

## Weekly Parsha Beha'alotcha

### Rabbi Wein's Weekly Blog

In this week's Torah reading we hear an oft repeated refrain uttered by many in the generation that found itself in the desert of Sinai. They said that we want to return to Egypt. The present is too difficult, and the future is too uncertain so let us go home to Egypt which we were familiar with and where we knew what to expect.

All human beings fear uncertainty. The future is always somewhat terrifying because of its unknown quality. We lack the self confidence to know that we can somehow overcome all difficulties, even those which are currently not apparent. There is always that inner voice within that bids us to attempt to return to a known past rather than to advance to an uncertain future.

This psychological weakness permeates the entire series of events which are reflected in the Chumash of Bamidbar. There is security in the past, even in a past that was not pleasant or congenial. We see this in the Jewish world today when people want to return to the eastern European past that can never be renewed, instead of attempting to create a great future which will be relevant to its time.

This statement of let us return to Egypt is therefore representative not only of the generation of the desert but it is something that we hear repeated often throughout all Jewish history and in our time as well. It is a seductive statement but a dangerous one. Even if we wish to do so, there never was an ability to return to Egypt and to recast the world as it once was instead of what it is.

As we emerge from the scourge of the Corona epidemic, we again hear within us the refrain to return to what was – to the world that we knew just a few short months ago. However, that is a false hope and an unrealistic view of the matter. No matter how we will judge current events there can be no question that the world has changed and that certainties we had may no longer remain. It is the uncertainty of the future that is now descending upon us that makes us anxious and somewhat frightened.

Human beings and especially the Jewish People are extremely adaptable and capable of facing the challenges of the unknown future. It is within our power to renew our self confidence and to proclaim that we are willing and able to undertake building a newer and morally healthy and humanly beneficial society. Because of this we will have an opportunity that has not been granted too many times, to mold and shape the Jewish future in a productive and holy fashion. We should appreciate having such an opportunity and make certain that we do not squander it on nostalgia and, even worse, on repeating errors of the past. Going back to Egypt has never been a positive solution.

Shabbat Shalom.

Rabbi Berel Wein

### In My Opinion The Eternal Question

#### Rabbi Wein's Weekly Blog

As the corona pandemic hopefully wanes, and as we attempt to return to some sort of normalcy and emerge from our isolation, I have reflected on the fact that there is an enormous theological question raised by the events of the past few months.

This theological question has always existed and has always been discussed in Jewish life and by Jewish scholars. But this question has never been answered to the complete satisfaction of all concerned and remains more in the realm of faith than it does regarding intellect or understanding.

The question certainly relates to this pandemic. What is God telling us here? What lesson are we supposed to learn from it, if any? And in fact, if I put it in its most radical form, is this a message from God at all or is this just part of the natural order of the world that the Lord created and sustains, and that viruses are part of this natural order? Human beings are supposed to deal with this natural order and that is where our freedom of will comes into play. But it is not clear that, so to speak,

Heaven ordains our response, or even expects us to learn a lesson from the event itself.

There are two weak streams in the matter that have been propagated in Jewish thought from biblical times until today. We all know that somehow, as Maimonides has explained, there is to be a balance between the guidance of Heaven, so to speak, the pre-ordination of events, and between human free will and freedom of action. Where the fulcrum of this balance is to be located is a matter of debate and discussion. There are those who say that the vast majority, even 99% of events that occur to human beings and to this world are a direct result of God's will, and that there is really only a very small element to life that is left to human choice and the freedom of will.

At the opposite extreme there are those that say that almost everything is left to human choice and to freedom of will, but that there is an overriding guidance of human events in history, not specific to any event, that somehow propels civilization and historical developments.

Between these two extremes, there exists the vast realm of Jewish thought and philosophy that attempts somehow to deal with this question - a question which may never be answered satisfactorily by human beings. It is covered by the statement of the prophet, Isaiah, that, "My thoughts are not your thoughts and my ways are not your ways so that we will be left in an eternal, psychological and intellectual limbo as to how to judge great tragedies, great victories, and even everyday occurrences in life."

An article appeared in the Wall Street Journal, written by a rabbi, that said: "The coronavirus is not necessarily an expression of God's will." He took the position that viruses are part of the natural world, and according to the rabbi, it has already been stated in the Talmud that chills and fevers are not governed by heavenly will. He maintains therefore that human beings are responsible for the coronavirus and that there is negligence and malfeasance and all sorts of human frailties and weaknesses that caused it and that we should look to correct those weaknesses and not delve into the matter as to whether heaven or godly guidance is involved.

This is an extreme position. Though it does have roots in Jewish tradition, it is certainly not a popular position amongst Jews, especially in the Orthodox world. In our world we have voted heavily for heavenly guidance in even the smallest of matters. There have been numerous articles and lectures that have been delivered during this period of crisis that attempt to find the cause for this pandemic in the failings and excesses of human behavior.

This is a strong idea within the Jewish world and is pretty much the accepted version of things. The pandemic is used to point out all of our weaknesses, to chastise us for the pursuit of luxuries, for laziness, for violations of halacha, for inadequate prayer and for many other ills of Jewish society, all of which we know to be present. But they have always been present. There never has been a perfect Jewish society and human nature is human nature and cannot be easily changed even by pandemics. We see throughout the Bible that even great miracles performed on an unimagined scale are insufficient to really change human behavior. Our weaknesses are always present and have to be dealt with in human terms and not by Heavenly guidance.

So, this is the eternal question raised again. Why did this pandemic occur? Who was at fault? Is it an expression of God's displeasure with human behavior, as we can certainly say that there is plenty of room for displeasure at human behavior in our society? Or, perhaps it is a natural event brought about by the failings of human beings, but it is not necessarily a punishment from Heaven falling upon humanity.

In the Torah, we see that the flood at the time of Noah was an expression of Heavenly punishment and displeasure, but we also see that the Lord took an oath, so to speak, through the medium of the rainbow, that it would not happen again. We also see that the City of Sodom was destroyed because of its wickedness. The question arises and remains constant; what are we to learn from this? Is this an expression of the corona being the punishment for the behavior of the world in a Sodom

fashion? Or is it a product of human negligence, ignorance, malevolence, and malfeasance?

This is an eternal question and the answers will be given by various scholars and the opinions will vary. But after all the discussion has ended, and I don't believe it ever will end, the question will remain pretty much in an unanswered form. The rabbi's taught us that many times the question itself is the main issue, that the answer, if any, is secondary. I don't think there will be an answer here that will satisfy the broad spectrum of the Jewish world's opinion, but I think the question is worth contemplating as we seek somehow to recover and advance and rebuild a better world than the world that preceded this corona epidemic. Shabbat Shalom, Berel Wein.

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## **Loneliness and Faith (Beha'alotecha 5780)**

### **Rabbi Jonathan Sacks**

I have long been intrigued by one passage in this week's parsha. After a lengthy stay in the Sinai desert, the people are about to begin the second part of their journey. They are no longer travelling from but travelling to. They are no longer escaping from Egypt; they are journeying toward the Promised Land.

The Torah inserts a long preface to this story: it takes the first ten chapters of Bamidbar. The people are counted. They are gathered, tribe by tribe, around the Tabernacle, in the order in which they are going to march. Preparations are made to purify the camp. Silver trumpets are made to assemble the people and to give them the signal to move on. Then finally the journey begins.

What follows is a momentous anti-climax. First there is an unspecified complaint (Num. 11:1-3). Then we read: "The rabble with them began to crave other food, and again the Israelites started wailing and said, "If only we had meat to eat! We remember the fish we ate in Egypt at no cost—also the cucumbers, melons, leeks, onions and garlic. But now we have lost our appetite; we never see anything but this manna!" (Num. 11:4-6).

The people seem to have forgotten that in Egypt they had been slaves, oppressed, their male children killed, and that they had cried out to be freed by God. The memory Jewish tradition has preserved of the food they ate in Egypt was the bread of affliction and the taste of bitterness, not meat and fish. As for their remark that they ate the food at no cost, it did cost them something: their liberty.

There was something monstrous about this behaviour of the people and it induced in Moses what today we would call a breakdown:

He asked the Lord, "Why have you brought this trouble on Your servant? What have I done to displease You that You put the burden of all these people on me? Did I conceive all these people? Did I give them birth? ... I cannot carry all these people by myself; the burden is too heavy for me. If this is how You are going to treat me, please go ahead and kill me—if I have found favour in Your eyes—and do not let me face my own ruin." (Num. 11:11-15)

This was the lowest point in Moses' career. The Torah does not tell us directly what was happening to him, but we can infer it from God's reply. He tells him to appoint seventy elders who would share the burden of leadership. Hence we must deduce that Moses was suffering from lack of companionship. He had become the lonely man of faith.

He was not the only person in Tanach who felt so alone that he prayed to die. So did Elijah when Jezebel issued a warrant for his arrest and death after his confrontation with the prophets of Baal (1 Kings 19:4). So did Jeremiah when the people repeatedly failed to heed his warnings (Jer. 20:14-18). So did Jonah when God forgave the people of Nineveh, seemingly making nonsense of his warning that in forty days the city would be destroyed (Jon. 4:1-3). The Prophets felt alone and unheard. They carried a heavy burden of solitude. They felt they could not go on. Few books explore this territory more profoundly than Psalms. Time and again we hear King David's despair:

I am worn out from my groaning.

All night long I flood my bed with weeping

and drench my couch with tears. (Ps. 6:6)

How long, Lord? Will You forget me forever?

How long will You hide Your face from me? (Ps. 13:1-2)

My God, my God, why have You forsaken me?

Why are You so far from saving me so far from my cries of anguish? (Ps. 22:2)

Out of the depths I cry to You, Lord... (Ps. 130:1)

And there are many more psalms in a similar vein.

Something similar can be traced in modern times. Rav Kook, when he arrived in Israel, wrote, "There is no one, young or old, with whom I can share my thoughts, who is able to comprehend my viewpoint, and this wearies me greatly." [1]

Even more candid was the late Rabbi Joseph Dov Soloveitchik. Near the beginning of his famous essay *The Lonely Man of Faith*, he writes, starkly: "I am lonely." He continues, "I am lonely because at times I feel rejected and thrust away by everybody, not excluding my most intimate friends, and the words of the psalmist, 'My father and my mother have forsaken me,' ring quite often in my ears like the plaintive cooing of the turtledove." [2] This is extraordinary language.

At times of loneliness, I have found great solace in these passages. They told me I was not alone in feeling alone. Other people had been here before me.

Moses, Elijah, Jeremiah, Jonah and King David were among the greatest spiritual leaders who ever lived. Such, though, is the psychological realism of Tanach that we are given a glimpse into their souls. They were outstanding individuals, but they were still human, not superhuman. Judaism consistently avoided one of the greatest temptations of religion: to blur the boundary between heaven and earth, turning heroes into gods or demigods. The most remarkable figures of Judaism's early history did not find their tasks easy. They never lost faith, but sometimes it was strained almost to breaking point. It is the uncompromising honesty of Tanach that makes it so compelling.

The psychological crises they experienced were understandable. They were undertaking almost impossible tasks. Moses was trying to turn a generation forged in slavery into a free and responsible people. Elijah was one of the first Prophets to criticise kings. Jeremiah had to tell the people what they did not want to hear. Jonah had to face the fact that Divine forgiveness extends even to Israel's enemies and can overturn prophecies of doom. David had to wrestle with political, military and spiritual challenges as well as an unruly personal life.

By telling us of their strife of the spirit, Tanach is conveying something of immense consequence. In their isolation, loneliness, and deep despair, these figures cried out to God "from the depths," and God answered them. He did not make their lives easier. But He did help them feel they were not alone.

Their very loneliness brought them into an unparalleled closeness to God. In our parsha, in the next chapter, God Himself defended Moses' honour against the slights of Miriam and Aaron. After wishing to die, Elijah encountered God on Mount Horeb in a "still, small voice." Jeremiah found the strength to continue to prophesy, and Jonah was given a lesson in compassion by God Himself. Separated from their contemporaries, they were united with God. They discovered the deep spirituality of solitude.

I write these words while most of the world is still in a state of almost complete lockdown because of the coronavirus pandemic. People are unable to gather. Children cannot go to school. Weddings, bar and bat mitzvahs and funerals are deprived of the crowds that would normally attend them. Synagogues are closed. Mourners are unable to say Kaddish. These are unprecedented times.

Many are feeling lonely, anxious, isolated, deprived of company. To help, Natan Sharansky put out a video describing how he endured his years of loneliness in the Soviet Gulag as a prisoner of the KGB. From dozens of reports from those who endured it, including the late John McCain, solitary confinement is the most terrifying punishment of all. In the Torah, the first time the words "not good" appear are in the sentence "It is not good for man to be alone" (Gen. 2:18).

But there are uses of adversity, and consolation in loneliness. When we feel alone, we are not alone, because the great heroes of the human spirit felt this way at times – Moses, David, Elijah and Jonah. So did modern masters like Rav Kook and Rabbi Soloveitchik. It was precisely their loneliness that allowed them to develop a deeper relationship with God. Plumbing the depths, they reached the heights. They met God in the silence of the soul and felt themselves embraced.

This is not to minimise the shock of the coronavirus pandemic and its consequences. Yet we can gain courage from the many individuals, from biblical times through to more modern ones, who felt their isolation deeply but who reached out to God and found God reaching out to them.

I believe that isolation contains, within it, spiritual possibilities. We can use it to deepen our spirituality. We can read the book of Psalms, re-engaging with some of the greatest religious poetry the world has ever known. We can pray more deeply from the heart. And we can find solace in the stories of Moses and others who had moments of despair but who came through them, their faith strengthened by their intense encounter with the Divine. It is when we feel most alone that we discover that we are not alone, “for You are with me.”

Shabbat Shalom

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### **Shabbat Shalom: Behaalotcha (Numbers 8:1-12:16)**

#### **By Rabbi Shlomo Riskin**

Efrat, Israel – “The Lord said to Moses, “Speak to Aaron and say to him, ‘When you set up the lamps, see that all seven light up the area in front of the lampstand.’” (Numbers 8:1-2)

This week’s Biblical portion of BeHa’alotcha contains an important insight into the necessary qualities and major functions of our rabbis. Our Torah reading of last week, Naso, concluded with the various offerings of the Princes of the tribes at the dedication of the desert Sanctuary, forerunner of the Holy Temple in Jerusalem.

This week’s reading begins with the kindling of the menorah, the seven candlestick branches made of pure gold, each culminating in a golden flower with three branches emanating from either side of the central tree-like branch, and seven flames spreading warmth and enlightenment within the most sacred area and beyond. The operative verse which describes this magnificent accoutrement is “the candle is commandment, and Torah is light” (Prov. 6:23).

Rashi, the classical Biblical commentary, is apparently disturbed by the placement of the Menorah in our portion; it seems to have belonged in the Book of Exodus which describes the inner furnishings of the Sanctuary, including the Menorah (Ex 25:31-40). Rashi therefore opens his interpretation of our portion with the words of the Midrash (Tanhuma 5):

Why this juxtaposition of the description of the lighting of the Menorah with the offerings of the Princes of the tribes? It is because when Aaron saw the dedication of the Sanctuary, he became upset that he had not been included in the dedication offerings and ceremonies; neither he nor his tribe of Kohanim. The Holy One Blessed be He said to him, “By your life, your contribution is greater than theirs; you will kindle and clean the candlesticks.”

What was so special about kindling the Menorah? It happened early in the morning, without audience or fanfare, and seemed like an almost janitorial duty of turning on the lights?

I would suggest that there were two central furnishings in the Holy of Holies, the inner sanctum of our Sanctuary: the sacred ark, which housed the Tablets of Stone, and the Menorah. The former, with the Torah in splendid seclusion behind the curtains, was meant for Israel alone, to form a “holy nation”; the latter, with its warmth and light spreading round-about was the Torah meant for the world, the Torah which would go forth from Zion, the word of the Lord which would emanate from Jerusalem to the nations.

The Midrash (Mekhilta de Rabbi Yishmael, Parshat Yitro, Parsha Aleph) teaches that the Revelation at Sinai was given in a desert, a parousia, rather than on the Temple Mount in order to teach us that the Torah was not meant for the Jews alone, but rather for all of humanity.

Just prior to the Revelation, Israel is charged by God to be a “Kingdom of Kohanim,” teachers to all of humanity (Seforno, ad loc Ex 19:6), purveyors of a God of love, compassion, morality and peace. This universal charge is given to the Jews to become a sacred nation (otherwise they would hardly be an example to emulate), a nation of Kohanim to convey our teaching to the world (Isaiah 2, Micah 4, Zechariah 7,8,9). This is the true significance of the Kohen’s kindling of the Menorah and spreading the message of Torah beyond the Sanctuary to the world.

It is our duty to demonstrate to the world that we have righteous decrees and ordinances (Deut. 4:8); and it is our laws, our unique life-style, which now that we have our Jewish State, we must share with the world. (Deut. 26:18-19). It is the Kohen Gadol in the days of the Messiah or the Rabbis and Jewish educators today, who must convey these righteous laws which will inspire the rest of the nations to accept our God of compassion and peace. They must be our ambassadors to the world, those who must bring the light and the warmth of Torah bring thereby blessing to all the families on earth (Gen 12:1-3). They must kindle the Menorah

It is not by accident that the Menorah is shaped like a tree, which grows and produces fruit, it is the “personification” of halakhah, a progressing and moving teacher of morality and sensitivity. How we treat the stranger and would-be convert, how we deal with the hapless woman chained to a recalcitrant husband who won’t let her go, is the test of the justice of our laws and the fitness of our Rabbis to be our decisors; our Torah must be righteous and compassionate. (See Maimonides, Mishneh Torah, the last chapter of the Laws of Servants).

Shabbat Shalom!

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### **Insights Parshas Beha'aloscha - Sivan 5780**

#### **Yeshiva Beis Moshe Chaim/Talmudic University**

#### **Based on the Torah of our Rosh HaYeshiva HaRav Yochanan Zweig**

*This week's Insights is dedicated in loving memory of Sora Bas Avraham, Selma Daniel. "May her Neshama have an Aliya!"*

#### **Not for Profit**

*Two men remained in the camp, the name of one was Eldad and the name of the other was Medad, and the Holy Spirit rested upon them...and they prophesied in the camp (11:26).*

After a series of difficult incidents in which Bnei Yisroel acted improperly and were subsequently punished by Hashem, Moshe pleads with Hashem that he was unable to bear the burden of the entire nation by himself (see 11:14). In fact, upon seeing the punishment that Bnei Yisroel were about to receive, he begs Hashem to kill him first (see 11:15 and Rash ad loc).

Hashem responds that Moshe is to gather seventy men from the elders of Bnei Yisroel who will receive a measure of his increased prophecy and they will share the burden along with him (see 11:18 and Rashi ad loc). Moshe recognizes that seventy does not divide evenly by 12 and is concerned that there will be some jealousy among the tribes who receive less representation among these seventy elders. Therefore, Moshe devises a lottery to pick who the chosen elders will be (see Rashi 11:26). Eldad and Medad were actually among those who were chosen to join the seventy elders, but they remained in the camp, eschewing this appointment for they felt unworthy of it.

Moshe's son Gershom ran to inform his father that Eldad and Medad were in the camp prophesying. There is some discussion in the Talmud (Sanhedrin 17a) as to what exactly the prophecy was that they were relating (see accompanying Did You Know column). In any event, Moshe's longtime student-attendant Yehoshua Bin Nun was outraged and demanded, "My master Moshe, destroy them!" (see 11:28). Rashi ad loc explains that Yehoshua was not asking that they be killed (they hadn't seemed to commit any offense worthy of capital punishment), rather Yehoshua wanted them to be given responsibility to tend to the needs of the community, which would cause them to be obliterated. In other words, the responsibilities of leadership would cause them to self-destruct.

Yet when Bnei Yisroel sinned with the Golden Calf, "Hashem spoke to Moshe, 'Go, descend, for your nation has become corrupted'" (Shemos 32:7) and Rashi (ad loc) explains that Hashem told Moshe, "descend from your greatness, for I have only made you great on their account." Does leadership cause one to self-destruct or is it a source of greatness? The answer, of course, is that there are two types of leaders. There are those leaders who seek positions of leadership primarily as a way of helping others; for whom no sacrifice is too great because their quest for leadership is borne out of a love for the people and community. Given the opportunity to do more they shine and achieve greatness. Not that the course of their leadership will be easy and without frustration. In fact, leadership can be very painful (as mentioned above, Moshe asks Hashem to kill him before He punishes Bnei Yisroel - presumably so that Moshe won't have to endure the pain of watching Bnei Yisroel suffer). Nevertheless, at the end of the day, these leaders are fulfilled by being able to help others.

By contrast, there are others who seek positions of leadership primarily as a means to fulfilling their own ambitions. Yes they agree to serve the people, but their personal agenda is always in the foreground. This kind of leader will be destroyed when accepting the yoke of communal responsibility because being a servant of the people is exactly that - servitude not lordship (see Talmud Horayos 10a).

To fully understand Yehoshua's concern about Eldad and Medad and why he reacts so violently, we must consider the current events at the time. According to Ibn Ezra (and others), the whole sad chapter of Korach and his uprising took place in the weeks before this incident. Rashi also states that the reason Korach was so infuriated was that he felt personally cheated by the appointment of his cousin (instead of him) to head the tribe of Levi - an event that happened in the prior month. Although Rashi seems to hold that the parts of the rebellion took place after the story of the spies, he also states that Korach's rebellion began in Chatzeiros (right after the story of the quail).

Yehoshua must have known about Korach's dissatisfaction and rabble rousing. Yehoshua, perhaps, thought that Eldad and Medad were also trying to undermine Moshe Rabbeinu (one of the opinions in the Talmud (Sanhedrin 17a) holds that they were prophesying the death of Moshe). Yehoshua understood that the only way to deal with these types of personalities is to give them exactly what they desire. That would ensure their destruction and put an end to their challenge of Moshe.

#### **Free for All**

*Moshe heard the people weeping by their families, each one at the entrance of his tent... (11:10)*

This week's parsha lists various complaints that Bnei Yisroel leveled at Hashem/Moshe. One of the issues that they complained bitterly about was the miraculous מן (mannah). Remarkably, one of the pesukim (11:10) that seemingly describes the depths of their unhappiness with the מן is actually interpreted by Chazal in an entirely different direction.

The Gemara (Shabbos 130a) states: "Any mitzvah that Bnei Yisroel accepted in a quarrelsome manner, such as the prohibition against incestuous relationships, as the Torah (ibid) states, 'Moshe heard the people weeping by their families' (they were weeping because they had been prohibited to marry their family members) is likewise still fulfilled while quarreling; for there is no kesuvah (marriage contract) that doesn't cause the parties to quarrel."

This seems to be a little odd. After all, a wedding is a time of great happiness. Why should a kesuvah cause quarreling more than any other financial arrangement? Furthermore, what does this have to do with the fact that they were bitter about the prohibition against incestuous relationships?

We must begin by examining the root cause for having forbidden relationships in the first place. Ramban in Parshas Achrei Mos posits that it would only be natural for people to choose their closest relatives as mates. For example, many of the complications of trying to merge two disparate families, or disparate cultures, or dealing with inheritance issues would dissipate if a man were to marry his sister. Why are we forbidden to marry our closest relatives?

In Bereishis (2:18) Hashem said, "it is not good for man to be alone, I will make a compatible helper for him." Rashi there explains that if man were self-sufficient he would be comparing himself to God. Just as God is one above, man is one below. In other words, man would consider himself more or less equal to God on the plane below. This would cause man to become totally egocentric and self-centered.

Therefore, Hashem created a partner for man, someone he would have to merge with to balance him out and become a helpmate and an opposing opinion. This "merger" requires a true partner, one who is a totally separate entity and would not be swallowed up by the merger. Our closest relatives are ones that we are overly familiar with, if we go into our sister's home we feel perfectly comfortable opening the fridge and helping ourselves to whatever we want. That is, we would always take what we want because it is just an extension of ourselves. The same is true, of course, with parents, children, aunts and uncles, etc.

On the face of it, completing the kesuvah at a wedding is a very odd custom; imagine if at every non-Jewish wedding there would be a public reading of a financial arrangement (such as a prenup) between the bride and groom. All of the guests would feel uncomfortable and it would be inappropriate. Why is the kesuvah such a central part of the Jewish wedding?

The ultimate expression that we are merging with an outside party is the kesuvah. It is a reminder that the husband cannot just be a taker, like one living in a parents' home. The kesuvah is a testament to the fact that the husband has real responsibilities as a giver. It's a reminder that the husband is merging with someone who isn't just an extension of himself; he now has to negotiate his life within someone else's space. Every kesuvah is a reminder of this concept, and can easily become a source of conflict. In this way, the kesuvah becomes the de facto definition of a Jewish marriage.

#### **Did You Know...**

In this week's parsha, we find the brief episode of Eldad and Medad. As discussed in Not for Prophet, Hashem instructed Moshe to assemble seventy elders by the Ohel Moed to share a portion of his increased prophecy as well as the burden; thus bestowing upon them the gift of nevuah (see Rashi 11:17).

As Moshe couldn't evenly divide that number between 12 tribes, he decided that the best option was to appoint six worthy individuals from each shevet, and have a lottery to see which two shevatim would only have five representatives. Moshe took seventy pieces of paper and wrote "zaken" on them and two additional ones he left blank. The two who received blank papers would be told that they hadn't been chosen. Eldad and Medad decided not to attend the lottery, because they assumed they wouldn't be worthy of this great honor, and would receive the two losing lottery papers (Rashi 11:25).

In fact, they were supposed to receive this honor. One of the interpretations (Sanhedrin 17a) of these events is that Hashem recognized that they humbled themselves and therefore decided to bestow upon them a greater level of prophecy than any of the others. All of the others had nevuah for a short time then stopped, while Eldad and Medad did not stop having nevuah. Additionally, the Me'em Lo'ez (Beha'aloscha 13) states that although the other zekainim were only able to prophesize about the next day, Eldad and Medad were able to see into the far future.

There are also several different interpretations in the Gemara (Sanhedrin 17a) regarding what exactly they prophesized about. One explanation was that they foresaw that in approximately 38 years, Moshe would die and Yehoshua would take them into Eretz Yisrael. Another explanation says that they saw the immediate future: They foretold the incident of the quail, which was about to unfold. The last opinion says they prophesized the events of Gog Umagog: When Gog, the king of Magog, will attack Israel. This will be the Great War before the Messianic Era. Interestingly, The Targum Yonason Ben Uziel identifies Eldad and Medad as being half brothers of Moshe. During the time that Amram was divorced from Yocheved due to not wanting to have more children who would just be slaughtered by Pharaoh, Yocheved had two sons with another man.

**Ohr Somayach :: Torah Weekly :: Parshat Beha'alotcha**  
*For the week ending 6 June 2020 / 14 Sivan 5780*  
**Rabbi Yaakov Asher Sinclair - [www.seasonsofthemoon.com](http://www.seasonsofthemoon.com)**  
**Parsha Insights**

**Keeping the Flame**

*"...When you kindle the lamps..." (8:2)*

A few years ago LensWork magazine featured some of my photographic work for Ohr Somayach's Jewish Learning Library. In the course of working together with the editor, Brooks Jensen, I learned something that I think has application for a lot of people who walk through the doors of Ohr Somayach.

Until quite recently, to make a photograph, as distinct from taking a picture, required a great deal of technical skill and practice even with a 35mm camera, let alone the artisanal experience in extremis required by 5x4 view camera in which you need to perform a series of 16 separate operations in precisely correct order even to get something onto the negative. Brooks noted that many aspiring Ansell Adams would put in years of practice, schlepping around kilos of equipment, and arrive at a decent level of technical precision — only to give up when they were just about ready to produce something really original and exciting.

I think that, in many cases that resemble my own, being a ba'al teshuva is a bit like being an aspiring photographer. We spend so many years breaking our teeth over Hebrew, Aramaic, Gemara, the minutiae of Halacha, and navigating the sometimes narrow channels of what is and what isn't acceptable, only to give up when we're just on the brink of a real spiritual breakthrough. I don't mean giving up and dropping out. I mean just coasting and being satisfied by being a reasonably well-integrated member of a Torah society. Did we change our lives completely just to be "mediocre"? (Even if that mediocrity is light-years above the level of the materialistic world that we left!) It's often all too easy to "get tired" along the way.

At the end of the Mesillat Yesharim, Rabbi Moshe Chaim Luzzatto describes how when we exert ourselves to the absolute maximum that we can, Hashem, so to speak, reaches down and raises us up to a level that is humanly impossible to achieve. True, Rabbi Luzzatto was describing the holiest and the most elevated souls in existence — but each one of us, at our own level, knows that we really didn't try our absolute best. But we can. While Hashem blesses us with life and breath and another tomorrow, we can push ourselves just a little harder.

*"...When you kindle the lamps..." (8:2)*

The literal translation of the Hebrew word for 'to kindle' here is 'to make ascend.' When the Kohen Hagadol, the High Priest lit the Menorah, it wasn't sufficient that he ignited the wicks — he had to hold the taper in position until each wick was burning to its maximum capability. Then it ascended.

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**Chief Rabbi Ephraim Mirvis**

**Dvar Torah: Beha'alotcha**

How do we know that every single one of us can feel our own special connection to the Torah?

Parshat Behaalotcha tells us "וַאֲרֹן בְּרִית־יְהוָה נִסַּע לִפְנֵיהֶם" – the ark of the covenant of Hashem travelled ahead of the nation". From Joshua, chapter three we learn that there was actually a gap of around 2000 cubits, that's approximately half a mile between the Ark ahead and the people following behind it. Was this not a mark of disrespect? Surely here we should have had a process of 'levaya', of accompaniment. The nation should have surrounded the ark to give it due honour but instead, there was this huge gap?

Actually, our tradition tells us that there was a purpose for the distance between the Ark and the people behind. You see, had we surrounded the

Ark, the vast majority of people would have had to rely on the witness statements of those who were closest to it. Instead, thanks to the gap and the people being spread out widely, every single individual could focus their own personal attention on the Ark, they could see it for themselves and they could develop and establish their own special, personal connection with it.

I believe this speaks volumes for us today. Baruch Hashem, we are so privileged because each and every one of us can achieve our own personal connection to the Torah. We don't have to rely on the evidence of others. For each one of us in the ups and downs of our lives, the Torah is there to assist us. We can be inspired by the role models, we can be guided by the Torah's narratives and our lives can be transformed thanks to the incredible mitzvot of the Torah.

In our davening we say וְתֵן חֶלְקֵנוּ בְּתוֹרַתְךָ – please Hashem give us our חֶלֶק, our portion, in the Torah. Baruch Hashem that is achievable. Each one of us can have our חֶלֶק, our own personal connection to the most incredible, God-given resource, there for us to have a life of meaning and joy always.

*Shabbat shalom*

*Rabbi Mirvis is the Chief Rabbi of the United Kingdom. He was formerly Chief Rabbi of Ireland.*

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**Post-sin reality (Behaalotcha)**

**Ben-Tzion Spitz**

*What ever disunites man from God, also disunites man from man. - Edmund Burke*

The Torah narrative, suddenly and somewhat unexpectedly, introduces a "new" holiday, really a "conditional" holiday which was not mentioned in the previous lists of holidays. It is the holiday of Pesach Sheni. The holiday seems to be reactionary and not part of the originally planned cycle of holidays. A group of people approaches Moses. They were ritually impure and were unhappy that their ritual impurity would prevent them from participating in the Pesach celebrations.

Moses tells the petitioners to wait so that he can get instructions regarding their interesting complaint. God doesn't disappoint and immediately relays to Moses that while the petitioners can't celebrate Pesach with the rest of the nation that is ritually pure, they will have a second chance exactly a month later, to bring the Pesach sacrifice and to have Matza, assuming they are ritually pure by then.

The Meshech Chochma on Numbers 9:10 goes into a fascinating discussion as to why the Torah didn't preempt the petitioners' request and present the Pesach Sheni option a priori. He explains that after the revelation of God to the entire Jewish people at Mount Sinai, the people were at such a high spiritual level, that they could connect to God with a much greater facility than anything we could imagine today.

However, after the sin of the golden calf, all of Israel lost that ability. They would require a physical Tabernacle to reproduce that ability, that divine focal point to allow them to commune with God. Not only that, but pre-sin, any individual Jew was at such an elevated level, that they would likewise be immune to the punishment of Karet ("cutting off," whichever that's interpreted). The entirety of the Jewish people is never subject to that punishment. An individual Jew, pre-sin, had a similar status, ability, and spiritual protection as the entire nation. Pre-sin, we could more easily connect with God, without needing some communal, physical, focal construct.

Similarly, pre-sin, it would have been permissible for a Jew to participate in the Pesach sacrifice, even if they were ritually impure. However, post-sin, that would no longer be possible. In a post-sin reality, a ritually impure Jew would not be able to partake of the Pesach sacrifice. Only post-sin is there a need for God to add legislation that provides a second chance, a new holiday, for those who because of either their physical distance or their ritually impure condition, can't join the rest of the nation in bringing the Pesach sacrifice.

May we one day reach our previous spiritual levels as well as protection on an individual and communal level.

*Dedication - To the memory of Rabbi Norman Lamm z"l, former President and Chancellor of Yeshiva University. He inspired me and many others. Shabbat Shalom*

*Ben-Tzion Spitz is a former Chief Rabbi of Uruguay. He is the author of three books of Biblical Fiction and over 600 articles and stories dealing with biblical themes.*

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**Rabbi Shmuel Rabinowitz**

***Bs"d Beha'alotcha 5780***

***A Story of Humility and Sensitivity***

Rabbi Shmuel Rabinowitz, Rabbi of the Western Wall and Holy Sites

The stories of our ancestors' wanderings in the desert provide us with glimpses into the beginnings of the Jewish nation. It sometimes seems like they were serial complainers – about water and food, about leadership and the Land of Israel. It can't be denied that a significant portion of the book of Numbers is spent telling stories of this nature, with the purpose, of course, that these ancient stories and midrashim be read to educate. However, within these stories, there are some personalities who are exceptionally positive ones. We will focus on two of these today: Eldad and Medad.

The story begins, of course, with a complaint. The Children of Israel cried out: "Who will feed us meat? We remember the fish that we ate in Egypt free of charge, the cucumbers, the watermelons, the leeks, the onions, and the garlic. But now, our bodies are dried out, for there is nothing at all; we have nothing but manna to look at!"

(Numbers 11, 4-6)

This complaint was so illogical! The Children of Israel were slaves in Egypt. They were stripped of freedom and worked in hard labor. Was the food they ate in Egypt "free of charge"? They forgot how dearly they paid for that food and now suddenly yearned for Egypt?

This is a common phenomenon. People in despair search for a way out. When they manage to get out of the situation, they slowly forget how desperate it was, and they start to miss the old, familiar, and routine situation they had before.

This complaint made Moses despair of his own ability to lead the nation. He turned to G-d movingly:

"Why have You treated Your servant so badly? Why have I not found favor in Your eyes... Did I conceive this entire people? Did I give birth to them...? Where can I get meat to give all these people? For they are crying on me, saying, 'Give us meat to eat.' Alone I cannot carry this entire people for it is too hard for me."

(Ibid Ibid, 11-14)

Moses asks for help and he gets it. G-d instructs him to assemble seventy of the nation's elders to help him lead the nation. And so he did, and seventy of the elders were privileged to have one prophecy. At this point, we meet Eldad and Medad:

Now two men remained in the camp; the name of one was Eldad and the name of the second was Medad, and the spirit rested upon them. They were among those written, but they did not go out to the tent, but prophesied in the camp.

(Ibid Ibid, 26)

What is the story of these two anonymous people? The midrash on the book of Numbers – the Sifre – reveals additional details: Moses was supposed to assemble the seventy men from among the nation's elders and wished to do this equitably. But the problem was that the nation had twelve tribes, and if he had taken six elders from each tribe, he would have ended up with seventy-two elders. So, what did Moses do? A lottery. Seventy elders would win the lottery and two would return to their homes. Eldad and Medad were supposed to participate in the lottery, but they did not see themselves as worthy of leading the nation. They hid so they wouldn't be found. But one who is chosen cannot escape his destined role. The result was that they received the prophecy when they were in the camp. It was not temporary, as with the other elders, but the spirit rested upon them permanently.

Rabbi Yosef Bechor Shor, a 12th century French rabbi and biblical commentator, shed light on another aspect of Eldad and Medad. In his opinion, the reason they did not go to Moses' tent like the other elders was because of sensitivity toward others. They were concerned for the honor of the two elders who would not come up in the lottery so they chose not to participate in advance. They preferred to give up their own respectable status just so someone else would not be embarrassed.

Eldad and Medad, two anonymous people who are never mentioned again in the bible, teach us of the importance of humility and of sensitivity as a condition for spiritual virtue.

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

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**Rav Kook Torah**

***Beha'alotcha: The Unique Prophecy of Moses***

***Separating from Tziporah***

*"Miriam and Aaron spoke against Moses regarding the dark-skinned woman he had married." (Num. 12:1)*

What was Miriam and Aaron's complaint? The Sages explained that they were upset that Moses had separated from Tziporah, Jethro's dark-skinned daughter. Miriam and Aaron were able to receive prophecy without resorting to celibacy. Why did Moses feel he needed to separate from his wife?

The separation was in fact Moses' idea; God had not commanded him to do this. The Talmud explains that Moses decided it was necessary after he witnessed the Divine revelation at Mount Sinai. Moses reasoned:

"The Shechinah spoke with all of Israel only on one occasion, and at a predetermined hour. Nevertheless, the Torah cautioned [the Israelites at Sinai], "Do not go near a woman" Certainly I, with whom the Shechinah speaks at all times and with no set hour, must do the same." (Shabbat 87a) The Sages noted that Moses' reasoning was sound and that God approved of his decision. Their proof: after the revelation at Sinai, God told the people, "Return to your tents" [i.e., return to your families]. But to Moses, He said: "You, however, shall stay here with Me" (Deut. 5:27-28).

Why was this separation something that Moses needed to work out for himself? And why was Moses the only prophet who needed to separate from his wife?

Divine Perspective

Despite the innate greatness of the human soul, we are limited by our personal issues and concerns. Compared to the Shechinah's all-encompassing light - a brilliant light that illuminates all worlds and everything they contain - our private lives are like a candle's feeble light in the blazing sunlight of the sun. The cosmos are brimming with holiness, in all of their minutiae, in their transformations and advances, in their physical and spiritual paths. All of their heights and depths are holy; all is God's treasure.

In order to acquire this higher perspective, a prophet must free himself from his own narrow viewpoint. The pristine dawn of lofty da'at (knowledge) must be guarded from those influences that induce the prophet to withdraw to the private circle of his own family.

Moses, the faithful shepherd, could not be confined to the limited framework of private life, not even momentarily. His entire world was God's universe, where everything is holy.

It was Moses who recognized the need to separate himself from matters pertaining to his private life. From the Divine perspective, all is holy, and such measures are unnecessary. For Moses, however, it was essential. It allowed him to raise his sights and acquire a more elevated outlook. Separating from his family allowed Moses' soul to constantly commune with the Soul of all worlds. It enabled Moses to attain his uniquely pure prophetic vision.

Continual Light of Moses' Vision

What was so special about Moses' prophecy that, unlike all other prophets, he needed to detach himself from private life?

We may use the analogy of lightning to illustrate the qualitative difference between the prophecy of Moses and that of other prophets.

Imagine walking in a pitch-black world where the only source of light is the light emitted by an occasional bolt of lightning. It would be impossible to truly identify one's surroundings in such a dark setting. Even if the lightning occurs repeatedly, the lack of constant illumination makes this form of light inadequate. If, however, the lightning is extremely frequent, like a strobe light set to flash at a fast frequency, its illumination is transformed into a source of constant light.

This analogy may be applied to spiritual enlightenment. One cannot truly recognize the elevated realm, its holiness and eternal morality, the rule of justice and the influence of the sublime, without the illumination of continual prophecy.

Ordinary prophecy is like the intermittent light of an occasional lightning bolt. Only the Torah, the unique prophecy of Moses, is a light that radiates continually. We are able to perceive the truth of the world's inner essence through this constant light, and live our lives accordingly.

### Shema Yisrael Torah Network

#### Peninim on the Torah - Parshas Behaalosecha

פרשת בהעלותך תש"פ

לכה אתנו והטבנו לך כי ד' דבר טוב על ישראל

#### Go with us and we shall treat you well, for Hashem has spoken good for Yisrael. (10:29)

Moshe Rabbeinu asked his father-in-law, Yisro, to join the nation in its journey to Eretz Yisrael. "We will treat you well," Moshe says. "Because Hashem has spoken good (He will provide us with His beneficence: you, too, will benefit.) The term *diber tov*, spoken good, is found in only one other place in Tanach. In *Megillas Esther* (7:9), when Charvonah tells Achashveirosh that the tree which Haman *ha'rasha* had prepared for Mordechai -- *asher diber tov al ha'Melech*, "who spoke good for the king" -- is standing in Haman's house (and why not put it to good use?). The *Agra d'Kallah* derives from this that whoever speaks well concerning *Am Yisrael* is considered to have spoken well of Hashem -- the *Melech ha'olam*, King of the world. Likewise, the flipside is also something which we should underscore. One who speaks ill of *Klal Yisrael* is viewed as if he has slandered/spoken negative of the *Melech*, Supreme King, *Hashem Yisborach*. In reality, it makes sense that maligning a person is similar to casting aspersion on his monarch/father/family. We are all part of a larger unit, all under the Heavenly reign of Hashem.

To disparage a Jew carries with it enormous and frightening implications. Need we say more?

In 1911, many of the Torah institutions within the *Yishuv Ha'Yashan*, Old *Yishuv*, in Yerushalayim suffered an economic crisis. Among those which sustained losses, the Diskin Orphanage, under the direction of *Horav Yitzchak Yeruchem Diskin, zl*, suffered the most. *Rav* Moshe Blau, an *askan*, community activist, took it upon himself to travel to *chutz l'aretz*, the Diaspora, to procure the necessary funds crucial to the survival of the institution. When he visited the city of Pressburg, Hungary, he learned how critical it is to judge everyone favorably. It was *erev Shabbos HaGadol*, and he was running late. He stopped at the home of the *Dayan*, *Horav Leib Rubinstein*, to deposit his money pouch with him. On Sunday morning, he returned to retrieve his money. As he was about to leave, *Rav* Rubinstein asked him if he had already visited the city's *Rav*, *Horav Akiva Schreiber, zl*. When he answered in the negative, the *Dayan* asked how one of his stature could visit Pressburg and not pay a visit to the *Rav* (who was a distinguished Torah scholar and grandson of the *Chasam Sofer*).

*Rav* Blau went to the *Rav's* home and rang the bell -- once, twice, three times, until he decided the *meshareis*, servant, who would answer the door had been instructed not to open for money collectors. He was upset to the point that he was prepared to pen a letter letting the *Rav* know that he had come from Yerushalayim and had not received access to his home. The same afternoon he met the *Dayan*, who asked if he had visited the *Rav*. He replied that he had made the effort to visit, but had not been welcomed into the home. He added, "Perhaps the *Rav* does not answer the door to the likes of me (money collectors)."

The *Dayan* immediately countered, "Impossible. You do not know our *Rav*. I now demand that you do not leave Pressburg until you first meet with the *Rav*."

"On second thought," the *Dayan* continued, "are you certain that you went to the correct address?" "Yes," *Rav* Blau replied, "I even pressed the doorbell three times, and no one answered."

"Which door did you use?" "The middle door (there were two doors)." "The bell on the middle door does not work. You must use the one on the right side."

The reader can probably imagine the story's ending. *Rav* Blau returned that afternoon, and, as soon as he pressed the doorbell on the right side of the house, the servant welcomed him in and brought him to *Rav* Schreiber's study. He spoke for a while with the *Rav* -- never once

mentioning that he been there earlier. As the *Rav* accompanied his guest to the door, he motioned to him to press the middle doorbell, the one that had earlier not worked. He pressed the bell and heard no sound. "Did you hear a sound?" the *Rav* asked him. "No" replied *Rav* Blau.

"The bell broke a few days ago. Now, you have a better understanding and appreciation of *Chazal's* dictum, *Havei dan es kol ha'adam l'kaf'z'chus*. 'Judge all men favorably.' This rule includes even the *Rav*. He, too, must be judged favorably!"

It was this last line which I feel is most important. We make excuses for everyone, except our Torah leaders. Sadly, they are the first ones with whom we take issue. They, too, are human beings who might have a broken bell, oversleep, or have a sick child at home. "Judge all men favorably" -- applies to all men.

שמו העם ולקטו וטחנו ברחימם... ועשו אתו עגות והיה טעמו כטעם לשד השמן  
The people would roam and gather it, and grind it in a mill... or make it into cakes and it tasted like the taste of dough kneaded with oil. (11:8)

*Chazal* (*Yoma* 75a) teach that the *manna* had within it a multiplicity of tastes, allowing the individual to experience any taste he wanted. It had no name until the first *Shabbos* it descended upon the camp. They called it *Manna* among themselves, a name which implies *hachanah*, preparation, for all foods; any taste could be experienced by eating it. When on the sixth day/*Erev Shabbos*, however, a double portion fell, they called it *Manna/man*, because the *mem* and *nun*, two letters which comprise the word *manna*, are spelled out in double letters: *mem = mem, mem: nun, nun* (*Kli Yakar*).

The *Talmud* asks about the inconsistent wording of this *pasuk*. The *pasuk* originally implied that the *manna* descended throughout the camp, then said *v'yatzu*, "And they went out," later adding, "They would roam and gather it." *Chazal* explain that *Bnei Yisrael* had three ways in which to retrieve the *manna*, which coincided with the spiritual affiliation of the individual Jew. In other words, the righteous Jews opened the door of their tent, and the *manna* was before them. The middle of the road, average Jew was compelled to go out and expend some effort to obtain his food. Finally, the wicked Jew, who was deficient in his spiritual commitment, had to walk all over the camp in search of *manna*. For the righteous, the *manna* came in the form of bread, prepared and ready to eat. The average Jew made cakes, which indicates that it required baking. The wicked Jew had to grind, prepare flour and form his food. He received unprocessed *manna* and was compelled to prepare it according to the *Talmud*. It seems that the righteous received their food in the most convenient manner, ready to eat, waiting for them by their door, while the average Jew exerted himself slightly for his food, leaving the wicked, spiritually uncommitted Jew with the option of obtaining his sustenance through much effort and exertion. (Indeed, this accords with *Rashi's* commentary.)

*Horav Mordechai Eliyahu Rabinowitz, zl*, author of *Responsa Ner La'Maor* (quoted by *Horav Yitzchak Zilberstein, Shlita*, in *Nifloosecha Asichah*), offers an alternative understanding of the *Manna* delivery system and how it affected these three groups of Jews. The *manna* descended all over the camp and its environs, stretching out far outside of the camp. The righteous, faithful Jew knew that Hashem would provide for his needs. Thus, he took what was available and necessary -- no more. The average Jew, whose level of faith had to overcome his self-imposed challenges, was not satisfied with just what he found at his doorstep. He wanted more, so he searched through the camp, gathering whatever more that he could. The *rasha*, wicked Jew, roamed all over -- in the camp -- outside of the camp -- wherever there was *manna*, to load up their vessels. In other words, it was the individual's spiritual posture that created a differential among Jews, which resulted in distinct attitudes concerning how much effort one needed to apply towards attaining his livelihood.

When they all returned home, it became as clear as day that they all had an equal amount of *manna*. They learned that one does not earn his sustenance either by force or exertion, but by Hashem's decree. Thus, when *Chazal* say that the righteous found their *manna* at their

doorstep, they mean that what they found at their door was sufficient for them. It would enable them to get through the day. The *beinoni*, average Jew, was not satisfied with a nominal amount. He went searching throughout the camp area, because he wanted more/better. The *rasha* outdid everyone, because the *rasha* never has enough to satisfy him; regardless of how much he has amassed, he wants more.

We should, however, address one additional issue. The Torah instructed everyone to take an *omer*, one portion – no more – no less. If so, the one who took the little amount that was at his door, who did not want to waste his time looking for more, sinned no less than the one who sought more to satisfy his desires. Why should the *mamiit*, one who took less, be rewarded? *Horav Eliezer ben David, Shlita*, derives from here that taking less than Hashem instructs us to take is not an *aveirah*, sin. Indeed, the righteous Jew who took his Manna, found it to be *lechem*, plain bread. He neither required cakes, nor did he want to waste time starting from scratch. Plain, unadulterated, unspiced bread in its most simple pristine form was all that he required. That is what he received.

כי תאמר אלי שאהו בחיך כאשר ישא האמן את הינק

**That You say to me, “Carry them in your bosom, as a nurse carries a suckling.” (11:12)**

Moshe *Rabbeinu* implied with his words that if he were indeed their (*Klal Yisrael's*) father, he would have an obligation to somehow carry on alone. The *Chafetz Chaim, zl*, derives from here that the buck stops at the parents. No parent may shirk his/her ultimate responsibility and turn from his/her children – regardless of personal difficulties or the (at times) difficult nature of the child. *Horav Chaim Shmuelevitz, zl*, gleaned from here that Moshe had the capacity to “carry” the entire nation. Obviously, this is a metaphor for his ability to care for and be sensitive to the needs of all Jews. From where did he draw this extraordinary sense of caring? How does one man take on the responsibilities of an entire nation? The *Rosh Yeshivah* cites *Shemos* 2:11, “Moshe grew up and went out to his brethren and observed their burdens.” Moshe assumed responsibility for his brothers. How? *Nosan eino v'libo liheyos meitzar aleihem*; “He applied his eyes and his heart to their suffering to grieve with them.” (*Rashi*) *Yalkut Shemoni* adds, “He placed his shoulder beneath the load of each one and said, ‘If I could only suffer instead of you.’”

Moshe was not just a friend “on paper”; he worked alongside his people, because he felt their pain. Their suffering was his suffering. Thus, he could be *mishtateif*, share, with them. It was his pain as much as it was their pain. This is the defining obligation of a *manhig*, Torah leader; to feel the pain of his flock. Moshe exhibited this sense of carrying once again when the nation fought Amalek. He raised his hand Heavenward – and the nation became stronger. When he lowered his hand – Amalek had the upper hand. When Moshe's hands grew heavy, they took a stone, upon which he sat, while Aharon and Chur supported his hands. Why did Moshe sit on a stone? Did they have no pillows, or something softer for him to sit on? *Chazal (Taanis 11a)* explain that Moshe said, “*Klal Yisrael* is enveloped with pain. I, too, will share in their pain.” Sitting on a soft pillow does not generate much pain.

*Horav Michel Yehudah Lefkowitz, zl*, exemplified the *middah*, character trait, of sharing in his friend's pain. As a Torah leader without peer, he demonstrated that every Jew was his friend. Once, the wife of a *rebbe* became very ill. The doctors found a large tumor pressing on her brain. When *Rav Michel Yehudah* was informed of this sad development, he burst into such bitter weeping that one would think that a close family member had become ill. *Rav Michel Yehudah* conferred his blessing upon her, wishing her *hatzlacha* on the upcoming surgery. With unusual warmth and sensitivity, he attempted to assuage her fears. When she saw how emotional he had become upon hearing of her plight, coupled with his soothing words and blessing, her hopes for a successful recovery finally began to creep into her mind. Until then, she had been feeling negative. Knowing that a sage of such caliber and distinction cared about her, she felt more hopeful. The surgery was successful, and, after a three - week stay in the United States, she returned to *Eretz Yisrael* to begin the road to full recovery.

Great story – but there is more. One of the members of this woman's family asked the *Rosh Yeshivah (Ponovezh l'Tzeirim)*, if the husband, who was a *rebbe* in the *yeshivah*, should take a sabbatical from teaching in order to help his wife in her recuperation process. The *Rosh Yeshivah* replied, “I, too, had a daughter that was gravely ill. Wherever I went, my pain was manifest in my sleepless eyes. At home, everyone was depressed; at the hospital, we received only negative reports. We had nowhere to turn for a glimmer of light, of hope – except for the *yeshivah*. My daily *shiur*, lecture, in the *yeshivah* afforded me light and comfort. The time I spent talking to Hashem in prayer was soothing. These two junctures during the day were the only rays of light that illuminated the otherwise darkness of my day. Do you want to take away from this young Torah scholar his only opportunity for ‘life’? The Torah is a tree of life! This is his joy!”

After searching for stories that address the concept of sharing the pain of others, I came to the realization that in just about every story I read, the hero of the story was a Torah giant of encyclopedic knowledge and impeccable character. This does not mean that the average Jew does not think of others; rather, it underscores the notion that despite their full-time commitment to Torah scholarship, these *gedolim* took time off to help their brethren. Moreover, it is specifically such unique individuals who have the sensitivity to think of others and feel their pain.

Having said this, we go to the next story. It was 1948, three years after the end of World War II and the Holocaust, when a young eleven-year-old boy -- an orphan, who had survived Auschwitz and Bergen-Belsen -- showed up with his aunt on the doorstep of the *Ponevezher Rav's Batei Avos* (orphanage) in Bnei Brak. This home was the center, the anchor where the orphans of the Holocaust who emigrated to *Eretz Yisrael* received their first footing in normalcy, following the years of terror which they had experienced. Every child that crossed the threshold of *Batei Avos* was laden with emotional baggage, to which an adult far beyond these children's years would have great difficulty adjusting. Certainly, these children were overwhelmed. The team of individuals who devoted themselves to these children was the *eim ha'bayis*, mother/woman in charge of the home, *Giveret Munk*, and *Rav Gerendovitz*, who was also a psychologist. They had various assistants. All answered to the home's surrogate father, the *Ponevezher Rav, Horav Yosef Kahaneman*.

When the boy arrived, *Giveret Munk* immediately welcomed him with warmth and love. She gave him fresh linen, a pillow, blanket and a new pair of pajamas. The boy gulped down his dinner and left a small drop of food wrapped in a napkin for the next day. Used to starvation and never knowing if he would have food in the morning, the rule in the camps was to save a little for the next day – just in case. Following dinner, he retired to his bed and went to sleep wearing his dirty clothes and shoes. *Giveret Munk* was not about to say anything the first night. She understood the emotional baggage he was carrying. After four nights, however, it was time for a serious discussion. She called *Rav Gerendovitz*, who did not fare any better at convincing *Mutty* (his name) to change his clothes. Finally, they called the “father” of all the *yesomim*, orphans, the *Ponevezher Rav*, who pleaded, “*Mottele zeeskeit* (my sweet), why do you refuse to wash and change your clothes?” The child remained mute, refusing to respond even to the *Rav*. They had no other option but to turn to the *Chazon Ish*. Perhaps he would be successful.

They stood before the *Chazon Ish* – a man who literally counted every minute which was not spent in total immersion in Torah: “*Kavod HaRav*. We have a new child in *Batei Avos*, our *zeeskeit Mutty*. He arrived four days ago from Bergen-Belson (which was then a DP camp. I know – I was born there). He refuses to change his clothes and to put on a new pair of pajamas. He sleeps in his clothes (and shoes) and will not shower. Could the *Rav* speak with him?”

The *Chazon Ish* smiled and asked, “*Mordchele*, why will you not shower?”

"I refuse to get undressed. Every time I undressed (in the Concentration Camp), they (the Nazis) would take my clothes and replace them with their striped pajamas. I will not wear that again!"

All of those who heard this statement were shaken to the core of their beings. The *Ponovezher Rav* ran out, emotionally stricken by these words.

The *Chazon Ish* attempted to assuage Mutty, "Do not worry. Your clothes will be safe with *Giveret Munk*." "No! I do not trust her." "Fine, *Rav Gerendovitz* will watch over them." "I do not trust him either" was Mutty's reply. "Perhaps I will ask the *Ponovezher Rav* to watch your clothes." Same response, "I do not trust him." The *Chazon Ish* maintained his composure and said, "I will personally watch your clothes." Silence. "If the *Rav* will watch my clothes, then I will remove them and shower."

The *Chazon Ish* had succeeded. Mutty removed his filthy clothes and went to wash up. The *Chazon Ish* took off his *kapote*, long frock, and rolled up his sleeves, as did the *Ponovezher Rav*. They ran a basin of warm water and, after obtaining detergent, began to soak and wash Mutty's clothes. After the initial water turned black, they brought more water. All of this was performed as both *gedolei Yisrael* were weeping incessantly. The younger staff members who had assembled asked if they could take over. The *Chazon Ish* replied, "*Mah pitom?* Absolutely not. This is our *mitzvah*."

Mutty came out of the room wearing a new pair of pajamas. He immediately asked for his clothes. The *Chazon Ish* pointed to the clothes line where his clothing, including his *Tzitzis*, were washed and hanging to dry. "It will take all night for your garments to dry," the *Chazon Ish* said. "I will watch over them. You can sleep in my home tonight."

The *Chazon Ish* was no longer a young man. He never wasted a minute of his time. This young orphan needed him. He closed his *Gemorah*. Mutty took precedence. This lonely orphan became a premier *talmid chacham*, longtime member of the *Kollel Chazon Ish*. A revered father, grandfather to a large family – all because the *gadol hador* felt his pain. We never know whom -- or how -- we can help.

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

**מגן ישעינו – Magen Yisheinu. Shield of our salvation.**

Hashem is not only the G-d of creation; He is also the G-d of history. This means that we believe that nary a moment passes that Hashem is not Providentially involved in our lives and in the maintenance of everything in this world. Nothing escapes Him, and nothing takes place unless He initiates and maintains it. When we confess/thank Hashem for being the Shield of our salvation, we thank Him not only for being the basis of our existence, but also for the constant protection that He accords us throughout our lives. As I write this in midst of the coronavirus pandemic, I gaze upon the words of *Horav Shimon Schwab, zl* (and I quote), "We live in an environment that is also inhabited by billions of bacteria and microscopic organisms, many of which are extremely dangerous. In our daily interaction with people we are exposed to all sorts of dangerous diseases and contaminants... Therefore, were it not for *Hakadosh Baruch Hu*, Who constantly shields us from all these dangers, we could not survive." Food for thought.

*In memory of*

**Robert and Barbara Pinkis**

ל ברוך גימפל בן חיים יהודה ל'ה  
אשמו אסתר חנה בת ל אביגדור ל'ה

*Michele and Marcelo Weiss and Family. Lisa and Eric Pinkis and Family*  
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*prepared and edited by Rabbi L. Scheinbaum*

#### **The Twentieth of Sivan**

**Rabbi Yirmiyohu Kaganoff**

Question:

"I noticed that the back of my siddur contains a large section devoted to selichos for the 20th of Sivan, yet I have never davened in a shul that observed this day. What does this date commemorate?"

Answer:

The Twentieth of Sivan was established in Ashkenazi communities as a day of fasting and teshuvah to remember two major tragedies of Jewish history. Let us begin by discussing the halachic basis for the observance of commemorative fasts.

**Biblical Source**

When the two sons of Aharon -- Nadav and Avihu -- died, the Torah says, "And Moshe said to Aharon and to Elazar and Isamar, his sons, 'you shall not allow your heads to remain unshorn nor shall you rend your clothes -- so you shall not die and cause that He become angry with the entire community. Rather, your brethren, the household of Israel, will weep for the inferno that Hashem ignited'" (Vayikra 10:6). From this description, we see that the entire Jewish community bears responsibility to mourn the loss of great tzadikim.

**Communal Teshuvah Observances**

The Rambam (Hilchos Taanis 1:1-3) explains: "It is a positive mitzvah of the Torah to cry out and to blow the trumpets whenever any danger afflicts a Jewish community, as the Torah says, 'When you go to war... against an adversary who creates troubles for you, you shall blow the trumpets (Bamidbar 10:9).' On any matter that afflicts you, such as food shortages, plague, locusts or anything similar, you should cry out in prayer and blow the trumpets. This is part of the procedure of doing teshuvah, for when difficulties occur and people come to pray, they realize that these happenings befell them because of their misdeeds, and doing teshuvah will remove the troubles.

"However, if they do not pray, but instead attribute the difficulties to normal worldly cycles -- this is a cruel approach to life that causes people to maintain their evil ways.

"Furthermore, the Sages required a fast on the occasion of any menace that afflicts the community, until Heaven has mercy" (Rambam, Hilchos Taanis 1:4).

**The History of the 20th of Sivan**

This date is associated with two major tragedies that befell European Jewry. The earlier catastrophe, which occurred in the 12th Century, was recorded in a contemporary chronicle entitled *Emek Habacha*, and also in a selicha entitled *Emunei Shelumei Yisrael*, from which I have drawn most of the information regarding this tragic event.

One night in the city of Blois, which is in central France, a Jew watering his horse happened upon a murder scene in which a gentile adult had drowned a gentile child. The murderer, not wanting to be executed for his crime, fled to the local ruler, telling him that he had just caught a Jew murdering a child!

The tyrant arrested 31 Jewish leaders, men and women, including some of the baalei Tosafos who were disciples of the Rashbam, Rashi's grandson. The tyrant accused his prisoners, several of whom are mentioned by name in *Emunei Shelumei Yisroel*, of killing the gentile child to obtain blood for producing matzah.

After locking his captives in a tower, the despot insisted that they be baptized. He told them that if they accept baptism, he would forgive them, but if they refused, he would execute them in a painful way. None of them considered turning traitor to Hashem's Torah. On the 20th of Sivan 4931 (1171), they were tied up and placed on a pyre to be burned alive. At the fateful moment, the Jews sang in unison: *Aleinu leshabayach la'adon hakol*, "it is incumbent upon us to praise the Lord of all."

The fires did not consume them! The undeterred tyrant commanded his troops to beat them to death and then burn their bodies. However, the fires were still unable to consume their bodies, which remained intact!

**Banishment from France**

This libel was a major factor in the banishing of Jews from France that occurred ten years later. (Although the King of France declared that they must be exiled from the country, he did not, in fact, have sufficient control to force them out completely. This transpired only a century later.)

As a commemoration of the sacrifice of these great Jews and as a day of teshuvah, *Rabbeinu Tam* and the other *gedolei Baalei Tosafos* of France declared the 20th of Sivan a fast day. Special selichos and piyutim were composed to memorialize the incident, and a seder selichos was compiled that included selichos written by earlier paytanim, most notably *Rav Shlomoh* (ben Yehudah) *Habavli*, *Rabbeinu Gershon*, and *Rabbi Meir ben Rabbi Yitzchak*, the author of the *Akdamus* poem that we recite on Shevuos. Each of these *gedolim* lived in Europe well before the time of Rashi. Since most people know little about the earliest of this trio, *Rav Shlomoh Habavli*, I will devote a paragraph to what is known about this *talmid chacham* who lived in Europe at the time of the Geonim. *Rav Shlomoh Habavli*, who lived around the year 4750 (990), was descended from a family that originated in Bavel, today Iraq (hence, he is called *Habavli* after his ancestral homeland, similar to the way people have the family name *Ashkenazi* or *Pollack* although they themselves were born in Flatbush). He lived in Italy, probably in Rome, and authored piyutim for the Yomim Tovim, particularly for Yom Kippur and Shevuos, and many selichos, about twenty of which have survived to this day. The *rishonim* refer to him and his writings with great veneration, and the *Rosh* (Yoma 8:19) quotes reverently from the piyut for the seder *avodah* in *musaf* of Yom Kippur, written by "Rabbeinu Shlomoh

Habavli.” The Maharshah says that Rabbeinu Gershom, the teacher of Rashi’s rabbei’im and the rebbe of all Ashkenazic Jewry, learned Torah and received his mesorah on Torah and Yiddishkeit from Rav Shlomoh Habavli (Shu’t Maharshah #29). (Rav Shlomoh Habavli’s works are sometimes confused with a more famous Spanish talmid chacham and poet who was also “Shlomoh ben Yehudah,” Rav Shlomoh ibn Gabirol, who lived shortly after Rav Shlomoh Habavli.)

#### Instituting the Fast

When Rabbeinu Tam instituted the fast of the 20th of Sivan, the selichos recited on that day included one that was written specifically to commemorate the tragedy of Blois. The selicha that begins with the words Emunei Shelomei Yisroel actually mentions the date of the 20th of Sivan 4931 in the selicha and describes the tragedy.

#### The Crusades

Since this tragedy took place during the general period of the Crusades, the 20th of Sivan was often viewed as the mourning day for the murders and other excesses that were committed during that era, since each of the early Crusades resulted in the horrible destruction of hundreds of communities in central and western Europe and the killing of thousands of Jews. In actuality, the blood libel of Blois occurred between the Second Crusade, which occurred in 1147-49 and the Third Crusade, which was forty years later, in 1189.

#### Gezeiros Tach veTat

The fast of the 20th of Sivan memorializes an additional Jewish calamity. Almost five hundred years later, most of the Jewish communities of eastern Europe suffered the unspeakable massacres that are referred to as the Gezeiros Tach veTat, which refer to the years of 5408 (Tach) and 5409 (Tat), corresponding to the secular years 1648 and 1649. Although this title implies that these excesses lasted for at most two years, the calamities of this period actually raged on, sporadically, for the next twelve years.

First, the historical background: Bogdan Chmielnitzky was a charismatic, capable, and nefariously anti-Semitic Cossack leader in the Ukraine, which at the time was part of the Kingdom of Poland. Chmielnitzky led a rebellion of Ukrainians against their Polish overlords. Aside from nationalistic and economic reasons for the Ukrainians revolt against Polish rule, there were also religious reasons, since the Ukrainians were Greek Orthodox, whereas the Poles were Roman Catholic. Chmielnitzky led the Ukrainians through a succession of alliances, first creating an alliance with the Crimean Tatars against the Polish king. The Cossacks’ stated goal was to wipe out the Polish aristocracy and the Jews.

When the Tatars turned against Chmielnitzky, he allied himself with Sweden, and eventually with the Czar of Russia, which enabled the Ukrainians to revolt successfully against Polish rule.

The Cossack hordes swarmed throughout Ukraine, Poland and Lithuania in the course of a series of wars, wreaking havoc in their path and putting entire Jewish communities to the sword. Hundreds of Jewish communities in Poland and Ukraine were destroyed by the massacres. The Cossacks murdered unknown thousands of Jews, including instances in which they buried people alive, cut them to pieces and perpetrated far more horrible cruelties. In sheer cruelty, many of their heinous deeds surpassed even those performed later by the Nazis.

These events were chronicled in several Torah works, including the Shach’s Megillas Eifa, and Rav Nosson Nota Hanover’s Yevein Metzulah. The title, Yevein Metzulah, is a play on words. These words are quoted from Tehillim 69:3, where the passage reads, tavati biyevein metzulah, “I am drowning in the mire of the depths,” which certainly conveys the emotion of living in such a turbulent era. In addition, the author used these words to allude to Yavan (Greece), indicating the Greek Orthodox religion of the Cossack murderers.

#### Chmielnitzky, the National Hero

By the way, although Chmielnitzky was a bloodthirsty murderer and as nefarious an anti-Semite as Adolf Hitler, to this day he is a national hero in the Ukraine, on a level similar to the respect accorded George Washington in the United States. The Ukrainians revere him as the father of Ukrainian nationalist aspirations, notwithstanding the fact that he was a mass murderer.

The cataclysmic effect on Jewish life caused by the Gezeiros Tach VeTat was completely unparalleled in Jewish history. Before the Cossacks, Poland and its neighboring areas had become the citadels of Ashkenazic Jewish life. As a result of the Cossack excesses, not only were the Jewish communities destroyed, with the Jews fleeing en masse from place to place, but virtually all the gedolei Yisrael were on the run during this horrifying era of Jewish history. Such great Torah leaders as the Shach, the Taz, the Tosafos Yom Tov, the Kikayon Deyonah, the Magen Avraham, the Nachalas Shivah, and the Be’er Hagolah were all in almost constant flight to avoid the Cossack hordes.

Among the many gedolei Yisrael who were murdered during these excesses were two sons of the Taz; the father of the Magen Avraham; Rav Yechiel Michel of Nemirov, and Rav Shimshon MeiOstropolia.

#### Rav Shimshon MeiOstropolia

Rav Shimshon MeiOstropolia was a great talmid chacham, mekubal and writer of many seforim, whose Torah ideas are quoted by such respected thinkers as the

Ramchal and the Bnei Yisaschar. It was said that he was so holy that he was regularly visited by an angel, a magid, who would study the deep ideas of kabbalah with him. (Whether one accepts this as having actually happened or not, it is definitely indicative of the level of holiness that his contemporaries attributed to him.)

Rav Nosson Nota Hanover writes in Yevein Metzulah that, during the bleak days of the Cossack uprising, the magid who studied with Rav Shimshon forewarned him of the impending disaster that was to befall klal Yisrael. When the Cossacks laid siege to the city, Rav Shimshon went with 300 chachamim, all of them dressed in tachrichim (burial shrouds) and taleisim to the nearby shul to pray that Hashem save the Jewish people. While they were in the midst of their prayers, the Cossacks entered the city and slaughtered them all.

#### Rules of the Vaad Arba Ha’aratzos

After this tragic period passed and the Jewish communities began the tremendous work of rebuilding, the Vaad Arba Ha’aratzos, which at the time was the halachic and legislative body of all Polish and Lithuanian Jewry, banned certain types of entertainment. Strict limits were set on the types of entertainment allowed at weddings, similar to the takanos that the Gemara reports were established after the churban of the Beis Hamikdash. Selichos were composed by the Tosafos Yom Tov, the Shach, and other gedolim to commemorate the tragedies.

The Vaad Arba Ha’aratzos further declared that the 20th of Sivan should be established forever as a fast day (Shaarei Teshuvah 580:9). The fast was declared binding on all males over the age of 18 and females over the age of 15. (I have not seen any reason to explain the disparity in age.)

#### Why the 20th of Sivan?

Why was this date chosen to commemorate the atrocities of the era? On the 20th of Sivan, the Jewish community of Nemirov, Ukraine, which was populated by many thousands of Jews, was destroyed by the Cossacks. The rav of the city, Rav Yechiel Michel, passionately implored the people to keep their faith and die Al Kiddush Hashem. The Shach reports that, for three days, the Cossacks rampaged through the town, murdering thousands of Jews, including Rav Yechiel Michel. The shul was destroyed and all the Sifrei Torah were torn to pieces and trampled. Their parchment was used for shoes and clothing.

Merely five years before, the community of Nemirov had been proud to have as its rav the gadol hador of the time, the Tosafos Yom Tov, who had previously served as the rav of Nikolsburg, Vienna and Prague. At the time of the Gezeiros Tach veTat, the Tosafos Yom Tov was the rav and rosh yeshivah of Cracow, having succeeded the Bach as rav and the Meginei Shlomoh as rosh yeshivah after they passed away.

#### An Additional Reason

The Shaarei Teshuvah (580:9) quotes the Shach as citing an additional reason why the Vaad Arba Ha’aratzos established the day of commemoration for the gezeiros Tach veTat on the 20th of Sivan: this date never falls on Shabbos and, therefore, would be observed every year.

#### The Selichos

The style of the selichos prayers recited on the 20th of Sivan resemble the selichos recited by Eastern European Jewry for the fasts of Tzom Gedalyah, Asarah beTeiveis, Shiva Asar BeTamuz (these three fasts are actually all mentioned in Tanach), Taanis Esther and Behab (the three days of selichos and fasting observed on Mondays and Thursdays during the months of Marcheshvan and Iyar). The selichos begin with the recital of selach lanu avinu, and the prayer Keil erech apayim leads into the first time that the thirteen midos of Hashem are recited. This sequence is the standard structure of our selichos.

However, the selichos for the 20th of Sivan are lengthier than those of the other fast days. Whereas on the other fast days (including behab) there are four selichos, each followed by a recitation of the thirteen midos of Hashem, the selichos for the 20th of Sivan consist of seven passages and seven recitations of the thirteen midos of Hashem, which is comparable to what we do at neilah on Yom Kippur. Thus, in some aspects, the 20th of Sivan was treated with more reverence than were the fast days mentioned in Tanach!

In addition, one of the selichos recited on the 20th of Sivan is of the style called akeidah, recalling the akeidah of Yitzchak. The incorporation of the akeidah is significant, since these selichos were included to commemorate the martyrdom of Jews who were sacrificed for their refusal to be baptized. To the best of my knowledge, these selichos are recited only on the 20th of Sivan, during the Aseres Yemei Teshuvah, and on Erev Rosh Hashanah.

#### The Prayers for 20th of Sivan

During the repetition of shemoneh esrei at both shacharis and mincha, the aneinu prayer was recited, as is the practice on any public fast day. For Shacharis, selichos were recited, Avinu Malkeinu and tachanun were said, and then a sefer Torah was taken out and the passage of Vayechal Moshe that we read on fast days was read (Shaarei Teshuvah, 580:9).

At mincha, a sefer Torah was taken out and Vayechal Moshe was read again. Each individual who was fasting recited aneinu in his quiet shemoneh esrei.

#### Bris on the 20th of Sivan

The halachic authorities discuss how to celebrate a bris that falls on the 20th of Sivan. The Magen Avraham (568:10) concludes that the seudah should be held at night after the fast is over, so that it does not conflict with the fast. Thus, we see how seriously this fast was viewed.

Why don't we observe this?

"It is customary in the entire Kingdom of Poland to fast on the 20th of Sivan." These are the words of the Magen Avraham (580:9). I do not know when the custom to observe this fast ended, but the Mishnah Berurah quotes it as common practice in his day in Poland (580:16). Perhaps it was assumed that the custom was only required as long as there were communities in Poland, but that their descendants who moved elsewhere were not required to observe it. Most contemporary siddurim do not include the selichos for the 20th of Sivan, which implies that it is already some time since it was observed by most communities.

Conclusion

We now understand both the halachic basis for why and how we commemorate such sad events in Jewish history. We also have a glimpse of how we should react to other calamities whenever they occur, be they pandemics, riots, or financial chaos. May Hakadosh Baruch Hu save us and all of klal Yisrael from further difficulties!

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### ***Ohr Somayach :: Insights into Halacha***

***For the week ending 13 June 2020 / 21 Sivan 5780***

#### ***Weighty Waiting Options***

##### ***Rabbi Yehuda Spitz***

We often find that the Torah's description of even simple actions of our great forefathers impart to us a treasure trove of hanhaga, hashkafa, and even halacha. Sometimes though, it is the exact opposite: a halacha is gleaned from the acts of those far from being paragons of virtue or exemplars of excellence. Indeed, sometimes we learn fascinating halachic insights from people whom we would not consider role models by any stretch of the imagination.

##### **Double Agents**

Every Tisha B'Av, and every time we read Parashas Shlach, we are reminded of the grave sin of the Meraglim, the spies whose evil report about Eretz Yisrael still echoes, with repercussions felt until today.[1] Of the twelve spies sent, only two remained loyal to Hashem: Yehoshua bin Nun and Calev ben Yefuneh.[2] The other ten chose to slander Eretz Yisrael instead and consequently suffered immediate and terrible deaths. Due to their vile report, the Jewish People were forced to remain in the desert an additional forty years, and eventually die out before their children ultimately were allowed to enter Eretz Yisrael.

Hashem called this rogues' gallery of spies an "eidah,"[3] literally, "a congregation." The Gemara[4] famously derives from this incident that the minimum requirement for a minyan is a quorum of ten men, since there were ten turncoat "double-agents" who were contemptuously called "a congregation." If ten men can get together to conspire and hatch malevolent schemes, then ten men can assemble to form a congregation for devarim shebekedusha, sanctified matters. This exegesis is duly codified in halacha,[5] and all because of the dastardly deeds of ten misguided men.[6]

##### **Covetous Carnivores**

Another prime example of halacha being set by the actions of those less than virtuous,[7] [8] is the tragic chapter of the rabble-rousers who lusted after meat, and disparaged Hashem's gift of the Heavenly bread called manna (munn), chronicled at the end of Parashas Beha'aloscha.[9] The pasuk states that "the meat was still between their teeth" when these sinners met their untimely and dreadful demise.[10] The Gemara extrapolates that since the Torah stressed that there was meat between their teeth, it means to show us that meat between the teeth is still considered tangible meat and requires one to wait before having a dairy meal afterward.[11]

There are actually several different ways to understand the Gemara's intent, chief among them Rashi's and the Rambam's differing opinions:[12]

The Rambam writes that meat tends to get stuck between the teeth and is still considered meat for quite some time afterward.[13]

Rashi however, doesn't seem to be perturbed about actual meat residue stuck in the teeth, but simply explains that since meat is fatty by nature, its taste lingers for a long time after eating.[14]

In any case, regarding the general separation necessary between meat and milk, the Gemara itself does not inform us what the mandated waiting period is. Rather, it gives us several guideposts that the Rishonim use to set the halacha. The Gemara informs us that Mar Ukva's father would not eat dairy items on the same day that he had partaken of meat, but Mar Ukva himself (calling himself "vinegar the son of wine") would only wait "m'seudasa l'seudasa achrina - from one meal until a different meal." [15] [16] The various variant minhagim that Klal Yisrael keep related to waiting after eating meat are actually based on how the Rishonim understood this cryptic comment.

##### **Six Hours**

This, the most common custom, was first codified by the Rambam. He writes that meat stuck in the teeth remains "meat" for up to six hours, and mandates waiting that amount. This is the halacha as codified by the Tur and Shulchan Aruch,[17] as well as the vast majority of authorities. The Rashal, Chochmas Adam, and Aruch Hashulchan[18] all write very strongly that one should wait six hours. The mandated six hours seemingly comes from the many places in Rabbinic literature where it mentions that the "meals of a Torah scholar" are six hours apart.[19] Therefore, this fits well with Mar Ukva's statement that he would wait from one meal until the next after eating meat, meaning six hours.

##### **Five Hours and Change**

The idea of waiting five hours and a bit, or five and a half hours, is actually based on the choice of words of several Rishonim, including the Rambam and Meiri, when they rule to wait six hours. They write that one should keep "k'mosheish sha'os," approximately six hours.[20] Several contemporary authorities maintain that "six hours" does not have to be an exact six hours - that waiting five and a half or the majority of the sixth hour (or according to some even five hours and one minute) is sufficient, as it is almost six hours.[21] However, it should be noted that not everyone agrees to this, and many maintain that the six hours must be exact.[22]

##### **Four Hours**

Waiting four hours is first opined by the Pri Chodosh, who comments that the six hours mandated are not referring to regular "sixty-minute" hours, but rather halachic hours, known colloquially as "sha'os zmanios." This complicated halachic calculation is arrived at by dividing the amount of time between sunrise and sunset into twelve equal parts. Each of these new "hours" are halachic hours and are used to calculate the various zmanim throughout the day. The Pri Chodosh asserts that in the height of winter when days are extremely short, it is possible that six halachic hours can turn into a mere four actual hours![23] Although several authorities rule this way, and others say one may rely on this exclusively in times of great need,[24] nevertheless, his opinion here is rejected out of hand by the vast majority of authorities, who maintain that the halacha follows six true hours.[25] The Yad Efraim points out that if one follows "sha'os zmanios" in the winter, then he must also follow it during the summer, possibly needing to wait up to eight hours!

##### **One Hour**

Waiting only one hour between meat and dairy, mainly german among Jews in and/or from Amsterdam, is codified by the Rema, citing common custom, based on several great Ashkenazic Rishonim, including the Maharil and Maharai (author of the Terumas Hadeshen).[26] The Rema himself, though, concludes that it is nevertheless proper to wait six hours.

##### **Three Hours**

Interestingly, and shocking to some, the common German custom of waiting three hours does not seem to have an explicit halachic source.[27] In fact, one who delves into the sefarim of great Rabbanim who served throughout Germany, from Rav Yonason Eibeshutz to Rav Samson Raphael Hirsch, will find that they all recommended keeping the full six hours! Yet, there are several theories explaining how such a widespread custom came about:[28]

One, by the Mizmor L'Dovid, is that it is possibly based on the Pri Chodosh's opinion of sha'os zmanios. He posits that if in the middle of winter, three hours is deemed sufficient waiting time, it stands to reason that it should suffice year-round as well.

Another hypothesis, by Rav Binyomin Hamburger, author of Shorshei Minhag Ashkenaz and head of Machon Moreshe Ashkenaz, is that their original custom was to wait only one hour like the basic halacha cited by the Rema, following the majority of Ashkenazic Rishonim. Yet, when the six hours mandated by the Rambam and other Rishonim became more widespread, those in Ashkenaz decided to meet the rest of the world halfway, as a sort of compromise. According to this explanation, it turns out that waiting three hours is intrinsically a chumrah on waiting one hour.

An additional possible theory is that since many in Germany were accustomed to eating five light meals throughout the day, as opposed to the current common three large ones, their interpretation of "m'seudasa l'seudasa achrina" would be waiting the three hours they were accustomed to between their meals.[29]

##### **Bentch and Go**

Another opinion, and one not accepted lemaaseh, is that of Tosafos,[30] who posits that "from one meal to another" means exactly that. As soon as one finishes his meat meal, clears off the table and recites Birkas Hamazon, he may start a new dairy meal. Some add that this includes washing out the mouth and cleansing the palate (kinuach and hadacha). This is actually even more stringent than Rabbeinu Tam's opinion, that all one needs is kinuach and hadacha, and then one may eat dairy - even while part of the same meal![31] It is important to realize that his opinion here is categorically rejected lemaaseh by almost all later authorities.

##### **A Day Away**

The most stringent opinion is not to eat meat and milk on the same day (some call this a full twenty-four hours, but it seems a misnomer according to most

authorities' understanding). First mentioned by Mar Ukva as his father's personal hanhaga, several great Rabbanim through the ages, including the Arizal, have been known to keep this. Interestingly, this custom is cited by Rav Chaim Palalji[32] as the proper one, and in his opinion, only those who are not able to stick to it can rely upon a "mere" six hours.

Just Sleep on It

Another remarkable, albeit not-widely accepted custom is that of sleeping after eating a meat meal. The proponents of this, including Rav Yosef Shalom Elyashiv and Rav Yaakov Yitzchak Ruderman, Rosh Yeshivas Ner Yisrael, maintain that sleeping causes the food to digest quicker, thereby lessening the required waiting period.[33] It is told that the Chasam Sofer wanted to start relying on this leniency, but upon awakening, every time he tried drinking his coffee (presumably with milk) it would spill. He concluded that this hetter must not have been accepted in Heaven.[34] The majority of contemporary authorities as well do not rely on sleeping as a way of lessening the waiting time.[35] The Steipler Gaon is quoted as remarking that this leniency was the exclusive domain of Rav Elyashiv, as most people sleep six hours a night and he only slept three hours nightly.

Although there are many different and widespread opinions about the proper amount of time one is required to wait after eating meat, and everyone should follow his or her proper family minhag as per the dictum "minhag avoseinu Torah hi,"[36] nevertheless, it is interesting to note that the core requirement of waiting is based on the actions of those with less than perfect intentions. As it states in Pirkei Avos, "Who is wise? One who learns from everyone." [37]

Postscript: Children's Waiting: Although waiting six hours is indeed the most common minhag, nonetheless, most contemporary Poskim are of the opinion that this is not obligatory for children, following the lead of several Rishonim, including the Terumas Hadeshen (Leket Yosher vol. 1, pg. 69 s.v. v'nahag; thanks are due to Rabbi Avromy Kaplan for pointing this out) and the Meiri (Chullin 105a), who briefly mention that children are not mandated to keep the full waiting period. Several authorities, including the Chelkas Yaakov (Shu"t vol. 2:88-89 and vol. 3:147), Rav Yaakov Kamenetsky (Emes L'Yaakov on Tur and Shulchan Aruch, Y.D. 89, footnote 36), and Rav Nissim Karelitz Chut Shani (Shabbos vol. 4, end 343, pg. 309-310), maintain that young children need only wait an hour, and only once they reach nine years old should they start waiting longer. Rav Ovadiah Yosef (Shu"t Yechaveh Daas vol. 3:58) is more lenient, ruling that children only need to start waiting the full amount from a year before their Bar or Bas Mitzvah.

Other Poskim, including the Debreciner Rav (Shu"t Ba'er Moshe vol. 8:36, 5), Rav Yosef Shalom Elyashiv (cited in Piskei Halachos pg. 53:4-5), and Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanhagos vol. 1:434) prefer a staggered approach. Once a child reaches age two-three, he should wait an hour. When he turns five-six, he should wait three hours, and from age nine-ten, he should wait the full six hours.

Others, including the Ponovezh Rosh Yeshiva Rav Elazar Menachem Mann Shach (Michtavim U'Maamarim vol. 4:332), Rav Shlomo Zalman Auerbach (cited in Va'aleihu Lo Yibol vol. 2, pg. 64:3 and Maadanei Shlomo on Dalet Chelkei Shulchan Aruch pg. 241-242), and Rav Shmuel Halevi Vosner (Shu"t Shevet Halevi vol. 4:84 and Kovetz M'Beis Levi vol. 9, pg. 23:9 and vol. Y.D. pg. 36:13, footnote 14) maintain that there is no specific set age, but rather depends on each individual child, his needs, and specific situation. All agree that the child should be educated and trained to gradually wait longer, building up to the full waiting period. See also Shu"t She'aris Yisrael (Y.D. 3), Shu"t Eimek Hateshiva (vol. 6:314), and Shu"t Shulchan Halevi (Ch. 22:10, 3).

Many stress that this leniency for children is only applicable to real food or milk, as they are satiating and nutritional, as opposed to milchig candies and chocolates, etc. which are decidedly not, and for which no dispensation should be given. See Shu"t Yabia Omer (vol. 1, Y.D. 4 and vol. 3, Y.D. 3), Shu"t Maadanei Melachim (83:2), and Chinuch Habanim L'Mitzvos (Tzorchei Kattan 47 and footnote 183).

On the other hand, and contrary to all the above, there is the minority noteworthy opinion of the Steipler Gaon (Orchos Rabbeinu, new edition, vol. 4, pg. 25:2) who held that all minors should still keep the full six hours. His son, Rav Chaim Kanievsky holds this way as well (cited in Moadei HaGra"ch vol. 1:189-190). As with all inyanei halacha, one should ask his personal local halachic authority for guidance as to which opinion he should follow.

[1] See Taanis (26b and 29a), that this, the first of five tragedies, occurred on Tisha B'Av.

[2] Calev's father's real name was actually Chetzeron. See Divrei Hayamim I (Ch. 2:18) and Sota (11b).

[3] Bamidbar (Parashas Shlach, Ch. 14:27).

[4] Megilla (23b), Brachos (21b), and Sanhedrin (74b). See Rashi ad HaTorah (ad loc. s.v. l'eidah).

[5] Rambam (Hilchos Tefilla Ch. 8:5), Tur and Shulchan Aruch (O.C. 55:1 and 69:1), Aruch Hashulchan (O.C. 55:6), and Kitzur Shulchan Aruch (15:1). Many authorities cite this as the source for this law, including the Bach (O.C.55:1), Taz (ad loc. 1), Levushai Srad (ad loc. 1), Chida (Birkei Yosef ad loc. 3), Shulchan Aruch Harav (ad loc. 2), Mishnah Berurah (ad loc. 2), and Kaf Hachaim (ad loc. 6).

[6] For a full treatment of the Meraglim and their intentions, see relevant commentaries to Parashas Shlach, as well as Rabbi Moshe M. Eisemann's excellent "Tear Drenched Nights - Tish'ah B'Av: The Tragic Legacy of the Meraglim."

[7] Another interesting example of this is a potential halacha we glean from Bilaam. The Gemara (Brachos 7a) explains that Bilaam knew the exact millisecond each day that Hashem "gets angry" and knew how to properly curse during that time. Tosafos (ad loc. s.v. she'ilmalei and Avodah Zarah 4b s.v. rega) asks what type of curse was possible to utter in such a limited time frame (a fraction of a second!) and gives two answers: 1) the word "kaleim, destroy them" 2) once Bilaam started his curse in that exact time frame, he "locked it in" and can continue as long as it takes, since it is all considered in that exact time. The Aruch Hashulchan (O.C. 110:5), the Butchatcher Rav (Eishel Avraham O.C. 104), and the Yid Hakadosh of Peshischa (cited by the Kozoglover Gaon in his Shu"t Eretz Tzvi, end 121 s.v. v'ammam), take the second approach a step further and apply this idea to Tefilla B'Zman. As long as one starts his Tefilla before the Sof Zman, it is considered that he "made the zman", even if the majority of his Tefilla actually took place after the Sof Zman. Not everyone agrees with this, though. Indeed, many Poskim, including the Magen Avraham (O.C. 89:4 and 124:4), Pri Megadim (O.C. 89, E.A. 4 and 110, E.A. 1; note however, that in the beginning of O.C. 620, in his Eishel Avraham commentary, he accepts this understanding regarding Mussaf on Yom Kippur prior to the seventh hour), and Mishnah Berurah (58:5 and 89: end 5), are makpid that one must finish his Tefilla before the Sof Zman. Nevertheless, a similar logic (based on Bilaam) is presented by the Machatzis Hashkefel (O.C. 6: end 6), quoting the Beis Yaakov (Shu"t 127) in the name of the Arizal regarding Tefillas HaTzibbur. [There is precedent to this understanding in the Yerushalmi (Brachos Ch. 4, Halacha 1) and Taanis Ch. 4, Halacha 1]. See also Gilyonei HaShas (Brachos 54) and Sh'arim Metzuyanim B'Halacha (vol. 1, 18:2 and Kuntress Acharon 2). Indeed, on a practical level, although the Pri Megadim (O.C. 109, E.A. 2) and seemingly followed by the Mishnah Berurah (66:35 and 109, Biur Halacha s.v. hanichsa; however, see 14 ad loc.), implies that one is only considered to have davened Tefilla B'Tzibbur if he starts his Shemoneh Esrei at the exact same time as the Chazan and congregation [see Brachos 21b, and Tur and Shulchan Aruch and main commentaries to O.C. 109:1], nonetheless, numerous contemporary Poskim, including Rav Moshe Feinstein (Shu"t Igros Moshe, O.C. vol. 3:4 s.v. uvadavar echad), the Chazon Ish (cited in Orchos Rabbeinu, new edition, vol. 1, pg. 118:55), Rav Shlomo Zalman Auerbach (Halichos Shlomo, Tefilla, Ch. 8:7), and Rav Yosef Shalom Elyashiv (cited in Avnei Yashpei on Tefilla, Ch. 6, footnote 22), maintain that if one starts soon after, while the Tzibbur is still davening Shemoneh Esrei (preferably while still in the first bracha), one still "made" Tefilla B'Tzibbur. See also Chayei Adam (vol. 1:19, 8), Aruch Hashulchan (O.C. 109:5 and 12), Shu"t Ba'er Moshe (vol. 4:11), Shu"t B'Tzeil Hachochma (vol. 4:3), Shu"t Yabia Omer (vol. 2, O.C. 7; who rules that the same applies in reverse, that if one starts his Shemoneh Esrei before the Tzibbur and continues along with them, it is still considered Tefilla B'Tzibbur), and Ishei Yisrael (Ch. 12:8).] If such design worked for one as despicable and reprehensible as Bilaam to enable him to curse us, how much more so should it work for us regarding Tefilla B'Tzibbur which is an eis ratzon!

[8] An interesting hanhaga we learn from Bilaam is that an 'Adam Chashuv' should not travel without having two assistants. See Rashi (Bamidbar Ch. 22:22 s.v. ushnei), quoting the Midrash Tanchuma (Parashas Balak 8). An additional example of a halacha gleaned from the wicked actions of Bilaam is that of Tzaar Baalei Chaim, causing living creatures unnecessary pain. Although the Gemara (Bava Metzia 32a-b) debated whether this halacha is Deoraysa or Derabbanan, according to most authorities, including the Rambam (Hilchos Rotzeach Ch. 13:13; see also Kesef Mishneh (ad loc. 9), Rif (Bava Metzia 17b), Rosh (ad loc. 30), Mordechai (end Maseches Shabbos, 448), Sefer Hachinuch (Mitzva 451, end s.v. kasav), Tur (C.M. 272:11), Rema (ad loc. 9), Bach (ad loc. 5), Vilna Gaon (Biur HaGra"ad ad loc. 11), SM" A (ad loc. 15), Kitzur Shulchan Aruch (191:1), and Aruch Hashulchan (C.M. 272:2), as well as the mashamos of the Gemara Shabbos (128b; see also Rashi ad loc. s.v. tzaar, as well as Chiddushei Chasam Sofer on Bava Metzia 32), and Shulchan Aruch (O.C. 305:18; as otherwise dismounting from an animal on Shabbos is an Issur Derabbanan, and he nonetheless rules that Tzaar Baalei Chaim supercedes it, implying that it is Deoraysa; thanks are due to Rav Yirmiyohu Kaganoff for pointing this out), Tzaar Baalei Chaim is indeed Deoraysa. According to the Midrash Hagadol (Parashas Balak 22:32), Rambam (Moreh Nevuchim vol. 3: end Ch. 17), and Sefer Chassidim (666) this can be gleaned from Bilaam's actions of hitting his donkey. In fact, they maintain that since Bilaam remarked that if he had a sword in his hand he would have killed his donkey on the spot, that is why he eventually was slain specifically by sword! Thanks are due to Rabbi Shimon Black of the KLBd for pointing out several of these sources.

[9] Bamidbar (Parashas Beha'aloscha Ch. 11).

[10] Ad loc. verse 33.

[11] Gemara Chullin 105a, statements of Rav Chisda.

[12] There are however, other opinions. For example, the Kreisi U'Pleisi (89, Pleisi 3) and Chochmas Adam (40:13) posit that the waiting period is actually dependent on digestion.

[13] Rambam (Hilchos Maachalos Assuros Ch. 9:28).

[14] Rashi, in his glosses to Gemara Chullin (105a s.v. assur). However, Rashi would still agree that any meat found in the oral cavity even after six hours must be removed and kinuach and hadacha required.

[15] Although the Aruch Hashulchan (Y.D. 89:4) maintains that the waiting period starts from when one finishes tseudehad that he partook of meat, nevertheless, most authorities, including many contemporary authorities, follow the Dagul Mervavah (ad loc. 1), and are of the opinion that the waiting period starts immediately after one finishes eating the actual meat product and not the entire seudah. These Poskim include the Erech Hashulchan (ad loc. 3), Darchei Teshuva (ad loc. 4), Atzei Ha'Olah (Hilchos Bassar B'chalah, 3:1), Shu"t Moshe Ha'Ish (Y.D. 16), and the Kaf Hachaim (ad loc. 9), as well as Rav Yosef Shalom Elyashiv (cited in Piskei Halachos, Y.D. Bassar B'chalah 8, pg. 54), Rav Shmuel Halevi Vosner (Kovetz M'Beis Levi on Yoreh Deah, Bassar B'chalah 2, pg. 33), the Debreciner Rav and Rav Asher Zimmerman (both cited in Rayach Habosem on Bassar B'chalah Ch. 3, Question 28), Rav Chaim Pinchas Scheinberg (cited in Shu"t Divrei Chachamim, Y.D. Ch. 1, Question 6), Rav Chaim Kanievsky (cited in Doleh U'Mashkeh pg. 257), Rav Menashe Klein (Shu"t Mishnah Halachos vol. 5:97, 2), the Rivevos Efraim (vol. 5:516), and Rav Shalom Krauss (Shu"t Divrei Shalom on Y.D. 25).

[16] For an elucidation of what exactly Mar Ukva and his father disagreed upon, see the Tosafos Yom Tov's Toras Ha'Asham (76, s.v. v'kasav d'nohagin).

[17] Tur (Y.D. 89:1 and O.C. 173) and Shulchan Aruch (Y.D. ad loc. 1). As the renowned talmid of the Maharam M'Rotenberg, the Shaarei Dura (end 76) already put it in the late 1200s: "Ha'olam nahagu k'psak HaRambam shetzarich sheish sha'os kein seudas bassar l'seudas gevina." According to the Tur, Shach, and Taz (Y.D. ad loc. 1), this halacha is based on the fact that we paskan following both Rashi's and the Rambam's shittos lemaaseh. See also Pri Megadim (ad loc. M.Z. 1).

[18] The Rashal (Yam Shel Shlomo, Chullin Ch. 8:9; quoted lemaaseh by the Shach in Y.D. 89:8) writes that anyone who has eaten a "Rayach HaTorah, a scent of Torah" would wait six hours. The Chochmas Adam (ibid.) writes that whoever doesn't wait six hours violates "Al Titosh Toras Imecha" (Mishlei Ch. 1:8). The Aruch Hashulchan (Y.D. 89:7) writes that whoever doesn't wait six hours is in the category of "poretz geder" who deserves to be bitten by a snake (Koheles Ch. 10:8). See also Kanfei Yonah (ad loc. pg. 65a-b) and Pri Toar (ad loc. 5) for similar assessments. The Shlah (Shaar Ha'Osiyos, Kedushas Ha'Achilim 95, Hagahah) wrote to his son that he does not view the minhag of waiting only one hour in a positive light, indeed referring to it as "Ra b'einai me'od," and as most of the Rishonim, including the Rambam, Rosh, and Rashba, mandated waiting six hours, he exhorted him "al tifnu l'minhag artzeach b'zeh," not to follow the lenient view.

[19] See, for example, the Gemara in Shabbos (10a) and Pesachim (12b), Riva (Chullin 105a s.v. bassar kein), Rosh (ad loc. end 5), Rashba (Toras Habayis, Bayis 3, Shaar 4), Baal Ha'Izur (Shaar 1, Hilchos Bassar B'chalah 13a-b), Lechem Mishneh (on the Rambam ibid.), Tur and Shulchan Aruch and main commentaries (O.C. 157:1), Biur HaGra"ad (Y.D. 89:2), SM" A (C.M. 5:10), and Mor U'Ketziyah (184 s.v. v'chein).

[20] Rambam (ibid.), Meiri (Chullin 105a s.v. v'kadav; however, in a separate sefer - Magen Avos, beg. Inyan 9, he explicitly writes that one may wait five hours - "sheish sha'os oh chameish"). Agur (Hilchos Seudah 223 and Hilchos Issur V'Hetter 1242), Kol Bo (106 s.v. v'achar bassar; and in Orchos Chaim vol. 2, Hilchos Issurei Maachalos pg. 335:73 s.v. v'achar).

[21] Several authorities make this dyuk, including the Minchas Yaakov (Soles L'Mincha 76:1), Butchatcher Rav (Daas Kedoshim Y.D. 89:2), and the Aruch Hashulchan (ad loc. 2). Authorities who relied on not denying a full six hour wait include the Divrei Chaim of Sanz (cited in Shu"t Siach Yitzchak 399 and Shu"t Divrei Yatziv, Likutim V'Hashmatos 69; however, see also Shu"t Yashiv Yitzchak vol. 5:14 and Shu"t

Mishnah Halachos vol. 12:11), Rav Chaim Soloveitchik of Brisk (cited in Torah L'Daas vol. 2, Parashas Beha'alosha pg. 229, Question 5), Rav Seligman Baer (Yitzchak Dov) Bamberger (the renowned Würzburger Rav and author of Shu"t Yad Halevi; cited in Kovetz Hame'ayen, Teves 5739, pg. 33, and later in Nishmas Avraham, third edition, Y.D. 89, footnote 1), the Matteh Efraim (Ardit, pg. 28:4), Rav Aharon Kotler (cited in Shu"t Ohr Yitzchak vol. 1, Y.D. 4), Rav Shlomo Zalman Auerbach (Kovetz Moriah, Teves 5756, pg. 79), Rav Yosef Shalom Elyashiv (Shu"t Yissa Yosef O.C. vol. 2:119, 5), Rav Ovadiah Yosef (Shu"t Yabia Omer vol. 1, Y.D. 4:13 and vol. 3, Y.D. 3; although in his earlier teshuva he only mentions being lenient after eating chicken, in his later teshuva he adds that he holds the same dispensation applies equally after eating meat, and not as some mistakenly suggest as to his intent), and Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanagos vol. 6:171 s.v. ul'atzmi; although he personally is stringent, he holds that one may indeed be lenient on five and a half hours). See also Rav Eitam Henkin H"yd's defense of the minhag of waiting five hours and a bit, in his comprehensive maamar in Kovetz Beis Aharon V'Yisrael (vol. 141, pg. 71-76; also citing the shittos of his father, Rav Yehuda Herzl Henkin - the "Bnei Banim," and his great-grandfather, Rav Yosef Elyahu Henkin).

[22] Including Rabbeinu Yerucham (Sefer Ha'Adam, Nesiv 15, vol. 2:27, pg. 137), Chamudei Daniel (Taaruvos vol. 2:15), Shu"t Ginat Veradim (Gan Hamelech 154), Perach Shoshan (1:1), Mikdash Me'at (on Daas Kedoshim ibid. 2), Yalkut Me'am Loez (Parashas Mishpatim pg. 889-890 s.v. shiur), Yad Yehuda (89, Peirush Hakatzer 1), Chofetz Chaim (Nidchei Yisrael Ch. 33), Rav Yisrael Yaakov Fischer (Shu"t Even Yisrael vol. 9:126, 5), Rav Chaim Kanievsky (cited in Doleh U'Mashkeh pg. 257), and the Badei Hashulchan (Y.D. 89:8 and Tziyunim ad loc. 14). Several other contemporary authorities maintain that one should strive to keep the full six hours lechatchilla, but may be somewhat more lenient in times of need, and not waiting an exact six hours. These include Rav Moshe Feinstein (cited in Shu"t Divrei Chachamim Y.D. 1:1; and in private conversation with Rav Moshe's grandson Rav Mordechai Tendler, author of Mesores Moshe), Rav Yosef Shalom Elyashiv (cited in Shu"t Avnei Yashpei vol. 5:101, 3 and 4 and Ashrei Ha'ish O.C. vol. 3, pg. 441:10), Rav Shmuel Halevi Wosner (Kovetz M'Beis Levi on Yoreh Deah, pg. 34:3 and footnote 3), and Rav Menashe Klein (Shu"t Mishnah Halachos vol. 5:97, 3; see also vol. 7:70 and vol. 12:11, where he strongly urges to wait a full six hours). The Pe'as Sadecha (Shu"t vol. 3, Y.D. 29 s.v. amann) posits that this machlokes of whether or not six complete hours is mandated, might depend on a different machlokes whether a Talmid Chacham's seudah is supposed to be at the beginning or the end of the sixth hour [see Beis Yosef (C.M. 5:3), Drishah (ad loc. 7), Bach (ad loc. 7 s.v. ela), SM" A (ad loc. 10), Shach (ad loc. 6), Magen Avraham (O.C. 157:2), Elyah Rabba (ad loc. 1), Pri Megadim (ad loc. E.A. 2), Ba'er Hettiv (O.C. 157:2), Mishnah Berurah (ad loc. 3), and Aruch Hashulchan (O.C. 157:2 and C.M. 11; who maintains that this is not necessarily a machlokes, but rather that the whole sixth hour is considered "zman achilas Talmid Chacham"]].

[23] Pri Chodosh (Y.D. 89:6). Others who rely on his opinion include the Gilyon Maharsha (ad loc. 3), Ikrei HaDa"t (Ikrei Dinim 10: end 5) and Minchas Yaakov (Soles L'Mincha 76: end 1). Rav Aharon Wurmsh, renowned talmid of the Shaagas Aryeh, in his Me'orei Ohr (vol. 7, Chullin Daf 103 s.v. chala bar chamra) writes that "peshita sheyesh l'smoch alav (the Pri Chodosh) b'shaar maachalei chalay, afilu baal nefesh, meshum shelo nitzkar b'Talmud rak gevina shemoshech taam v'nidbak bein hashaniyim - certainly even the scrupulous may rely upon the Pri Chodosh's opinion regarding waiting time mandated prior to consuming milk and most dairy products, as the Gemara only singled out (hard) cheese, due to its meat-like characteristics of lingering taste and palate clinginess." The issue of hard cheese, its properties, and halachic status, is discussed at length in a previous article, titled "A Dairy Dilemma: Of Hard Cheese Complexities and Pizza Perplexities."

[24] Including the Yad Efraim (Y.D. 89:1), Yeshuos Yaakov (ad loc. Peirush Hakatzer 1), Maharsham (Daas Torah ad loc.), and the Zeicher Yehoshef (Shu"t end 196), who allow one to rely on the Pri Chodosh only if one is sick or in times of great need. See also Darchei Teshuva (ad loc. 21).

[25] Including the Knesses Haqedolah (Y.D. 89, Hagahos on Tur, ad loc. 6-7), Maharach Algazi (Ba'ei Chayei (ad loc. pg. 39b), Pri Megadim (ad loc. M.Z. 1), Pischei Teshuva (ad loc. 3), Kreisi U'Pleisi (ad loc. Pleisi 3), Chochmas Adam (40:12), Chida (Shiyurei Bracha, Y.D. 89:3-4), Zivchei Tzedek (ad loc. 2), Chaguras Shmuel (ad loc. 8), Ben Ish Chai (Year 2, Parashas Shlach 9), and Me'orei Ohr (Kitzur Shulchan Aruch on Yoreh Deah, 89:1; by Rav Yitzchak Isaac Schorr, Av Beis Din of Bucharest), who adds that one must wait six hours after eating meat, "bein b'kayitz, bein b'chofef," winter and summer alike. See also Darchei Teshuva (ad loc. 6 and 20).

[26] Rema (Y.D. 89:1), Maharai (Hagahos Shaarei Dura 76:2; although according to his talmid in Leket Yosher, vol. 1, pg. 35:2, he personally waited six hours), Maharil (Minhagin, Hilchos Issur V'Hetter 5, s.v. achal; although he refers to waiting six hours as "Minhag Chassidim"), and Issur V'Hetter (40:4). In Shu"t Maharam Rottenberg (Lvov [Lemberg] edition; 552, Question 2), there is a teshuva from Rav Avigdor Ben Rav Elyah Hakenen stating that the Maharam was of this opinion as well, that one must only wait a 'sha'ah kalah' between meat and milk. Although the Rashal (ibid.) and Taz (Y.D. 89:2) cast aspersions on this custom, the Vilna Gaon (Btur HaGr" a ad loc. 6) defends it as the Zohar's minhag as well, to wait an hour between all milk and meat meals [this is addressed at length in a previous article titled "To Bench or Not to Bench?... That is the Question"]. Relevant to the proper custom in Amsterdam, see Minhagei Amsterdam (pg. 20:24 and pg. 52), Shu"t Yashiv Yitzchak (vol. 13:25), and Shu"t Shav V'Rafa (vol. 3:114).

[27] There is no mention of a three hour wait in any traditional halachic source, save for one. And, although the Badei Hashulchan (Miluim to Y.D. 89) and several others cite Rabbeinu Yerucham Kitzur Issur V'Hetter (39; found at the end of his main sefer) as a possible source for this minhag, as it does mention waiting "Gimmel Sha'os" [using the letter 'Gimmel'], it is important to note that this is an apparent misprint, as in the full sefer itself (Sefer Ha'Adam, Nesiv 15, vol. 2:27, pg. 137) Rabbeinu Yerucham spells out unequivocally that one must wait "lechol hapachos sheish sha'os, at least six hours!" Additionally, the source he cites for his three hour quote is Rabbeinu Peretz, who also actually mandates waiting six hours (Hagahos on SMA"K 213:8). Furthermore, the actual quote is waiting "Gimmel Sha'os k'Rashi," three hours as per Rashi's shittah. As the Chida (Shiyurei Bracha, Y.D. 89:2 s.v. gam) points out, there is no record of Rashi holding such an opinion; rather the opposite in Sefer Ha'Orah (110), that one must wait "Shiur Seudasa Achariti" between eating meat and cheese. Moreover, it seems likely that Rabbeinu Yerucham is not the author of the Kitzur Issur V'Hetter attributed to him (see Rabbi Yisrael Ta-Shma's article in Kovetz Sinai, Shvat-Adar 5729). For more on the topic of Rabbeinu Yerucham and three hours, see Rav Moshe Sternbuch's Orchos Habayis (Ch. 7, note 45), Rav Chaim Kanievsky's opinion cited in Kovetz Nitzotzei Aish (pg. 860:32), and Rav Asher Weiss' Shu"t Minchas Asher (vol. 1, 42:2, s.v. u'kvivan). Renowned Rabbanim who served throughout Germany who wrote to keep six hours include Rav Yonason Eibeshutz (Kehillas AH"U; Kreisi U'Pleisi 89:3), the Pri Megadim (Kehillos in Berlin and Frankfurt; Y.D. 89, M.Z. 1), Rav Yosef Yuzpa Koschmann (Noheg K'tzon Yosef-Minhag Frankfurt, Hilchos Seudah pg. 120:4), the Würzburger Rav, Rav Seligman Baer (Yitzchak Dov) Bamberger (cited in Kovetz Hame'ayen, ibid., and later in Nishmas Avraham ibid.; although, as mentioned previously he held "chameish sha'os u' mashetu" was sufficient to be considered six hours), and Rav Samson Raphael Hirsch (Chorev vol. 4, Ch. 68, pg. 30). (In an interesting counter-point, in his English translation of Chorev, titled "Horeb," Dayan Dr. Isidor (Yishai) Grunfeld added a footnote (pg. 327, par. 453, footnote 2) supporting the "widespread minhag" in "western countries" of "waiting only three hours.")

[28] Mizmor L'David (Y.D. 89:6). Rav Hamburger's explanation was written in a letter to Mori v'Rabi Rav Yonason Wiener (dated Rosh Chodesh Tamuz, 5765). See Shu"t Nachlas Pinchas (vol. 1:36, 7) for a similar

assessment. An additional rationale was posited by Rabbi Shimon Silver in his recent Talei Oros (Redes HaTal, Inyanei Chag HaShavuos). He cites that regarding certain halachos, we find that between one set meal and the next, there should be three hour wait. For example, the halacha states that on Erev Shabbos, one may not start a seudah after the 9th hour-which is three (halachic) hours before the onset of Shabbos, as then he will enter Shabbos too full to be able to accord the proper honor and respect due a Shabbos seudah [see Gemara Pesachim (99b), and Beis Yosef and Shulchan Aruch (O.C. 249:2)]. Hence, he posits that this possibility is the Gemara's Chullin's intent with waiting "m'seudasa l'seudasa achrina," meaning the amount of time in between set meals necessitated in other places in Shas, which is three hours. For other sevaros, see Rabbi Yaakov Skoczylas' Ohel Yaakov (on Bassar B'chalav, 89, end footnote 1; quoting Rav Shimon Schwab) and Shu"t Mishnah Halachos (vol. 16: end 9).

[29] This author has seen this theory posited by both Rav Yisroel Belsky and Rav Binyomin Hamburger. Thanks are due to Dr. Steven Oppenheimer, who related that his mother described her meals in Germany exactly this way. Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanagos vol. 6:171 s.v. v'nireh) implies this as well; explaining that the common German minhag is most likely based on Tosafos' shittah (see next paragraph above) and therefore dependent on actual meals, which in Germany would have commonly been lunch, or to be more precise, "Gabelfrühstück," a second light breakfast or brunch, three hours after breakfast.

[30] Tosafos (Chullin 105a s.v. l'seudasa), Ravyah (1108; cited by the Rosh and Hagahos Ashri to Chullin Ch. 8:5), Rema (Y.D. 89:1).

[31] Rabbeinu Tam's opinion is found in Tosafos (Chullin 104b s.v. of). Other Ashkenazic/Rishonim who wrote similarly include the BeHa"G (Hilchos Brachos, end Ch. 6, pg. 9b, bottom right column s.v. amar Rav Chisda), Sefer Yereim (149), and the Baal Hama'or (in his glosses to Gemara Chullin, pg. 37a in the Rif's pagination, s.v. Rav Yitzchak). It is noteworthy that the Maharam M'Rottenberg, a bastion of Ashkenazicpsak who is considered lenient regarding this topic, is quoted (Shu"t Maharam M'Rottenberg, Lvov [Lemberg] edition; 552, Question 2) as explicitly rejected this shittah, explaining that the Gemara is teaching that one may not simply perform kinnuach and hadacha to eat cheese after meat.

[32] Kaf Hachaim (Palaghi, Ch. 24:25-26). This was known to be the Arizal's custom (Taamei HaMitzvos of Rav Chaim Vital, Shaar HaMitzvos, Parashas Mishpatim). See also Shulchan HaTahor (173:2), Ben Ish Chai (Year 2, Parashas Shlach 15), Shu"t Torah L'Shma (212), and Shu"t Shraga HaMeir (vol. 7: end 105). Some say (see Piskei Teshuvos, end 494) that based on his writings to Parashas Mishpatim (s.v. lo sevahel), the Noam Elimelech must have also generally kept this stringency (except for an allowance on Shavuos). However, it is known that there were several Gedolim who understood this to mean to wait an actual full 24 hours from eating meat before allowing milk products, including the Shlah (cited by his chaver Rav Yosef Yuzpa Haan-Norlingen in his Yosef Ometz, 137; remarkably, Rav Haan adds that he personally could not keep it and instead waited a mere 12 hours!) and the Reishis Chochma (in his Totzaos Chaim, Shaar 2, Hanhaga 45, pg. 32). Interestingly, the Darchei Teshuva (89:2) cites that the Yafeh Lev (vol. 8) asserted that the Arizal was only this stringent regarding eating dairy and meaty foods. Yet, he would certainly agree that "lekuli alma b'hadachas hapeh sagi," a mouth rinse alone is sufficient after simply drinking milk prior to eating meat, and not mandate a long waiting period. Thanks are due to Rabbi Dr. Eliezer Brodt for pointing out several of these sources.

[33] See Daas Kedoshim (Y.D. 89:2), Vayaas Avraham (of Tchechnov; pg. 333:51 and Ateres Zekainim ad loc. 155), Piskei Teshuva (vol. 3:285), Piskei Halachos of HaGri"sh Elyashiv (Y.D. Bassar B'chalav pg. 53:6; see also Shu"t Yissa Yosef, O.C. vol. 2:119, 6 and Ashrei Ha'ish, O.C. vol. 3 pg. 442:15, who claim that Rav Elyashiv only intended to rule leniently after chicken and not actual meat). Rav Ruderman's predilection for this shittah was related to this author by his noted talmid, Rav Shmuel Bloom.

[34] The story about the Chasam Sofer is cited in Zichron L'Moshe (pg. 79), Shu"t Divrei Yisrael (vol. 2, pg. 28, footnote) and in Shu"t Siach Yitzchak (399).

[35] Including Shu"t Siach Yitzchak (ibid.), Shu"t Teshuvos V'Hanagos (vol. 1:431), Kovetz M'Beis Levi on Yoreh Deah (vol. 3, 4:5; citing the opinion of Rav Shmuel Halevi Wosner), Shu"t Beis Avi (vol. 3, Y.D. beg. 108), Shu"t Mishnah Halachos (vol. 7:70), Shu"t Shulchan Halevi (Ch. 22:10, 1), Doleh U'Mashkeh (pg. 257-258 and footnote 15; citing the opinion of Rav Chaim Kanievsky, as well as his father, the Steipler Gaon). This leniency is also conspicuously absent from the vast majority of earlier authorities.

[36] Tosafos (Menachos 20b s.v. v'nifsal). See also Shorshei Minhag Ashkenaz (vol. 1, pg. 18) citing the late great Ponovezher Rosh Yeshiva, Rav Elazar Menachem Mann Shach, on the importance of keeping family minhagin, even if it runs contrary to accepted convention. Indeed, in his letter cited previously, Rav Binyomin Hamburger adds that this was also the view of the Chazon Ish, Rav Shlomo Zalman Auerbach, and Rav Yaakov Kamenetsky. Nonetheless, there were/are several contemporary Poskim, including Rav Yosef Shalom Elyashiv (He'aros B'Maseches Chullin 105b s.v. v'ha), Rav Shmuel Halevi Wosner (cited in the aforementioned letter), Rav Menashe Klein (Shu"t Mishnah Halachos vol. 16: end 9), Rav Shimon Schwab (cited in the aforementioned letter), Rav Chaim Kanievsky (Teshuvos printed in Kashrus in the Kitchen Q & A, pg. 209), and Rav Yitzchak Yosef (Yalkut Yosef, Issur V'Hetter vol. 3, 89:17), who when asked, were known to have shown predilection for telling those who normally waited less than six hours due to family minhag, that they should start keeping the full six if at all possible. For further discussions on this topic, see Shu"t Pe'as Sadecha (vol. 3, Y.D. 29; thanks are due to R' Sam Neufeld for pointing out this source), Shu"t Minchas Asher (vol. 1, 42:2), Rav Aharon Pfeiffer's Kitzur Shulchan Aruch (Bassar B'chalav, Ch. 10:16), Maadanei Asher (Issur V'Hetter, 41:3 s.v. ul'dina), Mesores Moshe (vol. 2, pg. 176:26), Shu"t Yashiv Yitzchak (vol. 13:25), Shu"t Shav V'Rafa (vol. 3:114), Kuntress Yad Dodi (Kashrus:#32a-b, and Klalim/Minhagin:#5a-b, 15, and 17), and Rav Herschel Schachter's maamar titled "Hashbea Hishbea" (Kovetz Beis Yitzchak vol. 39, 5767; pg. 516:5; thanks are due to Rabbi Yisroel Israel and Rabbi Dr. Eliezer Brodt for providing this source).

[37] Avos (Ch. 4, Mishnah 1).

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspitz@ohr.edu.

This article was written l'zechus for a Refuah Sheleimah for Yissochoch Dov ben Rochel Miriam, Rafael Naftali Moshe ben Rochel

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda,

and l'zechus for Shira Yaffa bas Rochel Miriam (v'chol yotzei chalateha) and her children for a yeshua teikef u'miyad!

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His first English Halacha sefer is due out shortly.

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## לע"נ

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