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INTERNET PARSHA SHEET
ON **TAZRIA METZORA** - 5766

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From: sefira-owner@torah.org on behalf of Don't Forget [sefira@torah.org] Subject: [Sefira/Omer] Day 16 / 2 weeks and 2 days Tonight, the evening of Friday, April 28, will be **day 16, which is 2 weeks and 2 days of the omer**. ... Sefira, Copyright © 2006 by Torah.org. The Counting The Omer Reminder Mailing List

From: Avi Lieberman <AteresHaShavua@aol.com>

Subject: ATERES HASHAVUA

Mesivta Ateres Yaakov 1170A William Street Hewlett NY, 11557 (516)-374-6465 AteresHaShavua@aol.com

EMES LIYAAKOV

Weekly Insights from MOREINU

HORAV YAAKOV KAMENETZKY ז"ל

[Translated by Ephraim Weiss <Easykgh@aol.com>]

"This will be the judgment of the metzorah on the day that he becomes purified, when he will be brought before the Kohen" (14:2)

In this week's parshios, we read about the halachos of tzara'as, and those who become afflicted with it. The Midrash Rabbah on this parsha brings down a story about a certain merchant, who was traveling through the cities around Tzipori, advertising that he was selling an elixir of life. Rav Yanai heard the commotion, and decided to see what this merchant was about. The merchant opened a sefer Tehillim, and pointed to the pasuk of Mi Ha'ish Hechafetz Chayim Who is the person who wants life? The merchant then showed Rav Yanai the next pasuk, which provides the 'elixir' of life. Netzor Lishoncha Meira U'sfasecha Medaber Mirma "Guard your tongue from evil, and your lips from speaking falsehood." Rav Yanai answered that indeed this concept can be found in the halachos of tzara'as. The pasuk states Zos Tihyeh Toras Hametzora. The word Hametzora comes from the words Hamotzi Shem Ra "the libeler." The Torah is teaching us that someone who speaks lashon ha'ra is punished with tzara'as, and a metzorah is one of the four people that are considered as if they were dead.

HaRav Yaakov Kamenetzky ז"ל expounds upon the concept of shmiras ha'lashon being the elixir of life, and by inference, that lashon ha'ra is the root of death and evil. If we look throughout the history of Klal Yisroel, we can see that much of the suffering that Klal Yisroel endured was brought about through the aveirah of lashon ha'ra. The snake in Gan Eden spoke

lashon ha'ra about Hashem, in convincing Adam to eat from the etz ha'daas. The snake was able to persuade Adam to eat the fruit, and Adam was punished, in that death came into the world.

The galus in Mitzrayim also came about as a result of the lashon ha'ra that Yosef told Yaakov about his brothers. Yosef's brothers sold him, and as a result, Bnei Yisroel ended up descending to Mitzrayim. When Moshe went out to see what was happening to Bnei Yisroel in Mitzrayim, he saw two Jews fighting. Moshe rebuked them, and they retaliated by informing the authorities that Moshe had killed a Mitzri the day before. Upon hearing that a Jew had informed on him, Moshe Exclaimed Achen Noda Hadavar "Now the matter is clear." Rashi explains that Moshe had been wondering what aveirah Bnei Yisroel had committed to be punished with such a difficult galus. However, when Moshe saw that there were Jews who would inform on each other, he understood that Bnei Yisroel were deserving of being enslaved in Mitzrayim.

The lashon ha'ra that the meraglim spoke about Eretz Yisroel forced Bnei Yisroel to spend an extra forty years wandering in the midbar. In addition, as a result of Bnei Yisroel's needless crying on that night, which was the night of Tisha b'Av, Tisha b'Av was set aside as a night of crying for all generations, as both Batei Mikdash were destroyed on that day. We must understand the magnitude of the aveirah of lashon ha'ra, so that we may correct this terrible aveirah and be zocheh to the 'elixir of life;' the end of the suffering of Klal Yisroel, and the coming of the geulah shelaimah, b'mihayra b'yameinu, amen

From: owner-weeklydt@torahweb2.org on behalf of TorahWeb.org [torahweb@torahweb.org] Sent: Thursday, April 27, 2006 12:33 PM To: weeklydt@torahweb2.org Subject: Rabbi Yaakov Neuburger - Repair the Past, Dedicate the Future

The HTML version of this dvar Torah can be found at: <http://www.torahweb.org/thisWeek.html>

Rabbi Yaakov Neuburger

Repair the Past, Dedicate the Future

The lesion has begun to fade and the turmoil of several weeks looks like it is starting to settle. The visits of the kohen, the ongoing scrutiny of the skin spots, and of course the loneliness and accompanying introspection of the days of censure will soon be behind him. That is the context of the opening of Parshas Metzora which describes the metzora's journey back to the community. However a careful reading of the parsha reveals that he is reabsorbed in two distinct phases. In the first step the kohen uses a chattering bird together with a cedar stick and grass to sprinkle the metzora with the blood of another bird. Now he can come back to his old neighborhood. Nevertheless the Torah is very clear that he is not ready to rejoin his family fully until seven days later when he brings a full set of korbanos. Only then does he get to return "home". Why the two stages? Is the community more forgiving and accepting than his own wife and children? After all, isn't loшон hora and arrogance more likely to disrupt and damage the community, much more so than the peacefulness within his own four walls? Furthermore Rashi points out the relevance of birds that are known for their chattering and the cedars that represent arrogance while the silent grass stands humbly. These symbols combine as the goal of the teshuva process that should have been crafted by his days of censure and aloneness and without which, he is not welcome back into the camp. At this point he has had to confront the ill feelings, the threatened friendships or marriages, the shame or derision that his arrogant and hasty chattering may have caused. All of that is step one. Perhaps before reentering his private life, the metzora is asked to realize that his own home has failed in nurturing happiness and real accomplishments. Surely a person, who derives pleasure and satisfaction from deriding others, must be either sorely lacking in his own sense of self worth or untrained in taking pleasure from his own strengths and accomplishments. Thus I would suggest that the next

seven days, similar to the first seven of the communal mishkan, are days of dedication. During this period of time while he is waiting and sacrificing, sprinkled and groomed, the metzora focuses on the future, not on the damage of the past. "Outside of his own home" he tries to envision a home that takes great pride in the Torah studied therein, in the warmth of the relationships that it nurtured and ultimately in the nachas that Hashem has in being welcomed within it. Copyright © 2006 by The TorahWeb Foundation. All rights reserved.

[From last year] From: TorahWeb.org [torahweb@torahweb.org] Sent: Friday, April 08, 2005 5:58 AM

Subject: Rabbi Mordechai Willig - Overlooking the Faults of Others

Rabbi Mordechai Willig

Overlooking the Faults of Others

"On the day healthy flesh appears in it, it shall be impure" (Vayikra 13:14). There is a day on which you look, and there is a day on which you do not look. From here we derive that a chassan is granted all seven days of his celebration. Similarly on a festival we do not pronounce anyone impure (Rashi). We do not mar the celebration of a chassan or of anyone during yom tov (Sifsei Chachamim).

The kohein shall look at the affliction (nega), the kohein shall look at it (v'ra'ahu) and make him impure (13:3). Alternatively, v'ra'ahu means he shall look at him. Objectively, the person has a nega. But the kohein looks at the whole person. If he is a chassan or it is a yom tov, the person is not examined and remains pure (Mesech Chochma).

Perhaps this halacha contains a critical lesson for a chassan, and kallah as well. The first week of marriage can be very disturbing. Suddenly, the chassan or kallah may discover a nega that could not have been seen earlier. Personal habits or physical blemishes unnoticed during courtship and engagement become apparent upon marriage.

A new spouse may, as recent works have described, have a different way of squeezing toothpaste from a tube, which can be disconcerting. More serious and objective flaws of personal conduct or appearance can lead to disappointment or worse.

What is the proper response? Look at the whole person. You chose to marry an individual who has many wonderful attributes. You were attracted by your spouse's positive traits and unique character. Do not look at the negative, at the new blemish or flaw that marriage exposes.

The chassan must look at the kallah as a wonderful while person, and overlook any newly discovered negatives. In turn, middah k'neged middah, we overlook his negatives and consider him, the whole person, pure.

The laws of impurity of a nega return after the week of celebration. But the lesson of overlooking one's spouse's shortcomings must last for a lifetime.

On holidays, all of Israel gathered in Yerushalayim. Persons deemed ritually impure all year long were granted the status of chavirim, expert practitioners of ritual law (Chagiga 26a). Again, since we are all required to overlook the flaws of others usually designated as "am ha'aretz", the kohein does not examine our negaim on yom tov, and we remain pure.

After the holiday the impurity of the am ha'aretz returns. But the lesson of overlooking the shortcomings of others must remain all year long.

One who judges his friend favorably, Hashem judges him favorably (Shabbos 127b). This cannot mean giving others the benefit of the doubt, since Hashem has no doubts. Rather, we should not judge the clear faults of others objectively, but find an extenuating circumstance which avoids a negative judgment. Then Hashem, midda k'neged midda, will judge us favorably despite His clear knowledge of our faults, based on extenuating circumstances. (Rav Chaim Shmuelevitz).

Our obligation to focus on the positive and overlook blemishes applies to those closest to us, such as a spouse, especially a new one. It extends to

those on a lower spiritual level, such as an am ha'aretz. And it includes friends within one interacts, and all Jews who, in this sense, are chavirim.

The response, both by the kohein, who overlooks our nega, and Hashem, who overlooks our sins, is commensurate with our efforts. Viewing others positively is a critical component of spiritual purity.

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[From last year] From: TorahWeb.org [torahweb@torahweb.org] Sent: Friday, April 15, 2005 6:13 AM Subject: Hishamer be-Nega ha-Tzaraat: The Challenge of Overcoming Human Pettiness - Rabbi Michael Rosensweig

Rabbi Michael Rosensweig

Hishamer be-Nega ha-Tzaraat:

The Challenge of Overcoming Human Pettiness

The enigmatic halachot of tzaraat dominate the parshiyot of Tazria and Metzora. The Torah elaborates the details of this extraordinary phenomenon in a manner that is unparalleled by other transgressions. The topic is highlighted again in parshat Ki Teitzei (Devarim 24:8), where we are explicitly warned to avoid behavior that will trigger tzaraat, ordered to follow the kohanim and leviim, and charged to remember and internalize the story of Miriam's affliction with this condition. The Ramban (Devarim 24:8; Hashmatot, Sefer ha-Mitzvot, Esin no. 6) even counts this imperative as one of the 613 commandments, alongside the obligation to remember and internalize other crucial themes such as the Sabbath, the Exodus from Egypt, and the attack by Amalek! Apparently, the implications inherent in contracting tzaraat and rehabilitating from it constitute a major tenet in Jewish life, one that is consistently relevant and consequential, although the actual experience is mysterious and rare.

Perhaps we may better understand the significance of tzaraat by noting an interesting irony. The condition is perceived to be a supernatural or miraculous expression of Divine disapproval; yet, it is triggered by the most common and natural of human excesses.

A wide range of commentators (Rambam [end of Hilchot Tzaraat; Perush ha-Mishnayot, Negaim 12:5; Moreh 3:47], Ramban [Vayikra 13:47], R. Yehudah ha-Levi [Kuzari 2:58:62]) underscore that this affliction constitutes a direct Divine intervention that reveals an exclusively spiritual malady. For this reason, tzaraat is confined to life in Eretz Yisrael, possibly only in an era in which the land is invested with sanctity. The fact that the Kohein's proclamation determines the status of tzaraat, and that he has the discretionary license to delay the onset of the process reflects the controlling force of halachic authority in confronting the spiritual flaw that generates this supernatural manifestation.

The Talmud and midrash (Arachin 15a-16a; midrash on Tazria and Ki Teitzei) unequivocally establish that tzaraat is primarily a result of lashon ha-ra (malicious gossip), a typical human failing. Although it is common, this transgression is hardly innocuous. Chazal compare this breach which can destroy a person's reputation and standing to the three primary halachic categories of murder, idolatry and illicit relationships that demand martyrdom. In some contexts, gossip is portrayed as being equally destructive as murder, or heresy. Despite the severity of the offense, the supernatural response of tzaraat remains puzzling.

However, it is possible that it is precisely the ubiquity of this offense and the fact that it is such a quintessentially petty human failing that makes it particularly pernicious, and that triggers this severe Divine intervention. Lashon ha-ra reflects man's dismal failure to rise to the challenge of tzelem Elokim (being in the Divine image). As Onkelos notes in Bereishit, it is precisely the power of articulation ("ruach memalela") that distinguishes man's special potential. The abuse of articulation that occurs when it is employed to promote petty and divisive human competition, completely undermines man's spiritual objective. The very fact that the tzaruah does not to transcend his most base instincts, choosing instead to remain mired in a

petty ego-centrist vision of the world, bespeaks of his spiritual failure. The gemara in Arachin specifically reinforces the view that an unrestrained ego, the root of gossip, precludes a relationship with Hashem - "ein ani ve-hu yecholin ladur be-olam ehad".

Only a quintessentially spiritual affliction might jolt man from his lethargy and mediocrity, spurring a reevaluation of his true religious capacity and spiritual objective. The Sefer ha-Hinuch emphasizes that tzaraat inspires the teshuvah process, and entails a complete reevaluation of one's conduct, not merely the neutralization of the particular and immediate actions that brought about his plight. The pesukim in Ki Teitzei underscore the broader requirement to follow the spiritual mentors of Klal Yisrael, the kohanim and leviim.

Moreover, the tzarua is sequestered from society because he has failed to employ social interaction constructively. Instead of using the gift of articulation to uplift himself and unite humankind in Divine service, he has utilized this power divisively to secure his relative stature at the expense of others. He cultivates the misguided counterproductive competitive impulse of "mitkabad be-keilon chavero (Rambam, Hilchot Teshuvah 4:4), rather than the spiritually advantageous perspective of "kinat soferim tarbeh chachmah", which is built on reciprocal admiration and mutual inspiration. The tzarua's isolation and estrangement from others forces him to confront his true destiny as an oved Hashem, as well as to reflect upon how social interaction can be constructively harnessed to elevate mankind's halachic-spiritual goals.

The Torah's high ambition for man, its view on the potential constructive role of social interaction, and its lack of tolerance for the ubiquitous, petty, and pernicious sin of gossip and the misguided values it entails, mandate the importance of the theme of tzaraat, even if the actual experience is rare. The process of rehabilitation from this spiritual malady may be perceived as a spiritual refocusing of values and priorities. As the Ramban notes these laws are always consequential and should be internalized and articulated together with the other "zachor" themes in all eras.

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[From last year]

From: ravfrand-owner@torah.org on behalf of **Rabbi Yissocher Frand** [ryfrand@torah.org] Sent: Friday, April 08, 2005 1:14 AM To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Tazria

"RavFrاند" List - Rabbi Frand on Parshas Tazria -

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: 1102 - Tazria / Metzora - Series III. Good Shabbos!

Guarding Against Feeling Too Good About Oneself

The end of parshas Tazria deals with Tzara'as (the spiritual blemish often (mis)translated as leprosy, which causes various types of discoloration of skin, clothing or house walls) that appears on clothing. The pasuk [verse] says, "The kohen will see the garment after it was washed, v'henay lo hofach hanega es ayno [and he sees that the blemish has not changed], the garment is unclean, you should burn it in fire."

The pasuk uses interesting language: "v'henay lo hofach hanega es ayno," which means that the appearance of the nega [blemish] has not changed. This is actually an idiomatic expression. The word "ayno" literally means "eye," and the expression literally means "the blemish has not changed its eye."

I saw a beautiful insight, quoted in the name of the Chidushai HaRim. The Gemara in Meseches Ayrachin says that there are a number of avayros [sins] which can cause tza'aras. The most commonly known avayrah is loшон horah [evil tongue; slander]. However, the Talmud in Meseches Ayrachin also says that the punishment of tza'aras afflicts a person "al tzoras ho'ayin." Tzoras ho'ayin [literally - narrowness of eye] does not only

refer to a person who is tight-fisted or cheap. A tzar ayin is a person who never sees the good side of anything and always sees evil. It is the opposite of a generosity of spirit. It is stinginess, not only regarding money, but regarding viewing life, in general. A tzar ayin is a person who does not like to see other people's success. The only success that he is interested in is his own success.

If tzoras ho'ayin is a sin that causes tza'ra'as, then the tikun [correction] that causes the tza'ra'as to go away is doing teshuva [repenting] and switching from being a tzar ayin to a tov ayin. That means that one who is like a student of Bilom HaRoshoh, who Chazal tell us had this trait of tzoras ho'ayin, of stinginess of spirit, must change and become like the students of Avrohom Avinu - to become a tov ayin [one with a good eye]. If the tza'ra'as stays the same and does not get better, the garment is unclean and the person does not have a tikun for his avayrah.

The Chidushai HaRim (founder of the Gerre chasidshe dynasty - 1800s) explains that there is a double meaning when the pasuk says, "v'henay lo hofach hanega es ayno" ["and behold, the tza'ra'as did not change its appearance"]. "Lo hofach hanega es ayno" - His ayin [eye] did not change. In order to do teshuva, his ayin must change. He must change from being a tzar ayin to being a tov ayin. The pasuk is hinting to us, "V'henay lo hofach hanega es ayno." His ayin did not change. He has the same stinginess, the same unwillingness to share and be generous.

The meaning of "Ayno," here, is not merely that the appearance did not change, but the ayin did not change. The tzoras ayin, the avayrah that brought on this terrible punishment is still in place.

The Chidushai HaRim continues with a classic chasidishe vort: The word "nega" is really the same word as the word "oneg" [pleasure]. What is the entire difference [in the Hebrew lettering] between the word "oneg" and the word nega?

The only difference is the placement of the [letter] "ayin." The "nun" and the "gimel" are in the same place. The only difference is whether the "ayin" is at the beginning or at the end. What is the difference between "nega" and "oneg?" What is the difference between a person having tza'ra'as and a person having pleasure? It all depends on the placement of the "ayin." That is this person's problem. The problem is with the "ayin." His problem is with his perspective and his approach to life. His problem is with his ayin, so his tikun must be "hofach hanega es ayno." He must change his "ayin." He must take the "ayin" from the word "nega" and make it into "oneg."

However, if someone is so stingy of spirit that he can not be gracious or see the good side of life, then he remains a metzora. "Henay lo hofach hanega es ayno" - the nega remains and he must burn the garment because he is incapable of changing his "ayin." He is incapable of changing his perspective.

Transcribed by David Twersky; Seattle, WA DavidATwersky@aol.com
Technical Assistance by Dovid Hoffman; Baltimore dhoffman@torah.org

Subject: **Rabbi Frand on Parshas Metzora** "RavFrاند" List - Rabbi Frand on Parshas Metzora -

The Lesson of House Tzaraas

One of the forms of Tzaraas ("leprosy") that is discussed in Parshas Metzora is the House Tzaraas [Vayikra 14:33-53]. A person can incur Tzaraas on his body, on his clothing, and even on the walls of his house. Rashi quotes a famous Medrash that House Tzaraas is "good news."

Why is House Tzaraas "good news?" After all, it entails at least destroying the wall of the house in which the Tzaraas blemish is found. In some cases it even entails demolishing the entire house. So how can this be considered a positive occurrence? Rashi explains that the Emorite inhabitants of the land had hidden their precious jewels and wealth in the walls of their homes during the forty years that the Jews were in the Wilderness on their way to Canaan. By means of this blemish, the Jews would break down the wall and find those hidden treasures.

It is a very curious phenomenon that a person inflicted with House Tzaraas should merit the great windfall of finding hidden treasure in the walls of his house. Let us, after all, not lose sight of the fact that Tzaraas is a punishment. What kind of punishment is it to receive a windfall?

There are various opinions in Chazal as to what sin causes Tzaraas. The most commonly known opinion is that Tzaraas comes to those who speak lashon haRah [gossip]. Another opinion is that Tzaraas comes to those who are stingy (tzarei ayin) -- people who do not give willingly of their money, time, and effort [Bamidbar Rabbah 7]. So what type of punishment is it for this cheapskate to need to knock down the walls of his home, if he is going to find great wealth behind the walls?

Rav Zev Leff offers an explanation as to why the stingy ungenerous person is rewarded by finding treasures in his house. Before the Kohen would proclaim the house impure due to House Tzaraas, he would instruct the owner of the home to remove all his property from the house and place it on the street. This was to avoid contaminating the property, since anything within the walls of a house proclaimed to have House Tzaraas became impure (tameh).

The Medrash explains that this "property evacuation" procedure was a key component of the punishment. In general, stingy people do not want others to see what they have. If word gets out that a person has certain utensils and tools and vessels, people might ask to borrow from him. The stingy person does not want people to come ask to borrow, so he carefully hides his property inventory from public knowledge. Heaven forces him to show his hand, so to speak, by removing all his possession from his house, for public viewing.

The Mishneh in Negaim [12:5] gives another explanation for this "property evacuation." The Mishneh explains that the Torah had mercy on the property of Israel. The Torah was concerned that earthenware vessels that cannot be purified in a mikveh would be irreversibly contaminated and rendered worthless. In order to save these earthenware vessels (klei cheres), we tell the person to remove them from the house. Once we already tell him to remove the earthenware vessels, we tell him to take out all the vessels (including even those that could theoretically be purified in a mikveh).

In those times, the earthenware vessels were the cheapest and most inferior of all the vessels. We are not talking about fine bone china. We are speaking about very unappealing pottery that was used a few times and then discarded. In order to avoid the loss of these earthenware vessels, he is advised to remove them from the house.

This too is strange. Is the Torah not just reinforcing the "cheapness" of this "cheapskate"? He is worried about penny-pinching matters and even the Torah seems to be concerned about penny-pinching matters, sparing the klei cheres. The cheapskate is getting the wrong message here!

Rav Zev Leff explains that this is not strange at all. The klei cheres represent a tremendous lesson for the person. The laws of impurity (tumah) for klei cheres differ from those of other vessels. Any other vessel only becomes impure if and only if it is touched by a source of tumah, on either its outside or its inside. A klei cheres, however, does not become tameh at all when touched on its outside by a source of tumah. The only way it becomes tameh is if the source of tumah is placed inside of it. In that case, it becomes tameh even if the source of tumah is only suspended within its inner walls, without actually touching them.

Why is that? The Rabbis explain that in the case of a metal cup, such as a silver goblet, the value of the cup is not based on its functionality, it is based on the value of the item. The metal itself has value. The klei cheres, however, has no intrinsic value. It is really worthless. Its whole value is due to its function -- what can be done with it. The way to contaminate it is to affect its function -- and that can only be done by placing the source of tumah inside the klei cheres.

This is the message we want to send to the cheapskate. A person who is "tzar ayin", who doesn't share and who doesn't give of his possessions, is missing the whole point of material goods in this world. The whole point of

all material wealth is what can be done with that wealth. If a person merits having money, he should know that from a Torah philosophical viewpoint, money has value because of what he can do with it.

The person, who hoards property, misses the lesson of the klei cheres. House Tzaraas is teaching the following: This house was originally owned by Emorites or Canaanites. Their problem was that they were cheap. They hid their property only because they didn't want the Jews to get it. They knew that they themselves would not benefit from their vessels because they knew the Jews were going to expel them from the land. Their whole intent was just to insure that the Jews didn't get benefit from the possessions. It was the mentality that "If I can't have it, nobody can have it."

The Jew who is stingy enters the same house with the same attitude. He has the same tunnel vision and the same cheap ungenerous mentality. He wants to hoard all his possessions for himself. He is missing the point of what material possessions are all about. They are to share. They are to give. They are to use, not only for oneself but for other people as well.

So, we teach him a lesson. Lesson number one is to move all his possessions onto the street, to show everybody what he has. Lesson number two is that of klei cheres -- that the function of all possessions is to be used, not to hoard. Finally, after he has this education and has learned the lesson of "tzarus haAyin", he is actually given the opportunity to apply what he has learned.

"Here" the Torah says, "is new found wealth. Let us see if you learned your lesson well. If you did, you will use your money and share your money. Everyone will enjoy it. If you don't learn the lesson of House Tzaraas, then the affliction will eventually spread to your clothing, and ultimately your body itself."

Transcribed by David Twersky; Seattle, WA
DavidATwersky@aol.com Technical Assistance by Dovid Hoffman;
Baltimore dhoffman@torah.org

This write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah Portion. The halachic topics covered for the current week's portion in this series are: Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. RavFrand, Copyright © 2004 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org
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From: Halacha [halacha@yutorah.org] Sent: April 25, 2006

Weekly Halacha Overview BY RABBI JOSH FLUG
The Mourning Period of Sefirat Ha'Omer

The Gemara, Yevamot 62b, states that 24,000 students of Rabbi Akiva perished over a short period of time. The Gemara then identifies this time period as the period between Pesach and Shavuot. For this reason, a minhag developed to observe a period of mourning between Pesach and Shavuot. The minhag is originally recorded in the literature of the Ge'onim (see Teshuvot HaGe'onim, Sha'arei Teshuva no. 278). This article will discuss the various minhagim regarding which days are observed as days of mourning.

The Basis for the Various Minhagim

There are two basic accounts of the dates in which the actual deaths occurred. These two accounts serve as the basis for all of the various minhagim. The first account is attributed to R. Yehoshua Ibn Shu'ib, Derashot Ri Ibn Shu'ib, pg. 41d (cited by Beit Yosef, Orach Chaim 493). R. Ibn Shu'ib records a Midrash that the death of the students of Rabbi Akiva lasted until "pros haAtzeret," half of a month prior to Shavuot (this term is used in the Mishna, Shekalim 3:1). The Gemara, Bechorot 58b, states that the term "pros" connotes a period of at least fifteen days. As such, the death of the students of Rabbi Akiva ceased on the thirty-fourth day of the Omer. Therefore, the first thirty-three days of the Omer are

observed as days of mourning. R. Ibn Shu'ib notes that the thirty-fourth day is also a day of mourning. However, one may end the mourning period on the morning of the thirty-fourth based on the principle of *miktzat hayom k'kulo*, the principle that one may count part of the last day of a mourning period as a complete day. R. Ibn Shu'ib's opinion is codified by Shulchan Aruch, Orach Chaim 493:2.

Rama, Orach Chaim 493:2, notes that Ashkenazic communities do not observe Lag Ba'Omer (the thirty-third day of the Omer) as a day of mourning, but rather as a day of rejoicing. The Vilna Gaon, Biur HaGra, ad loc., explains that the reason why this is a day of rejoicing is because on this day the students of Rabbi Akiva ceased to die. Apparently, Ashkenazic tradition basically accepts R. Ibn Shu'ib's account of the dates of death. The disparity is based on the question of whether the death of the students ceased on the thirty-third day of the Omer or the thirty-fourth.

The second account of the dates of death of the students of Rabbi Akiva is recorded by Maharil, Dinei HaYamim Bein Pesach L'Shavuot no. 7 (a similar version is also recorded by R. Ibn Shu'ib citing the Ba'alei HaTosafot). According to Maharil, the death of the students did not cease on or around Lag Ba'Omer. Rather, there were certain days that the students did not die. Those days correspond to the days in which Tachanun is omitted. Those days are: the (last) seven days of Pesach, the seven Shabbatot that occur during this period, two days of Rosh Chodesh Iyyar, and one day of Rosh Chodesh Sivan. If one calculates the remaining days, there are thirty-two days in which Rabbi Akiva's students died.

[According to Maharil (and R. Ibn Shu'ib), one must question why Lag Ba'Omer is considered a day of rejoicing (as recorded by Maharil himself, *ibid*) if this is not the day in which the students of Rabbi Akiva ceased to die. R. Chaim Y.D. Azulai, *Tov Ayin* no. 18 to Orach Chaim 493, suggests that on Lag Ba'Omer, Rabbi Akiva started teaching a new group of students who later became the progenitors of Rabbi Akiva's legacy. Lag Ba'Omer celebrates the continuity of the Mesorah.]

There are numerous minhagim that are based on this second account. Rama, Orach Chaim 493:3, notes that there are many communities who commence their mourning observances after Rosh Chodesh Iyyar. The only day that is not a day of mourning during this period is Lag Ba'Omer. As such they will observe thirty-two days of mourning corresponding to the thirty-two days in which the students of Rabbi Akiva died. There are other minhagim that follow the same approach, but with minor changes (see Magen Avraham 493:5 and Mishna Berurah 493:15).

Magen Avraham 493:5, cites a view that the mourning practices should be observed throughout the Sefirah period except on the actual days that there were no deaths. Since mourning practices are generally not practiced on Shabbat or Yom Tov, the only days on which one may be lenient are the days of Rosh Chodesh. Magen Avraham notes that this view was not accepted by Rama.

Rama concludes that while all of the various minhagim are legitimate, the minhag should be uniform throughout the city. If there are divergent practices within the same city, it is a violation of *lo titgovidu* (the prohibition of creating divergent practices in the same city; see "Lo Sisgovidu" Part I and Part II).

R. Moshe Feinstein's Analysis of the Various Minhagim

R. Moshe Feinstein, *Igrot Moshe*, Orach Chaim 1:159, in a lengthy responsum, addresses the proper observance for the inhabitants of New York City. In analyzing the various minhagim, R. Feinstein notes that all those who observe thirty-two of the forty-nine days non-consecutively are all of the same opinion, despite the fact that they choose different days to observe. They agree that all that is necessary is that one observes thirty-two days of mourning and the specific days of observance that are chosen are not integral. In principle, one may choose to observe a different set of thirty-two days from year to year. The reason why specific days are chosen for these various minhagim is because there must be uniformity within the same city. If each individual was left to choose thirty-two days on his own,

there would be no uniformity. However, R. Feinstein adds that in New York City, where the inhabitants originate from many different cities and all of the various minhagim are represented, the concern for the violation of *lo titgovidu* is mitigated and one may follow any of the minhagim. Therefore, in New York City, one who has the tradition to observe thirty-two non-consecutive days, may switch from one minhag to another from year to year.

R. Feinstein then analyzes the minhag to observe the first thirty-two days of the Omer. One can explain this minhag based on the account of R. Ibn Shu'ib that the students of Rabbi Akiva died the first thirty-two days. According to this explanation, this minhag insists that the days of observance are the first thirty-two days of the Omer. R. Feinstein attributes this explanation to the Vilna Gaon, *op. cit.* Alternatively, one can explain this minhag based on the second account that the students died on thirty-two of the forty-nine days. The first thirty-two days were chosen as the thirty-two days of observance in order to preserve uniformity within the locale. R. Feinstein attributes this explanation to Bach, Orach Chaim 493. R. Feinstein then notes that since the dispute between the Vilna Gaon and Bach is a question of which minhag to follow, one may be lenient and follow the opinion of Bach. Nevertheless, he concludes that if one normally observes the first thirty-two days, one should not switch to a different minhag unless there is a pressing need to do so. [R. Feinstein also notes that according to the first explanation (the one attributed to the Vilna Gaon), one who normally observes thirty-two non-consecutive days may not observe the first thirty-two days.]

The Coinciding of Shabbat and Rosh Chodesh

In Hagahot L'Sefer HaMinhagim (Tirnav) note 36, there is a leniency recorded that allows one to marry (on Friday) in a situation when Rosh Chodesh Iyyar coincides with Shabbat. Bach, *op. cit.*, explains that this leniency applies to those who observe the first thirty-two days of the Omer as the mourning period. When Rosh Chodesh and Shabbat coincide there is "*tosefet simcha*," added joy, which overrides the obligation to mourn. Mishna Berurah 493:5, adds that the same leniency applies to cutting one's hair. Therefore, if Rosh Chodesh Iyyar coincides with Shabbat (as it does this year), it is permitted to cut one's hair on Friday in order to honor this day of "*tosefet simcha*."

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From: rabiwein-owner@torah.org on behalf of
Rabbi Berel Wein [rbwein@torah.org]
Sent: April 26, 2006 6:06 PM To: rabiwein@torah.org Subject: Rabbi
Wein - Tazria-Metzora
www.RabbiWein.com

Jerusalem Post 30 Nissan 5766

We are currently completing the month of April, the month of the dreaded income tax return filings. Taxes are one of the two certainties of human existence. The current idea of income taxes is a relatively new invention, not being enacted in the United States until the twentieth century. Yet, the idea of taxes already appears in the Torah regarding the head tax of a half shekel per male member of a household, between the ages of twenty to sixty. This tax had a dual purpose. It was the method of obtaining an approximate census count of the Jewish people by counting the half shekels directly instead of counting the people personally. This is in accordance with Jewish tradition that one does not count Jews directly.

In order to ascertain if, let us say, a minyan/quorum is present in the synagogue for services, one does not count the people present by number but rather a verse from the Bible containing ten words is used as the mechanism for such counting. The second purpose of the half shekel tax

was to provide for the public sacrifices and upkeep of the Temple in Jerusalem. Since the holy Temple was the place where the centrality of the relationship between G-d and Israel was most physically represented, every Jew no matter what his economic level was obligated to pay the half shekel. Its payment was a reaffirmation of the covenant that bound G-d and Israel to each other, so to speak.

We read in the Bible of other forms of taxation as well. King Solomon employed a tax – a levy on able-bodied men – to construct the Temple in Jerusalem. We read of his impressing thirty thousand men into his service and sending them to toil in Lebanon, to bring the great cedars to Jerusalem for the Temple's construction. The Bible uses the word mas – a tax – to describe this method of national labor service. We read in the final chapter of the Book of Esther of the tax that Achashveirosh, the Emperor of Persia, imposed on his empire. Knowing of Achashveirosh's proclivity extravagance from the earlier chapters of the book, we can well imagine that he, like many kings after him, was always a little short of money at the end of the month. In the Book of Shmuel we read of Shmuel's strong warning to the Jewish people of the levies and taxes that a king would impose upon them.

There is discussion in the Talmud as to whether such taxes were in fact legitimate for a king to demand from his people. Be the Talmudic discussion as it may, it is obvious that the kings of Israel and Judea and later in Second Temple times, the Hasmonean kings as well, imposed taxes on the populace in the Land of Israel. When the country fell under Roman rule in 63 BCE, the Romans and their governors in Judea taxed the Jewish population almost unmercifully. In the Mishna and Talmud we find that tax collectors, even though pious Jews, were held to pointed criticism from the rabbis and the general population. To put it mildly, taxation was never popular amongst Jews in the Classical Era.

In the long exile of Israel, the individual Jewish communities taxed their members in order to support the necessary local institutions and religious functionaries. This tax usually took the form of an additional charge for kosher goods plus a head tax. In some communities an additional type of income tax was imposed. This was all in addition to the taxes exacted from the Jewish community by the local and national governments of the countries where they resided. Sometimes these taxes placed an onerous burden upon the people resulting in continuing enmity within the community - especially between the leaders and the lower economic classes.

Many of the causes of the secular and leftist rebellions against Jewish tradition, as represented by the Orthodox leadership of the Jewish communities in nineteenth and twentieth century Eastern Europe, stemmed from the methods and enforcement of the tax system within the community, which was deemed to be unfair and biased. The formulation of a fair and equitable tax code and system that will not unduly punish or benefit any one section of society, and will prove to be economically stimulating and productive, is an elusive target. Though it will never be completely accomplished, the pursuit of such a system should be a continual task of government.

RABBI BEREL WEIN

Weekly Parsha 30 Nissan 5766 / April 28, 2006

TAZRIA – METZORA

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All halacha, or for that matter all systems of law in the world, is based on the concept of reasonable presumptions. In Jewish law this is called the concept of chazaka – the presumption that what was, still is. Thus halacha presumes that a husband is still alive even if he has somehow disappeared from sight. It presumes that things found in a certain place were at that place before and were not dragged there. It presumes that if there are no known faults in a person's pedigree then that person's pedigree is deemed to be faultless. There are many other examples of how chazaka works as an

operating principle in Jewish law. In fact, the Talmud exclaims: "gedolah chazaka" – chazaka is a great and overriding principle of law. The basis for this halachic reliance on chazaka is found in this week's Torah reading.

One of the negaim described in this week's Torah reading is a type of nega that infects one's house. The kohein that inspects the house to determine if the nega has spread has to decide the issue upon the inspection of the premises. The Talmud asks that perhaps the nega spread or shrunk in the few seconds that it took the kohein to leave the house, for only then is he to render his opinion regarding the nega. Thus, any decision that he may make regarding the impurity or purity of the nega is not really provable in fact. The Talmud therefore resorts to the idea of chazaka – the presumption that whatever size the nega was an instant ago when the kohein inspected it is still the same size when he departs from the house.

Presumptions in life are valid. People are judged on their past behavior, on family history, on pedigree and on past experiences. It is foolish to ignore presumptions that are based on legitimate grounds. One cannot ignore the realities that stare one in the face even if those realities do not conform to one's ideology or wishful view of life. This applies in all areas of personal and national life. One cannot presume that one's child will turn out all right if he or she is not given the basis of a strong Torah education. There is a chazaka that speaks against such wishful thinking.

One cannot wish one's enemies away and become convinced that the tiger is no longer carnivorous. But the main lesson of chazaka is to be aware that human nature does not easily change and that what was is most likely what will be now as well. The lessons of Jewish history, of what works and what fails, form a strong presumption - gedolah chazaka. All of the "newness" of ideas in today's Jewish society has, in reality, existed before and failed to contribute to Jewish continuity and national strength and security. The past is a hard taskmaster and a coercive instructor with regard to current choices and where decisions are concerned. Ignoring the past and its chazaka is a perilous course, one that certainly should be avoided at all costs.

Shabat shalom.

Rabbi Berel Wein

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From: weekly-halacha-owner@torah.org on behalf of Jeffrey Gross [jgross@torah.org] Sent: April 26, 2006 7:06 PM To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Tazria-Metzora

WEEKLY-HALACHA FOR 5766

By Rabbi Doniel Neustadt

Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics.

For final rulings, consult your Rav

SHE'AILOS U'TESHUVOS

QUESTION: For those who began observing the sefirah restrictions on the second night of Pesach, is there any special dispensation to take a haircut or a shave on Rosh Chodesh Iyar when it falls on a Friday [and Shabbos] - as it does this year?

DISCUSSION: Mishnah Berurah,(1) followed by almost all of the poskim,(2) rules that when Rosh Chodesh Iyar falls on a Friday, it is permitted to take a haircut or a shave that Friday, even for those who are already in the midst of the sefirah mourning restrictions. This exception (which is for haircut and shaving only - not for other sefirah restrictions

such as listening to music) is permitted in honor of the double occasion of Shabbos and Rosh Chodesh.(3)

Mishnah Berurah, however, does not clearly address whether or not this also applies to those who follow the special restriction recorded in the Will and Testament of Rabbi Yehudah Hachasid never to take a haircut or a shave on any Rosh Chodesh throughout the year, even if Rosh Chodesh falls on Friday.(4) Other poskim, however, do discuss this issue directly: Some hold that Rosh Chodesh Iyar is an exception and permit taking a haircut or a shave on Friday, Rosh Chodesh Iyar;(5) others maintain that Rosh Chodesh Iyar is not an exception and is no different from any other Rosh Chodesh;(6) while a third opinion suggests that one should take a haircut or a shave on Thursday afternoon after chatzos.(7) One should consult his rav as to which opinion to follow.

QUESTION: Are there any restrictions against reciting the blessing of shehecheyanu during the mourning period of Sefiras ha-Omer?

DISCUSSION: The poskim agree that from an halachic point of view there is no reason not to recite shehecheyanu during the days of sefirah.(8) It is, therefore, permitted to eat "new" fruit in season and to buy new clothing or dishes during this time period.(9)

Still, there are communities where shehecheyanu is not recited during sefirah. Some communities are even stricter and refrain from buying new clothes during sefirah altogether, even basics which do not require the blessing of shehecheyanu. Since these restrictions have valid sources - some can be traced as far back as to the Rishonim(10)- they should be upheld by the communities or families whose traditions they are. But those who do not have these customs are not required to observe them, as the halachah makes no such stipulations.(11)

[One who was under the impression that it is halachically prohibited to recite shehecheyanu during sefirah, but learned subsequently that this is not the case, does not need a hataras nedarim in order to change his custom and recite shehecheyanu during sefirah.(12)]

Moving into a new house or apartment during sefirah is another case in point. According to the halachah, it is permitted to move during sefirah.(13) It is also permitted to paint or decorate one's home during sefirah.(14) But if one's family practice is to refrain from moving during sefirah,(15) one should follow the principle of not deviating from family custom, as is true in all matters of halachah.

Note: The above halachos apply only to the days of sefirah. During the Three Weeks, which take place before Tishah b'Av, the halachos are more stringent; see The Weekly Halachah Discussion, vol. 2, pg. 423-428.

QUESTION: Is there a source for the custom not to study Tanach at night? Is reciting Tehilim restricted as well?

DISCUSSION: In several Midrashim,(16) Chazal link the study of the Written Torah to the daytime and the study of the Oral Torah to the night. Based on these and other sources,(17) the Arizal (18) writes that only the Oral Torah should be studied at night and that the Written Torah must be studied by day only.

Among the latter poskim we find varying degrees of acceptance of the Arizal's ruling. Some poskim, especially those who follow Kabbalistic teachings, strictly adhere to it,(19) going so far as to say that it is a sakanah to veer from it.(20) Others accept it only as a chumrah l'chatchilah,(21) while yet others do not follow it at all.(22) As always, one should follow his family's custom on this issue, which is not a pure matter of halachah but of middas chassidus.

But even many of the communities who do follow the Arizal's ruling, do so with many exceptions. Thus we find in the poskim that:

* Women, children or adults who are unable to study the Oral Torah may study the Written Torah at night without restriction.(23)

* Only studying is restricted; pesukim which are said for the purpose of prayer or segulos are permitted. This includes Tehillim, Tikkun Chatzos, Viyten Lecha on Motzei Shabbos, etc.(24)

* The restriction does not apply when Tanach is learned with a tizbur.(25)

* The koreh may prepare his Torah reading at night.(26)

* The restriction does not apply on Thursday night,(27) Friday night and Motzei Shabbos until after Melaveh Malkah.(28) In addition, Yom Tov(29) and Chol ha-Moed(30) nights are excluded.

* When Tanach is studied with Rashi, it is considered as if one is studying the Oral Torah.(31)

QUESTION: Do small electric appliances that come into contact with food, such as a hot-water urn or a George Foreman grill, require tevilah?

DISCUSSION: Yes, they require tevilah and a blessing before the immersion.

Harav M. Feinstein(32) was of the opinion that only the part of the appliance which touches the food must be immersed. The outer casing, which houses the electrical element and does not come in contact with food, is considered a separate "vessel" and does not require immersion at all. Other contemporary poskim, however, do not agree with this approach and require that the entire appliance be immersed at one time.(33) [In order not to damage the appliance, it should be thoroughly dried (a blow drier is most effective for getting rid of any moisture) and not used for 72 hours after immersion. Our experience has been that if these instructions are followed, the immersion will not damage the appliances mentioned above. (34)]

Although some poskim have suggested that no electrical appliances need to be immersed because they can operate only if plugged in, rendering them "attached to the wall" and no longer in the category of "movable utensils(35)," this approach was not accepted by the vast majority of poskim and one should not rely on this leniency alone.(36)

FOOTNOTES:

- 1 O.C. 493:5.
- 2 A dissenting view is quoted by Kaf ha-Chayim 493:42.
- 3 If, for some reason, one will be unable to take a haircut or shave on Friday, it is permitted to do so on Thursday night.
- 4 As quoted by Mishnah Berurah 260:7.
- 5 Harav M. Feinstein (quoted in L'Torah V'horahah, vol. 2, pg. 20); Harav Y. Kamenetsky (Emes L'yaakov O.C. 260:1). Note, however, that even according to this opinion, only those who are already observing the sefirah restrictions may be lenient on Rosh Chodesh. Those who customarily begin sefirah restrictions on Rosh Chodesh should do so this year as well and take their haircut and shave on Thursday.
- 6 Harav Y. Y. Kanievsky (quoted in by Harav C. Kanievsky in Bein Pesach L'shavuos, pg. 246.)
- 7 Kaf ha-Chayim 493:47, quoting several poskim.
- 8 Mishnah Berurah 493:2 and most other poskim, quoted in Bein Pesach l'Shavuos 16:1.
- 9 Harav Y.S. Elyashiv (Mevakshei Torah, 19).
- 10 Rabbeinu Yerucham, quoted by Eliyahu Zuta 493:1; Leket Yosher, pg. 97, quoting Terumas ha-Deshen; Tzror ha-Mor, Parahsas Emor.
- 11 Ta'amei ha-Minghagim, pg. 251; Tosafos Chayim on Chayei Adam 131:12; Harav S.Z. Auerbach (Shalmei Moed, pg. 441).
- 12 Yechaveh Da'as 1:24.
- 13 Satmar Rav (quoted in Piskei Teshuvos 493, note 6); Harav Y.S. Elyashiv (Mevakshei Torah, 19); Tzitz Eliezer 11:41.
- 14 Yechaveh Da'as 3:30; Tzitz Eliezer 11:41
- 15 This custom is recorded in several sources; see Piskei Teshuvos 493, note 1.
- 16 See Pireki R' Eliezer 46, Tanchumah, Ki-Sisa 36 and Tana Dvei Eliyahu 2.
- 17 See Targum Eichah 2:19 and Ohr ha-Chayim, Devarim 32:2.
- 18 Quoted in Be'er Heitev O.C. 238:2.
- 19 See Birkei Yosef O.C. 238:2 and Kaf ha-Chayim 237:9.
- 20 Yesod V'shoresh ha-Havodah 6:2.
- 21 Sha'ar ha-Tziyun 238:1.
- 22 See Peri Megadim, Mishbetzos, O.C. 238:1 (quoted by Sha'ar ha-Tziyun 238:1) and Da'as Torah O.C. 238:2. Note also that Chayei Adam, Kitzur Shulchan Aruch and Aruch ha-Shulchan do not quote this ruling of the Arizal at all.
- 23 Levushei Mordechai, Tanyana, O.C. 186; Bayis Yisrael 35.
- 24 Eishel Avraham O.C. 238; Orchos Rabbeinu, vol. 1, pg. 97; Emes L'yaakov Y.D. 246, note 129.

- 25 Da'as Torah O.C. 238:2, quoting Avnei Tzedek Y.D. 102.
 26 Bayis Yisrael 35.
 27 Kaf ha-Chayim 237:9; Divrei Yatziv Y.D. 136.
 28 Da'as Torah O.C. 238:2.
 29 Rav Pa'alim 2:2.
 30 Levushei Mordechai, Tanyana, O.C. 186.
 31 Da'as Torah O.C. 238:2, quoting Avnei Tzedek Y.D. 102.
 32 Igros Moshe Y.D. 1:57-58.
 33 See Tevilas Keilim, pg. 206 and Chelkas Binyamin, Tziyunim 120:300 quoting several sources.

34 Concerning a toaster, however, some people claim that immersion ruins it even when it is thoroughly dried. Note, however, that Harav M. Feinstein (Igros Moshe Y.D. 3:24) maintained that a toaster is exempt from tevilah altogether. He explained that a toaster is not a utensil which is used to prepare [or serve] food; rather it is a utensil which enhances already prepared food. Thus it is not a klei seudah. Other poskim, however, do not agree with this leniency; see Tevilas Keilim, pg. 208.

35 See Chelkas Yaakov 1:126 and 2:61 who relies on this approach concerning immersion heaters but not for electric pots and pans. See also She'arim Metzuyanim B'halachah 37:7.

36 Igros Moshe Y.D. 1:57; Minchas Yitzchak 2:72; Minchas Shelomo 2:66-4; Harav Y.S. Elyashiv (Koveitz Teshuvos 1:3); Shevet ha-Levi 1:57-3, among others.

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Bar-Ilan University's Parashat Hashavua Study Center

Parashat Tazria-Metzora and Yom ha-Atzma'ut

Rosh Hodesh Iyyar 5766/ April 29, 2006

Rabbi Zevin and Yom ha-Atzma'ut

Dr. Aharon Arend - Department of Talmud

Since the early days of the State, rabbis have published articles about Israeli Independence Day and the proper way to mark the event. These articles reflect the attitude of their authors towards the establishment of the State of Israel and the proper halakhic way to relate to this fact.[1] In some cases, the sage in question did not relate directly to the subject, but his views may be discerned from his general Torah writings. One such case is that of Rabbi Shelomo Yosef Zevin (1886-1978) concerning Yom ha-Atzma'ut.

Rabbi Zevin was one of the Torah giants of the previous century. As a young man he served as spiritual leader in several Jewish communities in Russia. He immigrated to the land of Israel in 1935, and in 1942 began editing the Encyclopedia Talmudit, the work he conceived and brought into existence. His broad and orderly knowledge of the classic Jewish texts, acuity, and talent as a writer produced a series of books which became widely circulated and were in great demand: Ha-Mo'adim ba-Halakhah (Halakhah and the Festivals), Soferim u-Sefarim (Scribes and Scrolls), Ishim ve-Shitot (Famous Scholars and their Methods), and others.[2] Rabbi Zevin was a Chabad hassid and well-versed in hassidic literature; he was highly regarded in the ultra-Orthodox world and closely involved with religious Zionist circles. He did not publish an halakhic article or essay expressing his views on the establishment of the State or the proper character of Yom ha-Atzma'ut, but some of his ideas on these subjects can be gleaned here and there from his writings.

His views on the establishment of the State found expression in a short article which he published in 1948, which he signed "Ahad ha-Rabbanim" ["One of the Rabbis"]. In this article he came out sharply against a placard pasted up in the religious neighborhoods entitled Da'at Torah ("Torah Opinion") which had called on yeshivah students not to respond to the draft. Rabbi Zevin held that it is a religious obligation of yeshivah students to defend the country. He wrote, among other things, as follows:

The entire Jewish people in Israel and in the Diaspora, no matter of what circle or stripe, party or sector, understand full well that the Jewish community in the land of Israel and the communities remaining in the Diaspora can have no existence without the establishment of an independent state in our land that will take in with open arms our brethren who bleed from their wounds, wandering homeless over the soil of the Diaspora as it burns beneath their feet.

His positive attitude towards the establishment of the state found expression also at the end of this piece, in his remarks whether, in accord with the Shulhan Arukh, one should rend one's clothes in mourning upon seeing the cities of Judah lying in desolation (emphasis ours):[3]

Posekim (halakhic authorities) have written: The desolation of the cities of Judah is the fact that non-Jews rule over them. It turns out that with the liberation of the cities of Judah from gentile rule and the establishment of the State of Israel (how blessed are we to have had this good fortune!), one no longer need rend one's garments over those cities.

As a member of the Council of the Israel Chief Rabbinate from 1964, Rabbi Zevin participated in the council's deliberations concerning the observance of Yom ha-Atzma'ut and expressed his opinion regarding the details of several customs and rules of halakhah. For example, he held that one should not recite the psalm for the Sabbath day (Ps. 92) in the morning hymns (pesukei de-Zimra) on Yom ha-Atzma'ut.[4] Rabbi Zevin also responded to the query of a member of Kibbutz Alumim on whether or not to recite Hallel with a blessing on the morning of Yom ha-Atzma'ut.[5] His response was:

Even though in my opinion whatever one does in this case is correct, nevertheless since the Chief Rabbinate in its time ordained that on Yom ha-Atzma'ut one should recite Hallel without a benediction, that is what one should do.

Explicit remarks of his concerning Yom ha-Atzma'ut appeared in two weekly magazines. An issue of Mahanayim, a weekly for religious soldiers, that appeared before Yom ha-Atzma'ut 1959, published his response to the editor's question, how can we give religious significance to Yom ha-Atzma'ut.[6]

The existence of an independent State of Israel is a wondrous miracle and is considered the most important event in all of Jewish history in recent generations. Nevertheless, I am not inclined to express my opinion whether the rebirth of Israel marks the beginning of Redemption. We are not party to the Lord's secrets and we have no notion of the Lord's Redemption that awaits us in the future. Thus it would be foolish to say that the rebirth of Israel in its land, as expressed in the Bible, is fulfilled in the Redemption of Israel at present. Because independent Jewish sovereignty is undeniably a marvelous thing to behold, we are commanded to give thanks and praise to G-d. Whoever does not do so is as one who denies the lord's beneficence.

This rejoicing that we are commanded, however, must stem from Jewish law and tradition, and should find its expression as such. The customs of eating matzah and various weeds (in commemoration of the residents of Jerusalem who ate weeds during the siege on the city)[7] are no more than a parody of the Shulhan Arukh.

Midrash Rabbah on Exodus 23 says: "They said' (Vayomru lemor): We shall say to our children, and our children to their children, that they should sing such a song as this [the Song at the Sea] to You when You do miracles for them." And the baraita in Megillat Ta'anit, ch. 9, says: "Why did they see fit to recite the entire Hallel in the month of Kislev, during the eight days of Hanukkah? It is that every time the Holy One, blessed be He,

delivers Israel they greet Him with song of adulation, praise and thanksgiving, as it is written: 'They sang songs extolling and praising the Lord' (Ezra 3:11)."

Accordingly we are obliged to recite the Hallel and to have a festive meal. We should make Yom ha-Atzma'ut a day of thanksgiving to the Lord, a day of festive rejoicing that bears the mark of our tradition. In my opinion one ought to emphasize that Israel's independence is divinely miraculous; there is no place for the illusion that our own might and strength brought about this State. Hence it is to be hoped that in the fullness of time celebrations of Yom ha-Atzma'ut that have a character of sanctity drawing on sources of Torah will spread among the public at large.

The idea expressed here, shared by many national-religious Jews, is that the establishment of the State of Israel was a religious event in which G-d's role is evident, but there is no assuredness that this marks the beginning of Redemption. Rabbi Zevin viewed Yom ha-Atzma'ut as a day of thanksgiving to G-d, which helps ward off any thought that the state came into being by virtue of our own might; he held that reciting Hallel and having a festive meal are obligatory. His ideas were presented again, a year later, with minor modifications, this time in the weekly, *Panim el Panim*.^[8]

There, too, he sharply criticized certain practices, especially the *Tikkun le-Yom ha-Atzma'ut* edited by Rabbi Moshe Tzvi Neria several years earlier:

It is not for us to establish religious practices. All the "rituals" held by us on this day are nothing but artificial and ceremonious. The attempts to compose a *Tikkun le-Yom ha-Atzma'ut* and institute various customs are simply ridiculous. It truly makes a laughing-stock and parody of the *Shulhan Arukh*. It is worse than *Masekhet Purim*,^[9] for this tractate was written from the outset for jest and fun, whereas the *Tikkun Yom ha-Atzma'ut* was written with serious intention, but has become a parody and derision.

This argument, which had previously been voiced by members of the religious kibbutz movement, on the one hand, and *Neturei Karta* [ultra-Orthodox, who do not acknowledge the State of Israel], on the other, stems from the fact that this *tikkun* draws on customs from other Jewish holidays.^[10]

On Yom ha-Atzma'ut Rabbi Zevin customarily prayed at Beit Yehudah, the synagogue in the Rav Kook Institute where Rabbi Judah Leib Maimon regularly prayed, and there he heard Hallel recited with a benediction as well as *Sheheheyanu*. I heard that Rabbi Zevin did not himself say a benediction over Hallel (for the reason mentioned above), but only listened to the benediction, since in his opinion one ought to make a distinction between personal practice and general directives given the Jewish people at large, which can be issued solely on the authority of the Chief Rabbinate.^[11] Occasionally Rabbi Zevin delivered a short sermon there upon conclusion of the service, and occasionally he spoke about Yom ha-Atzma'ut on the radio program, *Kol Zion la-Golah* ("Voice of Zion to the Diaspora").^[12] In his own home he generally held a festive dinner and put an Israeli flag on display.

In conclusion, Rabbi Zevin was of the opinion that Yom ha-Atzma'ut should be celebrated by reciting Hallel and feasting, but that artificial practices drawn from other holidays should not be adopted. Several of his works are devoted to the Jewish holidays: *Ha-Mo'adim ba-Halakhah*, *La-Torah ve-la-Mo'adim*, *Sippurei Hassidim*: *Mo'adim*, and a few chapters in *Le-Or ha-Halakhah*; none of these books mention Yom ha-Atzma'ut. One can only speculate why – perhaps because he wished to focus solely on ancient holidays, or perhaps because he had a broad target audience in mind, or perhaps for some other reason.^[13] Clearly, however, the reason was not that he did not view Yom ha-Atzma'ut as a special day with religious significance.

[1] Cf. A. Arend, *Pirkei Mehkar le-Yom ha-Atzma'ut* (hereafter: *Pirkei Mehkar*), Jerusalem 1998, pp. 12-23.

[2] On his life and literary teaching see J. Hutner, "Zevin, S. J.," *Encyclopaedia Judaica*, Vol. 16 (1971), col. 1005-1006; R. J. Hutner, "Ha-Gra S. J. Zevin z"l ke-

fothah shel tekufa be-sifrut ha-halakhah," *Encyclopedia Talmudit*, 16 (1980), pp. 11-22.

[3] Rabbi S. J. Zevin, *Ha-Mo'adim ba-Halakhah*, Jerusalem 1955, p. 371. Also see note 11, below, and see as well, *Le'Or ha-Halakhah*, p. 65: "In our days, we who have had the good fortune to witness the rebirth of an independent state of Israel, free of foreign rule and released from exile. . . ."

[4] Cf. R. S. Katz, "Ha-Rabbanut ha-Rashit ve-Yom ha-Atzma'ut," in *Ha-Rabbanut ha-Rashit le-Yisrael Shiv'im Shanah le-Yisudah* (ed. E. Wahrhaftig and R. S. Katz), Jerusalem 2002, p. 896. For his views on appropriate customs to be observed on Jerusalem Day, see *ibid.*, pp. 971-974.

[5] The responsum is to be found in the archives of Chief Rabbi Nissim. It dates from 1968.

[6] A weekly that was published from 1953-1960 by the IDF Rabbinate and sometimes contained answers by rabbis and intellectuals to questions of the day that the editorial board raised: attitudes towards a unified prayer book, science and religion, the re-awakening of Hassidism in our times, the dangers of television, etc. The passage below is from *Mahanayim*, vol. 6, issue 25 (4 Iyar 1959), p. 4.

[7] Cf. *Pirkei Mehkar*, pp. 93-96.

[8] S. Shamir, "Zeh ha-Yom," *Panim el Panim*, 52, 2 Iyar 5720 (1940), pp. 8-9. There he is quoted as saying: "One or the other. Whoever thinks that the establishment of the State was a misfortune, ought to fast on the Day of Independence; and whoever thinks it was an act of deliverance, ought to give thanks to the Lord."

[9] A parody of the Talmud, intended as a satire for Purim.

[10] Cf. *Pirkei Mehkar*, pp. 74, 88. However, there are those that claimed that the prayer book is also an anthology of passages from Scripture, the writings of the Sages, liturgical piyyut, and more, and the fact that the prayer service for the Day of Independence was composed of prayers taken from the Sabbath and Festival services is indeed appropriate to the nature of the prayer book. See J. Tabory, "The Prayer Book (*Siddur*) as an Anthology of Judaism," *Prooftexts* 17 (1997), pp. 115-132.

[11] In *Panim el Panim*, loc. cit., p. 9, there is a photograph of Rabbi Zevin standing in prayer beside Rabbi Maimon on the Day of Independence. His grandson, Rabbi N. Zevin, told me that his grandfather believed one ought to recite Hallel without a benediction, but that he had had to choose between two options: either to attend services in his own community, where Hallel was not recited at all, or to go to the synagogue of Rabbi Maimon, where Hallel was recited with a benediction, and he preferred the second option.

[12] Rabbi N. Zevin relayed the gist of one of the sermons to me: in the splitting of the Red Sea the Israelites experienced a great act of deliverance, yet it is not written that they sang songs of praise forthwith; only after it is said that they "had faith in the Lord and His servant Moses" did they sing: "Then Moses and the Israelites sang this song to the Lord." From this we conclude that only if the miraculous event leads to faith is one to sing. Moreover, in every miracle one ought to see the hand of G-d and then to sing the Lord's praises.

[13] On the tendency of certain religious literature to refrain from mentioning Yom Ha-Atzma'ut cf., for example, *Pirkei Mehkar*, pp. 18, 32; A. Arend, "Pirkei Mehkar le-Yom ha-Atzma'ut – Hashlamot," *Derekh Ephrata* 8 (1999), p. 114; Arend, "Tzitzim u-Ferakhim al Yom ha-Atzma'ut," *Kovetz ha-Zionut ha-Datit* (ed. S. Raz), Jerusalem 2001, p. 655. One of the printers of *Ha-Mo'adim ba-Halakhah* omitted the words, "How blessed we are to have had this good fortune!" which we cited above, n.3. Last Update: April 25, 2006