

INTERNET PARSHA SHEET ON TAZRIA MEZORAH - 5759

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From: owner-sefira@torah.org Counting The Omer Reminder List Tonight, the evening of Friday, April 16, will be day 16, which is 2 weeks and 2 days of the omer. Don't Forget! Yours, The people at Project Genesis This list has been dedicated in memory of HaRav Yerachmiel Baruch ben Elazar Friedman, and Chaya Gittel bas haRav Ben-Tzion HaCohen Rosenfeld

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From: owner-ravfrand@torah.org "RavFrand" List - Rabbi Frand on Parshas Tazria - Metzora - These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 189, Mikveh: Tevilah and Chatziva. Good Shabbos!

Why would someone refuse his only hope for a cure? In the Haftarah of Parshas Tazria, there is a very interesting story from which we can see a new insight into a Mishneh in Avos. The Mishneh says that "Jealousy, Passion, and (Pursuit of) Honor drive a person out of the world (min haOlam)" [Avos 4:21]. We would normally assume that the words 'min haOlam' mean out of the world TO COME. In other words, a person driven by jealousy and by lusts can be destroyed spiritually and lose his portion in the afterlife. Reb Leib Chassman suggests that 'min haOlam' really also means 'THIS world'. The proof that he brings is the story in this week's Haftarah. Na'aman, the general of Aram, was afflicted by tzaraas [a spiritual affliction with physical symptoms similar to leprosy]. As a prestigious general, he had access to the best medical science of the time, but nothing could cure his condition. Finally he was told that in the land of Israel there was a prophet named Elisha with miraculous curative powers. Na'aman had tried every doctor in the world. Tzaraas was a debilitating disease. So Na'aman decided to travel to Israel to seek Elisha's help. Na'aman went to Elisha the prophet. Elisha -- without seeing Na'aman personally -- sent him a message "go bathe seven times in the Jordan River and your flesh will return to you and you will be cured" [Melachim II 5:10]. Many of us would consider this to be an ideal doctor's visit. First of all, there was no waiting. Second, it was a simple cure. However, Na'aman became angry and departed in a huff. He was offended by the fact that he did not receive more honorable treatment. Elisha, in effect, just sent out a nurse to tell him what to do. Since Na'aman felt that this treatment was below his dignity, he refused to accept Elisha's advice. "You can keep your Jordan; the rivers of Damascus are superior to the Jordan! I am not going to listen to you." Na'aman's lieutenants urged him, "...after all Elisha has a powerful reputation. He has a track record for success. You are suffering and nothing else has helped you. Just try it!" What happened here? A person probably had to be an intelligent fellow in order to be the General of the Aramite Army. We can assume that he was more intelligent than the officers who were his underlings. Yet that which was obvious to his officers seemed to be beyond Na'aman's perception. Why? Why did he refuse to simply try Elisha's cure? The answer is because his honor was offended. Na'aman was not treated with the level of respect that he felt he deserved. That fact alone was enough to make him ignore his tzaraas and his suffering. Na'aman was prepared to live with his condition for the rest of his life, just because his honor was offended. Was he crazy? Just because Elisha did not come out to personally see him, Na'aman was going to risk living with this fatal condition! This, Reb Leib Chassman says, is the interpretation of the Mishneh in Avos. Jealousy, lust, and honor-seeking drive a person out of THIS world.

However, we do not need to go back to the Bible to witness this

phenomenon. We see people, driven by their lust for honor, who are willing to give up their livelihood and their families for honor, for selfish desires and jealousies. Are they crazy? For a fleeting passion I should give up everything? Because I was not treated properly, I should be willing to give up my children? I should pull myself out of the shul I have davened in my whole life because I didn't get maftir? It doesn't make sense. Are people crazy?

The story is the same. Jealousy, passion and pursuit of honor drive a person from THIS world. These things become so obsessive they destroy even a rational man's thought process. This is the lesson of Na'aman and this is the lesson of the Mishneh in Avos.

The Advice Is Still The Same -- Go Before the Kohen Throughout these parshiyos [Torah portions] dealing with tzaraas and various types of skin afflictions, the verses continuously repeat the expression "and he shall be brought to the Kohen". This is an area of halacha where the rulings are not issued by the Rabbi or the greatest Talmudic scholar. The patient must come before the priest. The priest rules. He determines the fate of the one who was stricken. We all know the Rabbinic teaching that skin afflictions (negaim) come as a result of the sin of gossip (lashon hara). Nowadays many of us unfortunately speak so much lashon hara that we are no longer even aware of it. In olden times when one spoke lashon hara, he knew about it. First it affected his house, then his clothes, then his body. A person knew when he had spoken lashon hara. The ability "to be brought before the Kohen" was, in a sense, a blessing. At least a person thereby knew what he was doing wrong. What can we do for lashon hara today? The advice remains the same: "He shall be brought to the Kohen". How can the advice of being brought to the Kohen still apply today?

It is interesting to note that the Chofetz Chaim is often referred to as "the Kohen who is greater than his brethren" [Vayikra 21:10]. To us, the Chofetz Chaim represents the Kohen par excellence -- the one who is greater than any of his fellow Kohanim. If someone has a problem with Lashon Hara, the advice today is still the same as it was 3000 years ago. Bring him to the Kohen -- bring him to the (sefer) Chofetz Chaim; bring him to the (sefer) Shmiras HaLashon. [Both books, by Rabbi Yisrael Mayer Kagan (the "Chofetz Chaim"), a Kohen, are about the laws of gossip.] One who learns Halachos every day is guaranteed that he is a 'son of the world to come' [Megillah 28b]. It is axiomatic. One who learns the laws of Shabbos automatically becomes more conscious and more careful about Sabbath observance. In the Yeshiva, we are presently learning the part of Tractate Menochos that deals with the laws of Tephillin. [Note that this was a number of years ago.] All of a sudden, I noticed my students paying greater attention to how they put on their Tephillin in the morning. That's the way it is. When we learn the laws of a mitzvah, we become more conscious of it. If a person wants to be meticulous in the laws of Lashon Hara, the advice is the eternal advice -- Let him be brought to the Kohen, let him learn the laws of gossip and slander from the Chofetz Chaim, the Kohen who is the greatest among his brethren.

Sources and Personalities Reb Leib Chassman -- Mussar personality of the last generation, author of Ohr Yahel Chofetz Chaim -- Rav Yisrael Meir HaKohen of Radin (1838-1933), nick-named for the title of his first work on the laws of gossip "Chofetz Chaim" (literally 'wants life'). The title comes from Tehillim/Psalms 34:13, "Who is the man who wants life?"

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Rabbi Michael Rosensweig Reflections on Sefirat ha-Omer

The mitzvah of sefirat ha-omer as it is formulated in the Torah appears to be somewhat ambiguous in terms of its essential character, purpose, and function. One verse seems to imbue the mitzvah with an agricultural motif, stating that the obligation to count begins "from when the sickle is first put to the standing crop" (Devarim 16:9). Other verses stress this mitzvah's sacrificial theme, obligating us to begin the mitzvah of counting "from the day [we] bring the omer as a wave offering" and to complete it by bringing the sh'tei ha-lechem as an "offering to God" on the fiftieth day (Vayikra 23:15-17). In fact, the sacrificial theme is echoed in the midrash,(1) and manifests itself most dramatically in the view subscribed to by many rishonim that sefirat ha-omer in our time is only a rabbinic obligation inasmuch as we no longer offer the korban ha-omer.(2) Similarly, the Semag's classification of sefirat ha-omer under the heading of eidut she-be mikdash calls attention to its sacrificial theme.(3) In addition to the agricultural and sacrificial themes inherent in sefirat ha-omer, the Torah also presents this mitzvah as a countdown to the holiday of Shavu'ot (Devarim 16:9-10). This is strikingly reflected by the fact that in contrast to other holidays, the Torah never associates Shavu'ot with a specific calendar date(4); instead it focuses exclusively on the fact that Shavu'ot occurs at the culmination of sefirat ha-omer. Furthermore, the Torah only mentions sefirat ha-omer in the context of sections devoted to the shalosh regalim; again implying that despite its connection to the sacrifice of the omer, sefirat ha-omer's central theme is its linking Shavu'ot with Pesach. The Rambam's view (Temidin 7:24) that sefirat ha-omer is a din di-oraiyta (Torah obligation) in our own era despite our inability to bring the korban ha-omer also suggests that sefirat ha-omer is fundamentally some form of countdown to Shavu'ot. In fact this viewpoint is adopted explicitly and forcefully by the author of the Sefer ha-Chinuch. He asserts that the Exodus should be perceived as a mere prelude to the more important goal of receiving the Torah. Thus by counting the days between Pesach (which celebrates the Exodus) and Shavu'ot (which celebrates the giving of the Torah) we symbolize the eager anticipation of the newly freed Jews to receive the Torah, and affirm the overwhelming importance of Torah in Jewish life. The Sefer ha-Chinuch minimizes the importance of the korban ha-omer as a theme in mitzvah of sefirah, claiming that the Torah merely used the korban ha-omer as a convenient way of identifying the second day of Pesach (on which the sefirah must begin); the korban itself, however, is essentially irrelevant to the character of the mitzvah of sefirah.(5) While the Sefer ha-Chinuch's stance has definite appeal, it still seems deficient in that it does not appear to adequately capture some of the intriguing facets of the mitzvah of sefirat ha-omer. If the sole function of sefirat ha-omer is to mark the time between Pesach and Shavu'ot, then its significance lies in those holidays themselves, and sefirat ha-omer should not have constituted its own mitzvah, nor should it require a berachah. In addition, the fact that there are definite halachic rules and regulations which govern and define the counting process itself seems to imply that the act of counting is somehow infused with meaning and inherent value. The Ramban accentuates this point when he contrasts sefirat ha-omer with another act of counting--that of a zavah (a menstruating woman who must count seven consecutive days without bleeding before she can purify herself).(6) A zavah need only keep track of her count and be aware of it, but sefirat ha omer demands a verbalized nightly counting, during an ideal time (at the onset of each evening), utilizing a precise formula; all of these facts seem to imply that sefirat ha-omer possesses its own inherent significance. Finally, the Ramban draws a parallel between the days of sefirat ha-Omer and the days of Chol ha-Mo'ed that intervene between Succot and Shemini Atzeret.(7) If the days of sefirah represent a form of Chol ha-Mo'ed between Pesach and Shavu'ot, then clearly this interim period serves an inherently important function. To resolve some of these difficulties it may be helpful view sefirat ha-omer from the perspective of kedushat ha-zeman. Rav Yosef Dov Soloveitchik zt"l

developed this theme at length in an essay entitled "Sacred and Profane." He argues that time consciousness is a prerequisite to freedom. The slave who lives for the moment and does not control his own destiny, whose time is literally not his own, is exempt from all mitzvot asefira ha-zeman geramah (time-restricted obligations) because he has no sensitivity to, or appreciation of, the nuances of time. Rav Soloveitchik explains the function of sefirat ha-omer: When the Jews were delivered from the Egyptian oppression and Moses rose to undertake the almost impossible task of metamorphosing a tribe of slaves into a nation of priests, he was told by God that the path leading from the holiday of Pesach to Shavu'ot, from initial liberation to consummate freedom, leads through the medium of time. The commandment of sefirah was entrusted to the Jew; the wondrous test of counting forty nine successive days was put to him. These forty-nine days must be whole. If one day is missed, the act of numeration is invalidated. A slave who is capable of appreciating each day, of grasping its meaning and worth, of weaving every thread of time into a glorious fabric, quantitatively stretching over the period of seven weeks but qualitatively forming the warp and woof of centuries of change is eligible for Torah. He has achieved freedom.(8) On this basis many of the peculiar and seemingly incongruous facets of sefirat ha-omer can be justified. The very act of counting acquires significance and requires a berachah in as much as it represents a process whose aim is to sensitize man to this indispensable religious dimension of time-consciousness. If we identify sefirat ha-omer with time-awareness, then our act of counting is more than a simple marking of time between Pesach and Shavu'ot, or a passive noting of time's passage (like the counting of a zavah); rather, sefirat ha-omer becomes a means of effecting an important psychological and religious transformation, which is most effectively achieved by verbal articulation and daily expression. The Ramban's allusion an analogy to the concept of Chol ha-Moed is particularly apt in as much as sefirat ha-omer constitutes an essential period of transition between the slave mentality of the immediate post-Pesach era and the time-conscious mindset of true freedom that is prerequisite for receiving the Torah on Shavu'ot.(9) In associating sefirat ha-omer with the themes of freedom and sensitivity to time it is illuminating to examine, if only briefly, other halachot that distinguish sefirat ha-omer. The Talmud (Menachot 65b), commenting on the words "u-sefartem lachem" ("you shall count for yourselves"), declares: she-tihyeh sefirah le-kol echad vi-echad that the mitsvah of sefirat ha-omer devolves upon each individual, not on the Jewish nation as whole. Some poskim take this a step further and disqualify the use of shomei'ah ke-oneh as a mechanism with which to accomplish this mitsvah. This view dramatizes the personal motif of sefirah.(10) The cultivation of sensitivity and the inculcation of a mentality can be achieved effectively only on a personal level. Individual self-development must be the focus of any such enterprise, even when the ultimate goal is the transformation of a national destiny. The Ba'al ha-Ma'or (end of Pesachim) asks a famous question: Why should we not consider sefeikah di-yomah when counting sefirah in the Diaspora, just as we do in requiring the observance of a second day of yom tov? Some acharonim respond that the very concept of counting would be undermined by indecisiveness. If we view sefirah from the perspective of time-consciousness and human autonomy, this response takes on a new dimension of meaning.(11) Finally, it is interesting to assess the method of counting and its implications against this background. The Talmud (Menachot 66a) informs us: "Abaye says there is an obligation to count the days of sefirah and there is also an obligation to count the weeks." This statement reflects the two types of time-awareness: the long term perspective and the immediate perspective. Clearly one of the most salient features of free and progressive man is his ability to plan ahead, to work toward a long-term objective with foresight. By living for the future and preparing for it, he asserts and demonstrates a measure of autonomy over his life. By being goal- and project-oriented, he is able to infuse his life with meaning and purpose. This theme is reflected in the concept of "counting weeks." There is, however, a definite hazard in focusing on the future to the exclusion of the present. If long-term objectives and goals totally dominate one's actions and attitudes, the urgency of the present and its unique opportunities may be lost.

In compromising the integrity of the present for the sake of the future, one generally undermines the ultimate purpose as well. Thus we are instructed to treat each day as a discrete unit--to "count days." The Rambam, in his Sefer ha-Mitzvot (asefira 161) goes to great length to prove that despite the existence of these two distinct motifs--of days and of weeks--they in fact comprise one integrated mitzvah.(12) The challenge we face, then, is clear. We must endeavor to harmonize and reconcile our long-term growth (the "counting of weeks") with our immediate needs (the "counting of days"), and to cultivate a sensitivity to time in all of its various dimensions. Then we will effectively be able to partake in the transforming process of sefirat ha-omer, the bridge which will bring us to Sinai. 1. Midrash Rabbah on Emor (Parshah 28) and Ramban on Vayikra 23:15. 2. This appears to be the view of Ameimar (Menachot 67a). Rashi and Tosafot indicate clearly that this is the pesak. 3. Semag (Asei 200). 4. See Rabbeinu Bachya (Vayikra 23:16), Ibn Ezra (Vayikra 23:11) 5. Sefer ha-Chinuch (273). He is initially troubled by the progressive nature of this counting process which might, on the surface, imply that the focus is commemorating the past (Pesach), rather than anticipating the future (Shavu'ot). However, he resolves this by suggesting that the alternative scheme would have been discouraging in that it would have accentuated the distance from Shavu'ot instead of its proximity, thus dampening the enthusiasm it should generate. 6. Ramban (Vayikra 23:15). 7. Ramban (Vayikra 23:36), Rabbeinu Bachya (Vayikra 23:16). 8. "Sacred and Profane," in Geshet III: 1 (1966), p.16. 9. The idea that autonomy and freedom are central themes of talmud Torah and matan Torah requires no elaboration. The principles of "The Jews are My slaves; My slaves, and not the slaves of other slaves," and "Only someone who engages in Torah-study is free" are just two of many prooftexts that illustrate this point. The connection between yovel (Jubilee) and sefirah--a prominent theme in the midrash and commentaries--also takes on new meaning if the ultimate aim of sefirah is the time-consciousness which enhances authentic freedom. 10. See, for example, Magen Avraham 489:2. 11. In addition, yemei sefirah as an independent and intrinsically valuable interim period would no longer be as closely linked with the precise date of yom tov that precedes it and follows it. 12. In this context, it is interesting to note that some rishonim adopt the position that weeks are only acknowledged at their completion, not daily--(Ba'al ha-Ma'or etc.). This view accents the tension between two motifs even if they are counted as one mitzvah. It is also tempting to interpret the argument between the Behag and Ba'alei ha-Tosafot along similar lines. They argue whether the entire interim period of sefirah constitutes one mitzvah, or whether each day is a distinct unit. This issue, obviously, requires some elaboration <http://www.torahweb.org/>

From: yated-usa@ttec.com Kortz Un Sharf-Short and Sweet Parsha Vertlach by Shaya Gottlieb

"Vera'ah HaKohen Es Hanega"-and the Kohen will see the 'nega' 13:3 The Mishna comments: "Kol Hanegaim Odom Ro'eh Chutz M'nigoei Atzmo"--a man sees the 'negaim' of others, but cannot see his own. It is easy to judge others harshly, to see the fault of one's friend. It is far more difficult to look clearly at one's own behavior. -Baal Shem Tov

Why does the possuk say 'and the Kohen will see the nega' and in the same sentence, 'and the Kohen will see'? Why the double loshon? The halacha is: if a nega is discovered on Yom Tov, the verdict is delivered after Yom Tov. The same applies to a choson during sheva brochos, so as not to disturb his simcha. From this we deduce that the diagnosis of 'tzoraas' is dependent upon time and place. This is the meaning of the double seeing: first the Kohen must see the 'nega', but he also must see the whole person, the circumstances surrounding him and the entire situation. -Rav Meir Simcha of D'vinsk

Rav Mordechai Pinshever was an ardent disciple of the "Chozeh" of Lublin. Rav Mordechai and his family lived in wrenching poverty, at times on the verge of starvation. every time he prepared to travel to Lublin to meet his Rebbe, Rav Mordechai's wife would entreat her husband to mention their poverty-stricken plight to the Rebbe and ask for a yeshua. Rav Mordechai

would agree, but when he would arrive at the Rebbe's court he would be swept up in the 'dveikus' and fervor, inhabiting a higher sphere, his worldly concerns completely forgotten. On one of his journeys, his ever-suffering wife decided to take matters into her own hands, and accompanied him to Lublin. Once there, Rav Mordechai was forced to tell the Chozeh about his poverty and the suffering of his family. "Why didn't you tell me about this until now?" asked the Chozeh. "I thought that the Rebbe would be able to figure it out with his Ruach Hakodesh," Rav Mordechai replied. The Chozeh explained, "Your reasoning was faulty. In the parsha of 'negaim', the Torah tells us, when the 'nega' is on the person alone, he does not need to say anything, he just goes to the Kohen who understands the problem. However, by 'negai botim', tzoraas of one's home, one must go to the Kohen and tell him about the nega. Merely showing one's face does not suffice"

Rav Osher Stoliner often said, "Woe to the chassidim of today! When they go to their Rebbe, they hid their bad midos, and expose their holiness and piety. However, I used to behave differently. When I traveled to my Rebbe (Rav Shlomo Karliner) hid my pious side; the Rebbe cannot reward me for my good deeds! I showed the Rebbe those 'maasim' that needed to be corrected, fulfilling the verse "V'roah HaKohen es Hanega."

The Mishna comments: "Ein Roim Es Hanegaim B'yom Hameonein"-the negaim cannot be diagnosed on a cloudy day. When the skies above the Jewish nation are darkened; when a tzoro threatens Klal Yisroel, then the 'negaim' and faults of Klal Yisroel cannot be noticed and diagnosed. The negaim are not their fault; they stem from their tzoros and the burden of golus

The gemara says: "Kohen Shesuma B'achas Mayaynuv Osur L'ros Es Hanegaim"-a Kohen who is blind in one eye may not 'pasken' the negaim.

Every 'nega', whether public or private, must be judged with two eyes. With one eye, the nega itself should be seen, and with the other, the reasons and explanations that may have brought the tzoraas. However, a Kohen who is blind in one eye, who cannot focus on the positive side as well, may not render decisions about the 'nega'.

If someone does aveiros when he is young, he still has ample time to do teshuva. However, if the "hair of the nega has turned white", if the man is no youngster anymore, "tomei hu"-it is most difficult to bring an old man to teshuva. -Tiferes Yonason

"V'im Poruach Tifrach Tohur Hu" If the tzoraas sprouted and became white, it is pure. 13:13 If the entire tzoraas, the tumah is apparent and obvious on the outside, for all to see, it is 'tohur' and cannot inflict harm. The most dangerous and insidious 'tumah' is one that is hidden, the covered tzoraas. -Passhegen Haksav

During the war between Malchus Yisroel and Aram, when Shomron was surrounded and on the verge of starvation and the king of Yisroel tore his clothes, the 'besurah' of the yeshuah was imparted to him through lepers. (Malochim 2:7). By the metzorah, a 'nega' with white hair is tomah, but if the entire skin became white, it is a symbol of purity. The same with the geulah: A dor that is 'kulo chayav' is the harbinger of 'bias haMoshiach'. -Rav Yonason Eybshutz

"Uvosor Ki Yihiye Bo V'nirpo" 13:18 When the Torah mentions 'skin', the word 'v'nirpo-and he shall be healed' is not mentioned. However, when the Torah mentions 'bosor', meat, there is a potential for healing. Someone whose personality is pliant like meat, who is humble, can be healed from his aveiros and 'negaim' faster than an arrogant person. -Gemara Sotah

"V'hisgir Es Hanega"- and he will seclude the 'nega' for seven days 13:50 Negaim visit a person because of the sin of loshon hora, which stems from spending time in bad company. Therefore, a baal loshon hora should be secluded, left alone. -Rav Yonason Eybshutz

When a woman who conceives and gives birth to a male... on the eighth day, the flesh of his foreskin shall be circumcised. (12:2,3) The commentators, each in his own unique manner, offer various reasons that one is required to perform the bris milah on the eighth day. One of the fundamental reasons is to make sure that the child has lived through a Shabbos. The kedushah, sanctity, of the seventh day/Shabbos infuses a holiness into the child which prepares him for entrance into Klal Yisrael. Horav Mordechai Gifter, Shlita, notes that while on the one hand we infer the remarkable kedushah of Shabbos, we also note that milah bizmanah, a circumcision performed at the designated time, the eighth day, overrides Shabbos. One may desecrate Shabbos in order to perform a bris milah. This indicates the awesome significance of bris milah. Even the fundamental mitzvah of Shabbos, which proclaims and attests that Hashem is the Creator and Ruler of the universe, is secondary to bris milah. Because bris milah has long been considered the seminal rite of passage for a Jewish child, Jews-regardless of their commitment to religious observance-have upheld this mitzvah, even under the most challenging circumstances. A number of stories of faith and courage demonstrate Klal Yisrael's singular devotion to this particular mitzvah. There is one story that took place during the Holocaust that characterizes the Jew's commitment to bris milah and to the affirmation of Judaism that accompanies it. While a Jew is often confronted with challenges to his faith, during times of persecution and pain his conviction is tested to a greater degree. The period of the Holocaust, in whose specter we all live, was a time during which the conventional challenge to our belief was magnified to great proportion. Indeed, the victims of the Holocaust exhibited a tenacious dedication to the eternal bond between Hashem and Klal Yisrael. Their spirits rose to such heights that they gave new meaning to the term, kiddush Hashem, sanctifying Hashem's Name. The Blushover Rebbe, zl, who was a witness, related this story. The Rebbe was sawing wood, a member of a slave-labor contingent of the infamous Janowska Road Camp. It was the morning of Hoshanah Rabbah, when suddenly terrible screams filled the forest. The workers soon found out that the Nazi's had declared an Aktion, wholesale slaughter of infants and young children. Heartrending cries emanated from the mothers and their little children, as the Nazis cruelly tore them away to be massacred like sheep in a nearby clearing. The procession of weeping, heartbroken mothers and their doomed children was passing by the Rebbe's contingent. Suddenly, one woman, desperately holding on to her infant, abruptly cried out, "Jews, have mercy, give me a knife!" The Rebbe, assuming she wanted to commit suicide, attempted to discourage the woman from killing herself. One of the Nazi beasts observed this interchange and came over, extending his penknife to the distraught woman. The fiend thought he would he would have some fun watching the Jewish woman take her life. That is not what happened, however. Holding the knife in her hand, the woman placed her child on the ground and quickly circumcised her son. In an emotion-filled voice, she loudly recited birkas ha'millah. The murderer looked on in complete shock at what had taken place before his eyes. He turned to the woman and asked her to explain her strange action. "Today my son turned eight days old, the time at which a Jewish boy is to be circumcised and brought in as a member of our people. Soon he will be murdered, but he will die as a Jew." Only a couple of hours later, the woman's words rang true as the mother and her infant were led to slaughter. Every time the Blushover Rebbe, zl, served as a sandek at a bris he would relate this story with tears streaming down his face, filled with pride at the superhuman strength of a simple Jewish mother on the way to her death. The spiritual heroism which our people exhibited during those tragic times should serve as inspiration to us, as well as a declaration to the world of a nation that did not go to their death as "sheep to the slaughter."

When a woman conceives and gives birth to a male. (12:2) The Midrash comments concerning this pasuk. Chazal cite the pasuk in Tehillim 139:5, "Back and front, You fashioned me." Resh Lakish says "back and front" refers to the first day of Creation. If a person maintains his commitment to Torah and mitzvos, he is told, "You came before the entire work of Creation." If, in contrast, he lives a life alienated from Torah, he is

told, "Even a gnat preceded you; even an earthworm preceded you." While man was created chronologically last, he is first in importance—if he has earned this honor. If, however, he falls from his position, if he does not live up to his charge, the chronological order of his creation has greater significance. We must endeavor to understand the underlying meaning of Chazal's statement. Does it make sense to suggest that a lowly worm has greater significance than a human being—even one who has erred by alienating himself from the traditions of his people? Horav Baruch Mordechai Ezrachi, Shlita, offers a profound explanation of Chazal's words. Hashem created every creation with a purpose. Ostensibly, the more significant the creation, the more compelling and demanding is its purpose. Man serves as the crown of Creation, the epitome of Hashem's handiwork. His goal in life is commensurate with his ability and opportunity. Hashem created the earthworm for a reason, obviously one which is distinct from the purpose of a human being. The earthworm, however has one advantage over a human—it succeeds in attaining its goal on this world, while the person who did not "make it," falls short of his potential. The lowly earthworm has attained its goal, while man, the crown of Creation, the purpose of all Creation, did not realize his potential. How compelling is this idea! Success is measured by what a person could and should achieve—not by what an individual thinks he has achieved. We are placed on this world by design. The *raison d'être* of our lives is to serve Hashem. Everything that we do exclusive of that objective has little significance in the scheme of the world. It is unfortunate when an individual trades his place as representative of the crown of Creation for an achievement level lower than the potential of an earthworm.

Mezora He shall be brought to the Kohen. The Kohen shall go forth to the outskirts of the camp. (14:2,3) The text of the pasuk seems ambiguous. If the metzora is brought to the Kohen, why does the Kohen go out? Sforno explains that the metzora is brought to the outskirts of the city, and the Kohen comes out to meet him. Shem M'Shmuel interprets the pasuk homiletically. When the metzora is outside of the camp, he should make every effort to come closer to the Kohen, his lifestyle, his way of thinking, his total demeanor. By advancing towards the Kohen, the metzora purifies his heart and mind. When he has succeeded in motivating himself forward, the Kohen will now approach him. The sinner has to make the first move and demonstrate his true conviction. Only then will his teshuvah be accepted.

Siach Ha'sadeh takes a novel approach towards understanding this pasuk. The Kohen is the righteous leader of the generation. On his plateau of virtue, the most minor infraction is viewed as a grave sin. Hence, he might look at the average Jew with derision. He will abhor his sins, not realizing that he is simply not on the same spiritual level as the Kohen. He must learn to view the actions of the simple Jew in a positive light. The tzaddik/Kohen must recognize that if he were outside of the camp, away from the safety and shelter of the four cubits of Torah; if he were out in the market place dealing with people of adverse backgrounds and base character, he might not be so virtuous himself. Consequently, the Torah tells the Kohen: Imagine yourself out of the camp/Bais Ha'midrash. Remove yourself from your protective environment and look at what the man in front of you has to experience. Look at with whom he must come in contact; take into consideration the type of life to which he has been exposed. Now the Kohen is prepared to observe the plague and heal the metzora.

And for the person being purified there shall be taken two live, clean birds, cedarwood, crimson thread and hyssop. (14:4) The root of lashon hora is arrogance. The arrogant person feels he can talk about others with disdain. Haughtiness breeds contempt for all people, other than the slanderer himself. During the process of purification, the metzora goes through a penance which entails his commitment to change his deeds. The three items that accompany his korban symbolize sin and its teshuvah. Cedarwood, which grows tall and wide, symbolizes haughtiness. The crimson thread is dyed with a dye that is derived from a lowly creature. The hyssop is a lowly bush. Both of these latter items allude to the metzora's newfound humility. The Chidushei Ha'Rim comments that the crimson thread and hyssop allude to sin which is the result of humility. Yes, a person

can sin by being too humble or humble at an inappropriate time: When people turn to someone for help; if the community needs leadership or someone to take action; if a travesty is taking place and one apathetically shies away. In such cases he sins by being too humble. Would he be so filled with humility if it was his own honor that was at stake? All too often, we tend to become humble out of a sense of insecurity and indifference. That does not constitute humility; rather it is cowardice.

When you arrive in the land of Canaan...And I will place a tzaraas affliction upon a house in the land of your possession. (14:34) Rashi comments that actually this plague was beneficial, for the Amorim had hidden treasures of gold in the walls of their houses for the entire forty years that Bnei Yisrael were in the desert. As a result of the leprous plague, the Jews were compelled to demolish the houses, exposing the hidden treasures. The question is obvious: Is there not an easier way to grant the Jews treasures other than requiring them to demolish their houses? Surely Hashem could have shined His beneficence upon them through another, less trying, avenue. What makes this more puzzling is that the Talmud in Arachin 16a states that afflictions comprise retribution for one's stinginess. Finding buried treasure in one's home does not seem like punishment! Horav Moshe Feinstein, zl, explains that punishment is relative. Had the owner of the house been a charitable man, he would have discovered this same treasure in a painless manner. Only because of his stinginess does he receive his due in such a way. While he deserves a reward for his good deeds, it is apparent that he was remiss in some area which warranted punishment. He must learn from the way he received his treasure that Hashem was displeased with some aspect of his behavior. The Aruch Ha'shulchan and other commentators view this form of reward and punishment as indicative of the nature of all of Hashem's actions, regardless of what they may seem to be. The sufferings we undergo at times are for a purpose—to bring us closer to Hashem via teshuvah. Nothing that Hashem does is inappropriate. Even that which appears to be cruel and painful, is—in reality—for the good. When we suffer, we cry out to Hashem in anger or frustration. We demand to know why good people suffer affliction. What we do not realize is that good is hidden in every decree from Hashem. It might take some time till we recognize it, but it is definitely there. Nothing is bad—even the destruction of one's home. After awhile, we will all discover Hashem's hidden treasure beneath what seems to be destruction. May we merit that the day will arrive—soon. The Zohar Ha'kadosh contends that the Torah's intention was not merely to benefit the Jewish people in a circuitous way. Indeed, if the underlying purpose was to discover the treasures, why does the Torah require us to obtain new stones and put them in place of the old ones in the process of rebuilding? Ostensibly, the intention is not merely to demolish the house, but rather, to eradicate any vestige of the old house, to abandon any element of its prior construction.

The Zohar Ha'kadosh, therefore, explains that in order to transform the tumah, impurity, of Canaan into the kedushah of Eretz Yisrael, it was essential to eliminate every area, even the innermost secret places, where tumah could have been harbored. A house which is permeated with a spiritual contaminant cannot simply be cleaned. It must be destroyed, and a new one built in its place. Tumah penetrates everywhere, contaminating everything in which it comes in contact. If one wants to build an Eretz Yisrael that reflects kedushah and taharah, he must clear away any semblance of tumah, beginning over again on a foundation of sanctity and purity. We may be so bold as to suggest that this applies to people as well. One who is prepared to change his lifestyle and adopt a Torah way of life must be prepared to abnegate his past behavior. In order for the sanctity of Torah to permeate a person, he must expunge himself of all impurity. Teshuvah is not simply a process of return; it is a complete process of rebirth and renewal.

From: :yhe-sichot-return@vbm-torah.org Student Summaries of Sichot
 Delivered by the Roshei Yeshiva Parashat Tazria
 Sichah of Harav Yehuda Amital Shlit"a NATURE AND BRIT MILA

"And God spoke to Moshe saying: Speak to the children of Israel saying, if a woman conceives and bears a male child she shall be impure for seven

days; as in the days of her menstrual impurity shall she be impure. And on the eighth day the flesh of his foreskin shall be circumcised. And for thirty-three days she shall continue in the blood of her purifying; she shall touch no holy thing nor shall she come into the Temple until the days of her purifying are completed." [Vayikra 12:1-4] The mention of the mitzva of brit mila (circumcision) here, sandwiched in between the laws pertaining to the purity of a woman who has given birth, is surprising and seems out of place. Of course, we may explain that the Torah is simply presenting a chronological description of events - the seven days of impurity immediately after the birth, followed on the eighth day by the brit mila, and then the days of purifying.

It is also possible that the mitzva is mentioned here because of its importance. After all, this was the first mitzva which God explicitly commanded Avraham Avinu, and it is in fact the first mitzva given to the Jewish People as a whole. But there is yet a deeper significance to this mitzva. Midrash Tanchuma (Tazria, 5) recounts: "Once the evil [Roman governor] Turnus Rufus asked Rabbi Akiva, 'Whose deeds are greater - God's or man's?' He replied, 'Man's deeds are greater.' Turnus Rufus asked him, 'Is man then capable of creating heaven and earth, or anything like them?' Rabbi Akiva replied, 'I was not referring to the sphere beyond man's ability, over which he has no control. I refer to those creations of which man is capable.' He then asked, 'Why do you circumcise yourselves?' Rabbi Akiva replied, 'I knew that that was the point of your question, and therefore I answered in the first place that man's deeds are greater than God's.' Rabbi Akiva brought him grains of wheat and some bread, and said: 'These grains of wheat are God's handiwork, and the bread is the handiwork of man. Is the latter not greater than the former?' Turnus Rufus answered him, 'If God wanted you to perform circumcision, why did He not create the child already circumcised while still in the womb?' Rabbi Akiva answered, 'Why do you not ask the same question concerning the umbilical cord, which remains attached to him and which his mother must cut? In response to your question - the reason why he does not emerge already circumcised is because God gave Israel the commandments in order that they would be purified by performing them. Therefore David wrote, 'Every word of God is pure (or, purified).'" The debate recorded here is a serious and fundamental one that exists between Israel and the nations. The nations of the world see nature as being worthy of admiration. Nature, according to their perception, is the most perfect creation, and man is incapable of attaining anything greater. Their philosophy - to which many still adhere today - holds that man should grow and develop naturally, should be part of nature, should eat only natural foods, and that his 'naturalness' should know no bounds, because everything natural is automatically beautiful and good. The Torah has a different approach. As Rabbi Akiva taught, nature is not perfect. It contains poisonous substances and includes dangerous beasts. The beauty and perfection of nature are limited, and man must recognize its limitations within the sphere of his natural behavior. Hence man's obligation to elevate and perfect nature - for example by means of the mitzva of mila - inculcates in his heart the idea that he is a partner of God in creating the world and bringing it to its ultimate perfection, and serves as our response to the nations of the world. (Originally delivered on Leil Shabbat Parashat Tazria 5753. Translated by Kaeren Fish.) Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash Alon Shevut, Gush Etzion 90433 E-mail: Yhe@vbm-torah.org or Office@etzion.org.il

From: Yhe-metho-return[smtp:yhe-metho-return@vbm-torah.org] Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash (Vbm) TALMUDIC METHODOLOGY by Rav Moshe Taragin
The Yeshiva and the VBM wish a very warm mazal tov to Rav Moshe and Atara Taragin on the birth of their son, Noam Avraham!

Whose Mitzva is it to Perform Mila on the Eighth Day? The mishna in Kiddushin (29a) lists five mitzvot which a father must perform for his son. Among the list appears the mitzva of Mila on the eighth day. The gemara derives the devolution of this chiyuv upon the father from a pasuk in Va'yeira. A debate emerges as to how exactly a father must execute this mitzva. Is it enough to hire a 'mohel,' or should he ideally perform the mila =96 if possible. Independent of that issue a second question emerges regarding the performance of his son's mila. Do we view the mitzva as his' mitzva? Or do we effectively see the mitzva as the son's mitzva which,

however, at the age of 8 days he is incapable of performing; hence we designate the father to execute the son's mitzva on the latter's behalf. The father however is not fulfilling his own mitzva but rather the mitzva of his son to be circumcised. After all once the son becomes 13 he himself is responsible to perform mila if it hasn't been already performed. Doesn't this indicate that mila is the son's mitzva which he cannot execute until he is 13 and which is transferred to his father beforehand? Or do we recognize two separate mitzvot: the father's independent mitzva to circumcise his son, and the son's mitzva after 13 to perform mila if his father neglected to do so. This question will be examined in the context of this shiur. We will begin by studying the mekor or source for the father's obligation for his son's mila. The Bavli in Kiddushin derives it from the verse in Bereishit (21:4) "And Avraham circumcised Yitzchak at 8 days old as he was commanded by G-d." This pasuk would suggest little as to whose mitzva this really is. The Yerushalmi in Kiddushin (9:7) infers the father's mitzva from a pasuk in Vayikra (12:3) "On the eighth day the foreskin shall be circumcised." Might this pasuk be more indicative of a mitzva upon the parent since it is enconced in Parashat Tazria among the various korbanot offered by the post-partum mother? If the mila is listed among the korbanot are we to assume that the basic mitzva belongs to the parent? A third source is mentioned by the Rambam in his Sefer Ha-mitzvot (positive commandment #215). He cites the pasuk in Bereishit (17:10) "This is the covenant which you should preserve between myself, yourself and your children afterwards: circumcise all males." This presentation might imply that the mila is the father's mitzva and the means by which he preserves HIS covenant with Hashem.

None of these pesukim is conclusive regarding our question. However they should certainly be inspected in light of our issue.

A second text which ought to be investigated is the language of the mishna its elf. The mishna employs a very intriguing and even confusing syntax to describe the father's performance of mila (and the other four mitzvot). The mishna refers to "the mitzvot of the child upon the father" (mitzvat ha-ben al ha-av). The simple or intuitive reading of this phrase suggests mitzvat that the CHILD must perform for his father. After some clarification, the gemara confirms that this refers to mitzvot/tasks which the father must perform for his son. Why then did the mishna present such a confusing syntax allowing a misunderstanding? In fact the parallel section in the Mekhilta reverses the syntax and lists "the mitzvot of the father to the son." This parallel - and more logical syntax - merely highlights our earlier question: why did the mishna cite mila among the mitzvot of the son for the father? Might the mishna have been indicating that mila (and possibly its colleagues) are really the mitzvot belonging to the son but executed by the father?

A third inspection might be to examine how many mitzvot amongst the list of 613, mila occupies. If indeed we recognize two separate mitzvot - one belonging to the father beginning from the eighth day and one mitzva of the child starting at age 13 should there not be a distinct listing within the 613 mitzvot? None of the Rishonim however, actually divide mila into two separate mitzvot within 613 (though some divide between the mitzva to circumcise sons and the mitzva to circumcise servants.) Does this indicate the presence of only one mitzva belonging to the son and executed by the father as his agent? Or might we accede to the concept of two mitzvot but claim that these separate mitzvot are collapsed into one item within the list of 613. This question reflects a broader issue relating to the counting strategy employed by Rishonim in assembling the list of 613 mitzvot.

So far we have examined formal issues - from which pasuk we derive mila, the syntax of the mishna and the listing of the 613 mitzvot. Let us turn our attention to more practical halakhic ramifications of this question. In chapter 2 the Minchat Chinukh poses the following question: Would the father retain an obligation to circumcise his son after the latter passes the age of 13 and achieves his 'own' chiyuv? This all depends upon the nature of the father's initial duty. If the father's duty was independent there is no reason why this duty should cease just because his son has reached the age at which he is responsible to perform his own mila. If, however, the father was entrusted with performing his son's mitzva on his son's behalf because his son was too young, we would imagine that this responsibility to act on his son's behalf terminates at the point at which his son can perform his own chiyuv.

What would happen if someone circumcises the child without the father's permission? The gemara in Chulin prescribes a monetary fine for someone who steals another's mitzva. Would this interloper be considered someone who stole the father's mitzva and would he be required to pay this fine? Ostensibly this question should revolve around our earlier one: do we view mila as the father's mitzva or merely the one he executes on behalf of his son?

The Ran writes a responsa (#52) in which he discusses the problem of conducting a mila on a ta'anit. If no one can drink the wine the berakha of ha-gefen would become a berakha le-vatala. One solution he raises suggests having the baby taste the wine and thereby avoid this predicament (In fact the Remah Yoreh De'ah 165 cites a minhag to give a drop of wine to the baby even when a brit occurs on a non-ta'anit). Alternatively this drinking might not be sufficient since the baby has not reached the age of chinukh. At one point, the questioner suggested that since mila is the mitzva of the baby, his drinking should be sufficient. To this the Ran responds that "it is clear that the obligation is not the baby's but the father's."; hence the drinking of the baby cannot suffice. This language and ruling indicate the independent nature of the father's chiyuv to circumcise his son. The Tashbatz in volume III chapter 65 argues and seems to indicate that the baby's drinking suffices since it is his mitzva. The Remah cites a halakha regarding a child who =96 rachmana litzlan - dies prior to his mila. The Ohr Zarua cites an opinion in the name of Rabenu Hai Ga'on that this mila is only a minhag but not considered halakhic, since the baby is no longer capable of experiencing the covenant which is so central to mila. If we view the mila as the father's obligation to his son would we disqualify this type of mila as non-halakhic simply because the baby cannot participate in the 'brit'? Indeed there might be other reasons to view this type of brit as only minhag and not halakha but the inability the baby to 'perform' the mitzva might not have been so consequential. Similar issues arise in many Acharonim regarding a brit performed upon a mentally handicapped child or upon a blind child. In each case the baby might be excused from mitzot, and therefore, if the father is merely an agent for his son, no mitzva exists, and any mila must be viewed as purely minhag. The gemara in Kiddushin (29a) excludes a mother from performing the mila of her son. The Torah describes Avraham as performing mila to Yitzchak just as God had commanded HIM - HIM and not her. Most Rishonim question the need for this exclusion since mila is a zeman gerama from which women are generally excluded.

Why then did the gemara base her exclusion upon a special pasuk? Tosafot deliberate as to whether mila is a classic zeman gerama. The Ramban takes a different approach. Without a pasuk we might have included a woman (even though mila appears to be zeman gerama) since it isn't Her mitzva but rather the mitzva she performs to her son. Zeman gerama only excludes women from their own mitzvot but presumably not from mitzvot of others which they perform. Would a woman be excluded from training her son in the mitzva of succa because it is a zeman gerama? If mila is indeed the son's mitzva which the parent performs we cannot exclude a mother simply because of zeman gerama. Therefore, the gemara searches for an alternate pasuk. See the Chatam Sofer in responsa Yoreh De'ah 295 who states clearly that the mitzva of a father is completely independent of his son's mitzva. Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org> Shiurim may be dedicated to various occasions - yahrzeits, semachot, birthdays, etc. Please e-mail yhe@vbm-torah.org for an application. The Yerushalayim Network (<http://www.yerushalayim.net>) a Centennial Project of the Orthodox Union (<http://www.ou.org>)

From: owner-hamaayan[SMTP:owner-hamaayan@torah.org]
Subject: HaMaayan / The Torah Spring - Parashat Tazria Metzora
Edited by Shlomo Katz Contributing Editor: Daniel Dadusc

"The rest of the oil that is on the kohen's palm, he shall place upon the head of the person being purified; in order to bring him to atonement before Hashem." (14:29) R' Meir Simcha Hakohen of Dvinsk (died 1926) asks: Regarding the sacrificial offering of a wealthy person who has been struck with tzara'at, the Torah says (14:20), "The kohen brings him atonement." This implies that he has been fully purified and forgiven. In contrast, regarding the poor person, our verse says, "[I]n order to bring him to atonement before Hashem." This implies that the pauper has come closer to achieving atonement but has not yet attained it. Why is there a difference between a rich person and a poor person? Our sages teach that tzara'at is a consequence of haughtiness. While haughtiness is wrong, a rich person's haughtiness is at least understandable, as it is written (Devarim 8:13-14), "And you increase silver and gold for yourselves, and everything that you have will increase. And your heart will become haughty and you will forget Hashem, your G-d." In contrast, what would cause a poor person to act haughtily other than a bad character? Therefore, the Torah says, "in order to bring him to atonement." Because of his bad character, his atonement is not yet completed with the oil being placed on his head. (Meshech Chochmah)

The above explanation is illustrated by the following story: A chassid who visited his rebbe and said, "Rebbe, I brag too much, and because I know that humility is a good trait, I would like your help." Before the rebbe could respond, his study door opened and in walked a sobbing chassid. He managed to regain his composure just long enough to say that a mad dog was killing all his chickens, and soon his entire livelihood would be lost. Turning to his first visitor, the rebbe ordered, "Go help this man." "Who me?" the chassid said incredulously. "I'm scared of the dog." So the rebbe offered some advice to the second chassid, who then left. Immediately another chassid entered and asked the rebbe's opinion regarding a match that had been proposed for his daughter. "What do you think?" the rebbe asked his original visitor. "How can I give advice?" the chassid responded. "I'm not an educated man." So the rebbe made some remarks to his latest visitor, and he too left. A fourth chassid entered and asked the rebbe for a loan so that he could buy a certain investment that had been offered to him. "Please lend this man 1,000 gold coins," the rebbe said to his first supplicant. "But I myself have no money," the chassid answered. Hearing that, the rebbe opened his drawer, removed some bills from the box of the gemach (free loan fund), and turned them over to this fourth visitor. At last the rebbe and the first chassid were alone. "Tell me," the rebbe asked his chassid. "You have no money, no education, and you are a coward. Exactly what is it that you brag about?"

That is, perhaps, the meaning of the gemara (Nedarim 38) which teaches: "G-d rests his spirit only on one who is brave, wise, wealthy and humble." What G-d really wants is the fourth trait, humility. However, in the absence of the other traits, humility is too easy.

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WEEKLY-HALACHA FOR 5759 SELECTED HALACHOS RELATING TO PARSHAS METZORA By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

PARASHAS METZORA The person being purified shall take two live, clean birds (14:4) Because the affliction comes in punishment for the chatter of gossip and slander, his purification is effected by means of chirping twittering birds (Rashi)

LASHON HA-RA SCENARIOS QUESTION: Reuven, whose time is precious, asks Shimon for his opinion about a speaker whose lecture Reuven is thinking of attending. Is it permitted for Shimon, who has a negative opinion of the speaker's abilities, to advise Reuven that, in his opinion, he should not attend the lecture? If Reuven presses Shimon for a reason, may Shimon make specific remarks about the speaker, e.g., "he is boring", "he doesn't present any new ideas", etc.? **DISCUSSION:** The Chafetz Chayim(1) rules that it is prohibited to ridicule a Torah lecture even if it is true that the delivery was poor or that the content was lacking depth. By ridiculing the lecture, serious harm can result to the reputation and effectiveness of the speaker. Sometimes a monetary loss can result. This action, therefore, is prohibited and is considered lashon ha-ra. The Chafetz Chayim does not, however, discuss a situation such as the one described above. Reuven honestly needs to know if it is worth his time to attend the lecture. The information he is seeking from Shimon is pertinent to a decision he must make. Generally, the halachah is that one may, and should, speak the truth about another when beneficial information is requested. Since Reuven deems this information to be beneficial to him, it seems that it is permitted for Shimon to tell Reuven that, in his opinion, there is no good reason for Reuven to attend the lecture. Although Shimon would not be allowed to ridicule or belittle the speaker himself, he would be permitted to advise Reuven that it may not be beneficial for him to attend. We must, however, stress several points: Although Shimon may be permitted to divulge this information, Reuven should not accept the information as the absolute truth. Reuven may only be suspicious enough to guard himself. Shimon should remember that what may seem boring to him, may very well be interesting and enlightening to Reuven, etc. Shimon should voice his opinion only if he has no ulterior motive, e.g., a grudge against the speaker, jealousy of the speaker, etc.

QUESTION: Reuven is being angrily accused by Shimon of causing him harm. May Reuven exonerate himself by pointing at the guilty party? **DISCUSSION:** It is clearly forbidden for Reuven to divulge to Shimon the identity of the person who did him harm. Even if Shimon clearly asks, "If not you, then who did it?" still Reuven may only declare his own innocence. He may only say: I did not do it. In a situation where there is only one other person who is a suspect and Reuven's declaration of innocence will directly implicate the other person, it is still permitted for Reuven to say that he is not the guilty party. But this is clearly permitted only in a situation where the alleged harmful action was actually improper. If the harmful action was not improper, e.g., it was done by accident, then it is questionable if Reuven may shift the blame by declaring his innocence(2). A child should not be asked by his rebbe, teacher, or parents to point a finger at a wrongdoer. This lessens the severity of the prohibition of lashon ha-ra in the eyes of the child(3). A child who is instructed by a teacher or a parent to speak lashon ha-ra, is not required to listen to them(4). If, however, the information is needed for a beneficial and constructive purpose, it is permitted for the child to divulge that information(5).

QUESTION: Reuven, who in the past spoke lashon ha-ra about Shimon, now seeks his forgiveness. If Shimon is unaware of what exactly was said about him, is Reuven required to repeat to Shimon what he said about him in order for Shimon to forgive him completely? **DISCUSSION:** If the lashon ha-ra that was said was not accepted by the listeners and no harm was done

to Shimon, Reuven does not need to ask for Shimon's forgiveness at all. He needs, however, to repent for his sin and ask for forgiveness directly from Hashem(6). If the lashon ha-ra did cause harm to Shimon, and Shimon is aware of the lashon ha-ra that was said about him, Reuven must seek forgiveness directly from Shimon. If Shimon is unaware of what was said about him, Reuven must tell him(7). If the information will cause Shimon embarrassment or pain, then Reuven need not elaborate upon the lashon ha-ra that was said(8). In that case, a general request for forgiveness will suffice. Harav E.E. Dessler is quoted(9) as repeating in the name of Reb Yisrael Salanter that there is no need to hurt Shimon by letting him know that lashon ha-ra was spoken about him or what that lashon ha-ra was about, since this information will needlessly pain Shimon. He adds that for this reason it has become customary for everyone to ask for general forgiveness on erev Yom Kippur, thus sparing both parties unnecessary embarrassment(10).

FOOTNOTES: 1 Chafetz Chayim, Lashon ha-Ra, 2:12. 2 Chafetz Chayim, Lashon ha-Ra 10:17 and Be'er Mayim Chayim 43. 3 Igros Moshe Y.D. 2:103; Y.D. 4:30. 4 Chofetz Chayim, Lashon ha-Ra 1:5. 5 Like any lashon ha-ra which is permitted when it said for a beneficial purpose. 6 Rabbeinu Yonah in Sha'arei Teshuvah 207, quoted by Chafetz Chayim, Lashon ha-Ra, 4:12 7 Chafetz Chayim, ibid. 8 Mishnah Berurah 606:3 9 Mo'adim u'Zemanim 1:54. 10 See Az Nidberu 7:66, who rules in accordance with this view. In his opinion, as long as Shimon is unaware that lashon ha-ra was said about him, there is absolutely no requirement to notify him of what was said.

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From:weekly@vjlists.com] Subject: Torah Weekly - Tazria-Metzora
* TORAH WEEKLY * Highlights of the Weekly Torah Portion Parshas
Tazria - Metzora For the week ending 1 Iyar 5759 / 16 - 17 April 1999

Insights ___Beyond The Pale___ "And the person with tzara'as is to call out: 'Contaminated! Contaminated!'" (13:45) In the fifties, no Hollywood Biblical epic was complete without its statutory army of Central Casting lepers littering the set, intoning in their best Mid-Western drawl "Unclean! Unclean!" This mistaken idea that tzara'as means leprosy, however, pre-dates Hollywood. For centuries, tzara'as has borne this erroneous translation. But even a cursory glance at the commentaries on this week's Parsha will show the inaccuracy of such a translation. Leprosy was considered a highly contagious disease. Yet, if something that looked like tzara'as broke out on a newlywed, or if it afflicted someone during a festival, the kohen would delay his examination so that the simcha of the wedding festivities or of the holiday should proceed without impediment. If tzara'as really meant leprosy, then allowing someone with this disease to roam loose, rubbing shoulders with all and sundry at a wedding feast or holiday, would be criminal negligence. Tzara'as was not a physical disease but a malaise of the spirit. It was merely the physical symptom of a chronic spiritual illness. If we do not see such a disease today, it is because our bodies have become so desensitized to our spiritual state that they can no longer act as a barometer to our spiritual well-being. The second of this week's double parsha is Metzora. The word metzora, which refers to one afflicted with tzara'as, is a contraction of "motzei ra" -- literally "to bring forth evil." This evil was principally the evil of speaking slander. However, becoming a metzora was also a punishment for other forms of anti-social behavior, notably, bloodshed, false oaths, immorality, pride, robbery and selfishness. What do these acts have in common? They are all instances of the failure to be sensitive to the needs of others and to share their plight. The essence of society from the Jewish perspective is not that society should run smoothly for the sake of society, but that each individual should take up the yoke of his neighbor. Society exists so that man may exercise kindness and caring. When someone fails in these fundamental areas, he demonstrates that he has failed to understand the purpose of society itself. Thus he has no place in society until he can cure himself of this failing. It is for this reason that he is exiled until he comes to the realization that his

actions have placed him "beyond the pale." That is a reason why someone with tzara'as had to call out: "Contaminated! Contaminated!" For selfishness and insensitivity to others can be as contagious as leprosy. Sources - Talmud Arachin 15b, 16a; Rabbi Shimshon Rafael Hirsch Written and Compiled by Rabbi Yaakov Asher Sinclair Ohr Somayach International info@ohr.org.il Home Page: http://www.ohr.org.il

http://www.jpost.co.il/Columns/Article-1.html Nisan 5759 Updated Fri., Apr. 16 01:55 SHABBAT SHALOM: One baby, two mothers
By RABBI SHLOMO RISKIN (April 15) "Speak unto the children of Israel, saying: If a woman has conceived seed and bears a male child, then she shall be ritually impure seven days..." (Lev. 12:2) One of the proofs of the eternal relevance of Torah is the discovery of precedents within the ancient texts for the most complex issues of science and technology. The case in point is that of a surrogate mother: Who is the parent according to Jewish law, the woman who provides the ovum or the woman who actually "births" the baby? The verse to be analyzed is found in the opening of the double portion of Tazria-Metzora, which we've quoted above. Does not the word tazria [conceived seed] seem superfluous? Why does the Torah not merely state: "If a woman bears a male child..."? The talmudic sages address this issue by pointing out that the word tazria serves to teach us an amazing idea regarding sexual intimacy. "Rav Isaac said in the name of Rav Ammi: If the woman climaxes first, she will give birth to a male; if the man climaxes first, she will give birth to a daughter..." (B.T. Nidah 31a) citing as proof-text our verse in Leviticus: "A woman who tazria [not 'conceives seed' but rather 'comes to orgasm first'] bears a male child!" The Talmud is in effect telling the husband that if he wants a son, he must please his wife. This was the classic interpretation of our verse. But with medical advances of the past two decades, halacha has had to plumb the depths of biblical verses to discover new meanings and directions. To this end, the great former chief rabbi of the army and the State of Israel, Rav Shlomo Goren, provided a new insight into the difficult word tazria. A contemporary question of great significance revolves around a married woman whose ovaries do not produce viable eggs. Medical technology allows another woman to contribute her ovum to be fertilized in vitro (under laboratory conditions) by the married woman's husband's sperm and then implanted in his wife's uterus. If all goes well, nine months later the woman who could not produce her own ova gives birth to a child. If such a procedure is halachically acceptable - and according to most contemporary authorities it is - who should be considered the mother of the child: the woman who contributes the eggs and therefore puts her genetic stamp on the baby, or the woman who actually carries the child in her womb, the wife of the biological father? In terms of practical halacha, since the religion of the child follows the religion of the mother, this is a cardinal question. In a situation in which the woman who donates her ovum is not Jewish, were she to be considered the mother, the baby would have to undergo conversion. The largest number of modern decisors rule in favor of the wife who bears and births the baby as the true mother. They have two major proofs. The first is based on the halachic fact that a baby born to a Gentile woman who had been impregnated by a Jewish man and who underwent conversion when in a state of pregnancy is considered to be a Jewish child born to a Jewish mother. Thus it seems clear that from the halachic perspective, the moment of birth is the determining factor for Jewishness, rather than the moment of fertilization. The second proof is derived from a talmudic passage concerning the birth of Dina, the only female child born to the patriarch Jacob: "And afterwards she bore a daughter and called her name Dina." (Gen. 30:21) What is meant by "afterwards"? Rav said: "After Leah had passed judgment on herself saying: 'Twelve tribes are destined to issue from Jacob. Six have issued from me and four from the handmaids, making 10. If this child will be a male, my sister Rachel will not be equal to one of the handmaids.' Forthwith the child was turned to a girl, as it says: 'And she called her name Dina.'" [B.T. Brachot 60a] Targum Yonatan's translation of this verse explains the miracle in a rather remarkable way. "The prayer of Leah was heard before God, and the

two children were switched in their wombs. Joseph was given to Rachel and Dina was given to Leah." (Gen. 30:21) It is fascinating that the Maharsha commenting on B.T. Nidah, 31a, also cites this explanation, and that it is also mentioned in the piyut of T'fillat Yotzer on the first day of Rosh Hashana. Hence we also see from this remarkable midrash that the mother is not the individual who provided the ovum, but rather the individual who ultimately gave birth to the child. Joseph is therefore Rachel's son, and Dina is Leah's daughter, even though each child has originally developed from an ovum in the womb of the other's "mother." Rav Goren doesn't agree. He argues that the religion of the child follows the woman who produced the ovum. His proof is our verse: "A woman who (tazria) conceives seed, and bears a son." Why does the Torah use the seemingly superfluous word tazria? Rav Goren argues it is in order to teach us that the woman who provides the ovum is considered the mother. From this point of view, genetics is the foremost factor in determining motherhood. Therefore Rabbi Goren ruled that if the donor of the ovum is not Jewish, the child is not Jewish. I would like to suggest that beyond the question of the genetic mother vs. the birth mother, another key element is who actually functions as the mother in the life of the child. Just as a person cannot be judged guilty of murder unless it can be proven that he committed the murder intentionally, perhaps giving a life also requires intent. Hence neither genes nor womb determines motherhood as much as child rearing, including the initial intent to be mother to this particular embryo. After all, our Sages teach: "Whoever teaches the son of his friend Torah, whoever brings up the child of his friend, it is as if he/she gave birth to him/her." Shabbat Shalom

Shabbat-B'Shabbato: Tazriya-Metzora 5759 Visit the Zomet Institute web site: <http://www.moreshet.co.il/zomet> SHABBAT-ZOMET is an extract from SHABBAT-B'SHABBATO, a weekly bulletin distributed free of charge in hundreds of synagogues in Israel. It is published by the Zomet Institute of Alon Shevut, Israel, under the auspices of the National Religious Party.

Translated by: Moshe Goldberg ...

A MITZVA IN THE TORAH PORTION: "Let him be Circumcised on the Eighth Day" [Vayikra 12:3] by Rabbi Elyakim Krombein Our sages learned from the above verse that a Brit should be carried out during the day and not at night. This also implies that the mother is not required to perform the mitzva of circumcision, since it is a positive commandment which is time-related. Why then did the Talmud bring a different proof that only the father and not the mother is commanded to circumcise his son (see Kiddushin 29)? The Tosafot give an unsatisfactory answer, saying that the Talmud was written according to unaccepted reasoning, according to which a Brit must be held during the day only on the eighth day, but that a delayed circumcision can take place during the night. Thus, even though the procedure cannot be performed before the eighth day, it is still not to be considered time-related, since after this there are no time restrictions. According to the Turei Even, a mitzva is defined as time-related only if there is some time limit, after which it can no longer be performed. For example, one who doesn't hear shofar on Rosh Hashana has missed the mitzva completely. However, a Brit which has not been done on the eighth day it must still be performed. The halacha only sets at what time the mitzva should be performed (during the hours of the day), but does not establish a limit to its performance. Rabbi S.Y. Zevin quoted the Or Zarua, to say that circumcision is a constant mitzva (and not time-related). He based this on what is told about King David, who was disappointed on entering a bathhouse to find that he was void of mitzvot, until he remembered his circumcision (Menachot 43). But the question remains: why wasn't he equally happy about his arm and his head, where he wore Tefillin every day? The answer is that circumcision is different, in that it is not only performed once but continues all the time. The same is true of the question of whether a Brit is time-related. While the circumcision itself must be performed during the day, it continues all the time afterwards. Thus, it might have been thought that a woman would also be required to perform this mitzva, and it was necessary to have a special source to free her from the obligation.

From: yitorah@vjlists.com NCYI Weekly Divrei Torah - Tazriah-Metzora Yom Ha'Atzmaut 1 Iyar (16 Omer) 5759

Guest Rabbi: Rabbi Kenneth Auman Young Israel of Flatbush, NY

This Wednesday, Young Israel synagogues together with many others will be celebrating Yom Ha'atzma'ut with special tefillah. As religious Jews we understand all historic events as being manifestations of Divine will, and it behooves us to express our feelings of gratitude to the Al- Mighty for His kindness. Many of us will be supplementing these observances with additional programs and celebrations, thereby giving expression to our feelings of joy on this occasion.

What exactly is the nature of our joy and gratitude to G-d? For what aspect of our relationship with Medinat Yisrael are we happy and grateful? Our instinctive response would no doubt be that after two millennia of homelessness, we can once again be sovereign in our land. Those people who are slightly older than the writer of these lines, have become the first generation in two thousand years to witness the restoration of Jewish government to our land. People of my age and younger are the first generation in that same amount of time to have never experienced Jewish homelessness.

If we are content to merely appreciate the Jewish State as the answer to our nationalist yearnings, we will have missed the true significance of Yom Ha'atzma'ut. For if our appreciation of Mediant Yisrael and Eretz Yisrael is limited to our gratitude for the gift of self governance, then we are no different from the religious Frenchman who thanks G-d for his land and his republic, or from the pious American who will celebrate the Fourth of July with a prayer of appreciation as an adjunct to his fireworks.

Our Parsha provides us with an insight into the deeper nature of our celebration this week. There is but one verse in both Parshiyot that deals with Eretz Yisrael. Parshat Metzora, Vayikra 14:24, "When you enter the land of Canaan that I am giving you -la'achuza- for a holding, and I will send an affliction of tzaraat (spiritual disease noticeable on the walls) to the house in the land of - achuzatchem - your holding." The term achuza, a holding, is particularly noticeable since it is used twice therein. What does it signify? The Talmud in Tractate Yoma comments, "After you have captured it." In other words, to hold the land means to place the land under your control. It was only after the Jewish people spent seven years conquering the land that the laws of tzaraat for houses began to apply. So while G-d gives us the land, it is not really considered ours until we have "taken hold" of it, i.e. conquered it and placed it under our dominion.

And once we have taken hold of the land what are we to expect? "And I will send an affliction of tzaraat!" Why should our taking possession of the land lead to the terrible affliction of tzaraat?

Note the subtle change of usage from la'achuza, "for a holding"- used at the beginning of the verse, to achuzatchem, "your holding"- used at the end of the verse. Herein lies the special challenge associated with the land of Israel. Unlike the way in which the Frenchman thinks of France, different from the way the American feels about the United States, must the Jew understand his connection to the land of Israel. We dare not think of the land of Israel as being our own. It is "a holding," not "our holding." When we think of it as exclusively ours, our homes become susceptible to the terrible plague of tzaraat. The land of Israel is G-d's land; we hold it for Him, and not for ourselves. While we are commanded to possess it, we do so as representatives of G-d.

Therefore, Yom Ha'atzma'ut is not a celebration of the Jewish nation possessing the land of Israel for itself, but rather of the Jewish nation taking possession of the land of Israel for G-d. Our connection to the land is therefore unlike that of any other nationality to its motherland. For other nationalities, the relationship to the land involves two entities - the nation and the land. For us it involves three- G-d, the nation, and the land. Therefore, "The Land of Israel is of greater holiness than other lands."

Religious Zionists have a very important message for other Jews. To our secularist brethren we declare, "Understand that the land is not really ours;

we are entitled to it as its surrogates only when we represent G-d both by action and by attitude. And to our coreligious non-Zionist brethren we state, "G-d working through history has returned the land to us. It is our duty to hold onto the land on His behalf, thereby strengthening the holiness of the land and making the best of the gift He has given us.

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From: owner-dafyomi[SMTP:owner-dafyomi@vjlists.com] The Weekly Daf #269 Succah 5 - 11 <http://www.ohr.org.il/yomi> The Stolen Succah The Torah commands us: "You shall make a festival of Succos for yourself." (Devarim 16:13) This phrase lends itself to different interpretations. Beis Shammai sees in it a requirement that in order to be valid, a succah must be built specifically for the purpose of fulfilling the mitzvah to dwell in a succah. Therefore, Beis Shammai disqualifies a succah built more than 30 days before the festival which was not built specifically for the mitzvah. Their interpretation of the passage is based on transposing the words to read "You shall make succahs for the (purpose of the) festival." Also, in the final phrase "for yourself" they see a requirement that the succah be made "for fulfillment of your mitzvah." Beis Hillel, on the other hand, interprets "for yourself" as "of yourself," disqualifying a succah which is not yours but stolen from someone else. Tosefos here raises an interesting problem. The Gemara (Succah 30a) explains that a stolen lulav (one of the four species we are commanded to hold during Succos) is invalid for the fulfillment of the mitzvah. Why? Because, explains the Gemara, you cannot fulfill a mitzvah through committing a sin. If so, asks Tosefos, why was it necessary for the Torah to use a special phrase to disqualify a stolen succah, when we would have disqualified it in any event, because it came about through a sin? Tosefos' conclusion is that the disqualification of a mitzvah through sin is only of rabbinic origin, whereas dwelling in a stolen succah is ruled out even by the Torah, based on the phrase "for (of) yourself." An alternative approach to Tosefos' challenge is proposed by the nineteenth century author of Minchas Chinuch (mitzvah 325). Even if the disqualification of a mitzvah through sin is of Torah origin, it means only that the object acquired through transgressing Hashem's will cannot be used to fulfill His will. It does not mean, however, that the succah is not a valid succah. This distinction is subtle, yet it has the following ramifications: There are two categories of obligation regarding eating in a succah. On the first night (the first two nights outside of Eretz Yisrael) there is a positive command to eat a meal in a succah, just as there is a positive command to eat matzah on the first night of Pesach. After that, there is only a requirement that any meals eaten during the festival should not be eaten outside the succah. If the Torah did not write "for (of) yourself" we would only have applied the "mitzvah-through-sin" disqualification to the succah thief's fulfillment of the mitzvah to eat in the succah on the first night. But we would not have disqualified the stolen succah as a succah, and thus we would not consider one's eating his meals there as if he were eating outside the succah. But now that the Torah tells us that a stolen succah is not a succah, one who eats in it anytime during Succos is guilty of eating outside the succah. * Succah 9a

The Succah in the Wilderness In what kind of succahs did our ancestors dwell in the wilderness? Rabbi Eliezer says they were not man-made succahs, but rather miraculous pillars of cloud -- "clouds of glory" -- which protected the Children of Israel from the inhospitable desert climate. Rabbi Akiva's view is that they were succahs which the people put up for shade wherever they camped on their way through the wilderness. Although the consensus of the commentaries is to accept Rabbi Eliezer's view (see Tar gum Onkelos on Vayikra 23:42), there is an interesting perspective of how to approach these two differing views. There is a fascinating relationship of mutual love between Hashem and His chosen people. In the manner of such relationships, each party seeks to compliment and praise the other. We refer to the festival celebrating our exodus from Egypt by the name "Pesach," which recalls that Hashem did "Pass-over" the Jewish homes when He slaughtered the Egyptian firstborn. But Hashem, in His Torah, calls it the "Festival of Matzos," to pay tribute to the faith of our ancestors in departing from Egypt for the wilderness at His command, with no more provisions than some matzos. Rabbi Akiva understands the phrase "In order that your generations shall know that I caused you to dwell in succahs when I took you out of Egypt" (ibid.) as the Torah's reminder not only of Hashem's kindness in liberating us, but also of our ancestors' faith in following Hashem into an inhospitable desert, where they had to struggle to build shelters against the elements. Rabbi Eliezer, however, sees the succah as the premier expression of our appreciation of all Hashem's many kindnesses shown to us in protecting us, providing us manna from heaven, water from a miraculous spring, and all our needs throughout our sojourn in the wilderness. * Succah 11b

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From: owner-daf-insights[SMTP:owner-daf-insights@shemayisrael.com]
Subject: Insights to the Daf: Sukah 5-14

INSIGHTS INTO THE DAILY DAF brought to you by Kollel Iyun Hadaf of Yerushalayim
daf@dafyomi.co.il, <http://www.dafyomi.co.il> SUKAH 5 - Dedicated by Martin Fogel for 20 Nisan,
the Yahrzeit of his father (Yacov ben Shlomo Fogel). Kollel Iyun Hadaf employs a full-time staff;
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Sukah 5 "SHI'URIM" ARE KNOWN THROUGH "HALACHAH L'MOSHE MI'SINAI"
QUESTION: The Gemara cites Rav's assertion that we know Shi'urim only through a Halachah
l'Moshe mi'Sinai. The Gemara challenges this with Rav Chanin's teaching that the verse "Eretz
Chitah u'Se'orah..." teaches various Shi'urim. We see that Shi'urim are learned from a verse, and are
not just Halachah l'Moshe mi'Sinai! Why does the Gemara consider Rav Chanin's statement to be a
contradiction to Rav's statement? Perhaps Rav meant that the *other* Shi'urim, which are not

dependent on Chitah, Se'orah etc., are learned from a Halachah l'Moshe mi'Sinai? For instance, it is
learned from a Halachah l'Moshe mi'Sinai that the Shi'ur of an Ohel (for spreading Tum'ah) is a
cubic Tefach, as Rashi himself tells us (Berachos 19b DH Devar Torah, Sukah 4a DH Hachi
Garsinan), and it is learned from a Halachah l'Moshe mi'Sinai how long one must stay in the Azarah
b'Tum'ah to be punishable with Kares (RASHI Shavuos 14b DH Chayav). Many other Shi'urim must
also have been learned from a Halachah l'Moshe mi'Sinai -- for instance the smallest amount of
Sheretz that is Metamei is k'Adashah; the size of a Nega Tzara'as is a Gris; two black hairs
invalidate a Parah Adumah, etc. (MAHARATZ CHAYOS; ARUCH LA'NER) ANSWERS: (a)
RASHI (DH Shi'urin) may be answering this question by adding the words, "Shel Isonin." The
Gemara is assuming that Rav's Halachah l'Moshe mi'Sinai is identical to Rabbi Yochanan's
Halachah l'Moshe mi'Sinai in Yoma 80a. Rabbi Yochanan made a point of saying that "Shi'urim
Shel Onshin" are Halachah l'Moshe mi'Sinai, i.e. the Shi'ur for which a person is punishable when
transgressing a prohibition (that involves an object). Why did Rabbi Yochanan add the words "Shel
Onshin" (as the RASHASH asks, there)? Perhaps he meant to emphasize that even the Shi'urim for
transgressions, which Rav Chanin learns (among other Shi'urim) from "Eretz Chitah..." are
Halachah l'Moshe mi'Sinai. The other Shi'urim that we mentioned in our question, are not related to
an object mentioned in a Torah prohibition but to general laws of Tum'ah etc. If so, Rav, too,
means to say that the Shi'urim of Onshin (or as Rashi puts it, of Isurin, transgressions), are Halachah
l'Moshe mi'Sinai, in which case he is referring to those very Shi'urim that Rav Chanin learns from
the verse. (M. Kornfeld - however, Rashi Eruvin 4a, in a parallel Sugya, does not mention the word
"Isurim") (b) Alternatively since Rav didn't qualify his statement by limiting it to specific Shi'urim, it
seems that he meant to make a *general* statement about Shi'urim. If so, the Gemara is asking that
since there are *some* Shi'urim which are indeed learned from a verse, how could Rav make a
blanket statement that all Shi'urim are Halachah l'Moshe mi'Sinai?

This will answer some other questions that may be asked on our Sugya as well. The ARUCH
LA'NER asks, why does the Gemara challenge Rav by saying (6a) that Chatzitzin are learned from
a verse? There are laws of Chatzitzah with regard to performing Avodah in the Beis ha'Mikdash too,
and some of them (such as whether Tefilin is considered a Chatzitzah, Zevachim 19a and Tosfos
there) seem to have their sources in Halachah l'Moshe mi'Sinai. Perhaps these are the Chatzitzin that
Rav was referring to! Similarly, why does the Gemara ask which laws of Mechtitzin are Halachah
l'Moshe mi'Sinai? Even if we learn the height of the Mechtitzin from a verse, the Halachah l'Moshe
mi'Sinai is necessary to teach that the third wall of a Sukah need only be a Tefach long, as the
Gemara itself tells us on 6b! (ARUCH LA'NER, SEFAS EMES, MAHARATZ CHAYOS,
RASHASH -- all of whom suggest forced answers) According to what we have said above, the
Gemara could not have suggested such answers. If the Halachah l'Moshe mi'Sinai is teaching one
specific law of Chatzitzah (i.e. whether or not Tefilin or Chotzetz) or of Mechtitzah (i.e. that the
third wall of a Sukah need only be a Tefach), Rav would not have made a blanket statement that
"Chatzitzin u'Mechitzin" are Halachah l'Moshe mi'Sinai. Instead, he must have meant that some
general, universal Halachos of Chatzitzah ("Rubo u'Makpid Alav") and of Mechtitzah ("Gud
v'Lavud...") are Halachah l'Moshe mi'Sinai. (M. Kornfeld)

Sukah 8 THE MATHEMATICAL FORMULAE OF THE RABBIS OF CAESAREA
QUESTION: After analyzing the statement of Rabbi Yochanan, who said that a Sukah built in the
shape of a circle must be large enough to seat 24 people around its circumference, the Gemara
mentions the geometrical theorem of the Rabbis of Kesari. The Rabbis of Kesari said that the
circumference of a circle inscribed inside of a square is 25% less than the square's perimeter, and
the circumference of a circle circumscribed around the outside of a square is 50% more than the
square's perimeter. Accordingly, the circumference of the circle drawn around the 16-Tefach
perimeter of a square is 50% larger, or 24 (that is, take 50% of 16 and add it to 16). The Gemara
concludes (8b) that this theorem is incorrect, as one can see. We know that the actual relationship of
the perimeter of an inscribed square to the circle around it, according to Chazal, is $3 * (1.4 * \pi)$,
where 3 is used for pi (Eruvin 13a) and " π " equals the length of a side of the square. (The
relationship between the side of a square and its diagonal -- which is also the diameter of the
circumscribed circle -- is 1:1.4, according to Chazal). If so, the circumference of a circle
circumscribed around a square with sides of 4 Tefachim is $3(1.4 * 4)$, or 16.8 -- and not 24! How
did the Rabbis of Kesari make such a mistake? ANSWERS: (a) TOSFOS (8b, DH Rivu'a;
Eruvin 76b, DH v'Rebbi Yochanan) suggests that the Rabbis of Kesari were not giving the
relationship of the *perimeter* of the inner square to the *circle* around it. Rather, they were giving
the relationship of the *area* of the inner square to an *outer square* that is drawn around the
circle which encloses the inner square. This is what they meant by saying that "when a circle is
drawn around the outside of a square, the outer one's (i.e., the outer *square's*) perimeter is 50%
larger than the inner one's." (See the second picture printed in Tosfos.) According to Tosfos, Rabbi
Yochanan (both here and in Eruvin 86a) misunderstood the Rabbis of Kesari. (b) The Gemara
comments that we can see that the circle around a square is not as large as the Rabbis of Kesari
posit. Based on the comments of Rashi elsewhere, though, we might suggest that Gemara is
commenting only about the mathematical correctness of their statement; however, when considering
the actual Halachic applications, we do take into account their formula. In fact, we find in Eruvin
(76a) that Rashi seems to have no difficulty with the statements of the Rabbis of Kesari and Rabbi
Yochanan. Perhaps Rashi held that the Rabbis of Kesari were proposing a Halachic stringency:
when determining a value (such as the circumference of a circle) by using the diagonal of a square
for the purpose of a practical application in Halachah, we consider the diagonal to be equal to the
sum of the two sides of the square or rectangle between the ends of the diagonal (since the lines of
those two sides go from one end of the diagonal to the other). The reason for this is to prevent
people from confusing the diagonal and the sum of two sides. In addition, physical reality does not
permit for the application of puristic mathematics (for one reason, the actual diagonal of a square is
the length of the side times the square root of two, which is an irrational number; second, it is not
possible to draw a perfectly exact line or angle in the physical reality), and therefore the figure given
as the diagonal of a square for purposes of determining Halachic applications (such as the size of a
circular Sukah around that square) must take into consideration the largest possible diagonal of the
right angle, which is the sum of the two sides. (Thus, if the sides of inscribed square are each 4
Tefachim, then the diagonal is viewed to be $8 * \pi$ Tefachim. The circle around that square, then,
must have a diameter of 8 Tefachim, which means that its circumference must be $24 * \pi$ Tefachim,
and not 16.8 which is what it would be based on the *actual* diameter of the square.) It could be

that Rashi is consistent with his opinion elsewhere (Shabbos 85a, Eruvin 5a, 78a, 94b), where Rashi seems to count the diagonal of a rectangle as the sum of the two sides between the two ends of the diagonal. Rashi may hold that such a Halachic definition is applied and may be relied upon entirely, both as a leniency and a stringency, with regard to Rabbinic rulings. (M. Kornfeld) (c) Perhaps it is possible to propose an entirely new explanation for the statement of the Rabbis of Kesari. The Rabbis of Kesari and Rabbi Yochanan are perfectly correct. Perhaps Rabbi Yochanan's statement that "the circumference of the Sukah must be large enough to seat 24 people in it" does not mean that the *circumference* must be 24 Amos, but that there must be 24 Amos *inside* the circumference -- in other words, the *area* of the circle must be 24 square Amos! The area of a circle that is drawn around a square which is 4 by 4 is calculated by multiplying pi by the radius squared. The radius of the circle around a square which is 4 by 4 is half of the diagonal (5.6), which is 2.8. Let us use the Halachic estimate of pi=3. Then: $3 * (2.8)(2.8) = 23.52$, or ~24. This is what Rabbi Yochanan meant when he said that the circle must have within its circumference an area of 24 (he rounded up to 24 as a Chumra)! (According to this explanation, we may accept the Ritva's suggestion that the words "v'Lo Hi..." do not belong in the Gemara and were added mistakenly by the Rabanan Savora'i.) (M. Kornfeld) (David Garber and Boaz Tzaban of Bar Ilan University, who have been printing articles on geometric themes from Chazal for a number of years, pointed out to me that the ME'IRI in Eruvin 76 suggests this solution for the Rabbi Yochanan's statement there, citing it from the Ba'al ha'Me'or. It can be traced further back to a responsum of the RIF in Temim De'im #223. An Acharon, Teshuvos GALYA MASECHES #3, offers this solution as well. Using the mathematics of Chazal to project the area of the circle based on the area of another square that is drawn *around* it (3:4 -- note that the outer square is exactly double the square drawn *inside* of the circle in both perimeter *and* area), the solution for the area of the circle is *exactly* 24 Tefachim, and not just approximately, as I concluded using the equation of πr^2 . The Me'iri uses the word "Shibur" or "Tishbores" to refer to the calculation of area.)

SUKAH 10 (25 Nisan) - dedicated by Sandy and Les Wiesel in memory of Les's father, Menachem Yehuda ben Avigdor Yosef Wiesel, who perished in the Holocaust.

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Sukah 10b A FOREIGN OBJECT PLACED ON TOP OF THE KOSHER SECHACH OF A SUKAH QUESTION: The Gemara says that Rav Ashi told his servant Minyamin to take down a wet cloak which Minyamin had spread out on top of the Sechach to dry. He told him to take it down after it became dry so that people would not think that the Sechach is valid while the cloak was on top of it. He did not insist that it be removed while it was wet, because while it was still wet everyone would know that it was put there to dry and not to serve as Sechach. We see that if the cloak is wet, there is no reason to take it down. Why not? The cloak on top of the Sechach should be like a tree above a Sukah, where the branches (which are invalid Sechach) are Mevatel the valid Sechach beneath them! The Mishnah itself says that if one places a sheet on top of the Sukah to protect from the sun, the Sukah becomes Pasul for this reason. What is the difference between a sheet protecting from the sun and a cloak spread out to dry? ANSWERS: (a) RASHI (DH Lo Shna) seems to address this question. He says that when one spreads a sheet on top of the Sechach to protect from the sun, it is meant to shield what is under the sheet. Since its purpose is to shield or to protect, it is serving the same purpose as the Sechach, and therefore it can be Mevatel, disqualify, the valid Sechach (it does not become Batel, or secondary, to the Sechach, but rather it is Mevatel the Sechach). In this case, when the object was placed there just to dry, it will not disqualify the Sechach since its purpose is not the same as the purpose of Sechach -- it is not protecting anything beneath it. Therefore it will become Batel to the Sechach, just like a sheet which serves as decoration for the Sukah becomes Batel to the Sukah. The RITVA says similarly that the cloak that is drying cannot be compared to the sheet that is shielding from the sun or from what falls from the Sechach, because the sheet that is shielding from the sun or the falling objects is something that is needed for the Sukah, and therefore it is not considered a temporary addition. Something that is put out to dry is not serving the Sukah and is considered a temporary addition and thus does not invalidate the Sechach. It becomes Batel to the Sechach even if it serves no decorative purpose. (b) Other Rishonim do not differentiate between a protective covering that is under the Sechach and something that is spread out to dry on top of the Sechach. The only time something is Batel to the Sechach is when it is decorative, in which case it is serving the Sechach by beautifying it and thus it is Batel to the Sechach. Anything which does not serve the Sechach will not be Batel to the Sechach. (See, for example, Hagahos Oshri.) Why, then, did the wet cloak not invalidate the Sechach? TOSFOS (10a, DH Pires) explains that if the Sukah has more shade than sunlight, then whatever one spread out on top of it will not make it Pasul, even though the object that was spread out on the Sechach itself makes more shade. In the Mishnah, the reason why the Sukah is Pasul when the sheet is placed on top of it is because the Sechach of the Sukah was letting in more sunlight than shade (TESHUVAS HA'GE'ONIM), or because the sheet itself served to make sure that the Sechach gave more shade than sunlight (by holding up the leaves that fell, or by protecting the Sechach from the sun so that it would not dry out -- RABEINU TAM). The Sechach of Rav Ashi's Sukah had more shade than sunlight, and thus there was no problem with a wet cloak on top of it. (See Insights to 9:1:b.) (c) The BA'AL HA'ME'OR explains that when a Sukah had more shade *before* something else (invalid Sechach which let in more sunlight than shade) was placed on top of it, then it remains valid even if one adds invalid Sechach afterwards. Since he put the cloak up after the valid Sechach was up, it does not invalidate it, since it covered only a small part of the Sukah. In the Mishnah, the sheet that was placed atop the Sechach made more shade than sunlight, and Pasul Sechach which makes more shade always invalidates what is below it. (See Insights to 9:1:c.) (d) The RITVA and RAN explain that Rav Ashi was not eating in the Sukah at the time, and therefore he did not care if something was on top of the Sukah invalidating it. The cloak certainly made the Sukah Pasul, but as long as he was not eating there, he did not need the Sukah to be valid. If so, what difference does it make if the cloak was wet or dry, if he did not need a valid Sukah? The answer is that if the cloak was wet, then everyone would know that no one will be eating in that Sukah, because the water from the cloak would drip on anyone below; since no one would be eating there, the people would not mistakenly think that it is a valid Sukah. If the cloak was dry, they would think that Rav Ashi was intending to eat in the Sukah, and they would assume that a cloak must be a valid form of Sechach. Therefore, Rav Ashi required the cloak to be removed once it dried.

HALACHAH: We have seen that there is a Machlokes Rishonim whether something put up to dry on top of a Sukah disqualifies the Sechach under it or not. Rashi says that it is like putting something up as a decoration, and it does not disqualify the Sechach. Other Rishonim say that it is like putting something up to protect the Sukah from the sun or to catch falling leaves, and it does disqualify the Sechach. The RITVA writes that one should be Machmir and not sit underneath an object placed on top of the Sechach, even if it was put up to dry or for another purpose unrelated to the Sukah. The TUR (end of OC 627 and 629), though, seems to cite contradictory opinions whether something put up to dry is like a decoration or is like something put up to protect from the sun or from falling leaves (see BI'UR HALACHAH, end of 627). The BI'UR HALACHAH (end of 629) writes that the Halachah one should be Machmir and not place anything on the Sechach to dry out while eating in the Sukah. We have also seen that the Rishonim argue over whether a Sukah (with more shade than sunlight) becomes invalidated if it is later covered with invalid Sechach or a sheet. The SHULCHAN ARUCH (OC 626:1, 629:19) cites the opinion of Rabeinu Tam that a Sukah does not become Pasul if it has more shade than sunlight even if there is a tree, or other invalid Sechach, above it. He also cites the other opinion (Rashi etc., see Insights to 9:1:a) that such a Sukah does become Pasul. The Poskim are Machmir that one should not sit in such a Sukah when it is not a She'as ha'Dechak (see Mishnah Berurah 626:7, 629:58).

SUKAH 12 (27 Nisan) - has been dedicated to the memory of ha'Rav Shmuel (ben Aharon) Grunfeld of Jerusalem/Efrat. Rav Shmuel was a truly great Torah scholar, whose tragic death left all who knew him with an inconsolable sense of loss.

Sukah 11 HALACHAH: "TA'ASEH V'LO MIN HA'ASUY" (a) The Gemara discusses situations where Sechach was placed upon the Sukah in such a way that the Sukah is Pasul (for example, the Sechach was attached to the ground (Mechubar), or it was not placed upon the Sukah for the sake of providing shade (I'Shem Tzel -- e.g. if someone dug out a Sukah in the middle of a hay stack, or if the roof was placed there as the roof of a house, Rashi 12a, DH Chada) . In such cases, the Gemara explains, in order to make the Sukah valid it is not enough to simply remove the Pesul by cutting the Sechach from the ground (in a case of Mechubar) or by having intention that from now on the Sechach is for the sake of shade (when it was placed there for a purpose other than for providing shade). Rather, one must "re-lay" the Sechach afterwards by lifting up each of the pieces of the Sechach and placing it back I'Shem Tzel. This requirement for active placement of proper Sechach, "Ta'aseh v'Lo Min ha'Asuy," is cited as the Halachah in the SHULCHAN ARUCH (OC 626:2). (b) What about when a Sukah is Pasul not because of something inherent in the Sukah but because of circumstances external to the Sukah? For example, what is the Halachah if a Sukah was built over 20 Amos tall, or underneath a tree or inside of a house, and then its Pesul is corrected (by raising the floor of the 20 Amah Sukah such that its Sechach is less than 20 Amos from its floor, or by removing the tree or roof which had covered the Sukah)? Does one need to lift up the Sechach after correcting the Pesul in order for the Sukah to be valid? The HAGAHOS ASHIRI (1:23) cites RABEINU BARUCH of Regensburg who asserts that the rule of "Ta'aseh v'Lo Min ha'Asuy" applies, and one must lift up the Sechach in such cases to validate the Sukah. However, RABEINU YITZCHAK HALAVAN (cited by the Hagahos Ashiri, ibid.), as well as the KOLBO (cited by the Darchei Moshe, beginning of OC 626), rule that it is not necessary to do anything to the Sechach in these cases. The Sukah becomes Kosher as soon as the height is lessened or when the tree is removed. They reason that the only time that Sechach has to be actively lifted up and replaced is when the Pesul is in the Sechach itself (such as Sechach that was Mechubar, or that was not placed there I'Shem Tzel). If the Pesul is not in the Sechach -- the Sechach was placed properly -- but the Pesul is in the circumstances surrounding it, it is enough to do an action that removes the external invalidating factor. Since the Pesul is not in the Sechach, the "Ta'aseh" (the significant action required when making a Sukah) also does not have to be in the Sechach. The lenient opinion is cited as the Halachah (OC 626:2,3 and Mishnah Berurah there). (c) The Acharonim discuss a third case. The previous discussion involved a case such as building an entire Sukah inside of a house. What about when Sechach alone is put into place under a removable or hinged roof? In such a case, after the roof is lifted off, will the Sechach have to be completely re-laid in order to make it a valid Sukah? The MAHARIL (cited by the BACH, end of OC 626) writes that this is the same as the previous case, and no action is necessary. However, the Maharil quotes a certain "Ga'on Echad" who says that one must lift up each piece of Sechach and re-lay it in this case. It is not clear why he differentiated between this case and the previous one. The Bach suggests that this Ga'on was Machmir in this case because the Sechach could not really be described as "inherently proper Sechach" before the roof was removed, because it was not part of a complete Sukah. Inserting branches under a roof does not a Sukah make. This case cannot be compared to a complete Sukah underneath a tree, or the inside of a house because the Pesul is, to a certain measure, inherent in the Sechach itself. The MAGEN AVRAHAM offers another suggestion. Lifting off a roof which was made to be removable, he writes, is not considered a significant action. As we noted above (b), even if the Pesul is not in the Sechach itself one must perform a significant action of some sort to make the Sukah valid. Removing a removable roof does not qualify as such an action. HALACHAH: In the case of the Sechach under the removable roof, the MISHNAH BERURAH (626:18) appears to be Machmir and require that the Sechach be lifted up in this case. However, this is only so if the Sechach was put into place *while the roof was still in position*. If the roof was removed *before* the Sechach was put in place (and thus the Sukah was once valid), even if one later lowered the roof back onto the Sechach (to protect the Sukah from the rain and the like), everyone agrees that it suffices to merely lift off the roof again and the Sukah will be valid (Mishnah Berurah 626:19).

Sukah 14 A PRAYER AND A PITCHFORK AGADAH: Rebbi Elazar said that the reason why the prayer of a Tzadik ("va'Ye'etar" -- Bereishis 25:21) is compared to a pitchfork ("Atar") is to teach that just as a pitchfork is used to turn over bushels of grain and move them from place to place, so does the prayer of a Tzadik "turn over" ("Mehafech") the attributes of Hashem from the attribute of strictness to the attribute of kindness. We find elsewhere that the root of "Atar" connotes turning over or reversing (see Rashi and Tosfos in Ta'anis 20a, DH v'Ne'etas). In Yechezkel (8:11), the root "Atar" is used to describe the Ketores. The verse there says, "A thick cloud (Atar) of Ketores rose up." In what way does the Ketores reflect the Atar's ability to turn things over? Apparently, Ketores has the power to "reverse" the anger of Hashem and transform it into mercy and kindness. In fact, we find that a comparison is drawn between Ketores and prayer in the verse, "May my prayer be accepted like Ketores before You" (Tehilim 141:2). Ketores is even more

effective in reversing Hashem's anger than is prayer; Chazal tell us that "Ketoresh has in its ability to stop plagues" (Shabbos 89a). For this reason, we find that Mordechai -- whose name is hinted to in the Torah in the Parshah of Ketoresh ("Mor Deror," Chulin 139b) -- was unique in his ability to *reverse* the fate of the Jews with his prayer, as the Gemara says, "[Mordechai was called] 'ben Ya'ir' because he lighted up the eyes of the Jews with his prayer, [he was called] 'ben Shim'i,' because his prayer was heard by Hashem, [he was called] 'ben Kish,' because he knocked on the gates of Tefilah and his prayers were answered" (Megilah 12b). Through Mordechai's prayer, the prayer of a Tzadik which is compared to a pitchfork, the Divine decree against the Jews was reversed ("v'Na'hafoch Hu") and aroused Hashem's mercy to save the Jews.

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