

This Shabbat is the 325th day (of 383); the 47th Shabbat (of 55) of 5765 • We read/learn the SECOND perek of Avot

...זאת הארץ אשר תפיל לכם בנחלה ארץ פנויה לגבלתיה: במדבר לדב

The Fork in the Road

In the Word of the Month (box), an interesting observation is made: The sedra of the week and the calendar date, Rosh Chodesh Av match up, in that the Torah mentions Aharon's death which took place on Rosh Chodesh Av. When the Torah first told us of his death, back in Parshat Chukat, the date was not mentioned. In Mas'ei, among the places of encampment mentioned, there is reference to Hor HaHar and what happened there... and when. The only yahrzeit mentioned in the Torah. If the Shabbat we read Mas'ei is not Rosh Chodesh Av, then it's close.

The synchronization of Sedra and Calendar all the more noteworthy because of the different directions the Sedra and the Calendar take. We can look at Shabbat Parshat Mas'ei - Rosh Chodesh as a fork in the road. Which way shall we go?

The Calendar points us in the direction of the Nine Days and Tish'a b'Av. Towards destruction and exile. Away from Eretz Yisrael.

The sedra recounts the travels of the People of Israel from Egypt towards the Land of Israel. The sedra includes the command to occupy the Land and dwell in it. The mitzva to live in Eretz Yisrael. Ramban counts it from Parshat Mas'ei, as one of the Torah's 613 mitzvot. The sedra gives us the borders of Eretz Yisrael and encourages complete conquest and settlement.

Doesn't sound like much of a choice, this fork in the road. Destruction and Exile or building and living in Eretz Yisrael. That is, building physically and spiritually. Eretz Yisrael without Torah is like a body without a soul. Somebody said that, and there is even a song with words to that effect. There is a lot of building to do. That is the direction the sedra is pointing us in. The whole future lies ahead.

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...

Rosh Chodesh Av, the first day of the fifth month, is mentioned in this week's sedra. It is very rare for such a sedra of the week and calendar match up.



Kiddush L'vana for Av depends upon minhag. Many people/shuls/communities wait until after Tish'a b'Av. (see next week's TT IY"H for details). Minhag Yerushalayim is to keep to the 3 days after the molad rule. The molad is/was Friday morning (Aug. 5). Three days later is Monday morning. First KL therefore is Monday night. Some who say KL during the Nine Days do not sing TOVIM M'OROT at the end. Some do.

The 7 days after the molad custom means first op foir KL is Friday night. Not! So Motza'ei Shabbat. Also not. It's Leil Tish'a b'Av. Therefore, the first op is after Tish'a b'Av like most of the "world" (Jewish world, i.e. the KL-saying world).

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regular and (earliest)
CANDLE LIGHTING
HAYDALA TIMES
Israel Summer Time (DST)

| | | |
|--|---------------|---------------|
| Correct for TT 679 • Rabbeinu Tam (I'm) - 8:51pm | | |
| 6:57pm (6:08) | Jerusalem | 8:11pm |
| 7:14pm (6:11) | Gush Katif | 8:13pm |
| 7:14pm (6:10) | Raanana | 8:14pm |
| 7:13pm (6:09) | Beit Shemesh | 8:12pm |
| 7:14pm (6:10) | Netanya | 8:14pm |
| 7:14pm (6:10) | Rehovot | 8:13pm |
| 6:54pm (6:10) | Petach Tikva | 8:13pm |
| 7:13pm (6:09) | Modi'in | 8:12pm |
| 7:13pm (6:09) | Be'er Sheva | 8:12pm |
| 7:12pm (6:08) | Gush Etzion | 8:11pm |
| 7:13pm (6:09) | Ginot Shomron | 8:13pm |
| 6:57pm (6:08) | Maale Adumim | 8:11pm |
| 7:12pm (6:08) | K4 & Hevron | 8:11pm |
| 7:08pm (6:08) | Tzfat | 8:13pm |

Ranges are THU-THU 28 Tamuz - 6 Av (Aug 4-11)

| |
|--|
| Earliest Talit & T'filin - 5:02-5:07am |
| Sunrise - 5:57-6:01am |
| Sof Z'man K' Sh'ma - 9:20-9:22am (8:30-8:33am) |
| Sof Z'man T'fila - 10:28-10:29am (9:55-9:56am) |
| Chatzot (halachic noon) - 12:45¼-12:44¼pm |
| Mincha Gedola (earliest Mincha) - 1:20-1:18pm |
| Plag Mincha - 6:09-6:03pm |
| Sunset - 7:38-7:32pm (7:33-7:27pm) |

In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
"Early Shabbat" Davening
Mincha 5:53pm (15 min. before Plag)
Shabbat afternoon shiur, 5:00pm
Rabbi Yaakov Moshe Poupko
Mincha at 6:00pm

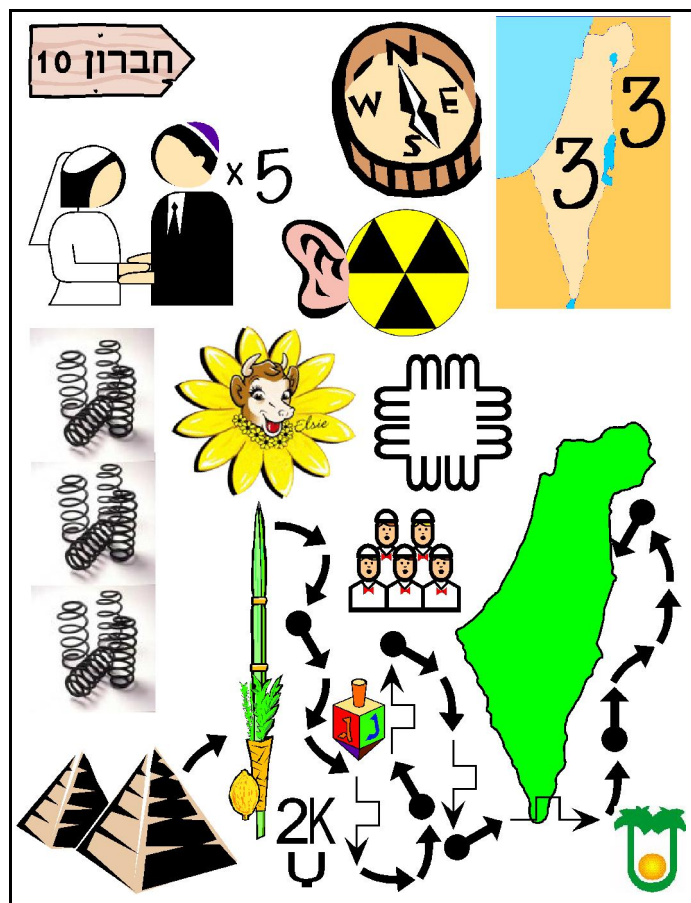
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On the other hand, "as Av enters we reduce our joy" is not a done deal. We hope and pray - and work towards - the time when the Fast days will become Yamim Tovim, speedily in our time, אמן



MAS'EI STATS

43rd of the 54 sedras; 10th of 10 in Bamidbar
 Written on 189 lines in a Sefer Torah (rank: 30)
 8 Parshiyot; 6 open, 2 closed
 132 psukim - ranks 12th (5th in B'midbar)
 1461 words - ranks 32th (7th in B'midbar)
 5773 letters - ranks 28th (6th in B'midbar)
 P'sukim of Mas'ei are the shortest in the whole Torah. Hence the severe drop in rank.

MITZVOT:

6 of the 613 mitzvot, 2 positives, 4 prohibitions

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 - 10 p'sukim - 33:1-10

We use here the standard arrangement of Aliyot fo Mas'ei when it is read separately from Matot. However, there is a custom (who? where? how widespread?) not to stop during the "travelog", but rather to combine the first two Aliyot (making the first Aliya 49 p'sukim long, moving it into first place as the longest (in p'sukim) first Aliya). In this case, an additional Aliya-stop is inserted elsewhere.

[P> 33:1 (39)] The sedra of Mas'ei begins with a summary listing of the 42 places of encampment during the years of wandering in the Wilderness. Most places are just listed; a few are anecdotal. The present day identity of many of these places is in dispute or unknown. This portion covers the Exodus from Egypt (the city of Ra-m'ses), the passage thru the Sea, and the 3-day journey that brought the People to Mara, with its "water problem" (and solution). From there it was back to Yam Suf, before continuing into the Wilderness.

Note that the city from which the Exodus was launched was Ra-m'seis, as opposed to Ra-am-seis, one of the two supply-cities the Jews were forced to build (see Sh'mot1:11).

Yosef, on Par'o's "order", settled his father and brothers (and families) in Ra-m'seis (SH'VA NACH under the AYIN, SH'VA NACH under the MEM, 2 syllables: RA and M'SEIS) back in B'reishit 47:11.

PITOM and RA-AM-SEIS (PATACHs under the REISH and AYIN, SH'VA NACH under the MEM, 3 syllables: RA, AM, and SEIS) were the supply cities referred to above.

In Sh'mot 12:37, the Torah tells us of our leaving MEI-RA-M'SEIS...

In Mas'ei, the word MEI-RA-M'SEIS appears twice more (33:3,5).

That's it for REISH-AYIN-MEM- SAMACH-SAMACH in Tanach. 5 times: 4 RA-M'SEIS and 1 RA-AM-SEIS.

Now you know. Listen carefully and see if your Baal Korei gets it right. Or better, give him a "heads up" before Torah reading.

Travelog

These are the places of encampment and some comments...

From Ra-m'ses (0) to Sukkot (1) to Eitam (2) to Pi HaCherot (3) to Mara (4) to Eilim (5) to Yam Suf (6)...

Levi - 2nd Aliya - 39 p'sukim - 33:11-49

From Yam Suf to Midbar Sin (7) to Dafka (8) to Alush (9) to R'fidim (10) to Midbar Sinai (11) to Kivrot HaTaava (12) to Chatzeirot (13) to Ritma (14) to Rimon Peretz (15) to Livna (16) to Risa (17) to K'heilata (18) to Har Shefer (19) to Charada (20) to Mak'heilot (21) to Tachat (22) to Terach (23) to Mitka (24) to Chashmona (25) to Moseirot (26) to Bnei Yaakan (27) to Chor HaGidgad (28) to Yotvata (29) to Avrona (30) to Etzion Gever (31) to Midbar Tzin (which is Kadesh) (32) to Hor HaHar (33)...

This is where Aharon died at the age of 123. He died on Rosh Chodesh Av.

Not only is this the only Yahrzeit mentioned in the Torah, but it is interesting that the date is NOT mentioned in Chukat, where we read of his death. It appears here in the recounting of the episode - on Shabbat Rosh Chodesh Av (or near it).

[S> 33:40 (10)] The Torah then tells us again that our presence was noted by the K'naani king of Arad in the

Negev of Eretz Yisrael. We know from earlier in the Chumash, that the K'naani attacked the people after Aharon's death, but that is not mentioned here. Rather, the list of places then continues...

...to Tzalmona (34) to Punon (35) to Ovot (36) to I'yei HaAvarim (37) to Divon Gad (38) to Almon Divlataima (39) to Harei HaAvarim (40) to Arvot Moav (41).

Apparently, the counting of the encampments includes their first point of departure, which we marked as O. So the number 42 holds.

G'matriya of RA-M'SEIS = 430, the number of years from the original prophecy to Avraham Avinu in the BRIT BEIN HA'B'TARIM until the EXODUS (as in Sh'mot 12:40-41).

The first stop out of Ra-m'seis is SUKKOT, G'matriya = 480, the number of years from the Exodus until the building of the First Beit HaMikdash - the arrival of the People EL HAMENUCHA V'EL HANACHALA (D'varim 12:9). So just the first leg of the wandering represents (numerically) the major first (and second) leg of the journey of Jewish History. Note too that until the Beit HaMikdash was built, the Mikdash was the Mishkan - in different forms and several places. The Tabernacle, just as Sukkot is called.

SUKKOT, says the Baal HaTurim, got its name from the Heavenly Clouds that began "functioning" there.

MIDBAR SIN got an extra YUD and became SINAI to mark the fact that the ASERET HADIBROT were given there. - Baal HaTurim

The Midrash says that it was at ALUSH that the People first received the Manna and where we spent our very first Shabbat. The Manna was given to the People of Israel in the merit of our mother Sarah, who was asked by Avraham to knead and bake cakes for the angels/guests. Her enthusiastic providing of food for others was repaid by G-d, Who provided food for Sarah's children more than 400 years later. The name ALUSH is a play on the word "I will knead".

RITMA was the place from which the spies were sent, and therefore the place where the decree to wander the wilderness was pronounced. One can imagine a qualitative difference in the mental attitude during the first 14 encampments as compared to those following Ritma.

CHASHMONA was the 25th resting place of the People. Centuries later, there was a resting (from battle) on the 25th (of Kislev). The people through whom G-d wrought the miracles of Chanuka were the Chashmona'im. This is considered one of the "hints" to Chanuka from the Torah.

Rashi points out that with 14 places before the decree to wander, and with 8 places in the final year, there were only 20 places that the People moved to and from in 38 years or so. That is not really all that much. G-d was merciful with the People even as He was punishing them.

Shlishi - Third Aliya -

22 p'sukim - 33:50-34:15

[S> 33:50 (7)] G-d speaks to Moshe in Arvot Moav and commands the People to enter, conquer, acquire, and settle the Land, according to the "Divine Lottery". This is

one of the 613 mitzvot according to Ramban - The mitzva of YISHUV ERETZ YISRAEL, the mitzva to live in Israel. Ramban says that this mitzva applies in all times, including our own.

Part of the mitzva, explains the Ramban, is that the people of Israel may not shun G-d's gift and promise and go conquer and settle elsewhere. Jews who live anywhere in the world outside of Israel should always remember their "stranger in a strange land" status. Adopting someplace else as your own and removing Israel from your personal agenda, seems to contravene the spirit (and maybe the letter) of this mitzva.

[P> 34:1 (15)] The boundaries of the Land are detailed. These boundaries are now for the 9½ tribes, since Reuven, Gad and half of Menashe have claimed their allotments on the East Bank.

Read the description of the boundaries of the land that is being given by G-d to the Jewish People. To the Jewish People. To us. Unlike the identity of many of the encampments, we know where these boundaries are. Eretz Yisrael for the Jewish People goes at least (see below) from the Mediterranean Sea to the Jordan River. The Torah does not seem to indicate that parts of the Promise Land should become a foreign state or be given to enemies of the State of Israel or enemies of the Jewish People.

[Warning: Personal, again. PIKU'ACH NEFESH, you say? Here's the catch. Experts "in the know" say that Disengagement will save lives. Other experts "in the know" say that the Disengagement will endanger lives. Even if you want to say it's a 50-50 situation - how do you know you're right? How do you know you're right? - the real possibility that the Plan will harm us, plus the fact that it is being done unilaterally, plus the fact that Jews are being forcibly removed from their legal, encouraged communities, etc. etc. should be enough reason NOT to do it. You are sure the Plan will be good for us, support it. You are sure it will harm us, oppose it. You aren't sure either way - I believe you have to oppose it also. And that means a very significant majority opposed to Disengagement. There he goes again. Phil is politicizing Torah Tidbits. Wrong. I'm not talking politics. This is PIKU'ACH NEFESH. And that belongs in Torah Tidbits.

And, as they used to say on TV and radio in the States (maybe they still do), Torah Tidbits will print (B"N) responsible views to the contrary. Or something like that.]

In G-d's original promise to Avraham Avinu, the land to be given to his descendants was to be "from the Egyptian River until the great river, P'rat". The boundaries described in this week's sedra contain a territory significantly smaller than that which was promised. Our Sages tell us that the original promise includes territory to be added to Eretz Yisrael in the future, in the times of the Moshiach.

R'vi'i - 4th Aliya - 14 p'sukim - 34:16-29

[P> 34:16 (14)] Next the Torah lists the new leaders of the tribes who will be in charge of the "Divine lottery" by which the Land will be apportioned.

Elazar HaKohen and Yehoshua bin Nun are the overall leaders of the Nation.

Yehuda: Kalev b. Yefuneh
 Shimon: Shmuel b. Amihud.
 Binyamin: Elidad b. Kislou.
 Dan: Buki b. Yogli.
 Menashe: Chaniel b. Eifod.
 Efrayim: K'mu'el b. Shifftan.
 Zevulun: Elitzafan b. Parnach.
 Yissachar: Paltiel b. Azan.
 Asher: Achihud b. Shlomi.
 Naftali: P'dah-el b. Amihud.

Notice: The absence from the list of representatives from Reuven and Gad. They will not participate in the apportionment of the land across the Jordan.

Notice: The word NASI is used for seven of the 10 tribal leaders. Ohr HaChayim says in the name of Rabeinu Nissim Gaon that Kalev was so well known as a leader of the people that it was not necessary to identify him as a Nasi. Shimon's leader was not worthy of the title. And Elidad from Binyamin was Eldad, a prophet. Prophet is a higher title than Nasi. Ohr HaChayim adds that for Yehuda and Binyamin, another reason for not using Nasi is that each will have kings from them - Sha'ul from Binyamin and David, etc. from Yehuda. King is higher than Nasi. Haamek Davar, on the other hand, says that Kalev was not a Nasi but was selected for the land distribution task only.

Notice: The names of 8 of the 10 tribes here represented are B'NEI Shimon, B'NEI Dan, etc. Yehuda and Binyamin are identified without the B'NEI. Is there a connection to the Ohr HaChayim's comment about Malchut? Or to the future Kingdom of Yehuda vs. (unfortunately) the Kingdom of Israel?

Chamishi - 5th Aliya - 8 p'sukim - 35:1-8

[P> 35:1 (8)] Following the general plans for dividing the Land, the People are instructed to provide cities for the Leviyim **[408,A183 35:2]**, since they, the Leviyim, do not receive Land as inheritance. The cities and their surrounding areas, number 48, including the 6 cities of refuge.

Note that the measure of 2000 amot as "city limit" was subsequently borrowed by the Sages in fixing the distance outside the dwelling place that a person may walk on Shabbat, known as T'CHUM SHABBAT.

Rashi points out that there were three cities of refuge on each side of the Jordan River, even though in the western case, they would serve 9½ tribes and in the eastern case, they would serve 2½ tribes. An inference is drawn that there would be more careless homicides on the eastern side of the river.

These cities, to be given by the tribes to the Leviyim, were given proportional to the populations of the tribes.

Reference in this portion is made to 1000 amot and to 2000 amot outside the city itself. Rashi explains that the outer 1000 amot area is for fields and vineyards; the inner 1000 is to serve the city for whatever open areas are used.

Shishi - 6th Aliya - 26 p'sukim - 35:9-34

[P> 35:9 (26)] The cities of refuge (and the other 42 Levite cities, with some differences) serve to protect the inadvertent killer. Even a murderer flees to a protecting city pending trial.

It is forbidden to kill a murderer until he stands trial and is found guilty **[409,L292 35:12]**.

The inadvertent killer is sent - or he flees - to a city of refuge **[410,A225 35:25]**. The Torah presents guidelines for defining murder and inadvertent killing and sets down some of the court procedures, such as the prohibition of a witness also acting as judge in a criminal case **[411,L291 35:30]**. We are also warned not to permit substitute punishments for a murderer **[412,L296 35:31]** and the inadvertent killer **[413,L295 35:32]**. Strict adherence to all rules of justice assure us continued "quality living" in E. Yisrael, accompanied by the Divine Presence.

MITZVA WATCH

Mitzvot 412 and 413 basically command us to follow other mitzvot in the Torah that require a convicted murder to be executed and a convicted SHOGEK-killer to be exiled to a City of Refuge. How unusual for the Torah to do that. The small Sanhedrin of 23 judges, whose jurisdiction it is to carry out the commands of the Torah in matters of "sentencing" for certain crimes/sins are duty-bound to comply with halacha.

Why would the Torah command compliance with another command. The Torah requires us to "bench" after a meal. It does not command us separately to follow the command to bench and not to choose an alternative. The command itself is enough. What makes these cases different?

It is quite possible for us to rationalize an alternative punishment or treatment of the convicted murderer - intentional or inadvertent. And sometimes, the alternative suggestion will be more appealing, more logical, more beneficial than the Torah-required procedure. Very tempting. So the Torah comes to reinforce its insistence that its procedures be carried out. Ir Miklat, for example, is punishment, protection, and atonement all rolled into one. And it is the command of G-d. We cannot change it.

To clarify (a little) the Ir Miklat issue...

Anyone who causes the death of another individual is to flee to a city of refuge. Or he is to be taken there by deputies of the court. He then is brought from the Ir Miklat to stand trial. If he is found guilty of intentional murder, he is to be executed. If he is found to be free of all responsibility for the death, he is released. If he is deemed to be a SHOGEK-killer, he is returned to the Ir Miklat where he must remain until the Kohen Gadol dies. It would be up to the small Sanhedrin of 23 (which existed in all major cities and towns) to determine the level of the killer's responsibility. Aside from MEI-ZID (intentional), SHOGEK (inadvertent, "marked by unintentional lack of care"), and ONEIS (accidental), there are in between categories. Determination of the status of the perpetrator and what is to be done with him is made by the panel of 23 judges.

The laws of Ir Miklat are labeled with a rare term in the

Torah: CHUKAT-MISH- PAT. (The only other area of Torah law called by this strange term is the laws of inheritance.) MISHPAT is the term used for areas of Jewish law that are easily understood, common sense, rational, logical. CHOK are the enigmatic mitzvot that defy (complete) understanding. By telling us that Ir Miklat is part CHOK and part MISHPAT, we must do the best we can to understand many aspects of it, but not expect to (ever) understand it all.

Sh'vi'i - 7th Aliya - 13 p'sukim - 36:1-13

[P> 36:1 (13)] Leaders of the family of Menashe to which the daughters of Zelofchad belong, approach Moshe and raise the problem of potential erosion of their tribal allotment if Zelofchad's daughters marry outside their tribe, taking their land with them. Moshe issues a ruling restricting them from marrying outside their tribe. This is not a law in perpetuity (and therefore, it is not counted as a mitzva among the Taryag); it applies only in this case. In compliance, Machla, Tirza, Chogla, Milka, and No'a marry cousins from their tribe of Menashe.

The Book of BaMidbar ends with the statement, "These are the Mitzvot and the Laws that G-d commanded Moshe to (transmit to) Bnei Yisrael, in Arvot Mo'av on the Jordan (Jericho) River."

Maftir (2nd Torah) - 7 p'sukim - Bamidbar 28:9-15

Chapters 28 and 29 in Bamidbar (Parshat Pinchas) deal with

the daily and Musaf korbanot (sacrifices) in the Mikdash. Since the two Shabbat p'sukim are followed by the five that deal with Rosh Chodesh, both portions are read for the Maftir on Shabbat Rosh Chodesh. Notice that the Musaf of Shabbat is an expanded version of the weekday sacrifices and Rosh Chodesh's Musaf is like those of the Chagim. Makes sense when you think about it. Six days... and on the 7th - Shabbat is one of the days of the week and the unique one among them. The Chagim belong to the Jewish calendar, which is based on the months and Rosh Chodesh.

Haftara - 28 p'sukim - Yirmiyahu 2:4-28, 3:4

Some add pasuk 3:4 to the end of the second perek of Yirmiyahu, as indicated above. Others (S'faradim and Chabad) add 4:1,2 instead.

In addition, because the Shabbat Rosh Chodesh haftara did NOT pre-empt the regularly scheduled haftara (as it usually does), some communities (S'faradim and those who adopted their minhag) will finish the haftara readings with the first and last p'sukim of the Shabbat Rosh Chodesh haftara. Standard Ashkenazi practice not to add the extra p'sukim for Rosh Chodesh.

This is the 2nd of the 3 Tragic Haftarot read during the Three Weeks. It is the continuation of last week's haftara. In fact, these two haftaras are the only continuous portions of the Prophets read as haftaras on consecutive weeks. G-d, speaking through the prophet, chastises the People of Israel for the terrible double sin of forsaking Him AND turning to gods who are nothing-ness. Repeatedly, we are asked how it was possible that we turned away from G-d so. Terrible punishment for this betrayal of G-d is prophesied. The haftara ends on the hopeful note that if we return to G-d, then He will return to us and restore His special relationship with us.

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

Lesson # 295 • part three

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

In the last two lessons we discussed the political theories underlying the concept of a Jew having to abide by the laws of the land where he lives. So far we have presented 4 theories. In this lesson we hope to set forth the last five theories:

Theory 5: R. Moses di Triani (Italy, Israel; 1490-1570; Mabit, Kiryat Sefer on Maimonides, Laws of Robbery ch. 5) bases Dina D'Malchuta Dina on the divine right of kings, that is, all of the rights given to the king in Shmuel Alef 8: 11-17, which apply to Jewish kings, also apply to Gentile rulers.

Theory 6: Rabbi Moshe Sofer (Hungary; 1762-1832; Chatam Sofer, Orach Chaim, response 208, Hoshen haMishpat response 44) explains that the following verse in Shir HaShirim (8:12) shows that the Gentiles can make laws and go out to war and the Jews must abide by such laws. "He gave His vineyard to harsh, cruel guardians each one came to extort his fruit, even a thousand silver pieces". Rashi explains that the verse refers to the Jewish people who have been given over to the harsh rulers of Babylonia, Mede, Greece and Rome, who would exhort whatever they could by imposing exorbitant taxes, custom

duties, and levies and keep them for themselves.

Theory 7: A very ingenious theory is put forward by Rabbi Issar Zalman Meltzer (Lithuania, Israel; 1870-1935, in his Eben haEzel commentary on Maimonides, Laws of Wounding and Damaging 8:5) who writes that the Gentile world is commanded to observe the seven Noahide laws, one of which is to establish a system of justice; under that system there must be laws that all have to abide by, including Jews. His conclusion is based on two statements of Rashi that explain why the Talmud says that all documents emanating from a Gentile court are valid except bills of divorce (get) and writs freeing slaves. Rashi writes that all of the other documents are valid under the Dina doctrine, although both parties to the transaction are Jewish; the Gentiles are commanded to set up a system of justice.

Theory 8: There is a concept in halacha that states that the Beth Din may expropriate property belonging to individuals known as HEFKER BETH DIN HEFKER. Under this concept as explained by R. Yonah Gerondi (Spain; 1200-1263) quoted in Sheetah M'Kubetzeth (R. Bezalel Ashkenazi; Alexandria, Egypt, died 1530; Shita M'Kubetzeth, Baba Batra 54b) the concept of Dina may flow from the concept of HEFEK BETH DIN HEFKER. The entire topic of this theory is the subject of two essays by Chief Rabbi Israel Meir Lau, (Yachel Yisroel, Poland, Israel 1937-, vol. 1, essays 41,42.)

Theory 9. My father, my master, R. Eliyahu haKohen Quint (Poland, America, 1901-1974; Menuchas Eliyahu, vol.2, p.99) in a brilliant analyses of the entire Dina concept writes that there

may be a combination of reasons, such as the divine right of kings and the social compact theory, and the king owns the land and he may deport anyone who does not abide by his laws.

Types of government to which the doctrine applies

Rambam gives us a test as to which governments the doctrine of Dina applies. (Maimonides - R. Moses ben Maimon; Spain, Egypt 1135-1204; Laws of Robbery and Lost Property 5:18) It applies if the king [use government] issues coins for the land and they are circulated by the citizens and they have accepted him and definitely regard him as their master and they are his servants. But if his coins do not circulate throughout his kingdom, he is not regarded as a ruler, but rather as a robber who uses force; his troops are armed robbers, his laws are not binding, and the king and his servants are deemed to be robbers. R. Yosef Karo in Shulchan Aruch Hoshen haMishpat paraphrases the first sentence of Rambam. (1488-1575; Spain, Turkey, Israel, 369:2).

Types of laws to which the doctrine of Dina D'Malchuta Dina applies

The codes and commentators on the Talmud set up tests to determine if the particular law that applies to a situation must be followed under the doctrine of Dina. I will set forth a few now and IYH in the next lesson.

There is a difference of opinion regarding some of the criteria as to which types of laws are included in the doctrine of Dina.

According to one school of thought as held by Ramban (R. Moses b. Nachman, Ramban on Baba Batra 55a; Spain, Israel; 1194-1270 - not to be confused with Rambam, Maimonides) and R. Menachem b. Solomon (Provence, France, 1249-1306; Beit HaBachira on Baba Kama 113b) there are four things required:

- (1) It is a law that has been in existence for some time in the kingdom. As explained by Rabeinu Tam (R. Yakov Tam, France 1096-1171 as cited in the response of the Tosafists, response 12 and Maharik (R. Yosef Kolon, France, Italy; 1410-1480, response 66).
- (2) It is well known to the population of the country.
- (3) It is found on the statute books of the country.
- (4) It must be applied to all of the citizens of the country.

There is a difference of opinion that if the king levied a tax on one of the states within his kingdom and not on others, if this is part of the doctrine of Dina. Rosh (R. Asher b. Yehiel Germany, France, 1250-1327; on Nedarim 28a), holds that it is not part of the doctrine of Dina. However, Maharik (see above) holds that it is part of the doctrine of Dina if the government levied a tax or regulations for one industry, then it is part of the doctrine of Dina. This last holding is disputed by R. Elijah of Vilna (Lithuania, 1270-1297, Bi'ur haGra on Hoshen haMishpat 369:33). Resulting from both these views are the opinions of R. Moses Isserles (Poland 152-1572, Darkai Moshe on Tur Hoshen haMishpat 369:33) and R. Azriel Hildersheimer (Germany, 1820-1899, Rav Azriel vol. 2, response 168) and R. Moses Jacobowitz (Germany, United States, Zichron Moshe, response 16) who hold that laws enunciated by the courts, as distinguished from the legislative or executive branches of government do not qualify under the doctrine of Dina.

In the next lesson, does the law have to fulfill a governmental function to qualify under the doctrine of Dina? If it qualifies, the Jews living in the land must obey the laws according to halacha.

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@gefepublishing.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

Delaying Marriage

The Mishna tells us "Eighteen years of age for the CHUPA" (Avot 5:21). But this is not like "Thirteen years of age for mitzvot", whereby a Bar Mitzva is automatically celebrated for any 13-year old boy. A person doesn't routinely get married right after his 18th birthday, rather this is singled out as an age when it was practical and desirable for the average young man to get married in the time of the Mishna.

On the one hand, this acknowledges that some delay of marriage is some- times called for. After all, a person is technically obligated in the mitzva of propagation at the age of 13. And indeed the Talmud states that it is praiseworthy to get married close to that age when this is practical (Yevamot 62b). The delay is necessary for most young people to obtain the emotional maturity for marriage and the material basis for maintaining a household. And naturally some people will delay marriage even past the age of eighteen. However, the delay has a limit: "Once twenty years have gone by and a person is still single, He says, his bones will rot" (Kidushin 29b). (Again, the exact age varies in different generations.)

This bold statement raises many interesting questions, but the Drisha commentary on the Tur (EHE 1:12) asks an unexpected one: "We need to give a reason why it relates to the bones", why this part of the body was singled out by the Aggada! In turn, the Drisha refers us to a chain of Aggadic associations with the bones of the body.

First he relates it to the Ran's commentary at the end of tractate Taanit. The Gemara states: "Anyone who eats meat or drinks wine on the eve of Tish'a b'Av, his sins are engraved on his bones, as it is written (Yechezkel 32:27): And their sins will be upon their bones" (Taanit 30b). The Ran explains that bones were chosen because of their connection to wine. This in turn is learned from the Gemara in Nida (24b): "One who drinks concentrated wine, his bones are burnt; overly diluted, his bones are soaked; properly diluted, his bones are well-oiled."

The Drisha continues: "For the principal strength a person derives from wine goes to his bones. Likewise, someone who doesn't want to marry a woman and fears that his virile strength will be spent... and that he won't have strength in his bones, therefore his bones will rot.

And we may also say because it is written regarding woman 'This time it is a bone of my bone', yet he doesn't want her, and to strengthen his bone, thus the Holy One blessed be He says that his bones will rot, measure for measure.

This takes us on quite an interesting tour: from delayed marriage to neglecting mourning for the Mikdash to drinking wine to virility to the creation of woman!

The bones, that is the frame, is a natural symbol of a person's

independence and strength of character. When someone lacks character we refer to him as lacking "backbone" or "spine". Wine, which breaks down the barriers between people, is often a symbol of fellowship and society. Mourning is the ultimate experience of solitude, because the departed soul was an integral part of the life of each loved one; thus each experiences the loss privately. The same is true of mourning over the Mikdash, and indeed the final meal must be eaten alone. [Except years like this one, when Tish'a b'Av follows Shabbat - Ed.] When a person drinks wine at this meal, seeking an experience of fellowship and joy, he is unable to strengthen and repair the unique part of his identity which is bound up with the sanctity of the Temple. His sins are engraved upon his bones; his very character is eroded and eaten away. The Ran connects this to the Gemara in Nida; there we learn a general principle of the relationship between fellowship and character. Someone who drinks concentrated wine, representing an excess of fellowship, finds his bones are burnt; because of his constant dependence on others his independence and character are spent. But the opposite extreme is also not good; a person who over-dilutes his wine, who is lukewarm in his relations with others, finds that his bones are soft, for his independence, though complete in its extent, is weak since it is never tested in everyday intercourse. A healthy character is cultivated in a sufficient but not excessive degree of social involvement.

The ultimate social relationship is that of marriage, which is the ultimate mold of character. A person may fear that the constant, unrelieved social contract of marriage will weaken his bones, just as excessive wine (social intercourse) burns them. (This corresponds to the fear that it will spend the man's virile strength, which is also a symbol of character and independence.) But this is a misunderstanding. Actually the unique social interaction in marriage is quite different than ordinary friendship; the spouse is not an external crutch or support but a part of one's very self. As the Drisha writes, the spouse is "bone of my bone". So the marriage relationship does not erode one's character. On the contrary, someone who puts off marriage too long may find that his character begins to weaken from the lack of support of a loyal partner; thus one who waits too long to get married finds that his "bones rot" his character is not adequately challenged and developed.

TANACH SPIRITUAL AND ETHICAL ISSUES IN THE BEREISHIT STORIES

by **Dr. Meir Tamari**

"NIMROD WAS A MIGHTY HUNTER BEFORE THE LORD" Gen.10:8-9

All the people in the Torah until now were founders of generations or of nations. Here a new element in the history of mankind is introduced. That is individuals who do not form nations but rather who excel in their personal strength and power. First Nimrod is described as a GIBOR, a man of courage and strength. Of itself, this is not an evil, being one of the gifts that Hashem grants to human beings for their well-being and happiness, if used for the correct purpose. CHOCHMA should be for CHESED, wealth for charity, and strength for justice. Now there were giants and powerful men even before Nimrod, before the flood, "the Nefilim, men of fame (B'reishit 4:4), how-

ever, he was the first to use his strength to rule over others. So for the first time in human history, we read here of an empire and the names of strong and fortified cities that he built as part of that empire; "and the beginning of his rule was in Bavel [Babylon]".

We can distinguish three views of this new development in human history among our sages that demonstrate the Jewish political philosophy. These views are not mutually exclusive; on the contrary, they present different perspectives that together add up to a united intrinsically Jewish value system. They show that ideas like republicanism, democracy, and the monarchy are legitimate Jewish concerns and that there exists a Jewish approach to these and other questions regarding the role of political rule and government.

[1] Radak explains that before Nimrod, humanity had lived in smaller communities, ruled by elders and elected leaders. He sees the verses concerning Nimrod not as value statements but rather as presenting facts. The Netziv carries this further in saying that, "actually urbanization, centralized government and strong rulers fulfill the Divine wish that Mankind should prosper and multiply; "without the fear of it [the government] men would swallow one another alive" (Avot 2:2). The Torah supports this when it writes, "a mighty hunter before the Lord", seeing Nimrod as an instrument in Hashem's hands, in the same way as Nebuchadnezzar is described as being a scourge of Hashem's against Israel; this does nothing to minimize the evil of both of these men, who only acted in their own selfish interests" (Ha'amek Davar).

[2] "The Torah wishes to show his sin when it wrote that Nimrod began to be a GIBOR, since before his time all men were equal since they were all the descendants of one man; he, however, began to rule and reign over them. He did this by showing his strength and physical prowess in hunting fierce beasts like the lion and bears, so that people feared him and subjected to him. It is possible to explain the verse, "a mighty hunter before G-d", as showing that Nimrod offered sacrifices to G-d from his hunt, thereby appearing to be pious and so drawing people to subject themselves to him. Furthermore, he constructed fortifications and castles in order to rule over the people, so the Torah tells us that the beginning of his empire was in Bavel and lists the names of the great cities that he built in order to centralize his rule. Seeing that mankind chose urbanization and statehood even though these are evil in His eyes, Hashem did not forbid them to Israel, but rather commanded us to do them in piety, justice and truth. That is the way of kingship in Israel, that although it displeased Hashem (Shmuel Alef 8:7), He commanded that the appointment should be by a prophet and according to all the restrictions written in Devarim (17:14-20)" (Abarbanel).

[3] "'But the glory of kings is to search out a matter' (Mishlei 25:2); public life, the rule of a ruler - and here we are at the cradle of Kingship - is never honored by secrecy. According to the Jewish idea publicity, openness and transparency have to be the doing of rulers. However, Nimrod was a hunter that ensnared men with cunning and falsehoods as Chazal explain, and these are by definition, hidden.

GEVURA always assumes that something else has been overcome by the exercise of considerable force. While the GIBORIM naturally go to the lead, the well-being of society requires that they only use their power in the interests of others and protect the rights of the weak. The GIBOR TZAYID, Nimrod the mighty hunter, is the diametric opposite of this. Here is shown the evils of tyranny which continued so

perniciously throughout the history of nations ; moreover it is shown here that its origin lies in force and cunning from above and not in the voluntary submission from below" (Rabbi S. R. Hirsch).

Furthermore, our verse calls Nimrod a mighty hunter and he became the symbol for mighty hunters and powerful rulers as evidenced by the Crusader fortress near the Baniyas that bears his name. However, our commentators regard him as the prototype of all those who revolt against G-d, seeing this verse as referring to a cunning hunter, one who hunts not only animals but also humans with guile and cunning. Chazal also describe Eisav in the same way. Not only did Nimrod use his bravery, strength and guile to rule but also to turn men to idolatry. So too, did Yeravam ben Nevat when he set up the two Calves to wean the ten tribes from going up to the Temple in the Davidic capital, Yerushalyim (Melachim Alef 12: 27-30). "In truth, His name is Nimrod from 'mered', to rebel" (Bereishit Rabba 37:2). So, idolatry became a state religion giving the ruler an additional source of power over his subjects (Sforno).

It is little wonder that the Midrash has many stories to tell of Nimrod's persecution of Avraham, till the latter had to leave Ur and Haran. Even though Terach his father was a senior adviser to the evil king, Avraham was the opposite in every respect of Nimrod. For Avraham was a Prince of G-d, who brought people close to Him and who taught his descendants to pursue justice and righteousness.

This is the 93rd installment in Dr. Tamari's series on "Tanach and its messages for our times"

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[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: When I no longer want to use a talit or tzitzit what do I do with them? Do they require geniza (burial for sacred articles)?

A: Let us proceed on the timeline of sources on this topic, where practice has become increasingly stringent. We will use the halachic names for the involved articles: TZITZIT are the strings; TALIT GADOL is the talit we wear for davening; TALIT KATAN is the 4-cornered garment that we normally wear and attach tzitzit to. When there is no distinction, we will write talit for each.

The gemara (Megila 26b) says that TASHMISHEI MITZVA (articles used to facilitate a mitzva, without the sanctity of a holy text) may be thrown away (as opposed to TASHMISHEI KEDUSHA, which need geniza). The examples given are a sukka, lulav, shofar, and tzitzit.

Moving on to the Rishonim, the Tur (Orach Chayim 21) cites the Sh'iltot, that as long as the tzitzit are still on the garment, they must be treated with respect and cannot be used for non-mitzva purposes. Although the tzitzit do not receive intrinsic sanctity, abusing them while they are still slated for a mitzva use is a bizuy (disgrace to the) mitzva. Darkei Moshe (the Rama's notes on the Tur) cites the KolBo who says that even tzitzit that have been removed may not be disgraced, as the gemara only means to exempt them from geniza. Therefore, they should not be purposely thrown into a garbage dump (see Mishna Berura 21:7). He also cites the Maharil's more stringent practice to either do geniza or use them for a mitzva, for example as a bookmark in a sefer. The Rama (21:1) cites the KolBo as a halachic opinion and the Maharil as a preferable but not binding practice. That being said, the Maharil's practice appears quite widespread.

What is done with a talit that one no longer wants to use? The Shulchan Aruch (21:2) says that regarding talitot that one uses for a mitzva (presumably a talit gadol) one "separates himself from them, and one is not allowed to ...set them aside for a disgraceful use, but rather he should throw them and they will cease [to exist]." This ruling seems to say that we neither disgrace the talit gadol nor does it require geniza, and it can be thrown into the garbage (understanding of the Mishna Berura ibid.:13). This is consistent with the Shulchan Aruch's ruling regarding tzitzit that are no longer used. The Mishna Berura (ibid.) says that the Rama agrees regarding the talit.

What does one do when the talit can be thrown into the garbage but the tzitzit, which are usually still attached, may not, according to the Rama? A few possibilities and practices exist. Although one may not normally remove tzitzit unless he plans to put them on a different talit (Shulchan Aruch 15:1) he may do so if the talit is worn out and will not be used any more (Mishna Berura 15:2). It is best to remove the tzitzit by untying them, thus not disqualifying them in the process (ibid.). If this is difficult, some allow cutting them off (Chaye Adam 11:32). Another practice, which seems halachically sound, is to cut off the four corners, while keeping the tzitzit intact. Then one can discard the talit (better in a bag) and either use the tzitzit for a mitzva or put them in geniza.

The most stringent practice, which is common and easy enough for most people is to put the whole talit in geniza. For better or for worse, we anyway put so much in geniza these days (gist of a phone conversation with Rav Tzvi Cohen, author of "Tzitzit - Halacha P'suka"). The Kaf Hachayim (21:2), an important Sefardic posek, seems to require this approach, as he understands that even the Shulchan Aruch requires geniza for a talit gadol since it was made for a mitzva. He implies that the same may be true for a talit katan, which nowadays is also worn only for the purpose of mitzva.

In summary, one can choose from among legitimate ways (not necessarily the most stringent one) to respectfully discard of these mitzva articles, with feasibility being a factor.

*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.erezhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@erezhemdah.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**

Some lose interest in certain activities when they find them no longer challenging, forgetting that they are to be performed not because they are challenging, but because they are necessary.

From A Candle by Day by Rabbi Shraga Silverstein

[3] **CHIZUK and IDUD**

(for Olim & not-yet-Olim respectively)

The weekly messages in this column promoting Israel and Aliya, like the sedras themselves, are both sweet and inspiring. The Shabbat of Mas'ei, heralding the infamous Nine Days, is, however, a starker time.

According to the Ramban, a verse in Mas'ei (33:53) serves as the source for the mitzva to live in Eretz Israel. That verse is followed almost immediately by the warning in verse 55: "But if you do not drive out the inhabitants of the Land before you, those of whom you leave shall be pins in your eyes and thorns in your side; they will harass you upon the Land in which you dwell."

The Talmud (Sota 34a) relates that right before entering the land, Yehoshua addressed the Jewish People as follows: "Be aware that you are crossing the Jordan only on the condition that you expel the inhabitants from the land." The Torah Temima explains that Yehoshua read the Israelites the verses from Mas'ei so that they should clearly understand the terms of their "legally binding" contract with God - maintaining the land is absolutely conditioned on driving away its current inhabitants!

If we had 2 million, not 200,000, living on the land God gifted to us in 1967, the previous inhabitants would no longer be there to, as the Midrash Hagadol warns, "in the end harass you and rejoice in your misfortune." Likewise, the events originally scheduled for Tish'a B'Av this year could never have become the newest addition to the litany of Jewish misery. If we want to reverse this course, we must simply fulfill our side of the contract and make Aliya!

Rabbi Steven Ettinger, Hashmonaim

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

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

R' Avraham Kamai, the son of R' Elye Baruch of Mir, entered a bookstore on the day before Tish'a B'Av, to buy a Kinot. He haggled about the price before finally buying the booklet.

"Rebbe," the bookseller said in astonishment, "since when have

you started bargaining? I know that you have bought some of the most expensive books without questioning the price, yet here you have been so insistent on getting the lowest possible price."

"I will use the other books for all time, even when the Mashiach comes," said R' Avraham. "On the other hand, the Kinot I buy today will not be needed next year, because by then the Mashiach will have come."

R' Naftali of Ropshitz would say:

By the letter of the law, one is not permitted to cheat another. Going beyond the letter of the law, one may not cheat himself.

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 - none this issue

[6] **MicroUlpan**

In English, it's VOLLEYBALL. In Hebrew, everyone calls it KADUR AF, literally, flying ball. But according to the Academiya L'Lashon HaIvrit, the correct Hebrew term for it is: KADUR YA'AF

[7] **The Nine Days**

Although the Nine Days start on Rosh Chodesh Av, with its being Shabbat this year,

we treat the Shabbat as we would any other.

Of course, we say Hallel (with skipping) and Yaale V'yavo, and conduct ourselves as we

would on any other Shabbat.

Because of the restrictions of laundering clothes during the Nine Days, and the additional restriction of wearing freshly laundered clothes, it is a good idea to prepare for the Nine Days before this Shabbat by taking several clean shirts, etc. and wear them each for a brief period of time. This way, they are not considered freshly laundered and may be worn during the Nine Days. (For Shabbat during the Nine Days one may wear freshly laundered clothes.) Clean underwear is considered a hygienic necessity and not a luxury and therefore may be worn without the "pre-9 days processing" of outer clothes. So too, if one runs out of clean underwear during the Nine Days, he may wash them in private.

If one forgot to prepare shirts, for example, he may throw them on the floor and rough them up a bit, so that it is obvious that they are no longer fresh.

Also, on Shabbat Rosh Chodesh, one may change clothes a few times if it is not obvious that he is doing so to prepare for after Shabbat. This means that one may put on a fresh set of clothes on Shabbat morning, even if he usually puts on the same clothes that he wore Friday night. Similarly, after a Shabbat afternoon nap.

There are different opinions as to whether one uses wine for Havdala for this Shabbat, Rosh Chodesh Av. Some hold that

Havdala belongs to Shabbat and wine can and should be used for Havdala. Others consider Havdala to be the first act of the weekday and recommend using another beverage for Havdala (consult a Rav as to what drinks qualify for Havdala). Some say that if there is a child present at Havdala who is old enough to understand the concept of a Bracha, but still too young to understand Mourning the Churban, then he should drink the Havdala wine. In the absence of such a child, the person saying Havdala should drink the wine himself. Tiyulim are forbidden by halacha only on the afternoon of Erev Tish'a b'Av and on Tish'a b'Av itself. However, it is the common practice to abstain from pleasurable tiyulim during the Nine Days.

Coming to Israel (not leaving it) is one note-worthy exception to the no-tiyul rule.

Buying new clothes and other new items should be avoided during the Nine Days, even if the item does not warrant a SHE'HECHYANU. There are exceptions to this rule; consult a Rav when in doubt. One such exception is the purchase of items (even ones that gladden the buyer) that will not be available after Tish'a b'Av, or even if they will just be more expensive after Tish'a b'Av. In such cases, one should not use the item until after Tish'a b'Av but may buy them and put them away.

One should not listen to music, either live or recorded, during the Nine Days.

Some say that mellow, sad music is permitted. Singing without musical accompaniment is disputed.

There are appropriate songs from Eicha and other sources, which are in the spirit of the Nine Days.

Pleasurable bathing is prohibited during the Nine Days. Washing for health purposes is permitted. The line between the two types of bathing is often blurry. As a rough guideline (again, consult a Rav for specific situations), showering in warm climates (such as Israel) should be done with colder water (the water need not be uncomfortable, but should not be warm enough to be pleasurable), less frequently than normal, and if possible, one should wash his body in parts, rather than bathe the whole body at once.

Our practice is not to eat meat or drink wine during the weekdays of the Nine Days. There is no restriction on Shabbat. That includes both Shabbatot this year. The ban on wine includes grape juice. The ban on meat includes chicken. We are dealing with two ideas here - reduction of joy and abstention from the association with meat of korbanot and wine of libation in the Beit HaMikdash, whose destruction we are mourning.

There are other issues during the Nine Days for which it is better to consult a Rav rather than rely on a short review of practices during the Nine Days. These issues include practicing musical instruments, moving house, gardening, house repairs and renovations.

For next Friday, Erev Shabbat Chazon, many hold that one can bathe as he usually does on Friday for Shabbat; others say that some restrictions apply.

We'll focus on Tish'a b'Av, specifically when it falls on Sunday, and the Shabbat of Erev Shabbat in next week's TT, IY"H. But let's end this piece with a few notes.

This year, there is no Week in which Tish'a b'av falls. Therefore, the strictest practices will not be active.

It is important for a person to be honest with himself concerning what restrictions he does or does not follow, and how strictly he acts.

Remember, he who mourns... will rejoice.

[8] **G'matriya Match**

UK'RA'EINI B'YOM TZARA ACH'ALTZECHA
U'T'CHABDENI: (T'hillim 50:15)

Call upon Me (says G-d) on the day of your trouble, I will save you, and you will honor Me.

G'matriya of the pasuk is 1361, as is that of the word HITNATKUT.

[9] **Parsha Points to Ponder - MAS'EI**

1) The Parsha begins with a list of all the places where the Jewish people traveled in the Wilderness. What eternal message is contained within this information to warrant its repetition?

2) Why is the accidental murderer's stay in the city of refuge linked to the death of the Kohein Gadol?

3) Why does the book of Bamidbar conclude with the words **THESE ARE THE COMMANDMENTS AND THE JUDGMENTS WHICH G-D COMMANDED BY THE HAND OF MOSHE** - words usually used to introduce a section of commands?

THESE ARE THE ANSWERS - Ponder the questions first, then read here

1) The Shlah HaKadosh explains that these journeys are actually a microcosm of the Jewish nation's travels through Jewish history. The desert symbolizes exile and the various places in the desert represent the parts of the world where we have sojourned through this long exile. Studying what occurred at each stop empowers us to understand the Torah's perspective on how to deal with the difficulties of our exile.

2) Commentaries explain that the Kohein Gadol is in charge of guiding the nation in terms of their morals and perspectives. This law teaches us that even the occurrence of inadvertent death implies a failing in the education of the people regarding the sanctity of life and the great care which must be taken to avoid even unintentional deaths. Thus, the Kohein Gadol is accountable on some level for this failing and is linked to the exile term of the murderer.

3) Ohr HaChayim answers that it was crucial for us to know that Moshe's final decision in the book of B'midbar, concerning the marriage of the daughters of Tzlofchad, was by the command of G-d. No one should think that any law in the Torah was originated by a human, as could be read into this last decision.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman of Beit Shemesh ppp@israelcenter.co.il

[10] **Calendar items**

Rosh Chodesh Av, like most (but not all) calendar dates, can fall on one of four days of the week - three of which are close to each other in frequency, and the fourth day is rarer by more than half. 1 Av can be Mon. (32%), Wed. (28.5%), Fri. (28%), Shabbat (this year, 11.5%). Never on Sunday, Tuesday, or Thursday. Same as Erev Pesach. This year was Shabbat.

30 days hath September... Know OUR calendar at least as well. Months with 30 days (in our fixed calendar): Tishrei, Shvat, Adar Rishon (when), Nissan, Sivan, and Menachem Av. These have only 29 days: Tevet, Adar (Adar Sheni, when), Iyar, Tammuz, and Elul. Two variable months: Cheshvan - usually 29 days, in "full" years (does not concern number of Adars a year has), 30 days. Kislev - usually 30 days, in "deficient" years, 29.

[11] **Divrei Menachem**

Parshat Masei brings us one step further towards Eretz Yisrael as an account is given of the 42 places Bnei Yisrael traversed in the wilderness. At the completion of this travelog, G-d addresses Moshe in the following terms: Tell the Children of Israel that they are traversing the Jordan to Eretz Yisrael [and that] they shall drive out all of the inhabitants of the Land... and they shall possess the Land and settle in it (cf. B'midbar 33:50-53).

Partly based on this account, Ramban (in his strictures to Rambam's Sefer HaMitzvot) concludes that there is a positive command to settle the Land and to inherit it. Moreover he adds, "We have been commanded... not to leave [the Land] in the hands of others or allow it to remain desolate." Ramban, basing himself on a Midrashin the Sifrei (that recounts how a number of famous sages visiting the Diaspora retraced their steps back to Eretz Yisrael), indicates that the mitzva of Yishuv Eretz Yisrael applies for all time - even during the exile.

During the times in which we live, let us take these words to heart. Let us recall the first Rashi commentary in the Book of Breishit: "Should the nations of the world say, 'You are robbers in occupying the land of the seven nations,' Israel replies: 'The whole world belongs to the Holy One Blessed be He... In accordance to His will He gave it to them; and in accordance to His will, He took it from them and gave it to us.'" For, "Unto you have I given the Land to possess it" (ibid 33:53).

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 (3)

Minchat Kina'ot (the special meal offering of the Sota) 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 walked between the western side of the Mizbei'ach and the Bayit until he came to the southwest corner of the Mizbei'ach. There he paused. The Kohein touched the lower portion of the southwest corner of the Mizbei'ach with the Kli Shareit (sacred Mikdash vessel) containing the Minchat Kina'ot: this act is called HAGASHA. The Kohein held his right hand open and vertical, placed it in the KliShareit in the midst of the barley meal of the Sota's offering, folded his four fingers (excluding the thumb) against his palm, turned his palm upward and lifted his hand up. This act is called Kemitza. (Rambam, Ma'asei Korbanot 13:12,13. Note the Kesef Mishna and the Lechem Mishna.) Rashi, on the other hand, maintains that only the

middle three fingers were used in Kemitza.) The flour trapped in his four (or three) fingers and his palm is called the Kometz, the "handful". The Kohein then transferred the Kometz to a second Kli Shareit (Menachot 11a,b). The barley meal remaining in the first Kli Shareit after the Kometz had been removed was to be eaten - at least partially - by the Kohanim. "They are permitted to mix it with wine, oil, and honey and but they are not permitted to allow it to become leavened" (Sota 14b). The Biblical source for this specific prohibition is Vayikra 6:9,10. The Parshan Don Isaac Abravanel (1437-1508) explains why. Referring to the Kohein's share of the meal-offerings, it is written, "I have given it as their portion from my fire-offerings." Abravanel derives from this pasuk that a Kohein who eats his "portion" is likened to the Mizbei'ach when it "eats" its "portion". Therefore just as the Mizbei'ach "eats" its "portion" unleavened (Vayikra2:11), the Kohein also must eat his "portion" unleavened. Similar to the meat of the Chatot (Sin Offerings), the Kohein's portion of Menachot (meal offerings), was considered Kodshei Kodashim (the higher level of sanctity) and therefore was required to be eaten by male Kohanim within the area of the Azara. The act of placing the Kometz in the second vessel is called KIDDUSH HAKOMETZ ("sanctification" of the Kometz). Before the Kohein ascended the ramp to the top of the Mizbei'ach, he gave the original vessel with the remnants of the barley meal of the Minchat Sota to a second Kohein. The Kohein then took the vessel containing the Kometz and ascended the Mizbei'ach. There he salted it (MELICHA) and then cast it into the flames. The act of casting the Kometz into the fire is called HAKTARA.

"Immediately after she (the Sota) finished drinking, (if she is guilty) her face turns yellow-green and her eyes bulge and her veins swell, and they say, 'Take her away, take her away, lest the Temple Court becomes defiled'" (Sota 3:4). The Kohanim were afraid that the Sota's radical physiological change possibly might trigger menstruation (Sota 20b). A Nida was not even allowed to enter Har Habayit let alone the Mikdash compound (Keilim 1:8). The Gemara also notes that her paramour, wherever he may be, shares her fate (Sota 28a Note the comments of the Mishneh Lemelech on the Rambam, Hilchot Sota 2:8). The waters could not be "fooled" either. The Tanchuma preserves a Midrash about identical twins, one virtuous, one not so virtuous. The guilty party, realizing that she was going to be forced to undergo the test of the Mayim HaMarim, discretely changed places with her virtuous sister who drank the Mayim Hamarim without ill effects. On returning from Jerusalem the twins met and kissed. A vapor emanated from the body of the virtuous sister and penetrated the body of the adulteress who expired on the spot. Then all appreciated the efficacy of Mayim HaMarim.

If the woman is innocent, she is free to return to her husband and "her wellbeing improves and her face glows" as it is written, "Then she shall be free and conceive seed" (B'midbar 5:28, Hilchot Sota 3:22). The Sages differ on what that actually means. R. Akiva posited that if previously she had been barren, she could now conceive. R. Ishmael retorted, "Then all barren women will seclude themselves with a man (and force their husbands to make them) drink the Mayim HaMarim which they (being "pure") will suffer no ill effects and as a result "be visited", i.e. conceive. A woman who did not seclude herself would lose out because she would not be "visited" and would remain barren." He explains the aforementioned passage as follows, "If previously she gave birth in pain, she would now bear easily... if her children were short, they will now be tall..." (Sota 26a). The Tanna R. Eleazar pictured Chana (who later

became the mother of the prophet Samuel and is traditionally considered a supremely righteous woman) contemplating exactly that! Goaded by Penina, her fruitful sister wife, Chana, who had been barren for many years, went up to the Mishkan in Shilo and poured out her heart before G-d beseeching Him for a child. "If my prayer is answered, 'It is well' but if not 'I will seclude myself with another man with the knowledge of my husband Elkana (and thereby cause him to become suspicious of my behavior). Because I was secluded (with a man) they will make me drink the Mayim HaMarim (and I will escape unscathed because I will be innocent.) You cannot falsify Your Torah where it says, "If she... is pure, she shall be proven innocent and bear seed (B'midbar 5:28, Berachot 31b). "But if she has any merits, her punishment is held in deferment; certain merits may defer for one year, others for two years and others for three years" (Sota 3:4). Some of the Sages speculated what these merits might possibly be. Perhaps the merit of having their sons taught Torah and waiting for their husbands until they return from the Beit Midrash! R. Yehuda HaNasi posited that "merit may defer the effect of the Mayim HaMarim but she will not bear children nor will she remain beautiful. Instead she will waste away slowly and die in the same manner. R. Simeon said, 'Merit does not defer punishment of the Mayim HaMarim because if you said that merit did indeed defer punishment, you 'discredit' the water (and therefore reduce the fear of the Mayim HaMarim ordeal for) all women who drink and you will bring an evil name on all the women who drank and were found to be pure. People will say, 'In truth they (the women) are defiled, but because of certain merit they may have had, their punishment has merely been deferred'" (Sota 3:4). R. Simeon postulated that the resultant lack of respect for the efficacy of the Mayim HaMarim would encourage some women to continue on their immoral and sinful path without fear of detection and punishment. Be it as it may, already in the days of these great sages the dispute was academic, the Mikdash had been destroyed generations before. In fact, during the chaotic conditions which characterized Eretz Yisrael during the latter days of the Mikdash, "when adulterers became many, the MayimHaMarim 'ceased' and R. Yochanan ben Zakkai brought it to an end..." (Sotah 9: 9) <END>

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

TTreader Feedback

Last week's TBDATR column was about MAPIK-HEI. That most MAPIK HEIs are some feminine form of words is clear. There was a suggestion that maybe all were. Several TTreaders responded that this is definitely not so, and cited examples of MAPIK HEI words that are not feminine. Among them are one of G-d's names, YUD-HEI, KAHHH. Some included MAPIK-HEI words with a PATACH (G'NUVA) under the HEI. These were not included in the look at MAPIK-HEI words.

The beginning of this week's sedra has the travelog of Bnei Yisrael. And they traveled FROM... In Hebrew, the prefix MEM means from. The MEM is voweled with a CHIRIK in most cases - MIMARA, MIDAFKA, MITACHAT, MIYATVATA... When prefixed to a place-name beginning with ALEF, HEI, CHET, AYIN, and REISH, the MEM is voweled with a TZEIREI - MEIRA'M'SEIS, MEI-ALUSH, MEICHA-TZEIROT, MEI-AV- RONA...

And they camped IN... the prefix this time is BET, voweled

with a SH'VA in most cases, before a letter with a SH'VA the BET has a CHIRIK, and before a CHATAF-PA- TACH, the BET has a PATACH.

B'TARACH, B'DIVON GAD, B'FUNON... but BIRFIDIM, BIVNEI YAAKAN, and BACHA- TZEIROT, BACHARADA.

Menashe's leader at the beginning of B'midbar is GAMLIEL b. P'DA-TZUR. The HEI has no vowel and is therefore silent. Naftali's leader at the end of B'midbar is P'DAHHH-EL b. AMIHUUD. The HEI has a SH'VA under it, making it the equivalent of a MAPIK-HEI, and it is sounded. (Although most Chumashing have the SH'VA, Minchat Shai seems to say that it shouldn't be there and the name would be P'DA'EL. And the DALET would not have a PATACH, but a KAMATZ in that case.)



The Pyramids, the many arrows, and the outline of Israel, of course, stand for the travels of the people from Exodus to Eretz Yisrael.

The compass at the top of the ParshaPix represents the description of the boundaries of Eretz Yisrael, with the pasuk taking us through the compass points.

The map in the upper-right with a big 3 on each side of the Jordan River refers to the Cities of Refuge to be designated in Eretz Yisrael.

The road sign to Hebron is one of the requirements for Cities of Refuge (which Hebron is one of). Roads to them must be well-marked to facilitate the escape to them by one who committed a homicide, regardless of the outcome of his trial.

Elsie the Cow of Borden's fame has two horns. They stand for the rare (this once only) occurrence of the TROP called KARNEI PARA.

Lower-right is the logo of YOTVATA, the choir is for MAK-HEILATA, the Lulav for SUKKOT, and the dreidel is for CHASHMONA - all names of places of encampment.

There is a Chatan-Kallah, multiplied by 5, representing the daughters of Zelofchad who marry distant cousins to solve the old "land going from one tribe to another tribe" problem.

There are three visual TTriddles remaining. One (along the left side of the PP is easy, if you can make out what is pictured. The other two are more challenging. The one to the right of Elsie (who's been around since 1930, believe it or not) is a stand-alone challenge that will come with its own CD prize.

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 (MATOT) 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

And let's not forget the mascot of the month

And the envelope, please...

[1] The word ANACHNU, we, appears 90 times in Tanach. Three other times, the ALEF is dropped to produce the word NACHNU, also meaning "we". When the brothers told Yosef that they were all sons of one man, they said: KOLANU BNEI ISH ECHAD NACHNU. In Matot (B'midbar 32:32), the leaders of Gad and Reuven said: NACHNU NAAVOR CHALUTZIM... By the dropped ALEF, the result is the aliterative phrase NACHNU NAAVOR. The third NACHNU is in Eicha 3:42 where the pasuk needs to begin with a NUN for alphabetical reasons. If anyone knows a connotative distinction between ANACHNU and NACHNU, please enlighten us.

[2] These numbers are the atomic numbers of the following elements (metals all): Gold, Silver, Copper, Iron, Tin, Lead. These are the metals mentioned in 31:22 as requiring kashering, since vessels made from them were taken as booty from the battle against Midyan. The topic of purification of the metals is introduced with the phrase: ZOT CHUKAT HATORA ASHER TZIVA... The only other topic that has that phrase is PARA ADUMA. So these metals (at least in a TTriddles sense) are red cowish.

[3] Same as the previous TTriddle, this one contains the symbols for the 6 metals in that pasuk. They are scrambled to make this TTriddle annoyingly obscure. Au, Ag, Cu, Fe, Sn, and Pb are the symbols for ZAHAV, KESEF, N'CHOSHET, BARZEL, B'DIL, AND OFERET respectively.

[4] This refers to a word at the end of Matot, the third word from the end, to be specific. The word is LAH, LAMED-HEI, meaning her, referring to the city NOVACH. There are two unusual things about this word. First the HEI does not have a MAPIK in it, which the word ordinarily has. Out of 392 LAHHHs in Tanach, this might be one of only three that don't have a MAPIK. Rashi says, in the name of R' Moshe HaDarshan, that the dropped MAPIK indicates that the name for that place did not endure. Rashi seems to question that explanation, since he finds no similar reason applicable to the two other MAPIKless HEIs of LAH. The other unusual thing is the TROP- note, MERCHA K'FULA, a very rare note in the Torah. Hence the pair (MERCHA K'FULA) below the empty center (of the HEI).

[5] Speaking of MAPIK-HEIs, this TTriddle refers to the abundance of MAPIK HEIs in the first Aliya of Matot, rather than its conspicuous absence from the word LAH. Liza Dolittle of My Fair Lady fame was unable (or unwilling) to aspirate her Hs, so Harry was 'Arry and Hello was 'Ello. Etc. Etc. The MAPIK HEI situation is at the end of the word rather than the

beginning, but there is a similar difficulty some people have in pronouncing the MAPIK. The first Aliya in Matot would not be for Liza Dolittle, pre- Henry Higgins, that is. After her lessons and training, she had no trouble with the initial H and we might expect her to do well with the MAPIK-HEIs as well. See last week's Towards Better Davening and Torah Reading for more on MAPIK HEI, and this week's column of the same name for some TTreader feed- back and further comments.

[6]The unexplained elements in the ParshaPix for Matot included many, many sheep at the bottom of the PP, representing the MIKNEH RAV that the tribes of REUVEN and GAD had and were the reason they gave for wanting to settle on the east side of the Jordan.

[7] The other two visual TTriddles are really two parts of the same TTriddle. There is a percent symbol and the less known per-mil symbol. % is one part in a hundred, and per-mil is a part in a thousand. These were the two taxes levied on the spoils of war from the people and soldiers who shared the booty. The People received half of the booty and gave one fiftieth to the Leviyim. 1/50 of a half is one part in a hundred, or 1%. The army received the other half and their tax, given to the kohanim, was one part in 500, which is 1 per-mil.

[8]For the last few months, we've replaced the "traditional" graphic images for the mazalot (Zodiac symbols) of the months with something more TTriddle-sytle. We had the torus for Taurus (Iyar), the Minnesota Twins baseball cap for Gemini (Sivan), and a crab apple for Cancer (Tammuz). For Av, we went with an old cartoon lion from the early 60s. We asked TTreaders to tell us who the lion is and what his favorite lines were. Several people correctly identified him as Snagglepuss (contemporary of Yogi Bear, Huckleberry Hound, and Quick Draw McGraw), the Shakespearean Lion who was fond of saying Exit, stage left (and variations on that), as well as, "Heavens to Murgatroyd. The following emailed his name and lines and are due a CD from Noam. Please be in touch with tt@ou.org to figure out how to get your CD. Names are in order of receipt of the emails. Technically, only the first three were promised CDs, but we'll go for the whole Snagglepuss gang. AD/Bklyn, AW, H(S)M, FM, DA?Australia, RK, DK/Beit El, AS/Ramot, DD/J'lem.

This week's TTriddles:

[1] father of three in B'midbar and two others in Na"Ch

[2] Tevet, Adar, Nissan, Av

[3] 9 times a father's father; twice a place

[4] (1&2 3 4 &5) x2; 1 2&3&4&5; 1 5&3&4&2

[5] Short: Spy • Long: Nasi • Both: a husband? of Michal

[6] Kildare's Gillespie

[7] Place that reminds you of Purim

[8] Every day, twice a day boundaries

[9] plus three elements from the ParshaPix

The Teichman Youth Center

For over four years, the Teichman Youth Center has been the central address for the youth activities that take place in our thriving OU Israel Center.

Unbeknown to many, this youth center has attracted hundreds of young people who have found a "home away from home," no less than the many adults - old-timers and newcomers - who take advantage of the wide range of programs and projects offered by the Israel Center.

Most prominent among the beneficiaries of the Teichman Youth Center are the members of NESTO (Native English-Speaking Teen Olim). For years now the Israel Center has run what was originally a grass-roots self-help group, and is now a thriving youth organization. Notes the director of this program, Chaim Pelzner: "We could not have asked for a better facility, for we have a place we can call our own, together with the backing of all the Israel Center's varied services. The young people are really appreciative of the opportunity given them." Chaim has followed the progress of this 120-strong group ever since they moved into the Teichman Youth Center.

"The last time I visited the group they were busy doing what is commonly called 'art therapy'", adds the Center's programming director, Menachem Persoff. "It was thrilling to see the creative spirit at work."

Every week, however, the activities vary. One time you will hear a raucous crowd howling away during a talent show; another time the group may be dead silent as they hear a first-hand account from a Holocaust survivor.

Another group that takes advantage of the Teichman Youth Center is an offshoot of our program for kids-at-risk, the Pearl & Harold M. Jacobs Jerusalem Outreach Center, fondly known as 'the Zula'. Once a week, a group of up to twenty girls meet at the Teichman Youth Center for a session of music, meditation and group discussion. Victoria Soker is the group moderator. She explains: "The girls have 'graduated' from the Saturday night Zula. They are ready for more intense group interaction. These activities allow them to express themselves, contemplate on their life and give each other support."

On a different note altogether, the Teichman Youth Center has been host to a very interesting set of lectures designed for the younger set in conjunction with Am Segula. The series, called "Curing the Jewish Heart", is conducted by Eli Yosef. This unusual class discusses the history of the Zionist movement from the perspective of the teachings of the Maharal of Prague.

The Teichman Youth Center, dedicated by the Teichman family of Los Angeles, California, has seen many different kinds of activities within its walls over the years of the Israel Center's tenure at 22 Keren HaYesod. These include Mothers' and Children's workshops, NCSY reunions, children's programs on Chol HaMoed and even a show of our interactive theater, part of the Israel Center's Dor LeDor, an intergenerational project.

May we see the Teichman Youth Center go "MiChayil el Chayil" for many, many years to come..

Our Move to Gush Katif by Chaim Eisen

Having just moved to Neve Dekalim, my family and I consider ourselves truly privileged to be among the newer members of an extraordinary group of people - the residents of Gush Katif. I refer not only to the oft-stated verities. We all know that the lands upon which the Gush was built were liberated with the Gaza strip in the wake of the Six Day War in 1967, precipitated directly by unilateral Egyptian aggression. This land, well within even the most restrictive interpretations of the borders of the Biblically ordained Promised Land, was a desolate wasteland. All of it was either previously owned by Jews (like Kefar Darom), state-owned, or ownerless - and legally unclaimed by any sovereign country. Our nation has lived here since Abraham and Sara and Isaac and Rebecca, at least 37 centuries ago. Even during two millennia of exile, Jews subsisted here almost continuously, until the British expelled them from Gaza, during the Arab pogroms and massacres of 1929. During the 1948 War of Independence, Kefar Darom heroically defended the fledgling state against the attacking Egyptian army, but eventually it was overrun. It was courageously reestablished immediately after the Six Day War. The resettling of the entire area was conceived by the Labor government of Golda Meir 35 years ago, as part of a network of Jewish villages, to impede Arab terror emanating from the Gaza strip. Some of the most dedicated idealists of this generation lovingly built the 21 towns and villages here over the intervening years, with reiterated encouragement by successive governments on the left and on the right. Overcoming daunting odds, the quiet farmers of Gush Katif not only caused the desert

literally to bloom but also established a vast agricultural and industrial base, generating thousands of jobs and revenues of several hundred million shekalim annually. In doing so, they also provided employment and infrastructure for their Arab neighbors, which raised the latter's standard of living immeasurably - until the Arabs launched a genocidal war of death and destruction to drive all the Jews from their midst. The true greatness of the farmers and workers of Gush Katif, however, was tested and proved with incomparably greater force in the crucible of suffering, during the past five years' war of unrelenting terror.

Indeed, coming here only recently, I concede that arrogating to ourselves the status of Gush Katif residents is unconscionably pretentious on our part. After all, the brunt of the Arab terror war that has thus far rained down almost 5,900 mortar shells and Qassam rockets upon the Jews here is, we pray, behind us. We were not here when the men, women, and children of the Gush were left to cower in inadequate shelters as, on some days, the shells fell almost incessantly. Nor did we live daily with the mind-numbing anxiety of a routine, daily commute to Kissufim, knowing it could explode at any moment into the nightmare of a sniper attack or a roadside bomb, amid a maelstrom of broken glass, splattered gore, and shattered lives. Perhaps most hurtful of all, we were not forced to endure the effective disenfranchisement - the institutionalized insults, marginalization, and demonization - inflicted upon the people here by a demagogic, self-serving government. Finally, if - G-d forbid - Jews are once again expelled from their homes, the people of Gush Katif will be homeless; we (for the time being, at least) still have our flat in Jerusalem.

Nevertheless, we are here now, in awe - not only of the breathtaking landscape and glittering sea. Since we arrived, we have learned, like the locals, to ignore the background din of exploding artillery shells and the thunderous boom of Qassam rockets (all shot exclusively at us, since the government has forbidden the army to return fire). We have grown accustomed to the town's public address system announcing nonchalantly, sometimes several times each day, an impending controlled detonation (of an unexploded shell) or advising the good citizens to seek cover in a sheltered area because of an imminent barrage. The ongoing daily miracles of survival notwithstanding, last week a couple of people were wounded when a private home suffered a direct hit. Saturday night, the one exit road was closed, after middle-aged grandparents, visiting their children for Shabbat, were ruthlessly murdered in a hail of bullets. (Even then, the army remained under orders to refrain from any response; the terrorists were eliminated only by the swift intervention of the local civilian security chief, who was wounded in the process.) Moreover, relentlessly, we see and hear the tales of unprovoked police brutality and deliberate degradation, even against law-abiding women and children. Nonetheless, through it all, we bear witness to a tenacity of the people here that defies the imagination. When circumstances are so utterly extraordinary, the ordinary itself becomes extraordinary. The quiet dignity of the people here, in maintaining a routine as if nothing has changed, is humbling.

We walk through Gush Katif as if in a dream. Little children (apparently, by far the largest age group) laugh and play. The town center of Neve Dekalim evinces the hustle and bustle of small city life. People shop, make and keep appointments, and altogether go about their business. Yeshivot are filled with students engrossed in study, and the list of Torah classes offered for adults - already impressive by any standard - only continues to grow. The dozens of magnificent, ornately decorated synagogues (presumably, slated by the government for, G-d forbid, either destruction or conversion into mosques or worse) are full three times a day for regular services as usual. Garbage is collected, streets are meticulously cleaned, and gardens are manicured and watered. The vast majority of the farmers prepare for next year's planting withal.

But the tension, for me at least, is palpable. We are teetering on the brink of a precipice. Relentlessly, the police, acting on government orders, tighten the noose. The "closure" becomes more and more a siege, a stranglehold. Upstanding citizens are subjected to humiliating searches at proliferating checkpoints, where even grandmothers have been dragged from their cars and beaten mercilessly. Close relatives are denied permission to visit their loved ones. Some supplies have begun to disappear from the supermarket's shelves as inventories are depleted. Regular bus service into and out of the Gush is reportedly being discontinued. Yesterday, we heard that plainclothes police officers have begun infiltrating communities to seize and peremptorily expel anyone without satisfactory papers, including people who have lived here for months. Daily government threats rain down upon us like Arab artillery shells. According to the declared schedule, soon the health clinic, the post office, and the bank will shut down. Later, they plan to disinter the dead and dismantle the cemeteries. Then, they will come for all of us. On the one hand, repeatedly, we invoke the Talmudic dictum, "Even if a sharp sword is put to a person's throat, he should not withhold himself from [beseeching G-d for] mercy" (Berachot 10a). We believe earnestly in miracles - such as the one, in the Six Day War, that liberated these lands in

the first place. Yet, on the other hand, we have no guarantee that we will merit being the beneficiaries of such extraordinary intervention again, in this new war being waged against the people of Israel, this time by its own government.

Still, we try to remain hopeful. The recent replacement of regular soldiers manning the blockades by higher-ranking officers was undoubtedly intended to increase the pressure on the people here. However, it also betrays the government's cognizance - and fear - of growing unrest among the rank and file whom it has charged to execute its decrees. Even left-leaning newspapers like Ma'ariv have confirmed that thousands of people have entered Gush Katif since the government imposed its "closure" order. Our own observations fully corroborate that conclusion. Presumably, some of the best-trained soldiers of one of the most skilled armies in the world could have done a "better job" on behalf of the government, had they felt motivated to do so. When we entered Gush Katif (with valid permits), we plainly saw how halfheartedly and lackadaisically ordinary soldiers were enforcing the directives they had received. Our teenage sons, who were all present at the standoff in Kefar Maimon, all reported that most of the soldiers they saw took every opportunity to express (surreptitiously) their heartfelt support for the protesters. The universally acclaimed, exemplary conduct of the protesters obviously further reinforced these sentiments. More generally, the brutally anti-democratic and manifestly illegal tactics of the police have appalled most of the country. The tide of public opinion that once seemed, in the wake of the government's slick campaign of slander, implacably set against us, has by all accounts shifted dramatically in our favor.

The aforementioned soldiers who were in Kefar Maimon have thus far refrained from explicitly disobeying orders. We nevertheless hope that, on the day of reckoning, these and the other soldiers will see with their own eyes, before it is too late, the evil that their government has summoned them to perpetrate. Then, we pray, they will inexorably heed the voice of their consciences and follow their many comrades who have already informed their commanders that they cannot and will not execute the orders they were given. In the same vein, we can only admire Timor Abdullah - a decorated Druze sergeant, court-martialed and imprisoned for his opposition to expelling Jews from their homes - and his father Nazia, who publicly expressed pride in his son's refusal to commit this "crime against humanity." Granted, a deliverance mediated by a breakdown of some of the most fundamental institutions of law and order carries a terrible price. Yet, when a cynical oligarchy hijacks those very institutions in attempting to perpetrate a manifest crime, we are left with no choice. As the philosopher Edmund Burke noted, "Bad laws are the worst sort of tyranny." The alternative to the institutional breakdown - a breakdown of morality and decency, instead - is immeasurably more terrifying still.

This, in the end, is why we are here. Granted, we had many important reasons to come. On a cosmic plane, we came - without exaggeration or cynicism - on behalf of Western civilization, however thankless it often is. One can scarcely imagine a greater boost to international Islamic terror than requiring an unrelenting five-year terror war against innocent men, women, and children by expelling them from their homes and awarding those homes to their attackers. The inevitable consequence - a recidivist terror state of an emboldened Hamas in Gaza - is almost too horrific even for nightmares. On the

most intimate plane, we came to demonstrate tangibly our support for and commiseration with our brothers and sisters and close friends in Gush Katif. To indulge in understatement, they have already suffered far more than enough. And, on a national plane, we came on behalf of the nation and State of Israel, the most insidious threat to whose survival lies in sundering the elemental sense that we are, after all, one people. It is difficult to conceive of a more conclusively fatal blow to that abiding sense of nationhood than the willful ruin of one segment of society by another. It is harder still to see how a nation thereby compromised and demoralized could possibly persevere in the face of the ongoing threats to its very existence. "Disengagement" - which has already proven mere divestiture, in exchange for nothing - is aptly named indeed. It entails disengaging from our G-d-given heritage, disengaging from our brethren, and, in the end, disengaging from our future.

Yet, on the most fundamental plane, apart from all these cogent considerations, we came here, simply, because we must. There is no middle course. Burke famously observed, "All that is necessary for the triumph of evil is that good men do nothing." Inaction is equivalent to acquiescence, which is tantamount to collusion. Maintaining a routine today in Gush Katif exemplifies heroism; elsewhere, it betrays indifference and complicity. And complicity with evil - however tacit - is always evil. In the worst event, G-d forbid, who on the day of

reckoning will be able honestly to declare, "Our hands did not spill this blood, and our eyes did not see" (Deuteronomy 21:7)? Conversely, as Rabbi Menachem ibn Zerach Tzorfatati commented, "A little light dispels a great deal of darkness" (Tzedah LaDerech, ch. 12). We pray every morning, "May You shine a new light on Zion, and may we all speedily merit that light." May we all, like the brave men, women, and children of Gush Katif, demonstrate the tenacity to fend off despair and persist uncompromisingly in our just struggle to kindle that light. Whatever you do, do something! Only by our doing everything incumbent upon each of us, we may hope to merit the divine blessings that will crown all our efforts, individually and collectively, with success in advancing that ultimate goal.

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