

BS"D

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

INTERNET PARSHA SHEET ON KI TISA - 5762

To receive this parsha sheet in Word and/or Text format, send a blank e-mail to parsha-subscribe@yahoogroups.com or go to <http://groups.yahoo.com/group/parsha/join> Please also copy me at crshulman@aol.com For archives of old parsha sheets see <http://groups.yahoo.com/group/parsha/messages> For Torah links see <http://groups.yahoo.com/group/parsha/links>

From: RABBI YISSOCHER FRAND ryfrand@torah.org
"RavFrاند" List - Rabbi Frاند on Parshas Ki Sisa -
This week's class is edicated by Steve & Vicki Schreiber in memory
of Stuart Schreiber Z"L

Answering The Call of "Who Is For G-d? Let Them Gather To Me"
This week's parsha contains the unfortunate sin of the Golden Calf.
We are taught about the famous incident when Moshe stood at the
gate of the camp and called for volunteers to punish the people
involved in this grievous sin: "Who is for G-d? Let them gather to me."
The Torah testifies that "all the children of Levi gathered by him."
[Shmos 32:26]

Moshe instructed them based on the word of Hashem: "Let each
man put on his sword and go from one gate to the other in the camp.
Let each one kill [all those involved in the idolatry], even his own
brother, close friend, or relative" [Shmos 32:27].

This is the first of a series of times when the Tribe of Levi rose to
the occasion, putting aside their own personal considerations of family
and friends and heeding the call of G-d to punish the people who
deserved punishment. At the end of the Torah, Moshe recognized the
Tribe of Levi's actions saying, "He was the one who said of his father
and mother, 'I do not see them', not recognizing brother or child. They
thus kept Your word and safeguarded Your covenant. [Devorim 33:9]"

When Rav Shimon Schwab (1908-1995) was a young man, he
spent a Shabbos with Rabbi Yisrael Meir Kagan zt"l, the Chofetz
Chaim (1838-1933). That Shabbos left an indelible impression on the
young Rav Schwab, who told many famous stories regarding the
events of that weekend. One of those stories contained the following
powerful ethical lesson.

The Chofetz Chaim asked Rav Schwab if he was a Kohen or a
Levi. Rav Schwab responded in the negative. The Chofetz Chaim (who
was a Kohen) told his young guest that it was a real pity that he did not
have that status. "Moshiach will soon come and the Kohanim and the
Leviim will have a premiere function in the Beis HaMikdash. The rest of
the Jewish people will all be excluded. It's a shame you are not from
the Tribe of Levi. You will miss out on all of these holy privileges."

The Chofetz Chaim then asked Rav Schwab a very strange
question: "Why are you not a Kohen?"

Rav Schwab gave the obvious answer. His father was not a Kohen.
But the Chofetz Chaim persisted, "Why wasn't your father a
Kohen?"

By this time Rav Schwab grasped that the Chofetz Chaim was
leading to a concept that had nothing to do with Yichus [lineage] or
genealogy. The Chofetz Chaim asked, "Do you know why your father
was NOT a Kohen and my father WAS a Kohen? Because there was
once a time in Jewish history when our teacher Moshe called out 'Who
is for G-d? Let them gather to me.' My great- great grandfather
answered the call and your great-great grandfather did not answer the
call. That is why my father was a Kohen and your father was not a
Kohen."

The Chofetz Chaim was not trying to tease, saying "Hah, hah! I am
a Kohen and you are not a Kohen". The Chofetz Chaim did not engage
in teasing behavior. The Chofetz Chaim was not trying to "rub in" the
fact that Rav Schwab's ancestor did not respond to Moshe's call. The

point that the Chofetz Chaim was driving home was that sometimes
there are occasions in life where the clarion call goes out to rally
around G-d's banner. If upon hearing that call, one rises to the
occasion, his actions can have ramifications until the end of time. If
one fails to heed the call and does not respond, that too can affect not
only the person, but also his children and his grandchildren, for all
generations. The point that the Chofetz Chaim was trying to teach to
Rav Schwab is that one day he himself might receive such a call,
perhaps not in the exact same words, but in a similar way. The Chofetz
Chaim was telling Rav Schwab to remember this lesson, so that he
would not repeat the mistake of his great-great grandfather -- with
potential ramifications until the end of time.

The Source of Moshe Rabbeinu's Beams of Glory

There is an interesting Medrash Tanchuma on this week's parsha.
The Torah says that when Moshe descended from Mt. Sinai, he was
unaware that beams of light ("karnei or") were shining forth from his
face. The Medrash asks, "On what basis did Moshe merit these unique
beams of glory?" One opinion is that Moshe received them when he
was hidden in the cleft of the rock and the Glory of G-d passed before
him. The opinion of Rav and Shmuel in the Medrash is different: When
he was writing the original Sefer Torah which G-d dictated, there was a
little drop of ink left over. G-d took that ink and rubbed it on Moshe's
head. The beams of glory that shone forth from Moshe's head were the
result of that drop of ink.

In Parshas Be'Ha'aloscha, the Or HaChaim Hakadosh (1696-1743)
asks a simple question. Obviously, in human projects there are always
surplus raw materials. When ordering bricks for a building project, it is
impossible to plan the exact number of bricks that the project requires,
down to the last brick. Inevitably, there will be bricks remaining. But
when G-d is preparing to write a Sefer Torah and he 'orders the ink', he
knows exactly how much ink is necessary, down to the last drop. Why
was ink left over?

The Or HaChaim explains the source of the 'extra' ink. In Parshas
Be'Ha'aloscha, when Moshe Rabbeinu wrote the pasuk [verse] where
G-d testified that Moshe was the most humble man who ever walked
the face of the earth, Moshe, in his utter humility, could not bring
himself to write that complete pasuk. Therefore, he left out a letter and
wrote the word for humble person (Anav) defective - without the Yud.
He spelled it ayin-nun- vov, rather than the way that it is normally
written -- ayin-nun-yud-vov. G-d used that 'leftover' ink to dab Moshe's
forehead, resulting in the beams of glory.

This insight brings two lessons to mind. First of all, this is a classic
example of the rabbinic teaching that one who flees from honor is
pursued by honor. In the worst way, Moshe did not want to write the
accolade about himself that he was the most humble of men. Because
of this humility and fleeing from honor, he was 'pursued' by having an
even greater honor overtake him.

The Shemen Tov points out another lesson, perhaps by way of
homiletics. The Shemen Tov says that we learn according to this
Medrash that part of the Torah was never written down. That Yud was
supposed to appear in the Torah but it was not written down. That is
the lesson.

It important to realize that not everything in the Torah is written
down. Sometimes we tell someone "You should not do that". He
immediately retorts "Where does it say so? Where in the Torah does it
say that this cannot be done?" In reality, sometimes it does not need to
say it. Sometimes the essence of Torah and the essence of what a Jew
is all about -- says it! Sometimes it might not appear in Shulchan
Aruch, it might not appear in the Torah -- not because it is not true, but
because not all of Torah is written down. This is what we are taught
through the missing Yud. This is what is often referred to as the "fifth
portion of the Shulchan Aruch" - the unwritten Shulchan Aruch that
applies to every Jew because he is a Torah observing Jew.

Transcribed by David Twersky; Seattle, WA
DavidATwersky@aol.com Technical Assistance by Dovid Hoffman;
Baltimore, MD dhoffman@torah.org These divrei Torah were adapted
from the hashkafa portion of Rabbi Yissocher Frand's Commuter
Chavrusah Tapes on the weekly portion: Tape # 320, The Melacha of

Dyeing.

Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrاند, Copyright 1 2002 by Rabbi Yissocher Frand and Torah.org. 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

From: Shlomo Katz [SMTP:skatz@torah.org] Subject: HaMaayan / The Torah Spring - Parashat Ki Tissa Hamaayan / The Torah Spring Edited by Shlomo Katz

Ki Tissa: How to Pray Volume XVI, No. 21 18 Adar 5762 March 2, 2002

Sponsored by the Yablok family on the yahrzeit of father and grandfather Shmuel Eliezer ben Osher Zev Yablok a"h

Sponsored by The Rutstein family in memory of Dr. Leonard Schlossberg

"Every man shall give Hashem an atonement for his soul . . . This shall they give -- everyone who passes through the census -- a half shekel of the sacred shekel . . ." (30:12- 13)

Our Sages say that the half shekel was given as an atonement for the sin of the Golden Calf. Why specifically a half shekel? R' Chaim Kanievsky shlita (a leading Torah scholar in Bnei Brak; son of the "Steipler Gaon") explains:

The Torah says about the making of the Golden Calf (Shmot 32:3), "The entire people removed the gold rings that were in their ears." An earring weighed a "beka" as we read (Bereishit 24:22), "The man [Eliezer] took a golden ring, its weight was a beka . . ." How much is a beka? The Torah tells us (Shmot 38:26), "A beka for every head, a half-shekel in the sacred shekel."

Thus, since the donations that were given for the Golden Calf weighed a half shekel, the atonement also was a half shekel.

[Ed. note: The Torah does not state that the jewelry that Eliezer gave Rivka had the same weight as the jewelry that Jewish women wore centuries later. Nevertheless, there must be a reason why the Torah told us the weight of Rivka's jewelry. Indeed, Rashi foreshadowed R' Kanievsky's explanation when he commented on the verse describing Rivka's jewelry (Bereishit 24:22), "Beka - a symbol of the shekels of the Israelites, of which it is said, 'A beka a head'."]

(Ta'ama D'kra)

"The people saw that Moshe had delayed in descending the mountain, and the people gathered around Aharon and said to him, 'Rise up, make for us gods that will go before us, for this man Moshe who brought us up from the land of Egypt -- we do not know what became of him!'" (32:1)

R' Yaakov Charlap z"l (see page 4) explains how Bnei Yisrael came to commit the terrible sin of trying to replace Moshe Rabbeinu. He writes: Even before Moshe ascended to Har Sinai, Bnei Yisrael saw him as half man and half angel. Then he was on the mountain for forty days and forty nights, not eating and not drinking. Bnei Yisrael said, "We can not relate to a leader who has become super-human, who has become an angel." This is the meaning of their statement: "For this man Moshe -- we do not know what became of him!"

(Mei Marom: Nimukei Mikraot)

"Aharon said to them, 'Parku / Cast off the rings of gold that are in the ears of your wives, sons, and daughters, and bring them to me'." (32:2)

Why did Aharon say "Parku / cast off" instead of "Hordeedu / remove" (as in Shmot 33:6, where Hashem says, "Horaid / remove your jewelry"? R' David ben Amram z"l (Aden, Yemen; 14th century) explains that Aharon was hinting to them that they had "cast off" the yoke of Heaven ("parku ohl"). He said, "It is usual that a person who

hears a beautiful tune is unable to get the melody out of his head even as much as forty days later. Yet you said 'Na'aseh ve'nishmah' only forty days ago, and now you have thrown off G-d's yoke!"

(Midrash Ha'gadol)

R' Yechiel Michel Charlap z"l

R' Charlap was born in Yerushalayim on the second day of Rosh Hashanah 5660 / 1899. He was the oldest son of R' Yaakov Moshe and Pasha Charlap, and his father was his first teacher. (The elder R' Charlap was destined to become renowned as rabbi of Yerushalayim's Sha'arei Chessed neighborhood and as Rosh Yeshiva of Yeshivat Merkaz Harav.)

Young Yechiel Michel studied in yeshivot Etz Chaim and Torat Chaim in Yerushalayim. At age 16, he joined a select group of young men who studied under R' Yitzchak Yerucham Diskin, son of R' Yehoshua Leib Diskin. Before long, R' Yechiel Michel was delivering a lecture in the yeshiva and holding private study sessions with R' Diskin. R' Avraham Yitzchak Hakohen Kook also set aside time to study privately with the young R' Charlap.

In 1921, R' Charlap traveled to New York to study at Yeshivat Rabbeinu Yitzchak Elchanan. At the same time, he served as rabbi of Congregation Anshei Volozhin. Later, he obtained a rabbinic post in Canton, Ohio and, still later, in Omaha, Nebraska. In both places, he worked to increase the level of Torah study, especially among the youth. He also became a popular speaker.

In 1926, R' Charlap became rabbi of the Bronx Jewish Center, then the largest congregation in that borough of New York. During the first half of R' Charlap's 48-year tenure, as many as 1,000 people davened at the Jewish Center on a regular basis, 700 came to hear R' Charlap speak every Shabbat afternoon, and 200 attended his Talmud shiur. The Talmud Torah which was under R' Charlap's patronage served 800 children and was the largest Jewish school in New York.

R' Charlap was involved in numerous Jewish organizations, and was among the founders of the OU's Kashruth Division. In his last years, he delivered a weekly parashat ha'shavuah lesson on a New York radio station.

In 1951, after his father's death, R' Charlap was elected rabbi of Yerushalayim's Sha'arei Chessed and Rechavia neighborhoods, but he declined the positions. Instead, he remained at the Bronx Jewish Center until his death on 12 Cheshvan 5735 / 1974. He was buried on Har Ha'zeitim.

R' Charlap's son, R' Zevulun, is a rabbi in the Bronx and a rosh yeshiva at Yeshivat Rabbeinu Yitzchak Elchanan. He has published many of his father's works.

Hamaayan, Copyright 1 2002 by Shlomo Katz and Torah.org. Posted by Alan Broder, ajb@torah.org.

The editors hope these brief 'snippets' will engender further study and discussion of Torah topics ("le'hagdil Torah u'leha'adirah"), and your letters are appreciated. Web archives are available starting with Rosh HaShanah 5758 (1997) at www.torah.org/learning/hamaayan/. Text archives from 1990 through the present are available at www.a coast.com/~seh/hamaayan/. Donations to HaMaayan are tax-deductible. 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

From: [RABBI BEN KELSEN] benish@att.net

To: parshas_hashavuah@yahoo.com Subject:

[parshas_hashavuah] HaRav Drillman, zt"l on Parshas Ki Tissa
HaGaon HARAV SHLOMO ELIMELECH DRILLMAN, zt"l Rosh Yeshiva, Yeshivas Rabbeinu Yitzchok Elchanan

Editor's Note: The following is adapted from notes taken from a private conversation between HaRav Drillman, zt"l and the editor on the evening of 21 Adar Rishon, 5757 (February 27, 1997). HaRav Drillman commented that he had heard the following ideas from his rebbe, HaGaon HaRav Yosef Dov HaLevi Soloveitchik, zt"l, several times over the years, with the first time being in 1957. The editor was unable to make the weekly shiur in

punished. Moshe explained to Klal Yisroel people that he had to once again ascend Har Sinai in order to ask HKB"H for a second set of Luchos and for a renewal of His relationship with Bnei Yisroel.

Since, however, there was no requirement that HKB"H replace the Luchos after they rejected and destroyed the original ones, Moshe respectfully offers, Kivayachol, an ultimatum. Should the Ribbono Shel Olam not forgive the people, then, says Moshe, He should remove Moshe's name from His Torah. HKB"H rejects this plea, responding that those that have sinned will be erased from the Torah. Moshe pleaded with Hashem for forty days and nights with the tefillah of "Al Tashcheis Amcha", do not destroy Your people. Interestingly, in Parshas Eikev the term Tashcheis is used instead of "Tashmid". The Rav, zt"l explained that the difference between these two words is that "Tashmid" means to destroy physically. However, when the Malochei HaShareis attacked Klal Yisroel they did not do so physically, i.e. through "Hashmodah". Rather, they removed the spiritual crowns earned by Bnei Yisroel at Matan Torah through "Na'aseh v'Nishmah". Therefore Moshe is referring to a meta-physical type of destruction, the removal of the spiritual uniqueness of Klal Yisroel.

To illustrate this idea The Rav, zt"l gave the following example: If one gives a Shiur that others belittle for no reason, the person will lose confidence in himself causing the next Shiur to be of lower quality. When one loses Simchas HaNefesh, the spiritual joy of creativity, he will descend into the depths of despair. According to The Rav, educators must be very careful about this point vis a vis their students and must strive to develop the talents of children through encouragement and praise. Those who do not do so are called "Mashchisim", destroyers, of children, rather than "Michanchim" or "Milamdim".

We find that Hashem intercedes on behalf of an individual who is pursued by an aggressor. In Mitzrayim, HKB"H punished the Egyptians "b'Yad Chazakah u'Bezroah Netuyah", with a mighty hand and an outstretched arm, due to the terrible acts of the Egyptians. It was not the righteousness of Bnei Yisroel that earned them this protection rather it was because HKB"H protects those who are inappropriately oppressed. According to the Ramban, the Ribbono Shel Olam does not want the oppressed to be in such a position for too long, so that they not be permanently scarred. Moshe Rabbeinu argues that both of these reasons apply to Klal Yisroel. The sins of the Egyptians were sufficient grounds for punishment. However, HKB"H also wanted to redeem Bnei Yisroel before they fell into the fiftieth level of "Tumah", impurity, from which there is no redemption.

This is what Moshe meant when he said "Asher Padisa", that You redeemed. This is the reason that HKB"H brought them to Har Sinai, so they might fulfill their role as the "Am HaNivchar", the chosen nation.

The prayer of "va'Yichal" was addressing the comparison between Bnei Yisroel and the Egyptians. Its purpose was to demonstrate that Bnei Yisroel were not as wicked as the Egyptians. Moshe argued that if HKB"H was willing to postpone the punishment of the Egyptians, then were not Bnei Yisroel at least as deserving of a stay of execution? Based upon Moshe's request, the stay of execution was granted.

The prayer of the second 40 days was intended to emphasize that the purpose for the redemption of Klal Yisroel from Mitzrayim, i.e. to become the Am HaNivchar, still applied. Despite the error in their ways, Bnei Yisroel was still the "Nachlas Hashem". Moshe Rabbeinu argued that not only should Klal Yisroel not be physically destroyed, they should receive a new Chassanah (wedding) with the Ribbono Shel Olam, a spiritual rebirth through the giving of new Luchos leading to the regaining of their special status among the other nations of the world. This second tefillah was accepted as well.

Finally, what was the purpose of this third prayer? Had Moshe Rabbeinu not already succeeded in removing the decree of physical destruction and restoring Klal Yisroel's status? The last tefillah was meant to convince HKB"H, k'vayachol, to enter into the midst of Bnei Yisroel instead of sending an angel as his proxy to lead them through the wilderness. How did the fact that the people are a stiff necked lot convince HKB"H to travel with Bnei Yisroel?

The Gemara in Maseches Rosh HaShannah (17b) says that the word Hashem appears twice among the 13 Midos revealed to Moshe when he received the second set of Luchos during that third period of forty days, both representing distinct characteristics of Hashem. According to the Gemara, one refers to HKB"H before Man commits sin and the other refers to Him after sin and repentance. The first use of the name of Hashem promises the return of the repentant sinner to his prior status,

almost as if the sin never happened. The second name of Hashem teaches us that HKB"H never abandons Man while he is in a state of sin.

The Rav, zt"l quoted his Reb Chaim Volozhiner who points out in the Nefesh HaChaim that in Tanach HKB"H is referred to as both a father and a mother. Why? After all, do not both parents love their child equally? Reb Chaim Volozhiner answered that when a father comes home from work he picks up his child and plays with him. However, as soon as the child needs his diaper changed, the father will hand the child to the mother. The mother instinctively takes the child and washes him. Only once he is cleaned is he handed back to the father. Reb Chaim explains that if HKB"H acted towards humanity only as a father, He would abandon us the moment we become dirty with sin. It is the motherly characteristic of HKB"H that induces the Jew to repent. It is the motherly characteristic that expresses itself through the Ribbono Shel Olam who dwells in our midst and is willing to cleanse us of our defilement. It is for this reason that all three tefillos were needed and that the name of Hashem is listed twice amongst the 13 Middos.

From: listmaster[SMTP:listmaster@shemayisrael.com] Subject: PENINIM ON THE TORAH BY RABBI A. LEIB SCHEINBAUM PARSHAS KI SISA

Bnei Yisrael shall observe the Shabbos. (31:16)

We are enjoined to observe and guard the Shabbos, to make certain with utmost care that neither we nor anyone else desecrates the holy Shabbos. One who truly cares about the sanctity of Shabbos will do everything possible to make certain that he does not violate this holy day. The following story demonstrates the length to which a person will go to preserve the sanctity of Shabbos. In one of the apartment buildings in Yerushalayim lived a very old man, whose neighbors noticed that he would never open the hall light. He would climb the stairs to his third floor apartment in pitch darkness. This went on for years, to the astonishment of his neighbors. Why would he not put on the light? He was risking his life by climbing the stairs in the dark.

At first, the neighbors thought that he was simply frugal, attempting to save every penny. This trait, however, was not consistent with his everyday behavior in which he demonstrated that money was not much of an issue to him. Finally, one of them decided to approach the elderly Jew and ask him why he was refraining from putting on the light. He refused to answer them, giving all kinds of excuses for his strange behavior. Finally, after some convincing, he explained that he once accidentally opened the light on Shabbos. As penance, and as a way to prevent this from ever occurring again, he decided never to use the lights in the hallway. He predicted that if he would get used to climbing the steps in the dark, he would never make the mistake of opening the light on Shabbos.

The postscript to this story is that when the non-observant neighbors saw how committed a Jew can be to Shabbos, they, too, became observant. We derive two lessons from this story: First, we have an idea to what lengths a person can go to observe Shabbos. Second - and probably of greater significance to our generation and specifically the observant milieu - when the non-observant sense the true conviction and commitment of the observant Jew, they respect him and, in some instances, follow suit. This is not meant to condemn, but rather to suggest and encourage spiritual integrity in our mitzvah observance. After all, we never know who is watching us.

There are various ways to influence or to inspire those who are not yet observant. Acting in an aggressively negative manner, such as belittling them, will only reinforce their negative attitude. Regrettably, we live in a time when a few hooligans and misfits can, through their negative actions, malign and denigrate Torah Judaism. The following story demonstrates the manner in which an observant Jew can inspire others to keep Shabbos - and all mitzvos. Horav Arye Levene, z.l., was once walking down a street in Yerushalayim on Shabbos, accompanied by his grandson. Suddenly, he stopped and stepped into one of the more prominent coffee shops remained open on Shabbos. Obviously, such a shop became a center for chillul Shabbos, public desecration of the Shabbos. Rav Arye walked in, took a seat at a table and simply sat there. He was dressed in his Shabbos garb, and he just

sat there. Certainly, this was not good for business. Apparently, in those days some people had bushah, were embarrassed to flaunt their desecration of Shabbos in front of such a venerable saint as Rav Arye Levene.

Rav Arye continued sitting. He did not talk to anyone; he just sat there quietly, looking straight ahead. After about fifteen minutes, the owner of the shop, who was no fool and recognized Rav Arye, came over and said, "Rebbe, I take the hint. I promise that as of today, I will be closed on Shabbos."

This was the result of an action taken by an individual such as Rav Arye Levene who did not only love the Shabbos - he also loved all Jews. When one admonishes from the heart, when one rebukes with love, it reaches the innermost recesses of the heart of his "target audience."

A component of Shabbos observance is to make certain that the "institution" of Shabbos is not desecrated. This means that it is simply not sufficient that one is observant, he must likewise see to it others are also observing Shabbos. Horav Shimon Schwab's father-in-law was meticulous in his observance, and he also went out of his way to make sure others would follow suit. The following story demonstrates his strength of conviction and to what length he would go to ensure that no one would desecrate the holy Shabbos.

Whoever passes over a certain bridge in England must pay a tariff. This created a serious problem for the Jewish community, since it was necessary to use the bridge on Shabbos. How would they pay for it? Regrettably, many people were compelled to carry money with them on Shabbos, so that they could pay to use the bridge. Rav Schwab's saintly father-in-law could not permit Shabbos to be desecrated because of a few dollars. Consequently, he purchased a number of tickets for the bridge and deposited them by the toll-booth with special instructions, stating that whenever a Jew wished to pass, they should use one of the purchased tickets.

Once a Jew came up to the toll-booth, smoking a cigarette on Shabbos. When the ticket collector saw this, he became indignant and rebuked the Jew: "How dare you smoke on the Sabbath, when you have a fellow Jew who is willing to spend his hard-earned money to guarantee that his fellow Jews do not desecrate the Sabbath? I do not think I should give you one of the free cards, because you do not deserve it! Why should someone pay for a hypocrite?" Once again, we see the far-reaching influence of the individual who demonstrates spiritual integrity.

Moshe saw the people, that it was exposed, for Aharon had exposed them to disgrace. (32:25)

The ignominy of the nation - their lack of fidelity to Hashem and Moshe Rabbeinu - had been revealed by Aharon's actions. He put the sin into perspective. Long years of exposure to Egyptian immorality and idol worship had taken their toll on Klal Yisrael. Moshe observed everything. He saw the work of the actual sinners, and the indifference of those who let the iniquity take place. Moshe Rabbeinu understood that Aharon's intentions were noble and for the sake of Heaven. He disagreed with him, however, in his approach. He was adamant that one does not have any relationship whatsoever with those who would create a Golden-Calf. Indeed, Aharon's collaboration with them lent them support and increased their audacity. To paraphrase Horav Elyakim Schlessinger, Shlita, "Without the support of the righteous, there would be no foundation for the success achieved by the wicked."

This is the meaning of the pasuk, "For Aharon had exposed them to disgrace." Without Aharon, it would not have been revealed. They would not have succeeded in making the eigel, Golden-Calf. The correct and only approach to dealing with such an iniquitous group is to act as Moshe did, declaring, "Mi l'Hashem eilai," "Whoever is for Hashem, join me!" When the righteous separate themselves from the wicked, the wicked simply dissipate, because they have no support. Sforno supports this idea when he explains that Aharon revealed that there were no tzaddikim on his side, for had there been righteous people, Aharon would have had their support. Thus, he would not have given in to the mixed multitude who were responsible for the creation of

the eigel. Aharon and Chur were the individuals who stood up against a crowd that was obsessed with creating a godhead. Chur was killed, and Aharon was left alone. He had no alternative but to remain silent.

While there were certainly many members of Klal Yisrael that did not support the mixed-multitude, as so many have done through the generations, they buried their heads in the sand and preferred apathy to spiritual patriotism. Yes, Aharon revealed that he stood alone, which is often the stand taken by many of our Torah leaders - alone.

We see from here, writes Rav Schlessinger, the overriding importance of supporting our gedolei Yisrael against any incursion into the Torah. He adds a profound thought. The spiritual leadership has the responsibility to take a stand, to rally support, to rise to the challenge and to shy away from confrontation. Aharon had no support, because he did not demand any. Moshe declared, "Mi l'Hashem eilai!" and they came forward. We understand from here that if you do not ask, people will not come forward. Leadership must take the necessary initiative, so that the people will have an appropriate path to follow.

In his commentary Haamek Davar, the Netziv, z.l., makes an incredible inference from Moshe's statement. One might hesitate to take a stand in opposition to those who would tear down the very foundations of Torah, for fear of reprisal. Moshe Rabbeinu teaches us not to be afraid. The members of Shevet Levi came forward when they were called, and no one stood in their way. When the gadol issues a decree, when he calls for support, we should go forward courageously, with nothing to fear. When one is on the side of the truth, he should fear no one. Indeed, he is the one who is to be feared.

Rav Schlessinger makes one last observation in regard to Moshe Rabbeinu's clarion declaration. Moshe said, "Whoever is for Hashem, join me!" This implies that he who did not join Moshe was indicating that he was not for Hashem. Even though they had the right intentions and deep in their hearts they wholeheartedly supported Moshe, unless they come forward to actively engage the idol-worshippers in battle for the truth, they were not considered as being from those who are "l'Hashem!" Well-meaning Jews, good-hearted Jews - and all those whose conviction and dedication does not extend beyond the heart and mind - are not worthy of membership in Hashem's legion.

And you will see My back; but My face may not be seen. (33:23)

The Chasam Sofer explains that we can not understand everything. Indeed, certain circumstances seem nonsensical and even ludicrous to our limited minds. After awhile, however, they begin to make sense when we view them through the perspective of hindsight. Looking back allows us a panoramic view not accessible to us beforehand. When a Jew is confronted with a situation which he does not understand, which might even cause him to question his convictions, he should resort to that old Jewish virtue which has preserved our resolve throughout the vicissitudes of history: emunah, trust, in Hashem. When we do not understand, we should trust Hashem that everything has a purpose and a reason. One day, we will be afforded the opportunity to "look back" and see how it all makes sense in context. This, says the Chasam Sofer, is the meaning of the pasuk: "You will be able to understand My actions when you look back." "My face," is an allusion to looking at occurrences or situations before and during the time they take place. This word cannot be understood at "face" value.

In other words, things happen to us which at the time we cannot explain. One day, it will all fit into place. It is, however, a common error to think that these unexplained occurrences take place for our sake. This is not always true. Sometimes, they happen to - or for - us, but other times we are participants in someone else's script. We might be major players in someone else's real-life drama. Afterwards, we should ask ourselves: Why? Why me? How does this situation impact my life? What message is there for me? The following story illustrates this idea.

It was summer bein hazmanim, intersession, and two yeshivah bochurim, students, Shloime and David, planned to meet some friends at a large park in the Catskill Mountains at noon that day. They left Boro Park very early to allow themselves sufficient time to reach their destination in a timely fashion. As often happens, however, the best-laid plans are meaningless when they do not concur with Hashem's master-plan. Traffic was unusually heavy, and they were

plagued by a number of minor mishaps and mini-crises, to the point that they thought they would not arrive at all.

First, they had a flat tire which took fifteen minutes for these two resourceful young men to change. Not bad, they would still make it by 12:00. They made a quick stop at a rest area along the New York State Thruway and, when they returned to their car, it would not start. While this is not a tragedy, when one is on a tight schedule, it can be nervewracking to find cables and jump start the car. Still, they were on time. They figured a fast pace would help compensate for the time they had lost. It did not take long before the local sheriff pulled them over for excessive speed. He took his time writing the ticket, creating an even bigger delay. They were now over an hour late for their meeting with their friends.

Things went fine for about another fifteen minutes when their car just sputtered and made an unscheduled stop. They could not believe what was happening to them. A single trip to the mountains was turning into an epic journey. An hour later, a tow truck arrived, only to tell them that the fan belt was torn, a problem that would take two hours to repair. They were only twenty minutes away from the park. Should they still go, or should they return home? They decided that since they had travelled this far and it was still light outside, they might as well go to look for their friends - even if they were four hours late. Alas, when they arrived, the park was deserted. Apparently, their friends had come and gone. They were disgusted. To have come all this way for nothing! Suddenly, they heard a young voice shout, "Help! Help!". "Help us, please," a second voice screamed.

For a moment they froze and stood motionless, as their gaze riveted on the sight of two little boys flailing in the lake. The two immediately dove into the water and rescued the children. Afterwards, Shloime turned to David and said, "Do you realize what occurred today? Do you have any idea what happened here? If we had not arrived at the park precisely when we did, those two children would not have survived. Everything that happened today, all the mishaps and delays were orchestrated from Above, so that we could save the lives of the two boys." Once again, we see that there is no such thing as a coincidence.

He remained there for forty days and forty nights; he did not eat bread, and he did not drink water. (34:28)

It is interesting to note that the preparation for the second set of Luchos was the same as for the first set. Once again, Moshe was required to abstain from physical satisfaction in order to study the Torah for forty days and nights. Why? Ramban explains that the second set of Luchos required a second preparation period. What Moshe had learned previously did not apply to the second set of Luchos. We wonder if Moshe had known the Torah well enough to present it to Klal Yisrael the first time, why would he need another forty days of study to qualify for the second set of Luchos?

Horav Mordechai Gifter, z.l., explains that Torah's true essence is above human understanding. Thus, when Hashem gave us the Torah, it was given on a level commensurate with our degree of comprehension. When Klal Yisrael was originally about to receive the Torah, they were on a high level of kedushah, holiness. Accordingly, they would have received the Torah on this level. This all changed when they sinned with the Golden-Calf, and their spiritual status-quo plummeted. They now would have to receive the Torah on a much lower level of understanding. Likewise, Moshe was now charged with teaching the Torah to them on a reduced level, because they could not relate to anything higher. To guarantee that Moshe would teach them the Torah on their new, diminished level, it was necessary that he relearn the Torah on a level of understanding conforming with Klal Yisrael's newly adjusted level of comprehension. This was not due to any shortcoming on Moshe's part; rather, it was to ensure that Klal Yisrael received the Torah on their level of understanding.

We may add a compelling lesson to be derived from Rav Gifter's exposition. The rebbe/teacher must prepare and teach according to the student's level of understanding and expertise. A teacher should not teach just to hear himself speak. His goal is to teach his students, and his preparation should be oriented toward this goal.

<http://www.koltorah.org/volume10/kitisa2001.htm>

[From last year]

Parshat Ki Tisa Vol.10 No.24

Date of issue: 22 Adar 5761 -- March 17, 2001

Why? by Rabbi Ezra Weiner

There are individuals who occasionally distinguish between a proficient, meticulous Baal Korei and an inexperienced, careless one based on one aspect of this week's Parsha. Vayechal Moshe Et Penei Hashem Elokav Vayomer Lama Hashem Yechere Apcha Bi'amecha..., "And Moshe supplicated before Hashem and said: 'Why should Your wrath wax hot against Your peopleB?'" (32:11)

There are only a few occasions in Tanach when the stress and accent of the word Lama is Merula (on the last syllable). In most instances Lama is pronounced Meliyaal, with the emphasis on the Lamed. What is the meaning of this quite uncommon pronunciation of the word lama?

Rav Samson Raphael Hirsch suggests as follows: The word lama, which is usually translated as "why," can essentially be broken down into two parts - Le and Ma - which when literally translated means "to what," i.e., to what purpose. When one asks "why" in response to an individual's action, he is essentially questioning two aspects of the action: 1) For what reason did you perform this action, and 2) What objective did you plan to achieve by your performance of this action? Frequently, both aspects are intended. When stressing the Lamed, one is questioning the pertinence of the entire matter - both the reason and objective. However, when stressing the Ma, one accepts that there is good reason for an action or response but questions whether that action will truly accomplish anything. For example, if a father sees his son hit a friend, and asks, "Why did you hit your friend?" the father is interested in ascertaining if his son's friend did something that even warranted a response. However, if the father sees his son's friend teasing him and asks, "Why did you hit your friend," the father understands that there was a reason for a response but is questioning whether hitting is really going to accomplish anything.

Moshe was not challenging Hashem's anger when he declared Lama. The Jews had been warned by the Torah's command to refrain from idol worship, but they chose to disobey by worshipping the Eigel Hazahav. Moshe, however, was inquiring whether Hashem's proposal to annihilate the Jews would really achieve anything. Moshe therefore declared: Lama Hashem Yechere Apcha. For what purpose are You so angry? What will You achieve by maintaining such an excessive degree of anger?

The Pasuk is immediately followed by the common Lama in Lama Yomru Mitzrayim Leimor Beraah Hotziam Laharog Otam Beharim. Moshe asks: "Hashem, You certainly have the right to be infuriated with Your people, but there is no rhyme or reason to generate a Chillul Hashem." This question therefore uses the Lama form. Similarly, in Parshat Shemot (5:22) when Moshe proclaims: Lama Hareiota La'am Hazez Lama Zeh Shelachani, Moshe is implying the following: I understand that You have some reason for making the lives of the Jews more difficult in Egypt before You redeem them. However, as is evident from Paroh's most recent decree of Tichabed Haavoda (let heavier work be laid upon them), my incompetence as a leader has been confirmed. I have only made matters worse and I question your very reasoning for specifically selecting me in the first place.

From: Rabbi Riskin's Shabbat Shalom List

[SMTP:parsha@ohrtorahstone.org.il] To:

Shabbat_Shalom@ohrtorahstone.org.il Subject: Shabbat Shalom:

Parshat Ki Tisa by RABBI SHLOMO RISKIN

Shabbat Shalom: Parshat Ki Tisa (Exodus 30:11-34:35) By Shlomo Riskin

Efrat, Israel - "And it happened that when he came close to the encampment and he saw the calf and the dancing that Moses became very angry and he cast from his hands the tablets and he broke them under the mountain." (Exodus 32:19)

One of the most poignant, powerful and pathetic scenes in the Bible is the moment when Moses saw the Israelites worshipping the golden calf and broke the sacred tablets of stone.

The various Biblical commentaries (and even subsequent artists) have treated this action in different ways: for one Moses acts in a fit of anger, for another in weak frustration, and for a third as a resolute teaching demonstration. Whatever may have been Moses' true motivation, the sages of the Talmud applaud his action: "G-d himself gave his approval to Moses' act." It is precisely this Divine approval which is especially difficult to understand. After all, the Tablets of Stone were the most holy objects of the world, "the work of the Lord and the writing of the Lord." (Exodus: 32:16)! Does it not seem as if Moses is pouring salt on the wounds perpetrated by the Israelites dancing in idolatrous debauchery? A review of the various commentaries will not only express the complexity of Moses' daring action but may very well answer our question.

The Seforno seems very much attuned with Michaelangelo's vision of Moses when he interprets the smashing of the tablets as an expression of the prophets justifiable anger. "When Moses saw that the Israelites were rejoicing in the desecration that they had created he became angry and despaired of his ability to correct this egregious sin."

The Rashbam, who is generally known for his close adherence to the most literal meaning of the text, here takes a very different approach "When Moses saw the calf, all of his strength failed him. He no longer had any energy and so he cast the tablets far away from him in order that they not damage his legs as they were falling. This is what people do when they can no longer bear their heavy burden. Such is the interpretation I saw in the Chapters of Rabbi Eliezer and this is the basic understanding of the text." For the Rashbam Moses was not angry as much as he was disappointed, despaired, disillusioned. His interpretation is touchingly reminiscent of a beloved friend of mine, whose teenage son was rebelling from a life of Torah observance. The young man understood his father's pain and left the following note on his father's pillow: "Beloved father, both of us are blind. I do not see how much I have learned from you, and you do not see how much you have taught me. You think I threw the tablets brazenly in front of your face. That is not at all the case. I merely found them too heavy to bear, and so they dropped from my hands...."

Fascinatingly enough, there are a number of commentaries who see the act of Moses as a passionate statement of defense on behalf of the Israelites. It is from this perspective the Ibn Ezra writes, "Moses broke the tablets which were in his hands like a contract of testimony thereby tearing asunder the marriage contract between G-d and Israel." The Ibn Ezra is basing himself on the mystical interpretation that the revelation of Sinai was a Divine marriage between G-d and Israel, with the Tablets of the Ten Commandments serving as the marriage contract between the heavenly Groom and Israel the bride. As a result of this relationship when Israel worships the Golden Calf, she commits adultery. When Moses breaks the tablets, he is thereby destroying the marital contract. If G-d and Israel are no longer married, then the worship of the Golden Calf cannot be considered adultery.

My revered teacher and mentor, HaRav Joseph B. Soloveitchik zt"l, once gave an interpretation which is similar in attitude to that of the Ibn Ezra. The Mishna in Tractate Meilah teaches that "there is no act of meilah after another act of meilah except in the case of a sacred vessel." Meilah is a technical term for the usage of a holy object for one's personal benefit. If for example an individual takes one of the sacred garb of the temple priests and clothes himself with it for a family party, he commits the grave offense of meilah. Generally speaking, however, once one individual has so "secularized" a holy object, if another individual then uses that object in a similarly personal way, he has not transgressed; once an object has been removed from the realm of the sacred it loses its sacred status; it may then be consequently used for one's personal benefit with impunity. Nevertheless, the Mishna teaches that a sacred vessel in the Holy Temple can never lose its sacred character, no matter what. Hence, if an individual takes a laver from the Temple and uses it for personal use, and then a second individual uses that same object for his

personal use, the second individual also transgresses the sin of meilah. Sacred vessels retain their sacred character eternally.

The stone tablets upon which were written the Divine Revelation of the Ten Commandments must be seen as sacred vessels. When Moses breaks them he is giving a crucial message to G-d: these broken tablets still retain their sanctity! That is why the broken tablets were also placed in the Holy Ark of the sanctuary alongside of the new tablets which Moses is to hew out on the tenth day of Tishrei (Yom Kippur). By breaking the tablets, Moses is reminding G-d, as it were, that the Israelite nation is also a sacred vessel. After all, G-d has called Israel His treasure, the means by which the world will learn the necessary truth of ethical monotheism. If a sacred vessel can never lose its sanctity, then the Israelite nation likewise can never lose its sanctity. This is Moses' way of stating the necessity of G-d's forgiveness of Israel.

According to this interpretation, the smashing of the tablets is an expression of Moses ultimate defense of his beloved nation- and the extent to which we must never lose faith in the power and eternity of our people.

Shabbat Shalom.

You can find Rabbi Riskin's parshiot on the web at:
<http://www.ohrtorahstone.org.il/parsha/index.htm>

Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean To subscribe, E-mail to: <Shabbat_Shalom-on@ohrtorahstone.org.il>

<http://www.koltorah.org/ravj/chadash.htm>

From Parshat Ki Tisa Vol.10 No.24 Date of issue: 22 Adar 5761 --
March 17, 2001

CHADASH OBSERVANCE TODAY
BY RABBI HOWARD JACHTER

Introduction This week we will begin our discussion of matters that are relevant to Pesach and/or the month of Nissan. In this issue, we will discuss the prohibition of Chadash.

The Torah in Vayikra (23:14) presents the prohibition against eating Chadash. The Torah forbids eating from grain that has taken root after the sixteenth of Nissan until the subsequent sixteenth day of Nissan has passed. For example, we may not eat grain that was planted on the fourth day of Iyar 5760 until the sixteenth day of Nissan 5761. This prohibition applies to the Chamisha Minei Dagan (five species of grain): wheat, barley, rye, oats, and spelt. When the Bait Hamikdash functions, Chadash is rendered permissible when the Korban Omer is offered on the sixteenth day of Nissan. In the regrettable absence of the Bait Hamikdash, we must wait until the end of the sixteenth day of Nissan to consume Chadash. Outside of Israel, we must wait one more day. In Israel, observant Jews scrupulously abide by this prohibition. However, the great majority of observant Jews who reside outside of Israel have followed a lenient approach towards this issue for many centuries. In this essay, we will discuss the basis of this lenient practice. Interestingly, the Orthodox Union has recently taken steps to facilitate following the stricter approach regarding Chadash.

Does Chadash Apply in Chutz La'aretz? The Torah (ibid.) mentions that the Chadash prohibition applies "in all your dwelling places." This seems to imply that the Chadash prohibition applies throughout the world. Nevertheless, the Tannaim debated whether the Chadash prohibition applies only in Israel or even in the Diaspora. Rabbi Elazar's opinion that Chadash applies everywhere is recorded in the Mishna (Kiddushin 37a). The Tanna Kama of that Mishna argues that this prohibition applies only in Israel. The latter opinion interprets the phrase "in all your dwelling places" as teaching that the prohibition applies to grain that grew in Eretz Yisrael even if the grain is exported from Eretz Yisrael (see Yerushalmi Kiddushin 1:8). However, the Tanna Kama believes that the Chadash prohibition does not apply to grain grown in Chutz La'aretz.

Most Rishonim rule in accordance with Rabbi Elazar in light of the statement of the Mishna (Orla 3:9) that "Chadash is biblically prohibited in every place." These Rishonim include the Rambam (Hilchot Maachalot Assurot 10:2), the Rif (Kiddushin 15a in the pages of the Rif), the Rosh (Kiddushin 1:62), and the Tur (Orach Chaim 489). The Shulchan Aruch (Orach Chaim 489:10 and Yoreh Deah 293:2) also rules in accordance with this opinion.

The Aruch Hashulchan (Yoreh Deah 293:5) notes that a minority of Rishonim believe that Chadash outside of Israel is only Rabbinically forbidden. These Rishonim include the Or Zarua (328), Rabbeinu Baruch (the author of the Sefer Hateruma, cited in Teshuvot Harosh 2:1), the Raavan (as understood by Teshuvot Mishkenot Yaakov 64), and the Mahari.

The Or Zarua seeks to prove that Chadash is only Rabbinically prohibited in Chutz La'aretz based on Menachot 83b-84a. The Mishna (Menachot 83b) states that the barley used for the Korban Omer must have grown in Eretz Yisrael. The Gemara (Menachot 84a) implies that if one believes that the barley used for the Korban Omer cannot be from Chutz La'aretz, then he must believe that the prohibition to eat Chadash in Chutz La'aretz is only Rabbinical in nature.

The Or Zarua notes how difficult it was to observe Chadash in the area in which he resided (thirteenth century Germany and France). He concludes that since it is a situation of great difficulty (Sha'at Hadechak), we may rely on the Mishna in Menachot that seems to imply that Chadash is forbidden only Rabbinically. Therefore, one may be lenient in case of doubt. This ruling is based on the celebrated rule that one may be lenient in case of doubt when dealing with a rabbinically prohibited matter (Safek Derabanan Lekula). Thus, one may be lenient regarding Chadash since one does not know whether the grain took root before the sixteenth of Nissan or after the sixteenth of Nissan.

Interestingly, Tosafot (Kiddushin 36b s.v. Kol Mitzva) writes that if one is unsure if barley is Chadash he may eat it. Tosafot explains that one may assume that the barley has emerged from the majority of barley that is planted before Pesach. This is an application of the Talmudic principle of Col Defarish Meruba Farish, "whatever emerges, emerges from the majority." One should note that Tosafot's lenient approach is relevant only when most of the grain has taken root before the sixteenth of Nissan. Moreover, we should note that Tosafot obviously does not subscribe to the Or Zarua's approach to the Chadash issue.

The Taz also notes the difficulty to observe Chadash in his area (seventeenth century Poland) and defends the lenient practice of the Jews of his area. The Taz (Y.D. 293:4) notes that the Gemara does not definitively conclude that the Halacha follows Rabbi Elazar. Accordingly, in case of Sha'at Hadechak one may rely on the opinion of the Tanna Kama that Chadash does not apply in Chutz La'aretz. The Shach (Nekudot Hakesef 293:4) sharply dissents. He argues that the aforementioned Mishna in Orla unambiguously concludes that the Halacha follows Rabbi Elazar. The Vilna Gaon (Biur Hagra Y.D. 293:2) concurs with the Shach.

Chadash Observance in Lands That Are Distant from Israel Rabbeinu Baruch (a Rishon) argues that Chadash outside of Israel is forbidden only rabbinically. He further agrees that the rabbinical decree to observe Chadash outside of Israel applies only in those lands that are close to Israel, such as Egypt. He notes that when Chazal instituted that Terumot and Maaserot be separated in Chutz La'aretz, they imposed this rule only in the lands that are close to Israel (see Rambam Hilchot Terumot 1:1).

The Magen Avraham (489:17) and the Aruch Hashulchan (Y.D. 293:20-21) conclude that this is the most convincing defense of the practice to be lenient regarding Chadash. Nonetheless, the Magen Avraham counsels that a scrupulous individual should try to avoid relying on this very lenient approach. Furthermore, the Vilna Gaon (Biur Hagra Y.D. 293:2) vigorously rejects this leniency.

The Rama's Approach and Rav Akiva Eiger's Critique The Rama (Y.D. 293:3) presents an interesting, albeit puzzling, approach to this issue. He writes that one may be lenient regarding Chadash if the following Sfek Sfeika (double doubt) is applicable. One doubt is if the grain was planted before the previous sixteenth of Nissan. The second doubt is that perhaps the grain is from a previous year. This approach appears difficult, as noted by Rav Akiva Eiger in his glosses to the Shulchan Aruch (ibid.). It seems that this is not a legitimate Sfek Sfeika since this is simply one doubt - did the grain take root before the sixteenth of Nissan or not?

The Lenient Approach of the Bach The Bach (in his comments to Tur Y.D. 293 s.v. Ketiv Vilechem) notes that in his area of residence (sixteenth century Poland) almost everyone (including great Rabbis) was lenient regarding the Chadash issue. The Bach cites a number of lesser-known Rishonim who assert that Chadash does not apply if the grain grows in a field owned by a non-Jew. The Bach writes at length in an attempt to defend this approach. He cites the Gemara in Rosh Hashana (13a) that states that one may not offer the Korban Omer from barley that grew in a field owned by a non-Jew. The Bach then notes that according to the Gemara in Menachot (84a) Chadash does not apply to grain that is not

suitable to be used for the Korban Omer. Accordingly, the Bach concludes that Chadash does not apply to grain that grew in a field owned by a non-Jew because that grain is not suitable for the Korban Omer.

This celebrated approach of the Bach elicited much criticism. The Shach (Y.D. 293:6), the Taz (293:2), and the Vilna Gaon (Biur Hagra 293:2) vigorously reject this approach. Indeed, Tosafot (Kiddushin 36b s.v. Kol) specifically states that the Talmud Yerushalmi indicates that Chadash applies to grain grown in a field that is owned by non-Jews. Moreover, the Shulchan Aruch (Y.D. 293:2) rules that Chadash applies to grain grown in a field owned by non-Jews. Nevertheless, Teshuvot Mishkenot Yaakov (64) writes at length in defense of the Bach from his many eminent critics.

Acharonim Many Acharonim (cited by Pitchei Teshuva Y.D. 293:1 and Encyclopedia Talmudit 12:628 note 84) wrote at great length to defend the lenient practice of the overwhelming majority of observant Jews. The Aruch Hashulchan (Y.D. 293:18) describes how it was nearly impossible to follow the strict approach in his area (nineteenth century Russia). He notes that very few people follow the strict approach. He strives to defend the lenient approach and concludes, "All the Jewish people are free from sin." Interestingly, a number of individuals have informed this author that Chassidim (including Satmar) abide by the lenient approach to Chadash. Indeed, there is a legend that the Baal Shem Tov heard a heavenly voice declaring that the Halacha follows the Bach.

The Mishna Berura (489:45) notes that most observant Jews adopt the lenient approach to the Chadash issue. He writes that although one should not criticize one who follows the lenient approach, a Halachically scrupulous individual should adhere to the Chadash restrictions as best as he can. In the Biur Halacha (489:10 s.v. Af), the Chafetz Chaim laments the fact that some people adopt an "all or nothing" attitude towards Chadash. He writes that just because one cannot observe the strict approach to Chadash at all times at the highest level of observance, it does not mean that one should not observe it at all. He writes that one should do his best to observe the strict approach to Chadash as often as possible. Accordingly, we should applaud the Orthodox Union for taking steps to facilitate stricter observance of Chadash for those who wish to do so.

Contemporary Authorities This author heard Rav Yosef Dov Soloveitchik (at a Shiur at Yeshiva University) relate that he follows the lenient approach to Chadash. Rav Moshe Snow (a student of Rav Moshe Feinstein) told this author that Rav Moshe Feinstein's Yeshiva in the Lower East Side of Manhattan (Mesivta Tifereth Jerusalem) followed the lenient approach to Chadash and Rav Moshe ate the Yeshiva's food. On the other hand, both Rav Aharon Soloveitchik and Rav Aharon Lichtenstein follow the strict approach to Chadash. Indeed, some claim that perhaps today we should be stricter in our observance of this Halacha. They note that it is relatively easier for us living in North America to follow the stricter approach than it was for our ancestors.

Conclusion One should not disparage one who follows the lenient approach to Chadash, as he has ample Halachic basis for his practice. Similarly, one should not feel guilty if he adopts the lenient approach to Chadash, for he is most likely observing Chadash in the same manner as his ancestors did for the past thousand years. However, those who adopt the strict approach should be commended for being strict regarding a Torah prohibition.

From: Jeffrey Gross[SMTP:jgross@torah.org] Subject: Weekly Halacha - Parshas Ki-Sisa
WEEKLY-HALACHA FOR 5762

BY RABBI DONIEL NEUSTADT Rav of Young Israel of Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav.
DAIRY AFTER MEAT: HOW LONG A WAIT?

In the written Torah, the only mention of meat and dairy, basar b'chalav, is the prohibition against cooking them together. Nevertheless, the Oral Law teaches us that eating meat and milk which were cooked together, is also prohibited. Our Sages, who were always concerned lest prohibitions be transgressed inadvertently, protected us by establishing "fences" (seyagim) around various prohibitions. In this case, the Rabbis prohibited eating dairy foods even after eating meat. It is well-known that the taste of meat lingers in one's mouth long after it has been consumed, since a film of fatty residue remains in the throat and on the palate long after the meat has been swallowed(1). In addition, actual pieces of meat can be stuck between the teeth after meat has been eaten(2). For these two reasons, our Sages ordained that two things must happen before dairy can be eaten

after meat: 1) Birkas ha-Mazon [or berachah acharonah] over the meat meal must be said(3); 2) A substantial amount of time must elapse(4).

HOW MUCH TIME MUST ELAPSE BEFORE DAIRY CAN BE EATEN AFTER MEAT?

Almost universally, the custom is to wait six hours before eating dairy after meat(5). Although there are a few communities which follow other, more lenient customs [Dutch Jews wait one hour; German Jews wait three hours(6)], these customs apply only to those who are born into the tradition. One who abandons his custom to adopt a more lenient one is described by the poskim as a poreitz gader(7), a "fence-breaker", and as one who transgresses the exhortation, "Al titosh Toras imecha(8) - Do not forsake the teachings of your mother(9)."

In the opinion of most halachic authorities(10), "six hours" means six full hours. This is the custom practiced by most people. Some poskim are reported to have ruled, however, that five-and-a-half hours is sufficient(11). Other poskim permit this leniency only after eating fowl, but certainly not after meat(12).

There is a view that states that the six hours are measured from Birkas ha-Mazon of the meat meal [even if no meat was consumed towards the end of the meal] until the beginning of the dairy meal [even if no dairy will be eaten at the beginning of the meal](13). Contemporary poskim do not agree with this ruling, however. In their opinion, the six hours are measured from the cessation of eating meat - not from the end of the meal - until the actual consumption of dairy - not the beginning of the dairy meal(14).

WHEN DOES ONE NOT NEED TO WAIT SIX HOURS? 1. There is a dispute among earlier poskim as to whether one who merely chews meat but does not swallow it must wait six hours before eating dairy. Some poskim rule that in this case, a one-hour interlude is sufficient(15). Other poskim do not agree(16). The contemporary poskim who do agree with this leniency require that one rinse(17) and clean(18) his mouth and brush and pick his teeth(19). But one who only tasted meat with his tongue - and immediately removed the meat from his mouth - need not wait six hours(20). 2. It is permitted to eat or drink dairy immediately after swallowing or chewing a meat vitamin(21). 3. If one is in doubt whether or not six hours elapsed since he ate meat, he is permitted to eat dairy(22). 4. One who finds meat still lodged between his teeth after six hours must remove it and clean(23) or rinse(24) his mouth before eating dairy. Some poskim require both procedures - cleaning and rinsing(25). One need not, however, wait six hours from the time meat was found lodged between his teeth before eating dairy(26). 4. If one swallowed meat without chewing it, he must still wait six hours before eating dairy(27). 5. A weak or sick person, a pregnant woman, a nursing mother or a child between the ages of three and nine who needs dairy food for strength or nourishment(28) is not required to wait six hours between meat and dairy(29). Waiting time of one hour is sufficient(30), provided that the person follows this procedure before eating dairy(31): He/she recites Birkas ha-Mazon (or berachah acharonah) over the meat meal, brushes well his/her teeth, rinses and cleans his/her mouth, and washes his/her hands before eating dairy. 6. Infants till age three do not need to wait at all between meat and dairy(32). Healthy children over the age of nine [or ten if they are physically underdeveloped] should wait six hours between meat and dairy(33). 7. Parve food that was cooked together with meat, such as a potato cooked in a meaty cholent or rice cooked in a pot together with chicken, is considered like meat; six hours must elapse before dairy may be eaten(34). 8. The poskim debate(35) what the correct course of action should be in case one forgot that he is within six hours of eating meat and made a blessing over a dairy item. Some maintain that he should eat a minuscule amount of the dairy item so that his blessing is not l'vatalah, while others do not allow this; rather, they say that baruch sheim kevod malechuso l'olam va'ed should be said(36) instead(37). If there is still some meat in his mouth or between his teeth, he surely may not eat any dairy food.

AFTER EATING PARVE FOOD COOKED IN A MEAT POT OR CUT WITH A MEAT KNIFE, DOES ONE NEED TO WAIT SIX HOURS TO EAT DAIRY?

Parve food that was cooked in a meat pot [but without any meat in the pot, such as fish cooked in a meat pot] does not require a wait of six hours before dairy may be eaten(38). The halachah remains the same even if the food cooked in the meat pot was cooked with onions or other "sharp" foods(39). [Note that our discussion here applies only to dairy food eaten after parve food, not together with it.]

AFTER EATING MEAT, DOES ONE NEED TO WAIT SIX HOURS TO EAT PARVE FOOD THAT WAS COOKED IN A DAIRY POT OR CUT WITH A DAIRY KNIFE?

This answer depends on the type of parve food that was cooked in the dairy pot: Regular parve foods may be eaten immediately after eating meat, and even l'chatchilah one may plan to eat such a parve food for dessert at a meat meal(40). Sharp parve foods [e.g., radishes or fish cooked with onions] that were cooked in a dairy pot may not be eaten until six hours have elapsed after eating meat(41). Some poskim(42) are lenient if the dairy pot was not used for cooking dairy in the preceding twenty-four hours, while others(43) are stringent even in that case.

FOOTNOTES: 1 This is the reason given by Rashi (Chulin 105a, quoted in Tur Y.D. 89) in explanation of this halachah. 2 This is the reason given by Rambam (Ma'achalos Assuros 9:28, quoted in Tur Y.D. 89) in explanation of this halachah. 3 Shach Y.D. 89:5; R' Akiva Eiger quoting Magen Avraham O.C. 196:1. 4 Hard cheese has the same rules as meat - that means that if one ate hard cheese he may not eat meat for six hours. In the United States today, however, it is difficult to find "hard" cheese, since hard cheese means that it was allowed to process for six months before it was packaged and refrigerated. Once the processing of the cheese has ended, the cheese does not become "hard" even if it is in stock six months later (written responsum from Harav Y. Belsky). 5 Sephardic Jews are required to wait six hours between meat and dairy. For them it is not a matter of custom. 6 See Chayei Adam 127:10 who quotes a custom of those who wait only "several hours". 7 Aruch ha-Shulchan Y.D. 89:7. See Koheles 10:8 and Rashi. 8 Mishlei 1:8. See Rashi. 9 Chochmas Adam 40:13. 10 See Darkei Teshuvah 89:6 quoting Gan ha-Melech and Chamudei Daniyel. Many poskim also refer to this time period as a "quarter of the day and night" (see Shiyurei Berachah 89:4), which means that six hours is exact. 11 Ruling of Harav A. Kotler, as repeated by his family and disciples. Nishmas Avraham Y.D. 89:1 quotes some poskim who required a wait of a little more than five hours. Practical Guide to Halachah, vol. 2, pg. 133, quotes Harav M. Feinstein as ruling that "in an emergency, maybe fifteen minutes before six hours, but not earlier." 12 Yabia Omer Y.D. 1:4-13. 13 Aruch ha-Shulchan 89:4. 14 Badei ha-Shulchan 89:7; Pischei Halachah, The Laws of Kashrus, pg. 201. 15 R' Akiva Eiger Y.D. 89:1. 16 Pri Megadim M.Z. 89:1; Shiyurei Berachah 89:12; Pischei Teshuvah 89:1. Chochmas Adam 40:13 and Kitzur Shulchan Aruch 46:9 seem to agree. 17 Rinsing means to wash out the mouth with water or to take a drink of water or any other beverage. 18 Cleaning the mouth is done by eating a bulky parve food and chewing it thoroughly - Rama 89:2. 19 Yad Yehudah 89:1, quoted in Darkei Teshuvah 89:22 and Badei ha-Shulchan 89:38. See also Aruch ha-Shulchan 89:4. 20 R' Shlomo Kluger, quoted in Darkei Teshuvah 89:22 and Badei ha-Shulchan 89:16. 21 Igros Moshe Y.D. 2:26. 22 Darkei Teshuvah 89:5; Badei ha-Shulchan 89:9. 23 Eliyahu Rabbah O.C. 173; Yad Yehudah 89:5; Darkei Teshuvah 89:12. 24 Rama 89:1. 25 Shach 89:2; Chochmas Adam 40:12; Aruch ha-Shulchan 89:5. 26 Shach 89:2 and all poskim. 27 Badei ha-Shulchan 89:17 based on Igros Moshe Y.D. 2:26. 28 Even if meat food is available but the person does not like it or is not in the mood for it - Chelkas Yaakov 2:88; Badei ha-Shulchan 89:37. 29 Entire paragraph based on Chochmas Adam 40:13; Aruch ha-Shulchan 89:7; Salmas Chayim 2:4; Chelkas Yaakov 2:88; Yechaveh Da'as 3:58; Badei ha-Shulchan 89:36,37. 30 In case of need, such a person may eat dairy even without waiting an hour, although l'chatchilah one should plan not to rely on this leniency - Badei ha-Shulchan 89:36. 31 Hataras nedarim is not required in this case - see Dagul Mi-Revavah Y.D. 214, and Mishnah Berurah 581:19 and Sha'ar ha-Tziyon 33. Chochmas Adam and Aruch ha-Shulchan also do not mention that hataras nedarim is required. See also Nishmas Avraham Y.D. 89:1 quoting Harav S.Z. Auerbach. 32 Obviously, if there is no reason at all to feed the child dairy after meat, it should not be done, since it is forbidden to feed prohibited items to anyone, even to an infant - Mishnah Berurah 343:3. 33 Chelkas Yaakov 2:88; Yechaveh Da'as 3:58 (who is lenient with children until a year before they are bar/bas mitzvah); Badei ha-Shulchan 89:37. 34 Rama 89:3. According to many poskim (Maharshal quoted by R' Akiva Eiger, Yad Yehudah, Kaf ha-Chayim) the custom is not to eat even a parve food cooked together with dairy after a parve food cooked together with meat. Other poskim (Chochmas Adam, Aruch ha-Shulchan) do not mention this custom. 35 There are various views among the poskim about this issue and they are quoted at length in Yabia Omer Y.D. 2:5 and Yechaveh Da'as 4:41. 36 Mishnah Berurah 515:5 (concerning eating muktzeh) rules that one may not eat a prohibited item even if a blessing was made over it. 37 Levushei Mordechai Y.D. 2:167. 38 Rama 89:3. Sometimes, if a meat pot is not scrubbed clean, a fatty residue of meat remains on the pot. Most poskim (Shach 89:19, Chochmas Adam 40:13, Aruch ha-Shulchan 89:13, Darkei Teshuvah 89:42) allow parve food cooked in such a pot to be eaten before dairy, especially if the parve food was sixty times greater in quantity than the fatty residue of meat on the pot. 39 R' Akiva Eiger and Beis Meir quoted in Darkei Teshuvah 89:42. 40 Tuv Ta'am Va-da'as 3:183 and Mishmeres Shalom 69:19 quoted in Darkei Teshuvah 89:42 and Badei ha-Shulchan 89:90. 41 Pri Megadim O.C. 494:6. 42 Yad Yehudah quoted in Darkei Teshuvah 89:42. 43 Badei ha-Shulchan 89:90. Weekly-Halacha, Copyright 1 2002 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 Doniel Meir ben Hinda. Weekly sponsorships are available - please mail to jgross@torah.org. 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

From: chrysler[SMTP:rachrysl@netvision.net.il] Subject: Midei Shabbos by
RABBI ELIEZER CHRYSLER
Vol. 9 < No. 21

This issue is co-sponsored L'iluy nishmas Simchah ben Asher Gitel bas
Bentzi'on B'rachah Miriam bas Moshe Aharon Cha'im Zev ben Yisrael, z.l. & by an
anonymous sponsor with the fervent wish that this month be transformed from grief to
joy, from darkness to light and from subservience to the final redemption.

Ki Sisa (Parshas Zachor)
Who Is On G-d's Side?

Both Targum Unklus and Targum Yonasan explain that, when Moshe declared
'Whoever is for G-d come to me!' he was referring to those who were imbued with the
fear of G-d.

To explain the strange phenomenon that only the tribe of Levi stepped forward, the
Tosfos and Rosh explain that Levi was the only complete tribe to do so, implying that
perhaps there were other individuals who joined their ranks, but no complete tribe.

And going to the root of the matter, they attribute this loyalty to the fact that the
tribe of Levi was closely related to Moshe, and as such, took strong objection to the
suggestion that a new leader be appointed to replace him.

Tosfos, quoting the Rambam, adds that Levi was the link in the chain of Torah,
which was passed from Avraham to Yitzchak to Ya'akov, and from Ya'akov to Levi.
Consequently, it was they who set up Yeshivos in Egypt, and who were therefore far
removed from the idolatry of which the other tribes were guilty, and which ultimately
led to the sin of the Golden Calf. Incidentally, he also explains with this why Levi,
unused to manual labour, were exempt from working in Egypt. In any event, the tribe
of Levi was innocent of the sin of the Eigel, and that is why they were the ones to
answer Moshe's call.

Elaborating further, Tosfos divides Yisrael at that time into three groups. There
were those who only wanted a new leader to replace Moshe, those who actually
accepted the Golden Calf as a deity, and Levi alone, who fully rejected both options.
And that is why it was Levi alone who stepped forward.

It is not clear however, why, if all the first group wanted was a leader to replace
Moshe, on the mistaken premise that Moshe was dead, why that should preclude
them from belonging to those who were on the side of G-d. Neither does Tosfos
contend with the three different deaths that Yisrael suffered in his division of Yisrael
into three groups ...

The Ramban does. He divides Yisrael into three groups (not incorporating the
B'nei Levi). The group that actually worshipped the Calf, he explains, were put to the
sword by the B'nei Levi, those who embraced and kissed it (without worshipping it)
died in the plague of pestilence. Whereas those who merely rejoiced in their hearts,
but did not actively participate in any way, died when Moshe gave them to drink the
water containing the ground dust of the Eigel (like Sotos). And he points out just how
abhorrent idolatry must be in the eyes of G-d, if the slightest participation, even a
passive one, earned the culprit the death penalty.

Yet even according to the Ramban, the vast majority of Yisrael did not die, a clear
proof that only a small minority were in any way involved with the Golden Calf. That
being the case, the fact that only the B'nei Levi responded to Moshe's call, is still
puzzling.

The Chofetz Chayim quoting the Yalkut, poses this question 'Who would not
profess to be on the side of G-d?' he asks.

The Yalkut therefore explains that when Moshe Rabeinu announced 'Whoever is
for G-d come to me!', he was referring to those people who had not even donated as
much as a ring towards the Eigel. It appears that there were not too many of those.
Indeed, the Oznayim la'Torah comments, the Torah writes there that 'all the people
took off their ear-rings'. Maybe they did teshuvah, he explains, but it was too late. They
could no longer fall under the category of those who were totally dedicated to G-d.

The Ha'amek Davar goes still further. He explains that the mission that Moshe
wanted these G-dly people to perform was fraught with danger. Going around the
Camp of Yisrael killing those who were guilty of worshipping the Golden Calf, they
could hardly expect the culprits to tamely surrender to their executioners. They were
bound to defend themselves, and what's more, their families would certainly seek
revenge (just as Chazal comment in connection with Pinchas, where they refer to his
emerging from the ordeal of killing Zimri unscathed as a miracle - for those very
reasons).

Consequently, he explains, the fact that the volunteers were Sheluchei Mitzvah
would not stand them in good stead, since, in a place of danger, this will not
necessarily protect them. The only assurance that Sheluchei Mitzvah have of a safe
passage, is through total dedication to G-d. Someone who dedicates himself fully to
G-d (who serves only G-d and not himself), does not need to be afraid of any
consequences. He can rely entirely on Divine protection, the Ha'amek Davar
concludes.

And that is what Moshe meant when he announced 'Who is for G-d come to me',
For it was only someone who would act exclusively for G-d, completely devoid of
self-interest, who would be able to complete this mission successfully - and safely.

For sponsorships and adverts call 651 9502