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INTERNET PARSHA SHEET ON BAMIDBAR / SHAVUOS - 5785

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"RavFrاند" List Rabbi Frاند on Parshas Bamidbar 5756

Legacy from Yaakov Avinu: Maintaining Civility In Times of Duress
There is an interesting Medrash on this week's Parsha: When G d said to Moshe Rabbeinu, "Make them 'Flags' as they desire", Moshe began to complain. Moshe said, "Now there will be divisions and disputes between the tribes".

In other words, Moshe reasoned, "Once I start dividing and specifying who travels in the East and who travels in the West, who is in front and who is in back, I know what's going to happen people are going to start arguing. If I tell the tribe of Yehudah, they should travel in the East, they will come back and say they want to travel in the South; and so too with the tribe of Reuvain, and the tribe of Ephraim, and so forth with each of the tribes. What am I going to do? I know there's going to be machlokes."

G d responded to Moshe, "Moshe, what are you worried about? They know their proper places by themselves. This has all been previously worked out; there is a system that they received from Yaakov Avinu regarding how to camp by 'flags'."

How did they get this system from Yaakov Avinu after all, Yaakov died long before their current travels in the Wilderness?

The answer is that the Tribes were to circle the Mishkan now, in the exact formation in which they circled the coffin of Yaakov when they returned his body from Egypt to the Land of Israel for burial. Yaakov gave this formation to his sons as part of his death bed instructions: Yehudah, Yissachar, and Zevulun will carry my coffin from the East; Reuvain, Shimeon, and Gad will carry it from the South; Ephraim, Menashe, and Binyamin will carry it from the West; and Dan, Asher, and Naftali will carry the coffin from the North.

Therefore, G d told Moshe Rabbeinu that the travel formations around the Mishkan are already all worked out. There is no need to worry about fights or about Machlokes.

Rav Mordechai Rogov, z"l, a Rosh Yeshiva in Skokie, interpreted this Medrash as follows:

It is the nature of people to act with civility and treat each other with respect when things are all right and secure. However, when people are thrown into conditions of danger and insecurity, into conditions of duress and of pressure, then, those niceties of humanity and civility begin to decline. Moshe Rabbeinu was worried that he was facing a situation of traveling with Klal Yisroel in the Wilderness; a dessert lurking with danger, with the possibility of attacks from animals and enemies. Even though they were being protected, they still felt themselves to be constantly in a place of danger. Moshe feared that Klal Yisroel would deteriorate in terms of their menschlichkeit and in terms of how they would treat one another. When people are forced into such a situation they begin to lose the manner of humanity (tsuras haAdam). It is one thing to walk around with a veneer of humanity now, but what of times of war, of famine, of danger? This was Moshe's worry.

G d's response was they have a heritage from the Patriarch Yaakov, that people under duress and under tough times and in times of danger can still act with humanity. Because, at the time when their father was about to die, during the time of the personal tragedy of losing a Yaakov Avinu, he taught them and gave over to them a lesson.

Yaakov Avinu taught them a lesson that they would take with them not only on that occasion but for thousands and thousands of years. The lesson that Yaakov taught them is how a Jew should act in times of Tsores; how a Jew should act in times of pressure.

This is what the Medrash is teaching. Not just that Yaakov taught them how to position themselves geographically around his coffin. Yaakov Avinu, knowing that there would be pogroms and inquisitions and concentration camps, knew that he had to teach his sons that Klal Yisroel must know how to act with humanity (tsu zein a mensch) even under the worst of circumstances. This is what G d reassured Moshe Rabbeinu that Klal Yisroel learned from no less a personage than Yaakov Avinu how a Jew has to act in times of tsores.

I am sure we have all heard the stories and there are not only hundreds, there are thousands of stories about the Holocaust. There are many stories about people who were treated like animals, who were treated worse than animals, yet they did not lose their humanity; they did not lose their civility. When they were treated like animals, they nevertheless acted like Angels. There are many stories about what Jews did on Yom Kippur and on Chanukah and how they exhibited self sacrifice. However, one simple story about one simple Jew, seems to me, to tell it all. The story did not take place at Neilah or on Yom Kippur; it was not on Rosh Hashanah, but on an ordinary, regular day.

It is a story about a Jew who writes that bread in the concentration camp was not only a scarce commodity, it was a commodity that consumed all their thinking hours: Should one eat the bread right away or should one save it and eat it in nibbles? Should one eat it right away or should one eat it at the end of the day when they would be tired and hungry so they could fall asleep. Should the bread be eaten all at once or should it be rationed so it could be eaten all throughout the day? Chakiras and Derishas about a piece of bread! This is what a piece of bread meant literally life!

A Jew who survived writes that he was in a camp and was given an order to see the Commandant of the camp, which meant only one thing his time was up.

What did a Jew do when he knew his time was up? First of all he recited Vidui and he made peace with his Maker. Then he would exchange his clothes with another person. He would give his shoes to someone else who had tattered shoes, knowing that he would not need his own much longer. He took off his better winter coat and gave it to someone else, because he knew that he would have no need for it. And that precious piece of bread that he had saved the entire day, he gave to another Jew who was weak and half starved and could so dearly use another piece of bread.

He went to the Commandant and as Providence would have it, he wasn't killed. He came back to his camp. They were all elated to see him and the person who took the piece of bread said, "Here, take back your piece of

bread you have to eat it; I can't take it anymore you are still among the living, not among the dead".

Where does a Jew get the strength, that under such situations, when he is treated worse than an animal, he still acts like an Angel?

This is the tradition that we have from the Patriarch Yaakov. When Yaakov told them how to carry the coffin he was giving them guidance how to always conduct themselves even in moments of extreme pain and distress not only then, but for all the bitter days of Exile. This is what G d reassured Moshe Rabbeinu: You don't have to worry about Klal Yisroel about how they are going to act in the Wilderness because they have a legacy they received from the Patriarch Yaakov.

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date: May 29, 2025, 1:44 PM

subject: Reading Bamidbar Before Shavuot: Names and Also Numbers
Reading **Bamidbar Before Shavuot: Names and Also Numbers**
Rabbi Daniel Z. Feldman

Parshat Bamidbar creates an unusual impression right from its first aliyah, which is largely a recitation of names (presenting both benefits and challenges in the fulfillment of Shnayim Mikra V'Echad Targum). This opening, seemingly a simple census, carries a deeper resonance, particularly in its placement before the upcoming festival of Shavuot.

Parshat Bamidbar is traditionally read at this time, as the Tur (OC 428) notes, providing a mnemonic phrase: "menu v'atzru", meaning menu, referencing counting, should always precede Shavuot, which is referred to as Atzeret, hence 'atzru'.

R. Yerucham Leiner of Radzin, in his Tiferet Yerucham (quoted in Pardes Yosef HaChadash), interprets this mnemonic as akin to taking attendance, ensuring that everyone is present and accounted for before the momentous occasion of Shavuot. This highlights the profound importance of the unity of the Jewish people as integral to the entire process of receiving the Torah and the spiritual preparation for Shavuot, as evident in the Torah's phrasing "for on the third day God will come down in the sight of all the people (kol hamam)", which the midrash understands to indicate that the Torah could not have been given had any of the Jews been missing (Mekhilta Yitro ch. 3). The memorable phrase "as one person with one heart" (Rashi Ex. 20:2, citing the Mekhilta) expresses this foundational unity.

The strategic placement of Bamidbar before Shavuot also serves a spiritual purpose, as related by the Talmud (Megillah 31b), to relegate the klalot (curses) of the previous week's Torah reading to the past, in the spirit of "let this year end together with its curses, and let the new year begin with its blessings". This parallels the tradition of reading Parshat Ki Tavo, with the harsh admonitions and warnings, before Rosh Hashanah, effectively consigning the troubles of the past year to oblivion. So too, Bechokotai, with its similar content, should be read before Shavuot. This suggestion, as the Talmud notes, contains the striking implication that Shavuot is comparable to Rosh HaShanah as a starting point for a new year. This perspective suggests that the period before and after Shavuot can even be viewed as distinct spiritual "years." Indeed, Shavuot itself is regarded as a form of renewal, marking a redefining moment for the Jewish people through the reception of the Torah.

To extend the parallel between these two "fresh starts" for a year, it is notable that Rosh HaShanah does not come immediately after Ki Tavo. Nitzavim is inserted between them. In fact, Nitzavim and Vayeilekh actually constitute one combined parashah (Sefer HaEshkol, p. 170) but they are nonetheless sometimes separated, despite their brevity. R. Nissim Gaon, (cited in Tosafot, Bava Batra, 88b) asserts that this, as indicated by the Talmudic statement noted above, is to consign the curses read in the parashah to the previous year by reading them before Rosh HaShanah. The

Ri, however, disagreed that anything in Parashat Nitzavim could rise to the level of "curses" and thus explained that Nitzavim is read to allow an entire parashah to interrupt between the curses of Ki Tavo and the new year. The Gerrer Rosh Yeshiva, R. Yitzchak Flesker (quoted in Pardes Yosef HaChadash to Nitzavim), observed that it is not the mere spacing that accomplishes the effect; rather, it is the message of the parashah: "Atem Nitzavim kulchem, you are all standing here today" - it is the theme of unity that breaks the pattern and allows a new year of blessings to replace the old one.

A comment of R. Natan Gestetner in his L'Horot Natan is an important qualifier to this idea. The verse later on in Nitzavim (29:18) teaches that there may be one who hears the warnings and nonetheless thinks "shalom yihyeh li". R. Gestetner suggests that this is a reference to one who is aware that shalom is a powerful force for forgiveness. Accordingly, he attempts to manipulate it, cynically, pretending to act harmoniously without any genuine effort at repentance, and assumes that that will bring him absolution. Such an insincere ploy will be useless. It is only a sincere effort at genuine harmony that will be effective towards forgiveness.

Similarly, the concept of having Bamidbar between Bechokotai and Shavuot serves as a crucial transition into a new year. It signifies a profound shift, with elements like unity and peace acting as a form of atonement, a transformative experience that allows Shavuot to itself transform a year in progress into something new.

This concept is discussed by R. Tzadok HaKohen of Lublin in his Pri Tzadik. He notes that the book of Bamidbar contains two counts, one at the beginning, to mark those who left Egypt, and another in Parashat Pinchas, regarding the division of the Land. The midrash (Num, Rabbah ch. 2) observes that these counts are distinguished from other counts of the Jewish people in their specificity, and will be joined by a third count in the Messianic Era, "sheep shall pass again under the hands of the One who counts them" (Jeremiah 33:13).

The first count, suggests R. Tzadok, is to convey the importance of the Written Torah to the Jews who would come to Sinai, and the second is to do the same for the Oral Torah, represented by the leadership of Joshua who "received" the Torah from Moses. The third count of the future, then, is when all that was hidden will be clarified, and the world will be filled with light and knowledge (Is. 11:9), and the purpose of all we have gone through will be revealed. Apparently, it is awareness of all of these integrated themes that prepares us for the full experience of Shavuot.

The concept of counting is central to the "Book of Numbers", a nomenclature that is not only used in non-Jewish sources, but rather reflects the rabbinic language of Chumash HaPekudim. This presents a fascinating tension with the general prohibition against directly counting Jews, as stated in the Talmud (Yoma 20b). Counting can be perceived as dehumanizing, reducing unique individuals to mere statistics. Yet, it can also symbolize a profound connection to the totality of the Jewish people, underscoring the importance of each person being an integral part of a larger, unified entity. The delicate balance between counting and not counting is extensively debated in halakhic literature, with discussions on the permissibility of a census often contingent upon a justified purpose (tzorech).

Rabbi Betzalel Rudinsky, referencing Rabbi Yaakov Kamenetzky's commentary on the Torah, highlights how the establishment of each shevet (tribe) with its own distinct degel (banner) emphasized their unique individuality. However, this individuality only finds true expression within a unifying context, such as the Mishkan (Tabernacle), which allows distinct identities to contribute to a larger, shared mission. An analogy can be made to different body parts, each with unique functions but only able to operate as part of the whole body. Counting the tribes in Bamidbar serves to acknowledge their individuality as components of a larger unit, without diminishing their identity to mere numbers.

The Torah's repeated enumeration of the same numbers, despite being identical, highlights the miraculous preservation of the population, with no deaths occurring during the counting period as Nachmanides notes. This miracle emphasizes God's divine plan for the shvatim, meticulously

preserving their composition and identity until they could fully establish their distinct functions (see K'Matar Likchi). This reflects the broader theme of counting: maintaining a delicate balance between recognizing individuality and preserving unity, a crucial aspect both philosophically and halachically. Individual differences and unique circumstances are not merely incidental; they are essential for personal growth and the accomplishment of one's unique purpose, just as each shevet required its distinct context to fulfill its role. The challenges and constraints inherent in one's situation are Divinely orchestrated to help maximize individual potential and fulfill a unique task. Adapting to these circumstances and embracing challenges are therefore critical for growth and development.

The desert (midbar) is a potent image in the opening of Sefer Bamidbar, intrinsically linked to the giving of the Torah (and giving the parashah and the sefer their commonly used Hebrew name). Building on the imagery, the Midrash describes the Torah as being free, but also requires one to make themselves "ownerless" (hefker)—to empty themselves—in order to be fully taken over by it. The Sefat Emet and R. C. Y. Goldvicht draw a crucial distinction between simply learning the Torah, which is freely accessible, and acquiring (koneh) the Torah, which demands immense effort and profound commitment. Acquiring the Torah is not about relinquishing oneself, but rather about developing and maximizing one's unique attributes and potential through humility and unwavering devotion.

Mount Sinai, from which the Torah was given, is notably a humble mountain. R. Yitzchak Blazer, in his introduction to his Responsa, Pri Yitzchak, points to a seeming contradiction: the Torah is described as both a gift (mi'midbar matanah) and a purchase (lekach tov). This paradox highlights that the acquisition of Torah necessitates a joint effort between the Divine (HaKadosh Baruch Hu) and human endeavor. Humility is crucial for correct interpretation and effective internalization of the Torah. While everything in life requires a combination of Divine assistance (siyata diShmaya) and human effort, this is particularly true for Torah study. Despite this emphasis on personal striving, siyata diShmaya remains undeniably necessary, as reflected in our daily prayers.

Shavuot is a time to rekindle the excitement of the Torah and reignite our passion for learning, reliving the experience of Ma'amad Har Sinai and its associated emotions. The Magen Avraham emphasizes the importance of fulfilling the mitzvah of remembering Ma'amad Har Sinai, and that Shavuot plays a crucial role in reinforcing this excitement and awareness in our continuous learning.

The Talmud debates whether a Festival should be devoted purely to spirituality or a combination of spirituality and personal needs. However, there is universal agreement that Shavuot specifically demands an element of celebration. The custom of staying up all night on Shavuot encapsulates this unique blend of learning and excitement, creating an experiential event that incorporates both intellectual exertion (yegiah) and the joyous celebration that comes through emotional devotion.

The overarching themes of Sefer Bamidbar and Parshat Bamidbar, including the imagery of the desert and the concept of counting, are intricately connected to Shavuot and the profound importance of recognizing individuality within a national mission. Counting, much like Sefirat HaOmer, transcends mere numbers. It is about perceiving each individual as part of a larger context and a cohesive whole, and recognizing the crucial significance of each person's unique contribution.

The Sefat Emet offered an interpretation of Hillel's statement in the Mishnah, ""If I am not for myself, who will be for me? But if I am only for myself, what am I?" This teaching, as he understood it, emphasizes the importance of both individuality and personal responsibility, affirming that no one else can develop our unique personality or make the distinct contributions that we can.

We are called to recognize our individuality and personal responsibility while simultaneously understanding our indispensable role within the larger community. The mishnah emphasizes the critical balance between self-awareness and personal growth, and the acknowledgment of our unique contributions to the community. The question becomes, "If I was doing that

just for myself, for my own purposes, then what kind of an accomplishment is that?" and powerfully highlights the imperative to consider the greater good. This delicate balance between individuality and communal responsibility, alongside the interplay between recognizing the Torah as a Divine gift and our own arduous labor to make it meaningful, forms a central theme. An acute awareness of these balances is vital to honoring them and ultimately reaching our full potential, both as individuals and as a community, bringing us to accept the Torah and its mission, fully prepared. RIETS Bella and Harry Wexner Kollel Elyon Substack is free today. But if you enjoyed this post, you can tell RIETS Bella and Harry Wexner Kollel Elyon Substack that their writing is valuable by pledging a future subscription. You won't be charged unless they enable payments.

From: **Josh Rapps** <jr@sco.COM> mj ravtorah@shamash.org
Date: 1998

Shiur **HaRav Soloveichik ZTL on Mattan Torah** (Shiur date: 6/6/1978)
Parshas Shemos (Chapter 24) relates how HaShem told Moshe to climb the mountain alone and how Moshe told the people the words and laws of HaShem and how all the people answered (Vayaan Kol Haam Kol Echad) with one voice "All the things that HaShem has spoken we will do". The Torah relates that Moshe brought sacrifices on behalf of the people and he sprinkled them with the blood of the sacrifices after telling the people Sefer Habris and the people answered Naaseh Vnishma.
[The Rav noted that on Rosh Hashonah, the blessing of Malchios concludes with M'loch Al Kol Haolam Kulo Bchvodecha. The word Kulo seems superfluous. The Taz says that it adds emphasis to underscore that we do not mean Rubo K'kulo (majority == totality), rather we insist that ALL of creation recognize HaShem, we do not "round up". Similarly, ALL the people answered in unison that they will do all that HaShem commands them.]

The Gemara (Krisus 9a), (echoed by the Rambam) that the laws of conversion were learned from this chapter at the end of Mishpatim. Moshe converted the Jewish People at Sinai, similar to a gentile converting nowadays. Why did they require conversion, after all Avraham Avinu was a convert? Wherever they became obligated with new Mitzvos, they had to renew the Kedushas Yisrael and required a new conversion. At Mount Sinai, where they received all of Torah, they had to undergo conversion. The Ramban says that there was also a conversion in Egypt, where they received the obligation of Pesach. The mothers also underwent conversion, Tevila, prior to the Korban Pesach while the men underwent circumcision and immersion. Since all of Torah was given at Sinai, that marked the final conversion for the Jewish People.

We read the story of Ruth on Shavuot, because it is one of the 2 places in Tanach where the story of conversion is mentioned. Mishpatim mentions Hartzaas Damim, the requirement to bring a sacrifice and to undergo the circumcision and immersion aspects of conversion. Ruth mentions Kabbalas Mitzvos and Onshim. Ruth is the Megila of conversion, and Mattan Torah was the mass conversion of the Jewish nation, hence it is appropriate to read these on Shavuot.

Did the conversion take effect before or after Mattan Torah? There is no mention of the official process of conversion undergone by Bnai Yisrael in Parshas Yisro. Rashi (24:1) says that the events of the end of Mishpatim were given on the fourth of Sivan before Mattan Torah. When the Jews approached Sinai on the sixth they already were converted. According to the Ramban (24:1) the events at the end of Parshas Mishpatim took place on the seventh of Sivan. Immediately after the Asseres Hadibros, HaShem gave Moshe the laws of Parshas Mishpatim and then the Jews went through the conversion process.

One question on the Ramban: Mattan Torah was given to a group that were not yet Jews, since they had not yet gone through the conversion process. Also, an uncircumcised person may not enter the Mikdash, so how could these people have stood around Sinai, which had a law of Mikdash, prior to their conversion?

According to the Rav, Rashi and the Ramban agree when they were Niskadesh Bkdushas Yisrael. Kdushas Yisrael took effect through Giluy Shechina. When HaShem revealed Himself at Maamad Har Sinai and said Anochi, Bnay Yisrael were sanctified with Kdushas Yisrael. As seen from the blessing of Shofros on Rosh Hashonah, there were 2 purposes to Mattan Torah: 1) Giluy Shechina which was Mkadesh the people and 2) to teach them Torah. After all, if not for these 2 purposes to Maamad Har Sinai, why have the people encircle the mountain? HaShem could have simply given the Torah to Moshe and he would have relayed it to Bnay Yisrael. They had to be there in order to partake of the Giluy Shechina and the Kedushas Yisrael that it imparted to them. This is why Moshe said that on the third day HaShem will descend upon the mountain before the eyes of the entire nation, to allow the Giluy Shechina to impart the Kedushas Yisrael. In Devarim (4:9), Moshe tells the people to be careful not to forget what they saw with their eyes at Sinai, or to remove from their hearts what they learned at Sinai. Moshe is reminding them of the dual aspects of Maamad Har Sinai: the Giluy Shechina that imparted Kedushas Yisrael and the Torah that HaShem taught them.

The blessing of Ahava Rabbah recited daily stresses that HaShem taught us Torah at Har Sinai. Ahava Rabbah does not stress the Giluy Shechina. On Rosh Hashona we stress the Giluy Shechina in the blessing of Shofros, to underscore the divine revelation that happened at Sinai and that it will happen again in the days of the Messiah. We emphasize that Shofros is the Bracha of Giluy Shechina that was Mkadesh the people at Sinai when HaShem said the Asseres Hadibros. Therefore according to both Rashi and the Ramban the people were converts at the time of the Asseres Hadibros through the Giluy Shechina.

According to Rashi the process of conversion began on the fourth of Sivan, when they underwent the Milah (circumcision), Tevila (immersion) and Hartzzaas Damim (sprinkling the blood of the sacrifice) noted at the end of Parshas Mishpatim. On the sixth of Sivan, when HaShem announced the first commandment, they underwent Kabbalas Hamitzvos for ALL Mitzvos HaShem. This was Mkadesh the people. As Rashi and Rabeinu Saadiah Gaon say, the Asseres Hadibros are the principles from which all 613 Mitzvos are derived. At that time the Kabbalas Kol Hamitzvos applied to all Yisrael. According to Rashi, the conversion started on the fourth of Sivan, but the Chalos Hageirus, the fulfillment of the conversion, occurred with the Giluy Shechina at Mattan Torah on the sixth, when they received additional Mitzvos.

However according to the Ramban, if the Jews were sanctified as converts with the Giluy Shechina on the sixth of Sivan, why did Moshe have to put the people through the conversion process of the seventh of Sivan that is described at the end of Parshas Mishpatim?

The Rav answered that circumcision and immersion and offering the Korban are not only Meakev in the Geirus, rather there is a mitzva on the Ger to do all these things. There is a Machlokes in Yevamos if a Ger that does one (Tevila or Mila) but not the other qualifies as a Ger. The Ger that has circumcision is not complete until he undergoes immersion. The fulfillment of all the ceremonies of Geirus is both a Meakev (without which the process is incomplete) and a Kiyum (a fulfillment of the Mitzva of Geirus) that the Ger is now obligated to perform. Mattan Torah imbued the people with Kedushas Yisrael. But there was still an obligation to fulfill all the aspects of Geirus and to perform the rest of the process of Milah and Tevila and Korban. This happened on the seventh of Sivan. According to Rashi and the Ramban, Kedushas Yisrael occurred at Maamad Has Sinai, it is impossible to believe that they were Jews before Sinai. According to Rashi, Maamad Har Sinai completed the Geirus process that began on the fourth of Sivan with Milah, Tevila and Hartzzaas Damim (Korban). According to the Ramban, Moshe completed the Kiyum Geirus on the seventh.

A convert must achieve two attributes of conversion. 1) To be sanctified with Kedushas Yisrael. 2) A ger must enter the covenant of HaShem, Krisas Bris. In Parshas Bchukosai we mention the Bris HaShem at Har Sinai, which took place on the seventh of Sivan (according to the Ramban). The Ger must fulfill the obligations that the Jews took at Sinai. He must experience the

Kdushas Yisrael attained at Sinai on the sixth of Sivan. He must also enter Krisas Bris through Tevila, Milah and Hartzzaas Damim, just like the Jews did on the seventh of Sivan (according to the Ramban). The Braysa says that the Jews entered the Bris HaShem through Milah, Tevila and Korban. We add that the same applies for all future genres so that nowadays we require that the Ger first undergo the Milah and Tevila (which both facilitate Geirus and fulfill the Mitzvas Hager) and then accept upon himself the obligations of Mitzvos (Kabbalas Ol Mitzvos) to enter the Bris HaShem. According to the Ramban, at Har Sinai the order was reversed. First they underwent Kabbalas Ol Mitzvos by obligating themselves to do (Naaseh) all that HaShem has commanded them through the 10 commandments and the laws of Parshas Mishpatim, and then they performed the acts of Geirus.

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weekly halacha@torah.org Parshas Bamidbar Shavuos: Morning Blessings By **Rabbi Doniel Neustadt** A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

BIRCHOS HA SHACHAR ON SHAVUOS MORNING The widespread custom of staying awake the first night of Shavuos to study Torah presents a halachic problem what to do about four of the morning blessings, Birchos ha shachar, which cannot be recited unless one slept during the night. The other sixteen blessings may be recited as usual(1), but the following four blessings present a problem:

AL NETILAS YADAYIM The Rishonim offer two basic reasons for the Talmudic law(2) of washing our hands in the morning and then reciting the proper blessing: The Rosh tells us that washing is necessary because a person's hands move around in his sleep and will inevitably touch some unclean part of the body. The Rashba says that since each one of us becomes a biryah chadashah a "new person" each morning, we must sanctify ourselves anew in preparation to serve Hashem. This sanctification is similar to that of a kohen who washes his hands before performing the avodah in the Beis ha Mikdash. [In addition to these two reasons, there is still another reason for washing one's hands in the morning because of ruach ra'ah, the spirit of impurity that rests on one's body at night and does not leave the hands until water is poured over them three times(3). Indeed, touching various limbs or organs of the body is prohibited before hand washing, due to the danger which is brought about by the spirit of impurity(4). This third reason alone, however, is insufficient to warrant a blessing(5), since a blessing is never recited on an act which is performed in order to ward off danger(6).] Does one who remains awake all night long need to wash his hands in the morning? If we follow the Rosh's reason, then washing is not necessary, for as long as one remains awake he knows that his hands remained clean. If we follow the Rashba's reason, however, washing may be required, since in the morning one becomes a "new person," whether he slept or not(7). [In addition, it is debatable if the spirit of impurity that rests on the hands is caused by the nighttime hours regardless of whether or not one slept or if it rests upon the hands only during sleep.8] Since this issue remains unresolved, the Rama suggests a compromise: washing is indeed required, as the Rashba holds, but a blessing is not recited, in deference to the view of the Rosh. Not all the poskim agree with the Rama's compromise. In their view, the blessing should be recited(9). Since we again face a difference of opinion, it is recommended that one of the following options be exercised: Immediately after alos amud hashachar, one should relieve himself and then wash his hands, followed by Al netilas yadayim and Asher yatzar. In this case, all poskim agree that washing is required and a blessing is recited(10). This is the preferred option. One should listen with intent to be yotzei as another person, who did sleep, recites the blessing.

BIRCHOS HA TORAH The poskim debate whether one who remains awake the entire night(11) is required to recite Birchos ha Torah the next morning. Some authorities do not require it, since they hold that the previous

day's blessings are still valid. In their view, unless a major interruption such as a night's sleep occurs, yesterday's blessings remain in effect. Others hold that Birchos ha Torah must be said each morning regardless of whether or not one slept, similar to all other Birchos ha shachar which are said in the morning, whether one slept or not. According to the Mishnah Berurah(12), this issue remains unresolved and the following options are recommended: One should listen with intent to be yotzei as another person, who did sleep, recites the blessing. This should be followed by each person reciting yevorechecha and eilu devarim, so that the blessings are followed immediately by some Torah learning. While reciting the second blessing before Kerias Shema Ahavah Rabbah one should have the intention to be yotzei Birchos ha Torah as well. In this case, he needs to learn some Torah immediately after Shemoneh Esrei. There are two other options available: All poskim agree that if one slept (at least half an hour) during the day of erev Shavuot, he may recite Birchos ha Torah on Shavuot morning even though he did not sleep at all during the night(13). While reciting Birchos ha Torah on erev Shavuot, one may clearly stipulate that his blessings should be in effect only until the next morning. In this case, he may recite the blessings on Shavuot morning although he did not sleep(14). If one did not avail himself of any of these options and Birchos ha Torah were not recited, one may recite them upon awakening from his sleep on Shavuot morning (after davening).

ELOKAI NESHAMAH AND HA MA'AVIR SHEINAH Here, too, there are differences of opinion among the poskim as to whether one who remains awake throughout the night should recite these blessings. The Mishnah Berurah(15) rules that it is best to hear these blessings from another person who slept. If no such person is available, many poskim rule that these blessings may be recited even by one who did not sleep(16).

IN ACTUAL PRACTICE, WHAT SHOULD WE DO? As stated earlier, all poskim agree that the other sixteen morning blessings may be recited by one who did not sleep at all during the night. Nevertheless, it has become customary in some shuls that one who slept recites all twenty morning blessings for the benefit of all those who did not sleep. Two details must be clarified concerning this practice: Sometimes it is difficult to clearly hear every word of the blessing being recited. [Missing one word can sometimes invalidate the blessing.] If that happens, it is important to remember that sixteen of the twenty blessings may be recited by each individual whether he slept or not, as outlined above. The sixteen blessings which may be recited by each individual should not be heard from another person unless a minyan is present. This is because some poskim hold that one cannot discharge his obligation of Birchos ha shachar by hearing them from another person unless a minyan is present(17).

FOOTNOTES: 1 Rama O.C. 46:8. 2 Berachos 15a and 60b. 3 The source for the "spirit of impurity" is the Talmud (Shabbos 108b; Yoma 77b) and the Zohar, quoted by the Beis Yosef O.C. 4. 4 O.C. 4:3. 5 Mishnah Berurah 4:8. 6 Aruch ha Shulchan 4:4 based on Rambam, Hilchos Berachos 6:2. 7 The rationale for this is: 1) Lo pelug, which means that once the Sages ordained that washing the hands is necessary because one is considered a "new person", they did not differentiate between the individual who slept or one who did not (Beis Yosef quoted by Mishnah Berurah 4:28); 2) The blessing was established to reflect chiddush ha olam, which means that since the "world" as a whole is renewed each morning, it is incumbent upon the individual to sanctify himself and prepare to serve Hashem each morning; whether he, personally, was "renewed" is immaterial (Beir Halachah quoting the Rashba). 8 Mishnah Berurah 4:28. 9 Aruch ha Shulchan 4:12 rules like this view. 10 Mishnah Berurah 4:30 and Beir Halachah 494:1. This should be done immediately after alos amud ha shachar in order to remove the spirit of impurity; O.C. 4:14. 11 Even one who falls asleep during his learning [while leaning on a shtender or a table, etc.] does not say Birchos ha Torah upon awakening; Kaf ha Chayim 47:27. 12 47:28. Many other poskim, though, rule that Birchos ha Torah may be said even by one who did not sleep at all; see Birkei Yosef 46:12; Shulchan Aruch Harav 47:7; Aruch ha Shulchan 47:23; Kaf ha Chayim 47:26. 13 R' Akiva Eiger quoted by Mishnah Berurah 47:28. 14 Keren L'David 59 and Luach Eretz

Yisrael quoting the Aderes (quoted in Piskei Teshuvos O.C. 494:6). 15 46:24. This is also the ruling of Chayei Adam 8:9 and Kitzur Shulchan Aruch 7:5. 16 Shulchan Aruch Harav 46:7; Kaf ha Chayim 46:49; Aruch ha Shulchan 46:13; Misgeres ha Shulchan 2:2. 17 Mishnah Berurah 6:14. In addition, see Kisvei Harav Henkin 2:7, who maintains that since many of the blessings are written in the first person, they must be recited by each individual; listening to them being recited by another person is not good enough.

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Reishit Bikkurim

A Guide to Shavuot Observance

Prepared for the RIETS Shavuot Yarchei Kallah
Expanded and Updated Edition for Shavuot 5772

According to the Piskei Halakha of

Rav Hershel Schachter, Shlit"za

Rosh Yeshiva and Rosh Kollel Rabbi Isaac Elchanan Theological Seminary
Erev Shabbat Eating a Meal on Erev Shabbat: 1. One should refrain from eating a large meal on Erev Shabbat in order to eat the Shabbat meal with an appetite.1

2. Magen Avraham cites the opinion of the Shelah that one should not have a meat meal on Erev Shabbat.2

Shabbat Candle Lighting:

1. The Mitzvah to light Shabbat and Yom Tov candles should ideally take place in one's home. In a hotel, this refers to one's private guest room. However, hotels prohibit lighting candles in guest rooms because this poses a fire hazard.3 Therefore, the obligation is best fulfilled by turning on an electric light in one's room, provided that it is incandescent (not neon or fluorescent, etc.), as many Poskim maintain that a Bracha can be recited on a light bulb that contains a filament.4

2. If this option is not feasible, one should light candles in a place where people will derive benefit from them, such as the dining room, especially if it will enhance the Yom Tov meal. It does not appear proper to light candles in a place where no one will benefit from the candles' light, and a Bracha may not be made in this scenario.5 Shabbat Davening:

1. Av HaRachamim is recited prior to Mussaf when Erev Shavuot coincides with Shabbat.6 This Tefilla is especially relevant during the days of Sefirat HaOmer when countless lives were lost at the hands of the crusaders.7 Seuda Shlishit:

1. Seuda Shlishit should be eaten earlier than usual when Shabbat precedes Yom Tov to ensure that the Yom Tov meal is eaten with an appetite.8 Therefore, Seuda Shlishit should ideally begin no later than half an hour prior to Mincha Ketana (approximately 4:30 PM).9

Shavuot Candle Lighting:

1. When Yom Tov begins on Motzaei Shabbat, as it does this year, Yom Tov candles must be lit after Tzeit HaKochavim (nightfall).10

2. Prior to lighting the candles (if one has not already Davened Ma'ariv and recited VaTodeainu), one should say the words, "Baruch HaMavdil Bein Kodsh L'Kodesh."11

3. There are two opinions as to whether the Bracha on Yom Tov candles should be recited before or after the candles are lit. The generally accepted practice is to recite the Bracha before lighting the candles, as is the practice on Erev Shabbat.12

4. The Bracha of Shehechyanu: There is no requirement to recite the Bracha of Shehechyanu in conjunction with Kiddush. However, the Talmud (Eruvin 40b) states that the significance of the Bracha is enhanced when it is recited in conjunction with Kiddush, and common practice is to act accordingly. R. Akiva Eiger (O.C. 263:5) quotes the opinion of R. Yaakov Emden that women should not recite Shehechyanu when lighting Yom Tov candles, but should instead wait until Kiddush to satisfy the requirement to recite the Bracha.¹³

Yahrtzeit Candles:

1. Some Poskim question whether one is permitted to light a Yahrtzeit candle on the second day of Yom Tov in honor of Yizkor. The Kitzur Shulchan Aruch (98:1) cites Poskim on both sides of the issue and concludes that one should not light such a candle on Yom Tov. He views it as a "Ner Shel Batala," a candle whose light does not provide benefit on Yom Tov, and so may not be lit. Therefore, one should ideally light a Yahrtzeit candle on Erev Yom Tov (see footnote).¹⁴ This year, following this view entails lighting the candle prior to Shabbat.

Yaknehaz: 1. When Yom Tov falls on Motzaei Shabbat, Havdala is combined with Kiddush.¹⁵ Besamim (spices) are not included in the Havdala.¹⁶ The Bracha of "Borei Meorei HaAish" may be made upon the unfrosted¹⁷ incandescent light bulbs¹⁸ that add significant light to the dining room.¹⁹

The Shavuot Meal:

1. There is a long-standing custom to eat dairy on Shavuot.²⁰ Mishna Berura (O.C. 494:16, Sha'ar HaTzion 15) notes that one should wait six hours before eating meat if one ate hard cheese.²¹ R. Soloveitchik ruled that American cheese is certainly not included in the custom.²²

Staying Up All Night:

1. Many question whether a person who remains awake the entire night is obligated to wash his or her hands in the morning. The common practice is to wash one's hands without a Bracha. However, if one uses the bathroom prior to washing, one may recite the Bracha.²³

2. A similar question exists regarding the Birchot HaTorah. Common practice is to fulfill the obligation by answering Amen to the Brachot of one who did sleep. One should not recite Amen after the phrase "Laasok B'Divrei Torah" but after the entire paragraph of "Vihaarev Na" is completed.²⁴

3. It is likewise unclear whether one who remains awake all night may recite the Brachot of Elokai Nishama and HaMa'avir Sheina Me'einai. Here, as well, common practice is to find someone who did sleep the previous night and answer Amen to that individual's Brachot.²⁵ Amen following HaMa'avir Sheina should not be said until after the Bracha that concludes the Yehi Ratson prayer.

4. Those who Daven Vatikim should not recite a Bracha on the Tallit before the Halachic time known as Mi She'yakir. R. Moshe Feinstein states that this time is approximately 35-40 minutes before sunrise.²⁶ Because of this concern, the B'nei Yissoschar recommends waiting to don the Tallit until the completion of Korbanot (before Baruch She'amar) in order to ensure that one does not don his Tallit or make the Bracha too early. Shavuot Davening:

1. Those who did not stay up all night should be careful to Daven at a Minyan that recites Keriat Shema at the proper time. R. Soloveitchik and many other Poskim maintain that it is better to Daven without a Minyan before Sof Zman Keriat Shema (the end of the period during which one may recite Keriat Shema) rather than Daven with a Minyan after this time has elapsed. This option is preferred because it allows the recitation of Keriat Shema together with the Birchot Keriat Shema.²⁷

2. Many have the custom to follow the Ba'al HaTanya's practice to recite Ushnei Seeirim Lichaper (as opposed to "Visair Lichaper") in the Mussaf Amida, in order to make mention of the Korban Chatas (sin offering) that was offered with the Shte Halechem (ritual loaves of bread) of Shavuot.²⁸

3. Megillat Rut is read on the second day of Yom Tov. The custom of Yeshiva is read the Megilla from a Klaf (parchment). Poskim differ as to whether the Brachot Al Mikra Megilla and Shehechyanu are recited.²⁹

The Second Day of Yom Tov: 1. One is not permitted to prepare for the second day of Yom Tov on the first day of Yom Tov.³⁰ As such, in a hotel setting, it is proper to wait until nightfall (Tzait HaKochavim) to begin Davening on the second night of Yom Tov. This allows the caterer sufficient time to prepare the Yom Tov meal following the conclusion of the first day.³¹

2. The Rabbinic restriction against taking medication does not apply on the second day of Yom Tov.³²

General Shabbat and Yom Tov Halakhot

Elevator Use on Shabbat and Yom Tov: 1. A non-Jewish elevator operator will be present throughout the Yarchei Kallah. The elevator will stop at every floor, so there is no need for guests to give instructions to the operator. Use of the elevator should be limited to guests who are unable to use the stairs.³³

Carrying: 1. Shabbat: One may only carry inside the hotel and within the Eruv. 2. Yom Tov: It is permitted to carry beyond the Eruv on Yom Tov. However, one may only carry outside the Eruv when necessary. Rishonim and subsequent Poskim debate what defines a sufficient necessity to permit carrying outside of an Eruv.³⁴ Carrying a Tallit or Machzor for use in Shul is a permissible need, even if this could have been done prior to Yom Tov.³⁵

Showering on Yom Tov:

1. One may not take a shower or bathe in warm or hot water on Yom Tov. However, one may adjust the temperature such that the water is not uncomfortably cold.³⁶ A child who is generally bathed daily in warm water may be bathed in warm water on Yom Tov, as well.³⁷ One should not use a towel to dry his or her hair. Rather, hair should be allowed to air-dry.³⁸

Lighting a Fire on Yom Tov:

1. Though one is permitted to cook on Yom Tov, it is prohibited to light a new fire.³⁹ Taz (O.C. 502:1) maintains that this prohibition is biblical, but the accepted opinion is that lighting a new fire only constitutes a rabbinic prohibition.⁴⁰ As such, one is allowed to ask a non-Jew to turn on or off a light on Yom Tov in certain circumstances.⁴¹

2. Even those who assume that smoking is generally permitted⁴² maintain that one is not permitted to smoke on Yom Tov.⁴³

Muktza on Yom Tov:

1. The generally accepted Ashkenazi practice is to treat one's leftover chicken bones as Muktza on Yom Tov,⁴⁴ because they are viewed as Nolad (a newly created item from the perspective of Halakha⁴⁵). This is true despite the fact that the bones may still be fit for animal consumption. 2. Nolad also applies to peels, pits, and shells that remain after a fruit or nut is eaten on Yom Tov.⁴⁶

Footnotes

1 Shulchan Aruch (O.C. 249:2) states this explicitly in regard to Erev Shabbat. Rema (529:1) rules that this Halakha applies to Erev Yom Tov, as well, for there is also an obligation to honor Yom Tov (see below). See Mishna Berura (249:10) for an additional reason to prohibit large meals.

2 O.C. 249:6

3 R. Schachter cautions that one who lights a candle in a guest room without permission violates the prohibition of theft, as hotel administration does not authorize guests to use rooms in this manner. See R. Asher Weiss, Kovetz Darkei Hora'ah (4:94).

4 It is important to note that this Mitzva can be fulfilled by turning on a closet or bathroom light (Bracha must be recited outside of the bathroom).

For a summary of Poskim who discuss whether one fulfills the Mitzva by lighting electric lights, see Shemirat Shabbat KeHilchata (chap. 43, note 22).

5 See Shulchan Aruch (O.C. 263:9).

6 This is based on the simple understanding of Rema (O.C. 284:7) and Mishna Berura (ibid.). Though some have the custom to omit Av Harachamim on this Shabbat, the custom recorded here is also found in Luach Ezrat Torah and Luach Eretz Yisrael.

7 Nimukei Orach Chaim (284:3) points to the fact that many Jews were murdered between Rosh Chodesh Sivan and Shavuot and on Erev Shavuot in particular.

8 See above, note 1.

9 Biur Halakha (529, s.v. MiMincha). Time is for Ryebrook, NY (5772). If one is unable to eat Seuda Shlishit earlier, one should refrain from eating more than will allow him to eat the Yom Tov meal with an appetite, see Mishna Berura (529:8 with Sha'ar HaTzium).

10 When Yom Tov does not begin on Motzaei Shabbat, Poskim disagree whether one should light candles before Yom Tov begins or only after the onset of the Chag. Many Poskim, including R. Soloveitchik, maintain that one should light Yom Tov candles before the start of Yom Tov, just as Shabbat candles are lit prior to Shabbat (Divrei HaRav pg. 173). Be'er Hetiv (503:4) cites Poskim who offer additional justification of this practice. See also Shut Pri Yitzchak (1:6) and Drisha (introduction to Yoreh Deah). This was also the custom in the home of R. Shlomo Zalman Auerbach (Halichot Shlomo Pesach, pg. 240). R. Auerbach also notes that there is no reason to be concerned that lighting before Yom Tov begins is a violation of the requirement to pass seven complete weeks before Shavuot begins (ibid., pg. 373).

11 Mateh Efraim (599:10) cited in Shemirat Shabbat KeHilchata (Note to 44:3). 12 Magen Avraham (O.C. 263:12) quotes the Drisha's son who records that his mother's practice was to recite the Bracha before lighting the candles. While Magen Avraham argues that one should recite the Bracha after lighting, the accepted practice is not in accordance with his opinion. See Mishnah Berura (263:27).

13 R. Yaakov Emden's position is recorded in his Shut Sheilat Ya'avetz (1:107) and has been accepted by many Poskim. Mishnah Berura (263:23) rules that one should not protest against those whose custom is to recite Shehechyanu at the time of candle lighting. Achronim present justifications for this practice; see Aruch HaShulchan (263:12) and Moadim U'Zmanim (7:117).

14 Many other Poskim accept the Kitzur Shulchan Aruch's ruling; see also Da'at Torah (O.C. 515:5). Shut Ketav Sofer (O.C. 65) permits one to light a Yahrzeit candle on Yom Tov, though he believes that it should be lit inside the Shul. In his discussion of the issue, Biur Halakha (514 s.v. Ner) writes that if one neglected to light a Yahrzeit candle on Erev Yom Tov, it is best to light it in Shul or at least in the place where one eats in order to benefit from the additional light. Some later Poskim have questioned whether Biur Halakha's logic still applies, as it is unlikely that a candle will significantly increase the light in the room in a contemporary setting. Biur Halakha concludes that one may perhaps be lenient in a pressing situation to light the candle because the aforementioned Ketav Sofer argues that a Yahrzeit candle is considered a permissible Ner Shel Mitzvah, and not a Ner Shel Batala, as it provides honor to one's parents. It should be noted that most Poskim assume that it is only a custom to light a Yahrzeit candle and not a Halachic requirement; see Shut Yechave Da'at (5:60). See also Mishnah Berura (261:16) quoting Maharshal who permits one to instruct a non-Jew to light a Yahrzeit candle during Bein Hashmashot of Erev Shabbat, due to the unique importance that many associate with this custom.

15 Shulchan Aruch (O.C. 473:1).

16 Mishnah Berura (O.C. 491:3) quotes an explanation given by the Rishonim: the festive Yom Tov meal takes the place of spices in reinvigorating the spirit that remains anguished after losing the Neshama Yeteira when Shabbat concludes.

17 R. Shlomo Zalman Auerbach (Meorai HaAish, 5:1). This is based upon the requirement to see the actual flame of the Havdala candle, as codified in Shulchan Aruch (O.C. 298:15).

18 Many Poskim view the filament of an incandescent light bulb as actual fire, and so Borei Meorei HaAish may be said. For example, see Nefesh HaRav (pg. 196) where R. Schachter records that R. Soloveitchik witnessed R. Chaim Ozer Grodzenski recite the Bracha on an incandescent light bulb.

19 Shulchan Aruch (O.C. 298:4) rules that one must benefit from the light source in order to recite the Bracha of Borei Meorei HaAish. For this reason, R. Schachter notes that it is improper to recite Havdala on any Motzaei Shabbat in a room that is already well-lit due to electric lights. This is the source of the common practice to extinguish all lights other than the Havdala candle in order to recite the Bracha of Borei Meorei HaAish. Indeed, this was the practice of Chofetz Chaim, as reported by R. Elchanan Wasserman (Ohr Elchanan 1:286).

20 This custom is recorded by Rema (O.C. 494:2). Various reasons are offered for this custom; see Rema and Mishnah Berura (ibid.).

21 The custom to wait after eating hard cheese is recorded by Rema (Y.D. 89:2). For this purpose, hard cheese includes types that are aged and somewhat sharp. While Shach (89:17) quotes the Maharshal who forcefully rejects this stringency, most Poskim do not accept his opinion; see, for example, Biur HaGra (89:11). Shach (89:15), Taz (89:4), Yad Yehuda (89:30) and other Poskim discuss how to define "hard cheese" for purposes of this Halakha.

22 As reported by R. Schachter in Mesorah Journal (vol. 20, pg. 92). For an updated list of contemporary cheeses that may pose a problem, see May 2012 edition of Daf HaKashrus, published by the Orthodox Union Kashrus Division (http://www.oukosher.org/index.php/learn/daf_ha-kashrus).

23 Rema (O.C. 4:13) requires one to wash without a Bracha. Mishnah Berura (4:30) notes that later Poskim debate whether to accept Rema's ruling or to wash with a Bracha. However, Poskim agree that one can recite a Bracha in this scenario if he or she uses the bathroom first. This appears to be common practice.

24 See Shulchan Aruch (O.C. 47:12) and Mishnah Berura (ibid.). Mishnah Berura also cites the ruling of R. Akiva Eiger that one who slept in bed the previous day (prior to staying up the entire night) may recite Birchot HaTorah in the morning according to

all opinions. Some Poskim question whether one should accept R. Akiva Eiger's ruling, and it is therefore better to hear the Brachot from one who slept and is certainly obligated; see Shut Tshuvot V'Hanagot (3:149, citing the Brisker Rav).

25 Sha'arei Tshuva (O.C. 46:7) and Mishnah Berura (O.C. 46:24).

26 See Shulchan Aruch (O.C. 18:3) and Shut Igrot Moshe (O.C. 4:6). Sunrise time is for Ryebrook, NY (5772). Shemona Esrei is scheduled to begin at sunrise, as per Shulchan Aruch (O.C. 89:1).

27 Nefesh HaRav (pg. 114). For more on this subject, see Shut Pri Yitzchak (1:1) and Shut Binyan Olam (O.C. 4).

28 See Siddur Ba'al HaTanya where this practice is recorded. For an alternative perspective, see Shut Igrot Moshe (Y.D. 3:129:7).

29 See Rema (490:9), Levush (490:5), Ma'aseh Rav of the Vilna Gaon (175), Mishnah Berura (490:19) and Hilchot Chag B'Chag (Shavuot chap. 8, note 79).

30 Shulchan Aruch (O.C. 503:1).

31 Many wait to Daven Ma'ariv until nightfall on the first night in order to ensure that seven complete weeks elapse between Pesach and Shavuot; see Magen Avraham (O.C. 494:1) and Taz (ibid). Pri Migadim (O.C. 494:1) notes that this concern does not apply on the second night. However, it is still proper to wait on the second night to allow the caterer enough time to prepare the meal. The custom of German Jewish communities is to always Daven Maariv after nightfall following the first day of Yom Tov. By doing so, those making preparations at home will not rush to do Melachot before nightfall (Maharil, Minhagim: Seder Tefillot of Pesach, 6).

32 Shulchan Aruch (O.C. 496:2) with Mishnah Berura (ibid.). As far as taking medication on the first day of Yom Tov, see Magen Avraham (O.C. 532:2), Kitzur Shulchan Aruch (98:13) and Shut Tzitz Eliezer (8:15).

33 Use of electronic systems that do not heat a filament during use, such as an elevator, generally constitute a rabbinic prohibition of Makeh B'Patis; see Mesorah Journal (vol. 20, pg. 61). Therefore, in cases of great need, one may instruct a non-Jew to operate an elevator on his behalf. Amira L'Akum, instructing a non-Jew to perform a Shabbat or Yom Tov Melacha, is also a rabbinic prohibition. This constitutes a Shvus D'Shvus, a confluence of two rabbinic prohibitions, which is permissible in special situations; see Shulchan Aruch (O.C. 307:5) and Mishnah Berura (307:20). According to Rashi (Avoda Zara 15a, s.v. Keivan) the prohibition of Amira L'Akum is predicated upon the verse, "V'Daber Davar" (Yeshaya 58), which defines permissible speech on Shabbat. Therefore, even when a great need exists, it is best to arrange for the operator to stop the elevator at every floor, rather than instructing him verbally when entering the elevator.

34 See Shulchan Aruch (O.C. 518:1) and Biur Halakha (ibid., s.v. Mitoch). 35 See Shulchan Aruch and Rema (O.C. 495:1, 504:2) and Magen Avraham (O.C. 498:3). Ra'avad (cited in Shita Mikubetzet, Ketuvot 7a) is stringent when an item could have been carried before Yom Tov, but this opinion is not cited in Shulchan Aruch.

36 Mishnah Berura (326:7, 511:18, 19 and Sha'ar HaTziun). Even lukewarm water is included in this prohibition; see Beit Meir (Y.D. 197:3), Shut Noda B'Yehuda (O.C. Tinyana 25) and Tehilla L'Dovid (326:3). The permissible temperature described is below lukewarm.

37 Mishnah Berura (511:18)

38 Mishnah Berura (326:25)

39 Gemara Beitza (33a-33b), Rambam (Hilchot Yom Tov 4:1) and Shulchan Aruch (O.C. 502:1).

40 See Biur Halakha (502:1 s.v. Ain), Pri Chadash (O.C. 502:1) and Meorei Aish (chap. 1) at length.

41 See above, note 33. One should consult with a Halachic authority if such a need arises.

42 Many Poskim maintain that it is always prohibited to smoke; see for example, Shut Tzitz Eliezer (15:39) and Shut Rivivot Ephraim (8:586). See also http://www.rabbis.org/pdfs/Prohibition_Smoking.pdf.

43 The permission of fire use on Yom Tov is limited to those purposes considered Shaveh L'chol Nefesh (use generally enjoyed by all people). For that reason, the Talmud (Beitza 22b) prohibits the burning of incense on Yom Tov. P'nei Yehoshua (Shabbat 39b) and Biur Halakha (511:4) permit one to smoke on Yom Tov, arguing that smoking is considered Shaveh L'chol Nefesh, because the conventional thinking in earlier generations was that smoking was beneficial to one's health. Today, we are aware of the dangers of smoking. Smoking cannot be considered an act of enjoyment but of self-injury; see Shut Minchat Shlomo (2:58:6). Additionally, even contemporaries of the P'nei Yehoshua disagreed with arguments advanced by the P'nei Yehoshua; see Chayei Adam (95:13).

44 Mishnah Berura (495:17). It is permitted to move the bones if their presence on the table is repulsive (Shulchan Aruch O.C. 518:5) or if the table will be used later on Yom Tov. When possible, they should be moved without direct contact; see Rema (O.C. 509:7) and Biur Halakha (638:2 s.v. U'Byom Tov). In a hotel setting, it is best to allow the non-Jewish waiters to handle such items, as this is permitted as a Shvus D'Shvus in a situation of Ochel Nefesh (see above, note 33).

45 When flesh is attached to the bones, they are defined by Halakha as human food. When the flesh is removed, the bones are defined as animal food. An item that undergoes such a change in Halachic status is known as Nolad and is considered Muktzah on Yom Tov. Mishna Berura (501:30) notes that the bones may still be moved even if just a little flesh remains.

46 Shulchan Aruch (O.C. 501:7). Some pits and shells (ie. peaches, pistachios, etc.) may not even be considered animal food.

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Matan Torah: Singular Event, Two Narratives

Rabbi Yaakov Neuburger

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Parshas Hageirus / The Conversion Narrative Tucked away after the lengthy legal discourses of Parshas Mishpatim and prior to the launching of the even lengthier detailed description of the Mishkan requirements, Hashem recorded an understated eleven-verse narrative. Woven around the story of the writing and reading of the first sefer Torah, this portion describes Moshe building twelve pillars, one for each tribe, and sprinkling the Jews with blood of their sacrifices. The events climax with a penetrating and puzzling vision that reassures us that Hashem was watching over us even as we were suffering terribly, even during His apparent hiddenness from us.

4 Moshe wrote all of the words of Hashem, and he woke in the morning and built an altar under the mountain and twelve pillars corresponding to the twelve tribes of Israel. 5 And he sent the youth of the people of Israel and they brought burnt offerings and offered peace offerings to Hashem using bulls. 6 Moshe took half of the blood and placed it in basins, and the other half, he sprinkled on the altar. 7 He took the Book of the Covenant and he read it to the nation and they said "Everything that Hashem said, we will do and we will follow." 8 Moshe took the blood and sprinkled it on the nation and said "Behold this is the blood of the covenant that Hashem created with you on these matters." 9 Moshe went up with Aharon, Nadav, Avihu and seventy of the elders of Israel. 10 They saw the God of Israel and under His feet was like a work of paved sapphire and the very essence of Heaven in its purity. Shemot 24

Though this story is understudied as a biblical narrative, the rabbis of later years teased out from these verses all the necessary elements of conversion. That means to say that they saw here a description of the "conversion" of the Sinai generation. Indeed later scholars would entertain whether the laws of conversion were consistently applied to that generation.

When this process took place is debated by Rashi and Ramban. Whereas Ramban understands that the text follows in chronological order and that this covenant took place on the day after Matan Torah, Rashi sees it as a flashback to the preparatory days leading up to revelation. This is part of Rashi and Ramban's deliberations on the interpretation and application of the Talmudic principle *ain mukdam ume'uchar baTorah*, passages in the Torah are not necessarily written in chronological order.

Simply put, the rabbis of the Talmud stated that chronology need not be the driving organizer of the Torah narratives. While Rashi applies this principle broadly throughout Torah, the Ramban understands that it refers to a specific parsha in Bamidbar where the recorded dating clearly indicates that the chronological order of the texts was ignored. Beyond that episode, argues Ramban, almost all the narratives of the Torah text follow in their natural sequence.

Thus Ramban explains that this parsha occurred just after the content of the entire Parshas Mishpatim was taught. It precedes Moshe's return to the top of Sinai for the next forty days but it represents a more informed covenant than the one that took place the day before:

Behold, Moshe wrote in the Book on that day all that he was commanded, statutes, laws and commandments, and he awoke the next morning to create a covenant on all of it. He built an altar and offered sacrifices and placed half the blood on the altar of Hashem and half in basins. He took the Book that he wrote the day before and read it to them and they accepted to enter

the covenant with him. They said: everything that Hashem said, we will do and we will follow you, whatever you command us from Hashem. He then sprinkled the other half of the blood upon them because this covenant required two equal parts. After he completed his actions, he was required to fulfill the word of Hashem who told him to go up with Aharon etc. This is what is stated "Moshe went up with Aharon, Nadav, Avihu etc." He also performed what was commanded, "And he approached Hashem himself," and this is reflected in the verse, "Moshe went into the cloud etc." Behold, this covenant took place the day after the giving of the Torah and that is when Moshe went up the mountain and stayed there for forty days. Ramban, Shemot 24:1

Here, Ramban is arguing with his much more succinct predecessor, Rashi, who says: This portion took place before the giving of the Ten Commandments. On the fourth of Sivan, he was told to go up [the mountain]. Rashi, Shemot 24:1

Rashi's View: Two Narratives

Accordingly, Ramban views that our commitment to the life that Hashem wants us to lead coalesced over a multi-step process. That process included the teachings of Mara, the initial verbal commitments to becoming a "mamleches kohanim" (a nation of priests), the Sinai revelation per se, and finally, completing a conversion process complete with sacrifices and accepting the "stone handiwork" of Hashem.

Yet Rashi's view begs interpretation. In Rashi's view, the Torah divided the story of Matan Torah into two storylines. How intriguing it is to have two parshiyos focus separately on the selfsame episode, each one choosing details so different from each other that they convey vastly different impressions and overtones.

The Matan Torah of Parshas Yisro welcomes the Shechinah with supernatural thunder and lightning and shofar sounds that increase in volume. The trembling mountain marks Hashem's presence as it sends up furnace like smoke. The people are prepared through abstinence and are severely cautioned to keep their distance. They are overwhelmed and left shaking, somewhat traumatized and ready to run:

15 He said to the nation: Be prepared for the next three days, don't approach a woman. 16 It was on the third day in the morning and there was thunder and lightning and a thick cloud on the mountain; the sound of a shofar was very strong and the nation in the camp trembled. 17 Moshe took the nation out of the camp towards Hashem and they stood at the base of the mountain. 18 Mount Sinai was full of smoke because Hashem descended upon it and the smoke rose like smoke from a furnace and the mountain trembled greatly. 19 The sound of the shofar was growing stronger. Moshe would speak and Hashem would respond with a voice. 20 Hashem descended upon Mount Sinai to the peak of the mountain and Hashem called Moshe to the peak of the mountain and Moshe ascended. Shemot 19

Not so the Matan Torah of Parshas Mishpatim. Here, the people stand — presumably quietly — to be crowned by the light sprinkling of blood that marks the new covenant. They have been engaged through Moshe's Torah instruction and have responded with absolute commitment. They have their korbonos sprinkled on them. The depiction of a fiery quaking mountain lifted off its core surrounded by bolts of light, sound, and visible thunder is absent.

Why two different stories instead of one complete account? Why are so many details suppressed, seemingly in an effort to paint such distinct pictures?

Perhaps the event that would model the experience of Torah study for all time has to include both the impulsive excitement associated with the high drama that Sinai was, as well as the very measured care and concern that characterizes sacrificial service. There are times that our study must be charged by an exciting program and fuelled with a flamboyant teacher and charismatic colleagues. However, as any matter worthy of our energies, it will more often require the careful and even painstaking efforts to successfully pave our path in the labyrinth of Torah. For most of us, we will

have to slowly amass knowledge even as we attempt to deepen our understanding of all of Hashem's wisdom.

Certainly, we, who have come to appreciate the results of laborious and thorough research in so many areas of life, can well understand the humbling message of Parshas Mishpatim. It is the unassuming ongoing and scheduled Torah study that connects students and teachers, and fathers and sons. Quietly imbibing wisdom, slowly and steadily, molds hearts, souls and minds and plants anchors to our commitment.

Thus, we return to the story of Sinai after learning in great detail about courts and torts, and the concern for the poor and disadvantaged and having been exposed to the breathtaking scope of Torah.

The experience of study modeled in Parshas Mishpatim, the one closer to our ongoing efforts to be kove'a itim la'Torah (set aside time for Torah study) does not end with a shocked people on the run, rather it culminates with a people riveted on their vision of Hashem as a consuming fire that is visible to all.

from: Rabbi Chanan Morrison <chanan@ravkooktorah.org>

date: May 29, 2025, 3:43 AM

subject: **Rav Kook** on Bamidbar: Flags of Love in the Desert

Bamidbar: Flags of Love in the Desert

Throughout their journey in the wilderness, the Israelites were commanded to camp around their tribal banners:

"The Israelites shall encamp, each by his own banner, according to the insignias of their paternal houses." (Numbers 2:2)

What is the meaning behind these banners?

The Midrash (Bamidbar Rabbah 2:3) says that the inspiration for the banners came from Mount Sinai. Twenty-two thousand chariots of angels, each one decked out with flags, attended the Revelation of the Torah. The Israelites immediately desired to have flags just like the angels, and God agreed. This request for flags, the Midrash teaches, is alluded to in Shir HaShirim (Song of Songs 2:4): "He brought me to the wine-house, and His banner over me is love."

From the Midrash we understand that banners relate to some inherent characteristic of angels, though not of people. But we are left with many questions. Why do angels bear flags? Why is Sinai likened to a "wine-house"? And what is the connection between banners and love?

The Specialized Service of Angels

The Zohar teaches that the banners of the four encampments — positioned to the north, south, east, and west — correspond to the four "faces" of the supernal Merkavah (Chariot) described in Ezekiel's vision. Since these four "faces" represent fundamental divine attributes, each encampment related to a particular divine quality.

Before we can explain the meaning of the flags and their connection to angels, we must first understand what an angel is. In Hebrew, mal'ach literally means "messenger." An angel is essentially a divine messenger, created to fulfill a specific mission. An angel cannot perform a task, important though it may be, other than the specific mission for which it was designated.

Now we can better understand the function of the angels' flags. A banner proclaims a distinctive function or trait. Each angel, limited to a specific area of divine service, carries its own distinguishing flag. These flags may be compared to military uniforms, where the dress and insignia indicate a soldier's unit and assignment.

Human beings, on the other hand, are not limited to serving God in one particular manner. Our divine image encompasses all spiritual spheres (see Nefesh Hachaim 1:10). For us, a banner is too restricting; it does not reflect our true spiritual essence.

Nonetheless, the Jewish people saw in the angels' banners at Sinai an inspiring sight that appealed to them, albeit in a non-obligatory way. Every person has special talents and interests, based on individual character traits and the soul's inner root. While we are not limited in serving God in a particular way, we are certainly more inclined towards those activities for which we have a natural proclivity. For example, a kind-hearted person will

gravitate toward acts of compassion and chesed; a strong-willed individual, to acts of courage and self-sacrifice; and so on.

The Jewish people desired flags like those the angels bore at Sinai. They wanted every individual to be able to choose an aspect of divine service that suits his personality, just as each angel executes a specific function, as defined by his flag.

The Wine-House of Sinai

Why, then, does the verse refer to Mount Sinai as a "house of wine"?

Drinking wine releases our inhibitions, revealing our inner character. In the words of the Talmud (Eiruvin 65a), "Wine enters, secrets emerge." The Israelites envied the beauty and joy they witnessed in divine service of the angels. The root of this joy stems from the angels' natural affinity for their service. Each angel naturally identifies with its particular mission. The Jewish people sought to uncover and emphasize every individual's personal strengths, in the same way that wine liberates and highlights one's inner characteristics.

This individualized worship only applies to the service of the heart and character traits. The banners reflect our feelings of love and joy when serving God: "His banner over me is love." The banners, however, are not directly connected to the service itself. Within the framework of Torah study and practical mitzvot, there is no need for distinctive forms of service. That is why no banners flew over the central Tent of Meeting, where the luchot — the stone tablets — were stored. The Torah and its mitzvot relate equally to every soul.

(Gold from the Land of Israel, pp. 227-229. Adapted from Midbar Shur, pp. 24-25)

from: **Rabbi Immanuel Bernstein** <ravbernstein@journeysintorah.com>

date: May 29, 2025, 7:14 AM

subject: **Morals and Meanings in Shavuos**

Learning Torah –

Atmosphere and Connectivity

As we approach the festival of Shavuos, our attention is naturally drawn toward the endeavor of Torah study. Alongside the questions of what and how to learn, the topic of atmosphere while learning Torah also deserves our reflection and consideration.

When discussing the idea of "learning atmosphere" as it pertains to most disciplines, the question relates solely to the conditions that allow for the most effective absorption and comprehension of the material on an intellectual level. However, when it comes to Torah study, this concept assumes entirely new dimensions. The words of Torah contain within them immense sanctity and allow for a unique, elevated connection with Hashem. As such, the question of learning atmosphere becomes: "What are the conditions which will allow for the sanctity of Torah to be released and the higher connection with the Almighty to be realized?"

Indeed, as we will see, the answer to this question is decisive.

Accessing Torah

In the course of his discussion concerning Torah study, the Ramchal writes: The power of Torah is solely a product of the fact that Hashem has attached His exalted Influence to it, so that through speaking and thinking about it, that lofty Influence may be drawn onto the person. Were this not the case, speaking about Torah would be no different than speaking about one's affairs or other branches of wisdom, which involve nothing more than the knowledge of that matter, not imparting any form of exalted level in the person's soul.

This Influence is a Godly thing; in fact, it is the most exalted of things that Hashem has imparted to His creations. This being the case, a person should certainly approach this involvement with a great sense of awe, for he is essentially coming before his God and involving himself in drawing a great light from Him. This [attitude] entails that he should not engage in Torah flippantly or irreverently. If he approaches Torah with an awareness of the One before Whom he is involving himself, then his Torah study will achieve the effect it is truly intended to achieve and he will incorporate within himself Godly excellence.

However, if this condition is lacking, this light will not be drawn onto him and his words will be no different than those in any other human endeavor: his speech will be as one reading a letter, his thoughts will be as those regarding matters of the world.

Indeed, depending on the level of reverence and the measure of respect and care he shows the Torah, so will be the elevated worth of his study and the level of Influence that he draws onto himself.

The Ramchal is reminding us that the exalted qualities of Torah are its sanctity and Divine Influence that are contained within the words. Therefore, the effect of learning Torah comes from accessing those qualities and releasing them into the person's system. This effect is neither automatic nor is it guaranteed by the process of study alone. In other words, if Torah words and ideas are "capsules of holiness," it is possible for a person to merely ingest them, without ever digesting them. The means through which a person accesses these things are through his attitude to and regard for Torah.

Sound, Light, and the Ten Commandments

The central importance of atmosphere when it comes to Torah is apparent in the events surrounding the giving of the Torah itself. When we look at the passages in the Torah that discuss the event of Matan Torah, we see that there is extensive description of the awesome sights and sounds that accompanied and surrounded Hashem's conveying the Torah to the Jewish People: thunder, lighting, fire, and a thick cloud. Indeed, the Torah seems to devote as much attention to describing what it was like at Mount Sinai in relation to what it actually was that we heard there! The reason for this is that having the correct atmosphere is as much a part of receiving the Torah as the Ten Commandments themselves, for the atmosphere will determine how much of the Torah we actually receive.[1]

This appraisal of the events at Mount Sinai is not merely of historical value. The Torah commands us to "take great care lest we forget the day that we stood at Mount Sinai." [2] We may ask: Why is that day so important to remember?

Although a major part of the answer is undoubtedly that the revelation at Sinai is the basis of our faith,[3] there is more. The Ramban explains that the reason we need to constantly remember the day we stood at Sinai is because we need to remember what it was like! [4] And should we persist and ask, why is that important? The answer is, because that is what it needs to be like as we engage in Torah study on an ongoing basis. Every time a person sits down to learn, he is essentially preparing to "receive Torah." The atmosphere and conditions that existed when we received the Torah at Sinai served to set the tone for what it should be like as we receive the Torah from that point onward!

A Process Called Mount Sinai

The underlying idea here is that the concept of "The Giving of the Torah," is ultimately not an event but a process. It began at Mount Sinai, but it did not end there.

Indeed, the verse itself refers to this idea when it states that Hashem spoke to us at Sinai with "קול גדול ולא יסף" — A great sound that did not cease.[5] This means that the original "Sound of Sinai," which contained within it the Torah that Hashem wishes to impart to the world, continues to sound throughout history, finding expression in the understanding attained by those who study it in each generation.[6]

This truly stunning idea is reflected in the wording of the blessing we recite every day prior to learning Torah, which concludes with the words, "ברוך אתה ה' נותן התורה" — Blessed are You Hashem, Who gives the Torah.[7] The usage of the word "נותן" — Who gives," in the present tense, expresses the idea that the giving of the Torah is an ongoing process.

Hence, when we learn Torah and we aspire to "tune in" to the sound which began at Sinai — and which continues until our time — we must likewise endeavor to approach our study with "Sinai conditions."

Atmospheric Harmony: Awe and Enjoyment

Having seen through the above sources the central importance of awe, respect, and reverence in Torah study, we come to consider a rather unlikely partner to those attitudes — enjoyment! Enjoying Torah study is considered so valuable that we even have a section in the blessing on the Torah where

we ask Hashem: "והערב נא את דברי תורתך בפינו" — Make the words of Your Torah pleasant in our mouths!" We do not find a parallel request regarding any other mitzvah.

Moreover, one of the forty-eight ways enumerated in Pirkei Avos through which Torah is acquired is "Joy." [8] Indeed, when the Sages seek to describe Torah learning at its highest level, they use the expression "The words were as joyous as when they were given at Sinai." [9]

Awe or joy, which one is it?

Evidently, the answer is: "Yes!" Both of these are necessary.

But how does it work?

The truth is, it is only on a surface level that these two concepts appear incongruous, with the superficial notion of "happiness" and "enjoyment" being synonymous with a flippant or carefree mindset. However, on a deeper level, it is the things which are most important that bring us the greatest joy. Someone who has had the opportunity to meet a truly special and elevated person will find it hard to match the joy he felt at that time, notwithstanding the fact that the meeting was accompanied by a feeling of awe and reverence. This is infinitely true when it comes to Torah.

Moreover, not only do the concepts of awe and joy in learning Torah not contradict each other, but they actually work together in promoting its ultimate goal — absorbing the words of Torah into one's system. When someone is in a state of awe, he is greatly impacted by what he sees. By the same token, there is a natural absorption which accompanies the things that a person enjoys, and someone who is happy is naturally receptive. Hence, the awe and joy form a potent combination in connecting a person fully to the words of Torah.

It is worthwhile quoting in this regard the words of the Avnei Nezer of Socatchov, in the introduction to his classic work Eglei Tal. He notes there that there were some people in his time who mistakenly felt that the enjoyment felt during one's learning may detract from the purity of intent required for the mitzvah of learning Torah. In response to this, he writes:

In fact, the exact opposite is true, for this is the primary way to learn Torah, to rejoice in and enjoy one's learning, for this allows the words of Torah to become absorbed in one's bloodstream and, having enjoyed the words of Torah, he thereby becomes attached to Torah.

It is interesting to note that while the Hebrew word "ערב" means enjoyable, it also has another meaning: mingling or merging. Hence, when things get mixed in with each other, we say they are "me'urav" with the mixture being called a "ta'aroves," and when domains are merged for purposes of carrying on Shabbos it is called an "eiruv." Indeed, these two meanings complement each other, for the extent to which something becomes absorbed (me'urav) within a person is determined by how enjoyable (arev) it is. Similarly, when we ask Hashem for enjoyment in Torah ("ha'arev na"), we are asking for the words of Torah to be fully absorbed in our system — as they should be! Chag Sameach!

[1] Rav Yitzchak Hutner, Pachad Yitzchak, Shavuos, maamar 8. [2] Devarim 4:9-10. [3] See below, Chapter 14. [4] Commentary to Devarim loc. cit. [5] Devarim 5:19. [6] Rav Avraham Chaim Schor, Toras Chaim, Bava Metzia 85a, s.v. mi'kan. See also Shelah Hakadosh, Shavuos, Torah Ohr §67, and Nefesh Hachaim 4:14. [7] Toras Chaim loc. cit. [8] 6:6. [9] See Yerushalmi, Chagigah 2:1, and Shir Hashirim Rabbah 1:10. Copyright © 2025 Journeys in Torah, All rights reserved.

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<https://www.jewishpress.com/judaism/holidays/an-early-second-night-of-shavuot/2025/05/29/>

An Early Second Night of Shavuot?

By Rabbi Yaakov Hoffman - 2 Sivan 5785 – May 29, 2025

Spaniards are famous for eating dinner quite late; on the second night of Shavuot, Jews can compete. The Spanish-like timing of this seudah stems from the fact that one may not even begin to prepare for the nighttime meal until after dark (which is around its latest occurrence in the northern hemisphere around Shavuot), since preparing on the first day of Yom Tov

for the second is forbidden. But is there any way to permit eating the repast at a more comfortable hour?

On a regular Friday night, we are familiar with the option to eat early via davening Maariv and making Kiddush after plag hamincha (one and a quarter hours before sunset/nightfall) (Berachot 27a; although a less popular option, Maariv could also be prayed at night after the meal according to most opinions). While one might wish to follow this procedure for the second evening of Shavuot as well, the permissibility of doing so is not straightforward. When one makes an “early Shabbat,” one adds to the holiness of Shabbat at the expense of a mundane Friday. If one were to make an “early second night Yom Tov,” one would be sanctifying the rabbinically-ordained second day of the festival while it is still technically the afternoon of the biblically-mandated first day.

Since the case of “early second night Yom Tov” involves infringing on a holier day for the sake of a less holy one, it seems more analogous to davening Motzaei Shabbat Maariv and reciting havdalah after plag on Shabbat afternoon. Although the Talmud does mention such a possibility, almost all authorities rule that one may do this only in extraordinarily exigent circumstances. (See my “May One Daven Maariv Early on Motzei Shabbat?” from 2020 on The Jewish Press website.)

Rabbi Yosef Teomim (author of the Pri Megadim) indeed makes this comparison, writing that the precept of tosefet Yom Tov (adding additional time to Yom Tov), which applies on a biblical level to the first day of the festival, requires one to delay Maariv and Kiddush for the second night of Yom Tov until after tzeit hakochavim (Noam Megadim 20; cf. Tosafot, Shabbat 27b s.v. tzalei shel Shabbat).

Earlier sources, however, contradict Rabbi Teomim’s analysis. The Maharil notes that the reason for not davening second night Maariv before nightfall is simply because people erroneously believe that it is Maariv, not tzeit hakochavim, that permits one to begin cooking for the nighttime meal (Seder Tefillot Shel Pesach, see also Minhagei R. Isaac Tirnau Pesach and Matteh Efraim 599:2). Although the Maharil reports that waiting until nightfall was the prevalent practice, he also uncritically cites the dissenting custom in Mainz to daven Maariv immediately after Mincha without waiting for tzeit hakochavim. The fact that not all communities waited until nightfall to daven, and those that did only meant it as a tactic to prevent desecration of the first day of Yom Tov, makes clear that davening early is not an intrinsic disparagement of Yom Tov Rishon the way that davening Motzaei Shabbat Maariv early is a slap in the face to Shabbat.

But why? What’s the distinction between “early second night Yom Tov” and “early Motzaei Shabbat?” The Motzaei Shabbat liturgy is a regular weekday davening which is entirely inappropriate for Shabbat; additionally, the added tefillah of Attah Chonantanu as well as havdalah explicitly reference the end of the holy day and the transition back to the mundane. Mentioning this theme while it is still technically Shabbat shows a distasteful haste to leave the Sabbath holiness (even though, of course, the Shabbat rules remain in effect until nightfall regardless). In contrast, the liturgy and Kiddush of Yom Tov Sheini are identical to those of Yom Tov Rishon (see Responsa Lehorot Natan 9:60). Granted, one’s intention is to recite these prayers for Yom Tov Sheini; nevertheless, the words themselves simply praise the holiday and cannot be taken as explicitly referencing the conclusion of the first day of Yom Tov.

But what about the concern that an early Maariv will lead people to prepare for the second night too early? This was not a universal concern, as the Mainz custom shows; today, the concern that people will err is further lessened (admittedly, not eliminated) by the presence of clocks and calendars in every home.

Furthermore, too-early preparation is really only likely when Maariv is prayed toward the end of the day, because then one might cook immediately (while it is still afternoon) but not consume the food until after nightfall. But when davening shortly after plag, there is time to prepare and cook for the meal after Maariv and still begin consuming the food during the daytime. After all, on a biblical level, it is still Yom Tov Rishon until nightfall; the timing of Maariv and Kiddush is irrelevant. Indeed, one may even prepare

for this meal earlier in the day, since the cooking of this meal as well as its consumption will be taking place entirely within the biblical confines of Yom Tov Rishon, i.e. during daylight hours¹. Of course, one may cook only those dishes that one sincerely plans to start eating before sunset². One may also light the Yom Tov candles before the meal since they are for the honor of the seudah. (See Ben Ish Chai Year 1, Bemidbar 2, and Responsa Rav Pealim 4, OC 23.

Nevertheless, there is no escaping the fact that “early Yom Tov Sheini” is a novel idea and does create complicated scenarios regarding the timing of food preparation on Yom Tov. Thus, those without a strong preference to eat earlier should follow the more common practice of waiting until nightfall to daven and recite Kiddush on the second night of Yom Tov³. It should be noted that although the temptation to make “early Yom Tov Sheini” is greatest on Shavuot, one can also theoretically take in the second night of Rosh Hashana or the eighth night of Pesach early as well (the fact that the two days of Rosh Hashana are, to a certain extent, considered one unit of holiness bolsters the possibility of “early Yom Tov Sheini,” although Rav Hershel Schachter has ruled to the contrary). The other holidays pose complications regarding making Kiddush early (but not Maariv per se), as one may not do so at the Seder or the first nights of Sukkot; on Shmini Atzeret, one must consider the transition to dwelling in the sukkah without a beracha and then, on the second day (Simchat Torah), avoiding the sukkah entirely.

Of course, the above discussion is only relevant when the festival is not immediately adjacent to Shabbat. When either day of Yom Tov falls on Friday, it is not only permitted but preferred to take in Shabbat early in deference to its greater holiness and to ensure that all preparations (which are permitted on Yom Tov for Shabbat via an eiruv tavshilin) are completed well before sunset (cf. Magen Avraham intro to 527). Conversely, when either day of Yom Tov falls on Motzaei Shabbat, one may not daven Maariv or make Kiddush/havdalah until after nightfall, as on any Saturday night⁴. Some have expressed reservations about making “early Yom Tov Sheini” on Shavuot specifically. After all, the custom is to wait until tzeit hakochavim to recite Kiddush on the first night of Shavuot, and some delay Maariv as well (of course, there is no intrinsic problem in davening Maariv early on the first evening of any Yom Tov unless it is Motzaei Shabbat). Does this custom apply to the second night of Shavuot as well? If so, that would mean that one should never take in Yom Tov Sheini of Shavuot early, even when it falls on Shabbat!

The originators of the custom to delay Kiddush on the first night of Shavuot base this practice on a novel understanding of Torah’s requirement that the seven weeks of the Omer be “complete” (Vayikra 23:15), maintaining that if one recites the Shavuot liturgy early, that would inappropriately eat into the last day of the Omer. According to this understanding, there would be no problem with davening and making Kiddush early for the second night of Shavuot, since the counting of the seven weeks of the Omer has already been completed a day earlier (Pri Megadim, Mishbetzot Zahav 494, introduction)⁵. The Netziv, however, explains the custom via his own biblical exegesis, ruling that Kiddush on Shavuot must intrinsically take place after tzeit hakochavim (Haamek Davar, Vayikra 23:21); this would require a post-nightfall Kiddush on both nights of the festival. Since the former understanding is the classical one, and in any event the entire concept of refraining from early Shavuot has no basis in Chazal and the Rishonim, practically speaking there is no need to avoid “early Yom Tov Sheini” on Shavuot particularly.

Rabbi Serayah Deblitzky rules that it is rabbinically prohibited to cook on the first day of Yom Tov for an “early Yom Tov Sheini” meal (letter printed at the beginning of Hilchot Chag BeChag, Yom Tov, vol. 2). This is difficult, however, because it would mean that the permissibility to cook during the first day of Yom Tov for a late-afternoon meal that very day depends on whether one plans to make Kiddush before that meal, which could obviously be subject to change. Indeed, it seems that the consensus of the poskim who permit “early Yom Tov Sheini” is not in accordance with Rabbi Deblitzky.

Seemingly, one could complete the entire meal before sunset. When making early Shabbat, many are stringent to extend the meal past tzeit hakochavim, but this is because there is a requirement to eat three meals, which perhaps must be consumed on the actual calendar day of Shabbat. On Yom Tov, although we feast during the evening and the daytime, there is no prescribed number of meals per se (see Rabbi Deblitzky's letter cited in the last footnote, but see Rav Hershel Schachter's "Zeman tefillas Arvis, leil beis d'Shvaivos," part of his Covid-19 teshuvos). Nevertheless, there may be room to be stringent to eat some meat and/or drink some wine after nightfall to fulfill the concept of simchat Yom Tov during the actual nighttime. A full analysis of simchat Yom Tov, including whether it applies at night, is objective or subjective, and if it requires having meat and/or wine each day of the holiday, requires its own article.

Regardless of the hour, some people find eating numerous consecutive festive meals difficult. Such individuals could arguably count an "early Yom Tov Sheini" meal both as the daytime meal of the first day and the night meal of the second, since the two days are conceptually identical and ultimately only one of them is the true day of the festival. Contrast this to when Purim or Yom Tov falls on Friday: even when making the Shabbat Kiddush early, one declares that any subsequent seudah is in honor of Shabbat; one cannot count that meal for Friday as well, which is an entirely distinct day requiring an independent feast.

One could, however, employ the technique of pores mappah umkaddesh. One extends Shabbat's afternoon meal until nightfall, whereupon one recites yaknehaz and continues the meal as the Yom Tov night seudah (note that when beginning a meal on a weekday and continuing into Shabbat or Yom Tov, one must pause one's meal at sunset until one recites Kiddush; in this case, one need not and should not pause for yaknehaz until Shabbat is over. See Hilchot Shabbat beShabbat chap. 7 n. 7). Pores mappah umkaddesh is also a viable option between the two days of Yom Tov instead of "early Yom Tov Sheini," but most would prefer to complete their prayers with the congregation before beginning the meal.

One could challenge this argument: By keeping a second day of Shavuot, we conduct ourselves as if the first day could potentially be the 49th day of the Omer (although we do not explicitly count it as such), hearkening back to a time where not all Jewish communities knew the correct date of Pesach, throwing the timing of Shavuot into doubt. As such, on some level, the Omer has not been certainly completed until tzeit hakochavim on the second night of Shavuot. In truth, however, even when the date of the new month was announced by messenger, confirmation of the true date of Pesach would have reached even far-flung Jewish communities by Shavuot. Chazal decreed two days of Shavuot not because there was ever really a doubt as to its date but merely to avoid the confusion of celebrating other holidays as two days but Shavuot as one (cf. Rambam, Hilchot Kiddush Hachodesh 3:12).

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The Spiritual Human Being
By Rabbi Dovid Goldwasser

2 Sivan 5785 – May 29, 2025

Our sages derive from the Talmud (Pesachim 6a) that there is a mitzvah to study the halachos and hashkafos related to the yom tov 30 days in advance. This is so that we can appreciate the objectives of its observance and achieve greater spiritual heights.

There is also a discussion in the Talmud (Pesachim 68b) between R' Eliezer and R' Yehoshua whether there is an obligation to eat and drink on yom tov. R' Eliezer maintained that there was no specific mitzvah to eat on the festival, while R' Yehoshua suggested that the day be divided, half for eating and drinking (which he held was obligatory) and half for Torah study. R' Elazar states that all agree, though, that on the holiday of Shavuot, we are obligated to eat and drink because it is the day on which the Torah was given.

R' Shimshon Nachmani, the renowned Zera Shimshon, notes that this conclusion seems paradoxical. We would think that the day commemorating

the giving of the Torah would be dedicated solely to spirituality, to Torah study.

The Zera Shimshon cites the Talmud (Shabbos 89a) which describes Moshe Rabbeinu's defense to the angels when they protested against the Torah being given to humans. He argued that unlike human beings, the angels, as Heavenly creatures, were unable to fulfill written therein, such as honoring parents, stealing, or committing murder. Therefore, says the Zera Shimshon, it is certainly appropriate for us to celebrate with food and drink on this day, establishing our merit to get the Torah which is filled with mitzvos having to do with food and drink.

The great rosh yeshiva, R' Meir Mazuz, further elaborates that, unlike other religions, Judaism utilizes every means to sanctify the physical world. Our mission on this earth is to elevate ourselves spiritually while we simultaneously enjoy the physical world as human beings. A life of Torah does not negate eating and drinking, as we learn (Avos 3:17), "if there is no flour there is no Torah." In fact, continues R' Mazuz, the Talmud (Sanhedrin 26b) tells us that Torah study weakens the strength of a person. Therefore, those who are immersed in Torah study need to make sure that they eat and drink to maintain their strength. He points out that the numerical value of Shavuot is 784, which is 28 times the numerical value of koach, to teach us that one needs much strength to study Torah.

Along those lines, R' Yehuda Tzadka writes in his Sefer Kol Yehuda, that when a boy becomes bar mitzvah there is a festive celebratory meal, because the occasion is comparable to standing at Har Sinai and receiving the Torah. It is a pivotal day in his life, as he strives to find a balance between the spiritual and physical aspects of his life so that they complement and enhance each other.

Rabbeinu Bachya (Bereishis 32) comments that, unlike Avraham Avinu who was no longer called Avram after his name was changed, Yaakov Avinu kept his original name from birth as well as the name Yisrael that Hashem gave him. Yaakov, from the word meaning "heel," alludes to the lowest part of the human being, i.e. humility; Yisrael denotes the superiority of the Jewish People. This is to teach us that one has to constantly strive to seamlessly synthesize the physical and spiritual elements of his being.

A woman who sold elegant exclusive baked cookies and cakes for simchos and special occasions related the following:

One day she took an order for an elaborately designed cake. She worked on it for many hours to meet the specifications of the order, and it was a perfect masterpiece when she finished. She put the cake aside to be delivered the next day to the family who had submitted the order.

That evening, when her son returned from yeshiva, he excitedly reported that the class would be making a siyum on Mishnayos. He asked his mother if she could send along one of her specialty items for the siyum. The mother consented, of course, and she quickly prepared a beautiful cake for the siyum.

The next morning, when her son was ready to leave for yeshiva, he found the elaborate special cake in the refrigerator and thought that was for him. He took the cake, leaving behind the cake for the siyum which he hadn't even noticed. When the mother came down to the kitchen and saw the siyum cake in the refrigerator, she had to start from scratch to recreate the original masterpiece.

While she was working, her son called her from yeshiva to report on the excitement and delight of all his friends who had participated in the siyum and enjoyed the cake. In truth, most of the students in the yeshiva had never before seen such an impressive cake. She refrained from saying anything other than, "For a simcha, for a siyum mishnayos, it's all worth it."

R' Fishel Schachter noted that a number of years later, when this boy grew up, he was not successful in yeshiva. Things were not going well and he had to be transferred to another yeshiva where he joined up with a rough group of boys.

One day, this group of new friends decided to travel somewhere that could negatively impact this young boy for life. At the airport, as the group was ready to board the plane, the boy suddenly decided that he was not going with them. Although they begged him to change his mind, he steadfastly

refused and told them to stop wasting their time because “I have made my decision not to go with you.”

When he returned home, he explained to his parents what had made him change his mind. He said that when they arrived at the airport, a huge screen displayed a picture of an elaborately designed cake, with many layers, that looked like an exact duplicate of the cake that his mother had spent so many hours preparing and which she had gladly contributed to his siyum, when he took it in error.

The flashback to his cheder days awakened intense feelings within him. At that moment, he grasped the extent of his mother’s love for him – her enthusiasm for his accomplishments, her heart, her kindness and encouragement. He realized how much his parents were willing to give up for his Torah learning. Some food – a cake, granted it was not just a plain cake – had become the means of saving the spiritual future of a little boy.

from: **Peninim on the Torah** <peninim@hac1.org>

date: May 26, 2025, 3:03 AM

Rabbi A. Leib Scheinbaum

subject: Peninim on the Torah - Parshas Bamidbar, 5785

ידבר ד' אל משה במדבר סיני

Hashem spoke to Moshe in the wilderness of Sinai. (1:1)

Chazal (Bamidbar Rabbah 1:7) explain that Hashem chose the wilderness as the site where He would give the Torah, by design. It is not that we received the Torah in the wilderness, because we just happened to be there. Rather we were there because this is where Hashem wanted us to receive the Torah. Horav Moshe Shternbuch, Shlita, explains the simile of wilderness as a place where there is no baalus, ownership. Likewise, one who learns Torah, one who seeks to grow and achieve in the field of Torah, must render himself like a wilderness, by relinquishing control, possession over his time. This plays itself out with regard to giving up time toward helping others learn Torah. With regard to Torah, “My” time is “your” time. “I” have no time. Rav Shternbuch relates that his revered Rebbe, Horav Moshe Schneider, zl, organized in the yeshivah that all senior students (elter bochur) would take turns standing near the bima in the center of the bais hamedrash, for two hours for the express purpose of helping the younger students with difficulties they encountered in understanding the shiur. The Rosh Yeshivah commented that just as one is obliged to give tzedakah with his material assets, so, too, must he give tzedakah with his time (and patience) to help someone who is finding learning Torah to be difficult. Just as one who gives tzedakah with money is assured of a segulah, talisman, a remedy or charm, to protect his money, likewise, one who gives up his time to assist others in learning, will himself be blessed with extraordinary personal achievement. The Rosh Yeshivah added that this falls under the rubric of middah k'neged middah, Hashem repays/rewards measure for measure. Thus, if one performs an act of chesed through the medium of Torah, the Almighty will repay him in kind. He will

be accorded an extraordinary dose of siyata d'Shmaya, Heavenly Assistance. He cites Chazal (Avodah Zarah 35b), “A talmid chacham, Torah scholar, who teaches Torah to others, those areas of Torah which, heretofore, had been concealed from him (too difficult), will now be revealed and mastering them will come with ease and little toil.” One not only does not lose precious time when he helps another student, he personally benefits from the interaction. Indeed, this is how the Jewish people fulfilled the mitzvah of tzedakah, charity, while they journeyed in the wilderness. Clearly, not a single Jew was financially challenged, having left Egypt with gold, silver and jewelry beyond their wildest dreams. On the other hand, there were those who could use a spiritual uplift, some inspiration, or tutoring with their Torah lessons. This was tzedakah.

In the hakdamah, preface, to his Shaarei Yosher, Horav Shimon Shkop, zl, writes that many yeshivah students err in thinking that since their material assets are at a premium, they are absolved of the mitzvah of tzedakah. This is not true, because tzedakah is not the exclusive domain of money. When one teaches Torah to another fellow, there is no greater execution of the mitzvah of tzedakah. He fulfills the mitzvah and garners for himself the added

blessings acquired by one who is charitable. Torah is the source of blessing for a person. What greater source of blessing is there than helping another Jew expand his Torah knowledge.

The prevailing excuse for sidestepping, avoiding our responsibility toward others is most commonly “no time.” The “no time” excuse comes in all shapes and sizes, from “previous commitment” to “already involved in a mitzvah,” may often be valid, but this does not grant one immunity from his obligations. This is especially true when one has convinced himself that the mitzvah in which he is presently involved takes precedence. Perhaps, the following vignette may be enlightening. Horav Shlomo Lorincz, zl, was a shtadlan, intercessor, advocate, who often acted as a liaison between the gec/oZef Yisrael and the ruling authorities of the secular Israeli government. His function was to explain and advocate on behalf of the Orthodox community. His position required diplomacy, political skill and connections. He was highly respected by members of both sides of the bargaining table. The Chazon Ish highly valued those who undertook to serve the Torah community. The following incident indicates just how much it meant to the gadol hador. Rav Lorincz was charged with raising funds for the many organizations in the Torah community. At this juncture, he traveled to Bournemouth, England (1952) to spend Rosh Hashanah in a resort hotel. He was not the hotel type, but it was there where men of means would spend their Yom Tov. He represented the Chazon Yechezkel youth village, established by Zeirei Agudas Yisrael. As such, he was asked to deliver the pre- Maariv opening sermon, which he did. As a member of the Knesset, he was not only knowledgeable, he was also a powerful and prolific orator. Understandably, the audience was quite pleased - responding with generous pledges.

Then it came time for Maariv. Rav Lorincz took one look at the mechitzah, separation between the men and women’s section, and realized that its halachic status as a kosher mechitzah was, at best, questionable. Therefore, rather than daven with the congregation, he opted to daven Maariv in his room. Now only did he fail to daven with a minyan, it was also his father’s yahrtzeit and he failed to recite Kaddish. The next morning, he was able to locate a more suitable minyan, but missing Kaddish the night before gnawed at him. To make matters worse, since he did not say Kaddish the night before, he forgot to recite Kaddish the next morning as well. Thus, his father’s entire yahrtzeit passed without him having recited Kaddish. Rav Lorincz was filled with remorse and guilt. His commitment to the klal, greater community, was the reason that he spent Rosh Hashanah in a resort in England. In his depressed state, he viewed his failure to say Kaddish for his father as a Heavenly sign that the time had come for him to leave public life.

On his return to Eretz Yisrael, he immediately went to the Chazon Ish to share his decision with him. He explained to the Gaon that he was returning to the bais hamedrash, which was actually his “home” before being asked by the gedolim, Torah giants of the generation, to become the official spokesman for the Torah community.

The Chazon Ish listened intently, and then spoke. “I do not accept what you said. You did recite Kaddish.” He assumed that the Chazon Ish either did not hear what he had said, or, did not understand. So, he repeated the story, ending with, “This is why I am giving up klal work. It is because of my work that I did not say Kaddish for my father!”

Once again, the Gaon said, “You are mistaken. You very definitely said Kaddish. What do you think is the purpose of a son saying Kaddish? It is to bring nachas ruach, pleasure to his father’s soul, when he sees his son sanctifying Hashem’s Name. What could bring greater pleasure to your father’s neshamah, than what you did on behalf of the youth village? You ignored your personal comfort, and was compelled to daven on Rosh Hashanah alone, without a minyan. Why? Because Klal Yisrael needed you. What greater Kaddish can there be than that?” Obviously, after hearing these words spoken from the Chazon Ish, his decision to leave klal work was scrapped.

In a similar vein, the Chazon Ish asked an avreich, kollel fellow, to assist a sickly woman with a certain chore. The young man replied that he would do

it, but it was the *yahrzeit* of one of his parents and he did not want to miss reciting Kaddish following Minchah at the minyan he attends regularly. The Chazon Ish countered that an act of *chesed* for the woman in need would be no less of a good deed for the elevation of his parent's *neshamah*. In other words, we find excuses, and, in some instances, they are valid reasons for non-participating in an important endeavor. We must remember that at the end of the day, they are mere excuses for our lack of desire to help. Shlomo Hamelech says (Mishlei 26:13), "The lazy person says, 'There is a lion in middle of the road.'" Those who look for a way out will always conjure up an excuse, no matter how absurd.

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The Ever-Repeated Story

במדבר Bamidbar • 5772

Lord Rabbi Jonathan Sacks ZTL

Bamidbar takes up the story as we left it toward the end of Shemot. The people have journeyed from Egypt to Mount Sinai. There they received the Torah. There they made the Golden Calf. There they were forgiven after Moses' passionate plea, and there they made the Mishkan (the Tabernacle) inaugurated on the first of Nissan, almost a year after the Exodus. Now, one month later, on the first day of the second month (Iyar), they are ready to move on to the second part of the journey, from Sinai to the Promised Land.

Yet there is a curious delay in the narrative. Ten chapters pass until the Israelites actually begin traveling (Num. 10:33). First there is a census. Then there is an account of the arrangement of the tribes around the Ohel Moed - the Tent of Meeting. There is a long account of the Levites, their families and respective roles. Then there are laws about the purity of the camp, restitution, the *sotah* (the woman suspected of adultery), and the *nazirite*. A lengthy series of passages describe the final preparations for the journey. Only then do they set out. Why this long series of seeming digressions?

It is easy to think of the Torah as simply telling events as they occurred, interspersed with various commandments. On this view the Torah is history plus law. This is what happened, these are the rules we must obey, and there is a connection between them, sometimes clear (as in the case of laws accompanied by reminder that "you were slaves in Egypt"), sometimes less so.

But the Torah is not mere history as a sequence of events. The Torah is about the truths that emerge through time. That is one of the great differences between ancient Israel and ancient Greece. Ancient Greece sought truth by contemplating nature and reason. The first gave rise to science, the second to philosophy. Ancient Israel found truth in history, in events and what God told us to learn from them. Science is about nature, Judaism is about human nature, and there is a great difference between them. Nature knows nothing about freewill. Scientists often deny that it exists at all. But humanity is constituted by its freedom. We are what we choose to be. No planet chooses to be hospitable to life. No fish chooses to be a hero. No peacock chooses to be vain. Humans do choose. And in that fact is born the drama to which the whole Torah is a commentary: how can freedom coexist with order? The drama is set on the stage of history, and it plays itself out through five acts, each with multiple scenes. The basic shape of the narrative is roughly the same in all five cases. First God creates order. Then humanity creates chaos. Terrible consequences follow. Then God begins again, deeply grieved but never losing His faith in the one life-form on which He set His image and to which He gave the singular gift that made humanity godlike, namely freedom itself.

Act I is told in Genesis 1-11. God creates an ordered universe and fashions humanity from the dust of the earth into which He breathes His own breath. But humans sin: first Adam and Eve, then Cain, then the generation of the Flood. The earth is filled with violence. God brings the Flood and begins again, making a covenant with Noah. Humanity sin again by making the Tower of Babel (the first act of imperialism, as I argued in an earlier study). So God begins again, seeking a role-model who will show the world what it is to live in faithful response to the word of God. He finds it in Abraham and Sarah.

Act II is told in Genesis 12-50. The new order is based on family and fidelity, love and trust. But this too begins to unravel. There is tension between Esau and Jacob, between Jacob's wives Leah and Rachel, and between their children. Ten of Jacob's children sell the eleventh, Joseph, into slavery. This is an offence against freedom, and catastrophe follows - not a Flood but a famine, as a result of which Jacob's family goes into exile in Egypt where the whole people become enslaved. God is about to begin again, not with a family this time but with a nation, which is what Abraham's children have now become.

Act III is the subject of the book of Shemot. God rescues the Israelites from Egypt as He once rescued Noah from the Flood. As with Noah (and Abraham), God makes a covenant, this time at Sinai, and it is far more extensive than its precursors. It is a blueprint for social order, for an entire society based on law and justice. Yet again,

however, humans create chaos, by making a Golden Calf a mere forty days after the great revelation. God threatens catastrophe, destroying the whole nation and beginning again with Moses, as He had done with Noah and Abraham (Ex. 32:10). Only Moses' passionate plea prevents this from happening. God then institutes a new order.

Act IV begins with an account of this order, which is unprecedentedly long, extending from Exodus 35, through the whole of the book of Vayikra and the first ten chapters of Bamidbar. The nature of this new order is that God becomes not merely the director of history and the giver of laws. He becomes a permanent Presence in the midst of the camp. Hence the building of the Mishkan, which takes up the last third of Shemot, and the laws of purity and holiness, as well as those of love and justice, that constitute virtually the whole of Vayikra. Purity and holiness are demanded by the fact that God has become suddenly close. In the Tabernacle, the Divine Presence has a home on earth, and whoever comes close to God must be holy and pure. Now the Israelites are ready to begin the next stage of the journey, but only after a long introduction.

That long introduction, at the beginning of Bamidbar, is all about creating a sense of order within the camp. Hence the census, and the detailed disposition of the tribes, and the lengthy account of the Levites, the tribe that mediated between the people and the Divine Presence. Hence also, in next week's Parsha, the three laws - restitution, the *sotah* and the *nazir* - directed at the three forces that always endanger social order: theft, adultery, and alcohol. It is as if God were saying to the Israelites, this is what order looks like. Each person has their place within the family, the tribe, and the nation. Everyone has been counted and each person counts. Preserve and protect this order, for without it you cannot enter the land, fight its battles, and create a just society.

Tragically, as Bamidbar unfolds, we see that the Israelites turn out to be their own worst enemy. They complain about the food. Miriam and Aaron complain about Moses. Then comes the catastrophe, the episode of the spies, in which the people, demoralised, show that they are not yet ready for freedom. Again, as in the case of the Golden Calf, there is chaos in the camp. Again God threatens to destroy the nation and begin again with Moses (Num. 14:12). Again only Moses' powerful plea saves the day. God decides once more to begin again, this time with the next generation and a new leader. The book of Devarim is Moses' prelude to Act V, which takes place in the days of his successor Joshua.

The Jewish story is a strange one. Time and again the Jewish people has split apart: in the days of the First Temple when the kingdom divided into two; in the late Second Temple period when it was driven into rival groups and sects; and in the modern age, at the beginning of the nineteenth century, when it fragmented into religious and secular in Eastern Europe, orthodox and others in the West. Those divisions have still not healed.

And so the Jewish people keep repeating the story told five times in the Torah. God creates order. Humans create chaos. Bad things happen, then God and Israel begin again. Will the story never end? One way or another it is no coincidence that Bamidbar usually precedes Shavuot, the anniversary of the giving of the Torah at Sinai. God never tires of reminding us that the central human challenge in every age is whether freedom can coexist with order. It can, when humans freely choose to follow God's laws, given in one way to humanity after the Flood and in another to Israel after the Exodus.

The alternative, ancient and modern, is the rule of power, in which, as Thucydides said, the strong do as they will and the weak suffer as they must. That is not freedom as the Torah understands it, nor is it a recipe for love and justice. Each year as we prepare for Shavuot by reading Parshat Bamidbar, we hear God's call: here in the Torah - and in its *mitzvot* - is the way to create a freedom that honours order, and a social order that honours human freedom. There is no other way.