus Shaylas**
<https://torasravschachter.org/piskei-halacha-on-coronavirus/>

Tevilas Keilim

Aside from the mitzvah of performing Tevilas Keilim, there is a prohibition to use metal and glass dishes and utensils prior to their immersion in a Mikvah. In these days where the Coronavirus has closed many mikvaos and it is not possible to use the regular community keilim mikvah, a reasonable effort should be made to find a natural body of water (ocean, pond, river etc) where utensils can be immersed. Please note that when using a natural body of water, care must be taken to immerse the item in its entirety below the water. If it would be overly strenuous to travel and immerse the utensils in such a body of water, one should try and use disposable utensils whenever possible relying on the opinion of Rav Moshe Feinstein that disposable aluminum utensils do not require tevilas keilim. If these options are not available, the Shulchan Aruch Y.D. 120:16 permits one to transfer ownership of the vessels to non-Jew in order to relieve the obligation of tevilas keilim and the prohibition of using the utensils prior to immersion. However, this is not necessarily a reasonable option at this time when people are committed to maintaining standards of social distancing. Therefore, since we are facing a unique situation of great need and limited options, it is permitted to use utensils that have not been immersed after renouncing ownership of the utensils.

When declaring the utensils as ownerless one must:

- Have full intent that they are truly declaring the items as truly ownerless and that if someone were to take the item before the original owner were to reclaim them they would be willing to let the item go.
- The declaration must be to 3 people who live in your neighborhood, so that one of them has the ability potentially acquire the item and two people could be witnesses to say that the other person did not steal the item.
- 2 of the people should be valid Halachic witnesses.
- This doesn't have to be done in front of 3 people. It can be

declared over email or social media to 3 people. After declaring that the items are ownerless you should move the items out of your physical house or apartment and let them remain outside for a few minutes where someone could potentially come and take them. Because the above approach is due to the difficult and pressing circumstances that we are currently facing, once a Mivkah, or an opportunity for immersing the utensils, becomes available the individual must take the items to be immersed without a blessing before using them again.

Taanis Bechorim

Regarding the Fast of the Firstborn, Rabbi Yosef Eliyahu Henkin wrote that in our time the custom of firstborn sons fasting no longer exists because everyone participates in a siyum. There is clearly no mandate to fast since we find people don't participate in an actual Seudas Mitzvah and instead, following the siyum, they simply partake of some juice and cookies. Therefore, Rabbi Henkin felt it was proper to give tzedakah to take the place of the custom of fasting. In past years those people who are traveling on Erev Pesach have participated in a siyum over the phone or internet. The same practice can be relied upon this year when we are not gathering together because of the Coronavirus.

Isolation

If the government or a physician has decided that an individual must remain in isolation over the course of Yom Tov and this individual has a psychological condition where physicians who know this patient have determined that there is a possibility that this person being alone over the course of Yom Tov would be in a situation of pikuach nefesh (possible suicide) if the individual was not able to communicate or speak with family members, then the family members must reach out to this person over Yom Tov to speak on the phone or use the internet by leaving a connection open from before Yom Tov. Rav Moshe Feinstein has decided that, in certain circumstances, psychological danger is considered life threatening. Rabbi Soloveitchik went further and noted, in the name of his grandfather Rav Chaim Soloveitchik, that even if there is a concern that someone will lose his or her mind even if their life is not in danger, that too is considered a case of Pikuach Nefashos.

If a person is physically ill and alone and the physicians have determined that there is a possibility of the condition deteriorating further to a point of being life threatening, then the family must remain in contact using electronic devices with that person over the course of Yom Tov in order to check on the person's well being.

If a parent who is ill lives outside of Israel and the parent has a non-Jewish aide then the children who live in Israel are allowed to call the non-Jew and speak with the non-Jew when it is Yom Tov outside of Israel and not Yom Tov in Israel in order to check in on the parent. Those family members in Israel can also ask the non-Jew to show the parent a live screen of the family so that the patient can see that his family members are safe and healthy. It is also proper to tell the non-Jewish aide in America that if the patient is upset or concerned over Yom Tov and the patient would like to speak to family members, then the non-Jew should remind the patient that it is Passover or the Sabbath and that after the Sabbath and holiday is over they will certainly be able to speak on the phone.

However, if someone is not as ill as described above, however they must be confined and alone because of the circumstances related to the Coronavirus then they may not use any electronic devices in order to connect to family members on Shabbos and Yom Tov. Although it is painful and sad to be alone and people want to be with family and friends, this is not a sakanas nefashos, a life threatening situation, and there is no place at all to allow the violation of Shabbos and Yom Tov.

If a person were to leave the phone on before Yom Tov and conduct a Pesach Seder from their home so that others can follow along (like Baalei Teshuvah who may not know how to run a Seder) there may be reason to be

lenient under great and pressing circumstances. However, to leave a computer screen on and to have people watch and connect over the internet is a greater concern of violating Shabbos and Yom Tov since it creates images and pictures when the people move. Another possible suggestion for those who are unfamiliar with the Pesach Seder is to create videos of how to run a Pesach Seder and in the weeks leading up to Pesach people can watch and learn from this video in order to know what to do when Pesach arrives. However, the video may not be played over Shabbos and Yom Tov. If the individual in need of help is handicapped and these preparations from before Yom Tov are not sufficient then they should rely on listening to the live Seder over the phone. If the government and medical professionals have said that it is not safe for parents and children to be together then children may not visit for Pesach, even at the insistence of the parents. Not listening to the parents in this situation is not a violation of Kibbud Av V'Em.

Dishwasher

Regarding the use of a dishwasher that was used for Chametz. If all of the material of the walls of the dishwasher are metal, even though the metal may contain a certain percentage of porcelain, since the metal is the majority we can kasher the dishwasher for Pesach. (Ashkenazim have a Minhag to not kasher glass utensils for Pesach, therefore even if only part of the inside wall or door of the dishwasher consists of glass Ashkenazim would not kasher). To kasher a dishwasher one must first wait 24 hours without using the dishwasher. Then one should run the empty dishwasher on a full cycle. The cleaning cycle should be run with just water burning hot water and no detergent. (If many people in the home are using hot water at that time then the water in the dishwasher may not be hot enough). The custom for Ashkenazim is that a kashering should only be done in order to remove the status of something that is Treif or Chametz. However, this should not be done in order to make a vessel that is dairy into Pareve or a meat vessel into Pareve. In general, the kashering of a dishwasher in this manner relies on a number of leniencies and in years where there is no great need one should not rely on this approach.

Minhagim

Regarding the observance of Minhagim and stringencies during times when keeping these practices are difficult. Generally, if one wants to discontinue observing one's Minhagim and stringencies it would require annulling the vow, Hataras Nedarim. However, if a person is in a situation where they would like to continue following their customs and now circumstances have made it difficult to keep the Minhag for the time being, then it is understood that under difficult circumstances the practice of the stringency should not apply. Therefore, one can suspend the practice of the custom or stringency without annulling the vow with Hataras Nedarim. When the circumstances return to the way they were before the crisis then the individual should continue practicing their customs as before. It is important for individuals and families to ask their rabbi what is a Din (a real law) and what is a Minhag, a custom.

Biur Chametz

It has been our custom that Chametz should be destroyed on Erev Pesach by burning it. Many communities have made controlled public Chametz burnings for the sake of fire safety. However, during these times it is not safe to gather. On the other hand there is a real danger of people making their own fires on their property. In addition, when people make small fires the heat is not intense enough to burn the Chametz all the way to the center and sometimes people are left with edible Chametz that they did not realize was still there. Finally, we must also be careful of the public perception that Jews are going about their business as usual and conducting their affairs in public while the rest of the world is confining themselves to their homes. It could appear as if the Jewish people are not sharing the burden and pain with the rest of humanity because of our religion. Perhaps the best advice would be to limit the amount of leftover Chametz we have in our possession

on the morning of Erev Pesach. And the small amount of Chametz (no more than a k'zayis is needed) should be crushed into tiny particles, so as to not clog the plumbing, and flushed in the toilet. This would also fulfill the directive of Chazal.

Driving for Pikuach Nefesh on Shabbos

During the current Coronavirus epidemic, a person who was discharged from the hospital on Shabbos or Yom Tov may return home since it is not advisable to remain in the hospital longer than necessary. Since it is potentially dangerous for the patient to get into a taxi or an Uber, a family member may drive on Shabbos to bring the patient home. However, every attempt must be made to minimize the amount of chilul Shabbos involved whenever possible. This means the car should be turned on with a shinui (in an unusual fashion) by turning the key with one's weaker hand, or by pressing the button with one's knuckle. When turning off the engine it should also be done with a shinui. Additionally, a shinui should be used when opening and closing the car door. However, a shinui or any deviation from safe driving practices should never be used in the actual operation and driving of the car.

Kitniyos

If a patient with Crohn's Disease needs to drink enriched milk that contains kitniyos: a) Must he wait 6 hours after eating meat in order to drink this milk? b) Can this milk be consumed on Pesach? Regarding the issue of waiting, the Crohn's patient must only wait 1 hour between eating meat and drinking his milk. Regarding the issue of kitniyos, the custom of Ashkenazim to refrain from eating kitniyos is suspended for an individual who is slightly ill, even if they are not ill enough to be designated as a choleh sh'ein bo sakanah. Additionally, during these times when people are trying to strengthen their immune system one may also take vitamins and medication that contain kitniyos on Pesach. This would be the case for medicine that is swallowed or chewed, even if the medicine has a pleasant taste. These vitamins and medications, containing kitniyos, can be taken prophylactically, as a preventative measure, even before the individual feels ill. If there is actual chametz in the ingredients the halachah might be different, please consult with the kashrus organizations to determine the status of your items.

Chametz in the Office

With regard to people who have chametz in an office that is currently inaccessible, there is no problem with including such chametz in their sale. The Ritva explains that the problem of inaccessible chametz only applies if the chametz was stolen, and even those who disagree, would concede that when the location of the chametz is known, it remains fully in the possession of its original owner. This is akin to a guard watching chametz in a locked facility. Since the guard is protecting it on behalf of the owner, there is nothing lacking in his ownership and his ability to sell it. Therefore, one should make sure to include in their sale of chametz, all chametz that is in their possession, including the chametz which is presently inaccessible.

I have been asked a similar question from someone who has plans to sell chametz on Amazon and it is currently being stored in one of their warehouses. Even though he does not know precisely where the chametz is located he can still sell the chametz and it is considered to be completely his and in his possession. In the authorization form, where we customarily specify the location of the chametz, if he is aware of the possible locations of the warehouses, he should mention them in the document.

Kriyas Hatorah

The mitzvah of Kriyas HaTorah can only be fulfilled in the presence of a minyan (Mishnah Megillah 23a). Some have suggested that it is worthwhile for those who are confined to their home and will be davening without a minyan to at least read the Parshas HaShavuah from a Chumash without making the blessings.

The Kesef Mishnah cites the Teshuvos HaRambam who wrote in his youth that the mitzvah of Kriyas HaTorah can be fulfilled even with a Sefer Torah that is invalid. The Rambam later retracted this position in his Mishneh Torah. Nonetheless, if a mistake is found while reading the Torah, even though we replace the Sefer Torah with another one which is valid, the Mahari Beirav ruled that we need not reread that which was already read. Since it was done already, we can rely on the position of the Rambam from his youth. Similarly, the Rema quotes an opinion that in times of difficulty we can read from a Sefer Torah which is invalid, even with a blessing. However, the Mishnah Berurah disagrees and does not permit this. Even according to the Rema who quoted an opinion that this is permissible, it would only apply to reading in the presence of a minyan but not to private individuals reading in their own home, and therefore one would not accomplish the mitzvah of Kriyas HaTorah in any way by doing so.

Nonetheless, some feel that by reading the whole parshah, even without a minyan, they are accomplishing a zecher to the mitzvah of Kriyas HaTorah. The rule in the Gemara is that we permit one to do a zecher to a mitzvah if one is unable to fulfill the actual mitzvah unless we are concerned that a misconception (kilkul) will be created. For this reason, the Gemara tells us that during the Second Beis HaMikdash the Tanaim permitted the women to perform imitation semicha on their korbanos by holding their hands on the head of the korban without leaning on the animal.

Others have raised the suggestion that since presently we are not attending minyanim and not hearing Kriyas HaTorah, we should also not be obligated to perform the weekly mitzvah of shnayim mikrah ve'echad targum (to read the parsha twice with one commentary). The language of the Gemara Berachos (8a) is that shnayim mikrah must be done "together with the community", and today there is no local community reading Kriyas HaTorah in shul. fiis is incorrect, and in fact just the opposite is true. The opinion of the Ra'avan is that the requirement of shnayim mikrah was specifically formulated for those who are alone and cannot attend shul to hear Kriyas HaTorah. While the accepted opinion is not like the Ra'avan, and even those who attended shul and heard Kriyas HaTorah must still perform shnayim mikrah, all would agree with the Ra'avan that the obligation of shnayim mikrah should still continue to apply even when the local shuls are closed.

Hallel

With regard to the Hallel that many shuls have the practice of reciting on the Seder night after Ma'ariv, this practice is only for those who will be davening with a tzibur, and not at all relevant to those who will be davening alone, without a minyan. Even a large family that has a self contained minyan, but will be having the Seder together, should not recite this extra Hallel at the conclusion of Ma'ariv. The extra Hallel after Ma'ariv is only recited when there will be a larger crowd for Ma'ariv and additional pirsumei nisa (publicizing of the miracle).

Tal

The Piyut of Tal which is recited on Pesach was only instituted when davening with a tzibur and not when davening alone. One can certainly recite it if they wish, but there is no mandate based on the existing custom to do so.

Rabbi Soloveitchik maintained that in order to change the manner in which we describe Hashem from "One who brings the rain" to "One who brings the dew" we require the authorization of the community and therefore an individual may not undertake to make this change himself. However, since there is no existent tzibur davening together at this point each individual should recite Morid HaTal in their private Mussaf prayer on the first day of Pesach. When all of the individuals across the Jewish world recite Morid HaTal in their private Mussaf this will create a "resolution of the community" that will be effective in changing the Nusach of our seasonal description of Hashem. However, from Mincha of that day and onward,

those who daven Nusach Ashkenaz will stop saying Morid HaTal and those who daven Nusach Sefard will continue to say it, each one according to their custom.

Joining for a Minyan

Ten men who are standing on different porches cannot be joined together in order to constitute a minyan even though they can all see each other. In order to constitute a minyan for Devarim She'bekedusah (like Kaddish and Kedushah), the ten men must all be standing in the same room. (It should be noted that in smaller spaces, such as a shiva house, care should be taken to make sure that ten men are davening together in the same room. If less than ten are davening in one room and less than ten in an adjacent room, even though they can clearly see one another, this would not constitute a minyan. In order to create a minyan there must be ten participants davening in the same room.)

It should certainly be discouraged for people to make a minyan outside on the lawn even if they maintain the minimum distance recommended by the health department. One should not place himself even into a situation of a doubtful sakanah in order to daven with a minyan.

Haircutting

Currently, local authorities have closed barber shops due to the Coronavirus, making it impossible to have one's hair cut before Pesach. Normally, hair may not be cut on Chol HaMoed. However, should the situation be resolved during Chol HaMoed, it will be permissible to do so this year. Halacha provides for an exception in circumstances where an obstacle, that was obvious to all of the people in the neighborhood, made it impossible for an individual to have his hair cut before Yom Tov.

In the event that the situation continues into the days of Sefira, but ends before Rosh Chodesh Iyar, even those who normally observe the customary mourning during the "first days" of Sefira may cut their hair, provided that it has been at least two months since their last haircut.

Weddings with Less than 10 Men

Currently, it is very dangerous to gather in crowds due to the contagiousness of Coronavirus. This presents a problem, since kiddushin (which sets in motion the process of marriage) requires the presence of two witnesses and a knowledgeable officiating rabbi, in addition to the bride and groom. Ideally, there should also be ten men present for birchas eirusin, the blessing on the kiddushin. However, we can be lenient regarding the requirement of ten men in pressing circumstances, such as the current situation. However, the presence of ten men is necessary in order to recite birchos nisuin, the sheva berachos under the chupah. Furthermore, the rule is that a bride is forbidden to her groom until the birchos nisuin have been recited. The Rishonim debate whether this is meant literally, or it means that the bride is forbidden to the groom until she has entered the chupah with him, even if the birchos nisuin were never recited. The Nodah B'Yehudah notes that the majority of authorities agree with the latter approach. It would seem that in the current, dangerous situation it is proper to follow this opinion. As such, the wedding should consist of a badekin, chupah, and yichud - all with less than ten men present, in order to minimize the risk. However, the presence of two witnesses is mandatory under all circumstances.

Eruv Tavshilin

It is incumbent on the Rabbi of a community to establish an eruv tavshilin on behalf of his constituents, to provide for those who inadvertently fail to do so. This process includes having a third party acquire the components of the eruv tavshilin on behalf of the members of the community. Ideally, this third party should not be a member of the Rabbi's immediate family. In a pressing situation such as this year where people are social distancing, the Rabbi may have his wife or children (over the age of bar/bas mitzvah) acquire the eruv on behalf of the community.

Eruv Chatzeiros

An eruv chatzeiros is an integral aspect of making an eruv for the community. The purpose of the jointly owned food is to indicate that it is as though everyone who owns a share of the food is living in one area. Usually, the shared food is a box of matzah that is kept in the shul. Perhaps, during these times where the shuls are closed, we cannot say that the matzah is a shared communal food since it is inaccessible. However, this is incorrect because, theoretically, one could take a key and open the shul for a few minutes and get the matzah.

<https://www.jewishpress.com/judaism/holidays/coronavirus-qa-with-rav-hershel-schachter/2020/03/31/>

[Originally posted on RabbiDunner.com]

Questions and answers with Rav Hershel Schachter shlit"a, regarding situations arising from the coronavirus crisis. Transcribed by Rabbi Pini Dunner (assisted by Michael Bernstein). This transcript has been approved by Rav Hershel Schachter. With many thanks to Rabbi Marc Dratch of the RCA, who posed the questions to Rav Schachter, and to Rabbi Aryeh Richter for adding the footnotes (see PDF download).

With regard to **Mechiras Chametz** (the sale of chametz) and appointing a Rav through a Shtar Harsha'a (authorization document), if they are unable to be face-to-face. Can this be done via email, or on a phone call, if there is a Kinyan (act of acquisition) involved? The Rambam in Hilchos Mechira says that there are some things that do not require a kinyan (act of acquisition), and he gives the example of appointing a shaliach. Both the Chazon Ish and the Steipler did not insist on a kinyan when they did Mechiras Chametz, because the Rambam does not require a kinyan when appointing a shaliach, and the rabbi is a shaliach when he sells your chametz. Rav Soloveitchik thought that the Rambam initially says that it does not make sense to have a kinyan – but afterward he explains it. In fact, Rav Soloveitchik gave a whole beautiful shiur on the nature of Kinyan Chalipin (acquisition of exchange), of "Sudar," and he explained why it does make sense to have a kinyan when appointing a shaliach.

As Rav Soloveitchik says, every rabbi knows that on Erev Pesach, just before he is about to go and sell the chametz to the nochri (gentile), some guy will call him up at the very last minute and say "Rabbi I forgot to come to ask you to sell the chametz – can I appoint you as my shaliach over the phone?" In such a case, Rav Soloveitchik said we should at least try to fulfill the minhag even on a phone call. The question is, how can you do that?

According to Rav Soloveitchik there are two ways to do it. One way is this: the person who called on the phone – and by the way, you can appoint a shaliach b'al peh (via oral instruction), you do not have to do it bi'ksav (in writing). More correct is to have a written record, so you can give it over to the Nochri, and say to him, "all these people signed this document and they want me to sell their chametz to you on their behalf." But if the rabbi just writes down a list of the people it is also fine. If the person sends an email, that would be better – he sends an email to the rabbi that says: "Rabbi, I appoint you as my shaliach" – strictly speaking that would certainly be good.

Rav Soloveitchik thought we should also try to fulfill the custom of making a kinyan, even under these circumstances. The Chazon Ish didn't bother with the kinyan at all, and nor did the Steipler, but the Rav insisted that we do it even under these circumstances. The Rav was a big stickler on minhagim; any minhag (custom) that's mentioned in Shulchan Aruch, as far as he was concerned, you need to observe it, even if nobody observes those customs these days. He said there are two ways to do it. One way is to ask the Jewish person who's calling on the phone "is there another Jewish person there with you?" If there is, have the other person give his handkerchief to the one who wants to appoint you as his shaliach, and mi'din eved k'na'ani (the laws of a non-Jewish servant) it works. The din is that if you want to free an eved k'na'ani, you can do it either al yedei shtar (via a contract) or al yedei kesef (via monetary means).

The Tannaim (Talmudic sages) raise an issue: how is it possible for the eved k'na'ani to have money? We have a principle: Kol mah shekana eved kana rabbo, which means that 'anything that the servant acquires belongs to his master.' The servant does not own any money – it is not his to own! The gemara explains, therefore, that it is kesef al yedei acheirim (money given via a third party). If someone else gives the money on behalf of the eved k'na'ani – that works. Tosafos points out that in fact we do this all the time. For example, when we write a kesuba before a marriage, the bride acquires the shibudim (obligations) from the groom. Surely the bride should have to give her handkerchief to the groom – keilav shel koneh – objects owned by the acquirer (see: Bava Metzia 47a) – in order for it to be binding?

But we've all been to a chosson's tisch – the bride doesn't come into the room! Instead, the mesader kiddushin (the person who performs the marriage) or the eidim (witnesses) give a handkerchief to the groom, and by their giving him their handkerchief he accepts upon himself the responsibility to give the bride the amount of tosefes kesuba (extra contractual obligations contained in the marriage contract) that is added on.

The ikkar kesuba (principal contractual obligations contained in the marriage contract) are binding in any event, but the tosefes kesuba are not, there's no rabbinic requirement on that. Tosafos says that this way of doing it is the common practice – just like kesef al yedei acheirim – and it is completely acceptable, which means that kinyan chalipin al yedei acheirim is an acceptable form of kinyan. What do we do if there is no Jewish person to make the kinyan chalipin on behalf of the rabbi? The Rav said the Rambam says that the whole reason that one does chalipin when you appoint a shaliach is a minhag. When a husband appoints a shaliach to give a Gett (divorce document) to his wife, the one who is appointed as a shaliach gives a sudar to the husband in order to acquire the right to give the Gett to the wife. But it's a minhag, not a din. It is done to demonstrate that be'lev shalem gamarti ve'amarti davar zeh ('I agreed to this and said this with a full heart'), in other words, that he really means it. The Rambam asks: what if the person appoints a shaliach to give a Gett to his wife, or the man appoints the rabbi as a shaliach to sell the chametz, and he says "I'm doing it with complete awareness of the seriousness of this issue, and I really mean it" – then it is not an asmachta (a conditional commitment), because the person really means it – and in that situation you have also satisfied the minhag. The whole minhag to make a **kinyan chalipin is to demonstrate that you really mean it seriously. So if you use a text like this for an email** that people can sign up to for the purpose of selling chametz, then they don't have to come in person, they can just **add a line that says they are doing this with the full understanding of the seriousness of what it means to appoint a shaliach**, and that they really mean it, that it's not a joke, and it's not an asmachta. In that way, you have even satisfied the minhag.

By email, as long as there is such a text, would that be sufficient without any kind of kinyan? Yes. It's good even without the special wording, but if you want to satisfy the minhag, so you add it on, and repeat in the email, "I really mean it!" – and in that way, you'll even satisfy the minhag.

In terms of the selling chametz to a non-Jew, is there any way of doing it without the non-Jew being present? Is that crucial to the transaction, namely without it the transaction won't be valid? I think it is crucial. You've got to do the chalipin, you have to make the kinyan. You have to give them the contract to rent the karka (land/ground), and via the karka all of the acquisitions. This kinyan has to be made in person in order for it to be valid.

What about making a siyyum (completing a Talmudic tractate) **online?** You have said that it's not a problem if there's no choice, and people can be mitztareif (join together) over the phone or via a video conference? I think that is the practice – normally, people travel on Erev Pesach in the morning to go to their parents or in-laws for Pesach, so those who are firstborn

usually **listen online to somebody making a siyyum live**, and in that way are considered to have participated in the siyyum.

Is it possible for people to do a **cursory kashering** of part of their stove in order to cook for Pesach and freeze food in advance, in case they do not have a chance to kasher their whole kitchen and cook for Pesach if, G-d forbid, they get sick? They will only kasher part of the stove, cover part of the kitchen, to cook this food in advance. Yes. Whatever they will kasher, they will certainly be careful. We are talking about religious people who are careful.

There seems to be a **run in some stores on Kosher LePesach items**, and some of the shelves are becoming empty, and a lot of Pesach hotel programs are being canceled, so there may not be enough Kosher LePesach food items available for people when it comes closer to Pesach. Can we rely on **batel beshishim** (1 part in 60 nullified) of chametz for food cooked before Pesach, which is a devar heter (permitted) before yom tov, but is a leniency we might not rely on in any other year? We pasken in Shulchan Aruch that if chametz became batel (nullified) before Pesach, we don't say chozer ve'nei'or (it reawakens). You can also call the OU, the kashrus organizations, and find out: is it really so that you have shishim (60) against the chametz? Sometimes the product is a nosein ta'am (adds flavor), sometimes you don't have shishim... you have to call up the kashrus organization to find out details.

Is there a preference this year for using **machine matzas** as opposed to handmade matzas for fear of the virus – people who hand baked them may not have washed their hands properly? I don't know. I think we would have heard. Actually, I think they probably finished baking all the shmura matza some time ago – so there is nothing to worry about

Someone heard that **Rav Soloveitchik preferred machine matza** over handmade – is that the case? Yes. And many of the tzaddikim in Yerushalayim also prefer machine-baked matza over hand-baked matza, because it is made much faster. It takes less than half the time from beginning to end to make the whole thing, so it's a better way to avoid chimutz (becoming chametz). The reason why others insist on the hand-baked matza is because there is a question whether or not machine matza can really be called "lishma"? You set up a whole machinery system and you push the button and you say "I'm making all the matzas lishma," which means that when you harness this force of electricity and it does the lisha (kneading), it does the afiyya (baking), it does everything – "isho mishum chitzo" (it is analogous to shooting an arrow). Whenever you harness a natural force to bring about a certain result, it all relates back to you. But the question is whether "**eisho mishum chitzo**" is only a din in nezikin (damages)? Or is it also a din in kol haTorah kula (the entire body of Jewish law)? That question is the subject of a big machlokes (debate) among the Rishonim (medieval-era halachic authorities). The Vilna Gaon writes that according to the Rambam it is only a din in nezikin. The Brisker Rov quotes a Shittas haGeonim (an opinion of the Geonic period) which says the same thing. The Avnei Nezer quotes a Machlokes Rishonim whether harnessing the fire in the oven, putting the raw dough into the oven to bake — that relates back to me even though I am not the heat source that bakes the dough into matzah, but despite that it is called afiyya lishma (purposeful baking) – even though I don't do it, and really the fire does it. Harnessing the fire, the natural force, relates back to me, and it is considered as if I did the baking. But the she'elah (halachic question) regarding machine baked matzah is that you push a button and it does the lisha also – and the lisha also has to be done lishma. That's a good question. Tosafos assumes that "isho mishum chitzo" is actually a din in kol haTorah kula, in other words, it's not only a din in nezikin. But other Rishonim and some Geonim are not so convinced that it applies in other areas of halacha.

Rav Moshe Soloveitchik lived in Warsaw for a while before coming to America, and in Warsaw they were all extremely fussy to have only hand-

baked shmura. All the leading Polish rabbis were opposed to having machine shmura. A local newspaper in Warsaw interviewed Rav Moshe Soloveitchik – he wasn't very savvy regarding politics, and they quoted him as saying – imagine, he lives in Warsaw, a chassidische city – “you don't gain anything at all by having hand-baked shmura, it's a minhag shtus (pointless custom) to insist on it, there's no kiyyum, no hiddur (enhancement), nothing.” Everyone attacked him. Somebody wrote a whole essay on this episode a year or two ago, maybe in the journal Hakira. This was part of the trouble he suffered from when he was in Warsaw. They interviewed him in the newspaper, and he said it isn't even a middas chassidus (an act of piety) to have hand-baked shmura.

But, truthfully, it is not so simple. Although it is certainly true that the Rav thought that machine-baked shmura is better.

There have been many questions concerning virtual minyanim. If there is a minyan in a certain place and somebody can listen into the minyan via phone or video – they certainly can't count as one of the 10 for the minyan – but can they answer kaddish and kedusha? Would they be able to say kaddish? And if there's no way to assemble a minyan anywhere, is there an advantage for a community to daven together, biyechidus (each separately and on their own), but linked with each other over the Internet?

Can someone say kaddish without a minyan? I don't think so. Let's say a woman wants to say kaddish because one of her parents has died. So fine, we assume a woman can say kaddish. **But she has to be in the same room with 10 men.** If the woman is in a particular Ezras Nashim (women's section in a shul) and the mechitza is attached to the floor creating a comprehensive barrier, then the Ezras Nashim constitutes a separate room. The fact that there are 10 men on the other side of the mechitza doesn't help – in such a case the rabbi or the board of the shul has to decide whether they should allow the woman to come into the men's section to be able to say kaddish. You can't say kaddish without 10 men present in that same room.

What about answering kaddish or borchu over the internet?

Tosafos points out that to be mitztareif to (i.e. join in with) the minyan you need all 10 people to be in the same room. The simple understanding is that you can join up when you have 5 people in one room and 5 people in another room at a beis aveil (mourner's house), and they can see each other – but in separate rooms when you can't see each other, just hear each other, it only works with respect to Birkas Hamazon with a mezuman of 10.

But when it is a **davar shebik'dusha** (a sacred prayer that requires a full minyan), like **kaddish, kedusha, or borchu, you have to have all the 10 people in the same room, or at least they need to see each other from one room to another.**

But to answer, **“amein yehei shmeih rabba,” the gemara says afilu mechitza shel barzel eina mafsek bein Yisrael l'Avihem Shebashamayim** (“even an iron wall cannot separate the Jewish people from G-d”), and Tosafos says that's that this means if there's a minyan in a shul and I'm in the street, I can answer amein yehei shmeih rabba, kaddish, kedusha, and borchu.

The question we are addressing **here, though**, is that I'm not even hearing it directly, I'm hearing **it many blocks away**, in a different location in the same city, or maybe not in the same city. There are those who cite the halacha of amein yesoma (an orphan amen), which means you're not allowed to answer amein too late after the completion of the bracha. In electronic communication there's a delay of a few seconds between the time the person says the bracha and the time I say amein.

Personally, I'm not so convinced that this is what is meant by an amein yesoma. If I answer amein right after I hear the bracha – I didn't hear the bracha 2 seconds ago, I heard it just now – let's say there's a 2 second delay, I answered amein right after I heard the bracha, I don't think that can be considered an amein yesoma.

The gemara tells us, **in Alexandria, Egypt**, there were so many people in the shul there that it wasn't always possible to hear the brachos directly from the chazzan and answer amein to what was heard, but nonetheless they **used to wave a flag** so that they knew when the chazzan finished his bracha – they knew what bracha he was saying, so they were able to answer amein.

The simple fact is that you can answer amein like this, and not just amein to a bracha, but amein yehei shmeih rabba, in other words you can also answer amein to a davar shebik'dusha. If I know what he's saying, and I know that it's time to answer, just like the question we are dealing with: someone is saying kaddish miles away, and I say amein yehei shmeih rabba, I know that he's saying it right now, so then it is obvious that you can answer amein.

With regard to **tefillah betzibbur** – if you have **10 people davening in the shul and I'm davening in the street**, Rav Soloveitchik said, and the Aruch Hashulchan also said this, it is considered tefillah betzibbur. In Yeshiva University, we used to daven Mincha in Furst Hall on the 3rd floor, the Beis Midrash was not big enough, so instead of everybody pushing in, a lot of boys used to daven in the hallway. They asked Rav Soloveitchik whether they could daven outside the Beis Midrash if they could hear the chazzan, and he thought it was ok, just like the Aruch Hashulchan. In our situation right now **it could be also tefillah betzibbur even though I'm many miles away.** After all, I know that they're davening over there. Maybe it's tefillah betzibbur like Rav Soloveitchik and the Aruch Hashulchan said, or maybe – at the very least – I'm davening besh'a'ah shehatzibbur mispallellin (at the time that the congregation is praying, which also has value in halacha).

But if there is no minyan anywhere, but there are ten people in separate locations and each one knows that the other 9 are davening right now, probably there is some advantage. It's not the same as when the gemara says he's davening besh'a'ah shehatzibbur mispallellin, because here **you don't even have a tzibbur mispallellin**, but probably there is at least some advantage – and it's certainly better than davening on your own at whatever time you'd decide to daven.

There is a question from a rabbi from Florida... they have a **daily mincha-maariv where mincha is davened before plag hamincha** (one and a quarter hours before sunset) **and maariv just the other side of plag**, as a convenience for people who have to go to sleep early, or eat meals, etc. If a person is davening biyechidus (on his own), can they rely upon that approach, or is it better to daven maariv later on in the evening? The Rishonim say that **there's an issue of tartei d'sasrei** (an inherent contradiction) – **all year long we daven mincha right before shekia** (sunset), and we're not careful to finish before plag. It's a contradiction of one time of year to the other. You should certainly avoid that.

For the purpose of **kabbolas tosefes Shabbos** (bringing Shabbat in early to add time to Shabbat), **we're meikil** (lenient) – even though all year long we daven right before shekia, to bring in Shabbos early we're meikil **on the tartei d'sasrei from one day to the other.** But we try not to be meikil on a tartei d'sasrei on the same day. We should try not to daven mincha after the plag and maariv before the shekia – although many kehillos are meikil on that also; for the sake of tosefes Shabbos they'll daven mincha late after the plag and maariv before the shekia. For the purpose of tosefes Shabbos or the purpose of tefillah betzibbur many are meikil. The Mishna Berura quotes lehalacha from the sefer Olas Tamid that if the only minyan in town davens tartei d'sasrei on the same day, mincha after the plag and maariv before the shekia, it's better to daven with a minyan even though you have a tartei d'sasrei on the same day. The first Tosafos in Brachos discusses this machlokes, namely: is there an issue if you have a tartei d'sasrei on the same day. Apparently Rabbeinu Tam was not worried about it, although all the other Rishonim were not happy about it. There are those who are meikil in a she'as had'chak (extenuating circumstances). **If you have a she'as had'chak, you can certainly be meikil on tartei d'sasrei one day to the other** – for instance, in Breuer's (Kehal Adath Jeshurun in Washington

Heights, NY), all summer long they have a lot of people daven at the early minyan which davens mincha before plag, and maariv right after the plag. But during the rest of the year they daven mincha after plag. From one day to the next they are meikil. We try to avoid it, and many Rishonim say that only for the sake of kabbalas tosefes Shabbos is there room to be meikil, but there are others who are meikil as they do it in Breuer's.

Rav Moshe Feinstein has a teshuva in Igros Moshe where he talks about this topic, and he discusses the Mishna Berura's question about the only minyan in town davening tartei d'sasrei. Rav Moshe doesn't refer to the psak of Olas Tamid in the Mishna Berura, but he discusses the same she'elah and he actually thinks that the Mishna Berura is not correct. According to Rav Moshe the advantage of davening tefillah betzibbur is because it means one truly davens properly – in other words, by davening together with a minyan you enhance your Tefillah, making it much better. **But if it's going to be tartei d'sasrei Rav Moshe thinks it's better to daven on your own. I personally always follow what Rav Moshe said – it's better not to daven tartei d'sasrei even if you'll miss tefillah betzibbur.**

Many have a **minhag not to sell chametz gamur** (proper chametz, like bread or pasta). But this year because of fears of supply shortages after Pesach, is that something they can be meikil on? Yes.

Does it require hataras nedarim (nullifying a vow)? **No.** There's a Dagul Me'revava on Yoreh De'ah at the beginning of the 3rd cheilek in Hilchos Nedarim and Sh'vuos. There's a whole siman (maybe 214) on whether a minhag tov (good practice) is binding mita'am neder (because it has turned into a halachic vow). The Ran in Nedarim cites this concept from the Baalei Tosafos on Nedarim Daf 81b, and the Shulchan Arukh assumes that this is the way it should be. Whenever you want to give up a minhag that you've been observing for years you have to do hataras nedarim. But the Dagul Me'revava explains that this is **only if you want to give it up mikan ul'haba** (from now and forever). If you just happened to have a one-off event, she'as had'chak, he says it's self-understood that when you have a minhag tov, **once in a long while you get stuck**, you won't be able to do it, that **does not require a hataras nedarim.**

Let us say someone's **family doesn't eat gebrochts** on Pesach, and he's in Eretz Yisrael for the year learning in yeshiva, and the only place he has to stay over Pesach is at a relative who is eating gebrochts. Does he need a hataras nedarim? The pashtus is you **can't make hataras nedarim** – you're not even the ba'al haneder! **It's a minhag hakehilla** (community vow), and you belong to that kehilla that is careful about gebrochts. If they just got stuck one year, for that you don't really need hataras nedarim, and it wouldn't really help anyway. So according to Dagul Me'revava if once in a while you get stuck in a she'as had'chak you don't need hataras nedarim, since it is understood from the start that if it is not feasible, the minhag is not binding.

If we're afraid that a person who lives alone might become depressed, especially if God forbid depression could lead to suicidal ideation, can they leave on a TV or radio over Shabbos to have other voices in the house and to pass the time? Someone elderly or alone with no human interaction for 25 hours? That's a problem, we must not allow someone with such problems to let these problems get worse. One should definitely tell them to leave something on. Although, if a person listens to the news and it makes them depressed, maybe they shouldn't listen to the news.

Can a rabbi refuse to officiate at a wedding that doesn't conform to the guidelines and the standards which were set in terms of numbers of people attending? I think the rabbi should refuse. It's not right. It is putting people at risk. The rabbi should say he's not going to officiate unless they have a minyan metzumtzm (a very small number of people). The pasuk: Shomer psoyim haShem (G-d protects the simple) does not apply in this situation, as people are fully aware of what is going on and are nervous about it. The rabbi should refuse to officiate.

A bris does not require a minyan, so should it be only the family who are present at a bris? Yes, that's a very good idea. The minhag is to have a minyan, but in the current situation one should only do a minyan metzumtzm, and if you can convince them not to have a minyan [at all], it's even better.

How does one deal with **krias sheim (giving a name) for a new baby daughter?** **You just give the baby a name.** When it is a boy the practice is to give the name at the bris, based on a Matei Moshe they quote, because when G-d told Avraham Avinu to have his bris — at that point He changed his name. But when it comes to a girl there's no such drasha and therefore no such minhag. You don't have to wait. **Even in the case of a boy, if let's say they postpone the bris for an extended period of time, you don't have to wait another week, or another month to give the name.**

I remember hearing a story from my father, who told me that in **Einstein Hospital** there was once a couple that had a baby and they had to postpone the bris, and they didn't give the baby a name. The nurse asked for the name of the baby and the couple said they didn't give him a name yet. As a result of this, the nurses thought the parents had given up hope, and that the parents believed that the child was not going to live. Consequently, they were careless in treating the baby, thinking that the parents had already given up hope! But that wasn't the reason why – the parents were chassidish, and didn't want to say the name out loud before the bris. Under those circumstances, I think it's not right. You should say the name before. I think Rav Moshe has a teshuva like that, in other words if one has to postpone the bris for a while, you give the name before the bris. And when it comes to girls there's no such minhag anyway, you don't wait – any delay is a minhag, until you get an aliya and give the name. But you can give a name without the aliya.

Does someone bentch gomel (say the 'gomel' blessing) **after leaving quarantine**, and how much time does he have to make the bracha afterward, if the shuls are closed for a while? If he was quarantined because he was sick, the halacha is that **choleh shenisrapei** (a sick person who recovers) **has to say birchas hagomel.** If it was just that he was in quarantine because we're afraid maybe he has the disease but in the end it turned out he did not have it, then he was not really in sakana (physical danger), and he does not need to say birchas hagomel. How much time does he have? The Shulchan Aruch says he shouldn't wait too long. Perhaps in that situation you don't really need 10 people altogether. **Maybe 10 people on a conference call is enough.**

On a conference call he is praising G-d and 10 people can hear him. I should look that up in Shulchan Aruch. **I am not sure** that they have to be in the same room. **It's not a davar shebik'dusha.**

If we're **still in quarantine on Pesach and on the first day of yomtov we have to switch from mashiv haruach to not saying it**, generally the **gabbai makes some kind of announcement.** **But in quarantine we will be biye'chidus** – do we just stop saying mashiv haruach? **I guess so. We have no choice.** The Shulchan Aruch says there's a difference between mashiv haruach and vesein tal umattar. Vesein' tal umattar is a bakasha (request) tefillah – 'Hashem, please give us rain' – so when you need the rain you just say it. **Mashiv haruach** is describing Hakodosh Boruch Hu's essence. So to change it to that, **you need the koach hatzibbur** (strength of the congregation), and therefore the **gabbai has to announce it in shul**, and whoever is not going to daven in shul, before they daven in shul they shouldn't say it. **But in she'as had'chak when nobody is davening in shul, so you have no choice.**

Can you review the dinim of **making up parshiyot that were missed?** In Hilchos Krias Hatorah, in Shulchan Aruch Orach Chaim starting in 135, in the second se'if, the Rema quotes the story from the Ohr Zarua that there was once a minyan on a Shabbos morning and there was some problem during the davening, and they never got to lein the whole day. The Ohr

Zarua says that the **next Shabbos they needed to lein both sedras mechubarin** (joined together), like we lein Vayakhel-Pekudei together, with *revi'i* (the fourth *aliya*) connecting the first *sedra* and the second *sedra*, because we don't want to be *mechabeid* (give superior 'honor' to) one *sedra* by giving it more *aliyas* (call-ups) than the other one. Instead you give 3-and-a-half in the first and 3-and-a-half in the second, and *revi'i* connects between them. The Magen Avraham says, and Mishna Berura quotes it, that if the following week is already a double *parsha* like Vayakhel-Pekudei, **you're not obligated to say 3 sedras in one go**, as it is a *tircha detzibbura* (a burden on the community) – therefore we never lein 3 *sedras* together in one shot.

The Mishna Berura quotes other Acharonim (later halachic authorities) disagreeing with that Magen Avraham; they say that the **more correct way to do it is to lein a whole bunch of sedras together**.

In the biography of the **Chazon Ish** there is a story that he was put in prison by the British authorities in Palestine before 1948, as he had participated in a demonstration against *Chillul Shabbos* (*Shabbat* desecration) by Jewish shops in Bnei Brak. He was in prison for a few weeks, and he missed *krias haTorah*. Everybody else heard *krias haTorah*, but he missed it for a few weeks. In order to make up the missing *sedras* he would have to have 3 or 4 *sedras* read for him. He asked 9 people whether they would agree to listen to a very long – extremely long! – *krias haTorah*, four times as long as normal, and the 9 people agreed. The *Chazon Ish* explained that the whole reason you don't do more than 2 *sedras* in one reading is *tircha detzibbura*, but he had a *tzibbur* that liked him, and they agreed to go along with him. So it wasn't *tircha detzibbura*, and he could do it.

But some *Acharonim* say that if **the whole tzibbur missed krias haTorah then it is worthwhile to lein even 4 sedras**. Rabbi Ephraim Zalman Margolies in *Sefer Sha'arei Efraim* writes that the story cited in the name of the *Ohr Zarua* was talking about a *minyán* that gathered together on *Shabbos* morning, they davened *shacharis*, and then they weren't able to do *Krias haTorah*. But what if there was a snowstorm and nobody went to shul on *Shabbos*, like in our current situation with the coronavirus, where nobody is going to shul? There was no *tefillah betzibbur* on *Shabbos*?

The *Sha'arei Efraim* is clearly working on the assumption that **krias haTorah is a chovas hatzibbur** (a congregational obligation) not a *chovas hayachid* (an individual obligation). Rav Soloveitchik used to say that his grandfathers, Rabbi Chaim Soloveitchik of Brisk, and Rav Eliyahu Halevi Feinstein of Pruzhany, had a **halachic disagreement** about this exact point.

Sha'arei Efraim assumes that if the people were together on *Shabbos* morning and they were *nischayvu* (obligated) in *kriah* and didn't lein, then you have to do a *tashlumin* (make-up reading) next week and maybe even 4 weeks later. But **if they were never together, he thinks that me'ikkar hadin** (according to the essence of the law) there is no **obligation to make up what you missed**. I think many would agree with that. Or even, let's say, if you hold like the Magen Avraham, that this coming week is going to be Vayakhel-Pekudei, so you don't lein 3 *sedras*: *Ki Sisa*, Vayakhel [and] *Pekudei* – it is *tircha detzibbura*.

But let's say this situation of not going to shul does not change until *Shemini*? Of course, we hope everything will be back to normal by *Parshas Shemini*. But if it doesn't get back to normal, even if you agree with the Magen Avraham, you don't do all of them: *Ki Sisa*, Vayakhel, *Pekudei*, *Vayikra*, *Tzav* – you don't do excessive *tashlumin*, you just do the *sedra* of that week and of the week before, let's say *Tzav* and *Shemini*. You can do 2 *sedras*. Although, *Me'ikkar hadin* the *Sha'arei Efraim* is of the opinion that if the *tzibbur* never gathered together in the first place, they were never *nischayvu* to lein all those *sedras*, so you don't really need to read/hear the *parshios* that you missed anyway.

You had mentioned that a community can read extra *krias* even if they're not *chayav* in them? Yes. On *Shabbos* and *yomtov*, *me'ikkar hadin* you're

allowed to make *hosafos* (extra readings or call-ups). We have a *minhag* not to make *hosafos* on *yomtov*, but on *Simchas Torah* we do allow it. And every *yomtov* we actually do make a *hosafa*, because we do a *maftir*. *Me'ikkar hadin maftir* is *oleh l'minyan hakeruim* (counts towards the number of those called up). And we always have *maftir* in addition to the 5 *aliyos*. *Midina deGemara* (according to the law established by the *gemara*) it never says you have to lein a piece from *Parshas Pinchas*, namely from *Parshas haMusafim*. I think that the *Beis Yosef* says that it was the *Geonim* who introduced that.

When you make *hosafos* not only are you allowed to add on extra *aliyos*, you can even lein from a totally different *parsha*. On *Simchas Torah* we take out a different *Sefer Torah* and lein *Bereishis*. I don't think it is based on the *gemara*; it's a *minhag* that developed later. In our situation, let's say that some people will have missed *Parshas Zachor*, and some missed *Parshas Para*, and there will be people who will miss *Parshas Hachodesh*. When everything is clear and everyone is healthy, you can lein *krias haTorah* and then make a *hosafa* to lein those *parshiyos* you missed, although it probably doesn't make sense to read *Hachodesh* when it's no longer the month of *Nissan*.

If it is still before Pesach it will make sense to lein Parshas Para, which is "*uneshalma parim sefaseinu*" – since we don't have the ability to be *makriv* (sacrifice) the *temidim* and *musafim* (regular sacrifices offered up in the *Beit Hamikdash*), instead of actually offering them up we talk about them, and the *gemara* says at the end of *Megillah* – "*maaleh aleihen k'illu hikrivam*", *Hakodosh Boruch Hu* will consider it as if he offered up the *korban*.

When the time comes, we will all have to become *tahor* (ritually pure) to bring *Korban Pesach*, and the way to become *tahor* is by bringing a *Para Aduma* (red heifer), and *Para Aduma* is also "*Chatas karyei Rachmana*" (it is called a 'sin-offering' by the *Torah*) – which means that in a certain sense it is like a *korban*, which means that we also apply the rule to *Para Aduma* – therefore, if we are all able to get together in shul before *Pesach*, maybe it makes sense to make a *hosafa* and lein *Parshas Para*.

But after Pesach I don't think it makes sense to lein Parshas Para. That's the usual explanation, others have a different explanation as to why *Parshas Para* is *De'oraisa* (mandated by the *Torah*). But with regard to *Parshas Zachor*, it would make sense to make a *hosafa* whenever everything clears up and we can go back to shul. If a lot of people missed *Parshas Zachor*, so they should lein it at a later date.

If there's a bar mitzva boy who prepared his whole leining, but missed reading it in shul, could the tzibbur (congregation) say we'll hear that *parsha* in addition to whatever the *parsha* is the week that the shul is able to reconvene?

Yes, if the shul is in agreement, that is totally okay. If you're going to lein two consecutive *parshiyos*, then it is generally accepted to lein them together, connected with *revi'i*. But if the *bar mitzva* boy missed *Ki Sisa* and now he has to lein it the week of *Parshas Tzav*, for example, then it's probably better to lein *Parshas Tzav* normally, and after you give the seven *aliyos* of *parshas Tzav*, have the *bar mitzva* boy roll back the *Sefer Torah* and lein *Ki Sisa* after the *krias haTorah* as a *hosafa*.

There is an emotional concern about **kaddish and yahrzeit**. What should rabbis recommend to their *balebatim* who are longing to do something to recognize a *yahrzeit*? What can you do? **Learn mishnayos**. A friend of mine just lost his mother, and he says *kaddish* for his mother, and I told him I think he should not go to *minyanim*. His mother was a *tzadeikes* (righteous woman), she doesn't need his *kaddish* anyway, so he shouldn't feel so bad that he's missing the *kaddish*. His wife has a weak immune system and if he were to get the coronavirus, maybe he'll survive, but his wife may G-d forbid get sick, so she's asking him not to go to a *minyán*. I told him she's right, he shouldn't go even though he's going to miss *kaddish*.

What haftara should we say when shul returns? Should it be for the week's parsha, and not impacted by any hosafos?

When you lein two sedras together, there are two minhagim in Shulchan Aruch as to whether you say the haftara of the first sedra or the second sedra. When you lein from two Sifrei Torah, the minhag is that the haftara should always be connected to the second Sefer Torah. In this case, I'm not sure. If they're going to lein Parshas Zachor after Pesach, I think they should say the haftara of Parshas Zachor. The haftara should always be connected to the last thing that was read.

If the bar mitzva boy were to read a parsha from 3 weeks earlier as a hosafa in a different Sefer Torah, you would then read the haftara of that hosafa? Probably, I think you would, yes.

If a shul misses a number of parshiyos, does it have any impact on Simchas Torah? Even if they missed a number of parshiyos, they still celebrate Simchas Torah as usual.

For a siyyum, does it make a difference if **the baal hasiyyum is not with a minyan**, but by himself making a siyyum in his own house, and everyone is listening from their own houses, does that impact the ability to be mitztareif?

I don't think there's a din that you need a minyan for a siyyum, or for seudas mitzva. Whoever participates in the siyyum, it's considered a seudas mitzva for them, even if they are on their own. This is a little bit of participation. Almost as much participation as the bechorim (first-borns) have when they come to shul! In reality they have no connection with the whole masechta (tractate) that was finished, they just hear the person finishing it say the last few lines of the gemara, and they celebrate along with him. In that case they celebrate in the same room – **here they're celebrating at a different location. It's the same seudas mitzva that would've been if they would have been in the shul.**

What about Rav Elyahu Henkin's suggestion of being **podeh with tzedaka for taanis bechorim?** To be podeh? I don't know. I have never heard of it. I'm not familiar with it at all. **Wow!**

Is there any benefit for a person to make his own personal siyyum of something like a Sefer in Tanakh, or a masechta mishnayos, as opposed to listening in to somebody else on the phone? It has to be something like a full Seder Mishnayos or a masechta of gemara. I have heard that in Eretz Yisrael they have a fleishig restaurant, and during the 9 days they have someone run through all of Pirkei Avos every night and they make a siyyum and then – they say! – everybody can eat meat. That's a joke! What do you mean you run through Pirkei Avos? If a person is afraid they won't hear a siyyum and will have to make their own, let him start now! Start now learning a short masechta. We have Artscroll, it will help them out.

What should the **criteria be for re-opening shuls?** When **the health organizations will tell us** that everything is okay and people will be much less nervous, and the Federal Government Department of Health, and different state and city authorities, and different countries, will determine that you can relax disease-related restrictions, then it will be okay!

Some people are pushing to make **minyanim in houses or standing outside** with people at distances from one another. Is this something you would encourage? Or is it forbidden? Minyanim in houses is a bigger problem than in the shul! They will be closer to one another – 10 in a room! **Outside? Okay, maybe.** Maybe! But only if there's no risk. I don't know. If the government or the **Board of Health think it's okay**, then it's fine. I'm concerned though. I'm over 70. I'm concerned about the outdoor approach too. Personally, I wouldn't want to participate.

Some concerns have been voiced about setting these requirements and people not following them and endangering others, and there is the question of **"lo plug"** (no differentiation) about these precautions. That's right! You have to have a lo plug. If you say the healthy people can go to shul and people over 50 cannot go, then you'll have people over 50 who will say they are healthy – and they have a lower resistance, it's a danger for them. There

are also people who are actually sick and they will say 'we feel healthy', and they go to shul. It's beautiful that people want to daven tefillah betzibbur, but they're putting their lives at risk – and **putting other people at risk.** It is sakonas nefoshos – a life threatening risk. It is not right. Not right at all. You are correct, we have to make a "lo plug."

There is concern that if shmura matzas are not available, is one allowed to use **regular (non-shmura) matza** for the seder.

For years the practice used to be that the matzah manufacturers would bake all the matza they made "lesheim mitzvas matza" (for the sake of the mitzva of eating matzos), which means it can be used for the seder even if it is not shmura. We need to find out if they still have that practice. They used to, because they knew that most Jews in America do not buy shmura, they buy peshuttos (non-shmura matzah). The Shulchan Aruch says you can be lenient in that situation, but you still need the asiyya lishma, it needs to be baked for the purpose of the mitzva of matza. If the manufacturers still make it all lishma, you can use the regular matza for seder night.

Many shuls have scheduled communal kashering – should they be cancelled? And do rabbonim have an obligation to review the dinim of kashering with their congregants so that they do it properly? They have to cancel scheduled kashering. And it's not so difficult to kasher. **Balebatim can be educated to do hag'ala on their own.** The rabbis should teach their balebatim.

What about washing hands with soap a second time, after washing one's hands before hamotzi? That's okay. It's completely fine.

What about women **going to mikva** during this period? The Governor of New Jersey is now saying nobody is allowed out after 8 PM. This is going to pose a problem. A lot of women have to go to mikva, they can't all go after 8 PM. The Shulchan Aruch Yoreh De'ah at the end of siman 197 says that whenever there is an 'oness' (unavoidable situation) and the woman can't go to mikva at night, we're lenient, and she can go to mikva the next morning **bayom** (during the day). Usually we don't even allow tevila bayom on day 8 or 9. But if it's because of an 'oness', and the current situation is certainly an 'oness', you have no choice, and the woman may go bayom. This is explicit in the Shulchan Aruch.

I received a call today from the chair of a hospital Ethics Committee asking our position on a situation for which the hospital unfortunately feels a need to prepare: **would we permit the removal of a respirator from an end-of-life coronavirus patient to be used by another patient whose life, in the opinion of the medical staff, could be saved?** Every legal system has a principle that the ends justify the means. The question however is, which ends, and which means. If a woman is in labor and her husband is rushing her to the hospital at three o'clock in the morning on the highways where there are no other cars, the police will radio ahead to let the husband pass through all the red lights so that the woman can arrive in the hospital on time.

The halacha considers the mitzvah of "vo'chai bohem" (no mitzva is there so that it will cause loss of life) to be of supreme importance and it takes precedence over almost all of the other mitzvos in the Torah. Sick or elderly people whose life might possibly be endangered by fasting on Yom Kippur are required to eat. Likewise, if one's life may be in danger, we all know that we must violate Shabbos by driving to the hospital even if there is only a sefek sefeka (the slightest chance) of a danger to life, and even though driving a car on Shabbos constitutes a melocha d'oraisa (Torah prohibition).

The halacha, however, has three exceptions to the rule where pikuach nefesh does not take precedence. One of the three is murder. **We may not kill one person in order to save the life of another person.** We may not make calculations that the life of one individual is more valuable than the life of another individual (see: Mishnah at the end of seventh chapter of Oholos; see: Gemara Pesochim 25B). Even if one individual is on a respirator and his chances for survival are very slim, and even if he survives he will not live

that many added years, and another person is in need of the respirator whose chances of survival are much better and will probably live many more years, the halacha declares that we have no right to make such calculations. Even if the individual on the respirator is a gosses (certainly going to die within a very short period of time), the din is still the same. One who kills a gosses b'yidei shomayim, is given the death penalty (Sanhedrin 78A). The Rash in his commentary on the last Mishna in the eighth chapter of Terumos, quotes a passage from the Talmud Yerushalmi which has been codified both by the Rambam (Yesodei HaTorah 5:5) and by the Shulchan Aruch (Yoreh Deah 157:1 in the Rema). The Yerushalmi states that if murderers surround and capture the city and threaten to kill all the people in the city unless they will hand over one person whom they will kill, this is not permitted. The Kesef Mishna in his commentary on the Rambam points out that this Yerushalmi is adding a chidush, that even if the situation is such that at the end of the day we will be saving more lives by killing that one person, the halacha still forbids this as an act of murder. Even if the murder is only in the form of Garam Retzicha (one caused a death), which would not deserve a death penalty, the halacha still does not permit it.

From: Torah Musings <newsletter@torahmusings.com> date: Apr 2, 2020, 12:02 PM subject: Torah Musings

From **Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses** traditiononline.org/from-cholera-to-coronavirus-recurring-pandemics-recurring-rabbinic-responses/ **Edward Reichman**

This article is dedicated to the refuah shelema of my dear friend, the tzaddik, **Yisachar Chaim ben Esther Malka** (who is suffering from coronavirus) and to the memory of **Romi Cohen z"l** a mentor and life-long inspiration, one of the greatest people of our generation, who died 28 Adar 5780 from coronavirus at the age of 92, yehi zikhro barukh.

Having recently written an article on the salvific practice of reciting Pittum ha-Ketoret in times of epidemic, I find it ironic that I find myself in need of prayer in home-quarantine after being exposed to a patient with documented coronavirus (I have, thank God, tested negative). This current pandemic has generated a plethora of novel halakhic issues that were formerly unfamiliar to modern poskim. As with all halakhic challenges, especially in the field of medicine, we seek historical precedent in rabbinic literature. With modern medical developments, such as organ transplantation, brain death, surrogate motherhood, or ovarian transplants, rabbinic precedent is sparse at best. Disease and its impact on society and religious practice, however, is as old as humanity itself. Many turn to the Spanish influenza pandemic of 1918 for possible halakhic guidance, primarily because it is incessantly referenced in the media as a benchmark for the worst pandemic in recent history.¹ Unfortunately there were many more pandemics of great magnitude throughout history, such as Black Death, polio, and smallpox.

The present essay focuses primarily on the impact of one disease on Jewish religious practices. The disease cholera, aptly called "evil disease" in Hebrew,² caused seven prolonged pandemics in the eighteenth and nineteenth centuries. As opposed to the Spanish flu, which lasted less than two years, the cholera pandemics each spanned from seven to twenty-four years. We thus have halakhic responses to cholera over a considerable period of time. While a comprehensive review of all the halakhic literature on cholera remains a desideratum,³ we review here some of the issues our predecessors faced in times of pandemic in the hope of providing perspective, inspiration, and guidance on how to cope with our present predicament. Some of the parallels are striking, and it is humbling that despite our remarkable, divinely guided advances in both the understanding and treatment of disease, in many ways, little has changed.

A Word About Contagion and Disease Transmission in the Pre-Modern Era

Prior to the development of germ theory and the field of bacteriology in the late nineteenth century, the mechanism of disease transmission was poorly understood. While the history of theories of contagion is not the substance of our essay, suffice it to say that in the pre-modern era there was only a rudimentary understanding that diseases could be passed from person to person, or through the air. In addition, different times of day, poor hygiene or dietary practices were thought to be associated with disease acquisition. Conversely, specific foods or practices were thought to be preventive. Though the science behind the theories was lacking, their general appreciation of the transmissibility of disease informed their preventive measures.

Prayer in the Times of Cholera R Akiva Eiger

Rabbi Akiva Eiger (1761-1837) was the rabbi of Posen during the second cholera pandemic (1829-1837). He penned a number of letters from 1830 to 1831 regarding multiple aspects of the disease and its impact.⁴ The first of these letters, which has been widely cited during the present coronavirus pandemic, addresses, in part, the impact of contagion concerns on the daily prayer services, which by nature congregated large groups of people in relatively small spaces. The letter is written to Rabbi Eliyahu Guttmacher, the rabbi of the nearby community of Pleschen:

His honor's letter has reached me, regarding prayer in the synagogue. In my view, it is true that gathering in a small space is inappropriate, but it is possible to pray in groups, each one very small, about fifteen people. Prayer should begin at first light, with the next group following after. Furthermore, each one should have a designated time to come pray there. The same for minha... And they should be careful that people beyond the aforementioned quota not push their way into the synagogue. Perhaps a guard from the police should oversee this. Once they have reached the number (15), they should not allow others to enter until that group is finished. Set this request before the magistrate, and that I have written this instruction for you. And if they refuse, it would be good to arrange it with the local authorities. You will certainly succeed if you mention my name, that I have instructed you not to have large gatherings in the synagogue in a small space, and that I have advised you of these arrangements, and have cautioned you to recite Tehillim and pray for the king as well, may God protect him.

This letter is remarkable for its sensitivity to the notion of contagion and crowding as well as the consideration of involvement of the secular authorities to enforce compliance.

Consistent with his earlier letter about crowd limitation in the synagogue, in 1831 R. Eiger and the members of the rabbinic court of Posen issued a decree, paraphrased below, providing guidance in advance of the high holidays in the midst of the cholera pandemic.⁵

We provide the following guidelines given the recommendation of the physicians that gathering of large crowds for prolonged periods of time, leaving early on an empty stomach, and breathing the sharp [toxic] morning air is likely to cause cholera. Furthermore, the fumes of oil lamps... in the synagogues are harmful to one's health... All synagogues, including both the men's and women's section, should fill to only half of their seating capacity such that every other seat is empty. To allow for equal access during the high holidays, half the congregants will attend for the two days of Rosh Hashana while the other half will attend for Yom Kippur, with the specific holiday being determined by lottery. A military guard should be posted at the synagogue entrance to maintain orderly seating. The length of the service for Rosh Hashana should not exceed five hours, each oleh to the Torah will be limited to one mi sheberakh, piyyutim should be omitted, and the cantor should not prolong the prayers with melodies or musical flourishes.

Similar guidelines were provided for Yom Kippur, though the issue of eating on the fast day received separate treatment (see below). The assumption, addressed in the decree, was that the people designated by lottery to not attend synagogue would pray in private house minyanim.

Provisions for contagion precautions were set forth for these situations as well.

Rabbi Yaakov Tzvi Meklenberg (1785-1865), the rabbi of Königsburg and author of the work *HaKtav v'haKabbala*, also issued restrictions for synagogue attendance in 1857 due to concerns of disease spread during the third cholera pandemic (1846-1860). His recommendations were more limited, instructing just the women of the community to refrain from attending synagogue and to pray at home.

In the present coronavirus pandemic, the initial recommendations for many communities, in the spirit of the letter of R. Akiva Eiger above, was to limit synagogue attendance and increase the distance between congregants in order to minimize contagion. With the rapid progression of disease and increasing fatalities, limited synagogue attendance gave way to complete closure of synagogues across the globe, a measure unprecedented in halakhic history.

Limitation of Public Gatherings

Akiva Eiger's son-in-law, Rabbi Moshe Sofer (Hatam Sofer) also faced concerns in Pressburg regarding contagion in the community. In the year 1831, the same year of the letter of R. Akiva Eiger, in the midst of the cholera pandemic, physicians banned public gatherings to limit the spread of disease. The secretary of the *Hevra Kadisha* planned to cancel the annual dinner of the burial society scheduled, according to tradition, for seventh of Adar. Hatam Sofer instructed that under no circumstances should the *seuda* (festive meal) be cancelled.⁶

While in the initial stages of the coronavirus, there was debate about the canceling of weddings, community dinners and other *simchas*, widespread consensus evolved that such measures are necessary to control disease, though minority dissent still persists. While it is of course purely speculative as to what Hatam Sofer would have done in today's climate, the strength of the science and unanimity of the recommendations would surely be a factor.

Fasting During a Pandemic

Rabbi Akiva Eiger The issue of fasting for individuals afflicted with disease has been addressed in halakhic literature throughout the centuries. A subset of these discussions focusses on community recommendations in times of widespread disease. Here I briefly discuss a few such cases that arose during cholera pandemics.

The community decree authored by R. Akiva Eiger and the members of the rabbinic court in 1831 included a discussion about the upcoming fast of Yom Kippur.⁷ The decree stipulates that as fasting on Yom Kippur is a biblical obligation, they could not be lenient on a general basis to permit breaking the fast. However, in order to facilitate rapid access to medical consultation, they arranged for two physicians to be positioned in a centrally located facility close to all the synagogues throughout the entire day of Yom Kippur. They hastened to add that one should consult the physician for even the slightest symptoms, as there is risk not only to oneself, but to others as well. "You will be called to judgment," they wrote, "both for yourself and for the souls of the others [you affected], not to mention that on this holy and awesome day one should refrain from violating the prohibition of shedding blood."

Hatam Sofer R. Moshe Sofer

Hatam Sofer also addressed the issue of fasting on Yom Kippur in times of cholera,⁸ when the recommendation was that leaving one's house without eating was considered dangerous (even life-threatening). In principle, he permits a healthy person to eat on Yom Kippur in order to prevent possible danger, though he did not permit it in this particular case. According to the question, the danger arose only when leaving the house. If one stayed at home, there would be no danger. Therefore, he suggested fasting at home and refraining from going to shul.

Rabbi Yisrael Salanter

Perhaps the most famous rabbinic decision regarding fasting during a pandemic is that of Rabbi Yisrael Salanter in 1848 during the third cholera pandemic.⁹ The most dramatic retelling of the story is found in the literary work of Hebrew author David Frischmann, "The Three Who Ate":

Three people who ate [...] did not eat on any regular day of the week, but on Yom Kippur. And not just on any Yom Kippur, but on Yom Kippur that fell on Shabbat. They didn't eat in secret, but in front of everyone gathered in the Great Synagogue. They weren't simple people or boors. These three were not frivolous. Rather they were the princes of the community and their most important leaders, none other than the rabbi of the city and the two *Dayanim* [rabbinic judges] who stood with him... It was the afternoon of Yom Kippur. The rabbi stood bent over on the *Bima*... Even now my eyes can picture that incredible sight, as I stood there in the congregation of the synagogue. The rabbi stood on the *Bima*, his dark eyes shining out from his pale face and white beard. The *Mussaf* service was almost over and the congregation stood silently waiting to hear something from this man of God... Suddenly my ears heard a sound, but I could not understand exactly what it was. I heard the sounds, but my heart could not comprehend. "With the permission of God and with the permission of the community, we hereby permit people to eat and to drink today." The beadle came forward and the Rabbi whispered a few things into his ear. Then he spoke with the two *Dayanim* who were next to him. They nodded as if to approve of what he had said. As this was happening the beadle brought a cup of wine and some cake from the rabbi's home. If I am lucky to live for many more years I will never forget that incredible day and that awesome sight. If I close my eyes for a moment I can still see them: the three who ate! The three shepherds of Israel standing on the *Bima* in the synagogue, eating in front of everyone, on Yom Kippur.¹⁰

The version of events varies from R. Salanter's granting permission to break the fast if warranted and providing food in the synagogue for those in need, to his personally reciting *Kiddush*, eating cake, and completely abrogating the fast for the entire community with no limitations.

Among the victims of this pandemic was the father of the *Hafetz Haim*, who lived in Vilna at that time, succumbed from cholera just two weeks after this famous incident, on *Simhat Torah*.¹¹

The veracity and details of what R. Salanter did that Yom Kippur remain in dispute and is not our focus here. Rather, we highlight the halakhic implications of the general contours of the story. To be clear, violation of halakhic precepts in the care of a critically ill patient is not a matter of dispute. The issue here is the permissibility to violate Torah or rabbinic law on a broad basis for the entire community, including presently healthy people, to preclude, or in anticipation of, possible life-threatening illness (*pikuah nefesh*).¹² It is this particular issue that evoked the opposition of the local Vilna rabbinic court.¹³

Fasting was not the only case where blanket permission to violate prohibitions prophylactically was considered for the healthy on a communal basis in times of pandemic. Rabbi Eliezer Fleckeles (1754-1826) was asked about the permissibility of receiving a smallpox inoculation on Shabbat during times of outbreak if this were the only day it was offered.¹⁴ The needle injection constituted a Sabbath violation, the exact nature of which was debated. The questioner, Rabbi Isaac Spitz, his son-in-law, offered a cogent argument that given the widespread disease, if one neglected protection today, he could be stricken with fatal disease tomorrow. Violation of Shabbat, albeit limited to rabbinic prohibitions, should surely be warranted, even for the healthy, in anticipation of life-threatening circumstances. Rabbi Fleckeles concurred completely with the questioner's logic and permitted the inoculation, though he recommended minimizing the Shabbat violation if at all possible.¹⁵

Rabbi Yechezkel Landau's classic responsum on **autopsy** provides another example. Rabbi Landau was willing to waive the prohibitions of

desecrating and deriving benefit from the corpse, as well as the obligation to bury the body, for the potential life-saving information that could be garnered from an autopsy. He limits this permission only to cases of direct and immediate benefit, explicitly stating that violating prohibitions in anticipation of future benefit is not halakhically justified and would lead to wholesale abrogation of Torah laws.¹⁶ He therefore allowed autopsy only if there was direct and immediate benefit. Hazon Ish however, writing some two centuries later, considered times of plague equivalent to immediate danger even for the presently healthy and relaxed the prohibitions of autopsy in times of epidemic.¹⁷

In the present coronavirus pandemic, the issue of fasting has surfaced as yet only peripherally regarding the fast of the firstborn on erev Pesach.¹⁸ However, this fast is neither biblical nor major, and is anyway preempted by the performance of a siyum. The focus of halakhic discussion has shifted to the nature of the siyum, and the possibility of participating by video conference, etc.

The general approach to fasting today during times of disease is more nuanced than during the cholera pandemics and informed by our modern understanding of disease transmission, as well as the specifics of the particular disease in question. To be sure, halakhic questions should still be asked on a case by case basis.

As to the broader issue of allowing Torah violation or abrogation on a community basis for the presently healthy, we are seeing, for example, discussions about using rare halakhic loopholes to delay tevilat kelim due to concerns for contagion.

Meta-Halakhic Community Initiatives

The very same rabbinic authorities who grappled with the purely halakhic ramifications of the cholera pandemic also demonstrated tremendous sensitivity and effort towards the meta-halakhic aspects of the pandemic, including both the financial and medical wellbeing of the community. In addition to his better-known suggestions to limit the number of people in shul, R. Eiger also added the following recommendations:

His honor should collect, for each person, from small to great and even infants in their mother's womb, six large coins, and from that his honor should fund saving of lives. And if his honor wishes to send me from this sum to save lives, I will do it wholeheartedly, and the money will be distributed to the needy. And they should be very careful not to become cold. It would be good for each person here to wear flannel, belted over his belly. Not to eat bad foods, especially gherkins, and to reduce eating fruit and fish and drinking alcohol, not to eat past satiation, and better to eat a lot over many times, but each time not to eat a lot. Be clean; don't leave any filth or dirt in the home. This includes changing to clean clothing multiple times during the week. Do not worry, distance yourself from any kind of sadness. Don't walk about the city at night; during the middle of the day, when the sun shines, it is good to stroll in the fields for air, and to open the windows in the morning so that air will enter the rooms. Don't go outside on an empty stomach, eat some grains of mustard and take bark from an oak tree. Take water and wash your face and hands with it every morning. Wash the floors of the rooms several times with good strong vinegar, mixed with rose water.¹⁹

An emphasis on financial support pervades the other letters R. Eiger wrote about the cholera pandemic as well. In addressing the leaders of the local Adat Yeshurun Congregation R. Eiger details his aid to the poor, including the non-Jewish population, for which he received a commendation from Frederick William III. He further notes how the severe travel restrictions had destroyed the economy and beleaguered the poor and he appeals to the congregation to provide a comprehensive financial plan to support those who suffered monetary losses as a result.

In a later letter on the topic in 1831, R. Eiger laments the continued spread of the epidemic, "practically in every province and in every city."²⁰ He lays

out a more detailed financial plan which is to include money for medications and medical services, sharply emphasizing the need to seek medical care immediately upon the development of even the slightest symptoms of disease, lest the rapid disease progression lead to one's demise. Coffee, tea, and spirits are to be provided for the poor while still healthy. Specific locations and dedicated staff are to be designated to care for the ill. His deference to the recommendations of the medical community is unequivocal: "He who violates the words of the physicians regarding health behavior has sinned greatly against God, for danger supersedes prohibitions (chamira sakanta me'isura), especially in a case of danger to both oneself and others, which will lead to the spread of disease. His sin will be great to bear."

R. Salanter likewise initiated community measures to address the cholera pandemic, such as renting a separate hospital dedicated to caring for the victims, and providing for medical staff who, under his influence, worked without remuneration. He also required them to perform their duties on Shabbat and specifically directed them not to have them performed by gentiles.²¹

Visiting the Ill and Risk to the Caregiver²² R. Chaim Soloveitchik

Bikur Holim societies of old provided more than food and emotional support, they often provided needed medical and physical comfort care as well. Concern for contagion was reflected in the society manuals providing guidelines to its members. In one such manual from mid-eighteenth-century Berlin, we read: "We have accepted upon ourselves to visit all those afflicted with illness, except if they are afflicted with certain [contagious] illnesses, God forbid, from which one must distance oneself."²³ Examples of such illnesses included diarrheal maladies (such as cholera), smallpox, and measles.

Rabbi Chaim Soloveitchik (1853-1918) personally attended to those afflicted with cholera despite the potential risk of contracting the contagious disease. He did however differentiate between levels of risk, stipulating that if the risk of contagion were close to certain, one would not be permitted to incur such risk. One is not required to expose oneself to certain danger, he argued, even if he is aiding one who is in certain danger.²⁴

Halakhic Leniency for Psychological Impact of Disease

Rabbi Shaul Landau, the Av Beit Din (Chief Rabbinic Judge) of Cracow asked Hatam Sofer about the following incident in his community.²⁵ During a cholera outbreak, the people greatly desired to recite kiddush levana (the blessing over the new moon). However, the moon was not visible during the halakhically allowed time for recitation. The community was greatly distressed and fearful that this was a bad omen. In light of the medically accepted fact that emotional distress and worry can have negative implications for one's health, R. Landau declared that there would still be an opportunity to bless the new moon on the 16th of the month (past the usual time for the blessing) if the skies were clear. As it happened the skies were cloudless and hundreds gathered to recite the prayer.

Burial and Tahara

Burial practices were changed during times of epidemics due to the possible contagion of the body even after death. In the times of the Hazon Ish there was a cholera pandemic and the physicians cautioned against touching the bodies of those who had died due to fear of contagion. The Hevra Kadisha initially heeded the medical recommendations, and as a result, many Jewish bodies remained unburied in a state of disgrace (bizayon). So it remained until Hazon Ish personally picked up one of the bodies and attended to his burial. The Hevra Kadisha was profoundly impacted by this act and returned to performing their customary burials (presumably with modifications to prevent contagion).²⁶

The location and timing of burial were also affected during times of cholera and other pandemics, necessitating deviation from standard practices.²⁷

During the present coronavirus outbreak the Ministry of Health in Israel initially suggested no tahara was required for patients with coronavirus, and

that they would not require takhrikhim (shrouds). They quickly reversed this decision and are allowing a limited tahara performed by specially trained individuals. The American based National Association of Chevra Kadisha, under the guidance of Rabbi Elchanan Zohn, issued guidelines for the tahara of one infected with coronavirus or other contagious diseases.²⁸ Rabbi Herschel Schachter has also issued a ruling regarding the performance of a tahara and burial procedures in light of the current pandemic.

Shiva and Aveilut

Mourning practices were suspended during cholera pandemics, and the question arose as to whether the shiva should be observed if the restrictions were lifted prior to the completion of the shloshim period.²⁹

During a late nineteenth-century cholera pandemic Rabbi Malkiel Tannenbaum (1847-1910) provided two possible reasons for the cancellation of shiva, each with different halakhic ramifications:³⁰

At this time, we have seen, in our sins, many cities affected with cholera. In our city there have also been some instances, albeit few, where three people have died in a six-week period, with one of them above seventy years old. However, in a nearby village, within tehum shabbat [approximately one kilometer], many have fallen sick and about eight have died. In some nearby cities the sickness is raging, may God save us. So, I was asked if there is an obligation to observe mourning rites, for in Shulhan Arukh [Yoreh Deah] 374 an opinion is brought that during a plague no mourning rituals are conducted due to fright. I have set out to explain this law... It seems the intention [of the law] is that at a time of wrath there are many who die, may God save us. Thus, if all of the relatives of all those who have died will observe mourning rituals, that will greatly scare the living, because it will be clear that many people have died. But, if there will be no mourning rituals, the [death] won't be as apparent. One could also suggest another explanation: the mourners themselves may have fear and anxiety when they remain closed in their homes, and this may damage their health... But it is clear that the first explanation is correct. A practical difference between these two explanations is where a plague is discovered in a city, may God save us, and many people fall sick from this illness, may God save us. However, only a few have died, such that it is impossible for people to fear for a great number of casualties. According to the second explanation, [the avoidance of rituals] is still relevant in such a case, so as to not cause fear for the mourners themselves. According to the first explanation, however, fear is not relevant, and one is required to observe mourning rituals. Another practical difference is if one wishes to observe mourning rituals [despite the rabbinic recommendation to the contrary]. According to the first explanation, this is allowed if he knows that those grieving the other casualties will not observe mourning rituals – for one mourner will not cause fright. But according to the second explanation, he is not allowed to put himself into danger... According to this we need to clarify: what is the number of deaths from which it is permissible not to observe mourning rituals? ...It is where according to the judge's [understanding] the word about the plague is already [circulating] in the whole city, and there will be fright when the large number of deaths will become known. ... May the Almighty rebuild the breached walls of His people Israel, and death will be swallowed forever speedily in our days, Amen.

During the present coronavirus outbreak shiva observance has also been curtailed, though the cancellation or limitation of mourning practices is motivated exclusively by medical concerns for contagion.

Fleeing During a Pandemic versus Sheltering in Place Rama Synagogue, Cracow

During pandemics in pre-modern times a common response was to flee the area of infestation. This was partially based on notions of contagion and the belief that diseases, including cholera, were caused by miasma, a noxious form of "bad air," referred to as ipush ha-avir in rabbinic literature, which pervaded the environment. A number of rabbinic authorities throughout the

centuries advocated such responses, such as Rabbi Moshe Isserles, something he himself did in 1555 when he fled his home in Cracow due to an epidemic.³¹ Fleeing itself created a number of halakhic challenges. During the sixth cholera pandemic (1899-1923), one partner of a shared business wanted to flee the city, dissolve the partnership and cash out his share, while the other wished to continue business as usual and refused to pay.³² The state of the pandemic, and whether fleeing was the commonly accepted practice at this time for this specific outbreak factored into the decision.

To stem the spread of coronavirus the present recommendations are the opposite: stay at home if possible, limit travel, with the extreme measure being a "shelter in place" order tantamount to home quarantine for all.

Kaddish Recitation

The magnitude of one cholera pandemic is reflected in the psak of R. Eiger regarding the recitation of the mourner's kaddish. The custom of the community was that only one person would recite kaddish at a time and the mourners would rotate. The death toll was so vast that each person could not even recite kaddish once a month. Rabbi Eiger therefore ruled that for the kaddish after the Aleinu prayer, all the mourners could recite the kaddish together.³³

Specific Cholera Prayers

A number of prayers were composed for recitation during times of cholera pandemics.³⁴ While they are labeled as cholera prayers, which was the disease of the time, the content is not disease specific. The National Library of Israel lists some thirty prayers for cholera, including among them celebratory prayers for survival from a cholera pandemic. They were all written during the eighteenth and early nineteenth centuries for different cholera pandemics. A comprehensive analysis of these prayers, and comparison to other prayers for plague/epidemics, has yet to be done.³⁵

Plague (a.k.a. Black) Weddings

There were also extra-halakhic Jewish responses in the times of cholera.³⁶ One curious practice was to perform a marriage of two orphans, who would be supported by the community, on the grounds of the Jewish cemetery. It was the hope that this collective act of hessed (kindness) would help avert the onslaught of the disease.³⁷ These types of weddings were performed during the cholera pandemics; one such wedding being convened between the graves of Rabbi Yosef Karo and Rabbi Isaac Luria in 1865.³⁸

Contemporary authors are resurrecting the discussions about plague weddings in the coronavirus climate, especially in light of one such recent wedding held in Bnei Brak

Response of Society to the Jews During Pandemics

While the focus of this article is on the Jewish response to cholera, it bears mention that there was also a unique response of the non-Jewish world to the relationship of Jews and cholera. The perception, sometimes based on fact, that Jews suffered less than their neighbors during times of epidemics is ubiquitous throughout history. This was sometimes attributed to idiosyncratic religious practices, such as hand washing or dietary restrictions. Irrespective of the reality, the perception of asymmetric mortality led to theories that the Jews intentionally initiated plagues, such as by poisoning wells.³⁹ Yet, there was also a diametrically opposite current of thought that Jews, either due to their presumed unhygienic habits and living conditions, or to their biological predisposition, should, at least theoretically, suffer more during times of plague.⁴⁰ Both of these ideas surfaced during the cholera pandemics.⁴¹

A Jewish Medical Response to the Cholera Pandemic

Dr. Waldemar Haffkine

I conclude with a different Jewish response to a cholera pandemic, that of Dr. Waldemar Haffkine (1860-1930), who focused on the medical cause, and developed a vaccination to prevent the disease.⁴² Born in Odessa to a Jewish family of limited means, Haffkine was a brilliant young student. As a young

bacteriologist in Russia, he was offered professional advancement, but only on condition of renouncing his Judaism. Persistently refusing, he was continually held back. He took a position at the Pasteur Institute in Paris as a librarian and performed experiments in his off-hours. Inspired by Pasteur's path-breaking discoveries, Haffkine developed a vaccine for cholera, which he tested on himself. He was sent to India where his vaccine saved an untold number of lives.⁴³

He was knighted in Queen Victoria's Diamond Jubilee Year Honors in 1897. The Jewish Chronicle of that time noted "a Ukraine Jew, trained in the schools of European science, saves the lives of helpless Hindus and Mohammedans and is decorated by the descendant of William the Conqueror and Alfred the Great."⁴⁴ The Times of London wrote on October 28, 1930, that with Haffkine's death bacteriology had lost one of its pioneers, "for he was distinguished in the small company of men and women — the number includes Koch, von Behring Ebert and Kitasato — whose work serves today as one of the foundations of modern medicine."

In 1916 he authored an essay "A Plea for Orthodoxy," extolling the virtues of Orthodox Judaism. During the last years of his life, upon return from India to Europe, Haffkine spent his days learning Talmud, while he financially supported European Torah institutions. In his last will he stipulated that the income from his estate be used to subsidize yeshivot in Eastern Europe.⁴⁵ Rabbi Yechezkel Abramsky later lauded Haffkine for his appreciation of the value of yeshiva education.⁴⁶

Conclusion

Mankind has faced the ravages of disease for millennia, and rabbis over the centuries have addressed the attendant halakhic ramifications. In every age, the rabbis both integrated and heeded the contemporaneous medical knowledge and recommendations. We have focused on the halakhic responses to cholera pandemics as an example of this process. Even this limited overview reflects and highlights the commonality of our experiences with those of our ancestors.

As I write this conclusion, the coronavirus pandemic has not yet reached its peak in the area I live. Tragically, we have lost precious souls to this disease. Many new radical rabbinic decisions have been rendered and more are sure to follow. With the help of Hashem, and with continued prayer and enhanced religious observance, Klal Yisrael has survived all previous pandemics. God willing, we will share the religious and halakhic lessons learned from our current reality with our own descendants.

1. On the history of the Spanish flu, see, Jeremy Brown, *Influenza: The Hundred Year Hunt to Cure the Deadliest Disease in History* (Atria Books, 2018).

2. This is not the origin of the term cholera, which likely derives from the Hippocratic term for bile, but rather a Hebrew folk etymology.

3. For a brief discussion of the halakhic responsa relating to cholera, see H.J. Zimmels, *Magicians, Theologians and Doctors* (Edward Goldston and Son, 1952), 106-107.

4. *Igrot Rabbi Akiva Eiger* (Makhon Da'at Sofer, 5754), letters 71-73.

5. See Natan Gestetner, *Pesakim ve-Takanot Rabbi Akiva Eiger* (Jerusalem, 5731), letter 20, 70ff.

6. As per the testimony of Rabbi Shmuel Reinitz, heard from the students of the Hatam Sofer; see B. Schwartz, "Customs of the Seventh of Adar" [Hebrew] *BeNetivei Hesev veEmet* (5761), 125-129, esp. 128.

7. Gestetner, op. cit.

8. *Responso Hatam Sofer*, 6:23.

9. For more on this story, see Eliezer Mermelstein, "Eating on Yom Kippur in Times of Plague" [Hebrew], *Etz Haim*, Year 3, 1:7 (Tishrei, 5769), 173-194; Alexander Lvov, "Rabbi Israel Salanter, the Haskalah and the 'Theory of Secularization': An Analysis from a Folklorist Point of View," *Central and East European Jews at the Crossroads of Tradition and Modernity*, (ed.) L. Lampertiene (Center for Studies of the Culture and History of East European Jews, 2006), 106-128. Lvov views R. Salanter's specific suggestions, including his recommendations for eating on Yom Kippur, in light of the preventive measure guidelines published in the Russian newspapers shortly before the holiday; N. Kamenetsky, *The Making of a Gadol I* (2004), 1104ff; I. Taub, "The Rabbi Who Ate on Yom Kippur: Rabbi Israel Salanter and the Cholera Epidemic of 1848," *Verapo Yerapei* 1(2009), 295-313. For a recent halakhic analysis of R. Salanter's

actions, see Rabbi Osher Weiss, "Regarding the Decision of Rav Yisrael Salanter During the Time of Plague" [Hebrew].

10. Translation excerpted from Jeremy Brown, *Talmudology Blog*, "Berachot 50a – 'The Three Who Ate' on Yom Kippur" (February 21, 2020).

11. Kamenetsky, op. cit., 1106.

12. In the current coronavirus pandemic there have been major halakhic exemptions made to religious practice, including canceling of minyanim and public Torah reading, closing yeshivot (which entails a decrease in Torah learning), refraining from attending Megilla reading, prohibiting Shiva visits, etc. In all of these cases, the target audience is likewise the presently healthy person. However, in all these cases, the halakhic accommodations constitute a passive approach and the omission of the performance of positive commandments. To advocate active violation of halakha (whether biblical or rabbinic) for the entire community, as opposed to case-by-case rulings for individuals, in order to prevent the healthy from becoming ill, is a matter of greater significance. It was this dimension of R. Yisrael Salanter's Yom Kippur ruling that was considered radical by his colleagues and which evoked strong responses.

13. See Mermelstein, op. cit., and Kamenetsky, op. cit., for expansive discussions on this point.

14. *Teshuva Me-Ahava*, 1:135.

15. This responsum is the precursor to modern halakhic discussions about different types of injections (intravenous, intramuscular, or subcutaneous) for medical reasons on Shabbat.

16. *Noda biYehuda II*, Y.D., 210.

17. *Hazon Ish*, *Ohalot* 22:32.

18. Declaring a new fast in times of plague, as in times of drought, is a different halakhic discussion (see *Orah Haim*, 576), and indeed, a half-day fast was declared in the early days of the pandemic, on erev Rosh Hodesh Nissan.

19. Adapted from the translation by Rabbi Mordechai Torczyner, whom I thank for his permission.

20. Cf. *Esther* 8:17.

21. *Dov Katz*, *Tenu'at HaMusar*, 149-150.

22. Not discussed here is whether a physician is expected to tolerate a higher threshold of risk than others in the care of patients with contagious disease. On this topic, see, for example, *Tzitz Eliezer* 9:17, Chapter 5.

23. *Aaron ben Moses Rofeh*, *Takanot shel Benei ha-Havurah de-Bikkur Holim* (Berlin, 1750).

24. *Rabbi Yosef Dov Soloveitchik*, *Reshimot Shiurim*, *Bava Metzia* 30b. *Rabbi Eliyahu Chaim Meisels* (1821-1912), rabbi of Lodz, likewise assisted those in need during an epidemic despite the possible danger. See *Rabbi Moshe Sternbuch*, *Teshuvot ve-Hanhagot* 5:390.

25. *Hatam Sofer*, O.H., 102.

26. See *Moshe Yosef Razieli*, "Endangering Oneself to Save Others," [Hebrew] *Va-hai Bahem I* (5752), 37-45.

27. On the topic of burial on Shabbat during an epidemic, see *Igrot Moshe Y.D.*, 4:55; *Hatam Sofer II*, Y.D., 334. *Rabbi Haim Palaggi* discussed the permissibility of asking a non-Jew to dig graves on Shabbat during a cholera pandemic in 1865, see *Ruach Haim O.H.*, 325:4 (he was hesitant to permit). *Rabbi Yaakov Reischer* (1661-1733) addressed the issue of alternate burial and the use of quicklime to hasten decomposition of the body after death from plague to prevent contagion. See *Shevut Yaakov* 2:97.

28. For further halakhic discussion see *Yehoshua Veisinger*, "Tahara in Cases of Contagious Disease" [Hebrew] *Tehumin* 36 (5776), 234-247.

29. *Rav Pe'alim III*, Y.D., 28. For further discussion, see *Yalkut Yosef Y.D.*, 374:1 notes.

30. *Divrei Malkiel* 2:90. I thank R. Mordechai Torczyner for this reference and his translation of the passage in conjunction with *Rabbi Baruch Weintraub*.

31. *Rama*, Y.D., 116:5; and see the introduction to his *Mekhir Yayin* on *Megillat Esther*. See also *Teshuvot Maharil* 41; *Magen Avraham*, O.H. 576:3.

32. *Moshe Ezra Mizrachi*, *Divrei Moshe Hoshen Mishpat*, 81 (R. Mizrachi found in favor of the non-fleeing brother).

33. *Piskei Teshuvot*, *He'arot* 132, n. 106.

34. On saying special prayers for the community during a cholera epidemic, see *Hatam Sofer*, *Likkutim be-Kovetz Teshuvot* 1.

35. Some of these prayers are for the disease called cholera morbus. See, for example, *British Library Or.* 10225 (NLI System number: 000124353-1). The prayer is titled as a prayer for cholera, but the text refers to the disease as *קוליירה מורבון*, likely cholera morbus. This term historically was used to refer to acute diarrheal illnesses, what we today would call gastroenteritis, rather than the specific disease cholera.

36. Kabbalistic responses to cholera and other epidemics also merits further study and is not addressed here. One such example is from 1848, the same year R. Salanter reportedly made kiddush on Yom Kippur, when representatives of a town visited the great Rav Meir of Premishlan asking for assistance with salvation during the current plague. It is reported that the deceased sage gave them a loaf of bread and some water which was to be placed outside the house of a particular individual. This was a reference to phrase in Exodus 23:25, associating the blessing of bread and water with the removal of sickness; see Avraham Maimon, "The Hanging of Bread in the Air" [Hebrew] Or Torah (Tevet 5762), 232.

37. For more on black weddings, see Sara Barnea, "Orphan Weddings" [Hebrew] Segulah 77 (July 2016), 44-53. I thank Dr. Ari Zivotofsky for this reference, and see here.

38. See Zimmels, op. cit., 233, n. 141.

39. For a recent thorough analysis of this topic, see Tzafir Barzilay, Well-Poisoning Accusations in Medieval Europe: 1250-1500, Ph.D. Dissertation (Columbia University, 2017).

40. See, for example, John Efron, "The Jewish Body Degenerate?" in his *Medicine and the German Jews: A History* (Yale University Press, 2001), 105-150. Regarding cholera specifically, see, for example, Katharina Kreuder-Sonnen, "Jewish Bodies and Jewish Doctors: The Cholera Years in the Polish Kingdom," in Marcin Moskalowicz, ed., *Jewish Medicine and Healthcare in Central Eastern Europe: Shared Identities, Entangled Histories* (Springer, 2019), 79-95.

41. See letters in *The Lancet*, December 30, 1854, p. 552, and January 13, 1855, p. 50; L. Angelini, et. al., "Religious Precepts and Cholera: The Case of the Jewish Community of Ferrara During the Epidemic of 1855," *Journal of Preventive Medicine and Hygiene* 46:4 (November 2005), 163-168; Harmen Snel and Jits van Staten, "Jews and the Cholera Epidemics in Amsterdam in 1832 and 1849," *Aschkenas* 28:1 (2018), 71-84; Myrna Gene Martin, "Outsiders on the Inside: Italian Jewish Ghettos and Cholera in the 1830s," *European History Quarterly* 49:1 (2019), 28-49. One intriguing theory attributes decreased prevalence of plague among Jews due to the cleaning of granaries for Pesach and the elimination of rats, considered to be the vector for plague transmission. See Martin Blaser, "Passover and Plague," *Perspectives in Biology and Medicine* 41:2 (Winter, 1998), 243-256.

42. The most comprehensive biography of Haffkine in English is Selman Waksman, *The Brilliant and Tragic Life of W.M.W. Haffkine* (Rutgers University Press, 1964). For discussions of his scientific work, see Ilana Lowy, "From Guinea Pigs to Man: The Development of Haffkine's Anticholera Vaccine," *Journal of the History of Medicine and Allied Sciences* 47 (1992), 270-309; Barbara Hawgwood, "Waldemar Mordechai Haffkine, CIE (1860-1930), Prophylactic Vaccination Against Cholera and Bubonic Plague in British India," *Journal of Medical Biography* 15(2007), 9-19.

43. He later developed a vaccine for Bubonic Plague as well.

44. *London Jewish Chronicle* (June 1, 2012), 8.

45. Tuvia Preschel, "Waldemar Haffkine (Mordecai Zeev) on the 70th Anniversary of His Death," *The Jewish Press* (October 13, 2000), 43.

46. See R. Yechezkel Abramsky, "Collection of Hiddushei Torah, Piskei Halakha and Mahshava" [Hebrew] *Kol HaTorah* 44 (5758), 9-28, esp. 22. Haffkine's name is misspelled as חסֶקֶיִר. R. Abramsky mentions Haffkine in the context of a discussion about the importance of the "yeshiva," contrasting it to the university. He quotes Haffkine as saying that anyone can create a university, but only the Jews can create a "yeshiva," which is an essential ingredient for the survival of the Jewish people.

Rabbi Edward Reichman, M.D., is a Professor of Emergency Medicine at the Albert Einstein College of Medicine.

<https://www.jewishpress.com/news/jewish-news/mix-up-leads-to-wrong-coronavirus-funeral-in-new-york/2020/04/02/> (April 1, 2020 / Chabad.org/News)

Moshe Grunwald lived a full and long life. A scion of the Pupa Chassidic dynasty, he survived Auschwitz and the Nazi death marches, rebuilding his family and his life in America. A longtime resident of Brooklyn, N.Y., he passed away this week as dozens were felled by the coronavirus. The family was told that the funeral would be at 10 a.m. sharp. Only a small group was allowed to attend, and the entire proceeding would be brief, consisting of a few Psalms and the Keil Maleh Rachamim. Following tradition, but standing apart from each other, the mourners approached the casket and asked their beloved patriarch to forgive them for anything they may have done to slight him. After Psalms were said and the truncated service was

about to end, a flustered undertaker approached the casket and took a good look. "I'm sorry," he told the shocked family. "We took out the wrong casket. Please wait while I return this casket and bring out Mr. Grunwald." The family exited the funeral home in shock and waited in their cars until it was time to begin the funeral ... again! "I have to admit I was so upset that this had happened to my Zaidy," wrote his granddaughter, Chaya Maimon, on Facebook. "The man who was loved by all. Who deserved so much kavod, who had to die alone due to a pandemic, who had to have this embarrassment of a funeral, who couldn't have a fitting burial or shiva. This was the final insult. I was so upset, I started to laugh and cry simultaneously. I couldn't believe I was living in a time where there are so many bodies that they mixed them up." Then she learned the rest of the story.

The person whom the Grunwald clan had accidentally mourned was a meit mitzvah (a person who leaves no family to care for his or her funeral, whose burial is then a communal obligation). He had died alone in his apartment and was only found four days later. He was to be buried with no fanfare with no one to mourn the end of his life. Through a Divinely orchestrated twist of fate, he ended up with a beautiful funeral and a minyan—something under normal circumstances he would not have had. "And then I remember my zaidy," wrote Maimon. "My zaidy was always honored, but he ran and hid from it; he never wanted the spotlight. My cousin posted that we would send people to follow him into chuppah to make sure that if they would honor him with reciting a blessing, he'd be there ... he always thought there was someone greater than him who deserved the honor. "Well, Zaidy, as usual, got the last laugh. We couldn't chase him to the front of the funeral home. Even in death, he gave his kavod for someone else. "A meit mitzvah got a funeral. I can just imagine the laugh in Zaidy's eyes as he watched this. His chesed [kindness] and hachnasat orchim [hospitality] knew no bounds. I know in my heart my zaidy did in death what he always did in life." May the memory of Moshe ben Amram and Chaya be a blessing.

fw from hamelaket@gmail.com

from: Rabbi Chanan Morrison <chanan@ravkooktorah.org>

to: rav-kook-list@googlegroups.com

subject: [Rav Kook Torah]

Shabbat: Our Response to Illness and Crisis

Rav Kook Torah

The Sages highly praised the mitzvah of bikur cholim, visiting the sick. A central aspect of this mitzvah is encouraging them and praying for their recovery. However, on Shabbat we are instructed not to pray for the sick; such prayers are inappropriate to the general atmosphere of Shabbat. Rather, the Sages taught:

"One who visits the sick on Shabbat should say: It is Shabbat, when we may not cry out [and pray]; and healing will soon come." (Shabbat 12a)

Why is Shabbat different?

Two Ways to Respond

When faced with challenges and crises, the person of faith may respond in one of two ways.

The first response begins with emotional turmoil. Where is God's protection? Why is this happening to me? The questions lead us to examine and re-evaluate our lives. "If you see that suffering has befallen you," the Sages taught, "you should examine your actions" (Berachot 5a).

It is easy to become complacent and overconfident, to think that we have everything under control. Knowing that illness can suddenly turn our lives upside down should soften our stiff-necked obstinacy and curb our misguided schemes.

A major benefit of suffering is that it stirs us to turn to God. This is a natural human response: crisis leads to sincere prayer, reflection, and teshuvah.

Often, after illness has made its desired impact, and the sick (as well as

friends and relatives) have brought their hearts closer to God, we see health restored.

Stronger Faith and Bitachon

There is a second, less common, response to tragedy. It can be a time to probe one's faith, to deepen one's trust in God. To accept the fact that we cannot truly know why this is happening.

When Moses petitioned God to know His ways, to understand how God governs the world, he was told, "A person cannot have a vision of Me and still live" (Exod. 33:20). "For My thoughts are not your thoughts, neither are your ways My ways" (Isaiah 55:8).

We must recognize that we cannot truly know what is the ultimate good.

Often what appears to us to be bad is in fact for the best.

If successful, some are able to attain the level of faith where they only seek the realization of God's will in the world. This is the level of the pious, who wholeheartedly put their faith in God. They trust that God watches over them. Even if they suffer, they rely on God that also this is for the best, for them and society.

There is, however, a downside to this response: it dissuades one from praying for Divine assistance. Why pray when I am at peace with God's decree? For most people, the correct approach is the first one: to accept our natural desire for health and life, and address the situation by rectifying our actions and drawing near to God. Only the lofty pious, whose hearts are already pure, may follow the path of complete reliance on God's will. For them, challenges such as illness are an opportunity to strengthen their faith and accept God's providence.

The Holy Serenity of the Sabbath

During the weekdays, the appropriate approach for most people is the path of penitence and heartfelt prayer. On Shabbat, however, we experience life on a higher dimension; the soul is elevated and the heart purified. The Sages taught that the holiness of Shabbat precludes arousing our emotions in tearful prayer. We should be like the lofty pious, accepting God's decree and bolstering our trust in His goodness.

One should not think, however, that placing complete trust in God means that we relinquish all hope in restoring our health. This spiritual path is also a way in which suffering accomplishes its goal. Just as prayer and teshuvah hasten healing, the same is true for those who deepen their faith in God's goodness. Thus, on Shabbat we encourage the sick, saying, "Healing will soon come!"

(Adapted from Ein Eyah vol. III pp. 27-28 on Shabbat I:43)

Reasons For Our Minhagim

Red Wine

8626. It is a mitzvah to use red wine for the four cups at the Seder.

8627. In Mishlei (23:31) it states "Do not look upon the wine when it is red". We learn from this that red color is a special quality in wine.

8628. Red wine symbolizes the blood of the Jewish children who were slaughtered by Pharaoh and the Egyptians

fw from hamelaket@gmail.com

from: Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>

reply-to: info@jewishdestiny.com

subject: Weekly Parsha from Rabbi Berel Wein

Weekly Parsha TZAV

Rabbi Wein's Weekly Blog

In this week's Torah reading we are taught that the sons of Aaron, the priestly clan of Israel, were charged with the responsibility of keeping an eternal permanent flame burning on the sacrificial altar of the Temple. This miraculous flame appeared to form the image of a crouching lion on the top of that altar. This permanent flame was in addition to another permanent

eternal light that emanated from one of the arms of the great candelabra of gold that was in the southern part of the Temple.

So, the question naturally arises as to why there were two permanent flames necessary for the Temple service to be considered proper and valid. There are no extraneous commandments or rituals in the Torah. Everything has a purpose and a meaning, a valuable lesson of eternal worth.

The great commentators of the Torah over the ages have advanced many different reasons for this duality, of two eternal lights burning permanently in the Temple.

One of the well-known approaches to understanding the Torah is to appreciate that there are many different layers of interpretation regarding any given commandment. That is what the rabbis meant when they said that sometimes the words of the Torah appear lacking in one context but will be rich and meaningful when viewed in a different light and context.

The two eternal lights in the Temple represent the two basic ingredients required in order to live a truly rewarding Jewish life. One is sacrifice. We train ourselves to consider others, for the future and for different causes and goals. The selfish individual abhors the idea of sacrifice generally and of a lifetime of permanent sacrifice particularly.

Such a person never deals with the eternal and only lives in the temporary present. Such a life is eventually seen as without warmth and light. Life becomes a very cold altar of forced events, and the crouching lion of life's events overwhelms all.

It is the eternal light of sacrifice that makes life meaningful and human souls eternal. The other eternal light of the candelabra is meant to counter and remove the abyss of fear, superstition and emptiness. It is the knowledge of Torah that sustains us and grants necessary meaning to all human behavior and actions. Both eternal lights point our way towards building our own personal sanctuary of holiness and purposeful living.

Shabbat shalom

Chag kasher v'sameach

Rabbi Berel Wein

from: Rabbi Sacks <info@rabbisacks.org>

subject: Covenant and Conversation

Left- and Right-Brain Judaism (Tzav 5780)

Rabbi Jonathan Sacks

The institution of the Haftarah – reading a passage from the prophetic literature alongside the Torah portion – is an ancient one, dating back at least 2000 years. Scholars are not sure when, where, and why it was instituted. Some say that it began when Antiochus IV's attempt to eliminate Jewish practice in the second century BCE sparked the revolt we celebrate on Chanukah. At that time, so the tradition goes, public reading from the Torah was forbidden. So the Sages instituted that we should read a prophetic passage whose theme would remind people of the subject of the weekly Torah portion.

Another view is that it was introduced to protest the views of the Samaritans, and later the Sadducees, who denied the authority of the prophetic books except the book of Joshua.

The existence of haftarot in the early centuries CE is, however, well attested. Early Christian texts, when relating to Jewish practice, speak of "the Law and the Prophets," implying that the Torah (Law) and Haftarah (Prophets) went hand-in-hand and were read together. Many early Midrashim connect verses from the Torah with those from the haftarah. So the pairing is ancient. Often the connection between the parsha and the haftarah is straightforward and self-explanatory. Sometimes, though, the choice of prophetic passage is instructive, telling us what the Sages understood as the key message of the parsha.

Consider the case of Beshallah. At the heart of the parsha is the story of the division of the Red Sea and the passage of the Israelites through the sea on

dry land. This is the greatest miracle in the Torah. There is an obvious historical parallel. It appears in the book of Joshua. The river Jordan divided allowing the Israelites to pass over on dry land: “The water from upstream stopped flowing. It piled up in a heap a great distance away ... The Priests who carried the ark of the covenant of the Lord stopped in the middle of the Jordan and stood on dry ground, while all Israel passed by until the whole nation had completed the crossing on dry ground.” (Josh. ch. 3).

This, seemingly, should have been the obvious choice as haftarah. But it was not chosen. Instead, the Sages chose the song of Devorah from the book of Judges. This tells us something exceptionally significant: that tradition judged the most important event in Beshallah to be not the division of the sea but rather the song the Israelites sang on that occasion: their collective song of faith and joy.

This suggests strongly that the Torah is not humanity’s book of God but God’s book of humankind. Had the Torah been the our book of God, the focus would have been on the Divine miracle. Instead, it is on the human response to the miracle.

So the choice of haftarah tells us much about what the Sages took to be the parsha’s main theme. But there are some haftarot that are so strange that they deserve to be called paradoxical, since their message seems to challenge rather than reinforce that of the parsha. One classic example is the haftarah for the morning of Yom Kippur, from the 58th chapter of Isaiah, one of the most astonishing passages in the prophetic literature:

Is this the fast I have chosen – a day when a man will oppress himself? ... Is this what you call a fast, “a day for the Lord’s favour”? No: this is the fast I choose. Loosen the bindings of evil and break the slavery chain. Those who were crushed, release to freedom; shatter every yoke of slavery. Break your bread for the starving and bring dispossessed wanderers home. When you see a person naked, clothe them: do not avert your eyes from your own flesh. (Is. 58:5-7)

The message is unmistakable. We spoke of it in last week’s Covenant and Conversation. The commands between us and God and those between us and our fellows are inseparable. Fasting is of no use if at the same time you do not act justly and compassionately to your fellow human beings. You cannot expect God to love you if you do not act lovingly to others. That much is clear.

But to read this in public on Yom Kippur, immediately after having read the Torah portion describing the service of the High Priest on that day, together with the command to “afflict yourselves,” is jarring to the point of discord. Here is the Torah telling us to fast, atone and purify ourselves, and here is the Prophet telling us that none of this will work unless we engage in some kind of social action, or at the very least behave honourably toward others. Torah and haftarah are two voices that do not sound as if they are singing in harmony.

The other extreme example is the haftarah for today’s parsha. Tzav is about the various kinds of sacrifices. Then comes the haftarah, with Jeremiah’s almost incomprehensible remark:

For when I brought your ancestors out of Egypt and spoke to them, I did not give them commands about burnt offerings and sacrifices, but I gave them this command: Obey Me, and I will be your God and you will be My people. Walk in obedience to all I command you, that it may go well with you. (Jer. 7:22-23)

This seems to suggest that sacrifices were not part of God’s original intention for the Israelites. It seems to negate the very substance of the parsha.

What does it mean? The simplest interpretation is that it means “I did not only give them commands about burnt offerings and sacrifices.” I commanded them but they were not the whole of the law, nor were they even its primary purpose.

A second interpretation is the famously controversial view of Maimonides that the sacrifices were not what God would have wanted in an ideal world.

What He wanted was avodah: He wanted the Israelites to worship Him. But they, accustomed to religious practices in the ancient world, could not yet conceive of avodah shebalev, the “service of the heart,” namely prayer. They were accustomed to the way things were done in Egypt (and virtually everywhere else at that time), where worship meant sacrifice. On this reading, Jeremiah meant that from a Divine perspective sacrifices were *bedi’avad* not *lechatchilah*, an after-the-fact concession not something desired at the outset.

A third interpretation is that the entire sequence of events from Exodus 25 to Leviticus 25 was a response to the episode of the Golden Calf. This, I have argued elsewhere, represented a passionate need on the part of the people to have God close not distant, in the camp not at the top of the mountain, accessible to everyone not just Moses, and on a daily basis not just at rare moments of miracle. That is what the Tabernacle, its service and its sacrifices represented. It was the home of the Shechinah, the Divine Presence, from the same root as *sh-ch-n*, “neighbour.” Every sacrifice – in Hebrew *korban*, meaning “that which is brought near” – was an act of coming close. So in the Tabernacle, God came close to the people, and in bringing sacrifices, the people came close to God.

This was not God’s original plan. As is evident from Jeremiah here and the covenant ceremony in Exodus 19-24, the intention was that God would be the people’s sovereign and lawmaker. He would be their king, not their neighbour. He would be distant, not close (see Ex. 33:3). The people would obey His laws; they would not bring Him sacrifices on a regular basis. God does not need sacrifices. But God responded to the people’s wish, much as He did when they said they could not continue to hear His overwhelming voice at Sinai: “I have heard what this people said to you. Everything they said was good” (Deut. 5:25). What brings people close to God has to do with people, not God. That is why sacrifices were not God’s initial intent but rather the Israelites’ spiritual-psychological need: a need for closeness to the Divine at regular and predictable times.

What connects these two haftarot is their insistence on the moral dimension of Judaism. As Jeremiah puts it in the closing verse of the haftarah, “I am the Lord, who exercises kindness, justice and righteousness on earth, for in these I delight,” (Jer. 9:23). That much is clear. What is genuinely unexpected is that the Sages joined sections of the Torah and passages from the prophetic literature so different from one another that they sound as if coming from different universes with different laws of gravity.

That is the greatness of Judaism. It is a choral symphony scored for many voices. It is an ongoing argument between different points of view. Without detailed laws, no sacrifices. Without sacrifices in the biblical age, no coming close to God. But if there are only sacrifices with no prophetic voice, then people may serve God while abusing their fellow humans. They may think themselves righteous while they are, in fact, merely self-righteous.

The Priestly voice we hear in the Torah readings for Yom Kippur and Tzav tells us what and how. The Prophetic voice tells us why. They are like the left and right hemispheres of the brain; or like hearing in stereo, or seeing in 3D. That is the complexity and richness of Judaism, and it was continued in the post-biblical era in the different voices of halachah and Aggadah. Put Priestly and Prophetic voices together and we see that ritual is a training in ethics. Repeated performance of sacred acts reconfigures the brain, reconstitutes the personality, reshapes our sensibilities. The commandments were given, said the Sages, to refine people.[1] The external act influences inner feeling. “The heart follows the deed,” as the *Sefer ha-Chinuch* puts it.[2]

I believe that this fugue between Torah and Haftarah, Priestly and Prophetic voices, is one of Judaism’s great glories. We hear both how to act and why. Without the how, action is lame; without the why, behaviour is blind. Combine Priestly detail and Prophetic vision and you have spiritual greatness.

Shabbat Shalom

Drasha Parshas Tzav

fw from hamelaket@gmail.com

www.matzav.com or www.torah.org/learning/drasha

Parsha Parables By Rabbi Mordechai Kamenetzky

Pure Confusion

Rabbi Mordechai Kamenetzky

Dedicated to the speedy recovery of Mordechai ben Chaya

As the laws of the korbanos (sacrifices) progress through the ensuing week's Torah portions, we find more and more complex issues that deal with esoteric spirituality. The concept of animal sacrifice is difficult for us to comprehend, and the sages of yore, included Maimonides and Nachmanides deal with the concepts, rationale and purpose of them in great detail. This week, in addition to defining the various laws that distinguish different types of sacrifices, the Torah tells us of the concepts of tumah and taharah, loosely translated as spiritual purity and impurity. Of course, these laws have nothing to do with sanitary conditions, rather they define a state of spirituality that varies with the state of life and death. The Torah tells us that the meat of a sacrifice that will contact any tamei (impurity) shall not be eaten.

The law is that when tahor meets tamei, pure meets impure, tamei prevails and lowers the tahor to a state of tamei. The Kotzker Rebbe, Rabbi Menachem Mendel Morgenstern, was bothered: why so? Why is it that tumah depreciates taharah? Why is it not the opposite? When purity meets impurity, it should automatically purify it? Let the impure become elevated with its contact with purity.

Rabbi Shaul Kagan, of blessed memory, was the Rosh Kollel (Dean) of Kollel Bais Yitzchok in Pittsburgh, PA. In addition to his being a brilliant Talmudic scholar, he was very witty. As a member of the Kollel, I was a student of his, and he once related the following story to me:

A man was committed to an insane asylum due to his aberrant behavior. After months of treatment the doctors felt he was cured and allowed him to leave. The man, however, refused to go. "I will not leave this institution unless you sign a document that I am sane," he declared. The doctors had given him a clean bill of mental health and figured they might as well acquiesce to the strange demand.

Not long after his release, the man went for a job interview. After answering the questions quite impressively, the man leaned toward his prospective boss and asked in earnest. "Now that you asked me about myself may I ask you a question?"

The interviewer replied, "Certainly!"

"Mr." the former mentally-ill patient began, "are you normal?"

The supervisor was a little taken aback but replied, "I surely think so. Why do you ask?"

"You see, mister," declared the applicant while proudly displaying his signed document, "you only think that you are normal. I have a certificate!"

The Kotzker Rebbe explained that when it comes to the world of pure and impure there are facts we know for certain, and there are particulars we can never be sure of. The world of purity, unfortunately is not as assured as the world of impurity. We may think something is actually pure, we may assume that it is untouched and unhampered. However, we may never truly know the truth. We do not know its history; where it went; what it touched or what affected it. We are shocked with horror at the deeds of youngsters who were deemed innocent and pure, or leaders who should guide us on high moral ground. We thought they were tahor. Unfortunately, however, what we may think is pure, innocent and holy is sometimes not.

Tumah, impurity, on the other hand, is well defined. We know with certainty what is not pure and holy. It has a certificate. Therefore, explains the Kotzker Rebbe, when bona-fide tumah attaches to something that is at best

hopefully and assumedly pure, definite impurity prevails and defiles that what was assumed tahor.

When asked if an item is kosher, I have heard others reply. I know that it is under supervision. I hope that it is kosher! In a world of mixed-messages and confusing signals, we can try to cling to perceived purity. And we can hope and pray that the role-models and values that we have chosen are the correct ones. But we surely can keep away from those ideas and actions that are clearly defined as impure. Those deeds can leave an impact powerful enough to taint the purest of neshamos (souls). And we can avoid them. After all, they have a certificate!

Dedicated to the memory of Alisa Flatow, Chana Michal bat Shmuel Mordechai v'Rashka, z"l, Hy"d, who died on 10 Nissan 5755 from injuries received in a terrorist attack near the settlement of Kfar Darom.

Good Shabbos!

Copyright © 1998 by Rabbi M. Kamenetzky and Project Genesis, Inc.

Rabbi M. Kamenetzky is the Dean of the Yeshiva of South Shore.

Drasha is the e-mail edition of FaxHomily, a weekly torah facsimile on the weekly portion which is sponsored by The Henry and Myrtle Hirsch Foundation

Drasha © 2019 by Torah.org.

fw from hamelaket@gmail.com

<http://www.jpost.com/Opinion/Columnists/>

Rabbi Shmuel Rabinowitz

Rabbi Shmuel Rabinowitz is rabbi of the Western Wall and Holy Sites

Bs"d Tzav 5780

Independent Spiritual Work

Rabbi Shmuel Rabinowitz

This coming Shabbat, the Shabbat right before Passover, is called Shabbat HaGadol, the great Shabbat. Before we discuss that name and the significance of this Shabbat in our lives, let us remind everyone again of our obligation during these difficult times – as the entire world is facing the spread of the coronavirus – to abide by the directives of the health and security authorities. If the authorities forbid gathering in synagogues, we must abide by these directives. "Pikuach nefesh", the preservation of human life, overrides every other commandment in the Torah. Therefore, everyone should pray at home and add a special prayer for the recovery of those who are ill: "Shabbat should afford you a respite from crying out in pain and you shall soon be healed." Likewise, everyone should read the parasha at home from a bible or chumash.

So, back to the Shabbat prior to Passover called Shabbat HaGadol. In the book of halacha (Jewish law) called Arba'a Turim, written by Rabbi Yaakov ben Asher in the 13th century, there is a reason for this name: Before the Jewish nation left Egypt, they were commanded to take a sheep and make it the Passover sacrifice in order to eat it on the night of the 15th of Nissan. The sheep was purchased on the 10th of Nissan that fell on a Shabbat that year, and it was a risky endeavor since the sheep was one of the Egyptian nation's idolatrous symbols. The Jews got the sheep and the Egyptians did not harm them, and in memory of that miracle, this Shabbat is called Shabbat HaGadol. It is interesting to note that the sages saw the taking of the sheep and its being set aside as the sacrifice as an event of deep significance. Moses directed the Jewish nation as follows: "Draw forth or buy for yourselves sheep for your families and slaughter the Passover sacrifice" (Exodus 12, 21). In the Mechilta – the midrash of the Tanna on the book of Exodus – they explain it thus:

"Draw forth your hands from idolatry and cling to the commandments."

(Mechilta D'Rabbi Yishmael, Tractate D'Pascha, 5)

When the Jewish nation was in Egypt, they were in a pretty low spiritual state. The nation was swept after the idolatrous Egyptian culture and participated in the idol worship that was customary in Egypt at that time. This event which demanded that each Jew take a sheep, which was an idolatrous symbol for the Egyptian nation, and set it aside as a sacrifice – forced each Jew to decide: Where do I belong – to Egyptian culture or to Jewish culture? By taking the sheep as a sacrifice, the Jews abandoned idolatry and chose Jewish faith. It is possible that this major and significant decision is also what earned the name Shabbat HaGadol.

And here we are, three thousand years later, and the entire world finds itself in a most unusual situation: millions of people have to close themselves off in their homes and be quarantined because of the coronavirus. Hundreds of thousands have fallen ill, and sadly, many thousands of died as a result of Covid-19. As Jews of faith, we do not see

events as blind fate. We try to find the significance in events, to hear the call G-d is calling out to us through natural occurrences.

It seems that the main lesson humanity is learning nowadays is that we shouldn't count on the system to work for the individual. People understand that whoever doesn't take care of himself, others cannot do it for him. Whether you live in a country where the health system is on the verge of collapse, or in a country where it's in better shape – no one can know for sure that he will not catch the virus, and no one can know for sure that the state will take care of him. It seems that the near future is one in which people will have to take care of themselves and of their immediate family, relying less on the state and the health and security systems.

As Jews of faith, this holds a special message for us: Often we are used to leaning on the sense of security we get from our community, our synagogue, and our social and religious institutions. Sometimes this false sense of security leads to us not investing in our personal relationship with G-d. The undertow the world has gotten caught in is forcing each of us to be much more independent, to take care of ourselves, not only as far as health is concerned – though this is obviously crucial and necessary – but also as far as our spiritual wellbeing. We are each told to pray without our synagogues, to learn Torah without our regularly scheduled shiur, to invest in our families, in our marriages and in our children's education. This is the time to really think about how we want our children to be educated, and to examine if we are being consistent and practical in achieving our goals. Because if we don't take care of ourselves – who will?

We hope and pray, along with all of humanity, that the Blessed be He will say "Enough!" to all our hardships, and we will merit a complete redemption, speedily, Amen.

The writer is rabbi of the Western Wall and Holy Sites.

fw from hamelaket@gmail.com
from: TorahWeb <torahweb@torahweb.org>
to: weeklydt@torahweb2.org
subject: TorahWeb

www.torahweb.org/thisweek.html

Copyright by The TorahWeb Foundation.

torahweb.org

Inward Growth, Outward Expansion

Rabbi Yakov Haber

Parashas Tzav begins with the mitzvah of terumas hadeshen, the daily removal of some ash from the sacrificial altar in the mishkan and later the mikdash. As mentioned by the Torah (Vayikra 6:4) and expanded upon by the Oral Tradition, the officiating kohen donned priestly garments when doing so albeit of lesser value than his usual ones (see Rambam, Hilchos Temidin uMussafin 2:10 and Kesef Mishneh *ibid.*) The kohen went to the top of the altar, scooped a shovel full of ash and placed it on the side of the mizbei'ach. Rashi (*ibid.*) already notes that a mound of ash (the tapuach) was present in middle of the altar. Only a small amount of ash was removed each day and only when the altar was overflowing with ash would it be cleaned out totally. (See further on for a debate concerning this last point.)

What is the meaning behind this mysterious mitzvah? Seifer HaChinuch presents a straightforward rationale; we honor the House of G-d by cleaning and maintaining it properly. But this does not explain why only a little bit of ash is removed each day. If the goal is cleanliness, should not all the ash be removed each day? Indeed, Rambam (*ibid.* 2:13) seems to maintain that outside of festivals, the entire mound of ash on the altar (the tapuach) was removed after the terumas hadeshen by other kohanim. But the initial removal of only part of the ash remains mysterious. Other Rishonim maintain that the whole mound was not removed unless there was no more room (see above Rashi and Mishneh Lamelech *ibid.*). The mystery thickens when we turn to a related mitzvah - that of hatavas hamenorah. Each morning and afternoon a kohen would clean out the menorah from the previous days lighting (*ibid.* 3:10). This service requires a kohen (Hilchos Bias Mikdash 9:5) as does the terumas hadeshen (*ibid.* 9:8), but the most famous of avodos, the lighting of the menorah itself, is valid if done by a zar, a non-kohen. Rambam (*ibid.* 9:7) even maintains that it is not only valid ex

post facto, if done via a zar, but he may light it initially! (See Ra'avad *ibid.*) All these anomalies certainly require study.

I once heard from Rav Noach Isaac Oelbaum shlit"a in the name of sifrei chassidus that the main component of the avodah hamenorah was the hatava, the cleaning out, for this represents the elimination of bad qualities or insufficient or impure aspects of Divine service. A person should constantly strive to climb ever higher in his avoda, never satisfied with his current level, but he also must endeavor not to be discouraged by failures in his efforts. Every day is an opportunity to do hatavas hamenorah, to clean out the past failures and start fresh. Once this is done, avodas Hashem is much easier as represented by the fact that the hadlakas hamenorah does not even require a kohen. The harder part of the work is eliminating deficiencies. An oft-quoted comment of the Vilan Gaon states, "It is easier to learn the entire shas then change one midda ra'ah (bad quality)!" This is the higher avoda as indicated by the fact that it requires a kohen. Perhaps the same approach can be given to explain one meaning behind the daily terumas hadeshen. Had the Torah merely required removal of the ash of the mizbei'ach, this might lead to the erroneous impression that the cleaning is not an act of Divine service but is merely a hechsheir mitzvah, a preparatory act, for that day's korbanos. (See Rav Shimshon Rafael Hirsch where he makes a similar distinction although he explains the terumas hadeshen in an entirely different, insightful way.) The requirement of priestly garments for this service further underscores that this too is an act of avodas Hashem.

The incense altar was also cleaned every day; this cleaning was called dishun mizbei'ach hapenimi (Hilchos Temidin uMussafin 3:4 ff.). This too requires a kohein (see Hilchos Bias HaMikdash 9:8). Much has been written by the commentaries distinguishing between the role and symbolism of the various vessels of the Temple. The incense altar, the outer altar and the menorah all symbolize different aspects of Divine service. One approach opines that the incense altar represents the service of the soul, the outer sacrificial altar the service of the body, (see Keli Yakar on Shemos 30:1) and the candelabrum the study of Torah, specifically Torah sheb'al peh. One can suggest that each aspect requires a hatava or a dishun, a constant self-analysis of how each of these aspects of Divine service can be improved. This approach could help explain one aspect of the significance of these aspects of the Temple service.

Torah was given to klal Yisrael not just to individuals. The phenomenon of "as one man with one heart" at Mount Sinai was not just a statement of Jewish unity, but a necessary prerequisite for the giving of the Torah for it was a gift to the Jewish people not just to each person individually. We are, to quote Rav Hirsch and Rav Soloveitchik, "a covenantal community" which is charged to bring the truth of G-d and His teachings to the world.

Consequently, so much emphasis is placed on ahavas Yisrael, interpersonal relationships and communal service. But in order to be a more perfect member of this great community and to be able to more fully serve its other members, each individual also needs to strive to become a better person and Jew. When asked whether Yeshiva students should spend more time on kiruv and less time in Yeshiva, my Rebbe, Rav Aharon Lichtenstein zt"l, answered, "The Jewish people don't need half-baked potatoes!" The more knowledgeable you are, the better you can serve the community.[1]

The worldwide spread of disease currently raging (Hashem yatizleinu b'karov!) and the almost global quarantine-like conditions (whether actual or virtually so) can give an opportunity to engage in self-introspection, in the mitzvos bein adam l'atzmo (between a man and himself); to engage in a terumas hadeshen of sorts which is a precious aspect of avodas Hashem. The inability to engage in communal prayer, a central feature in tefila, should be utilized to perfect our kavana and length of our prayers; in a word, to improve our communication with Hashem. To be sure, opportunities to help other people in need abound, and one should certainly take advantage of them, but one should also strive to become a better person in their internal

self. News articles have been publicized that domestic violence cases are unfortunately skyrocketing due to the current situation. This is an unfortunate consequence of spending more time with family when one is not interested in self-growth. If one is and the Torah certainly adjures us to do so then, *aderaba*, now is a time to work more on *shalom bayis* and being a good parent to our children assuring that the *mesorah* is warmly given over to the next generation.

As our *sedarim* this year are projected to be more parallel to the תיבל הש" (tsrif eht fo (puorg taht ni dewolla srehto on htiw ylimaf rep peehs eno) אבות" Passover in Egypt and not like the possibility of "chabura" (a pre-arranged group not restricted to the family exclusively) of subsequent Paschal offerings, let us reapply ourselves to becoming better people, better spouses, better parents so that when *b'e'zras Hashem* soon when we can fully exit our homes, we can engage all aspects of *avodas Hashem* with even more fervor and perfection not just as individuals but as a holy nation. *Sifrei chassidus* compare sin to a spring; when the person is ready for *teshuva*, he is ready to fly even higher. Hopefully, we will be able to utilize this trying, but potentially elevating, time to emerge even better when Hashem has mercy on the world and brings salvation.

[1] This seems to be in contrast to the well-known analogy of the Chafetz Chaim who, when exhorting all to redouble efforts to bring people back to Judaism dismissing the claim that one doesn't know enough Torah or is not worthy for the task, stated, "a fire can be put out with dirty water also!" But there is no contradiction; each idea must be applied in the right time and place.

Copyright © 2020 by TorahWeb.org

Shema Yisrael Torah Network
Peninim on the Torah - Parshas Tzav

פרשת צו השלש

צו את אהרן ואת בניו לאמר זאת תורת העולה

Command Aharon and his sons, saying: "This is the law of the Elevation /Burnt offering." (6:2)

When a commandment regarding the *korbanos*, offerings, was presented to the nation/*Kohanim*/Priests, it was introduced with the word *v'amarta*, "and you shall say," or *dabeir*, "speak." This is the first time that the emphatic term *tzav*, command, is employed. *Chazal* teach, that in circumstances which involve a loss of money greater urgency is required, so that the *Kohanim* act zealously in the performance of their duties and that they transmit this urgency and need for zealotry to the ensuing generations. (The commentators render a number of explanations which shed light on the monetary loss associated with the *Korban Olah*, Burnt-Offering. For our purpose, we will simply leave it as: When demands are made on our material possessions, we must exhibit greater zealotry and commitment. Our value must be such that we realize and acknowledge by our actions that spiritual ascendancy takes precedence over material comfort, etc.)

One of the primary areas in which our value system is put to the test (in my opinion) is tuition for our children. People express various attitudes concerning this expenditure, and every story has two sides. Certain givens, however, should be recognized. Schools cannot function without material support. It is not the school's obligation to provide for the student if it is economically challenging to the school. Parents must do their part. It becomes an issue when a parent does all that he can physically do, and a school has likewise done everything to exhaust every penny that is available to them. This is where sponsors and fundraising can help. Obviously, when a student shows great promise, the school does everything it can to enroll him/her into their program. What about the boy/girl who is average or below, who hails from a home in which money is at a premium, or in which parents place a greater premium on physical comforts more than on spiritual necessities? These issues and challenges confront educators and administrators every day. They usually are seated between a rock and a hard place and have very little chance of emerging successful, unscathed. It is usually not a win/win situation. With this backdrop, I relate the following story.

"Yanko" was the name by which he was called in the neighborhood in which he grew up. Everyone knew him as Yanko. His mother, however, called him "my Yankele." His late father called him Yaakov. He was a religious boy, albeit not particularly knowledgeable in Jewish laws. He attended *shul* every *Shabbos* and

davened what he could. After *davening*, he would return home, recite *Kiddush* for his lonely, widowed mother, and the two would sit and enjoy their meal in the camaraderie that a widowed mother could have with her orphaned son. They had no friends. *Shabbos* was a solemn, almost lonely, day.

The weekdays were different, because Yanko went to school, and, at school, he had friends. Unfortunately, his friends were not Jewish, because he attended public school because his mother could not afford even the reduced tuition that the Jewish day school asked her to pay. (I must add that her inability to pay would, in most cases, not be a factor in providing for her son's Jewish education. No decent, bonafide *frum* school would turn away a Jewish child due to lack of funds. This mother was very proud and refused to accept what she perceived to be charity.) As a result, Yanko's relationship with *Yiddishkeit* was tenuous. He knew he was religious, and he did everything in his power to maintain his commitment, but, when one does not learn, one does not know, and, when one does not know, it is difficult to maintain a status quo, let alone grow in *Yiddishkeit*. Whenever Yanko's mother observed her son hanging out with his gentile friends it hurt her, but what could she do? She was a poor widow, attempting to make ends meet. She tried to provide experiences that would enhance and elevate her son's attachment to *Yiddishkeit*, but they were few and far between.

Bar Mitzvah was rapidly approaching. This meant that her son would become a Jewish adult – a man. A Jewish adult had to find his place in a *frum* society. This would not occur if he were to continue to spend his days with *goyim*. She spoke to her *rav*. "Rabbi," she began, "I have a pair of *Tefillin* for Yanko from my late husband. I am prepared to do whatever it takes to establish my son in a *frum* Jewish environment. Can you help me get him into school?" The *rav* agreed. He asked her one question, "What about Yanko? Is he ready for the change, the enormous work involved?" "He will be," she replied.

Convincing Yanko was not difficult, as he was already fed up with the behavior which his gentile friends exhibited. He was more than ready to make the transition. The *rav*, however, came up against a number of obstacles. No one was particularly interested in enrolling a boy who could hardly read Hebrew into an eighth grade that spent most of their day on the intricacies of Talmud and its commentaries. Despite receiving a number of "no's, the *rav* trudged on, leaving no stone unturned, no principal unvisited, until he found one sensitive, kind-hearted fellow who, albeit not committing himself, was willing to interview Yanko. The meeting was arranged for two weeks later, during which Yanko, his mother and the *rav* had much work to do to prepare Yanko for the interview.

Yanko was ready, excited, enthusiastic about the opportunity to join a school that taught Torah. For the first time in his thirteen years, he would finally now be like everyone else. He introduced himself to the principal as Yaakov – Yanko was gone, out, finished. The principal asked, "Yaakov, where did you learn today?" Yaakov replied with the truth, "Public school." "Have you ever studied a *blatt Gemorah*?" the principal asked. "No" was the immediate answer. "What about *Mishnayos*?" Once again, Yaakov had to say, "No."

The principal mused to himself: What was he to do with a boy who had never studied *Mishnayos* and who, despite his lack of background, wanted to learn Torah? "Yaakov," the principal asked, "What do you know?" "I can *daven* well," Yaakov replied. "That is wonderful," the principal said. "But our students are studying *Gemorah*. Your level of proficiency is equal to that of a second grader." "So what?" Yaakov countered. "I am prepared to attend a second-grade class just so that I can learn Torah."

The principal knew better. Yaakov was a sweet boy, but he was no Rabbi Akiva (who at the age of forty began his Torah journey and became *Klal Yisrael's* quintessential *Rebbe*). "Yaakov," the principal began in an apologetic tone, "I appreciate and value your drive and attitude towards Torah. It just will not work. You are unable to study with other boys your age, and we have no room in the younger classes. I am very sorry."

"I am willing to tour the building with you and visit each classroom to see whether I can possibly find a place where I can put a desk, so that I could learn Torah," Yanko pleaded. The principal wanted to end the conversation, because, as far as he was concerned, it was going nowhere. He felt that he had to put a stop to this. It was becoming absurd. No young boy was going to take a tour of his school to determine whether he could find a place for himself to be a student. He said, "I am very sorry, but I cannot disturb the students during their lessons. You will have to accept my word that when I say we have no room, we have no room! I have tried; I have been patient; I have listened; I just am unable to provide you with a place in our school."

Yaakov didn't give up, "I understand. If this is the case, I ask that you give me a signed note saying: 'There is no room in my *yeshivah* for Yaakov.'" "What will you do with this piece of paper?" the principal asked. "What good is it to you?"

"I want this signed note," Yaakov explained, "for when my time to leave this world arrives, and my Father in Heaven and my earthly father will ask me why I did not learn Torah, and why I did not follow in the traditions forged by my ancestors, I will be able to reply, 'I tried; I did everything that I could, but there was no place for me. In fact, I even have written and signed proof that I was not accepted.'"

When the principal heard these innocent words, spoken with such profound sincerity, tears welled up in his eyes. He immediately stretched out his hand to Yaakov and declared, "Welcome to our school. I will find a place for you to learn Torah. You have no need for that note."

Indeed, Yaakov spent time learning Torah, at first with the second graders. Then, in short time, he progressed to the eighth grade where he became a star pupil. He went on to *yeshivah* and *kollel*. Today, he is a distinguished *rebbe* in the school that gave him his first chance.

I write this story in tribute to the "Yaakovs" everywhere who understand the urgency of Torah study, and in the hope that those who do not have his zealotness for Torah somehow meet an administrator or principal that has the sensitivity and compassion to give them a chance.

צו את אהרן ואת בניו לאמר זאת תורת העולה

Command Aharon and his sons, saying: This is the law of the Elevation/Burnt offering. (6:2)

Previously, commandment/instructions concerning the *korbanos*, offerings, were introduced with the less-emphatic term, *emor*, "say," or *dabeir*, "speak." The word, *tzav*, command, implies that the *Kohanim* are being urged to be especially ardent in performing the service of the *Korban Olah* with alacrity. *Chazal* teach that this exhortation (*tzav*) must be repeated constantly to future generations. Furthermore, this introduction is especially relevant whenever a monetary loss (such as the *Korban Olah* in which the *Kohanim* receive nothing of the *korban*, since all of the meat is burned) is involved. If money (or the loss thereof) plays such a significant role in the execution of a *mitzvah*, one wonders why such *mitzvos* as *Bris Milah* and *Limud haTorah* are not rightfully included. While the monetary expenditure may not be that pressing, the pain incurred certainly is. Likewise, Torah study involves time, a commodity during which one could be earning money. Certainly, these two *mitzvos* apply sufficient pressure on the mind of the executor that an extra *ziruz*, sense of urgency, be applied to the *mitzvah*.

Horav Moshe Feinstein, *zl*, explains that *milah*, circumcision, is such a defining principle in Judaism, and Jews carry out this *mitzvah* with such a sense of inner and external joy that no added *ziruz*, encouragement, is necessary. *Simchah*, joy, is the term best related to the performance of the *mitzvah* of *Bris Milah*. Indeed, *Chazal* teach that any *mitzvah* (such as *milah*), which the Jewish people originally accepted joyfully, is still performed today even under the greatest *mesiras nefesh*, self-sacrifice and devotion. In other words, when *simchah* is involved, *chisaron kis*, monetary loss, has no bearing on the performance of the *mitzvah*. One does not have to be urged to perform an activity/*mitzvah* which gives him great joy.

A similar idea applies concerning *Limud haTorah*. One who learns becomes happy. *Pikudei Hashem yesharim mesamchei lev*; "The orders of Hashem are upright, gladdening the heart" (*Tehillim* 19:9). Money means nothing to the one who is truly happy; and to the one who is unhappy, no money in the world can buy him happiness. To understand this verity, one has to have been privy to the remarkably awe-inspiring scene of unbridled joy evinced at the recent *Siyum HaShas*. One snapshot of the looks on the participants' faces when the *Siyum* was held expresses it all. The inner joy experienced through the vehicle of *Limud haTorah* is indescribable. It must be experienced.

וישחט ויקח משה מדמו ויתן על תנוך און אהרן הימנית

And (Moshe) he slaughtered (the ram), and Moshe took from the blood and put it on Aharon's ear. (8:23)

Moshe *Rabbeinu* was concluding his brief tenure as *Kohen Gadol*. Soon, his older brother, Aharon *HaKohen*, would be invested in the *Kehunah Gedulah*, High Priesthood, with his descendants following him as *Kohanim*. Moshe slaughtered the *ayil ha'miluim*, inauguration ram. It was a *Korban Shelamim*, Peace-Offering, with this service serving as the conclusion of the process by which the *Kohanim* were consecrated for their new role in Jewish life. In this *pasuk*, the word *vayishchat*, "and he slaughtered," has the *trop*, cantillation mark, *shalsholes*, a sign which rarely appears in the Torah and which gives great emphasis to the word upon which it appears. This mark appears in three other places in the Torah, which seem incongruous to the meaning of the *shalsholes* as it appears here. *Horav Shimon Schwab*, *zl* ("My Rebbe, Rav Schwab"), offers an inspiring explanation, first of the three other marks, and then, how *va'yishchat* does actually identify with the other three.

The common denominator for all three is a key decision-maker who wavers and seems to be unable to make up his mind. (*Shalsholes*, which is derived from

shalosh, three, gives the image of a note that is not straight, but vacillates.) Can this possibly apply to Moshe?

Let us analyze the cases. The first *shalsholes* appears in the story of the destruction of Sodom. Lot is instructed to leave immediately. He lived at home with his wife and two single daughters. He certainly wanted to save them, but what about his two married daughters who lived in Sodom? They and their spouses had no intention of leaving their homes. His daughters would listen to him. His sons-in-law would not. Should he leave and save whom he could, or should he seek out his sons-in-law and attempt to convince them to leave? His state of ambiguity and inability to come to a decision was quickly resolved when the angel took Lot and his wife and two daughters by the hand and removed them from the city. Uncertainty number one resolved.

The second *shalsholes* is to be found in the *parsha* when Avraham *Avinu* dispatched Eliezer, his servant, in search of a wife for Yitzchak. He prayed to Hashem to provide him with a suitable match for Yitzchak. He stipulated that the first girl who would not only offer him water, but would also water his camels, would be demonstrating that Hashem had listened to his prayer. *Chazal* teach that Eliezer had made an inappropriate request. What if the first girl that offered assistance was blind or an amputee? Despite the unsuitability of such a match, Hashem listened, and acquiesced by sending Rivkah *Imeinu*. This is a case where the prayer offered by Eliezer was quite risky and clearly uncertain. The *shalsholes* certainly belonged there.

The third *shalsholes* finds its place in the midst of the near debacle between Yosef *HaTzaddik* and Potifar's wife. The shameless woman would stop at nothing in her attempt to seduce Yosef. At that point in time Egypt was a country whose culture permitted -- and even accepted -- all forms of promiscuity. Had Yosef deferred to Potifar's wife's dalliances, he would have indicated that he was an Egyptian who was as perverted as any member of the upper echelons of Egyptian social strata. *Chazal* teach that Yosef demurred for two reasons. He saw an image of the *Choshen*, the Breastplate, worn by the *Kohen Gadol*. This Breastplate had a precious gem representing each tribe set in it. Yosef saw that the space reserved for the tribe of Yosef was blank, presumably the result of his having fallen prey to the blandishments of Potifar's wife. The second factor that saved him was the image of his father, Yaakov *Avinu*, that appeared to him. It was watching, waiting, to see how he would react to this latest challenge to his spiritual integrity. Yosef had a major decision to make. He was wavering. Thus, the *shalsholes trop* is appropriate.

The *trop* in *Parashas Tzav*, concerning Moshe's slaughtering of the ram, does not seem to fit. What uncertainty did Moshe experience? In what way was he wavering? The inauguration was "cut and dry," all decided by Hashem. One did what one was told to do. Rav Schwab explains that while we have no uncertainty and we do not waver with regard to the *tzivui* Hashem, Heavenly command, we do savor the spiritual moment that we create by following Hashem's command.

Originally, Moshe was to have had two functions: *Rebbe* /leader of *Am Yisrael*; and *Kohen Gadol*. When he initially refused to accept the position as the nation's redeemer, Hashem took the position of *Kohen Gadol* and transferred it to Aharon. During the seven days of *Milluim*, prior to Aharon's investiture as the *Kohen Gadol*, it was Moshe who served in this capacity. He was *Kohen Gadol* for a week. His very last action as *Kohen Gadol* was the slaughtering of the ram, after which all duties in the *Mishkan* were ceded over to Aharon and his sons. The *shalsholes* on the word *vayishchat* demonstrates that Moshe held on as long as he could, to tarry a little bit longer, to savor the *mitzvah*, to relish the final moments of acting as a *Kohen*.

If I may, I would add that while Moshe certainly had no issue with his brother assuming the High Priesthood, it was the fact that, from that moment on, the *Kehunah* would descend by inheritance from father to son. Aharon had sons to whom he could bequeath this honor and privilege. Moshe, sadly, did not. He must have experienced a tinge of longing and regret that he did not have progeny who were suitable to step into his shoes, to ascend to the leadership position that he so ably executed. Hence, the *shalsholes*.

The idea of savoring a *mitzvah*, by stretching out and thereby lengthening its performance, is our way of demonstrating our abiding love for the *mitzvah* and for Hashem Who has given us the privilege and opportunity to serve Him. This is especially meaningful concerning a timebound *mitzvah* such as *Shabbos*, when we sanctify the seventh day with our manner of dress, the meals that we eat and the way that we eat them, accompanied by *zemiros*, lighting the candles and reciting *Kiddush* -- all essential elements in setting aside this holy island in time. While rest, worship and study are essential components in sanctifying this day, it is the addition of *tosfos Shabbos*, adding on to *Shabbos*, that demonstrates our special love for the *mitzvah*.

We do, however, have times in which it is important to do the *mitzvah* and carry it out as quickly as possible, with immediacy and urgency. Rav Avraham ben Avraham, the *ger tzedek*, righteous convert, who, prior to his conversion, was known as

Count Valentine Potocki (a Polish nobleman who, albeit raised in the Catholic church, converted to Judaism, and paid with his life), was close with the *Gaon, zl*, of Vilna, who was his spiritual mentor. *Rav Avraham ben Avraham* was a righteous Jew, who died *Al Kiddush Hashem*. He was a holy *neshamah*, soul, that sanctified Hashem's Name. Indeed, he went to the fires that consumed him with joy and trepidation, saying that this was his ultimate service to Hashem, one for which he had waited from the earliest moments that he yearned to convert.

A *halachic* query entered *Rav Avraham's* mind as he walked through the streets: Should he take his time in order to savor every moment of life, to live another moment for Hashem? Or should he run to perform the *mitzvah* of *Kiddush Hashem*? *Zerizim makdimim l' mitzvos*, "One must be passionate in fulfilling *mitzvos* with alacrity and excitement." This would elevate the *mitzvah* of *Kiddush Hashem*. When the spectators would see him enthusiastically running to the fire, they would realize the greatness of a Jew's love for Hashem. As he walked underneath the *Gaon's* window, the *Gaon* came out and said that it was best that he move quickly to sanctify Hashem's Name. He moved on, singing and dancing with incredible *deveikus*, clinging to Hashem, overjoyed in the privilege of performing the ultimate service to the Almighty, may his name be a blessing.

Va'ani Tefillah

רצה ד' ... בעמך ישראל

Retzei Hashem b'Amcha Yisrael.

ותהי לרצון תמיד עבודת ישראל עמך

U'sehi l'ratzon tamid avodas Yisrael Amecha.

Be favorable, Hashem, toward Your People Yisrael. May the service of Your People Yisrael always be favorable to You.

We observe a noticeable change in the prayer's vernacular. It begins with *amcha Yisrael*, asking Hashem to be favorable to "Your People, *Yisrael*" and at its conclusion we precede "*Yisrael Amcha*," *Yisrael* before *amcha*, Your People. Ahas Shoalti cites *Vaani Tefillah*, who observes that prior to achieving his personal distinction as *Klal Yisrael's* leader, Moshe *Rabbeinu* is referred to as "Moshe, the son-in-law of Yisro (*Shemos* 3:1). Following the Egyptian exodus and the Giving of the Torah, however, when Yisro visited the nation, Yisro is referred to as "the father-in-law of Moshe" (*ibid* 18:1). Likewise, with regard to the above prayer, when we petition Hashem to accept our prayer favorably, it is when *Yisrael* is the downtrodden among the nations. We do not laud *Yisrael* / our identity prior to *Amcha*, Your nation, because our only distinction in the world is due to our relationship with Hashem. Later on, with the advent of *Moshiach Tziddkeinu*, which will engender for the Jewish People an era of acclaim and reverence by the nations, we revert to *Yisrael Amcha*, with our identity preceding our Nationhood. Now we are no longer the downtrodden nation. We have been uplifted and elevated by Hashem.

לעילוי נשמת יונה יחזקאל בן נתן נטע ז"ל (Tarko) ת.נ.צ.ב.ה.

Sponsored by Gershon and Rivka Dubin and family

Hebrew Academy of Cleveland, ©All rights reserved

prepared and edited by Rabbi L. Scheinbaum