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INTERNET PARSHA SHEET
ON **BESHALACH** (Tu B'shvat) - 5767

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Rav Soloveitchik ZT"L Notes

(Volume 3)

Notice These are unapproved unedited notes [of R.Y ?] (Rav Soloveitchik did NOT write these notes.) [Thanks to David Isaac for typing these notes]

Lecture delivered by Rabi Soloveitchik Saturday evening, February 10, 1979. "Parsha B'Shalach"

In today's Parsha B'Shalach we come across strange words in the first 5 P'sukim. "Vayhi B'Shalach Paroh Es Hu'om, V'loh Nochom Elokim Derech Eretz P'lishtim, etc." In all parshas, G-d is referred to by the name "Shem Havaya" -- the Tetragrammation (Yud Kay Vav Kay). Here it is written "Elokim". There in the entire Sedra we find the name "Hashem" straight through except for the very beginning. We find a similar question in the encounter between Hashem and Moshe at the "Sneh" -- the bush. (Shmosh, Chapter 2, line 23). "Vayhi Bayomim Horabim Hohaym"; we find again "Elokim". Also in Shmosh (Chapter 1, line 17), "And the midwives feared G-d and did not do as the King of Egypt bade them and saved alive th male children) -- again Elokim! Again at the "Sneh" in sentence 4, we find angel of "Hashem" and then "Hashem saw that he turned aside to see and "Elokim" called to him. Further in sentence 11, "And Moshe said to Elokim, who am I etc". Finally in sentence 14, G-d granted Moshe permission to call Him Hashem. "Ehyeh Asher Ehyeh". We'd like to have clarity why Torah changes it several times.

Let us analyze why Hashem and why Elokim. The name "Havayah" was revealed to Moshe when G-d was about to send him. Moshe asked His name and was answered, "Havayah". Before that we always employ Elokim. The following was evolved by the great commentator Kozaya. After Creation we always find the "Havaya". When G-d reveals Himself to man it is through two media. There are for example the ideas of Y'hi Ohr (let there be light). It was called into existence and it does exist! Secondly, this also includes the function and existence of light. It is always constant; it never changes. A philosopher declared that he couldn't see a tree changing its phenomena in a fraction of an instant. In other words, a tree cannot be barren one minute and covered with leaves the next. Such is with light. It is a steady identical performance. Creation is not only the beginning but the continued function. If there were Cosmos instability, there'd be no scientific research. This is "Y'hi Ohr". This is Elokim. As Elokim, He

created, carries and sustains the world. And He makes it function constantly. We find this idea expressed in the 104th Psalm of Tehilim - "Borch'i Nafshi". What is the idea in Sedra Haazinu that Moshe should invoke Heaven and Earth? One interpretation is that he invoked longevity -- something which exists for ever as witnesses. Rashi quotes another interpretation. "Did heaven ever change its activities? Did the sun ever reverse its course, rising in the west and setting in the east? Did wheat planted ever produce rice or oats? There is a routine in nature and now should follow. Thus, Y'hi Ohr is not only creation ex nihilo but constancy. G-d supervises function of the Cosmos. This is basically the function of our daily Brochos. G-d reveals to man through the Cosmic nature. This is simply His dynamics. He is the Bal Hakochos -- master of strength.

Then there is the "Shem Havaya" as Kuzaya says. It is relationship of G-d and man. As two people become acquainted, G-d calls man and reveals Himself. "I am G-d!" It is the principle of prophecy. "Havayah" is direct relationship to man. The Alm-ghty befriends man and makes man talk to Him. This is Maimonides idea. There are two aspects of prophecy. "He inspires man -- man establishes a relationship. After the conversation ends man is burdened with a load. "Maaso B'yad Hashem" -- burdened by hand of G-d. One does not turn away just as that! It is not light, it is a heavy load for man. Thus Moshe was not eager to accept and the same was true of Jeremiah. Moshe's burden was not as onerous but Jeremiah had to come to the people, tell them that the people will be killed, that their King will be blinded, that their Temple will be destroyed. It was not an easy job and it was easy to see his reluctance. Neither Moshe nor Jeremiah were eager to accept. According to Maimonides, prophecy (the state of it) should be the final objective for which every man should aspire. It is to reach a level spiritually at which "N'vuah" (prophecy) could be possible. When you meet with G-d, man is burdened a great load. A covenant is signed! G-d calls man often. We find in scriptures, "Abraham, Abraham! Shmuel, Shmuel. Moshe, Moshe." In Abraham's case he searched for G-d a long time- many years but at the end of the revelation it resulted in a covenant. No more was Abraham a free man! Thus not only a nation was formed but a great nation (Goy Godol). When he wants to redeem man, he will do it not by Himself but through the medium of man. It lasted seven days because G-d needed the "Sheliach" the messenger. Now G-d makes a promise, in spite of suffering the individual or nation will be redeemed and rewarded. If redemption is not possible in the natural way, G-d will suspend the Cosmic order for a fraction of a second to implement the promise which He made to the covenantal founder. This is represented by the Tetragrammation - the "Shem Havaya". It is the "Shem Havaya" which suspends the natural. We find this in Exodus! There was no war. If there were, Israel would have lost. In today's Sedra we find 600,000 Israelites against 600 Egyptian chariots. Why the great fear? We find this with Amalek. Amalek was not a major or powerful force. But here the Israelite had to fight. If G-d did not suspend the natural Cosmos the Jews would never have left. If it were postponed there would not be a community left -- died to assimilation. This suspension of the natural -- this speeding process is represented through "Shem Havaya".

Elokim works through a slow process. The people would not understand this. A basic change had to take place in their personality. Under these conditions of natural process it would have taken hundreds of years for them to be ready for "Kabalas HaTorah" -- receiving the Torah. "If I have to wait for them to repent and come back, they never will." "Midas Elokim" (natural order) should have been the entire 400 years. Instead, we find it in four generations (Moshe, Amram, K'hos, Levi). Rabbi Akivah says that the 400 years were converted to 4 generations. This is "Midas Havaya" the speeding process. Thus Moshe said, "It is too soon!" Medrash says, "When I tell them of redemption they will say, 'It is too soon!'" G-d says, "if not now, it will never happen!"

"M'Karetz al Heorim." "Havaya" acts instantaneously it eliminates the slow process. If they acted differently, (no danger of Avodah Zorah). Elokim would have prevailed. Instead, "Havaya"! This is why the name

told to Moshe was, "Ehyeh Asher Ehyeh." Thus they will be able to say in such a short time, "Naase, V'Nishma". The same will also apply in the days of Moshiach.

Events which are happening today - the painfully slow process, the accusations and counter accusations can be appreciated from the standpoint of Elokim. That is one explanation. Another explanation is that if you extend the idea of "Havaya" it should be extended to Esther. The idea that the megilah should be incorporated into the holy writings and that Purim should be accepted by Sanhadrin is indicative of "Havaya" - a sudden divine change. There have been instantaneous reactions in everyone's life. That which profoundly changes our lives is "Havaya". We find in Torah, Etzba Elokim (a slow process) but at the sea they saw "Yad Hashem" - Havaya.

In today's "Shira" not a word is mentioned about Mitzraim. There was no "Shira" about Mitzraim. The only one who praises G-d for Egypt is Yisro. "Blessed is G-d who saved you from Egypt!" Moshe only said "Shira" about that which the people saw and were impressed. The people didn't realize "Havaya" at Egypt (the process was too painfully slow). They did realize it at "Yam Suf". G-d can get along without thanks if we are not impressed. Moshe did not feel that "Shira" was necessary until the people were impressed, until they accepted G-d's kingship. Then he said Shira! "Eser Makos" (the ten plagues) did not impress them.

The same applies to each person! Some are sensitive; some find Havaya every day. "The fact that I can walk, I can speak -- I can still teach Chumash every Saturday at my age!" It all depends on how we look at it. We need the double approach. Everything is natural and many are supernatural. It depends on the individual.

In Sedra "Vayera", in the first few lines, Rashi says: "They (the Patriarchs) knew me as "Kal Shaddai". (It is sufficient that I promise you). I was not known to them "B'Midas Hashem" -- the attribute of Havaya. They didn't see the absolute truth! I made promises and I didn't fulfill. (I promised them the entire land. Yet Abraham had to pay 400 Shkolim for a grave site. Yitzchak had to struggle for wells. Yaakov had to pay 100 pieces of silver for a parcel of land in Shchem.) It means their era was the era of promises. There is the era of promises (short - it is quick to promise) -- and the era of fulfillment (it takes long to fulfill). As humans, they die before the realization of the promises). "You Moshe are fortunate that you live in the time of fulfillment. Abraham knew me as Elokim. I could burden you as I did Abraham. It will take a long time! Those are the promises which we find in Sedra "Haazinu" - for the Messianic future. That which I promise now will come quickly because I reveal myself as "Havaya". "Havaya" has no patience. That which shall happen comes instantly.

Now reverting to the opening statement - we have all the Elokims in the first few sentences. For a short time, for a few seconds He availed Himself as "Elokim" - the circumventing of the land of the Philistines, the trek in the desert, the roundabout route. He took them out with "Havaya" but here there are tremendous risks with "Elokim" - with the slowness of natural order. He changed the route from straight to circuitous. Had the Havaya been used, then Bnai Yisrael would have reached Eretz in 10 days. There would have been a change in history. If Moshe would have brought them in, the Kings of Canaan would have given up instantly, there would have been no Temple destruction, no expulsion. The whole history would have changed. But we don't understand and have no right to question! The risk of taking them by Philistia was dangerous. They might have returned. It is hard to reconstruct the route. Why so circuitous? Under "Havaya" they would have been protected - would have reached their goal very quickly. There is the circuitous route of Elokim because Moshe couldn't entre and it is very tragic. Moshe wanted the kingship, not kingship as we know it for he was a King. He wanted the "Messianic Kingship" and G-d said "no". This is the kingship which was denied to him. Had he taken them by the "Plishtim" as "Havaya" it would have been completely different.

Now in Shmos (Chapter 3, line 3) why does does "Havaya" change to Elokim? G-d saw that Moshe turned aside (to see the burning bush). "Sor"

does not mean to move. We find similar wording in Bereshis (Chapter 19-line 3) concerning the angels at Lot. "Vayosuru Aylov" - (they turned to him). The angels departed from the usual route to zig-zag -- to come through the back way in order to mislead the people of Sodom. Here we find with Moshe, "Osuro No" (I will turn aside). Not only Moshe saw the burning "Sneh"; -- others saw it and disregarded it. Their philosophy was simple, materialistic approach. Theirs was not to see miracles. To them, there would be some explanation why the bush didn't consume faster. Only Moshe saw it as a G-dly process. Moshe said, "Osura - Hamarah Hagodol" -- "I'll turn, I'll study it; it is out of the ordinary. It belongs in the category of "Havaya". G-d declares "There is someone capable of representing me as "Havaya" -- not in natural terms but in transcendental terms. G-d addressed Himself as "Elokim" because Moshe would be confused. "You Moshe, will be the representative not only of Elokim -- the natural order, but a representative of "Shem Havaya". "I am the G-d of Abraham, Isaac and Jacob. I'll have to change the order! You'll have to represent me as "Havaya". All promises will be quickly revealed.

from "TorahWeb.org" <torahweb%torahweb.org@torahweb.org> hide details Feb 1 (18 hours ago) to weeklydt@torahweb2.org date Feb 1, 2007 5:44 AM subject Rabbi Mordechai Willig - Defying Nature html version: http://www.torahweb.org/torah/2007/parsha/rwil_beshalach.html

Rabbi Mordechai Willig Defying Nature

I

"The sea saw and fled" - vayanos (Tehillim 114:3). What did the sea see that caused it to split? The coffin of Yosef, as it says (Breishis 39:12), 'and he fled - vayanos - and went outside' (Breishis Rabba 87:8).

What is the connection between the righteousness of Yosef, who resisted the advances of Potiphar's wife, and the splitting of the sea which saved Am Yisroel? Initially, the sea refused to split, citing the natural order, and didn't do so until it saw Yosef's coffin. Yosef defied human nature that would otherwise have made it almost impossible to avoid sinning (Sotah 36b, see Rashi Breishis 49:26). If he could overcome the most powerful drive of human nature, the sea could overcome its nature of not splitting as well.

How did Yosef overcome his natural instincts? He focused on the image of his father Yaakov which was, in fact, supernatural, as it was engraved on Hashem's heavenly throne (Breishis Rabba 82:2, Rashi Yechezkel 1:5). By focusing upon it, Yosef was able to defy nature, thereby enabling the great supernatural miracle of krias yam suf.

II

"In the merit of bris milah I will split the sea for them" (Yalkut Shimoni Yirmiyahu 33 [321]). One of the reasons given for bris milah is that it curbs the male desire, enabling man to overcome his lusts (Moreh Nevuchim). This ability to overcome human nature based on bris milah caused the sea to split against its nature, just as Yosef's coffin did.

We see the custom of reciting shiras hayam responsively on the day of a milah, highlighting the connection between mila and krias Yam Suf. Furthermore, the piyut Yom L'yabasha by Rav Yehuda Halevi is recited at a bris and on the seventh day of Pesach. This liturgical poem refers to bris milah and krias Yam Suf, further emphasizing the connection between them. In addition, the first word of the shira, az, has the numerical value of eight, corresponding to the eighth day of mila. The Maharal (Ner Mitzva) explains that the number eight represents the supernatural.

Finally, the medrash (Vayikra Rabba 21:5) says that Aharon enters the Kodesh Kodoshim b'zos, in the merit of mila described (Breishis 17:10) as "zos brisi". The Kodesh Kodoshim is a completely spiritual place. Only one who rises above nature through bris mila can enter there. The Maharal adds that the world was created in seven days. Since seven represents nature,

eight is supernatural. The eight days of Chanuka and the eight garments of the Kohein Gadol reflect this theme as well.

The phrase “hashira hazos” (Shemos 15:1) is connected to zos brisi of mila. We are now fit to sing this song for we have undergone bris mila (Shemnos Rabba 23:12). The connection between mila, krias yam suf and the subsequent shira is their common reflection of the supernatural.

III

A man was about to sin with a beautiful woman. At the last minute his tzitzis flapped into his face, and he overcame his desire to sin. The woman was so impressed by this miracle (Rashi) that she found the man’s rebbi and beis medrash, converted to Judaism and married him (Menachos 44a).

Tzitzis empowers a man to defy his nature by not straying after his eyes (Bamidbar 15:39). Like the image of Yaakov Avinu, the techeiles of tzitzis resembles the sea, the sky, and the kisei hakavod, Hashem’s throne of glory (Menachos 43b). The eight strings of tzitzis, like the eight days of mila, represent the ability to overcome nature.

The eight strings of tzitzis correspond to the eight days leading up to krias yam suf (Rashi Bamidbar 15:41). Although the sea split at the seventh day of Pesach, we count eight from erev Pesach (Sifsei Chachamim, Rabbeinu Bachya). This unusual starting point is used to link the supernatural miracle of krias Yam Suf with the number eight and the ability of tzitzis to inspire us to overcome nature.

In the piyut Yom L’yabasha, Rav Yehuda Halevi mentions tzitzis immediately after bris mila. These two mitzvos, linked to the number eight, enable us to overcome nature. In this way they relate to krias Yam Suf, the ultimate miracle performed on the eighth day.

IV

The Ohr Hachaim (Shemos 14:27) explains that at the time of creation Hashem stipulated that nature is subservient to Torah and those who toil in it. When the sea realized that Moshe was a true ben-Torah, it split in accordance with the aforementioned stipulation.

The Torah is a supernatural force, given after seven weeks which represent nature (Maharal). It preceded the creation of the world (Breshis Rabba 1) and represents the wisdom and essence of Hashem Himself in this world. Accordingly, if one is sufficiently involved in learning Torah, he can overcome the natural temptations of the yetzer hara (Kiddushin 30b). One must focus himself and his thoughts on divrei Torah, for erotic thoughts prevail only in a heart bereft of Torah wisdom (Rambam Isurei Biah 22:21).

In today’s world, the yetzer hara is closer than ever, accessible with the click of a button. Pornographic offerings flood the internet. Many have strayed after their eyes, and some have become addicted. One precaution is to prohibit yichud - seclusion - with the internet. The computer screen should be in a public part of the house, and its activity should be traceable by another person.

No precaution can prevent a committed sinner from achieving his goal. We must be proactive in avoiding this behavior pattern and the only way to do so is to increase Torah study and a deep commitment to a Torah way of life.

V

Parents are duty-bound to take appropriate precautions to protect their children from succumbing to the ever present yetzer hara. New technology demands greater vigilance. More importantly, parents must serve as proper role models for their children. Yosef was saved by the image of his father Yaakov. Every parent must play such a role.

While none of us can be as great as Yaakov, we must do our best to create an image which will deter our children from sinning. This requires greater involvement in Torah study and practice, and total avoidance of impropriety in matters relating to arayos. Children are acutely aware of any indiscretion in this area. A father who tells, or even smiles at, off color jokes (see Shabbos 33a) or a mother who dresses provocatively do not provide images to deter their children from doing likewise or worse. One who converses with or touches a man/woman in a manner proscribed by halacha implicitly

encourages one’s children, who have no established borders, to violate even greater aveiros.

Even worse are parents who claim to be totally virtuous, and demand that their children do likewise, while surreptitiously talking, looking, or acting in a halachically prohibited way. The hypocrisy leads to a greater degree of disrespect by children towards their parents.

While youngsters are attracted to permissive lifestyles, they leave halachic practice not so much because of this attraction but rather because of repulsion from the Torah way. This is the essential thesis of the recently published work “Off the Derech” (by Farahak Margoese, Dvora Publishing). Hypocrisy and inconsistency of parents (and teachers) in any area is devastating. In the realm of arayos such behavior’s impact on children is even more damaging.

Indeed, the only way to avoid the pitfalls of the yetzer harah is by placing greater emphasis on Torah and yiras Shomayim. As we read about the supernatural krias Yam Suf, we must recall that Yosef’s overcoming human nature, with the help of the exalted image of Yaakov, enabled this miracle. The symbolism of mila and tzitzis, and the subservience of the natural order to Torah, are critical lessons derived from their role in krias Yam Suf as well.

The miracle of krias Yam Suf portends the great miracle of the ultimate geulah. If we can defy human nature and lead our lives according to halacha, and not succumb to the ever present temptations that surround us, we will hopefully hasten the final redemption.

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From: “Seth Ness <ness@aecom.yu.edu>“ Date: 2/2/96

2:05am Subject: enayim l’torah beshalach

Beshalach

Enayim L’Torah

Parshat B’shalach Publication of Student Organization of Yeshiva University

On Emunah

by Rav Aharon Kahn

We would expect that the scientist of today would be the greatest Ma’amin. After all, who knows better than the astronomer the profundity of the cosmos? Yet he is not a Ma’amin. Who can peer into the very edge of being, intuit the infinitesimal, claim the microcosmic, if not the nuclear physicist. But he too is not a Ma’amin.

Who, if not the scientist on the threshold of discovery, about to learn what no other human knows, can better sense what the hand of Hashem has wrought. Why, then, are there so few scientists intoxicated with Hashem? what happened to modern man that, although he can appreciate Hashem’s world as never before, he does not know Hashem? All man needs, the Ramba”m teaches, is to contemplate the creation, to gaze upon the Divine Handiwork, and he is seized with a profound love. He sings panegyrics to the Creator and craves to know Him. If so, we must ask, what has happened to modern man? What happened to modern Homo Sapiens, apparently capable of sensing the infinite and the infinitesimal and yet incapable of sensing Hashem? Where are the odes of joy, what happened to the paeans to Hashem? Why has modern man forgotten even how to pray?

The answer is that modern man is thoroughly intoxicated with himself. Look at the concrete towers, the steel pyramids, the mighty bridges and tunnels, and despair! As the Torah warns the generation about to enter Eretz Yisrael: “Lest you eat and be sated, build houses and dwell therein, grow in gold and silver, and declare: ‘My strength, the force of my own hand, has wrought for me all this might.’“ The “Kochi V’Otzem Yadi” of today’s scientist does not let him peer beyond the telescope to discover Hashem. The scientist is too intoxicated with his capacity to launch a telescope beyond earth’s atmosphere and then correct with amazing

prowess the lenses' defects. In this telescope's mirror he can see nothing but himself.

The Chofetz Chaim marveled at the innovation of the telegraph and the telephone. He sensed that man would better comprehend the dictum in Pirkei Avot: "Know what is above you an eye that sees, an ear that hears." Today we have sophisticated computers which allow us to do what was unimaginable yesterday. Should we not be sensitized by the computer's speed and capacity to be more aware than ever of the "Kol Ma'asecha BaSefer Nichtavim". Yet we are more remote than ever. Today's agenda, burning and urgent, in every day school and every cheder, in every yeshiva and every Bais Yaakov, is the Ribono Shel Olam. We must understand that today our mandate is to return Hashem to His world. Whether in our B'rachot or in our Chumash lessons or in our science projects, we must place Hashem back into equation.

A Talmid became a Melamed in a modern day school. "Any words of advice?" he asked, as he informed me of his recent appointment. I told him, "teach them Chumash and Na"Ch and Halacha, but don't forget to teach them Hashem."

The Atah must be returned to the Baruch Atah . . . We must regain the sense of our presence before Hashem. We know, most of the time, that in shul we are Lifnei Hashem. In a very real sense, however, the entire world is Lifnei Hashem. That is the sense we should have after reciting the hundred daily B'rachot. Whatever we do, wherever we are, morning to night we recite Baruch Atah.

Eino Domeh Mi SheShoneh Pirko Meah Pe'amim. We practice saying Atah Hashem a hundred times a day! A hundred times a day we declare to Hashem in the personal, familiar "You" that we are in the middle of a cosmic rendezvous with Him. This is the "You" of Reb Levi Yitzchak of Berdichev, who used to sing a "Dudele" to Hashem. Mizrach? Du! Maarav? Du! And it was Du, the familiar "you" in Yiddish; not "Ir" which is the formal, official "you" in Yiddish. East, West? You Hashem, only You!

The Ramba"n at the end of his commentary on Parshat Bo makes a powerful remark: "A person has no part in Torat Moshe if he fails to perceive the miracle of the everyday event, if he cannot see Hashem's command in all that befalls him." As once again we read the Shirah, let us repeat VaYaminu BaHashem with the conviction of a witness who sees and hears and feels Hashem everywhere.

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BESHALACH 5757 Next week: Yisro

A. Summary

1. The Jews Leave Egypt. When the Jews left Egypt, Hashem led them to Israel via an indirect route (i.e., not through the land of the hostile Philistines, lest they encounter hostile armies there and come to regret leaving Egypt). The Jews journeyed led by a pillar of cloud by day and a pillar of fire by night. (As Yoseph had been promised, Moshe brought along his remains for burial in Israel.) The Jews reached Etham on the wilderness' edge and were commanded to turn back and camp by the Red Sea. There, Pharaoh would pursue them (thinking they were trapped), but Hashem assured them that He would again save them.

2. The Splitting of The Red Sea. Pharaoh immediately regretted letting the Jews leave and, accordingly, assembled his entire army to pursue them. When they were on the Jews' heels, the Jews panicked and complained bitterly to Moshe, saying that "it would have been better for us to serve in Egypt than to die in the wilderness". However, Moshe assured them that Hashem would again save them. The pillar of the cloud moved to the rear, creating a veil of darkness that hindered the Egyptian advance. At

Hashem's bidding, Moshe stretched out his hand over the Red Sea and a strong east wind blew and divided the waters, allowing the Jews to cross on dry land. The Egyptians attempted to follow them, but were thrown into confusion by Hashem, Who caused their chariot wheels to become stuck in the wet sand. Moshe then stretched out his hand over the sea, and waters drowned the Egyptians and their animals. Upon witnessing this miracle, the Jews collectively sang a song ("Az Yashir") praising Hashem's infinite power in destroying their enemy.

3. The Waters of Marah. The Jews continued their journey, reaching Marah ("bitterness"), so named because of its bitter waters. The people became thirsty and murmured against Moshe, who was shown a tree which when thrown into the waters made them sweet. The Jews refreshed themselves and continued on.

4. Manna From Heaven. One month after leaving Egypt, the Jews entered the wilderness of Sinai. Soon their lack of food made they wish they died amidst the "luxuries" in Egypt. Hashem made it known that He would cause bread to rain from heaven and would test whether the Jews obeyed His law. In the evening, quails came to the camp, providing the Jews with meat; in the morning, the ground was covered with Manna (which tasted like whatever its consumer desired). The Jews were commanded to each gather no more than an Omer (approximately four pints) of Manna per day; however, on the sixth day, they were told to gather a double portion so that they would have Manna on Shabbos, when work was prohibited. An Omer of Manna was placed before the Ark in the Mishkon (the tabernacle) as a testimonial to Hashem's kindness.

5. The Jews Again Complain About The Lack Of Water. At Rephidim, the people again complained to Moshe about the lack of water. At Hashem's bidding, Moshe struck the rock on nearby Mt. Horeb with his staff, causing streams of water to gush forth, and the people drank to their hearts' content. The place where this miracle occurred was called Massah-Meriva.

6. The Tribe Of Amalek Attacks The Jews. At Rephidim, the tribe of Amalek, descendants of Esau, attacked the Jews. The Jews, led by Yehosuhua, fought back. While the war raged, Moshe (accompanied by Aharon and Chur) went to the top of the hill holding his staff. When he raised his hands in prayer to Hashem, the Jews prevailed. The battle lasted until sunset, when Amalek was decisively defeated. Moshe was told to record the incident and impress its occurrence upon Yehoshua (who would lead the Jews into Israel). Because of their treachery in attacking the Jews, the tribe of Amalek was to be totally destroyed and its memory eradicated.

B. Divrei Torah

1. Lilmode Ul'lamed (**Rabbi Mordechai Katz**)

a. The Miracle of The Red Sea/Unwavering Faith In Hashem. The Jews were terrified as they stood on the shores of the Red Sea watching the Egyptians advance. However, when the great Nachson ben Aminodov, fully confident that Hashem would save him, stepped forward and jumped into the waters, the waters parted. It was his unwavering faith in Hashem which led to this great miracle. Another example of such faith is Rabbi Shimon ben Gamliel, who disobeyed a decree against performing a Bris on his child. When the emperor heard that he had disobeyed the decree, he summoned him to trial. On the way, Rabbi Shimon and his wife befriended a noble aristocratic non-Jewish family, who had mercy on them and temporarily swapped babies so they could show the emperor that "their" son was uncircumcised. The charges were dismissed and their son grew up to be the great Rabbi Yehuda Hanassi.

b. Seeing Daily Miracles. Every Jew was ordered to collect only a set amount of Manna each day; whatever excess manna was taken (except on the sixth day) would rot, since whoever took any excess exhibited a lack of faith in Hashem. Whoever believes that Hashem will not come to the aid of the Jews in our time is equally wrong, for our continued existence, the miracles of nature and many other world events constantly evidence Hashem's enduring assistance. However, like the Jews in the desert, we too

often them take the daily miracles for granted. We must take the time to appreciate all of the marvels of Hashem's nature and to perceive that miracles are constantly happening around us.

2. Growth Through Torah (Rabbi Zelig Pliskin)

a. Only by mastering your thoughts will you truly experience freedom in your life. "And on that day the Almighty saved the Jews from the hand of Egypt". The Ohr Hachayim notes that the Jews were not considered free until the Egyptians drowned in the Red Sea. We learn from this that a person isn't free until he/she personally feels free. A person who worries and feels insecure remains imprisoned. To be free, one must gain control over one's thoughts and worrying. For if one worries about the future, even if events turn out exactly as one hopes, one still suffers (unnecessarily) in the present.

b. Sweeten your outlook on life. "And the Jews were not able to drink the water at Marah for they were bitter." The Kotzer Rebbe explains that the words "for they were bitter" refer to the people themselves; when someone is bitter, everything tastes bitter. By sweetening one's outlook, one is able to live in a much sweeter world.

c. Patience decreases worry. After the Jews left Marah, they arrived in Eilim where water was plentiful. The Chofetz Chaim commented that we, as mortals, have limited vision. Because of our limited vision, there is something we always feel we are missing. If the Jews had realized that the plentiful waters of Eilim were "just around the corner", they would have been able to be more patient. The source of people's complaints in this world, said the Chofetz Chaim, is that they are not able to see what will be in a short time, for many things which we complain and worry about turn out much better than we imagined. The best antidote for worrying is past experience -- when things turned out better than we imagined. By developing greater trust in Hashem, we are able to turn our focus to improving our situation (rather than worrying) and becoming more patient.

3. Artsroll Chumash

a. A Schooling In Faith. R' Chananel explains that another reason for Hashem leading the Jews out of Egypt via the desert (i.e., the indirect route) was to allow them to witness miracles (e.g., the splitting of the Red Sea, the manna, etc.), so that they would learn first hand of Hashem's omnipresence and assistance. R' Hirsch notes that the purpose of the Jew's journey through the wilderness was to show them that Hashem is involved in the daily, "petty" human affairs (e.g., their water and food supply), as well as in cosmic occurrences (such as the plagues, the splitting of the Red Sea and other miracles).

b. A "Song" For All Time. When the Torah discusses the Jews' song after the splitting of the Red Sea, it changes tenses and says that they "chose to sing" (i.e., rather than they "sang") this song to Hashem. Or HaChaim says that this shows us that the ability to perceive Hashem's greatness and sing his praises is not limited to those who traversed the Red Sea; Jews are always capable of raising their spiritual perceptions to the level of song first experienced by their ancestors at the Red Sea.

c. Manna On Shabbos. R' Hirsch explains that the double portion of manna on Friday showed Israel that the observance of Shabbos would never be an impediment to a livelihood.

From: ravfrand-owner@torah.org on behalf of **Rabbi Yissocher Frand** [ryfrand@torah.org] Sent: Friday, February 10, 2006 12:24 AM To: ravfrand@torah.org Subject: Rabbi Frand on Parshas B'Shalach "RavFrand" List - Rabbi Frand on Parshas B'Shalach -

Complaining About The Quality Of The Miracle

I would like to share a Medrash in Shmos Rabbah that does not refer directly to a verse in Parshas B'Shalach, but rather refers to a pasuk in Psalms regarding an incident in Parshas B'Shalach: "Our fathers in Egypt did not contemplate Your wonders, they were not mindful of Your

abundant kindnesses, and they rebelled by the sea at Yam Suf." (vaYamru al yam b'yam suf) [Tehillim 106:7]

The Medrash is troubled by the expression "vaYamru al yam b'yam suf". This appears to be saying something more than the fact that they rebelled at Yam Suf. The redundant mention of the term "sea" (yam) seems to indicate that there were two rebellions at Yam Suf. The first rebellion was marked by the fact that no one wanted to descend into the Reed Sea. It was not until the leader of the tribe of Yehudah led his tribe into the water, triggering the miraculous splitting of the sea, that the other tribes followed into the Yam Suf. The Medrash notes the special role of the tribe of Yehudah at this time in the words of the later psalm "When Israel left Egypt... Yehuda became His sanctified one..." [Tehillim 114:1-2]

This first rebellion is alluded to by the initial words "vaYamru al yam". What do the extra words "b'yam suf" add? The Medrash states that the second rebellion involved complaining about the muddy ground which they had to walk through after the Yam Suf split open.

Of course it was muddy! Anyone who has ever walked along the beach when the tide is going out knows that the sand where the water has recently been is muddy. The Jews complained that their shoes were getting full of mud. In the words of the Medrash, "Reuvin said to Shimeon 'In Egypt we were immersed in mortar and at the Reed Sea we are immersed in mortar. In Egypt we had the mortar that accompanied the bricks and here at Yam Suf we have the mud caused by the splitting waters.'"

This Medrash is amazing. Actually, it is not the Medrash that is amazing. It is the reaction of the people quoted by the Medrash that is amazing. Let us put ourselves in their shoes -- literally and figuratively. The Egyptians are behind us; the Yam Suf is in front of us. There is nowhere to go. We cry out to Heaven -- "What is going to be?" The Divine Word comes back: "Speak to the Children of Israel and let them go forward." One of the greatest miracles in the history of mankind occurs -- the splitting of the Reed Sea. What is our response? "Our shoes are getting dirty from the mud."

How can any person, given these circumstances, complain about mud? The answer is that people can complain about anything. Negative people can be negative about anything and everything -- even Krias Yam Suf. It is all a matter of attitude.

This was the "Dor De-ah" [Generation of Knowledge]. We should not abuse the people of the generation of the Exodus, but apparently this was a character shortcoming that plagued this particular generation. They were never happy.

The Jews in this week's parsha complain about the manna. This is repeated in Parshas BeHaloscha. "Mann for breakfast, mann for lunch, mann for supper, nothing but Mann! Oh for the good old days of Egypt!" In the middle of the description of the section of manna in BeHaloscha, the pasuk says "And the manna was like coriander seed and its color was like the color of b'dolach" [Bamidbar 11:7]. Rashi mentions that this pasuk is an editorial interjection. The pasukim before and after this interlude describe what the Jewish people were saying. Suddenly, in the middle of the discussion, the Torah comments: "And the manna was like coriander seed..."

Rashi explains: Come and let the world see what my children are complaining about. The manna is so special and so beautiful and yet they even complain about the manna. Mann was both a physical and a spiritual food. It tasted however the person wanted it to taste. It was a food that did not produce body waste. There was absolutely nothing wrong with it. It came at no cost; there was no effort in preparing meals. No mess, no fuss, low cholesterol, high fiber, non-fattening -- anything one wanted! And nevertheless they complained about the manna.

These are the same people who could complain that they had mud on their shoes from the bottom of the Reed Sea. It is the same psychological phenomenon. Such people will never be happy. There are such people in the world.

The Kotzker Rebbe has a very sharp comment that we have quoted in the past but is worth repeating. The pasuk in this week's parsha states: "They

came to Marah, but they could not drink the waters of Marah because they were bitter (ki marim hem). Therefore they named it Marah” [Shmos 15:23]. The simple meaning of the expression ‘ki marim hem’ is ‘because the waters were bitter’. The Kotzker, however, interprets the pronoun ‘hem’ [they] to refer to the people. The people were bitter and they complained about the water, just as they complained about the man and just as they complained about the miracle of the splitting of the sea. Nothing was good in their eyes.

It is tragic to have such a personality. Unfortunately we all know people like that and unfortunately we all act like this to a certain extent.

A Chassidic tale is told of a Chassid who was suffering from many misfortunes and he consulted his Rebbe to ask him for help in coping with his lot in life. The Rebbe advised him “I cannot answer you about your suffering, but Reb Zushia can. Go to Reb Zushia.”

When the Chassid came to Reb Zusia’s town, he was shocked to arrive at a depressing and dilapidated shack with leaks, a dirt floor, no heat and no furniture. Reb Zushia came to the door. He was severely stricken with boils all over his skin. He was wearing rags. The image of Reb Zushia and his impoverished hut made the visiting Chassid’s heart sink lower than it already was from his own suffering and troubles.

Reb Zushia asked kindly and calmly what he could do for the visitor. The visitor explained that he was referred by his own Rebbe to ask how one can handle suffering and develop a “Gam Zu L’Tova” [this too is for the best] attitude.

Reb Zushia replied, “Me, explain suffering?” He gently shrugged his shoulders in wonder and said, “How would I know? I have never had any suffering. One cannot learn a ‘Gam Zu L’Tova’ attitude from a person who has everything. I have everything!”

There are two types of people in the world -- those who see the glass as half empty and those who see the glass as half full. Some see a thorny rose bush and admire the beautiful roses, and some see it and complain about the fact that the roses have thorns.

We all have to decide what our attitude will be. But we must remember that if everything is bad in our lives, it may very well be ‘ki marim hem’ -- because we ourselves are bitter.

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From: Rabbi Goldwicht [rgoldwicht@yutorah.org] Sent: Friday, February 10, 2006 1:28 AM Subject: Parashat Beshalach 5766 WEEKLY INSIGHTS BY RAV MEIR GOLDWICHT Parashat Beshalach

In many communities, the custom when there is a simcha is to add several aliyot to the seven standard aliyot by breaking them into smaller sections. However, there are several aliyot that may not be broken. For example, we do not interrupt the tochachah to divide it into two aliyot so as not to begin or end with a curse. Another example is in our parasha, Parashat Beshalach. After shirat hayam, which concludes with the song of Miriam, the Torah discusses the episode of the bitter waters at Marah, which the nation was unable to drink until Moshe carried out Hashem’s instructions to throw an eitz into the waters to sweeten them. Only after this episode does the fourth aliyah of Parashat Beshalach conclude. The fact that we may not interrupt between shirat hayam and the waters of Marah implies a connection between these two episodes. What is that connection?

When Moshe Rabbeinu spoke with Pharaoh, demanding that he release Am Yisrael, the result was that Pharaoh increased their workload severely. Moshe complains to Hashem, saying, “From the moment (az) I came to Pharaoh to speak in Your Name, he has done evil to this nation, and You have not saved Your nation” (Shemot 5:23). Hashem responded that Moshe would see that Pharaoh would not only release the nation, but chase them away, leading Moshe to realize the error he had made by displaying this lack of emunah in Hashem. And here Moshe’s greatness is revealed. For once he realized his error, he wished to publicly apologize for it before HaKadosh Baruch Hu and before Am Yisrael. The most appropriate time to do this was at keriat Yam Suf, when they would be most receptive to his words. And so he began the shirah with the same word he had used in complaining, “az,” as if to say, as the midrash puts it, “With ‘az’ I did damage, and with ‘az’ I will repair.” In other words, Moshe wished, in the moment of geulah after years of slavery in Mitzrayim, to teach that even when life is difficult, when it seems as though things are only becoming more difficult (the first “az”), we should not be scared but continue on, until we can see the picture in its entirety (the second “az”). The greater the darkness, the greater the ultimate clarity and redemption.

HaKadosh Baruch Hu wanted this lesson, not to throw our hands up in defeat in times of adversity, to stick with Am Yisrael, and so he led them to the bitter waters at Marah. Moshe thought that perhaps the way Hashem would tell him to palliate the bitterness of the water would be by adding honey or sugar to it. But He told him instead to throw in a piece of wood, saying, The way of Man is to sweeten something bitter by adding something sweet; the way of G-d is to sweeten something bitter by adding something bitter. In other words, Man takes something bitter, like tea, and adds sugar, but the tea itself does not become sweet. We could theoretically remove the sugar in a laboratory, and the tea would remain as bitter as it ever was. The sweet ingredient simply masks the bitterness. HaKadosh Baruch Hu, on the other hand, changes the actual nature of the bitter ingredient into sweetness. The analogy is clear: a week ago, you were still in Mitzrayim, in the bitter state of slavery. When I redeemed you, I did not simply mask the bitterness with sweetness; rather, the original bitterness became sweet. Its nature changed completely. The waters at Marah cemented the feelings Am Yisrael experienced at Yam Suf, of bitterness being transformed into sweetness.

This notion became even clearer to Am Yisrael once, leaving Marah, they arrived at their next destination, Eilim, where there were twelve springs and seventy palm trees. Why palm trees? Unlike all other trees, which are called by their fruit (e.g., apple tree), the palm tree is not called a date tree. This is because the palm tree itself is very bitter, but its fruit is very sweet. Calling it a palm tree reminds us that something so sweet came from something so bitter.

It is for this reason as well that the passuk says, “A righteous man shall blossom like a date tree” (Tehillim 92:13) – even though sometimes a tzaddik may wind up in a bitter, trying situation, the Torah transforms it into sweetness. “[The words of Torah] are sweet like honey and the drippings of the honeycomb” (Tehillim 19:11).

This also explains how Am Yisrael, having left Mitzrayim with donkeys laden with treasure and having despoiled the Egyptians after keriat Yam Suf, taking double what they took out of Mitzrayim, could complain so vociferously only three days later about not having water to drink. Couldn’t they have voiced their concerns politely and calmly to Moshe? The midrash explains that when the Torah says the reason why Am Yisrael could not drink the waters of Marah because “they were bitter,” it refers not to the waters but to the people. Am Yisrael, with all their riches, felt a certain emptiness, a vacuum of spirituality. For this reason, the gemara in Bava Kama says, Moshe, Aharon, and Miriam instituted the Torah reading on Monday, Thursday, and Shabbat, so that Am Yisrael would never go three days without Torah lest they reexperience that emptiness. This emptiness is also the reason why Am Yisrael was given several mitzvot in Marah.

This being the case, the waters of Marah and of Yam Suf teach us that bitterness is only part of the picture and will ultimately turn into sweetness. This is exemplified by the fact that we make a bracha, saying "Baruch atah Hashem," over marror. At no time of the year do we make a bracha like this. Only on the night of Pesach do we truly understand the fact that every instance of bitterness turns into sweetness. For this reason as well we do not make a separate bracha on the sweet charoset, as it is covered by the bracha over the bitter marror which precedes it.

May Hashem grant, and speedily, the transformation of all of the bitterness Am Yisrael has experienced and continues to experience, in our Land and abroad, into sweetness and the fulfillment of "I shall surely redeem you in the end as in the beginning."

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5765]

<http://www.chiefrabbi.org/tt-index.html>

Beshallah **The Role of Time in Social Transformation**

'Now when Pharaoh let the people go, G-d did not lead them by the way of the land of the Philistines, although it was nearer; for G-d said, "The people may have a change of heart when they see war, and return to Egypt." So G-d led the people roundabout, by way of the wilderness at the Sea of Reeds.' So begins this week's sedra. On the face of it, it is a minor detail in the larger story of the exodus. Yet it is the key text in one of the most fascinating chapters in medieval Jewish thought. The man who wrote it was Moses Maimonides, in his great philosophical work, *The Guide for the Perplexed*.

The context in which it occurs is deeply controversial. In *The Guide*, Maimonides poses a fundamental question. Why, if the sacrificial system is so central to Judaism, were the prophets so critical of it? He does not ask a second question, but we should: if sacrifices are the primary form of worshipping G-d, how did Judaism survive without them for 20 centuries from the destruction of the Second Temple until today?

Maimonides' answer is that sacrifices are secondary; prayer - the uniting of the soul of the individual with the mind of G-d - is primary. Judaism could thus survive the loss of the outer form of worship, because the inner form - prayer - remained intact.

Maimonides recognises that this idea is open to an obvious challenge. If sacrifices are secondary, and prayer primary, why did G-d not dispense with sacrifices altogether and immediately? His answer - it was, and remains, deeply controversial - is that the Israelites of Moses' day could not conceive of the form of worship that did not involve sacrifice. That was the norm in the ancient world. G-d is beyond time, but human beings live within time. We cannot take ourselves out of, say, the 21st century and project ourselves a thousand years from now. Inescapably, we live in now, not eternity.

This leads Maimonides to his fundamental assertion (*The Guide for the Perplexed*, III: 32). There is no such thing as sudden, drastic, revolutionary change in the world we inhabit. Trees take time to grow. The seasons shade imperceptibly into one another. Day fades into night. Processes take time, and there are no shortcuts.

If this is true of nature, it is all the more so of human nature. There can be little doubt that from the outset, the Torah is opposed to slavery. The free G-d desires the free worship of free human beings. That one person should own and control another is an offence against human dignity. Yet the Torah permits slavery, while at the same time restricting and humanizing it. Looking back with the full perspective of history, we know that slavery was not abolished in Britain and America until the 19th century - and in the case of America, not without a civil war. Change takes time.

This leads to a deeper question. Why did G-d not circumvent human nature? Why did He not simply intervene in the human mind and make the Israelites of Moses' day see that various practices of the ancient world were wrong? Here, Maimonides states a truth he saw as fundamental to Judaism. G-d sometimes intervenes to change nature. We call these interventions miracles. But G-d never intervenes to change human nature. To do so would be to compromise human free will. That is something G-d, on principle, never does (One might object: what about G-d 'hardening Pharaoh's heart'? To that, Maimonides had an answer - in *Hilkhot Teshuvah* 6:3 - but it does not concern us here).

To put it simply: it would have been easy for G-d to create a billion computers programmed to sing His praises continually. But that would not be worship. Freedom of the will is not accidental to human existence as Judaism conceives it. It is of its very essence. Worship is not worship if it is coerced. Virtue is not virtue if we are compelled by inner or outer forces over which we have no control. In creating humanity G-d, as it were, placed himself under a statute of self limitation. He had to be patient. He could not force the pace of the moral development of mankind without destroying the very thing He had created. This self limitation - what the kabbalists called *tzimtzum* - was G-d's greatest act of love. He gave humanity the freedom to grow. But that inevitably meant that change in the affairs of mankind would be slow.

Maimonides proof-text is the verse with which our sedra begins: 'Now when Pharaoh let the people go, G-d did not lead them by the way of the land of the Philistines'. G-d feared that, seeing war, the Israelites would panic and want to go back. Why did G-d not put courage into their hearts? Because G-d does not intervene in human nature. Maimonides, however, goes further. It is no accident that the generation that left Egypt was not the generation to cross the Jordan and enter the promised land. That privilege belonged to their children:

It was the result of G-d's wisdom that the Israelites were led about in the wilderness until they acquired courage. For it is a well-known fact that travelling in the wilderness, deprived of bodily enjoyments like bathing, produces courage . . . Besides, another generation arose during the wanderings, that had not been accustomed to degradation and slavery. (*Guide*, III: 32) In other words: it takes a generation born in freedom to build a society of freedom:

It is hard to overemphasise the importance of this insight. The modern world was formed through four revolutions: the British, the American, the French and the Russian. Two - the British and the American - led to a slow but genuine transformation towards democracy, universal franchise, and respect for human dignity. The French and Russian revolutions, however, led to regimes that were even worse than those they replaced: the 'Terror' in France, and Stalinist communism in Russia.

The difference was that the British and American revolutions, led by the Puritans, were inspired by the Hebrew Bible. The French and Russian revolutions were inspired by philosophy: Rousseau's in the first, Karl Marx's in the second. Tenakh understands the role of time in human affairs. Change is slow and evolutionary. Philosophy lacks that understanding of time, and tends to promote revolution. What makes revolutions fail is the belief that by changing structures of power, you can change human behaviour. There is some truth in this, but also a significant falsehood. Political change can be rapid. Changing human nature is very slow indeed. It takes generations, even centuries and millennia.

The shape of the modern world would have been very different if France and Russia had understood the significance of the opening verse of Beshallah. Change takes time. Even G-d himself does not force the pace. That is why He led the Israelites on a circuitous route, knowing that they could not face the full challenge of liberty immediately. Nelson Mandela called his autobiography, *The Long Walk to Freedom*. On that journey, there are no shortcuts.

From: webmaster@koltorah.org [mailto:webmaster@koltorah.org] On Behalf Of Kol Torah Sent: Friday, December 29, 2006 1:19 PM To: Kol Torah Subject: Kol Torah Parashat VaYigash

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Sonograms and Kohanim's Wives - Part 1

by Rabbi Chaim Jachter

Introduction – A Halachic Stringency Imposed by Technology? Usually, technology improves our lives in regards to both mundane and Halachic matters. For example, the problem of Agunot (women unable to remarry because and it is not known if their husbands are dead or alive) has been dramatically ameliorated in our generation due to vastly improved communication technologies and DNA evidence (see my *Gray Matter* 2:114-138). However, the emergence of ultrasound testing of pregnant women as a standard procedure might impose a restriction upon the wives of Kohanim if they discover that their baby is a boy. A few points need to be clarified before we begin our discussion. The restriction upon Kohanim to come in contact with the dead applies only to male Kohanim (Sotah 23b cited by Rashi to Vayikra 21:1). However, adults cannot deliberately cause even the youngest of Kohanim (even infants) to come in contact with a dead body (Mishnah Berurah 343:3 and Aruch HaShulchan Y.D. 373:1). In addition, contact with the dead includes being in the same building as the dead body (Bemidbar 19:14). Traditionally, pregnant wives of Kohanim did not have to be concerned about the possibility that they might be carrying a boy which would prohibit them from entering a building containing a dead body (such as a funeral home or possibly even a hospital – see the summary of the issue of Kohanim visiting a hospital in *Nishmat Avraham Yoreh Deah* 1:335:4). A primary reason for this leniency is a Sefeik Sefeika (double doubt) articulated by the Rokeiach (number 366). Although normally if there is a doubt regarding a Torah prohibition, one must rule strictly, if there are two doubts, one may rule leniently even in case of a Torah prohibition. The Rokeiach argues that a Kohen's wife need not avoid contact with the dead since there are two doubts that lead us in a lenient direction. The first doubt is perhaps the child is a female and not a male. The second doubt is that even if the child is a male, it might be a Neifel (a non-viable child), to whom the restrictions to come in contact with the dead do not apply. The Shach (Y.D. 371:1), the most authoritative commentary to the Yoreh Deah and Choshen Mishpat sections of Shulchan Aruch, cites the Rokeiach as normative Halacha. It should be noted that the Shulchan Aruch, Rama, and Aruch HaShulchan do not raise the question of a fetus coming in contact with the dead. We shall deal with this fact later in our discussion. Accordingly, many note that the Rokeiach's lenient approach might no longer be applicable today, when women are able to discover the gender of their unborn child when they undergo their routine sonogram. The first prong of the Sefeik Sefeika might no longer be relevant in an age when the doubt as to the gender of the fetus does not exist. In this essay, we shall outline both the lenient and strict approaches to this issue, as Poskim remain divided as to the resolution of this question. Our discussion is based on an essay written by Rav J. David Bleich (*Tradition* Summer 2005 pages 90-96), an essay by Rav Zalman Nechemia Goldberg (*Ateret Shlomo* pp. 33-39), and a conversation I had with Rav Hershel Schachter. We should note that the discussion of this issue among the Poskim is extraordinarily rich and

touches on many fundamental principles and disputes regarding various aspects of the Halachic process.

The Strict Approach – Rav J. David Bleich Rav Bleich focuses on a debate among the Poskim as to whether a Sefeik Sefeika remains in effect if the doubt can be resolved. The Rama (Y.D. 110:9) rules leniently but the Shach (Y.D. 110 Kelalei Sefeik Sefeika 35:66) notes that some are strict about this question. This question seems to hinge upon how one understands the role of Sefeik Sefeika; see Rav Yosef Dov Soloveitchik's analysis cited by Rav Schachter in the *Journal of Halacha and Contemporary Society*, Spring 1985 p.158. If one believes that in a case of Sefeik Sefeika it is as if no Sefeik exists at all, there is no need to investigate further. The Shach concludes that one should be strict in a case in which it is easy for one to check and there is no expense involved in resolving the doubt. Thus, since it is easy (and involves no extra cost) for a pregnant wife of a Kohen to simply inquire as to the gender of the fetus when she undergoes her routine sonogram, it would seem that she is obligated to make this inquiry and avoid contact with the dead if she is informed that the fetus is a male. Nonetheless, Teshuvot Noda BeYehuda (Y.D. 43 cited in the *Pitchei Teshuva* Y.D. 110:35) writes that even the strict opinion would be lenient in a case where only one of the prongs of the double doubt can be clarified. The *Pitchei Teshuva* records that Rav Akiva Eiger (Teshuvot number 77) and Maharshah (cited in Teshuvot Beit Yaakov 84) agree with this approach, and cites no dissenting opinions. Accordingly, since only one of the prongs of the Rokeiach's Sefeik Sefeika can be resolved by a sonogram (whether the fetus is a male or female) the Sefeik Sefeika remains in effect. Thus, wives of Kohanim should not inquire as to the gender of their unborn child in order to preserve the Sefeik Sefeika and thereby obviate the need to avoid contact with the dead. Rav Bleich, however, notes that some Acharonim, including the Pri Megadim (O.C. Aishel Avraham 343:2) and Gilyon Maharsha (Y.D. 371:1), challenge the validity of the Sefeik Sefeika presented by the Rokeiach. They note that Tosafot (*Ketubot* 9a s.v. Velba'it Eimah), the Shach (Y.D. 110 Klalei Sefeik Sefeika 33) and the Aruch HaShulchan (Y.D. 110:115) rule that a doubt can be utilized to create a legitimate Sefeik Sefeika only if both sides are Sefeik HaShakul (at least a 50/50 chance of occurrence). Accordingly, while the Sefeik as to the gender of the fetus is a Sefeik HaShakul (since at least fifty percent of babies are female) the Sefeik as to whether the baby is a Neifel is not, since only a small minority of babies is Nefalim (Baruch Hashem). This leads the Chatam Sofer (Teshuvot Y.D. 354, referred to in *Pitchei Teshuva* Y.D. 371:1) to conclude that the principle that permits pregnant wives of Kohanim to come in contact with the dead is not a Sefeik Sefeika. Rather, it is because of Rov (majority), as combining the possibilities of the fetus being a girl and also being a Neifel leads one to conclude that there is no concern for contact with the dead regarding the majority of unborn children. Rav Bleich notes that there is a major implication inherent in concluding that the Rokeiach's lenient ruling is based on Rov rather than Sefeik Sefeika. Unlike a Sefeik Sefeika, which remains intact even if one of the prongs can be readily resolved, one cannot rely on Rov to resolve a doubt if the doubt is readily resolved upon inspection. In a situation where there is a very significant minority (Miut HaMatzui) of cases where the Rov does not apply, rabbinic law requires one to investigate the situation if it is possible to do so (see Rashi to *Chullin* 12a s.v. Pesach and Ramban in his *Milchamot Hashem* to *Chullin* 4a in the pages in the Rif). It is generally accepted that more than ten percent is considered a Miut HaMatzui (see Teshuvot *Mishkenot Yaakov* 1:Y.D. 17, Teshuvot *Minchat Shlomo* 2:61:1, and Rav Hershel Schachter's *Nefesh HaRav* p. 228; Rav Mordechai Willig also mentioned this figure in a Shiur delivered to the Rabbinical Council of America). For example, Rav Hershel Schachter told me that if most suit jackets do not contain Shaatnez (a forbidden wool and linen mixture), but more than ten percent do, one would be rabbinically required to inspect a suit jacket he has purchased to see if it contains Shaatnez. In our case, Rav Bleich rules, since a very significant minority of unborn children are viable males, a woman would be

required by rabbinic law to inquire at her routine sonogram if the fetus is male or female. If the child is discovered to be a male a Kohen's wife would be required to avoid contact with the dead. Rav Bleich, though permits the wife to give birth in the hospital (despite the possible presence of dead bodies) because of concern for Pikuach Nefesh (danger to life). Rav Bleich notes that Halacha regards childbirth as a situation that constitutes danger to life (see Shabbat 128b-129a), and the danger is lessened when it occurs in a hospital. Rav Bleich marshals many recent medical studies to prove this point. He notes that although there are some studies that indicate that home births with a professional certified midwife might be as safe as delivery in a hospital, every individual has the Halachic right to choose which health care provider and service is the better option for him or her (Shemirat Shabbat Kehilchata 32:38). Accordingly, even if the routine sonogram indicates that the fetus is a boy, the Kohen's wife may choose to give birth in a hospital if she believes that that it is safer to give birth there.

The Lenient View – Rav Zalman Nechemia Goldberg There are, however, many reasons to adopt a lenient approach to our issue. First, one may defend the integrity of the Sefeik Sefeika from the question posed by the Pri Megadim and Gilyon Maharsha. Rav Zalman Nechemia Goldberg notes that the Gemara (Yevamot 119a) constructs a similar Sefeik Sefeika (although the term Sefeik Sefeika is not specifically mentioned in this passage) in the context of the Halachot regarding Yibum and Chalitzah ("perhaps she miscarried and perhaps she gave birth to a female"). He also points out that the Rivash (number 371) notes that this passage in the Gemara contradicts the aforementioned Tosafot in Ketubot 9a. The Rivash (Rav Zalman Nechemia believes that this is also the approach of the Shev Shmateta 1:18) distinguishes between the two cases, explaining that a naturally occurring Safeik (one that pertains to a naturally occurring event), as opposed to a Safeik as to what behavior a human being chose to engage in, can be marshaled to construct a Sefeik Sefeika even if it is not a Safeik HaShakul. Tosafot, on the other hand, address a case in which the Sefeik Sefeika is based on doubts regarding as to what choices were made by certain human beings. Accordingly, concludes Rav Zalman Nechemia, the Sefeik Safeika of the Rokeiach is legitimate, since both prongs involve doubts regarding which naturally occurring events occurred, even though one prong is not a Safeik HaShakul. Since the Rokeiach's Sefeik Sefeika is upheld, one can argue that a Kohen's wife may rely on the opinions that one need not resolve a Sefeik Sefeika and need not inquire as to the gender of the fetus when she undergoes her routine sonogram. A reason why investigation is not necessary regarding a Sefeik Sefeika as opposed to a Rov is that Sefeik Sefeika is a more potent tool to resolve doubt than Rov (although there is much discussion of this point, summarized in the Aruch HaShulchan Y.D. 110 96-98). Next week, we shall (IY"Y and B"Y) present two other reasons to justify a lenient ruling in our case.

Sonograms and Kohanim's Wives - Part 2

by Rabbi Chaim Jachter

Introduction

Last week, we began discussing the question of whether wives of Kohanim must inquire as to the gender of their unborn child when they undergo their routine sonogram. We cited Rav Bleich's ruling that the inquiry must be made, and if the fetus is a boy, the wife must avoid contact with the dead. This possibly precludes visits to hospitals (except for when she gives birth if she feels it is safer to give birth at a hospital). We noted that Rav Zalman Nechemia Goldberg adopts a more lenient approach. We presented one major reason for leniency, and this week we shall conclude our discussion by presenting two other approaches to justify a lenient ruling.

Last week, we presented Rav Zalman Nechemia's defense of the integrity of the Sefeik Sefeika (double doubt) of the Rokeiach. The two doubts were that perhaps the fetus is female and thus not required to avoid contact with the dead, and even if it is male, perhaps it is not viable. We noted that in our

case there is no requirement to investigate the situation in order to resolve the doubts that compose the Sefeik Sefeika. Thus, Rav Zalman Nechemia argues, there is no need to inquire as to the gender of the child (and the Kohen's wife is better off not knowing the gender). Recall from last week though, that Rav Bleich argues that since one of the prongs of the Rokeiach's Sefeik Sefeika can be resolved by the sonogram, one is required to investigate the matter in order to resolve the Safeik.

Justification #1 - Taharah Beluah

The Magen Avraham (343:2) wonders why the Rokeiach finds it necessary to construct a Sefeik Sefeika to permit pregnant wives of Kohanim to come in contact with the dead. He notes that the Gemara (Chullin 71a) teaches that something that is "swallowed" (Beluah) in another item does not contract Tumah (impurity) from the item that surrounds it.

Thus, if someone swallows a Tahor ring and subsequently becomes Tamei, the ring remains Tahor, since the person shields it from the Tumah. Accordingly, the fetus should not become Tamei even if the mother becomes Tamei, since the mother shields the fetus that is Beluah within her from Tumah. The Magen Avraham concludes that he is unable to resolve his question.

The Radbaz (Chadashot number 200, cited in Pitchei Teshuva Y.D. 371:1; the Radbaz preceded the Magen Avraham by 150 years) also asks this question. He concludes that the Rokeiach must be speaking about a specific circumstance when a special justification is necessary, namely, when the woman is very close to giving birth and she needs to be in a place where there are dead bodies (such as a hospital or funeral home). In such circumstances, there is concern that the baby may suddenly emerge from the womb since the mother is close to term. Hence, the Rokeiach's Sefeik Sefeika is needed to justify such a visit in those circumstances.

The Netiv Chaim (printed in the standard editions of the Shulchan Aruch Orach Chaim 343) concurs with the Radbaz's approach. The Chatam Sofer (Teshuvot Y.D. 354) also concludes that the Rokeiach is relevant only at the time when the woman is ready to give birth. In fact, the Mishnah Berurah (343:3) codifies this approach to the Rokeiach's ruling. Indeed, Rav Shemuel Wosner (Teshuvot Sheivet HaLevi 2:205) endorses this reading of the Rokeiach, even though he notes that Rav Yaakov Emden (Teshuvot Yaavetz 2:177) disagrees. According to this approach, a Kohen's wife need not be concerned about coming in contact with the dead until it appears that she is about to give birth. Rav Zalman Nechemia Goldberg rules leniently based on the Mishnah Berurah's approach. The mother may, however, give birth in the hospital in order to minimize the danger to life during childbirth if she feels that this is the best option for her, as we discussed last week. Before birth is expected, though, Tumah is not a problem since the fetus is Beluah.

We should note that this is also justification for a Kohen to remain in his home with his wife if she has miscarried and the expired fetus will remain in her body for a short while until it is medically appropriate to remove. For further discussion of this point, see Rav Hershel Schachter's Belkvei HaTzon pp. 234-235 footnote 7.

Objections to the Tumah Beluah Justification

This approach, however, is not shared by many Acharonim. Both Rav Elchanan Wasserman (Kovetz Shiurim 2:41) and Rav Chaim Ozer Grodzinsky (Teshuvot Achiezer 3:65:5-6) argue that although a male fetus is shielded from becoming Tamei because it is in its mother's womb, it nevertheless would be in violation of the prohibition of Kohanim coming in contact with the dead (recall from last week that we are forbidden from making even an infant Kohen come in contact with the dead). Rav Elchanan and Rav Chaim Ozer (who were brothers-in-law) argue that a Kohen is prohibited from having contact with the dead even if he does not become Tamei Meit. Conversely, according to this logic, a Kohen may become Tamei Meit as long as he is not considered to have come in contact with the dead.

Rav Hershel Schachter (Belkvei HaTzon pages 232-238) vigorously supports this view and marshals many sources to prove its validity. Accordingly, it is not surprising that Rav Schachter is not inclined to rule leniently in accordance with the Mishnah Berurah's limitations of the Rokeiach. Moreover, he told me (in conversation) that the Radbaz's limitation of the Rokeiach's ruling does not seem to fit the straightforward reading of the words of the Rokeiach (Rav Vosner believes otherwise).

On the other hand, many Acharonim do not agree with this approach to the prohibition of Kohanim to come in contact with the dead. They believe that the prohibition is focused on Kohanim becoming Tamei Meit. Indeed, Rav Zalman Nechemia Goldberg concludes that Kohanim are prohibited to become Tamei Meit, based on Tosafot Ketubot 28b (s.v. Beit HaPras), who equate the prohibition of Kohanim becoming Tamei with the principle of Safeik Tumah BeReshut HaRabim Tahor (doubtful Tumah in a public place is Tahor). According to Rav Elchanan and Rav Chaim Ozer, it would have been forbidden for a Kohen to enter an area of doubtful Tumah in a public place despite the fact that the Kohen would be regarded as Tahor. The fact that Tosafot believe that a Kohen is permitted (in some circumstances) to enter a public area where there might be Tumat Meit because he is not rendered Tamei (even though he might come in contact with the dead) seems to demonstrate that Tosafot do not subscribe to Rav Elchanan and Rav Chaim Ozer's approach.

The Avnei Miluim (82:1) also criticizes the approach of the Radbaz and Magen Avraham. He notes that only a foreign object in a body is considered Beluah and consequently does not contract Tumah from its host. He argues that a fetus is not "foreign," and is therefore not shielded by its mother from contracting Tumah. As proof for his assertion, he cites the Gemara (Yevamot 78b) which teaches that the fetus of a non-Jewish woman who immerses in a Mikvah in order to convert to Judaism becomes Jewish along with its mother. The Gemara explains that the mother does not constitute a Chatzitzah (barrier) between the baby and the Mikvah water because "Haynu Revitei," this is the normal manner in which the fetus develops. The Avnei Miluim argues that just as the mother does not constitute a barrier in the context of immersion in a Mikvah, so too she does not serve as a barrier between her fetus and Tumah.

Rav Zalman Nechemia Goldberg, though, cites the Mishnah (Parah 3:2) that describes the extreme measures that were taken to insure that the individual who would draw the spring water for use in conjunction with the ashes of a Parah Adumah would not become Tamei. The Mishnah describes how women would come to specially designed (to avoid Tumah) homes in Yerushalayim where they would give birth and raise individuals who were guaranteed not to have become Tamei. Rav Zalman Nechemia notes that this Mishnah clearly indicates that the concern for Tumah begins only at birth, as the Mishnah does not say that the women would come to this type of home immediately after conception. We see from this Mishnah that the mother shields her fetus from Tumah because the fetus is Taharah Beluah. Rav Zalman Nechemia suggests that perhaps the Avnei Miluim believes that a fetus can become Tamei when it is in utero but loses the Tumah when born because it emerges as a new entity (see, however, Teshuvot Binyan Tzion HeChadashot number 96). Rav Zalman Nechemia notes that this answer is inadequate, since the Avnei Miluim (in his Ketzot HaChoshen 209:1) does not believe that a fetus emerges as a new entity at birth.

Moreover, Rav Shemuel Vosner (Teshuvot Sheivet HaLevi 2:205 and 6:175) notes that the Mishnah (Niddah 43b) describes how a baby on the day it is born has the potential to become Tamei. This clearly indicates that before the baby is born it does not have the potential to become Tamei. Rav Vosner seems to share Rav Zalman Nechemia's view that the prohibition for a Kohen to come in contact with the dead does not apply in a situation where the Kohen does not become Tamei. Indeed, Rav Vosner writes that a wife of a Kohen should not hesitate to give birth in a hospital despite the presence of Tumat Meit. Moreover, Rav Vosner clearly does not require a Kohen's wife to inquire as to the gender of her child when she undergoes a

sonogram. It would seem that he would permit a Kohen's wife to visit a hospital or funeral home even when she is pregnant.

I would add that the fact that the Shulchan Aruch and Rama do not cite the Rokeiach might indicate that they do not subscribe to his basic assumption that a Kohen has the potential to become Tamei in utero. The Aruch HaShulchan also does not cite the Rokeiach at all. These authorities seem to believe that the entire issue is moot, since a fetus does not have the potential to become Tamei.

Justification #2 - Is a Fetus a Kohen?

Another explanation for the silence of the Shulchan Aruch and Rama on this matter might be the possibility that they do not share the Rokeiach's assumption that a son of a Kohen is considered a Kohen before he is born. Indeed, the Chatam Sofer (Teshuvot Y.D. 354) notes that the Gemara (Yevamot 67a) writes, "A fetus in the womb of a non-Kohen is not a Kohen (even if the father is a Kohen)." Moreover, reasons the Chatam Sofer, since we rule that "Ubar Yerech Imo," a fetus is considered to be a limb of the mother, the fetus has the same status as its mother. Thus, just as the unborn child's mother (even if she is the daughter of a Kohen) is not forbidden to come in contact with the dead, so too the fetus is not forbidden to be in contact with the dead. The Minchat Chinuch (263:4) advances a similar idea. However, Rav Moshe Shternbuch (Teshuvot VeHanagot 1:679) cites Rav Yitzchak Zev Soloveitchik (the Brisker Rav), who asserts that a son of a Kohen is classified as a Kohen even in utero. According to the Brisker Rav, the Gemara in Yevamot 67a should not be understood as an all-embracing statement, but rather as a rule that applies uniquely to the context of a Kohen's wife's permission to eat Terumah. The Rokeiach apparently shares this view.

Conclusion

Rav Bleich concludes that a Kohen's wife must inquire at a sonogram if her unborn child is a male, and if she discovers that it is male she must avoid contact with the dead except in case of danger to life (such as childbirth). However, Rav Zalman Nechemia Goldberg rules in accordance with the Mishnah Berurah that there is no concern for a Kohen's wife coming in contact with the dead until the time that she is ready to give birth, Rav Vosner appears to share this view. Rav Shternbuch is even more lenient, as he rules that even if the wife already knows that she is carrying a male child, she may come in contact with the dead until she is within a few days of birth. Even after this point, Rav Shternbuch is lenient in case of need.

The lenient approach is exceptionally well-founded on at least three considerations- the Rokeiach's Sefeik Sefeika, the idea that the mother shields the fetus from becoming Tamei Meit, and the assertion that the fetus does not have the status of a Kohen. Rav Schachter, however, told me that he is not sure of any of these lenient approaches. Thus, Kohanim and their wives must consult their Rav for a ruling regarding this matter.

Postscript

We should note that there is a well-known custom among many communities that pregnant women not enter a cemetery. Rav Yehuda Amital (Rosh Yeshiva of Yeshivat Har Etzion) told me that this Minhag should be taken seriously

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3:32 AM Peninim on the Torah
by Rabbi A. Leib Scheinbaum
Parshas Beshalach

...

And in the morning, you will see the glory of Hashem. (16:7)

Klal Yisrael experienced many miracles during their forty-year trek in the wilderness. One of the greatest miracles that accompanied them daily throughout this journey was the manna, Heavenly bread, that sustained them. After the people voiced their complaint about a lack of food, Hashem provided them with two forms of food: manna in the morning; and slav, quail, in the evening. Interestingly, the manna fell in the morning, because their request for bread was an appropriate one. Man needs bread to survive. He does not require meat. Their demand for meat was, therefore, improper. They did, after all, have abundant flocks of cattle which were available for slaughtering. Yet, they complained. Hashem provided them with meat, but He did not send it in the same loving manner as He sent the manna.

The presentation of the manna is worthy of note. As Horav Avraham Pam, zl, said in the second volume of *Ateres Avraham*, an anthology of his discourses prepared by Rabbi Sholom Smith: The packaging was distinctive and indicative of Hashem's love for His nation. Packaging is important with any product. One can give an expensive gift that immediately loses its meaning and value if the packaging is inappropriate and demeaning. One who takes the time and makes the effort to package his gift properly demonstrates his feelings of love.

Horav Yerucham Levovitz, zl, derives an important lesson from the disparity between the manner in which Hashem sent the manna and the way in which He delivered the slav. This should teach us to distinguish between the various ways that Hashem grants us our needs. One who turns to Hashem to entreat Him for something which he feels he needs should analyze the manner in which Hashem has granted his request. Did it come easily, in a dignified manner, or was it accomplished amidst hardship and toil? The manner in which Hashem executes our request is a barometer for measuring Hashem's pleasure with our request. Did He fulfill our request because we deserved it, or did Hashem just simply fulfill our request because we prayed hard and, so to speak, "pushed" for it?

Rav Pam applies this idea to the manner in which a person earns a living. When Adam HaRishon sinned, Hashem cursed him and his descendants with, *B'zeiyas apecha tochal lechem*, "By the sweat of your brow, shall you eat your bread." (Bereishis 3:19) This is an inescapable part of the human experience. Hashem, however, sends us our *parnassah*, livelihood, in different ways. One can earn his daily bread easily, in a respectable manner, so he has time at the end of the day to devote himself to Torah study. Another individual can labor long hours under difficult conditions to eke out his meager living, and is so exhausted that he can barely make it home to get enough rest before he begins the next day. It is all part of *zechusim*, merit. One either merits to be sustained easily, or one is relegated to difficulty. Clearly, one who receives his *parnassah* in an easy manner should recognize his good fortune and offer his gratitude to Hashem.

The Rosh HaYeshivah adds that, since we are commanded to emulate Hashem, the way we carry out *mitzvos bein adam l'chaveiro*, between man and his fellow man, is also relevant. As Hashem delivers His bounty with a bright countenance, so too, should we fulfill our obligations to each other with a smile, good cheer and joy.

While, undoubtedly, even the individual who gives has things on his mind, because he is fortunate to be able to give to others, everything in his life is not necessarily all positive. He might also be beset with troubles. Illness can also strike a wealthy person. His business could be in trouble, and his income may not be going as well as people imagine. Nonetheless, we must understand that the poor man who stands by the door seeking alms is

unaware of this turn of events, so he does not deserve to be greeted in a begrudging manner. Some people present their entire life story on their faces. The poor man does not deserve such a countenance when he asks for alms. Life is difficult enough for him. He does not need more. Rav Pam cites the Chofetz Chaim, who says that a major component in the *mitzvah* of acting benevolently towards others is the countenance we show them. The shine of our face; the smile that accompanies the check, makes a world of difference and plays a crucial role in the fulfillment of the *mitzvah*. Perhaps, if we smile at others, we will merit that Hashem will smile at us.