

INTERNET PARSHA SHEET
ON PEKUDEI - 5760

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From: Rafael Salasnik[SMTP:rafi@brijnet.org] Subject: daf-hashavua
Pekudei 5760/2000
Pekudey-5760 U N I T E D S Y N A G O G U E - L O N D O N
(O) Pekudei

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Chevra Kadisha David Frei - Registrar, London Beth Din

The 7th of Adar is a significant date in the Jewish calendar. It is chiefly known as the date that Moshe Rabbenu was born and on which he died, exactly one hundred and twenty years later. The date has additional significance because, on the last day of his life, Moshe completed writing the Torah and, on that day, the eternal covenant was made between G-d and the Jewish people (Parshat Nitzavim). It became traditional in communities throughout the Jewish world to observe an annual date on which the local Chevra Kadisha would fast, learn mishnayot and visit the cemetery. In the evening, they would hold a Chevra Seudah, a meal which would be attended by all members of the Chevra.

Although there is no universal date for this Chevra Kadisha day and each community would observe a date in accordance with local custom, the most popular date for Chevra Kadisha day was 7th Adar, the Yahrzeit of Moses.

Rabbi Eliahu Kitov, in his Sefer Hatoda'ah on the Jewish festivals, offers an explanation for the choice of 7th Adar. He says that anyone involved in a business will be aware that in order to be successful, the enterprise has to be heavily engaged in its activity. 'Business is quiet' is a familiar complaint from those who look forward to more active and profitable days. However, members of the Chevra Kadisha are not looking for business and frankly would be happiest if their services were not called upon at all! Therefore, the day on which they hold their annual reunion is a day on which the Chevra Kadisha was not required. The Torah, in describing Moses' death (Devarim 24:6) blandly states: 'And He buried Him in the valley'. Rashi explains that G-d buried Moses. Hence, there was no call upon the Chevra Kadisha on that day!

It is appropriate, as we approach 7th Adar, that the community should have regard to and, indeed, express their appreciation for the sterling voluntary work carried out by members of the Chevra Kadisha. These righteous men and women can be called upon, literally, at any time of day or night, to undertake the sacred work of burying the dead with dignity. Their services are offered on a voluntary basis and are carried out with painstaking care and devotion.

If you are approached by your Rabbi and asked to participate in this essential service, please give careful consideration to this request and try to give of your time to this noblest of causes.

<http://www.brijnet.org/us/daf.htm> <http://shamash.org>

From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]
"RavFrاند" List - Rabbi Frاند on Parshas Pekudei -

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 231, Making a Siyum. Good Shabbos!

We Toil And Receive Reward -- For The Toil!

Parshas Pikudei concludes the construction of the Mishkan. After the construction of all the individual components of the Mishkan, the parts were brought to Moshe. Rash"i quotes the Medrash Tanchuma which explains that the reason why the Mishkan was brought to Moshe was

B'S'D because everyone else was unable assemble it. The Mishkan was simply too heavy for anyone to lift. Since Moshe had not been personally involved in any part of the construction of the Mishkan, HaShem [G-d] reserved the privilege of final assembly for him.

When HaShem told Moshe to assemble the Mishkan, Moshe protested that it was too heavy for him to lift as well. HaShem told Moshe to make the effort. "Make it look like you are trying to erect it." Moshe made the effort and miraculously, it was assembled by itself. Since Moshe made the effort, he received the credit for having put it up.

Rav Meir Rubman explains that we can learn a very important insight regarding spirituality from this Medrash. The Medrash teaches us that regardless of the difficulty of the task, we must make the effort. In other areas of endeavor, a person is only given credit for producing. However, when it comes to Judaism, HaShem is not necessarily interested in results; He is interested in the effort.

The concept that a person receives an "A" for effort is usually a backhanded compliment. In actuality, you received a "D", a near failing grade, but at least you received an "A" for effort. That is the way it is in other areas of life. But when it comes to Mitzvos, all Hashem asks from us that we make the effort. Whether the task is actually accomplished or not is often out of our control and up to Hashem.

At the conclusion of a Mesechta [tractate of the Talmud], we say the prayer "We toil and they toil. We toil and receive reward and they toil and do not receive reward." What does it mean "they toil and do not receive reward"? This does not seem to be a true statement. People do not work without receiving payment!

The answer is that when we work (at religious tasks), we are paid for the effort, regardless of whether or not we produce. But 'they' are only paid for the bottom line. In all other areas of endeavor, toil that does not produce results does not receive reward.

Not long ago (1992), I was in Atlanta for a Torah retreat. Atlanta is an amazing community. Thirty years ago they did not have a minyan [quorum] of Sabbath observers. Today, over 300 people come to shul on Shabbos -- all of them are in some stage of having intensified, and intensifying, their observance of mitzvos.

I asked Rabbi Emanuel Feldman (Rabbi Emeritus of Congregation Beth Jacob in Atlanta), "What is the key to your success?" Rabbi Feldman told me that the key is to try to plant seeds. That is all a Rabbi can do. He can try to nurture and water the seeds, but really all he can do is try. He never knows for sure whether or not it will work.

For example, one individual who recently returned to intensive Jewish involvement and observance told Rabbi Feldman that he made his decision because of a Yom Kippur sermon that Rabbi Feldman delivered 15 years earlier. A comment in that sermon had struck home. He did not act upon it then, but 15 years later he decided to become religious.

Success is not what it's all about. Kiruv Rechokim is about effort. Whether or not the Mishkan is actually erected is HaShem's worry. We toil and we receive reward - for the effort.

Personalities and Sources Rash"i -- (1040-1105) Rav Sh'lomo ben Yitzchak; Troyes and Worms, France; "Father of all Torah Commentaries." Rabbi Emanuel Feldman -- Rabbi Emeritus, Congregation Beth Jacob; Atlanta, Georgia; Editor, Tradition magazine. Rabbi Michel Twerski -- Rabbi Beth Jehudah Congregation; Milwaukee, Wisconsin.

Transcribed by David Twersky; Seattle, Washington twersky@aol.com Technical Assistance by Dovid Hoffman; Yerushalayim dhoffman@torah.org Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. Books by Rabbi Frand available from your local Jewish dealer: "Rabbi Yissocher Frand: In Print" and "Listen To Your Messages -- And Other Observations On Contemporary Jewish Life" [Mesorah / Art Scroll]. RavFrاند, Copyright © 2000 by Rabbi Y. Frاند and Project Genesis, Inc. Project Genesis: Torah on the Information Superhighway [learn@torah.org](http://www.torah.org) <http://www.torah.org/> (410) 602-1350 FAX: 510-1053

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit
Midrash[SMTP:yhe@vbm-torah.org] Student Summaries of Sichot
Delivered by the Roshei Yeshiva Parshat Pekudei SICHA OF HARAV

YEHUDA AMITAL SHLIT" A People of Spirit and People of Action
Summarized by Dov Karoll

The second verse of Pekudei (38:22) states that Betzalel built the mishkan just as God had commanded Moshe. Rashi (s.v. U-vetzalel, citing Berakhot 55a) points out that the order in which Betzalel built corresponded to order which God had commanded Moshe, but differed from the order which Moshe had commanded Betzalel. When God told Moshe to appoint Betzalel to build the mishkan (31:1-11), He commanded the construction of the ohel, the tent of meeting, first. Only afterward did He command the construction of the keilim (vessels). However, when Moshe informed the people about the appointment of Betzalel (35:30-35), he mentioned his ability to use the raw materials for the keilim (gold, silver, wood) first, and subsequently described his talent at utilizing the materials for the structure (the various dyed fabrics).

Rashi records a dialogue between Moshe and Betzalel explaining why Betzalel reversed the order Moshe had told him. Betzalel asked Moshe: Is it not customary to first build a house, and only afterward to put in its utensils? Moshe responded that that is precisely what God commanded him to do.

Why do Moshe and Betzalel approach the order differently? Moshe's perspective is that of a "man of spirit" - he organizes the different parts of the mishkan according to their order of importance. Since the vessels are of primary significance, and the tent serves only as its cover, Moshe mentions the vessels first. Betzalel, on the other hand, is a "man of action," and he viewed the mishkan from the perspective of an architect. The architect does not focus on what is more important, but rather on the physical layout of the building.

As a "man of spirit," Moshe represents those whose spiritual priorities are set straight. He realizes what actions are central in significance, and which are more peripheral. He then trains his focus on those elements which are primary, while treating the secondary elements as such. However, Betzalel, the "man of action," knows the technical details and can carry out his assigned task. His fulfillment of mitzvot is done "by the book," though it may be lacking a deep understanding of what he is doing.

In modern times, there are many people who follow the model of Betzalel. They know precisely what they are to do, down to every last detail. However, people very often lack the model of Moshe - the perspective and the spirit to realize the true significance of their actions, and which are more central. For people whose Judaism is based exclusively upon book reading, and not from living in an environment surrounded by other observant Jews, this problem is particularly relevant.

In my house, growing up, there were no great Torah giants. Nonetheless, it was always perfectly clear which actions were of high significance, and which were more peripheral. People always had their priorities straight.

Sometimes, people who read the Shulchan Arukh, or other books of Halakha, learn halakhot such as Shabbat (OC 242-416) and Keriat Shema (OC 58-88), which are central issues. They also see rulings about what order a person should put on his shoes and the like (OC 2), which are customs much less central. However, a person could get the impression (and people sometimes do) that these practices are all on the same level. People very often assume that everything included under the category of "Halakha" is equivalent. They do not distinguish between biblical laws, rabbinic laws, and customs, nor can they tell the difference between cardinal values and secondary ones. Out of an understanding such as this, a person can lose perspective, and place great emphasis upon peripheral elements. This is a very dangerous flaw.

What a person should do, in addition to determining the relative significance of different actions, is try to bring certain spiritual elements into the more central actions. He should choose a certain important action, and go beyond the call of duty with regard to it. This can mean extending the time set aside for studying Torah, or doing some comparable action which shows one's particular love and enjoyment of

that particular mitzva.

Sometimes, this can be accomplished by investing all available effort into a mitzva in a difficult situation. This is significant even if the effort will fall short of the normal expectations of that mitzva. For example, when I was in a forced labor camp during the Holocaust, I used to put my cleanest shirt (although it also was far from clean) in my pocket on Friday morning. I would then put it on an hour or so before Shabbat. Although it was a far cry from my normal Shabbat dress, it was very meaningful for me to put on that shirt, even more meaningful than dressing for Shabbat usually is. Since all of my emotions were focused on this one action (because this was all I could do), it was very meaningful. Since I was forced to work on Shabbat, this constituted the extent of my preparing for and honoring Shabbat.

A person should try to have this intent sometimes even when he is able to fulfill all the necessary elements of the mitzva. If occasionally he truly experiences the beauty of a mitzva, he should use that experience to infuse his daily action with some of that same enthusiasm. Hopefully, through setting straight his religious priorities, and through the infusion of additional spirituality to some of those mitzvot, we will be able to more closely model Moshe - the man of spirit.

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From: RABBI MORDECHAI KAMENETZKY rmk@torah.org

Subject: Drasha Parshas Pikudei -Proper Prefaces Rabbi Mordechai Kamenetzky

In the final Torah portion that details the completion of the Mishkan, an expression that describes the accomplishment is repeated over and over. In fact, the descriptive assertion is repeated no less than eighteen times!

After the Torah details the completion of each utensil, component, or vestment necessary to finish the Mishkan and begin the service, the Torah uses an expression that declares that they were made "exactly as Hashem commanded Moshe."

Again and again the Torah repeats the expression almost verbatim. First, the Torah uses the expression in a general sense when telling us how the vestments were made: "exactly as Hashem commanded Moshe." Then it is used again when detailing each garment. The Ephod and its garters, "were made exactly as Hashem commanded Moshe;" the Choshen and its stone setting were made "exactly as Hashem commanded Moshe."

The same applies to the vessels of the Mishkan. In addition to a general statement that everything was crafted "exactly as Hashem commanded Moshe," the Torah reiterates the expression of perfect conformity in regard to each of the utensils. This goes on for almost every component of the Mishkan!

Why? Would it not have been enough to begin or end the summary with one proclamation that everything was crafted "exactly as Hashem commanded Moshe"? Why restate it so often?

Rabbi Zev Wilenski, shli ta, recited that a student of Rabbi Boruch Ber Lebowitz, z"l, had undertaken to transcribe the notes of the revered sage to prepare them for print. This work would eventually be known as the Birkas Shmuel, one of the classic exegetical works on Talmudic Law.

As the student reviewed the work, he noticed a seeming redundancy of the titles mentioned about Rabbi Yitzchok Zev Soleveitchik, the Brisker Rav who was a son of Rabbi Lebowitz's own teacher Rabbi Chaim Soleveitchik, and revered as well, by Rabbi Lebowitz.

Each time that Rabbi Lebowitz quoted him, he would preface Rabbi Soleveitchik's name with all due titles and accolades, "the true Gaon, Rebbe and Teacher of all of Israel, The Gaon of Brisk, he should live to see long and good days."

Even three or four times in one paragraph, Rabbi Lebowitz would repeat the words, each preceded with a slew of praise and reverence, "the true Gaon, Rebbe and Teacher of all of Israel, The Gaon of Brisk, he should

live to see long and good days."

The next time that Rabbi Soleveitchik was quoted in the works, the student, in the interest of brevity, decided to leave out the seemingly supplementary appellations. Instead he wrote, My Rebbe, the great sage, Rabbi Yitzchak Zev Soleveitchik, shlit"a.

Upon reviewing the work, Rabbi Lebowitz was visibly shaken. "Why did you leave off the introductory appellations? "But, Rebbe, countered Rabbi Lebowitz's student, "I mentioned them the first time. Must I repeat them every single time?"

Rabbi Lebowitz was dismayed. "Why am I publishing this book?" he asked in true sincerity. "What do I have from it? Honor? Money? Of course not! I wrote this work so that a student will understand how to learn a Rashba (a medieval commentator) or to understand the Rambam."

He paused. "The same way that I want them to understand the text, I also want them to understand to appreciate the greatness of the Rebbe. I want them to see and understand that Rav Yitzchak Zev is "the true Gaon, Rebbe and Teacher of all of Israel."

Perhaps the lesson imparted by each and every action of the Mishkan warrants the Torah's declaration of perfect conformity for a generalized statement does not impact as much as reiteration.

The Torah is mindful that just as we hammer the facts of dimensions and specifications into our minds, just as we ponder the intricacies of the cups and flowers of the Menorah, the forms and staves of the Table of Showbread, the various stones of the Choshen and their placement inside their settings, so too there is one detail we must not miss. And this detail applies with a freshness for every Mishkan-related activity: each was exactly as Hashem commanded Moshe. Good Shabbos 1 2000 Rabbi Mordechai Kamenetzky

Dedicated in memory of Rhoda Fuchs ob'm by Feivy Fuchs, Rachel Weiss, Chana Spira and Families Liluy Nishmas Rivka Matil bas Reb Yaakov of blessed memory If you would like to be on a shiur update list which sends messages regarding Rabbi Mordechai Kamenetzky's various lectures in NY City and Long Island and other locations, please send a blank email to rmkshiur-subscribe@jif.org.il You will receive bulletins about those classes. If you want to be on a shiur announcement faxlist, fax request along with your fax number (dedicated line, please) to 516-569-7954 Drasha is the email edition of FaxHomily which is funded on an annual basis by the Henry and Myrtle Hirsch Foundation Mordechai Kamenetzky Yeshiva of South Shore The Dr. Manfred & Jamie Lehmann Campus 1170 William Street Hewlett, NY 11557 <http://www.yoss.org/> - rmk@torah.org 516-374-7363 x114 Fax 516-374-2024 Drasha web site: <http://www.torah.org/learning/drasha> Project Genesis: Torah on the Information Superhighway learn@torah.org 17 Warren Road, Suite 2B <http://www.torah.org/> Baltimore, MD 21208 (410) 602-1350 FAX: 510-1053

From: RABBI RISKIN'S SHABBAT SHALOM LIST
[SMTP:parsha@ohrtorahstone.org.il]

Shabbat Shalom: Parshat Pekuday Exodus (35:1-38:20) by Shlomo Riskin

A charming rabbinic midrash describes this world as one which "everything is topsy turvy, with those who deserve to be on top wallowing on the bottom and those who are supposed to be on the bottom reveling on top". This then is a world of illusions and delusions, a global masquerade party in which no one really is what he/she appears to be: in short, the world is a Purim masquerade ball.

It is fascinating that the festival of Purim expresses precisely this message, at least from one point of view. The great Halakhic decisor, Rav Moshe Isserles, not only permits masquerading in costume on Purim, but even allows men to dress up as women and women to dress up as men. The Talmud commands that "everyone is required to drink on Purim until he can no longer distinguish between praising Mordechai and cursing Haman" - in effect, exchanging Mordechai for Haman and Haman for Mordechai. Perhaps the reason for this celebration is the very nature of the Scroll of Esther itself, the marvelously whimsy tale we read on Purim which, behind its almost contrived plot, contains some very profound truths about human nature and the vagaries of history. Each of the characters of the marvelously told tale is in actuality very different from what he/she appears to be: each of the characters is indeed playing a masquerade, as so many of us do in

this topsy turvy world of false impressions.

The Scroll opens with an exaggerated and pompous description of the regal power of King Achashverosh who, from all appearances seems to be an omnipotent potentate. However in reality all decisions are made for him, including the banishment of his beloved wife Vashti, but he doesn't even have the power to rescind his own decree against the Jews at the conclusion of the story. Despite the external pomp and circumstance he is manipulated and controlled rather than being the one in control who manipulates others.

For Haman, the events which transpire around him are actually very different from the way they appear to be. He seems to be riding high, especially when the King - who has given him almost autocratic control over all of the other Ministers - asks him for suggestions as to how to honor an individual who is deserving of great praise. Haman is certain that the King means to honor him, whereas in reality the recipient of the Kings good graces is non other than his arch enemy Mordechai. Undaunted, Haman is further assured of his high estate when queen Esther invites him to a private tete a tete which she has planned for herself and the king. Little does he realize that Esther planned for the king to become outrageously jealous at what she knows he will perceive as a menage a trois - and so the moment of Haman's greatest pride contained the seeds of his imminent fall and destruction. Perhaps on a much deeper level, Haman who decreed death to the Jews is certainly viewed as the sinister villain of the Purim tale. In reality however he is really one of the heroes, because it was he who woke the Jews up to the fact that they were different. In effect he prevented the Jews from completely assimilating, even causing queen Esther to come out from behind her disguise and to heroically reveal herself to King Achashverosh as a Jewess. Indeed in a most ironic fashion Haman represents the many anti-Semitic leaders of foreign nations- from Pharaoh to Stalin - who have prevented our assimilation by decreeing all sorts of laws against the Jewish people and Jewish religious practices. Jewish History testifies that, tragically, countries devoid of Jewish persecution like Alexandria, Egypt and Kai Pheng Fu, China prompted Jewish intermarriage and dissolution, whereas "the more we were persecuted the more we increased in number and in strength". From this perspective, it is no wonder that we must drink on Purim in order to feel happy, because how can one truly rejoice when Haman is needed to remind us of our unique status and ultimate destiny? Indeed, we must drink until we can no longer distinguish between praising Mordechai and cursing Haman !

And finally, Esther appears to be a Jewish assimilationist who lives with a Gentile King as the Queen of Persia. And Mordechai can be seen as a political opportunist who takes advantage of his niece's high office. The real Esther and Mordechai however are revealed in the fullness of their glorious heroism when Mordechai demonstrates publicly against Haman's decrees and Esther puts her life on the line for her people and her G-d. Indeed, the most topsy turvy characteristic of all: G-d's name does not appear once in the Scroll of Esther, the story line seems to unravel in the course of human events brought about by human beings, whereas in truth it is the hidden finger of the Divine which inexorably leads to the fall of Haman and the victory of Esther and the Jewish people.

All of this is most relevant to the festival of Purim, which we have already begun to anticipate with the new month of Adar: "with the coming of Adar we increase our merriment". But this also bears an important message germane to this week's torah portion of Pekuday . The portion opens with the second description of the magnificent structure and exquisite embroidery of the Sanctuary. It is fascinating to note that the very same descriptive terms, the T'chelet (royal blue) and the Argaman (royal purple) which are so important a feature of the Sanctuary are used to describe the magnificence of Achashverosh's palace. The kingdom of the King of Persia is described in terms of honor (Kavod) and Glory (Tifferet) in the Scroll of Esther (1:4), the very same words used to describe the priestly garments once again artfully described in our portion of Pekuday. Achashverosh's palace appeared to be a sanctuary of priests; in reality it was a den of inequity and licentiousness filled with immorality and intrigue.

Even more to the point, the portion of Pudukay highlights the priestly vestments. Garments however are even more superficial than skin-deep; they speak about what we look like, but not necessarily who we really are. There is an amazing story told of the religious advisor of Yeshivat Mir who would always remain alone in the study hall at the close of the Yom Kippur Fast after he exhorted his students to immediately break the fast so that no-one would fall ill. One particularly faithful disciple, anxious to see what his teacher and mentor would do and say immediately following the Great Fast, stayed behind, hidden under the bench. What he saw was his Rebbe still clad in his high hat, large prayer shawl and rabbinic frock coat, pacing back and forth, repeating again and again the verse with which Father Jacob expressed his deepest fear to his mother when she ordered him to masquerade as his brother Esau: "Perhaps my father will feel me and I will be in his eyes a pretender and deceiver". Perhaps Purim helps remind even those garbed in the most magnificent of priestly vestments that what one is inside is far more significant than the impression one makes outside.

Shabbat Shalom

You can find Rabbi Riskin's parshiot on the web at:

<http://www.ohrtorahstone.org.il/parsha/index.htm> Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean

From: Yated USA [SMTP: yated-usa@ttec.com]

Yated Neeman USA

PENINIM AHL HATORAH: Parshas Pekudei BY RABBI A. LEIB SCHEINBAUM Hebrew Academy of Cleveland

"And you shall clothe Aharon with the holy garments and you shall anoint him and sanctify him and his sons you shall bring near and you shall clothe them. And you shall anoint them as you did anoint Aharon their father." (40:13,14,15)

What is the meaning of "anointing Aharon's sons," "as you did anoint Aharon their father"? Isn't this statement superfluous, or is there a hidden message to be gleaned from these words? Horav Mordechai Rogov z.l. suggests the following homiletic rendering of the pasuk. In Parashas Beshalach (Shemos 15:2) the Torah states, "This is my G-d and I will glorify Him." This statement, which was proclaimed by Moshe and Bnei Yisrael as they sang Shirah to Hashem, has served as a source of instruction in the correct manner in which to do avodas Hashem, to serve the Almighty. What is the meaning of the term, "My G-d," in contrast to, "My father's G-d"? Is there a disparity between these two relationships with Hashem?

Horav Rogov contends that there are two levels of serving Hashem, that of "My G-d" and that of "My father's G-d". Man should strive to serve Hashem from both perspectives. The first is as a tradition handed down to him from his father and his ancestors. The second is a reflection of his own personal, intellectual search. It is not sufficient to serve Hashem purely by rote, just because this is what one's father did and taught him to do. One must strive to attain an intimate understanding of His Greatness. Only when one has reached a personal recognition of Hashem which leads to emunah, faith in Him, is he truly able to glorify His Name.

The keser, crown of kehunah, is an inheritance bequeathed from father to son. The will of Hashem, however, is that this inheritance notwithstanding, the sons should achieve their own personal level of kedushah, holiness, so that they each become personally deserving of the mantle of kehunah. Hashem told Moshe, "You should anoint them as you did anoint Aharon their father." Just as Aharon was elevated to the sacred station of kehunah in his own right, so, too, shall an individual inspire his sons to aspire to achieve this distinction in their own right.

From: rachrysl@netmedia.net.il [SMTP: rachrysl@netmedia.net.il] Subject: MIDEI SHABBOS BY RABBI ELIEZER CHRYSLER Parshas Pikudei

Values Based on R. Bachye's introduction to the parshah

"A little with the fear of Hashem is better than a large treasure, where there is confusion. A meal of vegetables where there is love is better than a fattened ox where there is hatred" (Mishlei 15:16-17).

Shlomoh ha'Melech mentions these two pesukim with regard to the characteristic of making do with a little, and at the same time, as a warning against theft. And one can explain them in three ways, according to the simple explanation, according to the Medrash and according to logic.

According to the simple explanation - "A little with the fear of Hashem is better ... " Shlomoh warns us about stealing, because not to steal is a logical mitzvah, which is why theft is the worst of the sins, as Chazal said in a Medrash 'In a so'oh full of sins, it is theft which will prosecute the perpetrator'. Indeed, the generation of the flood's fate was sealed because of theft, as the Torah writes explicitly in No'ach. And we see that someone who fails to return what he stole will never receive pardon for his sin, which is why it is a more serious sin than any other.

Therefore, Shlomoh said "A little with the fear of G-d is better ... " meaning that a little which is legally gained, is better than a lot which one came by illegally. This comes to warn a person to return what he has stolen, that he should not feel bad about parting with the silver and gold that is not lawfully his, saying 'How can I part with my fortune?'. The little that remains with him in righteousness is better than an abundance of produce that is in his possession unjustly. That is why it says "A little with the fear of Hashem and with His love is better than lots of storehouses and treasures of silver and gold where there is confusion".

And as proof of this, he continues "A meal of vegetables where there is love ... ", because after warning about theft, which is a logical issue, he brings a natural parable in support. Because it is natural for a person to prefer eating a light snack of vegetables, but in the company of friends, rather than a meal of fat oxen in the company of enemies. And it stands to reason that if a person would choose to eat a light meal in the company of friends rather than a sumptuous meal together with people whom he hates, then how much more so should one choose the fear of G-d and His love, which are better for him than the love of any human being, and than all the treasures of this world. This teaches us that one should not train oneself to covet money, and that one should neither place one's faith in one's silver and gold, nor one's strength in one's possessions.

That is why Shlomoh writes in Mishlei (18:11) "The rich man's wealth is his fortified town; it is like a strong wall in his mind". He is saying that, just as it is the nature of a man to place his trust in a fortified town which has a wall and a tower, so too, does the rich man place his trust in his wealth. This posuk is a warning not to take our cue from the rich man, but rather that the Name of Hashem alone should be our wealth and our fortification. In fact, this posuk is connected to what Shlomoh wrote in the previous one: "The Name of Hashem is a strong fortress, in it the tzadik runs and he is strengthened".

What the posuk means is that the tzadikim dedicate their silver and gold to the service of Torah and mitzvos, whilst the resh'o'im render Torah and mitzvos subservient to their silver and gold. That is why a person should place his faith and hope in Hashem, and in Hashem alone; and that is the advice that Elifaz ha'Teimon (Iyov's friend) told Iyov.

According to the Medrash, "A little with the fear of Hashem is better" - Yisroel, about whom the Torah writes "... because you are the smallest of all the nations", are good before Hashem "with the fear of Hashem" - because they received the Torah in order that they should fear Hashem, as the Torah writes "because G-d came in order to test you, and in order that His fear be on your faces so that you should not sin" (Sh'mos 20:20).

"than a large treasure" - this refers to the seventy nations, who are compared to a store-house of wine, for so Chazal have explained the posuk in Shir ha'Shirim (2:4) "He brought me to the house of wine" - these are the seventy nations. "when there is confusion there" - because Hashem is going to confuse them and punish them on the day of judgement.

"A meal of vegetables where there is love" - the meal of vegetables that Shlomoh ha'Melech ate by the poor man, was more beneficial than the fattened ox that he ate by the rich one. The Medrash relates how, after Shlomoh's dethronement, he went from door to door, announcing that he, Koheles, had been King in Yerushalayim, when he met two men who recognised him. The first one fell at his feet, and invited him to his house for a meal. He took him up to his attic, and served him a meal of fattened ox and many tasty dishes, but during the course of the meal, he reminded him of what he used to do when he was king. The mention of his kingdom caused Shlomoh to burst into tears, depriving him of his appetite, and he left the table without eating, overcome with crying.

That was when he met the second man, who, it turned out, was a poor man, who invited him to share with him the little vegetables that he had. He took him to his house, washed his hands and his feet, and brought him a portion of vegetables, but as they ate, he began to console him. He reminded him how G-d had sworn to Dovid that the Kingdom would never depart from his children; how it is Hashem's way to

rebuke man but then to be reconciled with him; how He reproves those whom He loves, but like a father, He ultimately accepts them. And in the end, he concluded, Hashem would return Shlomoh to his throne.

When Shlomoh heard that, he felt reassured, and he got up from that meal of vegetables satisfied, happy and good-hearted. That is why, when he was reinstated, he wrote in his wisdom "A meal of vegetables where there is love is better than a fattened ox where there is hatred" - 'the meal of vegetables which that poor man fed me was better than the fattened ox which the wealthy man fed me - whilst he reminded me of my anguish'.

According to logic: "A little with the fear of Hashem" - Shlomoh is warning us here to reflect on matters of wisdom to the extent that lies within the limits of human understanding, and not to try and fathom that which is unfathomable, about which the posuk writes "Don't be too clever" (Koheles 7:16), because "A little with the fear of G-d is better ..." - it is better to grasp a little with the fear of G-d than a large treasure of wisdom that is beyond one's comprehension, which only leads to much confusion and perplexity because with a little, one grows and derives untold pleasure in the process, whereas with too much one perishes and derives much frustration, driving oneself away from the eternal life. It can be compared to honey, which is pleasant when one eats a little of it, but harmful when taken in large quantities - just as Shlomoh wrote in Mishlei (25:15) "If you found honey, eat just what you need, lest you are satisfied from it and vomit it ..." - even the little that you initially needed. That is what happens to someone who tries to attain that which is unattainable. His intention is to move forward, but in reality, he moves backwards.

Chazal in Sanhedrin (106a), referring to Bil'om, who went to Midyon to receive remuneration for the twenty-four thousand whose deaths he had caused, compare it to the camel who demanded horns; not only did they not give him horns, but they took away And so it was with Bil'om. Not only did he not receive his remuneration, but "Bil'om ben Be'or the sorcerer they killed by the sword" (Yehoshua 13:22). And that is what Chazal darshen in Chagigah (14a) regarding wisdom: "If you found honey, eat just what you need" - this refers to Rebbi Akiva; "lest you become satisfied from it and vomit" - to Ben Zoma (see footnote).

After teaching us the necessity to delve into those sections that are accessible, and warning us not to delve into those sections that are unattainable, Shlomoh discusses the concept of attainment - warning us that our depth of understanding should be rectified and purified without dross. That is why he continues "A meal of vegetables where there is love" - he means that it is better to possess a shallow understanding with faith in the Shechinah, which is called 'Love', as it is written "If you will arouse and if you will awaken the Love until you desire it" (Shir ha'Shirim 2:7), and it is written "If a man will give all the treasures of his house for the Love" (ibid. 8:7).

"... is better than a fattened ox" - than a deep understanding which leads a person astray, like the understanding which Yisroel attained in the desert, that caused them to make the Golden Calf, when they exchanged their glory for that of the image of a calf.

"... where there is hatred" - this refers to the quality of judgement, to which Moshe referred when he said "Why Hashem does Your anger burn against Your people?"

And the Torah here, at one and the same time, is praising the service of the Shechinah and discredits the sin of the Golden Calf. However, because their intention was not to serve idols, only to serve as a leader, their sin was forgiven. The proof that the sin was immediately forgiven, lies in the fact that the Shechinah rested in the Mishkan. That is why the Ohel Mo'ed in the desert was called the Mishkan - from the loshon 'Shechinah'. And the Mishkan was called 'the Mishkan of Testimony' (see Rashi Sh'mos 38:21). Chazal also darshened 'They sinned with the word "Eileh" ("Eileh elohecho Yisroel") and they were forgiven with the word "Eileh" ("Eileh pikudei ha'Mishkan ...").

[RABBI JONATHAN SCHWARTZ] From:jschwartz@yemail.yu.edu
Subject: Internet Chaburah -- Parshas Pekudai

Prologue: What a shame! After erecting the massive structure that was the Mishkan, the Jews were unable to lift it and place the beams in their proper location (Rashi Shemos 39:33 from the Tanchuma). Why couldn't the Jews set up the Mishkan on their own during the first attempt? Wasn't it the job of the Leviim to erect the Mishkan at each stop? Why couldn't they do it at the first dedication of the Mishkan?

Tosfos (Chagiga 15a) cites a Yirushalmi that notes that Rav Meir used to say that the end of something is certainly better than its beginning. Acher challenged Rav Meir and told him that Rabbi Akiva specifically limited this rule to something that is considered "Tov." As proof, Acher noted that at his Bris, his father had decided to dedicate the Boy (Acher's) life to Torah

because he saw the power of Torah studied by those attending the Bris. Acher noted that since the means were tainted with an incentive that was not pure, therefore, the end did not turn out Tov.

The Mishkan had a similar function. The Mishkan was set up as a Kappara for the sin of the golden calf (Rashi to Shemos 38). The structure was testimony to the nation that Hashem would forgive them for the Maaseh HaEigel since the Shechina was there. Thus, the one who would set up the Mishkan would need to have special power to justify the ends (the restoration of the Shechina to the camp). Rav Chizkiahu Eliezer Kahn ztl (of Gateshead) notes (in Sefer Nachalas Eliezer) that this is the reason that Hashem wanted the beams to be erected by no one other than Moshe. This is because the initial building of the Mishkan would be an ends that would justify the means for it would provide the dwelling for the Shechina. Hashem didn't even want Moshe's own Koach to build the Mishkan and insisted that it come through the Shechina. According to the Nachalas Eliezer, this is due to the fact that in the initial erection of the Mishkan, the actual end was achieved. The Shechina was able to appear on the scene and be Michaper on the Eigel. Hashem did not want that Kappara to come by the power of man at all.

Often, the means justify the ends. Sometimes people claim that ends justify the means. This week's Chaburah examines a Halachic aspect where the end is Kedusha and the means may be less than Kadosh. It is entitled:

Distinguished or Disposable: An outlook on Kedusha and the profane

There is a common situation that arises often in the orthodox world concerning the making of Kiddush on Shabbos. The situation arises when the Keli used to make Kiddush is disposable. Can one make Kiddush on wine in a disposable paper cup? What about using it for Netilas Yadayim? Are Kelim that are temporary considered disposable or do they carry a sense of permanence to them?

The question really begins with a decision as to the requirements of a Kos Shel Beracha. Tosfos in Berachos (50; see also Shabbos 76) quotes the Bnei Narvona who determined that one requirement necessary in a Kos Shel Beracha is a complete Kos. The Shulchan Aruch (Orach Chaim 183:3) adopts the position of Tosfos as the Halacha.

In explaining the definition of "a complete Kos," the Magen Avraham notes (183:5) that even a broken base of the Kos, not interfering with the actual receptacle used for holding the wine, invalidates the Kos, making it "Pagum." He bases the decision on the criteria for a Kos for Bentching (O.C. 271:10) which include the necessity to make the Kos look nice. Rav Moshe Feinstein (Igros Moshe O.C. III, 39) notes that a paper cup is even worse than a chipped cup in his opinion because it never had the status of important and "nice" due to its temporary status. He rules that there may be a reason to be Meikil when there are no other cups around.

Others have great difficulty understanding Rav Moshe's comparison of temporary cups to those found to be deficient. Tosfos in Eruvin (29b D.H. K'Dai and elsewhere) note that the problem with the Mogen Avraham's Kos, even when chipped in the base, is the fact that it had been a complete Kos to begin with and now was smashed. The act of smashing has lowered the status from a Kos to that which is no longer a Kos ("Shivrasan zu he Misasan"). Hence it cannot be used for a Kos Shel Beracha. The chipped or otherwise broken cup, is no longer the cup it once was, and renders it serviceless in the service of Beracha. However, the paper cup was created from the start as it appears now. It was created for temporary usage. The temporary status is not a lowering in status of the actual cup. It is the nature of the Keli we call disposable paper. It should be usable for any service requiring a Kos Shel Beracha (See Tzitz Eliezer vol. XII: 23) including Kiddush and Havdala.

As far as Netilas Yadayim with such a cup, a similar controversy arises among the modern. Poskim. In the Sefer Shraga HaMayer (Siman 51) the author utilizes Rav Moshe's logic concerning the disposable nature of paper cups to recommend that they not be used for Netilas Yadayim except in situations of great need. However, he cites an opinion from the Puppa Poisek who was of the opinion that since these cups are used for drinking,

they do not carry a lower status simply because they are disposable. The Satmar Rebbe cited a Rambam (Hil. Keilim 5:7) to state that any Keli that is disposable cannot acquire the status of Keli. The Tzitz Eliezer discounts the view of the Satmar Rebbe noting that the cited Rambam speaks of a situation where the Keli in question was not created for the use it was being utilized for. However, the paper cup was created as a Keli for drinking. Its temporary status is irrelevant to its declaration as a Kos whose usage as a Kos Shel Beracha or a Kos for Netilas Yadayim should be allowed. (He cites a proof from a Rambam Hil. Keilim 2:1 as further proof.)

L'Halacha, the issue appears dependent upon interpretation and understanding of the status of Chashuv. If we determine that an item's value is dependent upon its ability to remain in existence for a long time, a paper cup should not be used as a Kos (Rav Moshe's position). However, others maintain that the disposable nature of an item does not remove its title of "Keli" allowing it to be used for distinguished functions like Kos Shel Beracha.

Battala News

Mazal tov to the Graff Mishpochu upon Aviva's Forthcoming Marriage to Gershon Distenfeld

From: RABBI NOSON WEISZ [SMTP:NWeisz@aish.edu] Subject: Mayanot - Pikudei - The Faces of T'

PARSHAT PIKUDEI

THE FACES OF 'T'

Rabbi Noson Weisz

Betzalel son of Uri son of Chur, of the tribe of Judah, [used these materials] to make all that God had commanded Moses. (Exodus 38:22)

Rashi comments on this verse as follows:

So great was Betzalel that he did not merely carry out Moses' commands -- he even intuited instructions that God had commanded Moses, which he had not conveyed to Betzalel. Moses taught the order of the construction of the Tabernacle was to follow the sequence of chapters 25-26, where the fashioning of the vessels is described before the erection of the actual tent. Betzalel argued that normally a building is first erected, and only afterwards do you start to consider what to put inside. Moses answered that Betzalel was right. Betzalel fully lived up to his name -- Bezel El, meaning "in the shadow of God." Said Moses: "You must have been in the shadow of God when He spoke to me, for indeed, that is how I heard from God, that the construction of the Tabernacle should come first."

But if this is the way Moses heard it, why didn't he instruct Betzalel accordingly to begin with? Why did Moses change the order and put the fashioning of the vessels first? And what is the deeper significance of all this altogether?

A PLACE OF WORSHIP

The Tabernacle is a place of worship. As far as humans are concerned, its importance lies in the fact that we can contact God through the acts of worship carried out there. Since this worship is conducted with the aid of the vessels that are described in detail in the Torah -- the Ark, the altars, the priestly garments, etc. -- the vessels are of primary significance. The actual tent of the Tabernacle is merely the venue where these activities are carried out. The venue is of secondary importance.

Yet as far as God is concerned, the Tabernacle is a place the Divine Spirit inhabits. If we regard it from this point of view, the actual tent assumes primary importance whereas the vessels and the acts of worship that are carried out with their help are of secondary importance.

Why did Moses describe the vessels first? Because from the perspective of human beings, the vessels precede the Tabernacle itself. Betzalel objected, because he perceived that the Tabernacle was primarily constructed as a place for God to inhabit. Betzalel was correct.

THE ANXIOUS GROOM

God's desire for a dwelling on earth is explained in the Talmud:

Rebbe contracted with Rabbi Yosi ben Zimra that his son would marry the latter's daughter. Originally it was agreed that the groom would learn for 12 years before the marriage, but when he saw the bride, he expressed his desire to celebrate the marriage in six years. When he saw her for a second time, he said "Let's celebrate the marriage first and then I will go learn." His father Rebbe toldB [him]: "You are following the precedent set by your Creator. First it is written, 'You will bring them and implant them on the mount of Your heritage, the foundation of Your dwelling-place that You God have made, the Sanctuary, my Lord, that Your hands established.' (Exodus 15:17) [Thus God intended to build His Sanctuary only after He established the Jews in Israel], but in the end it is written, 'They shall make a Sanctuary for Me, so that I may dwell among them.' (Exodus 25:8) (Talmud - Ketubot 62b)

The Talmud thus compares the establishment of the Sanctuary to the consummation of a marriage where the groom -- having seen the beautiful bride -- cannot wait till the planned wedding date rolls around, and wants to move up the date of the consummation of his marriage.

Let us try to bring this concept down to earth.

Rabbi Elazar said: "It is written, 'And many nations will go and say, 'Let us go up to the mountain of God, to the house of God of Jacob'' (Isaiah 2). To the house of Jacob as opposed to the house of Abraham and Isaac? Indeed, not like Abraham who called it a mountain: 'And Abraham called the name of that site, 'God will be seen' as it is said this day, on the mountain God will be seen' (Genesis 22:14). Nor like Isaac who described it as a field: 'Isaac went out to supplicate in the field towards evening' (Genesis 24:63). But like Jacob, who called it a house, as

it is written, 'And he named that place "the house of God"' (Genesis 28:19). (Talmud - Pesachim 88a)

The site of the Temple is being discussed here. Each of the patriarchs had a prophetic experience on the future Temple site. Abraham described his experience in terms of climbing a mountain, a heroic feat for which one requires special training and the expenditure of great effort. As such, it is not an experience accessible to everyone. Only those imbued with the dedication and the strength to be heroes can aspire to it.

Isaac compared his prophetic experience to working in a field. This still requires some effort, but is no longer a heroic task. Working for a living is a common part of everyday life. Access to God is not automatic, but a simple willingness to do some work can bring it into one's reach.

But Jacob called it his house. A house is where one feels at home. Every man's home is his castle. It is the place where he retires when he is tired and wants to just be himself. By the time Jacob had perfected himself, access to God had become a matter of course -- and Jacob could describe himself as spending time in God's house.

THE EFFORT OF GENERATIONS

The establishment of God's presence in man's world was no simple feat. It required intense effort applied over generations, beginning with Abraham and ending with Moses. As the Talmud explains:

They heard the voice of God walking about the Garden B (Genesis 3:8)

Rabbi Aba said: "The verb "to walk" in this verse is written in the reflexive mood [meaning that] the voice of God began to leave. Adam sinned and God's presence (Shechina) departed to the first level of the heavens. Cain sinned and God's Presence ascended another level B

[Then] these seven tzaddikim managed to bring it back down to earth. Abraham had the merit of bringing God's Presence down from level seven to level six; Isaac brought it from six to five; Jacob to level four; Levi to three; Kehat from three to two; Amram to the first level up; Moses back down to the earth."

Rabbi Yitzhak said: "About this it is written, 'The tzaddikim inherit the earth and dwell forever upon it' (Psalms 37). The evildoers are suspended in space because they do not bring God's presence to earth, but the tzaddikim relocated God's presence back on earth. That is why they 'dwell forever upon it,' because God's Presence dwells on earth as a result of their efforts B When did God's presence rest on the earth? On the day the Tabernacle was erected. (Midrash - Shir Hashirim Raba 5:1)

The Tabernacle is not a lollipop or a prize bestowed as a reward for good behavior, nor a badge of honor conferred by God on a deserving Jewish people. The Tabernacle is erected by human beings who bring God's presence down to the world through their own effort and dedication.

THE MEANING OF THE SHECHINA

To understand the significance of the Tabernacle, we need some appreciation of the Divine name, Shechina, meaning God's presence.

The first blessing in the Amidah prayer begins:

Blessed are You, Lord our God and the God of our forefathers, God of Abraham, God of Isaac and God of Jacob B

This differs from other blessings which all begin:

Blessed are You, Lord our God, the King of the Universe B

This variation is not only provocative in differing from the norm; it is also apparently unacceptable according to the Jewish ritual law concerning blessings. The Talmud (Brachot 40b) teaches that any blessing that does not specifically include a reference to the fact that God is King of the Universe is invalid and must be repeated. The commentator Tosfot ask this question concerning the Amidah prayer, and answer that "God of Abraham" is another way of saying "King of the Universe," as it was Abraham who established this "kingdom" by informing people that God was their ruler.

But surely God is the King of the Universe by virtue of His own Divine powers. What does Abraham have to do with establishing God's kingdom?

In fact, a king is only a king if he is recognized as such.

"For the Kingship belongs to God and He rules the nations (Psalms 22:29). The Vilna Gaon explains: "God is the King of the Jewish people because they accepted Him as their King when they agreed to keep His laws. As far as [idolatrous] nations are concerned, God rules over them. When He wants them to, they are forced to carry out His will. But since they do not recognize God as their ruler, He is not their king. A King requires recognition to merit his title."

"Hear O! Israel, the Lord our God, the Lord is One" (Deut. 6:4). God who is only [the Jewish] God today and not the God of the nations, will be the single God of all in the futureB As is written: "God will be king over the entire earth on that day God will be One and His name will be One." (Rashi, ibid)

The establishment of the kingdom of God is an achievement of human beings. The kingdom is brought into existence by man's free choice to subject himself to God's rule. Those who take this fateful step merit to obtain a glimpse of their ruler.

A PARABLE OF A KING

"Please bestow upon me kisses from your lips." (Song of Songs 1:2)

There is a parable to a king who desired marriage with a noble woman from a good family. He sent a go-between to ask for her consent; she replied that she was not even fit to be his maid, but nevertheless she would like to hear the proposal from the king's own lips. So too the Jewish people made a similar request: "We desire to see our King." As it is written: "Moses brought the words of the people back to God" (Exodus 19:9).

God has a special presence, a revelation of Himself that allows the deserving to glimpse Him. After the Jewish people accepted God as King, this presence became inextricably intertwined with the soul of the nation of Israel.

The soul, or neshama, has at its source a portion of God Himself. The 600,000 root souls of Israel are collectively known as Knesset Israel, the Congregation of Israel. At the level of the source, whether you call this congregation God's presence, the Shechina, or whether you call it Israel depends only on your point of view. Essentially, you are dealing with a single entity.

WHO AM "I"?

They said of the Sage Hillel that when he would rejoice at the Succot celebration held in the Temple, he would declare: If I am here, then everything is here. But if I am not here, who is here? (Talmud - Sukkah 53a)

Rashi and the Tosfot are in dispute as to the identity of this "I" of Hillel. Rashi states:

Hillel would sermonize to the public and warn them against sin, speaking in the name of God. "If I, God, am here, then all is here. As long as I desire this house and My presence resides in it, its glory will endure and all people will want to come here. But if you sin and my presence leaves, who will want to come here?"

The Tosfot state:

Rashi explains that Hillel was speaking in the name of God, but in the Jerusalem Talmud it would appear that he was speaking about himself. The Talmud asks there: "Does God require Hillel's praise?" The Talmud answers that the "I" of Hillel was the collective I. He was speaking in the name of Israel, and the praise of Israel is more beloved to God than anything, as it is written: "And You the Holy One who is supported by the praise of Israel" (Psalms 22).

The soul of the great tzaddik Hillel, who was the leader of Israel at the time, his I, could either represent the I of God, or the collective I of the congregation of Israel. The sensitive ear picks up the implication that these two I's are really one and the same. The holiness of the Temple fuses them into a unity that represents the collective consciousness of both.

The fusion of these two identities -- the I of God and the I of Israel -- is a precise representation of the consummation of a marriage. Ideally, when marriage partners join together, their two I's become inseparable. They themselves have no clear notion where one ends and the other begins.

When Israel merits, it is able to attain this level of union with God. And it is the need to express this remarkable unity that necessitates a Temple where God's Presence can be observed in a state of union with Israel.

FUSING WITH GOD

God always has full access to the heavens. He is the acknowledged King of everything that resides there, and all heavenly creatures are in perfect union with God. But to the earth, God only has access when he fuses with man.

When God is able to send His Shechina down to earth to fuse with man, He reclaims a part of His dominion to which He previously had no entry. No doubt He had full power over it and was free to manipulate it from the outside as its Creator, but there was no possibility of affection and warmth. The man-God connection was purely business.

In his introduction to Exodus, Nachmanides explains that the Book of Exodus is the story of the first Diaspora and the redemption that ended it. Although at its end Israel has not yet entered the Promised Land and is wandering around in the desert, the redemption has already arrived. With the building of the Tabernacle, Israel attained once again the lofty level of the patriarchs in whose tents the Shechina dwelled.

Exodus ends:

"The cloud of the Holy Spirit covered the Tent of Meeting and the presence of God filled the Tabernacle." (Exodus 40:34)

The fusion of the I of God with the I of Israel is the true Exodus. Man finally escaped the trap of physicality and fused with the Infinite. When his I fused with God's, ordinary existence assumed a spiritual mantle.

The lack of a Temple leaves us severely limited to conduct our lives with spirituality. Once again we are imprisoned by physical existence, and the only open avenue of escape is through our minds and imaginations. But such escape leaves our bodies and our emotions behind, still mired in the world ruled by the pharaohs.

Our frustration is mirrored by God's. The lack of a Temple also inhibits Him from attaining His goal, the fusion between His Shechina and Israel. He is a King without a country.

Elijah asked Rabbi Yossi if he heard anything when he prayed. Rabbi Yossi told him that he heard an echo that sighed like a dove and proclaimed, "Woe to My children. Because of their sins, I demolished My house and burnt my Sanctuary and exiled them among the nations." B Woe to the Father that had to exile His children. And woe to the children who were driven away from their Father's table. (Talmud - Brachot 3a)

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From: Yated USA [SMTP:yated-usa@ttec.com] Yated Neeman USA
"Meoros HaDaf HaYomi" Produced by RAV CHAIM DOVID
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96b RESPECTING THE SANCTITY OF TORAH SCROLLS The sanctity of a Torah scroll places considerable responsibility on those who are charged with its protection and safety, for if it were to sustain even light damage, the consequences could be disastrous. Our gemarra relates an incident that illustrates this point most poignantly: Rav Eliezer and Rav Yosi were once learning together in a certain shul. At one point the tone of their discussion rose to an alarming level, and in the heat of intellectual battle both sages pulled their end of the sefer Torah they had been sharing, and the scrolled ripped in two. The gemarra reports that as a result of this incident, the shul eventually became a shrine of idolatry. A most severe punishment, especially in light of the fact that the sefer Torah was damaged accidentally, without malice or evil intent!

THE SOURCE OF THE OBLIGATION Rambam rules that, "It is a mitzvah and an obligation to respect the sanctity of a Torah scroll. When standing near one, a person must behave reverently" (Hilchos Sefer Torah 10:1). Some authorities are of the opinion that this obligation is rabbinical in nature (Daas Kedoshim, Yoreh Deah, 282:1), while others say it is a Torah-ordained mitzvah (Mishbetzes Zahav 153) derived from the obligation to show respect towards talmidei chachomim.

MOURNING A SEFER TORAH Someone who sees tefillin or a sefer Torah that has been torn or burned is required to rend his garment in the manner of a mourner (Shulchan Aruch, Yoreh Deah 340:37). In fact he is required to rend his garment twice-once for the desecrated sanctity of the writing, and once for the desecrated sanctity of the parchment (Shach note 57; Bach note 35). According to Be'er Haytev, however, these external signs of mourning are required only in cases when the damage to the tefillin or sefer Torah resulted from negligence on the part of those who are charged with its safety and protection. If acceptable precautions were taken, there is no obligation to mourn the loss through such actions. Avnei Nezer used this ruling of Be'er Haytev as the basis of a halachic decision regarding an incident of vandalism in the town of Zawartza, Poland: It happened on the night of Tisha B'Av. Thieves broke into one of the town's shtetlsh and stole the sefer Torah. The following day, after the theft was discovered and search parties were sent out, the scroll was found half-submerged in a muddy pond, torn to shreds. The Rav of Zawartza wrote to the Avnei Nezer asking whether he should decree a public fast day for all of the local residents. Avnei Nezer responded that it all depended on what precautions the gabaim had taken to safeguard the scroll. If they had acted responsibly and kept the Aron HaKadosh locked, then the incident occurred through no fault of theirs, in which case the community is not required to fast. Nevertheless, Avnei Nezer concluded, anyone who decided to fast regardless of the circumstances would reap eternal reward.

PRINTED TORAH LITERATURE The Taz writes that although the sanctity of a sefer Torah is greater than that of printed Torah works, "Those who disregard the holiness of [printed Torah] works will be required to give an accounting" (Yoreh Deah, 271:8). Avnei Nezer explains why: although printed Torah works are not inherently holy, the act of learning from them infuses them with sanctity (Yoreh Deah 2:376). This gives them the status of tashmishi kedusha-objects that are used to fulfill mitzvos. His proof: according to many rishonim, the sanctity of a shul stems from the fact that Jews pray and learn Torah in it (Ran on Shabbos Perek Bnei Ha'Eere). The same principle, Avnei Nezer says, applies to printed Torah works.

ERASING MAGNETIC RECORDINGS OF THE DIVINE NAME Erasing the letters of the divine name in any language is a Torah-ordained prohibition. There is a difference of opinion among halachic authorities whether this prohibition applies to magnetic recordings such as audio cassettes and computer disks as well, since they also use a written language of sorts. The question is whether magnetic impressions qualify as a written language according to halacha. Chelkas Yaakov rules that magnetic impressions are equivalent to letters, and thus, one may not erase divine names from magnetic recordings (3:98). Be'er Moshe, on the other hand, rules that magnetic impressions are not equivalent to letters, in which case divine names may be erased from magnetic recordings. This opinion reflects the position of most poskim. Minchas Yitzchak shares this view as well, but adds: "Although it is not prohibited to erase divine names from cassettes, it is preferable if it is done by a minor or a non-Jew" (3:102).

From: Mordecai Kornfeld [SMTP:kornfeld@netvision.net.il]
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daf@dafyomi.co.il, <http://www.dafyomi.co.il>
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Yevamos 88 PERMITTING AN "ESHES ISH" TO REMARRY BASED ON THE

TESTIMONY OF A SINGLE WITNESS QUESTION: The Mishnah (87b) discusses the case of a woman who received word that her husband had died abroad. She married another man, and then her first husband returned, alive. The Gemara teaches that the Chachamim were lenient in such a case "Mishum Iguna," and they permitted the woman to remarry based on the testimony of a single witness. Because of that leniency, however, the Chachamim imposed a number of severe stringencies upon her, as detailed in the Mishnah (87b), if her husband turns out to be alive. The purpose of these stringencies is to ensure that she will be very careful to check into the testimony of that witness and make sure that her husband is actually dead.

How could the Chachamim be lenient and permit her to marry based on the testimony of a single witness, when, according to the Torah, she is an Eshes Ish? How can the Chachamim override the Isur d'Oraisa of Eshes Ish?

(Although the Gemara later (89a-90b) says that there are times when the Rabanan do override Torah law, we do not find that they have the power to do so "b'Kum va'Aseh," actively, but rather "b'Shev v'Al Ta'aseh," passively. In the case under discussion, they allowed the woman to go and marry another person, in what would appear to be an active violation of Torah law.)

ANSWERS: (a) TOSFOS (DH Mitoch) explains that the Chachamim are authorized to override an Isur in the Torah, but they may not *uproot* an Isur in the Torah (unless it is done b'Shev v'Al Ta'aseh, as the Gemara says later on 90b).

The difference between "overriding" and "uprooting" an Isur d'Oraisa is that to "uproot" an Isur means to do something that everyone can see is contradictory to the Torah. In contrast, when the Chachamim are doing something that seems to have some logical (if not scriptural) basis and does not *appear* to be contradicting something in the Torah, then it is considered to be "overriding" an Isur and not uprooting it. In the case of our Gemara, there is good reason ("Ketzas Ta'am u'Semach," as Tosfos writes) to assume that the woman's husband is dead, since a woman always investigates the matter before remarrying. Thus, it is not considered "uprooting" an Isur in the Torah, but rather "overriding" it.

It seems that according to Tosfos, the Gemara accepts that this is one of the powers with which the Torah invests the Chachamim; the Torah gives the Chachamim the authority to do as they deem appropriate, as long as they do not "uproot" something written in the Torah. When they are relying on sound judgment and reason, even though the Torah does not give Halachic recognition to such reason, it is not called "uprooting." Since the Torah does not openly say *not* to accept such reasoning (and thus, issuing such a ruling will not inadvertently cause people to disrespect the Torah or the Rabanan), Chazal have the leeway to institute what they see as necessary.

(b) RASHI in Shabbos (145b, cited by REBBI AKIVA EIGER in Gilyon ha'Shas) writes that in this situation, the Chachamim uprooted the Kidushin retroactively (a principle the Gemara later, 90b, calls "Afke'inhu") in order to permit the woman to remarry. Thus, she was retroactively never married to her original husband.

The RITVA and Rishonim ask that if she was never married to the first man, then her marriage to the second man is a full-fledged marriage mid'Oraisa. However, from the Gemara it is clear that the *first* marriage is considered the real one (91a), and not the second!

The Rishonim (ME'IRI, TESHUVOS HA'RASHBA 1:1162) answer that according to Rashi, the Chachamim uprooted the first Kidushin *on condition* that the husband does not come back. If he eventually returns, then they never uprooted the original Kidushin. (The reason the woman may remarry meanwhile, even though there exists the possibility that her first husband will return alive, is because there is a Chazakah that since right now he is not here, he will not return; see Tosfos Gitin 33a DH Afke'inhu.)

(c) The RITVA cites the RE'AH who says that the testimony of the single witness is not accepted as "testimony," but rather as a "Giluy Milsa b'Alma" that she is no longer married. That is, the Torah does not always require the formal testimony of two witnesses to prove facts. Rather, any clear circumstantial proof ("Anan Sehadi" -- "*we* bear testimony") that she is not married suffices. The Torah left it to the Chachamim to decide what proof is considered clear enough to permit her to remarry.

In the case of our Mishnah, the fact that a single witness testified to the death of the husband is considered to be very strong proof that the husband is dead, because a person would not lie in court about an indisputable fact when his lie will eventually become known to all (through the return of the supposedly dead husband -- the Gemara introduces this logic later in the Sugya, 93b). Additional proof is afforded by the fact that a woman would not rely on the testimony of a single witness to get married unless she herself has investigated the matter to her satisfaction. Since the Rabanan decided that there is sufficient circumstantial proof of the death of her husband, the woman may get married mid'Oraisa and not just mid'Rabanan. (See also TOSFOS YESHANIM.)

This might be the intention of the RAMBAM as well. In several places (see Hilchos Edus 5:2; Hilchos Yibum 3:11) the Rambam writes that the trustworthiness of a single witness is "mi'Divreihem" (mid'Rabanan). However, in the end of Hilchos Gerushin (13:29) the Rambam comments that we should not wonder why the Chachamim permitted an Ervah to marry based on the testimony of a single witness (or a woman), because the Torah only requires formal testimony for an event that can *only* be known through witnesses (for example, that a person transgressed a specific prohibition, or that one person lent another person money). However, if a fact is in question, but it will eventually become known on its own (in our case, such as the husband's return), the Torah does not require formal testimony, since it is very uncommon for a single witness to lie about such a matter. The Rambam concludes, "Therefore, the Chachamim were lenient and believed a single witness... in order that women should not remain Agunos."

The Rambam's words at the end of Hilchos Gerushin are unclear. He begins and ends his comments by saying that the single witness is believed mid'Rabanan -- like he seems to write elsewhere -- while in between he says that the witness is believed mid'Oraisa!

The SHEV SHEMAITSA (7:1) explains that even though the witness is believed mid'Oraisa as the Rambam says, the Chachamim are usually very stringent with Isurim such as that of Eshes Ish and they require two witnesses. Here, also, they should have been stringent and decreed that an Eshes Ish may not remarry on such questionable testimony, and they should have required two witnesses, mid'Rabanan. The reason they did not require this here was in order to prevent women from becoming Agunos (like the Ritva wrote).

This is what the Rambam means when he says that the Chachamim were lenient, while at the same time the witness is believed mid'Oraisa. This is also why the Rambam writes in Hilchos Yibum that a single witness is believed only "Mishum Iguna." When the Rambam (in Hilchos Edus) says that a single witness is believed "mi'Divreihem," he means that it is not explicitly written in the Torah that he is believed in this case, but rather the Chachamim derived it from the verses. (The Rambam consistently refers to such Halachos mid'Oraisa as "mi'Divreihem.") The witness, through, is trusted mid'Oraisa. (The Rambam, unlike the Ritva, does not mention the logic that a woman thoroughly investigates the testimony of a witness, as our Gemara says, apparently because it would seem from our Gemara that this logic is entirely mid'Rabanan and does not affect the Halachah mid'Oraisa. The Ra'avad, *ibid.*, notes -- like the Ritva -- that this logic also serves to lend credence to the testimony of the witness.)

(d) The RAMACH in his comments on the Rambam (end of Hilchos Gerushin) takes a different approach and differentiates between the trustworthiness of a valid single witness (i.e. a Jewish male), and that of a single witness who would not be valid as one of a pair of witnesses. In the former case, the testimony is accepted to allow the woman to remarry mid'Oraisa (like the Ritva said), while in the latter, the witness is trusted only mid'Rabanan (like Tosfos).

90b DONNING A FOUR-CORNERED GARMENT WITHOUT TZITZIS OPINIONS: The Gemara says that the Rabanan may override the Mitzvah of Tzitzis in a garment made of linen because they are doing so "b'Shev v'Al Ta'aseh" -- by a passive infraction (by requiring that a person *not* do something), and not through a "Kum v'Aseh."

Why is this a case of "Shev v'Al Ta'aseh?" When a person dons a four-cornered garment that has no Tzitzis, he is doing an *act* of donning a garment without Tzitzis! Why is it considered a case of "Shev v'Al Ta'aseh?"

(a) TOSFOS (DH Kulhu) and other Rishonim explain that when the Torah commands us to wear Tzitzis, the Mitzvah is to place Tzitzis on a garment which one is *already wearing*. Before one dons the garment, there is no Mitzvah to put Tzitzis on it (according to the opinion that the Mitzvah of Tzitzis is a "Chovas Gavra," and only applies to Tzitzis that are worn and not to Tzitzis that are in a box). Therefore, when one puts on a four-cornered garment that has no Tzitzis, he has not done any act of Isur at all. Only after he is wearing it and he still does not start tying Tzitzis onto it does he transgress the Isur, "b'Shev v'Al Ta'aseh," since he is obligated to tie Tzitzis on the garment and he is passively not attaching them. (If he would put on a four-cornered garment with no Tzitzis and then immediately start tying the Tzitzis he would be doing no Isur at all.)

TOSFOS HAROSH quotes the RITZBA who says that based on this, if one of the four Tzitziyos becomes removed from the garment on Shabbos, one is permitted to wear the garment even l'Chatchilah. Putting on the four-cornered garment is not an Isur, and after he puts it on he is unable to tie the Tzitzis to it because of the Melachah of tying on Shabbos. (Of course, he is not permitted to walk into a Reshus ha'Rabim or Karmelis wearing the garment, because he is carrying the other three Tzitzis, since they do not qualify for the Mitzvah. But inside his house he is permitted to wear the garment and even to put it on l'Chatchilah; see also SHITAH MEKUBETZES in Menachos 37b, #4.)

(b) The SHA'AGAS ARYEH (#32) disputes the explanation of Tosfos and his ruling for a number of reasons.

1. As Tosfos himself points out, the blessing which one recites upon donning a garment with Tzitzis -- "H'His'atef b'Tzitzis" -- implies that the Mitzvah is to actively *wrap oneself* in Tzitzis, and not to place Tzitzis on the garment once it is already being worn.

2. The Gemara in Shabbos (132b) says that a Mitzvas Aseh is only Docheh a Lo Ta'aseh in a manner "similar to the way Tzitzis is Docheh the Isur of Kil'ayim," which includes the clause that at the moment one transgresses the Isur, he already fulfills the Aseh. According to Tosfos, though, the Isur of Kil'ayim is transgressed *before* fulfilling the Mitzvah of Tzitzis. Kil'ayim is transgressed through an act of "Kum v'Aseh," by actively donning a garment of Kil'ayim (as Tosfos proves from the Gemara in Berachos 20a). One fulfills the Mitzvah of Tzitzis only *after* one is already wearing the garment. Consequently, one transgressed the Isur of Kil'ayim *before* fulfilling the Mitzvah of Tzitzis!

3. The SHA'AGAS ARYEH suggests further that any prohibition that can be transgressed only if it is *preceded* by an action is called an act of "Kum v'Aseh," even if no action is done at the time that the transgression is actually done. Therefore, even if there is no Mitzvah of Tzitzis until the garment is donned, wearing a Tzitzis-less garment should still be considered uprooting a prohibition "b'Kum v'Aseh!" He proves this from examples of Isurim that are transgressed without an action, and yet Malkus (which is normally administered only for *actively* transgressing a prohibition, "Lav she'Yesh Bo Ma'aseh") is administered.

For example, the Gemara in Nazir (40a) says that if a Nazir was carried inside of a box into a cemetery (according to the view that a box separates between him and the Tum'ah), and then another person came and removed the cover of the box, if the Nazir does not leave the cemetery immediately but stays in his place, he will transgress the Isur of becoming Tamei in a cemetery *and* receive Malkus*. We see from that Gemara that the action of going into the cemetery -- even though done in a permissible manner -- makes the Isur into a "Lav she'Yesh Bo Ma'aseh." Here, too, putting on the garment should make the prohibition of wearing a Tzitzis-less garment a prohibition that is accomplished through a "Kum v'Aseh."

Therefore, the Sha'agas Aryeh suggests a different answer to the question of Tosfos. He says that any time an act is forbidden not because of what *is* done, but because of what is *not* done, it is called a "Shev v'Al Ta'aseh."

In the case of wearing a four-cornered garment without Tzitzis, what is wrong is not that the person is *wearing* the garment without Tzitzis, but that he has *not tied on* the Tzitzis. Even though the act of putting on the four-cornered garment is forbidden when it has no Tzitzis, what is causing the prohibition is the fact that he did not put on Tzitzis on the garment. This is in contrast to the Isur of Kil'ayim, which is considered an infraction "b'Kum v'Aseh," since the person who puts on a garment of Kil'ayim transgresses the Isur not because he is not removing the Kil'ayim from upon him, but because he has actively donned a garment of Kil'ayim.

Similarly, the Isur of a Nazir in a cemetery is that a Nazir may not *be* in a cemetery (for that is how the Torah described the Isur), and not that a Nazir *must be outside of* a cemetery.

For this reason, the Isur of a Nazir entering a cemetery is considered a "Kum v'Aseh," and Malkus may be administered.

(According to this reasoning, it would certainly be prohibited to don a four-cornered garment without Tzitzis even on Shabbos.)

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Yevamos 96 LIPS THAT QUIVER IN THE GRAVE AGADAH: The Gemara relates that Rabbi Yochanan was very upset with Rabbi Elazar for not repeating the teachings of Rabbi Yochanan in his name, because when one relates teachings in the name of the Rabbi who said them, then the Rabbi's "lips move in the grave" and it is as if he is still alive (Rashi). Based on this, the MAHARSHA (Mahadura Basra) suggests a marvelous interpretation of why Yakov was so upset at the news of Yosef's death.

(a) When Yakov heard that Yosef died, he refused to be comforted, saying, "I will descend to the grave in mourning" ("Ki Ered El B'ni Avel She'olah" -- Bereishis 37:35). He did not say "b'Yagon She'olah," as he said when he protested against the brothers taking Binyamin to Mitzrayim (Bereishis 42:38) but rather "b'Evel* She'olah." Why the change in expression?

We know that Yakov Avinu taught Yosef, to the exclusion of his other sons, everything he learned from Shem and Ever (Rashi, Bereishis 37:3). When Yakov was told that Yosef had died, he thought that no one will be able to repeat his teachings. This worried him -- as it did Rabbi Yochanan -- because as a result, after he dies he will be like an Avel who "has no mouth" (Rashi, Bereishis 25:30). His lips will not move since no one will be repeating his teachings, causing his lips to move in the grave.

This is what Yakov meant when he refused to be comforted "Because* ("Ki") I will descend to the grave in mourning." He meant, "I might be comforted for the loss of my precious son, but how can I be comforted for the loss I will endure after I reach the World of Truth, when I will be mute, like an Avel!"

(b) When Yakov was finally reunited with Yosef, he declared "Amusah ha'Pa'am" -- "Now I can die after having seen your face" (Bereishis 46:30). After seeing that Yosef was still alive, Yakov was no longer afraid to die, because Yosef would teach Yakov's teachings and thereby cause Yakov's lips to move in the grave, keeping Yakov alive, so to speak, even after his death.

(c) The Gemara in Megilah says that one of the presents that Yosef sent to Yakov was old wine. With this present, he hinted to his father that he need not fear silence in the grave.

The Yerushalmi in Shekalim says that the pleasure the deceased has when someone says over his teachings is comparable to the pleasure of a person "who drinks old wine; even after drinking it, the taste remains in one's mouth for a long time." Yosef was hinting that he did not forget any of the teachings of Yakov. As Rashi says (Bereishis 45:27), he sent Yakov "Agalos" to remind him of the last Halachic discussion they had together. The old wine meant that Yosef would repeat his father's teachings after Yakov's death, and Yakov's lips would move in the grave, like one who drinks old wine and continues to have pleasure from the taste after the drink is finished.

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From: Ohr Somayach[SMTP:ohr@virtual.co.il] The Weekly Daf #317 Yevamos 97 - 103 Parshat Pekudei By Rabbi Mendel Weinbach, Dean, Ohr Somayach Institutions ...

VITALITY IN OUR BONES "May it be Your will...in this month...give us long life...and a life of vitality in our bones..." This prayer, based on the daily prayer of the Sage Rav (Berachot 16b), is familiar to us as the one we say on the Shabbat before Rosh Chodesh. In it, we ask for long life, material prosperity and spiritual success. How does chilutz atzamos -- vitality in our bones -- enter into this list of essentials? The answer lies in the comment of Rabbi Elazar in our gemara that of all the blessings listed by the Prophet Yeshayahu as a reward for kindness to the poor, the most important one is: "He will give vitality to your bones." (Yeshayahu 58:11) Maharsha explains that this is one of the eleven blessings which Hashem bestows upon one who comforts the poor person with kind words of encouragement (Bava Basra 9b). It is special because it deals with the care of a person's physical constitution. The Hebrew word "etzem" means both essence and bone, because the bones are the very essence of one's ability to function. All the other blessings contained in those passages (ibid. 10-13) deal with matters external to the body, and are therefore not as significant to the ability to function as is the vitality of the bones.

What the Sage Rav had in mind with his daily prayer, and we with our monthly one, is not necessarily the body-building and exercise features of a culture based on physical fitness as an end in itself, but rather a Heavenly blessing of good health and energy which will enable us to better serve our Creator. * Yevamos 102b

Written and Compiled by Rabbi Mendel Weinbach