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From: TorahWeb <torahweb@torahweb.org> to: weeklydt@torahweb2.org
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Rabbi Herschel Shachter

The Exceptional Case of Benos Tzafchad

At the very end of Chumash Bamidbar the Torah relates that the leaders of shevet Menashe came to Moshe Rabbeinu with the following problem: because Tzafchad had no sons his estate would be inherited by his daughters. The shevet of a child is determined by the shevet of his or her father, so if Tzafchad's daughters would marry someone from another shevet, their husbands' shevatim will take possession of Tzafchad's portion of Menashe's land when Tzafchad's daughters' children inherit their mothers' property, and thus shevet Menashe would lose part of its share in Eretz Yisroel.

In response to this problem Hakadosh Baruch Hu tells Moshe Rabbeinu that as a hora'as sha'ah any single girl who inherits land in Eretz Yisroel must marry a boy from her own shevet. This halacha only applied through the fourteenth year after Yehoshua bin Nun crossed the Yarden River. The navi tells us that it took seven years to conquer all of Eretz Yisroel, and the gemara records an oral tradition that it took an additional seven years to divide all the territory among the shevatim, families, and individuals. At the time the division of Eretz Yisroel was completed, the territory of each shevet was owned exclusively by members of that shevet. Once the division was completed, this hora'as sha'ah no longer applied.

The gemara (Bava Basra 120a) records a tradition that this hora'as sha'ah applied to all girls who inherited their fathers except for the daughters of Tzafchad, who were allowed to marry anyone they wanted. Despite their exemption, the Chumash says that benos Tzafchad listened to Moshe Rabbeinu and married boys from their own shevet. The gemara explains that this was a recommendation of Moshe Rabbeinu and not a din. We always recommend that one marry someone with a similar background as themselves for practical reasons, since two people with similar backgrounds have a better chance of blending together well and being blessed with shalom bayis.

The Ohr Hachaim asks: what motivated the chachomim to say that this hora'as sha'ah did not apply to benos Tzafchad themselves? The simple

reading of the parsha seems to say differently. The problem was raised by the leaders of shevet Menashe because of benos Tzafchad, so what should lead us to believe that this special hora'as sha'ah should apply to all others but not them?

The answer can perhaps be found in the comment Rashi quotes at the beginning of parshas Matos from the Sifrei. All other prophets, just like Moshe Rabbeinu, will introduce their nevuah with the expression, "koh amar Hashem - this is the gist of what Hashem said", but only Moshe Rabbeinu is able to introduce his nevuah with the expression, "zeh hadavar asher diber Hashem - this is precisely what Hashem has said." Moshe Rabbeinu was the only navi who received direct dictation from Hashem word for word and letter for letter. All the other nevi'im were only shown a divine vision and interpreted it using their own vocabulary; even if two nevi'im would be shown the same exact vision each would interpret the vision using his own vocabulary. The Talmud therefore tells us that it never happened that two nevi'im were given the exact same prophecy in the exact same words. Sometimes Moshe Rabbeinu was given direct dictation and sometimes was shown a vision and instructed to interpret it using his own language.

Rav Levi Yitzchak of Berdichov (in Kedushas Levi) explains under what circumstances Moshe Rabbeinu received direct dictation and when, like other nevi'im did he have to interpret a vision he was shown: whenever Moshe was told something that was only a hora'as sha'ah he was functioning in the same capacity as other nevi'im and thus would have to interpret a vision. But whenever Moshe was told a din ledoros it was not a transmission of nevuah but rather of Torah, and Torah had to be given via direct dictation[1].

It has been accepted for thousands of years that the law prohibiting a girl who inherited land from marrying a boy from a different shevet was a hora'as sha'ah, so why does Moshe Rabbeinu introduce that halacha with the phrase "zeh hadavar asher tzivah Hashem"? "Zeh hadavar" implies direct dictation and "tzivah" indicates a mitzvah, which is a technical term used only to describe a din which is part of Torah and applies for all generations! Perhaps this is what led the gemara to understand the passuk to indicate that only the din ledoros applied to benos Tzafchad and thus they were able to marry anyone they chose, i.e. the hora'as sha'ah did not apply to them.

[1] Ed: See also Mitzvot Le-Dorot and Hora'ot Sha'ah, where Rav Schachter discusses this distinction as well

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from: Rabbi Yissocher Frand <ryfrand@torah.org> reply-to: do-not-reply@torah.org to: ravfrand@torah.org date: Thu, Jul 16, 2015 at 8:05 PM subject: **Rabbi Yissocher Frand** - Parshios Matos & Masei

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And Moshe said to the people of Gad and Reuven, "Your brothers will go to war and you will remain here?" (Bamidbar 32:6)

The first Gerrer Rebbe was the Chiddushei HaRim. The second Gerrer Rebbe, the Sfas Emes, was not his son but his grandson. The Sfas Emes' father passed away when he was a child, and his grandfather raised him. He was an illui, a prodigy, the apple of his grandfather's eye. One night, when he was still a young boy, the Sfas Emes learned with his chavrusa straight through the night. He nodded off right before Shacharis, resting his head on the Gemara. After a few minutes, he awoke with a start. He washed his hands and hurried to the shul, but he was already a little late.

After Shacharis, the Chiddushei Harim called him over.

"What's this with coming late to Shacharis?" he said in a sharp tone. "It's bad enough for yourself, but think how it will affect others. If the grandson

of the rebbe can come late, what kind of example is that for other boys? Or even men! It's a Chillul Hashem (desecration of G-d's Name), no less!"

The Chiddushei Harim went on in this vein for another few minutes, but the Sfias Emes did not say one word in his own defense. He could have argued that it had been an accident, that he had stayed up all night learning Torah and that sleep had overcome him at the end for just a few minutes. But he remained silent.

A little while later, the chavrusa of the Sfias Emes asked him, "Why didn't you say anything to defend yourself? You were innocent! Why were you silent?"

"When a great man gives you Mussar [ethical advice or rebuke]," said the Sfias Emes, "it is worthwhile to listen, even if you don't deserve it, even if you are completely innocent. I wanted to hear my grandfather's Mussar.

"I have a proof to this from the Torah. Moshe Rabbeinu [our Rabbi Moses] gave the tribes of Gad and Reuven a strong tongue-lashing. He accused them of cowardice. He told them they were demoralizing the people just like the spies did. He went on and on for nine verses, and they remained silent. They never mentioned that they had intended all along to participate in the conquest. Why? Because it is always worthwhile to hear the Mussar of a great man."

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from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Jul 16, 2015 at 4:55 PM

Retribution and Revenge

Lord Rabbi Jonathan Sacks

Near the end of Bemidbar, we encounter the law of the cities of refuge: three cities to the east of the Jordan and, later, three more within the land of Israel itself. There, people who had committed homicide could flee and find protection until their case was heard by a court of law. If they were found guilty of murder, in biblical times they were sentenced to death. If found innocent – if the death happened by accident or inadvertently, with neither deliberation nor malice – then they were to stay in the city of refuge “until the death of the High priest.” There, they were protected against revenge on the part of the goel ha-dam, the blood-redeemer, usually the closest relative of the person who had been killed.

Homicide is never less than serious in Jewish law. But there is a fundamental difference between murder – deliberate killing – and manslaughter, accidental death. To kill someone not guilty of murder as an act of revenge for an accidental death is not justice but further bloodshed, and must be prevented. Hence the need for safe havens where people at risk could be protected.

The prevention of unjust violence is fundamental to the Torah. God's covenant with Noah and humankind after the Flood identifies murder as the ultimate crime: “He who sheds the blood of man, by man shall his blood be shed, for in the image of God, God created man” (Gen. 9: 6). Blood wrongly shed cries to Heaven itself. God said to Cain after he had murdered Abel, “Your brother's blood is crying to Me from the ground” (Gen. 4: 10).

Here in Bemidbar we hear a similar sentiment: “You shall not pollute the land in which you live, for blood pollutes the land, and the land can have no expiation for blood that is shed on it, except by the blood of him who shed

it” (Num. 35: 13). The verb ch-n-ph, which appears twice in this verse and nowhere else in the Mosaic books, means to pollute, to soil, to dirty, to defile. There is something fundamentally blemished about a world in which murder goes unpunished. Human life is sacred. Even justified acts of bloodshed, as in the case of war, still communicate impurity. A Cohen who has shed blood does not bless the people.[1] David is told that he may not build the Temple “because you shed much blood.”[2] Death defiles.

That is what lies behind the idea of revenge. And though the Torah rejects revenge except when commanded by God,[3] something of the idea survives in the concept of the goel ha-dam, wrongly translated as ‘blood-avenger.’ It means, in fact, ‘blood-redeemer.’ A redeemer is someone who rights an imbalance in the world, who rescues someone or something and restores it to its rightful place. Thus Boaz redeems land belonging to Naomi.[4] A redeemer is one who restores a relative to freedom after they have been forced to sell themselves into slavery.[5] God redeems His people from bondage in Egypt. A blood-redeemer is one who ensures that murder does not go unpunished.

However not all acts of killing are murder. Some are bi-shgagah, that is, unintentional, accidental or inadvertent. These are the acts that lead to exile in the cities of refuge. However, there is an ambiguity about this law. Was exile to the cities of refuge considered as a way of protecting the accidental killer, or was it itself a form of punishment, not the death sentence that would have applied to one guilty of murder, but punishment none the less. Recall that exile is a biblical form of punishment. Adam and Eve, after their sin, were exiled from Eden. Cain, after killing Abel, was told he would be “a restless wanderer on the face of the earth.” We say in our prayers, “Because of our sins we were exiled from our land.”

In truth both elements are present. On the one hand the Torah says, “The assembly must protect the one accused of murder from the redeemer of blood and send the accused back to the city of refuge to which they fled” (Num. 35: 25). Here the emphasis is on protection. But on the other, we read that if the exiled person “ever goes outside the limits of the city of refuge to which they fled and the redeemer of blood finds them outside the city, the redeemer of blood may kill the accused without being guilty of murder” (Num. 35: 26-27). Here an element of guilt is presumed, otherwise why would the blood redeemer be innocent of murder?[6]

We can see the difference by looking at how the Talmud and Maimonides explain the provision that the exile must stay in the city of refuge until the death of the High Priest. What had the High Priest to do with accidental killing? According to the Talmud, the High Priest “should have asked for mercy [i.e. should have prayed that there be no accidental deaths among the people] and he did not do so.”[7] The assumption is that had the High Priest prayed more fervently, God would not have allowed this accident to happen. Whether or not there is moral guilt, something wrong has occurred and there is a need for atonement, achieved partly through exile and partly through the death of the High Priest. For the High Priest atoned for the people as a whole, and when he died, his death atoned for the death of those who were accidentally killed.

Maimonides, however, gives a completely different explanation in The Guide for the Perplexed (III: 40). For him the issue at stake is not atonement but protection. The reason the man goes into exile in a city of refuge is to allow the passions of the relative of the victim, the blood-redeemer, to cool. The exile stays there until the death of the High Priest, because his death creates a mood of national mourning, which dissolves the longing for revenge – “for it is a natural phenomenon that we find consolation in our misfortune when the same misfortune or a greater one befalls another person. Amongst us no death causes more grief than that of the High Priest.”

The desire for revenge is basic. It exists in all societies. It led to cycles of retaliation – the Montagues against the Capulets in Romeo and Juliet, the Corleones and Tattaglias in The Godfather – that have no natural end. Wars of the clans were capable of destroying whole societies.[8]

The Torah, understanding that the desire for revenge as natural, tames it by translating it into something else altogether. It recognizes the pain, the loss and moral indignation of the family of the victim. That is the meaning of the phrase *goel ha-dam*, the blood-redeemer, the figure who represents that instinct for revenge. The Torah legislates for people with all their passions, not for saints. It is a realistic code, not a utopian one. Yet the Torah inserts one vital element between the killer and the victim's family: the principle of justice. There must be no direct act of revenge. The killer must be protected until his case has been heard in a court of law. If found guilty, he must pay the price. If found innocent, he must be given refuge. This single act turns revenge into retribution. This makes all the difference.

People often find it difficult to distinguish retribution and revenge, yet they are completely different concepts. Revenge is an I-Thou relationship. You killed a member of my family so I will kill you. It is intrinsically personal. Retribution, by contrast, is impersonal. It is no longer the Montagues against the Capulets but both under the impartial rule of law. Indeed the best definition of the society the Torah seeks to create is *nomocracy*: the rule of laws, not men.

Retribution is the principled rejection of revenge. It says that we are not free to take the law into our own hands. Passion may not override the due process of the law, for that is a sure route to anarchy and bloodshed. Wrong must be punished, but only after it has been established by a fair trial, and only on behalf, not just of the victim but of society as a whole. It was this principle that drove the work of the late Simon Wiesenthal in bringing Nazi war criminals to trial. He called his biography *Justice, not Vengeance*. The cities of refuge were part of this process by which vengeance was subordinated to, and replaced by, retributive justice.

This is not just ancient history. Almost as soon as the Berlin Wall fell and the Cold War came to an end in 1989, brutal ethnic war came to the former Yugoslavia, first in Bosnia then Kosovo. It has now spread to Iraq, Syria and many other parts of the world. In his book *The Warrior's Honor: Ethnic War and the Modern Conscience*, Michael Ignatieff wondered how these regions descended so rapidly into chaos. This was his conclusion:

The chief moral obstacle in the path of reconciliation is the desire for revenge. Now, revenge is commonly regarded as a low and unworthy emotion, and because it is regarded as such, its deep moral hold on people is rarely understood. But revenge – morally considered – is a desire to keep faith with the dead, to honor their memory by taking up their cause where they left off. Revenge keeps faith between the generations; the violence it engenders is a ritual form of respect for the community's dead – therein lies its legitimacy. Reconciliation is difficult precisely because it must compete with the powerful alternative morality of violence. Political terror is tenacious because it is an ethical practice. It is a cult of the dead, a dire and absolute expression of respect.[9]

It is foolhardy to act as if the desire for revenge does not exist. It does. But given free reign, it will reduce societies to violence and bloodshed without end. The only alternative is to channel it through the operation of law, fair trial, and then either punishment or protection. That is what was introduced into civilization by the law of the cities of refuge, allowing retribution to take the place of revenge, and justice the place of retaliation. [1] *Berakhot* 32b; *Rambam, Hilkhos Tefillah* 15: 3.

[2] *I Chronicles* 22: 8.

[3] Only God, the giver of life, can command us to take life, and then often only on the basis of facts known to God but not to us.

[4] See *Ruth*, chs. 3-4.

[5] See *Lev. 25*, where the verb appears 19 times.

[6] See Amnon Bazak, 'Cities of refuge and cities of flight,' in *Torah Mi-Etzion, Devarim, Maggid*, Jerusalem, 2012, 229-236.

[7] *Makkot* 11a.

[8] See Rene Girard, *Violence and the Sacred*, Johns Hopkins University Press, 1977.

[9] Michael Ignatieff, *The Warrior's Honor*, New York: Henry Holt, 2000. p. 188.

from: Rabbi Kaganoff <ymkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Mon, Jul 13, 2015 at 3:52 PM subject: Where's the Beef? - Eating Meat During the Nine Days

Where's the Beef? - Eating Meat During the Nine Days by Rabbi Yirmiyohu Kaganoff

Question #1: A frum person invited me to a fleishig sheva brachos during the first days of Av. Can he make a sheva brachos and serve meat during this week? May I eat meat there?

Question #2: I am traveling during the Nine Days, and the airline serves me a fleishig meal. May I eat it?

Question #3: What should I do if I make a bracha on meat and then realize that it is the Nine Days and that I may not eat it?

FIRST, SOME BACKGROUND

The Mishnah (*Taanis* 26b) teaches that *Mishenichnas Av mema'atim b'simcha*, when Av enters, we decrease our happiness. Although the Mishnah does not specify what this entails, the Gemara (*Yevamos* 43a, as interpreted by *Tur Orach Chayim* 551; cf. *Rashi ad loc.*) mentions four activities that are banned:

1. We decrease business activities.
2. We refrain from construction and planting intended for joyous reasons (*Yerushalmi Taanis*, cited by *Tosafos* to *Yevamos* 43a s.v. *Milisa*).
3. We do not conduct weddings.
4. We do not make a festive meal to celebrate an engagement.

It should be noted that the Mishnah and the Gemara say nothing about not eating meat or drinking wine during the Nine Days. We will discuss the origin of this custom shortly.

DIFFERENT WEDDING PRACTICES

The Rama (*Darhei Moshe* 551:5 and *Hagahos* 551:2) reports that Ashkenazim do not make weddings during the entire Three Weeks, a practice that has also become accepted by most Sefardic communities (*Ben Ish Chai*, *Parshas Devorim* #4; *Knesses Hagedolah*). However, many Sefardic communities permit making a wedding until *Rosh Chodesh Av*, and other communities permit making a wedding even after *Rosh Chodesh*, if the chosen has no children yet (*Shu't Yabia Omer* 6: *Orach Chaim* #43). *Sdei Chemed* (Vol. 5, pg. 279 #14) reports that before he moved to the Crimea, he assumed that Sefardim do not conduct weddings during the entire Three Weeks, but he discovered written records of the Crimean Jewish community verifying that they conducted weddings until *Rosh Chodesh*.

We now understand part of our first question: I was invited by a frum person to a fleishig sheva brachos during the Nine Days. How could this be? The answer is that the people getting married are members of a Sefardic community, where weddings are conducted even during the Three Weeks, and possibly even during the Nine Days.

MAY I EAT MEAT?

Now, the question is, if I am an Ashkenazi, may I eat meat at this sheva brachos?

Let us first explain why we refrain from eating meat during the Nine Days.

As noted above, refraining from eating meat and drinking wine during the Nine Days is not mentioned in either the Mishnah or the Gemara. The Gemara prohibits eating meat and drinking wine only on the day before *Tisha B'Av*, at the last meal before the fast -- the *seudah hamafsek*, the meal that separates. (Note that we follow the opinion that this year there is no *seudah hamafsek*, since *Tisha B'Av* falls on Sunday. Thus, one is permitted to eat meat and drink wine at *Seudah Shlishis* on *Shabbos Chazon* afternoon. Some *rishonim* rule that there is a *seudah hamafsek* this year, and that one should refrain from meat and wine at *Seudah Shlishis* on *Shabbos Chazon* afternoon; see *Mordechai, Taanis* #638).

However, Ashkenazim refrain from eating meat and drinking wine or grape juice from *Rosh Chodesh*. Many Sefardim permit eating meat on *Rosh*

Chodesh itself and refrain from the second of Av. This is the prevalent minhag of the Sefardim in Yerushalayim (Kaf Hachayim 551:126). They permit eating meat on Rosh Chodesh, because this meal is considered a seudas mitzvah (Shulchan Aruch, Orach Chayim Chapter 419). The fact that a Rosh Chodesh meal is considered a seudas mitzvah is the reason why people serve special treats at the meals served every Rosh Chodesh.

Other Sefardic poskim permit eating meat until the Motzei Shabbos before Tisha B'Av (Shulchan Aruch 551:9). According to this last mentioned minhag, there is no prohibition to eat meat or drink wine at all this year, since there is no "week in which Tisha B'Av falls."

HOW BINDING IS THIS MINHAG?

Early Ashkenazic poskim rule that someone who ignores the minhag and eats meat or drinks wine from Rosh Chodesh Av violates the prohibition of al titosh toras imecha, do not forsake the law of your mother (Mordechai, Taanis #639). The "law of your mother" means minhagim that the Jewish people have accepted upon ourselves, even if Chazal did not institute them (see Berachos 36b). Following these customs is halachically compulsory.

In addition, some poskim rule that a person who eats meat or drinks wine during the Nine Days violates a Torah law, since Ashkenazim have accepted this custom as a vow (Aruch Hashulchan 551:23).

Let us stop for a moment and consider. I understand that we are mourning the destruction of the Beis Hamikdash and that is why we decrease our celebration. But why does that prohibit us from eating meat and drinking wine? Even someone in mourning for a close relative is permitted to eat meat and drink wine (after the funeral, when he is no longer an onein).

This is a very good question. The halachos of mourning, indeed, do not prohibit a mourner from eating meat or drinking wine. But there is a difference. We refrain from meat and wine during the Nine Days to remind us of the destruction of the Beis Hamikdash, where Hashem was served by offering korbanos of meat and wine (Aruch Hashulchan, Orach Chayim 551:23).

Another reason we refrain from meat and wine is that by forgoing meat and wine we make certain to remember the loss of the Beis Hamikdash (Tur Orach Chayim 552). A mourner will certainly not forget his loss during the shivah week, and therefore he has no need of such a reminder.

In addition, refraining from eating meat and drinking wine ensures that one maintains the atmosphere appropriate to these days (see Mishnah Berurah 551:57,65). A mourner does not need this guarantee, since his loss is so recent.

MAY WE DRINK BEER?

May we drink beer and other intoxicating beverages during the Nine Days? This is a good question, since although these drinks provide simcha, they were not offered in the Beis Hamikdash. Thus, whether we may drink them during the Nine Days seems to depend on the different reasons mentioned above. The halachic conclusion is that we may drink them, even though they provide simcha. Since these items are not offered in the Beis Hamikdash, no minhag was ever established to refrain from drinking them during the Nine Days (Rama, Orach Chayim 551:11).

SEUDAS MITZVAH

Although an Ashkenazi must be very careful to observe the practices of the Nine Days, such as refraining from meat and wine, there are exceptions when one may eat meat and drink wine during this period. For example, it is permitted to eat meat at a seudas mitzvah, such as the Shabbos meals, a bris, a pidyon haben, or a siyum (Rama, Orach Chayim 551:10).

Why is it permitted to eat meat and drink wine at a seudas mitzvah?

When Jews adopted the minhag to refrain from meat and wine during the Nine Days, the minhag included that a seudas mitzvah still take place, even though it is a period of mourning. These celebrations are incomplete if performed without meat and wine. Thus, the minhag was to exclude these events from the abstentions (Aruch Hashulchan, Orach Chayim 551:26).

Incidentally, one sees from these sources that a bris should be celebrated with a fleishig meal, because if not, why are allowances made to eat meat at a

seudas bris during the Nine Days? This demonstrates that the seudas bris is incomplete without meat.

WHO MAY ATTEND A SEUDAS MITZVAH?

Anyone may attend a seudas mitzvah conducted during the Nine Days. However, not everyone who attends is necessarily permitted to eat meat and drink wine.

People who would usually attend the seudah no matter when it is conducted may join and eat meat. Other people, who might have chosen to not attend the whole year round, may attend during the Nine Days, but may not eat meat or drink wine (Rama and Taz 551:10). It seems that a sheva brachos held during the Nine Days (see our original question) follows the same guidelines. Thus, if you are invited to the sheva brachos, you may attend and eat meat, unless it is a sheva brachos that you might normally not attend. In the latter situation, you may attend it during the Nine Days, but you may not eat meat or drink wine.

If the seudas mitzvah occurs during the week of Tisha B'Av (which cannot happen this year), the rules are more restrictive. Only a minyan of people may eat meat and drink wine, while the rest should eat pareve. Most poskim rule that the minyan permitted to eat meat is in addition to the mohel, sandak and family members (Taz; Mishnah Berurah). According to this view, one will prepare meat meals for the family members, the mohel, the sandak, plus an additional minyan, and everyone else will be served a pareve meal. The minyan of fleishig eaters can be made up of men or women, or a combination thereof.

Some poskim contend that the minyan of meat eaters is all-inclusive (Magen Avraham). This means, that one prepares exactly ten fleishig meals and serves them to whoever one chooses. Everyone else eats pareve.

AT WHAT TYPE OF SIYUM MAY ONE EAT MEAT?

One may serve meat at a siyum where the completion of the learning occurs during the Nine Days and where one would usually serve a festive fleishig meal. One should not deliberately rush or slow down the learning in order to have a fleishig siyum during the Nine Days (Elyah Rabbah 551:26; Mishnah Berurah 551:73; Aruch Hashulchan, Orach Chayim 551:28). However, it is permitted to deliberately schedule a seder of learning in advance, so that its siyum falls during the Nine Days, if this will encourage more Torah learning (Aruch Hashulchan, Orach Chayim 551:28). Some poskim record that they deliberately delayed siyumim that fell during the Nine Days in order to celebrate them after Tisha B'Av (Aruch Hashulchan 551:28).

WHAT ABOUT THE SHABBOS LEFTOVERS?

Many poskim contend that in order to encourage the proper celebration of a seudas mitzvah, the meat leftovers may be eaten, even afterwards (Birkei Yosef, Orach Chayim 551:6). According to these poskim, one may eat the fleishig Shabbos leftovers during the following week. However, the prevalent practice is to eat meat only at the seudas mitzvah itself (Elyah Rabbah 551:26; Mishnah Berurah 551:73) and not to eat the meat leftovers until after the Nine Days (Igros Moshe, Orach Chayim 4:21:4).

MAY ONE EAT FOOD CONTAINING FLEISHIGS THAT ARE NO LONGER IDENTIFIABLE AS FLEISHIG?

Some poskim contend that since the reason we refrain from meat and wine is to remember the Beis Hamikdash, this rationale does not apply to eating something that has a meat taste, but in which there are no tangible pieces of meat or fat (Aruch Hashulchan, Orach Chayim 551:24). However, others contend that one may not eat soup made with meat or chicken. It is permitted to eat food cooked in a fleishig pot that contains only pareve ingredients (Mishnah Berurah 551:63).

The same dispute applies to foods that include wine as an ingredient, as long as the wine itself is not evident in the end product. However, it is permitted to use wine vinegar as a cooking or salad ingredient since a person does not feel simcha when eating or drinking vinegar (Rama, Orach Chayim 551:9 and Mishnah Berurah).

IS IT PERMITTED TO FEED CHILDREN MEAT ON EREV SHABBOS?

In general, it is not permitted to feed children meat during the Nine Days, including erev Shabbos, unless the child is weak (Mishnah Berurah 551:70). The poskim dispute whether one may feed meat to a child who is not old enough to understand that we are mourning for the Beis Hamikdash. (Dagul Meirevavah and Mishnah Berurah 551:70 rule that one may not, whereas Magen Avraham 551:31 permits.)

May one serve young children their Friday evening meal before Shabbos? Is this considered serving a Shabbos meal, in which case it may be fleishig?

Rav Moshe Feinstein ruled that if the children are fed their Shabbos evening meal before the rest of the family has accepted Shabbos because it will be too late for them to wait, one may feed them meat at this meal, because this is their Shabbos repast (Igros Moshe, Orach Chayim 4:21:4). However, one may not serve them fleishigs on Friday afternoon if this is not being used as part of their Shabbos meal.

MAY ONE TASTE THE FLEISHIG FOOD ON EREV SHABBOS CHAZON?

In general, it is a mitzvah of kavod Shabbos to sample the food being cooked for Shabbos, to make sure that it tastes good (Magen Avraham 250:1, quoting the Ariza"l). On Erev Shabbos during the Nine Days, one may also taste the food, since this is considered part of the seudas mitzvah. However, one should try not to swallow food containing meat ingredients (Shemiras Shabbos Kehilchasah 42:61). DO I MAKE A BRACHA WHEN TASTING THE FOOD?

In general, one does not recite a bracha when tasting a small amount of food, unless one swallows it (Shulchan Aruch, Orach Chayim 210:2).

HOW DOES ONE MAKE HAVDALAH DURING THE NINE DAYS?

According to the Shulchan Aruch (551:10), an adult may drink the cup of havdalah wine, since it is a mitzvah. In his opinion, any mitzvah is excluded from the custom of refraining from meat and wine during the Nine Days. The Rama disagrees, and says that one should give the wine to a child to drink. If no child is available, one drinks the wine himself.

The Rama's position's here is a bit complicated. If the child is too young to understand that we recite a bracha before drinking, then the bracha on the wine will be a bracha l'vatalah (in vain), unless the adult drinks the wine. Thus, giving it to the child to drink accomplishes nothing. On the other hand, if the child is old enough to understand that we are in mourning over the destruction of the Beis Hamikdash, there is no advantage in having him drink the cup rather than an adult. Thus, the Rama must be referring to a child old enough to understand why we recite brachos, and young enough to not understand that we are mourning the destruction of the Beis Hamikdash (Mishnah Berurah 551:70). The poskim dispute exactly what age this is. (For a listing of different opinions, see Piskei Teshuvos pg. 87 fn. 179.) Since the matter is unclear, many poskim advise that an adult drink the havdalah wine.

Other poskim recommend drinking beer for havdalah during the Nine Days (Aruch Hashulchan, Orach Chayim 551:26). However, the consensus of poskim is that this is not necessary, and that one may recite havdalah over wine or grape juice. Since many poskim are hesitant about fulfilling the mitzvah of havdalah with beer today, many feel it is preferable to recite havdalah on grape juice and drink it oneself.

MAY ONE HAVE A FLEISHIG MELAVA MALKA DURING THE NINE DAYS?

Is melava malka, the Saturday night meal that honors the leaving of our guest, the Shabbos, a seudas mitzvah that permits one to eat meat during the Nine Days?

Rav Moshe Feinstein points out that it is a mitzvah to eat meat for melava malka, if one can afford it (Magen Avraham, Chapter 300). Nevertheless, he concludes that one may not eat meat at a melava malka conducted during the Nine Days. Other poskim consider this meal a seudas mitzvah and allow eating meat (Kaf Hachayim 551:144; Chelkas Yaakov 3:21).

Rav Moshe discusses whether someone who always eats meat for melava malka, but will not be eating meat for this meal during the Nine Days, must perform hataras nedarim (disavowal of his vow). Does his practice of eating

meat at melava malka constitute a vow that he must observe? Rav Moshe rules that during the rest of the year he is indeed required to eat meat for melava malka, since this is a good practice that he began without specifying that he is not accepting it as a vow (in other words, he did not say, "Bli neder"). If he chooses to stop the practice, he needs to perform hataras nedarim, disavowal from a beis din, to allow him to stop.

However, Rav Moshe rules that concerning one's melava malka during the Nine Days, there is no need to perform hataras nedarim, since we can assume he was only intending to eat meat when it is permitted to do so (Igros Moshe, Orach Chayim 4:21:4). It seems that those poskim who rule that he may eat meat at his Nine Days' melava malka would rule that he must perform hataras nedarim, if he wishes to refrain from meat.

ILLNESS

People who require more protein in their diet than they can get without meat may eat meat during the Nine Days. If poultry will provide their needs, it is better that they eat poultry and refrain from meat or veal. However, if they must eat beef to provide enough protein, they may do so.

A sick person is permitted to eat meat during the Nine Days. Similarly, someone who has a digestive disorder and can tolerate only poultry may eat poultry during the Nine Days. Also, a woman who is nursing or pregnant and is having difficulty obtaining enough protein in her diet may eat poultry or meat during the Nine Days, with poultry being the preferable protein source, if it will satisfy her protein requirements (Aruch Hashulchan 551:26).

A person who is traveling should refrain from eating meat, like anyone else. However, if because of his travels he has nothing to eat and will go hungry, he may eat meat. Thus, someone flying on an airline who is served a kosher, fleishig meal may eat if he has nothing else to eat and will go hungry otherwise. However, he should plan in advance to take food along, so that he does not end up in this predicament.

WHAT HAPPENS IF SOMEONE RECITES A BRACHA ON MEAT AND THEN REALIZES THAT IT IS FORBIDDEN TO EAT THE MEAT?

A person who recites a bracha on meat and then realizes that it is the Nine Days should eat a little of the meat so that his bracha is not in vain, a bracha l'vatalah. Eating a tiny bit does not provide any simcha and, therefore, does not conflict with mourning (Sdei Chemed 5:278:5 and 368:4). Furthermore, the person is eating the meat only in order to avoid reciting a bracha in vain.

EATING MEAT ON THE TENTH OF AV

Although the Beis Hamikdash was set ablaze on Tisha B'Av, most of the actual conflagration took place on the Tenth of Av. Indeed, the amora Rabbi Yochanan declared that if he had been alive at the time of the Churban, he would have declared the fast for the Tenth of Av, rather than the Ninth (Taanis 29a). For this reason, Ashkenazim treat the morning of the Tenth of Av, until chatzos, with the stringencies of the Nine Days, whereas Sefardim apply these stringencies to the entire tenth day until nightfall.

THE REWARD FOR OBSERVING THE NINE DAYS

The Midrash (Midrash Rabbah, Shemos 15:21) teaches that Hashem will bring forth ten new creations in the era of Moshiach: 1. He will endow the world with a new light. 2. Hashem will create a spring in Yerushalayim whose waters will heal all illness. 3. He will create trees that will produce new fruits every month that cure disease. 4. All the cities of Eretz Yisroel will be rebuilt, including even Sodom and Amora. 5. Hashem will rebuild Yerushalayim with glowing sapphire stone. It will attract all the nations of the world to come and marvel at the beauty of the city. 6. The cow and the bear will graze together, and their young will play together. (See Yeshaya 11:7.) The rishonim dispute whether this pasuk is meant to be understood literally or as a parable for the nations of the earth. 7. Hashem will make a covenant with all the creatures of the world and banish all weapons and warfare. (See Hoshea 2:20.) 8. There will be no more crying in the city of Yerushalayim. 9. Death will perish forever. 10. Everyone will be joyful, and there will be an end to all sighing and worry.

The Kaf Hachayim (551:1) states that everyone who meticulously observes the halachos of the first ten days of Av, thereby demonstrating his personal

mourning over the churban of Yerushalayim, will merit witnessing these ten miracles. May we all merit seeing these miracles speedily and in our days.

from: Torah Musings <newsletter@torahmusings.com> reply-to: Torah Musings <newsletter@torahmusings.com> date: Tue, Jul 14, 2015 at 10:19 AM subject: Torah Musings Daily Digest for 7/14/2015

Hilkhos Bli Neder
by R. Gil Student

I. No Vow

A common feature of Orthodox speech is the phrase "Bli Neder," a disclaimer that the speaker does not intend to vow. We are careful not to invoke a biblical oath in our promises because if we fail to fulfill the promise completely, we may violate a prohibition. While we certainly intend to keep our word, we wish to limit the potential price of failure.

However, we would be wrong to utilize this halakhic phrase improperly. There are cases when it is necessary and cases when it is superfluous. The pedantic among us, in whose number I occasionally count myself, want to use the phrase appropriately. Therefore, we should explore when saying "Bli Neder" is warranted.

II. Plain Vow

A typical vow (neder) or oath (shevu'ah) invokes God's name. However, the concept of yados nedarim (extensions of vows) means that even a partial language, such as that excluding God's name, is also considered a vow or oath.

Additionally, the concept of kinuyei nedarim (idioms of vows) includes language other than the word "vow." Even if you promise or commit to do something, or use any similar language, you are accepting an oath.

With all this in mind, it seems that if you promise to do something, you are effectively committing yourself with an oath. Therefore, it is appropriate to include a "Bli Neder" whenever promising, swearing or committing about anything. The Kitzur Shulchan Arukh (67:4) states:

It is good to become used to even when you say you will do something religiously neutral (devar reshus), so you do not stumble on the sin of nedarim."

Note that you must still fulfill your promises even if you say "Bli Neder." The Torah commands: "He shall do according to all that proceeds out of his mouth" (Num. 30:3). Saying "Bli Neder" only removes the additional prohibition against violating a vow.

III. Mitzvah Vow

The Shulchan Arukh uses ambiguous language about committing to do a mitzvah. In one place (Yoreh De'ah 203:6), it says that someone who says he will do a specific mitzvah, such as learn this chapter of Torah, may take a vow to encourage himself. The implication is that merely stating that he will do the mitzvah is not a vow in itself. Elsewhere (ibid., 213:2), it states that someone who says he will learn a chapter of Torah (Rema adds: or any other mitzvah) is as if he vowed to do it. Is it a vow or not?

Shakh (203:4) notes this apparent contradiction and dismisses the earlier language. He quotes multiple sources that rule that saying you will do a mitzvah is binding as a vow. You can take an explicit vow in order to strengthen your implicit vow, as a form of personal encouragement. But even without that addition, you have still effectively vowed to perform that mitzvah.

The Chida (Birkei Yosef, Yoreh De'ah 213:2) leans in the other direction. Saying you will do a mitzvah is "as if" you take a vow but is not quite it. You are not technically bound by a vow.

However, it seems that the consensus follows the Shakh. See, for example, Kitzur Shulchan Arukh (67:4) and Ben Ish Chai (Re'eh, year 2, no. 4), cited approvingly by R. Mordechai Eliyahu (Responsa Ma'amar Mordekhai, vol. 2 Yoreh De'ah no. 17). Therefore, whenever you say you will do a mitzvah, you should add "Bli Neder." Otherwise, the penalty for failure is even greater than otherwise.

IV. Mitzvah Act

Customs are binding as vows. While this subject is deep and requires greater elaboration, a relevant manifestation of this phenomenon is the acceptance of a new practice. If you begin a new mitzvah practice or custom, and you know it is not required but are doing it anyway, you are accepting it as a vow. Therefore, the Shulchan Arukh (Yoreh De'ah 214:1) recommends that anytime you begin a new stringency or custom, you say that you are doing it "Bli Neder" so it does not become binding as a vow.

V. Charity

The Shulchan Arukh states twice (Yoreh De'ah 203:4, 257:4) that when you pledge to charity, you should add "Bli Neder." This addition, which is directly from the Rosh (Nedarim 1:8), applies to a Mi She-Beirakh pledge made in many synagogues after being called to the Torah. When asked how much you are donating, you should say the amount "Bli Neder." However, this requirement for charity vows goes further than for other vows.

The Shulchan Arukh (Choshen Mishpat 212:8) quotes two opinions regarding thinking about giving to tzedakah. According to some, if you decide in your mind to give to tzedakah, that is a binding vow even though you did not verbalize the commitment. According to others, it is only binding if you say it. The Shulchan Arukh concludes that all opinions would agree that nowadays, when donations cannot be made to the Temple in Jerusalem, a charitable vow must be verbalized.

However, the Rema (ad loc.) disagrees with that conclusion and rules like the first view. If you decide conclusively that you will give a specific amount to charity, you are bound by a vow to give it. If you wish to change your pledge, you must try to get the vow annulled. The Rema similarly quotes both opinions in Yoreh De'ah (258:13) and sides with the second view. Therefore, you even need to the "Bli Neder" about charity pledges.

V. Precedence

Rav Mordechai Eliyahu, in his Darkhei Eliyahu footnotes to Kitzur Shulchan Arukh (67:2), that order counts when saying "Bli Neder." Tosafos (Beitzah 20a sv. Nazir) say that when making a vow, once the words come out of your mouth you cannot revoke them. Therefore, Rav Eliyahu states, you must say "Bli Neder" before the language that would otherwise imply a vow. If you say "Bli Neder" after, it's too late.

Based on this, during a Mi She-Beirakh after being called to the Torah, when asked how much you pledge, you should say (for example), "Bli Neder 18 dollars" rather than "18 dollars Bli Neder."

from: Yeshiva.org.il <subscribe@yeshiva.org.il> reply-to: subscribe@yeshiva.org.il date: Thu, Jul 16, 2015 at 1:50 PM subject: What's in a Name? A Lot but Not Enough

What's in a Name? A Lot but Not Enough

Rabbi Shaul Yisraeli zt"l

The tribes of Reuven and Gad said: "We will build pens for our livestock here [east of the Jordan] and cities for our children" (Bamidbar 32:16).

Moshe responded: "Build cities for your children and pens for your livestock, and that which comes out of your mouth you shall do" (ibid. 24).

The whole story of the give-and-take between Moshe and the tribes is a wonder. As soon as they came with the request that they receive the land east of the Jordan, Moshe jumped on them as if they had refused to fight on behalf of their brothers, when in fact they immediately explained that they were prepared to come and fight. Why had Moshe not considered that possibility?

Apparently, until explained otherwise, it was clear to Moshe that the tribes of Reuven and Gad would not be willing to leave their many children behind. After all, they had the mitzva of educating their children to tend to. Thus, if the families were staying behind, certainly those of army age were going to stay behind as well.

The good news in their clarification was also the very bad news. They were planning on leaving their children to go fight, and they even mentioned their interest in protecting their significant herds before mentioning their concern for the protection of their children, putting the less important first. On one

hand, Moshe could not object on a formal level on behalf of Bnei Yisrael, since they were keeping their part of the deal, but Moshe could not refrain from putting them in their place, correcting the order and putting the children before the cattle.

One can still ask: what difference does it make what order the tribes mentioned the building projects. The important thing is what they would do, and who knows if they still would not build the pens first? Yet Moshe stressed the words "and that which comes out of your mouth you shall do." In other words, specifically that which one says does impact. It is hard to imagine how big of an impact a statement, even a slip of the tongue, can have.

"They built Nevo and Ba'al Meon, Musabot Shem ... and they called with names the names of the cities that they built" (ibid. 38). Rashi explains the words Musabot Shem – they changed the names of the places that referred to idolatry to new names. When they came to Eretz Yisrael, the nation knew that they were not continuing the legacy of the nations which preceded them. They knew that they were going to have to create a life appropriate of the Israelite nation. They knew that Hashem's Name was called upon them, and so they changed the names of the places around them. However, that was not enough, as they had to live in a manner that the name proves to be appropriate.

In these days as well, we have changed names and created names. Villages and towns that were once occupied by other nations are now full of life from immigrants from all corners of the world. We must remember what it says in the beginning of the parasha: "... he shall not profane his word" (ibid. 30:3). The daily life must prove the names appropriate.

* From "Chemdat Yamim" Parsha Sheet www.erezhemdah.org

The Wise Zeide: Against the Urgency of Now Rabbi Eliyahu Safran

July 14, 2015 But Zeide made us laugh,
Zeide made us sing...

– My Zaidy www.youtube.com/watch?v=FrZJcqDiyjk – by Moshe Yess

What is the role of a wise, Jewish leader in addressing the wants expressed by his generation? What is his role in communicating the eternal values of our people, while convincing those who come to him with the demands of "now" that they cannot have what it is that they want? What does he say to his daughter, a good and caring daughter, who asks, "Why can't a woman be granted semicha?"

How does he explain the divergence of what her generation understands to be so eminently "fair and good" and Jewish practice? How does he do so even as he keeps her on a path of righteousness?

For lessons in leadership, we always return to the greatest of Jewish leaders, Moses himself. For there was never a more demanding generation or one more in need of leadership than the one he led from slavery to freedom.

In this instance, we find ourselves alongside him as the tribes of Reuven and Gad come to him, requesting that, rather than crossing the Jordan River with the other tribes to take their rightful shares in Eretz Yisrael, they be allowed to settle on the east bank of the Jordan, in the lands of Sihon and Og.

Like the man's daughter, their request was a fair and considerate one. Both Reuven and Gad had much larger flocks than the other tribes, the result of the victory over Midian. Ohr Hachaim posits that Reuven and Gad were distinguished fighters and had plundered larger numbers of animals than the other tribes. Other commentators acknowledge the larger flocks but attribute them to Reuven and Gad placing a greater emphasis on material wealth than the others. In telling Moshe that, "...pens for the flock shall we build here for our livestock and cities for our small children..." these commentators hear the voices of those who do not have their priorities straight. Build pens for their flocks before cities for their children?

Either way, it was apparent that they needed the greater space that the eastern bank afforded. In other words, their request was reasonable. So, did Moshe give them what they asked for? No.

To his ears, they sought to forsake their fellow tribes in the conquest of the Promised Land. He viewed the request as tantamount to the disastrous mission of the Meraglim and accuses them of a request that could demoralize the nation! "Behold! You have risen up in place of your fathers, a society of sinful people...tarbut anashim chatayim."

He accused them of following in the footsteps of their fathers who had refused to enter Eretz Yisrael out of fear of the Canaanites and so were punished by death in the midbar.

Moses forcefully questioned their request. As it turns out, neither Reuven nor Gad sought to shirk their responsibilities in any way. They were ready and eager to send their troops alongside the other tribes in the wars until they were successfully concluded. They were not the Meraglim's disciples.

They promised to fight with their brethren; and to stay with them until the battle was over. Seven years. And then another seven while the Land was allocated.

Perhaps more troubling to us than Moses' initial reaction to Reuven and Gad's reasonable request, was their silence in the face of his rebuke. Why didn't they promptly protest?

* * *

The Sefas Emes' father died when the Sefas Emes was a young boy. The young prodigy was raised by his grandfather, the Chidushei Harim, who, naturally, had the highest expectations for his grandson.

It happened that, when he was still young, the Sefas Emes stayed up almost the entire night learning with a Chavrusa. His study was so rigorous that he was rightfully tired at the conclusion of the long session. So, not long before shacharis, he fell asleep, and arrived late to davening.

His late arrival was noted by his Zeide. Immediately after davening, the Zeide Chidushei Harim approached his grandson and criticized him with passion. His lateness to davening was a disgrace! It was a chillul haShem!

There was no let up to his mussar-filled criticism.

Throughout, the young boy sat silently, accepting the rebuke, not once offering a word in his own defense.

Finally, his zeide had finished his tirade, leaving the young man momentarily alone. Not for long. Soon, his chavrusa – who, like everyone else, could not help but overhear zeide's tirade – came over to him.

"Why didn't you tell your zeide that you had been up all night learning?" he wanted to know.

The Sefas Emes looked at his chavrusa and a small smile lit his countenance. "To hear mussar from a great person is a most wonderful experience. It was well worth it to hear the admonitions and chastisement of the great Zeide, even though I am completely innocent." He then cited the behavior of Reuven and Gad in the face of an unjustified rebuke from a great person as justification.

They could have risen up and refused to hear Moses' rebuke. After all, they were "correct" and justified. Moses was "wrong." But they did not. They listened to the great leader until he was finished and then, only then, responded appropriately.

How strange this message is to our "modern" ears! Better to be chastised by a worthy being than to be right? Is not being "right" all that matters? Isn't the "last word" the most important thing? Prevailing, that is our goal.

Visit any blog or web site and peruse the lengthy comments and you will learn all you need to know about the ethos of our modern times. Shout out. Louder and louder. Be heard. After all, "my" way is the "right" way!

We are a generation bereft of great zeides.

Without a great zeide or a great leader, how do we sort through the urgency or our wants? In truth, what zeides saw and heard, what they communicated to us, is tradition, mesorah. We cannot help but look at our world and our experience through the lens of our times. After all, we cannot be what we are not. However, our communal experience did not begin with our generation. Jewish and halachic behavior did not and does not start with our opinions, our feelings, our interpretations or our societal norms. Authentic Jewish experience is rooted in yesterday's Jewish behaviors and precedent. We do not live in a vacuum of time but nestled within the fullness of Jewish experience and teaching.

* * *

As a young talmid in Yeshivas Rabeinu Yaakov Yosef (RJJ) I learned a new nuance for the Pesach Seder. When I arrived home, I asked my father z'l why he did not follow that nuance. He held me in his steady gaze. "Because that is not the way your Zeide did it."

There was no more conversation required. In Jewish life and lore, the way of our zeides trumps our so-called innovations. By listening to the voice of our zeide we can hear more than mussar, more than rebuke. We can hear genuine guidance.

After hearing Reuven and Gad's response to his criticism, Moses instructed them they should, "...arm yourselves before God for the battle."

Even understanding their intention and their desire, Moses understood the need to "fine tune" their focus. More than concern for their brethren, they should first and foremost carry out Hashem's will, which was to conquer the land. Compassion, as defined by humans, is changeable, nebulous, and often proven wrong by history. Their offer to stay in the land until all tribes received their land allocation? Certainly that was a magnanimous offer! But Moses deflects, telling them the gesture was unnecessary.

They must only stay until the wars were over – a point that could not be known without the great Zeide.

And, perhaps most significant, was a subtle change in emphasis and priority. Moses tells them, "...build for yourselves cities for your small children and pens for your flock." He reverses their stated priorities.

Mussar!

We cower from mussar. We avoid criticism. We want to be acknowledged. We want to be right. Zeide is critical. Zeide is giving mussar. But, if we allow our ears to hear, we will hear not criticism but the whisper of history and the guidance of tradition.

* * *

Like the man listening to his daughter's question, I hear the voices calling for women to receive semicha. I understand the genuine passion that women – who should be Torah educated and fully engaged in Torah study – feel in their desire to take on leadership positions in our tradition. I hear the cry of modernity. Equality. Egalitarianism.

"Tanach had powerful, female leaders. Why not now?"

The desire for female semicha is not rooted in selfishness.

Still, the response must be rooted in tradition! Judaism is not a willow, bending to whichever way the breeze blows. It is the holy response to God's call. It is, ultimately, the voice of zeide whispering through the generations; singing, davening. More even than God's laws, it is zeide's voice that gives those laws a human pulse.

Mesorah. Tradition.

We do not grant women semicha because Zeide didn't. It has not been in our Mesorah. Should our girls and women receive the best Jewish education? Absolutely. But semicha? No. The heart of the Jewish community is not just halacha, or reasonable argument; the tzura of the Jewish community is Mesorah.

Even if, like Reuven and Gad, the request is "reasonable". Even if, like the Sefas Emes, there is innocence. Mesorah is the voice of our loving Zeides.

Zeide speaks and we must listen, even if we genuinely believe that we know best. We must be open to that voice, the one that has spoken to us throughout our longest and darkest hours.

Rabbi Berel Wein <info@jewishdestiny.com> reply-to: info@jewishdestiny.com
date: Wed, Jul 15, 2015 at 12:02 AM subject: Parshat Matot - Masei 5775- Rabbi Berel Wein

The opening theme of this week's double parsha/Torah reading, concerns itself with the laws of vows and verbal commitments. The Torah nevertheless introduces this subject by stating that these laws and values were transmitted to the heads of the tribes of Israel. Since these laws are binding upon the entire Jewish people and are clearly discussed and explained in the Talmud in the tractate of Nedarim, the question obviously is raised as to why the emphasis was placed on teaching these laws to the leaders of the tribes of Israel. Since they are binding on all Jews then why the special notation regarding the heads of the tribes of Israel? Over the centuries, the great commentators to the Torah have offered varied explanations and different comments regarding this matter. In our time when democratic elections take place on a regular basis and politicians are constantly running for office, I believe that we can understand a special relevance to Moshe's first emphasizing these laws to the leaders of the tribes of Israel. Leaders have a tendency to speak in exaggerated terms and make exorbitant promises. We are witness to the famous excuse "that one sees when in office what one did not see when campaigning for that office." Thus the intelligent citizen will always inject a note of skepticism regarding campaign promises, party platforms or policy pledges. The Torah views the spoken word as being sacrosanct. "What comes forth from one's mouth should be honored and observed and implemented." Since the tendency of leaders is somehow to be loose with promises, the Torah makes a special point of addressing these laws regarding verbal commitments to the leaders of the tribes of Israel. In general, the Torah always places special emphasis and importance on the spoken word. "Life and death are dependent upon the spoken word of the tongue." In the Talmud we are taught which verbal commitments are legally binding and which are to be taken only as "words" without legal consequence. Nevertheless the Talmud emphasizes that mere "words" even if not legally binding are of moral importance. In the times of the Talmud, one could publicly issue a harsh criticism of someone who did not stand by his or her word even if that verbal commitment was not legally actionable or enforceable. The highest compliment even in today's sometimes cutthroat economic world is that "so and so is a person of his or her word." Exaggerations abound, negotiating positions are ploys and not to be taken seriously and yet even when we realize this, we are taken aback and disappointed when seeming commitments and spoken promises are ignored. There is an inner voice within us that demands that what we say should be what we mean and should be carried out effectively in behavior and

action. This is true for all of us no matter what our circumstances may be. But it is doubly true for leaders and public figures whose words are taken seriously by their listeners and can have devastating effects when not honored or fulfilled. This is an important lesson for our current times and society. Shabbat shalom Rabbi Berel Wein

<http://5tjt.com/the-amazon-echo-and-shabbos-2/>

The Amazon Echo and Shabbos amazon-echo By Rabbi Yair Hoffman

For the Refuah Shleimah of Boruch Zev Ben Bracha

"Alexa, what is the temperature in Jerusalem today?" "Alexa, can you wake me at 7:40 tomorrow morning for Minyan?" "Alexa, can you shut off the air conditioner in the living room?" "Alexa, please play me some of Abie Rottenberg's 'Dveikus' music."

THE ECHO

The Amazon Echo, answering to the name "Alexa," is one of the latest technological innovations that has come out of Amazon's special Lab126 offices in Silicon Valley, California. Amazon Echo is essentially a voice-command device with functions that include answering almost unlimited factual questions, playing music, controlling smart devices, and real-time fact finding. The device looks somewhat like a black Shabbos-lamp and consists of a 9.25-inch tall cylinder speaker with a seven-piece microphone array. The speakers include a woofer and a tweeter which delivers such remarkable sound quality that it makes iPhone's Siri sound, well, nebbish.

HALACHIC QUESTIONS

Like most technology, Amazon Echo carries with it a number of fascinating halachic questions. What are the prohibitions associated with its use on Shabbos? If one avoids using the name "Alexa" in conversation, may one leave it plugged in on Shabbos? Is there any circumstance in which it may be used? When the word Alexa is used, the Echo awakens and a blue light circles around at the top of the device.

THE KEY FINDER

A number of years ago, a new product came on the market that helped you find your keys. If you lost your keys you could either whistle or clap and the device attached to your key chain would begin to emit a musical tone that would help you locate the missing key chain. Was one permitted to do so on Shabbos, and is there a parallel between that device and Alexa?

FASCINATING READING OF RAMAH

The Tzitz Eliezer (Volume XVII #16) had a remarkable reading of the Ramah in Orech Chaim siman 338:1. Based on The Gemorah in Eiruvim (104a), Rav Yoseph Karo in his Shulchan Aruch writes that making a noise with an instrument (or vessel) is forbidden. However, banging on a door or other such item when it is not in a musical form is permitted. The Ramah adds the words, "It is likewise permitted if he is not engaging in an action (such as making noises with the mouth)." The Tzitz Eliezer reads this Ramah as even permitting a non-action – when it is in a musical form. The Aruch HaShulchan also questions what the Ramah may be referring to, and provides an alternative understanding of his words than that of the Tzitz Eliezer. He understands the Ramah as coming to differentiate why using one's hands to bang on a table would be forbidden but it would be permitted to place one's hand in the mouth to make a bird-sound. Thus, according to the Aruch HaShulchan, the Ramah would not be permitting a non-action when it results in a musical form.

GEMORAH IN BAVA METZIAH

Furthermore, the position of the Tzitz Eliezer, however, even in regard to the key locator is not so simple. The issue may depend upon the exact understanding of the Gemorah's discussion in Bava Metziah 90b. There, Rav Yochanan and Raish Lakish debate whether the Torah's commandment not to muzzle an ox while it works can be violated through mere words and not physical action. Rav Yochanan holds that there is in fact a violation when done just through speech, while Raish Lakish holds that there is not. Since we do rule like Rav Yochanan in this case, we need to understand how this corresponds with the idea that one does not get malkos on a violation where there is no physical action involved (also a statement of Rav Yochanan.) Most Meforshim explain that here the words caused a physical action to come about (See Tosfos and Maggid Mishna Hilchos Schirus 13:2). According to this understanding, the words that cause the Amazon Echo to go into action may indeed be forbidden. The Rashbam, however, has a different understanding of this Gemorah.

ANALAGOUS TO MICROPHONE

But aside from all this, the Amazon Echo is more analogous to leaving a microphone on over Shabbos. This is true for two reasons: Firstly, seven microphones are being left on over Shabbos and a computer chip is deciphering the converted electrical signals. The second reason is that the voice-activation is causing the device to respond. Rav Shlomo Zalman Auerbach zt"l would thus forbid the Echo on account of Avusha Milsa (Minchas Shlomo Vol. I 9:2). Rav Moshe Feinstein zt"l (Igros Moshe Vol. III Siman 55;

Vol. IV Siman 84) has three distinct halachic issues that would apply here to the Amazon Echo too. He would forbid it on account of Molid Kol Chadash. He writes this regarding microphones alone, certainly it would apply to the additional factor of Alexa's responses. Rav Moshe also has an issue with the changing of the form of the electrical impulse into louder sound. Finally, Rav Moshe believed that microphones fell under the prohibition of *gzairah shema yesakain kli shir* – one may come to fix or make a musical instrument. All three of Rav Moshe's rationales would be even more applicable regarding the Echo. Rav Vosner ז"ל (Shaivet HaLevi Vol. I #66) forbids microphones on account of being *mezalzel* (disrespecting) the honor of Shabbos. All this would certainly be even more applicable regarding the Echo.

DOES IT NEED TO BE UNPLUGGED?

But does the Echo have to be turned off before Shabbos? This author believes that it does because the device actually hears and processes every word that is being said. This is done by its Texas Instruments DM3725 ARM Cortex-A8 processor and with its 256MB of LPDDR1 RAM. This processing is *Naichah lay*, something that the owner is desirous of, because the owner wants it not to respond to everything. We want Alexa to filter out all other words and only respond to the start-up word – "Alexa." Luckily, there is a mute button on the device itself.

Are there circumstances when it can be used? It would seem not, and even if it were a case of *Pikuach Nefesh*, the Echo cannot really accomplish anything useful.

As an interesting aside, Rav Moshe rules (Igros Moshe YD Vol. II #4) that when a *Shochet*, in fact, does violate the prohibition of using a microphone it is forbidden to eat from his *Shechita*. This would also most certainly be the case if he were to be using his Amazon Echo.

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<http://www.aish.com/print/?contentID=162571986§ion=/tp/i/pp>
Matot (Numbers 30:2-32:42)

The Unknown Revoked Vow by Rabbi Ozer Alport

The Torah says that in a case where a woman took a vow which her husband subsequently revoked, God will forgive her (Numbers 30:13). This is difficult to understand. Even if she transgressed her promise, why would she need atonement if her husband revoked her vow? The Talmud (Nazir 23a) explains that the Torah is referring to a case in which a woman's husband revoked her vow unbeknownst to her, such that although the promise was no longer binding, she thought that it was still in effect and that she was violating it, an act which necessitates God's forgiveness.

The Talmud likens this to a person who thought that he was eating non-kosher meat but in reality consumed kosher meat, yet still must repent his sinful intentions. The Talmud adds that when Rabbi Akiva studied this verse, he began to cry, commenting that if a person requires atonement when he thought that he was sinning even though in reality he wasn't, all the more so does he need forgiveness if he actually sins. Why did this concept specifically pain Rabbi Akiva more than any of the other rabbis?

The Arizal writes that the Asarah Harugei Malchus - ten great Rabbis who were brutally and tragically martyred - were killed as atonement for the sin of the sale of Yosef by his brothers. Of the ten Rabbis, Rabbi Akiva died in the most cruel and painful manner because he was a *gilgul* (reincarnation) of Shimon, who was the primary instigator of the plot to harm Yosef (Rashi - Genesis 42:24) and bore the most responsibility for the sin.

After Yaakov's death, Yosef's brothers approached him to ask forgiveness for the sin of selling him into slavery. Yosef responded (Genesis 50:20) that there was no need for him to forgive them because even though they had intended to harm him, no damage was done and the ultimate result was beneficial, as God brought him to Egypt where he became viceroy and was able to use his position of power to sustain them during the famine.

Rabbi Shmuel Falkenfeld points out that Yosef's reasoning is remarkably similar to the case described by our verse, in which a woman thought that she was sinning by violating her vow, but in reality, no transgression was committed because her husband had already revoked it. Nevertheless, the Torah explicitly states that in such a case, the woman requires forgiveness due to her intention to sin.

Although Rabbi Akiva was still alive and did not know what fate would ultimately befall him, there was some part of his soul which was aware of its past incarnation and impending punishment. Therefore, whenever he learned the verse which teaches that a person must repent for an action which he intended to be sinful even if circumstances beyond his control result in no sin being committed, he became afraid of the harsh punishment that Shimon and his brothers would require for their cruel plan to sell Yosef into slavery even though Yosef's journey ultimately had a happy ending, and it was this subconscious fear which moved him to cry.

NON-JEWISH VESSELS

Is a non-Jew who converts to Judaism required to immerse all of his utensils in a *mikveh*, as he is now legally considered a Jew who "acquired" them from a non-Jew, or does this law apply only when the Jew and non-Jew are two different people?

The Maharshag writes that the concept of immersing vessels was taught in the context of the war with Midian. Because it is a Torah decree, only utensils in scenarios similar to that one require immersion. In that case, the ownership of the vessels was transferred from the Midianites to the Jews. Therefore, a non-Jew who converts would not need to immerse his utensils, as although the religious status of their owner has changed, no transfer of ownership has occurred. (Darkei Teshuva - Yoreh Deah 120:4)

However, because he is unsure of this reasoning and didn't find it mentioned in earlier sources, he suggests as a practical matter that the vessels be immersed without a blessing. The Tzitz Eliezer (8:19-20) seems to agree with this ruling.

On the other hand, the Chadrei Deah explains that the reason that utensils purchased from non-Jews need to be immersed in a *mikveh* is to signify the fact that they no longer belong to non-Jews and have entered the holiness of Jewish ownership. As such, he maintains that a non-Jew who converts would be required to immerse his vessels, but because this requirement isn't mentioned in any earlier source, he also advises immersing them without a blessing. This is also the ruling of *Tevilas Keilim* (3:24), although he does cite several sources who rule that a convert does not need to immerse his utensils.

APPEARANCE OF WRONGDOING

Moshe told (Numbers 32:22) the tribes of Gad and Reuven that they must fulfill their conditions in order to be clean in the eyes of God and the Jewish people. The Sages derive from here several laws requiring a person to exceed the strict letter of the law in order that he not appear to be doing something inappropriate to those who observe him, often referred to as "*maris ayin*." If somebody is doing something only to prevent a case of *maris ayin* but which would require a blessing if it was required according to the letter of the law, may he recite a blessing?

The Talmud (Chullin 75b) rules that if a pregnant animal is ritually slaughtered, its fetus may be Biblically eaten without being slaughtered. However, if the fetus walks or moves on the ground, the Sages required its slaughter because of *maris ayin*. Rashba (525) rules that one should say a blessing on this slaughter just as one says a blessing on any rabbinical commandment.

However, *Besomim Rosh* (283) and *Pri To'ar* (19:1) disagree, arguing that no blessing is made on a *mitzvah* which is solely due to *maris ayin*. The Talmud (Shabbos 23a) rules that if a person has windows facing different directions, he must light a *Chanukah menorah* in each of them so that somebody passing an empty window won't suspect him of neglecting the *mitzvah*. The Ran writes that no blessing is made when lighting the additional menorahs. *Pri Chodosh* and *Pri To'ar* equate the concepts of *maris ayin* and *chashad* and maintain that the Ran disagrees with the Rashba, although *Kreisi U'Pleisi* (13:4) differentiates between the two concepts and argues that there is no disagreement between the Ran and Rashba.

Birkei Yosef (Yoreh Deah 13:4 and *Orach Chaim* 571:11) questions this logic and additionally argues that it is incompatible with the explanation of the Rashba himself. Finally, *Michtam L'Dovid* (*Orach Chaim* 23) suggests that there is no dispute, as the Ran is discussing a case in which a person already said a blessing when lighting his first *menorah*.

TRUE TRIBAL INTENTIONS

At the end of *Parshas Chukas*, the Jewish people conquered the lands of Sichon and Og, which were just across the Jordan River to the east of the land of Israel proper. In this week's *parsha* (Numbers 32:6-7), the tribes of Gad and Reuven approached Moshe with a request. They noticed that these lands were particularly well-suited for raising animals. As these two tribes were blessed with an abundance of livestock, they asked for permission to receive and settle this area as their portion in the land.

Moshe responded harshly, questioning why their brethren should go to battle to conquer the rest of the land of Israel while they remain behind living comfortably. He also argued that their actions could dissuade the rest of the Jews from wanting to enter and conquer the land, in a manner similar to the negative report brought back by the spies.

The tribes of Gad and Reuven clarified their intentions, explaining that after they built cities for their families and animals in this region, they would join the rest of the Jews in the battle for the land of Israel proper. Only after it was fully conquered and settled by their brethren would they return to their families. Upon hearing this, Moshe agreed to their request, but only after making a legally-binding agreement with them.

The commentators explain that the two tribes always intended to assist in the conquest of Israel, but because they didn't see this point as significant, they didn't say it explicitly until pressed by Moshe. Why did Moshe accuse them so harshly, and why was it so

important to him to make an explicit legal stipulation with the tribes regarding this point?

In his work *Shemen HaTov*, Rabbi Dov Weinberger explains that Moshe recognized their original good intentions. Nevertheless, he was concerned that after they actually built the cities for their families and animals, they would be tempted to reconsider their plans. After 40 years of wandering through the wilderness in pursuit of a stable home, it would be quite natural for them to be tempted to reevaluate their commitment to spend an additional 14 years helping their brethren conquer and settle the land of Israel.

To prevent this from occurring and to keep their actions consistent with their original intentions, Moshe insisted on making an explicit and binding agreement with them. Only if they fulfilled their end of the deal by assisting with the conquest of Israel would they be permitted to keep their land on the east side of the Jordan River.

This explanation brings to mind the following story. The Alter of Novhardok once heard that a certain individual was coming to visit his town. He was in doubt whether it was appropriate for him to go to the train station to greet and welcome the guest. Since it was the middle of the frigid winter, the Alter worried that perhaps he would decide against going not for the right reasons, but because he was motivated by laziness and comfort. To remove this concern, he traveled to the train station and proceeded to make his decision once he was already there.

Many times in life we are confronted with difficult decisions. When weighing the various factors involved, it is important to be aware of our personal biases and to strive to reach conclusions based on pure, unbiased thinking.

This article can also be read at: <http://www.aish.com/tp/i/pp/162571986.html>

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: Peninim <peninim@shemayisrael.com> date: Thu, Jul 16, 2015 at 4:06 AM subject: Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Mattos-Massei PARASHAS MATOS-MASEI

Arm men from among yourselves for the legion that they be against Midyan that they may inflict Hashem's vengeance against Midyan. (31:3)

When the Jewish army went into battle, it was unlike any other national army. Horav Mordechai Druk, Shlita, notes the apparent differences between our army and the armies of the nations of the world. Moshe Rabbeinu did not lead the Jewish army in a war of retribution against Midyan because he had benefitted from the land of Midyan years earlier when he escaped Egypt. Clearly, such a moral compass is unlikely to be found in any other nation: a leader to choose not to lead against a sworn enemy because he owes them *hakoras hatov*, a sense of gratitude, is unusual, to say the least.

The Nesiim, Princes, of each tribe did not go to war because one of their own, Zimri, the Nasi of Shimon, had been killed by Pinchas. Zimri had blatantly committed an act of immorality, thus incurring the death penalty, which was executed by Pinchas. This was, of course, embarrassing to the other Princes. In order not to cause them undue humiliation, none of them went to war.

Indeed, the soldiers were men of elevated spiritual, moral and ethical standing. Chazal teach that the only soldiers who could go out to war were men who would not don the *Shel Rosh*, Tefillin of the Head, prior to putting on the *Tefillin Shel Yad*, Tefillin of the Hand. Is this such a sin that it would preclude acceptance in Hashem's army? Rav Druk explains that, during the reign of David HaMelech and Shlomo HaMelech, Klal Yisrael did not accept *geirim*, converts. Certain individuals, however, secretly converted and wore Tefillin and Tzitzis, the complete Jewish uniform. When Chazal mention that these unsavory converts wore Tefillin, they emphasize that they wore Tefillin on their head and Tefillin on their arms. For some reason, the Tefillin of the head precedes the Tefillin of the hand. Is this by design?

Rav Druk explains that Chazal are alluding to the reason that these converts were unacceptable: They wore Tefillin of the Rosh before the Tefillin of the Yad. Tefillin Shel Rosh corresponds with a person's thoughts, his mindset and focus in life. Tefillin Shel Yad coincides with the person's activities, his actions on behalf of Judaism. The Jewish People accepted the Torah with a resounding declaration, *Naaseh v'Nishma*, "We will do and (then) we will listen." Our actions/commitment comes even before we develop an intellectual appreciation and understanding of the *mitzvos*. The soldiers that represented the Jewish People in our army were individuals who acted out of commitment - not intellect.

Last, twelve thousand soldiers went into battle - one thousand representing each tribe. In addition, another twelve thousand soldiers had the task to daven, to entreat Hashem, that their brothers emerge triumphant from battle. These soldiers did not daven in *shul*. They went out to the front and created their own *makeshift shul*, davening in the shadows of the front-line fighting.

Why was this? Why could they not simply pray for the soldiers' welfare from the comfort of their own *shuls*; their own *batei medrash*? Was it that critical that they daven at the front? The answer is that *Kochi v'otzem yadi asah li es ha'chayil ha'zeh*. "My strength and the might of my hand made me all this wealth" (Devarim 8:17) is a

powerful intoxicant. A person becomes so infected by the disease of arrogance that he begins to believe that the triumphs he has experienced are the result of his own doing. He thinks that he is an able warrior, that his aim is outstanding and, thus, he always hits his mark. He must realize that whatever skills he has been able to enjoy is due to Hashem's blessing - a blessing which is stimulated by sincere prayer. Those who pray, do so at the front, to serve as a steady reminder to the soldiers: If you succeed, it is only because of the power of prayer.

Perhaps we may suggest another reason that it was crucial that those who prayed did so with the specter of the battlefield in their foreground. During World War II, the *talmidim*, students, of the *Mirrer Yeshivah* were miraculously saved from the horrible fate suffered by European Jewry, as six million were murdered by the accursed Nazis. Escaping from Europe, they arrived in Shanghai, the city which would serve as their home for the duration of the war. The physical conditions in Shanghai were brutal. The suffocating humidity and burning heat in Shanghai sapped the strength of the students, exhausting them and wreaking havoc on their immune systems, leaving them open to disease and infection. The *bais hamedrash* which was their home for most of the war was even more stifling, with temperatures climbing over 100 degrees.

Yet, Horav Yechezkel Levenstein, zl, the legendary *Mashgiach*, encouraged the students to dress as expected of a *ben Torah*, student of Torah - with suit jacket and tie. During the *Aseres Yemei Teshuvah*, Ten Days of Repentance from Rosh Hashanah through *Yom Kippur*, the weather had become impossible. The humid air was thick and almost unbreathable. In addition, the city was disease-ridden, with infection and death manifesting everywhere. That *Yom Kippur*, the *talmidim* simply could not dress as expected. It was oppressive - simply too much for a human being to endure - and to fast all day and daven with *kavanah*, proper devotion, no less. The *Mashgiach*, however, seemed to be in a different world, standing on his feet, deeply ensconced in prayer, while wrapped in his heavy wool *kapata*, long jacket. He allowed nothing - the fast, the heat, the absolute physical torture - to deter him from serving the Almighty in his usual manner.

It was nothing unusual for Rav Chatzkel. Serving Hashem represented extreme devotion. Anything less would not suffice. What, however, about the students? It takes years of unimpeded service on a level of extreme spirituality to achieve such a level of devotion, such a transcendent relationship with the Almighty, that one senses nothing else but G-d. To them, he shared another reasoning - one that is practical - even compelling. The greater the *mesiras nefesh*, self-sacrifice and dedication, of those in Shanghai, the greater the merit created for their brethren suffering untold misery, persecution and death in Europe. It was hot in Shanghai. It was much hotter in Auschwitz!

The *Mashgiach* spoke to the students, emphasizing the need to identify with the plight of others: "We need to visualize clearly the horrifying suffering that now consumes the world and, in particular, the suffering of our brothers and sisters. We must visualize their suffering as if we are personally witnessing their suffering: we are hearing their cries; witnessing their bitterness; feeling their agonizing hunger, the freezing cold, their torture, and the savage acts done to them. We need to hear the death cries that pour out from the hearts of our people in Poland, Russia and Lithuania - the thousands and thousands of weak and suffering that we have left behind."

The idea expressed above sums up why the twelve thousand soldiers whose function it was to pray for the success of their brothers in battle should do so at the front, in the heat of the battle. If one does not visualize, he cannot properly empathize; thus, he will not pray with the same fervor. It is hard to feel the heat of battle in an air conditioned *bais medrash*.

Moshe said to them: Did you let every female live? Behold it was they who caused Bnei Yisrael by the word of Bilaam, to commit a betrayal against Hashem regarding the matter of *Pe'or*. (31:15,16)

It is said how the most well-meaning - albeit quite insecure - leaders of factions of the religious Jewish community who call themselves Orthodox, but have yet to prove it, fall prey to the double-edged sword of Jew/non-Jew relationships. One cannot sufficiently emphasize how the blandishments of the non-Jewish society in which we live have had a disastrous influence on the religious vitality and continuity of our People. One need only to take a stroll outside of the shelter of the observant Jewish community to observe the downward spiral of Jewish literacy and commitment. The staggering rate of intermarriage is in and of itself the greatest proof of the need to strengthen ourselves from within - and to remain there - at all costs.

Alas, this is not a new problem. Two centuries ago in Germany, "it" had become an almost accepted norm, a way of life that was actually advocated by the latter-day followers of the *Peor* idol. The destruction wrought by the founding fathers of secular Judaism has germinated into a movement which would do Bilaam proud. Generations later, we have lost Jews who do not even know what they have lost - nor do they care. Yet, despite the apparent infamy of acculturation leading to total assimilation, we still have among us those who choose to embark upon the slippery slope of inter-religious

dialogue, thereby shaming themselves and their supporters and causing a chillul Hashem, desecration of Hashem's Name, of epic proportion.

The Torah reveals to us the identity of the source of the scourge of assimilation which leads to intermarriage: the Peor idol; its worship; and what it symbolized-- self-gratification. The cycle began when Klal Yisrael started to share with their pagan neighbors. First, it was their sacrifices, which led to intermingling with their women. The end result was total abdication to Peor, the god of the Midyanite people. The very nature of the worship of this idol, which involved expunging bodily wastes in its presence, only served as a vehicle for mocking the worthlessness of materialistic worship. Nonetheless, once he fell into its net, the worshipper was trapped. He had just become a pagan.

There is always a flipside. We just celebrated the festival of Shavuot, which underscores the merit of sincere conversion, as in the case of Rus, progenitress of the Davidic dynasty. We note the dignity and spiritual majesty of those who have been able to transcend their gentile heritage and choose to become members of the Am Hashem, the Nation of G-d. Indeed, Chazal observe that the entire Moavite and Amonite nations were spared for the specific purpose of producing the "two young doves," a reference to Rus and Naamah, who were destined to descend from them. Sincere religious commitment has its place in Judaism. We respect and admire it, and we welcome into the fold those who manifest this trait.

One wonders why, after thousands of years during which we have clearly seen the tragic effects of assimilation, a group of Jewish "religious" leaders, among them representatives of a new brand of Orthodoxy, would, for the sake of ecumenical discourse, join in a Roman Catholic sponsored conference. (They refer to themselves as Orthodox. This author tends not to agree with the attribution.) This was part of a program sponsored by the Catholic center for study and prayer in the Galilee. Imagine a bonfire on the eve of Lag Ba'Omer under the imposing shadow of a gold statue of the pope. How heartwarming it must have been for the Catholics to witness Jewish and Catholic clergy dancing together, singing Jewish songs.

This is clearly a modern-day reenactment of the Peor idol. How tragic it is when people discard their intelligence and act in a manner unbecoming any intelligent Jew who is aware of our history. How sad it is when one reflects upon haunting memories of terror and persecution which are evoked by the Catholic church. Is there anything more deranged than selling one's heritage for a bit of ecumenism? Is this any different than literally letting go of one's bodily waste, making a total fool of oneself in the presence of an idol? "Good morning," "Good evening" - diplomatic relations are nice and appropriate. Prostrating oneself before them and denigrating the meaning of the millions who died by their volition is another. It is totally unacceptable and bespeaks an unpardonable insult to the Jewish people and to Hashem.

And the Land shall be conquered before Hashem, and then you shall return - then you shall be vindicated before Hashem and from Yisrael. (32:22)

"So what if people do not understand my lofty goals?" "Since when must I explain myself to people?" "As long as I satisfy Hashem, is that not what is important?" It is statements such as these, with the attitude of arrogance that accompanies them, that get people into trouble. The end does not justify the means. One must act in a manner that does not incur public suspicion of impropriety. Everything we do must be above board, maintaining sufficient transparency to withstand the greatest scrutiny.

There is a well-known Teshuvos Chasam Sofer (6: Likutim 59) in which the revered Rav of Hungarian Jewry writes: "My whole life, I was always anxious concerning the pasuk, 'You shall be vindicated before Hashem and for Yisrael.' These two obligations - Hashem and Yisrael - ride heavily on our backs. It is much easier to fulfill (be vindicated) the first: Hashem. It is so much more difficult to have one's actions pass human scrutiny. The sin of chillul Hashem, desecrating Hashem's Name in the eyes of people, is an egregious sin. This applies even if the suspicion people have is far-fetched. We must put it to rest and not give people a reason to talk.

"I have often wondered if it is truly feasible for one to fulfill this pasuk (which demands human vindication). Indeed, Shlomo HaMelech writes, Ein adam tzaddik b'aretz asher yaase tov v'lo yecheta, 'There is no righteous person in the land who does good and does not sin.' [Simply, this means that no one is perfect.] I think we are being taught that it is impossible to elude, to satisfy the suspicions of people. The most perfect action, the holiest, saintly person, is never above the suspicion and dissatisfaction of people."

These are the journeys of Bnei Yisrael. (33:1)

On a recent trip to Eretz Yisrael, I struck up a conversation with a fellow traveler. He told me that, since it was his first overseas trip, he was planning to savor every moment. He looked forward to the eleven-hour flight as another leg on what was supposed to be a momentous trip. He was so excited that he was keeping track of every moment - from the taxi that picked him up at home until his eventual return in ten days. I felt this was an interesting perspective on travel, which, for most people, is something they must endure until they safely arrive at their destination. Horav Yoshiyahu Yosef Pinto, Shlita,

posits that this mindset plays a critical role in understanding the forty-two masaos, journeys/encampments, which Klal Yisrael experienced from when they left Egypt until their arrival in the Holy Land.

Rav Pinto begins with an incident related by Chazal, whereby Rabbi Yosi, who was traveling, went into a ruin in Yerushalayim with the intention of finding a quiet spot to pray. Elyahu HaNavi came by and noticed him praying, so he waited by the entrance until Rabbi Yosi had completed his service before turning to leave. At this point, Elyahu asked him, "Why did you enter the churvah, ruin, to daven? Why did you not daven alongside the road?" Rabbi Yosi replied, "I was afraid of being disturbed by the ovrei derachim, passersby on the road." Rav Pinto wonders why the fellow travellers are referred to as ovrei derachim, passersby, rather than holchei derachim, travelers.

Rav Pinto explains this with a well-known story concerning a Jew from Kharkov whose name was Aizik. One night, Aizik had a dream during which he dreamt that a large treasure was set aside for him beneath the main bridge in the city of Prague. Such a trip was not a hop, skip and jump. It would take time and preparation, but Aizik felt the dream was valid. How could he turn down a large, lump sum of money?

Aizik packed his bag, took along provisions, and set forth on the journey that would garner untold wealth for him. It took a few days for him to reach the spot he saw in his dreams. He began to dig beneath the bridge. Suddenly, he heard the sound of heavy footsteps. He looked up and was confronted by the town's watchman. He was a giant of a man - someone to whom you would not consider lying. Aizik related the entire story that brought him there. The watchman began to chuckle, then broke out in laughter and glee. "You came because of a foolish dream?" the watchman asked Aizik. "I, too, had a dream that a buried treasure was waiting for me beneath the oven in a small house in Kharkov, which belonged to a Jew by the name of Aizik. Do you think that I would be so foolish as to travel to Kharkov in search of an elusive treasure?"

Aizik saw the conversation turn from foolish to derisive, with ugly on the horizon. He immediately grabbed his bag and left Prague to return home. The watchman, thinking that perhaps there was some veracity to Aizik's dream, began to dig in the ground until he discovered an empty, rusty box. Aizik, however, returned home, and searched beneath the oven in his house. How fortunate he was to discover a treasure chest filled with an abundance of gold coins.

Aizik's journey to Prague was in vain, when, in reality, the treasure he sought was right beneath his eyes. He did not have to leave Kharkov. The treasure was right there. Had he only looked! Now, was Aizik's trip in vain? No! Had he not traveled to Prague, he would never have met the watchman, who shared his dream with him. In other words, Aizik needed to travel to Prague to discover that all of this time, he was sitting on a fortune in buried treasure.

There are two ways of viewing Aizik's "wasted" trip to Prague. The ovrei derachim, passersby, view the journey toward its destination as a mere means, a medium by which we reach a goal. Arriving in Prague and not finding the treasure would have left them devastated. Their trip was a waste of time. The holchei derachim, however, look at every journey as G-d's will, something which we must do, a road we must travel. Indeed, sometimes we must travel to a distant land, only to learn that what we seek is right beneath our nose. Hashem has His reasons, and, had Aizik ignored his dream and not traveled to Prague, he would never have met the watchman, who also had a dream. Aizik understood that the journey is part of the goal. It, in and of itself, has great significance.

The difference between the passerby and the one who takes his journey seriously is his attitude when a challenge arises, when an obstacle stands in his way, when the journey encounters troubles. The passerby becomes angry, because he feels that his time is being wasted. The holeich, traveler, understands that this, too, is part of the trip's intended goal.

Rabbi Yosi did not fear the serious travelers who might encounter a Jew praying in the middle of the road. They would smile, move over, or wait patiently to continue their trip. It was the passersby, the ovrei derachim, who look only at their destination, and thus view anything that impedes their timely arrival and successful attainment of their goal as a reason for concern and anger.

Parshas Masei records forty-two journeys traveled by the Jewish nation on the way to the Holy Land. Each journey had specific significance and lofty goals. The journey itself was as purposeful as the destination was worthwhile.

These are the journeys of Bnei Yisrael. (33:1)

The adage, "Life is a trip," has greater meaning than one might think. Each of us travels on the journey called life, and, as occurs in many instances, not all travelers have the same experience. One can travel to a wonderful, beautiful vacation spot and still have a miserable experience. The other can go to a stark, cold, uninviting place and still have a great time. Different people have varied experiences as they go through life. For some, the trip is long and quite enjoyable; for others, it might be too short, and not much to write home about.

Once, the Rosh Yeshivah of Yeshivat Porat Yosef, Horav Yehudah Tzedakah, zl, was asked to console the bereaved parents of a young yeshivah student who had lived too short of a life. He was warned that the family was beyond grief, having taken this tragedy especially hard. The Rosh Yeshivah came to the modest home where the family was sitting shivah, observing the traditional seven-day mourning period. He entered the room, and everyone looked up. It was not a usual occurrence that the venerable Rosh Yeshivah went anywhere. Obviously, this was an unusual situation.

"Let me share a story with you," Rav Tzedakah began. "One day, a man who had lived his entire life in the wilderness visited the big city. This person had never been exposed to modern technology, having lived primitively with whatever he could scrounge together in the wilderness. Upon visiting the city he chanced upon a large 'moving box,' on wheels, or, at least, this is what he thought the bus was. He asked the people who were waiting in line to take their place on the bus, 'What is this?' 'It's a bus. One alights the bus, pays the fare, and takes a seat. The fare allows him to ride the bus to the end of the line, which is twenty stops.'

"It seemed like an incredible idea. Imagine buying a ticket that would allow him to travel for miles, throughout the city. It was absolutely incredible. Since he had no money, one of the kindhearted passengers gave him the necessary change. He paid for his ticket and proceeded to the nearest available seat. After only two stops, one of the passengers got off the bus. The man was surprised, 'Why would a person pay for twenty stops and get off after two?' he wondered to himself.

"Three stops later, four people left the bus. This increased the man's incredulity. Finally, he no longer could keep it to himself. He began to scream at the passengers who were leaving the bus, 'Where are you going? You paid for twenty stops. Why are you leaving prematurely?' The people were very patient with their responses, since they were well aware that he had never before seen a bus. 'These people live near the stop. If they were to ride the bus to the end of the line, they would have to go back and do the trip over again.'

"The nimshal, lesson, to be derived from here is very simple. Every person is sent down to this world for a purpose. Once he fulfills that purpose, he has reached his 'stop,' and it is now time to return to his original source in Heaven. Each and every one of us has his unique tafkid, goal and purpose, in life. The duration of our stay in this world is dependent upon our individual purpose. Your son had fulfilled his tafkid. He was then called 'home.'"

U'mibaladecha ein lanu melech, goeil u'moshia And other than You, we have no King, redeemer, or savior.

Interestingly, we do not mention that we have no G-d, other than Hashem. Horav Avigdor Miller, zl, quotes Yeshayahu HaNavi (44:6) who states: "So, said Hashem, King of Yisrael and its Redeemer, Hashem of Hosts: I am the first and I am the last, and besides Me there is no G-d." The intention of the pasuk is to teach that, with regard to the world, there is no other G-d. There is only one G-d for everyone: Hashem. It is unimportant what "others" might think. We know the truth: there is only Hashem, Who is G-d over the world - everyone included. With regard to His being King and Redeemer - that is a different story. Hashem is our King, our Redeemer. We do not have the monopoly on "G-d;" He is G-d to the entire universe. There is no G-d other than Hashem, but we have no King but Hashem; we have no Redeemer, but Hashem; we have no Savior, but Hashem. To us alone, He fulfills these functions of King, Redeemer, Savior.

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while the other half of Menashe will cross over the Jordan with the rest of Bnei Yisrael into the Promised Land. A very strange request indeed it was. What is most puzzling and striking is that none of the traditional commentators address the question of what this was all about. Up to this point no where is Shevet Menashe mentioned in the negotiations, so what was this point of Moshe all about?

Rav Yosef Dov Soloveitchik, ZT"l, suggested that Moshe, being the leader and Rebbe par excellence, who loved every Jew as a parent loves a child, was very concerned about the unity and future of Bnei Yisrael. Moshe is about to die and he is concerned about a possible split in Klall Yisrael; between the ten tribes who are crossing and the two tribes who are remaining. This disturbing thought brought him much anguish and so he was determined not to let it happen. He devised a plan of splitting half the tribe of Menashe to live on one side of the Yardein the second half on the other side. He reasoned that this would solidify their bonds of unity. If parents will be on one side while the children on the other, or if one sibling on this side and one on the other side there will be a constant flow of visitors and travelers between the two sides. This, Moshe Rabbeinu hoped will guarantee the Achdut (unity) of Bnei Yisrael, and Moshe will be able to leave this world with a peaceful mind and an optimistic view for the future of our people.

It is indeed most appropriate to read this message as we are approaching Tisha B'av. We must realize that we all share the responsibility of concerning ourselves for the unity of our holy nation and respect for one another.

Shabbat Shalom, from Yerushalayim,
Rabbi Aharon Ziegler

PARSHIYOT MATOT-MASAI 2015

פרשות מטות-מסעי 5775

From beginning of perek (Ch.) 32 (shishi) until the end of the sidra, Moshe Rabbeinu is confronted with a very disturbing situation. Two tribes, Gad and Reuven, approach Moshe with the request of remaining and settling on the east side of Jordan, and not to settle in the Promised Land. Moshe is deeply disturbed and hurt at the mere mention of such a thought, having come so far and being so close to Eretz Yisrael Moshe himself would have given every thing in this world for the privilege of crossing the Yardein (Jordan) and entering Eretz Yisrael. Alas, that was not meant to be. So Moshe, as hurt as he is, resigns himself to his fate and destiny. However, Moshe is a genuine leader and not a dictator, so he agrees to honor their request, but with a stipulation. He insists that their men, of army age, must cross the Yardein together with the other tribes and help in the fight for conquering the Land.

The two tribes agree to this commitment and the deal is about to be ratified. But, at the last moment, as he is about to allocate the land to them, he injects another stipulation (32:33). He insists that half of the tribe of Menashe also stays on the east of Jordan