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From TorahWeb <torahweb@torahweb.org>
date Thu, Jun 17, 2010 at 10:09 PM
subject Rabbi Yaakov Neuburger - Leveraging Futility in Avodas Hashem

Rabbi Yaakov Neuburger
Leveraging Futility in Avodas Hashem

For many years, one of Rashi's themes puzzled me and I attributed that to flawed faith and wanting emunah. However having recently discovered that one of the most respected minds and souls of our time, Harav Shteinman shlit"a (Ayelet Hashachar, Shmini, 10:3) was also troubled by the Rashi, I was encouraged to reconsider.

I am referring to Rashi's closing comment on the parsha of the mei meriva, that brief episode that wipes away the life long dream of both Moshe and Aharon. After recording that they have been denied ever entering the Land of Israel, the text concludes with the comment: "and [Hashem] was sanctified through [these waters]". In order to explain to us how this debacle distinguished Hashem, Rashi (20:13) reminds us that when Hashem metes out punishment to the righteous, He instills both His awe and His sanctity amongst people.

Rashi (Vayikra 10:3) introduced us to this idea in his commentary to the death of Dasan and Aviram, Aharon's two sons who were punished as they added their own service to the celebration of opening of the mishkan. Here too, Aharon was told that the loss of his children brought greater awe and admiration to Hashem's name. According to Rashi, Moshe reminds his brother that Hashem had already announced that He will be sanctified by those whom He holds to be His closest. Understanding that through their tragic and untimely demise his children had been chosen for this great service brought the grieving father some measure of solace.

No doubt receiving Moshe Rabbeinu's reassurance on any matter consoles and strengthens, yet I never understood how exacting punishment against our greatest can inspire and uplift. Within me it generates confusion, disappointment and even a sense of personal futility.

I did chance across an interesting and creative response to this, penned by Harav Zilbershtein shlit"a, one of the sages and great teachers of our time. In his widely acclaimed Aleinu Leshabeach, he suggests that it is not the punishment of our holiest per se that promotes compliance and sanctity. Rather it is the discerning eye that watches how Aharon reacts to his son's death and learns from the greatness of that moment and from the faith upon which his reaction is built. Moshe and Aharon are faulted for a lapse that we

will forever speculate to understand, but they accept with perfect faith their censure from Hashem in face of the enormous disappointment that they suffer. Observing those measured reactions will move us and inspire us, and from them we can draw spirituality and awe.

However the simple reading of Rashi does not refer to the response of Moshe, Aharon or of his children, though it must have been stirring beyond question. Rashi only refers to the midas hadin and leaves us asking how are we to absorb the midas hadin that we witness in a way that will give greater honor to Hashem?

Certainly the punishments dealt to Moshe, Aharon and his children will discourage all but absolute compliance to Hashem's instructions, and will powerfully remind us that ours is not to improvise or to adlib rather to carry out. But there must be more than that if we are to find our way from Moshe's punishment to awe filled reverence of Hashem.

Perhaps the sense of futility that this Rashi may generate can indeed be skillfully morphed into an avodas Hashem that is positive and knows no ulterior motive. Perhaps, the understanding that nothing guarantees for us what we may want in this world - not even Moshe's and Aharon's unflagging pursuit of Hashem's will - can shape for us a profoundly sincere and genuinely focused service of Hashem. It is in that moment of futility, that this Rashi may thrust upon us, that we are to pick ourselves up and through our continued dedication to Hashem announce uniquely and consistently our awe and our love for the Ribbono Shel Olam.

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from **Rabbi Aryeh Striks** <striks@vths.org>
reply-to striks@vths.org
date Thu, Jun 17, 2010 at 7:15 PM
subject Mussar HaTorah - Chukas

Mussar HaTorah Torah Insights into Human Nature – Dedicated in memory of Rabbi A. Henach Leibowitz zt"l

"And Hashem said to Moshe and Aharon... 'You shall not bring this congregation ...'" (Bamidbar 20:12)

Moshe Rabbeinu's tenure of leadership ended before the Jewish people entered into the land of Israel. Our nation suffered greatly due to this fact. The Ralbag (ibid., 20:8) explains: Had Moshe led B'nei Yisrael into Israel, they would have conquered the nations there, "In a moment." Instead, Yehoshua led the nation in a prolonged war, lasting seven years, and after which some Canaanite nations remained behind and caused many difficulties for the Jews. The Ralbag pinpoints the source of the difference between the two leaders, focusing on Moshe's superiority in two areas: his great d'veykus – connection – to Hashem and his z'rizus – zeal. While Yehoshua was a great tzaddik and leader, nevertheless, he did not reach Moshe's level in these two respects and these factors spelled the difference for B'nei Yisrael. Of these two factors, we can readily understand that a lack of zeal would make a significant difference in how the Jewish people waged war and in the success of those battles. A slightly more zealous leader, with additional enthusiasm and effort, can motivate and energize his troops to fight with more intensity and power. How, on the other hand, does the fact that Moshe had

greater d'veykus with Hashem make any difference in the outcome of a military campaign? If a general has a bit more kedusha – holiness, how would that affect the army's fighting ability? Surely Yehoshua felt a great connection to Hashem;

how would the slight deficiency in this area (in comparison to Moshe) make such a great difference in how long or thorough the conquest of Israel would be?

A general is more than a military coordinator, a teacher is not just an informational instructor, and a parent is not merely a caregiver. Every leader has a profound impact on his charges, whether they comprise a nation, a class or a family. This pivotal influence is shaped by many varied factors, not the least

of which is the spiritual stature of the leader. The closer the leader's relationship to Hashem, and the higher spiritual plateau the leader has attained, the more effective he or she will be in every facet of leadership – including mundane areas like fighting an enemy on the battlefield or overcoming obstacles in practical situations. This difference can have ramifications for generations. Sometimes we see parents, teachers and other leaders who are more successful with their young charges than similar individuals who are equally talented and have invested comparable efforts into their youth. We wonder what magic formula helped them achieve what others could not. Perhaps the crucial difference was not so much their technique or their sweat and toil, as their connection to Hashem. We cannot judge another's spiritual accomplishment and we can only ask ourselves: Do we daven with all our heart and concentration, as perhaps these people do? Do we work on refining our character traits through the regular study of mussar, as many successful, spiritually growing persons do? Let us turn towards Hashem, the only true Guarantor of success in any endeavor, and seek His closeness. Let us strengthen our faith and trust in Him, by asking His help in all areas, from the most trivial matters, to major, life-defining concerns such as the raising of our children. By connecting with Hashem, we can rest assured that we are never alone on our own, which is the tried and proven recipe for success, in this world and the world to come. Based on the talks of Rabbi A. Henach Leibowitz zt"l, Rosh HaYeshiva of Yeshivas Chofetz Chaim – RSA © 2010 by Rabbi Aryeh Striks & Rabbi Shimon Zehnwrith. For more information call (818) 505-7999 or e-mail mht@vths.org

THANKS TO HAMELAKET@GMAIL.COM FOR SELECTING THE FOLLOWING DIVREI TORAH:

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein
Jerusalem Post :: Friday, June 18, 2010
LOOKING BACK :: Rabbi Berel Wein

Visiting my old haunts in the United States naturally engenders within me memories, reminiscences and nostalgia. There is the joy of knowing all of the good things that occurred to me in these places and being thankful for them. However, there also is the clear realization that the past is gone and there is little use in dwelling on incidents and events long gone. Looking back is important but one should never allow it to be a stultifying experience, preventing present growth or future planning and goals. Rabbi Avraham ibn Ezra once wrote: "The past is gone; the present is fleeting; and the future has not yet arrived!" By this he meant, the true observation is that one is always living in a limbo of time, where what we deem to be reality is truly most temporary and fleeting. Instead of dwelling on the past and future, one should set one's sights and mindset on dealing with the eternal and infinite. In an ironically true fashion it is only the infinite and the eternal that is truly reality. In assessing this truth one can find direction for one's future and escape from the sometimes dangerous morass of nostalgia over one's past. I am also aware that my view of the past is a clouded and biased one. Some things that I once saw in a certain focus now appear to me in a completely different light and understanding. The good old days may never have been as good as I once imagined and, in fact, the "bad days" I experienced may have proven to be far more beneficial for me than I originally thought. The distance of time passed and different location allows for clearer perspective of people, places and events.

Much of the Jewish religious world suffers from an unhealthy attachment to an imagined and inaccurate understanding of its past. Jewish life in Eastern Europe in the nineteenth and twentieth centuries before World War II has been sanitized and romanticized with a thick layer of nostalgia and wishful thinking. All of the sadness and poverty, persecution and hapless secularization of Eastern European Jewry has been glossed over by legends, fanciful stories and hagiographic biographies that dehumanize the subjects about whom they are written.

With all that has happened to us taken into account, I still think that the Jewish people as a whole, and the place of Torah and ritual observance within Jewish society, is significantly stronger now than it was a century ago. Of course the State of Israel, even with all of its imperfections and problems, has a great deal to do with this strengthening of the Jewish people. But, be this as it may be, looking backward with false vision is a serious impediment to necessary improvements, changes and spiritual growth in the fleeting present and the unknown, not-yet-arrived future.

Knowing our past is an essential ingredient for our productive present and better future. But the correct perspective and realistic view must be present in order to make that looking-back exercise meaningful, accurate and productive.

Europe is one vast Jewish graveyard. The fascination of Jews with graves and graveyards has always been somewhat perplexing to me. The great master of Kabbalah, Rabbi Yitzchak Lutia Ashkenazi (The Holy Ari) wrote that one should not visit graves unnecessarily - when there is no commandment to do so – and that graves beget spiritual defilement.

In any event, graves are a definite form of looking backward. And usually the visions that graves inspire within us are fuzzy, unfocused and many times wildly inaccurate. The popular visits and tours to Eastern Europe are very heartbreaking to my way of thinking. Instead of seeing the empty Jewish buildings of Eastern Europe why not concentrate on seeing and supporting the great Torah institutions of today in Israel, America and other Jewish places in the world.

Nostalgia is never a building block for a strong future. Overindulgence in looking back forces past errors to somehow be repeated and future plans to be based on erroneous readings of past policies. And, the great unknown is what the leaders of the past would say and do if they lived in the present. No one can be certain of this and therefore projecting past opinions on present circumstances is wildly inappropriate. The fleeting present demands strong nerves and clear vision. These virtues are not likely to be obtained by wallowing in a nostalgic fuzz of wishful memory. Shabat shalom.

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein

Weekly Parsha :: CHUKAT :: Rabbi Berel Wein

The parsha of Chukat emphasizes to us the inscrutable nature of our relationship to the Creator. God is not human in any form or understandable manner. Therefore God always remains beyond our reach and logic. This is emphasized to us in the commandment that appears at the beginning of the parsha concerning the parah adumah – the red cow – and its attendant details and requirements.

The rabbis have already warned us that this is the ultimate "choik" – the law of God that is beyond all human comprehension. It is the ultimate "just do it" area of Jewish life and ritual. And, though any human reasoning will not fathom the commandment of parah adumah – the red cow – itself, I think that there is an appreciation of an insight into why there should be such unfathomable laws and commandments in the Torah altogether.

A famous actor/comedian once said only semi-facetiously that "any club that would have me as a member is a club that I do not wish to belong to." Well, in a much more exalted fashion, Judaism states that any God who is

completely understandable to me – a human being with all of the limitations inherent is so being – cannot really be my God.

It demeans the Jewish concept of the Creator of such a complex universe to state that such a Creator must be understandable to us. The prophet already stated this principle succinctly when he said that God's message to us is that, "My thoughts are not your thoughts nor are My ways your ways." The commandment of parah adumah – the red cow – drives that point home to all who study Torah.

If any human being was entitled to enter the Land of Israel and realize one's life's ambition, it was certainly our leader and teacher Moshe. And, yet, we see again in this week's parsha that this goal is denied to him. All of the commentators to the Torah attempt to deal with the problem of "why" To our human logic, the punishment does not really fit the transgression.

Moshe's exclusion from entering the Land of Israel has been debated over many millennia in the works of rabbinic scholarship. After all of the explanations and reasons and theories that have been advanced over the ages the question "why" still looms large. It is the second great "choik" – an event and decree beyond our understanding – that dominates the Torah narrative of this week's parsha.

We bow our heads in acceptance of Heavenly decrees in our personal and national life as well. The great Rabbi Menachem Mendel Morgenstern (Halperin) of Kotzk pithily summed up the matter as follows "'For the believer, there are no questions; for the skeptic and agnostic there are no answers."

Sooner or later in life we are blindsided by events over which we have no control or understanding. Even the wisest and most brilliant amongst us are left wondering as to "how" and "why." That is our fate as humans in dealing with the Creator and His ways and thoughts, so to speak. And that is the powerful and practical lesson of this week's parsha.

Shabat shalom.

From Ohr Somayach <ohr@ohr.edu>

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Subject Torah Weekly

**Ohr Somayach :: Torah Weekly :: Parshat Chukat
by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com**

Overview

The laws of the para aduma the red heifer are detailed. These laws are for the ritual purification of one who comes into contact with death. After nearly 40 years in the desert, Miriam dies and is buried at Kadesh. The people complain about the loss of their water supply that until now has been provided miraculously in the merit of Miriam's righteousness. Aharon and Moshe pray for the people's welfare. G-d commands them to gather the nation at Merivah and speak to a designated rock so that water will flow forth. Distressed by the people's lack of faith, Moshe hits the rock instead of speaking to it. He thus fails to produce the intended public demonstration of G-d's mastery over the world, which would have resulted had the rock produced water merely at Moshe's word. Therefore, G-d tells Moshe and Aharon that they will not bring the people into the Land. Bnei Yisrael resume their travels, but because the King of Edom, a descendant of Esav, denies them passage through his country, they do not travel the most direct route to Eretz Yisrael. When they reach Mount Hor, Aharon dies and his son Elazar is invested with his priestly garments and responsibilities. Aharon was beloved by all, and the entire nation mourns him 30 days. Sichon the Amorite attacks Bnei Yisrael when they ask to pass through his land. As a result, Bnei Yisrael conquer the lands that Sichon had previously seized from the Amonites on the east bank of the Jordan River.

Insights

Oi!

"This is the (unexplainable) law of the Torah..." (19:1)

Sometimes it seems to me that the Jewish People are like a backward student that "just doesn't get it."

For almost as long as there has been Judaism, there has been anti-Semitism.

The Jew's crime against Mankind however remains endlessly elastic: We are vilified as the filthy rich, the filthy poor, grabbing capitalists, conspiring communists, both the lackeys of the establishment and their paymasters; we are both rootless cosmopolitans and the bastions of the bourgeoisie.

In fact, the only thing on which all anti-Semites can agree is that the world would be an infinitely better place without the Jew. Half the world says this openly, and the other half thinks it.

To counteract this totally illogical and implacable hatred we have attempted two solutions: The first was to try and be like all the other nations. The theory was that if we tone down the more obvious parts of the religion – or better still, try to be identical to our hosts – they would accept us and stop hating us. That theory resulted in a hatred as vicious as any in our history and the barbaric deaths of six million.

The second solution said that if we have our own state, the nations will respect us and leave us alone. That theory has brought us to an existential danger unparalleled in our history.

When will we get the point?

When will we stop blaming the worldwide opprobrium of the State of Israel as a chronic failure of public relations, to be remedied by spin-doctors?

"This is the (unexplainable) law of the Torah..."

The hatred of the nations for the Jewish People is not explainable rationally – it is a "chok", a "statute" – it is beyond sense or reason.

The spiritual masters teach that the name Sinai comes from the same root as sinah – meaning hatred. (Talmud Bavli, Shabbat 84a) When the Jewish People received the Torah, along with it a preternatural hatred entered the world.

The Mishna in Avot (6:2) says that everyday a bat kol (an "echo") emanates from Mount Chorev (Sinai) proclaiming, "Oi!"

What a shame that when we think of Oi! a bloated borscht-belt comedian swims into our minds.

Nothing could be further from the true picture.

Oi! is a terrifying word.

When the Beit HaMikdash – the Holy Temple – was razed to the ground, the book of Eicha (Lamentations 5:15) laments "Oi!" Oi has the same root as the Hebrew words aimah – "terror", and iyum – "threat."

At Sinai, the Torah was given as 'a great sound that does not cease' (Devarim 8:19). You can still hear that original sound. It has not stopped. To this day it speaks to us.

For those who don't want to hear that sound, however, they will hear another sound, a bat kol, an echo, a reflection that will remind them, in no uncertain terms — "Oi!"

Someone who doesn't accept the kol, the voice, the sound of Sinai, will be faced by a terrifying and threatening echo of that voice.

And the more we distance ourselves from that "great sound that never ceases," the more that echo will come and remind us who we are and why we are here.

"This is the (unexplainable) law of the Torah..."

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From Shema Yisrael Torah Network <shemalist@shemayisrael.com>

To Peninim <peninim@shemayisrael.com>

Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum Parshas Chukas

Aharon will be gathered to his people; for he shall not enter the Land I have given to Bnei Yisrael, because you defied My word at the waters of strife. (20:24)

Hashem informed Moshe Rabbeinu and Aharon HaKohen that Aharon's time to leave this world had arrived, as Aharon was not entering Eretz Yisrael.

This comes across as an ambiguous statement. Was it Aharon's time, or not? If his allotted time on this world had not been up, would Hashem have taken him simply because he was not to enter the land? Chazal teach us that

Hashem completes the days of the righteous. Thus, if someone's time has come, Hashem welcomes him home to his eternal rest. Why does the Torah add that, since Aharon was not entering Eretz Yisrael, his time had come? This question is asked by the Sefas Emes, who explains that man's time is reached when he has completed his mission in life. He has performed his service, observed the mitzvos; he has basically "done his job." Therefore, when Moshe and Aharon asked to be allowed entry into the Holy Land, it was because they wanted to complete their lives by performing the mitzvos which can only be performed in Eretz Yisrael. Thus, if Aharon would have been allowed to go to Eretz Yisrael, his life would have not yet been over, since he would still have had mitzvos to carry out. Regrettably, this was not meant to be. He had already completed his earthly mission, and Eretz Yisrael was not part of it.

Horav Nosson Ordman, zl, applies the Sefas Emes to explain a Midrash in Sefer Devarim. The Midrash states that when it was getting close to the time for Moshe Rabbeinu to leave this world, Hashem said to him, "Behold! Your days are drawing near to die" (Devarim 31:14). Moshe reacted to Hashem's declaration: "Ribono Shel Olam, after all of the toil that I exerted (to leading the nation), You tell me that my life is coming to an end. Lo amus ki echyeh, vaasaper maase Kah, "I will not die, but I will live and relate the deeds of G-d" (Tehillim 118:17).

Hashem replied, "It is impossible (to remain alive), because this is (what happens to) all men." This Midrash begs elucidation. Clearly, Moshe was aware that all mortals die. Did he need to hear this from Hashem? Perhaps he wanted to be the exception to the rule. If so, what was Hashem's response? Rav Ordman explains that when a man is born, he is assigned a specific mission in life. He is to become proficient in Torah knowledge, perfect his ethical and moral character and elevate his yiraas Shomayim, fear of Heaven. Indeed, man's goal is to refine himself so that he imitates Hashem, Ma Hu, af atah, "As He (acts), so should you." Understandably, once mortal man has achieved his raison d'être once he has completed his mission, there is no purpose for him to continue on as a mortal. He is called back home.

This is the dialogue that ensued between Moshe and Hashem. The Almighty informed Moshe that the completion of his mission was near. He had effectively carried out his purpose in this world. Moshe countered that he was not yet finished. He still wanted to live, so that he could relate maase Ka, the deeds of G-d. Hashem replied that Moshe's function as a mortal had been achieved. Hashem had sent him for a purpose, and that purpose had come to a successful conclusion.

We are all sent here for a specific mission. Fortunate is he who recognizes this and does everything within his power to achieve that goal. Consistent with that mission is the time allotted for its achievement. We hope that our designated time is sufficient to complete our mission. Obviously, Hashem considers it to be ample. It is up to us to make the most of this allotment because, regrettably, He doesn't give extensions.

Because you did not believe in Me to sanctify Me in the eyes of Bnei Yisrael. (20:12)

Rashi explains: "Had you spoken to the rock and it would have brought forth water, I would have been sanctified before the eyes of the assembly. They would have said, 'Now, if this rock, which neither speaks nor hears and does not need subsistence, fulfills the word of Hashem, how much more so should we fulfill His word?'" Rashi seems to imply that had Moshe Rabbeinu only spoken to the rock there would not be any kal v'chomer. Why? The same idea can be expressed if the stone had been struck. Now, if a stone which is struck produces water, the Jewish nation, who have been struck repeatedly, should surely conform to Hashem's word. Horav Shimshon Pincus, zl, distinguishes between these cases. First is when "Reuven" tells "Shimon" to do something, and Shimon complies. This is considered Shimon's action - even though Reuven had instructed him to act. Second, when Reuven strikes Shimon and Shimon is forced to comply, it is viewed as Reuven's act - not Shimon's. Rav Pincus substantiates this idea with a halachah concerning kinyanim, acts of acquisition. The halachah states that an eved Canaani, gentile slave, is acquired through the kinyan of meshichah, pulling him. This is only if he takes hold of the slave and bodily moves him. If, however, he were to call him

by name, saying, "Come here," and the slave comes, it is not considered a kinyan. The slave will have acted of his own volition, and such an act is not considered an act performed by the owner.

Hashem Yisborach directs and controls teva, nature. Every act of nature - whether it is natural or supernatural - is actually an act of Hashem. Thus, if Moshe speaks to the stone, and the stone, in turn, gives forth water, it is an act of Hashem. Now that Moshe instead struck the stone, the water which poured forth was considered to be an act of Moshe.

Clearly, if the purpose of the water pouring forth from the stone was supposed to be an act of Moshe, it would make sense that Moshe strike the stone. This is what happened earlier, when Hashem instructed Moshe to strike the stone. This time, however, Hashem wanted Moshe to speak to the stone, so that the water pouring forth from the stone would be viewed as a natural act. When Moshe took it upon himself to strike the stone, he was altering the result. It was not natural water; it was miraculous water. This diminished the Kiddush Hashem, the sanctification of Hashem's Name, in the world.

Why did Hashem change the game plan? The first time, He told Moshe to strike the stone. Now Hashem's instructions were to speak to the stone. What changed? Rav Pincus explains that the Korach debacle created a chasm in Klal Yisrael's faith in the leadership of Moshe Rabbeinu. They were no longer certain that Moshe's actions were Hashem's actions. Moshe seemed no different than an inanimate stone performing Hashem's bidding. Originally, Moshe struck the stone, because even though he was actually doing the action, the people viewed his action as Hashem's action. After Korach's dispute, Klal Yisrael was no longer on the elevated spiritual status as before. Their level of conviction had waned. Even though Korach died under circumstances that were clearly an indication of Heavenly intervention, Moshe was still blamed for "killing the people of Hashem." Suddenly, they required a stronger, clearer manifestation of Hashem's involvement in human activity. Moshe's actions were not sufficient. It had to be clear that Hashem was "running the show," that He was performing the miracle. Thus, Moshe was instructed to speak to the stone.

The difference between striking and talking to the stone was evident from the perspective of Klal Yisrael. They needed a more concrete sign that Hashem was behind the water flowing from the rock. Incidentally, we derive a lesson from here concerning the far-reaching effect of every breach in the relationship of Klal Yisrael with Hashem. One would think that the Korach incident was over. He was gone; his supporters were gone, but it was not over. The tenor of Klal Yisrael's relationship with Hashem had been altered. The strong conviction, the impenetrable bond, had been weakened. Korach's impact was devastating. This is true of every breach in our commitment, every snag in our service. Teshuvah means return. When one does teshuvah, he must find a way of returning to the pre-sin situation. This is effected by correcting and repairing the damage resulting from his sinful behavior.

In an alternative explanation, Rav Pincus mentions another milestone which occurred between the two commands to bring forth water from the rock: Mattan Torah, the Giving of the Torah. When we received the Torah at Har Sinai, our relationship vis-?-vis Hashem changed. At first, we were categorized as Hashem's firstborn, His child. When a child acts inappropriately he is disciplined. Thus, Hashem originally instructed Moshe to strike the stone. The second encounter with the stone occurred following the Revelation at Har Sinai, when Klal Yisrael bonded with Hashem as a husband bonds with his wife. A husband will ask his wife to do something for him. He will ask nicely; he might even "push it a little," apply some pressure, but he would never strike at her! Such action leads to a quick end to the relationship. The conversation between Hashem and Moshe went something like this: Hashem said, "I wanted to teach the Jewish People that My relationship with them was now one of speech. I speak to them, and they listen." No other "motivation" is necessary. When a Jew is instructed to put on Tefillin, he immediately puts on Tefillin. His love is so great that nothing stands in the way: A Jew should not need a stronger form of "encouragement." Apparently, the seas of blood and tears that we have shed throughout the millennia have been the result of our inability to listen to Hashem's gentle voice.

A relationship predicated on love is wholly different from one based on physical chastisement. Rav Pincus paints the following picture. A Jew arrives late to shul, and must now complete his davening in much less time than if he had arrived at the appropriate time. Quickly, he puts on his Tefillin and begins to daven at breakneck speed. As the Chazan is nearing the finish line, he is already starting the motor of his car. After all, he is late; he must go to work, and he has not yet eaten his usual large breakfast. Now, while there is nowhere in the Shulchan Aruch that states that such activity is forbidden, anyone who cares about someone would never treat a loved one in such a manner. Hashem should not be different. Such behavior manifests the antithesis of love.

Rav Pincus relates that he once heard someone make a brachah with such speed that he swallowed most of the words. The blessing was, at best, unintelligible. The Rosh Yeshivah told the person, "You did not recite a brachah." "So what is the problem?" the fellow countered. "I ate without a brachah. It is not the end of the world." Rav Pincus replied, "You 'insulted' Hashem. Simply put, you spit in His face. That is what your non-brachah did. It was personal!"

We forget that Hashem is close to us, and He has provided us with every opportunity to enable us to live well and to thank Him for it. If we do so, if we take the time to enunciate the entire brachah in such a way that we demonstrate that we mean it, Hashem "kisses" us. If we do not, we are rejecting His love and adding insult to the rejection. We then have to expect a more "corporeal" response from Hashem. This might shed some light on some of the Heavenly responses we have been experiencing lately.

"Take the staff... and speak to the rock before their eyes and it shall give its waters... and he (Moshe) said to them, "Listen now, O rebels, shall we bring forth water for you from this rock? Then (Moshe) struck the rock... abundant water came out and Hashem said... because you did not believe in Me to Sanctify Me in the eyes of Bnei Yisrael. (20:8, 10, 11, 12)

The commentators all focus on precisely defining the sin committed by Moshe Rabbeinu and Aharon HaKohen. While a number of answers are suggested, one idea is certain: this sin is considered an infraction only in a relative sense. Moshe and Aharon had achieved the zenith of spirituality. On their elevated perch, extreme care had to be taken. Therefore, the slightest taint could mar a perfect record. Veritably, the Torah records their sin with the statement, "Because you did not believe in Me." That seems a pretty weighty accusation. The question which confronts us is in what way did they not believe, and how was this lack of belief significant? Horav Meir Bergman, Shlita, addresses this question, beginning his response by examining the meaning of faith.

Rav Bergman cites the following passage in the Talmud Taanis 25a: "Rabbi Chanina ben Dosa had a certain neighbor who built a house, but the roof beams did not reach from wall to wall. The woman (neighbor) came before him and said, 'I have built my house, but the roof beams do not reach.' He asked her, 'What is your name?' She replied, 'Ikko.' He said, 'Ikko, may your roof beams lengthen until they reach.' It is taught that the beams reached out until they projected one cubit from each side of the house."

Why did Rav Chanina question the woman concerning her name? Indeed, why did he specifically mention her name in his prayer? The answer to these questions can be found alongside the answer to another question. Why did this woman come to the sage rather than go to a master builder? Her problem was one of construction - not prayer. Most people would have done just that. Ikko, however, was a woman of very strong conviction. She was acutely aware that success in any endeavor is not based on expertise, but on Heavenly intervention. The address for seeking Heavenly aid is the righteous sage, who is beloved by Hashem and whose prayer is listened to by the Almighty. Something was wrong with her house. This called for a visit to the tzaddik - not the carpenter. The tzaddik's prayer can create a miraculous transformation. His prayer can make beams that are too short to reach the roof.

Did Ikko know the power of her convictions? Did she realize how incredible her faith was? Perhaps not, but Rabbi Chanina certainly did know what kind

of special person stood before him. He also knew something else: A tzaddik's prayer can have efficacy only when the person for whom he prays has unequivocal faith in the tzaddik's ability to intercede with Hashem. The supplicant must believe in the tzaddik's power of prayer. Rav Chanina saw before him a woman whose faith was indomitable, whose conviction was stellar. For her, miracles would occur. This is why he asked her name and used it in prayer. That name made a difference, because her identity gave him license to entreat Hashem for a miracle. Her faith warranted miracles.

A similar incident occurred concerning the righteous woman who was saved by the miracle which the Navi Elisha catalyzed for her. The story is well-known. A woman cried out to Elisha that her husband had died, and now the creditor was coming to "collect" her two children as servants to repay the loan. Elisha asked if she had anything at home. She responded that she had a drop of oil. He instructed her to borrow vessels and fill them with the oil. She continued to fill the vessels with the oil that was self-reproducing miraculously, until she ran out of vessels.

The oil continued to flow even after she no longer had sufficient vessels. It was only after her son informed her that there were no more vessels that it stopped flowing. This was because the woman had absolute faith in the Navi's words. As long as she thought that there were vessels to be filled, the oil kept coming, because she thought that the miracle would continue. When she was certain that there were no more vessels, she understood that there was not going to be any more oil. The oil flowed in the merit of her faith.

We now understand the power of faith, and what it means to believe in a tzaddik. With this we can tackle the root of Moshe's sin concerning the rock. When Hashem instructed Moshe and Aharon to gather the people and speak to the stone in their presence, this was intended to teach them an important lesson. Earlier, when the people had quarreled with Moshe, Hashem had told Moshe to strike the rock. Apparently, the people were being elevated one step higher, one step closer, in their spiritual education. They would now know that speaking to the rock carries the same efficacy as striking it. Their belief in Hashem's limitless power - and in the tzaddik's ability to call upon this reservoir - was sufficient to make any miracle possible.

Thus, when Moshe spoke to the people in a "challenging" voice, referring to them as "rebels," he was actually issuing an ultimatum to them: "Do you believe in Hashem's ability to rule over the world and in Moshe, as Hashem's prophet, to summon this power to their relief?" Only after he heard their affirmative response would he have the ability to work the miracle for them. He needed them to believe both in Hashem and in him.

When the people remained mute, answering nothing, Moshe understood the message of their silence: Regrettably, they lacked the conviction. They had not yet achieved the pinnacle of belief that a tzaddik can call forth and bring water from a stone just by speaking to it. Since they lacked the faith necessary to create a greater miracle, they would have to suffice with a lesser miracle, of having water come from the rock after Moshe struck it. After all, this had worked the first time. They were just not prepared for the next level.

This is where Moshe erred. It was true that Klal Yisrael lacked the necessary conviction in Moshe and his spiritual powers - so he could not bring about the miracle of water springing forth from the rock through their merit. What about Moshe's personal belief in Hashem? Had he listened to Hashem and spoken to the rock, had he had perfect faith in Hashem, then that would have been sufficient. The water would have come forth from the rock. Had the people seen the water flowing from the rock, they would have realized that Moshe's faith in Hashem was total, and it was this faith that had catalyzed the miracle. He did not, however, speak to the rock. That error precluded what could have been a tremendous Kiddush Hashem, sanctification of Hashem's Name. When the people see and sense the faith of their leadership it elevates their own faith, increasing kavod Shomayim, the honor of Heaven. This is what Hashem said to them, "Because you did not believe in Me to sanctify Me in the eyes of Bnei Yisrael." Your actions could have increased My glory, such that the people would have realized your level of conviction. You did not, and that is an unpardonable sin.

Sometimes, we do not recognize our own abilities. Perhaps it is because we are afraid of failure, or it might be fear of success. In any event, we refrain

from moving forward. If Hashem issues a command, if we sense a Heavenly message encouraging us to take the plunge, to do it, then we must. Hashem knows best.

And our soul is disgusted with the unsubstantial food. (21:5)

Klal Yisrael claimed that the manna was a food suitable for a life of spirituality. A Heavenly food such as this, however, was not appropriate to nourish Klal Yisrael for the heavy work they would have to do in the future. Additionally, the Midrash says that they complained about the metabolic makeup of the manna. Whoever heard of eating and eating and not producing any waste? That was the manna which miraculously became absorbed in their organs. The Midrash concludes with Hashem's reaction to their complaints, "Concerning the good which I gave them, they complain. I equaled them with the angels who also do not produce waste material. Yet, they found reason to complain about this." Really, what bothered the Jewish people concerning their being served Heavenly food? Just because they were ingesting food similar to that which sustains angels, is that a reason to complain? Indeed, in a number of places, Chazal refer to the Jewish People as ingrates, kafui tovah. What does kafui tovah mean? The word that seems to be more appropriate is kofer tovah, denies (the) good.

There are those commentators who suggest that kafui is derived from kofeh, cover, as in kofeh alav es ha'keli, "he covers it with a vessel." Thus, the kafui tov is one who conceals the good that he has received, glosses over the benefits which have helped him. If so, it should be read as kofeh tovah. What is the meaning of kafui tovah?

Horav Shimshon Pincus, zl, explains this pragmatically, defining kafui tovah as the good which is compelled on him. He is forced to do something as a result of the benefit he has received. He senses that now he must reciprocate! He owes; he is in someone's debt. He feels subdued by the favor he secured. This is what bothers him. One who feels that, since he was helped by someone he is now obligated to him, is a very "afflicted" person.

Klal Yisrael sensed that since Hashem blessed them with Heavenly bread, they were in His debt. They must now act in a manner appropriate for one who is sustained by such a Heavenly gift. They did not like being under such a yoke. Some of us want our cake - enjoy eating it, but hate paying for the pleasure. That is kafui tov.

Va'ani Tefillah

Atah Hu Hashem HaElokim Asher becharta b'Avram. It is You, Hashem, the G-d, who selected Avram.

Horav Shimon Schwab, zl, suggests a practical explanation for this passage. Hashem created an entire universe and filled it with billions of creations. Yet, He selected one human being, a three-year-old boy, who, at first, had followed in his father's footsteps, serving idols. He then discovered through his own rationale that all of the celestial creations are themselves servants of a Creator, a Supreme Being, Who had made it all. This young Avram deduced that there was only one Deity: Hashem. He rediscovered what, over time, an entire world of mortals forgot, because of their erroneous worship of the Heavenly bodies.

Thus, Hashem, the Creator of this vast universe - Whom, as is mentioned in the earlier verses, is worshipped by myriads of creatures - puts it all aside and focuses upon little Avram. This little child has been chosen to reeducate a world gone stark mad with paganism. What we learn from here is that the entire creation, with its billions of creatures, was worth it to produce one little Avram.

The significance of the individual cannot be sufficiently underscored. We are always focusing on the community, the general population, the greatest mass of people that we can reach. We do this at the expense of the individual. We forget the value of each person - each contribution. One person can change a world. One person can make the difference. Hashem saw this. So should we.

Sponsored in memory of our dear Mother and Grandmother GIZI WEISS - Gittel bas Yisrael a"h Morry & Judy Weiss, Erwin & Myra Weiss and Grandchildren Gary & Hildee Weiss, Jeff & Karen Weiss, Zev & Rachel Weiss, Elie & Sara Weiss, and Brian "Love and memories are gifts from G-d that death cannot destroy"

From Rabbi Yissocher Frand ryfrand@torah.org & genesis@torah.org
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Subject Rabbi Frand on Parsha

Rabbi Yissocher Frand on Parshas Chukas

Tumah and Taharah Defy Our Understanding

The whole ceremony of Parah Adumah [Red Heifer] is the quintessential chok [mitzvah-decreed with no apparent reason]. Rashi cites the Medrash that the Satan and the nations of the world mock Israel concerning this commandment – taunting us to explain its rationale.

The Parah Adumah contains within itself the greatest of paradoxes. Ashes of the Parah Adumah mixed with water have purifying powers. They are the only mode by which a person who has come in contact with a dead corpse (tumas mes) may become pure again. And yet the halacha is that the people who prepare the Parah Adumah, that sprinkle its waters, and that have anything to do with it become tameh (spiritually impure) themselves.

The Rambam writes at the end of Hilchos Mikvaos: It is a clear matter that the laws of impurity and purity are Divine decrees (gezeiros hakasuv hem) and we cannot understand their rationale. They are in the category of Jewish law known as chukim. Likewise, the fact that immersion in a mikveh removes tumah is a chok, because tumah is not dirt that can be removed by water.

The Shemen HaTov addresses the paradox of the Parah Adumah. The Parah Adumah comes to purify from death impurity (tumas mes). When did death begin? It started at the beginning of time with the sin of Man's eating from the Tree of Knowledge. Why did Adam eat from the Tree of Knowledge?

Everything was available to him in the Garden of Eden. The Torah says that the motivation was so that "you will be G-d like, knowing the difference between Good and Evil" [Bereshis 3:5]. He ate from the Tree of Knowledge because he wanted to know everything and to understand everything. He wanted to become intellectually equivalent to G-d.

The way to correct the sin that brought death to the world is by teaching man that to reverse the effects of death; he must undergo a procedure about which he understands NOTHING. Rather than understanding everything, by eating from the forbidden tree, Man ruined everything. The correction of that sin is to nullify one's understanding, to engage in a process which defies understanding. Even Shlomo HaMelech [King Solomon], the wisest of men did not understand it: "I said I would make myself wise, but its interpretation is far from me." [Koheles 7:23]. This is the tikun [correction] for the sin of partaking of the forbidden fruit, which was supposedly to give man G-dlike understanding and knowledge.

The Gemara in Shabbos [31a] expounds the pasuk in Yeshaya [33:6]: "V'haya Emunas Itecha Chosen Yeshuos Chochmas V'Daas (yiras Hashem hi otzaro)" [the faith of your times will be the strength of your salvations, wisdom and knowledge, (fear of Hashem that is man's treasure)]. The Gemara says that each of those six words represents one of the six orders of the Mishneh. Emunas = Seder Zeraim (because farmers who plant need faith that Hashem will help their crop grow); Itecha = Seder Moed, having to do with time; Chosen = Seder Nashim; Yeshuos = Seder Nezikin; Cochmas = Seder Kodshim; and V'Daas = Seder Taharos.

The reason why Daas [knowledge] represents Seder Taharos is because Seder Taharos requires nullification of one's Daas. It requires one to put his own understanding (sechel) on the shelf, so to speak, and say I will study it anyway even though it is beyond my comprehension.

The reason for this is because the first man sought to know everything. That is impossible. Certain things are beyond our comprehension. Thus, tikun of that sin are the laws of tumah and taharah, which require a person to nullify his understanding and subjugate his power of reasoning to that of a Higher Power (sechel Elyon).

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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From Yeshiva.org.il <subscribe@yeshiva.org.il>
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By Rabbi Yirmiyohu Kaganoff

Halacha Talk **Should a Kohein be afraid of Confederate Ghosts?** **By Rabbi Yirmiyohu Kaganoff**

When Yaakov Avinu asks his sons not to bury him in Egypt, Rashi notes three reasons for this request:

- (1) The earth of Egypt would turn to lice during the Ten Plagues.
- (2) To avoid the suffering of rolling to Eretz Yisroel at the time of techiyas hameisim.
- (3) To prevent the Egyptians from making him into an idol.

On the other hand, although Yosef and his brothers undoubtedly had the same motives to be buried in Eretz Yisroel, they could not arrange their immediate burials there and were interred in Egypt until the Jews left. This is a classic example of the exhumation and reburial of meisim (human remains).

Our article will discuss a case where meisim were supposed to have been reburied, but apparently were not, creating a number of halachic concerns.

THE HISTORICAL BACKGROUND

In a major metropolis, one section of the city included a large cemetery. About 140 years ago, this cemetery was closed to new burials, and later many of its graves were exhumed. Subsequently, the city constructed residential and commercial areas, city streets, a major park, a zoo, and museums atop the seventy-two acres of the cemetery.

Here is the historical background: In 5603/1843, the city designated a sixty acre area as a cemetery and three years later, a Jewish organization paid \$45 to purchase part of this land as its own cemetery. Four years later, in 5610/1850, the city purchased an adjacent area of twelve more acres to expand the cemetery, so that it now encompassed 72 acres.

However, in the late 1850's, a prominent physician requested that the cemetery be closed because of concern that it was too close to the city's water supply and that it might spread disease. Until that point, this cemetery was the only authorized one in the city, and included a large "potters' field," or area for burying the destitute and the unidentified.

Two years later, an area immediately north of the cemetery was set aside as a park. During this time, the city gradually ceased using the cemetery.

However, since the area was near a large prisoner-of-war camp housing captured Confederate soldiers, an estimated 4,000 Confederates who died in custody were interred in the cemetery's potters' field. At one time, the cemetery held an estimated 35,000 graves, including the resting place for those who made the ultimate sacrifice for the Confederacy.

In 5626/1866 the cemetery was officially closed, partly due to the physician's health concerns. By now, the Civil War was over and the surviving Confederate captives had been repatriated. The city officially decided to move the remains buried in this cemetery to other locations. Over the next thirty years there are numerous scattered reports of moving the graves to new locations. Despite attempts to remove graves, a conservative speculation is that the majority of the remains were never removed.

Fast forward to the contemporary era: In 5722/1962, workers digging a foundation for the zoo's new barn discovered a skeleton and a casket. They reburied the casket in situ and poured the foundation right on top. During 5758/1998, workers constructing a parking lot in the area discovered 81 skeletons and an iron casket containing a cadaver. There are at least nineteen more reports of human bones found in the disused cemetery's location.

Thus, the shailah is whether a kohein may walk through the streets and businesses of this old-time burial ground.

Steve Katz lives and works in this city and is well aware of the history of this park and its environs. His boss assigns him to attend a business meeting at a

hotel that is located in the area that was originally the cemetery. Since Steve is a kohein, may he attend the meeting? If he cannot, how will he explain this to his gentile employer?

Steve made an appointment to discuss the problem with his rav, whom he knows will explain to him all the aspects of the shailah.

WILL THE TUMAH RISE FROM THE GROUND?

Rav Goldberg begins by explaining some of the halachic background. When human remains are buried, under most circumstances the tumah rises directly above and contaminates the area above it. If a building is constructed directly above a grave, tumah may spread throughout that building, although sometimes it may spread only through the bottom floor and possibly only into the room constructed directly above the grave. We will have to leave for another time the discussion as to what factors affect how far tumah will spread through the structure.

If there is no building, tree or overhang over the gravesite, one becomes tamei only if one walks or stands directly above the gravesite.

SAFEK TUMAH BIRSHUS HARABIM

"However, the specific situation that you are asking about may be more lenient," explains the Rav, "because of a concept called safek tumah birshus harabim, sefeiko tahor, which means, literally, that if there is doubt about whether something in a public area became tamei, the halacha is that it remains tahor (see Nazir 57a). Notwithstanding our usual assumption that safek de'oraysa lechumra (we rule strictly on doubts concerning Torah prohibitions), we rule leniently concerning a doubt of matters of tumah when the question occurred in a 'public' area, a term we will define shortly."

There is also an inverse principle that safek tumah birshus hayachid, sefeiko tamei, which means that if there is doubt whether someone or something contracted tumah when it was in a private area, it is considered tamei.

WHAT IS PUBLIC?

For the purposes of these two principles, "public" is defined as an area to which at least three people have ready access, and "private" means a place that is accessible to less than three people. Thus, someone who discovers that he may have become tamei while walking down the street remains tahor.

However, if he discovers that he may have become tamei while he was in a private area he is tamei. (All of these laws are derived from pesukim.)

"I know that there is more to explain," interjects Steve, "but it would appear that one could have a situation in which one may enter a building, but one may not use the bathrooms, have a private office, or have a private interview."

"It is certainly true," responded the sage, "that someone entering a public building and discovering that he may have become tamei while there, would remain tahor, whereas if he entered a similar private area, he would be considered tamei. However, there are other factors to consider before we reach a definitive ruling."

MAY THE KOHEIN ENTER?

At this point, Steve raised a sophisticated point:

"I understand that someone who entered this area would afterwards be considered tahor. But may I enter the area knowing that I may be contaminating my kehunah?"

The Rav explained: "You are asking whether a kohein may lichatchilah rely on the principle of safek tumah birshus harabim, or whether this principle is applied only after the fact. In general, one must be stringent when there is concern that one may be violating a Torah prohibition, and it is prohibited min haTorah for a kohein to contract tumah from a meis. Thus, one could assume that a kohein should not enter an area where there is a possibility of tumah. However, many authorities rule leniently when dealing with a safek tumah birshus harabim. They contend that the Torah only prohibited a kohein from becoming tamei, but not from entering a situation where he will be ruled as tahor (Tosafos, Kesubos 28b s.v. Beis; Shu"t Rashba #83; Binas Odum, Klal 157; Pischei Teshuvah 369:4, quoting Shu"t Chasam Sofer, Yoreh

Deah; Minchas Chinuch 263:13 s.v. Vehinei). Thus, a kohein could enter any publicly available area, including an office or residential building constructed over the city's defunct cemetery. However, he could not enter an area restricted to less than three people.

"Others contend that since the Torah prohibits a kohein from being in contact with a meis, he is similarly prohibited, because of safek de'oraysah lechumra, to be in a place where he might be exposed to a meis" (Tzelach, Brachos 19b; Achiezer 3:1:1, 3:65:7; Kovetz Shiurim; Teshuvos VeHanagos).

STATUS QUO

Steve raised another point:

"In fact, we know that this area was once a cemetery, and we are fairly certain that not all the graves were exhumed. Does this make matters worse?"

"You are raising a very insightful question. Even assuming that a kohein can rely on the principle of safek tumah bireshus harabim, this principle might not apply here since we know that this area was once a cemetery, and we are fairly certain that some graves remain. Thus we have a chazakah, status quo, that the area was once tamei meis, and we are uncertain whether the tumah was removed. In such a situation, perhaps the principle of safek tumah birshus harabim does not apply since this rule may apply only where there is no status quo. (In Mikvaos 2:2, this seems to be the subject of a dispute between Tannaim. See also Tosafos, Niddah 2a s.v. Vehillel.)

"Nevertheless, in our particular case, we have some basis to be lenient. Although this entire area was once set aside as a cemetery, it is very unlikely that it became filled wall-to-wall with graves, and also, only the places directly above the graves were tamei. Thus, any place within the cemetery was tamei because of doubt, not because of certainty.

JEWISH VERSUS NON-JEWISH GRAVES

"There is another reason to permit entering the hotel for your meeting. People who researched the area have ascertained the exact location of the original Jewish cemetery, which is now the location of the ball fields of a local park. Thus, although I would advise you and your sons not to play ball on those particular diamonds, we can be more lenient regarding entering the hotel constructed in the area, as I will explain."

Steve replied: "But how can we be certain that no Jews were ever buried in the non-Jewish cemetery? There definitely were some Jewish soldiers in the Confederate army, and it is likely that some Jews were buried in the non-Jewish cemetery or in the potters' field."

His Rav replied: "You are correct that some Jews were probably buried in the non-Jewish parts of the cemetery. Nevertheless, since we do not know this for certain, we may work with the assumption that there are no Jews there."

"But even a non-Jewish body conveys tumah, so I still have a problem."
"This depends on whether remains of a gentile convey tumas ohel, that is by being under the same roof, cover, or overhang that is at least three inches (a tefach) wide.

DO THE REMAINS OF A NON-JEW CONVEY TUMAH?

"Although virtually all authorities agree that remains of a non-Jew convey tumah through touching and carrying, the Gemara cites the opinion of Rabbi Shimon that remains of a non-Jew do not convey tumas ohel (Yevamos 61a). The Rishonim dispute whether this position is held universally, and, in addition, whether this is the way we rule. It appears that most Rishonim conclude that a kohein may enter a room containing the remains of a gentile because they follow Rabbi Shimon's position. Others contend that we do not follow Rabbi Shimon's position and that tumah of a gentile does spread through ohel. The Shulchan Aruch considers the question as unresolved and advises a kohein not to walk over the graves of non-Jews (Yoreh Deah 372:2)."

At this point, Steve commented. "It seems from what you are saying that it is not a good idea for a kohein to enter buildings in this area, but one may enter if there is a pressing reason" (see Shu"t Avnei Nezer, Yoreh Deah #470).

The Rav responded: "This is the conclusion of many authorities. Some are even more lenient. One famous responsum permits a kohein to enter a field

that he purchased without realizing that it contained an unmarked gentile cemetery. The author permits this by combining two different leniencies, each of which is somewhat questionable. One leniency is that perhaps a gentile does not spread tumah through ohel, and the other leniency is that some early authorities contend that once a kohein becomes tamei, he is not forbidden from making himself tamei again (Raavad, Hil. Nezirus 5:15, as explained by Mishneh LaMelech, Hil. Aveil 3:1). Although we do not rule like this last opinion, the Avnei Nezer contends that one can combine both of these ideas to permit the kohein who purchased this field without realizing the problem to utilize his purchase (Shu"t Avnei Nezer, Yoreh Deah #466)."

"This case of the Avnei Nezer sounds like a much more difficult situation in which to rule leniently than mine," noted Steve. "After all, in his case there was no attempt to clear out the cemetery."

"You are correct. For this reason, I would certainly not find fault with someone who chooses to be lenient and indiscriminately enters the area that was only a gentile cemetery, relying on the ruling that gentile remains do not contaminate through ohel, and on the principle of safek tumah birshus harabim."

"It still seems that one should avoid the ball fields that are located right over the old Jewish cemetery."

"I would certainly advise this," closed the Rav.

So Steve does not need to explain to his boss that he cannot attend business meetings at the hotel because of lost Confederate ghosts.

Although there may be little reason to panic over such issues, as we have discussed, one should be aware that it is not infrequent to discover old cemeteries beneath modern cities. Cemeteries, particularly Jewish ones, were always consecrated on sites outside the city limits in order to avoid the obvious problems of tumah affecting kohanim. Unfortunately, when Jews were exiled, the whereabouts of many cemeteries became forgotten, and in addition, as cities expand, they include areas that were originally outside the city's limits that often include earlier cemeteries. Thus, these problems will most likely continue. In each case, a posek must be consulted to find out whether, and to what extent, a kohein need be concerned.

WHY IS IT PROHIBITED FOR A KOHEIN TO COME IN CONTACT WITH A MEIS?

It is beyond our understanding to explain why Hashem commanded us to keep each specific mitzvah. However, we can and should attempt to glean a taste of Hashem's mitzvos in order to appreciate and grow from the experience, including understanding why the Torah bans the kohein from having contact with a meis under normal circumstances.

Rav Hirsch, in his commentary on Vayikra 21:5, provides a beautiful educational insight into this mitzvah. In most religions, fear of death is a major "selling point" of the religion. Thus, the role of the priest is most important when dealing with the dying and the dead.

However, the Torah emphasizes how to live like a Jew — to study Torah, perform the mitzvos, and develop ourselves in Hashem's image. To emphasize that Hashem provided us with the blueprint for perfect living, the Torah excludes the kohein, who is the nation's teacher, from involvement with death. Thus, the kohein's role is to imbue us with the knowledge and enthusiasm to truly live!

http://www.ou.org/shabbat_shalom/article/Rav_Showering_During_the_Nine_Days/

Orthodox Union / www.ou.org
Showering During the Nine Days
Rav Joseph B. Soloveitchik (adapted from lectures)

The Shulchan Aruch (Orach Chaim 551:16) records a custom practiced by Ashkenazim of not bathing or showering during the Nine Days, from Rosh

Chodesh of the month of Av until the end of the Tisha B'Av mourning. Rav Moshe Soloveichik explained the custom as follows:

When someone's relative dies, there are three periods of mourning he may have to observe: "Shivah," the week of intensive mourning right after burial; "Shloshim," a thirty-day period (including the week of Shivah) in which one observes various mourning restrictions; and when mourning for a mother or father, "Yud Bet Chodesh," a year (including the week and month of Shivah and Shloshim) of limited mourning restrictions.

Tisha B'Av (this year, July 20th) is a day of such intense mourning that we observe all of the restrictions of Shivah, in addition to fasting. The Ashkenazic custom is to adopt many restrictions of Shloshim during the Nine Days – from Rosh Chodesh Av until after the Tisha B'Av mourning – and restrictions of Yud Bet Chodesh during the earlier part of the Three Weeks (beginning this year on June 29th).

Rav Moshe Soloveichik explained that the Shulchan Aruch (Yoreh Deah 381:1) records the original Ashkenazic custom not to shower or bathe for the entire Shloshim period. Therefore, the custom was to similarly refrain from showering or bathing during the Nine Days. However, since nowadays the custom is to shower immediately after Shivah and not to be stringent in this regard during the Shloshim period, therefore there is no reason to refrain from bathing during the Nine Days. The old Nine Days custom no longer applies because it was based on a mourning custom that is no longer observed.

Adapted from Shiurei Harav on Mourning and Tisha B'Av, based on the lectures of Rabbi Joseph B. Soloveitchik. This and other books are available for purchase at <http://www.ou.org/sefarim>

<http://www.algemeiner.com/>

The Psychiatrist and The Lubavitcher Rebbe

By Yosef Y. Jacobson

This is a story about three remarkable lives which converged, in the most unlikely of circumstances, with extraordinary results. It is a story about a Jewish girl who became an opera singer, performing in front of Adolf Hitler; about a Jewish spiritual master, and a world-famous psychiatrist.

It was a strange phenomenon. The famed Viennese professor Victor Frankl (1905-1997), author of the perennial best-seller *Man's Search for Meaning* and founder of Logotherapy, would send each year a donation to Chabad of Vienna before the High Holidays. This began in 1981 when Rabbi Jacob and Edla Biderman arrived in Vienna to serve as Chabad-Lubavitch emissaries in Austria and began sending an appeal to all the local Jews along with a Jewish calendar in honor of the upcoming High Holidays.

Nobody in the Chabad center or in the larger Jewish community could understand why. Here was a man who was not affiliated with the Jewish community of Vienna. He did not attend synagogue, not even on Yom Kippur. He was married to a devout Catholic woman. Yet, he would not miss a single year of sending a contribution to Chabad before Yom Kippur. The enigma was answered only in 1995, two years before Dr. Frankl's death at the age of 92.

I Am the First Emissary

Marguerite Kozenn-Chajes (1909-2000) walked into the office of Rabbi Jacob Biderman, the ambassador of Chabad to Austria, who has since built the magnificent "Lauder Campus" in Vienna, infusing Jewish spirit in the country which gave birth to Hitler.

Marguerite, an 85 year old woman, was dressed very classy, and looked youthful and energetic. She told Rabbi Biderman: "I know you think you are the first emissary (shlich) of the Lubavitcher Rebbe to Vienna; but that is not the case. I have served as the first ambassador of the Lubavitcher Rebbe to this city, many years before you."

From the Chassidim to the Opera

Marguerite began to relate her story. Her mother's maiden name was Hager. The Hagers were no ordinary Jewish family but descendants of the Rebbes of the famed Vishnitz chassidic dynasty. Marguerite was born in Chernowitz, where she studied to become an opera singer, and then moved to Vienna where her career blossomed. She married a Jewish young man with the family name Chajes. They had a daughter.

Marguerite performed during the 1930's in the Salzburger Festspiele—the Salzburg Festival—a prominent festival of music and drama, held each summer within the Austrian town of Salzburg, the birthplace of Wolfgang Amadeus Mozart.

On 12 March 1938, German troops marched into Salzburg. The Anschluss—the annexation of Austria by Germany—was now complete, and Nazi ideology immediately began to affect the Salzburg Festival. All Jewish artists were banned, the leading Jewish conductors and composers were removed. Yet Marguerite Chajes was still performing.

For the Festspiele in August 1939, Hitler himself made an appearance at two Mozart operas. He did not know that one of the young women singing majestically was a young Jewess, a scion of a leading Chassidic family, Marguerite Chajes.

Shortly thereafter, the general management made a surprise announcement that the Festival would terminate on 31 August, a week ahead of the scheduled finale on 8 September. The reason was, supposedly, that the Vienna Philharmonic was required to perform at the Nuremberg Party Convention. But the Germans were brilliant deceivers. The true reason became apparent on 1 September when the German army invaded Poland and unleashed the Second World War, exterminating a third of the Jewish people, including Marguerite's family.

On the very night after her performance at the Salzburg Festspiele, close friends smuggled her with her husband and daughter out of Germany to Italy. From there she managed to embark on the last boat to the US before the war broke out just a few days later. Marguerite and her family settled in Detroit, where she became founder and president of the Pro Mozart Society of Greater Detroit, and acquired in her circles the name "Mrs. Mozart."

When she was asked in an interview why does a previously successful soprano work so avidly for the reputation of Mozart? Her answer was: "Because the idea of humanity is nowhere so convincingly expressed as in the work of Mozart."

Years passed. Marguerite's daughter grew up and married a doctor, who, in 1959, was honored at the dinner of a Chabad institution. In conjunction with that occasion, Marguerite had an audience with the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson.

"I walked into the Rebbe's room," related Marguerite to Rabbi Biderman, "I cannot explain why, but suddenly, for the first time since the Holocaust, I felt that I could cry. I—like so many other survivors who have lost entire families—never cried before. We knew that if we would start crying, we might never stop, or that in order to survive we can't express our emotions. But at that moment, it was a though the dam obstructing my inner waterfall of tears was removed. I began sobbing like a baby. I shared with the Rebbe my entire story: My innocent childhood; becoming a star in Vienna; performing in front of Hitler; escaping to the US; learning of the death of my closest kin.

"The Rebbe listened. But he not only listened with his ears. He listened with his eyes, with his heart, with his soul, and he took it all in. I shared all of my experiences and he absorbed it all. That night I felt like I was given a second father. I felt that the Rebbe adopted me as his daughter."

Two Requests

At the end of my meeting with the Lubavitcher Rebbe, I expressed my strong desire to go back for a visit to Vienna. Marguerite was, after all, a kind of self-appointed "propaganda activist" for Austria and its music and she craved to visit the city of her youth.

The Rebbe requested from me that before I make the trip, I visit him again. A short while later, en route to Vienna, I visited the Rebbe. He asked me for a favor: to visit two people during my stay in the city. The first was Viennese

Chief Rabbi Akiva Eisenberg, and give him regards from the Rebbe (the Rebbe said that his secretariat would give me the address and literature to give to Rabbi Eisenberg.) The second person he wanted me to visit I would have to look up his address myself. The Rebbe said that he headed the Vienna Polyclinic of Neurology. His name was Dr. Victor Frankl.

You Will Prevail

"Send Dr. Frankl my regards," the Lubavitcher Rebbe said to me, "and tell him in my name that he should not give up. He should be strong and continue his work, with complete resolve. No matter what, he should not give up. If he remains strong and committed, he will certainly prevail."

Using the German dialect, so Marguerite would understand, the Rebbe spoke for a long time about the messages he wished to convey to Dr. Frankl. Close to forty years later she did not recall all of the details, but the primary point was that Frankl should never give up and he should keep on working to achieve his goals with unflinching courage and determination.

"I didn't understand what the Rebbe was talking about. Who was Dr. Frankl? Why was the Rebbe sending him this message? Why through me? I did not have an answer to any of these questions, but I obeyed."

Marguerite traveled to Vienna. Her visit with Rabbi Eisenberg proved to be a simple task. Meeting Victor Frankl proved far more difficult. When she arrived at the clinic they informed her that the professor has not shown up in two weeks, thus there was no way she can meet him. After a few failed attempts to locate him at the clinic, Marguerite gave up.

Feeling guilty not to fulfill the Rebbe's request, she decided to violate Austrian mannerisms. She looked up the professor's private home address, traveled there and knocked at the door.

A woman opened the door. "May I see Herr Frankl please?" asked Marguerite.

"Yes. Please wait."

The first thing she caught sight of in the home was a cross, hanging prominently on the wall. (In 1947 Frankl married his second wife, Eleonore Katharina Schwindt, a devout Catholic. They had a daughter Gabriella.) "It was obvious that this was a Christian home. I thought to myself, that this must be a mistake; this can't be the person whom the Lubavitcher Rebbe wanted me to encourage."

Victor Frankl showed up a few moments later, and after ascertaining that he was the professor, she said she had regards for him.

"He was impatient, and frankly looked quite uninterested. It felt awkward."

"I have regards from Rabbi Schneerson in Brooklyn, New York," Marguerite told him. "Rabbi Schneerson asked me to tell you in his name that you must not give up. You ought to remain strong. Continue your work with unflinching determination and resolve and you will prevail."

"Do not fall into despair. March on with confidence, Rabbi Schneerson said, and you will achieve great success."

"Suddenly," Marguerite related, "the uninterested professor broke down. He began sobbing and would not calm down. I did not understand what was going on."

"This Rabbi from Brooklyn knew exactly when to send you here," Dr. Frankl told her. He could not thank her enough for the visit.

"So you see Rabbi Biderman?" Marguerite completed her tale, "I have been an emissary of the Lubavitcher Rebbe to Vienna many years before you came around."

Forever Grateful

Rabbi Biderman was intrigued. Victor Frankl was now 90 years of age, and was an international celebrity. He had written 32 books which were translated into 30 languages. His book "Man's Search for Meaning" has been deemed by the Library of Congress as one of the ten most influential books of the 20th century. What was behind the Rebbe's message to Victor Frankl?

I called him a few days later," Biderman recalls, "and asked to meet him. But it was difficult for him to meet me in person. So we spoke over the phone. Initially he sounded impatient and somewhat cold."

"Do you remember a regards Marguerite Chajes brought you from Rabbi Schneerson in Brooklyn," Rabbi Biderman asked Dr. Frankl. Suddenly, a change in his voice. Dr. Frankl melted. "Of course I remember. I will never forget it. My gratitude to Rabbi Schneerson is eternal." And Victor Frankl confirmed the rest of the story Marguerite has already explained to Rabbi Biderman), which captures one of the greatest debates in psychology of the previous century.

In the Camps

Victor Frankl was born in 1905—three years after the Lubavitcher Rebbe—in Vienna. The young Frankl studied neurology and psychiatry, and in 1923 became part of the inner circle of one of the most famous Jews of the time, Dr. Sigmund Freud, the "Father of Psychoanalysis" who lived and practiced in Vienna.

The "Final Solution" did not skip over the Frankl family. Dr. Frankl relates in his memoirs of the war years that he had a chance before the war to go to America to write his books and build a reputation. Yet he was confused. Should he pursue his career and abandon his parents or should he remain with them? He arrived home from the American consulate, visa in hand, to find a large block of marble sitting on the table. Recovered by his father from a local synagogue razed by the Nazis, it was, Frankl recalled, a piece from a tablet bearing the first letters of the Commandment, "Honor your father and your mother." He let his visa lapse and stayed.

Victor's mother and father were murdered in Auschwitz; his first Jewish wife, pregnant, was murdered in Bergen Belsen. All of his siblings and relatives were exterminated. Professor Frankl was a lone survivor in Auschwitz (he had one sister who immigrated to Australia before the war.) After the war, he returned to Vienna where he taught neurology and psychiatry.

The Great Debate

Already before the war, and even more so during his three years in the Nazi death camps, Victor Frankl developed ideas which differed radically from Sigmund Freud. Yet the faculty of his department and the academic elite in post-war Vienna consisted of staunch Freudian scholars ("Freudestien," in Frankl's expression.) They defined Frankl's ideas as "pseudo-science." Freud emphasized the idea that all things come down to physiology. The human mind and heart could be best understood as a side effect of brain mechanisms. Humans are like machines, responding to stimuli from within or from without, a completely physical, predictable and godless machine, albeit a very complicated machine.

Victor Frankl disagreed. He felt that Freud and his colleagues reduced the human being to a mere mechanical creature depriving him or her of his true essence. "If Freud were in the concentration camps," Frankl wrote, "he would have changed his position. Beyond the basic natural drives and instincts of people, he would have encountered the human capacity for self-transcendence. Man is that being who invented the gas chambers of Auschwitz; however, he is also that being who entered those chambers upright, with the Shema Yisrael on his lips."

"We who lived in concentration camps can remember the men who walked through the huts comforting others, giving away their last piece of bread. They may have been few in number, but they offer sufficient proof that everything can be taken from a man but one thing: The last of the human freedoms—to choose one's attitude in any given set of circumstances, to choose one's own way."

He concludes that even in the most severe suffering, the human being can find meaning and thus hope. In his words, "Those who have a 'why' to live, can bear with almost any 'how.'" A person was not a son of his past, but the father of his future.

After the war, Frankl returned to Vienna, where he developed and lectured about his own approach to psychological healing. He believed that people are primarily driven by a "striving to find meaning in one's life," and that it is this sense of meaning that enables us to overcome painful experiences. In the second half of his book, Frankl outlines the form of psychotherapy that he

developed based on these beliefs, called logotherapy—the treatment of emotional pain by helping people find meaning in their lives.

But in the Academic Vienna of the 40's and 50's they defined Frankl's ideas as fanatic religiosity, bringing back the old, unscientific notions of conscience, religion and guilt. It was unpopular for students to attend his courses; his lectures were shunned.

"My position was extremely difficult," Frankl shared with Rabbi Biderman. "Rabiner Biderman!" Frankl said, "I could survive the German death camps, but I could not survive the derision of my colleagues who would not stop taunting me and undermining my success."

The pressure against Dr. Frankl was so severe, that he decided to give up. It was simply too much to bear. He was watching his life-work fade away. One day, sitting at home, he began drafting his resignation papers and decided to relocate to Australia where his sister lived. In the battle between Freud and Frankl, Freud would, at last, be triumphant. Soullessness would prove more powerful than soulfulness.

Hope & Resolve

And then suddenly, as he was sitting at his home, downtrodden, in walked a beautiful woman. She sent him regards from a Chassidic master, Rabbi Schneerson from Brooklyn, New York. His message? "Do not dare give up. Do not dare despair. If you will continue your work with absolute determination, you will prevail."

Frankl was stunned. Somebody in Brooklyn, no less a Chassidic Rebbe, knew about his predicament? And what is more—cared about his predicament? And what is more—sent someone to locate him in Vienna to shower him with courage and inspiration?

Frankl began to cry. He was deeply moved and felt like a transformed man. It was exactly what he needed to hear. Someone believed in him, in his work, in his contributions, in his ideas about the infinite transcendence and potential of the human person.

"That very moment I knew that I would not surrender. I tore up my resignation papers. New vitality was blown into me. I grew confident and motivated."

To be continued in next issue.