

Mazal Tov to R' Reuven & Chaya Butler on the birth of Eliyahu Meir. A special Mazal tov to the grandparents Rabbi Raphael & Pessy Bultler along with the entire extended Butler family.

Weekly Parsha :: PINCHAS :: Rabbi Berel Wein

Pinchas is a tainted hero. Rashi records for us that the tribes of Israel, especially the tribe of Shimon, complained that someone who is a descendant of "one who fattened calves for paganism and dares kill a head of a tribe in Israel" should not be entitled to any honors. The Lord, so to speak, comes to his defense and grants him the gift of the priesthood - to him and his descendants - and also the supreme blessing of peace.

The Torah records his genealogy as being from Elazar and Aharon and not from the one who "fattened calves for idolatry." Yet, even this restoration of status and Godly confirmation of the rectitude of Pinchas is also somewhat reserved.

In the word "shalom" that marks the covenant of peace granted to Pinchas by God, the letter "vav" in this word, as it is written in the Torah, is split and cracked. He is not granted the full blessing of peace but rather a diminished portion of it. Our rabbis taught us that this is because his heroics involved violence and the taking of human life, albeit in a just and holy cause.

Peace obtained through violence and the death of others, even if those deaths are unavoidably necessary and completely justified, is always somewhat tarnished, cracked and split. Pinchas is thus completely vindicated and rehabilitated by the Torah, but a lingering resentment against his act of boldness and zealotry remains.

Pinchas reappears later in Jewish history in the book of Shoftim/Judges. There he is the High Priest and according to some opinions, the leader of the Sanhedrin as well. The Talmud records for us the tragic story of Yiftach and his daughter - in which Yiftach vowed to sacrifice the first living creature that would confront him when he returned home after the successful war against Bnei Ammon, and was first greeted by his daughter. The Talmud is of the opinion that Yiftach's vow could have been annulled legally by the court of Pinchas. But Pinchas insisted that Yiftach come to him to obtain such an annulment while Yiftach felt that this would be an affront to his position as the "shofet" judge and temporal leader of Israel. So nothing was done, the vow remained, and the innocent life of Yiftach's daughter was snuffed out on the altar of pride. So Pinchas is slightly tarnished in this story as well.

The eventual complete redemption of Pinchas occurs when the Talmud equates him with the prophet Eliyahu. It is therefore Pinchas/Eliyahu who accompanies the Jewish people throughout the ages and the troubles. He is present at every brit milah and at every Pesach seder. He is the harbinger of our complete redemption, the one who will bind the generations together and is the symbol of hope and the glorious future of Israel and humankind.

It is as Eliyahu that Pinchas receives the undisputed heroic stature that the Lord grants to him in this week's parsha. May we see him speedily in our days.

Shabat Shalom.

TORAH WEEKLY—Parshat Pinchas
For the week ending 19 July 2008 / 16 Tammuz 5768
from Ohr Somayach | www.ohr.edu
by Rabbi Yaakov Asher Sinclair

OVERVIEW

G-d tells Moshe to inform Pinchas that Pinchas will receive G-d's "covenant of peace" as reward for his bold action - executing Zimri and the Midianite princess Kozbi. G-d commands Moshe to maintain a state of enmity with the Midianites who lured the Jewish People into sin. Moshe and Elazar are told to count the Jewish People. The Torah lists the names of the families in each tribe. The total number of males eligible to serve in the army is 601,730. G-d instructs Moshe how to allot the Land of Israel to Bnei Yisrael. The number of the Levites' families is recorded. Tzlofchad's daughters file a claim with Moshe: In the absence of a brother, they request their late father's portion in the Land. Moshe asks G-d for the ruling, and G-d tells Moshe that their claim is just. The Torah teaches the laws and priorities which determine the order of inheritance. G-d tells Moshe that he will ascend a mountain and view the Land that the Jewish People will soon enter, although Moshe himself will not enter. Moshe asks G-d to designate the subsequent leader, and G-d selects Yehoshua bin Nun. Moshe ordains Yehoshua as his successor in the presence of the entire nation. The Parsha concludes with special teachings of the service in the Beit Hamikdash.

INSIGHTS

Latest News On The Peace Process.

"My covenant of peace."(25:12)

I just finished reading an interesting book about a young Muslim, born and bred in "England's fair and pleasant land," who becomes a virulent Islamist and then does "teshuva," and reverts to being a spiritual Moslem as opposed to a political one -i.e. dedicated to removing Israel from the map by peaceful means.

The overwhelming conclusion of the book is that not everyone wants peace.

Most of the world, however, wants to sit under its fig tree, secure that no one will come and take away their family and their money. Almost everyone wants peace and yet since the beginning of time, peace has been elusive and often illusory.

The Hebrew greeting Shalom is much more than a conventional method of address. The Talmud tells us that it is forbidden to wish someone Shalom in a bathroom because Shalom is the name of G-d and a bathhouse is not a fitting place to utter G-d's name.

In the story of Ruth, when Boaz comes from Beit Lechem, he greets the harvesters by using the name of G-d. From here we learn that a Jew may use the name of G-d as a greeting and it is not considered to be taking the Name of Heaven in vain. In fact, there is an opinion that we are obligated to greet each other with G-d's name by saying "Shalom."

Why should we be obliged to greet each other using G-d's name, by saying Shalom?What's wrong with "Good Morning!" or "Have a nice day!"?

When we greet someone with Shalom, we are blessing them that they should reach their perfection.

This world contains many wonderful things: truth, kindness, love, mercy - but perfection isn't one of them. Perfection and completion are beyond the scope of this world, as it says, "He who makes peace in His high places, He will make bestow peace on us and upon all Israel." True peace comes from above and beyond this world. This world is created lacking; that's the way it's meant to be. This world strives to arrive somewhere that is beyond itself to find its completion.

The word for the 'Earth' in Hebrew is aretz, which comes from the root rutz, 'to run'. This world is always "running", moving towards its completion. However its completion, its shleimut, can come only from above. Similarly, aretz is connected to the noun ratzon, meaning "will" or "desire." This is a world of striving, or wanting, but not of arriving.

The word for 'Heaven' in Hebrew is shamayim, from the root sham, which means 'there'. In other words, this world is always 'running', 'striving' to be 'there', outside and beyond itself.

This is why G-d's name is Shalom. G-d is the Perfection of all the lacking of this world. That is why, of all words, Shalom is His name. He is the

Perfection of everything this world lacks. Everything, every single thing in this world finds its perfection, its fulfillment, its completion, in Him. It's not here. It's above. It's 'there'.

That's why we wish people "Shabbat Shalom!" Shabbat is the completion of the creation, its purpose and its fulfillment. When we say "Shabbat Shalom!" we bless each other that Shabbat itself should be shalom, that it should be the completion of all our lacking in this world to the greatest possible extent. For Shabbat is 1/60th of the Future World. Shabbat itself is shalom. Shabbat represents the 'there-and-then' in the 'here-and-now'.

The purpose of Shabbat is to bring the whole world to Shalom, which is the name of G-d, since He is the completion of all that is lacking in this world.

That's the real peace process.

Written and compiled by Rabbi Yaakov Asher Sinclair

Peninim on the Torah by Rabbi A. Leib Scheinbaum

PARSHAS PINCHAS

Pinchas ben Elazar ben Aharon HaKohen, turned back My wrath from upon Bnei Yisrael when he zealously avenged Me among them. (25:11)

Rashi explains that the tribes jeered at Pinchas, saying, "Have you seen that ben Puti, whose mother's father fattened calves for idolatry, yet, has killed a prince of the tribe of Yisrael?" The Torah, therefore, declares that his lineage descends from Aharon HaKohen. This is a remarkable statement. After all, even if Pinchas' mother was Yisro's daughter, his father was still Aharon's son. If, despite all of this, the people decided to ignore his father's lineage and focus only on that of his mother, what does the Torah accomplish by delineating his father's pedigree? It was his mother's ancestry that they were mocking.

Horav Meir Bergman, Shlita, quotes the following explanation. When Klal Yisrael observed Pinchas commit what seemed to be an act of wanton murder, their immediate reaction was that the ability to act in such an appalling manner could only have been inherited from his mother's family. As former idolaters, their family was surely tainted by various degrees of bloodshed. Murder was in Pinchas' DNA from birth. Clearly, it could not have been a family trait from his father's side of the family. Surely, the grandson of an individual who was the quintessential ohev shalom v'rodef shalom, "loved peace and pursued peace," would not be capable of committing such a heinous crime. His mother's side had to be the source of his corruption.

The Torah responds to this accusation by asserting Pinchas' lineage and tracing it to Aharon HaKohen. The Torah's message is: There is no taint from either side. In fact, his father's side specifically contributed the qualities that empowered him to slay Zimri. In a tradition attributed to the Chasam Sofer, it is suggested that when Chazal describe Aharon as one who "loved peace and pursued peace," they mean that, at times, if one seeks to achieve peace, the only option he may have is to pursue it, like a rodef, with fury and intent, in hot pursuit of his intended victim. Indeed, there are instances in which only the antithesis of peace catalyzes peace.

This is consistent with Chazal's statement in Sanhedrin 71b, "Dispersion, when it relates to the wicked, is good for them and good for the world." This is the case, because when they disperse, they cannot take evil counsel together and help each other. Thus, they are prevented from continuing in their sinful behavior. It is good for the world, because peace and quiet reign supreme.

When Yaakov Avinu left this world, he requested that his name not be mentioned in connection with Zimri's sin and the rebellion of Korach. These two descendants of the tribes of Shimon and Levi, respectively, do not reflect positively on the Patriarch, Yaakov. They are, however, linked to Shimon and Levi. Yaakov sought to emphasize that the violence that Shimon and Levi exhibited when they killed the men of Shechem was not a product of the spiritual heritage he bequeathed to his children. They had developed this reaction on their own, as a part of their relationship with one another. The rage which prompted them to destroy a city was not an attribute they inherited from Yaakov.

This very idea begs elucidation. Why is Zimri's ancestry traced to Shimon? Did he learn his degeneracy from Shimon? Indeed, the Midrash notes the glaring disparity between the act of immorality committed by the grandson, Zimri, and Shimon's zealotness against immorality. Chazal referred to Zimri as an individual who breaks down the fence which his father has erected.

Something is not right. On one hand, his ancestry from Shimon is a reason to censure Zimri. On the other hand, however, we just indicated that the mention of a grandfather indicates the ancestor's motivating effect on the actions of his descendant. Is Shimon in some way responsible for Zimri's immorality, while simultaneously serving as an example for him to emulate? How are we to reconcile these two disparate ideas?

Rav Bergman explains why the Torah records Shimon as Zimri's ancestor, although Zimri's action was in total contrast with Shimon's own conduct as was evinced by his zealous response to immorality. When we analyze Zimri's actions, we note two mutinous infractions. Zimri did not just go off to a side to commit his repulsive act in private. No! In a shocking act of brazenness, he took his paramour and brought her directly before Moshe Rabbeinu and the elders at the Ohel Moed, declaring, "Moshe! Is this one forbidden or permitted? And if you say 'forbidden,' then who permitted Yisro's daughter to you?"

This was chutzpah at its nadir. He committed an act of immorality and compounded it by denigrating the gadol hador, leader of the generation! It was this second act of impropriety that might have its murky roots in an earlier indiscretion on the part of his ancestor, Shimon. When the two brothers zealously waged war for the sake of maintaining the moral purity of their family, they erred in one area: they did not consult with their father, the Patriarch Yaakov. They should have asked daas Torah, the wisdom of Torah, before entering into a decision that would have such enormous ramifications. When someone of Yaakov's caliber is available, we ask. We do not act on our own. Indeed, Pinchas approached Moshe before acting zealously. It was only after Moshe agreed with the halachah that Pinchas moved to eradicate the evil. He demonstrated a respect for propriety and, thus, was able to portray a shining example of acting with devotion to carry out the will of Hashem. He displayed no act of personal ostentation, no desire to achieve personal praise or fame. He simply acted as Hashem required him to act - without other motivation or embellishment.

It happens. We think that we are acting appropriately, that we are doing exactly what is expected of us, and, without realizing, a scintilla of the yetzer hora, evil-inclination, invades our behavior, destroying the purity of even the best of deeds. The novelty is, if the yetzer hora creeps in, it is reason enough to compare this deed to the worst of deeds. Why? Because when a deed of righteousness is admixed with the yetzer hora, it distorts the deed's legacy, creating a future effect that might go in either direction: good or bad. Both elements can find their expression in one's descendants. Zimri is held accountable for not following in the lofty ways of his ancestor, Shimon. On the other hand, the egotism and belligerence manifested by Zimri is attributed to a tinge of impropriety on the part of Shimon.

Reuven, the first born of Yisrael - the sons of Reuven: of Chanoch, the Chanochi Family: of Palu, the Pallui family. (26:5)

Moshe Rabbeinu and Elazar conducted a census following the plague that decimated 24,000 Jews as punishment for their illicit behavior with the Moavite and Midyanite women. Interestingly, in listing the names of the families, the Torah adds two letters to each surname - a yud and a hay. Each family's name is preceded with a hay and followed by a yud at the end of the name. The only family in which this did not occur was Yimnah, who already had these two letters as part of his name. Rashi comments that these letters together comprise Hashem's Name - Yud, Kay- thereby alluding to Hashem's testament on behalf of the moral purity of Klal Yisrael.

One wonders about the need to bear testimony. The Midrash Shir HaShirim explains that the nations of the world mocked us, asking, "How could the Jews trace their pedigree according to their tribes?" The Egyptians controlled the Jewish bodies through the physical bondage that they imposed upon them. Certainly, they were able to violate their wives as

well! To circumvent this disparagement of the Jewish People, Hashem testified to the veracity of their lineage by appending His Holy Name to theirs. This was sort of a public declaration: "The Jews are morally chaste and pure."

In Rabbi Sholom Smith's latest anthology of the Rosh Yeshivah's shmussen, ethical discourses, Horav Avraham Pam, zl cites Chazal in the Talmud Sotah 11b, who say that Klal Yisrael was redeemed from Egypt in the z'chus, merit, of the nashim tzidkaniyos, righteous women, of that generation. He, therefore, suggests that this is the reason that Hashem's Name, which is usually spelled with the yud preceding the hay, is, in this case, reversed. Since the purpose of these added letters is to attest to the moral purity of the nation which is the direct result of the exalted level of the righteous women of that generation, it makes sense that the letters be reversed. Since the hay alludes to ishah, woman, and the yud alludes to ish, man, as noted in the Talmud Sotah 17a, the letter hay should precede yud.

The question that confronts us is: From where did the men and women of that generation derive the moral strength to defy all odds to refuse to defer to the constant temptations, to the almost ceaseless assault on their defenses, in a country that was known for its moral depravity, in a land where immorality and licentiousness was a way of life? The Rosh Yeshivah cites the Midrash in Vayikra that attributes their strength of character to two individuals who preceded them: Sarah Imeinu and Yosef HaTzaddik. When Avraham and Sarah descended to Egypt, Sarah protected her purity despite the fact that she was unwillingly taken into Pharaoh's palace. She maintained her moral stamina and withstood the challenge.

Yosef was a young teenager when he was forcibly taken from his home and thrust into the spiritual filth of Egypt. Most boys his age-- and even adults-- crumble under the blandishments to their inclination. The assault on their moral defenses would be too compelling for even a "seasoned" adult, let alone a young impressionable boy. Yet, Yosef prevailed, despite constant inveiglement of a master seductress who even felt she was motivated by a feeling of l'shem Shomayim, acting for the sake of Heaven. It took superhuman strength, but he triumphed at the very last moment when a vision of his saintly father appeared to him, warning him that the momentous privileges of having his name engraved on the Kohen Gadol's Choshen, Breastplate, would be revoked, if he gave into the woman's enticements. This encouraged Yosef to prevail, emerging victorious in his battle with the yetzer hora, evil-inclination. This refusal earned Yosef the appellation of tzaddik, righteous one, a title which is as uncommon as the people who earn it.

Chazal teach us that the moral distinctions which Sarah and Yosef earned were not only privileges that they earned for themselves, but they became a spiritual bequest for their descendants. As a result of this, the entire Jewish nation was able to withstand-- and triumph-- over the Egyptian onslaught on their morals.

When our ancestors prevailed over their adversaries, either individuals or circumstances, their victory comprised more than a personal conquest. Their ability to overcome these challenges planted seeds in the soil of the Jewish nation which transformed their DNA, giving them and their descendants a similar ability to overcome the myriad challenges to their faith which they have encountered throughout the millennia.

Rav Pam cites Horav Elazar M. Shach, zl, who would often relate the episode of a group of Jews being led to the gas chambers at Auschwitz. The last thing that any of them would think about was the fact that it was Simchas Torah. Yet, one of the group exclaimed, "Yidden, today is Simchas Torah! The Nazis have taken everything from us. We have no seforim, Torah volumes, and no Sifrei Torah, Torah scrolls. There is only one thing, however, they cannot take from us: Hashem. Come let us dance with the Ribono Shel Olam Himself!" This was their goodbye to each other and to this ephemeral world, as they were led away, dancing with superhuman joy, into the gas chambers.

These were not roshei yeshivah, nor were they rabbanim or Torah scholars. They were simple, believing Jews. From where did they derive the fortitude, the unbelievable strength of character and deference to the will of Hashem, to proceed to their deaths with joy? This, explains the Rosh Yeshivah, was their yerushah, "inheritance" from their Zaide, grandfather,

Avraham Avinu, who went with simchah, joy, to offer his son, Yitzchak, on the Akeidah. That solitary act of consummate emunah, faith in the Almighty, planted the seeds of faith for generations of his descendants.

We live in a generation whose moral pollution has reached epidemic proportion. Decadence is shameless and debauchery is rampant. Society venerates perversion, and our secular leaders are walking advertisements for profligate hedonism at its nadir. Why are Torah-oriented Jews able to withstand the forces of evil, the shocking lifestyles of the "world out there"? How is it that there are Torah-loyal Jews who still aspire to a life of moral purity and spiritual ascendancy, continuing to raise their children in the time-hallowed tradition of tznius, modesty, kedushah, sanctity, and taharah, purity? We are not talking about those who are fortunate enough to segregate themselves geographically from society to live an insular life dedicated to Torah and mitzvos without the incursion of society's morality challenging them on an almost constant basis. No, we are referring to the Jew who lives in mainstream America, who works in and confronts the culture on a regular basis. How do they aspire for spiritual freedom and integrity? Rav Pam explains that it must be in the z'chus, merit, of Yosef HaTzaddik and the generations of Jews who lived in Egypt and survived spiritually as a result of their mesiras nefesh, self-sacrifice, to triumph over the forces of spiritual impurity. Those generations inoculated Klal Yisrael with spiritual antibodies, capable of protecting the Jewish nation from incursion. Our ability to prevail over the moral pollution which confronts us at every corner is part of our DNA, a gene that has been bequeathed to us from generations of righteous Jews who themselves prevailed over these forces.

May Hashem, G-d of the spirits of all flesh, appoint a man over the assembly... and let the assembly of Hashem not be like sheep that have no shepherd. (27:16, 17)

When Moshe Rabbeinu entreated Hashem for a successor, he added an analogy that seems superfluous: "And let the assembly of Hashem not be like sheep that have no shepherd." Why does Moshe add this? The purpose of this analogy is to explain why the request is essential. This applies only to a human being, who might need some sort of an explanation, an encouragement, to act upon the request of the supplicant. This certainly does not apply to Hashem, Who knows everything and who is clearly aware of the need for continued leadership.

Horav Eliyahu Lopian, zl, explains that Moshe's analogy is not presented for the purpose of "convincing" Hashem of the significance of Klal Yisrael's need for a leader, but rather, to inculcate Moshe himself with the importance of leadership. Prayer is accepted by Hashem only when it is expressed with integrity. Karov Hashem l'chol kor'av, l'chol asher yikra'uhu b'emes, "Hashem is near to all those that call upon Him, to all that call upon Him in truth." One must call out to Hashem with veracity amid a powerful belief in the absolute necessity of his supplication. In order for his prayer to be truthful, he must convince himself of the need for a leader and the negative effect of being without a leader on the future of Klal Yisrael.

All too often, we pray to Hashem for things that we think we need without applying ourselves to their real significance. We must ask ourselves: Do we really need what we are requesting? Why do we ask Hashem for health, livelihood, and welfare? Is it for personal reasons, or do we have a higher purpose in achieving these goals? Will it make serving Hashem easier, or will it make life easier for ourselves? We must pray with an emes, a sense of integrity. When we are truthful with ourselves, we will be truthful with Hashem, and we will present our prayers in the proper context. This will provide greater opportunity for Hashem to answer them to our satisfaction.

"Take to yourself, Yehoshua bin Nun, a man in whom there is spirit. (27:18)

Ruach also means wind. Thus, Horav S. R. Hirsch, zl, explains when the Torah uses the word ruach in the connotation of "wind," it denotes a force that is invisible and can be recognized only by its effect as an active, moving force. When the Torah uses it in reference to man, it connotes the human faculties of perception and volition. Every human being has within him a moral and spiritual force. If Hashem is to select Yehoshua to be the leader, it is because he possesses a higher measure of these qualities. He exemplifies a man of perception, one who moves others.

Perhaps we can apply the aforementioned analogy to wind as an invisible force to be recognized only by its effect on the rebbe/talmid, teacher/student relationship. An effective teacher-- and, for that matter, a parent-- should inspire by "ruach," by being an invisible force that moves the student/child forward, without being overpowering, without being overtly noticed. Only after the effect of their guidance has taken place, do we note the input. We now realize that the student/child could not have reached this point without being "moved" by an "invisible" rebbe/parent. This allows for the student/child to experience a sense of independence, while his mentor simultaneously inspires him.

In Shemos 33:11, the Torah delineates another leadership quality Yehoshua possesses. "His servant, Yehoshua bin Nun, a lad, would not depart from the tent." In his commentary to Pirkei Avos, Rashi explains that Yehoshua was selected over Elazar, Pinchas and the seventy elders due to his extreme devotion and dedication both to Torah and to his rebbe, Moshe. He did not leave Moshe's tent, always seeking to learn more and more. Horav Eliyahu Schlesinger, Shlita explains the word naar, youth, as an enviable quality, which denotes that Yehoshua was always prepared to learn more, to delve deeper. He never felt that he knew it all. He viewed himself as a youth whose desire for knowledge was never satisfied.

These are the qualities of a Torah leader. Yehoshua remained a naar, youth, even after he became a leader. I do not think that this description applied to him only prior to his ascension to his position as Klal Yisrael's leader. He was always ready to learn more. He never thought that he possessed all of the knowledge and wisdom. A desire to learn, coupled with a sense of humility, qualified Yehoshua as Moshe's successor. He stood in the background, invisibly guiding and inspiring the people to move forward.

Va'ani Tefillah

Tehillah l'David - a Tehillah, lyric of David.

The opening words of a prayer often bespeak the nature of the prayer. Tehillah l'David: The word tehillah as explained by Horav Avigdor Miller, zl, denotes an enthusiastic outpouring of joy or admiration. It is related to yallel, yellalah, which means an outcry of anguish. It is a term that signifies excitement, enthusiasm and exuberance. Tehillah is an expression of enthusiasm uttered loudly. Chazal tell us that one who thoughtfully recites Tehillah l'David three times a day may be certain that he is on the path to eternal life. It is noted for two unique characteristics: The alphabetical arrangement and its verses, which indicate the Psalmist's intention that it be easily recited from memory; the pasuk Poseiach es yadecha, u'masbia l'chol chai ratzon, "You open Your hand and satisfy the desire of every living thing," which is the primary theme of this Psalm: that Hashem cares for every living thing.

Thus, we declare with great adulation and exuberance Tehillah l'David - Aromimcha - "I will exalt You." This means that I will exalt only You, Hashem. I will exalt or praise nothing else in the world - be it an object, person, or idea, unless there accrues some glory to You. Aromimcha, I will exalt you means that I will dedicate my life to this function - either by voice or by action. Everything I will do will in some way be connected to glorifying You.

Moshe Shimon and Tibor Rosenberg in memory of their father

Rabbi Yissocher Frand on Parshas Pinchas

Pinchas: A Man For All Eras And All Places

At the end of last week's Parsha, the pasuk [verse] says, "And Pinchas ben Elazar saw..." [Bamidbar 25:7]. The Medrash Rabba on those words asks, "and did not everyone else see the same thing as well?" The Medrash answers that Pinchas' uniqueness was that when he saw what was happening, he remembered a halacha: A zealot may mortally attack one who publicly has relations with an Aramean woman. (Ha'boel Aramis Kanain pogin bo.)

The Medrash adds that Pinchas met resistance from the people, who did not want him to proceed with killing one of the princes of Israel, the leader of the Tribe of Shimon. Pinchas somehow overcame the resistance of the people. Then when he approached the two perpetrators, the guards to the

tent asked him: "What are you doing here?" He responded with the ambiguous comment: "I too came to take care of my needs," which could mean that he too wanted to participate in the same sin with the Midianite princess. Hearing this, they allowed him to enter, for otherwise he would never have gained access. It was then that he took the spear and stabbed them both in a way that would prove to all Israel that the forbidden act of immorality had occurred.

The Medrash continues, saying that Pinchas was jealous for the Name of G-d and proceeds to enumerate 12 miracles that were done for him during this episode. (Among the miracles listed: The blade of his sword miraculously lengthened to be long enough to pierce both of their bodies at the same time; Pinchas was given exceptional strength to lift up both the bodies while the two were impaled on his spear; the handle of the spear was given miraculous strength not to break under the weight of the bodies.) The sefer Zichron Meir asks why is it important for Chazal to emphasize the twelve miracles that happened for Pinchas, who fulfilled this (hopefully rare mitvah) of a zealot executing those engaged in the immoral crime of "haBoel Aramis"? The Zichron Meir explains that the phenomenon that was demonstrated here with Pinchas is one that is neither rare nor inapplicable to our own lives or our own religious outlook.

Many times, a person is faced with a situation where he thinks about himself and says "I am just one individual. What can I accomplish? I cannot single handedly turn the tide and accomplish anything by my individual actions." The normal attitude in such a situation is "What is the use of me even trying? It is humanly impossible to do anything about it!" The lesson of Pinchas is that a person has to do what he is able to do and many times he will then merit miraculous s'yata d'Shmaya [Help from Heaven] that will provide him with the needed wherewithal to do what needs to be done.

The Zichron Meir links this idea with the word "b'yado" [in his hand] in the pasuk "And he took a spear in his hand" [Bamidbar 25:7]. This is reminiscent of the Medrash Tanchuma's description of the erection of the Mishkan: Moshe Ra bbeinu asked the Almighty - "How is it possible for one person to raise the entire structure?" G-d responded, according to the Medrash, "occupy yourself with your hand" (b'yadcha). In other words, "You do with your own hands what you are able to do, and I will do the rest." Chazal mention a similar idea in connection with the daughter of Pharaoh stretching out her hand to reach the basket with the baby Moshe floating in the Nile. Our Sages say that she was standing a great distance away and that basically the act of stretching out her hand to reach the basket would have been futile, were it not for the fact that her arm became miraculously elongated so that it could reach the basket.

The point of all these teachings is that a person must make the effort to do what it is within his power to do, even though rationally that which he can accomplish by his own actions will be minimal, if not totally futile. Once that effort is made, he may merit miraculous Divine intervention.

If Pinchas would have rationalized "who am I to take it upon myself to get involved here," history would have been different. (Remember, Pinchas at this stage of his career was not only an anonymous "John Doe" — he was even less than that. Chazal say that people used to belittle him as the grandson of Yisro who was an idolater.) Pinchas overcame the resistance of the people who did not want him to proceed; he went against the spirit of the time; it looked like it was a futile effort; but he did what he had to do.

The point of the Medrash that 12 miracles were done for him is that this is exactly what happens in life. A person does what he needs to do, and the Almighty provides the rest. One person CAN make the difference. One person CAN turn the tide. One person who acts sincerely for the Sake of Heaven can merit great s'yata d'Shmaya [Help from Heaven]. This is the story of Pinchas. It is not just the story of one man that happened thousands of years ago and will never again happen. The story of Pinchas is a story that can happen in every community in any time and in any era. Pinchas is the story of the power of one individual and what one sincere individual can accomplish.

Tzela'fchad's Daughters Typify the Concept of "Righteous Women"

The Medrash comments that in the Generation of the Wilderness, the women fixed that which the men ruined. The first example cited is the fact

that the women did not want to give their jewelry for creation of the Golden Calf; only the men were interested in donating this gold to make that idol. Similarly with the Spies – the men were the ones who believed the spies and did not want to go into the Land of Israel; the women did not fall for the slander. On the contrary, they made independent attempts to gain inheritance in the Land.

It is for this reason that the section of the daughters of Tzelafchad is recorded adjacent to the death of the generation of the Wilderness. This demonstrates that they had a different attitude than that of the generation who had just died out when it came to the Land of Israel.

The point of this Medrash is to underscore the concept of the Nashim Tzidkaniyous [righteous women]. Women have a more innate sense of faith (Emunah) than do men. Men may study in Kollel and become bigger Torah scholars, but it is the women who have the innate sense of what is right and wrong, and who stand up for what is right.

The women did not accept the negative attitude toward Eretz Yisrael. That was the pattern throughout the years of the Wilderness.

I recently read the following incident involving the Brisker Rav.

One year there was a movement in Brisk to introduce a certain "modern innovation" in the High Holiday service. On the High Holidays, they used to have a choir in the shul in Brisk. The tradition was that the members of the choir stood in immediate proximity to the Chazan, in a semi-circle around him. The proposed "modern innovation" was that the members of the choir stand on a balcony, off to the side. The Brisker Rav felt this was an inappropriate imitation of "foreign sources" (pirtza). The Brisker Rav came into the shul and saw the choir members in the balcony and ordered them down. They dutifully came down to the main shul. The Gabaim of the shul were upset at having their innovation nullified and they ordered the choir members back to the balcony. The choir members dutifully went back to the balcony.

Seeing what happened, the Brisker Rav went right back up to the balcony and ordered them down. The Gabaim then ordered them back up. This went back and forth several times, until finally the Brisker Rav turned to the women in the Ezras Nashim and pleaded with them "Holy Jewish women, please order your husbands downstairs where they belong." The women started yelling at their husbands to listen to the Rabbi and not the Gabaim and the men stayed downstairs next to the Chazan. They were more afraid of their wives than of the Brisker Rav.

We see, however, that when push came to shove – to whom did the Brisker Rav turn to help enforce his ruling? He turned to the Nashim Tzidkaniyous, the righteous Jewish women who intuitively have a better understanding than their male counterparts about the moral propriety and appropriateness of certain spiritual matters.

It is a well known fact that if there were not a Bais Yaakov movement there would never have been a Kollel movement in America. Someone needs to take the responsibility to help a husband sit and learn. This is a product of the Bais Yaakov movement, which is both a by-product of and a producer of Nashim Tzidkaniyous.

Never underestimate the power of the Nashim Tzidkaniyous.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD
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h a a r e t z

Portion of the Week / The benefit of routine

By Benjamin Lau

Think of one verse from the Torah that expresses the essence of your life in personal, familial and national terms. Some people might choose "For in the image of God made he man" (Genesis 9:6) as symbolizing our qualities as human beings and our ambitions for self-fulfillment, while others might choose "Thou shalt love thy neighbor as thyself" (Leviticus 19:18), as did Rabbi Akiva, who defined that verse as constituting "a major Torah principle." Still others might select a verse that goes beyond "thy neighbor" and focuses more on humanity, conveying the concept that we are all made in God's image: "This is the book of the generations of Adam" (Genesis

5:1). This was what Ben Azai, Rabbi Akiva's contemporary and student, chose. Of course, there will be those who might select "Hear, Oh Israel: The Lord our God is one Lord" (Deuteronomy 6:4), which strongly appeals to our national sentiments.

All these choices seem eminently logical. However, there is a midrash that only Rabbi Jacob, son of Haviv and the author of "Ein Yaakov," a commentary on rabbinic legends, remembered. According to Rabbi Jacob, Shimon Ben Pazi considers "The one lamb shalt thou offer in the morning, and the other lamb shalt thou offer at even" (Numbers 28:4) to be the most all-encompassing.

What a strange choice! This verse, which appears in this week's reading, conveys precise instructions on the manner of presenting the "olat tamid" (continual burnt offering). Of all the sacrifices, this is the most routine, perhaps even the most boring: Every day of the year, the priests of the Temple had to bring to the altar a lamb in the morning and another lamb in the evening.

Let us ignore here the modern debate on the ritual of offering sacrifices, and instead try to understand what Ben Pazi is telling us. The offering in question is unique in its acquisition: As we can imagine, the animals offered for sacrifice at the Temple in Jerusalem cost a fortune and the most convenient method of covering the ongoing expense of such a major enterprise would have been to raise funds from the affluent, who would have been delighted to contribute to the Temple's daily operations. Such donations covered nearly all the Temple's expenses. However, the notable exception was the burnt offering, which was purchased with monies from the Temple's central coffers, to which all members of Jewish society – not just the rich – had to contribute. The annual tax was levied in a uniform fashion, without any discounts and thought to philanthropic donations: "The rich shall not give more, and the poor shall not give less than half a shekel" (Exodus 30:15).

This was one of the stratagems our sages used to fight the Temple's policy of "privatization": To prevent financiers from taking control of the Temple, they passed legislation that limited the extent of the philanthropists' influence. The offering thus became a symbol of a joint effort, in which all members of Jewish society were involved – on an egalitarian basis. Furthermore, this sacrifice, made day in and day out – on weekdays, the Sabbath and festivals – represents the power of blessed routine. Apparently, this was why Ben Pazi regarded "the one lamb shalt thou offer in the morning, and the other lamb shalt thou offer at even" as representing a "major Torah principle."

A week from this Sunday, we will observe the fast of the 17th of Tammuz, which launches the three-week period of mourning known as "bein hametzarim" (literally, "between the straits") or simply the "Three Weeks," and which ends with the fast of Tisha B'Av, the 9th of Av. Although the 17th of Tammuz is connected with the destruction of the Temple in Jerusalem, the mishna in Tractate Ta'anit (Chapter 4) lists five difficult events in Jewish history that occurred on that day. The first is when Moses smashes the tablets of the Ten Commandments when he sees the Israelites worshipping the Golden Calf; the second is the cancellation of the burnt offering.

The Talmud (Tractate Menahot) describes the background of the latter event: "Even when the monarchs of the Hasmonean dynasty besieged one another, with Hyrcanus on the outside and Aristobolus on the inside, dinars were placed in the public coffer and the burnt offering was presented. An elderly man who knew Greek spoke in that tongue [to the Roman enemy], saying: 'As long as they engage in the Temple rituals, you will never take them prisoner.' The next day dinars were placed in the coffer and a pig was lifted up the wall. When the pig was halfway up the wall, it dug its claws into it and the ground of the Land of Israel shook, the tremors covering an area measuring 400 parasangs [ancient unit of measurement, equivalent to six kilometers] by 400 parasangs."

Sibling rivalry

The scene takes place nearly two centuries before the Temple's destruction – in the final days of both the Hasmonean period and the sovereign Jewish state that existed during the Second Temple era. Two brothers, Hyrcanus and Aristobolus, are at each other's throats, besieging one another and smashing any hope of Jewish independence in the Holy Land. While this

civil war is in progress, Pompey is in the middle of a campaign to conquer the Near East. He has seized Syria and enters Judea as a victor, without having to engage in any battle thanks to its own internal conflicts.

The symbol of our loss of independence was the cancellation of the daily sacrifice in which we are all partners and which unites us. The lamb is not being offered; instead, a pig digs its hooves into Jerusalem's walls. It is irrelevant who is inside or outside those walls; the entire structure collapses when siblings turn against each other. Cognizant of this hatred, the enemy clings to the wall with vicious claws and launches an attack.

The 17th of Tammuz, which marks the destruction of the Ten Commandments and the end of the daily burnt offerings, reminds us of both our potential for independence, and of the factors that can smash all hope for that independence.

Rav Kook List

Rav Kook on the Torah Portion

Pinchas: Offerings of Bread, Fire and Fragrance

The Torah uses a series of almost poetic metaphors to describe the daily Tamid offering:

"Be careful to offer My offering - My bread-offering, My fire-offering, My appeasing fragrance - in its proper time." [Num. 28:2]

What is the significance of these four descriptions: offering, bread, fire, and fragrance?

Four Characteristics

These descriptions correspond to four fundamental characteristics that are common to all Temple offerings. Yet they are particularly relevant to the Tamid, as this communal offering aspires to integrate holiness into the nation's daily life.

"My offering." In Hebrew, *korban*. The word *korban* comes from the root *karov*, meaning 'close' or 'near.' Temple offerings are an expression of the soul's underlying yearnings to draw close to God in all aspects of life.

"My bread." In Hebrew, *lachmi*. The Temple service reveals the inner harmony between the nation's material and spiritual realms. Why does the Torah use the metaphor of bread? Bread has the remarkable ability to bind the soul to the body and its physical powers. The Hebrew root *lechem* also means 'to solder' together. The offerings are a kind of Divine 'bread,' cultivating the connection between the nation's natural and holy qualities.

"My fire-offering." In Hebrew, *ishi*. Fire is a source of tremendous energy, capable of igniting and activating physical matter. Offerings reflect the fundamental truth that the Divine aspect of the nation's soul is not limited to the intellectual and emotive spheres, but is also expressed in the physical realm.

"My appeasing fragrance." In Hebrew, *rei'ach nichochi*. The Temple offerings foster a sense of pleasantness and sweetness, both for the individual and the nation as a whole. This sweetness is a result of Israel's special connection to God and the nation's corresponding lifestyle of holiness and meaning.

[adapted from *Olat Re'iyah* vol. I, pp. 128-129]

Comments and inquiries may be sent to: RavKookList@gmail.com

YatedUSA Parshas Pinchos 15 Tammuz 5768

Halacha Discussion

by Rabbi Doniel Neustadt

Cooking Cholent for Shabbos

Of all of the thirty-nine forbidden melachos of Shabbos, the Torah mentions only one explicitly: You may not kindle fire. This prohibition is singled out to disabuse us of the notion that cooking may be permitted on Shabbos since, after all, Shabbos is a day of *oneg*, pleasure.¹ In fact, as we know, cooking is a forbidden melachah, and anything akin to cooking which is permitted on Shabbos is governed by complex halachos, with modern technology only increasing their complexity. As cholent is the

classic example of a food which is partially cooked on Shabbos, we will outline the relevant halachos:

There are three possible methods of preparing cholent for Shabbos: on top of the stove, inside the oven and in a crock-pot,² and all three are susceptible to the following Shabbos violations:

1. The Biblical prohibition of cooking on Shabbos;
2. The Rabbinical prohibition of putting food on a heat source before Shabbos and leaving it on during Shabbos. The reason for this prohibition is to prevent one from inadvertently "stoking the coals," whose modern equivalent is adjusting the knobs or dials to raise the temperature;
3. The Rabbinical prohibition of returning — on Shabbos — food to a heat source, since then, too, one would be inclined to adjust the temperature. In addition, this is prohibited because it appears to be "cooking."

To avoid these potential violations, the following guidelines must be adhered to:

On the Range

On Friday:

Although not halachically mandated, many poskim recommend that the fire be covered by a *blech*, even if the cholent is fully cooked before sunset.³ If the cholent is less than half-cooked [or under extenuating circumstances, only a third cooked], a *blech* is halachically required.⁴ Whether or not the knobs, dials or computerized number pads need to be covered as well is a subject of debate among contemporary poskim: Some require it,⁵ others strongly recommend it,⁶ while others do not consider it important at all.⁷

On Shabbos:

To remove a cholent pot from the fire with the intention of putting it right back on, e.g., to add water to it or to serve it at a kiddush before a meal, the following conditions must be met. These conditions are known as the "conditions for returning":

1. The fire (and knobs⁸) must be covered with a *blech*. A *blech* may be placed over the fire on Shabbos.⁹
2. The cholent must be completely cooked and still warm when returned to the flame.
3. The cholent pot should not be put down on any surface. *B'diavad*, if the cholent pot was put down on a surface, it may still be returned to the *blech*.¹⁰

Inside the Oven

On Friday:

It is advisable that the cholent be fully cooked before Shabbos begins. If it was not, or *b'diavad*, as long as the cholent is half cooked [or under extenuating circumstances, a third cooked], it may be left in the oven. If the cholent is not cooked to even this extent, then the cholent may not be left inside the oven — unless an oven insert is placed inside it.

On Shabbos:

In the opinion of many poskim, if the cholent was removed from inside the oven it may not be returned to the oven — unless there is an oven insert inside.¹¹ A minority opinion maintains that if the stove knobs etc., are covered or removed, and a piece of silver foil is placed underneath the pot, the cholent may be returned to the oven as long as it is completely cooked, still warm and was not put down on any surface, as detailed earlier.¹²

Crock-pot

On Friday:

It is advisable that the cholent be completely cooked before Shabbos begins. If it was not, or *b'diavad*, as long as the cholent is half cooked [or under extenuating circumstances, a third cooked], the cholent may remain in the crock-pot and continue cooking. If the cholent is not cooked to even this extent, then the cholent may be left in the crock-pot only if heavy-duty aluminum foil covers the heating element (base) of the crock-pot.¹³ Some poskim require that at-least 5-6 layers of (regular) aluminum foil be used to cover the base.¹⁴ Another option is to allow the cholent to remain totally raw until right before candle-lighting time, and only then is the cooking mechanism turned on. Doing so will permit leaving the cholent on

the crock-pot even though the base is not covered with aluminum foil at all.

On Shabbos:

The cholent may be taken off the heating element and returned to the crock-pot later on Shabbos provided that the cholent is completely cooked, still warm and not placed on any surface, as detailed earlier. The heating element (base) of the crock-pot (and the knobs) must be covered with heavy-duty aluminum foil or with 5-6 layers of (regular) foil.¹⁵ Some poskim suggest that returning cholent to a crock-pot is forbidden under all circumstances.¹⁶

Question: Is it permitted to put cooked kishke, kugel, rice, etc., wrapped in plastic bags or aluminum foil into the cholent before Shabbos?

Discussion: Some poskim¹⁷ hold that it is prohibited because it violates the Rabbinic injunction of Hatmanah. Usually, Hatmanah means to insulate a pot of food so that its heat is retained or even intensified (depending on the type of material used for insulation).¹⁸ But in the opinion of the Taz, quoted by the Mishnah Berurah,¹⁹ to submerge a vessel containing food into another vessel containing food is also a form of Hatmanah.²⁰ Thus, a plastic bag containing kishke or a foil-wrapped kugel which is submerged in a larger pot of cholent, may be considered a violation of Hatmanah.

Other poskim, however, do not consider this a form of Hatmanah.²¹ They maintain that this is a case of two separate foods – cholent and kugel – that are being kept warm on a fire; it is not a case of the main food (cholent) maintaining the heat level of the lesser food (kishke, kugel).²² Still other poskim suggest that a foil or plastic wrapping is not considered a “vessel” normally used for “insulation.”²³

But all poskim permit placing wrapped kishke or kugel in a cholent – before Shabbos – if one of the following conditions is met:

◆ If the kishke or kugel is not completely cooked before it is placed in the cholent, and it is being put into the cholent to finish cooking.²⁴ This is permitted because the purpose of putting the bag or foil into the cholent is not to insulate the kishke or kugel. Rather, the bag or foil is merely holding food that requires further cooking, which is permitted.²⁵

◆ If the bag or foil is left partially open, or if it is punctured.²⁶ This way, one is permitted to submerge the bag or foil in the cholent, even if its contents are fully cooked, because one would never insulate food in an open or punctured container. Obviously, the foods were placed in the cholent in order to absorb its taste.²⁷

Note: Some people who cook cholent in a Crock-Pot place the cholent ingredients in a bag and then put the bag in the pot. This is permitted according to all views, since the purpose is not to “insulate” the food but to keep the pot as clean as possible.²⁸

Footnotes

1 Ramban, Shemos 35:3.

2 See follow up discussion concerning certain crock-pots which may be forbidden to use because of the prohibition of hatmanah.

3 Based on Rama 253:1, as explained by Beur Halachah, s.v. v'nahagu. Chazon Ish, O.C. 37:3 disagrees, and holds that a blech is not necessary when the cholent is at least half cooked.

4 Although Chazon Ish, O.C. 37:11 disagrees and does not permit placing a less than half-cooked cholent on the fire even if the fire is covered with a blech, most poskim do not agree with his view; see Kaf ha-Chayim 253:11; Maharshag 2:50; Eidus l'Yisrael, pg. 119; Igros Moshe, O.C. 1:93; Rav Y.Y. Weiss (Kol ha-Torah, vol. 42, pg. 14); Tzitz Eliezer 7:15; Shevet ha-Levi 1:91.

5 Rav A. Kotler (quoted in Sefer Hilchos Shabbos, pg. 338); Rav Y.Y. Weiss (Kol ha-Torah, vol. 42, pg. 14); Shevet ha-Levi 1:93.

6 Igros Moshe, O.C. 1:93; Be'er Moshe 7:3-4;

7 Rav S.Z. Auerbach (Shulchan Shlomo 253:5-3; Rav Y.S. Elyashiv, quoted in Orchos Shabbos 2:9, note 14.

8 According to the various views quoted earlier.

9 Igros Moshe, O.C. 1:93; 4:74-29; Rav S.Z. Auerbach (Shemiras Shabbos k'hilchasah 1, note 60); Rav Y.S. Elyashiv (Otzros ha-Shabbos, pg. 96); Shevet ha-Levi 1:91. Chazon Ish, O.C. 37:11; 50:9, however, holds that a blech may not be put on Shabbos if the metal will heat up to yad soledes bo, which is almost always the case.

10 Mishnah Berurah 253:56; Igros Moshe, O.C. 2:69.

11 Igros Moshe, O.C. 4:74-26; Minchas Yitzchak 3:28; Rav Y.S. Elyashiv (Otzros ha-Shabbos, pg. 98).

12 Rav A. Kotler (quoted in Sefer Hilchos Shabbos, pg. 354); Shevet ha-Levi 3:48.

13 Rav Y.S. Elyashiv (Otzros ha-Shabbos, pg. 404). The control knobs should be covered, according to the various views quoted above.

14 Rav S.Z. Auerbach, addendum to Shulchan Shlomo, vol. 1, pg. 14.

15 According to the various views quoted above.

16 See Kol ha-Torah, vol. 62, pg. 206-213, for an explanation of this view.

17 Aruch ha-Shulchan 258:3; Minchas Yitzchak 8:17; Shevet ha-Levi 3:47. See Igros Moshe O.C. 4:74 (Hatmanah 3), who prohibits placing kugel completely wrapped in aluminum foil on top of the cholent pot cover.

18 Insulating a pot which is left on the fire – even prior to Shabbos – is prohibited because the Rabbis feared that if one were to find on Shabbos that the insulation failed to heat the food sufficiently, he would inadvertently adjust the temperature of the fire.

19 258:2 and Sha'ar ha-Tziyun 6. [Chazon Ish, O.C. 37:32 disagrees with the basic ruling of the Taz and does not consider a submerged vessel as a violation of Hatmanah.]

20 This ruling is based on the argument that when an item is submerged, it is in fact being “insulated,” since the submersion causes the temperature of the submerged item to be retained or intensified.

21 Note that the case that the Taz discusses involves a bottle of cold liquid being submerged in a bowl of hot water which is not on a fire. Our case involves a food being submerged in a food which is on a fire. The cases are not comparable for several reasons.

22 Rav S.Z. Auerbach (Tikunim u'Miluim 42, note 242).

23 See L'horos Nasan 7:12; Az Nidberu 6:78; Am ha-Torah, vol. 13, quoting the Debreciner Rav.

24 Minchas Yitzchak 8:17.

25 Provided that the item will be fully cooked before Shabbos or the heat source is covered, as explained in detail in The Weekly Halachah Discussion, pgs. 207-209.

26 Or if the bag is porous; Rav Y.S. Elyashiv (Shevus Yitzchak, pg. 251).

27 Shemiras Shabbos K'hilchasah 42:63; Otzros ha-Shabbos 2:56, quoting Rav S. Wosner.

28 Based on O.C. 257:2 and Igros Moshe O.C. 1:95.

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Pinchas - Danger During the Three Weeks

Rabbi Asher Meir

The three weeks between the seventeenth of Tammuz and Tish'a b'Av, between the anniversary of the breach of the wall of Yerushalaim and the anniversary of the destruction of the Mikdash, are a period of mourning. But this time is also considered a period of special danger: "Caution is needed from the 17th of Tammuz until Tish'a b'Av not to walk alone from four hours to nine hours; and students should not be struck during these days."

(Shulchan Arukh Orach Chaim 551:18. The prohibition applies even to the normally permissible punishment, which is not a painful spanking but rather a light blow with a strap - Yoreh Deah 245.)

The source for this halacha is a widespread Midrash which explains that "ketev meriri", a kind of dangerous wind or spirit referred to in the song of Haazinu (Devarim 32:24), prevails especially from the seventeenth of Tammuz until Tish'a b'Av. (Bamidbar Rabba and Tanchuma Naso, on Bamid- bar 7:1; Eicha Rabba; and elsewhere.)

The gemara in Pesachim also talks about the "ketev"; there it states that this menace definitely prevails from the first of Tammuz until the sixteenth, and doubtfully prevails afterwards (Pesachim 111b). Based on this source, the Beur Halacha states that logically even greater care is required before the three weeks. (Beur Halacha 551, citing Pitchei Olam.) But we should also strive to understand the view of the other authorities who do not mention this stringency.

One resolution of the problem is found in the Yalkut Shimoni on Haazinu, which explicitly states that there are two "ketev" spirits. One prevails from the first to the sixteenth of Tammuz, while the second, the one called "meriri", prevails during the Three Weeks. But another possibility is to consider that it is precisely the "doubtful" prevalence which is dangerous.

For examining the various sources regarding this spirit, we find that its distinguishing characteristic is doubt:

(a) The Yalkut Shimoni states that this spirit is found neither in sun nor in shadow, but rather "in the shadow next to sunlight".

(b) The gemara in Pesachim explains that it is particularly found "in the shadow of a chatzva which is not an ama high". The chatzva is a hedge which was usually used to demarcate a border; a truncated chatzva indicates a border which is not clearly indicated.

(c) In Tehillim we also find a reference to the ketev; there we find that "He who sits in the protection of the Most High, who dwells in the shadow of the Almighty; who says, HaShem is my protection and my fortress, in G-d I place my trust", this individual will not fear from the ketev that prevails in midday. (Tehillim 91.)

Someone of strong faith, who does not doubt, is safe from the ketev.

This idea connects with the mourning aspect of the three weeks. The mourning for the Mikdash does not begin from the anniversary of the destruction - on the contrary, that is when it ends. Rather, it coincides with the terrifying period of uncertainty when Yerushalaim was being attacked but before the destruction was completed.

This characteristic of doubt and uncertainty is characteristic of all mourning. What indeed is mourning but a period "between sun and shadow", between the time when lives are brightened by a loved one and the time when we are finally reconciled to their passing.

The three weeks, the time when we recall the terrible tragedies which constantly beset the Jewish people, carry with them the danger of doubt, of weakened faith. This weakness of faith is not only a spiritual danger but also a bodily one, since HaShem especially watches over those who place their wholehearted faith in Him. Of course our main goal is to strengthen our faith, to place our full trust in G-d as we learn in Tehillim. At the same time, we need to take precautions, alert to the fact that this time of year carries a special danger of the plague of doubt.

The Tanchuma on Naso which also discusses the ketev states, "On the day the Mishkan was erected, all of the dangerous spirits were eliminated". When the Temple will be speedily rebuilt, all our doubts will be erased and we will return to the full protection of the Almighty.

Rabbi Asher Meir is the author of the book *Meaning in Mitzvot*, distributed by Feldheim. The book provides insights into the inner meaning of our daily practices, following the order of the 221 chapters of the *Kitzur Shulchan Arukh*.

THE WEEKLY DAF :: Gittin 5 - 11

For the week ending 19 July 2008 / 16 Tammuz 5768

from Ohr Somayach | www.ohr.edu

by Rabbi Mendel Weinbach

SPEAKING SOFTLY - Gittin 7a

Our sages instructed a man to say three things in his household on Erev Shabbat before nightfall:

1. Have you tithed?
2. Have you made an eruv (to permit carrying from one house to another within the same courtyard)
3. Light the candles.

All three of these reminders of preparations which must be made before the advent of Shabbat, says the Sage Rabba bar Bar Chana, should be said gently in order that they will be well received by the wife and anyone charged with these responsibilities. When this statement came to the attention of Rabbi Ashi, he declared that even before hearing this in the name of Rabba bar Bar Chana he practiced this policy based on his own understanding.

Maharsha raises the question that Rabba bar Bar Chana also gave his advice based on his own understanding and not from any mishnaic source. What then did Rabbi Ashi mean by stressing that it was he who practiced it from his own understanding?

His answer is that there is a difference in the reason given by each of these sages for issuing those three reminders gently. Rabba bar Bar Chana was concerned that a reminder issued in rough fashion might actually be counterproductive. In order for each of these three preparations for Shabbat to be effectively executed, the head of the household must appoint an agent to act in his behalf. If he does not speak gently to the agent he appoints, that agent may refuse to accept the appointment and thus render the tithing, eruv or candle-lighting ineffective.

Rabbi Ashi, however, approached the need for gentleness from an entirely different angle. Even if it is certain that the members of the household will accept the appointment as agents for these preparations out of respect for the head of the household, Rabbi Ashi practiced a policy of issuing such orders gently out of his own understanding that a man should always speak gently to people in all situations.

This last point of Maharsha is obviously based on what our sages tell us (Mesechta Yoma 86a) that the ideal behavior of a Torah scholar includes speaking gently to everyone.

GREATER ERETZ YISRAEL - Gittin 8b

Syria was conquered by King David and annexed to Eretz Yisrael. Did Syria thus acquire the status of Eretz Yisrael or was it still considered chutz la'aretz (outside the Land)?

This depends, says the gemara, on whether we consider conquest by an individual as the kind of conquest which makes territory an integral part of Eretz Yisrael.

But why is David's conquest of Syria considered conquest by an individual when it was done by the king of the nation?

Rashi's explanation focuses on the manner in which this conquest was carried out while Tosefot stresses its timing.

Conquest by the nation which can transform a territory beyond the borders into the status of Eretz Yisrael, says Rashi, depends on two factors which were present in the initial conquest of the land by Yehoshua. The entire nation must be involved in the war and the territory must be acquired for the use of the nation at large. In the case of Syria the conquest was a private venture of David, utilizing only a portion of the national force and dedicated to providing territory for royal rather than national utilization.

Tosefot, however, cites a Midrashic source (Sifrei, Devarim 11:24) which criticizes David's conquest of Syria while he had still not driven out the Jebusites around Jerusalem. Said Hashem to David: "How dare you go and conquer Syria and Mesopotamia when you have not yet conquered those near your own palace!"

On the basis of this Sifrei, Tosefot concludes that after all of Eretz Yisrael was indeed conquered, the Torah's promise that "Wherever you shall tread shall be yours" (Devarim 11:24) means that territory conquered even by an individual like David also has the status of Eretz Yisrael.

TALMUDIGEST :: Gittin 8 - 14

For the week ending 19 July 2008 / 16 Tammuz 5768

from Ohr Somayach | www.ohr.edu

by Rabbi Mendel Weinbach

THE KISS OF SILENCE - Gittin 9a

"Like a kiss on the lips is something wisely said." (Mishlei 24:26)

This praise of wisdom by the wisest of men was the reaction of Rabbi Yossi to a halachic statement that he heard.

The comparison made by King Shlomo to a kiss has a number of interpretations.

On the simplest level it expresses the idea that one who says the right thing deserves to be kissed. Tosefot, however, favors the interpretation found in some of the Biblical commentaries. Rather than referring to a kiss given as a compliment to the one making the statement, the passage suggests that when one hears a convincing statement his upper lip "kisses" the lower one in a demonstration of silence, expressing acquiescence.

While in the case of Rabbi Yossi this was acquiescence with a halachic point, the context of the passage in Mishlei suggests yet another sort of silent consent. Reproof is the subject of the preceding passage, and the kiss here refers to the reaction of one who hears words of reproof expressed in an effective manner.

In his commentary on Mishlei, Rabbi David Kimchi (RaDAK) thus explains the proper method of reproof based on these passages.

Flattering a wicked person that he is righteous will only encourage him in his mistaken path. Totally condemning him will be counterproductive for he will arrogantly insist that he is right. The right strategy is to praise him for the positive things about him while pointing out the shortcomings he needs to correct. His response then will be to close his lips, desist from an

arrogant rebuttal and to even resolve to follow the counsel of the gentle reprover.

WHAT THE SAGES SAY

“If one seizes money from a debtor to benefit one creditor at the expense of other creditors, his collection is considered invalid.”

Rabbi Yochanan - Gittin 11b

Infamy

13 Tammuz 5768, 16 July 08 08:38

by Naomi Ragen (IsraelNN.com)

I was a new oleh when the PFLP and two Germans hijacked a plane full of Israelis to Entebbe. I remember well those nail-biting days, the moral dilemma of freeing dangerous terrorists for live hostages; the idea that negotiations would just lead to more hijackings. But what other choice did we have? After all, they were in Uganda, so far away .

We found a way.

I will never forget the morning of July 4, 1976, waking up to the news. Our soldiers had gone in, at great personal risk. They had saved almost everyone and killed the terrorists. We were not helpless victims anymore, the Jews. No, we were clever and resourceful and courageous. We showed the world how to behave. We led the way.

I wake up this morning of July 16, 2008, with quite another feeling. Our soldiers, kidnapped on our own land, not across any international border, are brought back to us in caskets after two years of sadistic playfulness with the hearts of their families by Hizbullah terrorists, who led us to believe they were alive. And in exchange for dead bodies, we turn over a despicable baby-killer, Samir Kuntar.

Oh, you will hear the boosters of the Israeli government sigh. What can we do? We are civilized and they are not. We care about our soldiers and their families.

No, I'm afraid you do not. If you cared, then you would have a death penalty for people like Kuntar, so that they too can be released in caskets. And if you cared, you would be intelligent enough, seeing our soldiers brought back to us dead, to have put a bullet through Kuntar and then turned him over to his friends.

"Civilized" is a euphemism for weak and helpless. Civilized is not a moral value, because we all know what Western civilization is capable of. Concentration camps. Civilian round-ups. The gassing of children. All this under the banner of laws and policemen and governments.

On the other hand, the moral thing to do to a tried and convicted murderer like Kuntar is to spill his blood, because he has spilled the blood of others. That may not fit in with current civilized niceties, but let no one say it is immoral.

When it comes to immoral, to release Kuntar to a hero's welcome and the opportunity to murder others is on the top of the scale.

My government, the Israeli government, arranged this. They let it happen. They oversaw it and implemented it.

I am deeply ashamed to be an Israeli today. And I'm not very proud of being a Jew either, if this is how a Jewish country behaves. To lead the world in ever more despicable acts of appeasement is nothing to be proud of. The torch we always carried, the "light unto the nations" has been blown out by the hot-air of our politicians.

If we cared about our soldiers, we would not be showing our enemies that kidnapping and terrorism pay. We would not be setting the stage for the next murderous terrorist raid and hostage standoff. We would be passing laws with a mandatory death penalty for convicted terrorists with blood on their hands, as well as their accomplices. We would be making these laws retroactive.

Then, we would be cutting off all water and electricity to Gaza until Gilad Shalit is released. If that didn't work, we'd begin executions within one week, increasing the number of convicted terrorists facing firing squads with each passing day until Gilad is returned to us safe and sound. And if that didn't work, we would begin daily bombings of Gaza, with the same number and frequency of attacks that our own city Sderot has suffered over the past three years from the Gazans.

Not civilized? Perhaps. But moral. Extremely moral.

My fantasy is that Israelis will rise up and overturn the political system which has left them with the dregs of their nation as leaders - a bunch of self-serving crooks and sycophants who will do anything to stay in office; an electoral system in which a party like Kadima, with its collection of felons and moral imbeciles, which got only 23% of the vote, is allowed to rule us into the ground. We have Mr. Olmert and Ms. Livni and Mr. Peres and Mr. Ramon (a convicted sex offender who is now in line to take over from Olmert) and many, many others to thank, for creating this day of infamy.

May G-d redeem us from them.

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Let The Enemy Decide The Rules

David Bogner

By the time this article is posted the so-called 'prisoner swap' will have been completed. But we really need to be honest about this... it wasn't really a prisoner swap. Prisoners are alive.

Only monsters hold dead bodies for ransom...but we have only ourselves to blame for trading live prisoners for dead bodies.

One can argue forever about whether or not the unprovoked cross-border attack in which Ehud Goldwasser and Eldad Regev were captured was reason enough for Israel to have gone to war. But once that Rubicon was crossed and we'd accepted the attack as a 'Casus Beli' and sent troops into combat, there was no excuse for not using all means at our disposal to fight the war until our enemy was begging for terms of surrender.

Instead, our leaders dabbled and deliberated and argued over whether to even call what they were waging a 'war'. They squandered every advantage they held at the start of the war by installing lawyers and politicians to select bombing targets instead of allowing the IDF officers in the field do what they'd trained their entire lives to do; win!

We waited weeks to commit ground troops to battle, and when we finally did, we watched them being shuffled aimlessly around southern Lebanon without objectives or support.

Worst of all, we were forced to watch helplessly as Hezbollah conducted carefully orchestrated press tours painting Israel's pinpoint bombing as monstrous... while Ketyushah rockets were fired indiscriminately all over northern Israel.

Throughout the short summer war we heard voices from around the world - and even from within our own country - who argued passionately for restraint. "The Lebanese people are not the enemy", they declared. "Hezbollah is the enemy!"

These useful idiots pleaded for the IDF to spare the poor, hapless Lebanese who were caught between Israel's mighty army and Hezbollah's well entrenched forces... pointing out that the Lebanese deserved mercy because they are a modern, secular people just like us.

'Moderate' Lebanese blogs were linked, and the grand old days when Beirut was known as the 'Paris of the East' were invoked repeatedly... while doctored photos of burning Beirut neighborhoods became like fixed wallpaper behind the media's talking heads who dutifully read Hezbollah scripts about Israeli atrocities.

Ignored was the fact that these cosmopolitan Lebanese had watched approvingly for decades as Hezbollah set up rocket batteries and supporting military infrastructure in their towns and villages. Ignored was the cover and support these poor secular Lebanese willingly provided to Hezbollah for a generation.

Nobody seemed particularly worried about Israel's blameless civilians who were forced to live in bunkers under relentless bombardment. Israeli casualties were chalked up to 'the fortunes of war' while Lebanese casualties were paraded before the world as martyred innocents.

And when it came time to accept a shameful ceasefire that amounted to nothing more or less than surrender, Israeli leaders again failed (doomed, actually) the captured soldiers by refusing to establish enforceable terms for their safe return.

From the first moment of the attack that sparked the war, Hezbollah/Lebanon refused to abide by any modern conventions of warfare. Not a single tenet of the Geneva conventions was honored by our enemy... yet we were inexplicably expected to fight the good fight according to the Marquis of Queensbury rules.

And even after the war's end, we had to have our face rubbed in how brutally we'd behaved by a couple of clueless Israeli journalists. Under cover of convenient foreign passports, they traveled illegally to Lebanon in an effort to show how nice and normal these wonderful Lebanese people are... as if to say 'How could we have ever entertained such aggressive, warlike feelings towards people who are so much like us???' Jane Fonda could have done no worse!

Where are these journalists now that their so called 'story' has come to its dénouement with the docile, cosmopolitan Lebanese we took such pains to spare holding massive state-sponsored celebrations for the return of heroes whose only fame comes from murdering Israeli civilians. Could their silence indicate that even they are having a little trouble putting lipstick on this particular pig?

Enough!!!

When attacked by a wild animal you don't negotiate or ask what rules it wants to use in the fight. You strike it down without mercy and without remorse. If you are attacked by a pack of wild animals you fight savagely and without restraint until all of them are dead or neutralized. To do otherwise doesn't mean facing ignominious defeat. It means you move down the food chain and become an entrée!

The only way Israel can regain its deterrence in the region after this recent debacle is to make it clear to all that, from this day forward, we will play by whatever rules our enemies are willing to honor.

No Rules = No Restraint.

If our towns and cities are fair game... so are yours. Don't complain that our weapons are better, or more powerful. You should have thought of that before attacking us.

If you portray the killing of civilians as heroic, then we will surpass you in heroism. Don't cry to the world about your precious civilians and then prepare a national celebration to honor a monster who deliberately destroyed a family, and whose final act before being captured was to gleefully crush the skull of a small child against a rock.

If our soldiers won't enjoy the protections of the Geneva Conventions... neither will yours. A dead prisoner will be worth a dead prisoner in any exchange. If we run out of dead prisoners to trade, we will make more. As you've ably demonstrated today, live prisoners can be unapologetically turned into dead ones quite easily.

If this is the only way we can force our enemies to keep our POWs alive and to feel some accountability for their welfare... then so be it. Otherwise our long-neglected death penalty will be dusted off and employed without hesitation or sentimentality. And since those who attack us refuse to wear uniforms or insignia, henceforth they will not be entitled to the niceties of a trial or POW status. Those we capture in the field will be summarily executed.

For more than 60 years Israel has dreamed of being accepted among the family of nations and being allowed to live peacefully within secure and recognized borders. Yet again and again we've been forced onto the battlefield by our neighbors, and required by the world to engage a savage enemy as if we were chivalrous knights.

It is worth noting that even at the Battle of Agincourt (fought between the French and English in 1415), the accepted rules of Chivalry were set aside when one side was faced with an untenable choice between chivalry and victory:

After repelling two French attacks against their vastly outnumbered army, the English held more enemy captives than they themselves had soldiers in arms. Upon seeing the French massing for a third attack the English King, Henry, ordered his men to begin killing the prisoners since he could not spare the soldiers to guard them... and if left alone the captive French knights could easily join the next French attack using weapons that still littered the field.

However, as soon as the next French attack failed to materialize, he ordered the execution of prisoners to be stopped.

Modern scholars nearly universally condemn Henry for his order to execute the French prisoners. After all, the rules of the day required that those asking for quarter be granted protection without question. However it is interesting to note that at the time, neither the French nor any contemporary commentators seem to have had a problem with Henry's decision. It was the only logical thing to do under the circumstances.

Given a choice between victory and chivalry, Henry chose victory.

In this day and age Israel can do no less. We need not hold ourselves to a higher standard of conduct than our enemies... especially in conflicts not of our making. Until we learn this simple lesson, we will have to endure many more shameful ceremonies such as we witnessed today.

Make no mistake; there will be another war in the not-too-distant future. Our recent capitulation has all but guaranteed that. Our appeasement and public displays of weakness have served only to whet the appetites of our enemies as they publicly proclaim that what the world witnessed today is proof that relentless armed struggle is the only way to confront and destroy the Zionist entity.

I can only hope that when the next war comes, we will have leaders in place who have the wisdom to first win the war... and only then, try to negotiate terms for peace.

May the families of those who were miserably failed by their government be comforted among the mourners of Zion and Jerusalem.

David Bogner, formerly of Fairfield, CT, lives in Efrat with his wife Zahava (nee Cheryl Pomeranz), and their children Ariella, Gilad and Yonah. Since moving to Israel in 2003 David has been working in Israel's defense industry on International Marketing and Business Development. In his free time David keeps a blog (<http://www.treppenwitz.com>) and is an amateur beekeeper.

The issue of the redemption of Jewish hostages and captives from enemy hands is unfortunately a very old and painful one. The mishna in Gittin already recorded for us that even though the commandment of redeeming captured Jews is one of top priority in Jewish life, demanding that even holy artifacts be sold to raise funds for such a purpose, nevertheless we are forbidden to pay an exorbitant price to secure the freedom of such a captive.

In an age when hostages and captives were sold on the slave markets of the world, it was relatively simple to judge what was an "exorbitant" price demanded for the release of the captured Jew. However, in our times the criterion of what is considered an "exorbitant" price for the release of a Jewish prisoner is very difficult to establish. The Israeli army and government has had to deal with this painful problem quite a number of times over the past decades. Its main purpose has always been to return the captive home in the best condition possible.

Great debate has always accompanied this situation and I am grateful that such terrible decisions are not mine to make. Many have said that the past prices paid were "exorbitant." Others say that the price was worthwhile and justified. Perhaps only Heaven itself can decide on such impossible Hobbesian choices.

Jewish history is replete with such incidents of hostages and captives. In the thirteenth century, the great rabbi Meir of Rottenburg, was taken hostage by one of the local dukes. Rabbi Meir was one of the great Ashkenazic scholars of the Middle Ages. He was the mentor and teacher of Rabbi Asher ben Yechiel (Rosh) the greatest of the latter Tosafists and one of the basic decisors of halachic law.

The duke demanded a great ransom for the release of Rabbi Meir. The Jewish communities of the area, out of their great love and respect for Rabbi Meir and their loyalty and honor to Torah scholars, were prepared to pay this exorbitant ransom. However, Rabbi Meir himself forbade the Jews from so doing, arguing, undoubtedly correctly, that payment of the ransom would only encourage the duke to repeat his evil deed with even Rabbi Meir himself becoming the victim a second time.

Under his mentor's advice, Rabbi Asher fled the German area and took up residence in Toledo, Spain. The duke did not relent on his extortionist demands and eventually Rabbi Meir passed away in the prison of the castle of the duke. The duke then demanded the very same exorbitant ransom for the release of the body of Rabbi Meir for Jewish burial, also a cardinal principle and commandment in Jewish life and law. Again, according to the wishes of Rabbi Meir, as he expressed them during his last years of life, the ransom was not paid.

The duke held the body for ransom for thirteen years. Eventually, a very wealthy Jew from Mainz came to a settlement with the duke and Rabbi Meir was buried in the ancient Jewish cemetery of Mainz. Next to his grave lies the body of the wealthy Jew who obtained the release of Rabbi Meir's remains. These two graves in the Jewish cemetery remained a place of Jewish visitation and veneration even until our very day.

During the reign of the Czars of Russia during the nineteenth century many rabbis and Jewish public figures were arrested, almost always on trumped up charges of disloyalty or illegal monetary transactions. Great efforts were made to obtain their freedom, often by exerting political and diplomatic pressure on the Russian government from other world powers. Means of corrupting the police and government ministers were also employed in order to obtain the release of these prisoners. But again there was a great hesitate on to pay any "exorbitant" price to the Czar and to his cohorts for the release of the arrested prisoners.

The decisions regarding these cases were basically ad hoc, depending on the exact circumstances of each case. But the problem of an "exorbitant" price always remained within the Jewish community and apparently remains so until our day. Judaism abhors simplistic answers to very complicated problems and issues. There has never been a simple answer to the question of ransoming Jewish prisoners or hostages. There obviously is no simple answer to this issue today. We can only pray for wisdom, patience, balanced behavior and Godly inspiration to help us arrive at the correct decisions in such matters.

Shabat shalom.

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