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INTERNET PARSHA SHEET
ON MIKEITZ – CHANUKA II -
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Rav Soloveitchik ZT"L Notes (Volume 3)

Notice These are unapproved unedited notes [of R.Y.?] of classes given by Rav Soloveitchik... (Rav Soloveitchik did NOT write these notes.) [Thanks to David Isaac for typing these notes]

Lecture delivered by Rabbi Soloveitchik on Saturday night, December 30, 1978 at Talner Synagogue on the Yahrzeit of the Talner Rebbetzen z"l, **seventh day of Chanukah.**

Tonight, I shall read and interpret a few sentences from Rambam on Hilchos (laws) Chanukah. If you read the Rambam, you note striking resemblances to the prayer "Al Hanisim". The Rambam declares that the mitzvah of Chanukah is an exceedingly precious mitzvah. One should be particularly careful in order to make known, to publicize the miracle and to add and offer additional praise to the Alm-ghty for the miracles He performed. Even if a man has no food except that received through Z'dakah (charity) he should beg for or sell a garment for oil for the Chanukah lamp. Maimonides declares that this mitzvah is so precious that it falls into the identical category with wine for Shabbos, "Arba Koses" (4 cups) for Pesach and the giving of "Shkolim" (Machatzes Hashekel) where also a man must borrow or sell something to perform these above mentioned mitzvos. Again, Rambam declares it precious and one should inform the people of the "nes" — the miracle.

There is a formal question! The reading of Megilas Esther is just as important. Why didn't Maimonides include the mitzvah in that selective category. In fact, according to Rambam, when it was introduced it was fashioned after "Kriyas megilah" — the reading of the Megilah Esther. Purim preceded Chanukah by 200 years. We go to chapter three of Maimonides: "It happened during Bais Sheni." — the Second Temple. Why did we have to be told? Why is the time fixed in history? Apparently, Rambam tried to introduce something new — something we wouldn't have known.

The answer is simple. All "Yom Tovim" (holidays) are mentioned in Torah Sh'Biksav (the written Bible — or the Holy writings) except Chanukah. Chanukah took place at a time when "N'vuah" (prophecy) was already absent — There were no more prophets. In other words, there is no biblical text (such as Chumash, Tanach - Neviim - or K'suvim). Esther prevailed in her arguments that the megilah should be incorporated into the biblical text. All we know of the "text" of Chanukah is merely found in "Torah Sh'Bal Peh" the oral-traditional law (mishnais- Gemoro). Gemoro asks "Mai Chanukah" — where is the text that authorizes or constitutes it as a "Yom Tov". Where is the text? The answer is "Moguls Tacos" — we get the authority from "Esther". However, the two holidays are similar in that we are obliged to publicize the miracle. The act of Chanukah and Purim, however, differ radically. Purim is limited to one act — namely the reading of Moguls Esther. It is standardized and fixed and must be read by all — sage, scholar and secular individual — no more — no less! There is no difference such as "m'hadrim" or "min m'hadrim" (zealously adhered to or super zealously adhered to). It is addressed to everyone alike. If I add something to the required text, I'd not accomplish anything. If I read less, I nullify the mitzvah. As with Torah Sh'biksav (the written Torah) any changes render it null and in this respect it resembles "Kriya shma" (which cannot be added to or subtracted from). The mitzvah of the Torah is "lo sosifo Hadovor, v'lo sitorv" (you shall not add or diminish). Again it is likened to "Birchas Kohanim" (the priestly blessing which cannot be altered).

In "pirsuma nissa" (publicizing the miracle) — in contradistinction to Purim, on Chanukah there is no text. It is Torah Sh'Bal Peh (Oral law). For whatever I do there is reward. For instance, if one reads the Chumash and does not understand a word, for the mere act of reading he has accomplished a mitzvah. Reading the Moguls Chanukah (which is found in some prayer books) is absurd because there is no written text. It is not applicable. On Chanukah, the "pirsuma nissa" — the publicizing is not through reading. It is through the naros (the candles). Do Naros tell a story? Actually, there was a period in history during persecutions when candles were used in windows to relate information to other Jews such as a Simcha — a wedding taking place. One would see the candles and would understand. That is the reason candles still are used at weddings. By reciting the "P'sukim" immediately after lighting the candles "Hanaros Halolu" we interpret the miracle. This is "limud" not "sippur" — teaching not declaring. We interpret the miracle. It is an esoteric act. We must understand that only Chanukah there is no limit to what a man can declare — can publicize. That which the scholar is capable of doing is beyond the capabilities of the ordinary man. The pious exceed the ordinary! There is no limit. What is "m'hadrim"? (the zeal or the action of a man). It is permissible for one to light one candle. If one is not satisfied with the basic structure of mitzvah and wants to express more gratitude, he can perform it (the mitzvah) on three different levels or plateaus. If someone for instance lit the candle and forgot to say the "brocho" he would be told, "say it over the second or third candle." It can be one candle for all — or candles for all. On Chanukah, if we light one candle we get one reward, for additional, we get additional rewards.

Not so the megilah! If we read it over several times we receive but one credit for one megilah. The rest is merely "kriah" reading. On Chanukah, however, there is the average, the "m'hadrim" (those with zeal) and m'hadrim min m'hadrim (above and beyond). My grandfather used to say that the hardest thing to take leave of during the entire year is the end of Yom Kippur — the end of nilah (when we recite Hashem Hu Elokim). The same applies to Chanukah. We would like to light candles endlessly but it is halachically impossible. This is what Rambam meant that is a very precious miracle and we want to express our gratitude to the Alm-ghty. It is precious and we should offer additional praise to G-d. I want to pour out my heart and thank Him. We want to experience the unlimited chesed which G-d poured onto His people. It is determined by the capabilities of the individual!

Gemoro Shabbos says (B'ameh madlikin) certain oils were interdicted on Shabbos because they don't burn well or have odors. On Chanukah we can use any kind. Still, it all depends on the sensitivity of the individual all the way up to the purest "shem zais" (olive oil) because we fell the other is not beautiful enough. From the halachic point, all are alright. The "pirsuma hanes" (publicizing the miracle) varies with the individual. Interestingly, Gemoro says if I utilize the candle for profane reasons, no one will recognize it as a miraculous purpose. Every Chanukah a Jew should discover something new which he didn't know. It should increase our capabilities and our sensitivities. I should "dig" and make an effort. Interestingly, it is a mitzvah on several levels. Some people demand more and can digest more. It is comparable to "sipur yetzias mitzraim" (relating the Egyptian exodus). We have "echod chochom - echod tom - echod sh'ayno y'dai lishol" - different capabilities and mentalities of children. It was made possible for us to relate the exodus on several levels from the child to the most learned. The reason there too is because the Haggadah is not a "kriyah" or biblical text but a "medrash". Wherever Torah Sh'Bal Peh is involved, there is no limit. The "Geonim" (great rabbis) excommunicated those that thought they could merely recite Sedrahs Voayrah and Bo on Pesach. (This would be in contradistinction because then they would be introducing the written text of the Torah).

The second problem.

The Rambam tries to convey to us something characteristic not only of the religious persecution of the Hashmonayim but of all ages. At one level they (the enemy) told the people to violate the mitzvah. "Either you violate or face martyrdom." Secondly, they did not force the Jew to do anything but they themselves violated and profaned the most holy institutions (the Bais Mamikdash). In our time, it was comparable action by Nazis who burned the Torah before the eyes of the Jews or cut out pieces with scissors. They defiled the Temple themselves. It was an expression of contempt and desecration of the basic institution. Both methods were employed. They forced the people to violate the laws also. They forced the individual to abstain from Torah and Mitzvah. It was an act of defiance against our faith and our Law. "I don't care for the Jew; I'll take away his property." It is contempt and disdain. They interfered with the freedom of the individual and displayed public contempt. If one defiles the people by defiling that which is holy to him, the Jewish people are commanded to resist. They enemy wants to show the world that the Jew is a coward and will not defend. The Jew is only guilty of passiveness. That which precipitated the action of the Jews was that they offered the head of a pig. This is what is referred to in Hallel when we recite "Lo lonu Hashem, lo long L' shimeha" - they don't ask anything of us but they "desecrate you". Yosef Ben Yoezer's nephew was amongst the "reformists" when he was told to remove from the Temple certain vessels, he did. When told to remove the menorah, he refused and was subsequently tortured.

III. "Lachatzaynu"

There is something conspicuously missing in Rambam, something which seems puzzling. The Rambam does not mention prayer at all — that the Alm-ghty should have mercy upon them and defend them. Apparently, there was no intercession at the time of Chanukah. It is said that there was no prayer in Yetzias Mitzraim, even though it says "vayizaku" (they appealed). "Vayizaku" is not prayer but a shriek produced by pain such as any creature would emit if wounded or injured. This is what Rambam says that "vayizaku" means. It was an instinctive reaction. The Rambam says that "Hakodesh boruch hu" accepted it as prayer even though it wasn't prayer. He accepted it as such. In "Yetzias Mitzraim" the first prayer recorded was at the Red Sea — not in Egypt itself. The prime question is: "Does G-d help people in distress without prayer or is there no chesed (mercy) without prayer. Medrash raises the problem. The initiative must be seized by the people. "You seize the initiative and you'll come close to G-d. On the other hand, G-d often helps not only one who prays but one who cannot help himself. The problem is, "Must initiative be seized by man?"

What should be the criterion? Both methods are correct. Sometimes, man is silent; sometimes G-d waits for man to take the initiative.

The answer is: "It depends if people can survive without intervention." Sometimes, it is painful and difficult but people can survive (example milchemes Amalek). In Mitzraim, why did G-d "jump over the mountains"? They were not there the 400 years told to Abraham; in fact, they were there for less. He said, "if they remain there longer, there will be nothing left. That is why He jumped over mountains. There simply was no time. If people still have heroic power and can endure then G-d waits for them to come. "Lachatz" is pressure. "Either they will be set free or no nation will there be." Moshe said, "it is wonderful but the 400 years are not up!" G-d answered, "they cannot wait." There is either "geulah" - redemption or vanishing. This is what Rambam says - there was no prayer. We are told that the assimilation had penetrated the homes of the Kohanim. Why did He bestow his chesed - His grace? Because it was so difficult for them to live. They were not worthy of it but He bestowed chesed.

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Pharaoh Delivers A Not So Subtle Reminder: I Made You Who You Are

After hearing Yosef's interpretation of his dream, Pharaoh acknowledges: "You are the wisest man in all of Egypt. You shall be over my house and by your command shall all my people be sustained; only the throne shall outrank you." [Bereshis 41:39-40] Then the very next pasuk [verse] says: "Then Pharaoh said to Yosef, "See! I have placed you in charge of all the land of Egypt." [41:41]. What is this pasuk adding? What does it come to teach us?

I saw a very interesting insight from Rav Shalom Schwadron. Normally, even the best of human beings feel the need to remind people of the fact that they have done them a favor. However, the less one reminds a person of a favor he had done for him in the past, the closer he is to being angel-like.

In Sefer Shoftim (Chapter 13 – the Haftorah of Parshas Nasso) we learn the story of the angel who appeared to Manoach and his wife announcing the birth of their son, Shimshon. After the long narration when the angel first came to announce the birth to Mrs. Manoach and then the angel's second appearance to repeat the message to Manoach himself, the Navi writes: "The Angel of Hashem did not continue anymore to appear to Manoach and his wife, then Manoach realized that he was an angel of Hashem." [Shoftim 13:21] That was the proof! Had he been a human being, after Shimshon was born, he would have returned and said "Nu? How is the little boy?" He would somehow or another try to remind the childless couple of his own role in their present great joy and the "debt they owe him" for the role he played.

The behavior of an angel is the far end of the spectrum. We cannot aspire to be angels. But if we want to know the opposite end of the spectrum, the "zero" on the scale, it is right here in Parshas Miketz: "Then Pharaoh said to Yosef, 'See! I have placed you in charge of all the land of Egypt.'" That is what this pasuk is saying. Without subtleties, without social grace, Pharaoh is clobbering it over his head: "Don't forget: I am the one who made you who you are — always remember that!"

Even we may never reach the scale of the Angel of G-d, nonetheless, we should not be Pharaohs either! When we do a person a favor — get him a job, help him find a shidduch, give him a loan — do not go looking for gratitude. It is hard enough to be the recipient of a favor; we should avoid constantly "rubbing it in".

A Thought For Chanukah

When we recount the miracle in the text of “Al HaNissim,” we mention the extraordinary, outstanding, victory: “the strong were delivered into the hands of the weak; the many into the hands of the few.”

Normally, the many defeat the few and the strong defeat the weak. Here the opposite occurred. That was all part of the miracle.

The rest of the text doesn't seem to be as logically connected to the miracle of the victory: “Impure into the hands of the pure; wicked into the hands of the righteous, and the wanton into diligent students of your Torah.” Why is that miraculous? What are the Men of the Great Assembly who enacted this text trying to tell us?

Chazal are trying to explain that the victory of “the strong into the hands of the weak” and “the many into the hands of the few” was achieved through the fact that “the wanton are delivered into the hands of those who are diligent students of your Torah.” The bottom line is that when there are people who are sitting and learning, the army can be victorious. Jewish armies do not win out of might or out of strength or out of brains or greater strategy or higher tech weapons. The final word is that the wanton are given over to those who occupy themselves with your Torah.

This is the key to every military victory that Jews will ever win. They will win only and solely because of those who occupy themselves with your Torah. This is the interpretation of the pasuk: “The voice is the voice of Yakov and the hands are the hands of Eisav” [Bereshis 27:22] “If the young students chatter with their voices in Torah, then the Jews will be untouchable and if not, they are vulnerable.” [Yalkut Shimoni Parshas Toldos]

This is the story of Jewish military history. The first military battle the Jewish people were engaged in when they first came to Eretz Yisrael was the Battle of Yericho [Jericho]. The night preceding that battle the Angel of G-d came to Yehoshua bin Nun appearing as a General. A famous Gemara describes the dialog between the two.

The Angel told him that he had neglected to offer the afternoon Tamid offering that evening and now he was neglecting Torah study. Yehoshua asked for which of the two sins, was the angel being sent to rebuke him and was told that it was for the sin of Torah study neglect (‘Ata basi’ – concerning the current sin I have come). Straightaway: “Yehoshua tarried that night in the midst of the valley (ha-emek)” [Yehoshua 8:13]. Rav Yochanan said this shows that he tarried in the depths (umkah) of halacha. [Megilla 3a-b]

Rav Eliyahu Lopian comments that the Angel apparently came in the wrong disguise. If he was coming to chastise for lack of diligence in Torah study, he should not have come dressed like a four star general. He should have come dressed like a Rosh Yeshiva. Let him come dressed in a Kapota [long jacket worn by Roshei Yeshiva]! Generals do not criticize lack of diligence in Torah study. That is the job of Roshei Yeshiva.

Rav Lopian answers that the general's message was “I want to fight successfully. But in order for me to be a successful general, I need the “troops” to be learning. “If you are not learning, we will not be successful on the battlefield.”

At a different point in Jewish history, there was a battle where Sencherev King of Ashur laid siege on Jerusalem. Everyone in Israel thought that it was a lost cause, but in the middle of the night a miraculous thing happened. Without lifting a sword, the entire army of Sencherev was wiped out by an Angel of Hashem. The military victory was achieved without firing a shot. Why?

The Talmud explains [Sanhedrin 94b] that something that was unique about Chizkiyahu's generation. The King had stuck a sword by the entrance of the Beis HaMedrash [Torah Study Hall] and proclaimed: Whoever does not occupy themselves with Torah will be pierced by the sword – Learn or face the sword. They investigated between Dan in the North and Beer Sheva in the South and did not find a single ignoramus. They checked between Givas and Antipras and could not find a boy or girl, man or woman who were not well versed in the (complicated) laws of ritual purity.

When Jews are “holding in learning” to that extent, they do not even have to fight the battles. The “oskei Torasecha” (those who occupy themselves in Torah) carried the day.

That was the miracle of Chanukah. That was the fight of Yehoshua bin Nun in Yericho. That was the fight of Chizkiyahu against Sancheriv. That has been the story of every Jewish military victory from time immemorial.

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From: Halacha [halacha@yutorah.org] Sent: December 19, 2006

Weekly Halacha Overview-

BY RABBI JOSH FLUG

The Use of Electric Lights for Chanukah Lights

In a previous issue, we discussed the halachic status of incandescent bulbs. According to many poskim, they are considered a fire for the purpose of lighting Shabbat candles. In this issue, we will discuss whether incandescent bulbs may be used for the purpose of lighting Chanukah candles. Much of this discussion is based on the comments of R. Shlomo Z. Auerbach in his work Me'orei Eish, (Ch. 5) which primarily deals with the halachic status of incandescent bulbs.

Must the Lights Reflect the Miracle of the Oil?

It is well known that the mitzvah of lighting Chanukah lights is based on the miracle of the oil. As such, it is arguable that the mitzvah may only be fulfilled with a light that is similar to the lights of the Menorah in the Beit HaMikdash. In fact, Maharal of Prague, Ner Mitzvah, s.v. V'Katav HaRosh, rules that one can only fulfill the mitzvah of Chanukah lights with oil, and not with wax, because the miracle was specifically with oil.

R. Auerbach notes that while we don't follow the opinion of Maharal (see Sha'ar HaTziun 673:4), we might still accept his fundamental principle that the mitzvah of Chanukah lights must be reflective of the miracle. We could still permit the use of wax candles by reasoning that wax is similar enough to oil. We could then state that in order for something to be considered similar enough to oil to be kosher for the mitzvah of Chanukah lights it must have a wick that draws from a fuel source. If, for example, one lights a piece of wood, he would not fulfill the mitzvah of lighting Chanukah lights because there is no wick drawing fuel and thus it does not reflect the miracle of the oil. R. Auerbach therefore asserts that electric lights, which have no wicks that draw fuel, are not valid for the mitzvah of lighting Chanukah lights.

R. Auerbach also posits that the mitzvah of lighting Chanukah lights requires an actual flame. When the Torah describes the mitzvah of lighting the oil in the Beit HaMikdash, the Torah (Bamidbar 8:2) uses the term b'ha'alot'cha, when you raise the candles, as opposed to b'hadlakat'cha, when you light the candles, which implies that in the Beit HaMikdash, there is a requirement for a rising flame. If the mitzvah of lighting Chanukah lights is supposed to reflect the miracle that occurred in the Beit HaMikdash, an incandescent bulb, which does not have a rising flame, would be invalid for the mitzvah of lighting Chanukah lights.

R. Eliezer Waldenberg, Tzitz Eliezer 1:20:12, claims that we reject Maharal's principle fundamentally. The fact that one may use oil, wax or fat for the mitzvah is evidence that the mitzvah does not serve to replicate the miracle of the oil. As such, one cannot exclude incandescent bulbs from the mitzvah simply by virtue of the fact that they do not reflect the miracle of the oil.

Lighting With Insufficient Fuel

R. Auerbach presents another factor that must be considered regarding use of electric lights for the mitzvah of lighting Chanukah lights. The Gemara, Shabbat 21b, rules that although there is no requirement to relight Chanukah lights that were extinguished before consuming their fuel, one must place enough fuel in flask at the time of lighting in order that they could last from sundown until the cessation of traffic in the marketplace (approximately thirty minutes). R. Auerbach questions whether one can light a candle that receives its fuel from a reservoir continually but the candle itself only has a few drops of oil at any given moment. On the one hand, the light can last for many hours. However, it is arguable that since the candle does not contain the requisite fuel at the time of lighting, it is invalid for the mitzvah.

R. Auerbach then applies this question to lighting with electric lights. If the power source of the light is alternating current (i.e. the light is plugged into the wall), the electric light does not have enough fuel to last for thirty minutes at the time in which it is activated. Rather, the energy necessary to fuel the light is being supplied continuously. Therefore, if the candle that is supplied by a fuel reservoir is invalid, an incandescent bulb that is supplied by alternating current is also invalid. [R. Auerbach admits that if this was the only objection to the use of electric lights, one can simply avoid this problem by using a battery-operated lamp where all of the fuel is considered connected to the lamp at the time of lighting.]

R. Auerbach then quotes R. Ya'akov Moshe Charlop, who suggests that there may be a difference between an incandescent bulb and a candle that is fed by fuel from a reservoir. Regarding the candle that is fed by the fuel reservoir, the system that allows the fuel to be fed into the candle is not a function of lighting the candle. However, regarding an incandescent bulb, the activation of the bulb is what causes the system to provide more fuel. As such, one can view the fuel in the "reservoir" as part of the same system.

Can the Mitzvah be Fulfilled Via Gerama?

R. Chaim Ozer Grodzenski, *Achiezer* 3:60, in a landmark responsum regarding incandescent light bulbs, rules that completing a circuit on Shabbat is not considered gerama (indirect action). Therefore, one violates a biblical violation for activating an incandescent light bulb on Shabbat. Nevertheless, R. Tzvi P. Frank, *Har Tzvi* 2:114, claims that for the purpose of fulfilling a mitzvah, one should be concerned that activating a light bulb should be considered gerama (at least as a matter of stringency). R. Frank then discusses whether one can fulfill the mitzvah of lighting Chanukah lights if the lights are kindled via gerama. Is the mitzvah to light the candles or is it to ensure that the candles are lit? If the mitzvah is to light the candles, then the lighting must be a direct action. If the mitzvah is to ensure that it is lit, even gerama would be acceptable since the lighter caused the light to be kindled. R. Frank concludes that the mitzvah is to light the candles, and therefore lighting via gerama would be invalid for the mitzvah.

R. Auerbach notes that the question of whether the mitzvah is to light the candles or whether it is to ensure that the candles are lit can be solved by examining the text of the beracha. If the beracha would be "al hadlakat ner shel Chanukah" (upon the lighting of the Chanukah light), then one can argue that the mitzvah is to ensure that the candle is lit. However, the proper beracha is "l'hadlik ner shel Chanukah" (to light the Chanukah light) which connotes that the mitzvah is to actively light the Chanukah light.

The Invalidity of a Bonfire

R. Waldenberg, *op. cit.*, claims that the only problem he sees with use of electric lights for the mitzvah of lighting Chanukah lights is that it may be considered a medurah (bonfire). The Gemara, Shabbat 23b, states that if one places multiple wicks in a flask of oil and lights it, one does not fulfill the mitzvah at all because it is like a bonfire. Rashi, *ad loc.*, s.v. *Asa'ah*, explains that the problem is that the two fires connect and it does not resemble a candle. R. Waldenberg suggests that the light in an

incandescent bulb also appears as a dispersed fire and may not resemble a candle.

Conclusion

R. Ovadia Yosef, *Yabia Omer*, *Orach Chaim* 3:35, summarizes the comments of R. Auerbach, R. Waldenberg and others, and concludes that one should not use electric lights for the mitzvah of lighting Chanukah lights. He writes that at best it is doubtful whether one can fulfill the mitzvah in this manner and therefore, there is no justification to recite a beracha if one is using electric lights. [If one assumes that use of electric lights for the mitzvah constitutes a doubt, it is possible that if one is in a situation where there is no alternative but to light with electric lights (such as in a hospital), he may light without reciting a beracha.]

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The Everlasting Light

Chief Rabbi Sir Jonathan Sacks

Since 9/11, the phrase most often on people's lips has been Samuel Huntington's remark about a "clash of civilizations." In the history of the West, however, the first great clash of civilizations took place in the second century BCE, in the series of events we commemorate on Hanukkah.

The conflict between Antiochus IV and his Hellenized Jewish sympathisers on the one hand, Matityahu and his sons, the Maccabees, on the other, was not about power and politics but about culture and creed, values and ideals, beliefs and ways of living. It was a unique confrontation between the two civilizations which have shaped the West ever since: Athens and Jerusalem, ancient Greece and the heritage of Israel.

Greece was one of the supreme cultures of antiquity. Alexander the Great, ruler of the vast empire that bore his name, had been taught by Aristotle, pupil of Plato, who himself had been taught by Socrates. Athens was the birthplace of the experiment in politics known as democracy. It was also the home of sculptors, architects, painters, historians and dramatists whose artistic achievements have seldom been surpassed.

Israel, by contrast, was a small and relatively powerless state that had been conquered by one empire after another. All it had was a passionate devotion to the word of God, and a religious literature beyond compare. The Greeks believed in holiness of beauty; Jews believed in the beauty of holiness. The Greeks saw themselves as conquerors and civilizers of the world; Jews sought nothing more than the narrow strip of land promised to their ancestors, and the freedom to honour their covenant with God.

Yet, in one of those reversals that occur very rarely in history, Israel proved stronger than Greece - not only then, but subsequently. The victory won by the Maccabees was the beginning of the end of Greece as a world power. Not accidentally do we recall, on Hanukkah, the words of Zachariah:

"Not by force, nor by might, but by My spirit, says G-d."

The strength of a civilization never lies in force of arms. It lives in its ideals. The Greeks believed in the world of the senses and the knowledge conveyed by human understanding. Jews believed in a G-d beyond the

senses, and the knowledge conveyed by Divine revelation. Supernatural faith gave them a more than natural strength.

Though these events took place more than 2000 years ago, we are living through a similar confrontation today - between a material, physical, secular culture that has no interest in, or time for, the things that surpass our understanding, and our own faith in faith itself, and the way of life in which it is expressed.

We remain guardians of the light within us that comes from a source beyond us.

Its symbol is the menorah the Maccabees lit in the Temple. The Temple itself was eventually destroyed, but the spirit it symbolized proved to be an everlasting light.

<http://www.chiefrabbi.org/>

Covenant & Conversation
Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5765]

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

Miketz Man Proposes, G-d Disposes

Rarely in the Torah is a sedra break more strategically placed. Last week's sedra ends with Joseph's bid for freedom. Having correctly interpreted the chief steward's dream - that in three days he would be restored to his position - Joseph pleads with him:

"When all goes well with you, remember me and show me kindness; mention me to Pharaoh and get me out of this prison. For I was forcibly carried off from the land of the Hebrews, and even here I have done nothing to deserve being put in a dungeon." He fails to do so. The last line of last week's sedra underlines the point by repeating it: "The chief steward, however, did not remember Joseph; he forgot him."

Two years pass. Pharaoh has dreams. None of the interpretations offered by his experts satisfy him. Only then does the chief steward remember Joseph. He is taken from jail, washed, dressed and brought before Pharaoh. He interprets the dreams, proposes a solution to the problem they foretell - seven years of famine, after seven years of plenty - and is made viceroy of Egypt, second in authority only to Pharaoh himself.

Why the delay? Joseph sought his freedom and he obtained it - yet he did not obtain it because he sought it. The steward forgot. Joseph had to wait two years. Something else - Pharaoh's dreams - had to intervene. There was a break between cause and effect - emphasised by the sedra division, which means that we have to wait for a week before hearing the end of the story. Why?

Significantly, this is not the first time the Torah uses such a device in the Joseph narrative. There is an extremely enigmatic passage several chapters earlier when the brothers decide to sell Joseph:

Then they sat down to a meal. Looking up, they saw a caravan of Ishmaelites coming from Gilead, their camels laden with spices, balm and myrrh to be taken to Egypt. Then Judah said to his brothers, "What will we gain if we kill our brother and cover up his blood? Come, let's sell him to the Ishmaelites and not lay our hands on him; after all, he is our brother, our own flesh and blood." His brothers agreed. When Midianite merchants passed by, they pulled Joseph up out of the pit and sold him for twenty shekels of silver to the Ishmaelites, who brought Joseph to Egypt.

Who pulled Joseph from the pit? Was it the brothers or the Midianites? The subject, "they," is ambiguous. The commentators offered many interpretations. Of these, the simplest is given by Rashbam.

He reads it as follows: The brothers, having thrown Joseph into the pit, sat down some distance away to eat. Reuben, sneaking back to rescue Joseph, finds it empty, and cries, "The boy is gone! Now what am I to do?" The brothers do not calm him by telling him they have sold Joseph. They are as surprised as he is. Rashbam's explanation is that the brothers, having seen the Ishmaelites in the distance, decided to sell Joseph to them, but before they had the chance to do so, a second group of travelers, the Midianites, heard Joseph's cry, saw the possibility of selling him to the Ishmaelites, and did so.

The brothers intended to sell Joseph, and Joseph was sold, but not by the brothers. They sought to do the deed, and the deed was done, but not by them.

Unusually, but of immense significance, the Torah is telling us something about Divine providence. Between intention and outcome in both cases, there was an intervention - the appearance of the Midianites in one case, Pharaoh's dreams in the other. We are being given a rare glimpse of the workings of providence in history. Nothing in the Joseph story happens by chance - and where an event most looks like chance, that is where Divine intervention is most evident in retrospect.

We are at best co-authors of our lives. Not realizing it at the time, the very act the brothers did to prevent Joseph's dreams coming true, was the first step in their coming true. As for Joseph, unbeknown to him, his life was part of a larger story - revealed by G-d to Abraham generations earlier when He told him that his children would suffer slavery in a land not their own.

Sometimes we too catch a glimpse of the workings of fate in our lives. Many times, I have had prayers answered - but never when I expected, nor in the way I expected. In many cases, the answer came after I had given up hope. Often G-d answers our prayers. Providence exists. As Shakespeare said: "There's a divinity that shapes our ends, Rough-hew them how we will." But there is a pause, an intervention, a break in the sequence of cause and effect, as if to say: things do not happen merely because we wish them, but because they are part of the larger scheme of things.

What Joseph discovered is that, as well as initiative and enterprise, we also need patience, humility and trust. If our prayers are legitimate, G-d will answer them, but not necessarily when or how we think He will. That is the meaning of Miketz - "at the end of two full years." We must do our part; G-d will do His. Between them there is a gap, not just in time, but in consciousness. We learn that we are not sole masters of our fate. Sometimes it is only after many years that, looking back, we see the pattern in our life, and understand how Providence has shaped our destiny. Miketz is the space we make in our minds for the things not under our control. The name of that space is faith.

Young Israel Weekly Dvar Torah From: 11325-return-260-10500539@lb.bcentral.com on behalf of National Council of Young Israel [YL_Torah@lb.bcentral.com] Sent: Thursday, December 21, 2006

NCYI Dvar Torah: Parshat Miketz

Rabbi Yonah Levant

Parshat Miketz (Chanukah) December 23, 2006

Guest Rabbi: **Rabbi Yonah Levant**

Young Israel of Sunnyside, NY

Yosef HaTzadik plays a central role in the parshiyos that we are now reading. Yosef earned his title "HaTzadik" in the ongoing ordeal with Potiphar's wife's advances. Yet the Torah makes clear that his exemplary righteousness spanned his life. When Yaakov Avinu blessed his sons in Parshas VaYechi, he said "Ben poras Yosef, ben poras alei ayin, banos tsaada alei shur (Bereishis 49:22)," "A charming son is Joseph, a charming son to the eye; each of the girls claimed heights to gaze." Rashi explains that Yosef had chen, beauty and charm that captivated all who beheld him. Egyptian women would literally chase after him, to gaze upon him. The Da'as Zkeinim MiBa'alay HaTosfos, on verse 41:45, quotes the Medrash that not only did women pursue Yosef, but they actually threw him gifts when he came into range! The scene of young music fans throwing themselves at the feet of rock stars comes to mind. Yet this target of admiration, lihavdil, is the Sefirah of Yesod, of total control over one's desires, total submission of body to soul.

How did Yosef HaTzadik maintain his righteousness? He might have been the predecessor of those Chasidische Rebbes, who walk through public areas with their eyes closed, led by a trustworthy shamash, who maneuvers the Rebbe to spiritual safety. If you close your eyes, you won't be affected by the goings on. A straightforward approach to address a straightforward problem.

However, the very Medrash (cited in Da'as Zkeinim) that describes the deluge of attention that was thrust Yosef's way might offer an alternate theory regarding Yosef's response. The Medrash explains how Yosef ended up marrying Osnas bas Poti-Phera. Osnas is identified by Chazal as the daughter of Dinah and Sh'chem. Yaakov Avinu had written her an amulet which said, "Whoever marries you is marrying a descendant of Yaakov." Osnas was raised in the house of Potiphar, and when the Egyptian women went out to get Yosef's attention, they all threw him jewelry and other goodies. Osnas had nothing to throw but her amulet, so she threw that to Yosef. Yosef read the amulet and, understanding who she was, married her.

Had Yosef erected an impermeable barrier to keep the outside world away, he would never have noticed that an amulet was thrown his way, let

alone would he have come to read it! One might speculate that he was carefully filtering that which the world sent his way. The question of whether or not Yosef would have preferred the modus operandi of the Rebbe is unclear. After all, the whole outside world was pursuing him, he had nowhere to go, and he was running the country. There was no option for Yosef to just run away.

“Ul’Yosef yulad shnay vanim b’terem tavo shnas ha’ra’av, asher yalda lo Osnas bas Poti-phera, kohen On (41:50),” “Now to Joseph were born two sons - when the year of famine had not yet set in – whom Osnaf, daughter of Poti-phera, chief of On, bore to him.” Rabbeinu Avraham ben HaRambam explains the words “asher yalda lo Osnas” as hinting to Yosef’s purity. Even though Yosef was a king with power and prerogatives, he nevertheless didn’t take an additional wife. This ingrained modesty and moderation earned him the title “nzir echav.” Yosef had balance, and he maintained focus. He didn’t let his success in worldly matters clutter his mind and his life. He was constantly engaged in measuring and calibrating his conduct and attitudes, to ensure that his purposes were not confused by his environment.

Being “nzir echav” has never been a small feat. The Yetser Hara has never taken a Sabbatical. The attainment of “nzir echav” has become all the more so elusive in contemporary American society. Our open, inviting society puts all the pleasures of the world at our doorstep. The array of (even) kosher venues of entertainment and opportunities to pursue one’s cravings - is staggering.

So how does a modern day Jew even begin to assimilate the ideal of “nzir echav?”

We need to filter. We need to differentiate between the song of life and the background noise. We need to ever so carefully invest our resources and time. As a case study, we need to familiarize ourselves with Rabbi Elazar bar Charsom (Yoma 35b). He inherited 1000 ships and 1000 towns – a true empire. And how did he spend his time? He took a small measure of flour, and went traveling from yeshiva to yeshiva to learn Torah. He didn’t busy himself with his financial portfolio at all.

Was he negligent in caring for his heaven-sent wealth? Was he irresponsible in not attending to his holdings? The gemara describes how he narrowly escaped being forced into the work detail of one of his own cities that he passed through, incognito. Obviously, he had entrusted his empire to capable managers! They were on the job. What’s more significant is that after having found competent administrators, he took the next giant step. He turned towards pursuit of *mili dishmayah*, and never turned back. He filtered out the noise that his wealth was creating, that his trustees were most probably creating, the meetings they wanted to set up, the involvement that they wanted from him. He filtered – to maintain focus.

How did Rabbi Elazar bar Charsom do it? How did Yosef HaTzadik do it? If one understands that “This world is like a lobby before the World to Come; prepare yourself in the lobby so that you may enter the banquet hall (Avos 4:21),” then it is easier to invest oneself wisely. Yosef was stuck in a predicament. He was spiritually under a barrage of enemy fire wherever he turned. Yosef was forced to filter out the good from the overwhelming bad. Rabbi Elazar bar Charsom didn’t just rashly give away or disperse his wealth to be able to focus on Torah. He judiciously delegated his empire’s maintenance, and then focused on Eternity.

May we all merit such clarity and refinement of purpose, and such precision and discernment in our interaction with the world.

Shabbat Shalom!

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<http://www.artscroll.com/Chapters/voih-009.html>
Chapter 9 from **Voice of Truth The life and eloquence of Rabbi Sholom Schwadron, the unforgettable Maggid of Jerusalem**

By Rabbi Yaakov Aryeh Ariel

A Penetrating Voice

A STRONG WIND BLEW INTO R’ SHOLOM’S FACE, AND flakes of snow danced around him in the frigid air. The streets were silent. The Maggid walked slowly, taking care not to slip. Suddenly, he stopped short, struck by a thought. Suppose he would turn around and go back into his warm house? The walk was long and difficult -- and who, after all, would be coming out to hear him speak in such weather?

Hesitantly, he resumed his walk. “Who knows? Maybe a few people will show up. I have to be concerned with whoever wants to listen. It’s worthwhile making the effort even for one individual!” He continued slowly, step by step, his breath escaping in small puffs into the freezing air.

Wrapped in dripping overcoats and walking briskly in the cold, Jerusalem’s Jews came to the Zichron Moshe Shul. One by one they entered, deposited their *shtreimels* in their accustomed places, and took their usual seats. There was one pressing question on everyone’s mind: Would R’ Sholom put in an appearance tonight?

He was no longer a young man. Would his strength permit him to walk such a long way in such stormy weather? From time to time, expectant glances were directed to the door. Each new person entering represented a fresh burden of disappointment. No, it was not R’ Sholom. He had not yet arrived.

By the time R’ Sholom himself stepped through the door, the shul was filled to capacity. Men stood in the aisles and sat on the steamy windowsills. The weather had not deterred this crowd. To put it quite simply -- they loved him. They loved his sweet words, and his fiery love for Torah, which no Jerusalem snowstorm could ever dampen.

R’ Sholom walked up to the Holy Ark. From his place in front of the Ark, his voice sliced through the air, slowly at first, as was his custom. Soon, he was drawing a portrait of a mythical man named “Yankel.” Reb Yankel learned in a kollel in the mornings and studied further on his own in shul in the afternoons. His livelihood was not thriving, however, so he made a decision. He would take up accounting at night.

“That Shabbos, between the reading of the Torah and the Mussaf service,” R’ Sholom related. “R’ Baruch, seated next to him, clapped him on the shoulder in a friendly fashion. ‘So what are doing with yourself these days, Reb Yankel?’

“Reb Yankel hesitated, reflected, blushed, and finally stammered, ‘I’m in accounting.’”

R’ Sholom’s voice rose. “He is ashamed to say that he wastes his time! It’s not easy for him to look his friend in the face and announce, ‘I’m a yeshivah man!’” The Maggid fell into a melodious chant. “What is he ashamed of? What is he avoiding? Why is he walking around depressed? He’s learning Torah, and that should be the pinnacle of pride! Why is he setting his sights lower? Instead of rejoicing and standing tall because he is performing Hashem’s will -- he is depressed. Amazing!

“Reb Yankel himself senses no problem with his reaction. Instead of pride, he feels embarrassment. Instead of understanding that the world exists in his merit, he casts his eyes down. The walls of the beis midrash do not appear worthy in those eyes. All day long, he carries the world upon his shoulders -- yet he draws pride from his secular work. ‘I’m in accounting.’”

The atmosphere in the Zichron Moshe Shul was rife with hidden pain. Beneath the Maggid’s keen eye and incisive words, men stirred uneasily in their seats. Then, suddenly, a broad smile flashed onto R’ Sholom’s glowing face -- a smile that caused the tension to dissipate all at once. “I just remembered a fantastic story!” The crowd breathed deeply, relieved at the introduction to this other side of R’ Sholom. He was a man of many aspects, a man who, by turns, could rebuke and caress, criticize and soothe, pierce the heart and then make it rejoice.

In Eretz Yisrael 60 or 70 years ago, the concept of a kollel was almost unknown. The old yishuv was poverty stricken and apathetic. Today, *baruch Hashem*, the story is far different. “Yes, I’m an accountant -- but I learn in the evenings. I’m a yeshivah man!”

R’ Sholom was instrumental in bringing about this revolution. He traveled great distances in order to spread his love for Torah. His message began in Sha’arei Chesed and spread throughout the world. Zichron Moshe, Bucharim, Tel Aviv, Boro Park, London, and Antwerp were some of the places where R’ Sholom raised his flag for the Torah revolution. He laid down roads and paved highways leading directly to Torah and piety. “A yeshivah man” was the dominant image in the talks he gave. R’ Sholom poured the foundation that would allow these men to stand with pride. “A yeshivah man!”

The words are carved in the memories of all who heard them. They flew from the Maggid’s heart to penetrate the hearts of his listeners. Many began to view their own lives and the source of their contentment in a new and different light.

“A yeshivah man!”

INTO THE LION’S DEN

REB SHOLOM WAS NOT CONTENT WITH SIMPLY SPEAKING TO those who came to hear him. Often, he went to them to insure that the Torah's message was heard. And often his influence was profound and long lasting.

"A long striped coat, an old shtreimel, and a long beard. These were my impressions as I gazed up at the figure standing before the crowd in the great Yeshurun Synagogue. He was crying aloud from his heart."

That scene remains clearly etched in the memory of the talmid chacham who shared this story with us. He was 10 years old at the time and was at the Yeshurun Synagogue one Shabbos when, at the end of davening, a strange sight met his young eyes.

"Shabbos, Shabbos!" resounded suddenly through the great hall. The worshipers exchanged startled glances. What was going on?

R' Sholom -- though at the time the lad did not know who he was -- had entered the shul. He stepped briskly up to the Aron Kodesh, then turned to face the audience.

"Shabbos!" he cried. "There are people who drive here on Shabbos. They are sitting among you and davening. After davening is over, they get into their cars, Rachmanah litzlan. Shabbos! Shabbos!" His strong voice echoed through the room.

Many of the shul's most prominent and distinguished members were among those present. They, along with others, were outraged. A total stranger had dared address them without bothering to request permission, and was standing there berating and attacking them! He was criticizing them for desecrating the Shabbos. What chutzpah! The congregation stirred uneasily in their seats.

All at once, a commotion broke out. Worshipers began shouting out their opinions - some in support of the stranger's words and others just as vehemently opposed. A few men decided to take action. They approached R' Sholom with the intention of removing him by force.

R' Sholom remained calmly in place.

"I stood among the others and listened as the decision was made to remove the speaker by force," relates the teller of the tale. "But Mordechai Frieman of Kol Yisrael stopped them. He calmed the crowd and asked them to let R' Sholom finish what he had to say."

R' Sholom concluded his remarks. Then he stepped away from the podium and left the shul.

"The incident aroused many emotions within me," the man recalls.

"Here was a man who had delivered a spontaneous rebuke, with no ulterior motive and at great personal risk. No one had asked him to worry about the whole world. He could have gone home to enjoy his Shabbos meal together with his family instead of volunteering to endanger himself in such a fashion.

"R' Sholom did not need any witness to his heroism. It was Heaven's honor that burned in him -- and that brought him right into the lions' den. And that lesson has stayed with me since then."

EXPLOSION

AT THE HEIGHT OF HIS ORATORY, R' SHOLOM FELL ABRUPTLY silent. He had been talking about R' Eliyahu Lopian. The silence stretched.

Even when he was not speaking, his audience found him interesting to watch. They saw him push his glasses up, then lift a finger to the corner of one eye to wipe away a tear. Perhaps the tear came from the words of mussar he had just been quoting -- or was it a tear of longing for the days he had spent with R' Eliyahu Lopian?

The audience was still wondering, when R' Sholom blurted out, "Ah, R' Elenkeh, R' Elenkeh (his respectfully affectionate nickname for R' Lopian) -- how smart he was! How he knew how to plumb the depths of the human heart." He straightened his back, stroked his beard, and began speaking fluently once more.

"A Jew places his Chanukah lights higher than 20 amah. He takes the trouble to climb up and place his light just there. Why? What happened? The Gemara tells us that a candle like this is pasul (disqualified). Let us open the Gemara and read inside." As a rule, R' Sholom did not read aloud from the Gemara during his sermons, preferring to quote passages from memory. This time, however, he removed his glasses, brought the volume close to his eyes, and read:

"Rav Kahana said in the name of R' Tanchum that a Chanukah candle that is placed higher than 20 amah is disqualified. And R' Kahana said in the name of R' Tanchum: Why does it say, 'And the pit was empty, it contained no water'? If it says that the pit was empty, don't I know that it contained no water? Rather, it is coming to teach that it contained no water, but it did contain snakes and scorpions."

"What," asked R' Sholom, "is the connection between these two statements? Everyone asks that question -- an intriguing one. Talmidei chachamim have already offered their explanations, but I want to ask again: Why would a Jew decide to place his candle higher than 20 amah?"

"He is embarrassed. Ah, ah, he is embarrassed. He doesn't want the people in the street to see. Now we come to the continuation of R' Tanchum's words: 'And the pit was empty, it contained no water.'" A hand came down forcefully on the shtender, the blow resounding in the quiet shul. R' Sholom roared, "The pit was empty, it had no water. It had no Torah! Not only is it empty, it is a void, an abomination! It contains snakes and scorpions! What is that man afraid of? Why is he ashamed?"

R' Sholom's smile was tinged with visible anger. "To eat a pita in the middle of the street doesn't embarrass him. To sit on a chair in the middle of Rechov Yaffo and lick an ice cream in the faces of the passersby is not embarrassing. But lighting a Chanukah candle is something to be ashamed of. Who are you trying to hide from, you fool?" He might almost have been speaking to a particular person in the room.

In a lowered voice, he continued sadly, "I was walking down the street near a certain school and I glanced into the schoolyard. What did I see? Two groups of unfortunate children, tinokos shenishbu, who have not yet sinned. A teacher stood in a clearing between the two groups. I stopped to watch what they were doing. Suddenly, two boys -- one from each group -- ran into the clearing. Before I could blink my eyes, they began to fight with all their might. Their fists rained blows on one another, and their feet kicked each other with youthful energy. On both sides, the other boys were shouting, 'Give it to him in the teeth! Give it to him in the teeth!'

"This is Culture?" R' Sholom exclaimed. "Is it for this that you are embarrassed?"

With a sigh, he finished, "'And the pit was empty, it contained no water.' As our Sages have explained, there is no water but Torah."

The "street" was a powerful phenomenon in R' Sholom's day, attracting young people like a magnet. R' Sholom did his best to try and break the spell. To young Jews, he said, "Let's take the 'street' that so intimidates you -- the policies, the political parties, the desires, the fantasies, and drag them all into the beis knesses!" He showed young people exactly what the "street" was, then exploded the illusion right before their eyes. The whole shallow edifice shattered into a million tiny pieces at one blow. That was R' Sholom's unique power.

His method of mocking secularism gave strength to many, and blazed the way for others to follow in their own sermons. R' Sholom was the supporting wall on which numerous families leaned, and the foundation upon which countless homes were built. He spread his word not only in Eretz Yisrael, but abroad as well. One native Israeli chanced to be in London years ago, and went into a shul on a Shabbos afternoon.

"The shul was packed from end to end, so that I could hardly walk in. R' Sholom stood on the steps leading to the Aron Kodesh, relating to everyone exactly what it was that filled the streets of London. He made fun of the race after money, the empty wealth ... This is one of the gifts that R' Sholom has given our generation."

"I'll never forget," another man says, "the time R' Sholom read aloud to us from the Mesillas Yesharim."

"'Because man was not created except to take pleasure in Hashem,'" R' Sholom read. "Rabbosai! A person was created for pleasure, for enjoyment -- that is his purpose. It is Hashem's will that we enjoy. That we take pleasure!" He paused. "To take pleasure in what? In a cup of ice cream? In a cigarette? In sleeping 18 hours at a stretch? In what, exactly, shall we take pleasure? In foolishness? In emptiness?"

"No, no, rabbosai -- 'in Hashem!' To take pleasure in Hashem and bask in His Shechinah, which is true pleasure and the greatest delight of all. And the true location of that delight is the World to Come."

R' Sholom had a special power to help others view their own pathetic desires and fantasies in their true light. He took lofty concepts and carried them down to where the simplest person could grasp them. He gilded the depths of mussar with a golden patina that made them accessible to all.

A well-known Torah scholar relates, "I knew an unfortunate individual who struggled with all kinds of difficulties, and who rose and fell spiritually, over and over again. He wandered abroad, passing through different phases in his mitzvah observance.

"This man told me that whenever he would find himself in a particularly difficult situation and wished to rise above it, he would seize a few moments of quiet, close his eyes, and imagine one of R' Sholom's sermons: the pleasing voice, the melodious chant, the emotion. The vision carried him back to earlier good times in the Zichron Moshe Shul with R' Sholom. In this way, the man felt strengthened and was able to stabilize his life."

Wherever he may be, across the length and breadth of America, a forlorn man can close his eyes, concentrate on a particular talk delivered once, long ago, and far away, by R' Sholom, and emerge strengthened.

And this is only one such story among thousands.

ONE NEWSPAPER REPORTER

ONE SUMMER'S DAY IN THE YEAR 5718 (1958), A SECULAR NEWSpaper reporter entered R' Sholom's house and asked him the secret of his successful sermons.

R' Sholom smiled at the question. "I don't know if I'm successful or not. Let's try an experiment. I will deliver a talk to you, and when I've finished, you will decide for yourself what the secret of success is."

The sermon was delivered in his house in Sha'arei Chesed, in the tranquil atmosphere engendered by the thousands of volumes of sifrei kodesh lining the walls. The table, too, was covered with holy books. As the reporter sat opposite R' Sholom on one of the ancient wooden chairs, his host, radiating love of Torah and deeply felt piety, spoke at length.

When the sermon was over, the reporter's eyes filled with tears -- Jewish tears. He went home and composed a long article for Ha'aretz newspaper. The article quoted a sermon which, he said, R' Sholom had delivered in the Zichron Moshe Shul, but which he had actually heard all by himself, an audience of one, in R' Sholom's own home.

Here is the article:

Preaching Without Reward

As is well known, people are not eager to hear a sermon, not from those close to them and certainly not from a stranger. But great crowds stream to hear the sermons of R' Sholom Schwadron, the famous Jerusalem "Maggid," especially when a Jewish holiday is approaching in the capital city.

Every Sabbath eve, after the meal, they come to the big neighborhood shul of Zichron Moshe, where R' Schwadron preaches his sermons. There are hundreds of them: the elderly and the young, men, women and children from every part of the city, sitting and standing in crowded conditions for hours, listening open-mouthed to R' Schwadron's words, at the same time both fiery and sweet.

He is fluent in the art of oratory. "He speaks by the grace of Heaven," say those in the know. He knows when to raise his voice and when to lower it, when to pound powerfully on the table before him, when to wave his hands, when to express himself in a chassidic chant and when to sway to the rhythm of his own words -- to hold his audience captive and drill into their hearts his message of pungent mussar, liberally sprinkled with quotes by our Sages, with verses, with stories of chassidim and misnagdim, and the like.

It is clear to see that R' Schwadron, both in his sermons and in the course of his own life, shares the pain of those who witness people lacking in faith -- denying the existence of the Creator -- and especially when this is seen among the youth. He follows every new development in the State and weaves it into the words he preaches against the "heretics." But let us allow R' Schwadron to speak for himself:

"The first question" -- this is the way he opened his remarks -- "is how a person can wander the face of the earth for the 70 years of his life, without ever asking himself even once -- and this, to our sorrow, is the bitter reality -- 'Who am I, what am I, how was I created, and where am I going?' In the past, there were heretics and philosophers with twisted minds, but for all that, most of them were important people. But today?" Here R' Schwadron raises his voice and spreads his hands -- "Today, nobody wants to think. They live their lives like animals. They eat, drink, sleep, and make money ... The adults grasp at whatever comes to hand, and are smitten with [spiritual] 'illnesses,' just like children. And all this because they don't want to think, because if they think, they will be forced to deny themselves some things that they have grown accustomed to." Rav Schwadron sighs.

Youth and Values

As he continues his speech, he presents several real examples, the most actual of them being, of course, the mixed swimming pool -- standard fare for the public. Then he moves on to a different topic -- that of our youth. "Today, young people are not searching for the good, but rather for the sweet and pleasurable. Like I said -- they're licking ice-pops." As R' Schwadron grows more excited, his voice becomes excited, too. "And for this reason I began to understand what had surprised me at first: How people with a head on their shoulders, living in such a large world, claim that the sky and the earth, the stars and the moon, the plants and every living thing -- were all created by themselves, Heaven forbid. A box of matches cannot create itself. If you suggested otherwise, people would laugh at you. And what, after all, is the big deal about a box of matches? But our wondrous and awesome world -- that was created by itself?"

"They do not think, and so they do not acknowledge the clear fact that anyone who uses his mind knows: It is necessary for there to have been a Creator!" He preaches at the anonymous heretics.

"I was a boy of 7" -- the Maggid recalls the days of his childhood, his eyes igniting -- "and I remember sitting on the steps of my house, at night, for about 3 hours, thinking and thinking about matters of faith. I thought until my head ached. But today? Boys of 16 and 17 don't even think about the creation of the world -- 'What, who, how.' Previous generations had their share of apostates, but they were few in number. Today, for our sins, they have become many -- from a few who denied our faith, to many who believe in denial of faith. They wish to deny the faith that has been transmitted from generation to generation. And it is a confused apostasy, which cannot under any circumstances claim that there is no G-d, an apostasy without substance. This -- how do you say it? absurdity? -- is what they believe in. Yes, the great absurdity! This is intoxicating our youth today. The youth seeks out all sorts of desires to fill his soul, in order to forget that his soul is crying out, against his will: 'A'yekah!'"

Cruelty -- Apostasy's Outcome

Rav Schwadron has no lack of examples to illustrate the results of clinging to apostasy. "We have never before heard of Jews behaving cruelly, the way we have heard it in our time, here in Eretz Yisrael. I am not talking about gentiles. Without Torah -- that's the way it is. But the story about the young people who caught a boy

from another political party trying to enter their meeting, and cut out his heart in cold blood -- have we ever heard such a thing in Israel? Is it possible that, for a trash can on erev Yom Kippur, after midnight, a man will kill his neighbor? Is it possible that because of a dog's barking a man will murder his friend? Has it ever been heard that young people break into their schools at night and steal money, until the schools are forced to surround themselves with iron bars, like a prison?"

"As for the good children ..." Here, R' Schwadron pauses a moment. After a brief halt for reflection, he continues, "Today, hundreds of children are being educated to steal. Robbery, murder, and the destruction of middos -- all these things come from the theaters and the cinemas. Fathers without sense and mothers without wisdom stuff their children with all sorts of desires. And from this, our children begin to sink into the depths. The youth slides into the chasm in order to forget the cry of his own soul."

And again, R' Schwadron lifts his voice and shouts: "All the efforts of educators and police who know this hopeless situation and want to repair it, all their efforts are to no avail. Why? Because a person's inclination is evil from his youth. It is only when a person fears the punishment he can expect from the Creator of the world that he succeeds in mastering his inclination. With reflection, with dedication and with awareness, and naturally not in one minute, he can change his nature by habitual action; as our Sages have said, habit becomes second nature. All the good character traits, if they are not rooted in faith in a Creator, contradict and are contradicted by man's actions, because the majority of men are born with lowly traits as well."

In R' Schwadron's opinion, there is no other course but "not to be embarrassed, to cast down pride and admit: We have abandoned our father's faith. We thought that we are smarter than they, that they were the mistaken ones and we are the ones who understand. Now, we see how right they were. They had a strong desire to give us life, to elevate us, to make us -- how do you say? -- gliklach, to make us happy in this world and in the next. We were mistaken. Even Jewish consciousness, which the Minister of Education is attempting to introduce into the schools, is not something he can recommend to intelligent students, who are liable to ask him: 'Do you live according to what you are recommending?' Only if the leaders of our nation see the great need, if they return at least to the fundamentals of faith in a Creator, if they recognize, in their innermost hearts, that their desire is to observe all of the Torah -- only then will we be able to educate our youth in the proper manner."

Practicing What He Preaches

This is just an example of one sermon among the many that R' Schwadron has been preaching in various shuls throughout the Sha'arei Chesed neighborhood for the past 20 years, and for the last four years in the large Zichron Moshe Shul. He does not repeat himself, and this is his strength. Every sermon arouses its listeners' interest. From time to time he is invited to speak in shuls in different cities, and to different sectors. He speaks in a juicy Yiddish and also in fluent Hebrew. And he is outstanding in another quality: in his observance of the saying, "Practice what you preach." He is scrupulous in his observance of all the mitzvos, large and small. Though his means (he is the father of seven daughters and a son) are strained, he lectures without payment, gives a tithe of his earnings to the poor, performs acts of lovingkindness, and extends a helping hand to anyone who asks. Money is not a consideration to him; the important thing is learning Torah for its own sake. During the month of Elul, he has decreed silence upon himself, except for Torah study, and will not exchange a word even with his family members, answering them in writing instead.

Born in Meah Shearim

Rav Schwadron is 46 years old. He was born in the Meah Shearim neighborhood of Jerusalem, to Rabbi Yitzchak Schwadron, son of the gaon of Berzon, R' Sholom Mordechai HaKohen Schwadron, author of halachic works that have earned widespread fame throughout the Diaspora and Eretz Yisrael, and by whose name he is known. He lost his father as a child, was educated in a Talmud Torah in Meah Shearim and afterwards in a yeshiva in Petach Tikvah. From there, he moved on to Chevron Yeshiva, where he was a student of R' Chasman who guided and taught him after he stood already revealed as outstandingly zealous in Torah. The time he has remaining after learning Torah and serving as Rosh Yeshiva of a Sephardic beis midrash gavohah in Mekor Chaim, is dedicated to publishing his grandfather, the gaon's, manuscripts and to composing his own halachic works, three of which have appeared in print thus far. He is now working on another book.

On Friday nights, after the meal, he hurries off to the shul in all kinds of weather, to preach his sermon to the hundreds who have come to hear him, and who listen thirstily to what he has to say. He is prepared to appear and to preach and to deliver talks anywhere he is invited to do so, as well as to write for newspapers, even the Al HaMishmar, though under a pseudonym. Those close to him relate that he is afraid of writing under his own name since the time he was dismissed after an appearance -- a thickly bearded man with peyos, wearing a long coat and preaching about faith and religion -- with the words, "Ah, Neturei Karta." They emphasize that he is not a member of the Neturei Karta sect, despite the fact that he is zealous and extreme in

his faith, and does not belong to any other religious political party, though his views tend to Agudas Yisrael.

These were the impressions of a completely secular newspaper reporter, representing the best efforts of a non-observant man to acquire a grasp of who R' Sholom Schwadron was. R' Sholom's true essence was something that a reporter could certainly never touch. But his article is testimony to the powerful spirit behind R' Sholom's sermons, and to the changes that they were capable of bringing about even in those outside the religious camp.

HEART TO HEART

THE TRUE SECRET BEHIND R' SHOLOM'S SUCCESS AS A SPEAKER and a mover came from the fact that he had erected an internal value system in his own heart, and from that vantage point was able to sway the hearts of others. He was also granted *siyata d'shemaya* -- a helping hand from Heaven.

In a letter (to R' Shlomo Stentzal), R' Sholom expounded at length on matters connected to the preparation of a site from which to speak in Tel Aviv. He ended with a single, short, but illuminating sentence:

"May Hashem grant that we succeed in arousing ourselves to return in full repentance before Him, so that our intentions will be for the sake of Heaven; then we are guaranteed that what emerges from our heart will enter the hearts [of others]."

And in a different style, in another letter he wrote: "May Hashem grant that we are able to return to Him wholly and truly ourselves, and afterwards bring others' hearts back into His service."

In other words, R' Sholom demanded from himself and spoke to his own heart first. Only afterwards did he speak to others. That was the reason he was so successful. Even during the talk itself, he would be arousing R' Sholom Schwadron along with the rest of the crowd. In this, he was a giant of a man.

R' Sholom once spoke to an audience and felt afterwards that he had succeeded in rousing them more than he had roused himself. Immediately, he began seeking new ways to internalize his sermon to rouse his own self.

The week of mourning for R' Shneur Kotler was at an end, and a hesped (eulogy) service was being held in Lakewood. R' Sholom Schwadron, staying in America at the time, was one of the eulogizers. His words rose up in tongues of flame, a powerful and bitterly mournful speech, accompanied by a storm of tears.

At the conclusion of the hesped, R' Sholom got into the car that would take him back to where he was staying. They were halfway there when R' Sholom turned suddenly to the driver, an acquaintance of his, and asked if he had a tape recorder in the car. Receiving an affirmative reply, he took a cassette from his pocket and asked the driver to play it. "They taped my hesped and gave me a copy of it. I want to listen to it," he said.

R' Sholom sat quietly, listening to his own words. All at once, he began to cry. The weeping grew stronger, the tears falling copiously.

The driver, in an impudent mood, said jocularly, "R' Sholom, you are already in the car. You don't have to cry anymore."

The tears dried up. R' Sholom turned and said, "Let me explain. When a person speaks in front of an audience, it's hard for him to hear himself. He invests a lot of energy in being heard and in arousing his listeners, but he doesn't manage to internalize the talk for himself. But I, too, want to hear a powerful hesped for R' Shneur Kotler."

He turned on the tape recorder again. As the car wound its way home, it was filled once more with a storm of emotion as R' Sholom listened to the eulogy.

(as told by R' Chaim David Ackerman)

The people of Jerusalem loved R' Sholom, and they came by the hundreds to bask in his presence. Torah scholars sat side by side with the unlearned, the elderly alongside the children. All came on Friday night to the Zichron Moshe Shul to hear R' Sholom speak.

Many young people came with their pockets filled with sunflower seeds, prepared to have a good time. There were those who came with their eyes half-closed, having fought back the exhaustion that threatened to overtake them at the Shabbos table. After the meal, they struggled against their fatigue, donned their *shtreimels*, tied their belts, and set out for Zichron Moshe. Once inside, they often as not dozed off again ... until a blow to the *shtender* from the *Maggid's* hand startled them into wakefulness, and they started listening again.

In his tasteful, sweet manner, R' Sholom told them about the vital ingredients of a Jew's life. He knew how to touch the place inside where a person feels most deeply. Sometimes he dug deeper than people felt comfortable doing themselves, exerting pressure on each individual according to that person's unique personality and particular inner strengths. From that deep place, he would rouse his audience to reflection, introspection, and self-motivation. Even those who lived wild lives, lives without emphasis on good character or fear of Heaven, enjoyed refreshing their wandering souls with a good Friday night sermon in Zichron Moshe.

Every person left with a wonderful sensation in the depths of his innermost being. Talmidei *chachamim* and simple folk alike would emerge with strong new

resolutions to carry them through the coming week. R' Sholom's sermon nourished them for the next seven days. In his presence, they tasted the *Olam HaZeh* (this world) that is in *Olam HaBa* (the World to Come).

"MY MEYER'KE"

R' SHOLOM OFTEN EXPRESSED GREAT ANGUISH IN HIS SHIURIM concerning the desecration of the Shabbos and the apostasy that he saw around him. From time to time, householders would try to comfort him. "It's not so bad. Hashem will help."

One day, before the shiur began, R' Sholom's ears picked up some angry whisperings.

"What is it?" he inquired. He soon had his answer: "Ah! They're charging a tax for everything. Every loaf of bread comes with a state tax. What's going to become of our country?"

Smiling, R' Sholom spoke to them in their own language. "Don't worry, it's not so bad. Hashem will help."

He faced the assembled group. "I want to tell you," he said, "about something that happened to me a number of years ago. Two children from the neighborhood were playing 'horse and buggy.' One boy was the horse, and his friend pulled him with a rope as they ran around. The two of them galloped near my front yard and as they did, the boy in front tripped on a step, fell to the ground, and cut open his forehead.

"My wife ran into the house, calling out, 'Meyer'ke fell on the stones outside and is bleeding profusely! Let's take him to the doctor!' She took a towel, soaked it in water, and we went outside. I held the boy in my arms while my wife pressed the hole in his forehead with the towel. In this way, we began walking quickly toward the home of a doctor at the edge of *Sha'arei Chesed*.

"In the distance, we saw the boy's grandmother, a respected woman well beloved in *Sha'arei Chesed*. We said nothing to her. Seeing us from afar, she grasped the situation at once: R' Sholom and his wife were rushing to bring a hurt child to the doctor. She called out encouragingly, 'Hashem will help. It's nothing, it will pass.'

"Still we were quiet. Soon we were closer to the grandmother, and she saw that the blood-covered child looked familiar to her. Again she said, this time hesitantly, 'It's nothing terrible, Hashem will help.'

"Then we were right beside her, and she saw that the child was her own grandson. Immediately, she forgot all the comforting things she had said to us, and broke into piercing screams: 'Meyer'ke! Meyer'ke! Gevald!'

"What happened next?" R' Sholom asked. He continued, "All the neighborhood women ran out in a panic to see what the screaming was about. They took one look, then said, 'Don't worry, it's nothing, Hashem will help, it will pass.'

"I learned a valuable lesson from this episode. If it is not my Meyer'ke, it's nothing terrible.

"When a man does not feel that *chilul Shabbos* is his Meyer'ke, he takes comfort: Hashem will help. But when his taxes are 'my Meyer'ke,' he kicks and shouts.

"It is the same in every area of life. 'My Meyer'ke.'

"A valuable lesson."

"I just remembered a story."

Everyone smiled to hear that expression. It was R' Sholom's habit to switch instantly into storytelling mode the moment he thought of one, even if it had no direct bearing on the topic at hand. When he was done, he would return smoothly to the original subject of his talk. He was acting on instructions from his teacher, R' Eliyahu Lopian, a man who, like R' Sholom himself, lived his life in the service of his community.

"If a thought enters your mind while you are speaking -- even if it is a side point -- say it aloud," the older man had advised. His reasoning was simple: It is the watchful Eye of Heaven, *hashgachah*, that directs all our steps and places a certain idea or story into our heads. Perhaps the listeners need to hear it -- or perhaps only one listener does. It is Hashem's will that the speaker mention that particular story at this particular moment. R' Sholom adhered to this custom for scores of years.

Many, many individuals found the right moment in which to approach R' Sholom and tell him, "R' Sholom, what you said yesterday was exactly what I needed to hear. You have no idea why you happened to remember that particular vort in the middle of your talk." This was their reaction to hearing something that the *Maggid* had mentioned spontaneously, almost incidentally. *Hashgachah*.

A Jerusalem resident related to us a fascinating tale, one that R' Sholom had remembered "especially" for him.

The man owned a printing press. Every morning, after davening *Shacharis* with a *vasikin minyan* and learning the *daf yomi*, he went to his shop to earn a livelihood for his family. After his workday he would return to the *beis midrash* for a few more hours of learning and prayer.

Once a year, this man was called upon for reserve military duty in the Israeli Defense Forces. He never tried to avoid his service when called upon. His army job was that of watchman, which allowed him to spend many hours in learning.

Then came the day when he found a notice in his mailbox: reserve duty for three weeks. The service would fall out in the month of Nissan. Making a rapid calculation, the man realized that he would be gone from home on the night of the Pesach Seder, as well as all the remaining days of the holiday. At the prospect, a shadow fell across his face.

The notice arrived on a Friday. "I haven't had such a Friday in a long time," he thought. His spirits plummeted sharply.

That night, he ate his Shabbos meal, sunk in gloomy thought. He pictured his family's Seder table, minus his presence. Who would be there to answer his sons' Mah Nishtanah? And what would he himself eat during all the days of Pesach?

Friday evenings usually found the printer in the Zichron Moshe Shul, listening to R' Sholom speak. On this gray night, however, he decided to diverge from his custom and take a walk instead. After a long stroll in the company of his melancholy thoughts, he found his legs carrying him, as though by habit, to the shul. He hesitated at the door, then went in.

Zichron Moshe has a book-lined foyer at the entrance, from which one enters the main sanctuary of the shul. The printer stood in this foyer, listening to R' Sholom's clear voice roll out to reach his ears:

"I just remembered a story," R' Sholom was saying, "and when that happens, you already know what we must do. The story has nothing to do with our topic, but ..." R' Sholom embarked on his tale:

When yeshivah students would visit the Chofetz Chaim to discuss the problem of the Polish military draft, he would return a variety of answers. There is a wealth of stories concerning these amazing responses, and the ruach hakodesh that often prompted them. If the Chofetz Chaim placed a copy of the book Machaneh Yisrael in the student's hand, then he knew nothing would avail him; he would be drafted. But if the Chofetz Chaim's response was to say, "Whoever accepts the burden of Torah is released from the burden of the government and derech erez," then the young man knew he must not spare any exertion in Torah -- and his freedom from the draft would be assured.

"Whoever accepts the burden of Torah!" R' Sholom's voice rang out. "Whoever accepts that burden -- whatever happens!" He continued to relate two examples of men who undertook the burden of Torah and were spared the draft. When he was finished, he asked where they had been up to before he began his story, and resumed the thread of his original topic.

"My heart was pounding very hard," the printer told us much later. "My whole body was covered with a cold sweat. I had never before felt such a personal hashgachah pratis. R' Sholom remembered the story at the very instant that my feet crossed the shul's threshold, and everything he said was directed at my own difficult situation. As he returned to the original subject of his talk, I saw that it really had no bearing at all on 'whoever takes upon himself the burden of Torah.' In other words, the thing had not come about through natural means, one topic leading naturally into the next.

"But apart from any considerations of hashgachah pratis, I was greatly encouraged by what R' Sholom had said. I decided at once to add an hour of learning to my regular schedule -- one extra hour every day. I didn't wait for Sunday, or even for Shabbos morning. Immediately after the lecture ended, I went into the beis midrash and learned for an hour. I believed with a powerful faith in the words of Chazal, 'Whoever takes upon himself the burden of Torah ...' All my worry fell away.

"On Sunday, I told my partner at the printing press that I had some news for him, and a request. The news was that I had received a draft notice for the month of Nissan. And the request was that we close up shop an hour early each day, so that I would be able to use it for the study of Torah."

A week passed, then two. One morning, the man's partner walked in with his own startling announcement. "R' Yaakov, I've also received a notice for reserve duty in the month of Nissan!"

The army rule is that two business partners do not have to serve at the same time. In such a case, one of them is released from duty. "The two of us took all our papers and went down to the army office," the printer relates. "A few days later, the letter came: I was released! I would be home for Pesach with my family. Unfortunately, to my distress, my partner was still required to serve his time.

"I was grateful to Hashem for helping me, in a natural way, to be free of my army duty. But it soon became clear that we had not yet come to the end of the marvelous hashgachah in this episode. My letter of release was only the first stage in the story.

"On the day my partner left for his reserve duty, I parted painfully from him. None knew better than I what he must be feeling at such a time."

The next morning, the printer walked to his printing shop as usual, and placed his key in the lock. To his surprise, the door wasn't locked! Slowly he twisted the knob and opened the door, then stepped instead, hesitant and afraid. A few steps into the room, he saw something amazing. There was his partner, working busily away!

"Shalom aleichem! Good morning!" the man greeted his partner, in open astonishment.

"What happened? Have you gone AWOL?" the printer asked

The partner smiled. "I arrived at the base yesterday," he said, "and an hour later, they sent me right back home! The supervisor came over and told me, 'There's been a mistake -- some sort of misunderstanding. Your draft notice was for two months from now, and was sent to your address by accident.' I was dumbfounded. Such a thing had never happened to me before. But the supervisor apologized and sent me respectfully home, saying, 'Sorry about this mistake. You are released!'"

When he had finished telling his story, the partner stood up and cried out emotionally, "We have just seen, with our own eyes, the amazing results of following the words of Chazal, 'Whoever takes upon himself the burden of Torah is exempt from the burden of derech erez.' In order for you to be released from your duty, I received a draft notice by mistake."

The printer himself adds a final note to this story. "When we took financial inventory several months later, it turned out that, from the time we began closing up shop an hour early each day, our income had increased greatly." Raising his voice with great feeling, he concludes, "Whoever takes upon himself the burden of Torah ...!"

THE FIRE

THE SWEETEST MOMENTS R' SHOLOM SHARED WITH HIS LISTENERS were those in which he traveled back in time with them, to an earlier world, a previous generation. At such times, he wove silken cords around his audience, enchanting them with visions of a glorious past. They would sit spellbound, rising at least 10 feet off the ground, together with the Maggid...

The flame surrounding R' Nachum'ke of Horodna was virtually visible to their naked eyes. The circle that the Chofetz Chaim made in the forest became the circling of R' Sholom's finger in the stillness of the Zichron Moshe Shul. In these magical moments, tears of longing filled the listeners' eyes -- a longing to be better, to be higher.

Under the influence of R' Sholom's feeling voice, the city of Chevron spread out before his audience, and they were standing together with the "Sdei Chemed" as he stood up to his challenge and merited a great light. And then, once again, the transported listeners were filled with a deep desire to understand more, to learn more, to observe more. The melody that the Maggid chanted ignited a flame in the holy soul residing inside each and every individual in the shul ... until the last word was spoken into the hush, and the sermon was over.

From: weekly-bounces@lists.ohr.edu on behalf of Ohr Somayach [ohr@ohr.edu]
Sent: Thursday, December 21, 2006 3:09 PM To: weekly@ohr.edu Subject: Torah Weekly - Parshat Mikeitz

TORAH WEEKLY - For the week ending 23 December 2006 / 2 Tevet 5767 -

from Ohr Somayach | www.ohr.edu

-- Parshat Mikeitz by **Rabbi Yaakov Asher Sinclair**

<http://ohr.edu/yhiy/article.php/2838>

The Fat Cats

"...so he sent and summoned all the necromancers of Egypt and its wise men; Pharaoh related his dream to them, but none could interpret it for Pharaoh." (41:8)

The hallmark of a truthful answer is that once you hear it you wonder why you ever had the question in the first place.

In this week's Torah portion Pharaoh summoned all the necromancers and the wise men to interpret his dreams; yet they failed to convince him with their interpretations.

The butler remembered that he had once been in similar circumstances, and that Yosef had interpreted his dream in such a way that as soon as he heard the interpretation he knew it to be true.

The word in Hebrew for a necromancer is chartum; its root is charat, which means an engraving. The chartumim were experts in hieroglyphics. A hieroglyphic is a symbol, it is not the thing itself. The chartumim tried to understand Pharaoh's dream emblematically. Yosef interpreted Pharaoh's dream not as a hieroglyphic, not as an obscure symbol, but using the simple and clear meaning of the dream itself. For example, the Nile dispenses its gifts only once a year, so the seven cows that rise up from the river are clearly an indication of seven years.

Even though G-d uses metaphors to communicate with us, the plain meaning is always contained within the metaphor. The word in Hebrew for interpretation is drash, which means to bring out from the inside -- in other words, to 'read out' the meaning, not to 'read in.'

In addition to the necromancers, however, Pharaoh also summoned his wise men. Why was it so difficult for them to interpret his dream? Their expertise was not locked into symbolic, hieroglyphic understanding. Why didn't their great wisdom lead them to the correct interpretation?

The Egyptians denied the existence of G-d. Their wisdom was dictated by human logic. Logically, the weak can never defeat the strong, the few cannot vanquish the

many — life's emaciated cows cannot eat the fat. This is what baffled the wise men of Egypt.

Yosef introduced his interpretation by saying that G-d would interpret Pharaoh's dream, for there exists a higher logic beyond the grasp of man. "My thoughts are not like your thoughts, and My ways are not like your ways." (Yishayahu 55:8) According to G-d's logic, the weak can overcome the strong.

The Torah portion of Miketz is always read on Chanukah. The Greeks also denied the existence of G-d. Thus, in their world-view too, the weak cannot vanquish the strong, or the few, the many.

The miracles of Chanukah revealed that there is a logic beyond the mind of man, in which "the mighty were given over into the hand of the weak, the many into the hands of the few."

If G-d wills it, the fat cats of history can find themselves as a mere snack for the skinny.

- Sources: Rabbi Shimshon Rafael Hirsch; Davsha shel Torah in HaDrash v'ha'lyun

Written and compiled by Rabbi Yaakov Asher Sinclair

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From: webmaster@koltorah.org on behalf of Kol Torah [koltorah@koltorah.org]

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KOL TORAH

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Yerushah - Shtar Chatzi Zachar and its Contemporary Variation

by Rabbi Chaim Jachter

(assisted by Martin M. Shenkman, Esq.)

Introduction

In our last issue, we discussed the need for a method that the will facilitate non-Halachic heirs inheritance of a portion of the estate without violating Halacha. American Poskim in the last few decades have developed a variation of the traditional Shtar Chatzi Zachar document that can accomplish this goal. In this essay, we shall explain the traditional Shtar Chatzi Zachar and its contemporary variation. Once again I thank attorney Martin Shenkman for his assistance in the preparation of this series of essays. I assume sole responsibility for any errors.

The Traditional Shtar Chatzi Zachar

One method of distributing an inheritance to daughters is through a Shtar Chatzi Zachar. The Rama (Even HaEzer 113:2 and Choshen Mishpat 281:7) records that this was the commonly accepted way to provide each daughter with a share in the estate. This involves the father undertaking, at the time of the daughter's wedding (as part of the dowry provided for the daughter), to pay her a very large sum of money (larger than the expected value of the estate) to be due (Chal) one hour preceding the father's death. This debt passes to the Halachic heirs (i.e. the sons, although the concept could be extended to restructure any stages of the Torah order for Yerushah) and includes a provision voiding the debt if the Halachic heirs present the daughters with a share (e.g. one-half) of the inheritance.

Rav Asher Weiss (in a teleconferenced Shiur from Yerushalayim to Teaneck, under the auspices of Project Ezra) stated that the Maharil (Teshuvot number 88), who mentions writing "documents of inheritance" on behalf of one's daughters, might be a source in the Rishonim for the Rama's assertion. Rav Weiss noted that this method is mentioned only by the Rama and not by Rav Yosef Karo (in neither the Shulchan Aruch nor the Beit Yosef), indicating that this was not a widely accepted practice among Sephardic Jews. It would seem to me, though, that there is no reason why Sephardic Jews should refrain from using such a document in the contemporary situation. It could be that Sephardic Jews did not feel a need to facilitate daughters receiving a share in a will, whereas today it is necessary to do so, as we shall discuss in next week's essay. However, this document was very commonly used among Ashkenazic Jews, as is evidenced by the extensive responsa literature that discusses the Shtar Chatzi Zachar (summarized in the Pitchei Teshuva C.M. 281:8-13).

This technique raises a number of issues. If the debt is made too large, the Shtar may be challenged as an Asmachta (having a condition which is known to have been made without the intent of fulfilling the obligation, see Bava Metzia 66a, 73b and Nedarim 27b). This risk is remedied by inserting a clause stating that the debt was affected with a Kinyan (transaction) in a Beit Din Chashuv, an esteemed Rabbinic Court (Kuntress Midor LeDor pp.14-15 and Pitchei Choshen 8:175). This concept is presented in Shulchan Aruch (C.M. 207:14-15) and explained at length in my Gray Matter (1:13-14).

In terms of applicability to the contemporary American situation, one may ask if creating such a debt creates concern for tax consequences. Rav Feivel Cohen wrote to me that it is Halachically feasible to name a charity, not a daughter, to help address such concerns. Rav J. David Bleich, in his contemporary variation of this Shtar, adds a clause to address this concern that includes the statement, "This instrument shall be regarded as of no effect whatsoever in any proceedings brought before any civil court of competent jurisdiction." We should note that the fact that the document has no validity in civil law does not detract from its Halachic validity (see Teshuvot Chatam Sofer Orach Chaim 113, Teshuvot Divrei Chaim 2:37 and Rav Zevin's LeOr HaHalacha p.122). Mechon L'hoyroa (Making a Will the Jewish Way, page 7) advises that the executed Shtar be kept with a third party, an Orthodox Jewish attorney who will store it with a will and/or trust documents and present it only if the Halachic heirs challenge the Halachic validity of the secular will in a Beit Din.

Rav Hershel Schachter (in a Shiur delivered at Yeshiva University) stated that the Shtar Chatzi Zachar does not violate the rule of "Ein Bereirah" (there is no retroactive determination, see Encyclopedia Talmudit 4:216-246 for an explanation) as far as Biblical level obligations are concerned, despite the fact that the size of the share that the daughter will receive will be determined only after the day of death. This is because we apply the rule of Ein Bereirah only regarding the primary obligation, but not regarding the details of the implementation, as explained by the Ran (Nedarim 45b s.v. Rabi Eliezer). Shtar Shalem Zachar

In addition to the Shtar Chatzi Zachar, there is another common approach. Rav Zalman Nechemia Goldberg notes (Techumin 4:344) that the Ketzot HaChoshen (33:3) refers to use of a Shtar Shalem Zachar, which gives daughters a full share in the inheritance. One may legitimately make use of this mechanism. Indeed, Rav Asher Weiss (in the teleconferenced Shiur from Yerushalayim to Teaneck) related that Rav Akiva Eiger wrote a Shtar Zachar Shalem at his daughter's wedding to the Chatam Sofer.

Contemporary Variations on the Shtar Chatzi Zachar

In the past few decades, American Poskim have devised a contemporary variation to the traditional Shtar Chatzi Zachar. In our community, a dowry is no longer expected and the Shtar is therefore not executed at the time of the wedding. Rather, a supplement to a secular will is written by the testator which records that a debt was made to a non-Halachic heir that takes effect an hour before death. A stipulation is made that this debt is waived if the Halachic heirs follow the dictates of the secular will. The testator assumes a debt much greater than the expected size of the estate so that the Halachic heirs are motivated to honor the terms of the will in order for the debt to be waived. The debt is created by the testator accepting symbolic consideration, the Kinyan Suddar. A Rav should be involved to insure that this is done properly.

There are at least five alternative versions of how to create such a document. Rav Feivel Cohen presents somewhat lengthy English and Hebrew documents in his Kuntress Midor LeDor (see, though, Pitchei Choshen 8:170-171 who questions many of Rav Cohen's concerns; Rav Hershel Schachter told me that he thought that the Pitchei Choshen's comments were correct). A shorter version is presented by the Mechon L'hoyroa in their "Making a Will the Jewish Way", although they require a separate document be written on behalf of each non-Halachic heir. Rav Bleich has developed his own version as has Rav Mordechai Willig (Chavrusa Kisleiv 5740; his version is available for download at www.rabbis.org, the website of the Rabbinical Council of America). Rav Hershel Schachter's ideas regarding this Shtar appear in the Journal of Halacha and Contemporary Society (Spring 1981 pp.130-132). Rav Willig's version is quite simple and straightforward, and many Rabbanim in the Orthodox community make use of it.

Rav Hershel Schachter has told me a testator merely needs to sign this variation of the Shtar Chatzi Zachar and no further action is required. It takes effect even without the knowledge of the beneficiary of the debt because of the Halachic principle Zachin LeAdam SheLo BeFanav, that one may acquire something beneficial on behalf of another individual even if the latter is unaware of the acquisition (Gittin 11b). The non-Halachic heirs and Halachic heirs also need not be aware of this document, Rav Schachter explains, as everything happens automatically (i.e. the non-Halachic heirs do not receive more than their entitlement according to Halacha because the money is in their hands in order to provide the Halachic heirs relief from the conditional debt). The document attesting to the conditional debt is held in case the Halachic heirs challenge the Halachic validity of the secular will. The document proving the conditional debt will defeat this challenge.

Rav Feivel Cohen (Kuntress Midor LeDor p. 20 in the English section) requires steps be taken to render the secular will tamper-proof according to Halachic standards. None of the other American Poskim who address this issue have such a requirement. First, Poskim have debated for centuries as to whether the standards in non-Jewish courts to render a document tamper-proof are accepted by Halacha (see

the two opinions cited in Rama C.M. 68:1 and Aruch HaShulchan C.M. 68:6). Second, the measures taken by American courts are quite extensive and might be acceptable even according to the stricter opinion (see Martin M. Shenkman's "Estate Planning", pp.102-103 for details regarding these standards). Moreover, estate planning attorney Martin M. Shenkman told me that some of the measures that Rav Cohen advocates might render the document invalid in civil court. Indeed, Rav Hershel Schachter told me that the precautions to avoid forgery mandated by secular law suffice by Halachic standards as well.

Should a Minor Portion of One's Estate be Divided According to the Torah Standards?

Pitchei Choshen (8:175 note 2) urges that a significant portion of one's estate be designated to be distributed in accordance with Torah Law (such as the Bechor receiving a double portion and the daughters not receiving a portion if the testator had sons). Rav Hershel Schachter presented a similar idea in a Shiur he delivered at Yeshiva University. On the other hand, both Rav Feivel Cohen and the Mechon L'hoayroa make no mention of doing so. Rav Cohen wrote to me that in principle he agrees with Rav Schachter and the Pitchei Choshen but that he is concerned that this will cause bitter animosity in families. One might suggest a compromise of designating only a nominal amount, such as one thousand dollars, to be distributed according to the Halacha in order to both recognize the Torah law in regards to Yerushah and preserve family harmony.

Lifetime Gifts

Another manner in which to present daughters a share in the inheritance is to make a gift to one's daughters during one's lifetime. Although daughters do not inherit, a person is perfectly permitted to present them with monetary gifts during his lifetime. There are, however, two serious drawbacks to doing so. First, a host of personal and practical problems are created. If substantial gifts are made to the daughters while the parents are alive, considerable resentment from the sons may arise. Practically, it is difficult to equalize lifetime gifts to the daughter with testamentary bequests to the sons on an after-tax basis. Secondly, Halacha recognizes a gift as valid only if the donor owned the money or property at the time he made the gift. According to Halacha, one cannot transfer title of something which he does not yet own or does not yet exist (Ein Adam Makneh Davar SheLo Ba LaOlam). Thus, one can give to a daughter only that which he already owns, as noted by the Rama (C.M. 281:7). It is therefore difficult to carry out equal distribution to children using outright lifetime gifts, and thus the modern variation of the Shtar Chatzi Zachar should be used. Israeli Poskim advocate making gifts that will take effect an hour before death in order to allow non-Halachic heirs to receive a portion of the will (see Geshar HaChaim 1:37-42 and Rav Shlomo Shaanan's essay in Techumin 13:319-320). This is not a suggested method for those residing in the United States because of tax implications.

Conclusion

In our next issue we shall (IY"H and B"N) discuss why the Shtar Chatzi Zachar and its contemporary variation do not violate the spirit of Halacha.

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