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**Rav Soloveitchik ZT'L**

First Born --February 8, 1975

The exodus from Egypt led to matan Torah (giving of the Torah) and the 613 precepts. With many of the precepts it refers to the exodus from Egypt, such as "I am the Lord your G-d who took you from Egypt." We are warned to discipline ourselves in corporeal excessiveness as was practiced in Egypt. The body should be disciplined not to be the beast of the field. This includes sexual excessiveness or immorality and the dietary laws. To discipline the mind is easy but the body is difficult. Thus, all the pagan religions worshipped pleasure.

Also included are the precepts of justice. "Deal kindly with strangers etc." This encompasses the entire principles of the Torah--kedushah (holiness) and justice. There are precepts associated with exodus which serve as a memorial, such as eating of matzoh, the paschal lamb and the injunction against eating chametz. They are the echoes or reflections of Yetziat Mitzrayim (exodus from Egypt). They are not permanent or perpetual precepts but practiced only at certain times of the year. However, there are two precepts regarding the exodus which serve the entire year--b'chor (first born) and t'filin (wearing the phylacteries). This is an analysis between b'chor and Yetziat Mitzrayim.

Why was the plague of the "first born?" It ties in with the mitzvah of b'chor. G-d said, "Israel is my first born. Let him go or I will kill your first born." Why didn't G-d tell this to Moshe the entire time He spoke to him at the revelation at the bush, but only after Moshe spoke to Yitro (his father-in-law) and was on his way to Egypt?

Often, the first born are the most cruel to the younger ones. They often utilize their bigness to exploit the younger ones. Often, the gangs of the street started in parental home with display of authority. It was a patriarchal slave society--primogeniture. Each first born was a master of slaves. Why did G-d punish the gods? Because when you punish a nation you must punish its philosophy.

We (Israel) have recognized the unique role of the first born, not as power. Jacob was not interested in blessings of power. He was afraid that Esau should not be in line to his covenantal destiny. He wanted to be in line. Actually refuting the theory of power to the first born, the younger ones almost always were the elected or the great ones.

G-d owns the world in general but especially the living matter--man. According to the Torah law, man has very limited access to the animal kingdom for food and it is loaded with limitations (dietary laws). There is little prohibition in the organic world, unless there is kilayim (cross breeding of forbidden species). Blood was prohibited because it belongs to G-d; the exclusive possession synonymous with life. The more precious a thing is, the more specific the prohibitions are from G-d. It belongs to G-d.

Children, the most precious of all, belong to G-d as exemplified by Chana (the prophet Samuel) and Abraham (his son Isaac). If the birth of every child is important to the parent (especially mothers), the birth of the first child is the greatest experience. It borders almost on the miraculous. The bachelor is egocentric. Marriage with a child is a "closed community." With a child the area expands. According to Hebrew law a childless man could not sit in criminal judgment because he lacked compassion. Neither can an old man (in capital cases) because he also lacks compassion. The first born is a source of deep pleasure. The more precious the love, the more it belongs to G-d. G-d claims the first born for Himself because the parents enjoy him so much. Thus, on the night of the exodus, the Egyptian concept of first born (power) was defeated; the Hebrew version of (love) conquered.

The first born received two portions. Regarding inheritance he becomes the "paternal" b'chor. It is a repayment because during his youth he carries the load and becomes the father's helper. At birth (Pidyon haben) it is "maternal" b'chor. In the paternal case the double portion inheritance is for the services he rendered to father especially in olden times when he helped the father accumulate wealth. In the maternal case, the b'chor not only opens the womb but opens the spiritual and emotional community--love.

When one introduces a child as "this is my b'chor," what does it imply? It means that you have more children--this one is the first born one. When G-d said to Pharaoh, "Israel is my b'chor," it meant that He has other children--nations--and loves all his children. What is the role of Israel as b'chor (first born)? "You are my first born--I'm giving you the Torah--but don't think I am abandoning the world. You will be my messengers, my teachers," but "Li chol ha'aretz" (the whole world is mine). "I am not abandoning the world. As b'chor you will have to teach."

G-d is prepared to accept any nation as long as they will walk along the laws. But the b'chor must teach. The older child is the greatest teacher to the younger ones because they can communicate. The mother and father belong to the "older generation." But, it cannot be said about the older brother and sister, for they are of the same generation.

Pharaoh did harm to the 600,000 Jews only, but by depressing the nation as slaves, he prevented Israel from assuming its role as the teacher. So, he sinned not only against the Jews but against the whole world. He prevented us from taking up our teaching although the assignment was still valid.

At the end of Sedra Shmot we are told that Moshe forgot to circumcise his son. Why is it told at this time? Tziporah (Moshe's wife) saved him. Gershom (the older son) was supposed to teach Eliezer (the younger) and Moshe forgot. It was only a physical circumcision but a spiritual one as well. Therefore, until he did so, he couldn't appear before Pharaoh.

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**"THE JEWISH LUNAR CALENDAR"**

**by Rabbi David Feinstein**

\* \* \*

There are two systems that can serve as the basis of a calendar: the lunar cycle -- the yearly cycles of the moon; or the solar cycle -- the yearly cycle of the sun. The Torah bases its calendar mainly on the cycles of the moon.

Why did the Torah choose a lunar calendar over a solar calendar? The answer may be found in the verse, "For a commandment is a lamp, and the Torah is light" (Proverbs 6:23). This verse underscores a basic distinction between a mitzvah, a commandment, which it equates to a lamp, and Torah which it equates to light. In so doing, it provides us with the foundation

with which to answer the question of why G-d based the Jewish calendar on the cycles of the moon and not on the cycle of the sun.

The lamp to which the verse refers is not itself a light. Rather the lamp contains the physical components -- oil and a wick -- which when ignited make it possible for the lamp to give off light. The light of the lamp, however, owes its existence to an outside non-physical source -- fire -- which ignites the lamp's components. Thus when a lamp shines, it is a continuation of the light it received from the outside source.

So too with mitzvos. Unlike the Torah, they are not light itself. Rather, similar to the lamp, the mitzvos are the body, that reflects the light of the Torah that permeates and ignites them. One does not fulfill a mitzvah by simply learning about the mitzvah. Mitzvos are fulfilled only by being performed, and like the lamp, when the mitzvah is performed it reflects the light of Torah that ignites it.

With these basic concepts, we can understand why the Jewish calendar is a lunar and not a solar calendar. In a sense, the gaseous sun represents light which is not tied to anything physical. It is pure light. The moon, on the other hand, is a solid which only reflects the light that the sun provides to it. Therefore, like the mitzvos, the moon is also similar to a lamp; it provides the physical body -- that reflects light received from an outside source.

The Jewish calendar also represents mitzvos. For the calendar is the basis for the performance of many commandments, such as the many observances related to the festivals. By definition, such commandments can exist only if their specified dates are established by means of a calendar. For example, Pesach begins on a specific date, the fifteenth of Nissan; but if there is no calendar there is no Nissan, and hence no Pesach. Since the Jewish calendar represents mitzvos, our calendar falls under the realm of the moon, and not the realm of the sun which is light itself. It is for this reason that our calendar is based mainly on the cycles of the moon and not the cycle of the sun.

\* \* \*

The lunar calendar has another message for us. Every person is born under a mazal, loosely translated as a sign. What this means is that G-d has given everyone a pre-ordained destiny, which determines whether a newborn child will be rich or poor, bright or dull, strong or weak, healthy or sickly.

Certainly destiny alone does not dictate success or failure, since individuals have the capacity to make the most of what G-d gives them, or they can squander it. History amply proves that an intelligent government and an industrious citizenry can overcome problems, and, conversely, more than one country has failed to live up to its promise. Be that as it may, for the non-Jewish world, the basic ingredients of one's destiny are resistant to change; righteous conduct will not make a weakling strong.

The sun symbolizes destiny. It never changes. Clouds may obscure it, extreme northern or southern countries will not get its direct rays, but the rays are always there, covered or not, direct or not. Thus, the sun, and the calendar based on it, symbolize the non-Jewish world, just as, indeed, the solar calendar is the prevalent one in the world.

\* \* \*

The Jewish people, however, have a different type of destiny and therefore a different calendar. As the Sages teach, "The signs hold no sway over Israel" (Talmud - Shabbos 156a), meaning that the destiny of the Jewish people is subject to change, depending on the nation's -- and every individual's -- adherence to the will of God.

The classic example is in the Torah. Abraham contended that the laws of nature dictated that he and Sarah could not have children together. In response, G-d raised him above the stars, as it were, and told him that he, as the forerunner of Israel, need not be subject to the destiny of birth. By his great spiritual accomplishments, he had raised himself above the limitations of birth and had created a new destiny for himself and his future offspring (see Genesis 15:5-7, with Rashi).

In the introduction to the verses of admonition, G-d declares that if Israel observes the commandments and dedicates itself to intense Torah study,

every manner of blessing will come upon it (Leviticus 26:3-13; Deut. 28:1-14). As the commentators note, that is hardly a natural process. Is it logical that Sabbath observance will increase crops or that Torah study will bring victory over invaders? No! But the Torah tells us that Israel's destiny transcends logic. Jewish deeds can change logic and destiny. Abraham and Sarah would have children, and a small weak nation would defeat the entrenched city-states of Canaan. Loyal service of G-d and faithful performance of the commandments can override the potency of a mazal.

In the Book of Lamentations, the prophet Jeremiah denies that evil befalls Jews because of coincidence or because of a Divine decree; rather Israel's fate is determined by its own deeds... Thus, it is almost inevitable that people will have ups and downs in their lives, depending on their deeds.

\* \* \*

The moon symbolizes this human condition. Like the Jewish people, the moon goes through stages. It waxes and it declines. Like Israel, it becomes full and it later becomes diminished, but even then, it comes back. The moon symbolizes that in moments of the most intense darkness, when all hope seems to be lost, the Jewish people -- as a nation and as individuals -- will come back.

This is another lesson taught constantly by the Jewish calendar, which forces us to look to the moon. Indeed, we can well imagine that during the times of the Sanhedrin, when the new month would be declared when witnesses sighted the first sliver of the new moon, people would crane their necks looking for it -- at the same time remembering that the moon was a mirror of themselves, that their calendar was an eternal reminder that their destiny was in their own hands...

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### **Living Each Week**

**By Rabbi Abraham J. Twerski**

Parashas Bo

In order that you may relate to the ears of your children and grandchildren... the wonders that I did (Exodus 10:2)

One question that comes to mind as we read the Haggadah at the Passover Seder is why there is hardly any reference to Moses. Except for one time that he is mentioned in passing, the central character who dominated the entire saga of the Exodus is absent.

The answer to this is quite simple. As the above verse indicates, Moses was commanded the mitzvah of relating the story of the Exodus to his own children. This mitzvah was initially only applicable to Moses, and could hardly apply to the Jews of the Exodus, since all their children had also personally experienced and witnessed all the marvelous events. The only

ones who had no personal knowledge of all that had transpired were Moses' children, who were with Jethro, and who did not join him until after the Exodus (18:2-3). The first narration of the Exodus, hence the first Haggadah, therefore consisted of the account which Moses delivered to his own children. Since Moses was the most humble of all men, he omitted his role in the epic. The first format of the Haggadah thus did not contain anything about Moses, and as the Haggadah continued to be formulated throughout the ages, with the preservation of its original structure, nothing about Moses was included.

The Talmud considers humility to be the most important of all character traits. As we read the Haggadah and notice the striking absence of any reference to Moses, we should be reminded of the overriding importance of humility.

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### **Rabbi Yonason Sacks**

#### **Zechiras Yetziyas Mitzrayim**

While the mitzvah of "zechiras Yetziyas Mitzrayim," remembering the Exodus, occupies an undeniably profound place in Jewish consciousness, the source of this obligation is subject to considerable debate.

In identifying the source for the daily obligation to commemorate Yetziyas Mitzrayim, Rashi (Shemos 13:3) quotes the Mechilta on the pasuk "Zachor es hayom hazeh asher yatzasem miMitzrayim mibeis avadim." In Berachos 21a (s.v. Emes), however, Rashi cites an entirely different source for this obligation: "I' maa'n tizkor es yom tzaischa me' eretz Mitzrayim kol yemei chayecha" (Devarim 16:3). Apparently, Rashi maintains that both verses are necessary to understand the scope of this mitzvah. Had the Torah merely commanded "zachor es hayom hazeh," one may have erroneously concluded that the mitzvah applies only during Pesach (see the continuation of Shemos 13:3). The pasuk in Devarim thus dispels such a notion, teaching that the obligation exists "kol yemei chayecha" – every day of one's life. Conversely, had the Torah merely presented the pasuk in Devarim, "I' ma'an tizkor..." one may have erroneously read the pasuk as teaching the reason for the Pesach obligation, but not necessarily enjoining, by force of a Biblical positive commandment, to actively remember the Exodus itself. Hence, according to Rashi, both verses in Shemos and Devarim are essential in conveying the Biblical requirement for daily remembrance.

Interestingly, however, the Rambam makes no mention of a requirement to remember yetziyas Mitzrayim. In light of this conspicuous omission, the Ohr Sameach (Hilchos Kriyas Shema 1:1) goes as far as to suggest that the Rambam understands the daily obligation as being only Rabbinic in nature. Rav Soloveitchik zt"l (Shiurim L'Zecher Abba Mori vol. I: Mitzvas Kriyas Shema u'Zechiras Yetziyas Mitzrayim, page 1), however, explained the Rambam's omission of this mitzvah in a different manner[1]. Quoting his grandfather Reb Chayim zt"l, the Rav explained that in the Rambam's eyes, zechiras yetziyas Mitzrayim does indeed constitute a Biblical mitzvah. The Rambam merely refrained from counting it as one of the canonical 613 mitzvos for technical reasons. The Rambam himself writes (Shoresh 3 of Sefer Hamitzvos) that only mitzvos which are eternally binding, "mitzvos l'doros," are reckoned amongst the 613. In the Rambam's eyes, however, the mitzvah of zechiras yetziyas Mitzrayim is temporary in nature. Citing the Mishnaic dispute (Berachos 12b) between Ben Zoma and the chachamim as to whether the mitzvah of zechiras yetziyas Mitzrayim will exist in the Messianic era, Reb Chayim explained that the Rambam rules in accordance with Ben Zoma, that the mitzvah will cease to exist. As such, the obligation to remember yetziyas Mitzrayim does not constitute a "mitzvah l'doros." Thus, while the mitzvah is undeniably Biblical in nature, it is nonetheless technically omitted from the list of 613[2].

While Reb Chayim suggested that the Rambam omitted zechiras yetziyas Mitzrayim because he assumes like Ben Zoma, that the mitzvah is only temporary in nature, Reb Issur Zalman Meltzer (Even HaEzel, Hilchos Kriyas Shema, 1:3) questions this very assumption. Reb Issur Zalman maintains that even Ben Zoma, who appears to reject the existence of this mitzvah in the Messianic era, does not reject its existence categorically. Rather, Ben Zoma sees zechiras yetziyas Mitzrayim as part of a broader, more general requirement to commemorate the miraculous redemptions which Hakadosh Baruch Hu performs throughout the generations. This mitzvah remains eternally binding, even in Messianic times. Ben Zoma merely argues regarding the specific details within this broader mitzvah, maintaining that the miracles of the Messianic era will take the place of the Egyptian exodus. In its core essence, however, the mitzvah to remember Hakadosh Baruch Hu's redemptive miracles remains unaltered.

Reb Issur Zalman's argument finds its roots in the words of the Rashba (Perushei HaHagados, Berachos 12b) and the Ramban (Shemos 12:2). Both Rishonim seem to decentralize the requirement to remember yetziyas Mitzrayim from the specific event of yetziyas Mitzrayim, perceiving it as a much broader obligation to constantly appreciate the wondrous miracles which Hakadosh Baruch Hu performs on behalf of Bnei Yisrael. Thus, when Hakadosh Baruch Hu redeemed the Jewish nation from Bavel, the mitzvah of zechiras yetziyas Mitzrayim necessitated national thanksgiving and commemoration of the Babylonian redemption as well[3]. Similarly, the future redemption, which will bring new miracles and triumphs, will necessitate new expressions of praise.

While the Ramban and the Rashba focus on the overt and manifest miracles which have occurred at specific historical episodes, the Ramban (Shemos 13:16) concludes the parsha by affirming that our attention to these "great" miracles should never distract us from the "minor" miracles which occur constantly throughout our lives. To the contrary, a fundamental and inviolable tenet of Jewish belief is that "From the great miracles, a person comes to admit to the hidden miracles that are the foundation of the entire Torah. For no one has a portion in the Torah of Moshe until he believes that all of our words and events are miracles, and there is no such thing as nature." According to the Ramban, the daily requirement of zechiras yetziyas Mitzrayim teaches us the eternal mission of the Jew: to perceive and appreciate the undeniable presence of the Yad Hashem in each and every aspect of his life.

[1]See also "Chazon Yechezkel" (Berachos 1), who suggests a similar possibility.

[2]See there for an alternate possibility. Namely, that the Rambam does not count zechiras yetziyas Mitzrayim because he views the mitzvah as part of the larger mitzvah of Kriyas Shema (kabalas ol malchus Shamayim).

[3]See Ramban (ibid.), who maintains that the names of the calendrical months serves this very purpose.

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From: **RABBI JONATHAN SCHWARTZ** rjspsyd@comcast.net

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Internet Chaburah Parshas Bo 5768

Internet Chaburah

Prologue: It wasn't just a Mitzva in the Torah, it was the FIRST Mitzva in the Torah.

And yet, when we consider it, Rosh Chodesh does not carry the same strength in Jewish life as its other holidays do. After all, Yamim Tovim have the status of Mikra Kodosh. Even Chanukah and Purim, days that do not have a Korban Mussaf and are Rabbinically sanctified, carry certain rules of work restriction signifying the sanctity of these times. What is the Jewish view of Rosh Chodesh?

In a famous eulogy for Rav Ze'ev Gold, the Rov ztl (Divrei Hagut V'Ha'aracha, see also Bein Kotalei HaYesahiva vol. 6) tackled the

personality Rosh Chodesh. He likened Rosh Chodesh which on the outside seems to be regular and Chol-like. However, internally Rosh Chodesh is Kodesh. While man goes through his daily activities on Rosh Chodesh externally, he internalizes the Kedusha of the day with special devotional prayers. The Rov likened Rosh Chodesh to Yosef whose internal spirituality was not recognized by all. The emotions of his father which Rav Moshe Soloveitchik internalized and the internal care of Rav Gold for all Jews were seen as personifications of the Rosh Chodesh personality. Rosh Chodesh (and these personalities) spoke to man's need not to put all the cards on the table. Whereas one sees all on the Yamim Tovim, Rosh Chodesh does not reveal all, leaving room for a future. To the Rov, the internalizing and Tznius of Rosh Chodesh also was an image of hope and renewal.

Our hopes are raised with the anticipation of a new dawn. Hence this week's Chaburah. It is entitled:

\*\*\*\*\* Women and the night \*\*\*\*\* (Based upon the Shiurim of HaGaon Harav Asher Weiss Shlita, audio courtesy of BCBM.org)

The Mogen Avrohom (O.C. 426:1) notes that women are exempt from the Mitzva of Kiddush Levana as it is an active time-based Mitzva (Mitzvas Aseh SheHaZman Gramma). This position is cited by the Mishna Berurah and other subsequent Poskim as well. However, this position is difficult to accept because the Psak is really based upon a fundamental debate between Rashi and Tosafos (Berachos 20b) in regard to whether the exemption of women from Mitzvos Aseh SheHazman Gramma applies only to Biblical commandments or to Rabbinic ones as well. Notwithstanding the debate, it seems that the Mogen Avraham accepts the position that women are exempt from Rabbinic time based active commands as well.

The trouble begins with Rav Shlomo Kluger. Rav Shlomo Kluger (Chochmas Shlomo O.C. 426) notes the Mogen Avraham's position but asks how it is possible to debate the issue of Mitzvas Aseh SheHaZman Gramma here. After all those exceptions are based on time. This issue is based on the renewal of the moon. He equates the scenario to that of a person who was unable to partake of a particular new fruit because it was out of season. In this case, women, like men, would recite SheHeChiyanu on the new fruit since it is the fruit (not the time that it was out of season) that brings the obligation of the Bracha. The same should be true of Kiddush Levana. So why are women exempted?

The Maharil Diskin (Kuntres Acharon 5:26) notes that Birkas Hachamma is NOT Zman Gramma because the blessing is based on the sun's being in the right place. He contrasts this with the Kiddush Levana which, in regard to constellation size, returns to the same position twice a month but Kiddush Levana cannot be recited at the end of the month. Hence, it is Zman Gramma. Rav Weiss noted that he didn't fully accept the Maharil Diskin's position because the position of the moon at the beginning versus the end of the month is not based on time but rather on the visibility of the moon. (also, the part of the moon that is visible at the end of the month is different from the part visible at the beginning – hence the issue IS actually based upon the moon – not time)

Elsewhere (Shut HaElef Lecha Shlomo, 193) Rav Shlomo Kluger elucidates a strange gemara that might impact our issue here. The Talmud (Sanhedrin 42a) notes that Rav Acha told Rav Ashi that in Eretz Yisrael the people recite the Beracha Baruch Michadesh Chodoshim. Rav Ashi retorted that our women do the same. How can that be, if they are exempt from the Mitzva of Kiddush Levana? Rav Shlomo Kluger notes that there are 2 aspects to Kiddush Levana: the first is on Chiddush HaLevana which is not time-based and women would recite and the second of Asher B'Ma'amaro Bara Shechakim which is time bound specific. Had we only recited Michadesh Chodoshim, women could recite it. Now that we combine the 2, they can opt for the exemption. This is the position of the Meiori in Sanhedrin who requires women to recite the shortened version Michadesh Chodoshim monthly.

But bottom line, the Mogen Avraham has turned an exemption into a prohibition. Women today do not recite Kiddush Levana at all. Why? Why not make it like all other Mitzvos Aseh SheHaZman Gramma where women are allowed to obligate themselves in the blessing?

Some argue that when a Mitzva is only the recitation of a Beracha then perhaps those not obligated should not take it on as a chumra lest the Blessing be recited without proper Kavana and Hashem's name recited in vain (See Mogen Avraham to O.C. 296). Others cite the Shelah who cryptically notes that women caused the shrinking of the moon. Geonei Basraii note that women don't recite Kiddush Levana because it must be recited outside and Kol Kevoda Bas Melech Penimah. Any way you cut it, the exception has become the norm.

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From: ZeitlinShelley@aol.com Sent: Monday, February 06, 2006 10:49 PM To: ZeitlinShelley@aol.com Subject: The Very First Mitzvah of the Torah by Rabbi Moshe Meir Weiss

### **The Very First Mitzvah of the Torah By Rabbi Moshe Meir Weiss**

In the beginning of the Chumash, the official first mitzvah in the Torah is, "HaChodesh hazeh lachem rosh chadoshim – This month (Nissan) is to be for you the first of the months." On a practical level, this commandment manifests itself when we date a check. For example, it is preferable that we not write 02/12/06, for then we are numbering the months from January instead of from Nissan. Rather, whenever possible, we should write out the word February instead of the integer 2 or 02.

For that matter, whenever possible, we should use the Hebrew month of Shevat and Adar instead of February and March, for we must realize the secular calendar is a Roman calendar. Therefore, a name like January represents the pagan G-d Janus, which is a two-headed G-d looking both to the past and the future. Thus, it starts the secular new year. July was named after Julius Caesar, while August was named after the emperor Augustus. So we should not have a fondness for these names even though, to many, July and August represent the sweet months of summer.

By numbering our months from Nissan, the month of the Exodus, we fulfill the directive of "Zeicher l' yetzias Mitzrayim," the charge to remember our miraculous delivery from Egypt. In a similar vein, when we date a friendly letter with the heading, "The fourth day of Shabbos, Parshas Yisro," we fulfill the positive command of "Zochar es yom haShabbos l' kad'sho – Remember the Shabbos day, to sanctify it." This is the story of the life of Jew. We are able to fulfill the will of Hashem even when we date our documents and define the weekdays.

But, putting aside this practical halachic consideration, there is a much more fundamental lesson to this first mitzvah of the Torah. Rav Soloveichik and Rav Pam, Zt"l, Zy"va, both point out that in Egypt the Jews suffered over a century of slavery. During this entire period, time was not theirs. Rather, the cruel Egyptian taskmasters dictated all of their time. Overnight, Hashem emancipated them and suddenly they were in control of their own destiny. After one hundred and seventeen years of servitude, they had their own time. Therefore, Hashem's first directive to them was to be m'kadeish the zman, to sanctify time and to budget it wisely. This is why the Torah starts off, "Bereishis bora Elokim," which is homiletically interpreted to mean that G-d created first the concept of 'In the Beginning,' namely the concept of time. And Rebbe Yehuda HaNasi, the author of the Oral Law, starts the Mishna with the theme of time, starting the very first Mishna in Shas, in the Talmud, with the word "Mei-eimasai... – From what time..."

It was the Chasidus of Ger that initiated the custom of giving a golden watch to a choson, a groom. This was not given as a fancy accoutrement, but rather to drive home the message that as one starts off his career in life, one should remember that time is golden. Likewise, in biblical times, women wore a nose ring. Indeed, Eliezer gave Rivka a golden nose ring from Yitzchak. In Hebrew nezem is the word for nose ring, which is an

anagram of the word zman, time, highlighting as well that for the woman, time is golden.

The placement of the nezem upon the nose is also highly significant for the nose is the organ of the soul. Hashem blew the soul in through the nose. (This is because the nose is the most pure of the orifices. While it is so easy to sin with the mouth, the ears, or the eyes, it is quite difficult to sin with the nose. In order to sin with the nose, one would either have to sniff at leaven during Pesach or sniff at sacrifices made to idolatry and to derive benefit from either of these actions. Therefore, since the nose is so sin-free, it was used for the portal entry of the soul.) Placing the nezem, which has the same letters as zman, on the nose reminds us to dedicate time to the spirit.

Incidentally, it is for this reason also that the nose is in the center of the face since spiritual concerns should also be at the center of a Jew's focus. The nose is also the first part of the upper body to enter into a room – to drive home the fundamental lesson that the spiritual should always be front and center in our lives.

The word zman also means to be deliberate and ready. Like we say before we do a mitzvah, "Hineni m' muchan u' m' zuman... – Behold we are prepared and ready..." This again establishes the importance of using our time with deliberateness and not in a lackadaisical fashion.

Another word for time is "eis." The numerical value of eis is 470, which is the same gematria as Tanach, all of the Books of the Holy Scripture. This is to drive home the message that the best possible use of one's time is in the study of Torah, the greatest mitzvah of them all. How beautiful it is that the three first words of the Torah, "Bereishis bora Elokim," which we've already mentioned refer to the creation of time, is the exact gematria of Torah, Neviim, Kasumvim, the words which combine to spell out the word Tanach.

May it be the will of Hashem that in the merit of budgeting our time smartly, we be blessed with long life, good health, and everything wonderful.

To be continued.

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Weekly Halacha Overview- The Mitzvah of Talmud Torah Part I

**RABBI JOSH FLUG**

**The Mitzvah of Talmud Torah**

Part I

The mitzvah of talmud Torah (learning Torah) has two components. The first component is the obligation of a father to teach his son Torah. The second component is an individual's responsibility to learn Torah. This week's issue will focus on the first component and next week's issue will focus on the second component.

Is the Father's Obligation an Independent Mitzvah?

The Gemara, Kiddushin 29a, cites a Beraita listing all of the activities that a father is obligated to perform for his son. The list includes the obligation for the father to circumcise his son, the obligation to redeem him (pidyon

haben), to teach him Torah, to find him a wife to marry and to teach him a trade. The Gemara, Kiddushin 29b, derives the obligation for a father to teach his son Torah from the verse (Devarim 19:11) "V'limad'tem otam et b'neichem l'daber bam," you shall teach [these words] to your children to speak of these.

One can question whether the obligation to teach one's sons Torah is included in the general mitzvah of Talmud Torah or whether it exists as an independent mitzvah. Rambam, in his Sefer HaMitzvot, Aseh no. 11, states that there is a mitzvah to learn Torah and to teach Torah. Rambam does not specifically include any mitzvah to teach one's son. R. Natan Gestetner, L'Horot Natan, 6:87, explains that Rambam's opinion is that there is no independent mitzvah to teach one's son. The obligation for the father to teach his son Torah stems from the fact that there is an obligation for the son to learn Torah. In this sense, learning Torah is similar to circumcision and pidyon haben in that these are mitzvot that are ultimately the responsibility of the son. However, since these mitzvot must be performed while the child is still a minor, the Torah places a responsibility on the father to ensure that these mitzvot are performed. If the father neglects to perform these mitzvot, the son must perform them himself when he becomes an adult. Therefore, the obligation for a father to teach his son is not an independent mitzvah. Rather, it is part of the mitzvah of learning Torah. Since the obligation begins before adulthood, the father must ensure that the son learns Torah.

Based on this idea, R. Gestetner explains a puzzling comment of a Beraita. The Beraita (cited in Sukkah 42a), discusses the age at which one starts to train a child in performance of mitzvot (i.e. the mitzvah of chinuch). The Beraita states that regarding talmud Torah, one should teach the child some verses of the Torah when he begins to speak. R. Gestetner asks: based on the other examples in the Beraita, it is evident that the proper age to train a child for mitzvot is at the age that the child can properly fulfill the mitzvah. Why then, is the age of training for the mitzvah of talmud Torah at an age when the child certainly cannot understand what he is saying? Shouldn't the training of the child begin at an age when he can comprehend the verses in the Torah?

R. Gestetner answers that when the child is able to comprehend Torah, he is actually obligated in the mitzvah of talmud Torah and the father is obligated to ensure that he fulfills that mitzvah. Prior to that age, there is an obligation to train the child to properly fulfill the mitzvah when he reaches the age when he can comprehend. The training is accomplished by the child reading verses in the Torah, even though he cannot comprehend them.

Based on this idea, one can explain a comment of Yalkut Shimoni, Parshat Ekev, no. 871. Yalkut Shimoni, in discussing the obligation of a father to teach his son Torah, states that when a child is able to speak, the father should teach him some verses in the Torah as well as the Hebrew language (lashon hakodesh). Why does the obligation for the father to teach his son Torah include learning the Hebrew language? Furthermore, why is the father required to teach him Hebrew at such a young age?

Based on R. Gestetner's idea, one can suggest that Yalkut Shimoni is simply referring to the obligation to train a child to learn Torah. Although a young child is not capable of understanding the verses of the Torah, the father is obligated to prepare the child to learn when he is able to comprehend. Therefore, a father should teach his son the Hebrew language when he begins to speak in order to facilitate his understanding of the verses of the Torah when his formal learning begins.

Further evidence of this idea lies in a comment of Rama, Yoreh De'ah 245:8, (citing Abarbanel, Nachalat Avot 5:21). Rama rules that when a child turns three years old, his father should ensure that his son is familiar with the Hebrew letters. The message conveyed by Rama is that when a child begins the formal learning process, he should start with as many learning skills as possible. This includes reading and understanding the Hebrew language.

The Extent of the Father's Obligation

The Gemara, Kiddushin 30a, states that the obligation for a father to teach his son Torah is limited to "Torah" and does not extend to Mishna, Talmud, Halachot and Aggadot. Rashi, ad loc., s.v. Torah, states that the obligation does not include Nevi'im or Ketuvim. Rambam, Hilchot Talmud Torah, 1:7, rules that a father must hire a teacher for his son to teach him Torah Shebichtav (Torah, Nevi'im and Ketuvim).

The implication of Rambam's ruling is that a father is not obligated to hire a teacher to teach his son the oral law. Tur, Yoreh De'ah no. 245, cites the opinion of R. Meir HaLevi that if the father can afford a teacher to teach his son the oral law, he should certainly spend money to hire a teacher. Shulchan Aruch, Yoreh De'ah 245:6, codifies the opinion of R. Meir HaLevi.

R. Moshe Feinstein, Dibrot Moshe, Kiddushin no. 44, asks a number of questions regarding the extent of the father's obligation to teach his son Torah, including the following: First, Rambam, Hilchot Talmud Torah 1:3, states that there is an obligation on each individual to teach all students, but the obligation to hire a teacher only applies to one's own son and not to other individuals. If each individual has an obligation to teach Torah to all students, why isn't each individual obligated to hire a teacher for all students who cannot pay for their own teacher? Second, what is the nature of the dispute between Rashi and Rambam regarding the portions of Torah that a father is obligated to teach his son?

R. Feinstein answers that there are two aspects of the mitzvah of talmud Torah. The first aspect is the obligation to learn Torah in order to receive a basic knowledge of how to live a Torah life. The second aspect is the obligation to learn the entire corpus of Torah for the sake of learning. The father's obligation towards his son is twofold. He must teach his son enough Torah in order that his son is able to have a basic knowledge of how to live a Torah life and ask questions when he is unsure. He must also provide his son with enough skills to pursue learning on his own. Both of these obligations are a function of a father's responsibility to raise his son to lead a Torah life. The obligation for each individual to teach Torah to others is strictly a function of a collective responsibility to provide opportunities to those who want to learn Torah for the sake of learning. Since the obligation to raise one's son to lead a Torah life is a personal obligation, the father must either personally teach his son or hire a teacher. Regarding the oral law, the father must only ensure that his son is equipped with the capacity to continue his Torah education.

Nevertheless, the father, as a member of the community, has an obligation to provide learning opportunities to all students. If he is able to provide that service by teaching others, he should provide as many learning opportunities as possible. If not, he should try to allocate money towards Jewish education. In choosing who receives the money allocated for education, one's own children take priority. This is why R. Meir HaLevi and subsequently Shulchan Aruch rule that if a father has the means, he should hire a teacher for his son to learn the oral law.

R. Feinstein then suggests that the dispute between Rashi and Rambam is contingent on what is considered a basic knowledge of how to live a Jewish life. According to Rashi, the Five Books of Moses are sufficient. According to Rambam, one must learn Nevi'im and Ketuvim as well because they include important ethical concepts.

## **The Mitzvah of Talmud Torah**

### **Part II**

#### **Rabbi Josh Flug**

Last week's issue discussed the obligation of father to teach his son Torah. This week's issue will focus on the personal obligation to learn Torah. We will present an idea developed by R. Shneur Zalman of Liadi, which provides an important insight into the mitzvah of talmud Torah.

#### **How Much is One Required to Learn?**

The Mishna, Pe'ah 1:1, states that talmud Torah is one of the mitzvot that has no set amount. The commentaries on the Mishna (see Bartenuira and

Tiferet Yisrael ad loc.) note that this comment can be interpreted to mean that there is no minimum for talmud Torah and one who learns even the smallest amount fulfills the mitzvah. Alternatively, it can be interpreted to mean that there is no maximum amount and no matter how much one has learned, one is still obligated to continue learning.

This dichotomy is expressed in the resolution of an apparent contradiction between two statements of R. Shimon B. Yochai. The Gemara, Menachot 99b, cites the opinion of R. Shimon B. Yochai that one can fulfill the verse (Yehoshua 1:8) "This Torah shall never leave your lips" by reciting Sh'ma in the morning and Sh'ma in the evening. Yet, the Gemara, Berachot 35b, cites a dispute between R. Yishmael and R. Shimon B. Yochai regarding how much time should be devoted to talmud Torah. R. Yishmael is of the opinion that although the verse states that the Torah shall never leave your lips, one must follow the ways of the land (derech erez) in order to earn a livelihood. R. Shimon B. Yochai disagrees and maintains that if one were to spend his whole day earning a livelihood, "what will happen to (his learning of) Torah." How is it possible that the same R. Shimon B. Yochai who states that recitation of Sh'ma fulfills the mandate of the mitzvah of talmud Torah, does not subscribe to R. Yishmael's opinion that this mandate allows one to earn a livelihood?

R. Shneur Zalman of Liadi, Shulchan Aruch HaRav, Kuntrus Acharon, Hilchot Talmud Torah 3:1, explains that there are two aspects to the mitzvah of talmud Torah. The first aspect is to constantly learn Torah such that the Torah never leaves one's lips. Regarding this aspect, R. Shimon B. Yochai teaches that constancy can be achieved through consistency. If one learns a small portion of Torah in the morning and a small portion in the evening, one achieves constancy. [R. Shimon B. Yochai learns this from R. Yosi's opinion that although the lechem hapanim (the showbread) are required in the Beit HaMikdash constantly (tamid), if one removes the old breads in the morning and replaces them in the evening, it is nevertheless considered constant.]. This first aspect of talmud Torah represents the idea that there is no minimum for talmud Torah.

The second aspect of talmud Torah is to master Torah to the best of one's ability. Mastery is a never ending process. Even if one learns the entire Torah, he must constantly review it in order not to forget anything that he learned. R. Shimon B. Yochai's objection to R. Yishmael's opinion is not regarding the requirement for constancy. His objection is that the more time one spends earning a livelihood, the more difficult it will be to master the Torah. This dispute focuses on the idea that there is no maximum for talmud Torah. R. Yishmael doesn't disagree with the principle. He is of the opinion that one must attempt to master Torah while factoring in his obligation to sustain himself and his dependents. In fact, Rashi, Berachot 35b, s.v. Minhag, explains that R. Yishmael is of the opinion that one who is poverty stricken cannot focus on his learning and won't learn to the best of his ability. Shulchan Aruch, Orach Chaim 156:1, rules in accordance with the opinion of R. Yishmael.

#### **Choosing between Talmud Torah and Performance of a Mitzvah**

R. Shneur Zalman notes an important difference between the first aspect of the mitzvah and the second. Rambam, Hilchot Talmud Torah 3:4, rules that if one is learning Torah and there is a mitzvah to perform that can only be fulfilled by the individual who is learning, he must break from his learning to perform the mitzvah. This ruling is codified by Shulchan Aruch, Yoreh De'ah 246:18.

There are a number of Talmudic discussions which seem to conclude that one should not stop learning Torah in order to perform a mitzvah. First, the Gemara, Kiddushin 29b, cites a dispute as to whether one should learn Torah and then get married or whether he should get married first and then learn Torah (in Talmudic times, men and women got married at a young age). The argument presented against getting married first is that it will be too difficult to learn Torah with all of the responsibilities of marriage. The conclusion of the Gemara is that in certain instances, one should get married first and in other instances, one should delay marriage to learn

Torah (see Rashi and Tosafot ad loc.). One can ask: according to Rambam's principle, one should not forgo the mitzvah of getting married (or the mitzvah of having children) in order to perform the mitzvah of talmud Torah. Why then, does the Gemara conclude that in certain situations it is permissible to delay marriage in order to learn Torah? Furthermore, Ben Azai (cited in Yevamot 63b) states that he never got married because he had a desire to learn Torah. Rambam, Hilchot Ishut 15:3, and Shulchan Aruch, Even HaEzer 1:4, both rule that if one is steeped in Torah like Ben Azai and he never gets married, he doesn't violate any transgression. How can one totally abrogate the obligation to get married because of a desire to learn Torah?

Second, the Talmud Yerushalmi, Pesachim 3:7 (24a), records that R. Avahu sent his son to learn in Tiberias. When R. Avahu inquired about his son's wellbeing, he found out that his son was spending a significant part of the day performing burial services. R. Avahu responded "Are we lacking graves in Kesaria that you needed to travel to Tiberias?" R. Shneur Zalman asks: if in fact there were no other people available in Tiberias to perform these services, why was R. Avahu bothered by his son's actions? Shouldn't his son break from learning in order to perform a mitzvah that cannot be performed by anyone else? [According to Kesef Mishneh, Hilchot Talmud Torah 3:3, R. Avahu's argument was invalid and his son was acting properly because there were no other people to perform these services.]

R. Shneur Zalman answers that the principle that one breaks from learning in order to fulfill a mitzvah only applies to the first aspect of talmud Torah, the daily obligation to learn Torah. It does not apply to the second aspect of talmud Torah, the obligation to master the Torah. Therefore, one must break from his learning in order to perform a mitzvah that arises on an occasional basis. However, if performance of the mitzvah is going to significantly impact one's ability to master Torah, he should not perform the mitzvah. This is why the Gemara entertains delaying marriage in order to learn Torah. Since marriage will significantly impact how much one is able to learn, he may delay performance of the mitzvot associated with marriage in order to continue learning. Furthermore, if one's dedication to Torah is on the level of Ben Azai, he may forgo these mitzvot altogether.

R. Shneur Zalman further explains that the reason why R. Avahu was bothered by his son's decision to perform burial services is that his son was at a stage in his learning when daily performance of burial services would significantly impact his ability to master the Torah. Therefore, even if there was nobody else available, his son should not have performed these services on a consistent basis. R. Joshua Flug is the Rosh Kollel of the Boca Raton Community Kollel, a member of the YU Kollel Initiative and senior editor for the Marcos and Adina Katz YUTorah.org, a division of Yeshiva University's Center for the Jewish Future. To access the archives of the Weekly Halacha Overview click here. To unsubscribe from this list, please click here.

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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 - 5766]  
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Bo

The ninth plague - darkness - comes shrouded in a darkness of its own. What is this plague doing here? It seems out of sequence. Thus far there have been eight plagues, and they have become steadily, inexorably, more serious. The first two, the Nile turned blood-red and the infestation of frogs, seemed more like omens than anything else. The third and fourth, gnats and flies, caused discomfort, not crisis. The fifth, the plague that killed livestock, affected animals, not human beings.

The sixth, boils, was again a discomfort, but a serious one, no longer an external nuisance but a bodily affliction. (Remember that Job lost everything he had, but did not start cursing his fate until his body was covered with sores: Job 2). The seventh and eighth, hail and locusts, destroyed the Egyptian grain. Now there was no food. Still to come was the tenth plague, the death of the firstborn, in retribution for Pharaoh's murder of Israelite children. It would be this that eventually broke Pharaoh's resolve.

So we would expect the ninth plague to be very serious indeed, something that threatened, even if it did not immediately take, human life. Instead we read what seems like an anticlimax:

Then the Lord said to Moses, "Stretch out your hand toward the sky so that darkness will spread over Egypt—darkness that can be felt." So Moses stretched out his hand toward the sky, and total darkness covered all Egypt for three days. No one could see anyone else or leave his place for three days. Yet all the Israelites had light in the places where they lived. (10:21-22) Darkness is a nuisance, but no more. The phrase "darkness that can be felt" suggests what happened: a khamsin, a sandstorm of a kind not unfamiliar in Egypt, which can last for several days, producing sand- and dust-filled air that obliterates the light of the sun. A khamsin is usually produced by a southern wind that blows into Egypt from the Sahara desert. The worst sandstorm is usually the first of the season, in March. This fits the dating of the plague which happened shortly before the death of the firstborn, on Pesach.

The ninth plague was a miracle, but not an event wholly unknown to the Egyptians, then or now. Why then does it figure in the narrative, immediately prior to its climax?

The answer lies in a line from Dayyenu, the song we sing as part of the Haggadah: "If G-d had executed judgment against them [the Egyptians] but had not done so against their gods, it would have been sufficient." Twice the Torah itself refers to this dimension of the plagues:

"I will pass through Egypt on that night, and I will kill every firstborn in Egypt, man and animal. I will perform acts of judgment against all the gods of Egypt: I (alone) am G-d." (Exodus 12: 12)

The Egyptians were burying all their firstborn, struck down by the Lord; and against their gods, the Lord had executed judgment. (Numbers 33: 4) Not all the plagues were directed, in the first instance, against the Egyptians. Some were directed against things they worshipped as gods. That is the case in the first two plagues. The Nile was personified in ancient Egypt as the G-d Hapi. Offerings were made to it at times of inundation. The inundations themselves were attributed to one of the major Egyptian deities, Osiris. The plague of frogs would have been associated by the Egyptians with Heket, the goddess who was believed to attend births as a midwife, and who was depicted as a woman with the head of a frog.

These symbolisms, often lost on us, would have been immediately apparent to the Egyptians. Two things now become clear. The first is why the Egyptian magicians declared "This is the finger of G-d" (Ex. 8: 15) only after the third plague, lice. The first two plagues would not have surprised them at all. They would have understood them as the work of Egyptian deities who, they believed, were sometimes angry with the people and took their revenge.

The second is the quite different symbolism the first two plagues were meant to have for the Israelites, and for us. As with the tenth plague, these were no mere miracles intended - as it were - to demonstrate the power of the G-d of Israel, as if religion were a gladiatorial arena in which the strongest G-d wins.

Their meaning was moral. They represented the most fundamental of all ethical principles, stated in the Noahide covenant in the words "He who sheds the blood of man, by man shall his blood be shed". This is the rule of retributive justice, measure for measure: As you do, so shall you be done to.

By first ordering the midwives to kill all male Israelite babies, and then, when that failed, by commanding "Every boy who is born must be cast into the Nile" (Ex. 1: 22), Pharaoh had turned what should have been symbols

of life (the Nile, which fed Egyptian agriculture, and midwives) into agents of death. The river that turned to blood, and the Heket-like frogs that infested the land, were not afflictions as such, but rather coded communications, as if to say to the Egyptians: see what it feels like when the gods you turned against the Israelites turn on you.

Hence the tenth plague, to which all the others were a mere prelude. Unlike all the other plagues, its significance was disclosed to Moses even before he set out on his mission, while he was still living with Jethro in Midian:

You shall say to Pharaoh: This is what the Lord says. "Israel is My son, My firstborn. I have told you to let My son go, that he may worship Me. If you refuse to let him go, I will kill your own firstborn son." (Ex. 4: 22-23) Whereas the first two plagues were symbolic representations of the Egyptian murder of Israelite children, the tenth plague was the enactment of retributive justice, as if heaven was saying to the Egyptians: You committed, or supported, or passively accepted the murder of innocent children. There is only one way you will ever realize the wrong you did, namely, if the same thing happens to you.

This too helps explain the difference between the two words the Torah regularly uses to describe what G-d did in Egypt: *otot u-mofetim*, "signs and wonders". These two words are not two ways of describing the same thing - miracles. They describe quite different things. A *mofet*, a wonder, is indeed a miracle. An *ot*, a sign, is something else: a symbol (like *tefillin* or circumcision, both of which are called *ot*), that is to say, a coded communication, a message.

The significance of the ninth plague is now obvious. The greatest G-d in the Egyptian pantheon was Ra or Re, the sun god. The name of the Pharaoh often associated with the exodus, Ramses II, means *meses*, "son of" (as in the name Moses) Ra, the G-d of the sun. Egypt - so its people believed - was ruled by the sun. Its human ruler or Pharaoh was semi-divine, the child of the sun-god.

In the beginning of time, according to Egyptian myth, the sun-god ruled together with Nun, the primeval waters. Eventually there were many deities. Ra then created human beings from his tears. Seeing, however, that they were deceitful, he sent the goddess Hathor to destroy them; only a few survived.

The plague of darkness was not a *mofet* but an *ot*, a sign. The obliteration of the sun signaled that there is a power greater than Ra. Yet what the plague represented was less the power of G-d over the sun, but the rejection by G-d of a civilization that turned one man, Pharaoh, into an absolute ruler with the ability to enslave other human beings - and of a culture that could tolerate the murder of children because that is what Ra himself did.

When G-d told Moses to say to Pharaoh, "My son, my firstborn, Israel" He was saying: I am the G-d who cares for His children, not one who kills His children. The ninth plague was a Divine act of communication, that said: there is not only physical darkness but also moral darkness. The best test of a civilization is: see how it treats children, its own and others'. In an age of suicide bombing and the use of children as instruments of war, it still is.

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YatedUSA Parshas Va'eira 26 Teves 5768

Halacha Talk

**by Rabbi Yirmiyahu Kaganoff**  
**The Great Crock Pot Controversy**

It wasn't the pot that was great, it was the controversy! But how can a crock pot be controversial? It can be if it is Jewish, or at least owned by someone Jewish, as those who followed Jewish events about twelve years ago will remember!

Before we begin to explain how our crock pot or slow cooker got itself embroiled (pun intended) in a hullabaloo, we must first explain some of the laws of Shabbos. Chazal were concerned that someone might mistakenly

stir the coals of a fire that is warming or cooking his food and therefore instituted the following prohibitions:

I. Shehiyah- leaving food on a fire, stove or oven when Shabbos begins.

II. Chazarah – warming or returning food to a fire on Shabbos. (Some poskim contend that this is prohibited for a different reason than that mentioned above — because it looks like one is cooking on Shabbos [Rashi, Shabbos 36b].)

III. Hatmanah- insulating food on or for Shabbos.

As we will see, each of these prohibitions has its own distinct rules determining when it is permitted and when not. After explaining the basics of these halachos, we will be able to understand what issues exist pursuant to the use of crock pots on Shabbos.

## I. SHEHIYAH – WARMING OR LEAVING FOOD TO FINISH COOKING

Chazal prohibited leaving food to warm or cook when Shabbos begins unless one fulfills any one of the following requirements:

### A. COVERING THE FIRE

One may leave food cooking or warming as Shabbos begins if one covers the fire in a way that lessens its heat and also reminds one not to stoke the fire on Shabbos (Shabbos 36b with Rashi and Ran). In the days of Chazal one performed this either by *gerufah*, sweeping out the coals with which he was cooking, or by *ketumah*, sprinkling ash on the fire.

The most common method used today to accomplish this is to place a blech on top of the stove. Most poskim consider this method of covering the fire to be *ketumah* (Igros Moshe 1:93). (It is preferable that the blech also cover the dials to avoid inadvertently adjusting the stove [Igros Moshe 1:93].) A minority of poskim disagree, contending that *ketumah* lowers the heat significantly whereas a blech does not (Chazon Ish, Orach Chayim 37:9, 11). Those who follow the latter opinion require that the food be cooked until it is edible before Shabbos. The majority opinion does not require the food to be completely cooked when Shabbos starts if one places a blech on the fire since we now need not be concerned that he will forgetfully adjust the fire to make sure dinner is ready.

### B. ADDING MEAT TO THE STEW

A second method one may use to permit cooking or warming food when Shabbos begins is to place raw meat into the pot immediately before Shabbos (Gemara Shabbos 18b). By doing so, one knows that the food will not be ready to eat for the Friday night meal, and it will certainly be ready for the Shabbos day meal, so the chef pays no attention to whether he needs to increase the heat of the fire. This accomplishes that he need not be concerned that he will inadvertently stoke the fire on Shabbos, and therefore one may leave this food on an uncovered fire on Shabbos. (By the way, several prominent late poskim [Chazon Ish 37:22; Rav Henkin Vol. 2, pg. 19] are reluctant to rely on this heter today for reasons beyond the scope of this article.)

### C. FOOD IS COOKED BEFORE SHABBOS

A third approach is to have the food cooked before Shabbos begins. According to Ashkenazic practice, as long as the food is barely edible when Shabbos begins, one may leave it on an open fire. Sefardim follow a more stringent approach, allowing this heter only if the food is fully edible and, furthermore, only allowing this heter for heating water and similar foods that do not improve by stewing longer. To prepare a cholent or similar food, a Sefardi must rely on one of the other two heterim mentioned before, whereas an Ashkenazi may leave his food on an open flame if it is edible when Shabbos begins.

## II. CHAZARAH - WARMING FOOD ON SHABBOS

A second prohibition that Chazal instituted is called *chazarah*, which includes placing food onto a heat source on Shabbos to warm. The details of this prohibition are complicated, but for our purposes we will mention that it is permitted, even if the food is fully cooked, only in two general ways:

A. The food is still hot, one removed it from the blech intending to return it to warm, and one kept it in one's hand the entire time it was off the fire. (Many Sefardim are lenient concerning the last two requirements provided the pot of food was not placed on the ground; Ashkenazim can be lenient to return the food to the fire if someone mistakenly ignored these requirements.) (Concerning how hot the food must be, Sefardim are stricter than Ashkenazim, contending that the food must be too hot to hold in order to permit returning. Ashkenazim rule that one may return the food as long as it is still warm enough to eat.) If the food is dry, some poskim permit returning the food to be warmed even if it became cool.

B. Under certain circumstances, Chazal permitted someone to warm dry food on Shabbos by warming it in a way that is radically different from the way one normally cooks food. Since the details of these halachos will extend this article beyond the space allotted, I will provide only one example and we will have to return to this subject at a different time. The Rishonim permitted placing a fully cooked pashtida, which is something like a kugel or meat pie, on top of a cooking pot on the fire.

### III. HATMANAH – INSULATING FOOD

In addition to the two prohibitions mentioned above, Chazal also prohibited insulating food to keep it hot on Shabbos. The reason for this prohibition was to make sure that a person does not insulate the pot in hot ash, and then mistakenly stoke the ash on Shabbos to reignite it (Gemara Shabbos 34b; Rosh, Shabbos 3:10; Sefer HaYashar, Chapter 235). Chazal prohibited two types of hatmanah:

- A. Before Shabbos and
- B. On Shabbos.

#### A. Insulating food before Shabbos.

Before Shabbos, Chazal prohibited insulating food in a way that increases heat, such as with hot ash, fertilizer, or the pulp of olives or sesame, all of which increase heat.

#### PRACTICAL EXAMPLE

The urn is not keeping the water as hot as I would like it. I would like to drape a towel over the top of the urn in order to keep it hot. If the towel thereby covers the entire top and sides of the urn, this is prohibited and one may not even do this before Shabbos. I once saw a woman prepare her electric hot water urn by draping a cloth sleeve made especially for the urn and embroidered with the words "Lekavod Shabbos." I asked her why she did that and she said, "It keeps it hotter." When I told her she can't use it because of hatmanah, she was incredulous, and responded, "but it says 'lekavod Shabbos!'" Unfortunately, the label on the cloth does not permit its use. We will soon discuss whether I may do this if the towel only covers the top of the urn.

By the way, there is a simple solution for avoiding this problem. If there is some space in between the urn and the towels, then this is not considered hatmanah and it is permitted (Chayei Odom 2:5). One may place an item on top of the urn that is wider than the urn and drape the towel over the item. In this instance, one may leave the towel there all of Shabbos, and one may even place the towel there on Shabbos itself, since the towel is not resting flush against the urn. Since it does not rest against the urn this is not included in the prohibition of hatmanah.

#### B. Insulating food on Shabbos.

On Shabbos itself, Chazal prohibited covering the food even with something that does not increase heat, such as clothing.

#### PRACTICAL EXAMPLE

One may not take the cholent or kettle and wrap it in towels on Shabbos so that it should stay hot. One may wrap them in towels before Shabbos since the towels do not add any heat.

#### SLIGHT HATMANAH

The Rishonim dispute what constitutes hatmanah. Does leaving food on a fire to continue warming when Shabbos arrives constitute hatmanah? Although this does not fulfill our usual definition of insulating, it warms the food on Shabbos by maintaining physical contact with a source of heat. According to many Rishonim, placing food so that it touches the fire is included in the prohibition of hatmanah (Baal HaMaor, Ran, beginning of Shabbos, Chapter 3). In their opinion, if one heats food on a wood fire and intends to leave the food that way into Shabbos, one must place the food atop a tripod or other device that raises it above the burning wood and coals. Placing the pot of food on the tripod avoids the prohibition of hatmanah (but may still involve the prohibition of shehiyah) since the food is no longer touching any heat source. Failing to do so violates the prohibition of hatmanah and the food may not be eaten on Shabbos.

According to other Rishonim, hatmanah is prohibited only when the pot of food is covered completely or mostly (see Tosafos, Shabbos 36b s.v. lo; Sefer HaYashar, Chapter 235).

The Shulchan Aruch (Orach Chayim 253:1) rules like the first opinion that one may not warm food by leaving it into Shabbos touching the flame or hot coals. Thus, Sefardim, who follow the Shulchan Aruch's decisions and customs, may not leave food for Shabbos touching the heat directly even if it is otherwise exposed to the air. The Rama follows the latter opinion that permits partial hatmanah on Shabbos; he therefore permits placing a pot into warm coal from before Shabbos as long as the lid is not covered by the coals.

#### PARTIAL HATMANAH

How much of the pot may be covered according to the Rama's ruling without violating the laws of hatmanah? The Pri Megadim (259:3 in Mishbetzos Zahav) discusses whether it is sufficient that the top of the pot be exposed, or whether it must be exposed in a more sizable way. He demonstrates from a ruling of the Taz (258; however, cf. Taz 253:14) that one must leave most of the pot exposed to avoid violating hatmanah. However, we will see that some poskim rule more leniently.

The Taz (258:1) rules that it is only permitted if part of the sides are uncovered such that most of the pot is still left exposed. If most of the pot is covered, he contends that this is prohibited and the food that was in that pot cannot be eaten on Shabbos. For this reason, the Taz prohibits immersing a cup of cold water on Shabbos into a pot of hot water even just to remove its chill unless the cup is partly above the water level of the pot.

The Shulchan Aruch HaRav (Kuntress Acharon 257:3) disputes the Taz's ruling, contending that as long as the pot lid remains uncovered one may cover the sides of the pot. He permits placing a basin into a pot of hot water before Shabbos provided that the lid of the pot is above the water level. He would similarly permit wrapping a cholent pot on Shabbos with towels provided the pot lid is not covered.

These two scholars would similarly dispute to what extent one may drape towels over an urn either before or on Shabbos. According to the Taz, one may do this only if the sides of the urn are predominantly exposed.

According to the Shulchan Aruch HaRav, it is sufficient if the sides are partially exposed.

#### CROCK POTS

With this introduction, I can now explain the controversy surrounding the use of crock pots to cook Shabbos meals. There are many models of crock pots, all of which have three basic parts: a pot, an electric heating device, and a cover. However for our purposes, we will divide the various models into two categories: One is a pot that one places on top of, but not inside, the heating device. It is possible, but unlikely, that this type of crock pot is prohibited according to the ruling of the Shulchan Aruch, who prohibits leaving a pot resting on the fire or coals when Shabbos begins. Although the pot rests immediately on top of the heating device, it does not rest directly on the element, but on a base, which should be comparable to the tripod recommended by these poskim as an acceptable way to warm or cook food.

According to the Rama, this type of crock pot may be used on Shabbos as long as the food is edible by the time Shabbos arrives. The latter requirement is to avoid the problem of shehiyah discussed above, which could also be avoided according to most opinions if one places raw meat into the pot immediately before Shabbos as explained above.

In the second type of crock pot, one inserts the pot into an apparatus that surrounds the sides of the pot. According to some poskim, use of this crock pot constitutes hatmanah, thus violating a rabbinic prohibition. Using this crock pot depends on the above-mentioned dispute between the Shulchan Aruch HaRav and the Taz whether it is sufficient to leave the lid exposed or whether one must also leave some of the side exposed. According to the Shulchan Aruch HaRav, since the lid is not covered, use of this type of crock pot should be permitted on Shabbos, whereas according to the Taz who contends that hatmanah applies even if the sides are partially exposed, it should be problematic.

However, Rav Shlomo Zalman Auerbach and Rav Elyashiv both hold that even the Shulchan Aruch HaRav prohibits using this crock pot since it is a regular method of cooking (Orchos Shabbos pg. 542; (Otzaros HaShabbos pg. 517). In their opinion, the Shulchan Aruch HaRav permits partial hatmanah only when one does not usually cook this way, such as by draping towels over an urn or submerging a pot of cold water in hot water. However, Chazal did not permit allowing food to cook on Shabbos by resting on a heat source.

There are prominent poskim who dispute Rav Shlomo Zalman's and Rav Elyashiv's conclusion. Rav Wozner rules that according to the Rama and the Shulchan Aruch HaRav one may use the controversial crock pot. He maintains that the halacha is like the Shulchan Aruch HaRav that hatmanah is prohibited only if the entire pot, including the lid, is covered. However, if the warming substance covers the sides of the pot, but not its cover, then there is no prohibition in keeping the food heated this way on Shabbos. As a result, although he agrees that there are poskim who prohibit this use of a crock pot since it covers most of the pot, the accepted halacha is to permit it (Orchos Shabbos pg. 543).

A totally differing approach permitting the use of a crock pot is advanced by Rav Chaim Pinchas Scheinberg, whereby he contends that since the pot does not lie flush against the heating apparatus, this is not considered hatmanah, and is permitted on Shabbos. (The dispute between these scholars is probably in interpreting the words of the Shaar HaTziyun 257:43). He is also not concerned that we should prohibit its use since it is a regular form of cooking. Rav Scheinberg reasons that although indeed this may be true, we see no evidence of Chazal prohibiting this on Shabbos and we do not create our own prohibitions today (Otzaros HaShabbos pg. 519). Some suggest that according to Rav Shlomo Zalman one may line the area between the crock pot and the pot with some aluminum foil to permit this. This is an error. Although the aluminum foil might remind someone not to adjust the flame, there is no evidence that a reminder permits an activity that is otherwise prohibited because of hatmanah (Orchos Shabbos pg. 113).

There is a method that permits use of the crock pot according to all poskim – by placing a piece of metal or stone inside the apparatus that thereby elevates the pot so that it no longer touches the sides of the heating part. In the models I have seen, placing a stone or metal inside the heater raises the pot part so that it does not touch the sides anymore (Orchos Shabbos pg. 113). This approach should permit use of the crock pot even according to the Shulchan Aruch that slight hatmanah is prohibited and even according to Rav Shlomo Zalman's approach that normal use of a crock pot is hatmanah and prohibited as a regular method of cooking. In our instance, the propping up of the pot avoids both problems since this is no longer the typical use of the crock pot and the apparatus no longer insulates the pot. As we see, the rules Chazal established to allow proper Shabbos observance of hot food are extremely complicated. Yet one should strive to eat a proper hot meal on Shabbos, enhanced by the fact that it was cooked and warmed in accordance with the myriad details of halacha. This is indeed the true

oneg Shabbos, celebrating Shabbos through a meal that is delicious and also elevates the soul.