

BS"D

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INTERNET PARSHA SHEET ON RE'EH - 5762

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From: RABBI YISSOCHER FRAND [ryfrand@torah.org] To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Re'eh "RavFrand" List - Rabbi Frand on Parshas Re'eh - This Dvar Torah is reprinted with permission from Mesorah Publications / ArtScroll, from "Rabbi Frand on the Parsha". Order "Rabbi Frand on the Parsha" direct from the publisher at a 10 percent discount, and ArtScroll will donate a portion of your purchase to Torah.org. Please follow the link: <http://www.artscroll.com/linker/torahorg/link/Books/frph.html> or call 1-800- MESORAH (1-800-673-6724) during regular business hours and mention Torah.org

A Spoon and a Handle

"For you shall surely open your hand to him." (Devarim 15:8)

First, the Torah tells us (15:7), "If there be a pauper among you, one of your brethren, in one of your gateways in your land that G-d your Lord has given you, do not harden your heart nor close your hand tight against your impoverished brother." This is clearly telling us to give charity to the poor person. Then the Torah continues, "For you shall surely open your hand to him and provide him with the necessities he is missing." This seems to call for a higher level of charity not covered by the first commandment.

There was once a Jew in Vilna who took a great interest in local history. In the course of his research, he would often go out to the old cemetery and read the inscriptions on the tombstones. He was able to gather a surprising amount of information in this fashion.

One day, he came across two adjacent graves. According to the inscriptions, the two men were brothers, both talmidei chachamim, both extraordinary baalei tzedakah, philanthropists. Strangely, the two tombstones shared an inscription from Eishes Chayil, the last chapter of Mishlei (31:20). The inscription began on one tombstone with "she extended her palm (kappah) to the poor" and was completed on the other with "and she stretched out her hand (yadeha) to the pauper."

The man was puzzled. First of all, he had never seen an inscription shared by two tombstones. Second, inscriptions from Eishes Chayil were used almost exclusively for women. There was obviously a story behind all this, and by all appearances, an interesting story. The man sought out one of the oldest men in the Vilna community and asked him about the inscription. The old man indeed had a story to tell. These two brothers were Torah scholars of the highest order, and they were also wealthy and extremely generous in their charities. They were much respected and admired in the community.

Suddenly, their fortunes took a turn for the worse. Some of their businesses failed. Their investments stagnated. People began to wonder and whisper. Why would such a thing happen to such sterling people?

The Rabbinical Court of Vilna also heard the stories and took the matter under advisement. "How can this be," declared one of the judges, "that two such exemplary talmidei chachamim should be going bankrupt? It is a chillul Hashem! We have to do something about it." "But what can we do about it?" asked another judge. "Should we give them a loan?"

"No, of course not," said the first judge. "We have to get to the bottom of this and correct it."

"But how?" said the second judge.

"There is a simple way," offered a third judge. "We have to summon the brothers to court and interrogate them about everything they've done for the past few years. I have no doubt they will answer our questions truthfully."

The Rabbinical Court questioned the brothers for hours and discovered only one instance of wrongdoing. The Halachah demands (Kesubos 50a) that a person should not give away more than a fifth of his wealth to charity, but the brothers often exceeded this limit. Their only crime was that they gave too much charity!

What was to be done about this? The Rabbinical Court decided that the brothers could not be trusted to stay within the prescribed limits. Therefore, they themselves took control of the finances and decreed that anyone approaching the brothers for charitable donations should come to the Rabbinical Court's appointed administrator of the brothers' accounts.

The poor appeared on the doorstep of the brothers, and they duly directed them to the court-appointed administrator of their accounts. "We've been to him already," they protested, "and he is not nearly as generous as you've always been. We'll never feed our children on what the administrator gives us."

The brothers' hearts melted, but what could they do? They didn't have control of their money. So they began to give away the silver in their cabinets to the poor. Eventually, this trove was also depleted, and they were left with one silver spoon between them.

The next day, when a beggar approached each of the brothers, they broke the last spoon in half. One took the spoon part and gave it to a beggar, and the other took the handle and gave it to a beggar.

This wonderful act of charity was memorialized on their tombstones, relying on a wordplay. The beginning of the verse, "She extended her palm (kappah) to the poor" - kappah also meaning "her spoon" - appeared on the first tombstone. The completion of the verse, "And she stretched out her hand (yadeha) to the pauper" - yadeha also meaning "her handle" - appeared on the other.

This is an example of "opening the hand" of the highest order.

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TorahWeb from last year

RABBI ZVI SOBOLOFSKY

JERUSALEM: THE FOCAL POINT OF AVODAS HASHEM

Several of the mitzvot mentioned in Parshas Re'eh, i.e. the mitzvot of shechita (ritual slaughtering), ma'aser sheini (secondary tithes), and aliyah l'regel (tri-annual pilgrimage to Jerusalem) reflect a fundamental change that will occur in the Jewish people upon their arrival in Eretz Yisroel. During the forty years in the desert, the focus of the Jewish people was the Mishkan (tabernacle) to which everyone had easy access. After entering Eretz Yisroel the spiritual center for the Jewish people, would be found first in the Mishkan (Tabernacle) in Shilo, and eventually in the Beis Hamikdosh (Temple) in Jerusalem. However, due to the size of the land that Benei Yisroel would inhabit, some people would find themselves at a distance from the spiritual center. The mitzvot of shechita, ma'aser sheini, and aliyah l'regel deal with this new reality and teach Benei Yisroel how to adjust appropriately. The Torah introduces the mitzva of shechita (Devarim 12) by stating that it is dependant upon our living far from the Beis HaMikdosh. Rashi quotes the opinion from the Talmud in Chullin that the slaughtering of an animal for personal use that would not be offered as a korban was only permitted after the entry of the Jewish people into Eretz Yisroel. When Benei Yisroel lived close to the Mishkan in the desert, it was only

permissible to eat meat in the context of a korban. To eat non-sacrificial meat (basar chullin) was only permitted by the Torah because it was no longer feasible to always travel to Jerusalem when one wanted to eat meat. The Jew, who for forty years in the desert, never ate meat outside of the context of holiness found himself in a dangerous situation. He was far from the Mishkan, and was no longer subject to the strict laws governing ritual impurity for food. There existed the possibility that he would partake of his meat with no semblance of sanctity. Therefore, the Torah emphasized how to live in holiness even miles away from the source of holiness itself. The animal had to be slaughtered in the precise manner a sacrifice was slaughtered. Blood could not be eaten because blood is reserved for the mizbeach (alter). Although the Jew may be geographically distant from Jerusalem, he was reminded that he still must live in a way which meets the standards that Jerusalem represents.

In a similar vein, the mitzva of bringing ma'aser sheini to Jerusalem, and eating it there in a state of holiness and purity, became difficult to perform as the Jewish people became spread out throughout Eretz Yisroel. Ideally, a farmer would travel to Jerusalem, several times a year, bringing the fruit of his harvest. Practically, this could not be fulfilled due to the difficulty of transporting produce over the long distance to Jerusalem. The Torah teaches us that under these circumstances there was an alternative. The produce could be redeemed for money, and eventually, when it was feasible, the farmer could bring the coins to Jerusalem to purchase food. (The coins must be guarded lest they be used for another purpose.) This food, elevated to the equivalent of ma'aser sheini, was then eaten in a state of sanctity and purity thereby enabling each Jew to experience the sanctity of Jerusalem even if he can not travel there at the original time. Even the distant farmer had to preserve the sanctity of his fruit until he redeemed them.

Parshas Re'eh concludes with the mitzva of the three time a year aliyah l'regel. When the entire Jewish people camped around the Mishkan there was no need for a special visit to the Mishkan on the occasion of Peshach, Shavuos, and Sukkos. After the Jewish people spread throughout Eretz Yisroel and it was no longer feasible to come to the Beis HaMikdosh on a regular basis, the mitzva of aliyah l'regel became the means to retaining a relationship to Jerusalem and all that it represented.

Visiting the Beis HaMikdosh was the focal point of the entire year, even when it could not be done as often as it ideally should have been. The yomim tovim (Jewish holidays – Pesach, Shavuos, and Sukkos), the highlights of the Jewish calendar, would always be bound with the sanctity of Jerusalem. The preparation and the actual travel would always ensure that Jerusalem remained foremost in the mind of all Jews, even in the mind of those who are geographically distant from it. Parshas Re'eh teaches us that our minds and hearts must constantly revolve around the kedusha and tahara that emanate from the Beis HaMikdosh in Jerusalem. Even if we find ourselves geographically distant from Jerusalem, our standards of behavior must always meet those appropriate to Jerusalem. Even if we are not yet privileged to perform the mitzvos of eating ma'aser sheini in Jerusalem and aliyah l'regel, let us face Jerusalem as we pray to Hakadosh Baruch Hu. May we merit to serve Him in the Beis HaMikdosh and may the spirit of kedusha and tahara emanate from Jerusalem to the entire world. "Ki mitziyon tetsei Torah u'dvar Hashem m'Yerushalayim" ("for Torah comes out from Zion, and the word of G-d from Jerusalem").

From: chrysler [rachrysl@netvision.net.il] To: Midei Parsha
Subject: MIDEI SHABBOS BY RABBI ELIEZER CHRYSLER
This issue is sponsored l'iluy Nishmas Tziporah bas Ya'akov z.l. whose Yohrzeit was the 19th of Av
Parshas Re'ei A Passing World for an Eternal One One Pasuk writes "Efes ki lo yih'yeh be'cho evyon" ("only there will be no poor among you [15:4]), another, "Ki lo yechdal evyon mi'kerev ho'oretz" ('because poor people will not cease from the midst of the land' [15:11']). To resolve this apparent discrepancy, Rashi establishes the former Pasuk when Yisrael fulfill G-d's will, and the latter Pasuk, when they don't. Rashi's

explanation echoes that of Targum Yonasan, who specifically interprets the two Pesukim that way, and who might even be Rashi's source.

The Or ha'Chayim elaborates. Based on the juxtaposition of the first of the two Pesukim and the Pasuk that follows, he explains that generally speaking, financial success or failure are not dependant on merits, but on Mazel (as Chazal have taught in Mo'ed Katan 28a). Yet here, the Torah continues "If you will listen (a reference to Torah-study), to keep (the Mitzvos Lo Sa'aseh), and to do (the Mitzvos Asei) all these Mitzvos (that your observance in all of the above areas is flawless)". That is when the Torah promises to abolish poverty. The fact that they have fulfilled more Mitzvos than Aveiros is not sufficient to overrule the Mazel, the Or ha'Chayim explains, but once Yisrael attain a level of total perfection (all Mitzvos and no Aveiros), Yisrael's merits do indeed dictate a utopian-like destiny, in spite of the Mazel. Tosfos in Shabbos (156a), in light of the above-mentioned Gemara in Mo'ed Katan, explains the Gemara's statement there (in Shabbos) 'Ein Mazel le'Yisrael', to mean that although basically, the Mazel determines one's fate (and not one's deeds), with great merit, it can be overcome. Clearly then, the Or ha'Chayim is merely defining the extent of that merit.

Chazal however, seem to interpret the two Pesukim under discussion differently. The Gemara in Ta'anis (21a) tells the story of Rabbi Yochanan and Ilfa, who studied Torah together in Yeshivah. Both were extremely poor, and so they decided to fulfil the Pasuk "Only there shall be no poor among you". They left the Yeshivah and set out for home with the intention of entering into a joint business venture. On the way, they stopped to eat by the shade of a wall, which, unbeknown to them, was rickety. Suddenly, Rabbi Yochanan overheard a conversation between two angels. He heard one of them suggest that perhaps they should push the wall on top of the two men who had given up an eternal world for a passing one. But the second angel replied in the negative, since one of them was destined for greatness.

When Ilfa, in reply to Rabbi Yochanan's question, told him that he had heard nothing, the latter concluded that since he was the one to have heard the conversation, he must be the one to whom the angels were referring. This, despite the fact that Ilfa was his equal in knowledge, as will the Sugya there concludes. So, quoting the Pasuk "Because poor men will not cease from the land", he turned back and continued to learn. Sure enough, he went on to become the great Rosh Yeshivah, the Gadol ha'Dor and the author of the Talmud Yerushalmi.

From this Gemara it appears that the two Pesukim are referring to two different fates, rather than to two different eras. The latter Pasuk teaches us that inevitably, there will always be poor people in Yisrael, whereas the former is a concession to do whatever is necessary to avoid belonging to that category. And this is borne out by another Gemara. The Gemara in Bava Metzi'a derives from this Pasuk that one's own's needs take priority over those of others (to the extent that one is permitted to look for one's own article before even that of one's father or Rebbe).

The story of Rabbi Yochanan and Ilfa contains a powerful lesson from which we can all learn. The lure of material wealth is strong, and many are those who succumb to the temptation of leaving the realms of the everlasting world for the benefits of the passing one. They even base their decision on the Torah - "Efes ki lo yih'yeh be'cho evyon", forgetting perhaps, how easy it is to become what the Ramban refers to as a 'menuval bi'reshus ha'torah' (a despicable person with the Torah's permission). Perhaps they are unaware of the second Pasuk "Ki lo yechdal evyon mi'kerev ho'oretz", offering the obvious alternative. Admittedly, not everyone is meant to remain in Yeshivah or in Kollel. True, Chazal have said that G-d detests someone who is 'not able to learn' and insists on doing so, no less than someone who does not learn when he is able. Nevertheless, the decision to leave the four Amos of Halachah is one that should not be taken lightly, and certainly not without realizing fully the status of the world he will be leaving and that of the one he will be entering. For it is only when one believes with all one's heart that the Torah together with whatever is associated with

it is eternal, and that all material things are only temporary, that one becomes qualified to make such a momentous decision.

http://www.ou.org/torah/tt/5762/reeh62/specialfeatures_mitzvot.htm
MEANING IN MITZVOT
BY RABBI ASHER MEIR

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh.

Teshuvah

Thursday night, the month of Elul begins. The day specifically mentioned in the Torah as the day of atonement is the tenth of Tishrei, Yom Kippur, but the entire ten days from Rosh HaShana until Yom Kippur are also called the "Ten days of repentance". And to a lesser extent the entire month of Elul is devoted to repentance as well. For this reason this month has special customs such as blowing the shofar each morning and for Sefaradim saying selichot each night or morning. This pattern was established by Moshe Rabbeinu, who climbed Mount Sinai at the beginning of Elul to seek forgiveness for the sin of the Golden Calf, and finally descended forty days later on 10 Tishrei with new tablets of the law, proving that G-d had forgiven us. (See Rashi on Devarim 9:18.)

The literal meaning of the Hebrew word for repentance, "teshuvah", is "return", and the prophets have revealed that repentance brings us back as it were, to G-d Himself (Malachi 3:7). This is the ultimate return, to return to our source in the Source of holiness. So it seems strange that the tenth of Tishrei, Yom Kippur, the day that Moshe succeeded in bringing complete forgiveness to the Jewish people, was the day that he descended from the mountain, from G-d's presence. It seems that the ultimate goal of our repentance is not to completely withdraw from this world into an attenuated spiritual existence, but rather to take advantage of our return to holiness to then go back and infuse this holiness into the world.

It is true that anyone who wants to approach holiness needs to withdraw to a certain extent from involvement in the world and its pleasures - like Moshe Rabbeinu, who went without eating and drinking for forty days and nights. This is the importance of the various customs of asceticism that begin in Elul and increase as we approach Yom Kippur, when we eschew all the main material comforts.

But exactly when we achieve the highest levels of sanctity and insight, we are called to descend the mountain, to show how sanctity and insight can be applied and experienced without completely withdrawing from the main areas of human activity and aspiration.

Just as Moshe brought us the Torah on Yom Kippur, we use our spiritual ascent to strengthen our ability to live Torah lives - not to climb by drawing away from the world, but to sanctify the world through performance of mitzvot and hence draw the world upwards with us.

Rabbi Meir has completed writing a monumental companion to Kitzur Shulchan Aruch which beautifully presents the meanings in our mitzvot and halacha. It will hopefully be published in the near future.

Rabbi Meir authors a popular weekly on-line Q&A column, "The Jewish Ethicist", which gives Jewish guidance on everyday ethical dilemmas in the workplace. The column is a joint project of the JCT Center for Business Ethics, Jerusalem College of Technology - Machon Lev; and Aish HaTorah. You can see the Jewish Ethicist, and submit your own questions, at www.jewishethicist.com or at www.aish.com.

MessageFrom: Shema Yisrael Torah Network
[shemalists@shemayisrael.com] To: Peninim Parsha Subject:
PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBAUM
PARSHAS RE'EH You shall smite the inhabitants of that city with the edge of the sword...And He will give you mercy and be merciful to you. (13:16, 18) The last thing the Torah wants is for a Jew to be violent and cruel - especially to one of his own. Yet, we find regarding the Ir Ha'nidachas, wayward city that went astray and worshipped idols, that we are emphatically enjoined to destroy with malice every inhabitant, to burn its possessions, and never to rebuild that city. Certainly, just as

positive, virtuous deeds enhance a person's character, negative, vicious behavior turns a person into a savage. The Torah is concerned about the effect some of its commands might have on the Jewish psyche. It, therefore, supplements the mitzvah of destroying the idolatrous city with the assurance that Hashem will have compassion on us. After executing such a difficult command, we need Hashem's compassion. We implore Him to look kindly at us. That is the psal, simple explanation, of the pasuk. The Ohr HaChaim goes a step further, presenting a penetrating analysis of the human psyche. He explains that the act of killing an entire community can catalyze a natural inclination within a person towards cruelty. Did we not see this with the heartless Nazis, who insisted that they were only "carrying out orders"? The heinous cruelty which they exhibited went far beyond "carrying out orders." The Ohr HaChaim submits that when a person carries out a violent act against another human being, his natural proclivity towards compassion becomes abrogated, his feelings of warmth become cooled. Cruel activity makes a person cruel. Hashem will inspire us with a sense of humaneness and compassion in order to protect us from the effect of carrying out our mission.

By his very nature, the Jew is a rachaman, a benevolent and sympathetic person. It is one of the character traits by which a Jew is recognized and defined. For a Jew, cruelty is an anathema. There are times, however, Hashem demands of us to carry out acts that seem cruel to the external human eye. It is, however, Hashem's command - one that must be executed with commitment and devotion, with the understanding that Hashem does not ask us to do something which is actually cruel or wrong. Yet, it might have a harmful side-effect on our human nature. We are assured that if we act l'shem Shomayim, to fulfill Hashem's Will, He will protect us from any effect that is contradictory to our nature.

And you will look malevolently upon your destitute brother and refuse to give him - then he may appeal against you to Hashem, and it will be a sin upon you. (15:9)

The Dubno Maggid, zl, explains that this pasuk is based upon the Mishnah in Avos, "He who does not give and repudiates others who give is a rasha, evil." Is this not a bit extreme? It is one thing if one does not personally share with others, but what kind of individual prevents others from giving? We understand that miser refuses to give because he is miserly. When he is questioned about his lack of participation in charitable drives, his response is simple: he does not want to; he cares too much about his money. He refuses to part with it. He might be cheap, but at least he is truthful. There is another type of miser: one who is truly a disgrace to society. When he is questioned regarding his miserly attitude towards helping others, he quickly responds by defaming the one in need, degrading the organization or its administrators. He is not satisfied with merely being stingy; he must justify his penurious attitude by besmirching those in need. Such a person is contemptible.

While neither miser contributes to the poor man in question, a difference remains between them. The miser who refuses to give because he is simply stingy does not by his selfishness prevent others from giving the poor man his due. Conversely, the one who violates his tightfistedness by maligning the individual who begs for assistance is also causing others to suppress their support of the individual or the institution. This is the meaning of "he should not give and others should not give." He directly influences others not to give.

We now understand the underlying meaning of our pasuk, "If you will look bad upon your brother," meaning that you will make him look bad in your eyes. This includes: saying to others that he is not deserving of their support, that he really is not poor, that he squanders his money, or that he is not "worthy" (a word used to destroy many a Jewish life). If you do so, you will carry an enormous sin. It is noteworthy that stinginess can catalyze a sin that will ultimately destroy another human being. This stingy individual clearly does not care about another person's feelings. His wealth has generated within him a myopia which prevents him from seeing beyond himself.

Three times a year shall all your males appear before Hashem your G-d. (16:16)

In the Talmud Chagiga 2a, Chazal explain that a Jew must travel to the Bais Hamikdash to visit the Shechinah and to appear before it. Just as the Shechinah views a person through a total perspective, (i.e. with "both eyes") so, too, shall the Jew view Hashem with both eyes -- or with a total perspective. This idea is derived from the halachah that the mitzvah of "Reiyah," the pilgrimage a Jew must make to Yerushalayim to be seen and to see, is incumbent only upon one who has complete eyesight. One who is blind even in one eye is exempt from the mitzvah. Horav Mordechai Rogov, zl, elaborates upon the halachah from a homiletic view. Regrettably, some individuals view Torah and mitzvos from a limited perspective, with only one eye. They maintain their "other eye" to view Torah from a viewpoint that is antithetical -- and certainly not conducive-- to a Torah way of life. These people publicly practice mitzvos, but they have questions in their hearts. They foster a desire to indulge in activities that are not consistent with Torah dictate. Hashem desires and expects total commitment from us, a devotion that is internally synchronized with our external behavior. It is easy to put on a show. Indeed, there are those who feel that religious observance is primarily a "show." They manifest all the trappings of observance, but without the inner commitment.

There are others, conversely, who feel that a strong, heartfelt dedication is all that is demanded of a Jew. Active religious involvement is, in their minds, archaic. They are both wrong. Judaism is proactive - not spectator-oriented. It demands commitment and action - seeing Hashem with both eyes. Just as Hashem views us with both eyes, so too, must we appear before Him with both eyes focused upon a Torah lifestyle - exclusively.

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From: RABBI JONATHAN SCHWARTZ [jschwrtz@ymail.yu.edu] To: internetchaburah@yahoo.com Subject: [internetchaburah]

Internet Chaburah -- Parshat Re'Eh
Prologue: Parshat Re'Eh begins with the ultimate choice. G-d begins the Parsha with a Beracha and Klala. The Beracha is conditional and contingent upon following the word of Hashem. The Klala comes if we don't follow that word. Almost immediately, the Torah drops the subject and turns to the rules of Avodah Zara and the Navi Sheker. But how do these concepts relate to the opening of the Parsha? Where is their connection of Beracha and Klala?

Sforno notes that the Beracha and Klala offered at the beginning of the Sedra are polar extremes. One cannot have a small amount of Klala with his Beracha. He must see his choice and weigh its dichotic options. Then, when making the decision he can indeed, succeed at reaping the reinforcement for his decision.

Harav Mordechai Shapiro Shlita once explained that the black and white thinking associated with the contrast of Beracha and Klala, applies to all matters of Mitzvot and Avodas Hashem as well. There is little that is actually a little bad but mostly ok. Thus, in the context of extremes, the Torah teaches us the rules of Abed Tiabdoom and Navi Sheker. Whereas the Avodah Zara might be somewhat ok for artistic reasons, if it is Avoda Zara, its potential is Ra. If a Novi Sheker can perform wondrous feats, that does not mean he has good qualities that are worthy of a "holy man" status. The choices are clear: We either choose Hashem and follow his rules fully or we are in arrears. The black and white choices in Torah Mitzvot are clear. But what about the dilemmas of daily life that they are to be implemented in. This week's Chaburah examines a full decision of all or nothing proportions. It involves the Banim L'Makom. It is entitled:

All My Children: A Rejection/Soap Opera Dilemma

One of the most difficult problems principals and school administrators face, is the discussion of expulsion in the face of discipline for the children that they are supposed to educate. If a child is a disruptive child, he prevents others from learning and perhaps needs to be moved to a better location that might facilitate more learning in the classroom. On the other hand, expulsion limits the

learning opportunities that exist for this child. What does Halacha have to say about "all the children" in the classroom?

The Talmud (Bava Basra 21a) notes that it was Yehoshua Ben Gamla who, working with the leaders of his day (acc. to the Meiri), set up a day school system that began to educate the Jewish children at the age of 6 and 7. Prior to his action, it was the obligation of the father to teach his son Torah. That obligation remains today. However, in the time prior to Yehoshua Ben Gamla, those who were not able to teach their sons, did not. Yehoshua made it a communal responsibility to teach Torah to the young people in the community. The Rambam (Hil. Talmud Torah 2:1) explains that any city not willing to build a Yeshiva for its children is deserving of Cherem (excommunication). (For further discussion of the communal obligation to build Yeshivot, see Tashbatz III:153; Shut Maharashdam O.C., 204; Minchas Yitzchak, X:84; Aruch Hashulchan Y.D. 245; Ten Daat I:2:18-19).

The Talmud quotes Rav who notes that a child of limited cognitive abilities should not be over-pressured but should sit with his classmates and attempt to pick up as much as possible. Rashi seems to understand this concept as non-binding Halachic good advice. The Nimukei Yosef disagrees. He (B.B. Rif pages 10b) explains that it is binding. A teacher may not remove a student from the school for poor learning skills. The Shulchan Aruch (Y.D. 245:9) too, seems to agree with the Nimukei Yosef, noting that a child may not be kicked out for not knowing.

However, it appears that the discussion of Rashi and the Nimukei Yosef does not address the issue of removing a disruptive child from the classroom or the school. Can the cost to the general class outweigh the benefit of a particular student? That question was only addressed later.

When asked, the Rogatchover Gaon (cited in Noam, X:p. 322; also Shut Tzafnat Paneiach II:17) responded that if they are still studying the Torah of Hashem, one may not remove weaker children and replace them with stronger children in the classroom. Rav Moshe Feinstein (Igros Moshe Y.D. III:71) differentiates between children who aren't studying but aren't hurting others versus the interruptive student. The latter, Rav Moshe held, needed to be removed from the classroom but only with serious contemplation as removal from a school is akin to a capital sentence. Rav Kapach (Commentary to Rambam, Hil. Talmud Torah 2:2) argues that a child who is disruptive ruins the rest of the group and needs to be removed if he cannot be disciplined.

However what happens to the angel in the classroom who is a terror on the streets? Can a school remove a student who does not portray conduct becoming a Yeshiva student if the transgression occurs outside of the school grounds?

Once again, Rav offers comment on the matter. He explains (Chullin 133a) that a person who teaches a student who does not act properly (Hagun) is as if he is throwing a stone to Avoda Zara. Rashi explains that such a student is actually Talmid Ra (a bad student). Maharsha explains that this means a student who will use the knowledge in a poor manner, such a student is called Ra and is the intended in the statement of Rav. The Rambam (Hil. Tal. Torah 4:1) explains that one may only teach Torah to a Talmid who is worthy (Hagun) or is a Tam. If these criteria are not met, then the student must be instructed in the proper way to act and only after checking to see if he is acceptable may one accept him back into the Beis HaMidrash (See also Shulchan Aruch Y.D. 246:7). Meiri (Avot 1:2) encourages leniency in this matter unless the student's behavior is clearly unworthy. He adds that only after careful scrutiny may one remove him. This practice was the same in community enactments in Viznitz (5474) and other communities. In those cases, it often required action based upon the communal elders and only after repeated efforts to restrain the evil behavior (See Techumin XVII:145).

The Chida (Pesach Enayim Avot 1:2) adds that if the students are ruining others even in practice (i.e. outside the classroom), they should be removed. Rav Moshe goes one step further (Igros Moshe Y.D. III:77:3). He adds that if a child's home situation is going to teach others the wrong practices (i.e. intermarriage is ok), the child must be removed from the school. Rav Hutner (cited in Apik B"Negev p. 241)

explained that when a child's personal difficulties enter the classroom, the other children's souls may not be interfered with. However, he added that it does not remove his (i.e. the teacher's) obligation to try to engage the student on a certain level. He must try to deal with the student, but not at the cost of the Neshamot of the other children (Rav Lau expounds on this idea in regard to teaching Chilonim See Torah She'Baal Peh XXIII:77:83; See also Rav Scherman, Techumin XIII:274-280).

In the end, the school must try to provide an education to each student in the community. However, that requirement cannot come at the learning expense of the other children.

***** Battala News

Mazal Tov to Mr. and Mrs. Gershon Seiferas and Family upon the birth and Bris of a Baby Boy. Special Mazal Tov to Shlomo Weissman. Mazal Tov to Mr. and Mrs. Jason Esses upon the birth of a baby boy. Mazal Tov to Mr. and Mrs. Benjamin Dimentstein and family upon Gary's Aufruf. Mazal Tov to Mr. and Mrs. Shlomo Krietman upon their recent marriage. Special Mazal Tov to Shlomo Weissman and the Weissman family. Hear Internet Chaburah live!! Every Tuesday Evening at Kehillat Ateret Zvi, Fifth Avenue Synagogue, 5 East 62nd Street New York, NY 10021. For further information call (212) 838-2122 To subscribe to this group, send an email to: internetchaburah-subscribe@yahoo.com

From: ohr@ohr.edu To: weekly@ohr.edu Subject: Torah Weekly - Parshat Re'eh

* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshat Re'eh For the week ending 3 August 2002 / 25 Av 5762 Sponsored by Kof-K www.kof-k.org | info@kof-k.org

"Ladies And Gentlemen, Due To Circumstances Beyond Our Control..."

"The blessing - that you listen to the commandments... And the curse - that do not listen and turn aside from the way..." (11:27-8)

I remember being the grateful father of a newborn son.

There are very few occasions that compare with the joy of a brit mila, the spiritual rite of passage when a Jewish boy is brought into the covenant of Avraham on the eighth day of his life. A feeling of expectancy filled the house. Relatives came from thousands of miles away. The sage and the saintly were duly informed of the time and the place.

Everything was set.

However, as happens quite often, the baby decided to develop non-threatening infant jaundice. It cleared up within a couple of weeks and, with great joy, I brought our young son into the Covenant of Avraham. By that time, however, the eighth day had already been and gone.

In a certain sense, however, I really had brought my son into the brit on that eighth day.

At the beginning of this week's Torah reading, when describing the blessings that come from following the Torah path of spirituality, it writes "... that you will listen..." However, when speaking about the devastation caused by not listening to the Torah, it adds the phrase "and you will turn aside from the way..."

Why the additional phrase?

Sometimes we want to do a mitzvah, like bringing our son into the covenant on the eighth day as the Torah mandates, but circumstances beyond our control prevent us. However, G-d, in His infinite kindness, fuses our desire to do with the doing, and considers the mitzvah as though it was actually done it.

The mere thought of doing a mitzvah - "that you will listen" - is itself a mitzvah. However, when a person thinks about doing a sin, until he actualizes his thought, until he "turns aside from the way" it doesn't get marked down on his scorecard against him

Sources: Be'er Mayim Chaim, Malbim, Mayana shel Torah

Written and compiled by Rabbi Yaakov Asher Sinclair

From: Mordecai Kornfeld [kornfeld@NETVISION.NET.IL] To: daf-discuss@shemayisrael.com; Hersh.Tuvel@ato.gov.au; Ysilber@AOL.COM Subject: Re: Chesurei Mechsera
THE DAFYOMI DISCUSSION LIST brought to you by Kollel Iyun Hadaf of Yerushalayim Rosh Kollel Rabbi Mordecai Kornfeld ask@dafyomi.co.il

Re: Chesurei Mechsera Tuvel, Hersh <Hersh.Tuvel@ato.gov.au> asked: When we say re a Mishnah that "chesurah mechserah" what do we mean? 1/Did they learning incorrectly in the time of the Mishnah 2/Did they learning incorrectly in the time of the Gemorah. 3/ Does "chesurah mechserah" actaauuly mean the Mishnah is missing some words ? If so why in a "Misnayis set" do we not put back the words? OR does "chesurah mechserah" merely mean that "this is the explanation of the Mishnah" rather than "the Mishnah is missing something"?

The Kollel replied: >>...The VILNA GA'ON (end of Divrei Eliyahu, section entitled "Kelalim") takes this further and says that when the Gemara uses the term, "Chesurei Mechsera v'Hachi Ketani," it does not mean to reject the original reading of the Beraisa, but rather the original reading is also true, and it either can be read to mean what the Gemara says that it means, or it is teaching a different point. In this understanding of Chesurei Mechsera, the Ga'on was preceded by Rabeinu Bachye (a Talmid of the Rashba, Shemos 34:27). Yerushim Silber <Ysilber@aol.com> adds: Regarding the discussion of Chisurei Mechsera, I once heard in the name of Rav Hutner z'l that Chesurei Mechsera was put into the Mishne intentionally by Rabbeinu Hakodosh when he compiled the Mishnayos. This was done as part of Torah Shel Bal Peh, that even though the Eis Laasos was to put the Mishnayos in writing, he still wanted people to be mifalplel in order to reconcile the Chesurei Mechsera. Yeruchim Silber Brooklyn, NY