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V'samachta B'chagecha: Shavuos a Beth Aaron\TABC Publication
SIX QUESTIONS FOR SHAVUOS

RABBI DR. EPHRAIM KANARFOGEL

The Gemara teaches in two places (Kiddushin 40b, Sanhedrin 7a), based on a verse in Mishlei, that a person will first be asked to account to the Heavenly tribunal in regard to Torah study. And yet, the Gemara in Shabbos (31), lists six questions, based on a Posuk in Yeshaya (33:6), that a person will be asked by the Heavenly court "when he is brought to judgement," and the Gemara records the first question as "Did you do business or conduct yourself in a faithful and honest manner?" And only in the second question is the inquiry concerning Torah study, "Did you set aside time to devote to the study of Torah?" The Tosafos in both Sanhedrin and Kiddushin (7a and 40b) provides resolutions for this apparent contradiction. For example, the first question that will be asked is indeed about business conduct. But the first judgement to be handed down, will be in regard to one's involvement in Torah study.

By looking at all six questions that will be asked of a person, and on the basis of Rashi's interpretation of the passage in Kiddushin and Sanhedrin, as well as on a cryptic observation of the Vilna Gaon on the Gemara in Shabbos, it is possible to suggest a somewhat broader solution of this problem. While the specific focus of the first question is about business conduct, all of the six questions in this unit can be shown to be concerned with Torah study. Together, therefore, they ask the larger question of whether a person has integrated Torah study into all aspects of life. These six opening questions, taken as a unit, would clearly justify the aphorism that when a person is brought to judgement, he is first asked about his involvement in Torah study.

Rashi interprets this passage in both places using a form of the "involvement in Torah." This phrase connotes not only the actual study of Torah but also the application of Torah decisions and values throughout our lives. Thus, for example, when we make the Beracha "L'Asok B'Divrei Torah", before davening each morning, we do not have to make it again for other Torah study during the day, even if we do not proceed immediately to study Torah after davening (See Tosafot Berachot 11b 'SheKivar'). This may be due to the fact that all our activities, throughout davening and following it, including eating, going to work and the like, are also governed by Torah law and its applications. Hence, these activities are covered under the rubric of "L'Asok B'Divrei Torah". The Vilna Gaon notes that the verse in Yeshaya, "The stability of your times, the strength of your salvation, shall be through knowledge and wisdom," cited by Rava as the source of the six questions that a person will be asked, had been interpreted by Reish Lakish as referring to the six orders of the Mishnah. The Gaon suggests that each of the questions is itself a kind of code for asking whether the person studied the six orders of the Mishnah. The Gaon's explanation concludes by noting that all of the questions, therefore, concern only Divrei Torah.

Let us look at the questions themselves and highlight some of the more overt connections between them and Torah study. The first question, "Nasata V'Nata B'Emunah" has several possible connections. Some interpret this question as referring not to business dealings but as a question about faith and belief - did you contemplate and consider matters of Emunah? According to this interpretation, the first question has much to do with Torah study. A proper understanding of the principles of our faith, through the study of Jewish thought or philosophy, should be undertaken by anyone who is involved in serious Torah study. Indeed, the Rambam begins his major work of Jewish law, the Mishneh Torah, with the laws of the basic principles of the Torah and other areas of Jewish thought such as the laws of knowledge and, laws of repentance, which suggests that an understanding of these themes is critical to a complete knowledge of Jewish law.

But even if the first question is about one's business dealings, there are still several important connections to Torah study. We are all familiar with the statement in Pirkei Avos, "without flour there is no Torah" (3:21). Since the normal way of the world is for people to earn a livelihood as Rabbi Meir says, cited in the Mishnah (Kiddushin Perek 2), Chazal express on numerous occasions, not only the importance of one's own learning, but also the need to support Torah study for others. Indeed, as the famous Yissachar - Zevulun relations teaches us, one who uses his wealth to support the Torah has a share in that study. The Vilna Gaon interprets the Posuk in Parshas Chukkas (Bamidbar 21:18), as follows: the fountain of Torah is carved out (and acquired) by Torah scholars (who are often referred to as 'sarim', officers). It is also acquired to the same extent by philanthropists (Nidivai HaAam). The scholars acquire it through their learning (michokak) and those who donate funds acquire it throughout their support and generosity (b'mishanotom). So how a person uses the asset that he or she earns has much to do with the study of Torah.

There is, however, an even deeper connection between doing business honestly and Torah study. Ramban cites a Mechilta on the Posuk found in Parshas Beshalach following Az Yashir, "V'HaYashar B'Einav Taaseh" [the full verse reads: if the members of Klal Yisrael heed the voice of Hashem and do what is proper in His eyes and follow and observe all the mitzvos, they will never be subjected to the plagues visited upon the Egyptians (Shemot 15:62)]. This means, if one does business honestly, and thereby fulfills all of the sometimes intricate Halachic regulations and requirements of proper Jewish business, that person is considered to have fulfilled all the precepts of the Torah. The knowledge and commitment required to do this is so significant, that one who succeeds, is compared to someone who has kept (and presumably studied) the entire Torah. It appears, from several different perspectives, that the connection between the first question and Torah knowledge and study is a substantive one.

The second question, "Have you set aside time for Torah?" is obviously linked to Torah study, as we have seen. We will return to discuss this question, however, when we reach the last two questions which also ask about actual Torah study: Pilpalta b'chochma, hevanta davar toch davar. We will explain at that point what the difference is between these questions and why all of them are asked. The third question is: Did you marry and raise a family? The connection between this question and the study of Torah can be seen from a comment of the Beis Shemuel on Even HaEzer (Siman 1). Based on the Mishnah at the end of the fifth Perek of Pirkei Avos, the Shulchan Aruch writes that one should marry at the age of eighteen. The Beis Shemuel comments that even though all Mitzvos are incumbent upon a Jewish male at age thirteen, Chazal accepted the idea that marriage should be postponed until (at least) age eighteen, in order to give a person a chance to delve into serious Torah study. Since the very same Mishnah in Pirkei Avos teaches that truly intensive Gemara study begins to take hold only by the age of fifteen, a person was instructed to study intensively for at least

three years before marrying. [Indeed, a second Rabbinic view found in Kiddushin (29b), which mentions twenty as the age of marriage. These two ages, eighteen and twenty, correspond to the views found in Chulin (24a), concerning how long it takes to achieve a measure of success in (Torah) study—three years (15-18) or five years (15-20) (just as it took the Levi'im five years, from twenty five to thirty, to master their service in the Mishkan and Mikdash).] As many Poskim point out, the age of marriage may be postponed even further if one is still studying Torah and preparing for his future. Once marriage occurs, it is necessary to be able to teach and instruct one's family in addition to earning a livelihood. Thus, the time of marriage is closely related to one's achievements and grounding in Torah study.

On the fourth question, "Did you hope and trust in Hashem's salvation and redemption?" Rashi comments: "I'divrei haNevi'im". Genuine Jewish eschatological beliefs are based on the words of our Prophets. Careful study of the books of the Nevi'im is a necessary prerequisite for formulating and understanding what the salvation is about. While it may not be possible to fathom completely all of the aspects of the end of days, we need to consult Sifrei HaNevi'im in order to establish the parameters of that era. As Rambam notes (Hilchot Melachim 12:2) we need to identify the proper direction of the Biblical verses, in order to say anything about the Messianic age and beyond. This certainly requires study in addition to belief. So this question as well is inextricably linked to the study of Torah.

The final two questions, "Have you used your intellect wisely?" and "Were you able to understand one thing from another?", obviously refer to dimensions of Torah study. Rambam writes (Hilchot Talmud Torah 1:12) that one has achieved a high level of Gemara study when he can understand fully the way that a Torah concept or law can be developed or applied from its original source; when he can derive one law or concept from another and when he can properly compare (and contrast) one law to another. The terms which Rambam employs are quite reminiscent of these last two questions. What two and these last two, need to refer explicitly to Torah study.

Many Acharonim, including Rav Yosef Dov Soloveitchick, posit that the Mitzvah of Torah study has different kiyumim, different levels through which it may be fulfilled. To take the model developed by Rav Yisrael Salanter, recorded by his student Rav Yitzchak Blazer in Or Yisrael, (chapter 27), there are two distinct aspects of the Mitzvah of Talmud Torah: Limud Torah (learning Torah) and Yediat Torah (knowing Torah). The aspect of Limud Torah is derived from the verse in Sefer Yehoshua, "V'hagita yomam v'leilah" meaning, there is an obligation to spend as much time as possible engaged in the study of Torah. Although one should always try to be accurate and to remember what one learns, one is mikayaim (fulfills) the Mitzvah of Limud HaTorah even if one is not able to recount later clearly and correctly what has been learned. The main thing is to put in the time honestly. This is the second question of the six, did you set aside time for Torah study. Without quality time being invested, it is impossible to achieve anything in Torah, as the Gemara tells us in Megillah 6a "HaOmer lo yagati u'matzati al taamin". But there is an additional, higher aspect of the Mitzvah of Talmud Torah called Yediat HaTorah. This means that one knows and has mastered the Torah that has been studied, and can recite and apply that knowledge to reach proper Halachic conclusions. It is based on Chazal's comment (cited by Rashi) on the phrase in Shema, that is one who has achieved the proper understanding and the correct application of Yediat HaTorah is able to respond crisply and without hesitation to questions of interpretation and Halacha. The stage of Yediat HaTorah is represented by questions five and six, "falalta b'chochma" and "hevanta davar mitoch davar" - Were you fully successful with the time that you invested in Torah study? Were you able to achieve all that you were capable of achieving?

In sum, the answer to the contradiction raised at the beginning of our

discussion may be very simple. Not only the first question, "nasata v'natata b'emunah", but all of the questions that a person will be asked, seek to ascertain the extent to which a person inculcated Torah study and the application of its laws and values into his or her life. We ask four (main) questions as the Seder on Pesach. It is fitting on Shavuot, Ziman Mattan Torateinu, "the time when we received the Torah," to reflect upon the six questions which are posed by the Gemara in Masechet Shabbos.

<http://www.tzemachdavid.org/Vsamachta/Shavuot01/lean.shtml>
V'samachta B'chagecha: Shavuot a Beth Aaron/TABC Publication
A GOD TO LEAN ON
RABBI EZRA WEINER

The Torah (Shemot 32:15) describes that the writing of the Aserer HaDibrot was engraved in such a fashion that the luchot were perforated completely from front to back. Consequently, the middle section of the letters 'samech' and 'mem sofit' had nothing supporting them. The Gemara in Shabbat (104a) relates that the two letters were actually suspended miraculously. It is ironic that the Hebrew letter whose very definition is "support" ("samech") is the one letter that is given no support in the luchot.

We must first analyze the significance of the letter 'samech' before we can truly understand its significance in the luchot. 'Samech' is the only regular letter in the Aleph-Bet whose shape consists of two aspects: a rounded blank interior and a complete exterior framing outline. According to the interpretation of Otiof R. Akiva, the perimeter of the samech denotes Hashem, our protector, and its interior (the colored-in area) denotes the Jewish people, those who are dependent on Hashem's protection. The blank center alludes to the Mishkan, Hashem's abode during the encampment of the Jews in the desert, and the peripheral line of the 'samech' represents the camps of the tribes which surrounded the Mishkan.

The same is true when the Jewish people settled in the Land of Israel: the center of the 'samech' represents the Beit HaMikdash, and the peripheral line represents the Jewish nation led by its leaders, the King and the Kohen Gadol.

In another allusion also suggested by Otiof R. Akiva, the letter 'samech' symbolizes the Torah itself. The inner circle is the Written Law, which is of little significance without the surrounding ink, the teachings of the Oral Torah, its supporter. Thus, the letter 'samech' offers support and protection not only in the physical sense as is apparent from its shape, but also represents the unique relationship that the Jewish people have with their Creator and His Torah.

The 'samech' is also significant in the fact that it follows the letter 'nun', which denotes nefilah, or the downfall (Chas V'Shalom) of the Jewish people. (This is the reason that the letter 'nun' is omitted from the Ashrei prayer - Gemara Berachot). It is through the unique relationship that the Jewish people establish with Hashem and His Torah that they will merit to witness an end to their "nefilah". According to the Meam Loaz, the two reversed letters 'nun' that surround the parsha of V'Yahi B'Nesoah allude figuratively to Israel's turning back on their previous alliance with the Torah which was also expressed by the two letters 'nun' in Naaseh V'Nishmah. It is only with the establishment of a bond with the Torah that is represented by the 'samech' that people will merit, "Somech HaShem L'Kol HaNoflim". It is therefore no wonder that the 'samech' is miraculously suspended in the luchot. If we accept Hashem as our protector and supporter, we will no longer need to support ourselves.

From: Yeshivat Har Etzion Office[SMTP:office@etzion.org.il]
Subject: SICHOT61 -29: Parashat Bemidbar SICHOT OF HARAV
YEHUDA AMITAL SHLIT"A JEWISH UNITY

Summarized by Zev Jacobson

In Parashat Bamidbar (chapters 1 & 2), the Torah relates in great detail the manner in which Benei Yisrael camped in the desert. Why is it necessary for us to be made aware of these details, especially seeing that they were applicable only to the Generation of the Wilderness? Without question, there must be a message that is being conveyed to Jews throughout the ages, a message that penetrates far deeper than the surface minutiae.

The Gerrer Rebbe, author of Chiddushei Ha-Rim, notes that the laws of building the mishkan, also a temporary measure, take up a disproportionate amount of space in the Torah. He explains: Benei Yisrael were counted and encamped in order to allow the Divine Presence to dwell in their midst - a purpose identical to that of the building of the mishkan. Man cannot rely on his own limited understanding to devise the means that will cause G-d to dwell within the camp. It is only by carrying out every minute detail, as prescribed by the Torah, that man can come closer to his Maker.

There is, however, a further lesson to be learned. Although Benei Yisrael consisted of twelve "mini-nations," twelve separate entities who camped apart, they were held together by the magnetic force of the mishkan. The mishkan, or more specifically the Ark of the Covenant, served as a focal point around which the entire nation revolved. This is clearly evident in the formation in which they camped, surrounding on four sides the centerpiece of the Ohel Moed.

Before the Jews entered Eretz Yisrael, it was vital that they understand and master the skill of functioning as a nation. They were to be a diverse people, unified by a common loyalty to the principle represented by the Ark. This would lead to the dwelling of the Divine Presence amongst Am Yisrael.

The Second Temple, though spiritually on a much lower level than the First (since it lacked the Aron, etc.), was in a certain respect greater nonetheless. In the times of the First Temple, the Jews were not unified in their service of G-d, and many people offered sacrifices in places other than the Temple. This divisive phenomenon did not exist when the Second Temple stood. Therefore, the Second Temple became a symbol of the Jews' unity. When this unity was lost, through baseless hatred, the Temple and Jerusalem were destroyed.

Yet, even today, Jerusalem serves as the heart of the modern Jewish nation. We face her while offering our prayers heavenward thrice daily and beg that she be rebuilt. There was not a Jew in 1967 who did not feel attached to the recaptured city. Jerusalem bonds a nation fragmented and divided, and within it can be heard the rallying cry of religious and non-religious alike. Until recently, even politicians were undivided in their attitude towards her.

On Yom Yerushalayim, we should appreciate the message that the city brings to our nation. However, it is necessary not only to feel exultation and jubilation but also a profound sense of loss. The history of Jerusalem dates back long before 1967, and the Western Wall symbolizes infinitely more than a mere military victory. Jerusalem does not stand in her former glory, and until the Temple is rebuilt, the Jewish people and the world at large have much cause for distress.

Yom Yerushalayim is not a national holiday. It is a religious holiday that should serve to enhance the spiritual aspect of Am Yisrael, and it should be celebrated in a fashion appropriate to its innate holiness.

May our fervent prayer soon be answered: "Return in mercy to Your city Jerusalem and dwell in it as You have promised."

(This sicha was delivered at seuda shelishit, Shabbat Parashat Bamidbar 5755 [1995].)

(Vbm) Yhe-holiday: Special Holiday Mailings Shavuot 5761

REMEMBERING THE REVELATION AT SINAI
BASED ON A SICHA BY HARAV AHARON LICHTENSTEIN
Summarized by Matan Glidai Translated by Kaeren Fish

"Only guard yourself and guard your soul greatly lest you forget the things that your eyes have seen and lest they move from your heart all the days of your life; and you will make them known to your children and to your children's children, the day you stood before Hashem your G-d at Chorev..." (Devarim 4:9-10)

The Ramban counts this as one of the 613 mitzvot: a prohibition against forgetting the Sinaitic experience. Even those authorities who do not count this as a separate mitzva recognize that we are obligated to remember this event.

There are two components to this command: a) teaching Torah to one's children ϕ "And you will make it known to your children and to your children's children;" b) actually remembering the event itself. It is therefore very important to examine and analyze what exactly took place at Sinai and how Am Yisrael received the Torah, especially on this festival commemorating the giving of the Torah.

Upon inspection, the events at Sinai turn out to have been very complex. On the verse, "And you shall ascend, and Aharon with you, and the kohanim and the nation shall not break through to ascend to the Lord" (Shemot 19:24), Rashi comments:

"Lest we understand this as meaning that [Aharon and the kohanim] too should ascend with him, the Torah teaches, 'You (singular) shall ascend. Thus, the verse means that you may ascend to one boundary, and Aharon to another, and the others to a third; i.e., Moshe could approach nearer than Aharon, and Aharon could approach nearer than the kohanim, and the nation could not [ascend] at all.' Thus, everyone experienced the revelation from a different place, and had a different point of view.

With regard to the duration of the revelation, too, there is some complexity: from the point of view of Am Yisrael it lasted one day, while from Moshe's perspective it lasted forty days. Another difference between Moshe and Am Yisrael arises from a comment of the Ramban (20:6), who explains (in accordance with the Gemara in Makkot 24a) that Am Yisrael heard and comprehended directly from the Holy One only the first two of the Ten Utterances; they heard the rest from the Holy One but did not comprehend, and they understood only after Moshe had translated for them. The Ramban, in fact, draws the logical conclusion of this approach. He explains that the great significance of the revelation at Sinai lies in the verification of Moshe's prophecy and of the possibility of prophecy at all. According to him, the experience of revelation was not necessary to teach specific laws.

If we wish, then, to understand and to remember this experience, we shall need to clarify the manner in which Moshe received the Torah. An examination of the event from the perspective of Am Yisrael can provide only a partial understanding.

One thing we can learn from Moshe is that effort and initiative are needed in order to acquire the Torah. The midrash (Shemot Rabba 28:1) teaches that the verse in Tehillim (68:19), "You ascended on high and captured a captivity," refers to Moshe. He ascended to heaven and captured the Torah by force, after doing battle with the angels. The Gemara (Shabbat 88b-89a) describes this battle and the argument between Moshe and the angels, who refused to give the Torah to a mortal. Moshe therefore needed to approach with force in order to receive the Torah. When Bnei Yisrael reached Mt. Sinai we are immediately told, "And Moshe ascended to G-d" (Shemot 19:3) ϕ G-d did not call him; he ascended of his own initiative.

However, this is not the entire story. In parashat Beha'alotekha, we read of how Miriam spoke badly of her brother, Moshe. In the middle of the story we are told, "And the man Moshe was extremely humble, more than any person on the face of the earth" (Bemidbar 12:3). What

place does this verse have here? We may say that this explains why Moshe did not answer Miriam's accusations, but it seems more reasonable that this verse explains G-d's words later on regarding the difference between Moshe and other prophets. Moshe reached such a high level of prophecy thanks to his trait of humility.

Many aggadot and midrashim stress this trait. The Gemara (Chullin 89a) teaches,

"What is said of Moshe and Aharon is greater than what is said of Avraham, for concerning Avraham it says, 'I am dust and ashes' (Bereishit 18:27), while concerning Moshe and Aharon it says, 'And what are we?' (Shemot 16:7)."

Dust and ashes are extremely lowly, but Moshe in effect says that he is nothing ϕ not even dust and ashes. The midrash (Shemot Rabba 41:6) furthermore teaches,

"All forty days that Moshe spent on high, he learned Torah and then forgot. He said, 'Master of the Universe, I have been here for forty days and I know nothing.' What did the Holy One do? Once he had completed forty days, He gave him the Torah as a gift, as it is written, 'And He gave it to Moshe.'"

Moshe's determination to acquire the Torah was not enough; G-d had to give the Torah to him as a gift. In order to receive the Torah, we must feel humility and self-effacement before G-d; we must approach as lowly people who are sustained by G-d's gift of the Torah. The verse from Tehillim quoted above likewise concludes with the words, "You have taken GIFTS for man."

Humility is necessary for two reasons. Firstly, because of how Torah is transferred: Torah moves from a high place to a low place; it can only be accepted as a gift. Secondly, only a humble person who feels himself nullified before the Holy One and recognizes his true place is worthy of receiving the Torah.

So it was at Har Sinai, and so it has always been in the study of Torah throughout the generations. The Gemara (Ta'anit 7a) teaches,

"Why are the words of Torah compared to water, as it is written, 'Ho, all those who are thirsty ϕ go to the water' (Yishayahu 55:1)? To teach you that just as water flows from a high place to a low place, so Torah can exist only in someone who is humble."

The Rambam expands on this idea (Hilkhos Talmud Torah 3:9):

"Just as water cannot collect on a slope, but rather flows from it and gathers on a plateau, so the words of Torah are not to be found in one who is vulgar of spirit nor in the heart of one who is haughty, but rather in the one who is lowly and of humble spirit, who sits at the feet of the sages and removes temporary desires and pleasures from his heart and performs a little labor every day to support himself, and spends the rest of his day and night involved in Torah."

Therefore, if we wish to remember the revelation at Sinai and to follow in the footsteps of Moshe Rabbeinu, we need to remember constantly that although effort, initiative and "conquest" are needed in order to acquire Torah, one also needs self-effacement and humility so that the Torah may be given to one as a gift.

(This sicha was delivered on leil Shavuot 5753 [1993].)

From: Yeshivat Har Etzion Office[smtpr:office@etzion.org.il]
Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm)
Yhe-holiday: Special Holiday Mailings Shavuot 5761
MAINTAINING THE BOUNDARIES OF WRITTEN AND ORAL
TORAH
BY RAV MOSHE TARAGIN

The gemara in Gittin (60b) cites a contradiction between two halves of one verse. G-d tells Moshe: "Transcribe for yourself these matters, for 'al-pi' (lit., by the mouth) of these matters I have signed with you a covenant and with Israel." (Shemot 34:27)

The first half of the verse suggests a written form of transfer

("Transcribe..."), while the latter half evokes a verbal manner of teaching and transmitting Torah. How, then, should Torah be conveyed? Ultimately, the gemara recognizes the fundamental difference between two segments of Torah: she-bikhtav" (written) and "she-be'al peh" (oral); this verse teaches us that the original format of each must be maintained. Hence, the gemara derives two prohibitions:

1) Torah she-bikhtav cannot be rendered in the manner of be'al peh. 2) Torah she-be'al peh must not be written.

These prohibitions establish a blatant division between the two parts of Torah; indeed, for close to a millennium these distinctions were maintained. Obviously, the landscape was altered irrevocably once Torah she-be'al peh was written (a decree which will be explored later in this article).

CONVERTING WRITTEN TORAH TO ORAL FORMS

The prohibition against writing the Oral Torah is clearly defined. Talmud, which existed as a purely oral tradition, could not be written in any formal or organized fashion. The parallel prohibition relating to "verbalizing" the Written Torah is less clear. How do we define "be'al peh?" If a person writes Torah she-bikhtav as a text, but deviates from certain classic requirements of transcribing Torah, would he or she violate the prohibition?

Perhaps the clearest expression that even written texts can qualify as "be'al peh" if certain criteria are not met can be found in the words of Tosafot (Shabbat 115a). The sixteenth chapter of Shabbat allows works of Scripture (kitvei ha-kodesh) to be saved from a fire on Shabbat even though extra effort (tircha) is involved. The gemara questions the permissibility of saving from a fire texts written in different languages. As the gemara itself asserts, this issue would depend upon a famous dispute in the mishna (Megilla 8b). The mishna discusses Scriptural texts written in various languages other than Hebrew and cites a dispute between the Rabbis, who classify these texts as kitvei ha-kodesh, and Rabban Shimon ben Gamliel, who excludes foreign-language texts from the category of kitvei ha-kodesh.

This fundamental argument about the nature of foreign-language Scriptural texts has several applications. For example, the gemara itself recognizes the consequences regarding "tum'at yadayim." (See the Rambam, in chapter 9 of Hilkhos Avot Ha-tum'a, who delineates the rabbinical decree that kitvei ha-kodesh confer impurity to teruma, the priest's portion of produce. This institution was developed as a manner of assuring that holy texts would be distanced from teruma, and would not be ruined by hungry rodents.) According to the Rabbis, Scripture written in any language would qualify as kitvei ha-kodesh and cause impurity to teruma; conversely, according to Rabban Shimon ben Gamliel, such texts would not be impure. This debate would assuredly impact upon our question of saving these texts from a fire. Presumably, Rabban Shimon would not allow Shabbat to be violated to save a foreign-language text because these texts do not enjoy the status of kitvei ha-kodesh; the Rabbis, by contrast, would allow it. Indeed, the gemara does consider the influence of the argument in Megilla upon our issue. What is startling, however, is the language the gemara employs to describe Rabban Shimon's position: the gemara asserts that Scripture in foreign languages cannot be "read." It is one thing to question their holiness, as well as laws, such as impurity, which are dependent upon that status, but it is quite another to claim a prohibition of reading them. Tosafot (ibid., s.v. Lo), in defending this syntax, cite the position of Rav Porat that it is forbidden to render these texts in foreign languages because this violates the principle that Torah she-bikhtav cannot be converted into be'al peh. Even though the Torah is being written physically, since the language is foreign, the standards of Torah she-bikhtav have not been met, and the prohibition applies.

A second example of "incorrectly" written texts which qualify as "be'al peh" can be discerned within the gemara Gittin (6b). The gemara

invokes the principle of "sirtut" when reproducing Scriptural verses; i.e., if one includes a verse within a personal letter, the writer must draw a straight line (normally by carving an indentation in the parchment) directly above the verse. The concept of sirtut is, again, a familiar one; see the gemara (Menachot 32b) which requires sirtut for the mezuzah and sefer Torah, and the gemara (Sota 17b) requiring sirtut for the scroll. Why, however, should verses written out of the context of these items require sirtut?

Many have invoked our principle to justify this requirement: when rendering Scriptural texts, the status of Torah she-bikhtav must be preserved not only by creating actual text, but by fulfilling certain standards. Just as - according to certain opinions - only Hebrew fonts are considered Torah she-bikhtav, certain types of contextual elements (such as the line above these verses) are necessary to generate Torah she-bikhtav. The prohibition against writing verses without sirtut stems from the prohibition to convert Torah she-bikhtav into be'al peh; omitting sirtut is tantamount to not writing at all.

A third example of actual writing which does not qualify technically as "bikhtav" can be found in Gittin (60a). The gemara forbids reading from, or even composing, a book which contains the haftarah, the passages from the Prophets selected for each Shabbat morning. Since an entire "sefer," i.e., one of the twenty-four volumes of Scripture, was not composed, but rather fragments of several of them, one cannot read from it. Rabbeinu Crescas explains that such a document is defined as be'al peh and violates the prohibition against converting bikhtav into be'al peh. Indeed, the same gemara prohibits writing a "megilla," a few chapters of one of the five books of the Torah for a child to study from ("ein kotevin megilla le-tinok le-hitlamed"). Though the gemara does not clarify the exact nature of the prohibition, we might speculate that it emerges from our concerns of not changing bikhtav into be'al peh. Not only must the proper font be employed, and not only should the lines surrounding Scriptural text be reproduced, but a certain structural integrity must be maintained. By producing less than an entire sefer, one might strip the product of its status as bikhtav.

THE PROHIBITION TODAY

Most opinions suggest that the prohibition of converting Scripture into less-than-bikhtav formats no longer applies. The gemara (Gittin 60a) cites the verse in Tehillim (119:126), "Eit la'asot la-Hashem heifeiru Toratekha" (understood as, "When it is time to act for G-d, abrogate your law"), to justify the lifting of the prohibition against writing Torah be'al peh. As the generations weakened in their retention of an oral tradition, writing it down was sanctioned. Does the same repeal apply to the complementary issue of converting bikhtav into be'al peh? See Tosafot (Bava Kama 3b, s.v. Ki-de-metargem), who suggest that it does, despite the fact that the gemara never explicitly applies the verse to our prohibition.

A famous story is recounted that Rav Elchanan Wasserman Hy"d visited Rav Moshe Soloveitchik zt"l (the father of the Rav zt"l) in Warsaw and asked him why the Rambam did not list the prohibition of transcribing Torah she-be'al peh in his Mishneh Torah. (Although the Rambam discusses it in his introduction, he never addresses it within the halachic code itself.) Rav Moshe did not have an answer and asked his young son to consider the question. The Rav zt"l responded that the prohibition is not a formal one, but rather it demands that Torah be transmitted in a manner which would best facilitate its study. Ideally, an oral transmission should be delivered without texts because people are more vigilant and precise regarding a text which is unwritten. Similarly, the written Torah should be conveyed bikhtav because many derivations stem from textual nuances (extra letters and other textual phenomena). However, once social situations demand altering the original formats of these tracts (to better facilitate study under current conditions), the original prohibitions no longer apply. The Sages did not have to rescind the biblical prohibition; rather the

prohibition itself is within its scope.

If we accept this understanding of the prohibition, we clearly have little room to differentiate between the two applications and no ability to suggest that the allowance of "Eit la'asot" applies to one prohibition and not the other. If these native forms are not sacred per se, but merely the preferred way to study, each would yield to alternate formats were the situation to demand it. As such, most are of the opinion that in our generation, we are allowed to convert Scriptural texts to be'al peh format because this will support our learning.

Chag Shavuot Sameach.

From: Young Israel Divrei Torah [SMTP:yitorah-owner@listbot.com] Subject: Shavuot
Young Israel Divrei Torah - <http://www.youngisrael.org>
6-7 Sivan 5761 May 28-29, 2001 Daf Yomi: Kiddushin 21 -22
Guest Rabbi: RABBI RODNEY WEISS
Young Israel of Astor Gardens, NY
(Based on a shiur that I heard from Rabbi Avraham Rivlin, Mashgiach Ruchani of Yeshivat Kerem B'Yavneh).

Among the many reasons we read the Book of Ruth on Shavuot, is the connection to David HaMelech and the fact that his birthday and yearzeit are on Shavuot. However, after careful examination of the Megilla, we realize there is a deeper connection than simply a historical commemoration.

Perhaps the single most significant issue that plagued Boaz and Ruth is the transmission of the Mesora: "Amoni v'lo amonit moavi v'lo moavit." The Torah tells us, "an Ammonite or a Moabite shall not enter the congregation of G-d" (Dvarim 23:2). Our sages (Tractate Yevamot 76b) interpret the verse to indicate that only male Ammonite and Moabite converts may not marry into the Jewish nation, but female Ammonite and Moabite converts may. Although Boaz goes ahead and marries Ruth based on this halachic principle, the debate is far from being resolved. In fact, at the height of King Saul's pursuit of David, the Gemara in Yevamot 76b relates how Doeg the Edomite, one of the greatest scholars of the age and head of the Sanhedren, questioned David's validity to marry a Jewish woman since he descended from Ruth the Moabite.

The Midrash describes that David's own father, Yishai, questions his personal validity and because of this doubt separates from his wife. He then takes his non-Jewish maid servant and marries her on the following condition: "If my status is pure then you are freed and you become my wife. But if Boaz was wrong and my grandmother, Ruth, as a female Moabite convert, was not allowed to enter the congregation of G-d and therefore was not permitted to marry a Jew, then I, Yishai, am not Jewish and you remain a non-Jewish maid-servant, and I, as a non-Jew, am permitted to stay with you." At night she switched places with Yishai's original wife and unbeknownst to him she becomes pregnant with David. For a large portion of his youth, David was believed to be a mamzer, an outcast. In fact, in one place in Sefer Shmuel it states that Yishai had seven sons. In the very next chapter it says eight sons. This apparent contradiction is resolved when HaShem sends the prophet Shmuel to anoint the next king of Israel.

When the first seven sons are brought in, HaShem transmits to Shmuel that he has not yet met the chosen one. Shmuel then inquires about the possibility of other children, and they tell him about David who is out in the field taking care of the sheep. Shmuel orders that he be brought in immediately, and, in front of his brothers and father, David is anointed the eternal king of Israel.

The results of this anointing sent shock waves through the halachic world of the times. For three generations this topic of "Moavi v'lo moavit" is debated fiercely and despite the heroic efforts of Boaz, the fight continues. However, Shmuel HaNavi puts an end to this in the

strongest way possible. Firstly, his appointing David to be the king silences all the critics. Certainly, if he could be the king, he is worthy to enter the congregation of HaShem. Secondly, it is Shmuel himself who writes the Book of Ruth to sanctify the lineage of David HaMelech. Thirdly, the Gemara in Yevamot (76a) proclaims that when Doeg wanted to disqualify David, Yeser girded his sword and said, "whoever does not accept this Halacha (of Shmuel Hanavi) shall be impaled with the sword."

After understanding this whole story and solving generations of debate, we can now appreciate the place that Megillat Ruth has in the liturgy of Shavuot. The story of Ruth is about the triumph of Torah shebaal peh, the Oral Tradition. It is through proper adherence to the Oral Tradition that we can fully accept the Torah as it was given - on Shavuot - at Sinai.

From: Zomet Institute[SMTP:zomet@netvision.net.il] Subject: Shabbat-B'Shabbato: Bamidbar 5761

FROM THE HAFTARAH: THE DIFFERENCE BETWEEN "ISHI" AND "BA'ALI"

BY RABBI AMNON BAZAK

This week's Haftara is from Hoshaya, 2:1-22. G-d turns to Bnei Yisrael and says that in the future, "you will call me 'my husband' (ishi) and you will no longer call me 'my master' (ba'ali). And I will remove the names of the idols (haba'alim) from her mouth, and they will no longer be mentioned by name." [2:18-19]. What is the difference between "husband" and "master," and how is this connected with idols?

In the time of the Bible, we can see a common phenomenon among Bnei Yisrael, in that they saw no conflict between worshipping both G-d and idols at the same time. This was especially true with respect to worshipping G-d and Ba'al. For example, look at Eliyahu's criticism of Bnei Yisrael: "How long will you hesitate between the two alternatives? If G-d is divine, follow Him, and if it is the Ba'al, follow him." [I Melachim 18:21]. In more than one case, the name of G-d and the name Ba'al are interchanged. For example, David's son is called Elyada in II Shmuel (5:16), and B'elyada in I Divrei Hayamim (14:7). The meaning of the name of G-d, related to ownership, can be compared to the meaning of Ba'al, which implies possession.

Therefore, G-d promises that in the future this unclear situation will disappear. At that time, there will be a clear difference between the Almighty and between the idol Ba'al. The relationship between the Almighty and Bnei Yisrael is described in terms of the relationship between husband and wife, just as in other places in the Tanach. This also corresponds to the blessings which end the Haftara. "And I will betroth you to me forever. And I will betroth you to me with justice, and righteousness, with kindness and with pity. And I will betroth you to me with faith, and you will know G-d." [Hoshaya 2:21-22].

[From last year] From: Rappsj@aol.com[SMTP:Rappsj@aol.com] Sent: Thursday, June 08, 2000 2:28 AM To: mj-ravtorah@shamash.org Subject: SHIUR HARAV SOLOVEICHIK ZTL ON RUS V'INYANEI GAYRUS gayrus.00 Shiur HaRav Soloveichik ZT"L on Rus V'Inyanei Gayrus

(Shiur date: 5/24/68. Tape #5285)

The Parsha of Mattan Torah, receipt of the Torah at Mount Sinai, was the story of Gayrus, conversion of the Jewish people. The children of the patriarchs converted en masse at Maamad Har Sinai. Hence the connection to Ruth. The story of Mattan Torah and Ruth together comprise the topic of conversion. The Vilna Gaon says this is why we read Megilas Ruth on Shavuot, another story of conversion. Even though on the surface, the connection between Ruth and Shavuot is the

centrality of the harvest cycle to both and its role in the service in the temple (Omer and Shtay Halechem), the principle of conversion is a fundamental connection between the events at Mount Sinai and the story of Ruth. As Boaz tells Ruth, she should be blessed for leaving everything behind to join a people that she did not know and for coming under the wings of the Shechina of the G-d of Israel, in other words she converted. The same idea is found at Maamad Har Sinai where the Torah tells the story of the conversion of Bnei Yisrael in conjunction with the Revelation of G-d on Mount Sinai.

If Ruth shares the principle of Gayrus with the day of Shavuot, why then do we read Ruth on the second day of Shavuot? Why not read it on the first day, when the Torah reading is from Parshas Yisro, Kabbalas Hatorah and Gayrus? In fact, the Masechet Sofrim says that we read half of Ruth on the first day and the second half the next day. According to Chazal, the dialogue between Ruth and Naomi over the latter's insistence that Ruth return to her homeland is the essence and procedure through which we accept converts to this very day. Ruth replied to Naomi that she will follow her wherever she may go, Naomi's people and G-d are now Ruth's. That is why we read this part on the first day according to Masechet Sofrim (14:18).

Besides Gayrus, Ruth also introduces the Kinyan of Chalipin (exchange. Kinyan Sudar is the same as Chalipin), Shalaf Ish Naalo etc. What is the difference between Chalipin and other forms of Kinyan? Is Chalipin a Kinyan Kesef, or is it a separate form of Kinyan unto itself? Some say that it is really Kesef, the only distinction is that whereas by Kesef there is a requirement to use a Shave Prutah, and item or coin of minimally a Prutah value, Chalipin allows the use of any form of Kli, regardless of minimum value. According to Rashi, in Kdushin cases where we invalidate Chalipin, we do so because of the possibility of using an item that is valued at less than a Pruta. In such cases Chazal said that there is a lack of Gmiras Daas, complete acceptance, of Kdushin that is of such minimal value, and not because there is something inherently wrong with the use of the Kinyan Chalipin. According to Rabbeinu Tam, Chalipin does not establish Kdushin because Chalipin is not Kesef, and Kesef is one of the acceptable Kinyanim according to the Torah for Kdushin, not Chalipin. Regardless, Chalipin is unique from other forms of Kinyanim in 2 ways. The first is that Chalipin is the only form of Kinyan that applies to Mtalilin (liquid assets) and Karka (fixed, land assets). As it says in Megilas Rus, Lkayem Kol Davar. The second is that all Kinyanim work on a Davar B'en, when the item is extant. If someone were to tell another that he owes him \$100, the latter could not collect on that statement (Mchusar Amana). However if someone wants to obligate himself to pay a sum of money, the only way to accomplish the obligation is via Chalipin/Sudar. For example we use Sudar to create the Ksuba obligation between groom and bride. Without Sudar we could not create the Hischayvus, obligation to pay, between parties. Only obligations of Hekdesh and Tzedakah apply to someone when he utters the obligation, Amiraso Lgavoah... If someone gave a Shtar Hischayvus he is obligated, but besides the use of such a Shtar (contract), Sudar is the only Kinyan that can obligate someone. This is the meaning of Zos Hateudah Byisrael, that Kinyan has the same effect as a Shtar Chov. Without the permission of the obligating party to create it, a Shtar would be considered written testimony and would be unacceptable because of Mpihem Vlo Mpi Ksavam. When two parties enter into a Kinyan Sudar, the witnesses can document the transaction on their own without permission from the parties to the transaction. Al Hageulah Val Hatemurah means that Sudar/Chalipin applies in cases where the item of exchange does not equal the value of the purchase item as well as in exchanges of equal value, trading a cow for a donkey. Without Sudar we would have difficulty in many areas, including bride and groom and the sale of Chametz to a non-jew.

So what is the connection between Chalipin and Ruth? After all,

Boaz and the other redeemer could have used other forms of Kinyan in this case. The Rav explained that in the final analysis conversion is Hishchayvus, self obligation. What constitutes conversion? Milah and Tvila, circumcision and immersion in a ritual bath. The Jews underwent Milah in Egypt (Himol Lachem Kol Zachar) and Tvila at Sinai (Vayaz Moshe min Hador). Conversion also requires Kabbalas Ol Mitzvos, accepting the commandments of Hashem.

The Rambam (Issurei Biah 13:11) (based on a Braysa in Yevamos) says that we must investigate the motives of a prospective convert. Perhaps he is doing so for financial reasons, or perhaps he expects an important appointment or he is converting out of fear. If it is a male, perhaps he wants to marry a Jewish woman. If female, perhaps she wants to marry a Jewish young man. [The Rav remarked that we must be vigilant nowadays as these reasons are behind a majority of present day conversions.] The Rambam continues (Issurei Biah 14:1) that we must ask him why he wants to convert and try to dissuade him from converting by telling him how oppressed the Jewish people are nowadays. How does the Gemara derive that we have to instruct the convert this way? From the conversation between Naomi, Ruth and Orpa when she instructed them to return to their homes as she had no hope of bearing additional children that would marry them. Naomi told them that she was punished by Hashem. Was Naomi afraid that they would regret converting later? After all we find converts, including Onkelos the convert, who reached great heights. Naomi did not need to concern herself that they would back out of their conversion. Rather Naomi was instructing them that a convert must be prepared to participate in the trials, tribulations and suffering of the Jewish people. A convert might say that he or she is willing to convert and accept the Jewish religion and laws but he wants to remain separate from the rest of the Jewish people. This is not conversion. Rather the prospective convert has to say that he is not worthy to participate in the difficult life of the Jewish people. He must accept the yoke of suffering that goes along with being part of the Jewish people. After that he can accept the yoke of Mitzvos. Ruth said first that Amaych Ami, I accept to become part of your nation, I accept the same destiny, the same obligation to suffer as part of the Jewish people. Only after that declaration can she accept Elokayich Elokoy, can she share a common G-d. Once the convert is willing to accept this common destiny we accept him/her.

Indeed this was the same transformation that the Jews underwent in Egypt prior to their becoming Bnay Yisrael, the Chosen People. They had to go through the shared experience of slavery and oppression to forge a common destiny between the people, to turn 12 tribes into a single nation. The Torah tells us that when Moshe became of age he went out among his brethren to observe and aid them in their suffering. The Torah tells us that Moshe saw an Egyptian striking a Jew and he killed the Egyptian. Without this knowledge and feeling of anguish that Moshe felt on their behalf, without his willingness to involve himself in their suffering and come to the aid of his fellow Jew, he could not have become the great Moshe Rabbeinu who led us out of Egypt.

Likewise, Naomi was telling her daughters-in-law that she is an old broken woman returning to her land. Why should they return with her? Perhaps there will still be famine there and the people will be suffering greatly. Perhaps next year there will be another famine and the cycle will repeat itself. Why should they want to participate in this suffering? After all, they were the daughters of royalty. Orpa left and Ruth remained. Ruth answered each of Naomi's points, that whatever fate and suffering befalls Naomi will befall Ruth. Only death will separate them. When Naomi heard that Ruth was ready to participate in all that it means to be a Jew including the inherent suffering, she no longer argued with Ruth and accepted her decision.

The Rambam (Issurei Biah 14:1) says that we tell him some of the fundamental principles of Judaism, we instruct him regarding some of the simpler Mitzvos (Mitzvos Kalos) and the more difficult Mitzvos

(Chamuros), we teach him about Leket, Shickcha and Peah. Why do we tell him about Matnos Aniyim? Because Bnay Noach (Noachide) are forbidden to steal, they are punishable with death for stealing even less than a Pruta worth because the Ben Noach's personality prevents him from forgiving another who takes anything from him, no matter how insignificant. So now the convert will see that poor people are entering his field and taking Leket Shikcha and Peah, he will think that they are stealing, or based on his old nature he would not allow them to take anything from him. We have to tell the convert that as a Jew he has an obligation to help his fellow Jews, he has to allow them to take Leket Shikcha and Peah. The Rambam (Hilchos Matnas Aniyim 10:2) says that a Jew and all that are Nilva Alayhem (convert) must be prepared to aid their fellow Jew. For if a brother, Ach, (one Jew) will not take pity on another brother, Ach, (a fellow Jew) then who can the Jew depend on? The non-Jew who despises him? This is the fundamental principle of the brotherhood of Jews, The interpersonal relationship of Jews is not based on the principle of Arayvus (one Jew acting as a guarantor for another Jew) or on the principle of Chaveyrim (friendship) but on Achva, brotherhood. The convert must be ready to share in the suffering of his fellow Jew. The convert might say that he is willing to Keep Shabbos but he can't bring himself to part with his money and give charity to another. In order to be a convert he must make a complete break with his inherent insular nature and be willing to take pity on someone else. He must manifest that attitude through his willingness to give charity to a fellow Jew, a complete stranger. This is the first thing we tell the convert. This is based on the story of Ruth.

Orpah and Ruth were sisters. Typically, sisters have the same basic personalities and character traits. Yet Orpah left and Ruth remained with Naomi. Apparently Ruth had the extra attribute of Chesed. She was willing to take care of an elderly, ill woman, Naomi. After all she was the daughter of the king of Moab. Yet she was fluent in Chesed. Ruth wanted to fulfill the requirements of conversion, to care for a fellow Jew and feel his pain, by caring for Naomi. She displayed the greatest acts of Chesed since Avraham Avinu. This trait of extreme Chesed was recognized by Boaz when he blessed her for leaving her family, for accompanying Naomi and for her acts of kindness throughout. It was remarkable that someone who came from the home of the King of Moab, the harshest and cruelest of nations, would be capable of displaying such acts of kindness.

Reb Chaim was an outstanding individual in his acts of Chesed, perhaps according to the Rav, even greater in charity than in scholarship. According to Reb Chaim a Rav has to care for the downtrodden and the less fortunate. Like King David who did Tzedaka and Mishpat. Reb Chaim said that by nature he was harsh. He was able to break his nature and become the master of charity. He was there when the town of Brisk burned down to help rebuild. He was also available to play with small children. He cared for widows and orphans. This is the fundamental principle of Judaism, to recognize the importance of Leket Shikcha and Peah, and perform acts of charity and kindness to a fellow Jew even if by nature one is not pre-disposed to act in this way.

The Rambam continues that we must instruct the prospective convert that Judaism mandates punishments for transgressing the commandments. The convert must know that Judaism requires effort and sacrifice. One must keep Shabbos and be willing to sacrifice for it. One must keep the laws of Kashrus, even when it would be simpler to mix meat and milk. Indeed, many non-observant Jews lack this appreciation of Mitzvos and the effort and sacrifice that being a Jew demands. This is what Rus said to Naomi, she will follow Naomi wherever she goes, meaning she will follow the laws of Tchum Shabbos. Where she rests she will also rest, meaning she will keep the laws of Yichud, etc.

The Rambam says that once the convert agrees to all this we do not delay the process, but we circumcise him immediately. Conversion requires Milah and Tvila and prior to the immersion we instruct the

convert regarding some of the simple and complex commandments. Why do we need to instruct him a second time about the simple and complex Mitzvos prior to immersion? What is the difference between these 2 instructions? With Milah, the Kdushas Yisrael does not apply yet. It only applies at the time of Tvilah. Therefore at the time that Kdushas Yisrael applies he must be instructed. Why instruct specifically at the time of Tvilah? Because there are 2 laws associated with Kabbalas Ol Mitzvos by a Ger. The first is that just like all acts of purchase or gifts (kiddushin, gittin, kinyan etc.) One requires Daas, freedom from coercion and with knowledge of what he is doing. If he does not understand what Judaism requires, if he does not understand the Mitzvos, then it is a Mekach Taus, an error in sale. He must understand that he will be required to participate in the suffering of his fellow Jew. He must be a brother to other Jews. First we instruct him regarding the Koved, the difficulties that come along with Judaism and being a Jew. Otherwise, Mekach Taus would destroy the conversion, just like any other Kinyan.

The second instruction occurs at the time of Tvilah: a convert is tovel to accept Mitzvos and through that acceptance he achieves Kdushas Yisrael. The Ger does not achieve Kdushas Yisrael simply because he immersed himself in the Mikvah. The Rambam says that Milah took place in Egypt and Tvilah took place at Mount Sinai. The Rambam disagrees and says that there was Tvilah in Egypt as well otherwise they would not have been able to eat the Korban Pesach, for a non-jew was specifically enjoined from eating the Pesach. So the Rambam asks what did they need another Tvilah at Mount Sinai? The Rambam answers that up till the time of the exodus the people had the same level of sanctity as Avraham, who had 1 Mitzvah to fulfill, that of circumcision. When the Jews were given additional Mitzvos in Egypt regarding the Korban Pesach, the additional Mitzvos required them to undergo a conversion process, for they now would attain a different status beyond that of Avraham. The Tvilah in Egypt was for the conversion beyond the level of Avraham. At Sinai they accepted yet more Mitzvos. They therefore required an additional Tvilah to consummate the conversion at Sinai. From this we observe that Gayrus is measured by the level of Mitzvos accepted. When the Jews accepted new Mitzvos they required another Tvilah, another conversion. When the convert is Tovel he has to do so in order to attain a Hischayvus Bmitzvos. So Kdushas Yisrael is measured by Hischayvus Bmitzvos. In monetary transactions we require a Kinyan Sudar to affect the Hischayvus, obligation, likewise in conversion the Tvilah for the purpose of Hischayvus, obligation to keep the Mitzvos, consummates the conversion. The first law of instruction vis a vis conversion is that you must teach the convert what the Mitzvos are so that he knows what he is getting involved in. The second law of conversion is that the instruction prior to the Tvilah takes on a different status, that of Kabbalas Mitzvos and Hischayvus that goes hand in hand with Tvilah. Tvilah is the Kinyan that consummates the conversion. His act of Tvilah expresses his acceptance of the Mitzvos.

Therefore Ruth teaches us Gayrus and also Kinyan Chalipin. What is the connection between them? Chalipin teaches us that a Jew can obligate himself in things that the Torah did not obligate him. The same applies to the convert, who obligates himself to accept the Torah that he was not obligated in beforehand. Also the convert has to accept the obligation to break his nature of harshness and to become a Baal Chesed. Without the story of Ruth it is conceivable that we would not have the concept of Gayrus. This is the connection between Gayrus and Chalipin and the third aspect of Ruth, acts of Chesed.

Back to the Rambam (Issurei Biah 13:11). The Rambam says that there were 2 Geirei Tzedek, righteous converts, mentioned in Tanach, Avraham and Ruth. What does the Rambam mean by the term Geirei Tzedek?

We must understand the difference between the Kabbalas Mitzvos of Ruth and that of Bnay Yisrael at Sinai of Naaseh Vnishma. Why did Chazal derive Kabbalas Ol Mitzvos for a convert from Ruth and not

from Parshas Yisro/Mishpatim? Why do we ignore the Parsha in the Torah in favor of the story of Ruth? Based on the precedence of Naaseh to Nishma, Tosfos says that at Mount Sinai we were coerced to accept the Torah, Kofah Alayhem Har Kgigis, Hashem suspended the mountain over them and proclaimed that if Bnay Yisrael accept the Torah all will be well, otherwise they will be buried where they stood. By Ruth there was no coercion. However we still need to understand why we would defer to a Passuk from Ksuvim to derive the Kabbalas Ol Mitzvos for conversion when we could derive a concept from the Torah.

The Beis Halevi asks how could the Jews obligate themselves at Mount Sinai with Naaseh Vnishma? After all they did not yet know which Mitzvos Hashem would give them. We have a rule that one can't obligate himself with a Davar Sh'ayno Katzuv, an unbounded and unspecified obligation. If Kabbalas Ol Mitzvos was Davar Sh'ayno Katzuv, it is essentially an Asmachta, so how did the Jews become obligated to keep the Mitzvos at Sinai? He answers that the concept of Tnai, conditional acceptance, does not apply to Kabbalas Hamitzvos. According to the Ramban there is no Asmachta [a purchase based on a chance event, e.g. a bet, where there is a lack of Gmiras Daas due to the uncertainty of the outcome] by Gittin and Kiddushin because it is sinful for a man to mislead a woman in the subject of marriage and divorce. Therefore we do not allow a man to claim that his words were an Asmachta and that he didn't really intend to marry this woman. The Beis Halevi applies the same concept to Kabbalas Hatorah at Mount Sinai, that an event of such magnitude does not lend itself to the restrictions of Asmachta and therefore Bnay Yisrael were able to obligate themselves accordingly. [Even though in general we say that Asmachta Lo Kani, Kinyan requires complete understanding by the parties to the transaction and certitude regarding the object in question, we suspend this requirement when it comes to the acceptance of Torah and Mitzvos at Sinai. The very essence of obligating ones self to Torah requires a willingness to respond in an unlimited fashion to the requirements of Torah.]

The Rav raised the following question: On Shavuos Moshe received only the Luchos. When Moshe received the second Luchos he also received the rest of the Torah. We do not find any other mention that Bnay Yisrael underwent another conversion process with the second Luchos or when they received the complete Torah at the end of Moshe's life. Apparently the original conversion at Sinai was sufficient. How could that be if they had not yet received all the Mitzvos? We must understand what the Luchos represented. Reb Saadiah Gaon says that when Hashem told Moshe to come up top Mount Sinai and He will give Moshe the Torah and Mitzvos it refers to the Luchos that represent the Taryag Mitzvos. According to Rabbeinu Saadiah Gaon all 613 Mitzvos are contained in the principles of the 10 commandments. Since Moshe and Bnay Yisrael converted based on what was contained and represented by the Luchos, they accepted all 613 Mitzvos at the time of the original conversion at Sinai. The Luchos played a key role in allowing Bnay Yisrael to accept all 613 Mitzvos via the Luchos. The Jews at Mount Sinai were able to accept all the Mitzvos through the summary of the ten commandments since the full 613 had not yet been explained to them. However once Moshe concluded teaching and writing the full Torah subsequent conversions required the specification of the full 613 Mitzvos, converts would not be able to avail themselves of the summary of the Luchos as Bnay Yisrael did at Mount Sinai. The Story of Ruth represents conversion based on the specification of all 613 Mitzvos, as derived by Ruth's response to Naomi.

The Rambam says (Issurei Biah 13:14) that we should not think that Shimshon and Shlomo married non-Jewish women. The Rambam explains (Sod Hadavar Kach Hu) it in terms of a major revelation, a strange terminology for the Rambam. When the prospective convert comes we must investigate his motives carefully. If he has no ulterior motives, we explain to him the difficulties of keeping the Torah and

Mitzvos. If after all the attempts to dissuade him he still wants to convert we accept him, as it says that Naomi realized that Ruth was determined to convert, so she refrained from further attempts to dissuade her.

The Rambam defines a Ger Tzedek as one who accepts Judaism out of love of Judaism and Hashem while a regular Ger, like Gerei Dovid V'Shlomo and Mordechai and Esther, converts out of fear or because of marriage, are considered [plain] converts. If both Geirei Tzedek and Geirei Dovid and Shlomo are considered converts, what is the difference between them? The Rambam says that Beis Din Hagadol suspected them (non-geirei tzedek types) yet they did not chase them away (Lo Dochin) but neither did they welcome them (Lo Mkarvan). Despite the fact that the Beis Din Hagadol refused to convert them, there still were many converts who converted for many reasons at the time of Dovid and Shlomo. They were not considered Geirei Tzedek but were still considered converts. Even though the wives of Shlomo are referred to as Nashim Nochriyos, they were still converts but were not considered Geirei Tzedek. Even though they are called Nochriyos they were still considered converts. Why does the Navi refer to them as Nachriyos?

The Rambam says that a convert who is circumcised and had Tvila who returns to worship idolatry is considered like a Jew who worships idolatry whose Kiddushin is still valid. From the Rambam we see that the difference between Gairei Tzedek and regular converts (as in the time of Dovid and Shlomo) is represented by their acceptance of Mitzvos. If they came to Judaism with ulterior motives their Kdushas Yisrael is incomplete. That is why the Rambam split up the laws of Geirei Tzedek and those of Dovid and Shlomo and combines the converts of Dovid and Shlomo with the converts that we must observe and investigate to ascertain their actions. Even though they are circumcised and underwent Tvila but did so before 3 Hedyotos (non-experts in Jewish law), such converts are lacking in Kabbalas Hamitzvos, hence they require observation. And if they act inappropriately, then they do not attain the status of full Kdushas Yisrael, and we limit their interaction with the Jewish community via restricting their marriage into the Jewish community at large.

>From the Rambam we derive that there are 2 halachos in Geirus. 1) a convert created through Milah and Tvila 2) a convert created through Milah, Tvila and Kabbalas Hamitzvos. From the Rambam it appears that Lchatchila, according to the fullest intent of the law, a convert who is lacking a valid Kabbalas Hamitzvos and Kdushas Yisrael cannot marry a Jew. He has to keep all the Mitzvos and we have to return his lost items, however he is lacking as far as Yichus is concerned. A convert requires Milah, Tvila and Korban. The Rambam says that a convert requires Korban because until he brings his Korban he is lacking Kdushas Yisrael, he is Mchusar Kapporah, and cannot enter the Mikdash. The Kdushas Yisrael is lacking. The Rambam (Mchusrei Kapporah 1:2) says that a convert that had Milah and Tvila but did not bring Korban is prevented from eating Kodshim because until he brings his Korban he is not the same as the rest of Bney Yisrael. Just like you require full Kdushas Yisrael for Achilas Kodshim which is attained through bringing his Korban to complete his conversion, so to full Kdushas Yisrael is required for marriage into the Jewish community. If that is the case how do we accept converts today when there is no Korban? How can a Ger marry into the community today? So the Gemara answers that there is a special Gzeiras Hakasuv to allow it.

>From the Rambam it would appear that Lchatchila one should not allow such incomplete converts to marry into the community. The Rambam says that the converts in the time of Shimshon and Dovid and Shlomo gave the impression that they were Geirei Tzedek. Only afterwards did they reveal their true intentions. According to the Rambam these converts did not have full Kdushas Yisrael because they were lacking in Hischayvus Bmitzvos. The Rambam says that since they had Milah and Tvila they are no longer non-Jews. Once the women converted, even though they were not Geirei Tzedek, Shimshon and

Shlomo married them as they were subject to Kdushin at that point, even though according to the Rambam Lchatchila they should not have been allowed to marry into the Jewish community.

What is the status of a convert who converts for marriage or financial reasons and later keeps all the Mitzvos correctly and for the proper reasons, what is his status? Is he a Ger Tzedek or a plain Ger with an incomplete Kabbalas Hamitzvos? The Rav said that when he starts to keep the Mitzvos for the appropriate reasons he creates the full Kdushas Yisrael at that time, even though at the time of his conversion he was lacking in Kdushas Yisrael, Kdushas Yisrael that can only come together with the appropriate keeping of Mitzvos. The moment he starts to keep the Mitzvos correctly he consummates the Kdushas Yisrael and becomes a Ger Tzedek. It makes no difference when he starts to keep Mitzvos correctly, even though at the time of the conversion he was lacking. The conversion applies even to someone who is lacking Kabbalas Hamitzvos and remains as such until he acts appropriately and graduates to the status of Ger Tzedek. Even though Shlomo's wives later revealed themselves as idolatrous they retained the status of Geirim. Even if the convert returned to his idolatrous ways he has the same status as a Jewish Mumar who is still considered a Jew.

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NAASEH V'NISHMA: KLAL YISROEL'S KABOLAS HATORAH
BY RAV AHRON RAPPS

When Klal Yisroel stood at Har Sinai, they were asked if they wanted to be Mekabel the Torah. Their response, Naaseh V'Nishma, was so incredible that it prompted a Bas Kol to respond, "Mi Gilah Lebonai-Who revealed to my children," this secret used by the Malachim? Klal Yisroel accepted the Torah unconditionally and were speaking like Malachim, who first accept the will of Hashem and then find out what it is. Obviously, this placed them on a tremendously high level. But there is a problem. The Posuk says, "Vayisatzvu Bsachtis Hahor," Hashem suspended Har Sinai above Klal Yisroel and told them, "If you accept the Torah, good. But if not, "Shum Thei Kevoraschem,-There will be your graves." We see that there was an element of force by Matan Torah; namely, Hashem forced Klal Yisroel to accept the Torah. The obvious question is, if they had already said Naaseh V'Nishma and willingly accepted the Torah, why was there a need to force them with "Kafah Aleyhem Har Kigegis?" What seems to have been lacking in their willingness to be Me'kabel Hashem's Torah?

To totally appreciate the severity of the question, let us first attempt to understand why their response prompted the Bas Kol. By definition, Naaseh V'Nishma, is a statement unique to Malachim. The point of Naaseh V'Nishma is that no matter what, we accept. Such a statement generally would be beyond the capacity of a human being. Who knows what the future holds in store for us. Maybe the day we accepted unconditionally to do a certain task, we will experience one of the many hindrances, that as humans, we are often subjected to. To say "no matter what," is truly something reserved for Malachim, who do not suffer from life's calamities. We know that Loshen Hakodesh is an intrinsic language. The name of something defines its essence. The word Malach means a messenger. His identity and being is to perform that certain task that Hashem tells him. There can't be conditional acceptance by a Malach because without his mission he ceases to exist. He isn't someone who happens to accept to do something. He has no being without his mission. This is the reason why one Malach can't do more than one mission. Chazal tell us that with regard to the three Malachim

that visited Avraham Avinu, one was to inform Sorah that she would give birth to Yitzchok. The second was to destroy S'dom. The third Malach healed Avraham and then went to save Lot, for healing is the same concept as saving. Why couldn't one Malach do all three missions? What we understand from here is that since his mission is his being, there is no room for duality. One being cannot have two entities. So now the question is, how was Klal Yisroel able to say, and mean, Naaseh V'Nishma? And, in doing so, if they were able somehow to emulate a Malach, why did Hashem force the acceptance of Torah upon them?

Rav Eliyahu Lopian, zt"l, in his sefer, Lev Eliyahu, deals with these questions. He first questions a human being's ability to unconditionally accept an obligation. How could Klal Yisroel say Naaseh V' NISHMA? Who knows what situation might occur that would make it impossible for them to honor their obligation?

When Klal Yisroel stood at Har Sinai, they had just experienced the Ten Macos as well as Krias Yam Suf. In the Ten Macos they saw the Achdus of Hashem; how He completely rules and controls the heavens and the earth. In Krias Yam Suf they witnessed the total subjugation of the physical world to Klal Yisroel, and what that represented in Hashem's world. Now, standing at Har Sinai, and experiencing all the wonders of Maimid Har Sinai, their statement of Naaseh V'NISHMA became an expression for a people who recognized the magnificence of what was happening. In a sense, because of their appreciation of those amazing events, they realized that they must accept the yoke of Torah. The Gadlus and Rommimus of what had occurred required them to accept the Torah in unconditional terms. Because of what they understood, they had to accept it, no matter what. It is as if they rose above their humanity to say Naaseh V'NISHMA because of their perception of the greatness of Hashem.

Everyone in their lifetime has at sometime recognized that Klal Yisroel's destiny is bigger than the nation itself. At such moments, we have been motivated to make Kabolos for the future. Though bordering on the impossible, we feel they must be accomplished. So why is it true that sometimes those very Kabolos are never realized? Unfortunately, those profound feelings wear off. The feeling of being a Chelek of "Yiddishe Destiny," similar to being carried on a wave, comes to a halt. At this point there is a serious danger. When the person was "on the wave" he was soaring and his world was in proper perspective. But when he's "off," his world crumbles. There has to be something which will control the person until he's back in the "Y'mei Ahava." Here is where Yiras Ha'onesh plays such a vital role. There must be a spiritual "line in the sand" which will anchor the person, allowing him to again refocus. It is this "line" which is the foundation for his successful return.

Klal Yisroel was in the same situation. On their high level, it was still possible for them to lose the "Maimid Har Sinai." What could solidify them when they wouldn't be dealing with the greatness they were Shayich to? "Kofeh Aliyhem Har Kigegis" served as the vehicle to be their anchor. Hashem told them that no matter what, you must accept the Torah or else. The fear of punishment was made to precede the appreciation of the magnificence which was occurring.

As human beings, each day brings new conflicts and challenges which confront our commitment to Hashem and His Torah. May we be Zoche to incorporate both aspects of Yiras Ha'onesh and Ha'vanas Ha'sechel, to serve Hashem with all our ability.

From:RABBI JONATHAN SCHWARTZ jschwartz@ymail.yu.edu
To: chaburah@hotmail.com Subject:
Internet Chaburah -- Parshas Bamidbar/shavuos 5761

Prologue: It is a Parsha of nothing more than accounting. Each Shevet was counted and the numbers recorded and then a recount was ordered in that the numbers were added to provide a fuller accounting of the entire nation. Why?

Rav Moshe Feinstein ztl. (Darash Moshe II) explains that the differentiation is an important lesson to the greater Gestalt of Bnei Yisroel. Usually, the nature of the numbers is to lose individuality in the greater number. A name is usually lost when converted to one of many. Conversely, the power of the numbers is lost in the meaning of the individual names. However, when it comes to Torah, the two cannot be diametrically be opposed. The Yachid and the Tzibbur cannot and should not lose power due to the existence of a powerful opposite. Hence, the Torah records both the individual weights and the totals of all of the Keilim of Parshas Nasso. It demonstrates the importance of individuality and unity together in Yahadus and that one does not detract from the other. The same is true for the census of Parshas Bamidbar, hence a whole Parsha dedicated to the census of Klal Yisroel and its census breakdown.

Perhaps one can explain use this explanation for the request made at the beginning of the Parsha. There the Torah requests an accounting of the nation, L'Mishpichosam, L'Beis Avosam B'mispar Sheimos. The accounting was to be done by a number of names. Now if the key part of the account was the names, then the number was not important, and if the number was key, why not ask for a number of people and ignore the names? Rather, the dual nature of the identity of Bnei Yisroel was presented in this request. Moshe was to take an accounting both on the individual and the nation. Without recognizing both natures of each member of Klal Yisroel, the full glory of the nation and its torah would not be realized.

ARISE AND CONSENT: ELECTION PARTICIPATION

The benefit of participation in a democratic society is that each person is given a voice in the government that is formed. When we choose to participate we are given the right to vote. We also are given the right not to vote and thus elect not to have a piece in the decisions of a country. But do Torah-fearing Jews have the same options? Must they vote? Are they allowed to vote? More locally, in the elections in the state of Israel, where the formed government makes decisions on the basis of a majority opinion that is not always sensitive to Halachic authority, may one vote anyway? Or perhaps must he?

The Mishna in Avos (1:7) tells us that one may not join up with an evil person. Avos D'Rav Nasan explains that one may not join up with a Rasha even for Torah-purposes. Hence even for national reasons one may not join up with a Rasha according to Avos D'Rav Nassan. This includes decisions regarding Torah study as well. The Rambam (Deios 6:1) agrees with this position. He adds that it is better for a person to live alone if his entire nation has gone off the deep end and he cannot live among them. The Maharam Shick (Shut Maharam Shick Yoreh Deah 333) adds that many in his time thought that living among those who were not so good would be an opportunity for Kiruv. He quickly adds that in practice this is not always the case. Therefore, it is better to separate rather than connect to these people.

The Tzitz Eliezer (Shaaalos u'Teshuvos Shel Rabbanei Hador) points out that there is a fundamental difference here with respect to elections. Here there is minimal chance that through the election the bond will be strengthened to the point that the G-d fearing Jew will be dragged down. And by not voting, there is nothing to be gained either. The non-vote is a wasted one. Hence he assumes that one should vote even in parliamentary elections in Israel when the created parliament would be one comprised of Orthodox Jews and the anti-Orthodox. (Compare this to the positions of Rav Moshe Feinstein, Rav Yosef Dov Soloveitchik and the Debriciner Rav in regard to sitting on religious councils with the non-observant, conservative and reform on non-religious matters.)

Rav Kook (Igros Hariya 6 and 266) adds that one cannot compare the non-observant to Reshayim ala Avos D'Rav Nassan because they are not wanton sinners. Rather since we lack proper rebukers, we lack the ability to properly rebuke. Hence, the non-observant are merely to be

considered mistaken (See also Chazon Ish Hil. Shechita Siman II). Thus, they are to be seen as people with noble intent but mistaken. Hence, today's government of Israel can be seen as based on lofty intent but with errors in carrying out that intent. So, it would seem difficult to justify not voting with people in parliamentary elections when it is a parliament of Jews when none are considered Reshayim.

In the end, notes Rav Waldenberg, so long as Torah is not uprooted by the government, it would appear that one could and perhaps should participate in the elections of an Israeli parliament. By doing so, one demonstrates his civic responsibility and his Jewish identity with the Jewish state and nation.

Battala News Mazal Tov to Mr. and Mrs. Seth Grossman upon the birth of Russi

Mazal Tov to Rabbi and Mrs. Shlomo Hochberg and family upon the engagement and forthcoming marriage of Mira.

Mazal Tov to Rabbi Zvi Engel and family upon his recent engagement to Laurie Stender.

From: Aish.com[SMTP:aishlist@aish.com] Subject: Shavuot - Unity At Sinai

<http://aish.com/holidays/shavuot/default.asp>

Aish.com HOLIDAY SERIES "UNITY AT SINAI"

by RABBI NOAH WEINBERG Dean and Founder, Aish HaTorah

Throughout the Torah, the Jewish people are always referred to in the plural form. This is evident in Exodus 19:2, which says the Jews "journeyed (vayi'su)... arrived (vaya'vo'u)... encamped (vaya'chanu)" -- all references are in the plural.

But then this verse ends with a surprise: Vayichan sham Yisrael neged ha'har -- "and the Jews encamped (singular) opposite the mountain."

In coming to Sinai, the Jewish people are referred to in the singular form. Rashi says this emphasizes how the entire nation encamped "with a single goal, and a singular desire."

Unity was a prerequisite for Sinai. An event with such earthshaking consequences could only be possible with unity.

UNDER ATTACK

How were the Jews able to achieve such unity at Sinai?

In Exodus chapters 15-17, the Jews are having a hard time. There's no water -- and they complain. Then there's no meat -- and they complain. They're so upset that Moses is afraid they'll kill him! Then again no water. The Jews are fighting and bickering terribly.

Then Amalek came and battled Israel. An outside threat shook us. What happened next? The Jews encamped in unity at Sinai.

When Jews are threatened as a people, we get the message loud and clear. We know we are one. In the Six Day War, all Jews stood together. In the struggle for Soviet Jewry, all Jews rallied together. When we're attacked, we become one.

The prophet compares the Jewish people to a "flock of sheep." As the Midrash explains, when one is attacked, they all react.

GOAL BEFORE EGO

There is one other instance where the Torah refers to a nation in the singular. Seven weeks earlier, as the Jews approached the Red Sea, they looked back and saw "Mitzrayim no'saya acha'ray'hem" -- the Egyptians journeying (singular) after them (Exodus 14:10). The Egyptians were united in their goal of destroying the Jewish people.

In this instance, unity was negative and destructive. At Sinai, unity led to world civilization. What's the difference?

In referring to the Egyptian unity, Rashi makes a slight change in the order. He says the Egyptians pursued "with a singular desire, and with a single goal." With the Jews, the goal came first. With the Egyptians, the primary emphasis was on personal desire.

If ego, partisanship, and private agendas are what define a people,

then they'll destroy themselves and the world. Whereas if a meaningful common goal of G-d and Torah is what unites, that will bring utopia.

The lesson is clear for us today. <http://aish.com>, the website of Aish HaTorah. (C) 2001 Aish HaTorah International - All rights reserved. Email: webmaster@aish.com Home Page: <http://aish.com> Live camera from the Western Wall: <http://thewall.org> AISH.COM, One Western Wall Plaza, POB 14149, Old City, Jerusalem 91141 ISRAEL

From: Heritage House[SMTP:heritage@netvision.net.il] To: innernet@innernet.org.il

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"DAIRY ON SHAVUOT"

BY RABBI SHIMON FINKELMAN

Many reasons are offered for the custom of eating dairy on Shavuot:

The Ten Commandments encompass all 613 commandments. Thus, when the Jews returned to their tents after the giving of the Torah, they were bound for the first time by the Torah's dietary laws. Therefore, they could not eat meat, for they first had to prepare a proper slaughtering knife, remove the forbidden fats from the slaughtered meat, salt it and procure kosher cooking utensils. All this made it necessary for them to eat dairy, rather than meat, at that time. As a commemoration of this, we eat dairy on Shavuot (Mishnah Berurah 494:12).

Kol Bo writes that it is customary to eat both milk and honey to which the Torah is likened, as it is written, "Honey and milk are under your tongue" (Song of Songs 4:11).

Divrei Yediyah understands honey and milk as an allusion to the hidden facets of Torah, which are tastier than honey and milk but which must remain "hidden under the tongue," i.e. imparted only to select individuals (see Chagigah 13a).

Why is Torah likened to honey and milk? Honey comes from a bee, which is not kosher, and milk comes from a live animal whose meat is forbidden until the animal is slaughtered. Both honey and milk, therefore, allude to the power of Torah which can transform a sullied soul into one of holiness and purity (from Chag HaShavuot published by Yad L'Achim).

In the writings of Kabbalah, wine and blood symbolize judgment, while water and milk symbolize compassion. Red is also associated with sin and white with atonement, as it is written, "Though your errors will be like scarlet, they will become white as snow; though they will be red as crimson, they will become like wool" (Isaiah 1:18). It is through the purifying process of the Sefirah period that the Jewish people merit Divine compassion on Shavuot, symbolized by the eating of dairy (Magen Avraham 494:6 citing Zohar; see there for further explanation of this concept).

The Talmud (Makkos 23b) states that the 365 negative commandments correspond to the 365 days of the solar calendar. According to Zohar, each day of the year corresponds to a specific commandment. As mentioned above, in Temple times, the bringing of Bikkurim the first fruits of the seven species with which the Land of Israel, is blessed, began on Shavuot, and this is one reason why the Torah calls this Festival "Day of the First Fruits." The Torah juxtaposes, "The first of your land's early produce you shall bring to the Temple of the Lord, your G-d," with, "Do not cook a kid in its mother's milk" (Exodus 34:26), indicating that the day of Shavuot corresponds to the prohibition requiring the separation of meat and milk. To symbolize this, we eat dairy and then meat on Shavuot according to the laws prescribed by halachah (Chidushei HaRim).

As mentioned above, Moses was rescued from the Nile River on the sixth of Sivan, the day on which Shavuot falls. The Talmud relates how Pharaoh's daughter first brought Moses to Egyptian wet nurses, but he would not nurse, for G-d did not want the mouth that would one day communicate with Him to nurse from a non-Jew (Sotah 12b). Pharaoh's

daughter then had Moses given over to Yocheved to be nursed, unaware that this woman was the infant's own mother. The eating of milk foods on the sixth of Sivan commemorates this hidden miracle (Yalkut Yitzchak).

Man cannot live on bread alone, nor can he survive on just water. Yet, one of the miracles of childbirth is that a mother's milk provides her newborn with all the nourishment it needs. In this sense, Torah is like milk, for it encompasses within it all the sustenance that man's soul needs for spiritual vitality and growth. Thus, the milk foods of Shavuot allude to the Torah itself (Imrei Noam).

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From: RABBI LIPMAN PODOLSKY
[SMTP:podolsky@hakotel.edu] Subject: Parshas Bamidbar OUR
COMMON THREAD

Our Parsha commences with a census of the Jewish people. If you think about it, counting is quite rudimentary. We learn it in nursery school and pretty much count the same throughout our lives. One aspect does change, though. Whereas in pre-1a we count for the fun of it, as we mature we count because we have reason to.

Tabulation connotes purpose. No self-respecting adult would waste time counting just for the fun of it. Counting for no purpose is surely one of the most boring acts imaginable, hence the practice of counting sheep as a cure for insomnia. To count, one must have a pretty good reason for doing so.

So why did the Torah count? Basing himself upon contextual evidence, Rav Yaakov Kaminetsky zt"l suggests that this census was conducted to arrange the tribes according to their encampments and to assign a specific flag to each tribe. Now, each tribe would be aware of its unique character and Divine mission -- as symbolized by their positions in the encampment and their distinctive banners.

But this brings us to a most perplexing enigma. Our Parsha, chronologically, takes place more than a year after the exodus. They've been free for a year! What took them so long to designate the distinctiveness of each tribe? Why did they postpone this essential aspect of their national definition?

On the other hand, why is distinctiveness so desirable? What happened to national unity? Where is the oft-lauded Achdus (oneness) to which we aspire? Wouldn't segregation into diverse tribes, each with its own emblem, promote divisiveness? Would it not contribute to competition?

This, says Reb Yaakov zt"l, is the reason they waited so long. During the past year, the Jewish people had been laying the foundation for unconditional national unity. First there was Har Sinai at which they achieved unparalleled internal harmony (Rashi Shmos 19:2), a prerequisite for Kabbalas HaTorah. Afterwards, they spent many months in the planning and construction of the Mishkan, the portable version of Har Sinai (Ramban Shmos 25:2). The Mishkan was strategically situated at the epicenter of the encampment, and the Jews all faced a central focal point (Bamidbar 2:2).

Until they had a central hub around which they all revolved and paid homage, they could ill afford to display any outward manifestation of distinctiveness. Individuality is essential only inasmuch as it does not corrupt the unity of the whole. Only after they had become firmly bonded through a common denominator could they then feel free to

partake in individual expression. The synthesis of the two -- the recognition that no two tribes were exactly alike, and the ironclad commitment to the eternal union of the whole -- maximized their capacity to fulfill the Divine command.

This teaching holds true today as well. No two Jews are the same. Just as our DNA maintains its distinctiveness throughout the millennia, so do our neshamos differ. Every Jew has his or her unique contribution to make. There is no "master-plan" according to which every Jew, robot-like, must subscribe. Like the various limbs and organs of the body, we each have our own unique, vital function.

At the same time, unity is indispensable. Without unity, we all walk in different directions, tearing apart the body of our nation at the seams (picture the two legs walking in opposite directions!). Only when we work together, in harmonious unison, can we hope to achieve our national goals. This unity is based solely upon the eternal axis of the Jewish people -- the Torah, as received from Har Sinai. Torah is the heart that sends the lifeblood coursing through the veins of our nation. There is no substitute.

Perhaps surprisingly, not only does Torah bind us together as one, it also enhances our individuality. Look at the Gedolim, the experts in Torah. After so many years studying the same Torah, one would have expected them to become veritable clones. Nothing could be further from the truth. Anyone who has had the good fortune to come close to Gedolim is impressed by their utter individuality -- an individuality that has truly been refined by years of dedication to diligent Torah study. Torah, inevitably, brings out the best in every Jew.

As we prepare for Shavuos, let us please focus on that which bonds us together. Torah is our common thread, woven into the fabric of eternity. By focusing on Torah, we don't just commemorate Har Sinai; we live it!

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From: Yated-Usa[SMTP:yated-usa@ttec.com] Halacha
Discussion:
BIRCHOS HA-SHACHAR ON SHAVUOS MORNING
BY RABBI DONIEL NEUSTADT

The widespread custom of staying awake the first night of Shavuos to study Torah presents a halachic problem-what to do about four of the morning blessings, Birchos ha-shachar, which cannot be recited unless one slept during the night. The other sixteen blessings may be recited as usual(1), but the following four blessings present a problem:

Al netilas yadayim-The Rishonim offer two basic reasons for the Talmudic law(2) of washing our hands in the morning and then reciting the proper blessing:

The Rosh tells us that washing is necessary because a person's hands move around in his sleep and will inevitably touch some unclean part of the body.

The Rashba says that since each one of us becomes a biryah chadashah-a "new person"-each morning, we must sanctify ourselves anew in preparation to serve Hashem. This sanctification is similar to that of a kohen who washes his hands before performing the avodah in the Beis ha-Mikdash.

[In addition to these two reasons, there is still another reason for washing one's hands in the morning-because of ruach ra'ah, the spirit of impurity that rests on one's body at night and does not leave the hands until water is poured over them three times³. Indeed, touching various limbs or organs of the body is prohibited before hand-washing, due to the danger which is caused by the spirit of impurity(4). This third reason

alone, however, is insufficient to warrant a blessing(5), since a blessing is never recited on an act which is performed in order to ward off danger(6).]

Does one who remains awake all night long need to wash his hands in the morning? If we follow the Rosh's reason, then washing is not necessary, for as long as one remains awake he knows that his hands remained clean. If we follow the Rashba's reason, however, washing may be required, since in the morning one becomes a "new person," whether he slept or not(7). [In addition, it is debatable if the spirit of impurity that rests on the hands is caused by the nighttime hours-regardless of whether or not one slept-or if it rests upon the hands only during sleep.(8)]

Since this issue remains unresolved, the Rama suggests a compromise: washing is indeed required, as the Rashba holds, but a blessing is not recited, in deference to the view of the Rosh. Not all the poskim agree with the Rama's compromise. In their view, the blessing should be recited(9). Since we again face a difference of opinion, it is recommended that one of the following options be exercised:

Immediately after alos amud ha-shachar, one should relieve himself and then wash his hands, followed by Al netilas yadayim and Asher yatzar. In this case, all poskim agree that washing is required and a blessing is recited(10). This is the preferred option.

One should listen-with intent to be yotzei-as another person, who did sleep, recites the blessing.

Birchos ha-Torah-The poskim debate whether one who remains awake the entire night(11) is required to recite Birchos ha-Torah the next morning. Some authorities do not require it, since they hold that the previous day's blessings are still valid. In their view, unless a major interruption-such as a night's sleep-occurs, yesterday's blessings remain in effect. Others hold that Birchos ha-Torah must be said each morning regardless of whether or not one slept, similar to all other Birchos ha-shachar which are said in the morning, whether one slept or not. According to the Mishnah Berurah(12), this issue remains unresolved and the following options are recommended:

One should listen-with intent to be yotzei-as another person, who did sleep, recites the blessing. This should be followed by each person reciting yevorechecha and eilu devarim, so that the blessings are followed immediately by some Torah learning.

While reciting the second blessing before Kerias Shema-Ahavah Rabbah-one should have the intention to be yotzei Birchos ha-Torah as well. In this case, he must learn some Torah immediately after Shemoneh Esrei.

There are two other options available:

The poskim agree that if one slept (at least half an hour) during the day of erev Shavuos, he may recite Birchos ha-Torah on Shavuos morning even though he did not sleep at all during the night(13).

While reciting Birchos ha-Torah on erev Shavuos, one may clearly stipulate that his blessings should be in effect only until the next morning. In this case, he may recite the blessings on Shavuos morning although he did not sleep(14).

If one did not avail himself of any of these options and Birchos ha-Torah were not recited, one may recite them upon awakening from his sleep on Shavuos morning (after davening).

Elokai neshamah and ha-Ma'avir sheinah-Here, too, there are differences of opinion among the poskim as to whether one who remains awake throughout the night should recite these blessings. The Mishnah Berurah(15) rules that it is best to hear these blessings from another person who slept. If no such person is available, many poskim rule that these blessings may be recited even by one who did not sleep(16).

In actual practice, what should we do?

As stated earlier, all poskim agree that the other sixteen morning blessings may be recited by one who did not sleep at all during

the night. Nevertheless, it has become customary in some shuls that one who slept recites all twenty morning blessings for the benefit of all those who did not sleep. Two details must be clarified concerning this practice:

Sometimes it is difficult to clearly hear every word of the blessing being recited. [Missing one word can sometimes invalidate the blessing.] If that happens, it is important to remember that sixteen of the twenty blessings may be recited by each individual whether he slept or not, as outlined above.

The sixteen blessings which may be recited by each individual should not be heard from another person unless a minyan is present. This is since some poskim hold that the obligation of Birchos ha-shachar is discharged only by hearing them from another person in the presence of a minyan(17).

Rabbi Neustadt is Rav of Young Israel in Cleveland Heights. He may be reached

at 216-321-4635 or by fax at 216-321-5687. A tremendous opportunity for Harabotzas Torah is available! Many of the Halachah Discussion which you have been reading in the Yated for the last several years are now being prepared to be published in book form, to be called The Monthly Halachah Discussion. Dedications and sponsorships are available.

1Rama O.C. 46:8. 2Berachos 15a and 60b. 3The source for the "spirit of impurity" is the Talmud (Shabbos 108b; Yoma 77b) and the Zohar, quoted by the Beis Yosef O.C. 4. 4O.C. 4:3. 5Mishnah Berurah 4:8. 6Aruch ha -Shulchan 4:4 based on Rambam, Hilchos Berachos 6:2. 7The rationale for this is: 1) Lo pelug, which means that once the Sages ordained that washing the hands is necessary because one is considered a "new person", they did not differentiate between an individual who slept and one who did not (Beis Yosef quoted by Mishnah Berurah 4:28); 2) The blessing was established to reflect chiddush ha-olam, which means that since the "world" as a whole is renewed each morning, it is incumbent upon the individual to sanctify himself and prepare to serve Hashem each morning; whether he, personally, was "renewed" is immaterial (Beir Halachah quoting the Rashba). 8Mishnah Berurah 4:28. 9Ruling of Aruch ha -Shulchan 4:12. 10Mishnah Berurah 4:30 and Beir Halachah 494:1. This should be done immediately after alos amud ha-shachar in order to remove the spirit of impurity; O.C. 4:14. 11Even one who falls asleep during his learning [while leaning on a shtender or a table, etc.] does not say Birchos ha -Torah upon awakening; Kaf ha-Chayim 47:27. 1247:28. Many other poskim, though, rule that Birchos ha-Torah may be said even by one who did not sleep at all; see Birkei Yosef 46:12; Shulchan Aruch Harav 47:7; Aruch ha-Shulchan 47:23; Kaf ha-Chayim 47:26. 13R' Akiva Eiger quoted by Mishnah Berurah 47:28. Harav C. Kanievsky, however, reports that the Chazon Ish did not agree with this ruling (Ishai Yisrael Hilchos Tefillah, pg. 719). 14Keren L'David 59 and Luach Eretz Yisrael quoting the Aderes (quoted in Piskei Teshuvos O.C. 494:6). 1546:24. This is also the ruling of Chayei Adam 8:9 and Kitzur Shulchan Aruch 7:5. 16Shulchan Aruch Harav 46:7; Kaf ha -Chayim 46:49; Aruch ha-Shulchan 46:13; Misgeres ha-Shulchan 2:2. 17Mishnah Berurah 6:14. In addition, see Kisvei Harav Henkin 2:7, who maintains that since many of the blessings are written in the first person, they must be recited by each individual; listening to them being recited by another person is not adequate.

From: Ohr Somayach[SMTP:ohr@ohr.edu] Sent: Tuesday, May 22, 2001 6:19 AM To: weekly@ohr.edu Subject: Torah Weekly - Bamidbar * TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshat Bamidbar

THE EMPTY LANDSCAPE "In the Desert..." (1:1)

Some 3,300 years ago, a little-known Middle Eastern people gathered around a small mountain in a trackless wilderness and underwent an experience which changed the history of the world. For the first time since the beginning of the universe, the Creator spoke to an entire nation. The nation was called Israel. The mountain was called Sinai. At Sinai, G-d gave the Jewish People the Torah, the mystical blueprint of the Creation. Why did G-d choose a desert as the site for this encounter?

THE LANDSCAPE OF TIME We tend to think of the Jewish festivals as remembrances to remind us of critical events in Jewish history and that these events recede further into the past every year. This is not so. Time is circular. Every year we re-visit the same place in time, the same reality. Every Pesach, Shavuot and Succot we relive the original event. We do not merely remember what took place on these days, we re-experience them. The word for festival in Hebrew is

moed. Moed means "an appointed time and place of meeting." Every year, we return to that same meeting place in time. We return to that same spiritual landscape.

There's something very unusual, however, about the landscape of Shavuot. It's a meeting place devoid of distinguishing features. It is an empty landscape. A desert. Our other meetings with the Creator all have much more visible scenery: At Pesach we experience the spiritual vista of matzah, the seder, the four cups of wine, ma nishtana. At Succot we return to the landscape of the "four species" and the succah.

Shavuot, however, has no unique mitzvah, no identifying leitmotif, no recognizable landmark in its scenery. Shavuot is an empty landscape. Why?

Let me ask another question. In one of the highlights of the Shabbat morning prayers, the mussaf kedusha, we employ the language of those incorporeal celestial beings, the "angels" (for lack of a better English term). We say: "His glory fills the world. His ministering angels ask one another 'Where is His glory?' " If His glory fills the world, why should it be necessary for His ministering angels to ask where His glory is? Surely nothing is more visible than something that fills the world?

THE JIGSAW OF EXISTENCE When something fills the whole world, when it fills all reality, you can't see it anymore. The ministering angels have to ask "Where is His glory" precisely because it fills the whole world. Shavuot is the day which completes creation. When G-d gives the Torah to the Jewish People, the last piece in the jigsaw puzzle of creation falls into place. Instantly all the lines between the separate pieces of the jigsaw of existence vanish, revealing a complete and perfect whole.

Shavuot is the day of the completion of existence itself. The landscape looks empty because it contains everything. We can only determine features in a landscape when we see one thing as being separate from another. It is only the difference between things that allows us to see things at all. But if we were to look at "everything," we would see nothing.

Shavuot is the empty landscape - full with all creation.

Sources: Bikkurei Aviv Written and compiled by RABBI YAAKOV ASHER SINCLAIR (C) 2001 Ohr Somayach International

From: Ohr Somayach[SMTP:ohr@ohr.edu] To: dafyomi@ohr.edu Subject: The Weekly Daf - #380 KIDDUSHIN 17 BY RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions

SICK LEAVE If a Jewish slave who has an obligation to work for his master for six years fell ill for three of those years, he has no obligation to make them up by working another three years when his six-year servitude is completed.

Does this rule apply as well to a teacher or worker who has been hired for a long period and is unable to work for a substantial amount of time because of illness? This is the subject of a major debate between the early commentaries. Tosefot cites the opinion of some authorities who compared the teacher to the slave and considered him entitled to full compensation without a need to make up for the time lost because of illness. This opinion appears in the commentary of Rabbi Mordechai bar Hillel Ashkenazi (Mesechta Bava Metzia, par. 347). It is based on the fact that if the slave who did something wrong (either by stealing or by selling himself into slavery against the wish of Hashem, Who wants Jews to be slaves only to Him and not to His slaves) is given such consideration, then this leniency should certainly apply to the teacher who did nothing wrong. Tosefot, however, rejects this comparison between slave and teacher. One of the distinctions he makes is that the slave is considered the property of the owner during the six years of his servitude and the payment he received was for giving his master this ownership. His obligation to his owner is only to work as much as he is able; if he is unable to work because of illness, he has no obligation to make up for lost time. The teacher, on the other hand, is not the property of his employer and merely contracts to perform a service for pay. His failure to provide this service because of illness does therefore not entitle him to compensation. Other distinctions are made by Tosefot here and by Rosh in mesechta Bava Metzia (sixth perek par. 6). The latter cites the opinion of Rabbi Meir that if the owner paid the teacher in advance then he has no obligation to make up the time lost

because of illness. But if he has not yet paid him he must make up the lost time if he wishes to be paid in full. Both the opinion of Tosefot and the qualification of Rabbi Meir are cited by Rema (Shulchan Aruch Choshen Mishpat 333:5) as halachic conclusions. * Kiddushin 17a