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"THE ETHICAL WILL"
by Rabbi Yissocher Frand

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Recently, I saw a collection of ethical wills in book form. The anthology covers a span of generations, some are almost contemporary and others are from quite long ago. They have one thing in common: They are amazing documents.

One person writes, "I sit here in the still of the night, with the lamp on my desk spilling a small island of light in the silent gloom, and I do not know what to write. I had decided to write a letter to my family to be read after my passing, but I realize now that we are really not much of a family. We do not talk much to each other, and we do not have very much in common. I think I will have to write one letter to my wife and separate letters to each of my children."

Awful, isn't it? This person thought everything was going along normally in his family. And then he sat down to write an ethical will and realized that he could not address them as a group because they were not a group. They were strangers to each other. How heartbreaking. How tragic.

Another of the writers, once having written his will, decided to call in his family and read it to them while he was still alive. And he comments in an addendum inserted afterward that the reading was a shock to his children. They had no idea that these things were important to their father. Consequently, it was also a shock to the writer to learn that throughout all these years he had failed to convey to his children his values and a sense of who he was.

Can you imagine such a thing -- that children should not even know what is important to their parents? What does that say? It says that perhaps the parents spent so little time with their children, they had so few meaningful conversations with them, that the children didn't even know them. Or perhaps the parents' values were so vague and

unarticulated that the children never discovered what they were. Or perhaps the parents were constantly sending mixed messages and leaving their children confused about what they really valued. In any case, many years went by before they discovered their estrangement through the fortuitous reading of the ethical will.

In the Jewish community, we invest so much time and effort in our children, but we should still ask ourselves: Are we communicating? Are we guilty of vagueness? Are we guilty of mixed messages? Are we guilty of simple silence? Have we defined and articulated who we are and what we stand for?

Writing this ethical will should give us clarity. Write it to your children. Write it to your brother or sister. Write it to a friend. But one way or another, write it. Because you are really writing it to yourself.

* * *

Let us get back to this fascinating book of wills.

Actually, there is something else that all the wills in this anthology have in common. All of these people, from all walks of life and all forms of societies spanning hundreds of years, all of them regret putting so much of their time, talent and energy into the pursuit of money and material things. This is the one common theme of all the ethical wills.

One writer admonishes his sons and sons-in-law, "I beg you not to devote yourselves to the vanities of the world. Do not try to do big business. Do not get involved in extensive commercial ventures, nor should you scatter your capital to the four corners of the earth. The Almighty provides wherever you are, and a small business can prosper just as much as a large one."

Even more striking are the words of an old doctor. "My dearest children, when I first graduated from medical school, my burning ambition was to go into medical research and discover a cure for a major disease. I felt I had the talents and the skills, and I wanted to do something great, something important that would improve the health of innumerable people and add years to their lives. I wanted to be a doctor in the fullest sense of the word. But I also wanted to be financially secure. I did not want to worry about bills and mortgage payments. I wanted to provide a comfortable standard of living for your mother. So I decided to open an office in an upscale neighborhood and practice medicine for ten or fifteen years. I would make a ton of money and retire. Then I would be free to devote the rest of my life to research.

"What should I say, my dear children? You know the rest of the story.

My practice was extremely successful. I made a lot of money. And I kept delaying my retirement to make even more money. One year slipped by and then another and then another. Before I knew, I had spent the best years of my life amassing a large fortune. And my dream of finding a cure? I'm sorry to say that it remained just that, an unfulfilled dream. I squandered my best years. I squandered my great talents. I squandered my opportunity to achieve immortality. And for what? For a pot of gold.

"The worst of it is that in retrospect your mother would have stood by my decision to go into research. I told myself that I did it to give her the standard of living she deserved, but I know that she would have agreed to live more modestly, that she would have encouraged me to pursue my goals, if only I had asked her.

"My dear children, what can I say? The pot of gold I leave to you. It should be enough to free you from financial worry. Do not make my mistake. Do not spend your precious lives fattening that pot of gold."

How many times have we heard something like this?... People get caught up in the rat race. Making a living becomes a way of life. It becomes the end rather than the means. The accumulation of wealth and maintaining a high standard of living become a vicious cycle.

This is what our Sages said (Avot 4:2), "Don't say, 'I will learn when I have the opportunity,' because you may never have the opportunity."

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**Thoughts on the Weekly Parsha from
Britain's Chief Rabbi Lord Jonathan Sacks**

www.ou.org On Parents and Teachers

Just beneath the surface of this week's parshah is an exceptionally poignant story. It occurs in the context of Moses' prayer that God appoint a successor as leader of the Jewish people.

One hint is given in the words of God to Moses: "After you have seen you also will be gathered to your people, as your brother Aaron was." Rashi is intrigued by the apparently superfluous word "also", and makes the comment that "Moses desired to die as Aaron had died."

In what sense was Moses envious of his brother? Was it that he, like Aaron, wished to die painlessly? Surely not. Moses was not afraid of pain. Was it that he envied his brother's popularity? Of Aaron, it was said that when he died, he was mourned by "all the children of Israel", something the Torah does not say in the case of Moses. This too cannot be the answer. Moses knew that leadership does not mean popularity. He did not seek it. He could not have done what he had to do and achieve it.

The Ktav Sofer gives what is surely the correct interpretation: Aaron had the privilege of knowing that his children would follow in his footsteps. Elazar, his son, was appointed as high priest in his lifetime. Indeed to this day cohanim are direct descendants of Aaron. Accordingly to Ktav Sofer, Moses longed to see one of his sons, Gershom or Eliezer, take his place as leader of the people. It was not to be.

Rashi arrives at the same conclusion by noting a second clue. The passage in which Moses asks God to appoint a successor follows directly after the story of the daughters of Zelophehad, who asked that they be permitted to inherit the share in the land of Israel that would have gone to their father, had he not died. Rashi links the two episodes: "When Moses heard God tell him to give the inheritance of Zelophehad to his daughters, he said to himself, 'The time has come that I should make a request of my own - that my sons should inherit my position.' God replied to him, 'This is not what I have decided. Joshua deserves to receive reward for serving you and never leaving your tent.' This is what Solomon meant when he said, 'He keeps the vineyard shall eat its fruit and he that waits on his master shall be honoured.'" Moses' prayer was not granted.

Thus, with their ears attuned to every nuance, the sages and Rashi reconstructed a narrative that lies just beneath the surface of the biblical text. What happened to Moses children? Was he, the great leader,

inwardly disappointed that they did not inherit his role? What deeper message does the text communicate to us? Is there something of continuing relevance in Moses disappointment? Did God in any way provide him with consolation?

Moses and Aaron epitomise the two great roles in Jewish continuity - horim and morim - parents and teachers. A parent hands on the Jewish heritage to his or her children; a teacher does likewise to his or her disciples. Aaron was the archetypal parent; Moses the great example of a teacher (to this day we call him Moshe Rabbenu, 'Moses our teacher'). Aaron was succeeded by his son; Moses by his disciple Joshua.

The sages at various points emphasised that Torah leadership does not pass automatically across the generations. The Talmud (Nedarim 81a) states: Be careful not to neglect the children of the poor, for from them Torah goes forth, as it is written, "the water shall flow out of his buckets", meaning "from the poor among them" goes forth Torah. And why is it not usual for scholars to give birth to children who are scholars? Rabbi Joseph said, that it might not be said that Torah is their legacy. Rabbi Shisha son of Rabbi Idi said, that they should not be arrogant towards the community. Mar Zutra said, because they act high-handedly towards the community.

Were Torah leadership to be dynastic, a matter of inheritance, Judaism would quickly become a society of privilege and hierarchy. To this, the sages were utterly opposed. Everyone has a share in Torah. It is the shared patrimony of every Jew. Nowhere is this more clearly stated than in the great words of Maimonides: With three crowns was Israel crowned -- with the crown of Torah, the crown of priesthood, and the crown of sovereignty. The crown of priesthood was bestowed on Aaron . . . The crown of sovereignty was given to David . . . The crown of Torah, however, is for all Israel, as it is said, "Moses commanded us the Torah, as an inheritance of the congregation of Jacob." Whoever desires it can win it. Do not suppose that the other two crowns are greater than the crown of Torah, for it is said, "By me kings reign and princes decree justice. By me, princes rule." Hence we learn the crown of Torah is greater than the other two crowns.

This is one of the great egalitarian statements in Judaism. The crown of Torah is available to whoever seeks it. There have been societies which sought to create equality by evenly distributing power or wealth. None succeeded fully. The Jewish approach was different. A society of equal dignity is one in which knowledge - the most important kind of knowledge, namely Torah, knowledge of how to live - is available equally to all. From earliest times to today, the Jewish people has been a series of communities built around schools, sustained by communal funds so that none should be excluded.

The sages drew a strong connection between home and school, parent and teacher. Thus, for example, Maimonides rules: A duty rests on every scholar in Israel to teach all disciples who seek instruction from him, even if they are not his children, as it is said, "And you shall teach them diligently to your children". According to traditional authority, the term "your children" includes disciples, for disciples are called children, as it is said, "And the sons of the prophets came forth" (II Kings 2:3).

In the same vein he writes elsewhere: Just as a person is commanded to honour and revere his father, so he is under an obligation to honour and revere his teacher, even to a greater extent than his father, for his father gave him life in this world, while his teacher who instructs him in wisdom secures for him life in the world to come.

The connection runs in the opposite direction also. Consistently throughout the Mosaic books, the role of a parent is defined in terms of teaching and instruction. "You shall teach these things diligently to your children." "It shall come to pass that when your child asks you . . . thus shall you say to him." Education is a conversation across the generations, between parent and child. In the one verse in which the Bible explains why Abraham was chosen as the father of a new faith it says, "For I have chosen him, so that he will direct his children and his household

after him to keep the way of the Lord by doing what is right and just". Abraham was chosen to be both a parent and an educator.

Moses was therefore denied the chance to see his children inherit his role, so that his personal disappointment would become a source of hope to future generations. Torah leadership is not the prerogative of an elite. It does not pass through dynastic succession. It is not confined to those descended from great scholars. It is open to each of us, if we will it and give it our best efforts of energy and time. But at the same time, Moses was given a great consolation. Just as, to this day, cohanim are the sons of Aaron, so are all who study Torah the disciples of Moses. To some are given the privilege of being a parent; to others, that of being a teacher. Both are ways in which something of us lives on into the future. Parent-as-teacher, teacher-as-parent: these are Judaism's greatest roles, one immortalised in Aaron, the other made eternal in Moses.

To read more writings and teachings from the Chief Rabbi Lord Jonathan Sacks, please visit www.chief Rabbi.org. Follow OU Torah on Facebook and Twitter!

from: genesis@torah.org reply-to: genesis@torah.org to: rabiwein@torah.org date: Wed, Jun 26, 2013 at 5:05 PM subject: Rabbi Wein - Parshas Pinchas

Rabbi Berel Wein

To sponsor an edition of the Rabbi Berel Wein e-mail list, click here [Parshas Pinchas A Promise of Peace](#) The Lord promises Pinchas that most valuable and yet the constantly elusive gift – the blessings of the covenant of peace. The world has known very little peace over the long millennia of human existence. Strife and conflict, war and violence, have been the staples of human existence from time immemorial. Many historians and social scientists maintain that war and violence are the natural and constant states of human affairs.

So the promise of peace to Pinchas seems to be a little extravagant, especially since it appears that Pinchas has earned this reward of peace by committing an act of violence and war. Shall we say that a time of peace is merely the absence of war; a negative state of being that only marks the interregnum between wars and continued violence?

We are all well aware how difficult it is to achieve peace and how fragile its existence is when, apparently, it is somehow achieved. Its fragility is attested to in the Torah, where the vav in the word shalom is broken and incomplete. So, we may certainly wonder what actually and practically was God's promise to Pinchas - and how was it ever to be fulfilled.

This perplexing issue is especially pertinent regarding Pinchas himself, who participated in the wars that Israel conducted against Midian and later against the Canaanite tribes in the Land of Israel during the times of Yehoshua and the Judges. Where is the promise of peace present in the life of Pinchas himself, let alone in the lives of the future generations of his descendants particularly and the Jewish people generally?

Many of the commentators to the Torah defined God's promise of peace to Pinchas and his descendants as being a personal and individual state of inner being, of what we colloquially call "being at peace with one's self." Pinchas is undoubtedly disturbed by the act of violence that he committed and by the widespread criticism of his actions by many of the Jewish people at that time.

Nevertheless, the Lord tells him that he did the right thing and that history will later thank him for his boldness and alacrity in stemming the tide of immorality that threatened to overwhelm the Jewish people. So Pinchas acquires, through God's blessing, the peace of mind and the necessary confident inner conviction of having committed an act that Heaven and history will deem to be justifiable and correct, even if it is currently unpopular in the eyes of much of society.

President Harry Truman is reported to have said that he lost little sleep over the atomic bombing of Japan which concluded World War II because he believed that he saved millions of American and Japanese lives by his awesome decision. He never again agonized over that decision since he had achieved an inner peace regarding the matter.

Our conscience always disturbs us when we make wrong decisions and pursue failed policies. It never rises to plague us when we have behaved correctly and decided wisely and morally. It is this blessing and reward that the Lord bestowed upon Pinchas and his descendants – the blessing of inner peace and moral contentment.

Shabat shalom

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from: **Rabbi Ephraim Z. Buchwald** <ezbuchwald@njop.org> via njop.ccsend.com reply-to: ezbuchwald@njop.org to: date: Mon, Jun 24, 2013 at 6:47 PM subject: Weekly Torah

Message from Rabbi Ephraim Z. Buchwald

Pinchas 5773-2013

"The Lesson of the Broken Vav"

by Rabbi Ephraim Z. Buchwald

In this week's parasha, parashat Pinchas, we learn the identities of the two defiant people who committed an act of public harlotry and were slain by Pinchas. The man was Zimri the son of Salu, a prince of the father's house of the Simeonites. The Midianite woman was Cozbi the daughter of Zur, an important Midianite leader.

G-d praises Pinchas the son of Elazar, the son of Aaron the priest, for his brazen act, turning G-d's wrath away from the Children of Israel. Scripture in Numbers 25:12 notes that G-d proclaims: "Lah'chayn eh'mor, he'n'nee noh'tayn lo eht b'ree'tee shalom," Therefore, say: Behold! I give him [Pinchas] My covenant of peace.

Although a grandson of Aaron, Pinchas was not made a priest together with the sons of Aaron. As a reward for his actions, he was now given by G-d an eternal covenant of priesthood.

In a most unusual scriptural anomaly in the above verse, we find that the letter "vav" in the Hebrew word "Shalom," peace, is broken. Under normal circumstances, any letter that is broken or incomplete would invalidate the entire Torah scroll, and yet, the law requires every valid Torah scroll to have a break in the letter "vav" of the word "shalom." There is much speculation about the meaning of the broken "vav." Confirming the antiquity of this anomaly, the Talmud in Kedushin 66b, cites Rabbi Nachman who states, that the "vav" in the word Shalom, is "k'tee'ah," broken.

In his anthology on the Torah entitled "Peninim On The Torah," Rabbi A.L. Scheinbaum cites Rabbi Shlomo Yosef Zevin, who offers an insightful explanation for the broken letter. Rabbi Zevin maintains that traditionally, there are two forms of "unity." One, a "mechanical" unity, which is basically an external consolidation of different parts merged together. This unity creates an illusion of wholeness, but, in fact, is not truly whole. The true form of unity, however, is an organic, natural unity, of various parts joined together by internal forces, which create the essence of harmony. Declares Rabbi Zevin, the unity of the Jewish people, can never be mechanical or fabricated, it must be organic. Thus, the letter "vav" cannot be broken. It has to be "Shalaym"—unified in total

harmony. This message is best transmitted by the shocking presence of a broken “vav” in the text of the Torah.

Rabbi Yehuda Leib Eiger of Lublin cited by the Iturei Torah, asserts that one who is zealous, must be absolutely faultless in his motives. There cannot be a blemish or a break in his intentions or purpose. Again, a message best communicated by a broken “vav.”

Rabbi Berel Wein has, as usual, an interesting and insightful take on the broken “vav.” Rabbi Wein suggests that the “vav” is broken because: Peace is very fragile, almost always difficult to maintain and it requires great effort to keep it together. All of human history bears out this fact. True peace, whether in the home, the family, amongst neighbors, in the synagogue, in the community and certainly between nations, is very hard to achieve and even more difficult to maintain.

Rabbi Wein notes that a blessing of a “Covenant of Peace” is a rather strange blessing for G-d to confer on a zealous person. The broken “vav” is, therefore, meant to convey a message to would-be “Pinchases” that zealotry is not an authentic Jewish way. It may be employed in highly exceptional circumstances, but it is never to be thought of as a normal or acceptable behavior. To make amends, Pinchas must now rechannel his zealous nature and make the extraordinary effort to emulate the behavior of his legendary grandfather Aaron, devoting his days and nights to pursuing and achieving peace and its continued maintenance.

Rabbi Aryeh Ben David in his volume, *Around the Shabbat Table*, cites Nachmanides* who suggests that the broken letter “vav” in the word “shalom,” underscores the unavoidable damage that is incurred by any person engaging in violence, even when it is legitimate and warranted. Rabbi Ben David writes:

The very zealousness that Pinchas needed to perform his act of bravery, bears within it the power to coarsen and desensitize his being, which may ultimately destroy him. One act of violence may make a succeeding act less offensive, resulting in a spiraling and uncontrollable cycle of zealotry. Having unleashed this power of zealousness, will Pinchas now be able to control it, or will this passion eventually consume and overpower him?

That is why, suggests Rabbi Ben David, Pinchas is rewarded with the Covenant of Peace, to assure that his essential nature will not become corrupted, and that his zealousness was truly for the sake of Heaven and for the purpose of peace.

There are many studies confirming that there can never really be total healing for one who has taken another person’s life, whether by accident, with absolutely no negligence, or justifiably in self-defense. Perhaps, this is why in ancient Israel there were cities of refuge. Those who accidentally took another person’s life, resided in these cities together, in a would-be therapeutic environment, learning from each other, and, hopefully, healing one another.

The trauma experienced by a moral person who takes the life of another person never entirely vanishes. That is why the Hebrew letter “vav” is broken. Rabbi Ben David writes that the broken “vav” serves “as a reminder that the experience and memory of Pinchas’ act will forever diminish the ‘peace’ that he will merit. Pinchas is honored for his valor, for unhesitatingly responding to the crisis at hand. At the same time, however, there is no glorification of zealousness or acts of violence.” It is a critical lesson that we all must take to heart.

May you be blessed.

*I have been unable to verify the source in Nachmanides at this time.

Please note: The Fast of Shivah Assar b’Tammuz (the 17th of Tammuz) will be observed this year on Tuesday, June 25, 2013, from dawn until nightfall. The fast commemorates the breaching of the walls of Jerusalem, leading to the city’s and Temple’s ultimate destruction. The fast also marks the beginning of the “Three Week” period of mourning, which concludes after the Fast of Tisha B’Av, that will be observed on Monday night and Tuesday, July 15th and 16th. Have a meaningful fast.

From: Rabbi Doniel Neustadt Sent: Thursday, June 27, 2013 3:20 PM
To: **Rabbi Doniel Neustadt** Subject: **Pinchas Halachah 5773**

Music During the Year and The Three Weeks

Question: Is it permitted nowadays to listen to taped, contemporary (or classical) Jewish music? Discussion: After the Beis ha-Mikdash was destroyed, Chazal restricted the playing of music to occasions of “simchah shel mitzvah.” They felt that the level of joy brought about through the playing of musical instruments is inappropriate as long as the Beis ha-Mikdash lies in ruins. The Rishonim debate the extent of the prohibition in actual practice: Some maintain that playing music is prohibited only at certain times and in certain places, such as when going to sleep or waking up, or in bars or party halls where wine is served. Others maintain that playing music is prohibited anywhere and everywhere, except when associated with the performance of a mitzvah. Both views are quoted in Shulchan Aruch, and while many poskim rule stringently and prohibit music at all times, and it is appropriate to be stringent, many people conduct themselves according to the more lenient view and play and listen to music whenever they are so inclined. There are a number of other arguments for leniency. • The Meiri writes that the prohibition was enacted only in regard to music which “causes levity, does not praise Hashem... nor is associated with any mitzvah... but any song which sings the praises of Hashem and does not cause levity or immorality (peritzus) is permitted... and this should be decided in each generation according to the rabbis of the time and place...” • Some poskim suggest that since taped music — as opposed to live — did not exist in the days of Chazal, it was never included in the rabbinic prohibition. • Music, in many cases, eases people’s moods and frustrations, and helps them cope with their problems. Chazal forbade only music which is played for the sake of enjoyment, not music which is therapeutic and inspirational in nature. Question: Based on the above, may one be lenient and play music during sefirah and the Three Weeks as well? Discussion: None of the leniencies quoted above allow one to listen to music during the days of sefirah or the Three Weeks. All music — taped or live, inspirational or otherwise — is generally prohibited during those periods on the Jewish calendar, which have been established by Chazal as periods of mourning.

The reason that we may be lenient during the rest of the year and not during these two periods is simple: The decree against playing music throughout the year does not render the entire year a period of mourning; it is but an attempt by Chazal to keep the calamity of churban Beis ha-Mikdash firmly entrenched in our consciousness. Thus, when music is being played for the sake of a mitzvah, or it is inspirational or therapeutic, we may argue that it should be permitted, as stated above. But the time periods of sefirah and the Three Weeks are periods of national mourning similar to the mourning period of Shivah and Sheloshim after a relative’s passing. Thus, playing or listening to all kinds of music during sefirah or the Three Weeks is forbidden and none of the above arguments for leniency apply. Question: Is it permitted to buy a major appliance (a refrigerator or a washing machine, etc.) or expensive furniture (a couch or a bookcase, etc.) from the Seventeenth of Tammuz until Rosh Chodesh Av? Discussion: All shopping is permitted during the Three Weeks except for those items upon whose purchase one recites the blessing of shehecheyanu. Nowadays, most people no longer recite shehecheyanu even on the purchase of major, expensive appliances and furniture. It is permitted, therefore, for them to make all such purchases until Rosh Chodesh Av. If one customarily recites shehecheyanu when purchasing expensive appliances, furniture or a car, etc., he should not take delivery of that item during the Three Weeks if the item that he is buying is exclusively for his personal use. [A chasan, therefore, should not give his kallah her engagement ring during the Three Weeks, since she is required to recite

a shehecheyanu upon receiving it.] If, however, it is a type of purchase that will be used by other people as well, e.g., his wife or children, then it may be purchased during the Three Weeks. This is because the proper blessing on an item which is shared with others is ha-tov v'ha-meitiv, not shehecheyanu, and it is permitted to recite ha-tov v'ha-meitiv during the Three Weeks. Question: Is it permitted to buy and wear new clothes from the Seventeenth of Tammuz until Rosh Chodesh Av? Discussion: As we mentioned yesterday concerning appliances, only the type of clothes that require a shehecheyanu should not be bought during this time. Thus, shoes, shirts, trousers and all undergarments may be purchased and worn without restriction until Rosh Chodesh Av. One who never recites shehecheyanu on clothes, even on expensive ones, could also purchase and wear expensive clothes during this time. Those who do recite shehecheyanu when putting on new clothes may still buy and alter them until Rosh Chodesh Av, but they may not be worn until after the Nine Days are over. Mishnah Berurah rules that on Shabbos during the Three Weeks it is permitted to wear an item that requires shehecheyanu. Other poskim are more stringent and do not permit wearing such clothes even on Shabbos.

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Yeshivat Ateret Yerushalayim

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Ha-Rav Shlomo Aviner Shlit"a

Parashat Pinchas - #288 Ask Rav Aviner:

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On the Three Weeks...

Loving Those with Opposing Views [This was broadcast on Arutz-7 approximately one week prior to Yitzchak Rabin's assassination. To our great distress, it still applies] A friend of mine asked me, "How can I not hate those people? They have terrible opinions and ideas which are simply dangerous for the Nation, the Land, and the State of Israel! Must I retain cordial relations with them and nod to everything they say?" The answer, of course, is no, he need not agree with all that they say, and no, he must not hate them. The question is based on the blurring of two different concepts. Disagreements are legitimate, and sometimes even necessary. One is obligated to wage a forceful intellectual confrontation against ideas that may destroy the Jewish People. But this is a far cry from an obligation to hate the person expressing those ideas. Divided opinions - yes; divided hearts - no. We must understand that even when an idea is hateful, the man expressing it is not. "But," comes the response, "it is too difficult to make this distinction! After all, it is only natural to identify the person with what he says." The answer to this is that it may be hard, but we have no choice. We must make this distinction. We cannot make one big salad out of everything. We must understand that if, for example, one takes a certain political stand, this opinion doesn't constitute his entire identity. We must remind ourselves that the man is not a "political animal" whose entire being is merely a support system for his party's opinions; he also breathes, goes to work, has a family, and does kind acts for others. Why must we box his entire personality into one narrow compartment? It is incumbent upon us to separate in our minds between the man and the opinions that he holds. For if we don't, but instead form stereotypes, and create mental caricatures blowing this one aspect of his personality way out of proportion, this distorted portrait replaces our knowledge of him as a human being created in the image of G-d, and we begin to view him as a foreign object, a "political animal." From here easily arises the (mistaken) dispensation to hate, to attack, and, who knows, even to

murder. True, it is often natural for the relationship between people with opposing ideas to deteriorate. At least one side will almost inevitably begin to feel less respect for the other. The solution for this is simple: communication. They must talk with each other, listen to each other, and exchange ideas. Should we then start to organize symposia, or public meetings? No, no - nobody ever really understands each other in those types of settings. I am referring to small groups, such as one-on-one, or maybe a few more. The English sociologist Parkinson once said that the exchange of ideas is effective between three and five people; if there are any more than that, the person is no longer talking, but making a speech. Speeches don't help bring about true understanding among people; talking does. Everyone knows people who holds different opinions from them: friends, colleagues, family members. In every family there are Jews of Ashkenazic descent and Sephardic descent, religious and non-religious, conservatives and liberals, Charedim and Zionists. Open a friendly dialogue with them, and you will reap a double profit. First of all, it will destroy his caricatured perception of you, and second of all, it will destroy your caricatured perception of him. I'm not saying that you will convince him of your position, but rather that each of you will begin to see the other as a human being, and therefore deserving of your respect and love.

Rav Aviner on...
Veggie Dog with Cheese

Question: Is it permissible to eat a veggie hotdog with cheese or is there a problem of "Ma'arit Ayin" (the appearance of violating the prohibition) of eating meat and dairy together?

Answer: It is permissible for two reasons:

1. It is true that our Sages decreed that one may not eat almond milk with meat unless one leaves the almonds out for everyone to see (Rama, Yoreh Deah 87:3), but almond milk is a rarity. In my entire life, I have never seen almond milk. Everyone has seen and knows about veggie dogs. There is therefore no problem of "Ma'arit Ayin."

2. We do not make new decrees. That which our Sages decreed is decreed, and that which our Sages did not decree is not decreed. They did not make a decree against eating veggie dogs with cheese. Perhaps you will say that they did not make such a decree because veggie dogs did not exist at their time, but it is included in the original decrees of "Ma'arit Ayin." The halachic authorities explain that we do not make such an argument and it is not included.

I remember when I was a little kid and they invented parve margarine. Some people ate the margarine with meat and other people did not know what it was. Many people were strict and put the wrapper on the table. There is also non-dairy creamer which looks like milk. There is a responsum of Ha-Rav Ovadiah Yosef in Shut Yechaveh Da'at (3:59) which permits these items because they are well publicized and everyone knows about them.

Shut She'eilat Shlomo - Questions of Jewish Law

Har Ha-Bayit - Temple Mount

Soldier on the Temple Mount

Q: If a soldier is required to enter the Temple Mount on account of a life-threatening situation must he immerse in a Mikveh?

A: Yes, if possible (Rambam, Hilchot Biat Ha-Mikdash 3:16. Mechusrei Kapparah 2:6, 3:1 and onward). And he should also try to limit the amount of clothing he is wearing, because it is susceptible to impurity. It is preferable to wear synthetic clothing (and this is the ruling of Ha-Rav Yosef Shalom Elyashiv. Kav Ve-Naki #692).

Sacrifices in the Future

Q: When the Temple is rebuilt will there be sacrifices?

A: Certainly. They are mentioned in the prayers. They will only cease in the far off distant future. See Pinkasei Ha-Re'eiyah of Maran Ha-Rav Kook vol. 1.

Special thank you to Orly Tzion for editing the Ateret Yerushalayim Parashah Sheet

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Parshas Pinchas

PARSHAS PINCHAS

When he zealously avenged Me among them. (25:11) Kanaus, zealotry, is not a trait that one should exhibit indiscriminately. As the paradigm of the kanai, zealot, Pinchas exemplifies the true zealot. He acts definitively for the sake of the community, placing the needs of the klal, congregation, above his own safety and reputation. The kanai is not lauded; dinners are not rendered in his honor, nor does he have a large collection of friends. People are actually afraid of him, never knowing where and when he will strike; what will anger him; what he will see that is wrong. The kanai lives in a select circle, revered by those who understand his value to the community, spurned by those who become the subjects of his mission. What makes a person a kanai? Why do some express their revulsion to sin in one way, while others never even flinch, never bristle when they see another Jew committing a sin? Is kanaus a Jewish trait or is it "cultural"?

Horav Menachem Mendel zl, m'Kotzk suggests that b'socham, "[When he zealously avenged Me] among them," is the origin of Jewish zealotry. "Among them," Pinchas inculcated the trait of kanaus within the Jewish psyche. How? What did he do? The Kotzker explains that Pinchas infused us with intolerance for sin. We cannot withstand spiritually offensive behavior. We do not despise the sinner; we hate the sin!

The Chasam Sofer applies the word, b'socham, differently. What motivated Pinchas to act zealously? What prompted him to risk his life and reputation by taking the lives of Zimri and his supporters? It was the b'socham, "among them." Pinchas contemplated the passion and fervor which the sinner exuded in executing his sin. Why should he not at least expend the same effort in preventing sin as the sinner had done in executing a sin? This motivated his response to Zimri's spiritual mutiny.

The basic issue is tolerance of sin. We have become so complacent, so accepting of the sinner, and - by extension - his sin, that we have no room left in our hearts for zealotry. A person must be repulsed by the sin; he must feel revulsion; he must feel personally and collectively threatened by the effects of sin. While kanaus should not be personal (he must act out of love for Hashem), unless one takes it personally, he will not react zealously.

Veritably, everyone felt the way that Pinchas did. The others just did not have the courage and resolution to act as he did. Pinchas acted out what every Jew felt in his heart. He revealed the kinaah that was actually b'socham, "within them."

Throughout the generations, self-styled zealots have always attempted to grab the mantle of kanaus from Pinchas and claim it for themselves. Regrettably, they have missed the primary ingredient in kanaus: sincerity born from ahavas Yisrael and ahavas Hashem. Only one who loves Jews and Judaism may take umbrage when he observes his fellow Jew desecrating these principles. One must take into account the mindset of the sinner before he criticizes him.

Today, especially in Eretz Yisrael, we have developed a newly-minted mutant kanai, who reacts to - and even looks for - every opportunity to squelch any anti-Torah activity - regardless of the means.

Sadly, secular Jews provide much opportunity for these misguided zealots to do their thing, which is nothing more than a glorified chillul Hashem, desecration of Hashem's Name. These hooligans are neither zealots, nor do they represent the true Torah world which adheres to ahavas Yisrael and ahavas Hashem. On the other hand, this does not mean that the actions of the secular Jews do not hurt. They look for every opportunity to undermine Judaism, Hashem and the Torah world in order to promote their own destructive agenda. When we strike at them in a manner that gives credit to the extremist groups of the 60's, we provide them with fodder for their continued denigration of Hashem.

Pinchas acted violently; therefore those Jews acting against secularism feel that they have a right to be violent in their protests. They fail to realize - nor do they want to accept - that Pinchas was carrying out the halachah of boel aramis - kanaim pogin bo, "One who is cohabiting with a gentile - zealots may strike him." Throwing light bulbs at baby carriages; hot coffee at women, stones at cars: these acts do not belong under the purview of kanaus. In a meaningful article on the topic of kanaus, Rabbi Moshe Grylak relates that he approached Horav Elazar M. Shach, zl, concerning the demonstrations that took place each Shabbos on Bar Ilan Street and on the Ramot road. Typically, ruffians in full Shabbos regalia hurled stones at cars. The venerable Rosh Yeshivah said, "It is quite possible that the real mechallelei Shabbos here are the stone throwers. Throwing stones is absolutely prohibited in and of itself, since one incurs the risk of killing someone. Aside from this, the Shabbos demonstrators themselves are creating Shabbos desecration; rather, they should vote in the municipal elections and create a shift in the balance of power within the government. With a religious majority, much chillul Shabbos can be circumvented."

The attitude one takes toward the chiloni, secular Jew, often determines if the outcome will be positive or hateful. Rabbi Grylak relates the story of a Yerushalmi Jew who lives in the Ezras Torah section of Yerushalayim, bordering on the Ramot road, the scene of weekly Shabbos demonstrations. One Shabbos, during a particularly heavy and violent demonstration, this Jew noticed a car being pummeled by large stones. He quickly took note of the license number of the car, and he made a point the next day to call the license bureau to locate the owner of the vehicle. He immediately went to visit the owner of the car. When he knocked on the door, a child greeted him. When he asked for the child's father, the boy screamed out, "Abba, there is a religious man at the door." The father resisted in the usual manner, "Tell him I already gave money at the office." In other words, all frum, observant, Jews are stereotyped as beggars asking for alms, either for themselves or for others. After all, why else would a chareidi Jew come to "his" neighborhood.

The Yerushalmi was not deterred by the man's jab: "I really must speak with your father, and please tell him I am not here concerning money."

The father appeared a few moments later, apparently hostile and in a not very welcoming mood. "What do you want?" he asked.

The Yerushalmi was nervous, but he was going through with it: "On Shabbat, I noticed you driving in my neighborhood. I saw your car being pummeled with stones. I am here to apologize for the loathsome behavior. I speak on behalf of my neighbors. We want you to know that the rock throwers do not live in our neighborhood. They are rabble rousers who come from elsewhere. We wish you no harm. Apparently, you are new here. Welcome!" With these words, the two parted on good terms, even exchanging phone numbers.

The following Erev Shabbos, the Jew from Ramot phoned the Yerushalmi and said that, from now on, he would take an alternate route to go about his business on Shabbos. The Yerushalmi thanked him and wished him well.

A week later, the man from Ramot called again. "Kavod haRav, the truth is that, while we are not Shabbos observant, we do maintain a

kosher home. Can you tell me where we can purchase kosher meat?" he asked.

A few months later, the man from Ramot called again. "Kavod haRav, I am sorry to bother you, but my son will become bar mitzvah in six months. I would very much like to get a pair of Tefillin for him and, since we are going this far, I really need someone to 'acquaint' him with Judaism."

Obviously, the Yerushalmi was only too happy to acquiesce. The end of the story: The boy became bar mitzvah; the Yerushalmi attended; the boy is now a student in good standing in a yeshivah! Rabbi Grylak writes that when he related the story to Rav Shach, the Rosh Yeshivah was moved to tears.

We see around us good people and people that require a serious education concerning: the characteristics of a Torah Jew; how a Torah Jew acts; and the definition of middos tovos, positive character traits. The insignificant riffraff pursue opportunities to gain prominence by following the true kanai and transforming his zealotry into hooliganism and utter violence. This is a reality that the most astute and sincere kanai must fear.

Pinchas was a genuine kanai. He saw the beginnings of a horrific tragedy that would devastate the nation. He acted out of love for the people. Horav Aharon Kotler, zl, was the individual who established America as a Torah stronghold following the decimation of European Jewry during the Holocaust. His efforts on behalf of European Jewry - both in relief and rescue - are legendary. His tolerance level for the foot dragging of the American Jewish establishment when precious lives were at stake was at "zero." He became frustrated when those who could help took their sweet little time and were more concerned with bureaucracy than with Jewish blood.

Rav Kotler did what was necessary, when it was necessary - regardless of the ramifications, both personal and collective. As a true leader, many sought to attach themselves to him and his efforts on behalf of Klal Yisrael. Unfortunately, not all of his followers possessed motives as pure as his. They just wanted to "get the other guy." They were little people seeking significance in their lives.

Once, when one of the primary Jewish organizations in America was becoming bogged down in tedious, protracted bureaucracy, presenting excuse after excuse to justify its non-involvement in the war effort, Rav Aharon asked a student to prepare a car for a ride into Manhattan. "You will take me to the Fifth Avenue headquarters of their organization. I will take a stone and hurl it through their large picture window. A melee will ensue, in which police and reporters will arrive en masse, and they will be forced to wonder why an elderly, white-bearded rabbi was smashing windows on Fifth Avenue. I will tell them, and then the entire world will know that the heads of this organization are accessories to the murder of European Jewry."

Hearing this, a group of younger students crowded around Rav Aharon and each one declared, "I also want to go in." The Rosh Yeshivah told them no, explaining, "For my purposes, one stone is enough."

One stone makes a statement; more than one stone creates a counterproductive tumult.

When he zealously avenged Me among them. (25:11)

Pinchas was acting according to halachah: Boel aramis kanaim pogin bo, "One who cohabits with a gentile, zealous ones may strike him." If so, why is he referred to as a kanai, zealot? He was just doing what any other observant Jew would/should have done. Indeed, Chazal imply that Hashem chastised Moshe Rabbeinu for remaining passive during the moral outrage that took place. As a result, Moshe's gravesite remains unknown to us. Chazal derive from here that one must be "bold as a leopard, as nimble as an eagle, as swift as a deer, and as mighty as a lion in executing the will of Hashem." While this critique is only relative

to Moshe's extreme spiritual level, it does at least indicate that kanaim pogin bo is a halachah which applies to everyone.

Horav Mordechai Gifter, zl, explains that the punishment of death for a boel aramis may only be carried out by one who is a kanai. One who has achieved this elevated plateau of serving Hashem out of extreme love, he - and only he - may assume the mantle of executioner.

The Rosh Yeshivah explains that, unlike the misguided perception of many, a kanai is not an extremist. Any person who is willing to render his life for Hashem is not an extremist. He is an intelligent human being who has achieved a true level of greatness. He sees with an impeccable clarity what others do not see. His entire life revolves around carrying out the will of G-d. If one's motives are not pristine, he ceases to be a kanai. He is a regular fellow, and, hence, he may not lay a finger on the perpetrator of this immoral act of sacrilege. To paraphrase Rav Gifter, "The kanai sees things from an altogether different perspective. His vision is clear and unambiguous. There is not an iota of deviation in his perspective. Thus, he sees what others do not. The kanai sees a boel aramis for what it really is. Everybody else sees an act of promiscuity. He sees the underpinnings of Judaism being yanked from their moorings. Therefore, he may act - while others may just watch."

In loving memory of our parents and brother Cy and Natalie Handler 3 Av 5772 - 24 Teves 5771 Jeremy Handler 1 by the Handler Family Peninim mailing list Peninim@shemayisrael.com <http://shemayisrael.com/mailman/listinfo/peninim> shemayisrael.com

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**Hamaayan
by Shlomo Katz**

Parshas Pinchas Brit Shalom, Shabbat Shalom Volume 27, No. 37
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Today's Learning: Mishnah: Sanhedrin 1:3-4 Tanach: Tehilim 147-148 Daf Yomi (Bavli): Pesachim 9 Halachah: Mishnah Berurah 270:1-271:1

R' Aryeh Finkel shlita (rosh yeshiva of the Mir Yeshiva in Modi'in Illit, Israel) writes: Shabbat is referred to as "Shabbat shalom" and the angels that we welcome on Friday night are called "Malachei ha'shalom." In the Friday night prayers, we refer to Hashem as the "One who spreads a tent of shalom." "Shalom," often translated "peace," really refers to perfection and to the harmony associated with a state of perfection. "Shalom" exists in the World-to-Come. Shabbat, say our Sages, is a microcosm of the World-to-Come; therefore, Shabbat also is associated with shalom.

In our parashah, we find a description of the Korban Mussaf that was brought on Shabbat and each holiday. R' Moshe ben Nachman z"l (Ramban; 1194-1270) asks: Why is there a chatat / sin offering brought on each holiday, but none on Shabbat? He answers: "Kneset Yisrael is the match for Shabbat, and everything is in a state of shalom, and a person of understanding will understand." R' Finkel explains: Yisrael is the match for Shabbat because Shabbat bears testimony to Hashem's creation of the world, and Yisrael is the one that testifies. Together, they strengthen emunah / faith, and, as a result of the closeness to Hashem which follows, all sins are forgiven. There is shalom / perfection and harmony; thus, no chatat is required on Shabbat.

At the beginning of our parashah, Pinchas is blessed with the "covenant of shalom." Pinchas became Eliyahu Hanavi and lives forever. This, too, is a manifestation of shalom / perfection that leads to eternity. (Yavo Shiloh)

“Pinchas, son of Elazar, son of Aharon Hakohen, turned back My wrath from upon Bnei Yisrael, when he zealously avenged Me *among them,* so I did not consume Bnei Yisrael in My vengeance. Therefore, say, ‘Behold! I give him My covenant of peace.’” (25:11-12)

R’ Zvi Yehuda Kook z”l (rosh yeshiva of Yeshivat Merkaz Harav in Yerushalayim) observes: Why did Pinchas merit Hashem’s covenant of peace? Because his zealotry was motivated by a feeling of being “among them,” by a love for the Jewish People of which he was part. (Pe’amim)

“The daughters of Tzelofchad approached . . .” (27:1)

The Aramaic translation and commentary Targum Yonatan ben Uziel states: “When the daughters of Tzelofchad heard that the land would be divided among males only, they prayed for mercy from the Master of the world.”

What was the purpose of this prayer? asks R’ Aryeh Leib Zunz z”l (Poland; 1768-1833). If they were entitled to a share in the Land, they would receive it without prayer. If they were not entitled, how would prayer help? He explains:

Rashi z”l writes (in his commentary to Bereishit 1:1) that the Torah begins with an account of Creation to teach that Eretz Yisrael belongs to the Creator and He can give it to whatever nation He pleases. It was with this idea in mind that the daughters of Tzelofchad prayed: “Master of the world! Eretz Yisrael is Yours and You can give a share to whomever You wish.” (Kometz Ha’minchah)

“He [Moshe] leaned his hands upon him [Yehoshua] . . .” (27:23)

Rashi z”l comments: “He made of him a full and heaping container.”

R’ Chaim Kanievsky shlita (Bnei Brak, Israel) explains Rashi’s comment based on a discussion that the Dubno Maggid z”l (see facing page) writes that he had with the Vilna Gaon z”l (1720-1797). The Maggid asked the Gaon, “How can a tzaddik cause his own fear of Heaven to positively influence those around him?”

The Gaon answered, “If you surround a large container with many small containers and you pour into the large container until it overflows, the small containers will be filled as well. But, if the large container is not filled, it will not overflow into the smaller containers.” [Until here from the Dubno Maggid]

R’ Kanievsky continues: We read (Kohélet 11:3), “If the clouds are filled they will pour down rain on the earth,” and the midrash comments: “This refers to Torah scholars.” This is the same lesson that the Vilna Gaon taught the Dubno Maggid. Likewise, this is what Rashi means when he writes that Moshe made Yehoshua “a full and heaping container”—he instilled in Yehoshua the ability to absorb Torah and fear of Heaven to the point that he could “overflow” and influence the nation. (Ta’ama D’kra)

“The eighth day shall be an atzeret / day of gathering for you . . .” (29:35)

R’ Avraham Weinberg z”l (first Slonimer Rebbe; died 1883) comments: The word “atzeret” can mean “holding back.” When Sukkot is over and Shemini Atzeret comes, a Jew returns to his home. “Hold yourself back!” the Torah proclaims. Restrain yourself from pursuing excessive pleasures which are, in the words of our verse, “for you” [even though you may have missed those pleasures while you were living in the sukkah]. (Torat Avot)

“The eighth day shall be a day of gathering for you; you shall not do any laborious work. You shall offer an olah-offering, a fire-offering, a satisfying aroma to Hashem—one bull, one ram, seven lambs within their first year, unblemished.” (29:35-36)

Why is the offering brought on Shemini Atzeret so much smaller than the offering brought on Sukkot (as described in our parashah)? The Gemara (Sukkah 55b) explains: “This may be compared to a king who told his servants, ‘Make a large feast for me.’ Then, on the last day, he told his close friend, ‘Make a small meal for me.’” During the seven days of Sukkot, 70 bulls (the “large feast”) were offered paralleling the 70 nations of the world (the “servants”), while the offering of Shemini Atzeret (the “small meal”) celebrates Hashem’s special relationship with the Jewish People (the “close friend”).

This requires explanation, however. Is it not a disgrace to Bnei Yisrael that Hashem seems to want less from them than He wants from the gentiles?

R’ Yaakov Kranz z”l (1740-1804; the Dubno Maggid) explains with a parable: A man went on a trip, leaving behind a wife, their children, and her children from a previous marriage. Upon returning, he brought presents for each of the children—large presents for his step-children and small presents for his own children. Someone asked, “Do you love your children less than your step-children?”

He answered, “No! My children will be happy to see me whether or not I bring presents. My step-children, on the other hand, have no special joy from seeing me, so I have to bring them large presents.”

Similarly, says the Dubno Maggid, Hashem rejoices with the Jewish People whether or not they offer sacrifices to Him. That is not the same relationship He has with the 70 nations of the world; therefore, cultivating that relationship requires larger offerings. (Mishlei Yaakov)

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Advanced Parsha - Pinchas

**Parsha Potpourri
Calculating the Inheritance
by Rabbi Ozer Alport**

A young man suddenly became ill and found himself on his death bed. He realized that he hadn't yet prepared a will regarding the division of his estate (see Numbers 27:8). Although he didn't have any children, his wife was pregnant at the time. Uncertain as to the baby's gender, he instructed that if his wife gives birth to a boy, the son should inherit two-thirds of his possessions, with the remaining one-third going to his wife. In the event that she gave birth to a girl, the daughter should inherit one-third of the estate, with the remaining possessions belonging to his widow. After he passed away, to the surprise of all, his wife gave birth to twins - one boy and one girl.

Unsure about how to adapt the deceased's instructions to the strange turn of events, they approached Rabbi Chaim Soloveitchik for guidance. He explained to them that the solution is simple. The man made it clear that he wanted any son he may have to receive two times the inheritance of his wife, while he also desired that his widow should inherit double the portion of any daughter she may bear. In light of this understanding, the estate should be divided into seven equal portions, with the son receiving four of them, the wife two, and the daughter one - just as the man himself would have wanted it!

HERO AND LEADER

As the end of Moshe's life began to approach, God commanded him to appoint his disciple Yehoshua to succeed him (Numbers 27:18). Why wasn't Pinchas, the righteous "hero" of the parsha, selected to take over the leadership after Moshe's death? In risking his life for the sake of the nation, didn't he display the extent of his dedication and commitment to them and to his beliefs, valuable traits for a successful leader to possess?

The following story will help us answer these questions. The Talmud (Shabbos 33b) records that because of disparaging comments he had made, the non-Jewish government decreed that Rebbi Shimon bar

Yochai should be executed. He fled with his son, Rebbi Elazar, to hide in a cave. For 12 years, God miraculously provided them with food and drink, and they spent the entire day engrossed in the study of Torah.

After 12 years, God sent Elijah the Prophet to announce at the opening of the cave that the person who made the decree had died, and Rebbi Shimon's life was safe. Rebbi Shimon and his son emerged to see the light of day for the first time in more than a decade. While they spent this time climbing to great spiritual heights, the rest of the world continued in its more mundane fashion.

When Rebbi Shimon and Rebbi Elazar saw men "wasting" their time on what they viewed as frivolous non-spiritual pursuits like plowing and planting, the rabbis looked at them with such anger and disdain that the farmers were immediately burned by a mystical fire. A Divine voice called out, "Have you left the cave to destroy My world?" Rebbi Shimon and his son returned to study Torah in the cave for another year.

At the end of the year, they left the cave. The results were similar, but with one crucial difference. When Rebbi Elazar saw people engaging in earthly matters, he again burned them with his wrath. This time, Rebbi Shimon looked at them and healed them, explaining to his son, "It's enough for the world that you and I exist." One Friday afternoon, they saw a man carrying two bundles of sweet-smelling myrtle in honor of Shabbos. Recognizing the devotion of Jews to mitzvot, Rebbi Shimon and Rebbi Elazar were pacified.

This episode is difficult to understand. If the initial 12 years in the cave placed such a divide between Rebbi Shimon and the rest of the world, how did an additional year in the cave solve the problem when it should have only exacerbated it? The commentators explain that the additional year brought Rebbi Shimon to true greatness: the ability to understand and relate to those who aren't on his level and to appreciate them for their good qualities, such as their dedication to honoring Shabbos.

In light of this explanation, we can appreciate the answer given by the Kotzker Rebbe to our original question. The very fervor and passion demonstrated by Pinchas, while appropriate at that time, rendered him ineligible to serve as the national leader. Rashi writes (27:16) that Moshe requested a successor who would be able to understand that every person has his own individual foibles and needs, and who would be able to patiently bear the burden of interacting with each person and his idiosyncrasies. Pinchas' passionate devotion to truth and righteousness served him well, but would have made him an ineffective leader who was unable to understand and interact with each person on his own unique level.

PARTNER FOR ETERNITY

As the end of Moshe's life began to approach, God commanded him to appoint his disciple Yehoshua to succeed him as the leader of the Jewish nation. Although Yehoshua was a faithful student, Rashi writes that he wasn't on the same level as his teacher (Numbers 27:20). The Talmud (Bava Basra 75a) records that upon recognizing this difference, the elders of the generation remarked, "Woe to us for this humiliation and shame." Why did they feel embarrassed only after noting this distinction, and why specifically did Yehoshua make them feel this way and not the even greater Moshe?

The Chofetz Chaim compares this to a case of a rich businessman who arrived one day in a small rural village, asking if anybody would be interested in becoming his partner in a new project. The businessman offered to put up all of the necessary funds and expertise, but merely desired a hard worker to assist him with managing and running the business.

Most of the residents were content with their simple lifestyles and were skeptical about the man's promises of fame and fortune, so they declined the offer. One simple, illiterate villager decided that he had nothing to lose and agreed to become the man's partner. A few years

later, the pair returned to visit the village, arriving in an impressive carriage and dressed in a manner which clearly revealed the success of their venture. At this sight, the villagers were mortified and ran to hide.

They explained that they weren't embarrassed by the wealthy entrepreneur, as they felt that his education and resources gave him advantages that they could only dream of. They were, however, quite shamed at the sight of the success and riches which had met their former neighbor. They remembered all too well that they had been offered the same opportunity, but only he was wise enough to take advantage of it. The recognition of what they had had the ability to become and their failure to actualize their potential generated powerful feelings of humiliation.

Similarly, the Jews in the wilderness never measured themselves against the levels reached by Moshe. They viewed the pious family into which he was born and the elevated soul with which he was blessed as bestowing upon him opportunities for greatness that they could never fathom. Yehoshua, on the other hand, was neither the wisest nor the greatest of the generation. Rashi explains (27:16) that Yehoshua was chosen on the basis of his devoted service to Moshe throughout the 40 years in the desert. Upon recognizing this, the Jews became aware of the levels which could be reached when a person who had been just like them utilized his talents to their fullest. It was this humiliation that the Jews experienced upon the inauguration of Yehoshua as Moshe's successor.

The lesson for us is that because each of us was born into our own unique family and life circumstances, we needn't worry that we will be compared to the levels reached by others, whose lots in life afforded them natural advantages. However, we must look ourselves in the mirror daily and question, "Am I utilizing all of my talents and abilities to become the best me that I am capable of?"

THE SPELLING OF YISSACHAR

Although the name Yissachar is spelled with two shin's, the prevalent custom is to pronounce it as if it were written with only one. Why is this?

The Chida explains that Yissachar named one of his sons Yov (Genesis 46:13), which was at that time - unbeknownst to Yissachar - the name of an idol. Upon learning of this, Yov complained to his father, who appeased him by changing his name to Yashuv (see Numbers 26:24). However, in order to add a shin, Yissachar was forced to give up one of his, and even though it is still part of his written name, it is no longer pronounced.

In fact, Rabbi Tzvi Hirsch of Ziditchov was accustomed to read the name Yissachar by pronouncing both shin's up until Parshas Pinchas, in accordance with the opinion that his name was changed only at that time.

This article can also be read at:
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from: Rabbi Kaganoff <ymkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Mon, Jun 24, 2013 at 1:58 PM subject: my apologies- i forgot to attach the article the first time

**Must My Car and Table Observe Shabbos?
By Rabbi Yirmiyohu Kaganoff**

Question #1: Life of the Party, Inc. Chayim is opening a party rental business, Life of the Party, Inc., renting out tables and chairs. Are there any potential halachic pitfalls that present themselves concerning items rented over Shabbos?

Question #2: Avi's Rent-a-Car Avi wants to open an auto rental agency that would be closed on Shabbos. He was advised to set it up with a non-Jewish partner who owns the business on Friday, even though they intend to close the business Friday before sunset. Why would Avi need a gentile partner?

Answer: The Gemara (Shabbos 19a) quotes a beraysa that states: A man may not rent his keilim to a gentile on Friday, but he may rent them to him on Wednesday or Thursday. (Since the Gemara uses the word keilim to include a much broader category of items than does any of the English words utensils, tools or appliances, I will be using predominantly the word keilim, to avoid confusion.) This beraysa poses a host of questions. What could possibly be the reason to prohibit renting your keilim to a gentile before Shabbos? As a gentile is not required to observe Shabbos, what does it matter if he uses the keilim on Shabbos? Furthermore, what difference does it make whether I rent them out on Friday or on Thursday?

We find many different approaches among the Rishonim to explain this beraysa. Indeed, answering these questions will provide an opportunity to study several important Torah topics. But first, an introduction.

Must my cow keep Shabbos? The Torah requires that not only must we not work on Shabbos, but we must also allow our servants, and even our animals, to rest on Shabbos. These prohibitions are called respectively, shevisas avadim and shevisas beheimah. In practical terms, this means that I may not have my animal perform work for me. This prohibition is mentioned explicitly by the Torah: Do not perform work – not you, your son, your daughter, your slave, your maidservant, your animal (Shemos 20:9). I am responsible to see that none of them performs melachah on my behalf.

Must my appliances keep Shabbos? Since I may not have my animals work for me on Shabbos, the next question is whether I may have my appliances work for me on Shabbos. Those who have never studied Mesechta Shabbos usually find it surprising to discover that there is actually a dispute between Beis Hillel and Beis Shammai on this topic (cf. Bach, Orach Chayim 246, who concludes that even Beis Hillel concurs that, under certain circumstances, one is required to allow one's keilim to "rest" on Shabbos, and that the dispute is what type of shevisas keilim is forbidden). Beis Shammai rules that it is prohibited min haTorah to have one's appliances perform melachah activity on Shabbos (Shabbos 18a). This prohibition is called shevisas keilim. According to Beis Shammai, having my mill grind grain on Shabbos is prohibited min haTorah, even if it operates completely automatically and requires no human intervention whatsoever. Similarly, Beis Shammai prohibits having a gentile rent or borrow my keilim on Shabbos, if he will use them for forbidden melachah activity (Tosafos, Shabbos 19a s.v. Lo). Thus, Beis Shammai forbids allowing my hoe or my automobile to remain in the hands of a gentile or not-yet-observant Jew over Shabbos, out of concern that he may use them on Shabbos. This ruling would definitely create a halachic problem for Avi's Car Rental.

Beis Hillel disputes this ruling, contending that the Torah prohibited only having my animals work on Shabbos, but not my inanimate property. We therefore have an anomalous situation whereby having my keilim used for melachah on Shabbos is prohibited min haTorah according to Beis Shammai and yet may be completely permitted according to Beis Hillel.

Note that I wrote may be permitted. As we will soon see, there are other factors that need to be resolved, and it is these other factors that will affect Chayim and Avi. Back to the beraysa At this point, we will return to our original beraysa, which states: a man may not rent his keilim to a gentile on Friday, but he may rent them to him on Wednesday or Thursday.

Remember that we were puzzled why one may not rent items to a gentile on Friday. Several early authorities contend that this beraysa follows the opinion of Beis Shammai, that one's keilim may not be used to perform work on Shabbos, even if the work is performed by a gentile (Rif and Rambam, as explained by Rosh, Ran, and Beis Yosef). Therefore, the beraysa prohibits giving my appliance to a gentile on Friday out of concern that he will use it in the performance of a melachah on Shabbos. For reasons beyond the scope of this article, the beraysa was only concerned about this happening if I gave him the appliance on Friday, but not if the gentile received the appliance earlier in the week (see Rosh, Shabbos 1:36).

Although, indeed, some early authorities understood that this beraysa follows the opinion of Beis Shammai, most authorities reject this approach. Among their concerns are: (1) If this beraysa follows the opinion of Beis Shammai, then it does not reflect accepted halachah, which follows Beis Hillel. Usually, when a statement of a Mishnah or beraysa reflects an opinion that we do not follow, this point is noted by the Gemara, which is not the case in this instance. (2) If

the reason for this beraysa is that one is required to make sure that one's keilim rest on Shabbos, why does the beraysa prohibit only renting your keilim to a gentile? It should be just as prohibited to lend him your keilim, since he might perform melachah with the loaned utensil!

Alternative approaches To resolve these issues, other authorities present alternative reasons why one may not rent keilim to a gentile on Friday. Before presenting the next approach, we first need to understand a concept called sechar Shabbos.

Sechar Shabbos Because Shabbos should be completely divorced from any mercantile activity (Rashi, Kesubos 64a s.v. Kisechar), Chazal prohibited receiving payment for something performed on, or that occurred on, Shabbos, even when the work involves no melachah, and even when I, myself, am not doing anything on Shabbos (Bava Metzia 58a; Shulchan Aruch, Orach Chayim 306:4). For example, although it is permitted to work as a waiter on Shabbos, one may not be paid specifically for the work done on Shabbos. Another example: I may not rent out my tables on Shabbos to a gentile, even though I, myself, am not doing anything, and my tables are doing no forbidden melachah activity, but are just standing around, looking pretty.

So how do chazzanim get paid? This leads to a question. If one may not be paid for Shabbos work, how does one hire a waiter, chazzan, baal keriyah, or babysitter for the work that they are going to do on Shabbos? Is one not paying him or her for work performed on Shabbos? The answer is that one must arrange that the person hired to perform work that will take place on Shabbos is also hired to perform work that he will do on a weekday, and that no calculation is made how much the Shabbos work is worth. The employee (waiter, chazzan, baal keriyah, babysitter, etc.) must be paid in a package deal that includes the Shabbos work. This method is called havlaah – absorbing or swallowing, as the pay for the Shabbos work is "absorbed" in the pay for the non-Shabbos work.

Therefore, a chazzan is paid a package deal that includes payment for his travel or preparation time, or for other non-Shabbos responsibilities. Similarly, a baal keriyah must be paid a package deal that includes the non-Shabbos time he spends preparing the reading. If one chooses to hire or work as a babysitter or waiter on Shabbos, one must hire or be hired in an arrangement that includes some non-Shabbos work, and the pay package may not be calculated on an hourly basis, since this will, therefore, include direct pay for Shabbos (see Rama, Orach Chayim 306:4 and Magen Avraham ad loc.) Instead, one must pay or be paid a "package" that does not have a per hour breakdown.

(We should note that there are some authorities who rule that there is no prohibition of sechar Shabbos when one is doing a mitzvah (see Shulchan Aruch, Orach Chayim 306:5 and 526:5). According to those who are lenient, a chazzan, baal keriyah or baal tekiyah may be paid exclusively for his Shabbos work. A full treatment of this subtopic will need to wait for a different article.)

"Life of the Party" and Shabbos At this point, we should discuss one of the questions raised above: Chayim's party rental business, Life of the Party, Inc. Chayim asked if there are any potential halachic pitfalls that may present themselves concerning items rented over Shabbos. There is one problem that could come up if Chayim is not careful, but it is very easy to avoid. Let me explain.

Someone who rents property or equipment to a gentile may not charge specifically for Shabbos, since this includes sechar Shabbos. This will not be a problem if the rental rates are calculated according to calendar day; this is a form of havlaah, since Friday and Saturday calendar days both include parts of a day that are not Shabbos. However, this could become a problem when a Yom Tov falls on either Friday or Sunday, since the prohibition also applies on Yom Tov and the calendar day now includes only time when there will be a problem of sechar Shabbos/Yom Tov (see Tur, Orach Chayim 585). Chayim can avoid this problem, either by not charging for that extra day, or by charging a "weekend rate" that includes time that is neither Shabbos nor Yom Tov.

24-hour rentals Rental operations usually charge a per diem 24-hour rental fee, from the time of pick-up until the time of return. Most of the time, this arrangement will not present Chayim with a problem, since part of the 24 hours will not fall on Shabbos. However, in a situation when the 24-hour rental time coincides exactly with Shabbos, one will be charging sechar Shabbos, which is a problem. In such a situation, one may extend that part of the rental day to include some time that is definitely not Shabbos. It would serve Chayim well to include this part of the arrangement in the fine print of his rental contract.

Tosafos's approach to the beraysa By now, we have become so engrossed in the concept of sechar Shabbos that we may have forgotten that we were in the process of explaining a beraysa. Remember that our beraysa made the following statement: A man may not rent his keilim to a gentile on Friday, but he may rent them to him on Wednesday or Thursday. We were puzzled why the beraysa prohibited renting appliances or equipment to a gentile on Friday. Now that we

fully understand the concept of sechar Shabbos, I will present a second interpretation of the beraysa, which is the approach of Tosafos and others.

Renting out appliances on Friday, even by means of havlaah, is prohibited, because it gives the appearance of receiving payment specifically for Shabbos. This rental is included in the prohibition of sechar Shabbos (Tosafos, Shabbos 19a). It is permitted to rent appliances on Wednesday or Thursday, even if the rental period is for several days, because this arrangement does not give the impression that I am trying to profit from Shabbos.

This approach explains well why the beraysa prohibited only renting appliances to a gentile, and not simply lending them, because when lending my appliances for Shabbos use, I am not receiving any remuneration (Tosafos, Shabbos 19a).

Life of the Party However, we should realize that, according to this approach, Chayim, of Life of the Party rentals, will have an interesting shaylah. How can he rent out tables and chairs on Fridays, since renting any items to a gentile is prohibited according to the beraysa when it made its now-famous statement: A man may not rent his keilim to a gentile on Friday?

Rabbeinu Yonah's approach Before troubling Chayim with the possibility that he may have to rearrange the way he does business, let us examine a third approach, that of Rabbeinu Yonah, to explaining the original beraysa. This approach is based on the rabbinic prohibition against hiring a non-Jew to work for a Jew on Shabbos. The beraysa prohibits renting on Friday keilim that one uses to perform melachah to a gentile, since we know that if the rental would exclude permission to use these keilim on Shabbos, the gentile would be willing to pay only significantly less rent. Since the rent the Jew receives reflects the fact that the gentile will perform melachah with this appliance on Shabbos, the Jew is considered to be benefitting from the gentile's work on Shabbos, which is why Chazal prohibited it (Rosh, Shabbos 1:36, quoting Rabbeinu Yonah).

Why only renting? According to Rabbeinu Yonah's approach, it is very obvious why Chazal prohibited only renting to the gentile on Friday but permitted lending the appliance to him. Only when the Jew benefits from the gentile's activity does it appear that the Jew made the gentile into his agent (Magen Avraham). When the Jew does not benefit from the gentile's activity, it is obvious that the gentile is working for himself and not as an agent of the Jew (see Graz).

Tosafos versus Rabbeinu Yonah There is a major difference in halachah between Rabbeinu Yonah's approach and that of Tosafos. According to Tosafos, that the prohibition is because of sechar Shabbos, the beraysa prohibits renting any appliance to a gentile on Friday. However, according to Rabbeinu Yonah, the beraysa prohibited only renting keilim with which one performs melachah, but not chairs, tables or any other items that one does not use for melachah. Thus, the halachah of this beraysa would not apply to Chayim's party rental company.

How do we paskin? The Rama, when ruling on this topic, specifies that one may not rent a gentile a plow on Fridays, thus ruling according to Rabbeinu Yonah that the prohibition applies only to appliances used for melachah. Therefore, according to the Rama's halachic conclusion, as long as Chayim makes sure not to have a contract that violates the laws of sechar Shabbos, he has no halachic problems with his enterprise, and we wish him well in his endeavor.

What about Avi's Rent-a-Car? However, it would seem that one may not rent out an automobile on Erev Shabbos to a gentile. The rav who had advised Avi obviously felt the same way. Because of my own curiosity on the topic, I sent out the question to a prominent halachic authority, to see whether he felt that Avi may rent out his autos to gentiles on Friday.

Maris Ayin The authority I contacted ruled that Avi did not need to bring a gentile into his business, because of a very interesting reason. Most of us are familiar with the prohibition of maris ayin, avoiding doing something that may raise suspicion that one violated halachah. For example, one may not hang out to dry on Shabbos wet clothes that were used to mop up a spill, because neighbors might think that he washed the clothes on Shabbos. This is true even when all the neighbors realize that he is a meticulously observant individual.

Indeed, there are some halachic authorities who explain the beraysa to mean the following: You may not rent keilim to a gentile on Friday because of a concern that people seeing you rent the item may think that you have hired the gentile to work for you on Shabbos, and are supplying him with materials to do the job (Bach; Taz, Orach Chayim 246:2; Pri Megadim). Since this concern would not possibly exist on a clearly-marked rental car, the authority I quoted above ruled that there is no problem with a Jew renting out a car to a gentile on Friday. This posek felt that as long as Avi was careful about the laws of sechar Shabbos, he would not need to be concerned about renting vehicles on Friday.

Conclusion Rav Samson Raphael Hirsch (Shemos 20:10) notes that people mistakenly think that work is prohibited on Shabbos in order to provide a day of rest. This is incorrect, he points out, because the Torah does not prohibit doing avodah, which connotes hard work, but melachah, which implies purpose and

accomplishment. On Shabbos, we refrain from constructing and altering the world for our own purposes. The goal of Shabbos is to emphasize Hashem's rule as the focus of creation by refraining from our own creative acts (Shemos 20:11). By refraining from building for one day a week, we acknowledge the true Builder of the world and all that it contains.
