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INTERNET PARSHA SHEET ON TERUMAH - 5762

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From: <adam.katz@bear.com>

Mazel Tov to R' Ronn and Rayzel Yaish upon the recent birth of their son, Ovadiah Avraham. Mazel Tov to the entire Yaish and Kinderlehrer families.

[If you would like to include an announcement, please send it to me at crshulman@aol.com Thanks Chaim]

From: RABBI YISSOCHER FRAND [SMTP:ryfrand@torah.org]
 "RavFrand" List - Rabbi Frand on Parshas Teruma -
 What Was Wrong With The Offer Of The Princes?

The pasuk [verse] in Parshas Vayakhel says "And the Princes brought the Shoham stones and the Miluim stones for the Ephod and for the Choshen" [Shmos 35:27]. Rashi cites a famous teaching of our Sages that when it came time for everyone to donate for the Mishkan [Tabernacle], the Princes -- very generously -- offered to make up the deficit, after everyone else brought their contributions. According to Rashi, the Torah was unhappy with this offer. As a result, the word Nesium [Princes] is spelled defective -- without the letter 'Yud' -- as a punishment for their lack of enthusiasm (zerizus) to participate in the mitzvah of donating to the Mishkan.

If one were to query any fundraiser as to whether he would be pleased or displeased to receive an offer such as that made my the Princes, undoubtedly he would be thrilled at such an offer. He would certainly snap at the opportunity to have someone guarantee any shortfall that remained after the collection effort was concluded. Yet, the Torah was upset at the attitude of the Princes. What was wrong with their offer?

In this week's Parsha (Terumah), the Torah says "Speak to the Israelites and have them take to me an offering. From every man whose heart impels him, you shall take my offering." [Shmos 25:2]. All the commentaries explore the peculiar expression used in this pasuk -- "take to me" (yikchu li) rather than the more normal "give to me" (yitnu li).

Many commentaries explain that when one gives to a Mishkan -- or, for that matter, when one gives to any Torah institution, or helps out another person -- he is not really 'giving', he is 'taking'. More precisely, he is taking more than he is giving. "There are many agents of G-d" (Harbeh Shluchim I'Makom). G-d has His ways. One way or another, the institution or the person in need will survive. The only question is whether the donor will have the merit of being the agent of G-d. Therefore, the donor should realize that when he gives charity in any form, he is taking more than he is giving. That is why there is no such thing as a 'deficit' to the Master of the Universe. That is why the attitude of the Princes was so wrong.

Fiscally, it may have been a great idea, but attitudinally it was a horrible concept. What were they thinking when they raised the issue of 'deficit'? Did they think that the Mishkan might not be built without their coming to the rescue? That was flawed thinking. G-d has no deficits. G-d did not need their help to build the Mishkan. If the Princes wanted a portion of merit in the building the Mishkan, they should have enthusiastically jumped in and offered their donations up front.

This idea is underscored by another teaching of our Sages -- an

idea that we tend to forget in tough economic times: More than the wealthy person does for the poor person, the poor person does for the wealthy person [Vayikra Rabbah 34]. G-d provides for the needs of all. Most institutions will somehow survive and so too most poor people will somehow persevere. A person, who wishes to share in the merit and TAKE part in the reward of that merit, will jump in and contribute. The poor person's ability to transform a donor into a generous, compassionate, sensitive person, who has proper character traits, far exceeds that which the donor can do for the poor person. It is not so much that we have to worry about the poor. G-d will take care of the poor. We must worry about ourselves - and try to gain from the poor that which they have to bestow upon us.

The Chofetz Chaim (1838-1933) had a Yeshiva in Radin. A philanthropist came and offered to underwrite the entire budget of the Yeshiva. The Chofetz Chaim declined the offer. The Chofetz Chaim said that he did not want to remove the merit of supporting the Yeshiva from the rest of the Jewish people. This is a true story! The Chofetz Chaim said that he would rather run an institution that had to rely on \$18 and \$36 dollar donations because he wanted everyone to have a portion in the merit of supporting the institution. He therefore looked at a man who was willing to underwrite his entire budget and told him "Thanks, but no thanks", since the concept of "They shall TAKE a donation" taught that by G-d there are no deficits.

Now we can understand why specifically the 'Yud' was removed from the spelling of Nesium (Princes). The spelling of Nesium when it is written with a Yud is based on the form of the root 'naso' (uplift) which means "those who carry". When the Yud is removed, the word Nesium is based on the form of that root which means "those who are carried". This was the lesson that G-d was trying to teach the princes: "You think that you are going to carry the Mishkan. On the contrary, the Mishkan will carry you".

The following true incident occurred with Rav Eliezer Gordon (1840-1910), the founder of the Telshe Yeshiva. He married the daughter of Rav Avrohom Yitzchak Neviezer. Rav Leizer Gordon had a well-deserved reputation as one of the most outstanding young men in the Jewish nation. When he became engaged, his father-in-law told him that he would support him. In those days, the son-in-law used to live in the father-in-law's house. That is how Rav Leizer Gordon was supported.

One community after another approached Rav Leizer Gordon and asked him to become their Rabbi. Every time a community approached him regarding becoming their Rav, he would ask his father-in-law for permission to take the position. Invariably, his father-in-law insisted that he remain with him, sitting and learning. His father-in-law told him not to worry, promising to continue to support him. This happened year after year. Finally, the mother-in-law told her husband "It is already time to have our son-in-law move on. We can not support him here forever." Her husband replied, "We never know, who is supporting whom".

Eventually, Rav Gordon took a position and became a community Rabbi. The day after he left his father-in-law's house, his father-in-law passed away. We never know who supports whom -- who is the "carrier" and who is being "carried". Rav Leizer Gordon was supporting his father-in-law, not the other way around. G-d has no deficits.

It is a MERIT to participate in giving charity. If one deserves the merit, he will have that privilege.

The Best Merchandise Belongs To The Student of Torah

There is a Medrash Tanchuma on this week's parsha that relates the following incident. The Medrash is brought in connection with the pasuk "For I have given you a good item (lekach tov), do not forsake my Torah" [Mishlei 4:2].

There was a Torah scholar riding on a boat with many businessmen. They all had their wares with them. They asked the Torah scholar, "Where is your merchandise?" The Torah scholar responded, "My merchandise is better than yours." They searched throughout the boat and could find nothing. They began to mock him.

Pirates attacked the boat. They robbed and plundered all that was on the boat. Everyone was left destitute. When they arrived at the port

and entered the country, they were all 'in the same boat' - without any merchandise to sell.

The Talmid Chochom [Torah scholar] entered the Beis Medrash and began lecturing. People recognized that he was a great scholar. They treated him with honor and asked that he become their Rabbi, promising him a large salary. This Talmid Chochom was now secure. All of a sudden, the businessmen who had made fun of him on the boat asked him to put in a good word for them with the townspeople. The Talmid Chochom responded, "I told you that my 'merchandise' was better than your 'merchandise'. Your goods can be lost and destroyed; but mine are preserved."

The Medrash concludes that this is the meaning of the pasuk, "For I have given you a good item, do not forsake my Torah". [As in the (Yiddish) song, "Torah is de beste Sechora" (Torah is the best business).]

This Medrash has a lesson for all of us. Besides all the tremendous advantages of sitting and learning, of establishing fixed times for Torah study, of the spiritual pleasure that Torah provides to people, there is one other thing about Torah that people must start considering. Everybody plans for retirement. Everyone has their IRAs and their 401K plans and pension programs, and so forth. G-d willing, there will come a day when we will not need to go to work. So what will be then? Torah is the best business.

One who wants to plan for his retirement should "get into" learning. One who is in learning will always have something. He will always have the 'business' of Torah. A person may become rich or poor; he may have friends or lose them. But there is one thing that he will always have -- Torah! Torah can never be taken away from him!

A Jew once came to the Sefas Emes (1847-1905). He was a widower who had just lost his wife. He had been married for decades and now he complained to the Sefas Emes, "Rebbe, I'm lonely." The Sefas Emes told him "When a Jew has a page of Talmud, he is never alone." This is a very penetrating observation. A person can be stripped of his money, of his family, but never of his Gemara. This is the parable of the businessmen and the Talmud Chochom in the Medrash. The best wares belong to the student of Torah.

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SICHOT62-19: Parashat Teruma

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm)
Student Summaries of Sichot Delivered by the Roshei Yeshiva

SICHA OF HARAV YEHUDA AMITAL SHLIT"A
OBLIGATION AND OFFERING

Summarized by Jeremy Spierer

"And G-d said to Moshe: Speak to the children of Israel and have them bring Me an offering (teruma). Take My offering from everyone whose heart impels him to give. The offering that you take from them shall consist of the following: gold, silver, copper... They shall make Me a sanctuary, and I will dwell among them." (Shemot 25:1-3, 8)

"Meanwhile [the Israelites] were bringing more gifts each morning. All the craftsmen engaged in the sacred work [left] the work they were doing, and came [to Moshe]. They said to Moshe, 'The people are bringing much more than is needed for the work

that G-d commanded to do.'" (Shemot 36:4-5)

The Torah refers to an outpouring of generosity, nedivut lev. Not only did Benei Yisrael bring supplies voluntarily, but they brought in excess. The Torah's portrayal of these events is extremely positive.

Rashi, in the beginning of our parasha, explains (based on Megilla 29b) that the three appearances of the word "teruma" here refer to three separate donations to the mishkan: the mandatory half-shekel for the adanim, the bases of the beams, the mandatory half-shekel for the communal offerings, and the voluntary offering of an unspecified amount for the construction of the rest of the mishkan. The Maharal (Gur Aryeh) finds this comment difficult. The Torah overtly relates only to the voluntary drive for the mishkan materials; there is no apparent reference to the other donations. The Maharal answers that logically, the demand for the mandatory half-shekels must precede the call for voluntary donations. The element of compulsion is indispensable in constructing the mishkan. Had the call for voluntary donations been issued first, the people might voluntarily have provided all of the resources for the Mishkan, thereby eliminating the need for the mandatory contributions (see notes on the Gur Aryeh).

The Maharal's comments contain an important message. Nedivut lev, voluntary avodat Hashem, is certainly positive, but only if rooted first in a spirit of obligation, of commitment. The funds for the physical base of the mishkan came from an obligation, not from an act of altruism.

The Torah describes the Jews' voluntary acceptance of the Torah, "We will do and we will understand" (24:7). Yet Chazal describe an acceptance through coercion: Hashem hoisted a mountain above their heads and said, 'If you accept [the Torah], good; if not, here will be your burial place'"(Shabbat 88a). Their voluntary acceptance, however positive, was not sufficient. Hashem required a firm commitment.

Western culture, particularly that promoted in America, preaches individualism, personal choice. Nothing can infringe upon a person's rights. In our world this has taken many forms. People desire to keep mitzvot, to lead a religious life, but only because they want to, not because they feel they have to.

In addition, people shy away from commitment - to family, to society. I visited a shul in America where I found very few children. After inquiring regarding the reason, I discovered that most of the members were single. They were not getting married; they were unwilling to commit. In Israel society, people speak of lack of motivation in the armed forces. People do not feel a commitment to defend the country; commitment smacks of coercion.

"One thing I ask from Hashem ... that I may dwell in His house all the days of my life, to behold the beauty of Hashem and to visit in His temple" (Psalms 27:4). King David asks to establish permanent residence in Hashem's house - but at the same time to maintain the excitement and enthusiasm of a first-time visitor. Similarly, we should always strive to learn Torah with this enthusiasm, to arrive at the beit midrash as if it were our first time. But some days we wake up without this longing for the beit midrash. Yet we still have to come.

Again, the overflowing generosity Benei Yisrael displayed was extremely positive. However, Rashi places this voluntary donation third, after the mandatory gifts. The first teruma for the adanim represents the need for an underlying obligation. The second teruma for the communal offerings represents an objective goal. Avodat Hashem is rooted first in obligation and defined goals, not in subjective desire. This is the message of the terumot.

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BY RABBI MICHAEL TAUBES

Parshas Shemos: SUSPECTING THE INNOCENT

No definitive Halacha LeMa'aseh conclusions should be applied to practical situations based on any of these Shiurim.

When Moshe Rabbeinu is told by Hashem at the burning bush that he should go and inform Bnai Yisrael that Hashem has spoken to him and will soon redeem them from slavery, he reacts by stating that the people will not believe that he's telling the truth (Shemos 4:1) Hashem immediately responds by giving Moshe two signs that he may show the people to prove the veracity of his claim; as part of the second sign, Moshe's hand becomes afflicted with Tzora'as (*Ibid.* v. 6). The Gemara in Shabbos (97a) understands that this affliction was not merely a random sign for Moshe to use, because, as Rav Achai Gaon explains in the She'iltos (She'ilta 40), Hashem could have selected any number of other signs. Rather, he chose a sign which contained a lesson, indeed a punishment, for Moshe himself because he had suspected Bnai Yisrael of not believing him. The Gemara thus derives from this story that one who is Chosheid B'Keshairim, that is, he unjustly suspects innocent people, is punished with a physical affliction as Moshe was.

The Mishnah in Yoma (18b) states that as part of the preparation for the Avodah in the Beis HaMikdash on Yom Kippur, the elders among the Kohanim would have the Kohein Gadol swear that he would not alter the service in any way; following this, both the Kohein Gadol and the elders would cry. The Gemara (*Ibid.* 19b) explains that he would cry because they even suspected him of being a Tzeduki (coming from that group of people who do not believe in the validity of the Torah SheB'al Peh or the authority of the Rabbanan), and they would cry because if they were indeed being suspicious of an innocent man, they would be deserving of the above cited punishment which is visited upon one who is Chosheid B'Keshairim. The Rambam (*Hilchos Teshuva* 4:4) lists Choseid B'Keshairim as one of the Aveiros which prevents a person from being able to fully do Teshuvah, explaining that people do not even realize that it is an Aveirah to consider a good person to be a sinner; people will therefore rarely even attempt to do Teshuvah for this Aveirah. It is clear from the above that it is prohibited to suspect an innocent person of being a sinner.

Does this prohibition apply to one's attitude towards all people, or is it possible that sometimes one may indeed be suspicious of someone else? The Rambam, in discussing the case of the Kohein Gadol (*Hilchos Avodas Yom HaKippurim* 1:7), implies that it is prohibited to suspect anyone whose actions and motivations are not known, because perhaps he has nothing wrong in mind. In his Peirush on the above Mishnah in Yoma (1:5), the Rambam likewise writes that it is forbidden to suspect someone whose actions are unclear and might be bad; the Tosafos Yom Tov (*Ibid.* s.v. V'Hen) on that Mishnah accepts this as well. This position appears to work out very nicely with that of the Mishnah in Pirkei Avos (1:6) which states "V'Havi Dan Et Kol Ha'Adam L'Kof Zechut," teaching that one should judge all people favorably, a trait which the Rambam (*Hilchos Deios* 5:7) says must be possessed by a Talmid Chochom. Rashi there (*Ibid.* s.v. V'Havi) asserts that unless one knows otherwise for sure, one should assume that other people's actions are all good, and, citing a Gemara in Shabbos (127b), writes that one who does this will himself be judged favorably by Hashem.

The Beraisa in Maseches Kallah Rabbasi (Perek 9), however, states that one should always consider another person to be like a thief (at least potentially), which, of course, implies the exact opposite. The Gemara there (*Ibid.*) immediately questions this statement based on another Mishnah in Pirkei Avos (2:4) which teaches that one should not judge someone else [negatively, as the Bartenura (*Ibid.* s.v. V'Al Tadin) points out there] until one has been in that situation, implying, again, that one should not suspect another person without knowing all the facts. The Gemara (*Ibid.*) responds that in Pirkei Avos, the Mishnah (*Ibid.*) is talking about a person whom one knows - he should not be judged unfavorably unless all the facts are clear. In Maseches Kallah Rabbasi, however, the Beraisa (*Ibid.*) is referring to a person whom one does not know - he may justifiably be suspected of being wicked.

Rabbeinu Yonah, explaining the Mishnah in Pirkei Avos about

judging others favorably (1:6), writes that one should judge the average person favorably whether one knows him or not, adding in his Shaarei Teshuvah (Sha'ar 3 Ot 218) that this is required by the Torah, but someone who is known to be a wicked person should always be viewed in a negative or suspicious light. The Klei Yakar, commenting on the Posuk in the Torah (Vayikra 19:15) quoted by the Gemara in Shevuos (30a) as the source for the idea of judging people favorably, notes as well (s.v. B'Tzedek) that a wicked person should not be judged favorably because the assumption is that he has remained wicked; one is not considered a Chosheid B'Keshairim for suspecting such a person because this person is not considered to be among the Keshairim. The Bartenura on that Mishnah (*Ibid.* s.v. V'Havi) also writes that physical punishment is inflicted only upon a Chosheid B'Keshairim, but one who is Chosheid a Rasha has done nothing wrong. We see from here that this prohibition to be suspicious of other people is not necessarily all-encompassing; there are possible exceptions.

Because of this prohibition, though, it is also necessary for one to avoid doing things that make other people suspicious of him. Rabbeinu Yehudah HaChassid notes in his Sefer Chassidim (Siman 44) that one who causes suspicions to be raised about himself is responsible for the reactions of the people who see him, and hence, their punishment, when applicable. There may, however, be a distinction between an individual and a large group of people because one won't usually suspect an entire group of being sinners. The Gemara in Avodah Zarah (43b) indeed says that the prohibition of being Chosheid does not apply regarding a group; we thus need not worry that someone will be Chosheid an entire group. The Ramo (Yoreh Deah Siman 141 Sif 4) rules accordingly, and an activity forbidden to an individual because it may raise suspicions about him may therefore be permissible for a group.

This last ruling is debated by the Poskim, but the Magen Avraham (Orach Chaim Siman 244 Sif Katan 8) concurs, explaining that a non-Jew may thus do certain work for a community on Shabbos which he wouldn't be able to do for an individual because there will be no suspicion of an entire community. He therefore rules that strictly speaking, although it has been forbidden for other reasons, a non-Jew may, under certain circumstances, work on building a Shul on Shabbos because nobody will think that the community sinned by hiring him. The Chasam Sofer (Sheilos V'Teshuvos Chasam Sofer Chelek Orach Chaim Siman 60) suggests that this is true only for something like a Shul where the community participates in it together, but if many people happen to be doing the same thing, each on his own behalf, then a problem is created because they are then like individuals who must avoid suspicious activities, even though there are many of them. The Pardes Yosef on the Posuk in this Parsha (Shemos *Ibid.* Pasuk 2) quotes that perhaps this is why Moshe was punished despite being suspicious of a group; he was really being suspicious of each of Bnai Yisrael as individuals.

From: listmaster@shemayisrael.com

PENINIM ON THE TORAH

BY RABBI A. LEIB SCHEINBAUM

PARSHAS TERUMAH

And let them take for Me a portion. (25:2)

Tanna Dvei Eliyahu says that when Klal Yisrael declared "Naaseh v'Nishma," "We will do and we will listen," in regard to their commitment to accept the Torah, Hashem responded, "Veyikchu Li terumah," "Let them take for Me a portion." This statement has been a rich source for homiletic exposition. The Bobover Rebbe, Horav Shlomo Halberstam, z.l., takes a novel approach towards explaining this Chazal. He cites the Talmud Megillah, 29a, where Abaya explains "At first, I would study at home and pray at shul. When I heard David HaMelech's statement, 'Hashem, I love the shelter of Your House' (Tehilim 26:8), I began to study in the shul." He also cites a famous anecdotal exposition of the venerable Ropshitzer Rebbe, z.l., regarding the pasuk in Tehillim 95:10, "V'heim lo yadu drachai" "And they did not know My ways." The Rebbe read the first word, "v'heim," as the Yiddish word "heim," home, as a reference to those who study at home as opposed to studying in the bais hamedrash. This is not the derech, way, that Hashem wants us to choose. We are to study Torah in

the place designated for Torah and tefillah, prayer - the bais hamedrash.

This is also the underlying meaning of Chazal's statement in the Talmud Kiddushim 30b, "If this menuval (despicable wretch, a reference to the yetzer hora, evil inclination) meets you (and seeks to lead you astray), pull him into the bais hamedrash." The only place where you will have the power to overcome the overriding influence of the yetzer hora is in the bais hamedrash. We return now to the words of the Tanna Dvei Eliyahu. When Klal Yisrael responded with a resounding, "Naaseh v'Nishma," indicating that they were willing and prepared to accept the Torah, Hashem immediately instructed them to contribute for the construction of the Mishkan. The Mishkan and the latter day beis medrash, which is called a mikdash me'at, miniature Sanctuary, are the places where Hashem reposes His Shechinah. Thus, the yetzer hora has no control in such a place, if one connects solidly with it.

In an alternative exegesis, when the Pupa Rebbe, z.l., spoke on behalf of his yeshivah on Parashah Terumah, he would focus on the above Chazal. He explained that Hashem was teaching Klal Yisrael an important lesson when He asked them to open their wallets right after they declared their unequivocal acceptance of the Torah. Some individuals, although they are committed, observant Jews, often hesitate when it comes to mitzvos that demand a financial commitment. He was wont to use the word "b'tzedek" - bais, tzaddik, daled, kuf (referring to the pasuk, "b'tzedek echezah panecha," "with righteousness I will gaze upon Your Countenance") as an acronym for the Yiddish words "biz tzu di kesheneh", "until it comes to the wallet." In other words, people talk much about their commitment and dedication - until they are asked to share some of their material assets. Thus, Hashem tells Klal Yisrael that saying "Naaseh v'Nishmah" is not a sufficient commitment. One must also be willing to give a Terumah, to part with his money, for the purpose of mitzvah observance.

They shall make an ark of acacia wood. (25:10)

The Aron Ha'kodesh, holy Ark, the repository of the Torah, has long been viewed as a symbol of Torah learning and the talmid chacham, Torah scholar. Indeed, upon perusing the Midrashim and ensuing halachic requirements for building the Aron, one develops a sense of the character traits that should comprise the talmid chacham's personality.

Of all of the vessels that were constructed for use in the Mishkan, only the Aron was made of specifications and measurements that were not whole. The Aron measured two and a half amos, cubits, long, one and a half cubits wide, and one and a half cubits high. A number of lessons may be derived from this criteria. First, we infer that the scholar's goal is never complete. Torah knowledge is vast; it is endless. The only goal is to learn - and to continue learning. Of course, one should have definite goals. After these goals have been realized, however, one should know that he is only beginning to understand Torah.

A talmid chacham should be humble, of a lowly spirit, always acutely aware of the uncompleted, never-ending task before him. He should derive the importance of humility - not only in knowledge - but also in character. Torah does not coincide well with one who has a haughty character. Our greatest gedolim, Torah giants, who have illuminated our minds with their brilliant expositions of Torah, never perceived themselves to be any better than the students that they taught. They were a vehicle for imparting Hashem's Torah to the next generation. They were soldiers in Hashem's army, serving a mission.

One wonders why the measurements were "broken." If the purpose was to impress the need for humility, why could the measurements not simply have been small? The Aron should have been the smallest vessel, with small measurements, rather than a large vessel with broken measurements. I think the reason is as follows. I once knew an interesting individual who was very wealthy. He was also very short. He often remarked, "I may be short, but when I stand on top of my money, I am taller than anyone." What a remarkable lesson there is to be derived from this arrogant statement. There is a distinction between one who thinks "low" of himself and one who views himself as incomplete. The Aron's measurements were fragmented to teach us the paradigm for anivus, humility. There is nothing as whole and as complete before Hashem as a "broken" person, one who considers himself incomplete.

We may go a bit further in developing an understanding of the Torah's idea of humility. Moshe Rabbeinu is known as the "anav mikol adam," the most humble of all men, the paragon of humility and modesty. How does one achieve such distinction? We suggest that the answer lies in the words, "mikol adam," of all men. The true anav, humble person, sees virtue

in everyone and places each individual on a pedestal above him. In other words, an anav is not necessarily a person who puts himself down, but rather elevates everybody else. Thus, if everyone is greater than he, how could he even conceive of himself as better than anyone else?

While it is absolutely essential that the Torah scholar be of a humble spirit, this sense of humility should be contained within an aura of self-respect and dignity. Indeed, the Aron's foundation was made of wood and covered with a layer of gold on the inside and outside. Why was it not made of all gold? This teaches us that the Torah should not be equated with gold. It must be ensconced in beauty. Hence, the gold layers reflect its value and glory.

In the Talmud Yoma 21a, Chazal tell us about a remarkable aspect of the Aron's measurements. Rabbi Levi says that it is a tradition transmitted through the generations that the Aron is not "min ha'middah," "part of the measurement". In other words, miraculously, the Aron did not take up any space. Whatever area the Aron covered was still available as if the Aron were not there at all. The Sefas Emes queries this statement. We know that every aspect of the Mishkan and its Keilim, appurtenances, was a contribution from Klal Yisrael. Every ethical character trait that the people possessed was imbued into the Mishkan. From the Aron's broken measurements to the gold crowns around the various vessels, each reflected a quality and virtue inherent in the people which was essential for spiritual/moral development. Where in their contributions do we find a quality that is expressed in the Aron's apparent vacuum, the fact that they do not take up any place in the Kodshei Kodoshim.

The Sefas Emes explains that it was an expression of Klal Yisrael's good will. The Torah teaches us that the people contributed much more than was necessary for the construction of the Mishkan. In fact, some individuals wanted to donate above their means. It was not, however, needed. Klal Yisrael contributed admirably, so that there was more than enough material available for the Mishkan. These retzonos, well-meaning and pure intentions, could not be realized because there was enough material. This created the concept that, despite its corporeality, the Aron did not take up any space. When an individual's intentions are so well-meaning and filled with extreme devotion, they create an edifice that reflects their conviction.

There are countless stories told about the humility of our gedolei Yisrael, Torah giants. The ones who are the greatest and most erudite are generally the most humble. The following two narratives demonstrate for us that the humility evinced by these gedolim was much more than an exhibition of their unpretentiousness; it was actually inherent in their personality. They truly believed that they were not worthy of any special accolades.

The first episode concerns the relationship between the revered Chasam Sofer, z.l., rav and posek, halachic arbiter, of Hungarian Jewry and an undisputed gadol hador, and his father-in-law, the venerable Horav Akiva Eiger, z.l., whose erudition in Talmudic jurisprudence and in all areas of halachic literature was unparalleled. The Chasam Sofer's first wife, a woman who was well-known for her exemplary character traits, righteousness and piety, was suddenly taken from this world at a young age, leaving her saintly husband bereft of his life's partner. She was eulogized by the greatest Torah luminaries for her unique qualities, especially her devotion to her husband, allowing him to spend his time in Torah study and devotion to the Almighty.

As soon as the shivah, seven-day mourning period, ended, he was besieged with offers of shidduchim, suitable matches. At the same time, Rav Akiva Eiger's son-in-law died, leaving his daughter -- who was a well-known baalas chesed, involved in numerous activities to help others, and a pious, virtuous woman -- alone. Unaware of the Chasam Sofer's personal tragedy, Rav Akiva Eiger wrote to him, asking if he knew of anyone who would be suitable for his daughter.

The Chasam Sofer immediately gave the letter to a close colleague and asked him to "follow up" on the letter. The colleague understood that the Chasam Sofer had a personal interest in this matter and followed up accordingly. It did not take long before the shidduch of Rav Akiva Eiger's daughter was officially proposed to the Chasam Sofer, who immediately wrote a letter to her father asking him for "information" about his daughter. After all, who would know more about the young lady than her father?

Rav Akiva Eiger sent back a glowing description of his daughter's character traits, as well as the wonderful acts of loving kindness in which she excelled. He lauded her piety and virtue. He ended his letter stating that the Chasam Sofer, as a Torah scholar, would certainly follow Chazal's criteria for a shidduch: to seek a bas talmud chacham, daughter of a Torah

scholar. "Regrettably," wrote the Rav Akiva Eiger, "I am sorely deficient in this area. I will, therefore, understand if you will not accept my daughter."

The Chasam Sofer responded in kind, appreciative of the wonderful qualities of Rav Akiva Eiger's daughter. He, of course, was not in agreement with Rav Akiva Eiger concerning his level of erudition. He did add that there was one problem that might hinder the shidduch - his own lack of Torah knowledge!

Incredible! We all know that the match reached fruition, and the Chasam Sofer became Rav Akiva Eiger's illustrious son-in-law. What should impress and inspire us is the humility of these two outstanding Torah giants. It was not a show - they truly believed that they were not talmidei chachamim. What should we say?

Our second episode is about the Chozeb m'Lublin, the famous "Seer," elder statesman, one of the founders of the Chassidus movement. He was undisputed as a talmid chacham and tzaddik, a person who reflected Ruach HaKodesh, Divine Inspiration, in his every movement. While he was the spiritual leader of the chassidic community of Lublin, the rav of the city was a strong misnagid, standing firmly in opposition of Chassidus. One day, the rav asked the Chozeb, "Why is it that everyone flocks to you, and I am unsuccessful in attracting a following?" "I have no idea why they come," said the Chozeb. The rav said, "My suggestion to you is that on Yom Tov, when a substantial number of people are in the shul, that you ascend the bimah, lectern, and declare to the chassidim that you are not worthy of their following. You are not a scholar, nor do you possess any wisdom. Perhaps they will stop coming to you."

The Chozeb took the rav's advice and made the announcement in shul. To the rav's chagrin, the Chozeb's self-effacing declaration impressed the assembly and raised the Chozeb's esteem in their eyes even more. When the rav saw what had happened, he told the Chozeb, "I have another idea. At the next opportunity, announce to the chassidim that you are a brilliant scholar and a great man. The Chozeb listened to the rav's suggestion and responded, "I may not be a talmid chacham, nor am I brilliant. One thing is certain, however, I am not a liar!" This sincere statement was made by an individual whose brilliance and piety has radiated on for generations. It illustrates the idea that only a great man can be truly humble.

Speak to Bnei Yisrael and let them take for Me Terumah. (25:2)

Chazal translate the word li, (for) Me, as, "You are taking Me," suggesting that by constructing the Mishkan, we are taking Hashem to us. The Midrash explains this with a parable. There once was a king whose only daughter became engaged to a king from a distant country. While the father was overjoyed with his future son-in-law, he was chagrined at the thought of his daughter's leaving. He told his prospective son-in-law, "I have given you my only child. It is very difficult for me to part with her. I ask that you do one thing for me: Wherever you live, please build a small room for me, so that I may dwell in it. This way I will not be separated from my dear child." Likewise, Hashem says to Klal Yisrael, "I have given you My most precious Torah. I cannot part from it. Thus, I ask you to build for Me a house wherein I may reside among you." This is consistent with the pasuk, "They shall make for Me a Mikdash, Sanctuary, so that I may dwell among them."

How are we to understand this Midrash? Does Hashem have feelings? Does He have emotions that respond to given situations as ours do? How can one say that Hashem could not bring Himself to be separated from the Torah? Hashem created the Torah. He made it. Apparently, before He created it, He existed in a satisfactory manner. What is the meaning of Chazal's ambiguous statement?

Horav Mordechai Gifter, z.l., explains this Midrash and simultaneously teaches us a fundamental lesson about the meaning of Torah and its relationship to us. When Chazal imply that Hashem could not bear to be separated from the Torah, they mean that the Torah and Hashem are intrinsically one unit. Hashem is an indivisible part of the Torah. The goal of the Torah is to infuse this world with kedushah, holiness, rendering it a receptacle in which Hashem could repose His shechinah. In essence, Hashem did not need the Torah. Rather, He gave it to us so that we would use it to provide a "home" for Him in this world. What relevance is there to Torah without its ultimate goal: Hashem?

Rav Gifter uses this thesis to explain why the Torah first instructs us to give the money - then tells us its purpose. The correct sequence should have been first to notify us of the mitzvah, building the Mishkan, and then to instruct us how to finance its construction. We now understand that the purpose of the Mishkan is to provide a place for Hashem. Taking Terumah, collecting money for its construction, is not merely a preliminary stage; it is

actually the first step in the process of constructing this edifice. Giving one's material possessions for the purpose of building the Mishkan means elevating the mundane, sanctifying the material, raising it to a level of kedushah heretofore not realized. Hence, the Torah instructs us to take the Terumah prior to the command to build the Mishkan, because to do so exemplifies the essence of the Mishkan.

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From: rachrysl@netvision.net.il Subject: MIDEI SHABBOS BY RABBI ELIEZER CHRYSLER Vol. 9 < No. 19

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Parshas Terumah

Building A Beis-Hamikdash

The Rambam writes in the first Perek of Hilchos Beis ha'Bechirah 'It is a Mitzvas Asei to build a house for G-d, that is ready to offer in it (daily) sacrifices, and in which one celebrates three times a year, as the Torah writes "And they shall make for Me a Mikdash". The Or ha'Chayim explains that he derived this from the fact that in Pasuk 8, the Torah refers to the House of G-d as "Mikdash", whereas in the very next Pasuk, it calls it a "Mishkan". Clearly then, the earlier Pasuk refers to the general Mitzvah of building a Beis-Hamikdash. It pertained to that time in the desert, and to all times. In fact, we would even be obligated to fulfill it in Galus, had the Torah not expressly forbidden the bringing of Korbanos outside Eretz Yisrael, once we had entered the Land.'

The second Pasuk refers to the temporary House of G-d that they would build for Him in the desert, which suited the circumstances that prevailed at that time.

The Seifer ha'Chinuch, who adds to the Mitzvah the construction of the holy vessels, the Aron, the Shulchan, the Mizbe'ach . . . , stresses that the Beis- Hamikdash was not meant to house G-d (Kevayachol), for, as Shlomo Hamelech wrote in Melachim, all the Heavens cannot contain G-d The real purpose of the Beis-Hamikdash is to enable us to attain atonement for our sins. This we do by bringing before G-d animals (to whose level we sink when we sin), and to elevate ourselves spiritually by humbling ourselves before the Master of the world (when we bring Him sacrifices not intended to atone for any sins).

In addition, he says, the act of bringing before G-d some of the very food that we eat, inspires us to come closer to Him, and the Metzudas David adds Tefilah as an additional objective. In any event, the Beis-Hamikdash may well be referred to as the House of G-d, yet primarily it is we who benefit from its presence, and who lose out when it is not there. And this is borne out by a Medrash cited by Rabeinu Bachye:

The Medrash, quoting G-d, says 'You are My sheep, and I am your shepherd. Make a pen for the shepherd, so that He may come and graze you (provide for you).

'You are a vineyard and I am your guardian. Make a hut for Me to come and protect you.'

'You are My son and I am your Father. It is an honor for the children to be with their father, and for the father to be with his children'. Make Me a room so that I can come and dwell among you'.

Depending on our own level of conduct, the Beis Hamikdash is the location that our King has chosen to feed us and even protect us, as long as we serve Him faithfully - as loyal subjects serve their king.

Whereas if we respond to the privilege of having G-d in our midst, by behaving like children of G-d rather than servants, then our Father in Heaven will treat us with the love and affection of a father to a son. And when that happens, then it is not only we who will benefit from that closeness. Because, in the words of the Tana at the conclusion of Pirkei Avos, 'All that G-d created in the world, was for His Honor', and the greatest honor that we can bestow upon Him is by loving Him like a son loves his father.

The Metzudas David too, writes that the main objective of the Beis Hamikdash is to designate a place of worship, a place where the Shechinah and G-d's Hashgachah can reside. For so the Pasuk writes in Melachim (1) 9:3) "And My eyes (Hashgachah) and My heart (the Shechinah) will be there all the days". And so the Medrash (based on the Pasuk in Shir Hashirim "Behold He stands behind our wall") states 'Never has the Shechinah departed from the Kosel ha'Ma'aravi (the Western Wall), nor will the Kosel ha'Ma'aravi fall until the rebuilding of the (third)

Beis Hamikdash'. And all G-d wants is to grant us the merit and to straighten us to serve Him, in order that the purpose of the creation should be fulfilled in us.

The Gemara in Sanhedrin (20b) lists three Mitzvos that became incumbent upon Yisrael after they entered Eretz Yisrael: to appoint a king, to destroy out Amalek and to build a Beis Hamikdash (in that order). The king must come first, in order to gather an army and make battle with Amalek (perhaps the Malchus Shamayim that he reflects will also defend us against Amalek (who is the epitome of "Lo Yarei Elokim"). And wiping out Amalek must precede the building of the Beis Hamikdash, because that follows the order prescribed by David Hamelech in Tehilim (34:15) "Get rid of evil and (then) do good".

May we witness the fulfillment of these three Mitzvos soon.

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From: Ohr Somayach[SMTP:ohr@ohr.edu] Subject: Torah Weekly - Terumah

* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshat Terumah

A SWELL PARTY

"Let them (the children of Israel) take for Me a portion." (25:1)

"What a great wedding this is! The food! The flowers! The bridesmaids' dresses! (Was that real silk?!"

"Ah - this is nothing. You should have come to the wedding I went to last week. This guy wanted to make some impression I'll tell ya! He rented the Space Shuttle and the ceremony was performed while the bride and groom were floating in outer space wearing spacesuits!

"Wow! That must have been great."

"Yeah - it was okay, but somehow there was no atmosphere..."

All the preparations for a wedding are for one purpose only j to bring simcha to the chatan (groom) and kallah (bride). But there are those who focus on the trappings and miss the essence, those who come only to eat and drink, and ignore the essential point. Similarly this world is no more than a wedding-hall bedecked with food and flowers and streamers and musicians. All for one purpose. To bring the chatan and kallah together. That the soul of Man be wedded to the Creator. But there are those who wander through life like guests at a wedding banquet, picking up a chicken drumstick here and an egg-roll there, and completely miss the point. "Let them (the Children of Israel) take for Me a portion." Let them separate themselves from what is superficial and superfluous in life and connect themselves constantly to the essence. To wed themselves constantly to the Divine Presence.

Adapted from Degel Machane Efraim

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From: Aish.com[SMTP:newsletterServer@aish.com] To: shabbatshalomweekly@aish.com Teruma 5762

Aish HaTorah SHABBAT SHALOM WEEKLY

DVAR TORAH: based on GROWTH THROUGH TORAH BY RABBI ZELIG PLISKIN

The Torah states, "And the Almighty spoke to Moshe saying, 'Speak to the children of Israel that they take for me an offering'" (Exodus 25:1,2). What lesson can we learn from the Torah portion of Terumah following the Torah portion of Mishpotim?

Rabbi Yosef Dov Soloveitchik, comments that Mishpotim teaches that a person's money must be his according to the dictates of justice and the letter of the law. Terumah deals with donations to charity. Before a person gives money to charity, he must be very careful that his money was not acquired by cheating anyone else. If a person gives charity by stealing from others, his charity is not considered charity. A mitzvah that someone would fulfill by means of violating other commandments is not considered a good deed.

When it comes to doing good deeds, the ends do not justify the

means. Both the ends and the means must be in accordance with the dictates of the Torah.

From: RABBI JONATHAN SCHWARTZ jschwrtz@ymail.yu.edu To: internetchaburah@yahoogroups.com Subject: [internetchaburah] Internet Chaburah -- Parshas Terumah

Prologue: The Midrash Tanchuma details the many venues that the Mishkan served as a Kappara for the sin of the Eigel. The Midrash elaborates on how the commands for the building of the Mikdash were exact and detailed in order to help bring a resting place for the Shechina on the earth. The Ramban explains that had the precise plan not been followed then no Shechina could have rested on earth. Rav Avraham Jofen (HaMussar V'Hadaas) explained that no element of spirituality could exist if it is not built on Torah. Without Torah there is no spiritual. Rav Avraham Jofen explains that according to the Ramban this was precisely the sin of the Eigel as well. The Ramban (Shemos 32:1) explains that the sin of the Eigel was not Avoda Zara but rather an attempt to find a successor to Moshe to fill the role of leadership. Whereas their intention might have been spiritual, their activities were without Torah guidance. Hence, the Torah tells us that the spiritual became frivolity vaYaKumu ITzachek. Rav Jofen explains that the sin was in a lack of Zeheerus, causing them to stray from the literal while seeking something spiritual. This was not to be the plan for finding Hashem.

Hence, when it came time to fix their errant ways, the only possible solution was to help guide the Jewish spiritual quest with direct rules. In order to bring the Shechina into their midst, the Jewish nation would need to follow the Halacha precisely building a Mikdash to Hashem by following the letter of his law in order to bring its spirit as well.

Sometimes in our quest for spirituality, we seek to divorce ourselves from our brothers. Indeed Rabbi Dr. Sol Roth has often noted that the concept of Kedusha always denotes some degree of separation. But need we separate from our brothers? This week's Chaburah begins to examine the principle of the breakaway Minyan. It is entitled:

In your Midst?: Uniting the Divided

Often, a congregation is left divided. Decisions of a board, especially tough decisions, leave a congregation split on opinion and in a hotbed of emotions. Sometimes the emotions overheat causing a faction in the Shul to break away and form another Shul. Is there a problem forming such a Shul? Does it violate the principle of Lo Tisgodidoo?

The Talmud (Rosh Hashanna 29b) notes that cities surrounding Yirushalayim were to be considered as part of Yirushalayim in regards to the laws of Shofar blowing. Similar laws are applied in regards to cities that can see into Yirushalayim with regard to Kriyat HaMegilla as well. It seems from these texts that in regard to laws, the local cities follow the main Beit Din and do not break off even on the basis of location. The Talmud Yevamos (14a) seems to suggest that this might only apply to these specific rules. However, generally speaking different cities can have different opinions on Halachic matters without violating Lo Titgodidoo.

The Rambam (Hil. A.Z. Perek 12) notes that one city may not establish 2 Battei Din because it would cause many arguments, make people believe there are two Torahs and violate the principle of Lo Titgodidoo. It seems from the Rambam that whether we are addressing Torah laws or even customs, towns are to have uniformity and that uniformity is to be established by the Beis Din of the town. Anyone choosing to break from the established practices is considered to be in violation of Lo Tisgodidoo. Rashi (Yevamos 13a) seems to imply that Lo Tisgodidoo does not apply to matters of custom. One can violate the prohibition only if he chooses to practice Jewish law differently in a given town. It should be noted that the Sefer Hachinuch (467) applies the principle of Lo Tisgodidoo to a town with one Beit Din and people who choose not to follow it. A town of two Battei din would not be a problem according to the Chinuch. The Netziv struggles to explain these diverse opinions (Shut Meishiv Davar 17) by noting that the Rambam's concern was only for cases when a community chooses (Minhag) to act stringently despite Jewish law that, the Netziv explained, caused a concern for honor of Torah in terms of Halacha not Minhag. Thus, there is no Lo Tisgodidoo in having different customs according to the Netziv, only in having different Piskei Halacha. In no way are these the only opinions of the Rishonim on the matter. The Rashba (Teshuvos 253) explained that ideally differences of opinion in Jewish law matters are to be determined by the greater of the two Battei Din. Indeed, when two exist it is unlikely that any disputes will result in resolution. The Ran (Shut

HaRan 48) added that in a situation where an individual residing in a new neighborhood where the people are Meikil on something he was always stringent about (in that case, Cherem D'Rabbeinu Gershon) he may be lenient if the prohibition came from a Minhag. However if it arose from another prohibition, one must follow the stringency. The Yerushalmi (Peshachim Perek 4) disagrees and is clear that one may not change his Minhagim of his father even if the town is lenient. Tosafos (Pesachim 52) feels that one must join his new community and once he begins to dwell there fully, he is to follow the customs of the town or risk violating the local practices of the town. In summing the position of these Rishonim, Rav Yechiel Yaakov Weinberg (Sreidei Eish writing in Rav Breuer Memorial volume) notes that there are two basic positions here: The prohibition of Lo Tisgodidoo which is violated only in matters of Halacha and differences in decisions of Halacha and the principle of Assur L'shanot Mipnei HaMachlokes which seems to apply to cases of different Minhagim in one town.

Where does this place a person in regards to break away shuls? It depends why they break. According to the Ritva, Rosh And Meiri that there is no violation if both congregation recognize the legitimacy of one another. If the synagogues got too large, they need to break off sometimes. Maharam Alshichb (Shut Maharam Alshich 59) seems to require following the Minhag of the majority of the city in that case. He defines a city in the same manner that the Mishna Berurah does (Siman 468) which means a Mikva, Rabbi and Shul. If these criteria are met, the city is deemed to have a set Minhag.

What if the Shul breaks off because of Nusach HaTefilla? Rav Shlomo Kluger (Shut Ubacharta BChaim, 24) felt that there was no violation if the break was over Nusach because nusach is all the same. The Chasam Sofer (Shut Chasam Sofer, Orach Chaim, 15) agreed and noted that his Rebbeim Rav Nosson Adler and the Haflaah would occasionally daven Sfard in an Ashkenaz Minyan of followers to prove the point that all nuschaot are the same. Maharam Shick (Choshen Mishpat, 24) noted that the Chasam Sofer himself was particular about Nusach Sfard so how did he equate all the Nuschaot? He explained that the Chasam Sofer felt all the Nuschaot were not differences in Psak or Minhag but really the same. The only thing was that one who fully understood the Kavannot could only daven Sfard, hence the Hakpada of the Chasam Sofer for himself. L'Halacha, a Shul that breaks away for nusach differences seems not to violate laws of Lo Tisgodidoo (See Techumin vol. 11-12).

Battala News Mazal Tov to the Schwartz, Finkelstein and Hagler families upon Joshs Aufruf and forthcoming marriage to Michelle.

Mazal Tov to Simcha Goldstein upon his Aufruf and forthcoming marriage.

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From: Kollel Iyun Hadaf[SMTP:kornfeld@netvision.net.il] [RABBI MORDECHAI KORNFIELD] To: daf-insights Subject: Insights to the Daf: Bava Metzia 82-85

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Bava Metzia 85b

"BECAUSE THEY ABANDONED MY TORAH" QUESTIONS: The Gemara relates that at the time of the Churban of the first Beis ha'Mikdash, none of the Chachamim or the Nevi'im could explain why "the land had been destroyed" ("Avdah ha'Aretz," Yirmiyahu 9:11) and had suffered the catastrophe of the Churban, until Hashem Himself explained it, as the verse says, "Hashem said, 'It is because they abandoned My Torah'" (Yirmiyahu 9:12). Rav Yehudah in the name of Rav explains that this means that they did not recite the blessing for learning Torah before learning Torah.

(a) Why is the failure to recite the blessing for learning Torah so severe that it warrants the most tragic punishment? Moreover, the Gemara implies that the people were learning Torah, and that they just did not recite the blessing before learning. Why, then, did they not have the merit of their learning to protect them?

(b) What is the relationship between the transgression of failing to recite the blessing for learning Torah and the punishment of the destruction of the land? Why should the land be destroyed because the people did not recite the blessing before learning Torah?

ANSWERS: (a) RASHI here, and the RAN in Nedairim (81a) in the name of RABEINU YONAH HA'CHASID, write that the failure to recite the blessing for learning Torah demonstrated that the people did not feel that the Torah was such a precious gift. Since they failed to appreciate the Torah, the Torah "failed," so to speak, to protect them. Rabeinu Yonah adds that their learning of Torah was not Lishmah, with pure motives, and as a result they scorned the blessing. For scorning the holiness of the Torah, they were punished with the Churban.

(b) The SHITAH MEKUBETZES cites the TESHUVOS HA'RAMBAM who says that the blessing which the people failed to recite was the blessing recited before Keri'as ha'Torah. The Rambam explains that many of the people indeed were Talmidei Chachamim, but when called to read from the Torah they refrained because it was difficult for them to walk to the Torah. They were punished for their lack of respect for the Torah (see Berachos 55a, where the Gemara says that one's life is shortened as a punishment for being called to read from the Torah and not going up to read from it).

(c) The Rambam gives a different explanation (see also MAHARSHA to Nedairim 81a). He says that they did recite the blessings for Keri'as ha'Torah, but they did not give the honor of reciting the first blessing to Talmidei Chachamim. Rather, they would call upon a Kohen who was an Am ha'Aretz to recite the first blessing, even though there were Talmidei Chachamim present. For this disgrace of the honor of the Torah they were punished.

The Rambam adds that support for this explanation is the fact that it was Rav who made this statement. We find (Megilah 22a) that Rav was of the opinion that a Talmid Chacham who is a Yisrael must come before a Kohen who is an Am ha'Aretz for reciting the blessings of Keri'as ha'Torah.

(d) The TAZ (OC 47) writes that the people learned Torah for their enjoyment. They did not toil in Torah, nor involve themselves in the arduous process of in-depth analysis in their Torah learning. Since "Torah is acquired only by one who kills himself over it," their learning was essentially meaningless. This is what the Gemara means when it says that they did not recite the blessing for learning Torah, for in the blessing we say, "Asher Kideshanu b'Mitzvosav v'Tzivano *la'Asok* b'Divrei Torah," "la'Asok" referring to toiling in Torah learning.

(e) The BEN YEHOYADA writes that they learned Torah with the goal of becoming wise, and not with the goal of making themselves holy through the Kedushah of the Torah. Therefore, they did not recite the blessing, because the blessing -- "Asher Kideshanu" -- states that one is learning in order to make oneself holy with the Kedushah of Torah.

(f) The MAHARAL (Nesivos Olam, Nesiv ha'Torah 10) writes that when the Gemara says that they did not recite the blessing for learning Torah, it means that they learned Torah out of love for the Torah's wisdom, and not out of love for Hashem, the Giver of the Torah. They did not acknowledge the great kindness that Hashem granted us by giving us the Torah. (I. Alscheich)

Bava Metzia 85

THE CALF THAT CRIED QUESTION: The Gemara relates the incident through which Rebbi became subject to immense suffering. A young calf was being led to be slaughtered, and it placed its head beneath the coattails of Rebbi and cried. Rebbi said to it, "Go! It was for this that you were created." Because Rebbi should have shown greater mercy for the animal, he was punished with great suffering.

How can an animal have the sense to attempt to flee its fate by placing its head beneath the coattails of Rebbi and crying?

ANSWER: RAV YAKOV EMDEN and the BEN YEHOYADA write that this calf had a reincarnated Neshamah (which, the Ben Yehoyada adds, was the Neshamah of a G-d-fearing Jew) which had been reincarnated in the form of a calf in order to effect a certain rectification (Tikun) of the soul. Hence, when the Neshamah within this calf saw that Rebbi was passing by, it cried before him in a plea to Rebbi to remove it from the calf through holy Kavanos (similar, the Ben Yehoyada adds, to the way that Rav Chaim

Vital was able to extract Neshamos) so that it would not have to be removed through Shechitah. (The Ben Yehoyada adds that perhaps the reason it did not want to be removed from the calf through Shechitah was not because of the pain that Shechitah might cause, but because the animal might be fed to unfitting people who would not make a proper Berachah, and thus the required Tikun of the Neshamah would not be effected.)

Rav Yakov Emden says that this is why Rebbi was punished. He should have Davened for the Neshamah that it should be taken out of the animal and experience its necessary Tikun without Shechitah.

(The Ben Yehoyada writes that Rebbi's reasoning in not helping to extract the Neshamah was that if Hashem had put the Neshamah into the animal that was being led to be slaughtered, then that must be part of the Tikun of the Neshamah, and Rebbi did not want to interfere. RAV ELIYAHU DESSLER in Michtav me'Eliyahu (3:103) writes that Rebbi saw with Ru'ach ha'Kodesh that the calf would fulfill its purpose by eventually being consumed by a righteous Talmid Chacham, and would thereby be an instrument to that Talmid Chacham's Avodas Hashem. Rav Dessler adds that the reason why Rebbi was punished if, indeed, the calf's purpose in being created was to be slaughtered and eaten by a Talmid Chacham, is because even though he was absolutely correct from a logical and intellectual standpoint, there nevertheless was a slight lack in the attribute of Chesed which is demanded from someone of the stature of Rebbi.) (I. Alsheim)

Bava Metzia 82

ONE WHO IS PERFORMING A MITZVAH IS EXEMPT FROM OTHER MITZVOS

QUESTION: RASHI (DH v'Hacha b'Shomer) explains that one who is watching an Aveidah is exempt from giving Tzedakah because of the principle of "ha'Osek ba'Mitzvah Patur Min ha'Mitzvah" -- "One who is involved in one Mitzvah is exempt from another Mitzvah." Hence, in the case of our Gemara, the person who is involved in the Mitzvah of Hashavas Aveidah is exempt from the Mitzvah of Tzedakah.

TOSFOS (Sukkah 25a, DH Sheluchei Mitzvah) asks that according to this, one who is wearing Tzitzis or Tefilin should be exempt from all other Mitzvos!

ANSWERS: (a) TOSFOS answers that only when the second Mitzvah would interrupt one's performance of the first Mitzvah, is the person exempt from the second Mitzvah. If one could perform the second Mitzvah without affecting his performance of the first Mitzvah (such as is the case when wearing Tzitzis or Tefilin), he is not exempt from the second Mitzvah.

The OR ZARUA questions this answer of Tosfos. It is obvious that one may not stop performing one Mitzvah in order to perform another. Why would we have thought to give precedence to one Mitzvah over another, had the verse not taught us otherwise?

We could answer that Tosfos learns from the verse that one who is involved in one Mitzvah is exempt from other Mitzvos even in a case where the opportunity for the second Mitzvah will pass if it is not done right away. One might have thought that in such a situation, one should halt the performance of the first Mitzvah and fulfill the second Mitzvah. The verse teaches us that even in such a case, one may not leave the first Mitzvah to perform the second. (M. Kornfeld)

(b) RASHBA in the name of RAV HAI GA'ON, the MAGID MISHNAH (Hilchos Sukkah 6:4) in the name of the GE'ONIM, and the OR ZARUA (Hilchos Sukkah) explain that as long as a person is involved in preparing to fulfill a Mitzvah, such as when he is traveling in order to perform a Mitzvah, he is not obligated by the Torah to perform other Mitzvos even if they do not distract him from the first Mitzvah. The Almighty does not give us two things to do at one time.

With regard to Tzitzis and Tefilin, however, one has already done what was needed to fulfill the Mitzvah. He is now in the process of "fulfilling" the Mitzvah, and not in the process of "preparing to fulfill" the Mitzvah. The exemption from other Mitzvos applies only when one has not yet fulfilled the first Mitzvah, and is doing something in order to fulfill the Mitzvah.

(c) The RAN (Sukkah 25a) makes a compromise. He agrees with the Rashba that one is exempt from the second Mitzvah even if performing it does not distract him from the first Mitzvah. However, if there is a way to fulfill the second Mitzvah while still performing the first Mitzvah "in its normal manner", then one is not exempt from the second Mitzvah (as the Ran writes, "Why not fulfill a Mitzvah if nothing is lost in the process?"). Only when one must change his normal way of performing the first Mitzvah in order to fulfill the second Mitzvah is he exempt from the second Mitzvah.

(It could be that according to the Ran, the obligation to do the second Mitzvah does not stem from the normal obligation to perform Mitzvos, but rather from the requirement not to disgrace a Mitzvah. Technically, he may be exempt since he is involved in another Mitzvah. But in practice, since the second Mitzvah could be performed without making any change from one's normal way of performing the first Mitzvah, it would be disgraceful to the second Mitzvah not to perform it. -M. Kornfeld)

HALACHAH: The REMA (Orach Chayim 38:8) cites the opinion of the Ran as the Halachah; when there is a way to fulfill the second Mitzvah while still performing the first Mitzvah in its normal manner, then one is not exempt from the second Mitzvah. Otherwise, he is exempt.

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