

B'S'D'

DIVREI TORAH FROM INTERNET
ON PARSHAS CHAYEI SARA - 5756

(c/o CShulman@paulweiss.com)

From: "Rabbi Yissocher Frand <ravfrand@torah.org>"
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Date: 11/15/95 2:23am
Subject: Rabbi Frand on Parshas Chayei Sarah

- "RavFrand" List - Rabbi Frand on Parshas Chayei Sarah -

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape # 30, The Shadchan in Halacha Good Shabbos!

Parshas Chayei Sarah:

No Golden Years of Retirement in Avodas HaShem

The Parsha begins with the death of our Matriarch Sarah and the entire dispute that Avrohom was involved with in trying to purchase a burial plot for his wife. The Mishneh in Ethics of the Fathers [Avos 5:3] tells us that Avrohom was tested by G-d 10 times. Although there are differing opinions as to what the various tests were, virtually all commentators count the Akeidah (Sacrifice of Yitzchak) as the tenth and final test -- the climax to the entire set of Ten Tests. Rabbeinu Yonah has a unique opinion. He holds that Akeidas Yitzchak is the ninth test and the tenth test is "the burial of Sarah".

What was the test involved in this burial? Rabbeinu Yonah explains that the test was to see whether Avrohom -- who had been promised by G-d decades earlier that the entire Land of Canaan would belong to him -- would complain that G-d's promise to him was not fulfilled. Even buying a burial plot for his wife turned out to be a difficult task.

The question can be asked on Rabbeinu Yonah's opinion: -- Granted, it was upsetting for Avrohom that he had a problem when it came to buying a burial plot for Sarah, but how can anything be a "Test" after Akeidas Yitzchak? After having been willing to sacrifice one's own son, how can this even be counted in the same league? This does not seem to fit in with the pattern of the other Tests which get progressively more difficult until Akeidas Yitzchak which is seemingly the most difficult.

The answer is as follows: There is a tendency among human beings to feel at a certain point in their lives "I've done my part and I've paid my dues. Leave me alone!" Here Avrohom realizes the troubles he's had over his lifetime; he sees that G-d has been testing him his whole life. Finally, he came to the ultimate test about which G-d proclaimed "Now I know that you did not refuse your one and only son from Me..." Avrohom could have argued, "Fine, I've fulfilled my obligations". At this point G-d comes along with another test.

When Rabbeinu Yonah explains that Avrohom did not question G-d here (shelo heer-hair b'libo), part of the emphasis is that he didn't say to G-d "Leave me alone, already! Haven't I done enough for You?"

There is no stage in a person's life -- when it comes to Avodas HaKodesh -- that he can say "Enough!" When it comes to business and earning a livelihood there comes a time when a person can say "I've put in my 40 years, give me my gold watch, give me my pension, and leave me alone. I've had enough headaches!" That's in Parnasah.

In Avodas HaShem, there is no such thing. The Nisayon never ends. When a person is called upon, no matter at what stage in life, no matter at what age in life, he's obligated to keep on going. This is the lesson of the Test of the Burial of Sarah -- that even after an Akeidas Yitzchak, when a person can rightfully think "I've done my part", still there are no ends. You've got to keep on going.

Rav Breur of Blessed Memory came to this country when he was almost 60 years old. Prior to that he had spent a "lifetime" leading a Kehilla in Germany, serving his time, putting in his years. He came to a new country with a new language and a new surrounding and started all over to build what has become one of the most beautiful Jewish communities in the world.

What if Rav Breur would have said, "I'm 60 years old already, I've done enough. Let somebody else do it!"? How many times in communal work have we heard this complaint -- "I've done my part, let somebody else do it now"? What if Rav Breur would have taken that attitude? In Avodas Hashem there are no Golden Years of retirement -- every day is a new Test. L'Kach Notzarta (That's what we were placed here for).

Selfishness Results in a Curse and Selfishness Is Itself a Curse

Towards the end of the Parsha, when Eliezer was successful in making a match for Yitzchak the verse states [24:31] "And [Lavan] said [to Eliezer] Come! [You're a man] blessed by G-d". The Medrash Rabbah says that Eliezer was descended from Canaan (who had been cursed by Noach), but as a result of having faithfully served Avrohom on this mission, he left the category of one who is Cursed and entered the category of one who is Blessed.

Rash"i quotes that Eliezer really wanted that his own daughter should marry Yitzchok, but Avrohom told him that was not possible because he was one who is Cursed (having descended from Canaan) whereas Yitzchak (having descended from Avrohom) was Blessed "and one who is Cursed cannot marry one who is Blessed". But after Eliezer completed his mission he became Blessed.

How did this happen? How did Eliezer go from Cursed to Blessed by the completion of this mission and what does it mean that "since he was a descendant of Canaan he was Cursed"?

Reb Chatzkel Leibenstein, z"tl explains as follows: Noach cursed Cham because Cham castrated him while he was drunk (according to one opinion in Tractate Sanhedrin [70a]). Cham's reason for castrating his father was to prevent him from having any more children. Cham did not want to

share the world with any more brothers beyond Shem and Yaffes. In response to that Noach cursed Cham and his descendants that they should be slaves. Noach's decree, says Reb Chatzkel Leibenstein, was not just a punishment but was designed to teach his descendants a lesson and to improve on their character.

Cham, by wanting the inheritance for himself was selfish and stingy. In order to correct the sickness of selfishness that was spread over Cham's soul Noach made Canaan a slave. By law a slave owns nothing (what a slave acquires, he acquires for his master). The only antidote for someone so interested in having everything is not to have anything.

Our Sages are telling us that when Eliezer began his mission, although he was righteous and thoroughly faithful to Avrohom, still he suffered from the sickness of Cham. In a very small measure, he was still somewhat selfish. When Avrohom sent him to find a match for Yitzchak, he thought first and foremost of himself -- my own daughter should be the wife of Yitzchak, I should be the 'mechutan'.

Since he thought about himself first, Avrohom told him "You are still suffering from the sickness of Canaan -- you are still thinking about yourself first". But when the Parsha ends and Eliezer has done his job faithfully and he is so thrilled about it that he bows down and thanks G-d for helping him to find this 'shidduch', Eliezer finally cured that last vestige of selfishness that was in his soul. Now he was happy for someone else, even though he personally had lost the shidduch.

The Torah can now pronounce "Come, the one who is Blessed to Hashem" -- you have finally cured the sickness of your great grandfather and left the category of one who is Cursed and come into the category of one who is Blessed.

Personalities & Sources:

Rabbeinu Yonah [Gerodni] -- (1200-1263) Author of Shaarei Teshuva (Gates of Repentance); Gerona and Barcelona, Spain.

Rav Yosef Breur (born 1882) -- grandson of S.R. Hirsch; emigrated from Frankfort to Washington Heights, NYC in 1939. Lived into his nineties; founded and directed K'hal Adath Jeshurun and associated institutions.

R. Chatzkel Leibenstein -- the late Mashgiach Ruchani ("Spiritual Supervisor") of the Ponnevez Yeshiva in contemporary Bnei Brak.

Glossary

Avodash HaShem, Avodas HaKodesh -- Service of G-d, Holy Service

Parnasa -- livelihood

Nisayon -- test

Shidduch -- match (usually for marriage)

mechutan -- related by marriage

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion (#30). The corresponding halachic portion for tape #30 is: The Shadchan in Halacha. The other halachic portions for Chayei Sara from the Commuter Chavrusah Series are:

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Subject: Torah Studies - Chayei Sarah

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Torah Studies
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by
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Chief Rabbi of Great Britain

Based on the teachings and talks of the Lubavitcher Rebbe
Rabbi Menachem M. Schneerson on the weekly Torah Portion

Chayei Sarah

Today's Torah Mailing is dedicated
in the honor of the marriage of:
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Chayei Sarah

Although this Sidra is entitled "The Life of Sarah," it really commences with her death and with the sentence, "And the life of Sarah was 100 years and 20 years and 7 years: These were the years of the life of Sarah."

This highly repetitious wording exercised the Midrashic commentators, who gave three explanations, each emphasizing that the Torah is here praising Sarah for her perfection.

The Rebbe examines these explanations, showing how each subtly stresses a different aspect of this perfection; and how, in general, righteousness lifts a person above the vicissitudes of time.

THE FIRST MIDRASH

"And the life of Sarah was 100 years and 20 years and 7 years: These were the years of the life of Sarah." On this verse the Midrash comments: "G-d knows the days of the perfect and their inheritance shall be for ever;" just as they are perfect so are their years perfect. At 20 she (Sarah) was as beautiful as at seven; at 100 she was as free from sin as at 20."

(Another reading has it that she was as beautiful at 100 as at 20,

and as sinless at 20 as at 7.)

The commentators, including Rashi, explain that the Midrash is commenting on the threefold repetition of the word "years," where the phrase "127 years" would have sufficed. And it cites the verse "G-d knows the days of the perfect," making play of the phrase, which could also mean "the perfect days": Suggesting that each day in the life of the righteous is perfect in itself. And this is reinforced by the verse about Sarah, whose wording suggests that all her years were equal in their perfection.

But there are difficulties in this explanation:

(i) The expression of the Midrash is "just as they are perfect, so their years are perfect." But if perfection here means freedom from sin, then the perfection of the person and of his days are one and the same thing. But the Midrash in using the language of comparison ("just as") suggests they are two distinct things.

If, on the other hand, perfection denotes physical beauty, then the Midrash is surely difficult to understand for though Sarah may have been as beautiful at 100 as she was at 20, this was not true of all the intervening period, for there was a time when Sarah was "withered." So at 100 she may have been perfect but her years (i.e., the period until then) were not.

(ii) The very phrase "their years are perfect?" is strange, for normally this would be taken to be related to the years themselves. But the Midrash here is unusually taking it to refer to the perfection of the person during these years.

(iii) The Midrash seems to make an unwarranted transition from the phrase "the days of the perfect" to the phrase "so their years are perfect." Although this verse mentioning "days" is quoted in order to explain the word "years" in the verse from our Sidra, surely it would be more consistent to use the word "days" in explaining the verse discussing "the days of the perfect."

THE SECOND MIDRASH

After its first explanation, the Midrash adds another: "An alternative explanation is: 'G-d knows the days of the perfect'; this refers to Sarah who was perfect in her actions. Rabbi Jochanan said: Like a perfect calf."

At first glance there are two differences between this and the earlier comment:

- (a) the first reading takes "perfect" to apply to "days" while the second applies it to people;
- (b) the first understands perfection as comprising all attributes (including the purely physical trait of beauty), but the second relates it to good deeds alone.

But there are problems even in the second Midrash:

(i) Surely the second comment should add something to our understanding of the verse "G-d knows the days of the perfect."

But what, in effect, does the second comment contain that is not obvious (i.e., that only one who is perfect indeed can be considered perfect)?

- (ii) What does Rabbi Jochanan's comment "like a perfect calf" add to our understanding of what preceded it?
- (iii) The Midrash, in saying of the verse from the Psalms, "this refers to Sarah" seems to be explaining that verse rather than the verse from our Sidra which it set out to elucidate.

THE THIRD MIDRASH

After explaining the threefold repetition of the word "years" in our verse, the Midrash then comments on the apparently redundant phrase "these were the years of the life of Sarah," and relates it to the second phrase of the verse from Psalms, "and their inheritance shall be forever."

"Why did the Torah need to add, 'these were the years of the life of Sarah?' To tell us that the lives of the righteous are precious to G-d, both in this world and in the world to come."

But this too requires explanation:

- (i) It is obvious that the righteous have a share in the world to come, and even that their future life is precious to G-d. Why then did the Midrash need to tell us this, and bring a verse from the Psalms to prove it?
- (ii) Granted that the future life is hinted at by the repetition "And the life of Sarah was . . .; these were the years of the life of Sarah" (suggesting two lives, in this world and the next); but how from this verse do we learn the additional point that the lives of the righteous in the world to come are precious to G-d?
- (iii) What is the connection between the two apparently unrelated interpretations of the last phrase of the verse: The simple meaning, that it refers to Sarah's life in this world; and the Midrashic explanation, that it speaks of her future life?

THE PRESERVATION OF PERFECTION

We will understand all these points if we first consider the following: When a man finds himself in an environment detrimental to his standards, there are three ways in which he can preserve his integrity:

- (i) He can strengthen himself inwardly not to be influenced by his surroundings. But this is an incomplete victory, for if he were to relax his self-control he would capitulate, thus implying a lowering of status.
- (ii) He can separate himself from those around him. But again his victory is only because he has removed himself from temptation: He has not met it head-on, and is as prone as ever to be lowered.
- (iii) Lastly, he can set out to influence his environment and raise it to his own level. This is a complete triumph over one's

surroundings - the dangers have not only been avoided, they have been removed entirely. In the same way a man can preserve himself from change in the face of sin and even physical decay. He can master the ravages of time.

Firstly by strengthening himself spiritually he can discountenance the blandishments of the material world. But here the possibility of sin remains, warded off only by constant vigilance. This is why the Midrash in speaking of Sarah says that when she was 100 she was like she was at 20 - at this level there is only a resemblance, not an identity, of old age to youth.

Secondly, by living the life fired by the essence of the soul rather than by its manifest levels (i.e., by retreat from the physical), one can transcend time and its bodily effects. But this again is an impermanent state, for the body retains its predilection for materialism.

Lastly, when the perceptions of the soul permeate the body and all its actions, one's physical nature is not suppressed but transformed, and the whole being partakes of the timelessness of the spirit in its relations with G-d. The possibility of sin does not arise.

THE CONSTANCY OF SARAH

This is why the Midrash explains that Sarah was, at 100, like she was at 20, only after it has cited the verse from Psalms and added, "just as they are perfect so their years are perfect." Only by perfection of a life comes that state of changelessness which characterized Sarah.

And the repetition of the word "years" in the Sidra tells us that each total (100, 20 and 7) is compared to the others: At 100 Sarah was as far from the possibility of sin as she was at 20 or at 7. In other words, she had attained the highest of the three degrees of integrity.

But how can we reconcile this with the fact that she did undergo changes, and that there was a time when she lost her beauty?

The word "shnotam" which means "their years" also means "their changes." So the Midrash may subtly be telling us also that even "their changes were perfect." Even though (and indeed, because) externally the righteous alter and undergo vicissitudes, these ultimately serve only to reveal their underlying constancy, as the light of their souls shines undimmed.

THE FINAL PERFECTION

It has often been explained that the righteous "go from strength to strength" - meaning that their life is (not merely progression within one level, but) a progression to infinitely higher levels of faithfulness. How then can it be to Sarah's praise that all her years were equal in their excellence? Surely this implies the absence of such a degree of progress?

This is the problem that the second Midrash comes to solve.

By telling us that at the point of her death Sarah achieved "perfection in her actions," it discloses that she then reached that level of perfection and closeness to G-d that retroactively perfects

Abraham responds graciously. "IEd truly like to pay for the field and the cave in order to bury my dead."

Immediately there is a change of direction. Ephron draws close and whispers, "land worth 400 silver shekels in negotiable currency, between me and you - what is it? Bury your dead!."

Abraham pays the full amount and buries Sarah.

ItEs hard to help but notice an extreme change in attitude. At first, Ephron, speaking for all of the children of Heth to hear, grandstands as if he were giving the land and cave as a magnanimous gift to Abraham. As soon as the conversation shifts more intimately, he changes his tune. When he says the words "between me and you" his altruism disappears. Suddenly he sets a price of 400 silver coins for the property and he calls it, "no big deal!" In truth, the Talmud in Baba Metzia evaluates "negotiable currency" as 2500 times the value of a regular silver shekel. Thus Abraham paid the value of 1 million silver pieces for land that was originally, publicly "offered" as a gift!

It reminds me of the following story.

The local Russian party-leader was being interviewed by a naive reporter who was reporting on the virtues of the communist system. "Sir," went the first question. "What would you do if you were to own two homes?" The official beamed as he responded with a broad smile, "IEd give one of them away to my comrades!" "And what would you do if you had two automobiles?" Again the answer was given, immediate and with certainty, "I would give one of them away to my comrades!" "And the final question," the reporter asked innocently, what would you do if you owned two overcoats?"

The official began to stammer and stutter. "WhatEs the matter?" asked the reporter. The official quietly mumbled under his breath, "you shouldn Et ask that to me! You see, I own two coats!"

People have a tendency to make generous offers when they are standing in a crowd, However, when the conversation shifts "between me and you" and only

Avrohom is there to hear it, their attitude changes and a generous gift gets a hefty price-tag of 400 silver shekel. Efron is forever known as the trumpeter who reneges on his offer as he capitalizes on AbrahamEs graciousness. The flaw was in EfronEs character, was enhanced by the setting that accompanied it. A public pledge, commitment or announcement tends to change dramatically when it becomes just -- between me and you!

Good Shabbos 1 1995 Rabbi Mordechai Kamenetzky

by Rabbi Mordechai Kamenetzky -- Yeshiva of South Shore

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Dedicated by George & Ellen Gluck Ivan & Phyllis Gluck, Jack & Susan Gluck

In Loving Memory of Mordechai ben Yaakov Gluck - 22 MarCheshvan

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Date: 11/17/95 4:55am
Subject: PARSHAT CHAYA SARA

MAZEL TOV TO ARI AND BASHI COLTON ON THE BIRTH OF THEIR DAUGHTER SHOSHANA

PARSHAT CHAYEI SARAH

This week's shiur will begin with a short 'vort' on this week's Parsha. Afterward, we will return to the topic of the God's oath to Avraham Avinu at Akeydat Yitzchak and its relationship to His earlier promises and covenants concerning "zera va'aretz".

AVRAHAM & BNEI CHEYT

In the beginning of this week's Parsha, we find Avraham and "Bnei Cheyt" bargaining over a piece of land. Here, Bnei Cheyt claim to be quite generous, offering Avraham Avinu any plot of land he may choose free of charge (23:5-6). Yet, in the end, Avraham pays Ephron some four hundred shekel for his burial plot (23:16). This outcome leads many to doubt the sincerity of Bnei Cheyt's original offer. Nevertheless, one could suggest an alternate understanding, which highlights the thematic significance of this narrative.

It is not necessary to doubt the sincerity of the original offer of Bnei Cheyt, as it is quite common that a surrounding society appreciates individuals who dedicate their entire life to God. In the eyes of Bnei Cheyt, Avraham was indeed a Prince of God in their midst ?"n'si Elokim atah b'tocheinu" (23:6)X, and as such deserved his 'clergy discount'. Their generous offer simply reflected their perception of Avraham's predicament: a wandering 'man of God' who needed a place to bury his wife. To them, there was a strong likelihood that within several decades, this family would never be seen again. After all, he had only one son from Sarah who wasn't even married yet. Most likely, Yitzchak would not choose to live in that area, and the next generation of Bnei Cheyt would even be able to reclaim that same parcel of land. For Bnei Cheyt, then, this entire incident was rather

insignificant, as Avraham posed no threat to their future, nor to their permanence in their land.

Avraham, on the other hand, perceived his predicament in an entirely different light. As his wife had just passed away and there was a need to find a place of burial, he suddenly realized that aside from a Divine Promise, he had no real 'hold' in the land. A family burial plot indicates a permanence, an attachment to the land. This transaction was of utmost importance to him, as it constituted the first step towards the fulfillment of that Divine Promise. Therefore, he insists on paying the full price in front of all the community leaders ("I'chol ba'ey shaar iro" / read 23:16-20 carefully). In Avraham Avinu eyes, this purchase is momentous; he has now purchased his first "achuza" in "Eretz Canaan" (note 23:19-20!).

?Note: To fully appreciate the significance of this transaction, compare the psukim noted above to 17:7-8. Relate this comparison to the previous shiur on Brit Milah. Note also the emphasis on "achuza" and "Eretz Canaan" in the repetition of these psukim in 25:9-10, 49:29-30 & 50:13!X

A WIFE FROM "TOLDOT TERACH"

Recall that the unit of "toldot Terach", which began at the end of Parshat Noach, included not only the story of the "bchiyra" of Avraham Avinu, but also the story of the offspring of all three sons of Terach. This unit now comes to an appropriate conclusion with the narrative describing the search of a wife for Avraham's son from the family of his brother, Nachor.

"ZERA V'ARETZ" - A PROMISE, COVENANT, AND OATH

Prior to sending his servant in search of a wife for his son, Avraham makes an interesting statement which 'recaps' the various stages of his "bchiyra":

"Hashem Elokei ha'shamayim asher l'kachani m'BEIT AVI u'M'ERETZ MOLADATI v'asher DIBER li, v'asher NISHBAH li lay'mor - l'ZARACHA E'TAYN et ha'ARETZ ha'zot..." (24:7)

Recall from Parshat Lech L'cha that Hashem had made three promises (12:1-3, 12:7, 13:15) and two covenants (15:18, 17:8) with Avraham Avinu concerning the future of his offspring in the Promised Land. The phrase which repeated itself each time, in one form or other was "I'zaracha e'tayn et ha'aretz ha'zot".

Avraham's statement, quoted above, clearly reflects these promises:

"asher l'kachani m'BEIT AVI u'M'ERETZ MOLADATI" echoes the opening promise of:
"Lech l'cha m'artzcha, u'm'MOLADTICHA u'm'BEIT AVICHA"

However the continuation of this statement:

"v'asher DIBER li, v'asher NISHBAH li lay'mor ..." raises an obvious question - when did Hashem make an OATH ("nishba") with Avraham regarding the Land?

Regarding this question, we find a "machloket rishonim". Rashi explains that this oath was made at Brit Bein Ha'btarim, while Radak understands this oath as referring to the Akeyda.

The reason for this controversy is quite simple. At the

Akeyda, we find the only use of the word "shvu'a" in regard to Avraham Avinu - "bi nishbati n'um Hashem, ki ..." (22:16). Thus, Radak cites the Akeyda as the source. However, at the Akeyda there is no mention of "I'zaracha e'tayn et ha'aretz ha'zot", or even a similar phrase. Therefore Rashi cites Brit Bein Ha'btarim as the source, as it includes this phrase:

"b'yom ha'hu ka'rat Hashem ?note shem Havaya, as above in 24:7X et Avram brit lay'mor: l'zaracha na'tati et ha'aretz ha'zot..."(15:18)

Nonetheless, the word "shvu'a" itself is never mentioned at Brit Bein Ha'btarim; thus, neither answer seems complete.

A closer examination of the psukim at the Akeyda will show that both Rashi and Radak are correct.

We will begin with the precise quote of the oath made immediately after the Akeyda:

By myself I SWEAR ?"bi nishba'ati"X, the Lord declares: Because you have done this and have not withheld your son... I will bestow My blessing upon you ?"ba'rech a'varech'cha"X and make your descendants as numerous as the stars of the heaven ?"k'kochvei ha'shamayim"X ... and your descendants will CONQUER the gates of their enemies ?"v'YIRASH zaracha et sha'ar oy'vav"X...(15:17)

Considering that this oath was made immediately after the Akeyda, it focuses on Avraham's descendants ("zera"), the nation that will evolve from Yitzchak, as opposed to the Land ("aretz"). Note, however, that this oath does contain several phrases which are almost direct quotes from the earlier promises, and especially from Brit Bein Ha'btarim. This connection will be illustrated in the following table:

KEYDA (15:17)	PREVIOUS PROMISES
ki ba'rech avarech'cha	v'avar'rech'cha.. v'heye bracha (First Promise - 12:2)
v'harbe arbe za'arche k'kochovei hashamayim	habet ha'shamayim - u'reah et kochavim... ko y'hiyeh za'recha (Brit Bein Ha'btarim - 15:5)
v'yirash za'racha et shaar oy'vav	lo yi'rash'cha zeh, ki iym asher yetze m'mey'eka, hu yi'rashecha (Brit Bein Ha'btarim - 15:4)
v'hitbarchu b'zaaracha kol goyei ha'aretz... (15:18)	V'nivrchu b'cha, kol mishpachot ha'addama (First Promise - 12:3)

This shows that oath of Akeydat Yitzchak was an affirmation of the previous promise and covenant between God (b'shem Havaya) and Avraham Avinu. Thus, Avraham's statement "v'asher nishba li lay'mor l'zar'acha etayn et ha'aretz ha'zot" is based on his understanding of both Brit Bein Ha'btarim (shitat Rashi) and the Akeyda (shitat ha'Radak).

? This interpretation could also explain the redundancy of

"asher DIBER li v'asher NISHBA li" in Avraham's statement.
"asher DIBER li", most probably refers to Brit Bein
Ha'Btarim which begins with "haya DVAR Hashem el Avram..."
(15:1, see also 15:4);
while "asher NISHBA li" refers the oath made immediately
after Akeydat Yitzchak (22:16).X

THE OATH

Why was a oath necessary in addition to the original promise
and covenant, and why was it made only after the Akeyda?

To answer this question, we must first review the nature of
the original promise and covenant as explained in the last three
shiurim.

In reaction to the events of Migdal Bavel (mankind's
development into a anthropocentric society), God chose Avraham
Avinu IN ORDER THAT his offspring become a special nation that
would lead all nations toward a theocentric existence ?NoachX.
Three promises and two covenants were made with Avraham Avinu
concerning a special Land ("aretz") for his offspring ("zera"),
in which that nation would fulfil its destiny ?Lech L'chaX. This
goal could be achieved as this special nation would be
characterized by its keeping of "tzedeq u'mishpat" ?Va'yeraX.

It is clear from the above comparison that the primary
result of the Akeyda was a finalization through an "shvuah"
(oath) of that which had already been promised and formalized by
a "brit" (covenant). In recognition of this display of complete
faith and trust in God, the "brit" was elevated to the status of
"shvuah".

Inherent in a covenant is the idea that if it is broken by
one side, it can be broken by the other. At the Akeyda, Hashem
takes His obligation one step further. An oath is a one-sided
commitment - binding regardless of what the other side does. Even
if Am Yisrael should break their side of the covenant, Hashem
makes a "shvuah" that He will never break His original promise;
regardless of what we do, although we may be punished, we will
forever remain His people.

This is the primary importance of the Akeyda in relation to
the theme that has been developing in Sefer Breishit; now Hashem
takes the relationship between Him and Bnei Yisrael to the level
where He will never abandon us.

The Akeyda, the greatest example of "m'sirut nefesh",
symbolizes an important trait which Am Yisrael require to become
God's special nation - the willingness to dedicate one's entire
life to the service of God. The site of the Akeyda, Har
Ha'Moriya, later became the site of the Bet Ha'Mikdash (II
Chronicles 3:1), the symbol of that relationship.

shabbat shalom
menachem

FOR FURTHER IYUN

A. Based on the above, note the bracha that Rivka receives from
her family: achoteinu - at hayi lalfei rva'va...v'YIRASH
zaareiyeh et shaar so'nav" (24:60).
1. Compare this to: "v'riyash zaar'acha et shaar oyvav" (22:17)

- Hashem's earlier promise to Avraham at the Akeydah.
2. Does it seem as though even Lavan learned chumash!

B. Note God's message to Yitzchak, when he is told to remain in
the Land and not descend to Egypt (26:1-5).
1. Note each phrase, and relate it to the earlier promises.
2. Relate this to the above shiur, and the use of "shvuah".

C. Note that Eliezer is never mentioned by name. Chazal explain
that Avraham required he take a shvua, as Avraham feared that
Eliezer wanted Yitzchak to marry his daughter. Based on the
relationship between this parsha and Brit Bein Ha'Btarim as shown
above, explain divrei Chazal based on 15:1-4.

D. AKEYDAT YITZCHAK

The Akeyda brings to a head the conflict between Divine
Command ("tzi'vui Eloki") and natural moral instinct ("musar
tivi"). Killing a fellow human being, especially one's own son,
totally negates the most basic human ethic. Only a direct Divine
command, as in the Akeyda, can overrule this fundamental
principle. Note that the Divine Command at the Akeyda, as well
as the entire narrative until pasuk 22:10, is written b'shem
Elokim. Precisely at the point when Avraham about to sacrifice
his son, God, b'shem Havayah, changes His command (22:11).

1. Attempt to explain the significance of this change.
2. Relate this to Hashem's name used at the original promise of
Lech L'cha and at Brit Bein Ha'Btarim, and the above shiur.
3. What is the significance of Avraham offering a "ayil" as a
korban in place of Yitzchak. How does this relate to the reason
for korbanot in general.

Based on your answer, why was this site chosen for the Bet
Ha'Mikdash?

From: "Yeshivat Har Etzion <yhe@jer1.co.il>"
To: NDIAMENT , CSHULMAN , " " Yeshivat Har Etzion
Vi...
Date: 11/16/95 2:42pm
Subject: R Lichtenstein's sicha on Rabin's murder

YESHIVAT HAR ETZION VIRTUAL BEIT MIDRASH
PROJECT(VBM)

YHE-ABOUT: UPDATES AND SPECIAL MAILINGS

On Monday, 20 Cheshvan (November 13), the Rosh Yeshiva,
Rav Aharon Lichtenstein, addressed the Yeshiva. Having been
in America during the week of the murder of Prime Minister
Yitzchak Rabin, this was his first opportunity, nine days
later, to speak in beit midrash about this event and its
impact on the lives of us all.

The purpose of the sicha, at this relatively late date,
was neither to express protest and shock, nor, as Rav
Lichtenstein mentioned at the outset, to serve as a eulogy for
the Prime Minister. For more than a week, the Yeshiva
students, like the rest of the country, had grappled with

unprecedented questions of guilt, doubt, and shame in a national atmosphere which included collective recrimination and accusation. One day earlier, we had witnessed eighteen armed police accompanying a teacher in the Yeshiva who had received telephone death threats. Speaking for an hour and a half, Rav Lichtenstein concentrated only on the self-examination that we must conduct and how this can be done. We are presenting an English summary of the sicha. Naturally, this summary, limited both by print and abridgment, cannot fully capture the anguish and passion of the oral presentation of what is, ultimately, not an intellectual shiur, but a personal call, from Rav Lichtenstein's heart to the hearts of his students, myself included, who sought his counsel. Despite this, I hope each of you will be able to place yourselves, with open mind and searching heart, in the beit midrash of this sicha, not merely reading it but pondering, on a personal level, how it should deepen and shape your beliefs, actions, and convictions.

With sadness and hope,
be-birkat haTorah miTzion
Ezra Bick

ON THE MURDER OF PRIME MINISTER YITZCHAK RABIN Z"L by Harav Aharon Lichtenstein shlit"a

I spoke last week in Teaneck, referring to the funeral of Sarah in this week's parasha. Avraham spoke of hesped and bekhi, of eulogy and weeping. Hesped relates to the past, to an assessment of the individual, his personality and his achievements; bekhi to the sorrow and the pain of the present. There, I tried to do both. Here, for people who are far more familiar with the facts, and where there are others, like Rav Amital, who knew the Prime Minister better, I will leave out the hesped and go straight to the bekhi.

There are many reasons to cry, to mourn. First, we must not lose sight of the personal aspect, the family's loss, even when there is a national public aspect. The first and most immediate loss is suffered by those closest. Nevertheless, for us, the public side is the most important. Here we have undoubtedly suffered a grievous loss. It is rare to find someone with such a level of leadership: the combination of military background and over twenty years of political statesmanship, and the ability to lead and inspire confidence, to steer a course in turbulent and dangerous waters towards a shore whose safety is itself questionable.

Aside from this, there is a special source of worry for those to whom the settlement of Yehuda and Shomron is important. This is paradoxical, since the fiercest opposition to his leadership arose from precisely those ranks. It is clear, though, that within his government, Yitzchak Rabin was he who more than anyone else cared for and protected the settlements, and hence will be missed by us, more than by others, for just this reason. But even more, within the peace process there is importance not just to what is given back, but also to how it is given back, not just to the contents of policy but to how it is carried out. In this respect, objectively speaking, if we arise above the opposition to the policy, Rabin was the proponent of this policy as a necessary

compromise, with pain, with real feeling for the nature of the loss, more than anyone else involved in the process. This was not, perhaps, to the extent we would have liked, but nonetheless, he had a real feeling for the values we hold. Recently, out of frustration and in the heat of the argument, he made several statements which expressed disregard for the value of Eretz Yisrael, which I am sure he undoubtedly regretted afterwards. Nonetheless, in summary, his genuine feeling for our values will be missed by all of us, whether we support territorial compromise or not.

All this would be true if he had died naturally. The circumstances of his cold-blooded murder, though, are a source of great pain and distress for us. Last week I visited mori ve-rabi Harav Aharon Soloveitchik shlit"a, whose fierce opposition to the peace process is well-known. As soon as I walked in, he repeated over and over - "A badge of shame, a badge of shame." For two days, he hadn't slept, out of shame and humiliation. This shame, that our state, our people, should have fallen to such a level, should be felt by everyone - religious, secular, right and left. For to the extent that we feel any sense of unity within Am Yisrael, to the extent that we feel like a single body, then the entire body should feel shamed and pained no matter which limb is responsible for this tragedy. We should feel deep shame that this method of supposedly solving conflicts has become part of our culture. But naturally, this shame should be felt by our camp, the National Religious camp, more than any other. Here was a man who grew up in the best of our institutions. A day before the murder, he could have been cited as a shining example of success and achievement, and a source of communal pride. Coming from a "deprived" background, he studied in a Yeshiva High School, attended a great Yeshivat Hesder, and was accepted to the most prestigious division of Bar-Ilan University. Today, we hide behind the phrases, "a wild weed," "from the outskirts of our society." But if a day before the murder we would have said proudly, "See what we have produced," we must say it now as well - "See what we have produced!" It is indefensible that one who is willing to take credit when the sun is shining should shrug off responsibility when it begins to rain. Let us face our responsibility not defensively, but as Chazal would see it. I cite words which are so terrible it frightens me to say them. I am not saying that we should apply them literally, but let us examine how Chazal see such things and what is their standard of responsibility.

Concerning one who worships the Molekh, the verse says, "I shall put my face against that man and his family (Lev. 20:5)." The gemara asks, "If he sinned, did his family sin? This teaches you that there is no family that includes an extortionist where they are not all extortionists, and none that includes a robber where they are not all robbers - because they protect him (Shevuot 39a)."

Let us not fool ourselves - to a great extent we are all his family. Protection is not only after the fact, but also before; not only cover-up, but also nourishment and support. Can we honestly say that what the murderer did was "despite" his education, in the same way that some yeshiva graduates are no longer Shabbat-observers? In that case it is clear that the choice is "despite" the education. Is not here the

choice, at least partly, not "despite" but "because?"

The gemara in Yoma (23a-b) relates: "It happened once that two Kohanim (priests) were running evenly up the ramp of the altar in the Temple, in order to be first and thus be the one to perform the sacrificial service of the day. One of them intruded within the four cubits of the other. He drew a knife and plunged it into his heart. R. Zadok stood on the steps of the Sanctuary and said: My brothers, the House of Israel, pay heed! It is written, 'If one be found slain in the land and it is not known who the killer is... your elders and judges shall go out... and the elders of the town nearest the corpse shall... break a heifer's neck... and wash their hands... and declare: Our hands did not shed this blood... (Deut. 21:1-9).' In our case, who should bring the eglarufa (broken-necked heifer), the city or the azarot (Temple courtyards)? And the people burst out crying. The father of the slain youth came and found him in his death-throes. He said, 'May he be your atonement - my son is yet in his death-throes and the knife is not yet defiled!' This teaches us that ritual purity was more serious in their eyes than bloodshed. And thus it is written (2 Kings 21:16), 'And also Menashe spilled very much innocent blood, until Jerusalem was filled from end to end.'"

The gemara proceeds to ask: we know that eglarufa is not brought in Jerusalem, so what room is there for R. Zadok's question? Furthermore, is not eglarufa brought only in a case where we don't know who the murderer is? Here we all know - the deed was done in public! The answer is, R. Zadok said this "in order to increase the weeping." Is the gemara suggesting that R. Zadok distorted the law for emotional effect? No! R. Zadok is making a point. The principle behind eglarufa is collective guilt. When there is a known murderer, then on a technical-legal level, he takes the guilt. If not, it is attached to the whole city, to the community, to the elders. Collective guilt is not established in order to remove or excuse individual responsibility. Family, society, upbringing and climate do not remove personal guilt. Jewish tradition insists on personal responsibility. But eglarufa teaches that there is another level - that beyond the individual guilt, there also is a level of collective guilt.

One priest stabbed the other. Do the other priests say, "He was just a wild weed which somehow sprouted in our midst," and return to their everyday pursuits? Do they say, "He was a lone madman," and go home? R. Zadok is saying that this act wasn't DESPITE us; this was, partially, BECAUSE. Did the kohen kill because he rejected sanctity and opposed the service in the Temple, or rather precisely because of his passion and love for the service of God? God forbid that we should say that his teachers taught him that killing another human being is an acceptable way to express devotion to God. But they were undoubtedly responsible for emphasizing one side - the importance of competitiveness, of devotion, of striving and commitment, of zeal and ardor, without sufficiently emphasizing the corresponding importance of brotherhood, love, and respect, which must accompany the honest, pure, good, holy and exalted desire to serve God.

The gemara proceeds to relate that the father of the victim, himself a priest, demanded the removal of the sacrificial knife before his son was completely dead, in order

to prevent its ritual defilement. "The purity of the knife was more important to them than murder." The gemara (23b) understands that there is an educational imbalance here and asks - did they overvalue ritual purity or undervalue the sanctity of life? Where was the educational flaw? The conclusion is that it was human life that they failed sufficiently to value, and not that they exaggerated the value of ritual purity.

In any event, and in either case, the youth was dead, and R. Zadok stands and says - we have educated properly for some religious values, but in the end this is murder. Don't fool yourselves into thinking that this is a case of one wild weed, that the murderer is known and bears all responsibility by himself. What has this to do with eglarufa? Even when technically the murderer is known, the principle of eglarufa still applies, because his actions derive from something we taught or failed to teach.

R. Zadok asked, "Who will bring the eglarufa - the city or the azarot (temple courtyards)?" - and the people couldn't answer, but burst out crying. What is the meaning of "city" and "azarot?"

The murderer draws from two environments, two frameworks. One, wide and encompassing, is the city - society as a whole, verbal violence in the Knesset and wife-murder in the home, the lack of tolerance and a sense of arrogance. But R. Zadok was honest and moral enough to know that perhaps we cannot blame only the community at large. Perhaps we must also blame the Temple courtyards, the environment of the priests and Levites, the environs of holiness and sanctity. Why did the people burst out in tears? Not because they didn't know which environment is responsible, but rather because they all knew, instinctively and intuitively, that the real answer is both - and neither can avoid responsibility.

There are many of us for whom it is convenient to sever the connection of the city and the azara. The city is them: television, decadent music, pub-culture, and corruption; the azarot are us. To some extent, this is true. There does exist an element in general culture which is the opposite of Jewish values, which sees itself, today more than ever, as engaged in a campaign to uproot and destroy anything with a glimmer of holiness. But God forbid that we should try, or even want, to detach azara from city. There are some of us who rejoice at every chance to point out the drugs, the prostitution, or the violence in the wider community, so we can say, "Look at the difference between US and THEM" - look at the statistics, look at Dizengoff, look at their family lives. Remember - the people on Dizengoff aren't foreigners; they are our flesh and blood. It is our city and it should hurt; it cannot be a source of joy, of satisfaction, of self-congratulation and gloating. We should cry over the lack of values. And if, indeed, part of what has happened is the result of the culture of the city - and I think this is undoubtedly so - we are also part of the city, and we too must take part in the city's eglarufa.

There is, of course, a difference between the city and the azara. We see ourselves - justly! justly! - as residents specifically of the azara, the keepers of the flame. But that is precisely why we have a special responsibility, because part of the zeal of that kohen who murdered comes from his

also having been a resident of the azara, from his desire to be first to the altar. Therefore, beyond our responsibility to bring an eglarufa as members of the city, we must also bring an eglarufa specifically as members of the azara. It is no wonder, then, that all the people burst out in tears.

One may ask, but what is wrong with our values? We try to educate people to strive for holiness, to love Eretz Yisrael, Am Yisrael, Torat Yisrael - shall we then stop adhering to and teaching these values? Shall we abandon the azara? God forbid! - not the azara, not ezrat nashim, not the heikhal, surely not the Holy of Holies, not Har haBayit, not one rung of the ten rungs of holiness of Eretz Yisrael. But if we indeed strive for completeness, if we want to adhere to all these values, then we must at all times keep in mind the whole picture, the balance and interplay between these values. Have we done enough to ensure that our approach to each aspect of our sacred values is balanced? Perhaps even if we have indeed taught the evil of bloodshed - we have exaggerated, as that terrible gemara suggests, the value of ritual purity.

There are several points I would suggest as worthy of reflection. First: the self-confidence that arises from commitment and devotion to a world of values and eternal truths - whether in terms of Torat Yisrael or Eretz Yisrael - sometimes has led to frightening levels of self-certainty and ultimately to arrogance. This arrogance has sometimes led us to act without sufficient responsibility for other people, and at times even without responsibility to other values. "We are good, we have values, and they are worthless" - this attitude has seeped deeper and deeper into our consciousness.

Secondly, at times we have promoted simplicity and shallowness. Pragmatically, this has a greater chance of success than teaching complexity and deliberation. A simple direct message, appealing to one emotion and calling "After me!" will have more followers than the injunction to think, consider, analyze and investigate. Uncomplicated directives excite more passion than a balanced and complex approach, which confronts questions of competing spiritual values and of competing national interests. Because we wanted our youth to strive, to run up the altar, we not only promoted simplistic slogans, but also a simplistic lifestyle. Once, shocked to my core, I walked out of a meeting of religious educators where a teacher said that although we know that the Ramban and the Rambam disagree about the nature of the mitzva to settle the Land of Israel, we must keep this information to ourselves, lest we lower the enthusiasm of our youth and dampen their fervor. Here we aren't delegitimizing Dizengoff; we are delegitimizing the Rambam!

Third, sometimes we taught our students to belittle and suspect others. One who doesn't agree with us is criminal, not merely mistaken. Any opportunity to credit a public leader with good intention was rejected in order to credit him with alienation, with hostility, with malice - not a suspicion of evil, but a certainty! From this way of thinking, horrible things can result. The Sifre (Shoftim 43) to the verse, "If there be a man who hates his fellow and he ambushed him and rose against him and mortally struck him and he died," states, "Based on this, it is said: If a man transgresses a minor precept, he will eventually transgress a major one... If he transgresses 'You shall love your fellow as yourself,' he will

eventually transgress 'You shall not hate' and 'You shall not revenge'...until he finally spills blood." From a sin of the heart, an attitude, from not enough love, Chazal see a straight path to the ultimate sin of murder.

I am not coming to delegitimize our entire educational system or ideology - it certainly contains much that is wonderful. But I do mean to say that we cannot claim that this murderer was a "wild weed;" we must bring an eglarufa on behalf of the azarot as well.

The awesome, difficult question is - And now, what? Should we close the azarot, abandon our values? On my plane, I met Rav Eichler (a journalist from the Belz Chareidi newspaper). He asked me whether I do not think that what happened - and he is genuinely shocked - is a result of an educational system which teaches that there are things of more value than human life. I answered, we all believe that - it is in the Shulchan Arukh. "Yehareg ve-al ya'avur" (commandments which may not be transgressed even at the cost of one's life) means that there are values greater than human life. The question is what is the balance, what are the halakhic, hashkafic and moral values which enable us to know when and how. In this sense, we need not be ashamed, nor need we erase one letter of our Torah. We will not surrender to any city, nor abandon a single one of our values. Our values are eternal, nothing can be given up or erased. But in terms of balance and application, of seeing the whole picture, of the development of the ability to think profoundly in order to know how to apply the Torah - here undoubtedly we must engage in a renewed and deeper examination. Priorities must be re-examined.

The same gemara in Yoma tells that there was another incident in the Temple which led them to change their procedures. Despite R. Zadok's speech, they hesitated about instituting a different procedure. But after a later incident, where one Kohen knocked another off the ramp, and the second one broke his leg, they realized that something was wrong with the system itself. They no longer said, "An exceptional case cannot change ancient practice." They instituted a new procedure, using a lottery to determine who should perform the Temple service. Why didn't they do this right away, after the murder? The answer is simple. Ideally, which procedure is better - giving the prize to one who runs, strives, and makes the effort due to his commitment to values and to service, or the use of a lottery, without pursuit, without struggle, a simple mechanical system? Clearly, the old system is better, more educational, more imbued with value. But after a murder, "seeing it could lead to danger," Chazal abandoned the method of individual initiative and competition, fully aware of the considerable educational loss, but willing to pay that price. Even things which are better in principle must be sacrificed if that is what is necessary to prevent terrible consequences.

I don't know what is the precise equivalent for us. But the process of examining the azara, of the problems which arise not despite its holiness but because of its holiness - that is clearly mandated. Not our principles, but surely our analysis of public policy and public needs, needs to be re-examined.

In 1978, Shimon Peres visited the Yeshiva. He asked me

what the political credo of the Yeshiva was. I told him the Yeshiva has no political credo, but we teach three things:

1. Even when sitting in the beit midrash, you have a responsibility to the community;
2. When addressing these problems, you have to think deeply and not simplistically;
3. Even when doing what is right, you have to know how to respect other opinions and the people who hold them.

This has to be our educational goal. The question is not just what are the particular values we hold, but through which spectacles we view values, through which eyes. A man, said Blake, doesn't see with his eyes but rather through his eyes. What sees is the mind.

Finally, there is another facet to what we have been discussing, which relates to our community and leadership.

Leaving out for now the question of individuals - who said what - we must remember the principle of the gemara in Shabbat: "Anyone who can rebuke the members of his household and doesn't do so is culpable for the acts of his household; if he can rebuke his townspeople, is culpable for his townspeople; the whole world - he is culpable for the whole world (Shabbat 54b)."

Everyone should tally his own accounts in this respect, but I am not wrong if I say that for all of us the degree of rebuke, of protest was not sufficient; for some, because they did not evaluate the evil properly, for others because they were not willing to publicize wrong when they feared our opponents could use it to attack our whole system. The point of Chazal remains the same; their terrible words carry the same force in either case. That they could have protested and did not - this carries a particular responsibility beyond the "city," perhaps even beyond the "azarot."

We are today in a very difficult situation, partly practical, partly metaphysical. Practically, our struggle for our values within society has suffered a mortal blow. Among ourselves, there is a shocking atmosphere. Yesterday, the sight of armed guards in the Yeshiva, accompanying R. Yoel Bin-Nun, was shocking. Why was it shocking? I remember the gemara describing how the Kohen Gadol on Yom Kippur was suspected of being a Sadducee, a heretic - and both he and his accusers wept; he because he was suspect, his accusers because they lived in a world where such suspicions were necessary. Sadder than the sight of bodyguards in the Yeshiva was the knowledge that we live in a world where it is necessary. The transformation from a healthy, organic, trusting society, a society of azarot, to one sundered by suspicions is an awful and terrifying one.

Let me read a few lines from the Ramban in Acharei Mot. The verse states: "From your seed you shall not give to pass before the Molekh and you shall not desecrate the name of your God." The Ramban explains: "The verse states that the worship of the Molekh is a desecration of God's name and in the next parasha it is added that it 'defiles My holy place and desecrates My holy name.' The reason may be that it defiles the people who are hallowed in My name... Perhaps it means that one who sacrifices to the Molekh, and subsequently comes to the Temple of God to bring a sacrifice, defiles the Temple, for his sacrifices are defiled and an abomination to God, and he himself is defiled eternally, as he has been

defiled by the evil he did... It mentions desecration of God's name because when the nations hear that he has given his children to the Molekh and an animal to God, this is desecration of God's name." There is not only chillul Hashem (desecration of God's name) as reflected in what others say, in our sullied public image, but also intrinsically, because (as it were) God is not complete and His name is not complete if there is bloodshed in Israel.

Today we must, out of the crisis, assume an educational and ideological task. Someone may say, "The Rosh Yeshiva says that azarot can lead to bloodshed - let's close the azarot!! Let us abandon the Mikdash!" I say, no! We will not close a single azara, nor will we encourage tepid and unenthusiastic service. The challenge is, can we continue to inspire the yearning for sanctity, shake people out of complacency, get them to face the great call of the hour - to understand the importance of the Medina, to understand the historical process in which we live - without losing a sense of morality, of proportion, of right, of spirituality? Do we have to choose between azarot and morality? Chas ve-shalom! But we must purify our hearts and our camp in order to serve Him in truth.

About ten years ago, after the disclosure of the existence of the Jewish Underground, I spoke about the role of the Levites. I said then and I say now: the Levi'im had a double role. On the one hand, their job was to educate, to inspire, to open eyes and arouse hearts to the service of God and its ecstasy. At the same time, they were the guards at the Temple doors, forbidding entry to the unqualified, not letting one enter where one cannot. On the one hand, they called everyone to the Temple, and at the same time, they themselves pressed on the brakes. We are Levi'im - we must call a great and large company for this endeavor. We must not divide by saying - I saw and warned and you were silent. This sort of pettiness must be placed aside. We have to build a wide, secure base that can allow all Levites, all who are committed to the city and the azarot, to conjoin in the great effort to ensure that the light of the azarot shines onto the city.

This is very hard, ten times harder now than before the murder. But anything less will be a betrayal of our obligations and our rights, in this holy hour. May we purify our hearts and our camp, and through a spiritual and Torah-inspired effort, attempt to purify and to sanctify, to the greatest extent possible, our city and our society.

"She-netaher et libeinu ve-et machaneinu, u-mitokh ma'amatz ruchani ve-Torani, nishaf le-taher u-lekadash, ad kama she-efshar, et ireinu."

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To: CSHULMAN , " "Halachic Topics Related to the
Week...
Date: 11/14/95 11:29pm
Subject: Parshas Chayei Sorah

HALACHA FOR 5756

SELECTED HALACHOS RELATING TO PARSHAS CHAYEI SORAH

By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week.

For final rulings, consult your Rav.

Hefsek between Kaddish and Shmone Esrei

QUESTION: Is it permitted for the Tzibbur to speak between the Kaddish that is said before the daily Mincha Shmone Esrei and Shmone Esrei?

DISCUSSION: The Poskim do not address this question directly. A basic understanding of the role of this Kaddish, however, would clearly indicate that - contrary to common practice - one should not separate the Kaddish from the Shmone Esrei. The Kaddish actually belongs to the Shmone Esrei, as Chazal have instituted that a Kaddish must be said before every Shmone Esrei(1).
?Shacharis is an exception since the need not to interrupt between Geula and Tefillah is of greater importance. X Since, however, Kaddish can be said only after reciting some Psukim first, Chazal inserted Ashrei before Mincha(2). But the

underlying purpose of the Kaddish is that the Shmone Esrei requires that it be preceded by a Kaddish. It should follow, therefore, that one may not speak between the Kaddish and the following Shmone Esrei. Therefore:

At both Mincha and Maariv, the Shliach Tzibbur should take three steps back before the Kaddish, since the Kaddish belongs to the Shmone Esrei(3).

When Davening Mincha on Shabbos, if a Sefer Torah is not available, the verse of V'ani S'filasi should be said after Uva L'tzion before the Kaddish(4).

On Rosh Chodesh, when the Tefillin are removed after Kaddish before Mussaf, talking is forbidden, as it defeats the purpose of the Kaddish(5).

Nichum Aveilus on Shabbos

QUESTION: Can one comfort a mourner (pay a Shiva call) on Shabbos and Yom Tov?

DISCUSSION: Although the Halacha permits Nichum Aveilim on Shabbos, the general custom is not to do so(6). If, however, one would not be able to be Menachem at any other time, he may do so on Shabbos(7). Some have a custom that on Shabbos, Nichum is not more than a brief stay without any explicit words of Nechama(8).

Nichum Aveilus over the Telephone

QUESTION: Can one fulfill the Mitzvah of Nichum Aveilim over the telephone?

DISCUSSION: The Poskim deal with a similar question in regard to visiting the sick. The consensus(9) is that while certain aspects of the Mitzvah can be performed over the telephone, certain aspects cannot. They rule, therefore, that when a personal visit is impossible, a phone call should be made, so that the Mitzvah is fulfilled partially.

The Rambam says that there are two facets to the Mitzvah: Comforting the mourners; elevating the soul of the dead. While it is likely that one could comfort the mourners over the telephone, it is unlikely that the soul of the dead could be elevated in this manner. Thus, one forfeits half the Mitzvah if he is not Menachem in person.

----->Relation to the Parsha<-----

Mincha was instituted by Yitzchok Avinu, see Rashi 24:63, and Brachos 26b.

The source of Nichum Aveilim is when Hashem consoled Yitzchak after the death of Avraham, see Rashi 25:11.

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FOOTNOTES:

1 Shulchan Aruch Harav 55:4;292:4. See also Rambam Seder Ha'tfilah: A Kaddish is required before and after every Tefillah.

2 For this reason a Minyan must be present at the time Ashrei is said - Mishnah Berurah 234:5.

3 Harav Moshe Feinstein, quoted in Shu"t Rivevos Efraim (2:89).

4 Mishnah Berurah 292:4.

5 Indeed, any lengthy break - except the actual removal of the Tefillin - would be considered a Hefsek. The wrapping and putting away of the Tefillin should be done after Shmoneh Esrei.

6 Aruch Hashulchan OC 287:3; Gesher Hachayim 20:5-2.

7 Aruch Hashulchan 287:1.

8 Kaf Hachayim 287:4.

9 Igros Moshe YD 223; Minchas Yitzchak 2:84; Chelkas Yaakov 2:128