

INTERNET PARSHA SHEET
ON TAZRIA - 5760

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From: listmaster@jencom.com peninim@jen.co.il
PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBAUM
Parshas Tazria

Speak to Bnei Yisrael, saying: when a woman conceives and gives birth to a male. (12:2)

In the Talmud Niddah 30b, Chazal relate that a child is taught the entire Torah while it is in its mother's womb. As a baby is about to be born, an angel slaps him on the mouth, causing him to forget all the Torah it has learned. Upon studying this Chazal, we are confronted with two questions. First, why does the child study Torah as a fetus? Would it not be more appropriate to study Torah in the Olam Ha'neshamos, world of the souls, before the soul is separated from its Heavenly abode and placed into the body of the unborn child? Second, why does the angel cause the child to lose its Torah knowledge? If he is not going to retain the knowledge, why should he study it at all?

Horav Eliyahu Meir Bloch, zl, explains that while the neshamah is "situated" in the eternal world it is indeed exposed to immense spiritual knowledge. It is certainly privy to the greatest reservoir of spiritual wisdom. Yet, it lacks the "perception" regarding those mitzvos that relate to the body, to the material aspect of human life. This lack of perception prevents the neshamah from fully grasping the meaning of mitzvos involving the physical dimension. When the soul is already within the body of a fetus, although it is not yet born and exposed to the reality of human existence, it is more capable of comprehending this aspect of mitzvah performance. While he immediately forgets this "lesson" when he enters the world, it has already been engraved in his soul. When this infant grows up and studies Torah with great toil and dedication, the knowledge that he has absorbed before birth will be activated. The "klipos", outer spiritual "shells," that have concealed this knowledge will disintegrate. In other words, a person's essence is Torah; his neshamah has assimilated the pre-birth lessons into his essential character. As he studies Torah with greater depth and passion, he discovers the innate Torah within himself.

We now understand Chazal's comment in the Talmud Moed Katan 25b, regarding the pasuk in Bereishis 5:1, "This is the account of the descendants of Adam." The Torah seems to compare man to a sefer, book. This leads Chazal to remark, "Man is a living Sefer Torah. Thus, one who is present during yetzias neshamah, as a person takes his last living breath, must tear kria, rend his garment." This is to be compared to a Sefer Torah that has been burned. Are Chazal comparing every person to a Sefer Torah? Perhaps this appellation applies to the few, unique Torah scholars of each generation. To make such a broad statement demands an explanation. Accepting the above thesis, we can understand the Sefer Torah aspect of each individual. His neshamah is so suffused with Torah, it literally becomes a Sefer Torah. Each individual must attempt to remove the outer layer that conceals his true essence. For some it might be simple, while for others it may be more difficult. We all, however, hold the Torah within our spiritual psyche. ...

From: kenblock@att.net Subject: NCYI Weekly Divrei Torah - Parshat Tazria

B'S'D' Parshat Tazria RABBI DOV AARON BRISMAN Young Israel of Elkins Park, PA

The Sequence of Creation

Rav Samlai said: Just as the creation of man followed that of the animals, so too are man's halachot articulated in the Torah after those of the animals. (Rashi)

Apparently, Rav Samlai equates creation of man to the Torah's elucidation of man's halachot. Why is there a correlation between them? Does sequence of creation necessitate sequence of instruction?

Let us first examine the reason(s) that man was the final creation. The Talmud (Sanhedrin 38a) lists four reasons. First, there should never be a basis to claim that HaShem had a partner in creation. Second, if man feels haughty, he can be reminded that even the small insignificant gnat pre-dated humankind in creation. Third, in order to immediately enter into the Shabbat. Fourth, in order to enter into a completed world. It seems evident that these four reasons have no applicability to the sequence of halachic instructions. The Gur Aryeh and Levush Haora also pose this question.

The Apter Rebbe, zt"l, (Sefer Ohev Yisrael) poses a probing question. How can we even rank man's creation as the finale, based upon a sequence of events? Was not the world created for the benefit of man thus enabling him to serve HaShem? In that case, how is possible to provide commentary to a sequence that is not reality, perhaps this cannot be considered sequential?

We find that the halachot of tum'a (contact with a dead person) creates impurity for seven days, whereas contact with a dead animal creates impurity until the following evening. Spiritual impurity from a dead person is more stringent than a dead animal's impurity. Commentaries find this very perplexing. A person has a neshama and tzelem Elokim, aspects of G-dliness. What is the rationale that such an exalted eminence can be more defiled and more defiling than that of an animal which possesses no such kedusha (sanctity)?

The answer offered is that this G-dliness itself apportions the greatest level of defilement for man. If such a consecrated neshama is carved into the man's being, and upon man's death that tzelem Elokim leaves the body, then the spiritual decline of that physical body is far greater and far more devastating than that of an animal. (See Ohr HaChaim in the beginning of Parshat Chukat)

Do we not see that human society at times stoops lower than that of the animal order? Our past century has shown how the human brain can contrive sophisticated techniques and schemes to deprive human rights, human dignity, and human lives. How cold, indifferent and de-sensitized do our hearts become at the sight of human suffering! Indeed, when mankind abuses its broad capacities with impure thoughts, motives and actions, oh, woe, how vast is its defilement!

Note that the severe impurity, the affliction of tzara'at (spiritual leprosy), is the direct consequence of speaking lashon hara (slander), for the sanctified vessel of the mouth and speech have been violated.

Now we can understand what the aforementioned Rav Samlai meant by equating the creation of man to the halachot of man's spiritual purity.

The realization that the universe was created for man's benefit must remind a person of his awesome responsibility to the world. If a person falters in his spirituality, he can fall even lower than those creations which were meant to serve him. Hence, "just as" man's role as the finale of creation indicates that everything in the world is prepared for man's enrichment according to his achievements, so too it is incumbent upon man to realize that in this creation lies his very essence, his "Torah". A flaw committed by man is a tum'a - a defilement of the worst order. Therefore, the laws governing man's impurity are articulated after those of the animals, in order to teach us that just as man is the culmination of creation, so too can he be the culmination of impurity.

In our era, although the laws of impurity are not prevalent, their lesson most certainly is. As Torah observant Jews we must always

realize our potential to ascend to the highest possible spiritual levels. With HaShem's help may we be spared from the alternative, and constantly share in "simcha shel mitzva." Modern Day Leprosy and a Timely Antidote

Every year, upon reviewing this Parsha, the serious learner always seeks a practical relationship between the seemingly esoteric laws governing the leper and today's practical society. How does one apply the situation of the leper to our times, for the leprosy of the Torah, let alone its application, is virtually non-existent today! Close examination, however, will uncover basic principles which are universal in their application to all eras.

"And he is brought" to the kohen (13,2). The Torah does not state that he comes to the kohen - on his own - but that he is taken to the kohen. According to the Ibn Ezra, this teaches us that if the person is not willing to go to the kohen, we must take him. It is our responsibility to guarantee that the problem is given the attention that it deserves.

The Sifra states that if the leper is suffering from his affliction, and we see his suffering, it is our duty to bring him to the kohen. Sefer Yalkut Yehuda relates this to the lesson of the Ibn Ezra that we must take him to the kohen (even) against his will. But how can we take action if we are unaware?! Therefore, we must conclude that the man's suffering is apparent to us. Far be it from society to ignore this malady. We must especially consider the fact that Torah leprosy is a spiritual affliction. Such suffering can never be ignored or even minimized.

Similarly, we see spiritual affliction all around us. Vast infestation of ignorance and the pestilence of assimilation, surround us constantly. When we see the hurt of our brothers' souls, something must be done. Relief must be sought.

However, the average Jew is usually not qualified to deal with such a problem. Special knowledge and tactical skills are required. For this reason, a specialist must be obtained. Present this case to qualified personnel. "And he shall be brought to Aharon the Kohen or to one of his sons."

The plague (does not defile and) is not isolated until the pronouncement of the kohen. So, too, not every person is competent to bear negative tidings. There are learned people who lack tact; skilled doctors without bedside manner. Sensitivity is paramount when a plague is pronounced. We must not allow aggravated emotion to dominate our tongues. A man who diagnoses must be in constant control of his words. Only a kohen who blesses the nation with love and joy can employ proper perspective and correct judgement to a gloomy situation. It is the kohen whose comfort and counsel can convert a doomsday scenario into a manageable life. Leave the pronouncement of doom and despair to the kohen.

Timing is ever so crucial in dealing with a plague. There are times when even the impending pronouncement of doom, as imminent as it may appear, must be postponed. At times, the counsel of truth can hurt to the extent of counter-productivity. Either one's ego or one's euphoria will prevent the mind from digesting the gravity of the situation. A person who is enjoying a "high" cannot be easily deprived of this aura without serious repercussions. For this reason, the Talmud (Moed Katan 7) instructs us that there are days when plagues are not examined, such as during the days of the "sheva brachot" celebration following a wedding, or during the Yom Tov festival.

Hence, our Torah message to the leper is in essence a clear invocation to our times. We constantly come into contact with pain and torture; the souls of our brethren are hurting as they yearn towards spiritual enhancement.

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From: Rabbi Yissocher Frand [SMTP:ryfrand@torah.org]

"RAVFRAND" LIST - RABBI FRAND ON PARSHAS TAZRIA

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 235, Cesarean Section Births. Good Shabbos!

Giving the Critic a Taste of His Own Medicine

The pasuk [verse] says, "And if the Kohen examines the Tzoraas and sees that it has spread, he need not (further) examine the yellow hair, the person is Tameh (impure)" [Vayikra 13:36].

The Baal HaTurim points out that there are only two times in the entire Torah where we find this expression "he need not examine" (lo yevaker). The first time is in our parsha. The second time is in Parshas Bechukosai regarding the laws of Temurah (switched sacrifices) "he shall not distinguish (lo yevaker) between good and bad" [Vayikra 27:33].

The Baal HaTurim explains that there is a connection between these two pasukim [verses]: Since the person was guilty of distinguishing between good and bad (by speaking Lashon Horah), therefore the Kohen has no need to examine his Tzoraas symptoms further and can declare him Tameh (impure) immediately. The Baal HaTurim concludes "...for there are 7 reasons that cause Negaim (ritual skin-blemishes) to come".

This is a classic comment of the Baal HaTurim because it is a riddle. Anyone is welcome to speculate over the meaning of this Baal HaTurim during his or her Shabbos seudah [meal]. My feeling is that the meaning of the Baal HaTurim is the following:

What is the sin of Lashon Horah all about? When we distill Lashon Horah to its basic form, what does it consist of? Basically, Lashon Horah is about criticizing. It is the uncanny ability to look at a person or situation and to find what is wrong -- to latch on to the shortcomings and the downside. There is good and bad in all of us. We are not all good and we are not all bad. It is possible to look at a person and say "He's stingy, he's this, he's that, etc." But that same person also has positive traits. The chronic Lashon Horah speaker never sees these positive traits. He chooses to look at the bad and to criticize. He chooses to examine every person under a microscope and always come to the conclusion that there are faults and shortcomings.

This is the meaning of the Baal HaTurim. When a person transgresses the crime of "You shall not examine between good and bad" (he always examines, always looks for fault and always criticizes), he will be punished measure for measure. He will come to the Kohen and the Torah will instruct the Kohen "Do not examine any further" -- rule that he is Tameh on the spot. Let him receive some of his own medicine. Teach the importance of my command "You shall not scrutinize (further)..." to he who always scrutinizes.

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

Shabbat Shalom: Parshat Tazria (Leviticus: 12:1-13:59) by Shlomo Riskin

Efrat, Israel -- The major subject of this week's as well as next week's Torah portion is that of ritual purity and impurity, tuma and tahara, one of the most esoteric and puzzling aspects of our Scriptures for the

modern mind. What is even more disturbing is that, in the very midst of the Biblical discussion of a child bearer's state of impurity, comes the command of circumcision - a subject which has little to do with the matter at hand. Its proper placement belongs in the book of Genesis, when the Almighty entered into a covenant with Abraham through the ritual of circumcision. As the Bible here records: "When a woman conceives and gives birth to a boy, she shall be ritually impure for seven days, just as she is impure during the time of separation when she has her period. On the eighth day (the child's) foreskin shall be circumcised, then, for thirty-three additional days, she shall sit on blood of purity..." (Leviticus 12:2-4). Why is the command of circumcision right between the impure and pure periods following child-birth? Moreover, our Sages specifically derive from this ordinance that the ritual of circumcision overrides the Sabbath: "On the eighth day, (the child's) foreskin shall be circumcised, - even if it falls out on the Sabbath" (B.T. Shabbat 132a). Why express this crucial significance of circumcision - it takes precedence even over the Sabbath - within the context of ritual impurity? Is there a connection? Targum Yonatan Ben Uziel links the two issues by interpreting: "And on the eighth day, when (she) is permitted (to have sexual relations with her husband), on that (day) is (the baby) to be circumcised." He is thereby citing the view of our Sages in the Talmud, who understand that the circumcision must be on the eighth day following the birth "so that everyone not be happy while the parents will be sad" if they cannot properly express their affection towards one another (B.T. Niddah 31b). It seems to me that there is a more profound connection. When a woman is in a state of ritual impurity, she and her husband are forbidden from engaging in sexual relations until she immerses in a mikveh (ritualarium of rain or spring water). Obviously this restriction demands a great deal of self-control and inner discipline. The major symbol which graphically expresses the importance of mastering one's physical instincts is the command of circumcision: even the sexual organ itself, the physical manifestation of the male potency and the unbridled ID, must be tempered and sanctified by the stamp of the divine. A well-known midrash takes this even one step farther: "Turnus Rufus the wicked once asked Rabbi Akiva: Whose works are better, the works of G-d or the works of human beings? He answered him, the works of human beings... (Turnus Rufus) said to him, why do you circumcise? (Rabbi Akiva) said, I knew you were asking about that, and therefore I anticipated (the question) and told you that the works of human beings are better. Turnus Rufus said to him: But if G-d wants men to be circumcised, why does He not see to it that male babies are born already circumcised? Rabbi Akiva said to him...It is because the Holy One Blessed be He only gave the commandments to Israel so that we may be purified through them" (Midrash Tanhuma, Tazria 5). Now Rabbi Yitzhak Arama (the Akedat Yitzhak Biblical Commentary) explains this to mean that there are no specific advantages or necessary rationalizations for doing the commandments; they are merely the will of G-d, and we must see that as being more than sufficient for justifying our performance of them. It seems to me, however, that the words of the midrash as well as the context of the commandment reveals a very different message. The human being is part of the physical creation of the world, a world which is subject to scientific rules of health and illness, life and death. The most obvious and tragic expression of our physicality is that, in line with all creatures of the universe, we humans as well are doomed to be born, disintegrate and die. And therefore the most radical example of ritual impurity is a human corpse, avi avot hatuma, and an animal carcass, a dead reptile, and the blood of the menstrual cycle (fall-out of the failed potential of fertilization) likewise cause ritual impurity. A woman in child-birth has a very close brush with death - both in terms of her own mortality as well as during the painful anguished period preceding the moment when she hears the cry of a healthy, living baby. G-d's gift to the human being created in the divine image, however, is that in addition to physicality

there is also spirituality, in addition to death there is also life eternal, in addition to ritual impurity (TUMA) there is also ritual purity (TAHARA). Hence, the very human life which emerges from the mother's womb brings in his wake not only the brush with death TUMA but also the hope of new life TAHARA - and while the TUMA is for seven days, the TAHARA is for thirty-three! The human being has the power to overcome his physical impediments and imperfections, to ennoble and sanctify his animal drives and instincts, to perfect human nature and redeem an imperfect world. This was the message which Rabbi Akiva attempted to convey to Turnus Rufus the wicked. Yes, the world created by the Almighty is beautiful and magnificent, but it is also imperfect and incomplete. G-d has given the task of completion and redemption to the human being, who has the ability and capacity to circumcise himself, to sublimate his sub-gartelian (beneath the belt or gartel) drives, to sanctify society and to complete the cosmos. Indeed, the works of the human being are greater! And the command of circumcision belongs within the context of impurity and purity. And this is also what our Sages were trying to convey when they taught that circumcision overrides the Sabbath. The Sabbath testifies to G-d's creation of the world - impressive but imperfect, awesome but awful, terrific but tragic. Circumcision testifies to the human being's challenge to redeem himself and perfect the world. Indeed, circumcision overrides the Sabbath. Shabbat Shalom

You can find Rabbi Riskin's parshiot on the web at: <http://www.ohrtorahstone.org.il/parsha/index.htm> Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean

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 Aish.com M'ORAY HA'AISH BY RABBI ARI KAHN
 "Life and Death" Parshat Tazria - Leviticus 12 - 13

And God spoke to Moses saying: 'Speak to the children of Israel to say to them that when a woman conceives and gives birth to a male, she shall be spiritually impure for seven days, like in the days of menstruation B On the eighth day circumcise the flesh of the foreskin B " (Leviticus 12:1-3)

Thus the Torah begins teaching the laws of childbirth, the details of which include the laws of "spiritual purity" and "spiritual impurity" or tumah and tahara.

The idea of tumah and tahara was raised earlier in the Torah when kosher animals were discussed. However the idea of niddah or "menstruation" was not previously mentioned, so the comparison of a new mother to a menstruating woman is puzzling.

A second problem in the text concerns the response to childbirth that the Torah calls for:

"At the completion of her days of purification she shall bring a B burnt offering and a B sin offering." (Leviticus 12:6)

The burnt offering is understandable, but why would the new mother be required to bring a sin offering? What sin did she commit?

A TIME OF MOURNING

The Talmud explains that the pain of childbirth may have been so severe that she might have sworn not to be intimate with her husband again.

But the Ba'al HaTurim offers a startling comment, noting that the separation for seven days following birth, which is like the time prescribed for a menstruating woman, is comparable to the seven days of mourning.

This idea has its origin in the Zohar, and is understandable regarding menstruation: The concept of mourning for seven days is the human response to death, and the period of mourning is one of separation from society.

When we consider the time of niddah as a type of mourning, we realize that the menstrual blood is literally representative of a life which did not come to fruition. Therefore Judaism, with its supreme value for human life, goes so far as to call upon us to respond to the loss of potential life. The Zohar's teaching thus provides insight into the essence of the laws of niddah, where husband and wife separate and observe their private mourning for the child that was not born.

But why would the Ba'al HaTurim introduce this concept at this juncture, in the case of an actual birth of a very real son? Indeed, the question could be posed on

the verse itself: Why would the separation called for after childbirth be paralleled with the niddah state at all?

BACK TO THE GARDEN In order to resolve these difficulties, let us consider Rashi's comments on the first verse of this Torah portion. Citing the Midrash, Rashi observes:

Rav Simlai said: "Just as man's creation followed that of all of the animals in the process of creation, so these laws follow those of the animals." (Rashi 12:2)

There is evidently something about these laws which invites a comparison with the days of creation. The reference to the number seven should alert us to a possible connection with the seven days of creation. On the sixth day, after all other creatures are created, man is created.

The Lord God commanded man saying, 'Of all trees of the Garden you shall eat. And from the Tree of Knowledge of Good and Evil you will not eat, for on the day you eat from it you will surely die.' (Genesis 2:16- 17)

We are well acquainted with the tragic end of the story. Eve and Adam eat from the tree, and although death is not the immediate result of their transgression, they become mortal. God's specific reaction to Eve's sin sheds light on our subject:

To the woman He said: 'I will greatly increase your sorrow and your pregnancy. In sorrow will you bear children.' (Genesis 3:16)

Instead of death, we find Eve, and indeed all of womankind, are told what awaits them in childbearing and childbirth. The Talmud teaches that the phrase I will greatly increase your sorrow refers to menstrual blood, the implication being that, if not for the sin of the forbidden fruit, women would not have had a menstrual cycle at all. Rather, childbirth would have been a painless, automatic, almost immediate result of physical intimacy.

In a perfect, idyllic world, there is no pain, there is no mourning. Now, perhaps, we can understand the comments of the Ba'al HaTurim. Every childbirth reminds us of the sin and punishment of Eve. We live in a world bounded by mortality, and we are forced to realize that the child who was born is destined to die.

This explains the separation following childbirth and the comparison to menstruation. Both are results of the same sin, and while niddah responds to the potential life which was frustrated, the separation after childbirth is mourning for the necessity of the process of childbirth and for the mortality of the child born of this process.

The logic in requiring a sin offering now becomes apparent. Childbirth is so completely intertwined with the sin of Eve, so totally identified with and resultant from it, that a sin offering at the conclusion of this process now seems completely natural.

We may now understand why the separation period following the birth of a daughter is twice as long as the separation following the birth of a son. After the birth of a girl, the mourning for our mortality and pain is that much greater, for the child born is not only the victim of mortality but also the transmitter, as it were. She, too, will die, but more poignantly, she will carry the results of sin into the next generation. She will be the next to suffer the unavoidable consequences of sin which have become part and parcel of human existence.

THE COUNTDOWN

The Torah commands that on the eighth day the son born is to be circumcised. The number eight represents that which is beyond the physical, beyond the seven days of "nature."

The idea of circumcision is that of man controlling his desires, transcending his own physical identity. In that sense, circumcision is a perfection of nature which elevates mankind.

It was Adam and Eve who, while succumbing to their desires, set in motion the chain of mortality and pain, and the Torah here supplies us with a means of breaking the chain.

The laws of niddah detail the counting of seven "clean days" prior to immersion in the mikveh, which is referred to as mayim hayim, literally, "water of life."

Another reference in the Torah to counting is the seven weeks of counting the omer in the period between Passover, the day of liberation, and Shavuot, the day the Torah was given at Sinai.

The Zohar (Vayikra 97 a-b) compares the counting of the seven clean days with this counting of the seven weeks of the omer. Just as a woman counts the time between tumah "spiritual impurity" and tahara, "spiritual purity" so too Israel counts the period between their redemption from the impurity and suffering of Egypt, and the culmination of this period at Sinai.

When a woman emerges from the mikveh, what follows is a reunion with her husband and a chance for new life to enter the world. When the Jewish people encountered God at Sinai, they, too formed a union which gave new life, and hope.

The imagery of Torah as a Tree of Life and, alternatively, as water has been repeated time after time. At Sinai, the Jews received the Torah, the true elixir of

life.

Adhering to the Torah keeps man actively in union with God. When the time comes and all the world accepts God and His Torah, death will become a thing of the past, as Isaiah prophesied:

Death will be erased for all eternity, the God the Lord will wipe away all tears. (Isaiah 25:8)

In that day there will be no death and no sorrow.

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FROM THE HAFTARAH: NAAMAN AND ELISHA
BY RABBI AMNON BAZAK

The Torah portion discusses different types of leprosy, and the Haftarah tells about one of the most famous lepers, Naaman, the Commander of the Army of the King of Aram. (This is II Melachim 5:1-19. As noted in the first article of this issue, the end of the preceding chapter is also included in the Haftarah.) The King of Aram demanded from the King of Yisrael that he cure Naaman from his affliction. The King of Yisrael tore his clothing in frustration and sorrow, but Elisha asked that Naaman be sent to him. When he arrived, Naaman expected to be cured by a miracle, but Elisha told him to dip in the water of the Jordan River seven times. Naaman was at first upset by this proposed "natural" cure, but in the end he listened to his slaves and did as he was told. Much to his surprise, he was cured. When Naaman asked Elisha to "take an offering from your servant" [5:15], Elisha refused. The two then parted in peace.

Studying the Haftarah in depth leads to the conclusion that Elisha also went through a process of change. When Elisha first heard of the king's concern, his reaction was, "Why did you tear your clothes? Let him come to me, and he will know that there is a prophet in Yisrael" [5:8]. There can be no doubt that there is a problem with these words. Shouldn't Elisha have said, "he will know that there is a G-d in Yisrael?" Don't Elisha's words imply that he is the one who has the power to perform miracles?

It would seem that Elisha also went through a cycle of repentance, as a result of Naaman's experience. When Naaman is cured, he doesn't give credit to the prophet, but he says, "I now know that there is no other G-d in the entire world except for within Yisrael" [5:15]. At this point, Elisha also understood the moral. And that is why he refuses to take any material reward. "I swear by the name of G-d before whom I stood that I will not take anything" [5:16]. Events have come full circle: both Naaman and Elisha, each in his own way, has completely accepted the lesson. Everything that happens is in the hands of G-d.

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BELOVED COMPANIONS

BY RABBI YISROEL PESACH FEINHANDLER

Tazria

Be Patient During Difficult Times

And on the eighth day the flesh of his foreskin shall be circumcised. (VAYIKRA 12:3)

Rabbi Yechezkel Halevi Segal Landau, the Rabbi of Prague and author of the sefer Noda Bi-yehudah, had the custom of being the chazan for the closing Ne'ilah prayer of Yom Kippur.

He did not do this because he knew how to sing or could carry a tune, but rather because the elders of Prague maintained that it was an

old custom in Prague that the rabbi should be the chazan for Ne'ilah. One year, while trying to sing the words "Mechalkel chayim b'chesed," the

Rabbi unwittingly changed the tune, and some other strange melody came out instead. Among the Rabbi's congregants was a poor man who used to knock on doors seeking handouts. He decided that he would turn the Rabbi's error to his own advantage, and so he caught on to the Rabbi's special melody and the next day, as he made his rounds for contributions, he mimicked the Rabbi exactly, and even copied his movements. This caused great amusement among his listeners, and they gave him more money than usual.

The elders of Prague, however, were enraged at the poor man's conduct, and warned him that unless he stopped mimicking the Rabbi, he would be driven out of town. Desperately hoping not to lose this unexpected extra income, the poor man went to speak to the Rabbi. He told the Rabbi how he mimicked his singing of the words "Mechalkel chayim b'chesed," but that he had no intention whatsoever of belittling the Rabbi. His intention was rather to entertain the public and receive more contributions. The Rabbi, after hearing the poor man's story, was not insulted or even angry. Instead, he allowed him to continue mimicking his tune, and even spoke to the elders to convince them that this was not any slight to his own honor. He also gave the poor man a letter stating that he could support himself (in Hebrew "mechalkel") with his imitation of the Rabbi's "Mechalkel chayim b'chesed." (K'TZES HA-SHEMESH BI-GVURASO, p. 143)

Rabbi Landau's patience and understanding brought the poor man great gains. While others might have been bothered or even enraged by the poor man's imitations, the Rabbi looked at the actions from the poor man's perspective, and felt no anger. In marriage also, patience and understanding can lead to great success.

"And on the eighth day shall the flesh of his foreskin shall be circumcised." (How can we explain the verse, "Give a part to seven, and also to eight"? The verse is unclear, since it does not specify what "seven" or "eight" it is referring to, nor what is the connection between the two. "To seven" is referring to the seven days of niddah, since the Torah writes that when a woman sees blood she is forbidden to her husband for seven days [only in later generations was this prohibition extended to twelve days]. "And also to eight" refers to the days of circumcision.

G-d said, "If you have preserved the days of niddah, I will give you a son, and you will circumcise him on the eighth day."

Rabbi Eliezer and Rabbi Yehoshua had other ways of explaining the above verse. Rabbi Eliezer said, "'Give a part to seven,' these are the seven days of the week that culminate in Shabbos.

'And also to eight,' these are the eight days of circumcision." Rabbi Yehoshua said, "'Give a part to seven,' these are the seven days of Pesach. 'And also to eight,' these are the eight days of Sukkos. Since it is written, 'And also,' the verse includes Shavuot, Rosh Hashanah and Yom Kippur." (YALKUT 546. par. Uvayom)

It seems from the above midrash that if a husband and wife keep the days of separation during the time of niddah, they are rewarded with a son. Why should this be the reward? Rabbi Eliezer says that the "seven" refers to Shabbos, the seventh day of the week. Why should keeping Shabbos be rewarded by having a son and meriting circumcision? According to Rabbi Yehoshua, the "seven" refers to the holiday that has seven days, which is Pesach, and for observing those seven days a person receives the reward of being able to observe the holiday of eight days, which is Sukkos. But what is the connection between the two holidays?

The days of separation which are required by the laws of niddah are days of trial for both husband and wife. The pair are unable to show each other physical affection, and it is as though there is now a wall between the couple, where previously they were united.

With the proper attitude, one can overcome these difficult days. The

Torah specified these days of separation so that the love between a couple would be renewed each month after the days of separation have passed. When they are reunited a couple feels as if it is their first time together, and they are like newlyweds again. During the days of separation, you are not waiting without purpose. The waiting enriches the relationship.

This is similar to the waiting and the anticipation that parents experience when a child is born. In the early years there is only toil, since the child can do nothing on his own. He must be fed, diapered, bathed, etc. But there is purpose to the toil, since the child will eventually grow into an independent adult who will be useful to himself and to others. Therefore the birth of a child is a proper and directly proportionate reward for a couple who keep the days of separation, since they have shown that they have patience and can endure a waiting period, which are exactly the traits needed when a child is born.

But it is still unclear why a male child, who undergoes circumcision, should be the reward and not a female child. The answer could be that in a male child the concept of not seeing a reward immediately is more apparent, because of circumcision. The purpose of circumcision is to welcome the individual into the Jewish nation with a sign on his body demonstrating that he belongs. One might think that this should occur later, when the child would be able to appreciate its significance. Here, just as with the laws of niddah, patience and waiting are an integral part of the process. We must patiently trust that the Torah established the appropriate time for circumcision, just as it established the appropriate time for separation between husband and wife every month.

According to Rabbi Eliezer, "to seven" refers to the seventh day of the week, Shabbos. "And also to eight" are the eight days of circumcision. Shabbos can substitute for the laws of niddah from the previous interpretation because it also involves the trial of waiting. A person has so much work to do during the week, that he may want to continue on Shabbos, but he must stop his work, and wait patiently until Shabbos is over. He may incur a tremendous loss because of Shabbos, yet it must be clear to him that his refraining from work will not really cause him any loss in the long-run. G-d will protect him specifically because he observed this mitzvah.

Here also, the fitting reward for the patience of keeping Shabbos is a child, since as we explained, having a child requires much patience as one awaits his blossoming into an adult.

Rabbi Yehoshua said, "'Give a part to seven,' these are the seven days of Pesach. 'And also to eight,' these are the eight days of Sukkos. Since 'and also' seems to be superfluous to the simple meaning of the line, the verse comes to include Shavuot, Rosh Hashanah and Yom Kippur."

The days of Pesach are quite difficult for a person to observe, since one must refrain from eating bread, a most common and essential staple food. A person who is freed from slavery naturally feels the desire to celebrate his freedom, but refraining from eating bread is a very difficult way to express this desire. The reward for keeping Pesach is that a person receives the other holidays that are easier to observe: Sukkos, Shavuot, and Rosh Hashanah. Yom Kippur is easy to observe because we know that our sins will be forgiven. Since he had the patience to keep Pesach, he deserves to have holidays which are less difficult to observe.

Patience Leads to Success in Marriage

There is no marriage that does not require patience for its success. During the days when the wife is ritually unclean, tension is commonly felt between the couple. This is a time for the husband to show his wife extra consideration. She is going through an unpleasant time, and needs all the support and patience that he can give.

On one hand, he is limited in how he can demonstrate his love for her, and yet he must show her that he cares about her. This is a tricky situation that requires a special balance. A husband should be aware that if he is not very careful in his way of speaking or behaving during this

period, his wife will feel deep pain which will be difficult to rectify. Although he cannot be intimate with her, he can still smile at her. She should never be made to feel rejected.

When you see your wife bad-tempered or gloomy during these days, do not respond to her comments with anger, but rather you should speak calmly without raising your voice. Try to appreciate and understand her situation and respond with sensitivity.

Our Sages promise us the reward of a son for keeping the laws of niddah, yet another important reward will be that proper behavior in these days will strengthen the bonds between the couple and will enable them to enjoy the unrestricted days with greater love and closeness.

1. Vayikra 12:3 2. Koheles 11:2

From: WEBUTLER@shaalvim.israel.net [Ezra Butler]

Subject: Get Out!! Date: Tue, 4 Apr 2000 23:57:59 Parshat Tazriah Pesach 5760 If someone gets Tzara'at, he must go through an embarrassing process, which includes a Kohein examining him, and him being sent out of the camp, and everyone knows that he has Tzara'at. The reason given for why someone gets afflicted with Tzara'at is because he spoke slander about someone else. It makes sense that since he caused people to stay away from someone else, he is separated from people. The metaphysical error of causing a rift amongst people, causes you to receive a physical ailment. This really shows how everything is connected, and how G-d is in charge of everything. If nowadays, every time we spoke badly about someone else we would get a physical ailment, think of how much more we would be careful in what we say! This idea is also many times said about Pesach. If only we would have seen the same miracles that the Jews back then saw, then of course we would all be the greatest believers in G-d! But that was not true. Right after they crossed the Red Sea, they complained, they sinned. Apparently the miracles didn't make an indelible mark on the Bnei Yisrael. Seeing is believing, but our belief needs to transcend that stage. We have a harder challenge, but G-d never gives a challenge which is too difficult to the person being challenged. We wouldn't have the same free choice if every time we had doubts, a miracle would happen. Or if every time we would sin, we would be punished right away. We have to build a base of belief for ourselves that doesn't falter with time or circumstance. This will be the last Dvar Torah until after Pesach, since I will be spending Pesach in the Ukraine, with no Email. I hope everyone enjoyed and learned something from these Divrei Torah, as I know that in preparing them, I did. Shabbat Shalom, Chag Kasher V'Sameach. (Quick thought, M'shenichnas Adar is not only referring to Purim, but also to Pesach, because Miracles were done to us then.) Ezra

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

Excerpts From "Meoros HaDaf Hayomi" Produced by RAV CHAIM DAVID KOWALSKY of the Sokachov beis medrash with the support of the Bracha and Motti Zisser Foundation. To receive the complete version: Fax: 972-3-578-0243 Tel: 972-3-616-0617 e-mail: dafyomi@netvision.net.il

Kesubos 2a GETTING MARRIED UNDER THE STARS In the times of the Sages all weddings were held on Wednesdays by Rabbinic decree. Anyone who held a wedding on a different day was considered to be an "over al divrei chachamim-a violator of the words of the Sages" (See Tosafos V'Tinasay). The Gemara offers two reasons why weddings were held on Wednesdays: First, because each town's Beis Din would meet on Thursdays. In case the groom would sense that he had been deceived by his bride-and therefore, legally, the woman had not actually become his wife on the previous night because the kinyan was invalid-he would be able to immediately take his claim to court on the following morning. Time is of the essence in such situations because a delay may cause the husband's anger to subside, in which case he may be inclined to overlook the problem and consequently live in sin for the rest of his life. Second, weddings were held on Wednesdays because it is preferable that the day after the wedding be the fifth day of the week, when HaShem uttered the blessing, "Be fruitful and multiply." The Ashkenazic Custom to Hold the Chuppah Outdoors: According to the custom of Sephardic Jews, the wedding canopy-chuppah-is held indoors. By contrast, the Ashkenazic custom is to set up the chuppah under the open sky. The Remah explains the reasoning behind the Ashkenazic custom: the stars bring to

mind the verse, "Your descendants will be as numerous as the stars in the sky" (Shulchan Aruch, Even HaAzer 61:2). In Igros Moshe (Even HaAzer, Vol. 1, Siman 93) R. Moshe Feinstein zt'l relates an incident when a town rabbi-who was Ashkenazi-asked him the following question: The rabbi had been asked to perform a wedding ceremony, but the ba'alei simcha-who also were Ashkenazi-had requested that the chuppah be held inside a banquet hall, in violation of the Ashkenazic custom to hold the chuppah under the stars. The rabbi was aware of the Chasam Sofer's ruling that one should not make light of the ancient custom, so he asked Rav Moshe what he should do. Rav Moshe told the rabbi that he could perform the ceremony because although holding the chuppah outdoors is an ancient custom, it is not a halachic requirement. In the Igros Moshe he writes that if a person decides to refrain from doing something that our Sages say will bring him blessing, he is not thought of as someone who is, "a violator of the words of the Sages." Rav Moshe adds that the Chasam Sofer wrote so strongly on this issue because he lived in the days of the Haskala, when many Jews were in the process of discarding Jewish customs and assimilating. A Chuppah Made of Flowers Minchas Yitzchak, however, rules that under no circumstances may an Ashkenazi couple hold the chuppah under a roof. "He who ignores this custom," the Minchas Yitzchak writes, "violates a Rabbinic prohibition" (Vol. 5, Siman 30). Minchas Yitzchak also writes that he was once asked whether it is permissible to roof the chuppah with flowers instead of with the standard piece of cloth. His ruling: absolutely not. One should insist on using a standard chuppah made of a piece of cloth suspended on four poles. The top of the chuppah should not be made of flowers because many Rishonim are of the opinion that the chassan's kinyan depends upon having his bride brought to him while he is standing under a garment that is his. Obviously, flowers do not qualify as a garment. He adds that Or HaChaim HaKadosh (Parshas Terumah) cites several kabbalistic reasons for using the customary cloth chuppah. Minchas Yitzchak also writes that all four sides of the chuppah should remain open as a sign that the couple's future home will be like the tent of Avraham and Sarah, which was always open to visitors approaching from all directions. A story is told about the Sdei Chemed being asked to perform a wedding ceremony in which the chuppah was to be held indoors due to very cold weather. He notified the ba'alei simcha that he would not participate in the ceremony due to the Chasam Sofer's ruling (see above) in support of the Remah's opinion. To convince the couple to hold the chuppah outdoors, the Sdei Chemed told the baalei simcha that the Chasam Sofer once cited a verse about the exodus from Egypt in reference to this issue: "And the children of Israel went out (yotzim) with a yad ramah-an uplifted hand" (Shemos 14:8). "You see," he said to them, "it says right in the Torah that we must follow the opinion of the Remah! In the end the chuppah was held outdoors."

From: Mordecai Kornfeld[SMTP:kornfeld@netvision.net.il] Reply To: kornfeld@netvision.net.il Sent: Thursday, March 30, 2000 11:43 PM To: kinz; Avi Feldman; Yehudah Landy; Yehudah Landy; Nachum Rabinowitz; daf-insights Subject: Insights to the Daf: Kesuvos 2-3

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Kesuvos 3 THE RABANAN'S AUTHORITY TO UPROOT A MARRIAGE QUESTIONS: The Gemara states that in certain situations, the Rabanan -- in order to end a marriage -- uproot the Kidushin so that the marriage will no longer exist. The situation discussed in our Gemara is when a person gives a Get to his wife on condition that he does not return, and then circumstances beyond his control prevent him from returning. Even though the Get is not a valid Get mid'Oraisa (since a fulfillment of a condition against one's will is not considered as though one fulfilled the condition), the Rabanan instituted that the Get does take effect (for the reasons that the Gemara describes). How can the Rabanan make the Get valid when, mid'Oraisa, it is not valid? The Gemara explains that the Rabanan make the Get effective by implementing their authority to uproot the Kidushin (retroactively), "Afke'ihu Rabanan l'Kidushei Minei."

Another example of a situation in which the Rabanan remove the Kidushin is when a man sends a Get to his wife and then annuls the Get after the Shali'ach has departed, without informing the Shali'ach of the annulment. Although the Get is not

valid when the Shali'ach gives it to the woman, the Rabanan make it take effect by uprooting the Kidushin.

How does this mechanism of uprooting the Get work? When the Rabanan uproot the Kidushin, is it considered as though the couple were never married? If so, it should be possible to remove the status of a Mamzer in a situation where a married woman committed adultery or was raped and had a child from the union; although the child is a Mamzer, it should be possible to make the child legitimate by having the Kidushin uprooted retroactively (such as by sending her a Get with a Shali'ach and then annulling the Get)! Similarly, a man could save his wife from being punished with Misah, where she committed adultery, in this manner as well!

In addition, the PNEI YEHOShUA points out that if the Rabanan uproot the Kidushin retroactively, then if the brother of the husband later marries the woman (who is Asur to him as "Eshes Achiv"), the Kidushin should take effect mid'Oraisa (and she should require a Get if she wants to leave him) since she is not his "Eshes Ach!" Is that indeed the Halachah?

Another question is that if the Rabanan are able to remove Kidushin in such a manner, then why do they not use it in a broader context -- such as to permit Agunos to remarry? For example, in a case where a husband drowns in the sea ("Mayim sh'EIn Lahem Sof") and there is no positive testimony that he is dead, the Halachah is that his wife may never remarry. The Rabanan should permit her to remarry by exercising their authority to uproot the Kidushin!

ANSWERS: (a) TOSFOS in Gitin (33a) says that it is true that where the Rabanan uproot the Kidushin, a child who is a Mamzer due to the Kidushin becomes legitimate, and the woman becomes exempt from punishment for committing adultery (and, presumably, if she marries the brother of her husband, the Kidushin with him will take effect). However, a person cannot take advantage of this right of the Rabanan in order to intentionally correct the status of a Mamzer. In such a case -- where a man intentionally sends a Get to his wife with a Shali'ach and then annuls the Get in order to save his wife from punishment or to make his wife's illegitimate children legitimate -- the Rabanan do *not* uproot the Kidushin. They only uproot the Kidushin when a man annuls the Get innocently, with no ulterior motives.

As for why the Rabanan do not exercise their authority to uproot Kidushin in order to permit Agunos to remarry, the RAMBAN and RASHBA explain that the Rabanan exercise this power only where there was some form of Get that was already given. Even though the Get itself is not valid, the Rabanan uproot the Kidushin based on the giving of the Get.

This also seems to be the intention of RASHI here who repeatedly writes that the Rabanan uproot the Kidushin "when a Get is given." (Rashi in Shabbos (155b) writes that the reason the Rabanan permitted a woman to remarry based on the testimony of a single witness is because of the principle of "Afke'ihu." Here, Rashi explains why the Rabanan do not apply "Afke'ihu" to permit Agunos in other situations. Rashi is explaining that in the case of a single witness who testifies that the husband died, there is at least some sort of testimony that he died, and thus there is a foothold for the Rabanan to uproot the Kidushin. According to Rashi, wherever there is some form of Get or some form of testimony of death, the Rabanan can apply "Afke'ihu.")

(b) The RAMBAN and RE'AH write that although the Rabanan uprooted the Kidushin d'Oraisa, they nevertheless established in its place a Kidushin d'Rabanan. Therefore, the child born to the woman from another man will still be a Mamzer d'Rabanan, and the relatives of the husband will be prohibited to the woman mid'Rabanan. Similarly, she will be prohibited mid'Rabanan to marry a Kohen.

(c) The Rishonim here (RAMBAN, RASHBA) and in Gitin quote the RASHBAM (see also PNEI YEHOShUA here) who suggests that when a condition of the Get is fulfilled against the husband's will, and when a husband annuls a Get after having sent it with a Shali'ach, the Kidushin is not uprooted retroactively, but rather it is uprooted from now on, "mi'Kan ul'Haba." (See also SHITAH MEKUBETZES who quotes the Rashbam as found in a marginal note in a manuscript of Rashi's commentary.)

The Rashbam explains that the Gemara means that the Rabanan have the right to uproot the Kidushin retroactively, and if they do so, all of the Be'ilos retroactively become Be'ilos of Z'nus. Since nobody wants his Be'ilos to become Be'ilos Z'nus, when he gives a Get with a condition, he has in mind that even if the condition is fulfilled later against his will, he still wants the Get to be valid. Similarly, when a man annuls a Get, since he knows that the Rabanan will make his Be'ilos into Be'ilos Z'nus if the Get is annulled, he does not really want to annul the Get.

The Ramban asks that according to this, in a case where a woman is only betrothed (with Erusin), and her husband gives her a Get on condition or annuls a Get that he sent with a Shali'ach, the Kidushin *should* be uprooted retroactively, since the man has not had relations with his wife and thus has no fear that his Be'ilos will be made into Be'ilos Z'nus! The Ramban answers that even though there was no Be'ilah, the husband has in mind that the Get should take effect even if the condition is fulfilled b'Ones, because he knows that if he does not want it to work, it will not gain anything for him (since the Kidushin will still be uprooted against his will). Therefore, he intends for the Get to take effect no matter what.

(d) RASHI cites a fourth explanation in the name of "all of my teachers." This explanation is actually found in PERUSH RABEINU GERSHOM in Bava Basra (48b). He explains that all Kidushin nowadays is only mid'Rabanan in any case, and that is why the Rabanan are able to uproot it from now on. Rabeinu Gershom asserts that Kidushei Kesef (and Kidushei Shtar) are mid'Rabanan, while Kidushei Bi'ah -- which is mid'Oraisa -- cannot make a Kidushin d'Oraisa nowadays since the Rabanan prohibited being Mekadesh a woman with Bi'ah (Kidushin 12b). The Rabanan went further and said that since everyone is "Mekadesh Al Da'as d'Rabanan," all Kidushei Bi'ah does not work mid'Oraisa nowadays (and it only makes a Kidushin d'Rabanan).

(Once the Rabanan instituted that one can be Mekadesh a woman with Kidushei Kesef, it became an act of effrontery to be Mekadesh a woman with Bi'ah. Therefore, when the Rabanan instituted Kidushei Kesef, they also instituted that a person may not be Mekadesh with Bi'ah and they annulled that form of Kidushin, based on the premise that when a person gets married, he does so according to the will of the Rabanan.)

Rashi and the other Rishonim ask strong questions on the explanation of Rabeinu Gershom.

1. First, how can he say that Kidushei Kesef (and Kidushei Shtar) are mid'Rabanan, when Kidushei Kesef is derived from a Gezeirah Shavah (Kidushin 2a) and is thus clearly d'Oraisa?

Apparently, Rabeinu Gershom learns that this Gezeirah Shavah is not an actual Gezeirah Shavah mid'Oraisa, but is only an Asmachta. (The same applies to Kidushei Shtar, which is learned by comparing it to a Get (Kidushin 9b). Rabeinu Gershom understands that comparison to be only an Asmachta.)

2. Second, Rashi asks that we know that a Ne'arah Me'urasah is defined as a woman who was assumed to be a Besulah at the time of the Nesu'in, but was found to have had relations with another man while she was an Arusah. The Torah punishes such a woman with Sekilah. How can the Torah consider her to be a Besulah at the time of Nesu'in if, mid'Oraisa, there is no such thing as Kidushei Kesef or Kidushei Shtar? The only way she could have become an Arusah, mid'Oraisa, is through Kidushei Bi'ah, and thus it is not possible for there to be a case of Ne'arah Me'urasah!

Rabeinu Gershom apparently was not bothered by this question, because we could say that the Kidushin was done with a Bi'ah *she'Lo k'Darkah*. Such a Bi'ah serves to make the woman an Arusah, but it does not make her a Be'ulah and she remains a Besulah. (See in full the Gemara in Kidushin 9b. Even though the Gemara there rejects this possibility, perhaps Rabeinu Gershom understands that the Sugyos are arguing.)

3. Third, Rashi asks that according to Rabeinu Gershom, a woman who gets married with Kidushei Bi'ah should be permitted to leave her husband without a Get. Rabeinu Gershom apparently learned that although the Rabanan removed the Kidushin d'Oraisa, they did substitute in its place a Kidushin d'Rabanan which does require a Get.

Kesuvos 5b AGADAH: FINGER IN EAR QUESTION: Bar Kapara expounds the verse, "You shall have a Yated (shovel or peg) in addition to Azenecha (your equipment)" (Devarim 23:14). He says that the word "Azenecha" should be read "Aznecha" (your ear), and the verse is teaching that if a person hears something improper being discussed, he should place his fingers in his ears. The verse is saying that one should use the "pegs" that Hashem gave him to stop his "ears" from hearing improper things.

How does Bar Kapara's interpretation fit into the straightforward context of the verse? The end of the verse clearly states that the "Yated" of the verse is to be used to dig and cover excrement! How can Bar Kapara interpret this verse as referring to fingers, ears, and Lashon ha'Ra? Moreover, what compelled Bar Kapara to read the word as "Aznecha" against the accepted reading of "Azenecha?"

ANSWERS: (a) Based on Bar Kapara's teaching, the RAMBAM (Moreh Nevuchim 3:43) contends that wherever the Chachamim say, "Do not read the word such, but rather such," they are simply expressing their teachings in a memorable manner. The verse itself, though, does not really contain the thought that they are discussing. (See also SHELAH HA'KODESH (Torah sh'Ba'al Peh, end of Aleph), and TORAH TEMIMAH (Bamidbar 19:21), who follow the Rambam's approach to a limited extent. The Rambam, in his "Introduction to the Mishnah," uses a similar approach to explain the significance of the "Asmachta.")

However, numerous Rishonim and Acharonim reject the Rambam's approach as an oversimplification. Although it is obvious that the Chachamim are not trying to change the accepted pronunciation of the verse, it is still possible that the ideas they express by saying, "Do not read the word such...." are indeed based on a lesson learned from the verse in its literal sense. (The RITVA (Rosh Hashanah 16b) differs with the Rambam's understanding of "Asmachta" based on a similar argument.)

A number of works have been published in defense of this textual-based understanding of the tool, "Do not read it such..." (see SHIVREI LUCHOS, Rav Yechiel of Nemerov; KOREI BEMES, Rav Yitzchak Bamberger of Wurtzberg).

Perhaps we may suggest a novel understanding of Bar Kapara's words based on this latter approach. (See also MAHARSHA, KOREH BEMES, p. 39, and KLI YAKAR for other explanations.)

(b) The VILNA GA'ON (Mishlei 24:31, Imrei Noam to Berachos 8a) shows that when the Chachamim offer advice regarding relieving oneself, aside from the simple meaning of their words, they are also alluding to relieving oneself of the mental spoilage and corruption that brings a person to unacceptable behavior. If relieving oneself of excrement means abandoning unacceptable motivations, then the excrement which the verse commands one to cover might allude to hiding one's improper acts. The concept of hiding one's improper acts is discussed in several places. The Gemara (Chagigah 16a) says that "it is better for a person to sin in private so that he not desecrate the Name of Hashem in public.... If a person feels an uncontrollable urge to sin, let him go to a place where he is not known, wear black clothing and do there what he desires, rather than desecrate the Name of Hashem in public."

This certainly does not mean that it is acceptable to sin in private. Rather, the Chachamim are addressing an extreme case, where someone feels compelled uncontrollably to sin (see Insights there). Under such circumstances, he is advised at least to "cover up" his act. The best course of action, of course, is to control his impulses and refrain from the act. No matter how compelling it seems to him at the time, in the final analysis it is *he* who retains control over his desires and not vice versa. (See Insights to Moed Katan 17:2.)

There is, however, an instance where even the Torah itself takes into account an uncontrollable desire and relaxes its rules -- the case of the "Eshes Yefas To'ar." The Torah permits a Jewish soldier in time of war to take a woman from the defeated nation ("Eshes Yefas To'ar"). Since the women of the enemy nation are liable to arouse the desires of the Jewish soldiers (the enemy women used to dress up and apply their finest perfumes in order to seduce their captors, as Rashi (Devarim 21:13) says), the Torah permits a soldier to marry such a woman, with the logic that it is better to permit the soldiers to do something morally improper than to prohibit the act and cause them to desecrate the Torah outright (Rashi to Kidushin 21b).

Similarly, the Torah permits soldiers, when hungry, to eat prohibited foods during a war (RAMBAM, Hilchos Melachim 8:1; see, however, RAMBAN to Devarim 6:10 who differs with the Rambam on this point).

Our verse, which discusses the treatment of excrement in the army camp, may be understood to allude to the unpleasant situation that arises during wartime. It may be warning us that when soldiers "leave" the normally accepted Jewish behavior, they at least should not do so publicly. They should "cover up" their actions so that they will not be seen by their fellow Jews. RABEINU BACHYE (Devarim 21:10) indeed says that the Gemara warns to take the Eshes Yefas To'ar in as covert a manner as possible. In fact, he quotes the end of our verse to support this teaching!

The concealment of sin serves two purposes. First, if others would hear of the transgression, it would weaken their own resolve. Second, those who witness the transgression would find it hard to resist the temptation to say Lashon ha'Ra and relate what they saw. This would cause resentment, denial and internal quarreling among the troops. This was, in fact, a major issue during wartime, as pointed out by the Ramban (Devarim 23:10, see also Vayikra Rabah 26:2).

We can now understand the lesson derived from our verse. The Torah warns the soldiers to conceal the occasional sin that they commit under duress, because it may have a detrimental effect on the moral standards of others who hear of it. Similarly, the Gemara infers that is incumbent upon us to avoid *listening* when someone is telling of the moral decline of a fellow Jew, so that we not learn from his bad example or provoke his animosity.

We can now understand why Bar Kapara said that our verse may be read as, "You shall use a finger to stop up your ear from hearing of another Jew's misdeeds." Although this reading is not the literal translation of the verse, it is a lesson that is certainly learned from the literal meaning of the verse! (M. Kornfeld)

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