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INTERNET PARSHA SHEET ON MATOS MASEI - 5773

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Kashering our Souls
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Rabbi Zvi Sobolofsky – Kashering our Souls

The intricate halachos of kashering utensils are derived from Parshas Matos (Bamidbar 31:22-23). Upon returning from the battle against the Midyanim, Elazar Hakohen instructs the Jewish people that Hashem had commanded Moshe how to make the food utensils taken in battle permissible for use. Specifically, he taught that there are two different methods of kashering and which method is to be employed depending on how the utensil was used in the preparation of non-kosher food. Based on the pesukim in Parshas Matos, the mishna (Avodah Zarah 75b) teaches us that a utensil used with hot water must be kashered using hot water via a process known as hagala, and those utensils which absorbed the taste of non-kosher food directly through fire must be kashered by using fire, i.e. via the halachic process of libun.

"K'bal'oh kach polto - the way something is absorbed is the way it is removed" is not only the guiding principle of kashering utensils, but also addresses how we "kasher" ourselves as well. When a person sins there is a negative impact on his soul which can only be removed by teshuva. The degree of teshuva depends on how much one's soul has been permeated with sin.

When seeing the Jewish people worshipping the egel hazahav, the Torah tells us that Moshe saw the egel and the people dancing around it and then broke the luchos. Apparently it wasn't the sin of Avodah Zarah itself that warranted the smashing of the luchos. Rather, it was the enthusiasm that was exhibited by dancing that required the luchos to be broken. A sin committed half-heartedly will be easier to rectify than one done with enthusiasm. Just as a utensil must be kashered using physical circumstances that are equivalent to the manner in which it absorbed non-kosher food, so is the way a soul must be cleansed. A misdeed

performed with excitement and enthusiasm must be corrected by teshuva that is equally motivated.

The Halacha teaches us that certain utensils cannot be kashered through conventional means. Kli cheres - earthenware - are so absorbent that they can never be completely purged of their non-kosher contents. However, Chazal (Pesachim 30b) teach us that even earthenware can be made reusable by placing it in a furnace (there are several halachic and practical considerations concerning implementing this principle). The Rishonim raise the question as to why placing earthenware back in the furnace is effective; if absorbed taste can never be completely removed, why should placing these utensils in a furnace render them permissible for use? Tosfos (Pesachim 30b) quote Rabbeinu Tam explaining that since earthenware is formed initially in a kiln, returning them to such a source of heat is in effect remaking them. As such, they are no longer the same utensils that absorbed non-kosher taste.

Similarly, occasionally the regular methods of cleansing one's soul are not sufficient, since the absorption of sin is so deep that a superficial teshuva is not effective. Rather, one must resolve to change to such an extent that (s)he become a new person, as the Rambam (Hilchos Teshuva 2,4) describes the baal teshuva no longer being the same person as before.

Utensils purchased from a non-Jew must be immersed in a mikvah prior to use. This mitzvah also teaches us how to purify our souls. The Rambam (Hilchos Mikvaos 11:12) observes that immersion in a mikva is symbolic of immersing oneself in the waters of Torah. The only way to purify our souls is to immerse ourselves in the study of Torah. The halachos of kashering and immersing utensils not only enable us to observe kashrus properly, but serve as a guide for our spiritual growth well.

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Parsha - Matot-Masay Thoughts on the Weekly Parsha from Chief Rabbi Lord Jonathan Sacks

Masay (Numbers 33-36) The Danger of Suspicion It is a fascinating story and from it comes one of the great principles of Judaism. Two of the tribes, Reuben and Gad, see that the land east of the Jordan is ideally suited as pasture for their large herds and flocks of livestock. They approach Moses and ask to have permission to settle there rather than cross the Jordan. Moses is initially furious at their request. It is, he says, bound to demoralise the rest of the people: "Shall your fellow countrymen go to war while you sit here?" Had they learned nothing from the sin of the spies who, by de-motivating others through their behaviour, condemned an entire generation to forty years of wandering in the desert? The Reubenites and Gadites take the point. They explain that they have no wish to exempt themselves from the struggles of their fellow Israelites. They are fully prepared to accompany them into the promised land and fight alongside them. "We will not return to our homes until every Israelite has received his inheritance." Moses makes them take a public pledge to this effect and grants their request on condition that they fulfil their word. "When the land is then conquered before God you may then return, free of any obligation before God and Israel and this land will be yours as your permanent property before God." The italicised phrase - literally you will be innocent before God and Israel - became in the course of time an ethical axiom of Judaism. It is not enough to do what is right in the eyes of God. One must also act in such a way as to be seen to have done the right in the eyes of one's fellow man. One must be above suspicion. That is the rule

of *veheyitem neki'im*, "You shall be innocent in the eyes of God and Israel." How did this translate itself into Jewish law and life? The Mishnah in Shekalim speaks of the three periods in the year when appropriations were made from the collective donations stored in the Temple treasury. The Mishnah states that "The person who made the appropriation did not enter the chamber wearing a bordered cloak or shoes or tefillin or an amulet, so that if he subsequently became poor, people would not say that he became poor because he committed an offence in the chamber, and so that if he became rich people would not say that he did so by misappropriating contributions in the chamber - for we must be free of blame in the eyes of people just as we must be free of blame before God, as it is said, 'You shall be innocent in the eyes of God and Israel.'" Similarly the Tosefta states: "When one went in to take up the offering of the chamber, they would search him when he went in and when he came out, and they continue chatting with him from the time he goes in until the time he comes out." Not only must there be no wrongdoing when coins are taken from the Temple treasury; there must be no suspicion of wrongdoing. Hence the person who gathered the money should not wear any item of clothing in which coins could be hidden. He was to be searched before and afterwards, and even engaged in conversation so that he would not be tempted to secrete some of the money in his mouth. Two rabbinic teachings from the Second Temple period speak of families famous for their role in Temple life and the lengths they went to place themselves beyond suspicion. The Garmu family were expert in preparing the showbread. It was said of them that "their memory was held in high esteem because fine bread was never found in their children's homes, in case people might say, they feed from the preparation of the showbread." Likewise the Avtinas family were skilled in making the incense used in the temple. They too were held in high regard because "Never did a bride of their family go forth perfumed, and when they married a woman from elsewhere, they stipulated that she was not to go out perfumed, in case people should say, They perfume themselves from the preparation of the Temple incense." The general principle is stated in the Talmud Yerushalmi: R. Samuel bar Nachman said in the name of Rabbi Jonathan: In the Mosaic books, the Prophets and the Writings, we find that a person must discharge his obligations before men just as he must discharge them before God. Where in the Mosaic books? In the verse, 'You shall be innocent in the eyes of God and Israel.' Where in the prophets? In 'God, the Lord God, He knows and Israel too shall know.' Where in the Writings? In the verse, 'You shall find grace and good favour in the eyes of God and men.' Gamliel Zoga asked R. Yose bar Avun, Which verse says it most clearly? He replied, 'You shall be innocent in the eyes of God and Israel.'" This concern became the basis of two halakhic principles. The first is known as *chashad*, "suspicion", namely that certain acts, permitted in themselves, are forbidden on the grounds that performing them may lead others to suspect one of doing something forbidden. Thus, for example, R. Shimon bar Yochai held that one of the reasons why the Torah prescribes that *peah* [the corner of the field left unharvested for the poor] should be left at the end of harvesting was because of suspicion. If the owner of the field had set aside an unharvested corner at the beginning or middle, the poor would come and take what is theirs before the end of harvesting, and a passer-by might think that no corner had been set aside at all. Likewise the rabbis ordained that if a house has two doors on different sides, Hanukah candles should be lit at both so that a passer-by, seeing one door but not the other, should not think that the owner of the house had failed to fulfil the command. A closely related halakhic principle is the idea known as *marit ha-ayin*, "appearances". Thus for example, before milk substitutes became common, it was forbidden to drink milk-like liquids (made, for example, from almonds) together with meat on the grounds that people might think it was milk itself. Similarly it is forbidden on Shabbat to hang out garments that had become wet (for example, by falling into water) to dry, in case people think that one has

washed them on Shabbat. In general one is not allowed to perform actions which, permitted in themselves, lend themselves to misinterpretation. The connection or contrast between these two principles is a matter of some debate in the rabbinic literature. There are those who see *chashad* and *marit ha-ayin* as very similar, perhaps even two names for the same thing. Others however see them as different, even opposites. *Chashad* represents the possibility that people might think you have done something forbidden and thus think badly of you. *Marit ha-ayin* concerns cases where people, knowing that you are not the sort of person to do something forbidden, draw the mistaken conclusion that because you are doing X, Y is permitted, because X is easily mistaken for Y. Thus, to take one of the cases mentioned above, people seeing you hanging out clothes to dry on Shabbat might conclude that clothe-washing is permitted, which it is not. This concern for appearances is, on the face of it, strange. Surely what matters is what God thinks of us, not what people think of us. The Talmud tells us of a moving encounter between the dying Rabban Yochanan ben Zakkai and his disciples: They said to him: Master, bless us. He said to them: May it be God's will that the fear of heaven should be as important to you as the fear of [the opinions of] human beings. They said: Is that all? He said: Would that you were able to attain this [level of spirituality]. You can see [how difficult it is] because when someone wants to commit a sin, he says, I hope no one will see me [thus placing his fear of human beings above the fear of God who sees all]. What is more, it is forbidden to suspect people of wrongdoing. The rabbi said, "One who suspects the innocent is [punished by being] bodily afflicted" and "One should always judge a person in the scale of merits." Why then, if the onus is on the observer not to judge harshly, should we -- the observed -- be charged with the duty of acting above suspicion? The answer is that we are not allowed to rely on the fact that others will judge us charitably, even though they should. Rashi makes a sobering comment on the life of Moses: If he left his tent early, people would say that he had had a row with his wife. If he left late, they would say, He is devising evil plots against us. Even Moses, who devoted his life with total selflessness to the people of Israel, was not able to avoid their suspicion. R. Moses Sofer goes so far as to say that he was troubled throughout his lifetime by the challenge of the command, 'You shall be innocent in the eyes of God and Israel,' adding that it was far easier to fulfil the first half of the command ('in the eyes of God') than the second ('in the eyes of Israel'). Indeed he wondered if it was possible for anyone to fulfil it in its entirety. Perhaps, he said, this is what Ecclesiastes meant when he said, "There is not a righteous man on earth who only does what is right and never sins." Yet there is a profound idea embedded in the concept of *veheyitem neki'im*, 'You shall be innocent.' The Talmudic sage Rava was scathing of those who stood in the presence of a Torah scroll but not in the presence of a Torah sage. To be a Jew is to be summoned to become a living *sefer Torah*. People learn how to behave not only from the books they study but also - perhaps more so - from the people they meet. Jewish educators speak of 'text-people' as well as 'text-books,' meaning that we need living role models as well as formal instruction. For that reason, Rabbi Akiva used to follow Rabbi Yehoshua to see how he conducted himself in private, saying 'This too is part of Torah, and I need to learn.' The twin principles of *chashad* and *marit ha-ayin* mean that we should act in such a way as to be held as a role-model (by being above suspicion - the rule of *chashad*) and that, just as a book of instructions should be unambiguous, so should our conduct (by not laying itself open to misinterpretation - the idea of *marit ha-ayin*). People should be able to observe the way we behave and learn from us how a Jew should live. The fact that these rules apply to every Jew, not just to great sages, is eloquent testimony to the spiritual egalitarianism of the halakhah. Each of us is bidden to become a role-model. The fact, too, that these rules exist despite the fact that we are commanded not to suspect others of wrongdoing, tells us something else about Judaism,

namely that it is a system of duties, not just of rights. We are not allowed to say, when we have acted in a way conducive to suspicion, 'I have done nothing wrong; to the contrary, the other person, by harbouring doubts about me, is in the wrong.' To be sure, he is. But that does not relieve us of the responsibility to conduct our lives in a way that is above suspicion. Each of us must play our part in constructing a society of mutual respect. This brings us back to where we began with the request of the tribes of Reuben and Gad to settle the land east of the Jordan. Moses, we recall, granted their request on condition that they first joined the other tribes in their battles. They did so. Years later, Joshua summoned them and told them that they had fulfilled their promise and were now entitled to return to the place where they had built their homes (Joshua 22). However, by a profound historical irony, suspicion was aroused again, this time for a quite different reason, namely that they had built an altar in their territory. The other tribes suspected that they were breaking faith with the God of Israel by constructing their own place of worship. Israel was on the brink of civil war. The suspicion was unfounded. The Reubenites and Gadites explained that the altar they had built was not intended to be a place of worship, but rather a sign that they too were part of the Israelite nation - a safeguard against the possibility that one day, generations later, the tribes living in Israel proper (west of the Jordan) would declare the Reubenites and Gadites to be foreigners since they lived on the other side of the river: That is why we said, 'Let us get ready and build an altar - but not for burnt offerings or sacrifices.' On the contrary, it is to be a witness between us and you and the generations that follow, that we will worship the Lord at sanctuary with our burnt offerings, sacrifices and fellowship offerings. Then in the future your descendants will not be able to say to ours, 'You have no share in the Lord.' And we said, 'If they ever say this to us or to our descendants, we will answer: Look at the replica of the Lord's altar which our fathers built, not for burnt offerings and sacrifices, but as a witness between us and you.' Civil war was averted, but only just. Suspicion is a pervasive feature of social life and it is intensely destructive. Judaism - a central project of which is the construction of a gracious society built on justice, compassion, mutual responsibility and trust - confronts the problem from both directions. One the one hand it commands us not to harbour suspicions but to judge people generously, giving them the benefit of the doubt. On the other, it bids each of us to act in a way that is above suspicion, keeping [as the rabbis put it] "far from unseemly conduct, from whatever resembles it, and from what may merely appear to resemble it." Being innocent before God is one thing; being innocent before one's fellow human beings is another, and far more difficult. Yet that is the challenge - not because we seek their approval (that is what is known as pandering) but because we are summoned to be role models, exemplars, living embodiments of Torah, and because we are called on to be a unifying, not a divisive, presence in Jewish life. As the Chatam Sofer said, we will not always succeed. Despite our best endeavours, others may still accuse us (as they accused Moses) of things of which we are utterly innocent. Yet we must do our best by being charitable in our judgement of others and scrupulous in the way we conduct ourselves. Published: July 1, 2013

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 Subject: Shabbat Shalom from the OU
 OU Kosher Presents **Top Consumer Questions Received for the Summer**

Share: Facebook Twitter Print this page Email More Sharing Services Share OU KOSHER PRESENTS THE TOP CONSUMER QUESTIONS RECEIVED FOR THE SUMMER

OU Kosher presents frequently asked questions to-date on the OU Kosher Hotline (212-613-8241) by consumers received for the summer. Questions may also be submitted to kosherq@ou.org.

These questions are answered by **Rabbi Benjamin Geiger**, the voice of OU Kosher's Consumer Hotline; the OU's Webbe Rebbe; and **Rabbi Eli Eleff**, rabbinic coordinator and consumer relations administrator. Rabbi Moshe Zywic, OU Kosher executive rabbinic coordinator, supervises the OU Consumer Relations Department. The responses were reviewed by **Rabbi Yaakov Luban**, OU Kosher executive rabbinic coordinator; and **Rabbi Eli Gersten**, rabbinic coordinator and halachic recorder.

* * *

1. Q: Can one eat in an ice cream or yogurt store product that has been scooped from a container that bears OU certification? A: In some instances, the OU certifies an entire store. In such cases, the OU letter of certification will state that a particular store located in a specific location is under OU supervision. Obviously, one can eat everything in a certified store. However, it is often the case that the OU certifies a brand name ice cream or yogurt, but the OU does not certify the store that sells the product, even though the store has the same brand name as the product. In this latter instance, the OU only certifies sealed containers bearing the OU symbol. Once the container is opened, the OU no longer vouches for the kosher integrity of the item, as the scoop may have been previously used for non-certified flavors.

2. Q: Can I drink coffee at a non-certified restaurant? A: There is a halachic concern about coffee prepared in non-kosher restaurants because the equipment used to prepare the coffee may be washed in a dish washer with non-kosher items. It is possible that even so, the coffee equipment may remain kosher. There are a number of variables which could impact the kosher status, such as, the introduction of soap, the temperature of the water, the method of washing (kli rishon versus kli shaini), etc. Nonetheless, due to the uncertainty and ambiguity of each situation, as a general rule, the OU does not recommend the consumption of coffee prepared in a non-kosher restaurant.

3. Q: Is coffee from convenience stores, rest stops, and kiosks acceptable to purchase without certification? A: In contrast to the response given regarding coffee prepared in a non-certified restaurant, it is permissible to purchase a cup of unflavored coffee from a convenience store, rest stop or kiosk. This is because these types of establishments generally do not prepare non-kosher food, or, even if they do, dishes and utensils are washed by hand in a sink and not in a dishwasher.

4. Q: Can one purchase slurpees at a 7-Eleven? A: The OU certifies a number of Coca-Cola syrups that are used in slurpees. To purchase slurpees, it is necessary to verify two things: Is the syrup made by Coca-Cola, and is the specific syrup OU certified? Irrespective of store claims, one can only be certain that a Coca-Cola syrup is used by checking the label on the syrup box. However, the Coca-Cola labels on syrup boxes do not bear an OU symbol, and one must also determine that the specific syrup is OU certified. If uncertain about a particular Coca-Cola syrup, one can verify its certification status by calling the OU Kosher office at 212-613-8241 or by checking special tags that are sometimes displayed on the slurpee machine that display the Coca-Cola logo and an OU.

5. Q: There is a new self-serve soda fountain appearing in public venues called Coca-Cola Freestyle (also called 100 Flavors of Coke in Canada) which allows consumers to create their own mix of flavors. Are all of the flavors certified and can the machines be considered kosher? A: The Coca-Cola Freestyle machines (also called 100 Flavors of Coke in Canada) are OU certified in the United States and Canada.

6. Q: Must one wait six hours to eat meat (for those who wait six hours after meat to eat dairy) after eating aged cheese? A: One must wait six hours to eat meat after eating cheese that is aged for six months or longer. The following are a few of the more popular aged cheeses that

are aged for six months: Dry Monterey Jack, Cheddar (Medium, Sharp and Aged), Marble Cheese, Parmesan, and Picante Provolone. For the complete list, please see OUKosher.org's Aged Cheese List.

7. Q: Can a BBQ be used for both meat and fish? A: The Gemara (Pesachim 76b) teaches that it is a sakana (danger) to eat fish and meat together. As it is extremely difficult to clean a grill, the same grill rack should not be used for meat and fish. Either the fish should be double wrapped in aluminum foil or separate grill racks should be used.

8. Q: Is it possible to cook on a BBQ that was previously used for non-kosher food such as BBQ's at parks and campsites? Also, can an outdoor gas or charcoal grill be kashered? A: Since food is roasted directly on the grill, the grate must be heated until it glows (libun gomur) to be properly kashered. This can be done either with a blowtorch (which should only be used by qualified and experienced individuals) or by sandwiching the grates between charcoal briquettes and setting them on fire. In addition, if the grill has a hood, the empty gas grill cavity must be kashered by cleaning, closing the hood and setting it to the highest setting for one hour (libun kal). Alternatively, one may replace the grates and kasher only the grill cavity as explained above.

9. Q: Can in-room hotel ovens or microwaves be used without kashering? A: It is possible to use a non-kosher microwave or oven by double wrapping the food item. If using a microwave, one may poke a small hole in each cover so that the steam can escape and the package will not explode.

10. Q: Is it possible to obtain hot, kosher meals on a cruise ship? A: The only practical option for hot meals on a non-kosher cruise ship is to eat certified pre-packaged meals that are double wrapped, such as those found on airplanes. These may be heated in any oven as long as the seals are intact and the package remains closed. (There are other halachic concerns that arise on a cruise ship pertaining to Shabbat that have not been addressed here. Please ask your rabbi for guidance.)

11. Q: Is it permissible to take antihistamines without certification? A: First, please remember, that anyone with a life-threatening condition should take whatever medicines are necessary without hesitation. In general, tablets are preferable to liquid medications which may contain problematic ingredients. If no tablet alternative is available, the liquid should be diluted in water, juice or any liquid by a ratio of one to six, which is one ounce of liquid to one teaspoon of medication. This ratio should be done only in consultation with your doctor.

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Rabbi Berel Wein To sponsor an edition of the Rabbi Berel Wein e-mail list, click here

Parshas Matos-Masei The Reuven/Gad Syndrome The fourth book of the Torah – Bamidbar – concludes in this week's public Torah reading. The new generation of Jews, no longer the slave generation that left Egypt hastily and constantly longed to return there when faced with problems and difficulties, stands poised to enter the Land of Israel and fulfill God's covenant with Avraham. However here again, narrow personal interests becloud the general picture and weaken the necessary national resolve.

It is no longer the so-called fleshpots of Egypt that beckon and entice. It is rather the pasture lands east of the Jordan River that force the cattle raising tribes of Reuven and Gad to plead with Moshe that they not be compelled to cross the Jordan and enter the Land of Israel.

Moshe's initial reaction to their request is one of shock and bitter disappointment. He reminds them that their parents' generation was destroyed in the desert for disparaging the Land of Israel and refusing to

struggle on its behalf. And he warns them that they have apparently learned little from that bitter event in Jewish history.

Here they stand making the same error in judgment and vision that the previous generation did. Moshe's greatest frustration is that the Jewish people can't see past their cattle, their personal gain, an imagined short term benefit and their refusal to acknowledge the grandeur of the Lord's long term vision for themselves and their land. It is this blindness of spirit and unwillingness to appreciate the uniqueness of Israel, the people and the land that Moshe bemoans.

But all of this temporary gain comes with cost and a price. Separated from their brethren west of the Jordan, the tribes of Gad and Reuven have a difficult time defending themselves and are the first tribes to be exiled. They produce no major leaders or heroes for the Jewish people and their dreams of prosperity and material success are only fleetingly realized.

Criticized bitterly and eternally by the prophetess Devorah for standing aside in an hour of national Jewish peril, they become the model of individual Jewish indifference to the general cause of Jewish survival and success. In our current world they unfortunately have many heirs and disciples. Mordecai warned Esther not to stand away and be passive in the face of Haman and his decrees. He warned her that when the Jews would somehow escape from the troubles she and her family would be doomed to extinction in the Jewish story if she allowed her narrow self-interest to rule over her national duty for the preservation of Israel.

Today, also, narrow self-interests govern many Jews – even leaders who seemingly should know better – in their attitudes, policies and behavior regarding the existential problems that face the Jewish people and the Jewish state. The Talmud teaches us that Jerusalem always needs advocates for its cause. That certainly is the case in the generation and times in which we find ourselves currently. Jewish apathy and alienation are our enemies. The allure of current political correctness in policy and mindset is misleading and dangerous. We too stand at the cusp of great adventures and opportunities. We should avoid the Reuven/Gad syndrome.

Shabat shalom

Rabbi Berel Wein

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Matot-Masei 5773-2013

"Pinchas Avenges the Midianites"

by Rabbi Ephraim Z. Buchwald

In last week's parasha, parashat Pinchas, we read of how Pinchas the son of Elazar kills Zimri and Cozbi, who had performed a public act of harlotry. For his actions, Pinchas is rewarded with (Numbers 25:12) "B'rity Shalom," G-d's covenant of peace and (Numbers 25:13) a "Brit k'hoo'naht oh'lahm," a covenant of everlasting priesthood.

Immediately following this fateful episode, G-d commands Moses to declare war against the Midianites. According to the Midrash, when Balaam saw that he was unable to curse Israel, he resorted to an old foolproof formula to defeat the Israelites, sending the Moabite and Midianite women to seduce the Israelite men. In Numbers 25:9, we learn that 24,000 Israelite men died in a plague—a Divine punishment for their iniquitous behavior.

In parashat Matot, the first of this week's double parshiot, Matot-Masei, 12,000 Israelite soldiers are mobilized to wage war against the Midianites. Scripture, in Numbers 31:6, states that the soldiers are led by none other than Pinchas the son of Elazar the Priest, "La'tzah'vah, oo'chlay ha'kodesh va'cha'tzohtz'roht ha't'roo'ah b'yah'doh," who goes out to war with the sacred vessels, and with the trumpets for sounding in his hand.

The Israelites battle valiantly and vanquish the army of Midian, taking the Midianite wives, children, cattle and all of the Midianites' belongings as spoils of war. All the cities of Midian and encampments were then burned with fire.

Despite this great victory, some Midianites survived, since there are records of Midianites who live in later periods of Jewish history. The commentators conclude that only the Midianite clans who resided in the neighborhood of Moab were decimated. Those who resided elsewhere were not harmed.

The rabbis ask why the Moabites were not punished along with the Midianites, since they too were involved in the seduction of Jewish men. Rashi explains, that the Moabites had a seemingly valid excuse for attacking Israel since they were fearful of the Israelites who were encamped at the borders of their territory. The Midianites, however, were not threatened by the Israelites. Indeed, they were motivated by sheer hatred. Rashi also suggests that the Moabites were spared because of an exceptional woman who was to emerge from Moab, Ruth the Moabitess.

Rashi questions why Pinchas was specifically chosen to lead the battle against Midian, and not his father, Elazar, the High Priest? Rashi cites the well-known principle (Jerusalem Talmud, Pesachim 10:5) that one who begins the fulfillment of a commandment (mitzvah) is encouraged to finish it. Since Pinchas had killed Cozbi the daughter of Zur, it was he who was chosen to lead the battle against the seducing nation.

Citing an alternative explanation, Rashi states that Pinchas was chosen to lead the battle against the Midianites so that he could avenge the actions of the Midianites against Joseph, the ancestor of his mother, who had been sold to Egypt by the Midianite merchants (Genesis 37:36).

An additional explanation offered by Rashi, is that Pinchas was "Meshuach Milchamah," a specially designated priest whose task it was to counsel the army before battle, and encourage them not to lose heart. The Kohen who leads the people out to battle, would also wear the sacred garments of the High Priest, and would have the ability to inquire of G-d through of the Urim v'Tumim of the breastplate, if the need should arise.

There may very well be an additional reason that Pinchas was chosen to lead the troops in avenging the Midianites. In Jewish law, witnesses who testify in capital cases, are required to serve as executioners, if the accused is convicted.

As we have noted in previous studies, Jewish law does its very best to discourage the actual implementation of capital punishment. By excluding women as capital witnesses, the Jewish legal system eliminates fifty percent of the witness pool, and makes it almost impossible for anyone to ever be convicted due to the very technical and detailed requirements of testimony. Another way of discouraging witnesses, and make certain that there would be no inaccuracies in the witness' testimony, was to require the witnesses to personally administer the punishment of those convicted.

Although the priest designated to lead the people in battle does not physically fight, there does seem to be a parallel here with Pinchas and capital witnesses. Pinchas was the first to step forward and accuse Cozbi and Zimri of harlotry. While it is true that Pinchas took the law into his own hands, he is now charged with leading the battle against the entire Midianite people, who are accused of idolatry and harlotry.

As previously noted, Pinchas was rewarded by G-d for his act of zealotry with an eternal covenant of peace. How could a person like

Pinchas, who violently executed Zimri and Cozbi, and now leads the people in battle against the entire Midianite nation, ever be a faithful representative of G-d's "eternal covenant of peace?"

This conundrum brings to mind the well-known dictum of the Midrash Rabbah, Ecclesiastes 7:10, warning that "one who is merciful in a time when he should be cruel, will ultimately be cruel in a time when he should be merciful." It was Pinchas' so-called act of cruelty, that brought peace and tranquility to the people of Israel, and provided stability to the surrounding areas.

It is an important message to bear in mind, as Israel today is increasingly surrounded by hostile enemies who wish to not only vanquish Israel, but to uproot and destroy the entire Jewish state. Only through heightened vigilance can this malicious plot be foiled.

May you be blessed.

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Wed, Jul 3, 2013 at 12:03 PM subject: Daf Hashavua

The Sky is the Limit
by Rabbi Dov Lerner, Rabbinic Intern

After 20 years of development, and another seven of directed flight, the Cassini-Huygens spacecraft first entered Saturn's orbit on July 1 2004. On America's west coast, anxious programmers jumped for joy and breathed relief as their lifework began to succeed.

Although humankind has always had an eye to the heavens and respect for the stars, our first reach beyond Earth's comfort was only last century; an advance which was by no means uncontroversial. With each advance, Jewish sages and scholars have debated the ideology and legality that underlies such transformations.

As part of a monthly mitzvah – Kiddush Levana (the sanctification of the moon) – we recite various verses under moonlight. There is also a prayer said pleading for protection, said as if speaking to the moon: "Just as I dance toward you but cannot touch you, so may my enemies be unable to touch me to do evil" (see Chief Rabbi's green siddur, p.604). Before 1969, some people asked: "what will happen if man lands on the moon? Our prayer, our heartfelt plea, will lose its potency; our tradition will become outdated!" Strangely enough, what may seem a pedantic reading of a poetic prayer, caused quite a stir.

Indeed, in the years following the moon-landing, Rabbi Shmuel Tuvia Stern (a Rabbi in Southern Florida) wrote that space travel should be forbidden. Basing his conclusion on a linguistic parallel between space and Sinai, he saw space as divinely inhabited, sacred and beyond human touch, as described in the poetic verse we read.

Rabbi Stern understood that the clouds are our limit. As human beings, we must live humbly and in submission. We must star-gaze toward the stark and transcendent beauty of the night sky with a mixture of awe and humility. There are areas of experience that resist exploration. As Keats wrote, "Philosophy will clip an angel's wings... empty the haunted air... unweave a rainbow".

Radically opposed to Rabbi Stern's view, Rabbi Yosef Soloveitchik of Yeshiva University in New York (d.1993) argued in favour of expanding the human frontier. He dismissed the concern for liturgical consistency with an easy interpretation – when the prayer is read on Earth, one cannot touch the moon. Rabbi Soloveitchik's esteem for technological advancement fills his writings: "Human existence is a dignified one because it is a glorious, majestic and powerful". Mankind was made to explore, to probe, to examine and to analyse the world.

As you read this, about 260 miles overhead experiments only possible in Space are being carried out on the International Space Station, the results of which could help explain heart and bone disease, offering the possibility of future cures. Let us preserve the humility of a simple creature while wholly embracing the efforts to further explore our universe, ourselves and G-d's awesome power.

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Parsha Potpourri
The Unknown Revoked Vow
by Rabbi Ozer Alport

Matot(Numbers 30:2-32:42) The Unknown Revoked Vow The Torah says that in a case where a woman took a vow which her husband subsequently revoked, God will forgive her (Numbers 30:13). This is difficult to understand. Even if she transgressed her promise, why would she need atonement if her husband revoked her vow? The Talmud (Nazir 23a) explains that the Torah is referring to a case in which a woman's husband revoked her vow unbeknownst to her, such that although the promise was no longer binding, she thought that it was still in effect and that she was violating it, an act which necessitates God's forgiveness. The Talmud likens this to a person who thought that he was eating non-kosher meat but in reality consumed kosher meat, yet still must repent his sinful intentions. The Talmud adds that when Rabbi Akiva studied this verse, he began to cry, commenting that if a person requires atonement when he thought that he was sinning even though in reality he wasn't, all the more so does he need forgiveness if he actually sins. Why did this concept specifically pain Rabbi Akiva more than any of the other rabbis? The Arizal writes that the Asarah Harugei Malchus - ten great Rabbis who were brutally and tragically martyred - were killed as atonement for the sin of the sale of Yosef by his brothers. Of the ten Rabbis, Rabbi Akiva died in the most cruel and painful manner because he was a gilgul (reincarnation) of Shimon, who was the primary instigator of the plot to harm Yosef (Rashi - Genesis 42:24) and bore the most responsibility for the sin. After Yaakov's death, Yosef's brothers approached him to ask forgiveness for the sin of selling him into slavery. Yosef responded (Genesis 50:20) that there was no need for him to forgive them because even though they had intended to harm him, no damage was done and the ultimate result was beneficial, as God brought him to Egypt where he became viceroy and was able to use his position of power to sustain them during the famine. Rabbi Shmuel Falkenfeld points out that Yosef's reasoning is remarkably similar to the case described by our verse, in which a woman thought that she was sinning by violating her vow, but in reality, no transgression was committed because her husband had already revoked it. Nevertheless, the Torah explicitly states that in such a case, the woman requires forgiveness due to her intention to sin. Although Rabbi Akiva was still alive and did not know what fate would ultimately befall him, there was some part of his soul which was aware of its past incarnation and impending punishment. Therefore, whenever he learned the verse which teaches that a person must repent for an action which he intended to be sinful even if circumstances beyond his control result in no sin being committed, he became afraid of the harsh punishment that Shimon and his brothers would require for their cruel plan to sell Yosef into slavery even though Yosef's journey ultimately had a happy ending, and it was this subconscious fear which moved him to cry. * * *

NON-JEWISH VESSELS Is a non-Jew who converts to Judaism required to immerse all of his utensils in a mikveh, as he is now legally considered a Jew who "acquired" them from a non-Jew, or does this law apply only when the Jew and non-Jew are two different people? The Maharshag writes that the concept of immersing vessels was taught in the context of the war with Midian. Because it is a Torah decree, only utensils in scenarios similar to that one require immersion. In that case, the ownership of the vessels was transferred from the Midianites to the Jews. Therefore, a non-Jew who converts would not need to immerse his utensils, as although the religious status of their owner has changed, no transfer of ownership has occurred. (Darkei Teshuva - Yoreh Deah 120:4) However, because he is unsure of this reasoning and didn't find it mentioned in earlier sources, he suggests as a practical matter that the vessels be immersed without a blessing. The Tzitz Eliezer (8:19-20) seems to agree with this ruling. On the other hand, the Chadrei Deah explains that the reason that utensils purchased from non-Jews need to be immersed in a mikveh is to signify the fact that they no longer belong to non-Jews and have entered the holiness of Jewish ownership. As such, he maintains that a non-Jew who converts would be required to immerse his vessels, but because this requirement isn't mentioned in any earlier source, he also advises immersing them without a blessing. This is also the ruling of Tevilas Keilim (3:24), although he does cite several sources who rule that a convert does not need to immerse his utensils. * * *

APPEARANCE OF WRONGDOING Moshe told (Numbers 32:22) the tribes of Gad and Reuven that they must fulfill their conditions in order to be clean in the eyes of God and the Jewish people. The Sages derive from here several laws requiring a person to exceed the strict letter of the law in order that he not appear to be doing something inappropriate to those who observe him, often referred to as "maris ayin." If somebody is doing something only to prevent a case of maris ayin but which would require a blessing if it was required according to the letter of the law, may he recite a blessing? The Talmud (Chullin 75b) rules that if a pregnant animal is ritually slaughtered, its fetus may be Biblically eaten without being slaughtered. However, if the fetus walks or moves on the ground, the Sages required its slaughter because of maris ayin. Rashba (525) rules that one should say

a blessing on this slaughter just as one says a blessing on any rabbinical commandment. However, Besomim Rosh (283) and Pri To'ar (19:1) disagree, arguing that no blessing is made on a mitzvah which is solely due to maris ayin. The Talmud (Shabbos 23a) rules that if a person has windows facing different directions, he must light a Chanukah menorah in each of them so that somebody passing an empty window won't suspect him of neglecting the mitzvah. The Ran writes that no blessing is made when lighting the additional menorahs. Pri Chodosh and Pri To'ar equate the concepts of maris ayin and chashad and maintain that the Ran disagrees with the Rashba, although Kreisi U'Pleisi (13:4) differentiates between the two concepts and argues that there is no disagreement between the Ran and Rashba. Birkei Yosef (Yoreh Deah 13:4 and Orach Chaim 571:11) questions this logic and additionally argues that it is incompatible with the explanation of the Rashba himself. Finally, Michtam L'Dovid (Orach Chaim 23) suggests that there is no dispute, as the Ran is discussing a case in which a person already said a blessing when lighting his first menorah. * * *

TRUE TRIBAL INTENTIONS At the end of Parshas Chukas, the Jewish people conquered the lands of Sichon and Og, which were just across the Jordan River to the east of the land of Israel proper. In this week's parsha (Numbers 32:6-7), the tribes of Gad and Reuven approached Moshe with a request. They noticed that these lands were particularly well-suited for raising animals. As these two tribes were blessed with an abundance of livestock, they asked for permission to receive and settle this area as their portion in the land. Moshe responded harshly, questioning why their brethren should go to battle to conquer the rest of the land of Israel while they remain behind living comfortably. He also argued that their actions could dissuade the rest of the Jews from wanting to enter and conquer the land, in a manner similar to the negative report brought back by the spies. The tribes of Gad and Reuven clarified their intentions, explaining that after they built cities for their families and animals in this region, they would join the rest of the Jews in the battle for the land of Israel proper. Only after it was fully conquered and settled by their brethren would they return to their families. Upon hearing this, Moshe agreed to their request, but only after making a legally-binding agreement with them. The commentators explain that the two tribes always intended to assist in the conquest of Israel, but because they didn't see this point as significant, they didn't say it explicitly until pressed by Moshe. Why did Moshe accuse them so harshly, and why was it so important to him to make an explicit legal stipulation with the tribes regarding this point? In his work Shemen HaTov, Rabbi Dov Weinberger explains that Moshe recognized their original good intentions. Nevertheless, he was concerned that after they actually built the cities for their families and animals, they would be tempted to reconsider their plans. After 40 years of wandering through the wilderness in pursuit of a stable home, it would be quite natural for them to be tempted to reevaluate their commitment to spend an additional 14 years helping their brethren conquer and settle the land of Israel. To prevent this from occurring and to keep their actions consistent with their original intentions, Moshe insisted on making an explicit and binding agreement with them. Only if they fulfilled their end of the deal by assisting with the conquest of Israel would they be permitted to keep their land on the east side of the Jordan River. This explanation brings to mind the following story. The Alter of Novhardok once heard that a certain individual was coming to visit his town. He was in doubt whether it was appropriate for him to go to the train station to greet and welcome the guest. Since it was the middle of the frigid winter, the Alter worried that perhaps he would decide against going not for the right reasons, but because he was motivated by laziness and comfort. To remove this concern, he traveled to the train station and proceeded to make his decision once he was already there. Many times in life we are confronted with difficult decisions. When weighing the various factors involved, it is important to be aware of our personal biases and to strive to reach conclusions based on pure, unbiased thinking.

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 Subject: Matos - The Nine Days

The Nine Days

The first nine days of the month of Av, known as the Nine Days, is a period of time established by the Rabbis to mourn the destruction of the two *Batei Mikdash*. To make us feel the *aveilus*, there are certain activities which are prohibited during this period. Since the Talmud tells us that only one who has properly mourned the Temple's destruction will merit seeing its rebuilding, it is important to become more knowledgeable about the exact nature of the prohibitions of the Nine Days. One of them, the injunction against "buying new items," is reviewed here.

Question: Is it permitted to go shopping during the Nine Days?

Discussion: There are two types of items which are forbidden to be bought during the Nine Days: 1) Items which the consumer buys to give him pleasure or joy (as opposed to items which the consumer needs for daily living). 2) Apparel (clothing). As each group has its own rules and regulations, we will discuss each one separately.

Items of Joy or Pleasure

In order to diminish the level of *simchah* during this sad time, the Rabbis forbade buying items that mainly serve to give the owner joy or pleasure. Thus it is forbidden, for example, to purchase silver dishes, jewelry, fancy china, home decor items, or a car that is used mainly for pleasure travel.¹ But it is permitted to purchase standard household items that are needed, even if they are major purchases such as an air conditioner, a set of dishes, a cell phone, a health-related appliance, or a car that is used mainly for business or every-day household needs.² [If the business item being bought would normally require the recital of *shehecheyanu*, the *shehecheyanu* is said after Tishah b'Av.³]

Only actual buying is prohibited—shopping without buying is permitted. Window or comparison shopping is permitted.⁴ Returns are permitted. Exchanges may be prohibited.⁵

If delaying the purchase will cause a monetary loss, or if the item will not be available for purchase after Tishah b'Av, it is permitted to buy the item during the Nine Days.⁶ If possible, it is recommended to merely put down a deposit and take delivery of the item after Tishah b'Av.⁷

It is permitted to buy items for the purpose of performing a mitzvah, e.g., buying *tefillin* or *seforim* that are needed at the time.⁸ Similarly, a bachelor who is getting married after Tishah b'Av may shop during the Nine Days if need be.⁹

Shopping for Clothes

The second category of items that may not be purchased—or worn—during the Nine Days is clothing or shoes, even if they are intended for use after the Nine Days.¹⁰ Both expensive and inexpensive items, even trivial articles of clothing such as a pair of socks, a belt, a yarmulke, or a kerchief, are included.¹¹ A new *tallis* or a *tallis katan* may also not be purchased.¹² Linen and towels are considered “clothing” and are prohibited to be purchased as well.¹³

In the following cases it is permitted to shop for clothing during the Nine Days:

- ◆ If one has no clean shirt for Shabbos and washing or cleaning a shirt is not option, he may [buy and] wear a new shirt.¹⁴
- ◆ A bachelor who is getting married after Tishah b'Av may buy whatever he needs for the wedding during the Nine Days.¹⁵
- ◆ One who does not have appropriate shoes to wear on *Tishah b'Av* may buy them during the Nine Days.¹⁶
- ◆ Although it is permitted to wash clothing for infants, toddlers and small children who constantly soil their clothes,¹⁷ one is allowed to purchase new baby's and children's clothes rather than do their laundry.¹⁸

1 *O.C.* 551:2, *Mishnah Berurah* 11 and *Sha'ar ha-Tziyun* 13; *Aruch ha-Shulchan* 551:20; *Kaf ha-Chayim* 551:21, 23; *Igros Moshe*, *O.C.* 3:80. See also *Nitei Gavriel*, pg. 51, quoting the Rav of Pappa.

2 See *Koveitz Halachos L'yemei Bein Hametzarim*, pg. 125; *Halichos v'Hanhagos*, pg. 5, quoting Rav Y.S. Elyashiv; *Kol ha-Torah*, vol. 56, pg. 48, quoting Rav B. Rackove; *Vayevareich Dovid* 1:69. See also *Teshuvos Levushei Mordechai* 3:185-4.

3 *Igros Moshe*, *O.C.* 3:80.

4 *Igros Moshe*, *E.H.* 4:84-1.

5 Since the shopper is getting a new item in exchange for the old one, it may be considered as if he is buying the item anew. If the new item requires a *shehecheyanu*, the exchange may definitely not take place during the Nine Days; see *Moadei Yeshurun*, pg. 152, note 31.

6 *Peri Megadim* 551:7; *Mishnah Berurah* 551:11,13; *Kaf ha-Chayim* 551:21, 23; *Igros Moshe*, *E.H.* 4:84-1.

7 *Kinyan Torah* 1:109-5.

8 *Igros Moshe*, *O.C.* 3:80.

9 *Mishnah Berurah* 551:46. Other *poskim* disagree with this leniency; see *Kaf ha-Chayim* 551:30, 33 and 101.

10 Rama, *O.C.* 551:7 and *Mishnah Berurah* 45 and 49.

11 *Mishnah Berurah* 551:45-46; Rav C. Kanievsky, quoted in *Nechamas Yisrael* 13:3.

12 *Igros Moshe*, *O.C.* 3:80.

13 *Nitei Gavriel* 31:9.

14 *Be'ur Halachah* 551:6, s.v. *keilim*, as explained by *Igros Moshe*, *O.C.* 3:80.

15 *Mishnah Berurah* 551:14 and 46. Other *poskim* disagree with this leniency; see *Kaf ha-Chayim* 551:30, 33 and 101.

16 *Igros Moshe*, *O.C.* 3:80.

17 Rama, *O.C.* 551:14.

18 *Mishnas Yaakov* (quoted in *Piskei Teshuvos* 551:27 and in *Nechamas Yisrael* 13:7). See *Emes l'Yaakov*, *O.C.* 551, note 513, who suggests that buying might be preferable to doing

◆ If delaying the purchase will cause a monetary loss, or if the item will not be available for purchase after Tishah b'Av, some *poskim* permit buying the item during the Nine Days,¹⁹ while others are more stringent.²⁰ If a substantial loss is involved, a deposit should be made and delivery taken after Tishah b'Av.

◆ It is permitted to [buy and] wear new clothes for the purpose of a *shidduch*.²¹

◆ People in the clothing business may purchase stock during the Nine Days.²²

◆ The prohibition against shopping during the Nine Days begins with sunset of Rosh Chodesh Av and ends at midday of the tenth day of Av. When Tishah b'Av falls on a Thursday, it is permitted to shop for Shabbos needs on Thursday night.

Question: Which types of clothing are included in the prohibition against wearing freshly laundered clothes in the Nine Days?

Discussion: *Shulchan Aruch* rules that all freshly laundered (or dry-cleaned) clothes and linens (such as towels, sheets and tablecloths), may not be worn or used during the Nine Days.²³ It has become customary, therefore, that freshly laundered clothes are worn for a short while²⁴ before the onset of the Nine Days, so that the clothes are no longer considered “freshly laundered.”

Contemporary authorities debate whether or not garments that are constantly being changed because of perspiration — like socks and undergarments — must also be worn briefly before the Nine Days. Some *poskim* hold that they must,²⁵ while others hold that such garments are not included in the prohibition of wearing freshly laundered clothes and one need not prepare them before the Nine Days begin.²⁶ The widespread custom in the United States follows the second opinion.

Question: In practical terms, how should one conduct himself with regard to the Nine Days' prohibition against full-body bathing?

Discussion: One of the Nine Days' restrictions is the prohibition against bathing and showering.²⁷ Nowadays, people find it most uncomfortable to observe this restriction, since we are all accustomed to bathing or showering daily, unlike in earlier times when people bathed much less frequently.

It is important to distinguish between the two reasons why people bathe: 1) for reasons of hygiene and cleanliness; 2) for pleasure; the hot water soothes them, the cold water cools them — it is a pleasurable experience. It is safe to assume that most people bathe or shower for both reasons — for cleanliness and for pleasure.

It is clearly forbidden to bathe or shower during the Nine Days for pleasure. Thus it is forbidden to take a hot bath, a long, hot, relaxing shower, or to go swimming in a lake or a pool. The primary purpose of these activities is the pleasure derived from them.

But one who became dirty or sweaty and must take a shower in order to rid himself of the odor, dirt or sweat, may take a short, cold or lukewarm shower. If he requires soap or shampoo in order to remove the dirt or sweat, that is permitted as well. If the dirt or sweat cannot be removed unless hot water is used, hot water may be used for those areas where it is needed.²⁸

One who needs to take a hot shower or bath or go swimming for medical reasons is permitted to do so.

laundry.

19 *Kinyan Torah* 1:109-5; *Koveitz Halachos* (Rav S. Kamenetsky), pg. 178.

20 *Emes l'Yaakov*, *O.C.* 551, note 509, who questions if it is permitted to buy apparel on sale during the Nine Days.

21 *Orchos Rabbeinu*, vol. 2, pg. 132, quoting Chazon Ish.

22 *Mishnah Berurah* 551:11.

23 *O.C.* 551:3.

24 There are several views — ranging from several days to several minutes — as to how long a garment should be worn in order for it to be considered no longer fresh. In actual practice, the garment should be worn long enough so that it loses that special crispness and freshness that one associates with freshly laundered or dry cleaned clothes.

25 *Kaf ha-Chayim* 551:91; *Orchos Rabbeinu*, vol. 2, pg. 130; *Minchas Yitzchak* 10:44; Harav C. Kanievsky, quoted in *Nechamas Yisrael* 19:7.

26 *Aruch ha-Shulchan*, *Y.D.* 389:6 (concerning *shivah*); *Gesher ha-Chayim* 21:10 (concerning *shivah*); *Salmas Chayim* 4:4; Harav M. Feinstein (oral ruling, quoted in *Rivevos Efrayim* 1:377 and 3:340, *Moadei Yeshurun*, pg. 134 and *Kitzur Hilchos Bein ha-Metzarim*, pg. 9); *Kinyan Torah* 1:109; *mi-Beis Levi*, vol. 13, pg. 26.

27 *O.C.* 551:16.

28 Entire Discussion based on *Aruch ha-Shulchan* 551:37; Harav Y.C. Sonnenfeld (*Salmas Chayim* 4:20; *Toras Chayim*, pg. 83); *Igros Moshe*, *E.H.* 4:84-4; *Emes l'Yaakov*, *O.C.* 551, note 14; *She'arim Metzuyanim b'Halachah* 122:12; *Shevet ha-Levi* 7:77.

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Fall to You

Rosh Hayeshiva Harav Mordechai Greenberg, shlita (Translated by Rav Meir Orlian)

The book of Bamidbar concludes the period of exile in the desert. At the end of the forty years, Am Yisrael stands at the entrance to Eretz Yisrael, conquers the east-bank of the Jordan River, delineates the borders of Israel and prepares for war.

This is a commandment for generations, as the Ramban writes: "You shall possess the land and settle in it" – that we shall not leave it in the hands of a nation other than us or allow it to become barren." (Bamidbar 33:53) Despising the precious land brought about the long exile. However, many people still ask: Why did Hashem "lock us" us in this particular tract of land? The Ramban writes at length on this subject in Parshat Acharei-Mot. Rav Kook encapsulates the idea succinctly in his opening to Orot: "Eretz Yisrael is not something external, an external possession of the nation, merely as a means to the goal of collective joining and of maintaining its material or even spiritual existence. Eretz Yisrael is connected by a bond of life to the nation." Every means has a substitute. When Eretz Yisrael is seen as a means towards the security of Am Yisrael, as a national or even cultural center, it is possible in times of distress to find a substitute. However, Eretz Yisrael is a land of life: "I shall walk before Hashem in the lands of the living." (Tehillim 116:9) Chazal teach that this is Eretz Yisrael. The Torah writes several times: "That you may live, and you will come and possess the land." (Devarim 4:1) Since Am Yisrael is characterized by: "You who cling to Hashem, your G-d – you are all alive today," (Devarim 4:4) it is impossible to maintain this kind of life and attachment anywhere but in the land of life. Just as a person does not seek explanations for life itself, there also should be no need to look for reasons to live in Eretz Yisrael, because that is where life really is. Am Yisrael can only find a full life in this place. Chazal teach that the pasuk: "The dove could not find a resting place for the sole of its foot" (Bereishit 8:9), alludes to Knesset Yisrael, which is compared to a dove. For this it says: "Among those nations you will not be tranquil, there will be no rest for the sole of your foot." (Devarim 28:65) On the other hand, gentiles cannot find peace in Eretz Yisrael. The Ramban writes about Eretz Yisrael: "They are unworthy of you, and you are not appropriate for them."

Eretz Yisrael is not just a place that people live in. It is the "Sanctuary of Hashem," as the Ramban writes. The Torah writes about it: "Cain left the presence of Hashem" (Bereishit 4:16), "Yonah rose to flee to Tarshish from the presence of Hashem." (Yonah 1:3) Therefore, the Ramban writes: "It is impossible to comment any more on the subject of the Land, but if you are worthy of understanding the first [mention in the Torah of] "land," you will understand a great and hidden secret, and you will understand what our rabbis meant that the Temple above corresponds to the temple below." His intention is that the pasuk: "In the beginning of G-d's creating the Heavens and the land" (Bereishit 1:1) should be interpreted that Hashem first created the upper and only then did he create the parallel land below. This is what the Torah means when it states in the Parsha: "This is the land that shall fall to you as an inheritance." (Bamidbar 34:2) Chazal ask: "Can the land fall?" The Sfat Emet explains Chazal's answer, that so long as the Canaanites were in Eretz Yisrael, the necessary vessels to contain the land above were not yet formed. However, when Am Yisrael enter the land, the land above drops and connects with the land below, thus creating compatibility between Heaven and earth. The war over Eretz Yisrael is not about territories and other national rights. This is a global war over Hashem's Throne in the world. "For the Hand is on the Throne (kes) of G-d" (Shemot 17:16) – Hashem's name is incomplete and His Throne is incomplete. Therefore, the war in the end will focus on Yerushalayim because: "At that time people will call Yerushalayim 'the Throne (kisei) of Hashem'" (Yirmiyahu 3:17) and the nations wish to prevent this. Otherwise, it is impossible to understand this great interest of all the nations in such a small place. However, we are sure of: "Not one of Your words is turned back to its origin unfulfilled" (Haftarah blessings), and, "May our eyes behold your return to Zion in compassion." (Shemoneh Esrei prayer) Forward to a friend

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Parshas Matos-Masai Marriage Vows "If a man takes a vow to Hashem..." (30:3)

This week's parsha introduces the laws governing "nedarim" and "shevuos" - vows and oaths. Rabbi Yehuda Hanassi, the compiler of the Mishna categorized the Oral Law into six orders, the "Shisha Sidrei Mishna". The third of the six orders is Seder Nashim, the laws concerning relationships between men and women. The third tractate in Seder Nashim is Mesichta Nedarim. This tractate discusses the definitions and interpretations of the differing phraseology and formulae which may be used when invoking a vow or oath. In his commentary on the Mishna, the Rambam questions the appropriateness of placing Nedarim in Seder Nashim. What is the connection between vows and oaths and man-woman relationships? The Rambam answers that since the Mesichta discusses the type of vows which a man may annul for his wife, Nedarim is appropriately placed in Seder Nashim.11 However, the laws governing a man's ability to annul his wife's vows are only introduced in chapter ten of the tractate. If the primary reason for the tractate's placement in Seder Nashim is these particular laws, why did Rabbi Yehuda Hanassi wait until chapter ten to discuss them?

Perhaps another answer to the Rambam's difficulty can be offered. The primary focus of the tractate is the sensitivity to the particular nuances and inflections contained within speech. Speech gives man his ability to communicate, and to communicate well, a person must have this sensitivity. Communication is of utmost importance in marriage, and therefore, the tractate which focuses on the sensitivity that allows for enhanced communication is appropriately placed in the Order governing man-woman relationships.

1. See Rambam's introduction to the Mishna

Restructuring Debt

"...he shall not desecrate his word; according to whatever comes from his mouth shall he do"(30:3)

The Midrash teaches that one who delays fulfilling his vows is cast to the sea; we see this in the case of Yonah, who had vowed to go to Ninveh and subsequent to his delaying to do so, was cast into the sea.11 Why is this the appropriate punishment? What motivates a person to delay fulfilling his obligations? The Talmud states that invoking a vow is akin to building a bumah, a privately owned altar.22 What is the meaning of this comparison?

The reason why a person needs a vow to strengthen his convictions is that if he makes a commitment without a vow, he may change his mind. He therefore needs Hashem's assistance to enforce him staying true to his convictions. He receives this assistance by invoking a vow, which is a G-d-given power that binds man. Utilizing Hashem for one's own personal needs is akin to building an altar for private use in one's backyard, rather than using the communal altar.

The knowledge that a person requires Hashem's assistance to meet his personal needs creates a strong sense of indebtedness. Concerning this type of relationship Shlomom Hamelech said "eved loveh le'ish malveh" - "the borrower becomes the slave of the lender"33. It is common to find people who owe money, yet delay repaying it although it is available to them. By delaying the payment they restructure the relationship; instead of being controlled by the lender, they control him. Similarly, a person delaying fulfilling his vows gives him the feeling that he is not totally indebted, rather he has some control over his relationship with Hashem. Therefore, his punishment is being cast into the sea, a place where man has absolutely no control. Since his actions were motivated by the desire to control, his punishment obliterates any perception that he may actually be in control.

1. Yalkut Shimoni Mattos #30 2.Nedarim 22a 3.Mishlei

An Intimate Vision

"...This is the thing that Hashem has commanded" (30:2)

Moshe instructs the heads of the tribes with the expression "Zeh hadavar asher tziva Hashem" - "This is the thing that Hashem has commanded." Rashi comments that whereas Moshe's prophecy is introduced by either "zeh hadavar" - "this is the thing" or "ko amar Hashem" - "so says Hashem", the prophecies of other prophets are only introduced with the expression "ko amar Hashem".11 The Mizrahi explains that "ko amar" intimates an approximation, while "zeh hadavar" indicates that the information to follow is exactly what Hashem said. Moshe was the only prophet to receive his prophecy with "aspaklaria hameira" - "a clear lens", a flawless perception of what Hashem was telling him. All other prophets had an "aspaklaria she'aina meira" - "an unclear lens"; they did not have an exact

perception of Hashem's words.²² Therefore, Moshe's prophecies were introduced with "zeh hadavar", while the other prophets' were introduced with "ko amar".³³ The Maharal finds the Mizrahi's explanation untenable for the following reason: In the Torah we find Moshe using the expression "ko amar Hashem" over a dozen times. It is difficult to assume that on these occasions Moshe received prophecy on a lower level.⁴⁴ If Moshe's prophecy always maintained the same elevated level, how do we account for the different terminology introducing his prophecy?

Moshe's prophecy is unique in two ways. First, he has perfect perception of what he is being told, and second, he has the ability to relay the information in a manner by which the recipient hears it directly from Hashem. This concept is known as "Shechina medaberes mitoch grono" - "The Divine Presence speaks from his throat."⁵⁵ This second element not only allows Bnei Yisroel to hear the complete and unadulterated directive from Hashem, but gives them a certain intimacy with Hashem as well, for He is speaking with them and not through an intermediary. All of the other prophets could not give Bnei Yisroel this close relationship.

Moshe's use of the expression "ko amar" does not denote a lower level of his perception of the prophecy, rather that Moshe's transmission of the prophecy to the recipient is lacking the intimacy of direct communication from Hashem. The majority of the occasions upon which Moshe uses the expression "ko amar" are when relaying Hashem's message to Pharaoh.⁶⁶ It is therefore understandable that this intimacy is missing. The only exception is by the sin of the Golden Calf, when Moshe also uses the expression "ko amar".⁷⁷ The reason for this is that Bnei Yisroel's sin of the Golden Calf was in their desiring an intermediary to replace Moshe. This indicated that they did not appreciate the intimacy that existed between them and Hashem, for Moshe did not function as an intermediary. Therefore, that close relationship was lost, as indicated by Moshe addressing them with the expression "ko amar".

1. 30:2 2. Yevamos 49b 3. 30:2 4. Gur Aryeh ibid 5. Zohar Pinchas 232. 6. See Shemos 10:3, 11:4, etc. 7. 32:27 There is one other exception that will be dealt with in a future Insights

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from: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: Peninim <peninim@shemayisrael.com> date: Thu, Jul 4, 2013 at 7:49 PM subject: **Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Matos-Masei**

PARSHAS MATOS-MASEI Parshas Matos If a man will take a vow to Hashem or swear an oath to establish a prohibition upon himself, he shall not desecrate his word; according to whatever comes from his mouth shall he do. (30:3)

Rashi teaches that vows and oaths apply only when one seeks to render prohibitive that which is permitted. One cannot, however, utilize oaths and vows to permit that which is forbidden. Horav Meir Shapiro, zl, was an individual known by many titles, one of which was Lubliner Rav. He followed a long line of distinguished rabbonim, one of whom was the famous Maharshah who preceded him by four centuries. The Maharshah was a formidable gadol, a talmid chacham, Torah scholar without peer, and a Kabbalist of great renown. The following story was often related by Rav Meir Shapiro. He had discovered it in the pinkas, ledger, of the Chevra Kadisha, Jewish Burial Society of Lublin.

The Maharshah had a student whose wife had passed away. The husband was overwrought from the tragedy and just could not overcome the deep depression that enveloped him. His distinguished Rebbe called for him and asked for an explanation. At first, the young man demurred from divulging the reason for his melancholy. Finally, the student gave in and informed the Maharshah of his vow. Apparently, when his wife was ill, he had given her his word that he would never remarry. His Rebbe countered that such an oath has no validity, since it is contrary to the Torah. One is to marry and procreate. It was, therefore, not only permissible for him to remarry, but it was actually incumbent upon him to do so.

The student listened to the Maharshah and remarried. A short time later, the city went into a frenzy when, one morning, the young man who had followed his

Rebbe's instructions - died! When the Maharshah was informed of this turn of events, he immediately summoned the members of the Chevra Kadisha to his house. He instructed them to prepare the body in the usual manner: taharah, purification, and tachrichim, shrouds; when they were prepared to bury him, they were to notify the Maharshah. The Chevra Kadisha did so.

The Maharshah arrived at the burial site and wrote the following note, which was placed alongside the deceased: "Shalom Aleichem, Peace unto you, Heavenly Tribunal. I (the Maharshah) ruled in accordance with the laws of the Torah to permit this man to marry again. I decree upon 'You' with the powers (granted me by the) of the Torah that You should return my student to me." The Maharshah affixed his name to the paper, placed it into the hand of the deceased, and insisted that the grave be left uncovered. After lowering the body, they all left the cemetery. The grave was left uncovered.

One hour later, the young man arose from his grave, dressed in shrouds, and proceeded to walk through the streets as if nothing had ever happened! When the "deceased" entered his home, his wife ran out in shock. The next day, the Maharshah summoned his "reincarnated" student to appear before him in street clothes. When the student entered the yeshiva, the other students became visibly frightened. Employing the power vested in him through the Torah, the Maharshah immediately decreed that the angel in charge of shikchah, forgetting, should prevail and use his powers over the city of Lublin, so that everyone would forget what had taken place. The young man raised a beautiful family, meriting to see generations of proud Jewish children devoted to Torah and mitzvos.

Parshas Masei

The Assembly shall rescue the killer from the hand of the avenger of the blood. (35:25)

The bais din is enjoined to seek every possible way to circumvent the death penalty. We always give the accused every possible benefit of the doubt. Likewise, if the court judges that the death was caused by a truly unavoidable accident, it must rule that the killer does not require exile. Consequently, the goel ha'dam, relative who is the avenger of the blood, must desist. He has no right whatsoever to harm the killer. It was an accident which Hashem made happen - end of story.

The Talmud Sanhedrin 17a teaches an interesting halachah, which at first glance seems perplexing. Sanhedrin she'rau kulan l'chovah - potrin, "If all the judges of a Sanhedrin saw fit to convict a defendant - he is acquitted." The Talmud states the reasoning for this mystifying halachah. We have learned that when the vote (by majority ruling) is to convict, the decision is not immediately rendered; rather, an overnight delay of the court proceedings is required in order to give the judges an opportunity to find a basis upon which to acquit the defendant. These judges, however, who all voted to convict obviously will no longer consider any reason for acquittal. A delay of judgment is required only because more thought may lead one to vote for acquittal. Since this is not the case, and acquittal is apparently not an option for these judges, the entire judgment is aborted.

This halachah must be rationalized. Why should the accused murderer be exonerated simply because all of the judges voted to find him guilty? Should it not be the other way around, that the one who is unanimously declared guilty is condemned, not released?

Horav Shlomo Kluger, zl, explains that, when Hashem created the world, He created the concepts of emes, truth, and sheker, falsehood. A never-ending battle exists between these two entities. Whenever emes seems to express itself, sheker immediately contravenes and does not permit it to triumph. Sheker cannot seem to tolerate the truth. Therefore, when either the judges who vote to acquit or those who confer guilt upon the defendant are a majority - we concur with their decision because the Torah says, Acharei rabim l'hagos, "One follows the majority." We believe that all of the judges who vote to spare the defendant do so because they are mechavein, their thought processes coincide with the truth. The majority, however, who disagrees, is expressing sheker, taking the sheker position, since there has to be sheker disputing the truth. Whenever the judges vote unanimously to find the defendant guilty, with not a single judge dissenting, it is clear that this vote expresses not emes, but pure unadulterated falsehood. Indeed, if there had been emes in what they said, then sheker would have put up an argument to condemn the defendant. If sheker kept quiet, it is proof that indeed the very ruling which found the defendant guilty is untrue.

Rav Shlomo Kluger's exegesis illuminates a question that has bothered me. The forces of secularism and modernity are obsessed with raising their banner of insolence and strutting forward proudly with their nefarious agenda. Whenever they take it upon themselves to observe or maintain a practice which, according to their perverted sense of halachah is proper and even commendable, they do so with an "in your face" attitude to provoke our negative response. While most observant Jews ignore them because they have the common sense and forbearance to see

through their ruse, there will always be those hot-heads who view every opportunity to act zealously as their G-d-given mandate to create a chillul Hashem, desecration of Hashem's Name. Why do they perform rituals which are meaningless to them just for the purpose of making a political statement or agitating the tempers of those who really care? Why do they mock us - and Hashem? Can something be gained by such premeditated incendiary behavior?

The answer is that they have nothing to gain but sensationalism. They call attention to themselves - not their mission - because their mission and agenda are a joke. So, why do they do it? Sheker cannot tolerate emes. When they observe the success and acceptance garnered by the Torah camp they begin to realize the spiritual void in their own lives. Rather than alter their lifestyle, they would rather destroy the competition. This is how sheker works. If it cannot overwhelm emes, it attempts to discredit it. We must remember that, at the end of the day, sheker ein lo raglayim, "Falsehood has no legs to stand on."

He shall dwell in it until the death of the Kohen Gadol, whom he had anointed with the sacred oil. (35:25)

What did the Kohen Gadol, High Priest, do to deserve such a "relationship" with the unintentional murderer? It is almost as if the Kohen Gadol shares punitively with the rotzeiach b'shogeig. Rashi explains that the Kohen Gadol serves as the nation's spiritual leader. As such, he has a responsibility to pray for his people - pray that no one sustains a fatal accident at the hands of another Jew. Apparently, he either did not pray, or he did not pray with sufficient intensity. In any event, a man was killed unintentionally. The Kohen Gadol must assume some of this responsibility.

Sforno offers his own insight, which addresses the varying degrees of unintentionality. There are some cases which are very close to accidental, and other cases which smack of negligence. How is bais din to determine the length of time the unintentional murderer should spend in exile? Clearly, this can only be determined by Divine insight. Thus, the decision is left up to Hashem, Who links the rotzeiach's period of incarceration in the City of Refuge with the Kohen Gadol's lifespan.

The Talmud Makos 11b questions the wording of the pasuk, "He shall dwell in it until the death of the Kohen Gadol, whom he had anointed with the sacred oil." What does the pasuk mean when it says, "whom he had anointed with the sacred oil"? Is the killer the one who anoints the Kohen Gadol? Rather, Chazal explains that these words refer to the one who was anointed in his days - meaning, after he became a killer. Despite the fact that the Kohen Gadol's entry onto the scene followed after the unintentional murder, his (the Kohen Gadol's) passing still frees the killer from exile.

A simple question - a simple answer. So, why could the Torah not have written simply, "Until the death of the Kohen Gadol who was anointed with the sacred oil"? Why is it necessary to write the text in such a manner that it alludes to the killer playing a role in anointing the Kohen Gadol? It seems like an elaborate method which could have been circumvented by a simple rendering of the text.

In his Meshech Chochmah, Horav Meir Simchah HaKohen, zl, m'Dvinsk, writes that the Torah means to teach us a powerful lesson. True, the killer did not perform the actual anointing, but he plays a furtive role in determining who shall be the next Kohen Gadol. Hashem runs the world with a vision that is imperceptible to human cognition, because we are clueless to the manifold factors that enter into every equation. Indeed, there are times when the Kohen Gadol, who is "selected" for this illustrious position, is determined by his predestinated (from birth) lifespan in connection with the level of unintentionality of the murderer. In other words, "Reuven" kills "Shimon" unintentionally in such a manner that would warrant him to remain in the city of refuge for ten years as atonement for his sin. Hashem now has to match Reuven up with a Kohen Gadol who has only ten years to live. If Reuven's punishment should last ten years and no more, the next Kohen Gadol cannot really be an individual who has a long and healthy lifespan. Thus, essentially, a killer is anointing the Kohen Gadol!

We go through life wondering why things happen the way they do - when they do, and by and to whom. Some question events, which to the human eye simply do not make sense. Why should "Reuven" ascend to a position of leadership when, in fact, "Shimon" is more worthy? Why is "Levi" blessed with such incredibly good fortune, while so many others who, for all appearances, are much more deserving go from one misery to another? We do not know why, because we are unaware of all of the factors. One thing is certain: Hashem knows what He is doing. His decisions are sound and true. We just do not understand them because we know so very little.

Two Kohanim grow up together - go to the same yeshivah - are both erudite and saintly. Yet, one becomes Kohen Gadol. Why? Only Hashem knows, but a

possibility exists that it has nothing to do with the individual Kohen. It is because he is a "perfect" match for the killer.

V'a'ni Tefillah V'ahavta es Hashem, Elokecha. You should love Hashem, your G-d.

The first step towards loving Hashem is to love His people, who love Him and cling to His Torah. Thus, explains Horav Avigdor Miller, zl, the ways and lifestyle of the Torah observant Jew should be the central focus of our admiration and our primary interest. We should love His genuine people with all our heart and soul. We should seek the company of Torah sages and cling to them. How true is the above observation? How can one claim to love the Almighty if he has a disdain for those who serve Him? To love His people means to love everything about them - even their individual idiosyncrasies concerning genuine mitzvah observance; their choice of fashion, etc. The spectrum of Hashem's People is wide and encompasses an entire world of Torah Jewry from all walks of life.

l'iluy nishmas Roiza Rochel bas R' Moshe Aryeh a"h nifter 8 Av 5756
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From: **Rabbi Kaganoff** <ymkaganoff@gmail.com> Date: 07/01/2013 3:34 PM (GMT-05:00) To: kaganoff-a@googlegroups.com Subject: **The Prohibition of Chanufah**

According to many Rishonim, one of the 613 mitzvos that is mentioned in the second of this week's two parshiyos is chanufah. I am therefore attaching, if I do not forget.

The Prohibition of Chanufah By Rabbi Yirmiyohu Kaganoff

According to many Rishonim, one of the 613 mitzvos that is mentioned in the second of this week's two parshiyos is chanufah.

Question #1: Financial predicament "Our Yeshivah is in desperate financial shape. The father of one of our students is, himself, not observant, but he is extremely well connected. If we honor him as "Guest of Honor" at our banquet, we can probably bring in many hundreds of thousands of dollars through his business and personal connections. Is there any halachic problem with our doing this?"

Question #2: Communal predicament "There is an individual in our community who has been very helpful to the frum community, but he himself is not at all observant. Are we permitted to honor him with an aliyah?"

Question #3: Kiruv predicament Chani asks: "An old classmate of mine, unfortunately, has fallen far from Yiddishkeit, and I believe that I am the only frum friend with whom she still keeps contact. Tragically, she recently became engaged to a non-Jew, and she desperately wants me to attend the engagement party. She knows that I do not approve of this relationship. May I attend, because I am concerned that, should I not show up, she will cut off her last contact with anything Jewish?"

Introduction: All of the above questions require us to study the Torah's prohibition against chanufah (sometimes pronounced "chanifah"), a word usually, but somewhat inaccurately, translated as "flattery." Although the word chanufah in Modern Hebrew means "flattery," and, indeed, is even occasionally used by Chazal in this sense, the prohibition against chanufah has a slightly different meaning. Chanufah is the deception that occurs when someone encourages the performance of misdeeds, aveiros, or when someone fraudulently misrepresents something as Torah or as acceptable behavior when it is not. The primary case of chanufah is when someone sees or knows that a person sinned and tells the sinner that he did nothing wrong or, worse still, tells the sinner that the sinful act was the correct thing to do. We can refer to this case as "first degree chanufah," a sin that has very serious ramifications, as we will soon see. The person who violates the prohibition of chanufah is sometimes called a mechaneif, a chanaf, or a chanfan, all of which are different ways of saying the same thing. The Gemara states that chanafim are one of the four groups of people she'einam mekabelei penei hashechinah, who will not be allowed to welcome the Shechinah, Hashem's Divine Presence (Sotah 42a).

Which prohibition does one violate? According to many Rishonim (Yerei'im; Ramban's Torah Commentary to Bamidbar 35:33), there is a specific prohibition of the Torah, one of the 613 mitzvos, called chanufah, which is derived from the words of the Torah in this week's parsha, velo sachanifu es ha'aretz (Bamidbar 35:33). Those authorities who do not count chanufah as one of the 613 mitzvos still agree with the prohibitions that we will describe, but instead categorize its violation under one of the other mitzvos of the Torah.

Why is chanufah prohibited? Chanufah is prohibited for several reasons. Firstly, we are supposed to encourage people to do Hashem's Will, and to discourage them from violating His wishes and instructions. Chanufah does the opposite: it causes the offender to continue his malevolent ways, and dissipates his interest and

enthusiasm to do teshuvah. Thus, it harms the sinner even more than anyone else. In addition, chanufah encourages other people to respect and emulate the evildoer's nefarious deeds. Furthermore, by providing inappropriate value to the misdeed, it also causes chillul Hashem, desecrating Hashem's Holy Name. Someone who flatters an evildoer demonstrates that he is more concerned not to offend the sinner than he is about being disrespectful to Hashem, which is an even bigger chillul Hashem (Tosafos, Sotah 41b s.v. oso).

Distorting the Torah There is yet another reason why chanufah is prohibited: because it falsifies the Torah (Shu't Igros Moshe, Orach Chayim 2:51). The mehanef has told the sinner that what is prohibited is permitted, which, in itself, is a very severe transgression. The Maharshal (Yam shel Shlomoh, Bava Kama 4:9) proves that to falsify or distort the Torah is a sin of the level of yeihareig ve'al ya'avov, for which one is required to give up his life rather than violate – which means that it is more serious than is transgressing almost any of the other mitzvos, and it is certainly more serious than desecrating Shabbos or consuming non-kosher food. Falsifying the Torah is equivalent to denying the entire Torah, which is why one is required to sacrifice one's life, rather than misrepresent a Torah truth. Thus, the most extreme situation of chanufah, in which one tells a wrongdoer that it is permitted to violate the Torah, includes the serious prohibitions of chillul Hashem and denying the authenticity of the entire Torah.

The Story of Agrippas To demonstrate how serious this prohibition is, the Gemara shares with us the following narrative: King Agrippas (who reigned towards the end of the Second Beis Hamikdash) was an excellent ruler, highly respectful of the Gedolei Torah of his era and committed to the observance and spreading of Torah and mitzvos. Notwithstanding his many good qualities, calling himself "King" over the Jewish people violated halachah, since he was descended from gentile slaves, and the Torah states, lo suchal laseis alecha ish nachri asher lo achicha hu, "You may not place over yourselves a gentile who is not your brother" (Devarim 17:15). Agrippas realized that he was not permitted to be king, for when he observed the hakheil ceremony in the Beis Hamikdash on Chol Hamoed Sukkos (see Devarim 31:10-13 and Mishnah, Sotah 41a), he stood to read the Torah rather than sitting, since the latter is permitted only for kings who are descendants of David Hamelech. When Agrippas reached the words of the Torah where it prohibits appointing a king unless he is native Jewish, his eyes began to tear, for he realized that he, himself, was ruling in violation of this law. At that moment, the Sages present told him, "Don't worry, Agrippas. You are our brother," thus approving his reign, in violation of the Torah. The Gemara (Sotah 41b) says that the leaders of the Jews should have been destroyed for violating chanufah; at that moment, many catastrophic occurrences befell the Jewish people and many lives were lost. Granted that Agrippas was concerned about Torah and mitzvos, but the halachah still forbade him from being king. Although, under the circumstances, the Sages were in no position to admonish him, it was forbidden for them to encourage his misdeed. Instead, they should have remained silent (Tosafos, Sotah 41b s.v. oso), which would have been understood as a respectful disapproval. Some authorities rule that one must endanger oneself rather than violate chanufah (Shaarei Teshuvah, 3:188), whereas others contend that this is not required. According to the second approach, chanufah should not be treated more seriously than Shabbos, kashrus and most other Torah laws that are superseded in a situation of risk to one's life (see Tosafos, Sotah 41b s.v. kol). Those that disagree understand that chanufah, which includes denying the authenticity of the entire Torah, merits this level of serious consideration (see Igros Moshe).

Levels of Chanufah Although the most obvious instance of chanufah is telling an evildoer that he has done nothing wrong, any action that encourages sinful deeds is included under the general heading of chanufah. Rabbeinu Yonah, in his monumental work Shaarei Teshuvah (3:187-199), explains that there are nine levels of chanufah. The highest level is, of course, telling an evildoer that his performing a sin is acceptable. The other categories are all instances where the mehanef does not praise the sin itself, but lessens the gravity of the sin in an indirect way. Let us see how this manifests itself.

Praising publicly Providing honor to a malefactor violates chanufah, even when the mehanef says nothing that justifies the wrongdoer's misdeeds. Although, in this instance, the mehanef did not overtly encourage or condone the misdeed, praising a sinner as a "good person" implies that the sin is acceptable, which is chanufah. For example, Shimon, the President of the Yeshivah, decides that the Yeshiva must make Mr. Wealthy, whose fortune was made in very scandalous ways, the Guest of Honor at its annual dinner, since Mr. Wealthy's contacts can certainly help the Yeshivah. Some contemporary authors (Lereiacha Kamocha, Volume 1, Page 102) contend that one violates the prohibition of chanufah even when the person who sinned is unaware that what he is doing is wrong: for example, he is completely uneducated in Judaism. Notwithstanding the fact that we should try to influence this individual to become committed to Torah and mitzvos,

we may not praise him for his exceptional qualities, according to these opinions, when he is currently a sinner.

Complimenting the sinner The third category is someone who praises the evildoer in private, although he is careful not to praise the offender in the presence of other people, so that they are not influenced by his wicked ways. For example, Levi knows that it is chanufah to introduce Mr. Scoundrel publicly as a superior individual, and therefore he is careful not to praise Scoundrel publicly. However, in private, Levi tells Scoundrel what a great guy he is. This is also chanufah, because the sinner, hearing the flattery, feels no motivation to repent; after all, even Levi thinks he is righteous. The wrongdoer fails to comprehend that he needs to reevaluate his priorities and his deeds, and this error was encouraged by the mehanef.

Failure to protest Rabbeinu Yonah lists several other categories of chanufah, most of which we will touch on briefly. For example: Someone who is in a position to protest a misdeed and fails to do so. Here, the chanufah is passive, rather than active, yet we see clearly why the lack of protest encourages sin. Those who were aware of the Nazis' crimes and failed to protest or chose to hide the information are prime examples of mehanefim. Example: A group that calls itself Jewish is backing an initiative that is completely against what Torah stands for. If Rav Naftali fails to protest that this is not Judaism, his idleness or apathy constitutes chanufah.

Refraining from admonishing The halachah requires us to rebuke people whom we see doing something wrong, which is the mitzvah called tochachah, as long as it is possible that the wrongdoer may listen. One type of chanufah is when someone refrains from reprimanding evildoers when he has the opportunity to do so.

Rules of tochachah The halachah is that someone who is reproving someone for sinful actions must do so in a way that shows that he truly cares about the offender. The Rambam (Hilchos Dei'os 6:7) writes that he should explain that he is helping the offender earn a greater share in olam haba. "One who sees his friend sinning or following a lifestyle that is not good has a mitzvah to influence him to return to the proper way and to inform him that he is harming himself. . . The one who rebukes must do so privately and in a pleasant manner and soft voice." Gad is aware that his next-door neighbor is not as observant as he should be. Gad realizes, that to be successful in bringing the neighbor back to Yiddishkeit, he must show that he sincerely cares about his neighbor. Once the neighbor feels that Gad truly cares about him, the neighbor sees the beauty of a frum lifestyle. At this point, Gad can explain to his neighbor how beneficial it is for him to observe mitzvos.

Tochachah that will be ignored However, the halachah is that when it is clear that a sinner will ignore reproof, one should not attempt to admonish him, as it says in Mishlei (9, 8): Do not rebuke a scoffer lest he come to hate you; rebuke a wise man and he will love you. To quote the Gemara, Just as it is a mitzvah to say something that will be heeded, it is a mitzvah to refrain from saying something that will be disregarded (Yevamos 65b).

Remaining present Another type of chanufah is someone who remains present while evildoers sin. For example, Asher is sitting with a group of people who are spreading gossip, speaking loshon hora, using foul language; or, the group includes scoffers who deride Torah and mitzvos. Asher knows that this group will not listen to his admonition, so there is no mitzvah of tochachah. Asher wants to know whether he may remain sitting among them. The answer is that it is prohibited to remain in their presence, because this implies that he agrees with and accepts their behavior. Staying with them encourages the sinners to continue their nefarious activities; they rally support for their evil ways from his ongoing presence. Granted that it may be counterproductive to admonish them, Asher may not remain with them and must "express" his disapproval by removing himself.

Honoring when inappropriate Still another category of chanufah is someone who is careful not to speak in a flattering way of a wrongdoer, but, in order to maintain peace, he treats the wicked person respectfully, the way one treats a wealthy individual, because of his financial success. Although there is a halachic source that one should honor the wealthy (Eruvin 86a), one may not honor the wicked. After mentioning this category of chanufah, Rabbeinu Yonah limits its application. When the wicked person is in a position of authority, one may demonstrate respect to him in the way that people honor powerful people, out of fear. However, although one may act respectfully, one may not praise the wicked person. Treating him with respect is permitted, since everyone realizes that the evildoer is being treated with honor only because circumstances require it. This is the reason for the statement of the Gemara: it is permitted to flatter evildoers in this world (Sotah 41b). Other authorities offer a different reason for this Gemara, contending that one may flatter this malefactor only because not doing so could be dangerous (Shu't Igros Moshe, Orach Chayim 2:51). Therefore, if Yissachar finds himself in a position where he must lobby a highly influential Jew who has distanced himself from his people, Yissachar must be careful to know exactly what he may say and what he may not.

An inappropriate appointment One of Rabbeinu Yonah's categories requires some explanation, since it does not fit the use of the word flattery, but fits well our definition of chanufah as misrepresenting or falsifying Torah. Rabbeinu Yonah explains that, when a highly-respected personality acts because of his own self-interest and appoints someone to a rabbinic position for which the appointee is not competent, this appointment meets the criteria for chanufah. Rabbeinu Yonah says that this misrepresents a Torah value, because the appointment causes people to trust the appointee in a way that is unwarranted or to rely on his ability to rule on halachah. The result is a hindrance to proper Torah observance, social needs and the judicial system. Therefore, if Rabbi Dan appoints his son to a rabbinic position for which the son is not qualified, this constitutes chanufah. All of these qualify as chanufah because the result is a misrepresentation of the real essence of Torah.

At this point, I would like to address the last of the questions asked above. "Chani asks: 'An old classmate of mine unfortunately has fallen far from Yiddishkeit, and I believe that I am the only frum friend with whom she still keeps contact. Tragically, she recently became engaged to a non-Jew, and she desperately wants me to attend the engagement party. She knows that I do not approve of this relationship. May I attend, because I am concerned that, should I not show up, she will cut off her last contact with anything Jewish?'" Chani may not attend the party, since this is clearly endorsing the engagement and allowing the classmate to delude herself into thinking that what she is doing is not that bad.

Rav Moshe's teshuvah Having explained the rules of chanufah as explained by Rabbeinu Yonah, I will present a responsum of Rav Moshe Feinstein (Shu't Igros Moshe, Orach Chayim 2:51) on the topic. The question pertained to a Jewish community that had received much benefit, both communally and individually, from a Jewish physician who was married to a gentile woman. The community had never given the physician an aliyah to the Torah or any other honor, but the rabbi of the community felt that it would be beneficial to honor the physician with opening and closing the aron kodesh. Rav Moshe notes that, although there are halachic issues involved in giving an aliyah to someone who does not observe Torah, there is no inherent halachic problem with having him open or close the aron kodesh. However, there is a potential halachic issue with whether giving a sinner this honor violates the prohibition against chanufah. Since the individual involved is flagrantly and publicly violating a basic aspect of Torah, honoring him in any way might violate the Torah. Rav Moshe contends that, from the Gemara's cases of chanufah, we see that the prohibition of chanufah includes only stating that something is permitted when it indeed is forbidden (category #1) or praising an evildoer excessively (see above categories #2 and #3). However, to praise an evildoer for the chesed he performs for the community is permitted. Rav Moshe even permits exaggerating a bit what this individual does in order to assure his future help and cooperation. As a result, he rules that one may honor the intermarried physician with opening the aron kodesh, since this does not imply that we are accepting his objectionable lifestyle.

Conclusion Many people feel that complimenting someone for what they have done is polite. We now realize that praising people is not always permissible, and that honoring someone may also not be the correct thing to do. Obviously, questions as to specific applications of this halachah should be referred to a posek.