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INTERNET PARSHA SHEET
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From Don't Forget <sefira@torah.org> Tonight, the evening of Friday, June 6, will be **day 48, which is 6 weeks and 6 days of the omer.**

TorahWeb <torahweb@torahweb.org> hide details 9:48 am (14 hours ago) to weeklydt@torahweb2.org date Jun 5, 2008 9:48 AM subject **Rabbi Benjamin Yudin - Torah: Spiritual CPR**

Rabbi Benjamin Yudin Torah: Spiritual CPR The Gemara (Shabbos 88b) teaches in the name of R' Yehoshua ben Levi, "with every single statement that emanated from the mouth of the Holy One at Sinai the souls of the Jewish people departed from their bodies, as it is stated (Shir Hashirim 5:6), "My soul departed as He spoke". How did they receive the subsequent statements? Hashem brought down the dew with which he will resurrect the dead in the future and He resurrected them, as found in Tehillim (68:10).

I believe there are two profound lessons contained in this metaphysical teaching. The first is that Torah living engenders a different quality of life. To receive the Torah (aside from the physical preparations found in Shemos 19) they had to undergo a spiritual transformation; they could not be the same people that arrived at Har Sinai. The Zohar teaches that Hashem, His nation Israel, and His Torah are one. Thus, experiencing the prophecy of His Torah was a transformative infusion of Godliness. This is also indicated by the Talmud's (Shabbos 105a) understanding of the opening word of the Decalogue, "anochi", to be (in addition to its literal meaning) an acronym for "ana nafshi ksivsa yehivas", meaning that Hashem not only transmitted commandments to the Jewish nation, but gave part of His soul to them. As part of the dayeinu we praise Hashem not only for the content and teachings of Torah but also for bringing us to Har Sinai per se and inducing this transformation.

The Talmud (Shabbos 146a) further emphasizes this spiritual metamorphosis by stating that at Sinai "paska zuhamasan – they were purified", enabling them to receive their Sinaitic souls. The Kuzari expresses this idea by stating there are five strata of beings - the inanimate, plant life, animals, man and Israel. The difference between each stratum is dramatic, including the difference between Israel, imbued with this

Sinaitic soul, and the rest of society. Being on this higher stratum enables us to imbibe Torah into our lives.

R' Eliyahu Lopian zt"l in his introduction to Sefer Shemos writes that the charge leveled by our enemies over the centuries that the Jew is too rich and successful is provoked by a middah that Hashem implanted in our nature: "One who loves money will never be satisfied with money" (Koheles 5:9); "If one has one hundred (units of money), he wants two hundred". This is understood by Chazal in a spiritual sense, that the Jewish neshama is drawn to the infinite. If this trait is not channeled positively towards spirituality, he will apply it to this-worldly affairs.

The second lesson that emanates from the resurrection at Sinai is the exciting concept of "marbeh Torah marbeh chaim – an increase in Torah increases life" (Avos 2:8). Why, one may ask, did the Jews' elevated souls depart after each commandment, necessitating a further act of resuscitation? Perhaps to teach future generations that although they attained one level of Torah and spirituality, they are still "lifeless" compared to the next level, and require Divine assistance to climb higher. "Saw you at Sinai" is not only a clever phrase to introduce/reconnect two singles, but the fact that all Jewish souls were present at Sinai means we each experienced this repeated revival. This experience not only enables us to constantly improve our quality of life, but also to become a fundamentally different person through increasing our Torah learning and observance of mitzvos.

This concept emerges from a fascinating detail regarding the accidental murderer. The Torah teaches, "he shall flee to one of these (cities of refuge) and live" (4:42). The Talmud (Makkos 10a) rules that if a student establishes residence in a city of refuge his teacher must visit him regularly to maintain the rebbe-talmid relationship, as the Torah mandates "and he shall live", i.e. we must provide him with arrangements to be able to live. The Rambam (Hilchos Rotzeach 7:1) codifies this law stating that life without the study of Torah is akin to death. Given that the permanent residents of the cities of refuge were the Levi'im, whose role is to "teach Your ordinances to Yaakov and Your Torah to Israel" (Devarim 33:10), and thus there certainly was Torah and a Torah environment in the city of refuge, why do we specifically require that his teacher travel to the city of refuge to teach him Torah? Because without his teacher, the one that can inspire him and raise him as no one else can, he will not reach the same level of spirituality, and the absence of that achievement is called "lifelessness" by the Torah.

This is further substantiated by a fascinating dialog between R' Tarfon and R' Akiva (Kiddushin 6b). After a lengthy debate over a particular intriguing halacha, R' Tarfon concedes to the opinion of R' Akiva. When he took leave of him he said, "Akiva! Whoever separates himself from you it is as if he separated from life itself!"

The exciting teaching of the resurrection of the Jewish nation at Har Sinai gives new meaning to the prayer of Ahavas Olam (recited every night before reciting Shema Yisroel). There it states, "ki heim chayeinu – for they (Torah) are our life". This is to say that not only does Torah validate the Kuzari's designation of Israel as a class unto itself, but within the Jewish nation Torah gives each individual a daily opportunity to renew and upgrade their lease on life.

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from **Rabbi Yissocher Frand** <ryfrand@torah.org> hide details 7:05 pm (4 hours ago) reply-to ryfrand@torah.org, genesis@torah.org to ravfrand@torah.org date Jun 5, 2008 7:05 PM subject Rabbi Frand on Parshas Nasso mailed-by torah.org

Rabbi Yissocher Frand To sponsor an edition of the Rabbi Yissocher Frand e-mail list, click here Rabbi Frand on Parshas Nasso

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #595 – Chazonim and Chazanus. Good Shabbos!

Strange Verbiage Contains A Beautiful Insight

Parshas Nasso contains within it the laws of the Nazir. The Nazir is prohibited from drinking wine and consuming grape products. He is not allowed to cut his hair. Finally, he is not allowed to come in contact with the dead -- even his immediate relatives.

A person theoretically becomes a nazir as a means of abstaining from the passions of this world. The person decides not to indulge in certain normal worldly pleasures. Nazirus may be thought of as a type of "spiritual diet" one undertakes when he feels he is "too overweight" with the temptations and indulgences of "olam hazeh" [this world]. The nazir remains on this diet until he feels he has things back under control.

The Torah says that when the Nazir completes his designated period of Nezirus, he must bring a set of karbonos [sacrifices]. The pasuk [verse] states "yavee oso el pesach Ohel Moed". The pasuk means to say that the nazir brings them to the door of the Tent of Meeting. However, literally the pasuk states "he brings HIM to the door of the Tent of Meeting." Rather than state in a straightforward manner "yavo el Ohel Moed" [he comes to the Tent of Meeting], the Torah utilizes a strange syntax. Who is the "him" referred to in the pasuk and what is the message of this strange expression?

The Meshech Chochmah (Rav Meir Simcha of Dvinsk) offers a beautiful idea: The Torah does not offer any set time for the duration of Nezirus. Although there is a law that Nezirus of unspecified duration lasts 30 days, a person can specify any length of time beyond 30 days up to and including the concept of a "Nazir Olam" [one who accepts being a Nazir for the rest of his life]. What determines how long one's Nezirus will last? Rav Meir Simcha answers -- "however long the person thinks it will take him to get back under control".

Here again, it is like a diet. A person who needs to lose 10 pounds may be able to do it in 4 weeks. If he needs to lose 25 pounds, it will take much longer. Fifty pounds will take longer than that. It all depends on how long one expects it will take to arrive at the weight he wishes to achieve. Nezirus also takes as much time as is necessary for a person to reach the spiritual point where he is in control of his passions rather than his passions being in control of him.

The goal of Nezirus is to reach the point whereby one views the physical side of himself as if he is a different person. For this reason, the pasuk speaks of the Nazir "bringing HIM to the door of the Tent of Meeting". It is as if I am speaking about myself in the third person. "Him" is "me". That "other person" within me needs to have certain needs met, but "I" am in control! When the Nezirus concludes, it is "I" who brings "him" to the Ohel Moed, because now "I" am in charge of "him."

It Is Not So Simple To Utter The Priestly Blessing

Parshas Nasso also contains the Birkas Kohaim [Priestly Blessing]. When the Kohanim finish blessing the Jewish people, they recite a short prayer that contains the words "Master of the Universe we have done what You have decreed upon us. You also do what you have promised us. Look down from Your sacred dwelling, from the heavens, and bless Your people Israel."

Rav Matisyahu Solomon questions use of the words "mah she'gazarta aleinu" [what You have decreed upon us]. Gezeira usually connotes a harsh decree. In what sense is the command that the Kohanim bless the Jewish people a decree? Birkas Kohanim is the greatest thing! Why is it called a gezeira?

To answer the question Rav Matisyahu Solomon points to the blessing recited by the Kohanim PRIOR to blessing the people. "...who has sanctified us with the holiness of Aaron and has commanded us to bless His people Israel with LOVE." Not only are the Kohanim commanded to bless the people, they are commanded to do so with LOVE, with graciousness, with generosity!

Guess what? That is a hard mitzvah. To bless someone else that he should have all the blessings in the world and to do it with love and with graciousness is almost a super-human task. It is certainly no easy matter to accomplish.

This Kohen, who may be healthy or may not be healthy, who may be successful or may be having a difficult time, is asked to bless others who may already have more than he has, in a heartfelt fashion, full of love and empathy! It is not so simple at all.

When the Kohen finishes, he honestly tells G-d: We have done that which you DECREED upon us. We did it, but it was not easy. Now, please You also do what you have promised that you would do for us.

This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion.

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Halacha Talk by Rabbi Yirmiyahu Kaganoff DO I ONE OR TWO? What Determines Whether One Observes a Second Day of Yom Tov?

Question #1: Zev is studying in yeshivah in Eretz Yisroel and has decided that he wants to settle there, although his parents, who support him, live in Flatbush. How many days of Yom Tov should he observe?

Question #2: Avi and Ruti, who are native Israelis, have accepted teaching positions in chutz la'aretz for two years, but certainly intend to return to Eretz Yisroel afterward. Must they observe both days of Yom Tov while they are in chutz la'aretz?

Question #3: Meira, studying in seminary in Israel, is baffled. "Some of my friends who have decided to stay in Eretz Yisroel were told to keep two days of Yom Tov, others were told to keep one, and still others were told not to do melacha on the second day, but otherwise to treat it as a weekday. I have been unable to figure out any pattern to the answers they receive. Can you possibly clarify this for me?" Indeed, Meira's confusion is not unusual, since poskim differ greatly concerning what guidelines determine whether one observes one day of Yom Tov or two. Before analyzing this dispute, we need some background information on how the calendar was established in the era of the Sanhedrin.

THE HALACHIC MONTH All months in the Jewish calendar are either 29 or 30 days long, reflecting the amount of time it takes for the moon to revolve around the Earth, which is somewhat more than 29½ days. Therefore, Rosh Chodesh, the first day of the new month, is always either the 30th or the 31st day following the previous Rosh Chodesh. What determines whether a month is 29 days or 30? The Torah commands the main Beis Din of the Jewish people, or a Beis Din specially appointed by them, to declare Rosh Chodesh upon accepting the testimony of witnesses who observed the new moon (Rambam, Hilchos Kiddush Hachodesh 1:1, 7; 5:1). The purpose of having eyewitnesses was not to notify the Beis Din of its occurrence; the Beis Din, which had extensive knowledge of astronomy, already knew exactly when and where the new moon would appear and what size and shape it would be (Rambam, Hilchos Kiddush Hachodesh 2:4; Ritva on the Mishnah, Rosh Hashanah 18a). Rather, the Torah required the Beis Din to wait for witnesses in order to declare the 30th day as Rosh Chodesh. If no witnesses to the new moon arrived on the 30th day, then the 31st day became Rosh Chodesh, regardless of the astronomical calculations (Mishnah, Rosh Hashanah 24a).

DETERMINING YOM TOV The date of all Yomim Tovim is determined by Rosh Chodesh, or, more specifically, by either Rosh

Chodesh Tishrei or Rosh Chodesh Nissan (Mishnah, Rosh Hashanah 21b). (Shavuot, which occurs on the fiftieth day after Pesach, is therefore also dependent on Rosh Chodesh Nissan [Yerushalmi, Rosh Hashanah 1:4].) Therefore, in earlier days, even someone fully versed in all the astronomical information would be unable to predict which day was actually Rosh Chodesh, since Rosh Chodesh was not based exclusively on calculation, but on observation and the decision of the Beis Din (Rambam, Hilchos Kiddush Hachodesh 5:1-2). Since the calendar printers could not go to press until the Beis Din had declared Rosh Chodesh, calendar manufacture in those times would have been a difficult business in which to turn a profit. (Perhaps this is why people mailed out so few fund-raising calendars in the days of Chazal!)

KEEP INFORMED A major concern of Chazal was how to alert the Jewish communities, both inside and outside Eretz Yisroel, as to when to observe Rosh Chodesh and Yom Tov. How indeed did the Beis Din do this?

THE MOUNTAINTOP ALERT No, this is not the name of a rural West Virginia newspaper. Rather, this refers to the system Beis Din used to disseminate the day they had declared Rosh Chodesh. A representative of Beis Din would climb a mountain peak on the night after the declaration of Rosh Chodesh and wave a long torch in a prearranged pattern. This signal was received by another agent posted on a far-off summit, who, in turn, waved a long torch from his peak. This heralded the news to a crest on his horizon, where a third agent began waving his torch. Although this ancient system was less effective than telephone or e-mail, it worked so efficiently that Jewish communities as distant as Bavel knew that very night that the 30th day had been declared Rosh Chodesh, and were able to observe the Yomim Tovim on the correct day (Mishnah, Rosh Hashanah 22b; Ritva on the Mishnah 18a).

A TORCH-LESS NIGHT The torch system was used only if Rosh Chodesh was declared on day 30. If no witnesses arrived in Beis Din on the 30th, making Rosh Chodesh the 31st day, no mountaintop torches were ignited. Thus, the distant communities knew: Torches the night after the 30th meant that the previous day had been Rosh Chodesh; no torch that night meant that the next day was Rosh Chodesh. To paraphrase Paul Revere: "One if by day, none if tomorrow." This signalling system functioned excellently until the Cusim, an anti-Semitic people who settled in Eretz Yisroel, disrupted it by deliberately kindling torches on the night after the 30th day, even when Beis Din had not declared the previous day Rosh Chodesh. The Cusim's goal was to cause Jews to observe Yom Tov a day early and thereby desecrate the true Yom Tov (Mishnah, Rosh Hashanah 22b). Now the Beis Din needed to resort to a different approach - appointing human runners to notify people of the proper day of Yom Tov. Obviously, these messengers could not cover vast distances as quickly as the previous torch system, and it took considerably longer to notify people of the day of Rosh Chodesh. What previously took hours now took weeks.

Although the human express successfully informed Jewish communities as distant as Syria of the correct date of upcoming Yomim Tovim, the runners did not always reach the more distant Babylonian communities in time for Yom Tov (Mishnah, Rosh Hashanah 18a). These communities were now unsure whether the Roshei Chadashim of Nissan and Tishrei had been on the 30th day or the 31st, and were therefore uncertain which day was Yom Tov. Out of doubt, they observed Yom Tov on both days - this was the origin of observing two days of Yom Tov in the Diaspora, Yom Tov Sheini shel Galuyos (Rambam, Hilchos Kiddush Hachodesh 3:11). (By the way, after the destruction of the Beis HaMikdash, the main Beis Din was not located in Yerushalayim, but wherever the Nasi of the Jewish people resided. This included several other communities at various times of Jewish history, including Teveria, Yavneh, and Shafraam [Rosh Hashanah 31b].)

WHICH COMMUNITIES KEPT TWO DAYS? Whether a town observed one or two days of Yom Tov depended on whether the runners could arrive there in time. Since the runners did not travel on Shabbos or Yom Tov, any place further than 10 travel days from the main Beis Din

was forced to observe two days of Sukkos. On the other hand, the runners announcing Rosh Chodesh Nissan had two extra travel days before the onset of Pesach.

OBSERVING TWO DAYS OF SUKKOS AND ONE OF PESACH? Theoretically, one could have numerous different communal practices depending on the community's distance from the main Beis Din. For example, a town located more than 10 days' journey from the Beis Din but less than 12 would be informed of the correct day of Rosh Chodesh before Pesach, but not before Sukkos. Theoretically, this town would observe two days of Sukkos and one day of Pesach. Even more commonly, many communities would observe two days at the beginning of Yom Tov, but only one at the end, after being notified of the correct date of Rosh Chodesh. However, since Chazal did not want a variety of different practices, they instituted that any place that could not reliably expect the messengers before Sukkos should observe two days of Yom Tov on all Yomim Tovim, even for those when they certainly knew which was the correct day of Yom Tov (Rosh Hashanah 21a). Thus, although everyone knew which day to observe Shavuot, as it always falls fifty days after Pesach, every community that kept two days of Sukkos was required to observe two days of Shavuot. (Because of the danger involved in people fasting for two consecutive days, Chazal ruled that people could assume that Elul was only 29 days long and observe only one day of Yom Kippur, since this is what usually happened [see Rosh Hashanah 21a].)

INCREASED PERSECUTION During the later times of the Gemara, Roman persecution made it impossible to declare Rosh Chodesh based on testimony, and Hillel II instituted a calendar based purely on calculation without observation (Rambam, Hilchos Kiddush Hachodesh 5:2-3). Now a knowledgeable Diaspora Jew could make the same calculation as the Jews in Israel and the original rationale for observing two days of Yom Tov no longer existed. Nevertheless, Chazal required the Diaspora communities to continue observing two days of Yom Tov.

WHY KEEP TWO DAYS? Why did Chazal require these communities to observe two days of Yom Tov if the original reason for this practice had ceased to exist? Chazal were concerned that at some time in the future, persecution might render it impossible for Jews to be aware which day was Yom Tov (Beitzah 4b). Observing two days of Yom Tov reduces the possibility that they might violate Yom Tov or eat chometz on Pesach as a result of an error in calculation. Although this concern also existed in Eretz Yisroel, Chazal did not require the communities there to observe two days of Yom Tov since the practice was never instituted there. However, since the Diaspora communities were already observing two days of Yom Tov, Chazal continued this practice, albeit for a new reason. As a result, the Jewish communities of Eretz Yisroel observe one day of Yom Tov and those of the Diaspora observe two.

WHO KEEPS TWO DAYS OF YOM TOV? Although whether a community observed one day of Yom Tov or two should depend on whether it was within 10 travel days of the main Beis Din, certain villages near the Beis Din were off the messengers' route and consequently did not find out in time. As a result, these communities observed two days of Yom Tov, even though they were within Eretz Yisroel (Rambam, Hilchos Kiddush Hachodesh 5:9). Some Rishonim contend that even today many communities in Eretz Yisroel must observe two days of Yom Tov (Rambam, Hilchos Kiddush Hachodesh 5:9). The accepted practice is that all Eretz Yisroel observes only one day of Yom Tov since that was the practice of most places in Eretz Yisroel when the calendar was dependent on observation (Ritva, Rosh Hashanah 18a; Minchas Shlomo 2:44). Thus far, we have discussed the rules governing whether a community observes two days of Yom Tov or not; however, all the questions mentioned at the beginning of this article dealt with how many days of Yom Tov an individual must observe.

A FISH OUT OF WATER -- VISITING CHUTZ LA'ARETZ What is the halacha if a resident of Eretz Yisroel finds himself in chutz la'aretz for

Yom Tov? Must he observe two days of Yom Tov because of local custom, or may he follow his hometown practice of observing one day? The Shulchan Aruch rules as follows: “People who live in Eretz Yisroel who are in chutz la’arezt are forbidden to perform melacha (forbidden work) on the second day of Yom Tov, even if they intend to return to Eretz Yisroel” (496:3). No one should know that they are not observing Yom Tov, and for this reason, they must wear Yom Tov clothes (Shu”t Radbaz #1145; Magen Avraham). According to most opinions, they may not perform work even in private (Shu”t Radbaz #1145; Magen Avraham; Chayei Adom 103:3; Gra”z; Mishnah Berurah; Aruch HaShulchan, all based on Tosafos to Pesachim 52a, s.v. BiYishuv. However, Shu”t Mabit 3:149 and Taz [496:2] are lenient.) However, since it is technically not Yom Tov for them, they pray according to the practice of Eretz Yisroel on this day, even donning tefillin, although they must do so discreetly (Shu”t Radbaz #1145; Shu”t Avkas Rocheil #26).

A CHUTZNIK IN THE KING’S PALACE -- VISITING ERETZ YISROEL Does a chutz la’arezt resident visiting Eretz Yisroel observe one day of Yom Tov or two?? According to most opinions, a chutz la’arezt resident visiting Eretz Yisroel must continue to observe two days of Yom Tov until he or she assumes residence in Eretz Yisroel (Shu”t Avkas Rocheil #26; Shaarei Teshuvah 496:2; Yaavetz #168; Birkei Yosef 496:7).

One very prominent early posek contends that when visiting Eretz Yisroel, no one should observe the second day of Yom Tov. His reasoning is that observing two days of Yom Tov is a carryover from when people in chutz la’arezt were unable to determine which day was definitely Yom Tov. In that era, if someone from chutz la’arezt visited Eretz Yisroel, why would he observe two days of Yom Tov if he knew that the second day was not Yom Tov (Shu”t Chacham Tzvi #167)? (The Chacham Tzvi himself forbids observing the second day of Yom Tov in Eretz Yisroel because of concerns about bal tosf, adding to the mitzvah, a topic we will leave for a different time.) Although the Chacham Tzvi’s argument seems logical, almost all other halachic authorities dispute his conclusion. It should be noted that even the Chacham Tzvi’s son, Rav Yaakov Emden, followed the majority opinion, unlike his father (Shailas Yaavetz #168. However, note that the Gra”z 496:11 cites the Chacham Tzvi’s approach as the primary opinion). May people from chutz la’arezt organize a second-day Yom Tov minyan? This is an old dispute that continues to this day. Although many poskim object to the practice, contending that one should not publicly act differently from local convention, the practice to have second-day Yom Tov minyan in Eretz Yisroel is mentioned favorably by Rav Yosef Karo, the author of the Shulchan Aruch, as a well-established practice (Shu”t Avkas Rocheil #26). In most communities today it is the norm for chutz la’arezt visitors to conduct second-day Yom Tov minyanim and even to advertise them.

A TEMPORARY RESIDENT At the beginning of this article I mentioned several common situations where it is not obvious whether one should comport himself as a resident of Eretz Yisroel or of chutz la’arezt. What determines whether one should observe two days of Yom Tov? Whether one observes two days of Yom Tov depends on whether one is considered a Diaspora resident or not, concerning which we find a wide range of halachic opinion. Here is a sampling of the opinions:

ONE YEAR Some contend that one who plans to stay for a year should consider himself a resident of his new domicile, even if he intends to return eventually (Aruch HaShulchan 496:5; Shu”t Avnei Nezer, OC 424:27). These authorities compare this law to the following Mishnah (Bava Basra 7b): “You can force someone to contribute to the construction of the walls and reinforcements of a city. ... How long must he be in the city to consider him a resident? Twelve months. And if he purchased a residence, he is considered a resident immediately.” The Gemara compares this law to similar responsibilities for tzedakah and some other mitzvos (Bava Basra 8a). According to this approach, Avi and Ruti, who will be teaching in chutz la’arezt for two years, certainly follow all the practices of chutz la’arezt for Yom Tov (see also Shu”t Yechaveh Daas 3:35).

LONG-TERM INTENT On the other hand, a different early authority ruled that time is not the factor in deciding whether one is considered a resident of Eretz Yisroel or of chutz la’arezt, but one’s long-term intent. If one’s plans are to return to Eretz Yisroel, one should daven according to Eretz Yisroel practice, even if one is in chutz la’arezt for several years. Someone in Eretz Yisroel who intends to return to chutz la’arezt should observe two days of Yom Tov. This halachic authority, however, included one main exception to his rule: If one travels with his family and establishes a livelihood in his new locale, he should consider himself a resident of where he is now, since people tend to remain in a place where their livelihood is secure (Pri Chodosh, Orach Chayim 468, s.v. vira’isi). However, many authorities judge contemporary circumstances differently from those of earlier generations. Since today people travel and even relocate relatively easily, the fact that one’s family and livelihood is currently in one location does not automatically make one a permanent resident of that place for the purposes of determining whether one observes one day of Yom Tov or two. Because of this consideration, Rav Moshe Feinstein ruled that someone studying in kollel in Eretz Yisroel should keep two days of Yom Tov unless both he and his wife have decided to remain in Eretz Yisroel (Shu”t Igros Moshe, OC 3:74). Rav Moshe has several other published teshuvos on the subject, each person’s case being somewhat different, and in each case Rav Moshe determines whether the person should be considered a resident of Eretz Yisroel or one of chutz la’arezt.

***ALWAYS YOM TOV IN ERETZ YISROEL** *Rav Shlomo Zalman Auerbach has the following ruling: He contends that someone who owns a residence in Eretz Yisroel that he uses for every Yom Tov, need keep only one day of Yom Tov while in Eretz Yisroel, even though he lives in chutz la’arezt the rest of the year (Minchas Shlomo 1:19:7). Rav Shlomo Zalman’s logic is that this individual no longer has the custom of keeping two days of Yom Tov since he is always in Eretz Yisroel for Yom Tov.

***A YESHIVAH BACHUR WHO INTENDS TO REMAIN IN ERETZ YISROEL** *What is the halachic status of a yeshivah bachur studying in Eretz Yisroel whose family lives in chutz la’arezt, but who intends to remain in Eretz Yisroel long-term? Can he establish a different custom from his family? In answering a different question, the Magen Avraham contends that a yeshivah bachur who is in one place for two or three years does not take on the customs of his yeshivah’s town (468:12). On the other hand, other sources quote that accepted practice is that a yeshivah bachur from chutz la’arezt attending yeshivah in Eretz Yisroel observes only one day of Yom Tov (Shaarei Teshuvah 496:2). Are these two sources in dispute? Rav Moshe Feinstein contends that they are not, explaining that a student who is financially dependent on parents who have not accepted his decision to remain in Eretz Yisroel should follow their practice, whereas if he is financially on his own, or if they agree to support him in Eretz Yisroel, he observes only one day of Yom Tov (Shu”t Igros Moshe, OC 2:101). Others disagree, contending that if he might remain in Eretz Yisroel, he need observe only one day of Yom Tov. According to this approach, the Magen Avraham considered him a resident of his parents’ town only if he is certain that he is returning there after his yeshivah years (Shu”t Yabia Omer 6:oc:40; Shu”t Yechaveh Daas 1:26).

***“A DAY AND A HALF”** *A colloquial expression has developed referring to someone as observing Yom Tov for “a day and a half.” This term does not mean that the person observes Yom Tov for 36 hours. It means that the rof who paskened felt uncertain as to whether the person should be observing one day of Yom Tov or two, and therefore ruled that he or she should not perform any melacha on the second day of Yom Tov, but should daven and observe it otherwise as a weekday. We can now begin to comprehend Meira’s question: “Some of my friends have been told to keep two days of Yom Tov, others were told to keep one, and still others were told not to work on the second day but otherwise to treat it as a weekday. I have been unable to figure out any pattern to the answers they

receive.” Truthfully, there is a very wide range of opinion regarding what determines whether one observes one day of Yom Tov or two. Thus, Meira’s confusion is very understandable. Each friend’s rabbi may be applying completely different criteria to determine how many days of Yom Tov to observe, and that is why Meira cannot figure out any pattern. Obviously, someone should ask his or her rov what to do and follow his instructions. The Torah refers to the Yomim Tovim as Moed. Just as the Ohel Moed is a meeting place between Hashem and the Jewish people, so, too, a moed is a meeting time for Hashem and His people (Rav S. R. Hirsch, Vayikra 23:3 and Horeb). Perhaps being more distant from Hashem in chutz la’aretz necessitates an extra day to celebrate our unique relationship with Him!

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Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - 5766]

<http://www.chiefrabbi.org/tt-index.html>

Naso

Last year in these studies we noted the well-known difference of opinion among the sages about the nazirite – the individual who undertook to observe special rules of holiness and abstinence: not to drink wine or other intoxicants (including anything made from grapes), not to have his hair cut and not to defile himself by contact with the dead.

In relation to the biblical text, the argument turned on the fact that when the nazirite’s period of self imposed restraint came to an end, he was commanded to bring a sin offering (Num. 6: 13-14). According to Nachmanides this was because he was returning to ordinary life after a time spent in special sanctity. He brought an offering for the sin of ceasing to be a nazirite.

According to the Mishnaic teacher Rabbi Eliezer Hakappar, it was for the opposite reason: he brought an offering for the sin of becoming a nazirite in the first place. He denied himself the pleasures of this world – the world G-d created and declared good. Rabbi Eliezer added: “From this we may infer that if one who denies himself the enjoyment of wine is called a sinner, all the more so one who denies himself the enjoyment of other pleasures of life” (Ta’anit 11a; Nedarim 10a).

Clearly the argument is not merely textual. It is substantive. Specifically it is about asceticism, the life of self-denial. Almost every religion knows the phenomenon of people who, in pursuit of spiritual purity, withdraw from the world, its pleasures and temptations. They live in caves, retreats, monasteries. The Qumran sect known to us through the Dead Sea Scrolls may have been such a movement.

In the Middle Ages there were Jews who adopted similar self-denial – among them the Hassidei Ashkenaz, the Pietists of Northern Europe, as well as many Jews in Islamic lands. In retrospect it is hard not to see in these patterns of behaviour at least some influence from the non-Jewish environment. The Hassidei Ashkenaz who flourished during the time of the Crusades lived among deeply pious, self-mortifying Christians. Their southern counterparts would have been familiar with Sufism, the mystical movement in Islam.

The ambivalence of Jews toward the life of self-denial may therefore lie in the suspicion that it entered Judaism from the outside. There were movements in the first centuries of the common Era in both the West (Greece) and the East (Iran) that saw the physical world as a place of corruption and strife. They were, in fact, dualisms. They held that the true G-d was not the creator of the universe and could not be reached within the universe. The physical world was the work of a lesser, and evil, deity. The two best known movements to hold this view were Gnosticism in the West

and Manichaeism in the East. So at least some of the negative evaluation of the nazirite may have been driven by a desire to discourage Jews from imitating non-Jewish tendencies in Christianity and Islam.

Yet none of this explains the view of Maimonides, who holds both views, positive and negative. In *Hilkhot Deot*, the Laws of Ethical Character, Maimonides adopts the negative position of R. Eliezer Hakappar. To be a nazirite is bad. “A person may say: ‘Desire, honour and the like are bad paths to follow and remove a person from the world, therefore I will completely separate myself from them and go to the other extreme.’ As a result, he does not eat meat or drink wine or take a wife or live in a decent house or wear decent clothing . . . This too is bad, and it is forbidden to choose this way.” (*Hilkhot Deot* 3:1) Yet in the same book, the *Mishneh Torah*, he writes: “Whoever vows to G-d [to become a nazirite] by way of holiness, does well and is praiseworthy . . . Indeed Scripture considers him the equal of a prophet” (*Hilkhot Nezirut* 10: 14). How does any writer in a single book adopt such contradictory positions – let alone one as resolutely logical as Maimonides?

The answer is profound – so profound that it is hard to assimilate and digest, yet it remains one of the most insightful ideas ever formulated in ethics.

According to Maimonides, there is not one model of the virtuous life, but two. He calls them respectively the way of the saint (Hassid) and the sage (Hakham).

The saint is a person of extremes. Maimonides defines hessed as extreme behaviour – good behaviour, to be sure, but conduct in excess of what strict justice requires (*Guide for the Perplexed* III, 52). So, for example, “If one avoids haughtiness to the utmost extent and becomes exceedingly humble, he is termed a saint (hassid)” (*Hilkhot Deot* 1: 5).

The sage is a different kind of person altogether. He follows the “golden mean”, the “middle way”, the way of moderation and balance. He or she avoids the extremes of cowardice on the one hand, recklessness on the other, and thus acquires the virtue of courage. He or she avoids miserliness on the one hand, giving away all one has on the other, and thus becomes generous. The sage knows the twin dangers of too much and too little – excess and deficiency. He or she weighs the conflicting pressures and avoids the extremes.

These are not just two types of person but two ways of understanding the moral life itself. Is the aim of the moral life to achieve personal perfection? Or is it to create gracious relationships and a decent, just, compassionate society? The intuitive answer of most people would be to say: both. That is what makes Maimonides so acute a thinker on this subject. He realises that you can’t have both – that they are in fact different enterprises.

A saint may give all his money away to the poor. But what about the members of the saint’s own family? A saint may refuse to fight in battle. But what about the saint’s own country? A saint may forgive all crimes committed against him. But what about the rule of law, and justice? Saints are supremely virtuous people, considered as individuals. Yet you cannot build a society out of saints alone. Indeed, saints are not really interested in society. They have chosen a different, lonely, self-segregating path. I know no one who makes this point as clearly as Maimonides – not Plato, not Aristotle, not Descartes, not Kant.

It is this deep insight that led Maimonides to his seemingly contradictory evaluations of the nazirite. The nazirite has chosen, at least for a period, to adopt a life of extreme self-denial. He is a saint, a hassid. He has adopted the path of personal perfection. That is noble, commendable, exemplary.

But it is not the way of the sage – and you need sages if you seek to perfect society. The sage is not an extremist – because he or she realises that there are other people at stake. There are the members of one’s own family; the others within one’s own community; there are colleagues at work; there is a country to defend and a nation to help build. The sage knows he or she cannot leave all these commitments behind to pursue a life of solitary virtue. For we are called on by G-d to live in the world not in escape from it; in society not seclusion; to strive to create a balance among

the conflicting pressures on us, not to focus on some while neglecting the others.

Hence, while from a personal perspective the nazirite is a saint, from a societal perspective he is, at least figuratively, a “sinner” who has to be bringing an atonement offering.

Maimonides lived the life he preached. We know from his writings that he longed for seclusion. There were years when he worked day and night to write his Commentary to the Mishnah, and later the Mishneh Torah. Yet he also recognised his responsibilities to his family and to the community. In his famous letter to his would-be translator Ibn Tibbon, he gives him an account of his typical day and week – in which he had to carry a double burden as a world-renowned physician and an internationally sought halakhist and sage. He worked to exhaustion; there were times when he was almost too busy to study from one week to the next. Maimonides was a sage who longed to be a saint – but knew he could not be, if he was to honour his responsibilities to his people. That seems to me a profound and moving judgment – and one that speaks to us today.

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Shavuot: For the Love of Torah - 4 Mini Reflections **Rabbi Asher Brander**

1. They call it the Magen Avraham's kasha. The most famous question regarding this least famous of Jewish holidays: Shavuot is 50 days after Pesach. Go back to the original Revelation and work out the math (we were redeemed on a Thursday and received the Torah on a Shabbos); it turns out that we received the Torah on day 51 after Pesach. So why celebrate Shavuot (“z’man matan toraseinu”) on the day before we actually received it? Many answers have been suggested.

A simple and poignant approach distinguishes between the day we received the Torah (kabbolas hatorah) and the day G-d gave it to us (matan toraseinu). On Shavuot, we celebrate the day that G-d gifted the Torah to His special nation. A meaningful act of giving requires a willing appreciative recipient who understands the gift’s value. A Palm 750 is fairly useless in the hands of a monkey (or a techno-phobic human). Moshe, says the Talmud, added a day to the run up period of receiving the Torah. Perhaps this was a day of contemplation, a space to consider the greatest gift ever received – a veritable window into Hashem’s “mind”. Where would we be without Torah? I feel bad for the Jews who have yet to appreciate its beauty. Theirs is a dry Judaism. Ta’amu u’reu ki tov! - Taste it and see how good it really is. Then I must turn inward - do I really appreciate it – so why don’t I learn it as much as I can?

2. Why isn’t it famous? Because there is no special discernible mitzvah on Shavuot (of course there are special sacrifices, but Rosh Chodesh also has them and it is not a moed;) It almost seems that Shavuot is wholly unremarkable. Consider that:

Yes, we learn Torah on Shavuot, but we (theoretically) should learn Torah everyday.

Yes, the Torah is new on Shavuot and so it should be everyday.

Yes, we formally received the Torah on Shavuot – but we must strive to re-receive everyday.

(Yes, we eat cheesecake on Shavuot and we should do so ... wishful thinking.)

Perhaps Shavuot simply highlights the extraordinary ordinary that is the hallmark of Jewish life. A traditional Jewish lifestyle might run approximately as follows: One wakes up, says modeh ani, prays, learns Torah, goes to work, helps out, spends time with family and learns some more. It is all holy. Tosafos teaches that a Jew never lapses from his Torah consciousness. Shavuot celebrates the exalted mundane life of the striving Jew.

3. Shavuot marks our personal relationship to Torah. In his wild quest to locate who stole the Torah, Satan turns to Moshe (Shabbos 89a) and asks where it is. Moshe responds to the Satan: Who am I that G-d would give me the Torah. Ultimately, Satan accuses Moshe of lying. Moshe responds: True, I have the Torah – but it is not mine, for how can I possibly own God’s Torah? Hashem corrects Moshe: precisely because you diminish yourself, you now become its proprietor (toras Moshe avdi – Malachi 3). In effect, Hashem is saying that to acquire Torah, humility is the requisite trait. The great paradox of owning Torah now becomes: the less one claims Torah, the more he has of it.

Remember those late night phone calls with our chosson/kallah to be? That is Shavuot night.

4. On staying up all night Shavuot, I’ve heard it all:

1. Why stay up all night – it kills any learning for the next day (or 2 or 3 or 7)” 2. “It’s not efficient (try learning Yevamos at 3:30am or 3:30 pm for that matter)”, 3. “It’s not a halacha, (obligation), it’s a minhag”. 4. I don’t like cheesecake so late at night 5. Because the Jews fell asleep a few thousand years ago (at matan torah) I have to suffer

So why do we do it? The Jewish people understand that love can’t be quantified in terms of efficiency, pragmatics and obligation. Au contraire, the loving act, at times might require grand impracticality and incredible inefficiency. Remember those late night phone calls with our chosson/kallah to be? Conversations of utter fatigue that at times might rightly have been termed out of body experiences. Yet, they create a bond. Sacrifice creates love. On Shavuot night we talk to our kallah – even if we may not remember exactly what we said. Minimally, we are expressing in deed and in word: Hashem – we love you and your Torah.

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http://www.ou.org/shabbat_shalom/article/capturing_the_wall_the_story_of_shavuot_1967/

June 04, 2008

Capturing the Wall: The Story of Shavuot 1967 **By Aaron Hirsh**

A brilliant flash shattered the darkness. The lonely climber saw in that blink of an eye that he was almost at the top of the peek, and around him a gorgeous valley spread with lakes reflecting the awesome mountain. And then it was dark again. Life flashes with those moments where everything is clear. So does Jewish history. I’d like to tell you about two of them.

As the taxi started driving I asked, "Can you please turn off the radio."

Usually you only see the back of the driver's head. This one turned around smiling: "Only if you sing to me," he answered in Hebrew.

"Simin Tov u Mazal Tov" I began happily.

"V simin tov u Mazal Tov," he joined in. Now he, my wife and I were all smiling.

I guess the song transported him back to a memory because he asked suddenly: "Have you ever heard about the liberation of the Western Wall in 1967?"

"Sure" I answered.

"I was there. I was a soldier in a unit fighting the Jordanians in the Old City. Our troop advanced into a section of the Old city. Although I had never been there before, and the Arabs had animals grazing and manure scattered between their houses and the ancient walls of the Old City, I seemed to recognize where I was. Suddenly I realized I was standing at the Western Wall.

I went to a school that was not religious. I remember we only had one textbook with anything religious in it. It had three religious pictures: the Tomb of Rachel, the Cave of Machpella where Avraham, Sara and the other forefathers are buried, and the Western Wall.

This was the picture of the place from my schoolbook. I was standing at the Western Wall. Suddenly I couldn't move. My entire body was tingling, and I became overwhelmed by the holiness of where I was. Over my head I felt the presence of the "Shehina" (the Presence of G-d which is said to always dwell at the Western Wall), and I became completely paralyzed.

Meanwhile the Jordanians were shooting at us from the building tops. So when my fellow soldier ran up to me he thought I had been shot. He started checking me for bullet wounds, but he found none. No blood was flowing. Finally he realized I was in shock. He started shaking me till I came to."

I could not believe the story I was hearing, but it got even better.

"Out of nowhere a Rabbi appeared. Rabbi Goren. We were soldiers ready for battle, but he was only a civilian. We ran to cover him. He was carrying a shofar, and was headed straight for the Wall.

As he reached the wall he said the Shehechianu prayer, and then took his shofar and began to blow. Then I heard him radio: 'The Kotel Ma'arvi is in our hands, I repeat the Kotel Ma'arvi is in our hands!'"

As he told me his story I could not help but wonder why the Rabbi seemed to be more informed than the soldiers. How did he know to be there? Shouldn't the soldiers have been radioing that they had captured their target? I understood as he continued:

"We had no orders to capture the Kotel. We just ended up there." As I heard his story it was as if it had been prophesized. It mirrored the words and events of the 3rd Jew to visit the place of the temple and his reaction over three thousand years earlier:

"Jacob...encountered (bumped into) the place...and behold G-d was standing over him and He said: ...I will guard you wherever you go and I will return you to this soil...Jacob ...said: "Surely G-d is in this place and I did not know! And he became frightened and said: "How awesome is this place!...this is the gate of Heaven." (Genesis 28 vs. 10-17)

"You heard of Yitzak Rabin?" the driver then asked. I couldn't tell if he meant the question seriously. "He arrived next, and soon after him Moshe Dayan, and realized they'd captured the Kotel. Maybe you have seen two of the posters from that moment?" He asked pointing to his hair. "I am balding now, but I am in one of them, the one in the helmet," he told me, and I did recognize him.

I thought to myself that the patriotic textbooks that feature that picture probably wouldn't sequence the events in the order he was telling me.

"We bumped into the Kotel, and the Rabbi blew the shofar, and then the Generals showed up," but Jacob, after whom we call ourselves Israel, is described by the Torah as "bumping into the place, and he is described as "the man of truth".

The beauty of the taxi driver's story was what he told me next. "It was summer time. After the liberation, first we invited all the yeshivas, and the rabbis to visit the Kotel. The next week was Shavout, and we opened it for all of Israel to come and visit."

Even though the taxi driver was not wearing a kippa, he turned around and the words of a Gemara flowed from his mouth: "If you weren't there to see the joy of the Simchat Beit Sho'eva (the water drawing festival in the temple on Succas) then you have never seen true happiness"

I nodded, waiting to hear what he'd tell me next.

"If you were not there to see the joy of the Jews coming back to the Kotel, then you have never experienced true happiness."

You could see that he had experienced true celebration, and that its joy was alive within him now as it was when he experienced it forty years earlier.

"People were bawling, embracing, falling to their feet. For six months after you could not get an airplane ticket to Israel from abroad. Everyone was coming to see the Western Wall."

Every Shavout in Jerusalem, a few hours before sunrise from distant hills from every edge of the city the deserted streets begin to fill with Jews until from every direction Jews of every kind stream towards one central point--the Western Wall. You can hear the roar of people moving - old men, kids, groups of teenage girls, yeshiva students with their rabbis, and voices

singing. And then in a single moment-at sunrise, the moment at which G-d gave His beloved Jewish people his beloved torah, all these different Jews step into prayer, as one man with one heart, and all is silent. I wondered if that tradition started that Shavout in 1967 with the story of our taxi driver.

As he spoke the rest of the ride home I was thinking about all the holy men who wept bitterly to merit to see the Kotel and died with their dream unfulfilled. I wondered what it was about him that he had been chosen. I remembered the story that I heard when showed the picture of the Kotel being liberated, the picture of our driver:

As soldiers ran to the Kotel, one of the non-religious soldiers who ran to the Wall saw the religious soldiers crying. He too began to cry.

The religious soldier looked at him surprised and asked: "I know why I am crying, but why are you crying?" The nonreligious soldier answered back: "I am crying because I don't know what I am supposed to be crying about."

Interesting how the moment of the giving of the torah ripples through the millennia to re-emerge in the subconscious of every type of Jew, all leading their own separate lives, to again be like one man with one heart at the Kotel on Shavout. We all have two identities--the person we identify with day to day and the picture of ourselves we see within the critical moments of life that flash with clarity. At those moments we know who we are.

The moment in the history of the Jewish people when we saw ourselves as Israel, one man with one heart, was at the giving of Torah. I did not have to ask the driver his name to know that he, for me and everyone else who has seen his picture, is Israel.

Perhaps out of all the people in the world, G-d had chosen a 19 year old boy from Haifa, our taxi driver, to redeem the Wall so that the flood of Jewish people could stream there again, in order to give us all a broader vision of who we are in essence. The torah is for all of us. It is our heart, and connects us even when we see ourselves as very far from it.

Each one of us is like a lone climber through the darkness of exile struggling to cling to whatever Judaism we have left. The flash of light that puts us back in touch with our mission, and how close we are to achieving it was the light that flashed for our driver and the whole Jewish world in 1967. It is the lightning that lit up our souls with a sense of who we truly are--the light of the giving of the Torah.

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PARSHAS NASO When a man or woman sins by committing treachery against Hashem. A man whose wife shall go astray. A man or woman who shall disassociate himself by taking a Nazirite vow of abstinence. (5:6,12) (6:2) The Torah purposely juxtaposes three types of incidents: one in which the individual steals and swears falsely; the wayward wife; the Nazir who vows to abstain from wine and intoxicants. The Ralbag explains that the Torah is conveying a profound message. The ultimate goal of mankind is to live in a society dedicated to powerful coexistence, security and tranquility. This can be achieved only when peace forms the foundation of society. If the underpinnings are secure and based upon peace, the structure will grow upon this principle. The first portion of the pasuk addresses the failings of one who steals and swears falsely, which is a societal problem. This is followed by the incident of the wayward wife, which details problems on the home front. Domestic harmony is certainly an aspect of the infrastructure that contributes to a strong society. Third, we are challenged with what is probably the most basic fundamental issue of peaceful coexistence, one that is more basic than even the community or the home. It is serenity within oneself. Yes, one must be at peace with himself, a phenomenon which is symbolized by the third portion of the pasuk, the Nazir who vows to abstain from the pleasures of wine and

intoxicating beverages. One who does not constrain himself from falling into the abyss of indulgence in sensory pleasures is clearly not at peace with himself. Such an individual does not have a tranquil life at home with his spouse and, ultimately, cannot coexist peacefully with other members of society.

While the Ralbag's thesis is certainly practical in light of our attempts to achieve this ideal state of living, his remark suggesting that the individual who indulges in physical pleasure reflects a disharmony within himself is troubling. One would think that indulgence leads to satisfaction, and self-gratification promotes tranquility. Why is the self-indulgent person characterized as one not at peace with himself?

Horav A. Henoch Leibowitz, zl, explains that man was not created to be a purely physical being. He is an incredible phenomenon which amalgamates the spiritual and the physical, the soul and the body, the Divine and the mundane, into one miraculous blend. Thus, the soul is not at peace if the body does not receive its due nourishment, and the body eludes tranquility if the soul is deprived of its spiritual sustenance. A man who ignores his Divine calling and lives only to satiate his physical cravings, is torn with internal strife. He experiences inner turmoil and ceaseless tension, as his soul cries out for fulfillment. Indeed, the pleasure-seeker will ultimately not find fulfillment, despite his constant self-gratification, because his soul continues to yearn to attain its perfection.

As the Rosh Yeshivah saw it, the person who is venerated by today's society, the individual who is glorified for his ascension upon the ladder of hedonistic pleasure and gratification, is actually a walking war zone, a battleground in which body and soul are locked in ceaseless struggle. He presents himself publicly as calm, collected and in control, living the good life as only his kind knows how to live. Within him, however, rages an incessant turmoil, a restlessness that eats away at whatever inner-peace he might think he has achieved. In reality, he is nothing more than a messed-up individual who has a difficult time living in harmony with anybody - his circle of friends and even his own family.

To achieve peace, one must attain fulfillment. It is quite difficult to attain fulfillment when a war is raging from within. One who seeks to promote peace within his community and family should first work on himself. Following the Torah as our guide is an excellent prescription for achieving personal success. Indeed, it is the only guide to perfection, eternal reward, true happiness and inner-tranquility.

A man's holies shall be his, and what a man gives to the Kohen shall be his. (5:10)

The Torah is alluding to the fact that one who gives the Kohen his due gifts will not sustain any loss thereby. On the contrary, Hashem will reward him for his generosity. Rashi adds that the Kohen or Levi might think that since the gifts are "coming" to them, they might just as well go and pick them up from the owner's house. We are taught that the gifts belong to the owner until the time that he chooses to give them to whichever Kohen he pleases. It is his decision. The Midrash teaches us that when he holds back the Maaser, tithe, from the Levi, his field eventually will produce only ten percent of its original yield. On the other hand, if he does perform his share, he will see his financial portfolio grow magnificently.

The Midrash to Sefer Shemos quotes Shlomo Hamelech in Mishlei 2:22, "One overeager for wealth has an evil eye; he does not know that want may befall him." Rabbi Levi says that this pasuk applies to the individual who does not properly tithe his produce. He cites an incident concerning an individual whose field yielded one thousand measures of grain, of which he would always separate one hundred measures for the Levi. Prior to his death, he instructed his son to do the same, claiming that this is why he had always had sufficient livelihood with which to support their family. The first year, the son followed his father's instructions. After that, he slowly began to "forget" to tithe as his father had done. Within a short time, his yield began decreasing, until he was left with only a ten-percent yield. He

was blind to the punishment that Hashem was meting out against him, because his obsession with wealth was clouding his vision.

How many of us think that if we are frugal in our obligations to the poor, and to those organizations and institutions whose sustenance is dependent upon our good graces and open hearts, we will have more for ourselves? Horav Nosson Ordman, zl, cites an inspirational analogy from the Chafetz Chaim concerning Shabbos which can similarly be applied to tzedakah, charity. Those who keep their places of business open on Shabbos justify their lack of observance with the age-old excuse, "We need a parnassah, a livelihood." These people are very much like the foolish gentile in the following story. A Jewish merchant came to the village to purchase grain from its farmers. After meeting with a certain gentile farmer, the merchant ordered one hundred sacks of grain at a specific price per sack. Now they had to count the sacks and place them on the merchant's wagon.

Since the gentile found it quite difficult to keep track of all the sacks, he decided that for every sack that was placed on the merchant's wagon, the merchant would give him a small coin. This way, after all the sacks had been placed on the wagon, they would simply count up the coins and the merchant would reimburse the gentile farmer for the difference. All went well for the first few sacks, but then the farmer's yetzer hora, evil-inclination, got the better of him.

Seeing all those coins on the table drove him to reassess his proposal for counting the sacks. He could not wait until they concluded the count to receive his payment. He needed money now! He devised a "daring" plan. When the Jew was not looking, the gentile grabbed a handful of coins. This way, he would have his money now, and the Jew would never know.

How foolish was the farmer. True, he was able to acquire some pennies immediately, but, in the final analysis, the count would be short, and the Jewish merchant would receive an added number of sacks for nothing! The fool gained pennies, but lost many dollars!

We think that by working on Shabbos, we supplement our income. We do not realize that what we profit on Shabbos pales in comparison to what we will lose during the week. Likewise, explains Rav Ordman, we think that by hoarding our money and not sharing it with those in need, we are profiting. In the final conclusion, we will have saved pennies, but lost many dollars. The one who is "eager for wealth has an evil eye" does not understand "what will befall him." What we think we save now, we pay for later - many times over.

Conversely, there are those who are under the misguided assumption that by giving tzedakah, they are depleting their financial holdings. On the contrary, by contributing to charitable causes, helping the needy, and reaching out to those who are less fortunate than we are, we merit seeing our financial portfolio increase beyond the norm. Rav Ordman notes that scripture often refers to charitable giving as zeriah, planting. Shlomo Hamelech says in Mishlei 11:18, "One who sows righteousness, has a true reward," and the Navi Hoshea (10:12) says, "Sow for yourselves righteousness and you will reap according to your kindness." Indeed, Chazal say that "sowing righteousness" is a reference to giving tzedakah. We wonder why zeriah, sowing seeds, is used in reference to tzedakah?

Rav Ordman gives a practical explanation which illuminates the entire concept of tzedakah. When we think about it, the image of planting is an anomaly to one not knowledgeable of the process. We see a person take a sack of edible seeds and throw it all over a freshly-plowed field, only to "add insult to injury" by covering the seeds with dirt. A person who observes this procedure, but has no clue concerning what is occurring, will certainly think the farmer has taken leave of his senses. He seems to be wasting good seed. The individual in the "know," however, is acutely aware that these seeds will produce manifold crops that will sustain, nourish and satisfy many people.

Similarly, when one gives tzedakah, it might appear that he is wasting good money. In truth, he is making a solid investment in his and his family's future. Giving tzedakah is like planting, in that it reaps much merit - both spiritually and materially.

But if the woman had not become defiled, and she is pure, then she shall be proven innocent and she shall bear seed. (5:28)

The woman not only was not defiled by the man whom her husband accuses, she is considered to be pure of any sin with anyone else as well. Her reward is fruitfulness in bearing children more successfully. If she had previously suffered difficult labor, she will now give birth more easily. Her babies will be born healthy and with a healthy appearance. If otherwise she had been infertile, Hashem will give her a child to compensate her for the ordeal she had experienced. The commentators wonder why this woman is worthy of a reward of any kind. This is a woman who had heretofore acted inappropriately, cavorting with strange men, to the chagrin and shame of her husband and family. Clearly, her husband had accused her of being a party in an illicit affair for a reason. She was not acting like a model Jewish woman or wife. Yet, because she did not actually sin, she is rewarded! Should that be the criteria for reward? What about the life of moral abandon that had been her favorite pastime until now? - Are we to ignore that?

Horav Eliyahu Lopian, zl, offers two explanations, both of which go to the core of sin and repentance. First, we must take into consideration the devastating humiliation which she had undergone, as she was the subject of much degradation, which was to stimulate her to confess to her infidelity. She was on public display for one purpose: to encourage her to realize what she did and its deleterious effect, so that by confessing, her life would be spared. She sustained the pain, the embarrassment, and the disgrace. This is applied in her merit, as she is, therefore, not only spared a tragic fate, but she is blessed with successful childbirth.

Second, Rav Elya explains that each individual is judged commensurate with his spiritual/emotional/moral status quo at the moment of his sin. This woman descended to the nadir of depravity, as she liasoned with a man other than her husband. She ignored her husband's warning, was oblivious to her family's pleas, and rejected the scorn and derision that her illicit activities catalyzed. Apparently, her desire to sin was so overpowering, so intense, that it all did not matter. She was in the midst of carrying out her desires. Who cares about consequences?

Yet, despite having plummeted to the depths of degeneracy, she exhibited self-control and did not sin. She was with her companion, but she was able to prevail upon her emotions to keep herself from sinning. The desire was just as intense, but she was stronger. She triumphed over her yetzer hora, evil-inclination. For overcoming her inclination to sin, at a time when it was available and willing, she is rewarded. The Torah does not deprive anyone of his or her due reward.

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SHEMA KOLEINU

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Why We Celebrate Shavuos

Rav Yosef Gavriel Bechhofer

One of the most intriguing questions surrounding the *Yom Tov* of Shavuos is the question as to why the Torah does not identify the day as one that celebrates *Mattan Torah*. The Torah chooses, instead, to depict the significance of this day as the *Yom HaBikkurim* – that is, the day of the year which commences the season of bringing one's *Bikkurim*, first fruits, to the *Beis HaMikdash* in *Yerushalayim*. Surely the more momentous character of the day stems from the fact that it is the anniversary of *Mattan Torah* at *Har Sinai*!?

The *Maharal* (*Tiferes Yisroel* chap. 27) gives a startling answer:

אמנם מה ששואלים בני אדם כי אם חג השבועות הוא בשביל שנתן לנו התורה, למה כתב (במדבר כ"ח) וביום הבכורים בהקריבכם מנחה ולא כתב ביום מתן תורה מאחר שעיקר היום טוב הוא בשביל התורה, כמו שאנו אומרים זמן מתן תורתנו, אין זה שאלה כלל כי השם יתברך נתן למועדים זמן אשר הם שמחת ישראל אשר זכו אל הטוב כמו שאמר בחג המצות שבו יצאו ישראל מבית עבדים וסוכות כי בסוכות הושבתי אתכם וביום הכפורים כי ביום הזה יכפר עליכם, ובחג השבועות התורה שנתנה בו נתנה מהשם יתברך והיא לעול על ישראל והרי אומות העולם לא היו רוצים לקבל התורה ואף כי אנו אומרים זמן מתן תורתנו היינו משום שקבלנו התורה בעצמנו ואמרנו נעשה ונשמע אבל מכל מקום השם יתברך הנותן התורה היה כופה ההר עליהם שיקבלו התורה בעל כרחם מפני שהיא עול עליהם ואיך יכתוב בתורה זמן מתן תורה שנתן השם יתברך בגורתו על האדם. ומזה הטעם לא נכתב גם כן בראש השנה הטעם שהוא יום הדין מפני כי הדין מצד עצמו אינו מקובל ואינו נוח לאדם ולכן לא תלה המועד בזה רק נכתב זכרון תרועה והזכירה שנוכר על ידי תרועה לפני הקדוש ברוך הוא לטובה, וכן הוא הזכירה בכל מקום. ותלה שלש מועדים הפסח בחדש האביב ושבועות חג הקציר וסוכות חג האסיף, ועוד יתבאר ענין אלו שלשה זמנים אל המועדים השלשה. והתבאר לך מה שלא קבע זמן חג השבועות שבו נתנה תורה לישראל:

In other words, because we were compelled to accept the Torah at Sinai, and because it imposes upon us a heavy yoke, with so many burdensome laws and potential punishments, its Giving would be a reason to be *upset*, not *happy*! The Torah therefore concealed the fact that Shavuos is the commemoration of that event, and highlighted instead its happier character, as the time at which the first fruits begin to appear on the trees of the Land of Israel.

Our great *Moreh Derech* in *Mussar* and *Avodas Hashem*, Rabbi Yisroel Salanter (*Ohr Yisroel* #23) makes a similar point and expands upon it. He adds that it is for this reason that when the Torah discusses the *simchah* of Shavuos at the end of *Parashas Re'eih*, it writes החקים האלה... וזכרת... – that we remember these *chukim* – laws that do not possess an apparent rationale – for in light of this approach the *simchah* of Shavuos is, indeed, a *chok*. [For the *lamdanim* among us, this approach is *medukdak* in Rashi, *Pesachim* 68b: להראות שנוח - שישמח בו במאכל ומשתה, והתבאר לך מה שלא קבע זמן חג השבועות שבו נתנה תורה לישראל: ומקובל יום זה לישראל שנתנה תורה בו.]

It seems difficult that such giants, who lived and breathed Torah, and who surely derived from it great joy – as we do to this very day – should make such a stark statement concerning Shavuos!

Perhaps we might explain this enigma via a simple dichotomy, a *tzvei dinim*: There is a distinction between one who stands “outside” the Torah and perceives it as a novice and one who has experienced Torah on the “inside,” partaking of its sweet and pleasant substance. Shavuos commemorates the *giving* of the Torah, when we received the Torah as “outsiders” and “novices.” It seemed depressingly complex and demoralizing, and we needed to be forced to accept it. However, once we tasted the Torah, we came to love it and rejoice in our acquisition of it.

Rabbi Avrohom Eliyahu Kaplan, however, answers the original question by examining a situation from the “real world.” When a happy couple's anniversary is due to take place, each spouse waits to see if the other one remembers the significance of the date. To need to remind one's “other half” is to feel neglected and unloved. One may drop some hints, but not more! As Shavuos is the anniversary of our “marriage” with *Hashem* at Sinai, *Hashem* waits to see whether we remember the momentous character of the 50th day of the *Omer*. He drops us hints, such as making the date the day of the *Bikkurim*, but puts the responsibility of remembering the full nature of Shavuos upon us. To complete the comparison, most of the Jewish nation, like a good spouse, has adopted the custom of “giving flowers” - by adorning our Shuls with foliage.

May we be *zocheh* to demonstrate our devotion to *Hashem* on Shavuos – and throughout the year as well!

RABBI ELI BARUCH SHULMAN

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Shavuos 5763

We tend to be very scrupulous about the minhagim of the shul. Interestingly, we have one minhag which is – at least according to the Rambam – actually heretical. Nor is this the minhag in the YIM alone; it is, in fact, the minhag in the vast majority of Ashkenazic congregations. I am referring to the minhag of rising when the aseres hadibros are read.

The Rambam was asked about this minhag and responded that in his opinion it smacks of heresy, since it implies that the ten commandments are somehow more important than the rest of the Torah, whereas it is a fundamental belief that the entire Torah was given by the ribono shel olam and, therefore, equally sacred.

There is no difference, he writes, between the sanctity of the words אלקיך and the sanctity of the words אנכי ה' אלקיך. אחות לזמן תמנע.

Nonetheless the minhag persists and is practiced, as I said, in most Ashkenazic kehilos. Indeed, many אחרונים have ventured various defenses of this מנהג. What I propose to say this morning is also in the way of a defense of this מנהג against the Rambam's strictures.

Every pasuk in Chumash has its trop. its trope marks, that show how it should be read in shul. The עשרת טעם עליון. מנהג On Shavuot we use טעם תחתון and טעם עליון which are called have two sets of trop, which are called טעם תחתון and טעם עליון. מנהג is to use טעם עליון in this for שבועות, but later many communities adopted טעם עליון respect.

What is the reason for these two sets of trop?

Trop is not just cantillation; it is punctuation. The trop divides the pasuk into halves and quarters and eights and so on. The עשרת דברות can be punctuated two ways; by pesukim, and by טעם עליון. טעם תחתון divides according to טעם תחתון; טעם תחתון divides according to pesukim.

Why the distinction – why do שבועות divide according to דברות rather than פסוקים?

What is more – משה כל פסוקא דלא פסקיה. There is a prohibition to read התורה in a way that breaks up the פסוקים differently than in תורת משה. So how can we read טעם עליון? Indeed חיים' did not read טעם עליון for that reason. But that certainly is against מנהג ישראל.

We know that on Shavuot הקב"ה gave us the Torah – תורתנו זמן מתן. But along with the Torah he also gave us something else - the לוחות. That was a separate המצוה והתורה.

What is significance of הלוחות?

Called גר"א explains that in a ברית the one who enters into a ברית gives something of his own to the other, to create a bond between them. That is the physical representation of the bond. The לוחות were given to ישראל, as the physical representation of the bond that connected them.

The לוחות still exist – although גנוז. They belong to us; The נתינה of the לוחות was as permanent as the נתינה of the הקב"ה.

They are still ours, and they are the physical incarnation of the bond that connects the עשרת הדברות. Those are two different entities – לוחות האבן והתורה והמצוות. That's why they have two sets of trop. As the text of a particular passage in יתרו פ' they are broken up into פסוקים; as the text of the לוחות הברית they are broken up into דברות.

When we read the עשרת הדברות we are not only reading a passage in יתרו. We are reenacting the לוחות. And therefore we read the לוחות הברית – which represent that ברית. And so we read טעם עליון. So the rule that דלא פסקיה משה כו כל פסוקא is not relevant. That rule applies when we read דברי תורה. But we read – not דברי תורה, but, rather – the לוחות themselves.

Before the קריאה we recite אקדמות, which recites the greatness of the הקב"ה – and the הדור מריה עלמא ושלטי ביבשתא – קראי בשמעתא כנסת ישראל – רבנות דישאלא – that unites them together.

And that is why we stand when we read עשרת הדברות: Because we are reading – not the עשרת הדברות that are in the Torah, but – the לוחות, and are thereby reenacting the כניסה לברית. לעברך בברית ה' אלקיך ... אתם נצבים היום – as the Torah says elsewhere: כניסה לברית has to be done standing –

Moshe Shulman

The הסכת ושמע states that we learn an extraordinary lesson from the following Biblical phrase: "Keep silence, and hear, O Israel; this day thou art become a people." The גמרא extrapolates from this פסוק that one who learns תורה should feel as if he receives it from סיני each day.

This message is indeed extraordinary and inspiring, but it also presents a problem. If we must feel excited about receiving the תורה every day, why do we differentiate between שבועות and all other days? Indeed, the uniqueness of שבועות sends a message that seems to contradict the גמרא!

I believe that the aforementioned question can best be answered in the context of another question.

The גמרא quotes a מחלוקת between ר' אליעזר and ר' יהושע about how to resolve the contradiction of a יום dedicated to ה' and a יום טוב dedicated to yourself, both of which are mentioned in the תורה. ר' אליעזר says that you either must serve ה' throughout יום טוב, or you can dedicate it to yourself. On the other hand, ר' יהושע is of the opinion that you should dedicate half of the day to ה' and half of the day to yourself.

This would be a fairly innocuous מחלוקת if the גמרא did not add in a qualifier. On שבועות, the גמרא declares, even ר' אליעזר would agree that you need to dedicate it at least partially לך – to yourself, because the תורה was given on שבועות. Many commentaries ask about the connection between the fact that the תורה was given on שבועות and the need to dedicate יום טוב to yourself. Shouldn't the opposite be true? On the anniversary of the giving of the תורה, shouldn't we immerse ourselves in serving ה' and not be as focused on our own needs and desires?

Furthermore, ר' אליעזר thought that if one would normally eat at a certain time, he should eat at that time. In fact, he even encouraged his students to eat high-quality food when they ate their meal. This תוס' was not talking about שבועות, so we can assume that ר' אליעזר held that on שבועות one should learn less than usual! This is certainly counter-intuitive!

I believe that there are two approaches that will answer all of our questions. The first approach is that שבועות exists to drive us to feel as if we accepted the תורה every day. This effect can be best achieved if one rejoices and has more physical and

emotional stimuli than usual. It is for this reason that even ר' אליעזר agrees that you must dedicate at least part of your שבועות to yourself; this will inspire you to learn more over the rest of the year.

A second approach is similar, but is more nuanced. Perhaps we must feel excited about learning תורה each day, and we must take this to such an extreme that it feels as if it is being given to us every day. However, this applies only regarding learning תורה. On the other hand, on שבועות we not only recognize מתן תורה by our excitement to learn, but we engross ourselves in a complete celebration of the giving of the תורה. We recognize that this event has completely transformed our lives, history, and group consciousness. Thus we can explain why everyone agrees that we must dedicate at least part of his שבועות to physical pleasures such as eating and that we should not learn continuously, without stopping, on שבועות. If we would not observe the idea of dedicating שבועות to ourselves, then שבועות would be no different than any other day, when we feel that the תורה was given to us. Instead we must celebrate to show ourselves that מתן תורה has really changed our lives completely.