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OU Torah Miles to Go Before I Sleep Britain's Former Chief Rabbi Lord Jonathan Sacks Miles to Go Before I Sleep

Etre ailleurs, "To be elsewhere – the great vice of this race, its great and secret virtue, the great vocation of this people." So wrote the French poet and essayist Charles Peguy (1873-1914), a philosemite in an age of Anti-Semitism. He continued: "Any crossing for them means the crossing of the desert. The most comfortable houses, the best built from stones as big as the temple pillars, the most real of real estate, the most overwhelming of apartment houses will never mean more to them than a tent in the desert." [1]

What he meant was that history and destiny had combined to make Jews aware of the temporariness of any dwelling outside the Holy Land. To be a Jew is to be on a journey. That is how the Jewish story began when Abraham first heard the words "Lech Lecha", with their call to leave where he was and travel "to the land I will show you." That is how it began again in the days of Moses, when the family had become a people. And that is the point almost endlessly repeated in parshat Masei: "They set out from X and camped at Y. They set out from Y and camped at Z" – 42 stages in a journey of forty years. We are the people who travel. We are the people who do not stand still. We are the people for whom time itself is a journey through the wilderness in search of the Promised Land.

In one sense this is a theme familiar from the world of myth. In many cultures, stories are told about the journey of the hero. Otto Rank, one of Freud's most brilliant colleagues, wrote about it. So did Joseph Campbell, a

Jungian, in his book, *The Hero with a Thousand Faces*. Nonetheless, the Jewish story is different in significant ways:

[1] The journey – set out in the books of Shemot and Bamidbar – is undertaken by everyone, the entire people: men, women and children. It is as if, in Judaism, we are all heroes, or at least all summoned to an heroic challenge.

[2] It takes longer than a single generation. Perhaps, had the spies not demoralised the nation with their report, it might have taken only a short while. But there is a deeper and more universal truth here. The move from slavery to the responsibilities of freedom takes time. People do not change overnight. Therefore evolution succeeds; revolution fails. The Jewish journey began before we were born and it is our responsibility to hand it on to those who will continue it after us.

[3] In myth, the hero usually encounters a major trial: an adversary, a dragon, a dark force. He (it is usually a he) may even die and be resurrected. As Campbell puts it: "A hero ventures forth from the world of common day into a region of supernatural wonder: fabulous forces are there encountered and a decisive victory is won: the hero comes back from this mysterious adventure with the power to bestow boons on his fellow man." [2] The Jewish story is different. The adversary the Israelites encounter is themselves: their fears, their weaknesses, their constant urge to return and regress.

It seems to me, here as so often elsewhere, that the Torah is not myth but anti-myth, a deliberate insistence on removing the magical elements from the story and focussing relentlessly on the human drama of courage versus fear, hope versus despair, and the call, not to some larger-than-life hero but to all-of-us-together, given strength by our ties to our people's past and the bonds between us in the present. The Torah is not some fabled escape from reality but reality itself, seen as a journey we must all undertake, each with our own strengths and contributions to our people and to humanity.

We are all on a journey. And we must all rest from time to time. That dialectic between setting out and encamping, walking and standing still, is part of the rhythm of Jewish life. There is a time for Nitzavim, standing, and a time for Vayelekh, moving on. Rav Kook spoke of the two symbols in Bilaam's blessing, "How goodly are your tents, Jacob, and your dwelling places, Israel." Tents are for people on a journey. Dwelling places are for people who have found home.

Psalm 1 uses two symbols of the righteous individual. On the one hand he or she is on the way, while the wicked begin by walking, then transition to standing and sitting. On the other hand, the righteous is compared to a tree, planted by streams of water, that gives fruit in due season and whose leaves do not wither. We walk, but we also stand still. We are on a journey but we are also rooted like a tree.

In life, there are journeys and encampments. Without the encampments, we suffer burnout. Without the journey, we do not grow. And life is growth. There is no way to avoid challenge and change. The late Rav Aharon Lichtenstein zt"l once gave a beautiful shiur [3] on Robert Frost's poem, 'Stopping by Woods on a Snowy Evening,' with its closing verse:
The woods are lovely dark and deep.

But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

He analyses the poem in terms of Kierkegaard's distinction between the aesthetic and ethical dimensions of life. The poet is enchanted by the aesthetic beauty of the scene, the soft silence of the falling snow, the dark dignity of the tall trees. He would love to stay here in this timeless moment, this eternity-in-an-hour. But he knows that life has an ethical dimension also, and this demands action, not just contemplation. He has promises to keep; he has duties toward the world. So he must walk on despite his tiredness. He has miles to go before he sleeps: he has work to do while the breath of life is within him.

The poet has stopped briefly to enjoy the dark wood and falling snow. He has encamped. But now, like the Israelites in Masei, he must set out again. For us as Jews, as for Kierkegaard the theologian and Robert Frost the poet, ethics takes priority over aesthetics. Yes, there are moments when we should, indeed must, pause to see the beauty of the world, but then we must move on, for we have promises to keep, including the promises to ourselves and to God.

Hence the life-changing idea: life is a journey, not a destination. We should never stand still. Instead we should constantly set ourselves new challenges that take us out of our comfort zone. Life is growth. [1] Charles Peguy, *Basic Verities*, New York, Pantheon, 1943, 141. [2] Joseph Campbell, *The Hero with a Thousand Faces*, New World Library, 2008, 23. [3]

<http://etzion.org.il/en/woods-are-lovely-dark-and-deep-reading-poem-robert-frost>

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In My Opinion :: THREE WEEKS Rabbi Wein's Weekly Blog

According to Ashkenazic custom, the period beginning on the fast of the 17th of Tamuz and ending after the fast day of the ninth day of Av is the longest slice of time dedicated to remembering any historical event having occurred to the Jewish people on the Jewish calendar.

In the general world such days and commemorations are usually limited to one day such as a Memorial Day commemoration. But to have this period of time of mourning and reflection stretched into weeks is a particularly Jewish phenomenon. One of the reasons that such a considerable period has been set aside for sad remembrance is that mourning and self reflection are processes that build themselves on a cumulative basis.

Our emotions and mindset require time to be able to understand and respond to tragedies, both personal and national. If the fast day of the ninth day of Av would arrive without preparation and introduction, it could very well be deemed only a formality and become an insignificant day on the Jewish calendar. It is the buildup that allows for a true assessment of the events in the history of the day itself.

These three weeks that lead to the commemoration and fast day of the ninth of Av are necessary in order that that special day carry with it significance and historical meaning. Almost two millennia have passed since the events of that day of the destruction of Jerusalem and of the holy Temple in the year 70 CE. The fact that that they have been remembered and commemorated over such a long period of time is testimony to the power of the ritual and observance that this three-week period imposes upon Jewish life.

It is interesting to note that the apparent discomfort that this period imposes upon us is relatively of minor consequence. Even the restrictions regarding eating meat and drinking wine during the days immediately preceding the fast of the ninth of Av are of relatively little discomfort to us. Fish restaurants look forward an entire year to these days. Yet, all the restrictions of the three weeks that precede the fast day of the ninth of Av do have a spiritual and emotional effect upon us, even if only subliminally.

Somehow over the centuries and through the dark and abysmal nights of Jewish history, this time of remembrance kept the memory of Zion and Jerusalem, of the holy Temple and of Jewish sovereignty alive and real. Today's State of Israel is a product of this three-week period. There have been many twists and turns in the Jewish story over the past millennia. However, the one constant has been the fact that the Jewish people instinctively realize that wherever they live in the world and no matter how successful and peaceful their sojourn might be, they are not really at home. Home is our ancient land promised to us by Heaven and struggled for by Jews over all of the ages.

There are those who say that since we have been privileged to regain Jewish sovereignty in the land of Israel and that Jerusalem is now a large, modern and inhabited city, there is little reason for us to preserve the observances that the three-week period preceding the fast day of the ninth of Av has imposed upon us. In my opinion this would be a classic example of throwing the baby out with the bathwater. It is only because of the three-week period that we can appreciate the gift that Heaven has bestowed upon our time, in restoring the Jewish people to their homeland and to national sovereignty.

Without perspective, nothing in life can truly be appreciated. Generations now born, 70 years after the founding of the state of Israel and 50 years after the liberation of Jerusalem, really have no background to judge the wonders that have occurred and continue to occur. This three-week period before the fast day of the ninth of Av allows us to frame the events of our time and our current situation. It gives us a sense of gratitude and understanding instead of just relying upon sometimes vapid patriotism and formal staged commemorations. The ninth of Av will yet be a day of joy and feasting when Jewish history has finally completed its long journey. Shabbat shalom Berel Wein

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ravkooktorah.org Rav Kook Torah Matot: Atonement for the Soldiers

God commanded Moses to attack Midian after their devastating scheme against the Israelites. The Midianites had used their daughters to lure the Israelite men into worshipping the licentious idolatry of Peor, resulting in Divine anger and a terrible plague. The war against Midian was a remarkable success: not a single soldier fell. After the battle, the generals and captains approached Moses:

“We wish to bring an offering to God. Every man who found a gold article — an anklet, bracelet, ring, earring, body ornament — to atone for our souls before God.” (Num. 31:50) The officers had followed God’s command, waging war against Midian. Why did they feel a need for atonement?

The Sin of the Soldiers The Sages explained that the soldiers committed no actual sins; but they were not free of improper thoughts. Rabbi Ishmael expressed this idea with a curious phrase, saying that “their eyes feasted on the immodest sights” (Shabbat 64a-b). When the soul’s innate sense of purity is strong and healthy, it will not absorb degrading, inappropriate sights. Such visual stimuli are inconsistent with the soul’s overall makeup and will be promptly rejected. If, on the other hand, the soul has failed to retain its pristine purity, it will lack an orderly defense against defiling images. Improper sights will have a negative impact on a person’s emotional and imaginative faculties. They generate confusion and turmoil within the soul. Rabbi Ishmael described this phenomenon as a ‘feast’ of the eyes. When we feast and derive benefit from something, that points to a natural connection between us and that object. The soldiers were not immune to the sights of Midian. The images of the Midianite women and their ostentatious ornaments found a place in their souls, and “their eyes feasted on the immodest sights.” True, the soldiers did not act upon these stimuli. But the very fact that they found them alluring was a sign that the soldiers needed atonement and spiritual cleansing. As the officers announced, they wished to “atone for our souls before God.”

Superficial Attraction The gold ornaments were an apt metaphor for the corrupting deception that confronted the soldiers in Midian. The Sages wrote that the ornaments were fashioned into lewd shapes. The golden pieces of jewelry lured the eye with their dazzling exterior of glittering beauty. Their influence was a function of the magnetism of their superficial attraction. On the inside, however, their true essence was, as before, crude and repulsive. (Adapted from Ein Eyah vol. IV, pp. 114-116)

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From the teachings of the Rosh Yeshiva
Ha-Rav Shlomo Aviner Shlit"a

Rav Shlomo Aviner Shlit"a

Ha-Rav answers hundreds of text message questions a day. Here's a sample:

Killing a Snake on Shabbat Q: If a snake which is known to bite is endangering people on Shabbat, is it permissible to kill him? A: Yes. Even if he is still far away and not chasing after a person, and even if the snake is fleeing. Shemirat Shabbat Ke-Hilchata 25:1. See details in Piskei Teshuvot 316:12.

Tzedakah Preference Q: To which organization is it preferable to give Tzedakah: one in Israel where they try to stop women from having abortions, or a local organization that assists couples with fertility treatment? A: 1. Both are good. 2. Preventing a transgression comes before performing a Mitzvah. 3. Giving Tzedakah in Eretz Yisrael takes precedence.

Precedence to Cohain Q: If someone borrowed money from both a Cohain and a Yisrael, should he first return the money to the Cohain? Or, if he stole money from a Cohain and a Yisrael, should he first return the money to the Cohain? A: We do not find that a Cohain takes precedence in these matters (see Shut Ha-Shoel 1:93-94).

Arabs – Philistines Q: How should Tzahal react to the Arabs in Gaza who are sending kites to burn our fields and produce? A: Just as King David did when the Philistines pillaged our threshing-floors: he smited them. Shmuel 1 23:1.

Struggling with Soldiers Q: Is it permissible to struggle with soldiers during an expulsion of a Yishuv or outpost? A: G-d forbid. It is a severe Torah prohibition.

Hating Police and Soldiers Q: Our son was at an expulsion of Jews from their homes, and he called police, officers and soldiers "Haters of Hashem". How do we help him to love them? A: They have a Divine, Jewish soul. Tanya, chapter 32.

Being Pushed by a Female Officer Q: A female officer pushed me during an expulsion from Jewish homes. Is it permissible for me to push her back, or it is forbidden on account of the prohibition of Negi'ah (touching the opposite sex)? A: If you are asking this question you need to find a G-d-fearing psychologist.

Blocking Roads Q: Is it proper to block roads as a protest against the destruction of Yishuvim? A: Not if there is no permit from the police. Are the drivers guilty?

Destroying Yishuvim Q: It is horrible that the government is destroying Yishuvim and expelling tens of Jewish families from their homes. How can we be comforted? A: This is truly horrible. But we should be comforted by the fact that they did not expelled 400,000 Jews from Judea and Samaria.

"Women of the Wall" Q: When the "Women of the Wall" push and shove me, what should I do as a woman? A: Nothing. Do not stoop to their level.

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5773

Where's the Beef? - **Eating Meat During the Nine Days**

by **Rabbi Yirmiyohu Kaganoff**

Question #1: "A frum person invited me to a fleishig sheva berachos during the first days of Av. Can he make a sheva berachos and serve meat during this week? May I eat meat there?"

Question #2: "I am traveling during the Nine Days, and the airline serves me a fleishig meal. May I eat it?"

Question #3: "What should I do if I make a beracha on meat and then realize that it is the Nine Days and that I may not eat it?"

FIRST, SOME BACKGROUND

The Mishnah (Taanis 26b) teaches that mishenichnas Av mema'atim b'simcha, when Av enters, we decrease our happiness. Although the Mishnah does not specify what this entails, the Gemara (Yevamos 43a, as interpreted by Tur Orach Chayim 551; cf. Rashi ad loc.) mentions four activities that are banned:

1. We should decrease business activities.
2. We refrain from construction and planting that are intended for joyous reasons (Yerushalmi Taanis, cited by Tosafos, Yevamos 43a s.v. Milisa).
3. We do not conduct weddings.
4. We do not make a festive meal to celebrate an engagement.

It should be noted that the Mishnah and the Gemara say nothing about not eating meat or drinking wine during the Nine Days. We will discuss the origin of this minhag, shortly.

DIFFERENT WEDDING PRACTICES

The Rama (Darchei Moshe 551:5 and Hagahos 551:2) reports that Ashkenazim do not make weddings during the entire Three Weeks, a practice that has also become accepted by most Sefardic communities (Ben Ish Chai, Parshas Devorim #4; Knesses Hagedolah). However, many Sefardic communities permit making a wedding until Rosh Chodesh Av, and other communities permit making a wedding even after Rosh Chodesh, if the choson has no children yet (Shu"t Yabia Omer 6:Orach Chaim #43). Sdei Chemed (Vol. 5, pg. 279 #14) reports that, before he moved to the Crimea, he assumed that Sefardim do not conduct weddings during the entire Three Weeks, but he discovered written records of the Crimean Jewish community verifying that they conducted weddings until Rosh Chodesh.

We now understand part of our first question: I was invited by a frum person to a fleishig sheva berachos during the Nine Days. How could this be? The answer is that the people getting married are members of a Sefardic community, where weddings are conducted even during the Three Weeks, and possibly even during the Nine Days.

MAY I EAT MEAT?

Now the question is: If I am an Ashkenazi, may I eat meat at this sheva berachos?

Let us first explain why we refrain from eating meat during the Nine Days.

As noted above, refraining from eating meat and drinking wine during the Nine Days is not mentioned in either the Mishnah or the Gemara. The Gemara prohibits eating meat and drinking wine only on the day before Tisha B'Av at the last meal before the fast, the seudah hamafsek.

However, Ashkenazim abstain from meat and wine from Rosh Chodesh. Many Sefardim permit eating meat on Rosh Chodesh itself and refrain from the second of Av. This is the prevalent minhag of the Sefardim in Yerushalayim (Kaf Hachayim 551:126). They permit eating meat on Rosh Chodesh because this meal is considered a seudas mitzvah (Shulchan Aruch, Orach Chayim Chapter 419). The fact that a Rosh Chodesh meal is considered a seudas mitzvah is the reason why people serve special treats at the meals served every Rosh Chodesh. (I have written an article on that subject, entitled A Special Shabbos Meal on Rosh Chodesh, which is available on RabbiKaganoff.com or by return e-mail.)

Other Sefardic poskim permit eating meat until the Motza'ei Shabbos before Tisha B'Av (Shulchan Aruch 551:9).

HOW BINDING IS THIS MINHAG?

Early Ashkenazic poskim rule that someone who ignores the minhag and eats meat or drinks wine from Rosh Chodesh Av violates the prohibition of al titosh toras imecha, "do not forsake the law of your mother" (Mordechai, Taanis #639). The "law of your mother" means minhagim that we, the Jewish People, have accepted upon ourselves, even if Chazal never forbade

them (see Berachos 36b). Following these customs is halachically compulsory.

In addition, some poskim rule that a person who eats meat or drinks wine during the Nine Days violates a Torah law, since Ashkenazim have accepted this custom as a vow (Aruch Hashulchan 551:23).

Let us stop for a moment and consider. I understand that we are mourning the destruction of the Beis Hamikdash, and that is why we decrease our celebration. But, why does that prohibit us from eating meat and drinking wine? Even someone in mourning for a close relative is permitted to eat meat and drink wine (after the funeral when he is no longer an onein).

This is a very good question. Indeed, the halachos of mourning do not prohibit a mourner from eating meat or drinking wine. But there is a difference. We refrain from meat and wine during the Nine Days to remind us of the destruction of the Beis Hamikdash, where Hashem was served by offering korbanos of meat and wine (Aruch Hashulchan 551:23).

Another reason is that, by forgoing meat and wine, we make certain to remember the loss of the Beis Hamikdash (Tur, Orach Chayim 552). A mourner will certainly not forget his loss during the shivah week; therefore, he has no need of such a reminder.

In addition, refraining from eating meat and drinking wine ensures that one maintains the atmosphere appropriate to these days (see Mishnah Berurah 551:57,65). A mourner does not need this guarantee, since his loss is so recent.

MAY WE DRINK BEER?

May we drink beer and other intoxicating beverages during the Nine Days? This is a good question, since, although these drinks provide simcha, they were not offered in the Beis Hamikdash. Thus, whether we may drink them during the Nine Days seems to depend on the different reasons mentioned above. The halachic conclusion is that we may drink them even though they provide simcha. Since these items are not offered in the Beis Hamikdash, no minhag was ever established to refrain from drinking them during the Nine Days (Rama 511:11).

SEUDAS MITZVAH

Although an Ashkenazi must be very careful to observe the practices of the Nine Days, such as refraining from meat and wine, there are situations in which he is allowed to do so. For example, one may eat meat at a seudas mitzvah, such as the Shabbos meals, a bris, a pidyon haben, or a siyum (Rama 551:10).

Why is it permitted to eat meat and drink wine at a seudas mitzvah?

When Jews adopted the minhag to refrain from meat and wine during the Nine days, the minhag included that a seudas mitzvah should still take place, even though it is a period of mourning. These celebrations are incomplete if performed without meat and wine. Thus, the minhag was to exclude such events from these abstentions (Aruch Hashulchan 551:26).

Incidentally, one sees from these sources that a bris should be celebrated with a fleishig meal, because if not, why are allowances made to eat meat at a seudas bris during the Nine Days? This implies that the seudas bris is incomplete without meat.

WHO MAY ATTEND A SEUDAS MITZVAH?

Anyone may attend a seudas mitzvah conducted during the Nine Days. However, not everyone who attends is necessarily permitted to eat meat and drink wine.

People who would usually attend the seudah, no matter when it is conducted, may join and eat meat. Other people, who might have chosen not to attend the whole year round, may attend during the Nine Days, but may not eat meat or drink wine (Rama and Taz 551:10). It seems that a sheva berachos held during the Nine Days (see our original question) follows the same guidelines. Thus, if you are invited to the sheva berachos, you may attend and eat meat, unless it is a sheva berachos you would normally not attend.

If the seudas mitzvah occurs during the week of Tisha B'Av, the rules are more restrictive. Only a minyan of people may eat meat and drink wine,

while the rest should eat pareve. In the case of a bris, most poskim rule that the minyan permitted to eat meat does not include the mohel, the sandak and family members (Taz; Mishnah Berurah). According to this view, one will prepare meat meals for the family members, the mohel, the sandak, plus an additional minyan, and everyone else will be served a pareve meal. The minyan served a fleishig meal can be made up of men or women, or a combination thereof.

Some poskim contend that only ten people are permitted to eat fleishig (Magen Avraham). According to this approach, one prepares exactly ten fleishig meals and serves them to whoever one chooses. Everyone else eats pareve.

AT WHAT TYPE OF SIYUM MAY ONE EAT MEAT?

One may serve meat at a siyum where the completion of the learning coincides with the Nine Days and where one would usually serve a festive fleishig meal. One should not deliberately rush or slow down the learning in order to have a fleishig siyum during the Nine Days (Elyah Rabbah 551:26; Mishnah Berurah 551:73; Aruch Hashulchan 551:28). However, it is permitted to deliberately schedule a seder of learning in advance so that its siyum falls during the Nine Days, if this will encourage more Torah learning (Aruch Hashulchan 551:28). Some poskim record that they deliberately delayed siyumim that fell during the Nine Days in order to celebrate them after Tisha B'Av (Aruch Hashulchan 551:28).

WHAT ABOUT THE SHABBOS LEFTOVERS?

Many poskim contend that, in order to encourage the proper celebration of a seudas mitzvah, the meat leftovers may be eaten even afterwards (Birkei Yosef 551:6). According to these poskim, one may eat the fleishig Shabbos leftovers during the following week. However, the prevalent practice is to eat meat only at the seudas mitzvah itself (Elyah Rabbah 551:26; Mishnah Berurah 551:73) and not to eat the meat leftovers until after the Nine Days (Igros Moshe, Orach Chayim 4:21:4).

MAY ONE EAT FOOD CONTAINING FLEISHIGS THAT ARE NO LONGER IDENTIFIABLE AS FLEISHIG?

Some poskim contend that, since the reason we refrain from meat and wine is to remember the Beis Hamikdash, this rationale does not apply to eating something that has a taste of meat, but no recognizable pieces of meat or fat (Aruch Hashulchan 551:24). However, others contend that one may not eat soup made with meat or chicken. However, it is permitted to eat food cooked in a fleishig pot that contains only pareve ingredients (Mishnah Berurah 511:63).

The same dispute applies to foods that include wine as an ingredient, as long as the wine itself is not discernable in the end product. It is also permitted to use wine vinegar as a cooking or salad ingredient, since a person does not feel simcha when eating or drinking vinegar (Rama 551:9 and Mishnah Berurah).

IS IT PERMITTED TO FEED MEAT TO CHILDREN ON EREV SHABBOS CHAZON?

In general, it is not permitted to feed children meat during the Nine Days, including erev Shabbos, unless the child is weak (Mishnah Berurah 551:70). The poskim dispute whether one may feed meat to a child who is not old enough to understand that we are mourning for the Beis Hamikdash. Dagul Meirevavah and Mishnah Berurah 551:70 rule that one may not, whereas Magen Avraham 551:31 permits it.

May one serve young children their Friday evening meal before Shabbos? Is this considered serving a Shabbos meal, in which case it may be fleishig?

Rav Moshe Feinstein ruled that children who are fed their Shabbos evening meal before the rest of the family has accepted Shabbos, because the regular Shabbos meal is served too late for them, may eat meat because this is their Shabbos meal (Igros Moshe, Orach Chayim 4:21:4). However, one may not serve them fleishigs on Friday afternoon, if it is not their Shabbos meal.

MAY ONE TASTE THE FLEISHIG FOOD ON EREV SHABBOS CHAZON?

In general, it is a mitzvah of kavod Shabbos to sample the food being cooked for Shabbos to make sure that it tastes good (Magen Avraham 250:1, quoting the Ari za"l). On Erev Shabbos during the Nine Days, one may also taste the food, since this is considered part of the seudas mitzvah. However, one should try not to swallow food containing meat (Shemiras Shabbos Kehilchasah 42:61).

DO I MAKE A BERACHA WHEN TASTING THE FOOD?

In general, one does not recite a beracha when tasting a small amount of food, unless one swallows it (Shulchan Aruch, Orach Chayim 210:2).

UPON WHAT BEVERAGE DOES ONE RECITE HAVDALAH DURING THE NINE DAYS?

According to the Shulchan Aruch (551:10), an adult may drink the cup of havdalah wine, since it is a mitzvah. In his opinion, any mitzvah is excluded from the custom of refraining from meat and wine during the Nine Days. The Rama disagrees, ruling that one should give the wine to a child to drink. If no child is available, one drinks the wine himself.

The Rama's position's here is a bit complicated. If the child is too young to understand that we recite a beracha before drinking, then the beracha on the wine will be a beracha levatalah (in vain), unless the adult drinks the wine. Thus, giving the wine to a child to drink accomplishes nothing. On the other hand, if the child is old enough to understand that we are in mourning over the destruction of the Beis Hamikdash, there is no advantage in having him drink the cup, rather than an adult. Thus, the Rama must be referring to a child old enough to understand why we recite berachos, and yet young enough not to understand that we are mourning the destruction of the Beis Hamikdash (Mishnah Berurah 551:70). The poskim dispute exactly what age this is. (For a listing of different opinions, see Piskei Tshuvos pg. 87 fn. 179.) Since the matter is unclear, many poskim advise that an adult drink the havdalah wine.

Other poskim recommend drinking beer for havdalah during the Nine Days (Aruch Hashulchan 551:26). However, the consensus of poskim is that this is not necessary, and that one may recite havdalah over wine or grape juice. Since many poskim are hesitant about fulfilling the mitzvah of havdalah with beer today, it is preferable to recite havdalah on grape juice and drink it oneself.

MAY ONE HAVE A FLEISHIG MELAVA MALKA DURING THE NINE DAYS?

Is melava malka, the Saturday night meal that honors the leaving of our guest, the Shabbos, a seudas mitzvah that permits one to eat meat during the Nine Days?

Rav Moshe Feinstein points out that it is a mitzvah to eat meat for melava malka, if one can afford it (Magen Avraham, Chapter 300). Nevertheless, he concludes that one may not eat meat at a melava malka conducted during the Nine Days. Other poskim consider this meal a seudas mitzvah and allow eating meat (Kaf Hachayim 151:144; Chelkas Yaakov 3:21).

Rav Moshe discusses whether someone who always eats meat for melava malka, but will not be eating meat for this meal during the Nine Days, must perform hataras nedarim (disavowal of his vow). Does his practice of eating meat at melava malka constitute a vow that he must observe? Rav Moshe rules that, during the rest of the year, he is indeed required to eat meat for melava malka, since this is a good practice that he began without specifying that he is not accepting it as a vow (in other words, he did not say, "bli neder"). If he chooses to stop the practice, he needs to perform hataras nedarim, disavowal from a beis din, to allow him to stop.

However, Rav Moshe rules that concerning one's melava malka during the Nine Days, one does not need to perform hataras nedarim, since we can assume he was intending to eat meat only when it is permitted to do so (Igros Moshe, Orach Chayim 4:21:4). It seems that those poskim who rule that one may eat meat at one's Nine Days' melava malka would rule that one must perform hataras nedarim if one wishes to refrain from eating meat.

ILLNESS

People who require more protein in their diet than they can get without meat may eat meat during the Nine Days. If poultry will provide their needs, it is better that they eat poultry and refrain from red meat. However, if they must eat beef to provide enough protein, they may do so.

A sick person is permitted to eat meat during the Nine Days. Similarly, someone who has a digestive disorder and can tolerate only poultry may eat poultry during the Nine Days. Also, a woman who is nursing or pregnant and is having difficulty obtaining enough protein in her diet may eat poultry or meat during the Nine Days, with poultry being the preferable protein source, if it will satisfy her protein requirements (Aruch Hashulchan 551:26).

A person who is traveling should refrain from eating meat, as anyone else. However, if, because of his travels, he has nothing to eat and will go hungry, he may eat meat. Thus, someone flying on an airplane who is served a kosher fleishig meal may eat it, if he has nothing else to eat and will otherwise go hungry. However, he should plan in advance to take food along, so that he does not end up in this predicament.

WHAT HAPPENS IF SOMEONE RECITES A BERACHA ON MEAT AND THEN REALIZES THAT IT IS FORBIDDEN TO EAT IT?

A person who recites a beracha on meat and then realizes that it is the Nine Days should eat a little of the meat, so that his beracha is not in vain, a beracha levatalah. Eating a tiny bit does not provide any simcha and therefore does not conflict with mourning (Sdei Chemed 5:278:5 and 368:4). Furthermore, the person is eating the meat only in order to avoid reciting a beracha in vain.

EATING MEAT ON THE TENTH OF AV

Although the Beis Hamikdash was set ablaze on Tisha B'Av, most of the actual conflagration took place on the Tenth of Av. Indeed, the Amora Rabbi Yochanan declared that, had he been alive at the time of the Churban, he would have declared the fast for the Tenth of Av, rather than the Ninth (Taanis 29a). For this reason, Ashkenazim treat the morning of the Tenth of Av, until chatzos, with the stringencies of the Nine Days, whereas Sefardim apply these stringencies to the entire tenth day, until nightfall.

THE REWARD FOR OBSERVING THE NINE DAYS

The Medrash (Medrash Rabbah Shmos 15:21) teaches that Hashem will bring forth ten new creations in the era of Moshiach:

1. He will endow the world with a new light.
2. Hashem will create a spring in Yerushalayim whose waters will heal all illness.
3. He will create trees that will produce new fruits every month that cure disease.
4. All the cities of Eretz Yisrael will be rebuilt, including even Sodom and Amora.
5. Hashem will rebuild Yerushalayim with glowing sapphire stone. It will attract all the nations of the world to come and marvel at the beauty of the city.
6. The cow and the bear will graze together, and their young will play together. (See Yeshaya 11:7). The Rishonim dispute whether this pasuk is meant to be understood literally or as a parable referring to the nations of the Earth.
7. Hashem will make a covenant with all the creatures of the world and banish all weapons and warfare. (See Hoshea 2:20.)
8. There will be no more crying in the city of Yerushalayim.
9. Death will perish forever.
10. Everyone will be joyful, and there will be an end to all sighing and worry. The Kaf Hachayim (551:1) states that everyone who meticulously observes the halachos of the first ten days of Av, thereby demonstrating his personal mourning over the churban of Yerushalayim, will merit to witness these ten miracles. May we all merit to see these miracles speedily and in our days.

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torahweb.org Rabbi Eliakim Koenigsberg Who's at the Center of Your Universe?

In Parshas Matos (31:14), the Torah relates that when Bnei Yisrael returned from battle with the Midianites, Moshe Rabbeinu got angry with the officers of the army for sparing the Midianite women. Later, the posuk says that Elazar informed the soldiers that any utensils captured from the Midianites must first be kashered before using them (31:21). Why wasn't Moshe Rabbeinu the one to instruct the soldiers about the halachos of hechsher keilim? Chazal explain (see Rashi there) that "one who gets angry makes mistakes." When Moshe unnecessarily got angry at the soldiers, he forgot the halachos of hechsher keilim; Elazar therefore had to remind everyone of their details. Similarly, when Moshe got angry at Bnei Yisrael for complaining about the lack of water, that caused him to make the mistake of hitting the rock (Chukas 20:10-11). And when he got angry at Elazar and Isamar after the deaths of Nadav and Avihu, he made a mistake regarding the halachos of eating korbanos. Why does unwarranted anger lead a person to make mistakes? When a person gets angry, he becomes self-absorbed and loses control of himself, and that prevents him from thinking clearly. Such a person will forget his knowledge and make errors in judgement. Chazal comment (Midrash Tanchuma, Bamidbar 1:6) that one who does not make himself "hefker k'midbar" (free and open like a desert) will not be able to truly acquire Torah. In order for a person to reach the truth in his Torah study, he cannot have any personal agenda. He must approach his learning with objectivity and intellectual honesty. Only then will he be willing to accept the truth from anyone and not be tempted to favor his own interpretations. If a person is overtaken by self-interest, his mental vision will become clouded and that will cause him to make mistakes. For the same reason, one who gets angry will stumble because without the proper mental equilibrium, one cannot think clearly and objectively. Chazal take this idea one step further. The Gemara says (Shabbos 105b): One who tears his clothing in anger, or breaks his utensils in anger or scatters his money in anger should be considered in your eyes like one who worships idolatry, because this is the approach of the yetzer hara: today it says, "Do this"; and the next day it says, "Do this," until ultimately it tells him, "Go serve avodah zarah." Said Rav Avin, "Which posuk alludes to this notion? 'You shall not keep a foreign god in your midst (Tehillim 81:10).'" From this statement of Chazal it would seem that one who gets angry is compared to an idolater because if he gives in to his evil inclination and loses his temper today, eventually he will be drawn to serve avodah zarah. But the Zohar (Bereishis 1:26) formulates this idea even more strikingly. It says simply, "Whoever gets angry is like one who serves avodah zarah." This implies that losing one's temper itself is like serving avodah zarah. Why is that? Perhaps the answer is that anger, more than any other negative emotion, demonstrates a lack of spiritual focus. In a fit of anger one can lose himself to the point that he will behave or speak in ways that he will later regret terribly. He simply cannot contain himself. A person who is out of control loses his awareness of Hakadosh Boruch Hu. He submits to the whims and wishes of his yetzer hara, the "foreign god" within himself. That is why he is compared to an idol worshipper. This idea can help clarify another puzzling statement of Chazal. The Gemara (Kesubos 110b) says that one who lives outside of Eretz Yisrael is also considered like an idol worshipper. What does this mean? The Meiri explains that Eretz Yisrael is a place of Torah wisdom and yiras shamayim. It is a wholesome spiritual environment that is conducive to serving Hakadosh Boruch Hu. One who chooses to live in Chutz La'aretz can't help but lose some of the extra "Hashem awareness" that he would have were he to live in Eretz Yisrael. As such, by distancing himself from Hakadosh Boruch Hu, the one who lives in Chutz La'aretz is similar, relatively speaking, to the idol worshipper who has lost his spiritual focus. How can one who lives outside of Eretz Yisrael maintain a proper spiritual perspective and strengthen his connection to Hakadosh Boruch Hu? One way is by engaging in talmud Torah. The Gemara (Brachos 8a) says, "From the day the Beis HaMikdash was destroyed, the only place Hakadosh Boruch Hu has in His world is the

four cubits of halacha." When the Beis HaMikdash was standing, that was the primary location of the Shechina. But after the Beis HaMikdash was destroyed, the primary residence - the bayis, so to speak - of the Shechina, is in a beis midrash where Torah is studied. It is through Torah study that one can develop a closeness to Hakadosh Boruch Hu even without a Beis HaMikdash. As the Gemara says (Megillah 29a) "I have been for them a mikdash me'at (a miniature Beis HaMikdash); said Rav Yitzchak - this refers to the synagogues and study halls of Bavel." The batei knesses and batei midrash in the exile are like miniature batei mikdash. They are places of Talmud Torah and tefilla, where one can still feel a special closeness to the Shechina, similar to the feeling one experienced in the Beis HaMikdash. Certainly, the ideal way to connect with Hakadosh Boruch Hu is by living in Eretz Yisrael, where the kedusha of the Shechina is most palpable. But for those living in Chutz La'aretz, there still is a way to tap in to the kedusha of Eretz Yisrael, and that is by intensifying our efforts in talmud Torah and tefilla. Our ongoing dedication to talmud Torah and tefilla can protect us from the destructive force of anger and help us keep Hakadosh Boruch Hu at the center of our lives. Copyright © 2018 by TorahWeb.org.

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subject:Peninim on the Torah by Rabbi A. Leib Scheinbaum

Shema Yisrael Torah Network Peninim on the Torah - Parshas Matos-Masei פרשת מטות-מסעי תשע"ח

Everything that comes into the fire – you shall pass through the fire, but it must be purified with the water of the sprinkling. (31:23) The Torah discusses the laws of kashering utensils. *Horav Chaim Volozhiner, zl*, observes that the Torah's concept of "clean" is quite different than the secular perspective. Take any utensil that has been washed/scrubbed and dried. It is now pristine. Indeed, it cannot be any cleaner. Yet, if within the last twenty-four hours it has been used to cook a piece of non-kosher meat, it is considered ritually *treif*. If one were to cook a piece of kosher, *mehadrin min ha'mehadrin* meat in this utensil, the meat is unquestionably *treif*. But is it clean? Yes, to the naked eye it appears clean, but deep within the utensil's walls *treif* meat has been absorbed, thereby rendering this utensil and everything cooked in it – *treif*. Taking this further, *Rav Chaim* notes that if a person spiritually defiles his mouth with *lashon hora*, evil speech and filthy language, he can use all of the mouthwash in the world – his mouth remains contaminated. Therefore, when he opens his mouth to pray or learn Torah, his words emanate from an unclean mouth. The words of Torah and *tefillah* which exit our mouth are only as pristine as our mouth. For those who have difficulty grasping this basic idea, *Horav Reuven Karlinstein, zl*, adds support with a story that delivers a practical lesson. The King of Germany visited the Czar of Russia. Understandably, when two such monarchs meet, they are accompanied by a host of ministers and dignitaries. The Russian monarch had a lavish supper prepared in honor of his esteemed guest and his retinue. Among the sumptuous dishes prepared by the royal chef was *kishke* (stuffed derma), which the German monarch loved so much that he had his chef obtain the recipe. The Germans are meticulous about everything they do, and a recipe is no different. The chef went over every aspect of the recipe, from the type of meat to the exact amount of spices. They returned home, and the German monarch asked his chef to prepare *kishke* for him in honor of a special state visit from the king of France. The day arrived, and the king of France was sitting next to the king of Germany, as they were both about to partake of the unique Russian delicacy about which the German King could not stop raving. The *kishke* was served, and the German king honored his French counterpart with the first piece. He took one bite and almost passed out. The taste and the smell were absolutely overpowering. He could not dare to insult his friend, so he kept on eating – and choking on every bite. The German king had a similar reaction to his portion of *kishke*. They brought out drinks

to flush their systems. As soon as the meal concluded, each one went outside and wretched. It goes without saying that the German monarch called in his chef and berated him for whatever he did to prepare such a distasteful meal. The chef said that he had followed the Russian recipe religiously. Something had to be wrong on “their” side. The king accepted no excuse, and he ordered his chef to return to Russia to speak with their chef. He needed to find out what had gone wrong. The two chefs met, and the Russian chef asked his German counterpart to review everything that he had done in his preparation of the *kishke*, play-by-play. Time and again, they went over the procedure, until the Russian chef declared, “I have no idea what went wrong.” The German chef countered, “All I know is that the *kishke* had the smell and taste of fertilizer!” “Stop!” the Russian chef exclaimed. “Did you say it smelled like fertilizer? How did you prepare the skin of the intestine?” “I washed it” was the German chef’s reply. “How many times?” asked the Russian chef. Well, we all understand what happened. The Russian chef said that after washing the intestines five times, he soaked it for two days in water inside out until he was absolutely certain that every bit of waste material had been removed from the intestine. The same thing, explains Rav Reuven, applies to our mouths. We speak words of Torah, pray to Hashem, but if our mouths have been used to spewing filth, then one can only imagine that it is like the delicious filling placed inside of filthy intestines!

והנה קמתם תחת אבותיכם תרבות אנשים חטאים לספות עוד על חרון אף ד' אל ישראל. כי And behold you have risen up in the place of your fathers, a group of transgressors, to add to Hashem's anger against Yisrael. For if you will turn away from Him, He will once again let them remain in the Wilderness, and you will destroy this entire nation. (32:14,15) The Tribes of Reuven and Gad approached Moshe *Rabbeinu* with a unique request. It was not as if they did not care about *Eretz Yisrael*; it was just that, on the eastern side of the Yarden River, the newly-conquered land was extremely fertile. This would be a boon for the many livestock which they possessed. Thus, they hoped to be allowed to remain on *eiver ha'Yarden*, rather than move to *Eretz Yisrael* proper. They did not mean to be insolent. They were just being practical. Grass was more plentiful here. Why *shlep* to *Eretz Yisrael*, if what they needed for their livestock was to be found right where they stood? Understandably, Moshe took umbrage with their request, and he let them know his feelings. What right did they have to say, “We are not interested in going to *Eretz Yisrael*? We like it here.” Moshe added that this same attitude had precursed their forebears’ downfall, eventually causing the entire nation to lose its opportunity to enter the Holy Land: “You have risen up in the place of your fathers... for if you will turn away from Him, he will once again let them remain in the wilderness.” In other words, *Bnei Gad* and *Bnei Reuven* were going down the same slippery slope that had doomed their fathers and the entire nation. They, too, would be the cause of the nation’s destruction. Strong words. *Targum Onkelos* translates, “If you will turn away from Him,” as, “If you will turn away from fearing Him.” Apparently, their *yiraas Shomayim* was deficient. But in what way? All they wanted was to receive the newly-conquered land for themselves – in place of their allotted portion of *Eretz Yisrael*. Was that so bad? Perhaps their attitude manifested a shortcoming in their *bein adam l'chaveiro*, relationships between man and fellow man. They were expecting the entire nation to go to war, while they sat on *eiver ha'yarden* tending to their livestock. It seems that their sin was more of egocentrism than a lack of fear of Heaven. *Horav Shlomo Wolbe, zl*, explains that it is all about one’s focus. One who sits alone in his home, with all of the shades down, sees nothing but himself. His focus is turned inwards – toward himself. He is the epicenter, the nexus of the room. If he were to raise the shades, he would be availed the opportunity to observe the whole world that is out there. The blue sky and shining sun, the people walking on the street, would all have new meaning to him, because he would have just been exposed to a world that is not only about himself. When a person’s focus is directed inward, he sees only himself. Nobody else matters;

nobody else counts. It is only when he shifts his focus outward that he realizes other people are out there, and there is a Creator Whom he has ignored, because he has been too busy focusing on himself. Accordingly, a flaw in one’s *bein adam l'chaveiro* relationships is a clear indication of a flaw in his relationship with Hashem. His *yiraas Shomayim* is deficient. When *Bnei Gad* and *Bnei Reuven* manifested a deficit in *bein adam l'chaveiro*, it bespoke a shortcoming in their *yiraas Shomayim*. In a study of successful people conducted by Harvard Business School, the researchers arrived at a number of important conclusions concerning the meaning of success and the goals and objectives of those individuals who truly stand above the rest – not necessarily in the caliber of success, but in their individual perceptions of having achieved serenity amid success. While this is not the forum for this discussion, in line with the above thought about focusing outward, some of the researcher’s conclusions are apropos and vital. Truly successful people are not involved only for themselves. Indeed, they make a point to celebrate other people’s successes. [Step one, of course, is the acknowledgement that there are other people; it is not only about me.] Insecure people doubt their own relevance, thus they attempt to steal the spotlight and criticize others in order to prove their own value. Confident people are secure in their own relevance, because they tend to draw their self-worth from within – themselves. Instead of insecurely focusing inward, confident people focus outward, thus allowing themselves to see (and complement) all of the wonderful things that other people bring to the table. Successful people live outside the box, outside their own comfort zones. They view their comfort zones as a sort of prison which restricts them from challenging the status quo and exposing themselves to new – and often – better ideas. They keep an open mind. What purpose is there in exposing oneself to a variety of people and ideas, if it is only to argue and prove that “I” am right. On the contrary, they attempt to glean new ideas and approaches from others. They do not derive their sense of pleasure and satisfaction from comparing themselves to others. They measure their success with their own positive feelings concerning their own achievements. When they feel good about something, they will not allow someone else’s negativity to spoil their good feeling. Everything that I have cited can be found in our own *musar sefarim*. As the *Mashgiach* said, our focus should be outwards, but only on a positive note. We want to learn from others, appreciate others and help others. By strengthening our *bein adam l'chaveiro* relationships, we also strengthen our relationship with Hashem. After all, that is our purpose on this world.

Masei זאת הארץ אשר תפל לכם בנחלה ארץ כנען לגבלתיה This is the land that shall fall to you as an inheritance, the land of Canaan according to its borders. (34:2) *Rashi* explains the term, *tipol lachem*, “shall fall to you.” Since the land had been apportioned by lottery, its division was expressed in terms of “falling.” Alternatively, he quotes the *Midrash* that explains “falling” as a reference to Hashem causing the ministering angels of the seven nations, who at that time inhabited the land of Canaan, to “fall” from the Heavens. They were bound up before Moshe *Rabbeinu*. Hashem said to Moshe, “Look, they no longer have *koach*, strength.” Hashem expects us to be *mishtadel*, endeavor, regardless of the fact that it is Hashem Who prepares the path of success. We do “our thing,” but we must remember that our thing is nothing more than a façade. Success is only effected by Hashem. This idea, explains *Horav Gamliel Rabinowitz, Shlita*, is the underlying lesson of the *Midrash*. Hashem told Moshe, “I took down the angels. (Whatever *koach*, strength and power, they had came from Hashem. He relieved the angels of their power.) See, they do not have any power (of their own). They are no longer a threat to you.” How often do we aggrandize our various successes – intimating that it was “me”; “I” with “my” hard work; “my” attention to detail, “my” persistence, etc. Rarely do we hear someone attribute his success purely/solely to *siyata diShmaya*, Divine assistance. A young man who had truly worked hard and succeeded in a business endeavor came before the *Satmar Rav, zl*, to petition his blessing – for the future. He began his conversation saying, “The *Rebbe* should believe me that I did this

all on my own. My father did not help – neither did my father-in-law. My entire success was carried with my “ten fingers.” The *Rebbe* listened and, in his sweet, mellow tone said, By *inzere' frima Yidden reefed men dus – siyata diShmaya*, “We observant Jews refer to such success as *siyata diShmaya*.” A Jew must realize that every bit of success (or failure) is orchestrated by Heaven. His “ten fingers” are powerless without Hashem as the power source. *Horav Baruch Dov Povarsky, Shlita*, has been learning *b'chavrusa*, in tandem with a study partner, with a prominent attorney, Yaakov Weinroth, who is viewed by many as one of the top attorneys in *Eretz Yisrael*. The attorney, who has a brilliant mind, was once a student in *Ponevez*, and he has maintained a *keshet*, strong bond, with the *Rosh Yeshivah*. At a gathering in *Bnei Brak*, *Rav Povarsky* spoke about the need to pray for *siyata diShmaya* in order to understand Torah. He said, “Years ago, an attorney named Yaakov Weinroth learned by us in the *yeshivah*. He later shared with me that from time to time, he meets with judges, some of whom serve on the Israeli Supreme Court. He related that he sometimes says over a *shetikel Gemorah*, passage in the *Talmud*, and explains it analytically (in the manner that one studies in *yeshivah*). He is shocked when they do not understand what he is saying to them. The *Gemorah* and the *lomdus* are above their heads. How could this be? A young student in the *yeshivah* understands what a Supreme Court judge finds difficult to comprehend?” The *Rosh Yeshivah* concluded, “The explanation is quite simple. Torah is *Toras Hashem* and, without *siyata diShmaya*, there is no chance that one can understand a single word!”

ונס שמה רצה מכה נפש בשגגה And a murderer shall flee there – one who takes a life unintentionally. (35:11) *Rabbeinu Bachya* asks a question that only a *Rishon* could ask. He wonders about the disparity in punishment between the *rotzeiach b'shogeg*, inadvertent murderer, and the *rotzeiach b'meizid*, premeditated murderer. After all is said and done, they are both murderers. If the premeditated murderer would escape to the *ir miklat*, city of refuge, he would be immediately yanked out. Why is he different than his inadvertent counterpart? At the end of the day, two victims lay in the morgue. They are both deceased. Disparate *dinim*, laws, apply to each of the murderers. Why is this? Obviously, this question is rhetorical. The difference between the two murderers is a single characteristic, but this characteristic transforms the two acts of murder into two distinct acts. It is all about *kavanah*, intent. The premeditated murderer knew what he was doing, and, with intent and malice aforethought, he killed a man. That is murder in the first degree. The inadvertent murderer was not thinking. He had no intention to hurt anyone. Without *kavanah*, intention, it is not considered to be murder. Having said this, we move on to *Bircas Hamazon*, Grace after Meals. Two people enjoy a sumptuous meal. They now prepare to *bentch*, say grace. One recites the *bentching* joyfully, with enthusiasm and gratitude for having been able to partake of a meal. He blesses Hashem, because he realizes that his meal, like everything else in his life, comes to him by the grace of Hashem. The other fellow also *bentches*, but with a lack of feeling, no enthusiasm, no *kavanah* whatsoever – just reading the words by rote. Does a difference exist between the two? Yes. One is *bentching*; the other is reciting words. In a lecture delivered in *Yeshivas Ponevez*, *Horav Eliyahu Lopian, zl*, emphasized the importance of *machshavah*, thought/thinking, and *kavanah*, intention, with the following story: The blood libels have been an excuse for our gentile detractors to wreak havoc on Jewish life and property for centuries. In Western Europe, where Christianity was the primary religion, it created an opportunity for massacre. It was always *Pesach* time when, after “suddenly” finding a gentile corpse, word would spread that the Jews had killed a gentile, to drain his blood for *matzah*. [The fact that *matzah* is white and blood is red meant nothing to these anti-Semites. There is no rationale behind the virulent hatred to which we as a people have been subjected throughout the millennia. It is by Heavenly design. Hashem has His reasons.] In North Africa, a blood libel was an excuse to drive out the Jews and seize their property and possessions. *Horav Baruch Toledano, zl*, was *Rav* in Meknes, Morocco. The king of

Morocco was a kindhearted, benevolent king who was friendly with the Jews. He once summoned *Rav Toledano* and asked him, “Is it true that the Jews use blood for their *matzos*?” This is how far it went! Good friends; respect, but deep down-suspicion. One year, a gentile corpse was discovered in the courtyard of a Jew. Immediately, the cry of *Itbach el Yehud*, “Kill the Jews,” coursed through the town. The mayor of the town was a sensible person, not given to losing his mind over every accusation against his Jewish citizens. He immediately asked the gentile accusers, “What makes you so certain that this corpse is the work of a Jew? Perhaps he was murdered by one of our citizens – and not a Jew? I have an idea. We will determine whether the murderer came from within the house (in the Jewish courtyard); if so, then we can safely assume that the murderer is Jewish. If we determine, however, that the murderer came from outside the courtyard, then obviously it was a gentile who murdered the man.” “How can we make this determination?” the people asked their mayor. “We will bring in a search dog who will sniff the corpse and follow the scent on his body. If the scent leads the dog into the house, then it will prove that the corpse had been in the house. Otherwise, if the dog’s sense of smell leads him outside of the courtyard, this will indicate that the man was killed elsewhere and brought here.” When the Jewish community heard that their fate was to be decided by a dog, they all gathered in the *shul* and in their homes to pray to Hashem to lead the dog outside of the courtyard. Imagine if the dog would err and for some reason go toward the house. It would spell disaster for the Jews of the community – and death for the Jews living in the courtyard. The dog was brought in. It was a large bulldog who immediately went about its work of sniffing. Back and forth it went. The dog circled the corpse a number of times, each time taking a sniff. Every time the dog left the corpse, the Jewish community waited with bated breath to see which way it would go. [They knew quite well that the murderer was not a member of their community, but everything relied on this canine judge.] Finally, the dog took one last sniff and walked outside the courtyard. The Jewish community released their breath and broke into song and dance, offering their gratitude to Hashem. End of story. *Rav Elya* looked at the students and asked, “What type of reward is warranted for the dog? He saved thirty-thousand Jews from expulsion, and an entire family from execution. Certainly, he deserves a special reward.” [The dog will not go to *Gan Eden*, Paradise. Even in this world, there is very little with which he can be rewarded. What can we do for this dog?] *Rav Elya* answered, “The dog receives nothing, because he did nothing unusual. He was taught how to sniff and, after much training, he excelled at what he was taught, but, after all is said and done, the dog did what he was taught to do. He acted naturally. For acting naturally, there is no reward!” The *Mashgiach* concluded with a caveat, “If a Jew rises in the morning and, by rote, washes his hands, gets dressed, goes to *shul*, puts on his *Tallis* and *Tefillin*, *davens*, and then goes home at the conclusion of his prayers – what did he do that was so special? It is natural. He is an observant Jew who is used to this routine. He performs the exact same routine day in and day out. Does he deserve a reward for acting naturally? We all know where this is going. Two people can stand next to each other in *shul*. One is acting naturally, by rote. The other is performing a service to Hashem. Wherein lies the difference? *Machshavah/kavanah*. The intention elevates a natural act and makes it a service to Hashem. This is “probably” something we should consider the next time we do any form of *mitzvah*. Are we just “doing,” or are we performing a service to Hashem?”

לענן רווחה רחל בת ר' משה ארי-ה' נפ' ה' אב תשל"ו
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 Insights into Halacha
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Ohr Somayach :: Insights Into Halacha How to Make Havdalah During the Nine Days 5778 / 2018 For the week ending 14 July 2018 / 2 Av 5778 Rabbi Yehuda Spitz

Have you given any thought to how you are going to make Havdalah this Motzai Shabbos? The proper way to perform Havdalah the Motzai Shabbos preceding Tisha B'Av (generally Motzai Shabbos Chazon), is one annual issue that seems to always have disparate approaches. The main problem is that the very essence of Havdalah is ending Shabbos, resulting in the fact that it is actually recited during 'chol', weekday. That is fine for an ordinary week, but Motzai Shabbos Chazon is halachically part and parcel not only of the Nine Days, but actually considered 'Shavua Shechal Bah Tisha B'Av'. This means that even the Sefardim, who are generally lenient with the Three Weeks' and Nine Days' restrictions,[1] are still required to keep them during this week. And one of these restrictions prohibits drinking wine,[2] the mainstay of Havdalah.[3] So how are we supposed to synthesize making Havdalah while not transgressing this restriction? Actually, this year, 5778 / 2018, this dilemma is doubled, as there are two Havdalahs in question, but interestingly, neither is truly on Motzai Shabbos Chazon. The first Havdalah is this week, Motzai Parshas Mattos – Masei, and the second, the following week, with the Taanis Nidcheh of Tisha B'Av being observed immediately after Shabbos's conclusion, its Havdalah gets pushed off until Sunday night (see Tur, Shulchan Aruch, and main commentaries to Orach Chaim 556: 1). Yet, many of the Nine Days' restrictions are still in effect until the next day, including those of eating meat and drinking wine;[4] yet, Havdalah still needs to be recited.[5] Hence, the compounded confusion. Just Drink It! The first approach to this problem is the Shulchan Aruch's.[6] He maintains that whoever makes the Havdalah should just drink the wine himself. The Gr"a explains this position (and is later echoed by the Mishna Berura) that Havdalah is no worse than a Seudas Mitzva; just as at a Seudas Mitzva (such as a Bris) one may drink the wine even if it falls out during the week of Tisha B'Av,[7] so too by Havdalah. They add that according to the Shulchan Aruch, these restrictions were never intended to negate a Mitzva. This ruling is accepted and followed by Sefardic Jewry, and this Motzai Shabbos, their psak is to drink the Havdalah wine.[8] [9] Child Care The Rema's[10] opinion is a bit more complicated. He maintains that it is preferable to find a child and let him drink the Havdalah wine. That way, the one who actually makes the Havdalah does not have to transgress this prohibition. He concludes however, that me'iker din the Shulchan Aruch is correct, and if one cannot find a child to drink the wine, then an adult may do so. But one detail the Rema does not mention is how old this child should be. The Magen Avraham (and clarified by the Machatzis HaShekel and Dagul Mervava ad loc.) qualifies the Rema's ruling. He explains that the child must not be old enough to be able to mourn the destruction of the Beis HaMikdash, for if a child is able to understand and properly mourn, there is no halachic advantage gained by having him drink the cup. Additionally, the child must be 'higia l'chinuch', old enough to understand the need to make a bracha before drinking, for, if not, the Havdalah would end up being a 'bracha levattala', in vain, unless an adult drinks the wine. So basically, to fulfill the Rema's ruling lechatchila, the child must be in the ballpark of 6 to 9 years old;[11] otherwise, it would be preferable for an adult to drink it. This ruling is followed by most mainstream Ashkenazic authorities, including the Magen Avraham, Chayei Adam, Kitzur Shulchan Aruch, and Mishna Berura.[12] Can You Beer It? However, there is a third opinion, that of the Aruch Hashulchan.[13] He maintains that the best solution to our concern is to make Havdalah on Motzai Shabbos Chazon using beer instead of wine. Since beer is cited throughout the ages as a 'Chamar Medina', a 'drink of the land' on which Havdalah is permitted to be made,[14] it would therefore be the simplest resolution to our problem. However, many authorities remain hesitant to rely on this l'maaseh. The reason for this is that there is no clear-cut delineation of what 'Chamar Medina' actually is or how to properly define it, resulting in different poskim having very different understandings of its parameters. For example, many authorities maintain that one may only rely on using 'Chamar Medina' if wine cannot be found anywhere in the city.[15] Others maintain that it must be a popular drink that people would always serve at a proper meal.[16] A different definition cited is that it must be a drink that one would serve to honor someone.[17] Others define it as a drink that can be intoxicating, making having alcoholic content a prerequisite.[18] Another view is that it must be a drink that has inherent importance.[19] Others say it refers to a drink that one has 'chavivus', an affection for or affinity to drinking.[20] Although our ubiquitous beer fits many of these definitions, still the Magen Avraham and Vilna Gaon ruled that in Ashkenaz, beer has lost its status of 'Chamar Medina'. [21] Also, due to the whole machlokes regarding defining 'Chamar Medina', as well as the fact that many authorities rule that if wine is available, it trumps beer's use for Havdalah, consequently, many poskim are hesitant about fulfilling the mitzvah of Havdalah with beer in this day and age. Additionally, based on how beer is viewed nowadays, and especially in Eretz Yisrael, several poskim, including the Chazon Ish,[22] rule that beer would no longer be considered 'Chamar Medina'. Conversely, many contemporary authorities do indeed confirm beer as

'Chamar Medina', even nowadays; yet, they still generally maintain wine's superiority for Havdalah.[23] What To Drink? So now that we explained that there is a three-way machlokes, what's the bottom line? Generally speaking, Sefardim follow the ruling of the Shulchan Aruch, and therefore the adult who makes the Havdalah should drink the wine. Most mainstream Ashkenazim follow the Rema's psak and try to find a child in the proper age range (approx. 6 - 9). If one cannot be found, then an adult should drink the wine. Yet, surprisingly, several contemporary Ashkenazic poskim, including Rav Yosef Chaim Zonnenfeld, the Chazon Ish, and Rav Shlomo Zalman Auerbach, held that it is preferable to follow the ruling of the Shulchan Aruch and an adult should rather drink the wine than a child. Rav Moshe Feinstein is quoted as holding this way as well.[24] But what of the Aruch Hashulchan's beer solution? Certainly the authorities mentioned previously who allow beer's use for Havdalah year round would permit one to do so Motzai Shabbos Chazon as well. Rav Dovid Feinstein shlit" a is quoted as maintaining beer's actual preference for Havdalah on Motzai Shabbos Chazon.[25] Indeed, this author has likewise heard from Rav Efraim Greenblatt zt" l (the renowned Rivevos Efraim)[26] that one may make Havdalah with beer on Motzai Shabbos Chazon with no compunction. In somewhat of a contrast, mv" r Rav Yaakov Blau zt" l told this author that although he personally held that it was preferable for an adult to drink the Havdalah wine, nonetheless, he gave dispensation to one who was accustomed to making Havdalah on beer, or one who's minhag was to do so on Motzai Shabbos Chazon, to continue doing so, even in Eretz Yisrael. Rav Shlomo Zalman Auerbach zt" l held similarly.[27] Interestingly, it is reported that 'Meine Altere Shuchein', the Bobover Rebbe zy" a, would make Havdalah on Motzai Shabbos Chazon on wine and drink it himself, but when Tisha B'Av would fall out on Motzai Shabbos, on that Motzai Tisha B'Av he would make that Havdalah specifically on beer.[28] However one ends up making Havdalah this Motzai Shabbos [make sure to discuss this with your local rabbinic advisor in advance], it is important for us all to remember that these restrictions were instituted by our Rabbanim as a public show of mourning during the most devastating time period on the timeline of the Jewish year. Our goal should be to utilize these restrictions as a catalyst for inspiration towards Teshuva.[29] It is worthwhile to do so, as well. As the Gemara relates, everyone who observes and properly demonstrates their personal mourning over the destruction of Yerushalayim will merit seeing its rejoicing.[30] Postscript 1: Choleh on Tisha B'Av: Havdalah Many have asked what a choleh (ill or sick person) should do if he or she has a halachic dispensation to eat on Tisha B'Av itself. The halacha is that if a choleh or cholah is required to break his or her fast on Tisha B'Av HaNidcheh, he or she is required to make Havdalah before he or she eats. Nevertheless, the vast majority of contemporary authorities maintain that this Havdalah should be made on beer or other 'Chamar Medina', and not with wine, as not to violate the exhortation of the Gemara in Taanis (30b), "kol ha'ochel bassar v'shoseh yayin b'Tisha B'Av, alav hakasuv omer 'v'tehu ovonosam al atzmosam", explaining the grave sin that befalls one who eats meat or drinks wine on Tisha B'Av.[31] On the other hand, the Steipler Gaon is quoted[32] as maintaining wine's preference for Havdalah even on Tisha B'Av, as (mentioned previously) the Chazon Ish held that beer and other drinks do not maintain 'Chamar Medina' status nowadays. There are those who hold that as so, there is still a preference for grape juice over wine in this scenario.[33] It goes without saying that if there is no 'Chamar Medina' available then lema'aseh one should still make this Tisha B'Av Havdalah with wine, as either way, Havdalah is indeed mandated.[34] If one only needs to break his fast only to drink water, then Havdalah would not actually be mandated, as one is normally technically permitted to drink water before Havdalah anyway.[35] On a side point, and quite interestingly, and although not the normative halachah, there are several contemporary poskim who maintain that a woman need not make Havdalah to break her fast.[36] Other solutions include that the husband should make Havdalah on Tisha B'Av and she or a child drink it. If following this, then an additional Havdalah on Sunday night is not needed. In case of actual sheilah, one should ask her posek which shittah to personally follow. Either which way, this Havdalah for a Choleh on the fast itself should start from the bracha on the kos and only consists of that bracha and Hamavdil Bein Kodesh L'Chol.[37] There is no bracha of Besamim as that is considered hana'ah (benefit or pleasure), which we minimize on Tisha B'Av. It is also not recited on Motzai Tzom (Sunday night), as at that point it is no longer directly after Shabbos. Regarding Borei Me'orei Ha'Aish, that is generally recited in shul (or at home) after Maariv, and therefore would most likely not be included in the Havdalah recited by a Choleh prior to breaking his or her fast.[38] Postscript 2: Motzai Tisha B'Av Havdalah: Interestingly, there is an additional machlokes between the Mishna Berura and Aruch Hashulchan whether the Sunday night / Motzai Tisha B'Av Havdalah is more relaxed vis-à-vis drinking wine for Havdalah. The Mishna Berura, citing the Dagul Mervava,[39] writes that it not as restrictive as the rest of the Nine Days for this inyan, and one may therefore personally drink of the Havdalah wine without necessitating finding a child to drink. Yet, the Aruch Hashulchan disagrees, maintaining that the Nine Days restrictions are still fully in effect, and is therefore preferable to

make Havdalah on 'Shaar Mashkin' (Chamar Medina; this is leshitaso - as was previously explained at length) and not wine.[40] A third opinion, that of the Elyah Rabba and Pri Megadim, is that one may use wine, but must give it to a child to drink, just like the Rema's ruling on a standard Motzai Shabbos Chazon.[41] Even more interesting is that all of these shittos are actually based on the Maharil, the early Ashkenazic codifier. In his Sefer on Minhagim,[42] the Maharil writes regarding Tisha B'Av HaNidcheh that 'kishchichshich beirch Borei Pri HaGafen V'Havdalah', which the Dagul Mervavah notes, implies that Havdalah may be made on wine on this Sunday night. Yet, the Aruch Hashulchan, as well as the Elyah Rabba and Pri Megadim, follows the explicit ruling of the Rema, which is based on a responsum of the Maharil,[43] that regarding Tisha B'Av HaNidcheh, wine is still prohibited until the next morning. Apparently, the Mishna Berura understood the Maharil as maintaining that B'Makom Mitzvah, such as Havdalah, one needn't have to be so stringent on Motzai Tisha B'Av HaNidcheh regarding drinking wine.[44] Most contemporary authorities seem to follow the Mishna Berura's ruling that one may make this Havdalah with wine and personally drink it. Certainly those who follow the Shulchan Aruch's ruling of drinking the Havdalah wine during the Nine Days would do so here as well, as Havdalah is the same 'Makom Mitzva' that the Shulchan Aruch ruled is an exception to the Nine Days' restrictions. As with all cases in halachah, one should ascertain from a knowledgeable rabbinic authority which opinion he should personally follow.[45] The author wishes to acknowledge R' Zvi Ryzman's sefer Ratz KaTzvi (on Hilchos Shabbos Ch. 15), which contains a wealth of information on the parameters of 'Chamar Medina' and has been extremely useful in writing this article.

[1] See previous article titled 'When Do the Three Weeks Start?'. Although there are several Sefardic authorities who maintain that Sefardim should follow the Ashkenazic minhag and start the restrictions from Rosh Chodesh Av [Including the Knesses HaGedolah (Orach Chaim 551: Haghos on the Tur 5), the Ben Ish Chai (Year 1, Parshas Devarim 4, 5, & 12), and Kaf Hachaim (Orach Chaim 551: 44, 80, & 142); although they generally only start immediately following Rosh Chodesh Av, as opposed to most Ashkenazic authorities who include Rosh Chodesh Av itself in the restrictions], nevertheless, most Sefardim are only nohag most of these restrictions from the actual week of Tisha B'Av as per the ruling of the Shulchan Aruch (Orach Chaim 551, 10). See Shu"t Yabea Omer (vol. 6, Orach Chaim 46 and vol. 9, Orach Chaim 50, 1), Shu"t Yechaveh Daas (vol. 1: 41 and vol. 4: 36), Rav Mordechai Elyahu's Darchei Halachah glosses to the Kitzur Shulchan Aruch (122: 19), and Yalkut Yosef (Kitzur Shulchan Aruch, Orach Chaim 551: 1). Many of these restrictions are generally still in effect until midday (Chatzos) of the next day, the tenth of Av (see Shulchan Aruch, Rema, and main commentaries to Orach Chaim 558), with some being makpid the whole next day for some of the restrictions (but not this year, with Tisha B'Av actually being observed on the tenth of Av, since it falls out on Shabbos). [2] Shulchan Aruch (Orach Chaim 551, 10). [3] See Tur & Shulchan Aruch (Orach Chaim 294 - 296) at length, Ohr Zarua (vol. 2, 25), Pirkei D'Rav Eliezer (Ch. 20), Mishna Berura (296, 8), and Kaf Hachaim (Orach Chaim 182, 1 & 14); quoting the Zohar on the importance of using wine for Havdalah. [4] See Shulchan Aruch and Rema and main commentaries to Orach Chaim 558. [5] However, this is not the full Havdalah [as 'Borei Me'orei HaAish' is made on Motzai Shabbos Tisha B'Av and 'Besamim' is skipped on Tisha B'Av as on Motzai Shabbos it is considered a bracha of 'taanug'], and just consists of the bracha on the Kos and 'HaMavdil'. See Shulchan Aruch (Orach Chaim 556, 1), Levush (ad loc. 1), Chayei Adam (vol. 2, 136, 5), Kitzur Shulchan Aruch (125, 6 and 7), Aruch Hashulchan (Orach Chaim 556, 1 and 2), and Mishna Berura (ad loc. 1). This is discussed at length later in the article. [6] Shulchan Aruch (Orach Chaim 551, 10), Biur HaGr"m (ad loc. s.v. u'mutar), Mishna Berura (ad loc. 67). [7] This issue, including who may participate in a fleishig bris during the Nine Days, was discussed at length in an article titled 'Meat on Rosh Chodesh Av?'. [8] See Kaf Hachaim (Orach Chaim 551, 152), Rav Mordechai Elyahu's Darchei Halachah Glosses to the Kitzur Shulchan Aruch (122, 14), and Yalkut Yosef (Kitzur Shulchan Aruch, Orach Chaim 551, Din Achilas Bussar B'Teishes HaYamim 24). [9] Although non-alcoholic, grape juice would nonetheless not be any more preferential for Havdalah this Motzai Shabbos. We refrain from meat and wine in the Nine Days as a symbol of mourning for the destructions of the Batei Hamikdash - where Karbonos were brought daily - mainly Zevachim (which was meat) and Nesachim (its wine libation). The Shulchan Aruch (Orach Chaim 551, 10) mentions that any wine, including freshly-made wine, is forbidden during the Nine Days. The Mishna Berura (ad loc. 66) explains that even though it is sweet and weak, and could not be used as a libation in the Bais HaMikdash, it is nonetheless forbidden because the accepted restriction does not differentiate, but rather is to refrain from all types of wine. Since this weak beverage is still considered a 'wine', we do not drink it during the Nine Days. The same would apply to our ubiquitous grape juice, which is still considered a type of wine. Therefore, halachically, using it for Havdalah is technically no more of a solution than drinking wine. See Shu"t Minchas Shlomo (vol. 1, 64), Shu"t Rivevos Efraim (vol. 8, 177; citing many poskim), Moadei Yeshurun (pg. 130) and Mesores Moshe (vol. 1, pg. 174 s.v. mitz) quoting Rav Moshe Feinstein, Shu"t Even Yisrael (vol. 9, Haaros on Mishna Berura, Hilchos Tisha B'Av pg. 110 s.v. vtz"u), Shu"t Teshuvos V'Hanagos (vol. 2, 259), Shu"t Ohr L'Tzion (vol. 3, Ch. 26, 8), Rav Chaim Kanievsky's Moadei HaGra"ch (vol. 1, 317 and 318), Rav Shmuel Kamenetsky's Kovetz Halachos (Dinei Bein HaMeitzarim), Sefer Nechemas Yisrael (pg. 114, 295), Halichos Even Yisrael (Moamid vol. 1, pg. 348: 1 and footnote 1), Netei Gavriel (Hilchos Bein HaMeitzarim vol. 1, Ch. 39), Piskei Teshuvos (vol. 5, 551, 42), and the Belz Dvar Yom B'Yomo Luach (5776; pg. 647). Rav Asher Weiss (the renowned Minchas Asher) has recently averred the same to this author. [10] Rema (Orach Chaim 551, 10), based on Shu"t Maharil (15). Interestingly, the Maharil himself writes that he saw that his Rebbeim were not so makpid with this restriction. The Gr"m (ad loc. s.v. v'nohagin), and later the Mishna Berura (ad loc. 68), explain that regarding Havdalah there is an option to let a child drink it as opposed to a Seudas Mitzva. [11] Although there are different opinions on what the age of Chinuch is for different Mitzvos, nonetheless, the Chok Yaakov (Orach Chaim 472: 27; regarding the Arba Kosos) maintains that it is 5 or 6 years old and the Mishna Berura (263, 1 & Shaar Hatziyun 551, 91; although some say that these two mareh mekomos are soser each other, nonetheless m'pashtus this is his kavanna for the age of Chinuch across the board) sets the age of Chinuch at 6 years old. He adds that it might even be 7 depending on how charif a child might be. Rav Yisrael Yaakov Fischer (Halichos Even Yisrael, Moamid vol. 1, Hilchos Bein HaMeitzarim pg. 353, footnote 18) writes that for this inyan it is referring to 'higia l'chinuch' for brachos but still cannot properly mourn, which he estimates at around 6 years old. [For more on how the poskim define the age of Chinuch see sefer Chinuch Yisrael from Rav Dovid Harfenes, author of Shu"t Nishmas Shabbos; Ch. 2, 9, ppg. 178 - 182) and Rav Dovid Shapiro's maamar in Kovetz Moriah (Tishrei 5751, vol. 199 - 200, pg. 104 - 105).] However, defining the age of understanding how to mourn is not so simple. The Chavos Yair (Mekor Chaim ad loc.) sets it at 9 years old, while the Me'am Loez (Yalkut Me'am Loez on Parshas Devarim) sets it at 10. Rav Moshe Feinstein, regarding Aveilus writes (Shu"t Igros Moshe - Yoreh Deah vol. 1, end 224) that 'only when children reach 7 or 8 years old is it possible to be mechanech them to Availus'. There are poskim who maintain that it is preferable for an adult to drink the Havdalah wine himself, and not to rely on a child who may or may not fit the proper age range, as it is unclear. See next footnote as well as footnote 22. In a different, yet perplexing vein, it is interesting to note that the Shulchan Aruch HaRav writes in Orach Chaim 295, 4 that one who exclusively gives a child to drink of the Havdalah wine, without partaking of any himself, is not yotzai Havdalah! Aside for the

fact that this would seem at odds with the Rema's psak here, as several Acharonim point out [see Tehilla L'Dovid (Orach Chaim 295) and Rav Chaim Na'eh's Ketzos Hashulchan (97, Badei Hashulchan 6)], it also seems to contradict his own ruling in Orach Chaim 190, 4, where he allows a child to drink of any 'Kos Shel Bracha' with no restrictions. [12] See Magen Avraham (Orach Chaim 551, 31), Machatzis HaShekel (ad loc.), Pri Megadim (ad loc. Sifsei Daas 31), Dagul Mervava (ad loc.), Chayei Adam (vol. 2, 133, 16), Kitzur Shulchan Aruch (122, 8), Mishna Berura (551, 70), Rav Yosef Elyahu Henkin's authoritative Ezras Torah Luach (Chodesh Av; and reprinted in his posthumously published Shu"t Gevuros Elyahu - Orach Chaim 153 s.v. Shabbos Chazon), and Rav Yechiel Michel Tukachinsky's essential Luach Eretz Yisroel (Chodesh Av; Parshas Devarim). The Steipler Gaon (Orchos Rabbeinu vol. 2, pg. 135, 23) and Rav Yosef Shalom Elyashiv (Ashrei Halsh - Orach Chaim vol. 3, pg. 468 - 469, 34 & 35) are quoted as maintaining that if a child within that age range cannot be found, it is still preferable to allow a boy up until his Bar Mitzva to drink, before relying on an adult to drink. However, the Butchacher Gaon (Eshel Avraham - Orach Chaim 551, 10) held that once a child can properly mourn, an adult might as well drink in his stead. Rav Elyashiv stressed that this dispensation for a child is only for a boy not a girl. An adult male drinking Havdalah wine is preferable to a girl within the proper age range. [See the following commentaries to Orach Chaim 296: the Rema (8), Bach (1), Magen Avraham (4 & 11), Derech HaChaim (Dinei Havdalah 3), and Mishna Berura (35 & Shaar Hatziyun 34).] [13] Aruch Hashulchan (Orach Chaim 551, 26). [14] As seen in Gemara Pesachim (107a) in the story of Ameimar regarding his using beer for Havdalah after realizing that in the locale he was in, it was 'Chamar Medina'. See Tur and Shulchan Aruch (Orach Chaim 292, 2) and Biur Halacha (ad loc. s.v. im). However, using Chamar Medina for Kiddush is not so simple, as the Gemara's conclusion of its discussion of the topic is unclear, and the Rishonim therefore reach different conclusions as to its permissibility. For example, the Rambam (Hilchos Shabbos Ch. 29, 17), Maggid Mishna (ad loc.; also citing the Maharitz Giyus), Hagahos Maimoniyos (ad loc. 3; citing several other Rishonim), Rif (Pesachim 122a-b in his pagination), Ran (ad loc. s.v. ain and aval), and Mordechai (Pesachim 37b in his pagination, right column; also citing Rabbeinu Peretz), all ruled stringently that one may not use 'Chamar Medina' for Kiddush at all, while the Rosh (Pesachim Ch. 10, end 17), citing the R"i and the Ra'avan, as well most of the Gaonim (cited by the Ba'er Hagolah, Orach Chaim 272, os lamed), ruled permissively. Yet, the Rosh himself adds a caveat, that for the Biblically mandated Friday night Kiddush it is preferable not to use 'Chamar Medina', and if no wine is available to rather use bread, and only for the Shabbos Day Kiddush 'Chamar Medina' is preferred. Practically, the Tur and Shulchan Aruch (Orach Chaim 272, 9) concur with the Rosh's assertion, that for the Rabbinic Shabbos day Kiddush one may certainly use 'Chamar Medina', as there is no actual change in the order or makeup of Kiddush, just a 'shehakol' replacing the wine's 'hagafen'. The Shulchan Aruch seemingly concurs, calling the Rosh's assessment 'diveiri taam heim', with the Rema (ad loc.) adding "v'chein haminhag pashut K'divrei HaRosh", which explains why many are more inclined to be lenient with using 'Chamar Medina' for the Shabbos day Kiddush, but not the Friday night Kiddush. [15] Rashbam (Pesachim 107a s.v. chamar medina and mahu), Rambam (Hilchos Shabbos Ch. 29, 17), Tur (Orach Chaim 272, 9), Bach (Orach Chaim 182), Magen Avraham (ad loc. 2), Levush (Orach Chaim 292, 1), Derech HaChaim (Hilchos Havdalah 5), Shulchan Aruch HaRav (Orach Chaim 272, 10), Kitzur Shulchan Aruch (45, 1 & 96, 3), Mishna Berura (272, 24 & 296, 8). However, see Shu"t Shevet HaLevi (vol. 3, 26 & vol. 5, 32) who is melamed zchus on those who do not follow this. [16] Aruch Hashulchan (Orach Chaim 272, 14 & 296, 13). He maintains that even if wine is available, as long as beer is very popular one may make Havdalah with it. See Shu"t Teshuvos V'Hanagos (vol. 4, 77) who implies similarly but argues that nowadays beer would no longer fit the bill, but tea and coffee would. [17] Aderes (Kuntress Over Orach), Rav Moshe Feinstein zt"l (Shu"t Igros Moshe - Orach Chaim vol. 2, 75) and the Tzitz Eliezer (Shu"t vol. 8, 16). Although several contemporary poskim argue and were indeed lenient [see Shu"t Rivevos Efraim (vol. 3, end 439), quoting Rav Elya Meir Blochzt"l, Rosh Yeshivas Telz, Rav Yaakov Rudermanzt"l, Rosh Yeshivas Ner Yisrael, and Rav Yisrael Zev Gustmanzt"l, Rosh Yeshivas Netzach Yisrael, as well as Rav Chaim Pinchas Scheinbergzt"l, Rosh Yeshivas Torah Ore (cited in Ratz KaTzvi on Hilchos Shabbos 15, 7)], Rav Moshe strongly excluded soda from this category as he maintained that it is mainly drunk for thirst and not as a drink meant to honor someone. Rav Aharon Kotlerzt"l, Rav Yaakov Kamenetskyzt"l (cited in Ratz KaTzvi ibid.), Rav Shlomo Zalman Auerbachzt"l (cited in Maadanei Shlomo on Moamid, Bein HaMeitzarim pg. 59), and Rav Yosef Shalom Elyashiv zt"l (cited in Shu"t Avnei Yashpei vol. 1, 60, pg. 105, note 3 and Ashrei Halsh, Orach Chaim vol. 2, Ch. 7, pg. 81), are quoted as agreeing with Rav Moshe's stringent stance on this. This author has heard b'sheim Rav Yaakov Reisman, son-in-law of Rav Mordechai Gifter zt"l, the famed Telzer Rosh Yeshiva, as well as from Rav Binyomin Sorotzkin (Rosh Kollel Ateres Shlomo and author of Nachlas Binyomin), that Rav Gifter used to make Havdalah every week using Ginger-Ale (quite probably Vernor's, as in the American Midwest this is considered somewhat of a 'Chashuv' drink). Similarly, it is told (see Rabbi Dr. Ari Zivotofsky's article 'Kiddush Over Schnapps' in the (RJJ) Journal of Halacha and Contemporary Society, vol. 72, Fall 2016, pg. 35 footnote 53) that in the late 1950s, when yayin mevushal was not available, and until grape juice became prevalent, Rav Elazar Mayer Teitz, of Elizabeth, NJ would make Kiddush for his shul on soda. Lechoirah even according to the mekeilim, their Kavanna was on a higher end soda that is popular but still has a chashivus, like Coca-Cola, which even in Eretz Yisrael nowadays is considered a "chashuv" drink. Ostensibly, Faygo Redpop, Super Drink, or Cristal soda would be assur to use for Havdalah l'divrei hakol. [18] Shu"t Halachos Ketanos (vol. 1, 9), Maharsham (Daas Torah - Orach Chaim 296, 4), Shu"t Shem M'Shimon (Orach Chaim 14), and the Chida (Birkei Yosef - Orach Chaim 296, 3; cited in Shaarei Teshuva ad loc.) according to Rav Ovadiah Yosef's understanding of his words. See Shu"t Yabea Omer (vol. 3, Orach Chaim 109, 19) and Shu"t Yechaveh Daas (vol. 2, 38). Rav Ovadiah adds that Rav Chaim Na'eh (Ketzos Hashulchan 97, Badei Hashulchan 7 & 8) and the Minchas Shabbos (on the Kitzur Shulchan Aruch 96, 14) rule that one may not make Havdalah on tea or coffee, as does the Levushei Mordechai (Shu"t Mahadura Tinyana - Orach Chaim 51), and he personally concludes that one who makes Havdalah on tea or coffee has possibly made a bracha levatala. Rav Ben Tzion Abba Shaul (Shu"t Ohr L'Tzion vol. 2, Ch. 20, 19) agrees that tea and coffee are not considered 'Chamar Medina', as even though they are popular, one cannot get intoxicated from them. However, the Tzitz Eliezer (ibid.) argues that this was not the Chida's intent, and concludes that b'shaas hadchak one may make Havdalah on tea or coffee, as did Rav Moshe Feinstein (Shu"t Igros Moshe - Orach Chaim vol. 2, 75). Rav Nissim Karelitz (Chut Shani on Hilchos Shabbos vol. 4, Ch. 6, 4, pg. 112 s.v. u'lmaaseh) agrees that only b'shaas hadchak may one make Havdalah on black coffee; if it is mixed with milk and/or sugar then one definitely may not. On the other hand, Rav Pesach Elyahu Falk (Shu"t Machazeh Elyahu vol. 1, 34) cites many issues with making Havdalah on tea or coffee, and concludes that only b'shaas hadchak may one do so, but exclusively on coffee or tea with milk and/or sugar; the way one normally drinks it. He adds that if someone would make Havdalah with black coffee, he would need to repeat Havdalah. A more permissive sentiment is given by Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanagos vol. 4, 77; see footnote 14) who maintains that nowadays 'Chamar Medina' does not need to be intoxicating, as that is not the type of drink people commonly have at a meal. He explains that the most common 'Chamar Medina' nowadays is tea and coffee, and therefore one may make Havdalah using them, but only the way they are commonly drunk, with milk and sugar. He concludes that Brisker Rav was known to have made Havdalah on tea and coffee. It is also known (see Igros HaRav Chaim Ozer pg. 68) that Rav Chaim Ozer Grodzenski was makpid to make Havdalah on piping hot tea so that it is considered 'Chamar Medina', but only the way it is normally drunk; i.e. hot. On the other hand, Rav Shlomo Zalman Auerbach is quoted as holding (Maadanei Shlomo on Moamid, Bein HaMeitzarim pg. 59) that although coffee and tea are me'ikar hadin considered 'Chamar Medina', nevertheless, practically, it is almost impossible to use either of them for Havdalah. Since they are drunk hot, how can one drink a mouthful of coffee to be yotzai Havdalah? And if one waits until it cools off, it loses its chashivus, because no one prefers to drink warm coffee and many rather relegate it to the dustbin. [19] Chayei Adam (vol. 2, 8, 13) and Mishna Berura (296, 10; based on a diyuk from the Taz - Orach Chaim 182, 1 and Elyah Rabba ad loc. 5). [20] Rema (Orach Chaim 296, 2). See Biur Halacha (ad loc. s.v. im) and Kaf Hachaim (ad loc. 26). The Mateh Efraim (624: 6) seemingly agrees with this assessment as he rules that in a place where beer is 'Chamar Medina', one may make Havdalah with it on Motzai Yom Kippur 'im hu chaviv alav'. See also Ratz KaTzvi (on Hilchos Shabbos Ch. 15, 9 & 10) who maintains that this is also the Sefer HaChinuch's position (Parshas Yisro, Mitzva 31) as well. The Rema rules that

on Motzai Pesach it is preferable to make Havdalah on beer, because then it is chaviv to him. See next footnote.

[21] The Rema (Orach Chaim 296, 2) rules that on Motzai Pesach it is preferable to make Havdalah on beer, because then it is chaviv to him. However, the Magen Avraham (ad loc. 6) vehemently argues, that in Ashkenaz - beer is not considered 'Chamar Medina', and concludes that it would therefore be assur to make Havdalah with it, even if no wine was available. The Gr" a, Rabbi Akiva Eiger (ad loc.), and the Shulchan Aruch HaRav (ad loc. 10; he does conclude that in 'Medinos Eilu' nohagin lehalak like the Rema), as well as later the Mishna Berura (ad loc. 12), all seem to accept the Magen Avraham's psak that in 'Ashkenaz' one may not rely on the Rema's ruling to allow Havdalah to be made with beer. [However, it is important to note that they all agree that if one is in a place where beer is positively considered 'Chamar Medina', then one may make Havdalah on it.] However, the Aruch Hashulchan (ad loc. 13) argues, stating that if that were true, why did the Rema add the part about Motzai Pesach, he should have just stated a rule. He therefore maintains that one may make Havdalah on beer, even if wine is available, as long as it is popular (see footnote 14). There is an interesting epilogue to this Motzai Pesach machlokes. The Torah Temimah (Parshas Bo Ch. 12, 168 s.v. ve'ayen) writes that he heard that the Vilna Gaon used to make Havdalah on Motzai Pesach on beer, possibly to fulfill the diyuk of the Targum Yonason on that pasuk (Parshas Bo Ch. 12, verse 18; that he adds the one should eat chametz on Motzai Pesach). However, as Rav Shlomo Zalman Auerbach (Halichos Shlomo on Moadim vol. 2, Ch. 10, footnote 71) pointed out, this seems odd, as it would go against his own ruling of the preference of wine over beer; additionally, in the Maaseh Rav HaShalem (Minhagei HaGr" a, Hilchos Pesach, 185, pg. 208 - 209) it only mentions that the Vilna Gaon would make sure to taste some chametz on Motzai Pesach, not actually make Havdalah on it. Thanks are due to R' Joel Schur, Vilna Gaon descendent's mechtuan and enthusiast extraordinaire, and Rabbi Eliezer Brodt, author of Bein Kesseh La' Asor and Likutei Eliezer, for pointing out these sources to me. [22] Including the Chazon Ish, the Steipler Gaon, and his son, Rav Chaim Kanevsky (see Kovetz Teshuvos vol. 1, 57, s.v. ode b'hanal and Orchos Rabbeinu vol. 2, pg. 136, 25; although Rav Chaim would allow beer if one needed to make Havdalah on Tisha B'Av itself - see footnote 29), Rav Nissim Karelitz (Chut Shani on Hilchos Shabbos vol. 4, Ch. 6, 4, pg. 111 s.v. uv'chu"l; however he concludes that b'shaas hadchak and if it is impossible to get wine for Havdalah, then one may use beer), Rav Binymon Zilber (Shu"t Az Nidberu vol. 11, 48 s.v. siman 371), the Netei Gavriel (Hilchos Bein HaMetzarim vol. 1, Ch. 39, footnote 13) and Rav Moshe Sternbuch (Shu"t Teshuvos V'Hanhagos vol. 4, 77; see footnote 14). Rav Asher Weiss recently told this author that in his opinion, it is problematic to allow beer for Havdalah lechatchila nowadays. He explained that since there exists such a wide range of possibilities and everyone's drinks are based on their own personal preferences, it is difficult to ascertain and label any specific drink as a 'national drink' and considered a true 'Chamar Medina'. [23] Including Rav Shlomo Zalman Auerbach (Halichos Shlomo on Moadim vol. 2, Ch. 16, Dvar Halacha 16), Rav Yosef Shalom Elyashiv (Kovetz Teshuvos vol. 1, 57, 1), Rav Yaakov Kamenetsky (Emes L'Yaakov on Shulchan Aruch Orach Chaim 296, footnote 325 & Orach Chaim 551, footnote 525), Rav Yisrael Yaakov Fischer (cited in Kovetz; Beis Yisrael, Shevat - Adar 5755 pg. 80 & Shu"t Rivevos Efraim vol. 7, 103, 2), Rav Ben Tzion Abba Shaul (Shu"t Ohr L'Tzion vol. 2, Ch. 20, 19), Rav Ovadiah Yosef (Shu"t Yechaveh Daas vol. 2, 38), Rav Chaim Pinchas Scheinberg (cited in Chidushei Basra pg. 294), the Rivevos Efraim (Shu"t vol. 3, 371; and by oral psak), the Shemiras Shabbos K'Hilchasa (vol. 2, Ch. 60, 4 & footnote 14), and the Sha'arim Metzuyanim B'Halacha (96, Kuntress Acharon 3). See also Shu"t Shevet HaLevi (vol. 3, 26 & vol. 5, 32) who is melamed zchus on those who make Havdalah on beer. [24] Rav Yosef Chaim Zonnenfeld (Shu"t Salmas Chaim, new print 317), the Chazon Ish (Dinim V'hanhagos Ch. 19, 8), and Rav Shlomo Zalman Auerbach (Halichos Shlomo on Moadim vol. 2, Ch. 14, 27), Rav Moshe Feinstein is quoted as holding this way as well. Rav Yisrael Yaakov Fischer (Halichos Even Yisrael, Moadim vol. 1, Hilchos Bein HaMetzarim pg. 353, 16) would give the kos to a kattan to drink if present, but would not actively search for one; if none around, he would unhesitatingly drink the wine himself. See Mesores Moshe (vol. 1, pg. 174 s.v. u'lgabei) who quotes Rav Moshe Feinstein as ruling that wine is preferable to beer on Motzai Shabbos Chazon, as he held that one may only use 'Chamar Medina' if wine is not available, and the Nine Days' restriction on wine is not sufficient to be considered 'wine not available'. See also Moadei Yeshurun (pg. 154 - 155, 64), who adds that Rav Moshe held that since nowadays the minhag is to make Havdalah davka with wine and not beer, the adult should drink the wine even if a child is present. This is confirmed in the recently published Mesores Moshe vol. 2 as well (365; pg. 134). Mv"r Rav Yaakov Blau zt"l and Rav Asher Weiss both recently told this author that in their opinions this is the preferred solution as well. As mentioned previously, the Butchacher Gaon (Eshel Avraham - Orach Chaim 551, 10) held that if there is a safek on a child's status (whether or not he is between the proper age ranges), an adult might as well drink in his stead. The Chazon Ish (cited in Bturl Halacha - Orach Chaim 551, 10) and Rav Shlomo Zalman Auerbach (Halichos Shlomo ibid.) were similarly quoted as maintaining that since it is hard to ascertain whether a child truly fits in between the Chinuch categories, the adult should rather drink the wine himself. This is also the minhag in Belz (BelzDvar Yom B'Yomo Luach, 5776; pg. 653). The Terumas Hadeshen (cited in Leket Yosher pg. 110) was also known to have drunk the Havdalah wine himself. [25] Kuntress Yad Dodi (Hilchos Taanis / Bein HaMetzarim, pg. 137, Question 26). [26] The author wishes to thank R' Nafotli Tabatchnik for posing this sheilut to Rav Greenblatt shortly before he was niftar. Rav Greenblatt explained that in his opinion, certainly beer nowadays is still considered 'Chamar Medina', and one may therefore be noheg like the Aruch Hashulchan's mehalech. [27] See Maadanei Shlomo (on Moadim, Bein HaMetzarim, pg. 59). [28] This was discussed at length in Rabbi Eliyahu Sternbuch's maamar in Kovetz Eitz Chaim (vol. 20, Av - Elul 5773). He gives interesting hypothesis as to why the Rebbe zt"l was noheg this way. [29] See Mishna Berura (549, 1), based on the Ramban (Hilchos Ta'anis Ch. 5, 1). [30] Gemara Taanis (30b) and Bava Basra (60b). [31] The halacha is that if a choleh is required to break his fast on this Tisha B'Av HaNidcheh, he needs to make Havdalah [see Shaarei Teshuva (556, 1; citing the Chida's Birkei Yosef ad loc. 2, as well as Shu"t Knesses HaGedolah vol. 2, 71; although they debate whether it is preferential to make this Havdalah on Motzai Shabbos or right before needing to break the fast), Kaf Hachaim (ad loc. 8 and 9; he also cites the minority opinion of several Rishonim, including the Ramban, Rashba, Ritva, and Radbaz, who maintain that in our case since Havdalah is pushed off it is no longer mandated), Shu"t Maharil Diskin (Kuntress Acharon 72), Shu"t Yaskil Avdi (vol. 7, Orach Chaim 36), Shu"t Shevet Halevi (vol. 9, 133), Shu"t Divrei Yatziv (Orach Chaim vol. 2, 242), Shu"t Yechaveh Daas (vol. 3, 40), Shu"t Tzitz Eliezer (vol. 14, 44), and Shu"t Rivevos Efraim (vol. 1, 380, 1)], nevertheless, the vast majority of contemporary authorities maintain that this Havdalah should be made on beer or other 'Chamar Medina', and not with wine. See Shu"t Minchas Yitzchok (vol. 8, 30, 4), Kovetz Teshuvos (vol. 1, 57, 1), Shu"t Shevet Halevi (vol. 7, 77, 2), Shu"t Even Yisrael (vol. 9, 45), Shu"t Az Nidberu (vol. 11, 48 s.v. Siman 371), Shu"t Lehoros Nossan (vol. 2, 36, 5), Shu"t Kinyan Torah B'Halacha (vol. 2, 111, 2), Shu"t Rivevos Efraim (vol. 3, 371; citing Rav Chaim Kanevsky and the Netei Gavriel), Mesores Moshe (vol. 1, 376, pg. 173 - 174 and vol. 2, 276, pg. 137), Emes L'Yaakov on Tur and Shulchan Aruch (Orach Chaim 556, footnote 525), Halichos Shlomo (Moadim vol. 2, Ch. 16, 7), Maadanei Shlomo (on Moadim, pg. 59), Ashrei Halsh (Orach Chaim vol. 3, Ch. 72, 2, pg. 492), Halichos Even Yisrael (Moadim vol. 1, pg. 377, 9), and Shemiras Shabbos Kehilchasa (vol. 2, 62, 48). [32] See Orchos Rabbeinu (vol. 2, pg. 145; new edition 5775, vol. 2, Tisha B'Av 43, pg. 177 - 178). [33] See Rav Chaim Kanevsky's hosafah to his father-in-law, Rav Elyashiv zt"l's teshuva (Kovetz Teshuvos vol. 1, 57), as well as Moadei HaGra"ch (vol. 2, 403); sefer Kara Alai Moed (Ch. 7: 17) citing Rav Nissim Karelitz, and the Belz Dvar Yom B'Yomo Luach (5776, pg. 666). [34] As per the Steipler Gaon and Chazon Ish (ibid.), as well as several other opinions, including the Brisker Rav zt"l (Chidushei Maran Ri"z Halevi, Hilchos Taaniyos, pg. 10a s.v. Taanis daf lamed and hinei) who maintain that one may indeed make Havdalah with wine on Tisha B'Av when needed, based on the shittah of the Terumas Hadeshen (151; cited by the Magen Avraham, Orach Chaim 552, 6 and 7, and Bturl HaGr" a ad loc. s.v. v'ain tarich) that the Seudah HaMafsekes is akin to Animus ('Meiso Mutal L'Fanav') and Tisha B'Av itself is akin to Aveilus. Ergo, a Choleh's dispensation should be akin to an Avel's, who is permitted to drink wine after the niftar is buried. The Knesses HaGedolah (Shu"t vol. 2, 71) implies this way as well, referring to a Choleh's Havdalah on Tisha B'Av as 'Mavdilin Al Hakos Birchas HaYayin'. However, as Rav Chaim Kanevsky (Hosafos to Kovetz Teshuvos vol. 1, 57) and Rav Shlomo Zalman Auerbach (Halichos Shlomo, Moadim vol. 2, Ch. 16, Orchos Halacha 23) point out, other Rishonim [ex. Ohr Zarua (vol. 2, Hilchos Tisha B'Av 415) and Teshuvos HaRitva (63; cited by the Beis Yosef in

Orach Chaim 557)] do not seem to agree to this Chiddush or this understanding, as regarding the reason 'Nacheim' is only recited at Mincha and not in prior Tefillos of Tisha B'Av, they explain that it is because only then, on Tisha B'Av afternoon, is it akin to the aftermath of a Meis being buried and us capable of receiving Nechama, consolation. Hence, accordingly, Tisha B'Av itself seems to be akin to Animus and not Aveilus. They therefore assert that other beverages of Chamar Medina or even grape juice, are still certainly preferable to wine. [35] See Shu"t Shevet Halevi (vol. 8, end 129), based on Shulchan Aruch and main commentaries (Orach Chaim 299, 1; see also Aruch Hashulchan ad loc. 1) and Moadei HaGra"ch (vol. 2, 403). Although it should be noted that this is not such a common case, as if one is ill enough to be granted halachic dispensation to drink on Tisha B'Av, he would generally also be allowed to eat as well. [36] Although not the normative halachah, there are several contemporary poskim who maintain that a woman need not make Havdalah to break her fast (or to make it without 'Sheim U'Malchus') due to a sfeik sfeika in a makom Derabbanan, based on the fact that several Rishonim (as mentioned) maintain that Havdalah is not mandated when it is pushed off due to Tisha B'Av at all; additionally, there are shittos who hold women cannot make Havdalah. Hence, they conclude that she is not obligated in making Havdalah in this instance. See Shu"t Dvar Yehoshua (vol. 2, 75, 2; who writes that he never heard of a choleh in Poland making Havdalah before breaking his fast), Shu"t Divrei Yatziv (Likutim V'Hashmatos 50), Shu"t Mishna Halachos (vol. 7, 39), Shu"t Shraga HaMeir (vol. 1, 59), Shu"t Rivevos Efraim (ibid; citing the Netei Gavriel), Netei Gavriel on Bein Hametzarim (vol. 2, Teshuva 11), Shu"t Az Nidberu (ibid; who strongly argues, explaining that sevara cannot be docheh the halacha pesuka that Havdalah is required), and Minhagei Bein Hametzarim (Ch. 8: 19 and 20). Other solutions include that the husband should make Havdalah on Tisha B'Av and she or a child drink it. If following this, then an additional Havdalah on Sunday night is not needed. In case of actual sheilah, one should ask her posek which shittah to personally follow. [37] See Halichos Shlomo (Moadim vol. 2, Ch. 16, footnote 14), as well as Rav Shlomo Zalman Auerbach's haaros to sefer Pnei Baruch (on Bikur Cholim, pg. 183), based on the Pischei Teshuva (Yoreh Deah 176, 2) regarding an avel, and Shu"t Divrei Malkiel (vol. 6, 9), that the pesukim usually recited in the beginning of Havdalah - "Hinei Keil Yeshuasi" etc. are not recited, and this Havdalah starts with the bracha on the Kos. [38] See Shulchan Aruch (Orach Chaim 556, 1), Levush (ad loc. 1), Chayei Adam (vol. 2, 136, 5), Kitzur Shulchan Aruch (125, 6 and 7), Aruch Hashulchan (Orach Chaim 556, 1 and 2), and Mishna Berura (ad loc. 1). For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspiz@ohr.edu. Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority. This article was written L'Iluy Nishmas R' Chaim Baruch Yehuda ben David Tzvi, L'Refuah Sheleimah for R' Shlomo Yoel ben Chaya Leah, R' Yerucham ben Chaya Sara Baila, Gershon Gedalyah ben Chana Rus, and I'zechus for Shira Yaffa bas Rochel Miriam v'chol yetzei chalatzeha for a yeshua sheleimah! L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda, Rabbi Yehuda Spitz serves as the Sho'el U' Meishiv and Rosh Chabura of the Ohr Lagolah Halacha Kollel at Yeshivas Ohr Somayach in Yerushalayim. He also writes a contemporary halacha column for the Ohr Somayach website titled "Insights Into Halacha" For any questions, comments or for the full Mareh Mekomos / sources, please email the author: yspiz@ohr.edu. © 1995-2017 Ohr Somayach International

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subject: Rabbi Riskin on the Weekly Torah Portion

Parshat Matot-Masei (Numbers 30:2-36:13) Rabbi Shlomo Riskin

Efrat, Israel – This week's double portion records how the Jews finally cross the Jordan River on their way to conquer the Promised Land. The tribes of Gad, Reuven and half the tribe of Menashe possess a great multitude of cattle, and "paradise" for cattle is good grazing land, which happens to be what these two and a half tribes find in their present location of Trans-Jordan. They then petition Moses with a special request. "If you would grant us a favor, let this land be given to us as our permanent property, and do not bring us across the Jordan." (Numbers 32:5)

Moses' response is sharp. "Why should your brothers go out and fight while you stay here? Why are you trying to discourage the Israelites from crossing over to the land that G-d has given them? This is the same thing your fathers did when I sent them from Kadesh Barnea to see the land," (Numbers 32:6-8). Moses' reference is an especially damning one: just as the scouts decided to remain in the desert because they lacked the courage and will to fight for the Promised Land, you are acting similar to them by your desire to stay where you are, saving yourselves from the harrowing experience of war. And Moses makes this comparison even though Trans-Jordan is considered to be part of the holy land (Mishnah Kelim 1,10).

What moved these two and one-half tribes to remain in Trans-Jordan? According to Rabbi Simcha Zissel of Kelm, they petitioned not to have to cross the Jordan because of their cattle, which expresses a certain degree of materialistic greed on their part; it doesn't take a great flight of the imagination to see the correspondence between cattle and grazing lands in those days to economic opportunities in the work place today. Why do Jews continue to live outside of Israel, further away than the other side of the Jordan, on the other side of the Atlantic? Because they've found good grazing lands for their cattle and it's a shame to give that up, especially since our present-day descendants of Gad and Menashe rarely question a contemporary Rabbinic authority about their choice. If they did, he would

more than likely repeat Moses' message "Why should your brothers go out and fight while you stay here?" (Numbers 32:61).

After all, world Jewry has certainly benefited from the State of Israel, ever since its inception and to this very day. After the holocaust, which resulted in the tragic loss of 1/3 of our people and 4/5 of our religious, intellectual and cultural leadership, it seemed as if Judaism had finally faded from the world stage of viable "peoples", nations and religions. The renowned historian Alfred Toynbee called the Jews a "fossil" in the history he published in 1946, the Chief Rabbi of Rome converted to Christianity and conversion was rampant in every campus in America immediately following the Holocaust. Not only did world Jewry experience a miraculous renaissance after the Declaration of Israeli Statehood – and then again with the liberation of Jerusalem after the Six Days War in 1967 – but Israel is now the greatest provider of religious and educational leadership for Jewish communities throughout the world as well as the most effective fount of inspiration for searching and struggling assimilated Jews whose lives become significantly transformed through programs like Birthright Israel. All of the successful diaspora Jewish communities today owe their development in no small measure to the Jewish State.

Rabbi Yitzchak Arama, gives a slightly different interpretation. The author of the Akedat Yitzchak, describes the tribes of Gad and Reuven as practical materialists who never the less are planning to eventually join their siblings in Israel's heartland. But only eventually; not right now. At present the personal needs of the family and the tribe must come first – until the leader of the family can amass sufficient material goods to make the big move to the middle east a less risky venture. Their personal needs – and not historic Israel's national needs – must come first. Hereto Moses took them to task.

The Ohr Hachayim approaches the situation in its simplest, most "religious" terms: suggesting that the two and a half tribes built their argument around Divine intervention: "The land which G-d conquered on behalf of the congregation of Israel is a land for cattle, and your ser-vants have cattle." (32:41). In other words, this is the land that G-d conquered for us and therefore this is the land we wish to remain in. If G-d wants us somewhere else, let Him take us there, let Him conquer that land too. Until then, this is where we're going to stay and this is where our cattle will stay. It is good for our cattle and therefore it is good for us.

In many ways, the Ohr Hachayim's reading sees the two and one half tribes as being the counterparts of the devotees of Natura Karta. They are waiting for G-d Himself to bring them to Israel – and if not G-d, then at least His Messiah! When G-d is good and ready to redeem Israel completely, He'll do it in His own time. Everything depends on G-d, and we are more than happy to wait it out in our pleasant grazing land until then....

The truth is that Gad and Reuven had forgotten their history. They cannot rest on their grazing laurels while the rest of the nation fights their wars for them. When the Is-raelites reached the Reed Sea chased by the Egyptian hordes they asked Moses to pray to G-d. "Why are you crying out to me?" G-d says to Moses. 'Speak to the Israelites and let them start moving.'" (Exodus 14:15). The sea does not split until Nachshon ben Aminadav and Caleb ben Yefuna jump in.

Similarly, when Moses tells Gad and Reuven that they have to bear arms and fight, he's really pointing out that G-d's promise to Israel is that everyone has to be partners — G-d with the nation, and the nation with each other, sharing in a mutual responsibility and privilege. At the end of the day, if our fledgling State proves to be even more vulnerable than we think by dint of less man-power in war and a smaller population than is required, Jews will have only themselves to blame for not rising to the challenge offered by the greatest Jewish adventure in 2000 years. Shabbat Shalom

<https://tinyurl.com/Rav-Chaim-Ozer-ZTL>

S.A. JEWISH OBSERVER May, 1964

"You do not erect memorials for the Tzadikim. Their words are their memorials". (Yerushalmi, Shkalim). This is a tribute which Rabbi Dr. M. Kossowsky paid to one of

his famous teachers, Reb Chaim Ozer Grodzenski on his 20th yahrzeit. The tribute he paid to a sage "whose memory will live for generations" is also now his own tribute [republished after Rabbi Dr. M. Kossowsky Petira in 1964]

Reb Chaim Ozer Grodzenski
(On his twentieth Yahrzeit, 5 Av 5700 - 5720)

By Rabbi Dr. Michel Kossowsky



[Rabbi Dr. Michel Kossowsky zt"l on left with Rav Chaim Ozer Grodzinski zt"l center] ON FRIDAY morning, the 5th of Av, in the year 5700 (9th August, 1940), in a little summerhouse on the outskirts of the city of Vilna departed this life the last Rav of Vilna and the last in the line of "Chachmei Vilna" — HA'GAON REB CHAIM OZER GRODZENSKI.

Dark clouds covered the horizon of Vilna Jewry, which was tense with foreboding. The city had only recently again changed its political regime - for the third time in ten months. When Polarta fell in September 1939, Vilna together with the whole of Eastern Poland, was occupied by the Russians and incorporated into the Soviet Union. That was part of the infamous friendship. pact between Hitler and Stalin who divided between themselves the wreckage of Poland.

A month later Russia let it be known that she had "donated" Vilna and its environs to the then independent and neutral Lithuanian Republic, as an expression of "true friendship". In return, however; she demanded militia bases in Lithuania. Thus Vilna became part of the free and sovereign Republic of Lithuania. The citizens of Vilna and particularly the Jewish population greeted this happy change in their fortunes with great rejoicing.

Tens of thousands of refugees from the Soviet part of Poland risked their lives to smuggle across the newly-established and faintly-marked border, in order to find safety and political asylum in the freedom of Lithuanian democracy.

However, eight months later, in June 1940, a well-prepared Communist coup d'état took place, and Lithuania became a Communist Republic. Vilna again became Part of the Soviet Union and the N.K.V.D. (the dreaded Russian Secret Police) reoccupied their headquarters in Pohulanka Street.

The thousands of refugees from the former Russian territory were in a state of panic, and the rest of the Vilna population also lived in constant fear.

A CENTRAL FIGURE

In this general confusion and bewilderment, everyone's eyes instinctively turned to the central figure of Vilna Jewry, the Gaon Reb Chaim Ozer, who for half of a century was the spiritual leader and spokesman of world Jewry.

The knowledge that Reb Chaim Ozer was here and was in contact with the rest of the world, gave confidence and a certain sense of security. For many years all had grown used to the idea that if any trouble happened they would go over to "the Rebbe", or, as others called him, "Reb Chaim Ozer", or; just "Chaim Leizer" as the broad masses of ordinary people used to refer to him endearingly, and he would give the right advice or find a way out.

Few knew how gravely ill the Gaon was already then, because, notwithstanding his failing health, he worked tirelessly. Dozens of people passed through his room daily and everyone came out with his request fulfilled as far as possible.

The war had created new complications and raised colossal problems, and Reb Chaim Ozer was the person around whom all those in need, individuals as well as institutions, grouped. He was the only contact with the free world, and with world Jewry.

THE LAST MOMENTS

A few weeks before his death, Reb Chaim Ozer moved to his summer residence (Datche) at the garden-suburb "Magistratzke Kolonie". The last few days he felt very weak and was confined to his bed. A silent fear gripped the members of his closer circle who realised the situation. The town did not know yet what the true position was.

At his death-bed, in the early hours of that Friday, except for the doctor and nurse, there were present also his Rebbetzin and the writer of this article. On the porch a few of his intimate Rabbinical friends were crying as they recited prayers.

The news of his death spread like wild fire and plunged Vilna Jewry into deep mourning. A sense of having been orphaned overtook all of them. Suddenly everyone felt lonely and forlorn in a stormy, perilous world.

The tremendous impact which the news of his death had made was the greatest measure of the position which Reb Chaim Ozer had occupied in Jewry. Porters and cart-drivers

together with Rabbis and Yeshiva students, learned people and "balebatim", as well as ordinary folk and the man in the street, all were utterly shocked and distressed. The little summer house soon was overflowing with masses of people who were streaming in from town in an incessant procession. A meeting of Rabbis was hastily convened to work out the plan of the funeral. The body was taken back to his residence in town, in Zavalna Street and during that Saturday, the lamented "Shabbat Chazon", thousands of mourners passed through the house where the body lay, while minyanim changed uninterruptedly, during the day and the night, to recite psalms and appropriate prayers.

The gigantic funeral procession next morning was the greatest and also the last Jewish mass-demonstration which Vilna witnessed.

The fifty thousand people who followed the cortege included Rabbis from the whole of Lithuania, and the funeral orations which were delivered on the way and at the graveside, lasted almost the whole day.

Although the Communist authorities had prohibited demonstrations of this nature, they must have realised the strong feelings of the Jewish Community and did not hinder the funeral procession in any manner.

The People's Militia, with red armbands on their sleeves, accompanied the procession all along its mournful route and helped to keep order.

All the grief that had welled up in Jewish hearts at that time and the grave foreboding of the impending horror, were given vent in bitter lamentations at the parting of their beloved leader who, from now on, would entreat before the Throne of the Almighty for the people whom he led and for whom he cared and on whose behalf he spoke during the glorious half century of his Rabbinate.

RABBINIC DYNASTY

Reb Chaim Ozer was born in the year 5623 (1863) in the little townlet of Ivie, near Vilna. His father, Rabbi David Shlomo Grodzensky (Z.L.) and his grandfather, Rabbi Moshe Leib Grodzenski (Z.L.) had occupied between them the Rabbinical post of that community for a period of over eighty years. Together with the fifteen years during which my late father, Rabbi Isaac Kossowsky (Z.L.) who was a son-in-law of Rabbi David Shlomo (Z.L.) was Rabbi in Ivie, this distinguished family formed a Rabbinic dynasty in the same community for the period of a full century without interruption.

THE ILUI

While he was still a young boy and studied under his father, the little Chaim Ozer became famous as a prodigy and was known in the whole district as the "ilui" (genius) of Ivie. At the age of twelve he went to the neighbouring town of Eishishok where at that time there was a "kibbutz" of young men who were renowned as "gdolim" in Torah. When he became Bar-Mitzvah there, he was invited to deliver a discourse in accordance with the time-honoured custom. Instead, however, he offered to be examined in any place of the two classic Talmudic commentaries: "Ket-zot-Ha'choshen" and "Netivot Ha'mishpot."

The scholars of Eishishok were astounded to hear how the little Bar mitzvah boy recited by heart without stumbling and without stopping, whole pages of these two great works. From Eishistok he went to the Yeshiva of Volozhin, where he studied under the Gaon Reb Chaim Brisker, (Z.L.) The deep friendship which developed between the great Master and the great disciple, continued throughout the many years during which they were both the spiritual leaders of world Jewry.

THE LEADER

The Ray of Vilna, Reb Elie Leizer (Z.L.) who was a son-in-law of the famous Gaon and saint Reb Yisroel Salanter (Z.L.) took the renowned "Ivier ilui" as husband for his daughter. When Reb Elie Leizer passed away, a few years later, Reb Chaim Ozer was invited to accept the vacant post. He was then the youngest among the Rabbis of Vilna. Nevertheless, he soon became recognised as the spiritual leader of "Yerushalayim D'Lita", the city of scholars and writers, "Iomdim" and "gaonim". This position he maintained until the last day of his life.

However exalted that position might have been, Reb Chaim Ozer was more than just the Rav of Vilna. He was also more than just a Gaon, however great that designation is. There was in him an exceptional combination of rare "gaonut", deep wisdom, love of Israel, saintliness and humility, an understanding of politics, a remarkable sense for communal activity, an inborn quality for leadership and organisation, lovable character and endless patience.

Little Wonder, therefore, that in a short time he became one of the chief leaders of Russian and world Jewry, although that period, before the first world war, was rich in great scholars much older than he.

The Rabbi who sought a reply to a difficult Halachic question and the businessman who needed advice in a complicated business matter, the communal worker who was worried about a serious communal problem and the Rosh Yeshiva who needed help for his Yeshiva, an ordinary Jew who was in need of assistance and the Yeshiva student who wanted to talk in learning all came to Reb Chaim Ozer's hospitable door and all

were received with the same cheerful and encouraging smile.

He dealt with everybody at the same time and all found satisfaction in their quest. Whoever had the privilege of witnessing a busy morning in Reb Chaim Ozer's home, will never forget that picture.

All the rooms of the spacious apartment were full of all kinds of people, local and from outside. Amongst them Reb Chaim Ozer moved about with hasty little steps, radiating warmth and pleasantness all around him and talking with everybody at the same time. Here he was engaged in a learned discussion with a group of Rabbis and at the same time he would be listening to the Talmudic discourse of a visiting Yeshiva Student; presently he was in consultation with communal and congregational leaders and yet found time to whisper advice to a troubled individual.

Next moment he was unobtrusively pressing a handful of money into the hand of a needy Jew and managed to dictate to his secretary a number of letters on various subjects in his succinct masterful Hebrew style.

Nobody felt slighted.

On the contrary, everyone had the impression that he received full attention and everyone was enchanted with Reb Chaim Ozer's Personal charm, his "gaonic" sense of humour - subtle and refined, his outstandingly quick grasp and phenomenal memory, which enabled him to grasp everything at the same time.

He said of himself that, until his very advanced age, he did not know what forgetting was.

Numerous stories are told about his exceptional memory. The following interesting episode is a characteristic example.

Reb Chaim Ozer had a notebook in which he kept a record of the many charitable funds which passed through his hands. One day this precious notebook got lost and all efforts to discover it were in vain, much to the distress of all members of the household.

Reb Chaim Ozer then sat down and reconstructed from memory all the complicated accounts which had occupied many pages. The final total was correct. Some time later the book was found and it then appeared that Reb Chaim Ozer did not even change the order of the various amounts and had almost photographically reproduced the whole book.

I remember an episode when I sat together with a group of Rabbis in Reb Chaim Ozer's house and, as usual, the conversation turned on some Talmudic subject. In the course of the discussion, Reb Chaim Ozer took out a book from the shelves and pointed out to us a certain reference, which explained the problem under debate. Closing the book, he remarked with a smile that he last saw this reference while still a young boy in his native Ivie. That had been fifty years before!

The way he remembered people was staggering. Persons who had not seen him for thirty years told me that the moment they entered his room, quite unexpectedly, he cheerfully got up to meet them, calling them by their first name as if he had parted with them only yesterday!

FATHER OF YESHIVOT

During the first world war, when he fled together with many thousands of other Jewish refugees into central Russia, he became a one-man relief organisation there. With the aid of American Relief Funds he set up a network of "Refugee Chedars" (Chedars or Talmud-Torahs for refugee children), and people's restaurants in dozens of towns where the refugees concentrated. The Yeshivot and their leaders as well as countless individuals were supported by him. He also exercised considerable political influence in those turbulent years which preceded the Russian Revolution.

In the period between the two world wars, Reb Chaim Ozer was considered the leader and spokesman of religious Jewry. He particularly devoted himself to the fostering of Torah-education and became literally the father of the Yeshivot.

Together with the "Chofetz-Chaim" (Z.L.) he founded the "Vaad HaYeshivot" in Vilna and helped to establish a wide network of preparatory Yeshivot (Yeshivot Ktanut) in towns and villages in Eastern Poland, Polesie and Volynia. At the same time he was the supreme authority and "Posek Achron" in all Halachic questions and his ruling was considered the authoritative Din.

Amidst the thousands of problems to which he had to turn his attention, he managed to publish the three volumes of his great work "Achiezer", a compilation of Responsa on various Talmudic topics in which his "gaonic" erudition and sharpness of mind appear in all their glory.

Unfortunately, a considerable portion of his writings still remained in manuscript. Immediately after his death, initial arrangements were made for the publication of the remainder of his writings as well as of his letters which had an outstanding historic importance. His faithful secretary, Rav Alter Voronovsky, took up the project diligently. However, shortly thereafter came the Nazi invasion and with it the end of all plans.

The name of Reb Chaim Ozer Grodzenski (Z.L.) the Gaon of Vilna of our generation, is deeply engraved in the hearts of Torah-Jewry and his memory will live for generations after.