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ON **CHUKAS** - 5777

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Vort from the Rav [Rav Yosef Dov Soloveitchik]:
Chukas Bamidbar 19:1:

Zos Chukas Hatorah

This is the statute of the Torah.

The chukim were classified by our rabbis as unintelligible, enigmatic, mysterious. Though it is forbidden to ask for the reasoning pertaining to certain divine categorical imperatives, we may inquire into the interpretation of the law. There is a difference between explanation and interpretation.

Take physics, for example. Physics does not ask "why" because "why" is not a scientific question; it is a metaphysical question. There can be no scientific "why" for water freezing at 32 degrees Fahrenheit or for light traveling at 186,000 miles per second. Asking "why" God issued certain commandments is seeking to comprehend the unfathomable. Man must recognize that the ultimate "reason" for mitzvos is beyond his grasp: the very question of "why" in regard to mitzvah observance is philosophically invalid.

When we ask "why" in the context of human activity, we are truly asking, "What motivated him?" Motivation carries an implication of an unrealized need. But with regard to the divine, it is impossible to ascribe motivation to God because He has neither needs nor deficiencies. Thus, in response to the question of why God created the world, we cannot answer that it is because He is kind and wanted to bestow goodness to the world; this assertion implies that God has some vague "need" to do good. The only acceptable answer to the question is, "He willed it"—as Rashi comments on this verse, *gezerah hi milfanai*.

However, the question "what" can be asked. What is the meaning of this chok as far as I am concerned? What does the chok tell me? One does not ask, "Why did God legislate Parah Adumah?" or "How does it purify the ritually defiled?" but one can ask, "What is its spiritual message to me?" or "How can I, as a thinking and feeling person, assimilate it into my world outlook?"

The avodah shebalev must be present in every religious act, in the ritual as well as the moral. Although the *kiyum hamitzvah* can be achieved through a mechanical approach, *avodas Elokim* means not only to discharge the duty, but to enjoy, rejoice in and love the mitzvah. But the *avodas Elokim* is unattainable if the *chok* does not deliver any message to us. In order to offer God my heart and my soul, in order to serve Him inwardly with joy and love, the understanding and involvement of the logos in the *ma'aseh hamitzvah* is indispensable. We cannot experience the great bliss, the great experience of fulfilling divine commandments, if the logos is neutral, shut out of that involvement.

We have no right to explain *chukim*—but we have a duty to interpret *chukim*. What does the mitzvah mean to me? How am I to understand its essence as an integral part of my service of God? We do not know why the mitzvah was formulated. What the mitzvah means to me, how I can integrate and assimilate the mitzvah in my total religious consciousness, world outlook and I-awareness—that is a question that is not only permissible, but one that we are duty-bound to ask. (RCA Lecture, 1971; *Derashot Harav*, pp. 226-227)

From the newly released Chumash Mesoras HaRav – Sefer Bamidbar
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Descartes' Error – Rabbi Jonathan Sacks

(Chukat 5777) In his recent bestseller, *The Social Animal*, New York Times columnist David Brooks writes:

We are living in the middle of the revolution in consciousness. Over the past few years, geneticists, neuroscientists, psychologists, sociologists, economists, anthropologists, and others have made great strides in understanding the building blocks of human flourishing. And a core finding of their work is that we are not primarily products of our conscious thinking. We are primarily the products of thinking that happens below the level of awareness.[1]

Too much takes place in the mind for us to be fully aware of it. Timothy Wilson of the University of Virginia estimates that the human mind can absorb 11 million pieces of information at any given moment. We can be conscious of only a tiny fraction of this. Most of what is going on mentally lies below the threshold of awareness.

One result of the new neuroscience is that we are becoming aware of the hugely significant part played by emotion in decision-making. The French Enlightenment emphasized the role of reason, and regarded emotion as a distraction and distortion. We now know scientifically how wrong this is.

Antonio Damasio, in his *Descartes' Error*, tells the story of a man who, as the result of a tumour, suffered damage to the frontal lobes of his brain. He had a high IQ, was well-informed, and had an excellent memory. But after surgery to remove the tumour, his life went into free-fall. He was unable to organise his time. He made bad investments that cost him his savings. He divorced his wife, married a second time, and rapidly divorced again. He could still reason perfectly but had lost the ability to feel emotion. As a result, he was unable to make sensible choices.

Another man with a similar injury found it impossible to make decisions at all. At the end of one session, Damasio suggested two possible dates for their next meeting. The man then took out a notebook, began listing the pros and cons of each, talked about possible weather conditions,

potential conflicts with other engagements and so on, for half an hour, until Damasio finally interrupted him, and made the decision for him. The man immediately said, "That's fine," and went away.

It is less reason than emotion that lies behind our choices, and it takes emotional intelligence to make good choices. The problem is that much of our emotional life lies beneath the surface of the conscious mind.

That, as we can now see, is the logic of the *chukim*, the "statutes" of Judaism, the laws that seem to make no sense in terms of rationality. These are laws like the prohibition of sowing mixed seeds together (*kelayim*); of wearing cloth of mixed wool and linen (*shaatnez*); and of eating milk and meat together. The law of the Red Heifer with which our *parsha* begins, is described as the *chok par excellence*: "This is the statute of the Torah" (Num. 19:2).

There have been many interpretations of the *chukim* throughout the ages. But in the light of recent neuroscience we can suggest that they are laws designed to bypass the prefrontal cortex, the rational brain, and create instinctive patterns of behaviour to counteract some of the darker emotional drives at work in the human mind.

We know for example – Jared Diamond has chronicled this in his book *Collapse* – that wherever humans have settled throughout history they have left behind them a trail of environmental disaster, wiping out whole species of animals and birds, destroying forests, damaging the soil by over-farming and so on.

The prohibitions against sowing mixed seeds, mixing meat and milk or wool and linen, and so on, create an instinctual respect for the integrity of nature. They establish boundaries. They set limits. They inculcate the feeling that we may not do to our animal and plant environment everything we wish. Some things are forbidden – like the fruit of the tree in the middle of the Garden of Eden. The whole Eden story, set at the dawn of human history, is a parable whose message we can understand today better than any previous generation: Without a sense of limits, we will destroy our ecology and discover that we have lost paradise.

As for the ritual of the Red Heifer, this is directed at the most destructive pre-rational instinct of all: what Sigmund Freud called *Thanatos*, the death instinct. He described it as something "more primitive, more elementary, more instinctual than the pleasure principle which it over-rides". [2] In his essay *Civilisation and Its Discontents*, he wrote that "a portion of the [death] instinct is diverted towards the external world and comes to light as an instinct of aggressiveness", which he saw as "the greatest impediment to civilisation."

The Red Heifer ritual is a powerful statement that the Holy is to be found in life, not death. Anyone who had been in contact with a dead body needed purification before entering the sanctuary or Temple. Priests had to obey stricter rules, and the High Priest even more so.

This made biblical Judaism highly distinctive. It contains no cult of worship of dead ancestors, or seeking to make contact with their spirits. It was probably to avoid the tomb of Moses becoming a holy site that the Torah says, "to this day no one knows where his grave is. (Deut. 34:6). God and the holy are to be found in life. Death defiles.

The point is – and that is what recent neuroscience has made eminently clear – this cannot be achieved by reason alone. Freud was right to suggest that the death instinct is powerful, irrational, and largely unconscious, yet under certain conditions it can be utterly devastating in what it leads people to do.

The Hebrew term *chok* comes from the verb meaning, "to engrave". Just as a statute is carved into stone, so a behavioural habit is carved in depth into our unconscious mind and alters our instinctual responses. The result is a personality trained to see death and holiness as two utterly opposed states – just as meat (death) and milk (life) are.

Chukim are Judaism's way of training us in emotional intelligence, above all a conditioning in associating holiness with life, and defilement with death. It is fascinating to see how this has been vindicated by modern neuroscience. Rationality, vitally important in its own right, is only half the story of why we are as we are. We will need to shape and control the other half if we are successfully to conquer the instinct to aggression, violence and death that lurks not far beneath the surface of the conscious mind.

Shabbat Shalom

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Rabbi Benjamin Yudin

Give Credit Where Credit is Due

One of the most challenging incidents in the entire Torah, and perhaps most appropriately in *Parshas Chukas*, which begins "zos chukas haTorah - this is the law that is beyond human reason and comprehension", is *mei-merivah*, i.e. Moshe's sin at the rock. Just as we cannot understand the laws of the *parah adumah* (the red heifer), similarly we cannot understand how Moshe who "In My entire house he is the trusted one" (*Bamidbar* 12:7) could disobey Hashem. The *Ohr HaChaim Hakadosh* lists no less than ten possible explanations as to what was Moshe's sin, from the opinion of *Rashi* that he hit the rock instead of speaking to it to that of the *Ma'asei Hashem*, that Moshe and the Jewish people differed as to which rock should be addressed, the nation having dug out and selected a different rock location, and Moshe in anger at the people threw his staff which hit the rock and water emerged.

I'd like to focus on the opinion of the *Ramban* who concurs with *Rabbeinu Chananel* that Moshe's sin was that he and *Aharon* said to the people (*Devarim* 20:10) "Shall we bring forth water for you from this rock?" They said the word "notzi" which means literally "we shall bring forth", giving the impression that they, with their knowledge and capabilities, will produce the water. They should have used the word "yotzi" which clearly means that He (referring to Hashem) will perform the miracle, as indeed Moshe said (*Shemos* 16:8) "in the evening Hashem gives you meat to eat, and bread to satiate in the morning."

It is thus understandable, continues the *Ramban*, that where Hashem clearly announces why Moshe does not enter the promised land (*Devarim* 32:51), He enumerates two wrong doings: 1) "Asher m'altem bee" literally you trespassed against Me or the sin of *m'ilah*, and 2) "Lo kidashtem osi" - you did not sanctify me among the children of Israel.

The *Ramban* notes, that what transpired here was assessed by Hashem to be an act of *m'ilah*. *M'ilah* is misuse-abuse of sanctified property, most often associated with misuse of the *Beis Hamikdash*, its possessions, and *karbanos*. The *Ramban* is broadening the horizon and definition of *m'ilah*. Moshe had an incredible opportunity. The Torah (*Devarim* 20:10) informs us that Moshe and *Aharon* "gathered the congregation before the rock." *Rashi* cites the *medrash* (*Vayikra Rabbah* 10:9) that the entire nation, literally millions of people, were able to miraculously stand in front of the rock to see and hear the proceedings. Thus, in this environment Moshe's use of "notzi" rather than "yotzi" was a form of *m'ilah*, taking the credit and honor that was due Hashem and on some level attributing the success to himself and *Aharon*. The absence of a great *kiddush Hashem* - sanctification of Hashem's name was thus a *chilul Hashem* on Moshe's level on their part.

What emerges from these few terse words of the *Ramban* is that the entire world is His stage, and man constantly has the opportunity to either

bring honor, or the antithesis, to His name. The Talmud (Brachos 35a) teaches "it is forbidden for a person to derive benefit from this world without first reciting a bracha and whoever derives benefit from this world without first reciting a bracha - ma'al." Ma'al means he has committed an act of m'ilah, i.e. stealing from the Holy, the unauthorized use of His property, as indeed we are taught (Tehillim 24:1) "to Hashem belongs the Earth and its fullness."

The difference between eating with or without a bracha might be compared to "notzi" vs. "yotzi". With a blessing, one is acknowledging that she-hakol, everything and every aspect of this nourishment came about only through His directive and involvement. True, man is involved with sowing and harvesting and baking, still one admits with a blessing that He (Devarim 8:18), "gives you strength to make wealth," which is understood by Targum Unkelos to mean, "He gives you the intelligence and ideas to succeed and progress." Without the recitation of a bracha it is "notzi", man is ascribing too much to himself and his involvement.

Aish Weekly Torah Portion » Advanced » The Guiding Light
Chukat

by Rabbi Yehonasan Gefen
The Guiding Light
Miriam - The Life Giver

In Chukat the Torah tells us about the death of the righteous Miriam. Immediately after her death, we are told that suddenly there was no water for anyone to drink. The Talmud teaches us that we learn from here that the well which provided the Jewish people with water throughout their tenure in the desert was in Miriam's merit.(1) What is the connection between Miriam and the water that kept the Jewish people alive for forty years?(2) The Kli Yakar explains that Miriam excelled in the trait of gemilut chasadim (bestowing kindness), as will be demonstrated below. As a result of this trait Miriam merited to be the source of the well (named Be'er Miriam after her) that provided the people with water, the most basic necessity that humans need to survive.(3) It is possible to expand on the Kli Yakar's explanation: Miriam's kindness was specifically directed towards the saving and maintaining of the lives of the Jewish people. This trait was expressed by Miriam from a very young age. For example, the Midrash tells us that after Pharaoh decreed to kill every Jewish newborn baby, Miriam's father, Amram decided to separate from his wife, Yocheved, in order to prevent the inevitable death of any future sons. As Amram was the leader of the Jewish people, the other men followed his example and separated from their wives. Upon hearing this, the five year old Miriam rebuked her father, saying: "your decree is harsher than that of Pharaoh for he only decreed on the boys, but you have done so to the boys and girls." (4) Amram accepted the rebuke and publicly remarried Yocheved and in turn everyone else followed their example and remarried. In this sense Miriam was the ultimate creator of life. If not for her, then untold numbers of Jewish children would never have been born, and Moshe Rabbeinu himself could never have come to life. As a result, Miriam is given an alternative name in Divrei HaYamim(5) (Chronicles); that of Ephrath, (whose root form is "peru" which means being fruitful) because, the Midrash tells us; "the people of Israel multiplied because of her." (6) A further example of her remarkable efforts at saving lives is her brave refusal to obey Pharaoh's commands to kill the newborn baby boys. Instead, along with her mother, she did not kill the babies, in fact they assisted the mothers in giving birth to healthy children, and provided them with food and water. The Torah gives her another name, that of Puah, which, the Midrash also tells us, was in recognition of her great live-saving achievements; it is connected

to the word "nofat", "for she gave wine and restored (mafiya) the babies to life when they appeared to be dead." (7) Thus we have seen that Miriam's greatness lay in her incredible kindness, and particularly with regard to the most fundamental gift, that of life. This is why the life-giving waters of the Be'er Miriam (the well of Miriam) were in her merit. Because she risked so much to provide life to others, she was rewarded with her desire being fulfilled through the miraculous supply of water that sustained the Jewish people in the desert for forty years. Miriam's appreciation of the value of life is all the more remarkable given the world that she was born into. The Yalkut Shimoni tells us that her name is connected to the word, 'mar' which means bitter because at the time of her birth the Egyptians embittered the lives of the Jewish people.(8) It is a well known tenet of Jewish thought that the name of any person or item teaches a great deal about their essence. Evidently, the fact that Miriam was born during such a terrible period in Jewish history played a central role in defining the person that she became. She could easily have been bitter, unhappy about the desperate situation that she was born into. It certainly would have been understandable if she did not develop a great love of life given the pain and suffering that life seemed to offer. Yet her opposite reaction to her situation teaches us a new dimension in her greatness. She recognized the inherent value of life and kept faith in God that He would save the Jewish people from their dire situation. It was this persistent optimism that enabled her to persuade her parents to remarry, and the resultant birth of the Jewish people's savior, Moses. The example of Miriam teaches us a pertinent lesson: There is an increasingly popular perception that it is wrong to bring 'too many' children into a world that is full of pain and suffering. According to the proponents of this outlook, life is not something that is of intrinsic value rather it is dependent on the 'life satisfaction' that a living being can derive. Given the numerous challenges that face the world such as the dire economic situation, these people believe that it is morally wrong to bring yet another mouth to feed into life. Needless to say, this view is diametrically opposed to the Torah approach epitomized by Miriam. She saw life as indeed being inherently valuable. Accordingly, the most horrific situations did not justify giving up on bring more life into the world, and on sustaining the already living.(9) May we learn from Miriam's incredible appreciation for the value of life and emulate her achievements in bringing life to the world. NOTES 1. Taanis, 9a. The Gemara also tells us that the manna fell in the merit of Moshe Rabbeinu whilst the Clouds of Glory were in Aaron's merit. 2. For other approaches to this question see Bamidbar Rabbah, 1:2 and Rabbeinu Bechaye, Bamidbar. 3. Kli Yakar quoted by the Anaf Yosef, Taanis, 9a. Of course the Manna and Clouds of Glory also provided for the needs of the people, but the Kli Yakar explains that water is the most important of all needs. A person can survive without food for several weeks, but he cannot last without water more than a few days. 4. Sotah, 12a; Shemos Rabbah, 1:17. 5. Divrei HaYamim 1,2:19. 6. Shemos Rabbah, 1:17. 7. Shemos Rabbah, 1:13. 8. Yalkut Shimoni, Shemos, 165. 9. It is important to note that there are situations when Jewish law does mandate limiting the amount of children one has. The point made above reflects the general Torah attitude to life and procreation. Any specific questions in this delicate realm should be directed to an Orthodox Rabbi.

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Rav Shlomo Aviner

Ha-Rav answers hundreds of text message questions a day. Here's a sample: 100 Blessings a Day Q: Does the requirement to recite 100 blessings a day begin from the morning or the night? A: From when three stars come out at night. Piskei Teshuvot 46:10. Q: Who established this obligation? A: King David. And some explain that he re-established a decree that had been forgotten. Ibid. #9. Q: Are women obligated to recite 100 blessings each day? A: It is a dispute. Ibid. Gemara Aids Q: Is it permissible to use a Gemara which has vowels and punctuation? A: Yes. It is very good. Q: But one must learn with toil? A: Don't worry. There is toil with this as well. Choosing an Apartment Q: We found an apartment that fills our needs. Do we need to ask a Rabbi for approval to buy or rent it? A: No. Religious-Zionists and Charedim Q: Are we as Religious-Zionists closer to the secular Jews or to Charedi Jews? A: To the Charedim: we have the shared goal of creating a holy State, even though we have a difference opinions on how to get there. With the secular Jews, we have a difference of opinion regarding the goal itself. Q: Why do we always talk about connecting with the secular Jews but not with the Charedim? A: This is a mistake. We need unity among the entire Nation. Q: Are we obligated to help the Charedim do Teshuvah regarding their relationship to the State of Israel? A: We are obligated to help ourselves do Teshuvah. Q: Should we force the Charedim to join the Army? A: No. Things such as this cannot be forced. We have to have patience. There are more CharEdim going into the army each year. Following the enactment of the new law, however, which forced them, the number declined significantly. The exact opposite of what we want. Cohanim During the Winter Q: How will Cohanim work in the Beit Ha-Mikdash during the winter when they are barefoot? A: The same as in the past: with self-sacrifice. Dispute in the Gemara Q: Is it logical that there are so many disputes in the Gemara? A: They are very few disputes. There is agreement on 99% of the issues, and disputes about only 1%, but the disputes fill up 99% of the Gemara. One Book or Many Q: Is it preferable to learn one book at a time or many books? A: One book. One should focus. What one does, he should do well. However, a person should learn Torah in a subject that his heart desires (Avodah Zarah 19a). Therefore, if his learning in many books at a time brings more blessing than learning one book, he should do so. Transgressions in Eretz Yisrael Q: Which is worse – transgressions outside of Eretz Yisrael or within Eretz Yisrael? A: Within Eretz Yisrael, since rebelling against the king is more severe than rebelling in the street. Therefore, according to the Terumat Ha-Deshen and the Sha'arei Tzedek by the author the Chayei Olam, one who is not a Tzadik should not make Aliyah. The Halachah, however, does not follow them. Rather, one should make Aliyah and strengthen his commitment to Torah (see Alo Naale #56).

from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Jun 29, 2017

Don't Strike the Rock

Rabbi Dr. Tzvi Hersh Weinreb

Very early in my professional training as a psychologist, I learned about a phenomenon known as “the power of positive expectations.” This power was well known even to the ancients, who recognized that if you expect positive behavior from another person, you are likely to be rewarded by positive behavior from that person. On the other hand, if you expect negative behavior from him, you should not be surprised if that's what you get back.

This principle was the core of the pedagogical approach of a very remarkable individual, Rabbi Kalonymous Kalman Shapiro, a Hasidic

master known as the Rebbe of Piaczesna (the small Polish town in which he lived). Rabbi Shapiro, a victim of the Holocaust, is best known today for the courageous sermons he delivered under the horrible conditions of the Warsaw Ghetto. Those sermons were miraculously recovered in the rubble of the Warsaw ghetto sometime after the Holocaust and were eventually published under the title *Aish Kodesh*, “A Sacred Fire.”

Many people remain unfamiliar with the accomplishments of this great man in his early life, prior to the Holocaust. He had a school for young men and developed a remarkably progressive approach to education.

The cornerstone of his approach was the manner in which he dealt with the students individually. At the beginning of every school term, he met with each student privately and conveyed his expectations to him. He would say, for example, “I have observed you and read the recommendations which your previous teachers sent to me. They think highly of you, and from what I have seen, you are capable of great accomplishments in our school. You are obviously quite bright, you are serious about your studies, and you have already mastered some of what we have to teach you.”

With statements such as this, he was able to inform the student of the positive expectations he had of him. Every student emerged from the sessions highly motivated and dedicated to his studies. Rabbi Shapiro's students demonstrated the power of positive expectations in their academic achievements.

Truth to tell, it was not out of his own creative genius that Rabbi Shapiro discovered the secret of the power of positive expectations. He attributed his discovery to the writings of earlier rabbinic figures, such as 16th century rabbi, Rabbi Isaiah Horowitz, also known as the Shelah.

The Shelah, in turn, based his knowledge of the power of positive expectations upon several verses in the biblical book of Proverbs, which read:

“Do not rebuke a scoffer, for he will hate you; ‘Reprove a wise man, and he will love you. ‘Instruct a wise man, and he will grow wiser; ‘Teach a righteous man, and he will gain in learning.” (Proverbs 9: 8-9)

The Shelah proposed a unique interpretation of these verses. He suggested that the text be understood as follows:

“Do not rebuke a person by calling him ‘scoffer,’ for that will result in him hating you. ‘Reprove him instead by calling him ‘wise man’, for that will make him love you. ‘Instruct each pupil by referring to him as ‘a wise man,’ and he will grow wiser. ‘Teach your pupil that he is ‘a righteous man,’ and he will gain in learning.

The Shelah thus advocated referring to each pupil in terms which convey positive expectations: wise man, righteous man. Then, he believed, that pupil would grow wiser and gain in learning. He advised his followers: Avoid calling your pupil a scoffer or a fool or a dunce, for by doing so, you will convey negative expectations. The only behavior you could expect back of that pupil would be resentment and hatred.

One might wonder what these remarks about the power of positive expectations have to do with this week's Torah portion, Chukat (Numbers 19:1-22:1). The answer lies in a puzzling and almost cryptic episode in this Torah portion. There we read:

“The Israelites arrived... at the wilderness of Zin... The community was without water... The people quarreled with Moses... ‘Why did you make us leave Egypt to bring us to this wretched place... There is not even water to drink!’... ”

“Moses and Aaron... fell on their faces... And the Lord spoke to Moses, saying, ‘take the rod and assemble the community, and before their very eyes order the rock to yield its water. Thus you shall produce water for them from the rock...’ ”

“Moses took the rod... and assembled the congregation... Moses raised his hand and struck the rock twice with his rod. Out came copious water...” (Numbers 20:1-11)

The Lord is, to say the least, disappointed in Moses. He delivers the following shocking message to him: “Because you did not trust Me enough to affirm My sanctity in the sight of the Israelite people, therefore, you shall not lead this congregation into the land that I have given them.” (Numbers 20:12).

What was Moses’ terrible misdeed? Numerous suggestions have been advanced by commentators over the centuries. But the one which is familiar to many students of the parsha is the one advanced by Rashi. Moses was told to “order the rock to yield its water.” He was to speak to the rock. Instead, he “raised his hand and struck the rock twice with his rod.” He was told to speak to the rock, but he disobeyed the Lord and struck it instead.

One cannot help but wonder what difference it makes to the Almighty whether Moses speaks to the rock or strikes it. After all, either way, it is a miracle for water to flow out of a rock in the midst of the desert wilderness.

I recently discovered a fascinating approach to this problem. It is consistent with the lesson about the power of positive expectations with which we began this week’s column. This interpretation appears in a collection of essays on the weekly Torah portions, entitled *Mai Marom*, “Waters From On High.” The author, Rabbi Yaakov Moshe Charlap, was a revered spiritual figure in Jerusalem during the first half of the 20th century.

Rabbi Charlap maintains that by asking Moses to speak to the rock, the Almighty provided him with a metaphor relating to another person. Speaking to the rock is analogous to speaking to another person gently and respectfully, with positive expectations. When he struck the rock, Moses substituted a different metaphor, one which signaled a harsh pessimism. Striking the rock is an analogy for negative expectations.

Rabbi Charlap further proposes that by urging Moses to speak to the rock, the Almighty was encouraging him to realize the potential of the Israelites. He was trying to impress upon him that they were capable of putting their pettiness behind them and could move forward into an improved future. By striking the rock, Moses refused to acknowledge the capacity of the Israelites to achieve that better future. He felt that they were condemned to remain imprisoned in their past.

Moses’ failure to be optimistic about his people’s ability to advance into a new future was his fatal flaw. It was this pessimism that denied him the privilege of leading his people into the Promised Land.

Rabbi Charlap’s interpretation allows us to more fully understand the power of positive expectations. Positive expectations of another person orient him toward the future and its possibilities. Negative expectations of the other compel him to remain static, if not regress to an even earlier past.

A wise man of another faith, Johann Wolfgang von Goethe, said it well: “Treat the other person as he is, and he will remain whom he is. But treat him as he ought to be and could be, and he will become what he ought to be and could be.”

web: <http://ohr.edu/7412> For the week ending 1 July 2017 / 7 Tammuz 5777 **Bava Batra 157 - 163** by **Rabbi Moshe Newman** Rabbi Zeira said, “I see from this that the air of the Land of Israel makes one wise.”

After Rabbi Zeira “went up” from Bavel to the Land of Israel he did a 180-degree reversal in his halachic ruling that he had made regarding a case of inheritance. In Bavel he had ruled one way, and then he changed

his ruling when he went to Israel. Because of his changed ruling he concluded that it was due to the “air of the Land of Israel making a person wise”.

The Rashbam explains that Rabbi Zeira reached this conclusion about the special “power” of the air of Israel as follows: Rabbi Zeira said to himself, “Ever since I came up to the Land of Israel I have put my heart (i.e. made great effort and toil in my Torah study) to find fault with my earlier ruling, and to be certain that my conclusion is the pure truth of the matter.” It appears that Rabbi Zeira had a small measure of doubt about his ruling from Bavel, possibly because another Sage, Rabbi Ila, ruled differently than him in Bavel. So when he left Bavel for Israel, he felt a renewal of will and wisdom in his search for truth, and, in fact, he reversed his earlier ruling and came to agree with the ruling of Rabbi Ila as being the true halacha.

The Maharsha cites a reason for the unique “wisdom power” of the air of the Land of Israel. Moshe was informed by Gd that he would not enter the Land of Israel, and he was told: “Go up this Mount Avarim to Mount Nevo, which is in the land of Moav that is facing Jericho, and see the Land of Canaan that I am giving to the children of Israel as a possession (Dev. 32:49)”. When Moshe looked at the Land, his gaze infused the Land of Israel with a special capacity for extra wisdom for those who breathed its air.

Rabbi Ovadia Seforno writes a different reason: Since the waters of the Great Flood did not reach the Land of Israel its air was not affected for the worse, unlike the other lands of the world, where the air was affected in a negative manner. This appears to be a scientific explanation for the air of Israel being a potentially positive factor to help a person achieve greater wisdom in the Land of Israel than in other places.

On a lighter note, I recall a certain commercial product that was being sold in Israel a few decades ago (and perhaps today as well). Small, sealed cans of “Air from Israel” were being sold in stores throughout Israel for about a dollar or so each. At first I thought it was a joke, but then I saw a can that mentioned it being “Holy Air from the Holy Land”, and the quotation of our gemara which states that the “air of the Land of Israel makes one wise”. If I recall correctly, it also had a seal of Rabbinical supervision that it was “kosher” and authentic air from the Land of Israel. However, this all seemed somewhat “unusual” and “touristy” at the time, since – after all – air is air! The air in Eretz Yisrael is presumably identical to the rest of the world’s air, and, if tested, it would show the identical molecular and chemical components as any other air. Nevertheless, I considered buying a can to send to a friend in the States to “inhale”, since he said he was struggling with his studies at the time. I didn’t, but perhaps I should have...

Bava Batra 158b

from: Daily Halacha <return@dailyhalacha.com> via torahlearningresources.org date: Thu, Jun 29, 2017 at 2:10 AM
subject: May a Kohen Work for Hatzalah, or Inspect a Body to Prevent an Autopsy?

The Rabbi Jacob S. Kassin Memorial Halacha Series

Authored by **Rabbi Eli J. Mansour** (6/29/2017)

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Description: **May a Kohen Work for Hatzalah, or Inspect a Body to Prevent an Autopsy?**

It is forbidden for Kohanim to contract Tum’ at Met – the status of impurity that results from contact with a human corpse. The Halachic authorities addressed the question of whether it would be permissible for

a Kohen to volunteer for an emergency medical corps, such as Hatzalah. A person working as an emergency medical responder is likely to come in contact with a human corpse, Heaven forbid. In light of this likelihood, is it forbidden for a Kohen to volunteer for such services?

The Shebet Halevi (Rav Shemuel Wosner, contemporary) rules that a Kohen may volunteer for Hatzalah, as long as he exercises caution and tries to avoid contact with a human corpse. If he tries to avoid Tum'at Met, then it is permissible to join emergency ambulance services, and it would in fact be considered a Misva for him to do so. Of course, in situations where a Kohen's involvement could save a life, then he is certainly allowed and required to intervene, even if this poses the risk of becoming Tameh. Just as one may violate Shabbat and eat and Yom Kippur when this is necessary for Piku'ah Nefesh (saving a life), similarly, a Kohen may come in contact with Tum'at Met for the purpose of saving a life.

The Hatam Sofer (Rabbi Moshe Sofer of Pressburg, 1762-1839) addressed the situation of a Jew who had passed away, and the coroner insisted on determining the precise cause of death. If the cause of death could not be definitively determined through an external inspection, then the coroner would order an autopsy. As it turned out, the only available physician who was capable of determining the cause of death was a Kohen. The Hatam Sofer ruled that the Kohen was allowed to – and in fact should – inspect the body in order to prevent the autopsy. This situation, the Hatam Sofer explained, was no different than that of a “Met Misva,” where a Kohen is the only person available to bury a body, in which case he is allowed, and even required, to perform the burial. Here, too, the Kohen is needed to ensure the body's immediate burial and avoid disgrace, and therefore he should inspect the body, even though he would then become Tameh.

These Halachot should remind us of the need for Kohanim to consult with Rabbis on all matters involving situations of possible contact with a corpse, to determine when it is forbidden, permissible, or even obligatory to come in contact with a corpse.

Summary: It is permissible – and even a Misva – for a Kohen to serve on an emergency ambulance corps, provided that he exercise care to try and avoid contact with human corpses. If a body needs to be inspected to determine cause of death and thereby avoid an autopsy, and the only available doctor to perform the inspection is a Kohen, he is allowed and even urged to inspect the body, even though he would thus become Tameh.

fw from hamelaket@gmail.com

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Insights into Halacha

For the week ending 1 July 2017 / 7 Tammuz 5777

Forgotten Fast Days: Zos Chukas HaTorah

by Rabbi Yehuda Spitz

On Motzai Shabbos Korach 5774, our dear, close family friend, Reb Chaim Daskal a”h, was niftar after a prolonged and painful battle with cancer R”l. Never one to complain, Reb Chaim still exuded Simchas Hachaim and gratitude to Hashem even in his weakened and pain-filled state, the last time this author had the zechus to see him, merely a week-and-a-half prior to his untimely passing. In fact, his tza’ava (will) reflects this as well, including how he wanted his own levaya, kevura, and shiva to be held.

One of the maspidim (eulogizers) at the levaya (at 1:45 A.M.!), Elimelech Lepon, mentioned that Reb Chaim passed away only after Shabbos was over, averring that the Malach HaMaves could not take

have taken him on a Shabbos. You see, with an open house and a multitude of guests weekly, Shabbos was truly Reb Chaim's special day. In fact, Mr. Lepon revealed that it was exclusively due to the merit of Reb Chaim's extraordinary and warm Shabbos hospitality that he was won over to personally begin keeping Shabbos properly. When my father, renowned Kashrus expert Rabbi Manish Spitz, heard the tragic news of the passing of his friend of almost 40 years, he enigmatically exclaimed ‘Zos Chukas HaTorah’! His intent was that the week of Parshas Chukas is ‘mesugal l’puraniyos’, a time that has seen much hardship and tragedy for our nation. Therefore, it was fitting that only after Shabbos of Parshas Korach had ended, and the week of Parshas Chukas officially began, that such an incredible man, in the prime of his life, passed away.

Yet, there is no mention in the Gemara of the week of Parshas Chukas being one of tragedy, nor is it mentioned by the Rambam, nor Tur, nor Shulchan Aruch! Not even in the Siman where tragedies and proper days to fast are mentioned, Orach Chaim 580! In fact, most are wholly unfamiliar with anything specifically attributed to this week. Yet, the Magen Avraham, citing the Sefer HaTanya[1] (referring to Sefer Tanya Rabbasi; an earlier source that the famous Kabbalistic work of the Shulchan Aruch HaRav) tells of a terrible, albeit fascinating, historical tragedy.

Friday of Fire The Magen Avraham prefaces his terrible tale by quoting certain writings[2] explaining that it is “worthwhile for every Jew to cry for the burning of the Torah”. He then proceeds to tell of a customary annual fast specifically for this purpose, on Erev Shabbos Parshas Chukas. On that day, in the year 1242, 20 wagonloads (however, the original versions state 24 wagonloads[3]) filled with Gemaros and Talmudic literature (including many works of the Baalei Tosafos) were burned in Paris by agents of the Church and King Louis IX. The pretext was a public debate between an apostate monk and several of the most eminent rabbinical authorities in France; the official verdict against them a foregone conclusion[4]. The impact and importance of this loss was tremendous. Keep in mind that this occurred over 200 years before the printing press was invented, and each of these volumes was a priceless, handwritten manuscript[5]. In fact, this was considered such an enormous loss for Klal Yisrael that the famed Maharam M'Rottenburg[6], an eyewitness, composed an elegy for our loss, ‘Sha’ali Serufa Ba’Aish’, deemed so essential that it is incorporated into the Kinos recited every Tisha B’Av (Kinah 41).[7] The great rabbis at the time, at a loss to fathom the extent of the tragedy, inquired of Heaven by means of a dream (known as a she’elas chalom) to discover whether this terrible event had been so decreed by Hashem. The Heavenly reply was a succinct three words ‘Da Gezeiras Oraysa’. This is the Aramaic translation (see Targum Onkelos) of the opening verses to Parshas Chukas, ‘Zos Chukas HaTorah’, ‘These are the decrees of the Torah’ (Bamidbar Ch. 19: verse 2). The Rabbanim understood from this cryptic reply that the burning of the Talmud was indeed Heavenly decreed. Moreover, they gleaned that it was due to the proximity of the Parsha that the tragedy transpired, and not the day of the month[8].

Therefore, and as opposed to every other fast on the Jewish calendar, instead of a specific day established as a fast day, this one, designated a Taanis for Yechidim (fast for individuals), was set annually on the Erev Shabbos preceding Parshas Chukas. For those fasting, Asarah B’Teves would not be the only Taanis that practically occurs on a Friday[9]!

Retribution for the Rambam? Rav Hillel of Verona, a talmid of Rabbeinu Yonah, and another eyewitness to these events, wrote a famous letter[10] in which he considered the burning of the Talmud as a clear

sign of Divine anger and retribution for the burning of the works of the Rambam, in the exact same place in Paris not even forty days prior!

After the Rambam's passing (in 1204), many great scholars who did not agree with his philosophical observations in his 'Moreh Nevuchim' and 'Sefer HaMada' banned his sefarim, with a tremendous controversy erupting throughout the Torah world[11]. Eventually, a number of his detractors submitted copies of his work to the monks of the Dominican Order to determine whether the Rambam's works contained heretical ideas. The Dominican Friars, naturally, summarily concluded that the Rambam's writings were not only false, but blasphemous. In 1234, in Montpellier, France, they publicly collected and burned all copies they found of 'Moreh Nevuchim' and 'Sefer HaMada'. Similarly, in 1242, a fanatical mob burned many of the Rambam's writings in Paris. Less than 40 days later, at the exact same site, the 24 wagonloads of the Talmud were burned, on Erev Shabbos Parshas Chukas[12].

According to Rav Hillel's letter, the famed Rabbeinu Yonah, one of the Rambam's primary opponents, took the Talmud burning as a Divine sign, and publicly and vociferously denounced his former position and opposition against the Rambam's writings and instead emphatically concluded "Moshe Emes V'Toras Emes, V'Kulanu Bada'in!" "Moshe and his Torah are true (here referring to the Rambam), while we all are liars"[13]. He planned on traveling to the Rambam's grave (in Teverya) and begging forgiveness. Some say this tragic incident was the catalyst of Rabbeinu Yonah's writing what came to be known as his Magnum Opus, 'Shaarei Teshuva'.

Further Grounds for Fasting After discussing the burning of the Talmud, the Magen Avraham offers another reason for fasting. On this very day, Erev Shabbos Chukas, two entire cities of Jews were brutally decimated, as part of the Gezeiras Ta'ch V'Ta't, the Cossack massacres led by Bogdan Chmielnitsky ym"sh[14] in 1648 - 1649, as recorded by the Shach.

Most know of the Shach simply as one of the preeminent halachic authorities due to his extensive and authoritative commentary and rulings on the Shulchan Aruch, and few know that he also wrote a sefer titled 'Megillas Eifa'[15], detailing the horrific and barbaric slaughter of tens of thousands (he puts the total at over one hundred thousand!) of Jews, and hundreds of entire communities during these terrifying years. Among his entries he relates (in graphic detail) how two cities were totally wiped out on this same day in the year 1648 (5408). Hence, the Magen Avraham avers that it is proper to fast (Taanis Yachid) on Erev Shabbos Chukas, due to both of these tragedies happening on this same day in history. 20th of Sivan However, that was not the first of the tragedies of Gezeiras Ta'ch V'Ta't. That occurred on the 20th of Sivan, 1648 (5408) when the Cossacks attacked Nemirov (Nemyriv), in the Ukraine, and destroyed the Jewish community, numbering over 6,000. Several hundred Jews were drowned; other were burned alive. The shuls were ransacked and destroyed, with even the Torah parchments desecrated and used as shoes. Since this horrifying catastrophe was unfortunately the first of many to come in the following years, the Shach, at the conclusion of his 'Megillas Eifa', declared a personal fast on the 20th of Sivan for himself and his descendants[16]. This was soon codified as a public fast by the Vaad Arba Ha'Aratzos, the halachic and legislative body of all Lithuanian and Polish Jewry[17]. Indeed, the Magen Avraham concludes his passage by stating that in many places in Poland, the custom is to fast on the 20th of Sivan for this reason. Additionally, the Shach, the Tosafos Yom Tov, and Rav Shabsi Sheftel Horowitz[18], as well as several other Rabbanim of the time, composed specific Selichos to be recited on this day annually.

The First Blood Libel and Massacre However, the 20th of Sivan was not chosen as a fast day exclusively due to the annihilation of the hundreds of Jewish communities during Gezeiras Ta'ch V'Ta't. It actually held the ignominious distinction of being the date of one of the very first blood libels[19], in Blois, France, almost 500 years prior, in 1171 (4931)!

According to one of the Selichos recited on that day, 'Emunei Shelumei Yisrael', attributed to Hillel ben Yaakov, which lists the place and year of the tragedy, the King offered the 31 innocent Jewish prisoners (some listed by first name in the Selicha!), including several Gedolim and Baalei Tosafos, the chance to convert. When they refused, he ordered them burned alive! The martyrs recited Aleinu L'Shabayach in unison as the decree was being executed. Although, as detailed in the Selichah, as well as recorded by an eyewitness to the atrocities, Rabbi Efraim of Bonn in his 'Sefer Hazechira', which was later appended to Rabbi Yosef Hakohen's sixteenth century 'Emek HaBacha', a chronicle of the terrible devastation of the Crusades (starting in 1096 / 4856; known as Gezeiras Talm'u[20]), the martyrs' bodies did not burn. Still, this tragedy foreshadowed and portended future cataclysmic events for the Jewish people. In fact, this terrible libel was a major factor in the expulsion order of Jews from France a mere ten years later.

The great Rabbeinu Tam and the Rabbanim of the time instituted the 20th of Sivan as a fast day, even exclaiming that this fast is 'akin to Yom Kippur'![21] The Selichos established for 20 Sivan, aside from the one mentioned previously which actually describes the horrendous pyre in Blois, were written by the Gedolim of the previous generations regarding the destruction of many Jewish communities during the Crusades (known as Gezeiras Talm'u). Many Kinot of Tisha B'Av are recited in commemoration of these tragedies as well, including Rav Shlomo HaBavli[22], Rabbeinu Gershom (Me'ohr Hagolah), and Rav Meir ben Rav Yitzchak, the author of Akdomus. Interestingly, several of the Selichos, especially the one titled "Elokim Al Dami L'Dami", strongly reference and invoke the idea and essence of Korbanos in their theme, comparing the self-sacrifice of the Kedoshim of these decimated communities who gave up their lives Al Kiddush Hashem to Korbanos offered in the Beis Hamikdash.

Re-Establishing the Fast In fact, it is due to the dual tragedies that occurred on this day that the Shach declared the 20th of Sivan a fast day[23]. In other words, he didn't actually set a new fast day; rather, he re-established the 20th of Sivan as a fast day, as it already had the distinction of a day that went 'down in infamy' almost 500 years previously. Therefore, it was only fitting to commemorate the unspeakable Cossack atrocities with a fast on this very same day, the day that the first Jewish community was destroyed as part of Gezeiras Ta'ch V'Ta't.

Chronicles of the disastrous occurrences of this day do exist and can still be found. Aside for the Shach's 'Megillas Eifa', there is also Rav Nosson Nota of Hanover's 'Yavein Metzulah', Rav Avraham ben Rav Shmuel Ashkenazi's 'Tzar Bas Rabbim', Rav Gavriel ben Yehoshua of Shusberg's 'Pesach Teshuva', and Rav Meir ben Shmuel of Sheburshen's 'Tzok Haftim', all written by eyewitnesses to the carnage and wanton destruction[24].[25]

Although nowadays it seems not widely commemorated or even known about[26], nevertheless, the 20th of Sivan is still observed among several Chassidic communities, mostly of Hungarian origin. During the Holocaust, Hungarian Jewry was R"l decimated mainly over the span of the months of Iyar, Sivan, and Tamuz in 1944. Therefore, Rabbanim of Hungary re-established the 20th of Sivan as a fast day for Hungarian Jewry[27].

Recent events have proven to us the timelessness of the dictum of 'Zos Chukas HaTorah' - where tragedies beyond our understanding happen to the Jewish people in exile. Our pain and tears over the recent senseless and brutal abduction and murder of three of our finest young men Hy"d have driven home the point to us that throughout our long and protracted exile there have been no dearth of reasons to fast. May we soon welcome Moshiach, and have no further need for fast days.

The author wishes to thank Rav Yitzchak Breitowitz for his help in clarifying much of the historical content of this article.

This article is dedicated L'Ilui Nishmasam shel R' Chaim Baruch Yehuda ben David Tzvi and Naftali Frankel, Gilad Shaar, and Eyal Yifrach Hy"d.

from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Jun 29, 2017 at 10:37 PM

Waving and Covering the Eyes

Rabbi Ari Enkin

It is customary for women to wave their hands and then cover their eyes when reciting the blessing upon the Shabbat candles. The reason for this is to comply with the halachic principle that a blessing must precede the performance of a mitzva, and not the reverse. Contrary to popular misconception, the lighting of the candles is only one component of the mitzva of Shabbat candles. The mitzva is only completed when one has derived benefit and enjoyment from them, as well. As such, a woman covers her eyes immediately after having lit the candles in order to avoid deriving any benefit from the light until she has recited the blessing.[1] In this way the blessing over the Shabbat candles is still deemed as having been recited before the completion of the mitzva. After the blessing is recited the hands are removed from the eyes in order to allow her to now enjoy and benefit from the candles' light.

The waving motions evolved as an act which symbolizes the preparation for deriving benefit from the candles. It is also said to be a motion which represents accepting the Shabbat queen. According to kabbalistic teachings the soul has five components, three of which are "internal". The three wavings, therefore, represent the internal acceptance of Shabbat.[2] There also exists a custom to only perform the waving of the hands but not to cover one's eyes.[3] It also might just be that the original custom was for women to cover the candles before reciting the blessing and not their eyes. As the custom of lighting more than the required two candles became widespread, making it difficult to cover many candles with one's hands, the custom became to cover one's eyes instead.[4]

It is interesting to note that according to Ashkenazi custom, once a woman recites the blessing over the Shabbat candles she is considered to have accepted Shabbat upon herself, even though there still may be quite some time before sunset.[5] It is also for this reason that a woman first lights the Shabbat candles and only afterwards recites the blessing. Indeed, if a woman recited the blessing before lighting the candles she may then be forbidden to strike a match due to having "accepted" Shabbat through the recitation of the blessing!

Sefardic authorities dismiss these concerns and it is actually widespread Sefardic practice to first recite the blessing and only afterwards to light the candles. According to both Ashkenazi and Sefardic practice a man who lights the Shabbat candles always recites the blessing before lighting the candles.[6] This is because a man does not automatically "accept" Shabbat through the lighting of the Shabbat candles, but rather, in the course of the prayers or other declaration.

[1] Rema O.C. 263:5

[2] See: <http://www.shamash.org/lists/scj-faq/HTML/faq/07-08.html>

[3] Rivevot Ephraim 2:115:64

[4] Rivevot Ephraim 1:183, 4:67

[5] Rema O.C. 263:5

[6] Mishna Berura 263:42

fw from hamelaket@gmail.com from: Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com> reply-to: info@jewishdestiny.com subject: Weekly Parsha from Rabbi Berel Wein

Rabbi Wein's Weekly Blog

CHUKAT

The unraveling of the destiny of the generation of Jews that left Egypt reaches its climax in the Torah reading of this week. All of the leaders of the people will not bring them to the promised land of Israel. This is true not only of the leaders of the individual tribes in the desert but even Moshe and Aharon are doomed not to witness the conquest and settlement of the Land of Israel. The will of Heaven in this area, as in almost all other areas of life and history, remains inscrutable to us ordinary humans. We do not comprehend the punishment of Moshe and its apparent severity. Commentators to the Torah have labored along and hard over the centuries to attempt to explain this mystery but it must be admitted, that in spite of their brilliant insights, the mystery still remains. We are left, as always, amazed and in awe at the judgment of Heaven. We are bound to accept that judgment even if it is beyond our realm of comprehension. Moshe will make numerous attempts to mitigate this decision but Heaven will not waiver in its enforcement. This week's Torah reading generally deals with laws and commandments that are beyond comprehension, such as the ritual involving the red heifer. The punishment meted out to Moshe also fits into this category of laws and commandments from Heaven that are beyond human understanding. So there is this thread of mystery that combines to make up the contents of the Torah reading of this week. Aside from delving into the mysterious ways that Heaven deals with our world and with us as individuals, the main task that lies before us is how to continue and strengthen ourselves physically and spiritually no matter what the results of Heaven's judgment are. Over the past century enormous events have overtaken the Jewish people. All of these events remain mysterious to us. Why did the Holocaust take place? Why did our generation merit the creation of a Jewish state in our ancient homeland of the Land of Israel? How has Torah study ascended to such a lofty level both in spirit and numbers in a generation of assimilation and intermarriage? All of these questions go to the heart of Jewish existence and society in our time. And to a great extent, they are all questions for which no real answers have ever been provided. But what is clear is that instead of delving intellectually into these issues, we should rather face their consequences and attempt to positively affect opportunities and situations. Complaints and finger pointing over past mistakes will not really help us in our current struggles and challenges. To a great extent, these attempts at hindsight and rational explanations of what is essentially beyond our understanding are futile and counterproductive. Our task is to build the future and not necessarily to try and explain the inexplicable. We are judged by what we do and accomplish and not by what we attempt to understand or explain. That is really the essential message of the Torah reading of this week. Shabbat shalom Rabbi Berel Wein