

To: Parsha@YahooGroups.com
From: crshulman@aol.com

B'S'D'

INTERNET PARSHA SHEET ON REEH - 5761

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Note to readers: I am including a new announcements section in the Internet Parsha Sheets, that would for example include: mazal tov, condolences, Refuah Shleimah, etc. So please send to me at crshulman@aol.com any information you would like to include.

Mazal tov to Rabbi & Mrs. Shlomo Hochberg of Jamaica Estates on the recent marriage of Mira to Yehuda Labovitz of Baltimore.

Refuah Shleima to the people who were injured by the Sbarro bombing, Chana Tova Bat Pescha and Chaya Hodaya Bat Tzira; and to others injured by terror attacks including, Mical Bat Dvora, Mordechai Zalman Ben Chana Gittel, Tziporah Bat Techiya, Matan Ben Michal, Yaron Ben Geula, Moran Bat Yaffa, Mordechai Ben Batya, Monique Bat Sara, Noa Bat Ilana, Ariel Ben Lia Rivka, Shai Pincus Ben Dvora Malia, Shoshana Bat Tzirel, Rachel Pessia Bat Bina, Shlomo Ben Shlomit, Yosef Ben Esther and Aharon Ben Jana. Please pray for the following kidnapped soldiers: Ron Ben Batia, Zecharia Shlomo Ben Miriam, Yekutiel Yehuda Nachman Ben Sara, Tzvi Ben Pnina, Guy Ben Dolina, Binyamin Ben Edna, Adi Ben Zipporah, Omar Ben Chadra and Elchanan Ben Sara.

From: SHLOMO KATZ skatz@torah.org To: hamaayan@torah.org
Subject: HaMaayan / The Torah Spring - Parashat Re'eh Edited by Shlomo Katz Re'eh: Serve Hashem "His" Way Sponsored by Dr. and Mrs. Robert Klein in memory of father, Dr. Ernst Shlomo Kaplowitz a"h
"You shall not cook a kid in its mother's milk." (14:21)

This identical prohibition appears three times in the Torah: here, in Parashat Mishpatim (Shmot 23:19), and in Parashat Ki Tissa (Shmot 34:26). The midrash states: "One occurrence is for its context, one is for the Torah, and one is for ma'aser." What does this enigmatic midrash mean?

R' Yaakov Yokel Ettlinger z"l (1798-1871; author of Aruch La'ner) explains: The Rishonim/medieval sages offer three reasons for the prohibition of eating meat and milk together. [Ed. note: It should be noted that some authorities consider this to be a chok/a decree of Hashem whose reason we are not privy to.] Rambam writes that we do not eat meat and milk together in order to distance ourselves from idolators. Others write that eating meat and milk together dulls the intellect. Finally, some state that it is cruel to mix an animal and its own food together.

R' Ettlinger explains further: Each occurrence of the prohibition relates to one of these reasons. When this prohibition appears in Parashat Mishpatim, it is followed by the verse, "Behold! I am sending an angel before you to protect you." When Hashem did this, he placed us at risk of committing idolatry, for the very origin of idolatry was the desire to honor Hashem by honoring His servants. The Torah therefore says, "You shall not cook a kid in its mother's milk." Distance yourself from

idolatry! (This is the occurrence of the prohibition which is "for its context.")

The second occurrence is mentioned immediately after the giving of the second luchot and is "for the Torah." In other words, we are commanded not to mix meat and milk because it dulls the intellect and will lessen our ability to study Torah. Finally, the third occurrence precedes the commandment to give ma'aser/tithes (a form of charity) and therefore is "for ma'aser." We are commanded not to eat meat and milk together lest it cause us to be cruel and not give charity. (Minchat Ani)

"Beware lest there be a lawless thought in your heart, saying, 'The seventh year approaches, the shemittah/remission year,' and you will look malevolently upon your destitute brother and refuse to give him - then he may appeal against you to Hashem, and it will be a sin against you." (15:9)

R' Akiva Eiger z"l (1761-1837; leading Polish posek) writes: The gemara (Bava Batra 10a) relates that the Roman general Turnus Rufus asked the Talmudic sage Rabbi Akiva, "If, as you claim, your G-d loves the poor, why doesn't He support them?"

Rabbi Akiva answered, "He is giving the rest of us the opportunity to avoid gehinom [by supporting the poor]."

Turnus Rufus retorted, "To the contrary, for this you deserve gehinom. If a king imprisons his servant and starves him, and another servant sneaks in and feeds him, does the latter not incur the death penalty?"

"That is the wrong analogy," Rabbi Akiva answered. "If a king imprisons his own son and starves him, and a servant sneaks in and feeds the king's son, does the latter not earn a great reward from the king? We are called 'children of Hashem,' as it is written (Devarim 14:1), 'You are children to Hashem.'"

Turnus Rufus responded, "When you do G-d's will, you are called His children. When you do not do His will, you are called his servants."

R' Eiger adds: This is what our verse means: When it comes time to support the poor, do not have a lawless thought. Do not maintain that the poor do not deserve to be supported because they are lawless. If you do that, it will be a sin against you, and you will be convicting yourself as well, for you will be suggesting that we are not Hashem's children, but only His servants. (Mi'drushei Ve'chiddushei Rabbi Akiva Eiger)

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Posted by Alan Broder, ajb@torah.org .

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From: listmaster@shemayisrael.com To: Peninim Parsha Subject: Peninim on the Torah

by RABBI A. LEIB SCHEINBAUM
PARSHAS RE'EH

You shall not eat any abomination.

(14:3) When the cemetery in Kovno was emptied, the Chevra Kadisha found two bodies that were untouched by time; the bodies of the Kovno Rav, zl; and that of a Jewish soldier upon whose tombstone was engraved, "Here lies the kosher/proper Jewish soldier." These were the two bodies that had defied the natural process of decomposition. What merit catalyzed this miracle? It is told that this soldier, who was conscripted into the Polish army, absolutely refused to eat non-kosher food. He would not eat the army's rations, sustaining himself on vegetables alone. One day a group of anti-semitic soldiers decided to

force the Jewish soldier to eat non-kosher food. They grabbed him and poured hot soup down his throat. The Jewish soldier absolutely refused to swallow the soup and choked. This exceptional act of self-sacrifice for kashrus, to maintain the purity of his soul, earned him that his body, his soul's earthly receptacle, was not affected by nature.

And you shall eat before Hashem, your G-d, B the tithe of your grain, your wine, and your oil B so that you will learn to fear Hashem B (14:23) Daas Zekeinim emphasize the "your" part of the grain, wine and oil. They explain that the pasuk conveys a profound message: If you give Maaser, if you tithe your grain, oil, and wine, then it is yours. In other words, Hashem grants us these possessions because we listen to His command and either share it with the Levi or the poor man, or we eat it in Yerushalayim. Giving Maaser does more than fulfill a mitzvah, it creates our ownership, it grants us license to claim these possessions as our own. Whatever Hashem created is for a purpose - to serve Him. To that end, when we realize the purpose of our material possessions, that they exist for us to serve Hashem with them, then they become ours. What we own is in our possession as a deposit from the Almighty. Indeed, whatever gifts we receive from Hashem, all our material abundance, is all a gesture of Hashem's beneficence, so that we may carry out His will.

Nachlas Tzvi cites a number of "tzedakah stories," episodes in the lives of great people, in which their devotion to share their own material possessions with others less fortunate than they, earned them remarkable reward from the Almighty.

Horav Moshe Ravkash, zl, the author of the Be'er HaGolah would weep when he would see his wife's candlesticks. A very poignant story informs us of the reason for this expression of emotion. It was during the fury of the Cossacks that the Jews of Vilna were bracing themselves for the vicious onslaught of these sub-humans. Whoever could gather his few possessions loaded them on a wagon and ran. The majority of the community, regrettably, did not believe that the danger was imminent, so they did not escape. A few of the great Torah scholars of that generation did, in fact, escape to freedom.

Among them were the Shach, the Shaar Efraim and the Beer HaGolah. Rav Moshe Ravkash, being an extremely wealthy man, tarried as long as he could, to enable himself to bury his money and gold and silver utensils. Luckily, he succeeded in hiding his material possessions and his wife's jewelry. A displaced person, Rav Ravkash trekked from community to community in search of a place where he could go on with his life. His wandering led him to Amsterdam. At that time, the city of Amsterdam had a thriving Sephardic Jewish community. These Jews of Middle-Eastern descent embraced the Ashkenazi gaon, scholar, with open arms. This wealthy community saw to it that he was financially remunerated in accordance with his distinguished scholarship. He remained there until the Cossacks were driven back, and it was safe to return home.

He located his hidden treasures, but he was unable to make personal use of them, since the community was in dire need. The Jews who had survived, and those who had returned, were left virtually penniless.

Rav Moshe disbursed all of his money and even sold his jewelry to sustain the Jewish community. His wife, observing that he was selling all of their material possessions, even her jewelry, hid her silver candlesticks out of concern for their own financial predicament, so that her "giving" husband would not also give these away. After awhile, when the financial situation seemed to improve, she divulged to her husband that she had hidden their candlesticks. When Rav Moshe saw the candlesticks, understanding that his wife had concealed them so that they would have some funds with which to sustain themselves, he sighed heavily. He exclaimed, "How many poor people could have been supported by these candlesticks!" This is why he cried. Indeed, it is tears such as those that Hashem scoops up and saves. One never loses when he gives charity. "Aser

Teasar" "you shall tithe."

Chazal add, "Aser bishul shetisasher" "Tithe so that you shall become wealthy." This is more than a reward or a blessing. It is, rather, a consequence of one's giving. In an anecdotal remark to a community that was not sufficiently giving, the Maggid m'Kelm once said, "Hashem assures us that "Ki'lo yechdal evyon mikerev haaretz", "For destitute people will not cease to exist within the land" (Devorim, 15:11) In other words, there will always be poor people. If we do not see to the needs of the poor, they will unfortunately not survive. Someone will have to replace them. It quite possibly might be you.

Indeed, we never know the far-reaching effect of that act of charity, as evidenced by the following story. It occurred with the Ramah, zl, the rav of Crakow.

There was a simple, but interesting, man in the community who went by a number of pseudonyms. He was called Moshe Trager/carrier, because he would carry packages for people. He was commonly called, Moshe Shikur, the drunk, or Moshe Shabbosnick, because he would save up the small amounts of money he would earn during the week, go to the liquor store on erev Shabbos, and purchase a cup of mead wine. He would proceed to drink this wine with great relish.

While he drank this wine, he would joyfully sing "Shabbos, Shabbos, Shabbos." He would then go to the mikveh and prepare for Shabbos. One week, on his way to perform his ritual, he overheard a poor woman saying, "Moshe is going to buy wine for himself, and I do not even have money to purchase two candles for Shabbos." Moshe was in a quandary. Should he give the woman the money, or should he get his glass of wine? He decided not to listen to his yetzer hora, evil inclination, and he gave the woman money to buy candles. Regrettably, this was to be Moshe's last trip to the mikveh, as he passed away shortly thereafter. Since it was almost Shabbos, the chevra kaddisha, burial society, decided to delay his burial until after Shabbos. That night, Moshe appeared before the Ramah and said, "There is a critique against you in Heaven."

"Moshe, you are a shikur; go home," the Ramah answered. It was then that Moshe revealed to the Ramah that he had died. The Ramah did not believe him until he went to shul and discovered that, indeed, Moshe had died right before Shabbos and that his body lay in the chevra kaddisha's room, awaiting burial. Realizing now that Moshe's appearance was a special occurrence, the Ramah immediately went to the room and questioned Moshe regarding his message from Heaven. "In Heaven they are upset that you do not avail the poor people the opportunity to also give charity. Since they have limited funds, people do not ask them for anything," answered Moshe.

"What should I do?" asked the Ramah. "From now on, whenever the community is in need of funds, the collectors should also go to the poor and ask them to participate," was Moshe's answer. The Ramah continued, asking Moshe what warranted his selection to deliver this message from Heaven, even before his body had been buried.

Moshe then related how he had overcome his evil-inclination and gave his "drinking" money to the woman, so that she could purchase candles for Shabbos. "That woman was none other than Esther HaMalkah. As a result of her exemplary deeds, her neshamah had consistently entered higher and higher levels of paradise, until she arrived at a very sublime level where she was not granted entry. She was told that this level is only for the poor who, despite their poverty, give charity and perform kindness with others. She then asked, 'Is it my fault that I was wealthy? I am certain that had I been poor, I would have been as charitable and as kind as when I was rich.'" The Heavenly Tribunal decided to allow her neshamah to return to this world as a poor woman, so that she could have the opportunity to give tzedakah, even in this difficult circumstance. When the Ramah heard this story, he accepted upon himself to see to it

that all people, regardless of their financial situation, would be given the opportunity to join in the mitzvah of tzedakah.

Indeed, as Nachlas Tzvi cites the Chafetz Chaim who once said, "There is a wealthy Jew in Lublin who has the where-with-all to sustain all the yeshivos in Europe. What about the mitzvah of tzedakah imposed on all the other Jews? Why should they be deprived of this mitzvah? This is why Heaven has arranged it that this wealthy Jew does not give, so that others will be able to give."

Rather, opening, you shall open your hand to him. You shall grant enough for his lack which is lacking for him. (15:8) When a poor man comes to the door requesting assistance, he certainly needs a comforting word, some sound advice, even a nice Torah thought.

We often forget, however, that he is there for one purpose: to raise sorely needed funds for himself and his family. His time is limited, and his needs are great. The Dubno Maggid once went on a fundraising mission. He came to the home of a distinguished scholar who was also quite wealthy. The wealthy man was honored to have someone of the Maggid's stature visit him, and he reciprocated this honor. Prior to asking for a contribution, the Maggid began with a scholarly discourse on the laws of tzedakah, charity. The man was reasonably impressed, adding his own erudite exegesis. This went on for awhile. Every time the Maggid gave a Torah thought, the man reciprocated. The Maggid noted that while they were having a lively scholarly discussion, the purpose of his visit had not been fulfilled. He still had no money.

The Maggid looked at his wealthy host and said, "Let me share a story with you. In one of the far-off countries, there is a community where the people had never seen an onion. One day a traveler came to this community and brought with him an onion. The people were very excited with this wonderful find and thanked him profusely. They showered him with gifts and money when he left to continue his travels. They took the onion and planted it. Soon, they were able to harvest many onions. Word spread that this community had handsomely rewarded the wanderer that had introduced them to onions. Soon, afterwards, another traveler looking to secure some sorely needed funds arrived in this community with poppy seeds. The people were overjoyed with this new gift.

They realized that they must offer remuneration for the poppy seeds. What would be the most worthy gift to give the traveler? Nothing less than their most valued commodity: onions! They decided to pay their new supplier with onions. We can only imagine what he told them. "I did not come here for onions; I came for money." "Likewise, my dear host, while I greatly appreciate the brilliant Torah thoughts that you have shared with me, I have come here, however, for something else: money. Does not the Torah say that one must give the poor man 'that which is lacking for him'? I lack money."

Giving, you shall give him, and let your heart not feel bad when you give him, for because of this matter, Hashem, your G-d, will bless you.

(15:10) The Torah is teaching us a significant lesson: Tzedakah is our insurance policy. It protects us, as it circumvents any evil from coming close to us. The following story is one of countless episodes that recount the remarkable consequence of giving tzedakah.

We must add that, as in all instances, there are many variables which play a role in a given situation.

We do see, however, in the following episode, how giving tzedakah with mesiras nefesh, utter devotion and self-sacrifice, saved a life.

A poor woman once knocked on the door of the home of a very special Torah scholar, a kollel-fellow who devoted himself to Torah study to the full extent of the word. It was a very special home - but, alas, a very poor one. The couple had been blessed with fourteen children. Obviously, money - and even food - was at a

premium at this house. Answering the woman's knock was the kollel fellow himself. "I need a piece of chicken," cried the woman. "I am terribly sorry, my dear woman, but I cannot help you. I have two chickens in the refrigerator which I have put away for the upcoming Yom Tov, so that my family can enjoy the festival with a small piece of meat as prescribed by halachah. This is all we have for the entire family." "Please, I am begging you, I have not had a piece of meat in such a long time. I crave a small piece of chicken," she implored. A few moments passed and the young man decided this woman's health was certainly more important than his children's simchas Yom Tov, celebrating the festival amid joy. If she was so obsessed with eating a piece of chicken that she would beg him so profusely, then she should get it. "Ok, I am going to give you a piece of chicken," he said as he left her to go to the refrigerator for a piece of chicken. Suddenly, there came forth a heart-rending shriek from the kitchen, as the young man opened the refrigerator door and beheld the most bone-chilling, shocking sight. His three-year old son had somehow gotten into the refrigerator and was trapped inside.

His lips were already blue; his skin the pallor of death; his breathing shallow and labored - but, he was still alive! A miracle!

Hatzalah, the emergency rescue team, was immediately summoned. They began to resuscitate the child, as they hurriedly transported him to the hospital. With the help of the Almighty, they succeeded in saving his life. All because of a piece of chicken. The gesture of giving tzedakah, going out of his way to help a woman in need, saved the life of his child.

We do not need proof to substantiate Chazal's dictum, "Tzadakah tatzil mimaves, charity saves (one) from death," but such an incident is encouraging and gives one hope. We also derive from here another important lesson: One never loses by performing a mitzvah. To paraphrase Horav Yitzchak Zilberstein, Shlita, "You gave away a quarter of a chicken; you received a child as a gift."

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From: National Council of Young Israel YI_Torah@lb.bcentral.com
29 Av 5761 August 18, 2001 Daf Yomi: Baba Kama 22
Guest Rabbi: RABBI YAACOV LERNER Young Israel of Great Neck, NY

The Permanent Address

The Parsha of Re'eh commands us (D'varim 12:5), But only to the place that HaShem, your G-d, has chosen from all of your tribes to cause His Name to be there, seek out His Shechina and go to that place. The Rambam (Maimonides) sees in those words the source for one of the 248 positive commandments in the Torah. At the beginning of Hilchot Melachim, Rambam writes that Bnei Yisrael were commanded to observe three mitzvot upon their entry into Eretz Yisrael: to appoint a King, to do battle with Amalek and to build the Beit HaMikdash as it says 'seek out His Shechina and go to that place'.

As we know, the style of the Rambam in writing his Sefer Mishnah Torah was to be painstaking careful with his words and especially his formulation of the 613 mitzvot. Given this fact, there is an apparent contradiction between what the Rambam says in Hilchot Melachim and what he writes in another place in Mishnah Torah, his main section for the discussion of the laws governing the Beit HaMikdash, Hilchot Beit HaBechira. There he formulates the mitzvah to construct the House of G-d where we can offer sacrifices to Him and celebrate with Him there three times a year. As the textual source for this commandment, the Rambam cites not the pasuk in Parshat Re'eh as we might have expected but rather a well known pasuk from Parshat Terumah. It says in Sh'mot (25:8) Make a Sanctuary for Me that I might dwell in your midst. Why does the Rambam quote two different sources as the basis for a single

mitzvah?

The Brisker Rav, Rav Velvel Soloveitchik, ztl, responds to this problem by stating that there are two separate and distinct aspects regarding the mitzvah to build the Beit HaMikdash. The first relates to construction. We are commanded to build a Sanctuary for HaShem, an edifice that is worthy of being called a House of G-d and where He can take up residence in our lower world. This dimension of the mitzvah has nothing to do with what is today considered a prime factor in real estate and construction - location. The proof is that the mitzvah was first given when Bnai Yisrael were in the Sinai wilderness, wandering around from place to place. Still in all, they were commanded to erect the Mishkan at each of their stops and in all of these many different locations it served as a Beit HaShem.

According to the Brisker Rav, however, the time did come later on when location became not just important but critical. When HaShem, through the Prophet Gad, indicated to Dovid HaMelech that the threshing floor of Aravna in Yerushalayim was the chosen spot, that became the location to the exclusion of all other places. There and only there could the permanent Beit HaMikdash be erected. Furthermore, sacrifices could never again be offered on an altar constructed anywhere else but at that place. This is the reason why the Rambam cites the source from our Parsha of Re'eh in Hilchot Melachim - where he discusses not merely the mitzvah of constructing a Temple, but the permanent Temple in Eretz Yisrael. Only in that place which HaShem has chosen to put His name there, seek His Shechina and go there.

There are indeed two aspects to the mitzvah of the Beit HaMikdash: building the structure and recognizing the Kedushat Makom - the holiness of the place upon which the edifice stands. For the past 2,000 years, since the destruction of the Second Beit HaMikdash, our enemies have been able to deny us the merit of fulfilling the aspect of building a House of G-d. How important it is, however, that we remain cognizant of the fact that the other aspect of this mitzvah remains viable for us even today. As the Rambam states in Hilchot Beit Habechira the Shechina never leaves that place. Every time we daven at the Kotel, every time we talk about the everlasting holiness of Yerushalayim, we reaffirm this concept. The Shechina remains in our holy city of Jerusalem forever for that is HaShem's chosen place for His permanent address.

http://www.torahweb.org/torah/2000/parsha/rhab_reeh.html

TorahWeb [from last year]
RABBI YAAKOV HABER
The Choice is Ours

"Rei 'anochi notein lifneichem hayom b'racha uk'lala" "Behold, I place before you today, blessing and curse." This prophetic statement by Moshe Rabbeinu, echoed practically verbatim in Parshat Nitzavim (30:15), encapsulates the fundamental principle of free choice. Hashem directs, commands, expects, but "I place before you" the final decision is Man's alone as to which path he will choose. Indeed, this element of mankind is so central to creation that many commentaries (see Malbim for example) interpret the phrase "tselem elokim" -- "image of G-d" (B'raishit 1:27), in which Man was created, to mean that just as G-d has free choice, so does Man.

Philosophers of all religions throughout the ages have grappled with the apparent contradiction between "b'chira" free choice, and "y'di'a" -- Divine Omniscience. If G-d knows what we will choose, then how are we free to choose it? Many approaches have been offered to resolve this contradiction including those clearly beyond the pale of normative Jewish thought. Here, we focus on the famous "non-answer" of the Rambam. In his Hilchot T'shuva (Laws of Repentance 5:5), in the midst of elaborating on the truth of the principle of free choice and its ramifications for human culpability and ability to repent, Rambam writes, in answer to this question:

"Know that the answer to this question is immense Bwe have already explained in Hilchot Y'sodei HaTorah (Fundamentals of Torah) that the Holy One Blessed be He does not know [things] with a separate knowledge like people whose self and mind are separate. Rather, He, may His name be exalted, and His Knowledge are one. And the intelligence of Man cannot grasp this concept fully. Just as Man cannot comprehend the Truth of [the essence of] the Creator, B so too, Man does not have the ability to grasp the Knowledge of the Creator."

Ra'avad immediately questions the sagacity of raising a difficult question without giving an understandable answer. However, it would appear that the Rambam's approach already appears in Tanach. The Rambam himself interprets the phrase in Isaiah (55:8), read on fast days, "ki lo mach'sh'votai mach'sh'votaichem" as "My (Divine) thinking is not similar to your (human) thinking." Malbim, in his commentary to a different passage in Isaiah (40:27-28), read on Shabbat Nachamu, explains that the Rambam's question and answer are already discussed by the prophet. Malbim interprets "mei'Elokai mishpati ya'avor" (40:27) "and my judgment is removed from G-d" -- as the statement of one questioning how he can be accountable for his actions if G-d already knows what they will be. The prophet's answer is: "ein cheiker l'tvunato" (40:28) "there is no [ability of] analysis of His Wisdom."

This contradiction is, according to many commentaries, alluded to in Pirkei 'Avot. R. Akiva states (3:15): "Hakol tsafuy, v'har'shut n'tuna" "All is 'tsafuy,' and permission is given." R. Ovadya miBartenura, in his first interpretation, translates "tsafuy" as "seen" indicating G-d's all-seeing "eye" referred to as well in Chapter 2 Mishna 1; no one can hide his actions from G-d. However, in his second interpretation, as well as in the commentary of Rambam and R. Yonah, "tsafuy" is translated as "foreseen." According to this reading, the Mishna is stating: "Even though everything is foreseen, permission is still granted to choose." Tosfot Yom Tov from Midrash Shmuel and Tiferet Yisrael both make the following piercing insight. The contradiction between free choice and foreknowledge only exists in the human mind, which recognizes a clearly defined and distinct past, present, and future. If Hashem knows the future already, then how can it play out according to human choice? However, past, present, and future are all functions of time. For Hashem, the Creator of time, past, present, and future collapse into one. When Hashem "sees" into the future, He does not witness an event that is yet to occur. He is able to witness the event as it is occurring. Now, clearly, if an observer would state that someone is currently engaging in a certain activity, no one would be troubled by any contradiction between the statement of the observer, and the free-choice of the actor. The same is true concerning the "sight" of G-d. He sees the future as the present. Midrash Shmuel adds that the Mishna alludes to this by using the word "tsafuy" which literally means "seen," rather than "yadua" "known." "Seen" indicates observing the present. Thus, G-d's knowledge of the future is similar to our knowledge of the present. The above-mentioned commentaries suggest that this is the intention of the Rambam when he states that Hashem's knowledge -- which is not subject to time -- is fundamentally different from human knowledge which is subject to time. The concept of a Being not subject to time and space seems very foreign to basic, human observation. Therefore the prophet declares: "lo mach'sh'votai mach'sh'votaichem" -- realize that G-d's knowledge is totally unlike your own.

Perhaps we can suggest that the Borai 'Olam placed a hint of this notion of being beyond time in the Creation itself. According to Einstein's Theory of General Relativity, an object traveling at the speed of light is not subject to Time or Dimension. Now, if scientists can theorize that a physical entity, but a mere creation of the Master Creator, enjoys the quality of timelessness, all the more so can we appreciate that the Creator Himself has this quality. (See the Hebrew publication Nitzozot (reprinted in Counterpoint) for a fascinating exposition on the parallelism between the qualities of light and spirituality.) It is not

surprising then, that Hashem and his Torah are throughout Tanach compared to light (see for example Isaiah 2:5 and Psalms 27:1).

We live in an age where the popular, "politically-correct" notion is totally antithetical to the principle of free choice. Even certain psychological schools of thought negate the concept of free choice. Many would claim that a murderer is not culpable for his crime because of his upbringing. An individual living a deviant lifestyle is not responsible for his actions because "that's just the way he is." The Torah clearly indicates the falsehood of these claims. It teaches us unequivocally -- the choice is ours, and ours alone to make. For different people, some decisions might be more difficult than for other people, but the choice of actions remains ours always (see Rav Dessler in *Michtav Me'Eliyahu* (Vol. 1) for a crucial discourse on "The Point of Choice"). May we always strive to fulfill the directive of Moshe Rabbeinu: "u'vacharta baChayim!" (Nitzavim 30:19) "Choose Life!"

From: Aish.com[SMTP:newsletterServer@aish.com] Subject: Mayanot - Re'eh This article is online at: aish.com/torahportion/mayanot/showArticle.asp Parsha: Re'eh (Deuteronomy 11:26-16:17)
OF WOUNDED SOULS
BY: RABBI NOSON WEISZ

You are children to the Lord, your God. You shall not cut yourselves and you shall not make a bald spot between your eyes for a dead person. For you are a holy people to the Lord your God, and God has chosen you for Himself to be a treasured people, from among all the peoples on the face of the earth. (Deut: 14:1-2) The prohibition against cutting oneself is expressed by the Hebrew word *titgodedu*, which also has the connotation of agudos or groups. From this added connotation, the Talmud (*Yevomat*, 13b) derives a prohibition against forming splinter groups (in terms of Torah practice) in addition to the prohibition against self-inflicted wounds. Thus when members of a Jewish court disagree about the correct decision in a matter affecting Jewish law or custom, they are commanded to reach a common consensus and are enjoined from splitting along the lines of their opinions. This prevents the situation where some rabbis and their followers adopt one practice they perceive as being proper, while the dissenting rabbis and their followers will adopt a different practice which they perceive as being correct. Such a bizarre confluence of ideas has no parallel elsewhere in the Torah. After all, what is the common denominator between inflicting wounds on oneself as a sign of mourning and forming splinter groups that observe different practices in carrying out Torah laws? Let us attempt to examine each of these ideas in turn and see if we can discover the common thread. [The following analysis is loosely based on the words of the Maharal in "Gur Aryeh.")

SIGN OF MOURNING The commentators all take the same approach to the obvious prohibition contained in the passage: the infliction of wounds as a sign of mourning. Because Jews are God's children and He loves them as a father loves His children, they are commanded to take a larger view of apparent tragedy. They are expected to understand that every Jewish death is for the best, no matter how tragic and unjust it may appear at first glance. As no death happens by accident, and the person ultimately in charge of fate is one's Heavenly Father, as emphasized by the passage, it follows that whatever happens is the outcome of a deliberation made by Him, and is therefore based on considerations of loving affection. Moreover, as the passage continues to point out, Israel is a holy people, and holiness is a spiritual quality. Thus death constitutes merely a temporary separation from the deceased. The individual who dies is merely leaving the physical world and undertaking a journey to a spiritual world, which is far more pleasant than this one. In actual terms, God has chosen to withdraw him or her from a life of travail and drawn him or her back to Himself. The separation of mourning is thus not a permanent loss. The people left behind will meet up with those who have departed. It is permissible to cry because it is human nature to mourn any long-term separation from the beloved. Even people who anticipate seeing each other again in this life cry at parting when they face living apart from each other for extended periods of time. But it is inappropriate to inflict wounds on one's body as an expression of mourning.

SIGN OF RAGE The self-inflicted wound is symbolic of a loss that is both arbitrary and permanent. Such a wound is the outward expression of the frustration of grief, and the emotion accompanying the act of infliction is rage -- an expression of the impotent rage human beings feel in the face of the workings of a cruel and unjust fate. The permanent scar that the wound imprints on the

body is symbolic of an emotional loss that will never heal, caused by a permanent separation from the lost beloved. Such reactions are inappropriate to express Jewish grief for the reasons outlined. So much for the obvious prohibition expressed by the passage.

SPLINTER SECTS The second prohibition that the Talmud derives from the passage is more complex. First of all, to the superficial observer it would appear that all observant life is conducted in the shadow of the violation of this prohibition. If we look around the world of observant Jews, we find it split into a bewildering number of sects. There are Ashkenazim, (i.e. Jews of European extraction), and Sephardim, (i.e. Jews who are the descendants of those who spent the last several hundred years of the exile in Moslem cultures). Among the Ashkenazim, there are Hassidim of various sects who generally wear special garb, and non-Hassidim, who follow another tradition. Each of these groups has special customs in prayer and observance. Each of them has its own slant in the interpretation of Jewish law. Needless to say, this is only an apparent violation of the prohibition. On careful analysis, it turns out that the prohibition against breaking into various sects is a prohibition that applies to a very particular situation. Judaism only has a central halachic (i.e. legal) authority when there is a Temple and a Sanhedrin that sits within its confines. Such a Sanhedrin, composed of 71 elders, is invested with the ultimate authority on all matters of Jewish law and custom. When such a central authority is not present, halacha is autonomous to a large degree. Each rabbi has the authority to decide questions involving law and custom for his own congregation of followers.

ULTIMATE AUTHORITY This local autonomy was overruled only twice since the destruction of the Temple. The first occasion was the compilation of the Mishna by Rabbi Yehudah HaNasi. A man of enormous economic as well as spiritual resources, he managed to gather about him a court composed of the majority of Jewish scholars of note, and this rabbinic court fixed Jewish Law in the Mishna, which is the ultimate authority. Thus no sage who lives after the sealing of the Mishna has the authority to rule in matters of Jewish law and custom against any rulings that are to be found in the Mishna. The second occasion was the sealing of the Talmud, which occurred several hundred years later in Babylon. Rav Ashi, who was the Jewish sage who organized and edited the Talmud, also managed to gather together most of the sages of Israel and was thus also able to lay down Torah law and custom in a way that is binding for all periods and in all places. Thus no one can go against any ruling of the Talmud in matters of Jewish law and custom. About 500 years ago, the Jewish people voluntarily reached a decision to further limit the concept of legal autonomy and to recognize the rulings of the sages who lived prior to the writing of the "Arbaah Turim," written by Rabbi Yakov Ben Asher, (1270-1343) as finally authoritative. The classical abbreviation of the above -- the "Shulchan Aruch" by Rabbi Yosef Caro (1488-1575), as annotated by Rabbi Moses Isserles (1525-1572) -- defines Jewish law today. The sages who lived after the sealing of the Talmud and up to the codification of the "Shulchan Aruch" were collectively termed as Rishonim, or the "first ones" and their Torah opinions are accepted by all sections of Torah Jewry as finally authoritative. (Among the most prominent Rishonim are Rashi, his students and descendants who were the chief authors of the Tosaphos, Maimonides and Nachmanides.) No one since, has presumed to differ with the opinions of the Rishonim except in very rare cases. But that still leaves a lot of territory uncovered.

EVOLUTION OF JEWISH LAW In the last five hundred years, due to the changing nature of the Diaspora caused by emancipation, (which followed the Enlightenment of the 18th century) and as a result of the mushrooming of technological advances that are the results of the discoveries of modern science, Jewish law and custom have undergone a tremendous evolutionary development.

This development occurred entirely in the absence of a central Jewish authority, and is therefore subject to the rules of halachic autonomy. Thus local authorities resolved many important issues of halacha and custom, each in its own unique way. Their congregations and descendants carried on their traditions resulting in the bewildering profusion of Jewish observance and custom that we find today among observant Jews. All this is perfectly correct and legitimate under the rules of virtual autonomy granted by halacha to local authorities. The fact that the observant portion of the Jewish people, despite their division into the bewildering profusion of distinct segments, all subscribe to a single "Shulchan Aruch" in virtually all important questions is due to their decision to accept the rulings of the Rishonim as sacrosanct and above dispute. As the Rishonim did such an incredibly thorough job in exploring and explaining the Talmud, the voluntary acceptance of their authority insured that, despite halachic autonomy, areas of disagreement were always restricted to issues of relatively minor importance. All observant Jews still have the feeling of observing a single Torah despite their surface variations in minor matters.

VILNA GAON To convey the flavor of autonomous rabbinic authority perhaps it is worthwhile to relate a famous story concerning the Vilna Gaon.

One Friday afternoon, the housewife of a poor family living in Vilna had a halachic question concerning the chicken she was preparing for her family Shabbat meal. She quickly dispatched her husband to the chief rabbi of the city to ask for his ruling whether it was permissible to eat the chicken, but the husband had some difficulty in locating him and failed to return. Meanwhile, the time available for cooking was running out as Shabbat was fast approaching, so in desperation she dispatched one of her children to ask the Gaon of Vilna who lived close by. By general consensus (then and now), the Gaon of Vilna was a Torah giant on the level of the Rishonim, even though he lived in the 1800s He was not only the greatest Torah authority in the city of Vilna, but was accepted as the greatest Torah authority of the last 500 years. The husband and the child returned simultaneously with their answers. The chief rabbi of Vilna had ruled that the chicken was permissible whereas the Gaon had ruled that it was forbidden. The husband ran back to the rabbi to ask him what to do under the circumstances. He told him to tell his wife to prepare the chicken and both he and the Gaon would come to his house and partake of it. The rabbi then went to the Gaon and explained that while he fully realized that in terms of halachic expertise he was as dust beneath the feet of the Gaon, nevertheless he was the Rabbi of Vilna and under Jewish law, it was his ruling that should be followed unless it was clearly mistaken which it was not, because the issue turned on a matter of opinion. In his opinion, which was halachically defensible, the chicken was permissible. Even the Gaon was therefore subject to his ruling as a member of the congregation of Vilna. And to avoid violating the prohibition against splitting into sects contained in Parshat Re'ah, he was asking the Gaon to submit to his ruling and demonstrate this submission by coming with him to partake of the chicken. The Gaon agreed, and the poor Vilna family in question was honored that Friday night by the visit of Jewish Vilna's two most prominent citizens. The Gaon and the rabbi sat down at the Shabbos table and the wife ran to present each of them with a bowl of hot soup prepared from the chicken in question. On the way to the table one of the lamps dripped tallow into the bowl intended for the Gaon. In those days cheap candles were made of non-kosher animal fat and thus the soup intended for the Gaon became halachically forbidden to eat. At this point the chief rabbi of Vilna excused the Gaon from partaking of the soup. It was clear to all the participants that God Himself had intervened to excuse the Gaon from having to partake of a substance that he ruled halachically forbidden. The point of the story, however, is that the Gaon was willing to partake of it. With all due modesty, it was clear to all parties involved that he was a much greater expert in halacha than the local rabbi. Yet, he held himself enjoined by the commandment that prohibits the splitting into factions to follow the ruling of a lesser sage who was the local autonomous rabbinic authority. If the chief rabbi had ruled the chicken permissible than it truly was permissible under Jewish law for all the members of the Vilna Congregation. The Gaon of Vilna could certainly not be held suspect of agreeing to partake of a treif chicken for whatever reason. If the chief rabbi ruled that the chicken was kosher, it truly was. Had the chief rabbi instructed the wife to bring the Gaon a second bowl, he would have partaken despite the heavenly sign. All the others, including the chief rabbi, still partook despite what they regarded as heavenly intervention to protect the Gaon from having to partake, and they did so with the Gaon's full agreement and in his presence.

JEWISH UNITY Herein lies the thread that unites the two apparently unrelated prohibitions in our passage. The principle of unity of the Jewish community under the banner of Torah is regarded by Jewish law as the supreme arbitrator of halacha. In the Shabbat Mincha service we recite "You are One, and your name is One, and who is like your people Israel, One nation on earth." In the relationship between God and the Jewish people the principle of unity occupies a prominent if not a dominant place. One of the preconditions of being offered the Torah was the attainment of unity: They journeyed from Rephidim and arrived at the wilderness of Sinai and encamped in the wilderness; and Israel encamped there, opposite the mountain. (Exodus 19:2) The words Israel encamped there are totally superfluous. Rashi in the name of the Mechilta says that these words were written to convey the idea that the entire Jewish nation encamped there in total unity, as a single individual with a single desire. All other encampments contained an element of disunity; it is the acceptance of a single Torah that unifies Israel into a single individual.

DIVINE ATTRIBUTE OF JUSTICE Just like this principle of unity determines halacha, it also governs God's attribute of justice. When someone dies the Divine attribute of justice is at work. At first glance it certainly does not seem as though the attribute of mercy is in evidence at all. But God is One. It cannot be that He can do something while exercising solely His attribute of justice while totally ignoring His attribute of mercy. The word for mercy in Hebrew

is rachamim. Rearranging the letters gives us machar, meaning "tomorrow," and rechem meaning "womb." Present occurrences have to be considered in the light of tomorrow, and have to be regarded as forces that give birth to the future. Justice focuses entirely on the past. All judgments are responses to past behaviors. They cannot take future potentials into account.

Because God is One, the principle of unity overcomes considerations of pure judgment. In every Jewish death considerations of tomorrow are also involved. Nachmanides quotes the speech of the wise woman of Tekoah to David: For we shall surely die, and shall be as water spilt on the ground which cannot be gathered up again; neither does God take away life but devises means that none of us be banished. (2 Samuel 14:14)

In other words a Jewish death only appears like water spilt on the ground which cannot be gathered up again. In actuality, God will never take a Jewish life unless He has devised some means to assure that death is not the equivalent of permanent banishment from life. The halacha as it applies to God's principle of justice is also overcome by the prohibition to avoid rulings that will affect a split in the unity of Israel. Inasmuch as every Jew is a part of this unity -- since we all stood at the foot of Mount Sinai either corporeally or as souls that were yet to be born -- we are all part of the Israel that is described as a single individual with a single desire. Just as God will not inflict a permanent blemish on this collective Jewish individual by permanently ending a Jewish life in a way that it cannot be gathered up, we are forbidden from inflicting a blemish on ourselves for the same reason. The principle of unity is the thread that binds the two prohibitions together. May it be God's will to finally end our travails and expose the glory of this great unity to the light of day in our time.

Mayanot, which literally means "wellsprings," is a deeper examination of the parsha with a philosophical/kabbalistic bent. Rabbi Noson Weisz is a Toronto native with degrees in microbiology, international relations, and law. You can contact him directly at: NWeisz@aish.com See the full Parsha Archives: http://aish.com/torahportion/pArchive_hp.asp

<http://www.artscroll.com/parashah.html>

Parashah Talk - Parashas Re'eh

Excerpt from Pirkei Torah, by RABBI MORDECHAI GIFTER

The blessing: that you hearken to the commandments of Hashem, your G-d And the curse: if you do not hearken to the commandments of Hashem, your G-d

When Moshe spoke about the berachah, he said, that you hearken; however, when he spoke about the curse, he said, if you do not hearken What was Moshe's intent in changing from "that" to "if"?

Rashi writes that the berachah will come in order that you hearken to the commandments of Hashem. In other words, the purpose of the Torah's berachos is to further enable us to serve Hashem. Indeed, Rambam (Hilchos Teshuvah 9:1) writes: We have been promised in the Torah that if we fulfill the mitzvos joyously and faithfully, and constantly exert ourselves over its [the Torah's] wisdom, then all those things that distract us from fulfilling the Torah such as sickness, war, famine, and the like will be removed from us. [We shall merit] all good things that strengthen and enable us to fulfill the Torah. We shall have adequate sustenance, peace, and considerable wealth all so that we should not have to work for our physical needs, and thereby be free to learn Torah and perform mitzvos. This concept, however, is not true of the kelalah, the curse, for the kelalah does not come in order to cause us to further sin, and therefore Moshe did not say that you do not hearken.

Another explanation is that the entire creation is an act of chesed: Hashem desired to bestow chesed, and He therefore created the world as a means to do so. Ramchal (Mesillas Yesharim Chapter 1) explains that even though Hashem wishes to bestow only good, He has structured the creation in such a way that man must work to receive this good. The good is already in existence: it just lies waiting for man to perform the right deeds to gain access to it. Thus when we fulfill a mitzvah, we do not create the reward, but access the pre-existent good. Hence the Torah says: The blessing: that you hearken to the commandments of Hashem, meaning that the blessing already exists, and we have only to hearken to the commandments of Hashem to attain it. This concept, however, does not apply to sin and its subsequent curse. Hashem does not desire to

curse the sinner, and, therefore, the curse does not lie waiting for man to sin. Instead, the sin itself causes the kelalah, a situation which occurs only if you do not hearken to the commandments of Hashem.

From: Ohr Somayach[SMTP:ohr@ohr.edu] To: weekly@ohr.edu
Subject: Torah Weekly - Re'eh

RAGS AND RICHES "See! I am putting in front of you today a blessing and curse...." (11:26). Wealth and poverty don't effect everyone in the same way. Wealth influences some for the good, and through the blessing of wealth they come to a greater appreciation of Hashem. Had they been poor, these people might have been so occupied trying to find food that they would have forgotten their Creator. (This was the case in Egypt, where Bnei Yisrael were so exhausted by the hard labor that they didn't listen to Moshe.) On the other hand, there are people whose wealth removes them from the path of righteousness, as we see so often in our history that the Jewish People become successful and self-satisfied and forget Who gave them what they have.

When a person is poor, however, and "broken," Hashem never ignores his supplications. Thus, the verse says: "I am setting before you today a blessing and a curse" -- and don't think that the blessing is wealth and the curse is poverty; rather everything depends on how a person deals with his riches or poverty. Whether he be rich or poor, if he turns his focus to the Torah and mitzvot he receives the blessing. * L'Torah U'Moadim

SCHOOL FOR KINDNESS "You shall tithe the entire crop of your planting..." (14:22). In the first, second, fourth and fifth years of the seven-year shmita cycle, Jews living in Israel were instructed to separate a tenth of their crops to bring to Jerusalem to eat. In the third and sixth years of the cycle, that tenth was given to the poor instead. Why weren't the landowners required to share first with the poor and only then to enjoy their produce in Jerusalem? The Rambam writes that one must give tzedaka, charity, with a joyous countenance. He writes that giving with a disgruntled demeanor negates the mitzvah. It is not enough to do chesed (kindness), one must love chesed. More than any other positive mitzvah, writes the Rambam, tzedaka is a sign of the essence of a Jew. By commanding us to bring a tenth of our crops to Jerusalem to rejoice there, Hashem taught us two vital lessons: That our material possessions are a present from Hashem and He can dictate how we use them, and that using material wealth in the way prescribed by Hashem generates feelings of joy and sanctity. Once we internalize these lessons in the first two years of the cycle, we can offer that bounty to the poor in the third year -- not perfunctorily, but with a true love of chesed. * Rabbi Zev Leff

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From: RABBI SHLOMO RISKIN's Parshat Hashavua Column
parsha@ohrtorahstone.org.il To: Shabbat_Shalom@ohrtorahstone.org.il
Subject: Shabbat Shalom: Parshat Re'eh by Rabbi Shlomo Riskin

"But the place which the Lord your G-d shall choose from among all of your tribes to place His Name there, for His dwelling place, shall you seek and shall you come there. And you shall bring there your whole burnt offerings and your sacrifices..." (Deuteronomy 12:5,6).

Efrat, Israel - Apparently the Torah is here speaking of our Holy City of Jerusalem, because it appears in the context of Israel's entry into the Promised Land and the necessity to destroy the altars of idolatry before establishing our Temple to G-d. But why is the City Jerusalem not mentioned? The Bible has already identified Malki-Zedek as the King of Salem (Jeru-Salem the City of Peace) as far back as the period of Abraham (Genesis 14:18), and Mount Moriah had been designated as the place from whence the Almighty "would be seen" right after the Binding

of Isaac (Genesis 22:14). Moreover, the Bible has no hesitation in precise identifications of places; witness the specific geographic description of Mount Gerizim and Mount Eyal (Deuteronomy 11:29,30). So why the reluctance to so much as name Jerusalem in this particular context of the Bible?

Maimonides deals with this question in his great philosophic masterpiece, Guide for the Perplexed (part 3, chapter 45). He establishes the principle that Divine Service in the Temple was mainly directed against idolatry; because Mount Moriah was the highest mountain in the region, it was specifically chosen by G-d for the Holy Temple in order to attest to the superiority of G-d over all other idols! And this Divine intent had previously been revealed to Abraham, as we have seen. If so, why does Moses here seem to hide the precise identity of the City of G-d?

Maimonides offers three reasons. First of all, he felt that publication of the unique City would only incite the other nations to make war against Israel in order to acquire Jerusalem for themselves. Secondly, the other nations might even attempt to destroy the City - if only in order that the Israelites not acquire it. And finally, Moses feared lest all the tribes would fight over it, each desirous of having Jerusalem within its own borders! These first two reasons are very much in evidence today, with the PLO having claimed Jerusalem for itself as its Holy City - even though its never mentioned in the Koran - and destroying archeological remnants from the Temple Mount in order to discredit our historic claim! I believe that in addition to Maimonides prophetic insights, there is even a further significance behind Moses' reluctance to reveal the precise name of the city. In the ancient world, every nation-state had its own god - whom the citizens believed lived within the boundaries of that nation - state. Yes, Jerusalem was to be the City which would house the Holy Temple of G-d - but G-d would not exclusively dwell neither within the Temple nor within the City; G-d was the Lord of the entire universe, who - as King Solomon, master builder of the first Temple said so well - could not be encompassed even by the heaven of the heavens, by the entire cosmos, so certainly not by a single structure or even a single City. After all, it was Moses who had previously ordained the construction of the prototype of the Holy Temple, the desert Sanctuary, and he then declared in G-d's name: "And they shall make for Me a Sanctuary, and I shall dwell in their midst (Exodus 25:8)" - not in its midst but rather in their midst, in the hearts, minds and souls of the Israelites but not within the walls of the Sanctuary, but not confined to one building or to one City or to one Country!

One of the most difficult messages Moses had to convey to his people was that the Almighty G-d is not corporeal, is not limited by physical dimensions. Yes, Maimonides sets down in his Mishneh Torah that the sanctity of Jerusalem is the sanctity of the Divine Presence (Shekhinah), and just as the Divine Presence is eternal and can never be destroyed, so the sanctity of Jerusalem is eternal and can never be made obsolete (Laws of the Chosen Temple, Chapter 6, Law 14). But Maimonides never means to say that G-d physically dwells in Jerusalem, heaven forbid. The great Sage's point is the exact opposite: the Divine Presence can never be physically destroyed because the Divine Presence is not a physical entity, is not in any way subject to creation or destruction.

This is the higher meaning of our Biblical passage, which highlights not G-d's being but rather G-d's Name. There is one place in the world, teaches Moses, where G-d has consistently been recognized as the Author of the world and the Purveyor of Ethical monotheism for all of humanity; one's name is not one's physical being, but one's name is the medium by which one is recognized and called upon. Malki-Zedek, ancient King of Jerusalem and identified with Shem the son of Noah, recognized G-d on High as the Power who enabled Abraham to emerge victorious in his battle against the four despotic Kings and thereby rescue Lot from captivity; Abraham himself recognized G-d as the

ultimate arbiter over life and death, the one to Whom we must commit ourselves and our future, when he brought his beloved son Isaac to the akedah on Mount Moriah (Jerusalem). G-d's name is on Jerusalem; it is the city in which the G-d of ethical monotheism is to be recognized and served!

And finally, the place Jerusalem is not specifically mentioned because this recognition of G-d as the Guardian of justice and compassion, lovingkindness and truth is necessary not only for the people of Jerusalem, not only for all the tribes of Israel, but rather for the entire world. When G-d initially elected Abraham, the Almighty charges him and his descendants with a universal mission: "through you all the families of earth shall be blessed" (Genesis 12:3). The prophet Isaiah speaks of our vision of the end of the days, when the Holy Temple will rise from the top of the mountains, and all nations will rush to it to learn from our ways: "From Zion shall come forth Torah and the word of G-d from Jerusalem... so that nation shall not lift up sword against nation and humanity will not learn war anymore." (Isaiah 2)

Tragically we are now locked in a struggle for Jerusalem against a people who insist on their exclusive ownership - and are ready to pervert history, destroy archeological remains and resort to terrorism against innocent civilians in order to achieve their evil designs. How qualitatively different is our vision: May the G-d who cannot be confined to any physical place reveal His teaching of peace and security from Jerusalem His City to every human being throughout the world. Shabbat Shalom.

From: Jeffrey Gross[SMTP:jgross@torah.org]

Weekly-halacha for 5761 Selected Halachos Relating to Parshas Re'eh

By RABBI DONIEL NEUSTADT Rav of Young Israel of Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav.
SERVING FOOD TO A NON-OBSERVANT JEW

QUESTION: Is it permitted to offer food to a non-observant Jew who will not wash his hands and/or recite the proper blessings over food?

DISCUSSION: The Shulchan Aruch prohibits offering food to anyone who will not wash his hands over bread(1) or recite the proper blessings over food(2). This is based on the principle that we may not be an accessory to a fellow Jew's sin. Even if the food belongs to the non-observant Jew, it may not be served to him(3). Often, when a non-observant Jew is asked politely and respectfully to recite a blessing or to wash his hands, he will respond positively. Even if a guest does not know how to recite a blessing or to Whom the blessing is being directed, it is still possible for the host to recite the blessing aloud and exempt the guest(4). The mere fact that the guest agrees to listen is sufficient to make the blessing valid(5). The poskim suggest several leniencies that alleviate the severity of the prohibition of serving food to a person who will not recite a blessing over it. In the following cases it would be permissible:

1. If the food will not be eaten immediately but will be taken home to be eaten at his discretion(6).
2. If there is a chance that a blessing will be recited. The prohibition applies only in a situation when a blessing will definitely not be said(7).
3. If the food is given as a form of charity. Some poskim stipulate that this leniency may be relied upon only when there is a chance that a blessing will be recited. If the non-observant Jew is not rebellious but merely unaware of the proper procedure, one may be lenient even if the recipient will definitely not recite a blessing or wash his hands(8).
4. If the non-observant Jew is a prominent person who, despite being non-observant, still respects the Torah and appreciates those who observe the mitzvos, and by asking him to wash or recite blessings he may get insulted and become hostile towards the Torah

- and/or Torah observant Jews(9).
5. If, by offering him food, there is a better chance of bringing a non-observant Jew closer to religious observance(10).
6. If the food is offered for pay, like serving a customer in a restaurant(11).
7. If the non-observant Jew is a business partner or associate, and denying him food will cause a monetary loss or a breakdown in their relationship(12).

FOOTNOTES: 1 O.C. 163:2. 2 O.C. 169:2. 3 Mishnah Berurah 163:12. 4 Harav S.Z. Auerbach (Minchas Shelomo 35); Harav S.Y. Elyashiv (oral ruling quoted in Avnei Yashfei 1:111). 5 Harav Y. Y. Kanievsky (Karyana d'Igarta 1:141); Igros Moshe O.C. 5:13-6. 6 Beur Halachah 163:2. 7 Aruch ha-Shulchan 163:3; Chazon Ish Shevi'is 12:9. See also Teshuvos v'Hanhagos 1:483. 8 Mishnah Berurah 169:11, according to the explanation of Igros Moshe O.C. 5:13-9. 9 Harav S.Z. Auerbach (Minchas Shelomo 35); Harav C.P. Scheinberg (see Avosos Ahavah pg. 118). A similar ruling is quoted in the name of the Chazon Ish (see Pe'er ha-Dor vol. 3, pg. 195). 10 Harav S.Z. Auerbach (quoted in V'zos ha-Berachah, 4th edition, pg. 154). See Discussion on Parashas Korach for further information on this subject. 11 Meishiv Davar 1:43; Toras Chesed 4; Maharsham 6:11; R' Ezzriel Hildesheimer O.C. 28; Shevet ha-Levi 1:37. 12 Igros Moshe O.C. 5:13-1,10. Weekly-Halacha, Copyright © 2001 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. The author, Rabbi Neustadt, is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos. The Weekly-Halacha Series is distributed L'zchus Daniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org. The series is distributed by the Harbotzas Torah Division of Congregation Shomre Shabbos, 1801 South Taylor Road, Cleveland Heights, Ohio 44118 HaRav Yisroel Grumer, Marah D'Asra. Torah.org depends upon your support. Please visit <http://torah.org/support/> or write to dedications@torah.org or donations@torah.org. Thank you! Torah.org: The Judaism Site <http://www.torah.org/> 17 Warren Road, Suite 2B Baltimore, MD 21208 (410) 602-1350 FAX: 510-1053

From: dafyomi@hadaf-hayomi.com Subject: P / Vol. 116 Tractate Bava Kamma

Daf 22a HIS FIRE IS LIKE HIS ARROWS

Using a Shabbos Clock In our sugya, according to R. Yochanan someone who starts a fire is liable for the damage it causes since his fire is like his arrows. Lighting a fire is like shooting an arrow. As long as the fire burns or spreads it is considered the direct action of the lighter just like an arrow shot from an archer's bow. Both are held directly responsible even though they did not damage the struck object with their own hands. The Nimukei Yosef asks how, according to R. Yochanan, Shabbos candles can be lit every Erev Shabbos: the candle burns on Shabbos and since the candle-lighter is the force that caused the flame to burn, it is as if he is kindling the flame on Shabbos itself! Because of this difficult question the Nimukei Yosef concludes that R. Yochanan did not mean that the act of starting a fire continues as long as the fire burns. Chazal just attribute all of the incidents that later transpire to the time the fire was started. Just as someone who shoots an arrow has no control once the bowstring is released, and any subsequent damage is traced to the time the arrow was shot and the person who shot it, so too, do we attribute fire damage to the moment it was lit. The Nimukei Yosef's analysis was used as the basis for the ruling regarding the use of Shabbos clocks. When the time-switch was invented there was some question over whether it was halachically permissible to use it for Shabbos. Unlike lighting Shabbos candles on Erev Shabbos, setting a clock to turn on the electricity causes a melachah on Shabbos itself. The Maharam Shik (Responsa, O.C. 1 157) posed this question to the Shoel U'Meishiv (Mahadura Tannina 1 65). The latter decided that based on the Nimukei Yosef, there should be no reason to refrain from setting the clock on Erev Shabbos to perform a melachah on Shabbos. What the clock does on Shabbos is a result of his permitted act of Erev Shabbos, and therefore it can be used (see also Igros Moshe, O.C. IV 1 60, who distinguishes between room lighting and other melachos). On the other hand, because of this ruling, someone who activates a machine on Shabbos itself cannot claim that he did nothing more than activate it and the machine then performed all the forbidden tasks on its own. By activating the machine all of the subsequent events are attributed to him and he is held accountable (Chazon Ish, Bava Kamma 14).

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Bava Kama 16-17 INSIGHTS INTO THE DAILY DAF brought to you by Kollel Iyun Hadaf of Yerushalayim daf@dafyomi.co.il, <http://www.dafyomi.co.il>

BAVA KAMA 18 (25 Av) - dedicated by Mrs. G. Kornfeld for the first Yahrzeit of her mother, Mrs. Gisela Turkel (Golda bas Chaim Yitzchak Ozer), an exceptional woman with an iron will who loved and respected the study of Torah.

BAVA KAMA 19 - sponsored by Dr. Eli Turkel, l'Ilyu Nishmas his mother, Golda bas Chaim Yitzchak Ozer (Mrs. Gisela Turkel), whose Yahrzeit is 25 Av. Mrs. Turkel accepted Hashem's Gezeiros with love; may she be a Melitzas Yosher for her offspring and for all of Klal Yisrael.

Bava Kama 17b "BASAR ME'IKARA AZLINAN" QUESTION: Rava asks what the Halachah is in a case where an animal steps on a utensil, causing it to roll somewhere else and to strike a different object and break. Is this considered Tzeroros, since the utensil that rolled only broke after it finished rolling, when it was no longer near the foot of the animal, or is this considered like a normal case of Regel, since it was the kick that the animal gave it which caused it to break? The Gemara phrases the question in terms of whether "Basar me'ikara Azlinan" -- do we consider the damage to have been done at the beginning, at the moment that the animal kicked the utensil, and therefore it is not a case of Tzeroros, or "Basar Tevar Mana Azlinan" -- do we look at the point in time at which the utensil broke, and at that time it was no longer near the animal's foot?

How can the Gemara question whether we say "Basar me'ikara Azlinan" and consider everything to have been done at the moment that the animal kicked it? According to this logic, when will we ever have a case of Tzeroros? Every time an animal kicks a stone that eventually hits a utensil and breaks it, we should say "Basar me'ikara Azlinan" -- that the moment the animal kicked the stone was the moment of the damage and therefore it is not Tzeroros! When will we ever have a case of Tzeroros if we follow "Basar me'ikara"?

ANSWERS: (a) TOSFOS (DH Zarak Kli) explains that there is a difference between an animal that kicks an object that then damages another item, and an animal that kicks something which itself gets damaged after rolling. We can only say "Basar me'ikara Azlinan" when the object which will be damaged itself has already been set into motion, and something has already been done to it (the animal has kicked it). Since it is already moving, we can say that the object itself is already considered to be broken. In contrast, the fact that an animal kicks one object cannot make a second object -- which is still motionless and nothing has been done to it at all -- be considered to be broken at the moment that the animal kicks a pebble towards it. Since nothing at all has begun to happen to that object yet, it cannot be considered broken until it actually breaks. (All of the Rishonim here distinguish between the two cases in a similar manner.)

Therefore, explains Tosfos, in a normal case of Tzeroros, we cannot say "Basar me'ikara Azlinan" and thereby consider the damage to have been done by the animal itself rather than by the Ko'ach of the animal, something that the animal kicked or pushed, since the animal kicked a pebble which damaged a second object. In the case of Rava's question, the animal kicked a Kli which itself became damaged; in that case we can say "Basar me'ikara Azlinan" and that it is not the Ko'ach of the animal that caused the damage, but rather it is the animal itself that caused the damage.

(b) The KETZOS HA'CHOSHEN (CM 390:1) argues with Tosfos. He suggests that even if we apply the rule of "Basar me'ikara Azlinan" to something which does not itself break but causes something else to break, we can nevertheless distinguish between an animal that kicks a Kli which breaks, and an animal that kicks a rock that breaks a Kli. He explains that even if we say "Basar me'ikara Azlinan," and thus when an animal kicks a rock it is as if the Kli that the rock will hit is already broken, nevertheless the Kli has been broken by the rock that hit it and not by the animal's foot itself. Therefore, it is only the Ko'ach of the animal doing the damage, and the Halachah l'Moshe mi'Sinai teaches that something that breaks because of the Ko'ach of the animal -- something that the animal sets in motion -- obligates the owner of the animal to pay only Chatzi Nezek, because of Tzeroros. However, when the animal kicks the Kli itself, if we say "Basar me'ikara Azlinan," then it is the foot of the animal that broke the object rather than the animal's Ko'ach, and we say that the moment at which the foot hit the object, it broke the object.

The KEHILAS YAKOV (Bava Kama 4:6) explains this further by saying that the Ketzos ha'Choshen is differentiating between when the animal itself touched the object that broke, in which case it is considered damaged caused by "Gufo," the body of the animal itself, and when the animal never touched the object that broke, but rather something else which the animal kicked touched the object, in which case it is considered "Kocho" or Tzeroros, and not "Gufo."

The difference between the approach of Tosfos and the approach of the Ketzos ha'Choshen is a case in which a person throws an object, or shoots an arrow, at a Kli, and another person breaks the Kli before the arrow hits it. According to Tosfos,

in such a case the person who actually broke the Kli is certainly Chayav, because we cannot say "Basar me'ikara Azlinan," since nothing was done to the Kli itself until the arrow would hit it; we only say "Basar me'ikara Azlinan" when the object itself was set into motion already, and that same object is going to break. In this case, at the time that the arrow was shot, nothing happened to the Kli which eventually broke. Therefore, Tosfos rules that the person who breaks the Kli before the arrow hits the Kli is Chayav.

The Ketzos ha'Choshen suggests that according to his understanding, in such a case, perhaps the second person will not be Chayav; rather, the person who shoots the arrow will be Chayav, just like in the case that the Gemara cites in which a person throws a Kli down from a high place and another person breaks it before it hits the ground. Just like the second person is not Chayav in that case, because of "Basar me'ikara Azlinan" and it is considered as though he broke a Kli that was already broken, so, too, when one shoots an arrow at a Kli and another person breaks the Kli before the arrow hits it, we can say "Basar me'ikara Azlinan" and say that the second person broke a broken Kli. It makes no difference whether the Kli would have been broken by the "Guf" of the person or by the "Ko'ach" of the person. In either case, someone else broke it, since, when it comes to Adam ha'Mazik, we do not differentiate between "Kocho" and "Gufo," but rather a person is Chayav for damage caused by both, equally. Only with damage caused by an animal do we differentiate between "Kocho" and "Gufo" because of the Halachah l'Moshe mi'Sinai of Tzeroros.

(The Ketzos ha'Choshen suggests that some Rishonim may agree to his way of understanding. He cites the Rosh (1:1) and Nimukei Yosef (21a). However, other Acharonim reject his proofs.)

RAV GUSTMAN zt'l, in Kuntrusei Shi'urim (10:17), finds a Rishon who does seem to suggest the difference suggested by the Ketzos ha'Choshen. The RASHBA in our Sugya points out that the RIF rules that "Basar me'ikara Azlinan," and therefore if someone throws a Kli from the roof and someone else shatters it before it hits the ground, the second person is exempt. Nevertheless, the Rif quotes part of the Maskana of our Gemara (18a) which apparently is necessary only if we do *not* say "Basar me'ikara Azlinan!" The Gemara there proves that "Basar me'ikara Azlinan" from the Beraisa cited here (17b), which teaches that if hens were pecking at the rope of a bucket and the rope broke and the bucket fell and broke, the owner of the hens must pay Nezek Shalem. The Gemara says that from here we see that "Basar me'ikara Azlinan," because otherwise the owner should only have to pay Chatzi Nezek for the bucket, since the bucket broke by falling and breaking. Rav Bibi bar Abaye answers that the bucket did not fall and break, but rather the hen pushed the rope and the bucket until the bucket broke; the hen was pushing the bucket itself.

The Rif cites Rav Bibi bar Abaye's answer, that the reason the owner of the hen must pay Nezek Shalem is because the hen was pushing the bucket itself, and *not* because of "Basar me'ikara Azlinan!" But if the Rif rules that "Basar me'ikara Azlinan," why does he quote the reason of Rav Bibi bar Abaye?

The RASHBA answers that the Rif might hold that even if we rule "Basar me'ikara Azlinan," that only makes it as though the damage all happened at the time that the bucket first started to fall. Nevertheless, since the hens did not touch the bucket itself but rather they touched only the rope, it is called only Tzeroros. That is why the Rif needs to rule that the hen actually pushed the bucket itself and broke it rather than saying that it pushed the rope causing the bucket to break.

The Rashba's explanation is a very strong support for the logic of the Ketzos ha'Choshen -- that even if we say "Basar me'ikara Azlinan," we still will consider it to be a case of Tzeroros ("Kocho") as long as the animal did not touch the object that broke, but rather something else that the animal touched caused the object to break.

(The Rashba also agrees to the difference of Tosfos, though, that when the object that broke was not set into motion, we do not say "Basar me'ikara Azlinan." He simply adds that even when that object was set into motion, we still do not say "Basar me'ikara Azlinan" to remove it from the category of Tzeroros, unless the animal actually touched the object.) The *D*AFYOMI *A*DVANCEMENT *F*ORUM, brought to you by Kollel Iyun Hadaf Write to us at daf@dafyomi.co.il or visit us at <http://www.dafyomi.co.il>