

This Shabbat is the 318th day (of 383); the 46th Shabbat (of 55) of 5765 • We read/learn the FIRST perek of Avot

...כִּי אָמַר ה' זְכַרְתִּי לָךְ יְיָ וְנִסְדָּ לְעִוְרֶיךָ אֶהְבֶּת כְּלוּלֹתֶיךָ... ירמיהו ב:ב

The Inseparable Partners

The following can fit for many sedras of the Torah, but the opening topic of Matot lends itself to reiterating a point that has been made often in Torah Tidbits over the years.

The Mishna in Yoma spends many chapters presenting the procedures for the Yom Kippur service in the Beit HaMikdash. The opening chapter tells us that the Kohen Gadol was taken from his private home and isolated in the Beit HaMikdash complex for seven days before Yom Kippur. Among the many things that occupy his time during the pre-YK week, is a seemingly strange event that the mishna describes. Representatives from the Sanhedrin teach and/or review the details of Avodat Yom HaKippurim with the Kohen Gadol, who will be doing most of the day's service on his own.

The representatives of Sanhedrin administer an oath to the Kohen Gadol that he will faithfully carry out all the myriad of details of the Yom Kippur service as they have taught him. When they part company, says the mishna, they cry and the Kohen Gadol cries. Why do they cry? And why did they have to make the Kohein Gadol swear?

During the time of the second Beit HaMikdash, there were times when a Kohen Gadol was an appointee of the Greek authorities, rather than one selected by the "proper" methods of selection. Often, the appointed KG was suspected of being a Tzedoki (a sect that most often follows the literal meaning of the Torah, rejecting the definitions, explanations and rulings of the Oral Law). These appointments were made to cause friction between the Sanhedrin and the Beit HaMikdash leadership. By requiring an oath, the Sanhedrin were guaranteed that the KG will perform the Avoda as should be done. Would not a Tzedoki make changes according to his sect's rulings? Not if he took an oath. Without a commitment

Word of the Month



A weekly feature of Torah Tidbits to help clarify practical and conceptual aspects of the Jewish Calendar, thereby better fulfilling the mitzva of HaChodesh HaZeh Lachem...

The mazal of Av is Leo the Lion, here represented by... whom? First 3 emails with his name and at least one of his lines will receive a CD from Noam Productions.



It has been suggested not to announce the coming of the month whose entrance is met with a diminishing of joy. That suggestion was rejected - if any month needs a bracha, it is Menachem Av.

ראש חודש מנחם אב יהיה ביום שבת קודש
הבא עלינו ועל כל ישראל למוצה:

The molad will be on Friday 9h 20m 10p

המולד יהיה ביום ששי בבוקר. עשרים דקות
ועשרה חלקים אחרי תשע.

That's 10:00am Israel Summer Time

Rambam notation: Shishi, 15h 370p

Actual molad: FRI 5 AUG 6:05am IST

www.radiou.org
and
www.israelnationalradio.com
New show from Thursday

OTHER Z'MANIM
Correct for Jerusalem

The OU Israel Center and Torah Tidbits do not necessarily endorse the political or halachic positions of its editor, columnists, or advertisers, nor do we guarantee the quality of advertised services or products

regular and (earliest)
CANDLE LIGHTING
HAYDALA TIMES
Israel Summer Time (DST)
Correct for TT 678 • Rabbeinu Tam (l'm) - 8:59pm

7:03pm (6:12)	Jerusalem	8:18pm
7:20pm (6:15)	Gush Katif	8:19pm
7:20pm (6:15)	Raanana	8:20pm
7:18pm (6:13)	Beit Shemesh	8:18pm
7:20pm (6:15)	Netanya	8:20pm
7:19pm (6:14)	Rehovot	8:19pm
7:00pm (6:14)	Petach Tikva	8:20pm
7:19pm (6:14)	Modi'in	8:19pm
7:18pm (6:13)	Be'er Sheva	8:18pm
7:17pm (6:12)	Gush Etzion	8:17pm
7:19pm (6:14)	Ginot Shomron	8:19pm
7:03pm (6:12)	Maale Adumim	8:17pm
7:18pm (6:13)	K4 & Hevron	8:17pm
7:14pm (6:13)	Tzfat	8:19pm

Ranges are THU-THU 21-28 Tamuz (Jul 28 - Aug 4)

Earliest Talit & T'filin - 4:56-5:02am
Sunrise - 5:52-5:57am
Sof Z'man K.Sh'ma - 9:18-9:20am (8:26-8:30am)
Sof Z'man T'fila - 10:27-10:28am (9:53-9:55am)
Chatzot (halachic noon) - 12:45½-12:45¼pm
Mincha Gedola (earliest Mincha) - 1:21-1:20pm
Plag Mincha - 6:13-6:09pm
Sunset - 7:44-7:38pm (7:39-7:33pm)

In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
"Early Shabbat" Davening
Mincha 5:57pm (15 min. before Plag)
SHABBATON
Join us for davening and shiurim
see BackPages for schedule

OU ISRAEL CENTER
Seymour J. Abrams • Orthodox Union
Jerusalem World Center

Yitzchak Fund, President
Rabbi Emanuel Quint, Senior Vice President
Prof. Meni Koslowsky, Vice President
Rabbi Dovid Cohen, Vaad member
Moshe Kempinski, Vaad member
Sandy Kestenbaum, Vaad member
Simcha Rock, Vaad member
Zvi Sand, Vaad member
Harvey Wolinetz, Vaad member
Menachem Persoff, Director of Programs, Israel Center
Phil Chernofsky, Educational Director and TT editor

22 Keren HaYesod • POB 37015 • Jerusalem 91370
phone: (02) 566 7787 • fax: (02) 561-7432
email: tt@ou.org • website: www.ou.org/torah/tt

Orthodox Union • National Conference of Synagogue Youth
This publication and many of the programs of the Israel Center and NCSY in Israel are assisted by grants from The Jewish Agency for Israel
Produced and printed "in house" at the Israel Center

to the Oral Law, and following the literal wording of the Written Torah, there is no way out of an oath. Even if the oath was made under duress. Even if the "heart and the lips" were never in agreement. Even with regret. For all of the problems with Tzedokim in general, and a Tzedoki Kohein Gadol in particular, if he says the words of an oath, he is duty-bound to keep them. The Sanhedrin could rest easy that the Kohein Gadol would faithfully follow the exacting demands of halacha in the performance of the Avoda on Yom Kippur.

He cried and they cried because he was suspected of being a Tzedoki, even if he wasn't. It was a very sad situation that existed at the time.

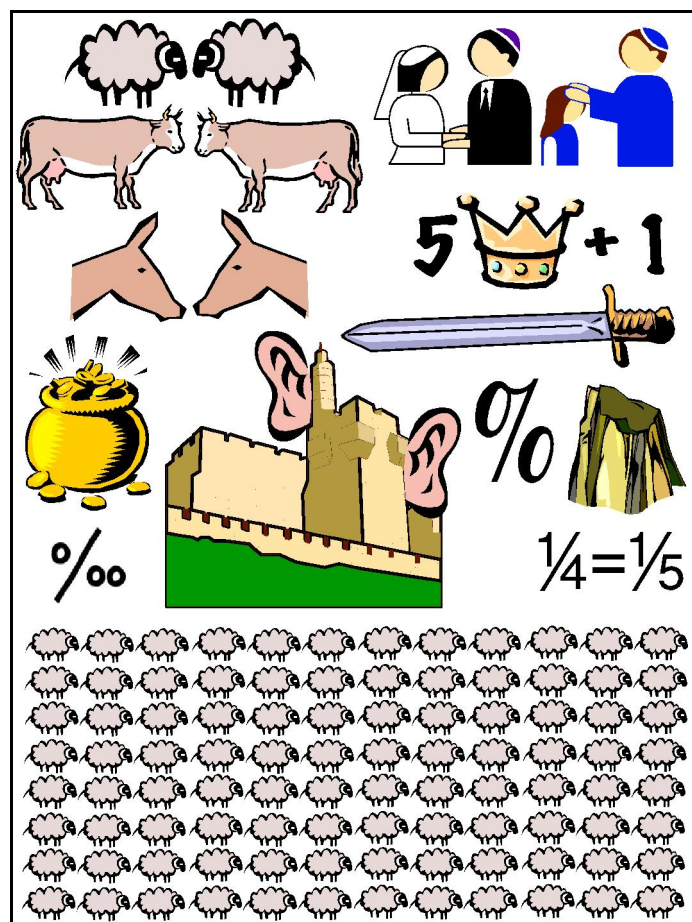
But the point of this example is this: Torah is comprised of two equal parts - the Written Word, Torah she'bichtav, and the Oral Law, Torah she'b'al peh. If one accept the former and reject the latter, gross distortions of the Truth of Torah result. In this example, it is important to keep one's word and not violate a vow. It says that in the Written Torah. It is equally true that one can, in certain circumstances, nullify his vows. It says this in the Oral Law. Neither is more important than the other. The first doesn't work without the second.

We (men) are commanded to bind T'filin on our arms and place them on our heads, between our eyes. T'filin are made of leather. They are to be black. They contain four specific portions from the Torah. They are to be positioned on the arm and head in very specific ways. How do we know anything more than "Wear T'filin"? The answer is the Oral Law.

The mishna in Chagiga states that Hatarat Nedarim "floats in the air" and has no textual support. But it is no less part of the body of halacha because of the lack of a chapter and verse to anchor it to.

Acceptance, belief, in the twin aspects of Torah is crucial to authentic Torah Judaism.

It is prohibited by Torah law to make Beef Stroganoff with real sour cream and real beef. This is so even if the cow whose milk was used to make the cream is totally unrelated to the cow whose beef is being used for the recipe. The Written Word says, "in its own mother's milk". The Oral Law teaches us that the prohibition is more inclusive. This is NOT a Talmudic or Rabbinic extension of the Torah Law. This is DEFINITION of the Torah Law courtesy of the Talmud, the embodiment of the Oral Law as given by G-d to Moshe and from Moshe to his and the next generation, and so on along the Chain of Tradition that teaches us today and will continue to teach our children and children's children forever. The Talmud is this, and a lot more.



MITZVOT:

Contains 2 of the 613 mitzvot, 1 pos. 1 prohibition

MATOT STATS

42nd of the 54 sedras; 9th of 10 in Bamidbar
 Written on 190 lines in a Sefer Torah (rank: 29)
 9 Parshiyot; 4 open, 5 closed
 112 psukim - ranks 24th (7th in B'midbar)
 1484 words - ranks 29th (6th in B'midbar)
 5652 letters - ranks 30th (7th in B'midbar)

Of the 7 pairs of sedras that are sometimes combined and sometimes read separately, Matot and Mas'ei are the most-often combined pair. All over the world, they are separated only 10.5% of the time, the last time being 21 years ago. In Israel, they are separated an additional 10% of the time - when Pesach begins on Shabbat and the year has 2 Adars. That last happened 10 years ago.

Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya - 16 p'sukim - 30:2-17

[P> 30:2 (16)] "And Moshe spoke to the leaders of the Tribes of Israel..." The first principle of the topic of Nedarim (vows & oaths) is that a person must fulfill the terms of a vow and it is prohibited to "profane one's word" [407,L157 30:3].

On the other hand, built into the Torah's laws are procedures for release from vows. These procedures also constitute a mitzva, known as HAFARAT N'DARIM [406,A95 30:3]. A girl (12-12½ yrs. old - officially called a NAARA) who vows can have her vows nullified by her father (only on the day he hears of them). Similarly (but with differences), a wife's vows can be nullified by her husband. (In this case, only some vows, those which affect the husband are subject to his nullification.)

MITZVA WATCH

In addition to HAFARAT N'DARIM, the nullification of a wife's or daughter's vow by husband or father, there is another aspect of this mitzva, known as HATARAT N'DARIM. This is the nullification of one's vows (those that halachically CAN be nullified) by a Rav-expert in the laws of N'darim or a panel of three dayanim (even laymen).

Hatarat N'darim is a rare example of a mitzva that is considered Torah law, although there is no clear supporting text in the Written Word. The Mishna in Chagiga assures us that Hatarat N'darim is no less a Torah concept because of the lack of a written source. This is but another in a long series of demonstrations of the absolute necessity of defining Torah as BOTH the Written Word and the Oral Law and Tradition.

An important point to keep in mind is that Hatarat Nedarim is not the inferior step-sister of the command to keep one's word and not to profane one's word. It sometimes takes second place, but it is sometimes preferred.

For example, if a person promises to visit the Kotel once a week, then it would seem that the person is obligated to do exactly that. He promised he would. So he must. The Torah says he must do "all that came out of his mouth". The Torah forbids him to profane his words. At the same time, the halacha allows the person to appear before a Beit Din (or Rav who is an expert in the laws of Nedarim) and ask that he be unbound from his promise. He needs a rationale upon which HATARA (unbinding) can be based. Okay, he explains to the Beit Din or Rav that when he made the promise, he lived close to the Old City and had easy access to the Kotel. Now he moved away and/or changed jobs with different hours from his previous one, and it is very difficult to keep his promise. The Beit Din or the Rav asks him if he would have made such a promise, if he foresaw the difficulties in keeping it. He says that he would not have. On that basis, he can be released from his promise. The nullification is retro-active to the time he first made the promise. Of course, he can go to the Kotel as often as he likes. But he is no longer bound by a promise to go once a week.

If the promise was motivated by a tragedy or difficult situation, then the person should try hard to maintain the terms of the promise and break the Neder. If it becomes difficult to continue the

deed in question, then one should be Matir Neder but try to continue the deed as often as possible.

If the promise involved a mitzva matter - commitment to a certain amount of text of learning, specific acts of chessed, a Chumra perhaps - then Hatarat Nedarim should not be used to stop doing the mitzva, but only to remove the burden of the Neder.

If the matter at hand is mundane, then it is praiseworthy to undo the Neder (if possible) to avoid an unnecessary "sin-trap". (Made up term. We have enough opportunities to sin without violating our own Neder being added to the list.

Levi - Second Aliya - 12 p'sukim - 31:1-12

[P> 31:1 (12)] G-d next commands Moshe to do battle against Midyan, and then to prepare to take leave of this world. Moshe drafts 1000 men from each tribe for the task.

SDI *Commentaries point out that the People were reluctant to comply because they knew that Moshe would die shortly after successful completion of the battle. Moshe, on the other hand, enthusiastically complies with G-d's command, his personal interests to the contrary, notwithstanding. The Chatam Sofer notes that when G-d commands the battle against Midyan, He calls it NIKMAT BNEI YISRAEL, a revenge for Israel's sake. When Moshe calls the people to battle, he refers to revenge for G-d's honor. If the people would be fighting for their own honor, they might forgo the battle, not to hasten Moshe's end. But to avenge G-d's honor, they dare not refuse.*

Pinchas is sent as "chaplain". The 12,000 strong army succeeded in killing all male Midyanites including 5 kings and Bil'am. The women, children, herds, flocks, and possessions of Midyan were taken as booty. The cities and palaces were destroyed. The army returned to the Israelite camp at Arvat Moav.

Note: There is confusion among commentaries as to whether the tribe of Levi sent a contingent to fight this war or not. If they did, did Menashe and Efrayim combine as the tribe of Yosef, thereby keeping the total number at 12000, or were there actually 13000 who fought. Levi's probable involvement is due to the fact that the war was NOT for the purpose of conquest of territory; had it been, Levi would not be directly involved. If so, Menashe and Efrayim probably fought as the tribe of Yosef in this war against Midyan.

Shlishi - 3rd Aliya - 12 p'sukim - 31:13-24

[S> 31:13 (8)] Moshe, Elazar, and the tribal leaders went out to greet the returning army. Moshe was angry that the officers kept the women of Midyan alive since it was they who were instrumental in the downfall of Israel in the Pe'or affair and the consequent plague. The women and male children were killed; the girls remained captive. The soldiers were told to remain outside the camp for seven days because of their ritual impurity as a result of the war. So too were their garments and certain vessels Tamei.

[S> 31:21 (4)] Elazar HaKohen sets down the laws of

purification of vessels. Many of the details of "kashering" and "toveling" of vessels are derived from here.

R'vi'i - 4th Aliya - 17 p'sukim - 31:25-41

[S> 31:25 (30)] G-d tells Moshe to order a counting of the spoils of war. The booty is to be divided equally between the soldiers on the one hand and the People on the other. Taxes of 1/500 were imposed upon the soldiers. The tax was to be given to the kohanim. The tax from the share that the people receive is 1/50. Their tax was to go to the Leviyim.

The Torah tells us that Moshe and Elazar did as G-d had commanded.

The tally comes to 675,000 sheep (and/or goats). 72,000 cattle. 61,000 donkeys.

The count of young girls was 32,000.

The Torah now tells us the tally of the half that went to the army. (If anyone has an idea as to why the Torah spells all this out, please let us know. Consider this another Parsha Point to Ponder.)

Because the Torah gives the numbers, they are being included in the Sedra Summary here. And seeing the numbers will underscore the question as to why the Torah included all these details.

The army's half was 337,500 sheep (and goats). The tax (1/50) from the TZON was 675 animals. 36,000 cattle; tax of 72 animals. 30,500 donkeys; tax of 61 donkeys.

And 16,000 young girls (for what purpose?); tax of 32 (for what purpose)

Wlazar received all of the MECHES, as G-d had commanded.

Chamishi - 5th Aliya - 13 p'sukim - 31:42-54

And then the half that went to the people is itemized. The question still (or again) is why repeat the numbers.

337,500 TZON, 36,000 BAKAR, 30,500 donkeys. 16,000 people (young girls).

A tax of 1/50 was given to the Leviyim. (Another question: Why this time are the 1/50 amounts not spelled out like the 1/500 were above?)

The officers approach Moshe with more gifts of gold (vessels, jewelry) in thanks to G-d for not losing even one person in battle. The total amount of gold came to 16,700 shekel.

Shishi - Sixth Aliya - 19 p'sukim - 32:1-19

[P> 32:1 (4)] Next the Torah tells us that the tribes of Reuven and Gad were heavily laden with flocks and that they noticed that the lands of Ya'zeir and Gil'ad were particularly suited for raising livestock. The came before Moshe, Elazar, and the leaders of the People and they "mentioned" that the territory was good for animals and that they happened to have many animals.

Note the unusual pasuk, 32:3, in which each of its 9 words is the name of a city.

[S> 32:5 (11)] They then requested permission to settle on the east bank of the Jordan River, Moshe's initial reaction is intense anger, fearing that the request of the two tribes would discourage the People of Israel from wanting to proceed into the Land, repeating the experience of the "spies" of almost 40 years earlier. Moshe is very descriptive and passionate in retelling what happened 40 years earlier.

[S> 32:16 (4)] The key objection on Moshe's part seems to be the potential negative effect on the rest of the People. To this, the tribes replied that they would be prepared to settle their animals and families "here" and they would surely accompany their brethren into Eretz Yisrael and not return to the east bank until all is settled in the Land.

SDT *In addition to the main "dressing down" that Moshe gives Reuven and Gad, there is a more subtle rebuke on another issue. The tribes offer to build corrals for their flocks and homes for their children. Later, when Moshe gives them permission to establish themselves on the east bank, he tells them to build homes for their children and accommodations for their animals. Your children go first. Then your property.*

Sh'vi'i - 7th Aliya - 23 p'sukim - 32:20-42

[P> 32:20 (23)] Moshe's response is the administration of an oath (many details of the proper form of "conditions" are derived from this famous oath of the 2½ tribes) agreeing to the request to settle on the east side of the Jordan iff (if and only if) the 2½ tribes fight side by side with the other tribes of Israel.

The Torah describes the cities that the 2½ tribes established to settle their families and flocks prior to their crossing the Jordan.

Perhaps the seemingly unnecessary details give us the message that we are dealing with part of Eretz Yisrael, and not just something extraterritorial.

Haftara - 22 p'sukim - Yirmiyahu 1:1-2:3

The first of the three HAFTAROT OF TRAGEDY. When Matot and Mas'ei are combined, this is the haftara for Parshat Pinchas. When they are separated - as they are this year - it is the haftara for Matot.

The haftara consists of the opening words of the book of Yirmiyahu. Aside from the personal exchange between G-d and Yirmiyahu, we are told of his visions of an almond tree (which blooms early in the year, a sign that G-d's judgment is coming soon) and the "boiling pot", representing the enemy from the north (Bavel) who will come to destroy Jerusalem. This prophecy of destruction, because of idolatry and unfaithfulness, sets the tone for the 3 Week mourning period for the Beit HaMikdash and for the main part of the book of Yirmiyahu. The concluding pasuk of the haftara tell of the promise that G-d will punish those who rise against Israel, for Israel - despite its sins - is holy and special to HaShem.

THE JERUSALEM INSTITUTE OF JEWISH LAW - Rabbi Emanuel Quint, Dean

Lesson # 294 • part two

Dina D'Malchuta Dina Abiding by the Laws of the Land

In the last lesson I wrote that there were several sources in the Talmud for the concept of Abiding by the Law of the Land, Dina D'Malchuta Dina. That lesson had one source, a mishna in Nedarim 3:3.

Source #2:

A Mishna in Tractate Gitin, 1:5 states that all legal documents entered in the registries of non-Jews are valid even if their signatories are non-Jews, except divorce documents and writs freeing slaves. The Talmud (Gitin 10b) questions how deeds of gift can be valid since there has not been a valid act of acquisition to acquire the gift. The Talmud answers that Shmuel (first generation Babylonian Amora; born about 180, died in 257) has said that Dina D'Malchuta Dina, the law of the land must be followed.

Source #3:

A Mishna (Baba Kama 10: 1) states that no money may be taken in change from the box of custom collectors. (It is assumed that the money in these boxes are ill-gotten.) The Talmud (Baba Kama 113a) asks why is it assumed that the money is ill-gotten; has not Shmuel enunciated Dina D'Malchuta Dina must be followed, and obviously the money in their boxes is legitimately there. It is answered in the Talmud that these customs collectors had no limit and were not acting lawfully. As stated by R. Menachem Meiri; Provence, (France 1249-1306; Meiri Beit HaBechira on Baba Kama 113), the inference is that had they been acting lawfully, one could take change from them.

Source #4:

The Talmud (Baba Batra 54b) discusses an interesting situation: A Gentile sells a field to a Jew, who pays money to the Gentile but did not yet receive the deed to the field. Shmuel stated that during the hiatus between the payment of the money and the receipt of the deed, the field is ownerless and if any Jew performs an act of acquisition to the field, such as plowing in it, he acquires it. The reason is that according to halacha the field is not acquired by the payment of money alone, so that the field does not yet belong to the Jew until he receives the deed; on the other hand, once the Gentile has been paid, he no longer considers himself to be the owner of the field. The Talmud questions this ruling since it was assumed that under Persian law at the time when the discussion took place, a person could not acquire land except by deed and the Jew who performs the act of plowing the land would not acquire it, although he would under Jewish law. And as the Talmud continues, there is the statement of Shmuel that the law of the land must be followed, Dina D'Malchuta Dina.

What emerges is that the doctrine of Dina D'Malchuta Dina is not questioned by anyone in the Talmud. As stated by R. Yom Tov b. Abraham Ishbili (Ritva; Seville Spain; 1250-1330; on Nedarim 28a) there is no one who disputes the doctrine.

Political theories of Dina D'Malchuta Dina

There are several political theories why Dina D'Malchuta Dina is binding on all Jews regardless of the land where they reside. (What is set forth under political theories were enunciated

hundreds of years before some of the great Gentile political scientists of note who helped shape Western democracy. Also most of these theories of the Rabbis were spelled out in one or two sentences rather in volumes.

Theory 1:

R. Samuel b. Meir (Rashbam; Germany 1080-1174; commentary to Baba Batra 54) in his commentary states that the underlying theory of why one must abide by the law of the land in which he lives is that all the inhabitants of the land have entered into a social compact to do so. "All of the inhabitants of the kingdom have taken upon themselves by their own free will the statutes of the king and his laws. This is also the view of R. Isaac b. Moses of Vienna (Germany 1180-1250; Or Zarua, volume 1, response 745.) This is also the view of R. Moses b. Nachman (Spain, Israel; 1194-1270, Ramban response 46.)

Theory 2:

Building on theory #1, R. Israel Isserlein (Germany 1390-1460; Terumat haDeshen response #341) says that in most situations the citizens do not actually enter into a formal agreement agreeing to be bound by the laws of the land. Instead such agreement is implied in all countries; by residing within the land it is presumed that the citizens agree to be bound by the laws of the land.

Theory 3:

A singular opinion is expressed by R. Eliezer of Metz (a Tosafist; Germany, 1115-1198): The king owns the land and he may deport anyone who does not abide by his laws. The citizens are therefore required to obey the laws or leave the country. Although this is a singular theory it is cited by many others such as R. Solomon b. Adret (Barcelona, Spain; 1245-1310; Rashba commentary on Nedarim 28.) and R. Nissin b. Gerondi (Spain, 1310-1375; Ron commentary on Nedarim 28a.) As will IYH be explained in a future lesson, this theory has application in our own times in the State of Israel.

Theory #4:

As explained by R. Solomon b. Adret: (Rashba commentary on Yebamot 46a), when the ruler of the land conquered the land, he also conquered all of the citizens there as his prisoners, and they are thus obligated to follow the laws of the land. This is based on a Talmudic passage (Gitin 38a) that shows that a Gentile can acquire a Jew by an act of possession based on the verse "And he took them a captive" (B'midbar 21:1). R. Yosef Habiba (Spain beg. 15th century; Nemukai Yosef on Alfasi Yebamot 46b) takes it even further by stating that the Jew who is punished for not paying his taxes may be sold as a slave, and must therefore abide by the laws of the land. As for the question raised that the laws of slaves are not applicable nowadays, he answers that there is still a vestige of the laws of slavery applicable today (in his time, i.e. 15th cent.). Whether the doctrine of Dina D'Malchuta Dina applies to acquiring persons today is the basis of a discussion by the Tosafists. (See Tosafot Yebamot 26a.) R. Joshua Falk explains that this holds true even if the citizen owns his own piece of land. (Poland; 1555-1614; Sma on Choshen haMishpat 369: 12).

IYH the next lesson will continue with other political theories that form the basis of the doctrine of Dina D'Malchuta Dina.

The subject matter of this lesson is more fully discussed in volume IX chapter 369 of A Restatement of Rabbinic Civil Law by E. Quint. Copies of all volumes can be purchased via email: orders@gefenpublishing.com and via website: www.israelbooks.com and at local Judaica bookstores. Questions to quint@inter.net.il

Meaning in Mitzvot

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh by

Rabbi Asher Meir

Choosing a Spouse

Last week we discussed the first chapter in Even Haezer, the section of the Tur and Shulchan Arukh dealing with the laws of marriage. That chapter dealt with the obligation to marry and have children. This week we discuss the second chapter, which discusses the ideal spouse whom we should marry.

Seemingly, the main consideration mentioned in the Tur is family background, or yichus. The chapter opens: "A man should only marry a woman who is appropriate to him, one who has no disqualification, for anyone who marries a woman who is inappropriate to him, when the Holy One blessed be He testifies to the tribes [that they belong entirely to the people of Israel], He won't testify to him".

Of course this in no way contradicts the importance of finding a spouse with a good character and with compatible traits. It just means that the search begins with those with a good family background. Afterwards the quality of the match is determined by personal qualities. Indeed the Tashbetz writes that when Chazal state that "From Hashem a woman to a man" (Moed Katan 18b), it refers to this kind of compatibility: "insofar as this woman is suitable for this man in manifestations and humor [today we would say "chemistry"] between them, according to the divine decree". (Tashbetz II:1.)

But when we look more deeply we find that the idea of good background is itself intimately connected with good character. When the Tur goes on to describe how we gauge a person's pedigree, he doesn't discuss how many generations we check their descent. Rather: "And what is the sign of pedigree? Someone who hears an insult and doesn't respond, as Rav Ada stated, 'The pedigree of Bavel is silence'."

Later on, the Tur cites Rambam, who writes that in general all Jewish families can be assumed to have yichus, a kosher background. The exceptions: someone from a family which is very quarrelsome, and "someone who is insolent and cruel and misanthropic, and doesn't do acts of loving kindness, we suspect that he is a Givonite [symbolizing lowly background], for the signs of the holy nation of Israel is that they are bashful, merciful, and kind" (Isurei Biah 19).

So the insistence on family background comes to focus not on pedigree, but rather on character traits and the educational environment of the prospective spouse. Even the mandate to seek the daughter of a Torah scholar is given a perspective which ties it to the traits of the spouse: "A person should always try to marry the daughter of a Torah scholar and to marry his daughter to a Torah scholar, for if he dies or is exiled, his children will be Torah scholars". The emphasis is switched from the technical fact of the wife's background to the practical consideration of the educational environment she will create for the children.

(I have heard that the Chazon Ish ruled that any woman who was educated in a reputable Torah seminary should be considered a "daughter of a Torah scholar" for the purposes of marriage, for this very reason.)

We learn from the Tur that much of the distinction between

family background and character is really artificial. The importance of family background in Jewish law and tradition is itself bound up with the idea that our nation as a whole is naturally displays and esteems elevated character traits: forbearance, modesty, kindness. This doesn't mean that a distinguished pedigree is not impressive or importance; it just means that ultimately we are trying to find a partner who will have an enlightened soul and wonderful characteristics, and the family background is one, but only one, correlate for these human qualities.

TANACH

SPIRITUAL AND ETHICAL ISSUES IN THE BEREISHIT STORIES by Dr. Meir Tamari

"Shem, Cham, and Yefet; from these the World was spread"

The Deluge passed and all living creatures were wiped out. Noah, as Hashem commanded, leaves the Ark, together with his family and all that was in it. Never again would the world be destroyed by a natural catastrophe like the Flood, and Hashem planted the rainbow as a sign of His promise. Now from the three sons of Noah were to come the generations of Mankind that would repopulate the world. "They had different characters, yet all three were considered worthy to be saved, so too down the ages, despite the often vast spiritual, cultural and social differences between their descendants, no one could say to another, 'you are less human than I'; all are equally created in G-d's Image. To emphasize this important truth, their names are repeated here." (Rabbi S. R. Hirsch). And the Torah tells of the ten generations that followed from Noah until Avraham, and the various nations and peoples that flowed from them. They were the second experiment, as it were, to see whether individuals could create a spiritual and moral future, according to Hashem's law. As the basis for all civilized society they were given the Seven Noachide Laws: prohibitions of idolatry, cursing G-d, adultery, robbery, eating flesh from a living animal, murder and the positive command of establishment of a just legal system - all as a Divine commandment.

"And Noah began to be the man of the earth" - he developed the plough, the wisdom of agriculture and the sciences associated with it. That was beneficial and praise worthy. Yet "he was supposed to correct the world spiritually as well, so he should have planted olives or figs from which people have a benefit, instead "and he planted a vine", which is detrimental to mankind in addition to the pleasure and benefits it brings. [Furthermore], Noah who at first was an Ish Tzadik, ended being called 'a man of the earth, whereas Moshe who was at first called an Egyptian man [by the daughters of Yitro], ended as 'the man of G-d" (B'reishit Rabba33:3).

What was so wrong with the vine and wine? After all, the drinking of wine forms an integral part of our ritual: Kiddush on Shabbat and Chagim, havdala, the 4 cups at the Seder, and celebrating weddings and britot. [Not to mention wine of libation in the Mikdash - Ed.] I doubt there is a religion or a faith so wine-orientated, but there is a profound spiritual difference between Noah's world and ours. This is the concept that permeates Judaism, of sanctifying oneself in those things that are permitted to one. Sex, food, war, business, earning money, social communication and political organization are all essential for human life. However, nothing is unlimited and so

all the permitted actions are made KADOSH, that is, set aside. So there is kosher, that is proper or befitting, food, sex, government and money and speech. What prevents sin in all of them is that we sanctify everything. So in the Vidui we recognize that gluttony of permitted food is a sin and our whole Ashamnu deals with unkosher wealth formation. Marriage is Kiddushin, and what transforms eating are the altars that our tables are while the Kiddush we recite over wine makes our drinking sanctified. Whereas the Midrash tells us that Noah planted the vine, gathered the grapes, made them into wine and got drunk all in the same day.

What followed in the story was inevitable; Noah fell into a drunken stupor and while he slept his grandson Canaan castrated or sodomized him. Perhaps this was caused to prevent Noah having a fourth son when they left the Ark and so reduce Cham's inheritance; this is similar to ascribing Hevel's murder to Kayin's refusal to share the world with him. Irrespective, Canaan was born out of Cham's violation of the ban on sex relations while in the Ark as it is written only in his case, that when they left the Ark, "And Cham was the father of Canaan". This sexual depravity that Canaan inherited he bequeathed to his children, so that the land of Canaan was steeped in sexual immorality: "For the inhabitants of the Land who were before you committed all these abominations and the Land became contaminated" (Vayikra 18:24-30). Upon awaking, Noah cursed Canaan to be a slave to his brothers; from this we learn the halacha that an eved Canaani goes free if his master causes the loss of an eye or a tooth since these two organs sinned here by seeing the act and telling of it.

Cham gleefully told his brothers of their father's abasement, but Shem and Yefet, walking backwards so as not to see his shame, then covered their father's nakedness. For that Noah blessed them, a blessing that re-echoes in history and world civilization.

"Blessed is Hashem, the G-d of Shem"; G-d is the striving of Shem and intrinsically bound to his nature, while his descendant Israel is destined to be rallying point for the service and knowledge of Hashem; when He is blessed, so are they. "Though Israel, the descendants of Shem, are the most devoted servants of Hashem, He is a universal G-d; He is called the G-d of Israel because He is revealed in their history and because they are the ones who recognized and proclaimed His Unity and His greatness" (Rabbi S. R. Hirsch).

"G-d will open the mind of Yefet, but he will dwell in the tents of Shem". The Midrash tells us that this refers to Cyrus, king of Persia who called himself the servant of Hashem and therefore granted permission for the Jews to rebuild His Temple. From the descendants of Yefet the world has gained much of its science, mathematics, philosophy, artistic concepts and beauty; they have taken Mankind out of the culture of the caveman. Yet we have witnessed in our own times how Yefet's civilization can lead to evil or to hedonism. "There is indeed beauty and wisdom in Greece that prepares mankind for the mission of Shem. Yet the education of spiritually unrefined humanity to a sense of the mind and beauty does not, of its own, reach its full potential, as it gives only the satisfaction of one's own standards as the criterion for one's actions. It needs the additional recognition of an external truth, the Torah of Shem, to achieve the wellbeing and happiness of Mankind. That is the greatest beauty since it achieves a harmonious joining of all aspects of life under the single idea of devotion to G-d" (Rabbi S. R. Hirsch, B'reishit 9:27).

This is the 92nd installment in Dr. Tamari's series on "Tanach and its messages for our times"

MISC section - contents:

- [1] **Vebbe Rebbe**
- [2] **Candle by Day**
- [3] **From Aloh Naaleh**
- [4] **A Touch of Wisdom, A Touch of Wit**
- [5] **Torah from Nature**
- [6] **MicroUlpan**
- [7] **Pirkei Avot**
- [8] **G'matriya Match**
- [9] **Parsha Points to Ponder**
- [10] **Calendar Stats**
- [11] **From the desk of the director**

[1] From the virtual desk of the OU **VEBBE REBBE**

The Orthodox Union – via its website – fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and the Israel Center. The following is a Q&A from Eretz Hemdah...

Q: I live in Israel but have a business in America. I speak with some of my managers after work hours. May I call non-Jewish workers on Saturday night, which is still Shabbat in America?

A: It is correct to ask only about non-Jewish workers, as speaking to Jewish workers clearly violates, LIFNEI IVEIR LO TITEIN MICHSHOL" (not causing another to sin). A non-Jew is obviously not doing anything wrong, but would you violate the rabbinic prohibition against enlisting a non-Jew to do work for you on Shabbat (AMIRAL'NOCHRI)?

One might claim that since at the time you want to talk to the non-Jew, it is not Shabbat for you, the laws of Shabbat, including AMIRA L'NOCHRI, do not bind you. However, we find that it is forbidden to ask a non-Jew before Shabbat to do work for you on Shabbat (Shulchan Aruch, Orach Chayim 307:2).

In Bemareh Habazak (V, 43) we dealt with this issue by breaking AMIRA L'NOCHRI down into its components. There are three basic reasons brought to forbid AMIRA L'NOCHRI. One is that it violates the rule that one may not discuss matters that pertain to activities that are inappropriate on Shabbat, including melachot (forbidden activities on Shabbat) (Rashi, Avoda Zara 15a). This element stresses the Jew's involvement and is thus not an issue in our case. After all, your call, which you make after Shabbat, is appropriate for you.

Another rationale for AMIRA L'NOCHRI is that when a non-Jew does work at a Jew's behest, it is, on a certain level, as if the Jew is doing it through his agent (Rashi, Shabbat 153a). This also should not be a problem, as even if you were to do the melacha yourself at the time that the non-Jew does it on your behalf, it would be permitted, as Shabbat is finished.

Rambam (Shabbat 6:1) has another opinion regarding the idea of AMIRA L'NOCHRI. He says that it is "so that Shabbat will not be light in their eyes, and they [the Jews] will come to do it themselves." This also seems to not apply, as one who waits until after Shabbat to ask a non-Jew is not treating Shabbat lightly.

Despite all of this, Rav Zilberstein (Melachim Omnayich 3:(15)) entertains the possibility that it is forbidden for a Jew to ask a non-Jew to do melacha for him when it is Shabbat only in the non-Jew's place. He tries to prove that a non-Jew's work on Shabbat is considered a (permitted) violation of Shabbat. His proof is from the halacha (Shulchan Aruch, OC 298:5) that one cannot make a b'racha at Havdala on a candle that a non-Jew lit on Shabbat, because it is a "light that did not rest." He does not fully explain his reasoning, but one could explain the stringency in two ways. First of all, the Rabbis forbade asking a non-Jew, even before Shabbat, to do melacha on Shabbat. Our case may fit under that prohibition's parameters, and it may not make a difference whether or not the prohibition's logic applies. (One of the most complicated issues in halacha is if and when a rabbinic injunction that was made under certain circumstances applies to cases where the original logic doesn't apply.) Another explanation may be based on the Rambam, that treating Shabbat lightly, by having a non-Jew do work on one's behalf, can lead to real violations. It is possible that as long as it is Shabbat in the non-Jew's place, there is an element of taking lightly.

In the final analysis there is an understandable consensus of recent poskim that our case is permitted (see Bemareh Habazak, ibid.; Yisrael V'hazemanim 34:4) because the logic of the prohibition of AMIRA L'NOCHRI does not apply. We offer one proviso. If it is publicly known that it is a Jewish-owned business, then even non-Jewish workers should not do work on the premises when it is Shabbat locally, even if it is not Shabbat for the owner (Chelkat Ya'akov, OC 87). This is because the problem of work being done at such a business (Shulchan Aruch, OC 243) is based on the wrong impression to the public (mar'it ha'ayin), and that depends on the local populace.

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or www.eretzhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@eretzhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the Hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] **Candle by Day**

Sometimes we compliment ourselves on having chosen the lesser of two evils, having completely overlooked the good that was there for the choosing.

From A Candle by Day by Rabbi Shraga Silverstein

[3] **CHIZUK and IDUD**

(for Olim & not-yet-Olim respectively)

In chapter 31 of our parsha, there seems to be a contradiction between what God commanded the Jewish people to do and the instructions that Moshe actually gave them.

In 31:2, God commands Moshe: "Avenge the children of Israel of the Midianites." But in 31:3, Moshe says to Bnei Israel: "Let men be picked from among you for a campaign and let them fall

upon Midian to wreak the vengeance of God upon Midian." Rashi explains that these two objectives are two sides of the same coin, stating: "Whoever attacks Israel is as though he attacks the Holy One, blessed be He." This could be interpreted as meaning that when Midian enticed Israel to sin, they caused a desecration of God's name. Nevertheless, the thrust of the revenge upon Midian appears to imply that we are dealing here with more than just two sides of the same coin.

While all mitzvot are the fulfillment of God's command, some are spiritually uplifting, while others - though right and just - contain elements that are spiritually difficult or perhaps even dangerous. On the joyous occasion of a Brit Mila we omit the words "she-ha-simcha bi-me'ono" from birkat ha-mazon in recognition of the fact that the child who has just entered Avraham's covenant is at the same time in pain. Rabbi Yehuda Ha-Nasi was punished for not relating to the pain of an animal which was being sacrificed (Baba Metzia 85a). We do not recite the complete Hallel on Pesach, because at the moment of our joy and redemption the Egyptians were drowning.

God told Moshe that the Midianites deserved punishment and that the children of Israel had His blessing to exact that punishment. Moshe felt that this revenge should be tempered with the idea that the revenge was intended to sanctify God's name.

What an important message for our times. In our present situation of great trouble and difficulty, when the very physical and spiritual future of our beloved Eretz Israel is in danger, let us keep in mind that as important as our physical survival may be, our spiritual existence is no less threatened.

May God grant that in both our struggles, the "war of Israel" and the "war of God," we will emerge victorious and achieve physical and spiritual peace in our beloved Eretz Israel.

Rabbi Binyamin Walfish, Jerusalem

TORAH THOUGHTS as contributed by Aloh Naaleh members for publication in the Orthodox Union's 'Torah Insights', a weekly Torah publication on Parshat Ha'Shavua

[4] **A Touch of Wisdom, A Touch of Wit**

A woman came to R' Yoshe Ber of Brisk just before the fast of Tisha B'Av, and poured out her troubles. "Rebbe", she said, "I am an honest woman and keep all the commandments and customs. Every year I make my husband noodles on the day before the fast, but this year, while I was kneading the dough, I somehow forgot myself and made farfel. What can I do now?"

"That is a serious question," said R' Yoshe Ber gravely.

He took down a thick volume and began leafing through it. He tugged at his beard and appeared deep in thought.

After some time, he looked up and said, "The farfel may be eaten, but you must take care from now to make noodles for the last meal before the fast."

When the woman had left, those who were there asked him, "Rebbe, what was that all about? Why did you make such a big to-do over something that was so unimportant?"

"From her question I could see that the woman was unlearned," said R' Yoshe Ber. "I felt that I must show that I treated her question seriously. If I would have dismissed her out-of-hand she would never come and ask me another question, even when such a question might relate to a really important and serious law."

Shmuel Himelstein has written a wonderful series for ArtScroll: Words of Wisdom, Words of Wit; A Touch of Wisdom, A Touch of Wit; and "Wisdom and Wit" — available at your local Jewish bookstore (or should be). Excerpted with the permission of the copyright holder

[5] **Torah From Nature - Golden Jackal**

Canis aureus, also called Asiatic or Common Jackal, in Hebrew, TAN, are small jackals native to northern and central Africa and southern Asia - including Israel... live 7-9 years in the wild, but have been known to live up to 16 years in captivity... golden reddish-yellow fur with a white mark on the throat, but the color can vary with age, region, season... 70-100cm long, 20-30cm tail, 40-50cm tall, 8-15 kilo... males tend to be larger than the females... Cooperative hunting is important to the jackals because pairs are three times more likely to be successful than individuals in hunting. Their diet varies, including birds, rodents, fish, young gazelles, insects and fruit. They will often follow lions and other big cats to scavenge their kills... live in small family groups consisting of a mother, father and some of their offspring, which serve as "helpers". "Helpers" stay with the parents for a year after reaching sexual maturity, to help take care of the next litter... mate for life... hunt, defend territory, share food, and provide for the offspring together... gestation period of 9 weeks, after which they give birth to 6-9 pups, weighing 200-250g each at birth. During pregnancy, the male will hunt and bring his mate food... prefer open country with trees and brush, grass and copse... also found in oases and human settlements in the Israeli desert. Habitat can vary immensely, including areas around human habitation... true members of the dog family... can actually interbreed with both domestic dogs and wolves. excellent hearing for finding small prey... do not usually attack larger animals... eat a lot of fruit for carnivores... possible danger from rabies...

[6] **MicroUlpan**

MKs are members of Knesset.

In Hebrew, CHAVEIR KNESSET is abbreviated CHET-KAF with a " (known as GEIRSHAYIM) between the letters. CHET-KAF. The plural is CHAKIM with the " staying in its place. CHAKOT female Knesset members, of which there are 18 or so.

ח"כ ח"כים ח"כות

[7] **Pirkei Avot**

During an Emergency Conference on Peace in the Middle East that took place in Washington D.C. in June '69, many of New York's Representatives met with the New Yorker attending the conference. Then U.S. Representative (later Mayor) Ed Koch spoke to the assembled following 6 or 7 non-Jewish members of the House, all of whom expressed their admiration and warm support of Israel. Koch thanked his colleagues for their kind words and then turned to the audience of his fellow Jews. He said, "My message to you is the words of Hillel, who said 2000 years ago - If I am not for myself, who will be for me."

U.S. financial (and other) support of Israel has always been very substantial and significant. But reliance on it has often put us in the situation of not being able to do for ourselves what is in OUR best interest.

[8] **G'matriya Match**

The delicate balance between keeping vows and nullifying them, between being obligated to keep them and being able to nullify them, is symbolized by the following GM.

LO YACHEIL D'VARO (B'midbar 30:3), he (the one who make a vow) shall not profane his word... is numerically $30+1 (31) + 10+8+ 30 (48) + 4+2+200+6 (212) = 291$.

V'HEIFEIR... (30:9), and he annuls (the vows)... $6+5+80+200 = 291$.

[9] **Parsha Points to Ponder - MATOT**

1) Why do the laws of vows begin with unusual words: AND MOSHE SPOKE TO THE HEADS OF THE TRIBES OF BNEI YISRAEL SAYING (30:2) instead of the usual AND G-D SPOKE TO MOSHE SAYING?

2) G-D tells Moshe to avenge the Midianite people and then he will die. (31:2) What is the connection between the two?

3) How could Moshe allow the tribes of Reuven, Gad, and half of Menashe to lose out on the spiritual benefits of living in Israel for the physical benefits they desired on the eastern side of the Jordan river?

THESE ARE THE ANSWERS

Ponder the questions first, then read here

In reaction to TTreader feedback, we have decided to put the answers to Parsha Points to Ponder in the same issue that the questions are posed. This avoids, as one TTreader wrote, eating old cholent. We hope that you will use the questions as jumping off points for study of the sedra with family and guests, before you read the answers.

1) Commentaries explain that vows show the power that a human being has, the incredible power to make things prohibited upon himself through his speech. It is only fitting that the focus of the introduction to these laws be on the fact that Moshe, a human being, is the one transmitting these laws from G-d thereby showing the great heights that humans can achieve.

2) Ramban explains that while Moshe was not given the opportunity to perform the commandments of the Land of Israel, G-d was not going to deny him the chance to fulfill every mitzva he could outside of Israel. At this point, the only outstanding mitzva was avenging what the Midianite people did to the Jews and G-d's honor. Thus, after performing this last mitzva, Moshe could die.

3) Rav Dessler explains that these tribes understood that everything in their possession was given to them by G-d to use in His service. Thus, their herds and flocks which could only be cared for properly in Trans-Jordan were given to them by G-d. They understood that for some reason they were to sacrifice their portion in Israel to tend to these flocks as their way of serving G-d. Thus, it was not out of physical needs while ignoring the spiritual that they requested to settle there and that Moshe granted their wish.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman of Beit Shemesh ppp@israelcenter.co.il - Answers will now be appearing in the same issue

[10] Calendar Stats

This year, 5765, is year type MEM-HEI-CHET, i.e. a 13-month year (MEM), that begins on Thursday (HEI), and is missing the 30th of Kislev (CHET). It is a rare year-type (2nd rarest), occurring only 3.9% of the time. The last year of this type was 5741, 24 years ago. There is another one scheduled for three years from now, and then not for another 44 years! One of the unique features of this year-type is that no sedras are combined. In all other year-types, there is at least one double sedra. Not this year. 54 sedras in the Torah. V'zot HaB'racha was read on Thursday (or Friday) Simchat Torah. Not on a Shabbat. 53 sedras to go. Of the 55 Shabbatot of 5765, three were not for reading Parshat HaShavua: Yom Kippur, Shabbat Chol HaMoed Sukkot, and the 7th day of Pesach. That leaves 52 Shabbatot for 53 sedras, if there are no doubles. Vayeilech is not read this year at all. (It was before Rosh HaShana with Nitzavim and will be alone on Shabbat Shuva after RH of 5766.) Voilà.

[11] Divrei Menachem

Parshat Matot introduces the way in which the Torah relates to vows and oaths. The Hebrew word "Neder", often translated as 'vow', really has no equivalent in English. In essence, a Neder has the effect of changing the status of the object upon which it was conferred.

Through a Neder, one can prohibit to oneself something that the Torah permits (such as eating an apple) or one may obligate oneself to perform an optional Mitzva such as bringing an offering or giving charity. However, one cannot obligate oneself to perform an act such as going to sleep on time, for such a declaration is not binding under the terms of Neder.

In contrast, besides self-denial, an oath - or SH'VUA - also affords an individual the possibility of undertaking a specific act, such as eating an apple a day. It changes the status of the individual, not the object. Here the obligation is on the person; halachically, the status of the apple has not changed.

When Rosh HaShana comes around we may stand in front of a Bet Din and annul (some of) our vows and oaths. On Yom Kippur, we again declare our Nedarim as void. Clearly, we often pledge without proper deliberation. So, no wonder the Torah addresses the laws concerning oaths and vows first to the heads of the tribes (B'midbar 30:1-2)! Evidently, our leaders should be the first to account for - or annul - their proclamations.

Shabbat Shalom, Menachem Persoff

SHEYIBANEH BEIT HAMIKDASH...

A series of articles on Beit HaMikdash-related topics by Catriel Sugarman intended to increase the knowledge, interest, and anticipation of the reader, thereby hastening the realization of our hopes and prayers for the rebuilding of Jerusalem and the Beit HaMikdash.

The Sota - Suspected Adulteress (2)

The Minchat Kina'ot or Minchat Sota brought "in an Egyptian basket" and placed "in her hands in order to tire her out" (Sota 2:1). Woven of palm leaves, the use of an "Egyptian basket" was also symbolic; Egypt was considered the very epitome of immorality (Rambam, Hilchot Sota 3:11). The Kohein took a half of LOG of "water that had been sanctified" from the Kiyor

(the laver) and poured it into a new earthenware cup. This earthenware vessel would be used by the Kohein to administer the Mayim HaMarim to the Sota (B'midbar 5:17, Sota 2:2).

[Rashi cites a Midrash about the Kiyor, based on Sh'mot 38:8 which is preserved in the Midrash Tanchuma. When Moses asked the people for donations to build the Mishkan, the response was overwhelming. Wanting to contribute to the Sanctuary on a more personal level, the women brought their copper vanity mirrors. Appalled at such "frivolity", Moses refused to accept them. Then G-d said to him, "Dearer to Me are these mirrors than all the other gifts which have been brought, because these mirrors increased the hosts of Israel." When the Israelite men in Egypt were exhausted from their slave labor, their wives would go out to them with food and drink, show their despairing husbands their reflections in their copper mirrors and coo sweetly in their ears, 'Am I not more beautiful than you?' The men forgot their troubles; "united" with their wives and brought many Jewish children into the world. For this reason Moses was commanded to accept the women's mirrors and use them to construct the Kiyor. The women's copper mirrors were used in Egypt to increase love between husband and wife and thereby "increase the hosts of Israel". Similarly water from the Kiyor - fashioned from these same "love-mirrors" - would be used to ascertain the purity of the relationship between husband and wife.]

"The Kohein entered the Heichal and turned right where there was a place (on the floor) 1 Ama long and 1 Ama wide, having a marble flagstone on which was fixed a ring. And when he raised it, he took dust from underneath and put enough (in the previously mentioned earthenware cup) to be visible on the water, as it is written, 'And of the dust that is on the floor of the Mishkan, the Kohein shall take and put it into the water...'" (B'midbar 5:17, Sota 2:2). With the newly prepared mixture in hand, the Kohein exited the Heichal and rejoined the Sota and her husband. "The Kohein shall abjure her and say to the woman, 'If a man has not lain with you, and you have not strayed in defilement with someone who is not your husband, then you shall be innocent of these bitter waters that cause a curse. But if you have strayed with someone other than your husband, and if you have become defiled, and a man other than your husband has lain with you...' The Kohein shall abjure the woman with the oath of the curse, and the Kohein shall say to the woman, 'May G-d render you as a curse and an oath among your people, when G-d causes your thigh to collapse and your stomach to swell. These waters that cause the curse shall enter your innards to cause your stomach to swell up and your thighs to collapse. And the woman shall respond, 'Amen, Amen'" (B'midbar 5:19-22). "To what does she reply Amen, Amen? Amen to the word "curse" and Amen to the word "oath" (in the previously quoted curses). Amen, (that I have not defiled myself) because of this man; Amen (that I have not defiled myself with) any other man. Amen in that I have not gone astray after my betrothal or while I was married... Amen in that I have not been defiled; and if I have indeed been defiled, (may all these curses) come upon me..." (Sota 2:5). "The Kohein shall write these curses (including the four letter Divine name) on a scroll and then blot them out into the Mayim HaMarim" (B'midbar 5:23). Until this point, the Sota could still back out; she could confess, be divorced and simply forfeit her marriage settlement. But once the holy four-letter name of G-d had been erased and the parchment placed in the water, she had to go through with it. If necessary, she was forced to. The Pasuk could not be written on a tablet, nor papyrus or unprepared skin; it had to be inscribed on parchment. The curses had to be

written with ink which could be erased (Sota 2: 2.)

It is likely that the Kohein, the Sota and her husband stood on the semi-circular flat area at the top of the 15th stair in front of the Nicanor Gate where they would be visible to spectators. We can picture the Kohein facing east and standing somewhat to the side so his back was not towards the Bayit. The disheveled Sota stood on the other side facing north and holding the Minchat Kina'ot. Her husband faced her (Sota 1:6). Women were "encouraged" to come and witness the proceedings. "Thus will I cause lewdness to cease out of the land, that all women may be taught not to do after your lewdness" (Yechezkel 23:48). "The husband took her meal offering out of the 'Egyptian basket' and put it into a Kli Shareit - a 'vessel of ministry' (i.e. a regular Mikdash vessel) and this he placed in her hand." All this time the Kohein was holding the cup with the Mayim HaMarim in full view of the Sota (B'midbar 5:18, Rambam, Hilchot Sota 3:14).

Once the Kohein had administered the Mayim Hamarim, "The Kohein put his hand under hers and 'waved' (B'midbar 5:25) the Minchat Sota" (Sota 3:1). This act of "waving" is called TENUFA. He started "in the east like all other Menachot" (Rambam, Hilchot Sota 3:15). The Kohein waved it "forward and backward and upward and downward." (Menachot 62a, "Forward and backward - it is to Him to Whom the four directions belong; 'Upwards and downwards' - it is to Him to Whom heaven and earth belong..." (Even though two different words are used in the Torah, in a deliberation in Sukka 37b, the "waving" of the "two loaves and the two lambs" offered on Shavu'ot are compared to the "waving" of the Lulav. [Menachot is used for the Lulav and Tenufa for the "two loaves and the two lambs" and the Minchat Kina'ot] While our sources do not mention specifically the order of directions that the "two loaves and the two lambs" were waved, we do have a tradition as how the Lulav was (and is) "waved" during the Hallel service: east, south, west, north, up and down. Since the Gemara does compare them, it is likely that the "order of directions" of the waving of the "two loaves and the two lambs" was done in the same manner as the Lulav. And we probably can assume that the Minchat Kina'ot also was "waved" in a similar fashion.) Minchat Kina'ot in hand, the Kohein left the Sota (no doubt in the company of other Kohanim), passed through the Nicanor Gate, and entered the Azara. He passed the northern side of the Mizbei'ach, turned left and proceeded to walk between the western side of the Mizbei'ach and the Bayit until he came to the southwest corner of the altar. There he paused.

<to be continued>

Catriel's book in progress: The Temple of Jerusalem, A Pilgrims Prospective; A Guided Tour through the Temple and the Divine Service

Towards Better Davening and Torah Reading MAPIK HEI

The first Aliya of Parshat Matot has 35 MAPIK HEIs. In honor of the largest concentration of MAPIK HEIs in the Torah, perhaps in all of Tanach, we will review the issue of the MAPIK HEI in the TBDA TR column of TT #678 for Parshat Matot 5765.

An unvoiced HEI at the end of a word is silent. It does not have an H sound. That's why in Torah Tidbits, we prefer using CHANUKA to CHANUKAH. There is a HEI at the end of the word, which is why some people put an H at the end of the English word, but when the HEI is silent, we leave the H off.

(Except for Torah. No good reason why.)

When the HEI at the end of the word has a dot in it (called a MAPIK), the HEI is sounded.

Most (all?) words with MAPIK HEI are a feminine form of the word, somehow. LO (LAMED-VAV) means "to him". LAHHH (the 3 Hs are to emphasize that the HEI must be aspirated (sounded) means "to her".

Among the 35 MAPIK HEI words in the first Aliya of Matot, are 9 occurrences of the word ALEF-YUD-SHIN-(MAPIK)HEI, meaning "her husband". The word is pronounced ISHAHHH. In contrast is the word ALEF-SHIN-HEI meaning "woman". ISHA.

All MAPIK-HEIs should be sounded. Because that is the correct way to pronounce them. But some actually change the meaning of the word (like ISHA and ISHAHHH above) if the HEI is sounded or not. Especially watch out for those. [Look at ELOKAI, N'SHAMA with which we thank G-d each morning for the return of our soul. Practice proper pronunciation of the many MAPIK-HEIs.]



Of course, the ParshaPix is not on page 3 in the PDF file. But it is almost always on page 3 in the hard copy of Torah Tidbits. Therefore it is on page 3 even when it is not on page 3.

Upper-right. Father and daughter; husband and wife. The two pairs involved in HAFARAT NEDARIM.

Five crown plus one with a sword under it refers to the five kings and Bil'am who saw their end during the battle against Midyan.

The face-to-face sheep, cows, and donkeys represent the even split of the spoils of war from Midyan, divided between the army and the rest of the people.

The pot of gold refers to the contribution of the officers of the battle in thanks to G-d for the zero casualty rate.

The big rock under the sword is TZUR, the name of one of the late Midyanite kings.

The mathematically incorrect statement, that a quarter is equal to a fifth. A quarter is REVA, one of the five kings (1/5) killed in the Midyanite battle.

David's Citadel, Migdal David, with ears. Those ears be OZNEI YERUSHALAYIM, mentioned towards the end of the haftara.

There are three new elements; they shall remain unexplained, and so they become visual TTriddles.

TTRIDDLES...

are Torah Tidbits-style riddles on Parshat HaShavua (sometimes on the calendar). They are found in the hard-copy of TT scattered throughout, usually at the bottom of different columns. In the electronic versions of TT, they are found all together at the end of the ParshaPix-TTriddles section. The best solution set submitted each week (there isn't always a best) wins a double prize a CD from Noam Productions and/or a gift (game, puzzle, book, etc.) from Big Deal

Last issue's (PiNCHAS) TTriddles:

- [1] Shabbat - Sunday connection
- [2] Daughters the same, sons 150 more
- [3] It contributes to the pronunciation until family suffix is added. For one of his sons, it is exactly the opposite
- [4] Zula's Shevet?
- [5] Follows the post-motana break
- [6] When personal names became family names, theirs changed the least, his changed the most. Who they - who he?
- [7] plus a visual TTriddle from the ParshaPix
- [8] and another visual TTriddle - also from the PP

And the envelope, please...

[1] This is a serious and sad TTriddle. On Shabbat, we read in the Torah about the mitzva of the T'MIDIM (the twice a day, every day, sacrifices). On Sunday, the 17th of Tammuz, we commemorated (among other tragedies) the cessation of the T'MIDIM.

[2] Shirley bat So-and-so or Reggie ben So-and-so. BAT in Hebrew is BAT in Aramaic (Targum). The same. BEN in Hebrew is BAR in Aramaic. With a REISH (200) instead of a NUN (50), we are talking about an increase in g'matriya of 150 for sons.

[3] The ALEF in REUVEN contributes to the pronunciation, together with its SHURUK, the ALEF accounts for the U or R'U-VEN. When a YUD is added to the end of R'UVEN to make the family name of those who come from Shevet R'uven, the word is pronounced MISHPACHAT HA-RU-VEI-NI. The ALEF is totally silent and the SHURUK is pronounced with the REISH. RU, not R'U. It is as if the ALEF was not there. On the other hand, the ALEF at the end of the name of one of R'UVEIN's sons is totally silent. The ALEF of PALU adds nothing to the pronunciation. Until the YUD is added for MISHPACHAT HA-PA-LU-I. In this case, the ALEF with its CHIRIK does contribute to the pronunciation of the name.

[4] Here's an example of a TTriddle which was not expected to be solved by anyone (still, there was always a possibility), but was there for the educational purpose of its solution, as follows: The OU Israel Center has a program that works (mostly) with teens at risk, or teens on the edge. Known as the Zula, the program attracts many kids that would be hanging out on Ben Yehuda or in Kikar Tzion, and gives them a place to drop in, trained, talented madrichim to lend them an ear and a shoulder, a program to connect to. The Zula is now known as the Pearl & Harold M. Jacobs Jerusalem Outreach Center. The dynamic, off-beat, colorful director of the Zula program is a fellow known as Chetzroni. He actually has a first name too, but just about everyone calls him Chetztoni. There are two original family names of the Bnei Yisrael that is preparing to enter Eretz Yisrael. One Chetzron is a son of R'uvein; the other is a grandson of Yehuda (son of Peretz). Both headed family units Chetzroni.

[5] MM/Bklyn got this one, as well as some others. MOTANA is Targum for MAGEIFA, plague. VAI-HI ACHAREI HAMAGEIFA, and it came to pass after the plague (which came in the wake of the Baal P'or - Zimri fiasco). Before the pasuk continues, we have a rare "Parsha break in the middle of a pasuk". After the post-motana (after the plague) break (in the

pasuk) comes the command from G-d to Moshe and Elazar to count the people.

[6] Another TTriddle on the family names of Bnei Yisrael. Aside from the names of the Sh'vatim themselves, there are something like 57 family names, based on children and some grandchildren of the Tribes. Most family names are made by adding a YUD to the name of the progenitor of the family. Sometimes the vowels change a little, sometimes they don't. N'MU'EL, N'MU'ELI. SERED, SARDI. CHEIFER, CHEFRI. Sometimes, the family name stays the same as that of the progenitor. Usually, it is because the name ends in a YUD already. But not always. There are 9 names that stay the same - they changed the least (not at all). KARMI, CHAGI, SHUNI, OZNI, EIRI, AR-EILI (5 from Shimon), YIMNA, YISH-I, GUNI. The one that changed the most was PUYA, whose family name became PUNI. SH'FUFAM also changed more than most, to SHUFAMI.

[7] The broom stands for the ROTEM, a bush or tree under which Eliyahu slept (in the haftara). That tree is also known as a broom.

[8] And then we have Simon and Garfunkle. The original intent of including them in the ParshaPix was a play on the word appearing in the haftara several times - TZEMED, which means a yoke of oxen, but also means a DUO, which Paul and Art definitely were. Couldn't find a photo of the DUO RE'IM, so we went with Simon and Garfunkle. However, H(S)M and MM/Bklyn found a much better solution to the presence of S&G in the ParshaPix. There is a famous phrase in the haftara - KOL D'MAMA DAKA. That's pretty close to the Sound of Silence, the first number one hit of the duo.

[9] There really was no 9th TTriddle, but if there was, it would have been the repeated small i in PiNCHAS, because of the small YUD in PiNCHAS.

This week's TTriddles:

- [1] Its being dropped results in a touch of aliteration
- [2] 79, 47, 29, 26, 50, 82 are red cowish
- [3] gufa cup beans
- [4] Pair below empty center
- [5] Not for Liza Doolittle, pre-
- [6] plus three elements from the ParshaPix
- [9] And how about the month symbol?