

INTERNET PARSHA SHEET  
ON VAEIRA - 5758

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"RavFrard" List - Rabbi Frand on Parshas Vaera

A Birth Announcement Is Not the Place To Brag - In this week's parsha, there is an interruption during the narration of the story of the Exodus where we find a listing of the genealogy (yichus) of Moshe Rabbeinu. The verse tells us, "And Amram took Yocheved his Aunt for a wife, and she bore him Aharon and Moshe..." [Shmos 6:20]. Rav Moshe Feinstein makes an interesting observation: In last week's parsha, when the Torah first talks about the birth of Moshe, it merely says "And a man came from the House of Levi and he married the daughter of Levi" [Shmos 2:1]. In last week's narration, Moshe Rabbeinu's parents were two nondescript individuals whose names are not even recorded. In this week's parsha we have a full disclosure of who they were. What is the difference? Rav Moshe Feinstein explained that when a child is born, parents are rightly proud that they have given birth to a baby. However, the reality is that the parents have given birth to nothing more than a bundle of potential. A new baby is wonderful. It is a miracle from Heaven. However, at that point, to go around crowing "I've given birth to this wonderful child" is ridiculous. At birth, the child only represents hope. We do not know what the parents will do with this child - with all of this potential. At the time of his birth, even though Moshe was a very special baby, he was nothing more than a bundle of potential. However, eighty years later, standing in front of Pharoah, Moshe's potential has come to fruition. He has already risked his life to save another Jew, he has joined with his brethren to suffer their yoke -- he has matured into a Moshe Rabbeinu [our teacher]. It is at this point that the Torah tells us that the parents can step back and be proud of their accomplishments. Now we can see the final product - the child - that was produced through the pain and suffering of the parents. To make a big fuss at the time of birth is out of place. At that point the baby is nothing more than potential.

A Grandfather Can Make A Difference - On a similar topic, there is a very interesting Sforno in this week's portion. The Sforno is bothered that by Reuvain and Shimeon, the Torah only mentions their names and the names of their children; but by Levi the Torah mentions the names of four generations! The Sforno suggests the following reason: In the case of Reuvain and Shimeon -- they and their children were righteous, they were something special. However, the grandchildren and great grandchildren were not as special. However by Levi, all four generations were special -- he, his children, his grandchildren and his great grandchildren -- Moshe and Aharon. The Sforno says that the reason why even Levi's great grandchildren were outstanding was because Levi lived an exceedingly long life. He was the last of Jacob's sons to die. Yosef died at age 110, but Levi died at 137. Not only did he have a chance to raise his children; Levi even had a chance to raise his grandchildren (Amram's generation). I once heard in the name of a great Rosh HaYeshiva that we see two interesting points from this Sforno: First, we see what a grandfather can accomplish. We think of Amram as the Gadol HaDor -- what greater influence do Moshe and Aharon need? However, we see that a grandfather can add an additional dimension even to the house of an Amram. The extra 27 years that Levi lived beyond Yosef made the difference on the personality of Amram -- and ultimately on the personality of Moshe and Aharon. Secondly, Targum Yonasan ben Uziel says that Yocheved was 94 years old when Levi died. We can speculate that Amram must have been younger than Yocheved (she was his Aunt), perhaps 20-25 years younger. That would make him, say 74 years old (approximately) when Levi died. This means that the extra 27 years of Levi's life -- that made all the difference in Amram's life (over that of his cousins from the other tribes whose grandfathers died when they were younger) came well into his adult

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years. Amram was benefiting from the presence of his grandfather when he was well past 50. In America today we think that when someone reaches 40, there is nothing more to grow, nothing more to learn -- one is over the hill! This Sforno is telling us that when Amram was already a middle-aged man -- perhaps even into his sixties -- he was affected by having his grandfather Levi in the house. We thus see two things -- what a Zeida (grandfather) can contribute and that a person can still grow and develop even when he is older in life, past middle age.

"But What About Our Appliances and What About Our Mortgages?" -

The verse says "...And you will know that I am the L-rd who brings you out from under the sufferings of Egypt" (tachas sivlos Mitzraim) [Shmos 6:7].

The Chidushei HaRim and the Kotzker Rebbe both say a very interesting thought. The words of the verse mean something else. 'Sivlos' doesn't mean suffering, rather it comes from the expression "I can be 'sovel' this", meaning I can take it. (I have the patience.) The Chidushei HaRim says that the first step of redemption is for the people to say, "I can't take it any more." As long as one can be complacent in the Exile, redemption can never occur. "I bring you out from the 'sivlos' Mitzraim" means that G-d implanted in the Jews the concept of "No more! We have had enough of this rotten Galus!" Up until this point they were 'sovel' it. They bore the burden; they felt they could take it. The Geulah doesn't come to one who can take it. Our Sages say, "no slave ever fled Egypt" The simple interpretation is that Egypt had a great security system -- guards, walls, and dogs -- all the things that ensure no slave could get out. Rav Gedaliah Schorr quotes a different interpretation from one of the Chassideshe Rebbeim: No slave ever left Egypt, because they had a great propaganda machine. Each slave thought -- this is okay, there is nothing better on the outside world. When people have such a slave mentality, that it is not so bad and they can take it, Geulah will never come. Geulah can only come when one gets fed up with the Galus. This has to be the first stage of the Geulah. I saw a Chassideshe story about Reb Nochum Chernobler. Reb Nochum was once in an inn and he arose at midnight to say Tikun Chatzos. (These are prayers that holy Jews say at midnight, imploring G-d to bring the Messiah and end the Exile). The innkeeper, a very simple Jew, heard Reb Nochum reciting Psalms in the middle of the night and went down to him and asked him "What are you saying?" Reb Nochum explained, "I am saying Tikun Chatzos that the Master of the World should end our bitter Galus and that we should all go to Eretz Yisroel, and it should be finally over". The innkeeper was impressed. He went back upstairs, woke up his wife and told her, "You know, there is a Jew downstairs who is praying that the Galus should end and that we should all go to Eretz Israel." His wife turned over and said, "Go to Eretz Yisrael? What is going to be with the farm? What is going to be with the cows? What is going to be with the horses?" The innkeeper was bothered by his wife's questions. He went back to Reb Nochum and said, "But Reb Nachum -- what will be with the farm and the cows and the horses?" Reb Nachum said to him "You're worried about the cows and the house and the barn? -- And when the Cossacks come and the Tartars come and they pillage and plunder -- then you're happy? Is that what you want? G-d will take us to Eretz Yisrael -- no more Cossacks, no more Tartars!" Again the innkeeper was impressed. He ran back upstairs and related Reb Nachum's response to his wife. The wife said "Go tell Reb Nachum that G-d should take all the Cossacks and all the Tartars to Eretz Yisroel and we'll stay here with the farm and the cows and the horses!"

This is what it means -- "One is 'sovel' the Galus". If one doesn't leave the 'sivlos' of Egypt -- if one can still tolerate it -- then Redemption is still far away. Today we may not have barns and cows and horses. But we do ask -- what's going to be with our appliances, and what's going to be with our mortgages, and what's going to be with the great life that we have. If we are still attached to all this, the Geulah will not come for us. We have to reach the level of saying, "We've had it! No more bitter Galus!" When that is how we feel, \_then\_ the Geulah \_will\_ come, may it be speedily in our day.

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Yeshivat Har Etzion Israel Koschitzky virtual beit midrash (vbm) Student summaries of sichot delivered by the roshei yeshiva

The yeshiva staff would like to wish a very warm mazal tov to our managing editor, Rabbi Ronnie Ziegler and to his wife Yael (teacher at matan and midreshet moriah), upon the birth of their son. His commitment to producing quality shiurim is appreciated by the entire vbm community!

#### VATERA SICHA OF HARAV AHARON LICHTENSTEIN SHLIT" A MOSHE AND AHARON Summarized by Jeremy Spierer

"THESE ARE THAT AHARON AND MOSHE to whom God said, 'Bring out the children of Israel from the land of Egypt according to their hosts.' These are they who spoke to Pharaoh king of Egypt to bring out the children of Israel from Egypt: THESE ARE THAT MOSHE AND AHARON." (Shemot 6:26-7)

The commentators address the reversal in the Torah's formulation: in verse 26, the Torah lists Aharon before Moshe, and in verse 27, Moshe before Aharon. Some commentators consider the context of the verses. When the Torah discusses lineage, Aharon, as the older brother, precedes Moshe. (Ibn Ezra also points out that Aharon began prophesying to the Jewish people before Moshe.) On the other hand, when the Torah discusses Moshe and Aharon's mission to speak to Pharaoh, Moshe, as the greater prophet, precedes Aharon.

Rashi (6:26) takes a different approach: "There are some places where the Torah lists Aharon before Moshe and some places where it lists Moshe before Aharon - to tell us that they were equals." This approach is extremely difficult. Were Moshe and Aharon really equals? Indeed, the Torah dedicates a section (Bamidbar 12:1-16) specifically to this issue: "My servant Moshe is not so, for he is the most trusted one in all my house. With him I speak mouth to mouth..." (verses 7-8). The Rambam, in addition, establishes the uniqueness of Moshe's prophecy as one of the fundamental tenets of our faith. How can Rashi maintain that Moshe and Aharon were equals? The answer is clear. At this stage in their development, Aharon and Moshe were indeed equals. Moshe had not yet attained his unique level of prophecy. By the end of Moshe's life, though, Moshe had far surpassed his brother. The gap between Moshe and Aharon - as well as between Moshe and all other prophets - is a qualitative one (see, for example, Rambam Hilkhot Yesodei Ha-Torah 7:6). It is not enough to say that Moshe and Aharon were not equals; there is simply no basis of comparison. The question, then, begs to be asked. Moshe and Aharon emerged from the same house. At one point, in fact, they were equals. How could their development take such radically different paths?

In the seventh chapter of Hilkhot Yesodei Ha-Torah, the Rambam discusses the development of a prophet: "It is [one of] the foundations of [our] faith that God communicates by prophecy with man. "Prophecy is bestowed only upon a very wise sage of a strong character, who is never overcome by his natural inclinations in any regard. Instead, with his mind, he overcomes his natural inclinations at all times. He must [also] possess a broad and correct perspective. "A person who is full of all these qualities and is physically sound [is fit for prophecy]. When he enters the Pardes and is drawn into these great and sublime concepts, if he possesses a correct perspective to comprehend and grasp [them], he will become holy. He will advance and separate himself from the masses who proceed in the darkness of the time. He must continue and diligently train himself not to have any thoughts whatsoever about fruitless things or the vanities and intrigues of the times. "Instead, his mind should constantly be directed upward, bound beneath [God's] throne [of Glory, striving] to comprehend the holy and pure forms and gazing at the wisdom of the Holy

One, blessed be He, in its entirety, [in its manyfold manifestations] from the most elevated [spiritual] form until the navel of the earth, appreciating His greatness from them...."

To receive prophecy, one must undergo an extended, intensive preparation on many levels - intellectual, moral, etc. However, completing this preparation does not guarantee the prophecy; Hashem CHOOSES his prophets: "Those that seek to prophesy are called 'children of prophets' (benei nevi'im). But even if they direct their thoughts, it is possible that the Divine presence will rest on them; it is possible that it will not." (Hilkhot Yesodei Ha-Torah 7:5) (Note, for example, the berakha we recite before reading the haftara, "... who CHOSE good prophets...") For our purposes, let us assume that the element of Divine choice regarding Moshe and Aharon was equal. Where, then, did Moshe distinguish himself? We can isolate two areas: "Now, therefore, if I have found favor in Your sight, show me now Your ways that I may know You..." (Shemot 33:13).

Ostensibly, the level of prophecy Hashem bestows upon a navi parallels the navi's longing and preparation for the prophecy. Moshe distinguishes himself with his intense desire to know Hashem, to understand Him. Even if we could not determine WHY Moshe received a higher level of prophecy, the Torah records for a fact that he did. It is this level of prophecy that serves as the second source of Moshe's uniqueness. "...When God's spirit rests on him [the prophet] ... and he is transformed into another person; he understands that he is not as he was before..." (Hilkhot Yesodei Ha-Torah 7:1)

After receiving a prophecy, the navi is capable of achieving greater spiritual heights - if he utilizes the opportunity to do so. By receiving a higher level of prophecy one day, Moshe could achieve greater heights the next day. Today we do not have prophecy, but we have chokhma (wisdom); we do not have benei nevi'im, but we have talmidei chachamim. (A talmid chacham is not a wise pupil; chacham is not an adjective. Rather, talmid chacham means the student of a wise man.) The benei ha-nevi'im had a clear goal to which they aspired: the receiving of Divine prophecy. Our goals are sometimes less concrete, but we must still formulate them. The degree to which we long for and strive toward understanding Hashem and His Torah will determine our ultimate achievement. Our preparation and investment will determine our success.

As mentioned earlier, there is a second element as well. We are given opportunities to grow in Torah, and we must maximize them. We place ourselves in an atmosphere of Torah and we must take advantage of it. None of us will ever reach the level of Moshe Rabbeinu; he was a unique figure in history. But nor are we asked to reach that level. We are only asked to realize our individual potentials as ovdei Hashem. (Originally delivered at Shabbat Va'era, Se'uda Shlishit 5757.)

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The Chassidic Dimension Adaptation of Likutei Sichos by Rabbi Sholom Ber Wineberg Based on the teachings and talks of the Lubavitcher Rebbe

Rabbi Menachem M. Schneerson on the weekly Torah Portion  
The Order of Redemption     At the beginning of the Torah portion of Vayeira, four expressions are used regarding the redemption of the Jews from Egypt:     "I will release you... I will save you... I will liberate you... I will take you to Myself."     Our Sages note that the four cups of wine we drink during the Pesach Seder correspond to these four expressions. The Alter Rebbe writes in his Shulchan Aruch that "the Sages established the four cups of wine in consonance with the four expressions: 'I will release you... I will liberate you... I will take you... I will save you.'"     Why does the Alter Rebbe change the order?     There are four general levels of repentance, alluded to in the passage: "Turn away from evil; do good; seek peace; pursue it."     The first level, that of "turning away from evil," requires that an individual not transgress in thought, speech or action. If he has transgressed, he is to regret his past misdeeds and uproot his evil desires. For a person does not want to abandon his unity with G-d, and desires G-d's imminent revelation.     The second level of repentance involves doing

teshuva for shortcomings in the performance of mitzvos and good deeds. In order to draw down the level of holiness that is lacking due to a lassitude in the performance of positive commands, one's repentance must be of an extremely high order, so that one can unite with that level of G-dliness which transcends the world. The third level, that of "seeking peace," is an even loftier form of repentance, wherein an individual resolves to excel in Torah study, which "brings about peace both above and below." This level of repentance enables an individual to reach out to G-d Himself -- far beyond the level of either imminent or transcendent G-dliness. The highest level of repentance, the level of Torah, is itself composed of two levels -- seeking peace and pursuing it -- corresponding to the revealed and hidden levels of Torah. The Seder's four cups of wine also correspond to these four levels of repentance. Accordingly, the four expressions of redemption conform to these four levels. Thus, "I will release you from the bondage [the spiritual impurity] of Egypt," corresponds to the action of "turning away from evil." "I will save you -- v'hitzalti" (related to the Hebrew word tzel or "shadow"), refers to the encompassing level of G-dliness that is drawn down through the performance of mitzvos.

"I will liberate you" corresponds to the level of Torah, for as our Sages state: "Only the person who studies Torah is truly free." More specifically, this refers to the revealed portion of Torah, as understood from the simple reading of the text. Finally, "I will take you unto Me as a nation" (true unity with G-d) refers to the esoteric dimension of Torah, the highest level of repentance. As these four degrees of repentance progress from the lowest to the highest, the Torah's expressions with regard to the Exodus also move from the smallest to the greatest. Now, there is a well-known debate about which is more important: Torah study or the performance of mitzvos. If study comes first, then "I will liberate you" and "I will take you" would come last in the order of progression from lowest to highest. But, if positive performance is more important than study, "I will release you" should be mentioned last. The reason for the difference in the order of expressions found in the Torah and in the Shulchan Aruch is now clear: The order in the Torah (the Torah desiring to emphasize Torah study) concludes with "I will take you," emphasizing the primacy of Torah study. The order in the Shulchan Aruch (which deals with laws of performance) concludes with "I will save you," emphasizing the primacy of performance. Based on Likkutei Sichos, Vol. XI, pp. 14-22

\* TORAH WEEKLY \* Highlights of the Weekly Torah Portion Parshas Vaera <http://www.ohr.org.il/tw/5758/shmos/vaera.htm> Insights

Power From The People "Moshe spoke before Hashem saying - Behold, the Children of Israel have not listened to me, so how should Pharaoh listen to me? And I have sealed lips." (6:12) The power of a spiritual leader flows from the people. In every generation Hashem promises there will be spiritual leaders, the great Torah sages, who will be given the ability to advise and direct the nation. However, when the Jewish People refuse to listen to these spiritual giants, and instead follow politicians who have no more insight than the rest of us, then our spiritual leaders become powerless to influence or to help the people. Thus, if the Children of Israel had listened to Moshe, his lips would have been opened and his words would have affected even Pharaoh, but since the Children of Israel did not listen -- Moshe's "lips were sealed."

Real Thing "...And the staff of Aaron swallowed their staffs..." (7:12)

You can't fake the Real Thing. When Aaron's staff swallowed the staffs of the Egyptian sorcerers in front of the king, it became clear who was authentic and who was not. Jewish history has been plagued by other movements purporting to be the Real Judaism. Some break away from normative Judaism and change their name, and some try to usurp the authority of the Torah sages and call their beliefs "Judaism." During the Ottoman Empire, the Karaite attempted to gain recognition for themselves as the authentic Jews. They approached the Sultan, wanting to be recognized as the legitimate "People of Israel." They claimed that the other Jewish People should be disenfranchised as being fakes. The Sultan

summoned both a rabbi and a representative of the Karaite to appear in front of him at the royal palace. After hearing both their cases, he would decide who was the authentic "People of the Book." Of course, as was the custom of the East, both the Karaite and the rabbi were required to remove their shoes before appearing in front of the Sultan. The Karaite removed his shoes and left them by the entrance to the throne room. The rabbi also removed his shoes, but then he picked them up and carried them with him into the audience with the Sultan. When the Sultan looked down from his throne, he was struck by the somewhat strange sight of the rabbi holding a pair of shoes, and he demanded an explanation. "Your Majesty," began the rabbi, "as you know, when the Holy One, may His Name be blessed, appeared to our teacher Moses, peace be upon him, at the site of the burning bush, G-d told Moses "Take off your shoes from your feet!" "We have a tradition," the rabbi continued, "that while Moses was speaking to the Holy One, a Karaite came and stole his shoes! So, now, whenever we are in the company of Karaites, we make sure to hold on to our shoes!" The Karaite turned to the rabbi and blustered: "That's nonsense! Everyone knows that at the time of Moses, there were no Karaites!" The rabbi allowed time for the Karaite's words to sink in and then quietly added: "Your Majesty, need more be said?" You can't fake the Real Thing.

Sources: o Power From The People - Sfas Emes o The Real Thing - heard from Rabbi Zev Leff Written and Compiled by Rabbi Yaakov Asher Sinclair General Editor: Rabbi Moshe Newman Production Design: Lev Seltzer

#### WEEKLY-HALACHA FOR 5758 SELECTED HALACHOS RELATING TO PARSHAS VAEIRA By Rabbi Doniel Neustadt

Weekly-Halacha is sponsored this week by David Samet, in memory of his grandmother Gitte Bas Yitzchok Dovid Halevyei a"h, whose yahrzeit is the seventh day of Chanukah. Please study this class in her memory. A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

MEDICATIONS ON SHABBOS: A FOLLOW UP The last column, which reviewed the subject of using medications on Shabbos in non-life threatening situations, elicited requests for clarification of the halachic principles underlying the rulings cited. In addition, several questions were posed regarding cases that were not covered in the article. Although we cannot address all of the issues which were raised, we will attempt to address those which aroused general interest.

EXPLANATION OF THE RABBINICAL PROHIBITION AGAINST USING MEDICATION ON SHABBOS: To determine when one is allowed to take medicine on Shabbos for non life-threatening conditions, we must focus on two separate halachic considerations. First of all, we must ascertain that none of the thirty-nine Shabbos Labors is being transgressed in any way, either Biblical or Rabbinical. Obviously, we cannot prepare medication by either grinding raw material or mixing it; we cannot buy medication at a drug store; we cannot put on a light to see where medication was stored, and so on. In this regard - in determining that there is no transgression of the thirty-nine forbidden Shabbos Labors - there is no difference between this Shabbos prohibition and any other. However, the prohibition against using medication on Shabbos is also governed by a Rabbinical decree against using medication on Shabbos even when no forbidden Shabbos Labor is performed. The Rabbis prohibited unrestricted use of medication on Shabbos for fear that it would lead to the violation of one of the thirty-nine Shabbos Labors. The Labor which concerned the Rabbis most was "grinding", since grinding some substance is a prerequisite for almost every medicinal preparation(1). Once the Rabbis prohibited using medicine on Shabbos, they included in this prohibition any kind of treatment or procedure which could involve the use of medicine - even if medicine is not actually being used. The classic example in the Shulchan Aruch is the prohibition against the old-time remedy of sweating for medicinal purposes(2). Sweating can be induced in one of two ways: a) by taking certain medicines which are prepared by grinding, and b) by performing certain types of exercises. Even though exercise is totally unrelated to taking medicine and cannot possibly lead to "grinding", it is still forbidden to exercise on Shabbos(3) since one could also induce sweating by the first method - taking certain medicines which are prepared by grinding(4).

If, however, the goal of the treatment or procedure can only be achieved without the use of medicine, then it is permitted to avail oneself of that treatment or procedure. For example, it is permitted to press on a bump with a knife, since the goal, which is to reduce swelling, cannot be arrived at by taking medicine. Similarly, braces may be worn on Shabbos because there is no medicine for aligning teeth properly. Included in the Rabbinical prohibition are only actions which heal a wound or alleviate pain. If the action merely serves to protect a wound from infection(5) or to shield a healed wound from being re-injured(6), it is allowed. It is permitted, therefore, to clean and bandage a wound or to pour hydrogen peroxide over it. The Rabbinical prohibition includes medications only. Food and drink, however, are permitted even when they are being consumed for medicinal purposes. It is permitted, therefore, to drink tea for a sore throat, to eat almonds to relieve heartburn and to chew vitamins which serve as a food supplement(7).

QUESTION: Nowadays, when medicine is always prepared at a pharmacy, there is no longer any fear that using medicine will lead to "grinding". Why, then, is this Rabbinical prohibition still in effect?

DISCUSSION: Although a minority of contemporary poskim are inclined to be lenient with

medication on Shabbos nowadays because of the change in technique(8), the general consensus is to reject this argument. Some of the reasons offered are as follows: Generally, a Rabbinical decree, once enacted, is not repealed even when the reason behind it no longer applies(9). There are several homeopathic remedies, such as natural herbs and spices, which are still prepared at home and require grinding. In fact, these types of medications are gaining popularity. In underdeveloped countries, people have never stopped preparing medicines in their own homes. Some modern-day medication may lead to other Biblical Labors, such as "smoothing" or "kneading". In spite of the above, there are some poskim who feel that nowadays we can be somewhat more lenient when interpreting the Rabbinical decree. Although all the poskim agree that we may not do away with the Rabbinical decree altogether, we may, nevertheless, find some room for leniency in case of severe distress or pain (even if the pain is localized and does not require bed rest)(10).

**QUESTION:** Why did the Rabbis suspend the prohibition against taking medicine when one feels weak all over or bad enough to go to bed? **DISCUSSION:** The Talmud rules that the Rabbis suspended many of their decrees for a person who can be classified as "ill", even if not dangerously so. Thus, for example, it is permitted to instruct a non-Jew to do anything which a patient may require on Shabbos, since instructing a non-Jew is a Rabbinical prohibition. Since taking medication on Shabbos is a Rabbinical prohibition, it is suspended when the patient can be classified as "ill".

The poskim agree that when one has fever, feels weak all over or feels bad enough to require bed rest, he can be classified as a "patient not dangerously ill" and medications are permitted to be taken(11).

Since "requiring bed rest" and "weak all over" are subjective terms, it is up to each individual to determine his personal pain threshold. Consequently, one who feels that he must lie in bed for his condition, may take medication on Shabbos even though other people in the "same" condition would not go to bed. As stated earlier, there is no requirement to be overly stringent when judging the degree of illness(12). In addition, healthy infants and babies till the age of three (and according to some poskim even older children till the age of six(13) or nine(14)) are also halachically classified as "patients not dangerously ill", which means that the Rabbinical prohibition against taking medication is suspended. They are permitted to take all forms of medicine(15), provided that no Biblical prohibitions are transgressed.

**QUESTION:** Often, orthodontists instruct their patients to place a wax-like material on their braces in order to prevent soreness, or to prevent the braces from cutting into the gums, cheeks or lips. The wax is placed on the braces and then pressed on the teeth. Is it permitted to do this on Shabbos? =

**DISCUSSION:** Merely placing the wax on the braces and pressing it on the teeth should be permitted. There is no Biblical prohibition being transgressed, nor does this procedure fall under the Rabbinical prohibition against medicine, since the wax does not heal any condition. Rather, it protects the area from potential abrasions or cuts which is permissible on Shabbos. A problem could arise, though, if the wax-like material is smoothed down on the braces when (or after) it is applied on the braces. To smooth it down may possibly be a transgression of the Biblical Labor of "smoothing" and would be prohibited. It is proper, therefore, to instruct those who need to use wax on Shabbos not to smooth it down. The wax should just be dabbed on the braces and pressed down.

[It is possible to argue that smoothing down this wax-like material is not considered "smoothing" at all. Natural wax, which is strictly forbidden to smooth down, is a drippy substance which needs to be smoothed down in order for it to harden and serve as a filler. [The natural wax described in the Shulchan Aruch(16) is used to fill a hole in the wall of a barrel]. The texture of the synthetic, pliable wax-like material used in orthodontics, however, is altogether different and is meant to be pounded and pressed into a number of shapes and thicknesses. "Smoothing" may not apply to it at all(17).] The clumps of wax should be broken off before Shabbos, because it is questionable if it is considered "tearing" to do so on Shabbos(18).

**FOOTNOTES:** 1 Mishnah Berurah 327:1. 2 O.C. 328:42. 3 When the purpose of the exercise it to work up a sweat, see Beirur Halachah, ibid. If the purpose of the exercise is to work up an appetite, it is questionable - see Sha'ar ha-Tziyun 301:9. If the purpose of the exercise is to lose weight, it is prohibited, since weight loss can be (partly) accomplished by taking pills. If the exercise is for pure enjoyment, it may be permitted according to the basic halachah. A rav should be consulted. 4 Mishnah Berurah 328:130. 5 O.C. 328:23 as explained by Harav S.Z. Auerbach (Shemiras Shabbos K'hilchah 35, note 17). See Tzitz Eliezer 11:37 who permits drinking certain oils (like castor oil) to aid in the elimination process. 6 O.C. 328:27. See Igros Moshe O.C. 3:54.

7 Note, however, that the purpose of many vitamins is not to serve as a food supplement but rather to strengthen a weak body or to relieve certain symptoms. In the opinion of many poskim, those vitamins may not be taken on Shabbos, see Igros Moshe O.C. 3:54 and Shemiras Shabbos K'hilchah 34, note 85, quoting Harav S.Z. Auerbach. See, however, Tzitz Eliezer 14:50 who takes a more lenient approach concerning vitamins on Shabbos. 8 The complex preparation entailed in manufacturing modern medicine is another reason for leniency, since it may be argued that the Rabbis were fearful that "simple" and quick labors such as grinding would be transgressed; they did not fear that someone would engage in the lengthy and involved processing required today. 9 See Igros Moshe O.C. 2:100 for general explanation of this rule. 10 See Minchas Shabbos 91:9; Ketzos ha-Shulchan 134:7; Chelkas Yaakov 4:41; and Tzitz Eliezer 8:15-15. See also Minchas Yitzchak 3:35 who permits taking aspirin for a headache when one is in severe distress. 11 Entire paragraph based on O.C. 328:17 and 37 and Mishnah Berurah, ibid. [Note that although Shulchan Aruch rules that a shinui is required for Rabbinical prohibitions to be suspended, the general consensus of the poskim is that this restriction is waived when taking oral medication. When using other medications, however (such as ointment) it is proper to employ a shinui, see Mishnah Berurah 328:85 and 130.] 12 See Tzitz Eliezer 14:50-7 and 17:13. 13 Tzitz Eliezer 8:15-12.

14 Minchas Yitzchak 1:78. 15 [Note, however, that not all of a baby's needs are exempted from the prohibition against medication, see, for instance, Mishnah Berurah 328:131 and 330:36. See Tehilah l'David 328:24 who deals with this difficulty.] 16 See O.C. 314:11 concerning this case.

17 See a somewhat similar ruling in Tikkunim u'Miluim 14:39 concerning pliable ear plugs, where Harav S.Z. Auerbach rules that no smoothing applies. 18 See Beirur Halachah 340:13. Weekly-Halacha, Copyright (c) 1998 by Rabbi Neustadt, Dr. Jeffrey Gross and Project Genesis, Inc.

[From last week:] yhe-parsha.ml@jer1.co.il Shalom, Some important info./announcements. .... For those of you living in the NY area; Rabbi Marc

Penner of the **Young Israel of Holliswood, Queens [HJC]** has invited me to spend Shabbat Shira - Parhsat B'shalach [Feb 6-7] as scholar in residence. Below is a copy of shul announcement: Young Israel of Holliswood/HJC 86-25 Francis Lewis Boulevard Holliswood NY Shabbat Shira - Parshat B'shalach [Feb 6-7] Shabbaton With Rav Menachem Leibtag Shiurim on: Leil Shabbat Tish, misc. short topics Shabbat Luncheon - Why did Pharaoh 'change his mind' Shabbat afternoon [4:00 PM] - When did David first meet Shaul Seudah shlishit [5:15 YIJE] - From Rfidim, via Amalek, to Har Sinai MOTZEI SHABBAT - Melava Malka - 8pm Shiur (interactive) - Why David Hamelech was not permitted to build the Beit Hamikdash (followed by food and music/ Cost \$10] This event is co-sponsored by the YIHJC and Yeshivat Har Etzion Alumni (Home hospitality available for Alumni] For more information & reservations call 718-776-8500 or 718-479-7921 or e-mail ampenner@aol.com.

<http://www.virtual.co.il/torah/tanach/thisp.txt>

This week's shiur is dedicated in honor of the "ufruf" this shabbat of my future brother-in-law Paul Shindman, and his forthcoming marriage to my sister Reena this Tuesday. Mazel Tov!

**THE TANACH STUDY CENTER** In Memory of Rabbi Abraham Leibtag PARSHAT VA'EYRA

Is "geulat Mitzraim" a 'one way street'? In other words, has the '400 year hour glass' of Brit Bein ha'Btarim run out and thus Bnei Yisrael MUST be redeemed - no matter what, OR, are Bnei Yisrael required do something to deserve their redemption? Even though the opening lines of Parshat Va'eyra seem to imply that God's promise to redeem Bnei Yisrael is indeed unconditional (see 6:2-8), this week's shiur examines these psukim a bit more carefully and will arrive at a very different conclusion! While doing so, we will also uncover the biblical source for the popular Midrash which claims that Bnei Yisrael had fallen in Egypt to the depths of the 49th level of "tumah" [i.e. the lowest level of spirituality].

**INTRODUCTION** Before we begin our shiur, let's review the 'setting' as Parshat Va'eyra opens. Recall that in Parshat Shmot, Moshe received a double mission: 1) To INFORM Bnei Yisrael that God has come to fulfill His promise to the Avot, i.e. to take them to Eretz Canaan. 2) To COMMAND Pharaoh that he must allow Bnei Yisrael to journey into the desert and worship God.

Even though Bnei Yisrael's initial reaction to this tiding was very positive - "and the people believed that God had come to redeem His people... and they bowed down" (see 4:29-31) - this enthusiasm quickly turned into disappointment, as the only result of Moshe's first encounter with Pharaoh was a 'double workload' (see 5:18-21). When the people accuse Moshe of only aggravating their condition, he turns to God in prayer, asking: "Why have you made things worse for this people, why have you sent me?! From the time I have gone to Pharaoh to speak in Your Name, their situation has only gotten worse, and You have not saved Your nation!" (5:22)

Parshat Va'eyra opens as God responds to this complaint, first by reminding Moshe that He has indeed come to fulfill "brit Avot" (see 6:2-5), and therefore He commands Moshe to: "...TELL Bnei Yisrael that I AM GOD, and I will take them out... and I will save them from their bondage... and I will bring them into the Land..." (6:6-8)

What was the purpose of this new command? Was it simply to reassure Bnei Yisrael that their redemption is indeed near - to stop their complaining? If so, it didn't seem to help very much, as we are told: "But they did not listen to Moshe..." (see 6:9)

So what was its purpose? To answer this question, we must take a closer look at this last pasuk - in Hebrew: "v'lo SHAMU el Moshe" - And they did not LISTEN to Moshe, due to their crushed spirits and their hard work." (6:9)

**'TO BELIEVE' OR 'TO OBEY'** Usually, the phrase "v'lo SHAMU el Moshe" is translated: "they did not LISTEN to Moshe". However, it is not very clear what this implies Let's consider several possibilities based on the various meanings of the Hebrew verb "l'shmoah" [to hear, to

comprehend, to believe, or to obey]: \* They did not HEAR what Moshe said? They obviously heard (physically) what he said. \* They did not COMPREHEND what he said? Nothing in Moshe's statement seems to be very difficult to comprehend. \* They did not BELIEVE in what Moshe told them? This may have been the case, but if so, then the Torah should have used the word "v'lo he'eminu", as it did to describe their original belief in His first promise of redemption - see 4:30-31. \* They did not OBEY what Moshe told them? Even though this is the most common translation of "v'lo shamu" in Chumash [see Devarim 28:15 & Vayikra 26:14] it would not make any sense here, for this statement is only a promise of redemption, but does not include any form of commandment that Bnei Yisrael must OBEY!

To help us determine which translation of "v'lo shamu" is most accurate, we must consider the next three psukim, for they relate specifically to this phrase in 6:9: "Then God told Moshe, go speak to Pharaoh... that he should SEND Bnei Yisrael from his land. Moshe retorted: [using a "kal v'chomer"], saying: If even Bnei Yisrael - LO SHAMMU ay'li - didn't 'listen' to me, - v'aych YISHMA'EYN NI Pharoh - why then should Pharaoh 'obey' me." (see 6:10-12)

The word "shamu" ostensibly is used differently on each side of the "kal va'chomer": To Pharaoh, "shamu" implies OBEY, while to Bnei Yisrael it implies LISTEN. In other words, Moshe argues: "Why should Pharaoh OBEY me, if Bnei Yisrael do not LISTEN to me."

Now, for this "kal v'chomer" to make sense, the verb "shamu" in both halves of the pasuk should have the same meaning. Considering that "yishma'eyni" in the second half means OBEY, since God tells Moshe to COMMAND Pharaoh to DO something; then "shamu" in the first half should also mean to OBEY - i.e. the "kal v'chomer" should be translated: "Why should Pharaoh OBEY me, if Bnei Yisrael did not OBEY me!" Even though we had earlier rejected this possibility (that "shamu" implies 'obey') for the simple reason that there was nothing in Moshe's statement to Bnei Yisrael that needs to be 'obeyed', this "kal v'chomer" forces us to reconsider.

**ANI HASHEM** Let's take another look at God's message to Bnei Yisrael, making special note of its emphasis on the phrase "ANI HASHEM":

And Elokim spoke to Moshe, and told him ANI HASHEM. And I appeared to... and now I have remembered My covenant: THEREFORE - Tell Bnei Yisrael ANI HASHEM, and I will take them out... and save them... then they shall know that ANI HASHEM ELOKEICHEM who has taken them out of Egypt. And I will take them to the Land... and I will give to them as an inheritance - ANI HASHEM." (see 6:2-8, read carefully!)

It is quite clear that the primary focus of God's message to Bnei Yisrael is "ANI HASHEM". Not only is God informing them of their redemption, He COMMANDS Bnei Yisrael to recognize that HE is their God - ANI HASHEM ELOKEICHEM. This recognition by Bnei Yisrael that "Ani Hashem Elokeichem" encompasses much more than intellectual knowledge. It is a fact that must not only be understood, but also INTERNALIZED. A true recognition of "Ani Hashem Elokeichem" should result in an immediate inner drive to perform His will - the willingness to OBEY any command which God may request. It is not by chance that this very same statement is the FIRST of the Ten COMMANDMENTS!

Therefore, this statement that Bnei Yisrael must recognize that their redemption will be an direct act of God could definitely be considered a commandment that needs to be OBEYED! Implicitly, it demands that they prepare themselves spiritually for their redemption - i.e. to perform "teshuva". If so, then Moshe's mission to Bnei Yisrael is no less difficult than his mission to Pharaoh. Just like Pharaoh must be convinced to recognize God, and thus 'let His people go', so too Bnei Yisrael must be convinced that it is indeed God who is coming to redeem them, and thus perform proper "teshuva" in order to be worthy of that redemption.

**A PROOF FROM YECHEZKEL** Even though this deeper meaning of "Ani Hashem" is only IMPLICIT in Parshat Va'eyra, to our surprise, in Sefer Yechezkel it's EXPLICIT!! [Before continuing, I recommend that you first read Yechezkel 20:1-12, carefully comparing it to Shmot 6:2-13; note the obvious textual parallels! e.g. 20:5-6 to 3:6-8.]

In chapter 20 of Sefer Yechezkel, we find an incident where

Yechezkel admonishes a group of elders who have come to visit him. In his reproach, he reminds them of the appalling behavior of their ancestors prior to their redemption from Egypt: "On the day that I chose Israel... [v'iyyava lahem] when I made Myself known to them in the land of Egypt [compare Shmot 6:3]... when I said "Ani Hashem Elokeichem" [compare 6:6]... on that same day I swore to take them out of Egypt into a land flowing with milk and honey [compare 6:8, 3:8] And I said to them [at that time]: Each man must rid himself of his detestable ways, and not DEFILE himself with the fetishes of Egypt - [for] ANI HASHEM ELOKEICHEM. But, they REBELLED against Me, "v'lo avu l'SHMOAH ay'l" - no one rid himself from his detestable ways, no one gave up the fetishes of Egypt, and I resolved to pour out My anger upon them..." (20:5-8)

To our amazement, here we find that Yechezkel states explicitly what Sefer Shmot only alludes to, i.e. God had called upon Bnei Yisrael to repent prior to the Exodus - to cleanse themselves from the "tumah" of their Egyptian culture in preparation for their redemption. Unfortunately, Bnei Yisrael did not OBEY ["v'lo avu l'SHMOAH" /20:8], and they deserved to be destroyed in the land of Egypt. Only for the 'sake of His Name', did the redemption process continue (see 20:9-10). [These psukim in Yechezkel support the popular Midrash which claims that Bnei Yisrael had reached the 49th level of "tumah". Why Sefer Shmot seems to 'cover up' this detail is an interesting topic, but beyond the scope of this week's shiur.]

Thus, Moshe's "shlichut" to Bnei Yisrael, just like his mission to Pharaoh, is also a 'mission' in the fullest sense of the word. Not only must he INFORM Bnei Yisrael of their forthcoming redemption, he must also COMMAND them and TEACH them to perform proper "teshuva". This interpretation can also explain the interesting wording of God's response to Moshe's "kal v'chomer": "And God spoke to Moshe & Aharon, and He COMMANDED [ya'tzavem] TO Bnei Yisrael, AND TO Pharaoh the king of Egypt to take Bnei Yisrael out of Egypt." (6:13)

Here, once again, we find that God gives Moshe a double mission, to command both Pharaoh to allow them to leave, AND to command Bnei Yisrael to 'become worthy' for that redemption.

**SOME HELP FROM VAYIKRA** So what were Bnei Yisrael doing that was so terrible? Is there a concept of "teshuva" before receiving the Torah? A possible answer can be found in Parshat Acharei Mot. Note how God commands Bnei Yisrael not to follow the corrupt lifestyle of the Egyptians, as well as the repetition once again of "ANI HASHEM": "And God spoke to Moshe: speak to Bnei Yisrael and TELL them ANI HASHEM! Do not act as the Egyptians do... and do not follow their customs. Follow My laws instead... for ANI HASHEM ELOKEICHEM. Keep My laws, for by them man lives... ANI HASHEM." (see Vayikra 18:1-5)

This introduction is followed by a long list of forbidden marital relationships [better known as the "arayot"], which must have been very common in Egyptian and Canaanite culture (see 18:24-25!). Thus, God's call for "teshuva" most likely entailed ridding themselves of their decadent Egyptian lifestyle, as well as preparing themselves to accept whatever mitzvot that God may command.

**A THEME IN SEFER SHMOT** This interpretation not only helps understand the phrase "v'lo shamu el Moshe" in 6:9, it also explains a whole set of events which take place up until Bnei Yisrael arrive at Har Sinai. Recall, that God's original plan (at the "sneh") was for Bnei Yisrael to travel a three day journey directly to Har Sinai immediately after the Exodus (see 3:12-18). Instead, they only arrive at Har Sinai some six weeks later. Why?

Based on Yechezkel, the answer is simple. As he explained, even though Bnei Yisrael did not deserve to be redeemed, God saved them for the 'sake of His Name' (see 20:8-9). Nonetheless, even though He took them out of Egypt, He can not continue the redemption process, i.e. to take them to Har Sinai and afterward to Eretz Canaan, until they are spiritually ready. Therefore, even before they leave Egypt, they must offer a special Korban [Pesach] to affirm their faithfulness. [See shiur on Parshat Bo.] Then, after their first 'three day journey' into the desert they must pass the test at 'Marah' (see 15:22-26). Note how at Marah, Bnei Yisrael are given one more chance to accept what they had earlier rejected in Parshat Va'eyra: "And He said -

**IM SHMOAH TISHMA** - If you shall OBEY the voice of the Lord your God, and do what is upright, and listen to His commandments, then the afflictions that I put on Egypt [which you deserved as well!] I will not put on you, for ANI HASHEM, your healer." (16:26) [This topic will be discussed in greater detail in our shiur on Parshat B'shalach.]

Finally, immediately upon their arrival at Har Sinai, as a for receiving the Torah, God demands once again a similar 'pledge of allegiance': "And now, IM SHMOAH TISH'MA'U B'KOLI - if you agree to obey My instruction and keep My covenant..." (see 19:3-6)

Of course, this time Bnei Yisrael agree (see 19:7-8). Now, it should come as no surprise that the first Commandment is ANOCHI [=ANI] HASHEM ELOKECHAH who took you out of Egypt - LO YI'HIEH... Do not have any other gods INSTEAD of Me" (see 20:2). Just as we saw in Yechezkel, these two statements: ANI HASHEM and LO YI'HIEH act as 'two sides of the same coin' - for the statement of ANI HASHEM automatically implies that you shall have no other gods. [If you have time, relate this to the machloket concerning whether these two statements should be considered ONE dibur or TWO! / note that according to Rav Breuer's Tanach, whose "ta'amim" are based on the "keter" (which is considered the most accurate), ANOCHI & LO YI'HIEH are considered ONE paus! - See also in Chumash Torat Chaim.] **ELIYAHU AT LEIL HA'SEDER** In closing, the conclusions of this week's shiur can help us better appreciate our custom to invite Eliyahu ha'navi to our 'seder table'. On "leil ha'seder", as we commemorate the events of Yetziyat Mitzraim, we conclude the SEDER with our hope for the final redemption. However, before we begin Hallel & Nirtzah, we first invite Eliyahu. Most likely, this custom is based on the final pasuk of Malachi where we are promised: "Behold I am sending you Eliyah the prophet, BEFORE the great and terrible day of the Lord, and he will return the hearts of sons on their fathers, and the hearts of fathers on their sons, lest I come and smite and land instead."

In the final redemption, just as was the case in the first redemption, our obligation to perform "teshuva" is as important an ingredient as is God's readiness to redeem us. After all, what purpose would there be in our redemption, if we are not ready to fulfill our covenantal obligations? In order for that process to succeed, our constant recognition of ANI HASHEM must become not only a 'frame of mind', but moreover, it must become a 'way of life'.

shabbat shalom, menachem ...

[NOTE: I was planning to start the Navi series this week, but (as usual) did not find enough time. Iy"h, next week.]

**Business-Halacha - Hilchos Choshen Mishpat - Competition and Free Entry** Question: Is it permitted to open a store in a neighborhood that already has a similar store, if by doing so a loss of revenue will be caused to the owner of the original store?

Answer: A. It is permitted for a person to open a store across from another store even though it will be selling the same products as the first store. This applies likewise to any service provider, such as a law office, a travel agency, etc. The owner of the store that was there first is not permitted to take any action that is not Halachically permitted to try to put the newcomer out of business. B. A store owner is permitted to take steps to attract customers to his store, such as having sales, to offer free gifts to new customers, and to launch a major advertising campaign, even though it is clear that the new customers will come at the expense of the competing store. The reason this is permitted is because the other store owner is capable of doing the same. C. It is prohibited for a merchant to try to put his competition out of business by offering goods or services at prices that other merchants are unable to match without going bankrupt. However, if the store is known to cater to a certain element of society that specifically only buys bargains, and the other stores cater to a different clientele, the merchant does not have to be concerned about this. D. If the competing stores offer a similar product but are known to have different qualities of the same product, and some people prefer one brand over the other, one need not be concerned that the competition is unable to reduce their prices to match his.

Sources: The Gemara in Bava Basra (21b) states that there is no prohibition of Hasagas Gvul (lit. removing a neighbor's landmark, but understood by our Rabbis to also mean depriving another of their livelihood) to open a store in a neighborhood that already has an existing store selling the same items. Rashi explains that as long as the consumer is not obligated to patronize the second store, the owner of the first store can not accuse him of depriving him of his livelihood, because he can reply "Whomever chooses to come to me may do so, and whomever chooses to come to you may do so!" Although ultimately the consumers may decide to patronize the second store, since it is not clear that this will happen, we can not prevent the second merchant from opening on the basis that he is indirectly damaging his competition. Although this ruling is not so simple regarding free entry for foreign competition, this would only be a problem if the foreign competition were not paying local taxes. In this situation, the local merchants would be permitted to argue that it is unfair that the out of town merchant benefit from the local infrastructure without paying taxes. However, in most societies

today out of town merchants also pay local taxes, and the local merchants could not prevent him from opening his store on this basis. This is stated in the Shulchan Oruch (Choshen Mishpat 156:5), and is also discussed in the Pishei Teshuva there (3). However, if it is clear that the customers will now only patronize the new store, we prevent the second store from opening based on the fact that he is indirectly damaging the competing merchant (Garmi). This is stated by the Teshuvos HaRama in the name of the Aviasaf, and is quoted by the Chassam Sofer (Choshen Mishpat 79), and in the Igros Moshe (Choshen Mishpat Vol. 2 , Siman 31). Therefore, we do not allow a merchant to put his competition out of business by lowering his prices to the extent that it is not feasible for the competition to remain in business. However, if he wishes to slash the prices in a manner that others can compete with them if they wished, thus ultimately benefiting the consumer, "May he be blessed!", as is stated by the Chachamim in the Mishna in Bava Metzia 4:12.

This week's class is based on a column by Rabbi Tzvi Shpitz, who is an Av Bet Din and Rosh Kollel in the Ramot neighborhood of Jerusalem. His column originally appears in Hebrew in Toda'ah, a weekly publication in Jerusalem. It has been translated and reprinted here with his permission and approval. Business-Halacha, Copyright (c) 1998 by Project Genesis, Inc. This class is translated and moderated by Rabbi Aaron Tender of Yeshivas Ner Yisroel Baltimore

**INSIGHTS INTO THE DAILY DAF** brought to you by Kollel Iyun Hadaf of Har Nof Rosh Kollel: Rabbi Mordechai Kornfeld

**Shabbos 47 1) A FLAME IS MUKTZAH QUESTION:** The Gemara says that a lamp, oil, and wick are all considered to be a "Basis l'Davar ha'Asur" according to Rabbi Shimon. RASHI explains that the Davar ha'Asur is the flame, which is Muktzah and may not be moved even l'Tzorech Gufo u'Mekomo. Why is the flame Muktzah? Because it is the same as a rock on the ground, which is not a Kli and has no purposeful use on Shabbos. (1) How is a flame comparable to a rock? A flame has a useful purpose -- to provide light! If a person has, for example, a flashlight, or a phosphorescent rock such as phosphorus, since that object provides light, he is permitted to designate it for use on Shabbos and move it to a room in which he needs light. Since the flame also has a use of providing light, one should be allowed to bring it from place to place to use its light! (2) Secondly, if a flame is Muktzah Machmas Gufo, why are we allowed to move logs in a fire on Yom Tov (when it is not l'Tzorech Ochel Nefesh)? One may move a lit flame or log on Yom Tov even when it is not l'Tzorech Ochel Nefesh, and the log is not considered to be a Basis for a flame that is Muktzah Machmas Gufo. (This is evident from the fact that Tosfos, when he searches for proofs, never brings this to prove that Muktzah may be moved on Yom Tov l'Tzorech Ochel Nefesh -- see Tosfos Beitzah 8a DH Amar -M. Kornfeld). (Rav Shlomo Zalman Auerbach, ztl, in MINCHAS SHLOMO 14:1) **ANSWERS:** (a) The CHAZON ISH (Moed, 41:16) explains that people abstain from moving candles on Shabbos out of fear that the candle might go out. (Even though, if the candle goes out, it is a Davar sh'Ein Miskaven, nevertheless people refrain from moving it lest it go out, since they will not be able to relight it - Rav Shlomo Zalman, ibid.) Tosfos (46a, DH v'Ha) states that objects that are specifically designated to be kept in one place ("Kove'a la'Hem Malom") are Muktzah because they are never moved. So, too, a flame is Muktzah because it is never moved, as if it was designated to be kept in a certain place. On Yom Tov, though, since it is permitted to relight a flame, people do not refrain from moving candles. Therefore it is not Muktzah as a result of being designated to remain in one place. (b) RAV SHLOMO ZALMAN AUERBACH answers that since (1) the flame is only used for its light, and (2) it is a Davar sh'Ein Bo Mamash (it has no tangible substance) and thus cannot really be called a Kli, and (3) it is always changing (the flame burning now is not the same flame that existed moments ago, as mentioned in Berachos 53a), it cannot be considered a Kli. On Yom Tov, though, since it is permitted to light other fires from it, it is significant and is given the status of a Kli. (c) The RITVA (in our Sugya) explains that the flame is Muktzah because "it is forbidden to touch." He may mean that on Shabbos, if one touches the flame with an object, one transgresses the Melachah of cooking (or if he touches it with his hand, he transgresses the Melachah of bruising). Since one cannot touch the flame, as far as Shabbos is concerned it is not considered a Kli, because a Kli is something that can be "handled" by itself (without the help of the candle under it). On Yom Tov, one may light from the flame and touch it with another object, and therefore it is considered a Kli and is not Muktzah.

**51b HALACHAH: CRUSHING OR MELTING ICE ON SHABBOS OPINIONS:** The Beraisa at the end of the chapter says that one may not crush ice on Shabbos, but one may put it inside a cup to melt. What is the problem with crushing it, and why is it permitted to place it in a cup to melt?

(a) RASHI writes that it is prohibited to crush ice because it \*appears\* as though one is creating a new entity ("Nolad"), water, on Shabbos. The prohibition is limited to a \*positive action\* that produces a new entity. One may, however, let it happen water become created itself by placing the ice in a cup. Since it is not a genuine case of Nolad (but just "looks like" Nolad), the water produced is not Muktzah, and if no active crushing is involved, it is permitted to allow the ice to melt. (b) The RASHBA cites the SEFER HATERUMAH who says that making water from ice is indeed a genuine case of Nolad, and the water produced in such a manner is Muktzah. The RITVA explains that according to this, when the Beraisa says that one may let ice melt in a cup, it is referring to a cup that already \*has water in it\*. Since the newly created water (from the melting ice) mixes immediately with the water already in the cup and is never an independent entity, it is permitted to let the ice melt in such a manner. (c) The RASHBA himself says that the problem is that crushing ice gives the appearance of "Sechitah," squeezing an object to obtain its juice. If crushing ice was permitted, people might err and think that it is also permissible to squeeze fruit to obtain juice (which is an Isur d'Oraisa). However, it is permitted to crush ice inside of a cup if it is filled with water (because the resulting liquid becomes mixed immediately and is not seen, and it is not obvious that he has created liquid). Likewise, letting the ice melt by itself even when it is not in a cup if permitted (it does not resemble Sechitah because no action of squeezing has been done). That is, the Rashba accepts the lenient rulings of both Rashi and the Sefer haTerumah: ice may be let to melt by itself, or crushed manually into a cup with water. **HALACHAH:** The SHULCHAN ARUCH (OC 320:9) cites the explanation of Rashi (a). The MISHNAH BERURAH (320:34) cites the Rashba (c) and says that one may leave ice to melt in the sun, or crush ice into a cup of water. The Mishnah Berurah (320:35) then cites the REMA (OC 318:16) who quotes the Sefer haTerumah, that crushing ice may be forbidden because of Nolad, and therefore one should only let

it melt in a cup that already has water in it.

Shabbos 55 1) HALACHAH: REBUKING A WRONGDOER The Gemara says that a person must rebuke someone whom he sees committing a sin, even if he knows that the other person will not listen to him. TOSFOS (DH v' Af Al Gay) points out certain conditions to this obligation. The Poskim (OC 608:2) discuss the details that are relevant in practice: (a) A person must rebuke someone who \*willfully\* sins, even if one is certain that the sinner will not heed the rebuke. Similarly, for this reason, if a person is transgressing a prohibition that is written explicitly in the Torah, it is assumed that he knows that it is forbidden and he is sinning intentionally, and therefore one must rebuke him and tell him to stop sinning. (b) If one sees that the wrongdoer is not accepting the rebuke, then one should continue to rebuke him, but in private and not in public (one rebukes a sinner in public only once). Also, if the sin was committed in private, one should rebuke the sinner only in private. (c) However, if the person is committing a sin that is not stated explicitly in the Torah, or one that is prohibited mid'Rabanan (and it is not evident that he knows it is forbidden), then if one knows for sure that the sinner is not going to listen to the rebuke, he one is not required to tell the sinner to stop, because rebuking him will only make his sin worse by changing it from an unintentional sin to an intentional one. (d) But if there is a \*possibility\* that he might listen to the rebuke, then one is obligated to rebuke him, as our Gemara says.

55b 4) IS THERE UNWARRANTED DEATH? QUESTION: The Gemara concludes that "Yesh Misah b'Lo Chet..." -- "there \*is\* death without [a person having committed a] sin, and there \*is\* suffering without [a person having committed] iniquity." First, how is this conclusion reconciled with the verse cited at the beginning of the Gemara, "The soul that sins -- it shall die..." (Yechezkel 18:20), which proves that there is \*no\* death unless one sinned? Second, the Gemara in Berachos (7a) relates that when Moshe Rabbeinu asked Hashem why suffering befalls the righteous and the wicked prosper, Hashem answered that suffering befalls the righteous person who is not \*completely\* righteous (Tzadik sh'Eino Gamur). The Gemara there proves from verses that if a Tzadik does not sin at all, then he will not be punished for the sins of his forebears and he will not suffer from them. How, then, can the Gemara here conclude that there \*is\* death without sin?

ANSWER: Those learned in the hidden aspects of Torah teach that Neshamos ("souls") are corporeally transcendent. A person living in a later generation can share the Neshamah of a person who had lived in a former generation. Scientifically (that is, on a measurable, tangible level), we can understand this in terms of Midos (character traits). That is, through following the Mitzvos of the Torah, a person perfects himself and his Midos. However, a person does not necessarily start off perfect; he may have inherited undesirable Midos from former generations, and thus a person may be born with certain Midos that he must overcome. His job is to break every deeply rooted ("hereditary") tendency towards evil until he no longer feels such a tendency altogether (and can no longer pass it on to his own progeny). This brings us to an interesting question. A person who is alive now and has never sinned -- how is he to be classified? On the one hand, since he himself never sinned, he is a "Tzadik Gamur," pure and clean of sin. On the other hand, his Neshamah -- which has been through many generations -- \*is\* tainted by sin (or, in terms of Midos, his Neshamah still has in its roots of imperfect Midos that distance him from Hashem to some degree, even if they have not caused him to sin actively). As such, he is only a "Tzadik sh'Eino Gamur." Our Gemara is concluding that the latter is true. There \*is\* death without sin; a person himself committed no sins in his life, and yet he still suffers and still dies because of the Neshamah, or Midos, that he inherited from his ancestors and did not perfect. The Gemara in Berachos is also correct; a person dies only because of his sins, meaning the sins of his Neshamah/Midos that have stemmed from former generations. The Gemara calls such a person a "Tzadik sh'Eino Gamur" -- a Tzadik who is not \*completely\* righteous -- since he did not perfect the Neshamah/Midos that he inherited.

THE DAFYOMI DISCUSSION LIST brought to you by Kollel Iyun Hadaf of Har Nof  
Rosh Kollel: Rabbi Mordechai Kornfeld

Comments: Shabbos 012a: Killing a louse on Shabbos The Kollel wrote: <<It could be that Chazal erred in the physical reality. The Almighty, though, knew that they were going to err, and therefore the Halachah that the Torah teaches is still true and binding. That is, even though the Sages will think that it is permissible to kill lice on Shabbos because they are spontaneously generated, the Halachah nevertheless is true (but because of a different reason -- because they are so small)>> Yedidya Israel <yedidya@macs.biu.ac.il> comments: I'd appreciate it very much if you send me some references (Mar'e Mekomot)? Thanks in advance. Yedidya Israel, System Administrator Reuven Miller <millerr@tamar.cc.biu.ac.il> wrote: Rav Mordechai Could you give us a m'kor in Chazal or Rishonim for the above approach. Why do you assume that Hashem does not allow Chazal to make mistakes, even in deciding Halacha? Isn't there even a korban for Beth Din when they make a mistake? Reuven Zev Pachino <tovli@toranet1.co.il> wrote: I wish to bring to your attention an important piece on this subject. Please give a look in the Michtav Meliyahu by Harav Dessler z"l Volume #4 page 355. Yaashar Koach on the good work. Zev Pachino Rav Kibbutz Chafetz Chayim

The Kollel replies: Rav Aryeh Carmel writes in a footnote to Michtav M'Eliyahu, volume four, that the ruling of Chazal is based on a tradition which they had received from their teachers, and also based on day to day experience. Therefore, their ruling does not change even if the scientific definition of the fact changes. They understood that a generative process too small to be seen with the eye was evidence of spontaneous generation. Even though later scientific inquiry determined that such small creatures do indeed produce offspring, the fact that such a process is too small to see did not change, and therefore neither did the Halachah. Rav Carmel cites the Sefer Pachad Yitzchak (Rav Yitzchak Lampronti ha'Rofeh, 1750) who writes (under "Tzeidah Asurah") that perhaps the Halachah \*should\* change according to the new scientific knowledge. Rav Yitzchak Hutner, zt'l (Igros u'Kesavim), comes to the same conclusion as Rav Carmel that the Halachah does not change, but he proposes a different logic. In the context of this Halachah, "Para v'Rava" does not refer to the way a creature reproduces. Rather, it refers to whether the creature lives on its own, independently. If it is not "Para v'Rava," that means that it exists only as a parasite, living off of other living things. Be well, -Mordechai

Shabbos 30b: "Hiding" Mishlei From: Sidney Gottesman <sidney.gottesman@citicorp.com> What is meant by 'hiding' Kohelet or Mishlei? Who are those that wished to 'hide' it? How can a book have been hidden after it has been written? Is there any merit to my speculation that what is being discussed is the canonization of these sefarim and not their physical literary demise?

The Kollel responds: Very interesting question. The term "genizah" used is the gemara can mean that the books should be taken out of circulation. The reason given is the seemingly contradictory passages. We find the term "genizah" used in reference to books that were not holy at all, such as in pesachim 56a the hiding of the "sefer refuah" (which was a book that had medical cures). So that could certainly be the discussion here. However Avos d'Rabbi noson" 1:4 says "Originally they said Mishlei, Koheles and Shir Hashirim should be hidden, for they contain mere parables and they are not of the Scriptures. They hid them until the Great Assembly came and explained them."

Here the discussion is clearly if these books should be canonized or not. It is unclear if the gemara in Shabbos is referring to the same instance. Firstly, it leaves Shir Hashirim off the list of books in question. Secondly, and perhaps more revealing, the reasons given are different. That seems to leave room to speculation that this gemara is not discussing the canonization of the books, but rather if they should take them out of circulation although they were already canonized. Prof. Shneur Zalman Leiman (of Kew Gardens Hills) wrote a book on the issue. Be well, Moshe Rosenberg Shabbos 30b: "Hiding" Mishlei From: "Sid Z. Leiman" <szlyu@mail.yu.edu> Rav Shnayer Leiman comments: Likhvod Yedidi ha-Rav he-Chashuv Rav Mordechai, Shalom u-Berakhah!

Yeyasher Cheyo le-Oraisa! Keep up the good work. No need for me to respond; you are doing a better job than I could ever do. One small he'aroh: the verb ganaz (to withdraw from circulation) implies kedushah. Books or objects lacking kedushah are disposed via the verbs saraf and ba'er. The very fact that ganaz is used with Sefer Refu'ot suggests it had kedushah. Indeed, many rishonim spoke about its divine origin or its authorship by such worthies as Noah, Shem, or Shlomo ha-Melekh (it would seem be-rubah ha-kodesh). See, e.g., Sefer Tashbez, paragraph 445; the belief repudiated by the Rambam, Perush Mishnayot 'al 'atar; Ramban, Perush 'al ha-Torah, introduction (ed. Chavel, p. 5); She'elot u-Teshuvot ha-Rashba 1:413. The notion that there were books written be-rubah ha-kodesh, not included in Tanakh, is widespread in chazal. See, e.g., megillat bet ha-miqdash at Y. Megillah 70a. Warmest regards to your parents, Shnayer

[Didn't make it into Fri. AM distribution:]

mj-ravtorah@shamash.org Shiur HaRav Soloveichik ZTL on Parshas Vaayra vaayra.98 (Shiur Date: 1/16/81)

The Torah tells how Moshe was told by Hashem to return to Egypt and tell the people of their imminent redemption. He was also to appear before Pharo and tell him to release the people from bondage. Moshe did not want to go and eventually argued that he was handicapped, he stuttered. Hashem tells him that Aaron will serve as his prophet or messenger. Moshe then agrees to go and he meets Aaron who agrees to serve as Moshe's messenger. They meet the elders who accept their message of redemption. They appear before Pharo who blasphemes God and increases the burden on the people by making their jobs harder. Moshe is dejected and complains that his going to Pharo has only made matters worse. Hashem then tells him about the patriarchs and gives him another message to bring to Bnay Yisrael: the 4 (or 5) terms of redemption, Leshonos Geula. Moshe relays the message to the people but they do not pay any attention to him out of Kotzer Ruach, shortness of breath, which means that their suffering reached new heights. Hashem sends Moshe back to Paroh and this time Moshe asks why would Paroh listen to him if Bnay Yisrael refused to listen to him, a stutterer? Hashem orders Moshe and Aaron to free the people and the Torah presents a biography of Moshe and Aaron starting with Reuven and then repeats that Moshe/Aaron and Aaron/Moshe were commanded to free the people.

The above synopsis captures the apparent redundancy of the Parshios. The Torah seems to repeat several times that Moshe did not want to go to either Pharo or Bnay Yisrael. The Torah seems to repeat that Moshe and Aaron were commanded to take the people out of Egypt. Also, the details about Moshe and Aaron's lineage seems out of place. Where is the continuity between the sections?

The Rav explained that when Hashem appeared to Moshe at the burning bush and told him to act as His messenger to Paroh and Bnay Yisrael Moshe refused to accept the responsibility. As the Torah says: Go and I will send you to Paroh. Hashem told Moshe that he was to act as the Shaliach, messenger, of Hashem. Moshe refused the assignment, not because he was lazy, but rather because Moshe said that the messenger must be an acceptable representative of the sender. Moshe argued that he was not an acceptable messenger because he was handicapped and could not do an adequate job as the representative of Hashem to Pharo and Bnay Yisrael. Hashem told Moshe that if His intention was to find a great warrior or political leader or spokesman for Bnay Yisrael, perhaps Moshe would not be the one selected. However, Moshe is told that this will be your sign, after the exodus you shall worship Hashem on this mountain. Hashem told Moshe that the main reason for the exodus is that the people should accept the Torah and Mitzvos Hashem. In order to do that they must transform themselves from a nation of

slaves to a kingdom of priests and a holy nation in a short time. For that, the people need a teacher, and Moshe you are the only candidate for that position. At that time Hashem granted Moshe a spokesman, Aaron, who would be Moshe's representative to bring this message to Bnay Yisrael. However, Moshe was still the only one entrusted with the mission of redemption and to speak to Pharo. (The Rav mentioned that these Parshios present some of the fundamental concepts of Shlichus).

Moshe returns to Egypt and he and Aaron bring the people the message of redemption, and the people believe them. They appear before Paroh and their mission meets with disaster. Pharo is blasphemous towards Hashem and makes life even more difficult for the people. Moshe complains to Hashem saying that he is not the man for the job, as he has only made matters worse. Hashem tells him that he does not see the results of his mission yet, but soon enough he will.

At this second communication between Hashem and Moshe, Hashem mentions the patriarchs and entrusts Moshe with the mission to bring the Leshonos Hageulah, and the entire Judaic Philosophy that these words represent, to the Bnay Yisrael. Hashem tells Moshe about the difference in the names through which Hashem appeared to the patriarchs and to Moshe. The typical example of Shlichus is where someone seeks out the messenger to perform an act on his behalf. Avraham recognized Hashem at an early age, but Hashem did not communicate with him for many years till He told Avraham to go to Eretz Canaan. In this case, Avraham was the one searching for Hashem. Hashem did not search for Avraham. Avraham's relationship (and that of Isaac and Jacob as well) with Hashem was one of friendship: Elokim Haroeh Osi Mayodi (see the Ramban who explain Roeh as meaning friendship). They were not messengers of Hashem. Moshe was the first to enjoy a dual relationship with Hashem: that of friend and that of messenger. As the Torah says Vayishlach Malach Vayotzianu M'Mitzrayim, and Hashem sent a messenger and delivered us from Egypt, and the Ramban interprets Malach as Moshe.

Moshe then goes to the people to bring them the Leshonos Hageulah. His mission again meets with disaster. This time it is not Pharo who ignores him, but Bnay Yisrael themselves. They ignore him M'kotzer Ruach, they were in such a desperate state that they had lost all recognition of their suffering and were ready to give up. After this depressing mission Hashem tells Moshe to go to Pharo and tell him to release the people. At this point Moshe says that if he could not get Bnay Yisrael to listen to him, what hope does he have of convincing Pharo?

At this point Hashem, Kvayachol, acquiesces to Moshe's request. Hashem tells Moshe that if he feels that he is not capable of speaking to Pharo, he will send Aaron along with him. However, Moshe must pay a price for this. Up till this point Moshe was the sole messenger of Hashem to free the people. Aaron's place in history was to be simply the messenger of Moshe but not as a redeemer. Hashem offers to elevate Aaron to the level of redeemer alongside Moshe, but Moshe must pay the price of relinquishing half of the title of redeemer of Bnay Yisrael. The message of Pakod Yifkod was to be delivered and fulfilled by one individual. Now that tradition was to be turned on its head as there will be two redeemers. Moshe was ready to pay this steep price. It is at that point that Aaron is elevated and they are mentioned interchangeably, Hu Moshe V'Aharon, Hem Hamedabrim Aharon UMoshe. And at this point it became Vayetzavem, and Hashem commanded both of them to redeem the people from Egypt. Some of the plagues were brought upon Egypt by Aaron alone, others were brought by Moshe alone, yet others were done jointly, showing that both were equal in this effort to free the people. Moshe retained his status of Sholiach, messenger of Hashem. It is interesting to note that Aaron retained his status as the messenger of Moshe and that of redeemer alongside Moshe.

Aaron could be made an equal partner with Moshe in the redemption process. However, this did not change the responsibility given to Moshe at the burning bush. Moshe alone was the teacher of the people. He did not share this title or responsibility with Aaron. Moshe alone was the greatest of all prophets, and Aaron and Miriam were on a lower level. Aaron's role as Moshe's partner was limited to the task of freeing the people from Egypt.

The Rav mentioned that he often notes that Jewish History would have turned out differently if certain situations that arose during the exodus and their sojourn in the desert would have ended differently. For example had the spies not been sent, the people would have marched into Eretz Yisrael without delay with Moshe leading them. The Rav noted that Moshe's refusal to be the sole Shaliach of Hashem to free the people was another such opportunity lost.

The sharing of the role of redeemer was a sensational event. It was unique that a brother would surrender part of his role to another brother. We often find that when someone does something extraordinary, his biography is written up and displayed in the media. This was such an event. The Torah tells us who were these brothers, what family did they come from that might have led one brother to relinquish his place in Jewish History in order to allow his brother to share the title with him. That is why the Torah concludes the lineage description after Shevet Levi and Moshe and Aaron. The Torah started with Reuven because it had to go in birth order to get to Levi (see Rashi). After this description, where both are the redeemers of the people, Hashem orders them both to go to Pharo to tell him to free Bnay Yisrael.

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