

This Shabbat is the 339th day (of 383); the 49th Shabbat (of 55) of 5765 • THIRD perek of Pirkei Avot this Shabbat

שְׁאוּ-מִרוֹם עֵינֵיכֶם וּרְאוּ מִי-בָרָא אֱלֹהִים... ישעיהו מ:כו (נחמו)

L'sheim Mitzvat Belief in G-d

[for MEY] The mitzva to eat matza on the eve of the 15th of Nisan is a static mitzva. After preparing to fulfill the mitzva, comes the Seder, one takes a Kazayit (or two) of matza, makes a bracha, chews, swallows. Mitzva accomplished. Kavana might vary from person to person and/or from one year to the other for a given individual, but the mitzva is done essentially the same way each time it is fulfilled. Static. Birkat HaMazon. Basically, it's the same as last time you said it as this time, and it will be the same the next time. Static mitzva.

Not so with Rambam's Mitzva no. 1 and the Chinuch's Mitzva no. 25 (counted among the 613 mitzvot at its first appearance in Parshat Yitro, but repeated this week in Va'etchanan), the mitzva to believe in G-d. This mitzva differs from the two examples above and from almost all other mitzvot, in significant ways. First of all, belief in G-d is a 24/7 mitzva. A constant mitzva, that never has a time that it is not applicable. Unlike a once a year, once a week, once a meal... mitzva. Secondly, the mitzva is dynamic - each performance of the mitzva (so to speak) differs from the last time, the next time, and each time for other people. Think of the mitzva as always "running in the background" every so often brought to the fore to be fulfilled anew.

Take as an example a situation that came up just this week. You hear Hamas say that the Israeli retreat from Gaza is their victory, brought about by the suicide bombers and other martyrs of the Intifada, and by their prayers to their god. And you wonder - how can G-d let this happen?! It's like we just read last Sunday afternoon - Moshe says to G-d: "Why will Egypt (be able to) say that You took them out with evil intentions to kill them..." Moshe says to G-d that punishing the Jews for the Sin of the Golden Calf will be a Chilul HaShem! The Torah tells us that G-d refrained from

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...

TU b'Av is/was a very joyous day. How is it possible to feel joy when our hearts are breaking because of what is happening in our country? How can we manage conflicting emotions? The answer is a slightly different question: How can we NOT manage conflicting emotions? If we can't then we are lost, because there is plenty to be sad about. If we cannot be happy simultaneously, then we've got a big problem with a full schedule of tragic events to commemorate and enough happening in our own time to severely strain our emotions. Being able to add joy to the emotional mix is a mark of faith in G-d and of our duty to thank Him for a myriad of reasons to rejoice. Until the coming of the Yom Shekulo Tov, we must try to constructively mourn and grieve (but NOT despair) and to always see the bright sides of Life.



TORAH Tidbits AUDIO
www.radiou.org and www.israelnationalradio.com
New show from Thursday

OTHER Z'MANIM
Correct for Jerusalem

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

regular	and (earliest)
CANDLE LIGHTING	
HAYDALA TIMES	
Israel Summer Time (DST)	
Correct for TT 681 • Rabbeinu Tam (I'm) - 8:34pm	
6:43pm (5:57) Jerusalem	7:56pm
7:01pm (5:59) Gush Katif	7:58pm
7:00pm (5:58) Raanana	7:58pm
6:59pm (5:57) Beit Shemesh	7:57pm
7:00pm (5:59) Netanya	7:58pm
7:00pm (5:58) Rehovot	7:58pm
6:40pm (5:58) Petach Tikva	7:58pm
6:59pm (5:58) Modi'in	7:57pm
6:59pm (5:58) Be'er Sheva	7:57pm
6:58pm (5:56) Gush Etzion	7:56pm
6:59pm (5:57) Ginot Shomron	7:57pm
6:43pm (5:56) Maale Adumim	7:55pm
6:58pm (5:57) K4 & Hevron	7:56pm
6:54pm (5:57) Tzfat	7:57pm

Ranges are THU-THU 13-20 Men. Av (Aug 18-25)

Earliest Talit & T'filin - 5:13-5:18am
Sunrise - 6:06-6:10am
Sof Z'man K. Sh'ma - 9:24-9:25am (8:35-8:38am)
Sof Z'man T'fila - 10:30-10:30am (9:58-9:59am)
Chatzot (halachic noon) - 12:43-12:41pm
Mincha Gedola (earliest Mincha) - 1:17-1:14pm
Plag Mincha - 5:57-5:51pm
Sunset - 7:24½-7:16½pm (7:19½-7:12pm)

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

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

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

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

In the Wolinetz Family Shul
OHHEL SHMUEL (entrance floor)

"Early Shabbat" Davening
Mincha 5:41pm (15 min. before Plag)

Shabbat afternoon shiur, 5:00pm
Rabbi Yaakov Moshe Poupko
Mincha at 6:00pm

According to the Vilna Gaon's analysis of D'varim, this ends the first section of Moshe's message to the People.

[P> 4:1 (24)] He (Moshe) next proceeds to review the laws and statutes (Torah and mitzvot) by which the people are now to live... in Eretz Yisrael.

Neither should the Torah be added to nor detracted from [these are counted elsewhere as mitzvot].

Another warning against idolatry follows. Then, "And you who cling to G-d are all alive today". (The Gemara teaches that this is one of the many references to T'CHIYAT HAMEITIM in the Torah.)

MITZVA WATCH

The twin prohibitions of neither adding nor subtracting from the Torah, are mentioned in Va'etchanan and again in R'ei (where they are counted among the 613). The Vilna Gaon points out that the plural form is used one time and the singular form is used in the other case. This, he says, alludes to two different aspects of these prohibitions. It is forbidden to add to or subtract from a particular mitzva - for example, one may not take 5 species or 3 species on Sukkot for the fulfillment of the mitzva of "Lulav & Etrog". Nor may one add or subtract to the total of the mitzvot. To treat a Rabbinic mitzva as a Torah law, or vice versa, would be an example of the other aspect of these prohibitions. The spirit of these prohibitions (if not the actual definitions) would include treating (and/or teaching) a CHUMRA as if it were required, or vice versa (claiming that something that is prohibited is "only" a chumra). Aside from people who intentionally do this (very wrong), it is more common to find people doing it one way or the other inadvertently, either because of ignorance or because of a sincere (but slightly misguided) desire to enhance the observance of mitzvot. This is especially important for parents and teachers of young children.

Don't say ASUR if you mean, strictly speaking it isn't actually forbidden, but it is considered a proper thing to abstain for doing such and such. It sounds more complicated, but it is more "honest" and therefore it is the more proper way to transmit Torah to your children and students.

Levi - Second Aliya - 36 p'sukim - 4:5-40

Once again, Moshe emphasizes that the mitzvot are meant to be kept in Eretz Yisrael. (This not only apply to Land-related mitzvot, but to the entire range of mitzvot.)

There is repeated reference in the book of D'varim, and especially in Parshat Va'etchanan, to Eretz Yisrael being THE reason for our having been taken out of Egypt, formed into a Nation, and given the Torah and mitzvot.

Prolonged exile has taught us that the Torah can be kept, must be kept, no matter where a Jew finds himself. This was one of the reasons that the Torah was given at Sinai, prior to entry into the Land. On the other hand, one should not lose sight of the fact, repeated often by Moshe Rabeinu in D'varim, that G-d has always intended us to observe His mitzvot IN THE LAND OF ISRAEL. Are there more mitzvot to keep in Israel than outside? YES. But maybe more significantly, every mitzva - even those that are performed all over the world, can reach their full potential ONLY in Israel. This

is a message that each of us has to realize, understand, and internalize. Then we must spread this message to family and friends abroad who feel that they "have everything we need to be fully Jewish" in their respective religious communities around the world. AND the vital significance of Torah AND Israel to our lives as Jews must be taught to those less committed Jews here in Israel and abroad.

On the other hand, we must not forget that Israel today is not the realization of The Dream, but rather a step on the road to the Complete Redemption, the restoration of Zion and Jerusalem, the rebuilding of the Beit HaMikdash, and the coming of Mashiach. This idea helps us refocus after the mourning period that ends with the 10th of Av, and is an appropriate theme to usher in the period of consolation and repentance.

Let's put it like this: T'rumat and Maasrot - do not apply outside of Israel. They are observed in real but token fashion in Israel today. They will IY"H be able to be fully observed when Yovel comes back into active observance, when we will have a Sanhedrin, ability to become TAHOR from all forms of defilement, etc.

Shabbat: Observance in Chutz LaAretz required. Potential maximum fulfillment of the mitzva 70%. In Eretz Yisrael today: max. possible fulfillment is 80-85% (percentages are made up for illustrative purposes only. Maybe the real numbers are 40% and 80%. The point is that Eretz Yisrael is where G-d has always wanted us to be. That means something even in our time). IY"H in the time of the Mikdash, etc. Max. potential of fulfillment of Shabbat and all other mitzvot - 100%.

We must be careful to preserve and perform the mitzvot because (among other reasons) it is the mitzvot that project Judaism as an intelligent religion to the nations of the world. This in turn, sanctifies G-d's Name. We must be infinitely careful to remember and transmit to our children, the "Sinai Experience".

Moshe describes for the new generation the details of Matan Torah. He includes a specific warning against the potentially idolatrous thoughts caused by the combination of the magnificent, tangible universe in which we live and the invisible, intangible G-d.

A primary cause of idolatry is the natural human tendency to relate better with something concrete rather than something abstract. The Sun is in the sky. It's hot, full of energy, gives us light, and is responsible for life as we know it. People found Sun-worship easier to accept than the worship of He Who created the Sun and everything else, but cannot be seen. True worship of the One G-d was what Avraham and Sara taught many people. And, as OR LAGOYIM, a light unto the nations, it is what we are supposed to teach and show the world.

G-d had taken us out of Egypt in order to make us His Nation. He got angry at me, says Moshe, and forbade me to enter the Land. Again, Moshe warns the People against abandoning the covenant with G-d after his (Moshe's) passing.

[P> 4:25 (16)] The next portion is read on Tish'a b'Av morning... In spite of the many warnings against idolatry, Moshe prophesies (predicts) that there will come a time when the People will turn from G-d and be exiled from their Land. It will then come to pass that the People will seek out G-d and return to Him. Moshe emphasizes

the uniqueness of the People of Israel and their special relationship with G-d and beseeches the People to remain faithful to Torah and mitzvot. One can hear a pleading in his voice, as if he is begging the people not to go in the direction of his prophecy.

This theme is oft-repeated in the Torah. Do what G-d asks of you. Don't turn away from Him. If you remain faithful to Him, wonderful things will happen to and for you. If you turn away from Him, terrible things will happen. You will turn away from Him; terrible things will happen; and then you will turn back to Him...

The Torah keeps presenting this to us, several times. And we read through the entire Torah in a year and we read the Torah year after year, and we hear the prophecies and the challenges and the commandments. So...

Shlishi - Third Aliya - 9 p'sukim - 4:41-49

[P> 4:41 (9)] Although the cities of refuge will not function as such until conquest and settlement of Eretz Yisrael, Moshe (with enthusiasm to do G-d's bidding) designates the 3 cities on the East Bank - Betzer in the Mishor Wilderness area for Reuven, Ramot in the Gil'ad area for Gad, and Golan in the Bashan area for Menashe.

These (the mitzvot about to be presented) were taught by Moshe to the People following the Exodus in the lands on the East Bank of the Jordan.

(Note the detail in the description of the location of the people, the repetition of their successes in conquering the "east bank" lands. It seems meant to be encouraging to the people.)

V'zot HaTorah... said when the Torah is lifted, comes from D'varim 4:44. In the Siddur, the words AL PI HASHEM B'YAD MOSHE are added. That phrase appears 4 times in Bamidbar, but 9:23 seems the one from which it is taken.

R'VI'I - Fourth Aliya - 18 p'sukim - 5:1-18

[P> 5:1 (5)] Moshe begins the review of mitzvot with a restatement of the Aseret HaDibrot. He emphasizes that the Covenant at Sinai was not just between G-d and the previous generation, but between G-d and all generations of Jews to come.

MITZVA WATCH

The most well-known difference between the two presentations of the Aseret HaDibrot is "Shamor v'Zachor" of Shabbat. Generally, "Zachor" is interpreted as referring to the positive mitzvot and aspects of Shabbat, whereas "Shamor" is taken as warning against violation of the prohibitions. The traditional minimum of two Shabbat candles (although one candle satisfies the halacha), are said to represent these two facets of Shabbat.

It is the intertwined nature of the positive aspects of Shabbat and its prohibitions that is "responsible" for Kiddush on Friday night being obligatory upon women. Rather than treat Kiddush as a pure "time-related positive mitzva" which would (probably) mean that women would be exempt, we view Kiddush as part of the whole

Shabbat package, which means full and equal obligation for men and women. The two sides of Shabbat were commanded B'DIBUR ECHAD and are inseparable.

On a hashkafa level, we can see the prohibitions of Shabbat as more than a restrictive list of DON'Ts. Abstention from Melacha can be seen as Dayan Grunfeld puts it in The Sabbath — as laying G-d's gifts of creative activity at His feet (so to speak) in homage to the Creator and Master of All. This, on a weekly basis, so that we will not take these gifts for granted nor assume that our abilities and talents are self-produced. There is a subtle difference between not doing Melacha and abstaining from Melacha. If we understand and appreciate the distinction, our Shabbat observance and enjoyment can be greatly enhanced.

MITZVA WATCH

The Aseret HaDibrot in Yitro contains 14 of the 613 mitzvot. (The 2nd commandment has 4 prohibitions related to idolatry, the 4th has two mitzvot related to Shabbat, and one each from the other 8.) The first 9 commandments in Va'etchanan contain the same 13 mitzvot as their counterparts in Yitro. Those mitzvot are counted from Yitro. The 10th is worded differently here and is counted separately (in addition to "Thou shalt not covet") against "lust and unhealthy desire" [416,L266 5:18]. The mitzva here deals exclusively with thoughts and feelings; its counterpart in Yitro involves acting on those feelings. V'LO TIT'AVEH in a way, completes a set of prohibitions, that starts with obviously sinful acts - murder, stealing, etc. to a feeling in the heart (LO TACHMOD) which can, and often does, lead to acts which are "milder", but nonetheless "problematic". For example, if a person is jealous of a friend's sweater, and comments about it often enough, the friend might just feel uncomfortable enough to give it to the jealous friend. Nothing wrong, per se, in complimenting someone's sweater, but in this case it is part of the prohibition of LO TACHMOD. And V'LO TIT'AVEH is the feelings even without anything else.

The Aseret HaDibrot lay out in the following manner:

[S>5:6 (5)] Anochi and Lo Yi-h'yeh L'cha, which we consider the first two "dibrot" are contained within a single parsha s'tuma. [S>5:11 (1)] The prohibition against taking G-d's name in vain (vain oaths) is its own parsha s'tuma. [S> 5:12 (4)] The Shabbat commandment is its own parsha s'tuma. Not only does this command begin with SHAMOR (in contrast to ZACHOR of Yitro), but the "reason" for Shabbat given here is to serve as a reminder of having been slaves and having been freed by G-d (in contrast to Creation as the "reason" in the Yitro version). [S> 5:16 (1)] Honoring parents is a s'tuma. [S> 5:17 (¼)] No murder, [S> 5:17 (¼)] And no adultery, [S> 5:17 (¼)] And no stealing (kidnapping), [S> 5:17 (¼)] And no false witness. These four dibrot are each a separate parsha s'tuma, all in the same pasuk! [S> 5:18 (½)] And not to covet another's wife and [S>5:18 (½)] and not to lust after anything that another person possesses are each a s'tuma, from the same pasuk, and counting as a single (the 10th) dibra (or dibur). In general, we see that Dibrot, Parshiyot, and P'sukim don't match or line up the way one might have expected.

Chamishi - 5th Aliya - 15 p'sukim - 5:19-6:3

[S> 5:19 (15)] Moshe next reminds the People that those who were present at Matan Torah were afraid to continue hearing G-d's Voice and agreed to listen to the words of a prophet speaking in G-d's Name in lieu of direct communication.

This is a very crucial episode in understanding our Chain of Tradition and the method of transmission of the Oral Law. It made not only Moshe Rabeinu vital to our hearing and understanding of G-d's Word, but so too the Moshe Rabeinus of every generation. This is so for prophets, during the period of prophecy, and also extends to this day in the way Tradition is passed from one generation to the next. We can say that we have a serious obligation to accept Torah from our parents and teachers, precisely because those that stood at Sinai did not want to hear G-d's voice directly beyond the first two commandments.

Moshe emphasizes that G-d agreed to the People's request.

And yet again, Moshe links observance of mitzvot with the only proper environment for Jewish life - Eretz Yisrael. (This idea is actually expressed in THREE different ways in the final p'sukim of this Aliya.)

Shishi - Sixth Aliya - 22 p'sukim - 6:4-25

[P> 6:4 (6)] The first portion of this Aliya is the first parsha of SH'MA. "...HaShem is One." This statement of Jewish faith is also considered the mitzva to believe in the unity and uniqueness of G-d [417,A2 6:4].

Note that G-d's unity is also part of the mitzva to believe in Him [25,A1 Sh'mot 20:2], but warrants its own mitzva to emphasize this essential element of belief, in contrast to many religions.

"Love" G-d with your entire being [418,A3 6:5]. (Many mitzvot, Jewish practices and attitudes are considered manifestations of Love of G-d.) We must study and teach Torah [419,A11 6:7] (for practical purposes AND purely for the sake of learning). We are to recite the Sh'ma twice daily [420,A10 6:7], wear T'filin on the arm [421,A13 6:8] and front-center on the head [422,A12 6:8], and put a mezuzah on our doorposts [423,A15 6:9].

SDI *The mitzva of learning and teaching Torah can be fulfilled with one's head, one's intellect. Tell someone a Dvar Torah and you both have fulfilled V'SHINANTAM L'VANECHA. But, tell that same Dvar Torah in an animated way that shows love of G-d and that ignites the emotion of the listener, so that he not only adds to his knowledge of Torah, but his excitement and enthusiasm for Torah and Mitzvot has increased, then you have fulfilled an additional mitzva, V'AHAVTA ET HASHEM ELOKECHA, to love G-d with all your heart (Sefer HaChareidim).*

We can generalize this aspect of AHAVAT HASHEM to include all mitzvot. Shabbat, for example. Someone can go through all the motions and not violate the Shabbat; but do it with love and that fulfills V'AHAVTA.

[S> 6:10 (6)] Now we are issued another warning. You'll go into Eretz Yisrael, have big homes filled with all good things, that you did not work for... Still remember that G-d took you out of Egypt... don't turn away from Him...

[S> 6:16 (40)] Do not test G-d... Understood as the prohibition of overly challenging a true prophet and demanding signs from him (beyond what is reasonable to determine his claim as a true prophet) [424,L64 6:16]. Keep the mitzvot... be straight with G-d... so that things will be good for you in Eretz Yisrael...

[S> 6:20 (6)] When your child will ask you tomorrow... tell him "we were slaves to Par'o in Egypt and G-d took us out... and He commanded us... and it will do us good to listen..."

Sh'vi'i - Seventh Aliya - 11 p'sukim - 7:1-11

[S>7:1 (11)] Finally, Moshe tells the People that the nations in Eretz Yisrael whom we will encounter are mightier than Israel. But G-d will give them over into Israel's hands. We are required to destroy the "Seven Nations" [425,A187 7:2], not to show mercy to idolaters in the Land [426,L50 7:2], and certainly not to intermarry with them [427,L52 7:3] or any other non-Jews.

Regardless of how secure one is in one's belief, intermarriage and other close contact with alien cultures will have an adverse effect upon the individual Jew and on the Jewish People. In addition to the Torah-prohibition against intermarriage, there are many Rabbinic prohibitions geared to restrict social contact.

We must destroy the idolatry in the Land. We must always keep in mind the basis upon which G-d has built His relationship with us.

It is because of G-d's love for us and His promises to our ancestors that He has taken us out of Egypt.

Know that G-d is trustworthy to keep His promises and reward those who properly follow His ways, as well as punish those who do not.

The final 3 p'sukim of the sedra are reread for the Maftir.

Haftara - 26 p'sukim - Yeshayahu 40:1-26

First of the 7 Haftarot of Consolation, (all of which come from Yeshayahu). Yeshayahu as a prophet of destruction and Divine punishment for faithlessness, can be seen in ch.1 which was the haftara last Shabbat and in subsequent chapters through 39. With our haftara this week, ch. 40, we see another side of the prophet. G-d commands the prophets (thru Yeshayahu) to bring the message of comfort and the end of Babylonian captivity. How appropriate a choice as the haftara for the Shabbat following 9'Av.

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

Lesson # 297 • part five

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

As I sit at my computer preparing this lesson, we are getting ready to read Mas'ei. From the text it is obvious that Gush Katif is part of the Land of Israel. In the midst of all the turmoil where the Israeli government has embarked on giving away part of our heritage from Hashem, a question that frequently arises, especially with the establishment of the State of Israel, for which we thank Hashem every day, does the doctrine of Dina D'Malchuta Dina (hereafter referred to as "Dina") apply to the State of Israel? As will be seen below, that it does, but that does not give the government the right to act contrary to the Torah.

Therefore we are now discussing other matters over which a government has jurisdiction, such as taxes, property rights, etc. as will be shown below. In the prior lessons in discussing the halachic theories of the concept of Dina, there was the theory of R. Eliezer of Metz (Germany, 1115-1198, one of the Tosafists) who stated that the king owns the land and he may deport all those who do not abide by his laws. Since a Jewish government cannot deport Jews from the country, Dina will not apply in the land of Israel. This is also the view of R. Yosef Habiba (Spain, beg 15th century; Nemukai Yosef on Alfasi, Nedarim 28a) who further adds that all of the powers enumerated in the Book of Samuel regarding a king are not permitted to the Jewish king [read "government"]. R. Solomon b. Adret (Rashba, Spain; 1235-1310; response I: 637) holds that a Jewish king in a non-Jewish country must also be obeyed under the Dina doctrine. (I believe that this last view could be used against our brothers who refuse to recognize the State of Israel). Rabbi Adin Steinsaltz and I have semi-annual forums and on April 27, 1989 our topic was Dina D'Malchuta Dina. In preparation for that forum, in addition to research, I interviewed R. Avraham Shapira, the then Chief Rabbi of Israel and asked whether he thought that the doctrine of Dina applied to the State of Israel. He said he was certain that the doctrine of Dina applied to the State of Israel. He ended our conversation with the thought that if there are persons who sell religious articles and do not pay their income taxes, such religious articles may not be proper to be used since such persons would be violating the concept of Dina D'Malchuta Dina. I also interviewed my friend, R. Aharon Lichtenstein, one of the great Talmudic scholars of our time, Rosh Yeshiva of Yeshivat Har Ezion, and he wrote out his view in a concise statement that Dina D'Malchuta Dina did apply to the Land of Israel.

Conflict with Halacha

As stated by R. Shabtai Cohen (Lithuania, Germany; 1622-1663, Schach on Hoshen haMishpat 73 (39)) Dina D'Malchuta Dina is not followed if it contravenes a Torah law. See also the comments of R. Menachem Meiri (R. Menachem b. Solomon; Provence, France; 1249-1306; Meiri, Beit HaBechira on Baba Kama 113) and Professor Menachem Elon's statement, "According to all opinions Dina D'Malchuta Dina does not apply to the category of laws dealing with things that are prohibited and permitted [ritual laws]." (Prof. Menachem Elon, Germany, Israel 1923-; former judge Israel Supreme Court, Hamishpat halvri volume 1, p. 117) Similarly, there is no permission granted to use secular Gentile courts instead of

going to a Beth Din. As stated by R. Yosef Kolon (France, Italy; 1410-1480; response 187) Dina D'Malchuta Dina does not grant such permission. So too, R. Moses Zaccuto (Amsterdam, Poland; 17th century; Remez, response 37) held that commercial conflicts among the Jewish community cannot be adjudicated in the secular courts of the land. A similar result was reached by R. Chaim Yosef David Azulai (Jerusalem, North Africa, Italy 1724- 1806, Tu Ayin, response 17) in a case involving inheritance laws. The Jewish community had apparently permitted its citizens to sue in matters of inheritance in the secular non-Jewish courts. R. Azulai found this is not really the custom of the community and thus the Jewish heirs could not sue in the secular courts. He did leave the door open if this were found to be the custom in a community so that the law could be further examined.

Some of the examples as found in the response literature set forth:

An example given by R. Mordechai Jaffe ((Poland, 1536-1612, Lebush Eer Shushan 369:11) is that the courts of the government permit a case to be decided by the testimony of one witness or witnesses not qualified in halacha. Such laws are not part of the Dina D'Malchuta Dina.

R. Ovadya Yosef, while he was chief rabbi of Egypt in Cairo, was confronted with the following situation. The Egyptian government had published a decree that every religious court had to have a lawyer on it. Thus if a Beth Din had three judges, one would have to be a lawyer recognized by the state. He was asked if the community had to abide by the decree under Dina D'Malchuta Dina. He answered with a definite NO. There was no way that lawyers who were mostly ignorant of Jewish law, could sit on a Beth Din.

In a case that came before the author of the Shulhan Aruch in the 16th century, Reuven was hard pressed for cash and he loaned money to Shimon with interest which is absolutely forbidden by halacha, but legal under the laws where they lived. Could Reuven sue Shimon to recover the interest? R. Karo held, absolutely not. If it were permitted then all halacha would be set aside under the guise of Dina D'Malchuta Dina. He held that Reuven should have sold some of his considerable assets rather than lend money on interest.

In all cases involving the question of whether Dina D'Malchuta Dina applies, there is a thin line that separates the use of the secular law and its courts and not granting permission. On the one hand, most people, especially business men and their lawyers, know the secular law and have such law in mind when conducting their business. On the other hand there are circumstances where a Jew may be in violation of halacha by not using halachic law. In these lessons I am trying to point out some of the problems involved.

In future lessons - perhaps with a break from "Dina" for a few weeks - we will discuss individual subjects to which the doctrine of Dina D'Malchuta Dina applies.

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

Meaning in Mitzvot

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

Rabbi Asher Meir

ILUI NESHAMA

elevation of the soul after death

Often good deeds done in memory of a dead person are designated as an ILUI NESHAMA - an elevation of the soul or spirit. For example, the Kitzur Shulchan Arukh says that repentance on the anniversary of the death of a parent causes the parent's soul to ascend in paradise (Ch. 221:1).

This concept is found in the Talmud in a number of places. Near the very end of tractate Berakhot (64a) we find: "Torah scholars find no rest either in this world or in the World to Come, as it is said (Tehilim 84:8): They will go from strength to strength, to appear before HaShem in Zion."

And in tractate Shabbat (152b-153a) we learn: "For twelve months the body still persists, and the soul ascends and descends; after twelve months, the body is nullified and the soul ascends and from then on never descends".

One way of understanding this idea is that it is a natural extension of the reward for our actions in this world. It is true that what we do after we leave this world doesn't have an impact on our reward, as it says in Avoda Zara (3a) "One who didn't prepare on Erev Shabbat, what will he eat on Shabbat?" But the impact of a person's acts may not be evident until after his passing. A person may during his lifetime inspire other people to study Torah, engage in acts of kindness, and so on; there is no question that he will receive a reward. But sometimes the acts done during one's lifetime may continue to inspire others after one's passing. Thus, it is appropriate to evaluate a person's achievements even after his departure from this world.

Indeed, the Zohar identifies the various stages of the journey of the soul with a series of judgments (Vayakhel, II:199). At various times after death, a new judgment is done to re-evaluate a person's impact on the world of the living. Some authors have written that each *yahrzeit* (anniversary of the death) is a day of judgment; thus it is a natural time for the children or other people who were influenced by the departed to demonstrate the continuing positive impact of their life and deeds.

One interesting passage contrasts the "intermediate" person, or BENONI, with the wicked. Shmuel stated that both are given over to a special angel, but the difference is that one has rest and the other lacks rest (Shabbat 152b). The Maharsha indicates that the BENONI, or partially righteous person, has rest, whereas the wicked person has no rest; he is constantly being tossed about. (The gemara there describes the wicked as being cast back and forth between two angels; one way of understanding this is that while there are many different paths to achieving righteousness and inner peace, this person didn't settle in to any of them.)

However, Ramban (Shaar HaGemul) gives the opposite interpretation: it is the average person who has no rest. This runs parallel to the gemara (Rosh HaShana 16b) which states that the wicked and the righteous are sealed immediately on Rosh HaShana, whereas specifically the intermediate person is given an extra opportunity to realize his potential, to continue his growth.

Pondering the concept of the ILUI NESHAMA should induce

us to reflect on the loves of departed loved ones and consider how their personal example can continue to inspire us to good character and good deeds.

May this column be an ILUI NESHAMA for Rabbi Yehoshua Shmidman of Montreal, who was buried this week in Jerusalem. His conduct inspired countless people to improve their character and deeds.

TANACH

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

The Avraham Megila

There was Megilat B'reishit, Megilat No'ach and the Megila of the sons of No'ach, during which mankind was repeatedly given an opportunity to do what they were created for -- to live according to Hashem's Word. Now comes the Megila of Avraham to represent a radically new concept in the spiritual development of Mankind. Instead of leaving the spiritual and ethical and moral striving and elevation to the individuals of the world, the Divine Wisdom now chooses a family, later to become a nation of priests that would teach mankind to realize that which they proved unable to do on their own. How arrogant that sounds, what racial discrimination that shows and what exclusiveness is contained therein? How often have anti-Semites and doubting Jews alike accused us of these divisive teachings? R' Yehuda HaLevi puts this question in the mouth of the king of the Kazars, "surely it would have been preferable for Hashem to have left all the people to do so? Would that not have wiser and more correct" (Kuzari 2:102)?

Yet what is the record of humanity in the preceding 3 Megilot, over the 20 generations from the Creation? Adam and Chava and their sin that upset the harmony and equilibrium of the world, Cain who murdered his brother, the idolatry, murder and sexual immorality that characterized the pre-Flood generations till the whole creation was perverted by them, and the descendants of Noah who were dispersed and disrupted the unity of Mankind by their rebellion against G-d.

"At the time of Enosh, people felt that they were too insignificant and G-d too distant to be concerned with the affairs of mankind or the workings of the world. So they decided to worship the forces of nature and physical phenomena that He created, much in the same way as one serves nobles and courtiers of a great king. This giving of any of the powers of Hashem to any other is idolatry. With the passage of time, the existence of G-d was forgotten from the minds of men, because of their worship of the powers of nature and their own lusts and desires. They forgot that there was a Creator and a Controller of the world, but rather worshiped the work of their own hands. There were a few exceptions like No'ach, Shem and Ever, but no one would listen. Then came Avraham who without a teacher and without a prophet, questioned and searched how come the world could exist without anyone to create it and to lay down the laws for its continued existence. He concluded that the greatness and sophistication of all that was created demanded that there be only one Creator who controlled and was responsible for the world and that only He should be worshiped. So he taught this truth to everybody and the king persecuted him for it. So he fled from Ur and from Haran." (Rambam, Hilkhos AvodaZara 1:1).

"The Healer of all flesh tried to cure the generation of Enosh but they would not be healed, He tried to cure the generation of the Flood but they would not be cured, the generation of the Tower of Babel also would not be cured. 'Let a man go to his country' (Jeremiah 51:9); Hashem said to Avraham, 'Get thee out of your country, "to the Land that I will show you"' (Bereishit Rabba 39:8).

Maimonides teaches that it was the failure of human beings to fulfill their spiritual potential and task that brought about this narrowing down to a specific nation, while Nachmanides holds that this choosing of Avraham's descendants was the original purpose of creation. The Chassidic school of Pyshisca - Kotsk, Gur, Alendander, Sochochow - taught that it was not only the failures of Mankind that led to this choosing but rather the need for a society that owed its existence to Hashem and was subject to His commands. R' Simcha Bunem of Pyshisca asked R' Menachem Mendel of Kotsk, "From where do you draw your awareness of G-d"? The Kotsker answered that, as the Rambam writes, when a person sees the glories and magnificence of Creation, there is an immediate awareness of its Creator. Said R' Simcha Bunem, "that is sufficient for the spiritual purposes of general men and women, but we draw our whole cognizance of Him, from the experience and wonders of the Redemption from Egypt". The Avnei Nezer of Sochochow added, "The Exodus from Egypt enabled Israel to see and realize more spiritually and clearly the wonders and the purpose of Creation".

In every other faith, religion or ideological movement, we are always told of the spiritual, moral or religious thinking and development of its founder that led them to whatever faith or religion they founded. Not so in the case of the Avrahamic Nation- Faith. In the Torah we hear nothing of his spiritual thinking or of his religious ideas that would explain why he was chosen. "It was essential that the formation of the Nation of Priests obviously be due to G-d alone, rather than economic forces, landed possessions or historical-political factors like any other national group; in the same way as their religious code came from an external source, G-d" (Rabbi S. R. Hirsch; Abarbanel expresses the same idea).

All men and women seek to be blessed and to be the object of blessings, material and spiritual, whether from a god, priest or from holy humans. In contrast, this nation- religion had another calling, one that sums up both their potential and the reality of their long history. Not to be blessed but rather: "Now the Lord said to Avram, Be thou a blessing - In you shall all the nations of the world be blessed (B'reishit 12:1-2). Avraham went as Hashem commanded him; this is the first hallmark of Avraham, his ability to obey G-d without hesitation or discussion, yet he brings to everything, his own observations and qualities. So, the Ramban teaches that even before Hashem's command, Avraham sought out the spirituality and the holiness of Eretz Yisrael; "They set out for the land of Canaan". "Avraham saw the people of Aram Nahara'im and of Aram Nahor busying themselves with gluttony, license, and hedonism. He asked that his portion should not be with that land. Then he came to the land of Canaan and saw its people involved in planting and cultivating, all in its appropriate season. Therefore, he asked that his portion should be in this land. And Hashem said, "I will give this Land to your descendants" (Bereishit Rabba 7:8).

This is the 95th installment in Dr. Tamari's series on "Tanach and its messages for our times"

MISC section - contents:

[1] **Vebbe Rebbe**

[2] **Candle by Day**

[3] **From Aloh Naaleh**

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

[5] **Correction**

[6] **MicroUlpan**

[7] **Parsha Points to Ponder**

[8] **From the desk of the director**

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

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

Q: This true story involves four people, whom I will refer to by number. 1 stole similar computers from 3 and 4. 2 is a go-between who offers to sell a computer for 1 to 3 for 1500 shekels. 3 apparently thinks he is paying to get his old computer back, but it's really 4's computer. 4 finds out and demands of 3 to return his computer, but 3 says he will give it back only if 4 pays him the 1500 shekel he paid for it. If 3 will not go to a rabbinical court, can 4 go to the police?

A: 4 may go to the police in regard to the alleged thief, 1, which he is apparently reluctant to do for whatever reason, which is not our business. We would not go to the police in regard to 3, who is a victim, not a culprit. Of course, we have yet to determine if 3 is a victim who has reacted correctly or not. As we always point out in this type of question, we cannot make any determinations to obligate someone who has not had the opportunity to formally present his side before beit din. We can only tell someone if, according to his version of the story, he has a right to act in a certain way.

We have to break the story into two possible scenarios. When an object is stolen, it is normally incumbent on the thief to return the object (Vayikra 5:23). For that matter, anyone who gets access has a mitzva to return it as a lost object. However, things can occur to release the original owner's control over the object. One factor is YEI'USH, when the original owner gives up real hope of recovering the object. If there was YEI'USH and then the thief sold it to someone else, then the buyer acquires the object and does not need to return it to the original owner (Shulchan Aruch, Choshen Mishpat 356:3). If that is the case over here, then 3 can either keep the computer or offer it back to 4 as a sale item. (See opinions in Shulchan Aruch and Rama ibid. regarding if the buyer must pay the victim the stolen article's added value if he received a discount on it.)

There are rules to try to determine if there is a presumption of YEI'USH. The general rule is that when one Jew steals from another Jew, whether by force or by avoiding people's notice, there is a presumption of YEI'USH (Shulchan Aruch, ibid. 368:3). However, the Rama continues that the proper custom is

to return the stolen article to its original owner in any case, a practice that apparently began because of the law of the land (see Rama 356:7). From the sound of your case, it seems likely that there were special circumstances under which there might not have been YEI'USH.

When a third party pays the thief to buy a stolen object without YEI'USH, the basic principles of the law dictate that he has thrown out his money and the victim does not have to reimburse him. However, there was a rabbinical provision (TAKANAT HASHUK) to reimburse the buyer the amount that he spent for the object. This was instituted out of fear that people would be overly nervous that the money they spend to buy objects could go to waste (Shulchan Aruch 356:1). However, the Rabbis realized that this is only fair if the buyer did not have reason to believe that he was buying a stolen object. However, if the seller was a known thief (ibid.:2) and at least if the buyer knew it was a stolen object (see Rama, ad loc.) he doesn't deserve to be reimbursed.

In this case, the buyer knew he was buying a stolen object and so it is not the standard case of a sale in which the TAKANAT HASHUK was made. On the other hand, perhaps the TAKANA was a broad one, made in cases where the buyer cannot be accused of foul play, of knowingly or semi-knowingly buying a stolen object for his own benefit. In this case, the buyer's intention seems to have been reasonable. From the general approach of the poskim it appears that the more inclusive outlook on the TAKANA is correct. Thus, we believe that 3 has a right to demand the 1500 shekels that he spent on the computer from 4.

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

[2] Candle by Day

G-d will not judge us on the resources we possess. He invested us amply with all kinds of resources, for good and for evil. He will judge us according to those we make natural to ourselves.

From A Candle by Day by Rabbi Shraga Silverstein

[3] CHIZUK and IDUD

(for Olim & not-yet-Olim respectively)

In this week's parsha of Va'etchanan, Moshe offers a pretty depressing forecast. He says that the Jewish people will, a few generations down the road, betray their covenant with Hashem and be dispersed among the nations.

"There [in exile] you will serve gods, the handiwork of man, of wood and stone"

Rashi hints at an obvious question. Why assume that because Jews are in exile they will automatically become idol-worshippers? He answers by citing Onkelos, who explains that when we are subservient to those who are idol-worshippers, then it is as if we are idol-worshippers ourselves.

In other words, when we are outside of Eretz Yisrael, we end up buying into the values of the host society and inflict spiritual damage to ourselves and families in ways we may not even be

aware of.

Of course, being in Eretz Yisrael doesn't guarantee immunization against the galut mentality and it's unfortunately true that modern Israel has imported many of the worst aspects of Western culture. But that doesn't detract from the power of simply being in Eretz Yisrael.

Reb Moshe Feinstein, zt"l, notes that Moshe Rabbeinu wanted to enter Eretz Yisrael in any circumstances, even as a bird - which certainly can't fulfill the mitzvot connected to Eretz Yisrael. "We see that the very fact of being in a place of kedusha is something big," Reb Moshe says in Darash Moshe, "since Hashem sanctified this place, we must try to be there."

It's impossible to ignore the times we're living in. The so-called disengagement plan - which calls for the eviction of some 10,000 Jews from their homes, divides Israel as never before, sets a precedent for further giveaways and encourages continued Palestinian terrorism - is cause for enormous concern.

Our hope and prayer is that this Shabbat Nachamu will truly be a time of comfort and unity for Am Yisrael and that our eyes will be opened to see how all the events we are living through in this holy land are paving the way to the ultimate redemption.

Joel Rebibo, Beit El

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

A man came to R' Moshe Sofer, the Chasam Sofer, and spilled out his tale of woe.

"Rebbe, my whole life I led the prayers on the Yamim Nora'im without asking for any payment. Now, however, I've lost all my money and will have to ask for pay. Please do me a favor and put in a good word for me with the community leaders, and ask them to pay me."

R' Moshe promised to do so, but the man was still not reassured.

"Rebbe," he said, "I'm afraid that they'll refuse. Whenever I volunteered my services they praised me to the heavens. Now that I'm asking to be paid I'm afraid that they'll find fault with me."

"Listen to me," said R' Moshe. "You are a chazan, and you certainly know that there are prayers where the chazan and congregation pronounce alternate verses. I suggest that you say what you have to say: that you would like to be paid. Now the congregation may say that you aren't fit for the position. But why do you have to be the one who says what the congregation is supposed to say?"

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] CORRECTION

In last week's TT, there was a box with the statistics of what day of the week Tish'a b'Av falls.

The specifics of Tish'a b'Av on Motza'ei Shabbat - Sunday were switched. 11.5% of the time, Tish'a b'Av falls on Sunday. An additional 28% of the time, it falls on Shabbat and is postponed to Sunday.

It follows from the above, that TU b'Av falls on Shabbat 11.5% of the time. That doubles the joyous flavor of the Shabbat following Tish'a b'Av - Shabbat Nachamu and TU b'Av.

Shabbat Nachamu, by the way, is always on Shabbat. Thought you would like that statistic.

On another matter...

There are different customs, but the following seems to be the prevalent one.

When we benched Rosh Chodesh, this month, we called the month MENACHEM AV. Then, for the first 9 and a half days of the month, we called it AV. From after halachic noon of the 10th of Av, the month is referred to as MENACHEM AV.

This should be seen as more than word- play. Although "when Av enters, we curtail joy", after Tish'a b'Av, the mode and mood of "comfort" takes over. We must emerge from the feelings of despair of Aveilut HaChurban to the hopeful and prayerful anticipation of the Geula.

[6] **MicroUlpan**

Here's another word that most (?) people don't know because they use a Hebrew-sounding version of the English word instead. Ask your favorite native-Hebrew speaker how to say GREASE in Hebrew. Tell them, not G'REEEZ, but rather DOHAN. Using it prevents corrosion, SHI-TUCH.

[7] **Parsha Points to Ponder - VA'ETCHANAN**

1) Why does Moshe refer to his death in the desert in the midst of warning the people about idolatry? (see 4:21, 24)

2) Why does the Torah warn not to make an image ALL WHICH G-D COMMANDED YOU (4:23)? Did G-d ever command us to make such an image?

3) Why does the command to honor parents include the additional words AS G-D COMMANDED YOU (5:16), words not added the first time the Ten Commandments were taught?

THESE ARE THE ANSWERS

Ponder the questions first, then read here

1) The Meshech Chachma answers that among the reason why Moshe had to die in the desert was the fear that he would be treated like a deity by the future generations. His death in the desert with the rest of his generation put such thoughts to rest. Therefore, Moshe mentions this fact while warning about idolatry to show the serious steps G-D has taken to prevent any form of pagan worship.

2) Commentaries explain this verse to mean that even where G-D has commanded to make an image, like the K'RUVIM on the ark, making them for any other purpose or place is deemed as a violation of the command not to make any images.

3) The Kedushat Levi teaches that these words are the source for the ruling that one should not obey a parent's command to violate a law in the Torah. When the Ten Commandments were first taught in Parshat Yitro, the Jews did not yet have the Torah so these words were unnecessary.

Parsha Points to Ponder is prepared by Rabbi Dov Lipman of

Beit Shemesh ppp@israelcenter.co.il

[8] **Divrei Menachem**

Va'etchanan continues Moshe's presentation of past events in such a way as to take our breath away. For in the opening words, Moshe reminds us of his so moving entreaty to G-d to grant him entry into the Land he so loved. The text describes this plea with the words, "Va'etchanan el Hashem Ba'et Ha'hi Leimor" - 'And I implored the Lord at that time saying (D'varim 3:23).

The commentators are quick to note that the gematria of the Hebrew term "Va'etchanan" is 515. Based on a Midrash, they say that Moshe prayed no less than 515 times for his punishment to be revoked, until the King finally pronounced, "that's enough!" But, the Midrash adds, had Moshe asked but one more time, his wish would have been granted.

Daniel Halevi Ginzburg comments that Moshe's persistence teaches us not to despair. Not surprisingly, the numerical value of 515 also matches the Hebrew word for prayer, "Tefila". So now, an examination of the above verse teaches us that from Moshe's perspective his every prayer to G-d was reckoned as if it was at "that time." Each entreaty was equally immanent.

Moshe's example gives us the strength to continue praying, even when the answer appears to be "no". For G-d has His own plan. Never- the less, perhaps this time Hashem will look beyond our 515th petition, and, as previously in our generation, He will reverse the seemingly irreversible.

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.

Ein Yei'ush Ba'olam - R. Nachman of Breslov

"There is no such thing as despair.."

"Rabban Gamliel, R. Eleazar ben Azaria, R. Yehoshua and R. Akiva) were coming up to Jerusalem together, and just as they came to Har Hatzofim, they saw a fox coming out of (the ruins) of Kodesh HaKodashim. They began to weep and R. Akiva rejoiced! They said to him, 'why do you rejoice?' And he asked them, 'Why do you weep?' They said to him, 'The place of which it was once said, "And the ZAR (non-kohen) who approaches there shall be put to death" (B'midbar 1:51) has now become the haunt of foxes, should we not weep? He (R. Akiva) said to them, 'Therefore I rejoice! It is written, 'And I will take to me faithful witnesses to record, Uriah the priest and Zechariah the son of Yeverechia (Yeshiyahu 8:2). Uriah lived in the days of Bayit Rishon and Zechariah lived in the days of Bayit Sheini; but Scripture linked the later prophecy of Zechariah with the earlier prophecy of Uriah. In the earlier prophecy of Uriah, it is written, 'Therefore shall Zion for your sake be ploughed as a field (Yermiyahu 26:18-20). In Zechariah it is written, 'Thus says the Lord of Hosts,' There shall yet be old men and old women in the broad places of Jerusalem' (Zechariah 8:4). As long as Uriah's (threatening) prophecies had not been fulfilled I was apprehensive that Zechariah's (positive)

prophecy might also not be fulfilled. Now that Uriah's prophecy has been (literally) fulfilled, certainly Zechariah's prophecy will also be literally fulfilled. They (Rabban Gamliel, R. Eleazar ben Azaria and R. Yehoshua) said to him, 'Akiva, you have comforted us, Akiva, you have comforted us' (Makot 24b).

After the Churban, the Jewish leadership realized that it was essential to combat the national melancholia which gripped Am Yisrael. Even some of the Sages themselves were infected with this all-pervasive feeling of depression and potentially lethal malaise. Could Yahadut and Am Yisrael survive a blow which rendered impossible the practice and observance of literally hundreds of Mitzvot ordained by the Torah? With the Mikdash gone, it was crucial to make the people understand that all was not lost. Avodat Hashem was still possible even without Korbanot and the panoply of Mikdash Avodot. "Once when R. Yochanan ben Zakkai was coming forth from Jerusalem, R. Yehoshua followed him and beheld the Beit Hamikdash in ruins. 'Woe unto us', cried R. Yehoshua (who when the Mikdash stood had been a member of the Levitical choir), 'that this, the place where the sins of Israel were atoned for, is desolated.' R. Yochanan replied to him 'My son, be not grieved. We have another atonement just as effective as this. And what is it? It is the performance of acts of loving kindness, as it is said, 'For I desire mercy and not sacrifice (Hoshea 4:6). And so we find Daniel, that greatly beloved man, who devoted himself to acts of loving kindness. He provided for the bride and made her rejoice, he attended to the dead, he gave alms to the poor, and he prayed three times a day and his prayer was accepted with favor' (Avot D'Rabbi Nathan 20a). The Gemara tells us that G-d told Abraham, "When there will be no Beit HaMikdash, I have set down for them (Abraham's children, Am Yisrael) the order of sacrifices. And if they read the sections dealing with Korbanot, I will consider it as if they brought Me an offering and I will forgive them all their sins" (Megilla 31b). The Sages emphasized that the study of the laws of Korbanot effected atonement even if an actual physical sacrificial animal was not offered on the Mizbei'ach. Guided by the Sages, Am Yisrael did adjust to the "Mikdash-less" reality.

Sixty years after the destruction of Jerusalem, an intense wave of religious persecution was unleashed by the Roman Emperor Hadrian against Am Yisrael. An extreme pro-Hellene, he banned Brit Mila, equating it to "castration", and proscribed many other Torah observances as well. A great builder, he announced that he would rebuild devastated Jerusalem as a Greco-Roman city called Aelia Capitolina. These decrees precipitated the Bar Kochba rebellion (132CE) which lasted over three and a half years, causing extraordinarily heavy losses to the Romans. Utilizing the resources of a world empire, Rome was able to crush Israel's desperate bid for freedom and Jewish Eretz Yisrael was laid waste in a sea of blood. Ultimately Aelia Capitolina did rise as a pagan city complete with a statue of Hadrian ensconced in a heathen temple on the site of the Mikdash. Renewing his previous edicts against the observance of Mitzvot, Hadrian also ordained that no Jew could enter his new city and wide areas of Eretz Yisrael on pain of death. Defeated on the battlefield but refusing to morally disarm, maimed perhaps but proudly standing erect, Am Yisrael refused to capitulate.

"Rav Nathan taught, 'For those who love Me and observe My commandments - these are Jews who live in Eretz Yisrael who lay down their lives for the Mitzvot.

'Why are you being taken out to be killed?'

'Because I circumcised my son.'

'Why are you being taken out to be burnt?'

'Because I read from the Torah.'

'Why are you to be crucified?'

'Because I ate Matza.'

'Why are you being flagellated with iron combs?' 'Because I took up the Lulav.'

'And it says, "Those with which I was wounded in the house of my friends" (Zechariah 3:6). For these blows am I beloved by my Father in Heaven" (Mechilta).

Roman Italy "selected by the providence of the gods to make heaven itself more glorious, to unite scattered kingdoms" to become throughout the world the single fatherland of all races" (Roman historian Pliny the Elder) is no longer inhabited by Romans. Aside from scattered ruins, Hadrian's world-encompassing Empire, "eternal and divine", has vanished. Against all odds, tortured Am Yisrael persevered and survived to return and rebuild Eretz Yisrael. Today, Besi'ata D'Shemaya, Eretz Yisrael is the world center of Torah and in a very few short years, the majority of world-Jewry will be living here. Hadrian, as other tyrants before and after him, tried to prevent us from performing the Mitzvot and approaching Jerusalem. But Hadrian and his ilk never understand that their bans and edicts of expulsion only strengthen our determination to hold firm and deepen our ties to Torah, Yerushalayim and Eretz Yisrael. We shall not forget that Torah and Eretz Yisrael are two of the three precious gifts that Hashem gave to Am Yisrael, and that these gifts can be only won through suffering (Berachot 5a), steadfastness and Mesirat Nefesh.

"He who sees the cities of Jerusalem (and Eretz Yisrael) in their desolation should say with the prophet Yeshayahu; 'Zion is a wilderness, Jerusalem a desolation.' and rend his garments. He who sees the Beit HaMikdash in its desolation should say with Yeshayahu: 'Out holy and beautiful house where our fathers praised Thee is burnt with fire and all our pleasant things are laid waste' and rend his garments."

"AM HANETZACH LO MEFACHEID MIDERECH ARUKA"

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

from page 3 PARSHA PIX

Upper left is a plus and minus in a negation circle. The Torah forbids (a few times) adding to the Torah or detracting from it.

Once again, the Torah tells us of the mitzva to designate cities of refuge - 3 on the east side of the Jordan (and 3 on the west side).

The LUCHOT in the TORAH on the mountain stands for the repetition of the Aseret HaDibrot (with changes) and reminds us that the whole Torah was given by G-d at Sinai, not just the Big Ten.

The Shabbat candlesticks represent SHAMOR and ZACHOR. They are contained B'DIBUR ECHAD, in one speech- bubble.

The hearing ear represents SH'MA, not just the famous one, but the many times the Torah commands us to listen (and understand).

The warning lights represent Moshe's warnings to us to remain faithful to HaShem and not to be confused by what we witnessed but cannot completely comprehend.

The big number 1 is for HaShem Echad, as well as the other pasuk that emphasizes G-d's Unity, 4:35, ...there is none besides Him.

The reminder- finger is for the command to never forget the Sinai experience and to pass on the memory to future generations.

The Seder plate is for the Chacham's question and the answer of We were slaves to Par'o in Egypt... both of which are found in Va'etchanan.

The Simchat Torah scene is for the pasuk ATA HOR-EITA LADA'AT... which is associated with Simchat Torah (for Nusach Ashkenaz daveners).

The speaker and an Xed out video monitor: On that great day of Revelation at Sinai, we HEARD what was said, but we did NOT SEE any image. This is mentioned more than once, and is a reason for Moshe's deep concern and warnings to the people.

The (clock) face in the face is for the term PANIM BIFANIM, the description of the direct, intimate communication of G-d to the people of Israel.

The space telescope is for Yeshayahu's words at the end of the Haftara: Lift your eyes heavenward and see Who created these.

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 (D'VARIM) TTriddles:

[1] your children didn't eat from the tree

[2] Vayishlach could have been

[3] Paro, Yosef's brother; Moshe, Meraglim; the nation, David

[4] Dor HaMidbar, Written & Oral Torah

[5] Morning, (before) noon and night - how so?

[6] plus two elements from the ParshaPix

And the envelope, please...

[1] In Moshe's recounting of the episode of the Scouts (Meraglim), he says that the people expressed worry about what would happen to their children... who even today do not know good from bad. Obviously, they didn't eat from the Tree of Knowledge of Good and Evil, since anyone who does, knows the difference...

[2] Vayishlach could have been Shabbat Chazon, if we would name all Shabbatot after their haftaras. In the case of Vayishlach, it is Chazon Ovadya. Just to review (and you can use it as a test for those who haven't read these words yet), there are four Shabbatot named for the haftara read on them. Shabbat Chazon and Nachamu are two. And Shabbat Shuva and HaGadol are the other two. Among the four, three are named

Ministry of Justice

The Jewish Legal Heritage Society

in cooperation with the Israel Center

Seminar on Jewish Law for English Speakers:

Obeying Illegal Orders

How should a person behave when faced with a law that contradicts the Halacha? Should a lawyer or doctor conceal personal information that the Halacha obliges him to reveal? What should a soldier do when he receives an order contradicting his beliefs? What is the theoretical basis for the exemption from liability for a crime done under orders? The importance of military discipline • The distinction between illegality and manifest illegality

Among the Lecturers: Prof. Dov Frimer, Esq.; Judge Neil Hendel; Rabbi Emanuel Quint, Esq.; Prof. Nahum Rakover; Rabbi Shlomo Riskin

The detailed program will be sent to those who register.

Thursday night to Motza'e Shabbat

September 15-17, 2005

Shoresh Hotel

for further details: tel/fax: (02) 624-7041 • Limited room

The Jewish Legal Heritage Society, 8 Keren Kayemet St.,
P.O.B. 7483, Jerusalem 91074

I would like to participate in the seminar: "Obeying Illegal Orders", at the Shoresh Hotel, at 670NIS [750NIS for a "Green Hill Suite"] for a person in a room for two

Please register my spouse. Enclosed is another 670NIS [750NIS]

I would like a private room for an extra 270NIS [290NIS]

I enclose a check for _____ NIS

to the order of the Jewish Legal Heritage Society

If I cancel my participation without notifying you a week before the seminar, I will pay the amount requested.

Name: _____

Profession: _____

Address _____

Zip code _____

Place of work and address:

Phone (home) _____

(work) _____

Fax (home) _____ (work) _____

Date _____

E-mail address _____

cellphone: _____

with the first word in the haftara; there other one isn't. Four other Shabbatot are named for their maftirs - Sh'kalim, Zachor, Para, and HaChodesh. Among these four, only one is a first word. And two other Shabbatot are named for their Torah readings - B'reishit (first word) and Shira (not first word).

[3] VAYITAV, and it was good in my eyes, of their eyes... or something like that. This TTriddle is not as "tight" as it could be, since some other pairs are not included. But... It was good in Par'o's eyes that Yosef's brothers were coming to Egypt. Moshe said that the idea of the meraglim was good in his eyes. All the people (and Shaul's servants) liked the idea of David leading the army.

[4] AD TUMAM, until they were completed. This is the term used for the demise of the adult male population of the Generation of the Wilderness, who were decreed to die out to the last one (except for Kalev and Yehoshua). Two other times, the phrase appears in the Book of D'varim. Once in reference to Moshe finishing the writing of the whole Torah and once when Moshe finished speaking the words of the Song (the Torah) into the ears of the people. We can say - at least for TTriddle purposes - that this is the Written Torah and the Oral Torah.

[5] EICHA. (how so? was the answer to the question, in addition to being the question.) EICHA in the morning of last Shabbat, in the beginning of the second Aliya of D'varim. Before noon, in the haftara of Chazon. Night - the Megila of Eicha. The three EICHAs are also from each of Torah, Neviim, and K'tuvim.

[6] And two unexplained elements of the ParshaPix. One is the snowflake. D'varim 3:9 tells us that the Tzidonites called the Hermon Siryon and the Emori called it SNIR. Rashi says that SNIR means snow in Ashkenaz (early form of German?) and in the Canaanite language. The only other appearance of the word SNIR in Tanach is in Shir HaShirim 4:8, where it seems to be a neighbor of the Hermon rather than a synonym for it.

[7] Moshe is telling the "new" generation about the previous 40 years. In D'varim 2:7, he mentions G-d's blessing... that going through the Midbar for 40 years... LO CHASARTA DAVAR, nothing was lacking. Literally, nothing was subtracted. Hence, 40 - 0.

This week's TTriddles:

- [1] A Litvak-Galitziana bovine misspelled reconciliation
- [2] given, seen, called, begun, taught
- [3] R' Yehuda HaLevi's second connection to sedra & haftara
- [4] that we were slaves (5), the whole way, and ?
- [5] not between 4 & 5, used sometimes when 3 is violated
- [6] Yisrael 147, Yosef 110, Moshe 120
- [7] plus two unexplained items in the ParshaPix

Gush Katif

Reflections on a visit to Gush Katif, Shabbat Chazon - Menachem Persoff

I'm sitting in my son's house in Neve Dekalim. It is Erev Shabbat, perhaps the last "normal" Shabbat in this very cozy

Yishuv of 750 families, the 'capital' of Gush Katif. Outside, the wind is kicking the sand around, as if it has nothing else to do, perhaps in despair. In front of the house, a couple of children of the Bnei Menashe community are figuring out how to climb into a tree house overlooking this mild, back street on the edges of this amazing settlement.

Strewed over the table at which I am sitting in this small but very inviting home (with the aroma of the cholent signaling the approach of Shabbat) are papers distributed over the last few weeks by this and that source. They call on the residents to stand firm in their resolve:

"In the next three weeks be sure to stock up with the following supplies..."

"Thank you for your sterling efforts to rouse the spirits of Israel during these hard times..."

"Our aim is to strengthen Emunah in HaKadosh Baruch Hu..."

Among the various instructions, is found a clue as to what awaits these unbelievable people, staunch in their faith in Hashem, their love for Eretz Yisrael, and overall concern for Am Yisrael. For example: "Photograph the police so that your grandchildren will know who threw them out of their homes!"

My wife and I traveled to Gush Katif to join our son Avi, his wife Shira and their daughter Emunah, together with our married daughter Michal's family - and to meet up again with our 17-year old daughter Dina who had already spent several days in Neve Dekalim with hundreds of other youth. The goal: to show our identification with the cause, with an eye to helping out wherever possible. In all, we were told, some 5000 people swelled the ranks of the 8000 residents of the Gush. Who knows how they all got in!

We had an ishur, permission to spend Shabbat with our children. (Just think!) Consequently, we passed through the three check posts on the way with little trouble. Suddenly, to our right Gaza loomed, the hundreds of squalid buildings on the horizon reminding us of the bigger picture and to whom all of this abandoned area is to be transferred. I shuddered. Across the bridge into the Gush an Israeli tank kicked up dust as if to offer up a last few moments of darkness to confuse the incoming visitors.

We make it first to Shirat HaYam where my niece's son (described in the Jerusalem Post as 'langly 16-year old Ilan') picks up the CARE package sent by his grandmother in Jerusalem. "I've been volunteering in the vegetable packing", he says, with a bravado look on his straggly face, representative of the scores of kids roaming around this barb-wired haven on the shores of the Mediterranean. The girl-soldier at the gate seems not to notice as she tirelessly lets in the incoming cars, as if the Queen of England invited everyone to a Gala Ball.

Finally, we enter the gates of Neve Dekalim. Who could believe that the Gush is about to undergo a siege? People are going about their business, to and fro; cars are weaving in and out to avoid the throngs. But there were those who went in the other direction. For only that morning, Avi's neighbors left in the early light, without even the whisper of farewell. Only a half-hour later, the first squatter settled in the abandoned house. He recognized me when we arrived: "Menachem!" he exclaimed, "Do you remember that I was one of the founders of the army volunteer program Sar'el? Now, I look at their cynical use of the soldiers. I'm shattered."

Meanwhile, there is a fight over another desolate apartment that I have been designated to clean up in anticipation of my

daughter's arrival. I'm clearing up the debris, feel like I'm prying into someone else's life. Among the broken toys, broken AC unit and food remains that I'm sweeping, I discover that the tenants had been out of work. For, in my hands, I'm holding their record cards at the unemployment office in Gush Katif. Now: no job; no home. Even these cards have been discarded.

Another family has turned up. "We were promised this house," they exclaim. Soon a compromise is reached. In days like this it doesn't pay to argue. "You sleep here; we'll sleep there." Now, the electricity has to be connected to the next house and the one water tap that works checked out. And a lot of patience is summoned for the ten children about to trip over one another.

It is Shabbat. We are in shul. So are thousands of others packed into the main sanctuary, the annex, the courtyard outside, and the Sefardi shul. What a sight! What power! The Rav stands up to talk. Words of inspiration flow: "Who could have believed the degree of spiritual awakening among the people, the transformation that has overcome both young and old in the country in the last few weeks. We must not forget that whatever the outcome, there is but one King that we serve..."

We sit around the Shabbat dinner table marveling at what is going on. How, in the face of such anguish, can a community hold itself so high? Look at the people of Israel. We looked back to Erev Shabbat when two girls from Bnei Akiva brought in cakes for Shabbat, and others brought some beautifully illustrated children's books of animals in Gush Katif to raise money for the cause, and another offered flowers with a message of hope... Non-stop was the outpouring of love, concern, and brother-hood, from all directions.

It is now Shabbat morning. We read the fraught words of the prophet in the Haftara and cannot but dwell on the meaning of Shabbat Chazon at this time and place. Soon, however, after the Tefila, the somber tones dissipate as we join in the celebration of a Brit Mila in the Bet Knesset Merkazi. When the father of the baby boy cries out Shema Yisrael, the response of the Tzibur is thunderous. Are you sure this is not Yom Kippur? - I ask myself.

As the crowds tumbled out of shul, every-one gravitated to the communal kiddush for long-time residents and visitors alike. In shuls around the country kiddushim were held in honor of Gush Katif. No less than 150 full-sized kugels had been donated, just a fraction of the many gifts that found their way to Gush Katif that Shabbat. Chief Rabbi Meir Yisrael Lau was among the guests. He spoke about the significance of the baby's new name Levanon Menachem, alluding to the Bet HaMikdash and the Mashiach (may they come speedily in our days).

The shadows are falling on Neve Dekalim. I escort my son-in-law to Ma'ariv at my son's yeshiva, Torat HaChayim. Now it is time for Eicha. Now we hear the voice of Rav Tal, the Rosh Yeshiva, like the Shevarim sound of the Shofar - broken. It takes forever to hear the lines of the Eicha dirge, as one by one they come alive. The Rav is weeping; Jerusalem mourns her glory. Soon the talmidim are crying and real tears splash on the floor of the yeshiva. There is a break in the rendition as all one hears are the moans and sighs. Is this real? So this is what Tish'a b'Av is really meant to be? Or are we also crying for Gush Katif, for our lost pride, for all that we could have done but fell short?

Somehow, it is over. No one says a word. We have just experienced something too authentic to be talked about lightly. Silently, we return home. We sit around on the floor - a precious family moment. As we awake from the reverie, we

recall that there will be a town-hall meeting of all the residents of Gush Katif this Motzei Shabbat, the night of Tish'a b'Av, 5765. It is the last opportunity for all the residents of Gush Katif to assemble as one.

I pick my way among the thousands who have come to listen. The date does not lose its impression on me. Hashem chose this day to get even with us for the sin of the Spies: Were we not diligent enough in our love for the Land, for each other, for G-d? One by one the speakers deliver their message about the righteousness of the cause, about the Kiddush Hashem attached to the campaign, about our respect for those who felt they had to leave, about the need to be firm in the face of psychological and physical abuse. Most of all, steadfastness must not be accompanied with violence of any kind: the soldiers and police are not the enemy.

I am amazed. No one is shouting, no one is catcalling. Everyone should work together (easier, of course, said than done, given the variegated composition of the thousands of 'visitors'.) Everyone duly claps as the righteousness of the cause is espoused. But most impressive was the realization that even when it is all over (it shouldn't happen!), the struggle must continue. The way ahead will be difficult; everyone will have his station; every family will ultimately do what it has to do. And mean- while, the officials in each yishuv will organize life, will delegate tasks and the "home front" will cooperate in complicating the evacuation process.

In many ways, the leaders of the struggle are correct when they claim that "we have won". A lot has been achieved. Now we are finally attending to some of the important questions regarding the meaning of a Jewish state and what our role and responsibilities are to the wider K'lal. Now, more of the Israeli public understand what the struggle means.

Before leaving, our little family group sings Ani Ma'amin. It seems to sum up every- thing experienced in these two memorable days. We leave Gush Katif with mixed feelings, leaving behind Avi, Shira and little Emunah together with our representatives, one daughter and one son-in-law. We also leave behind a determined group of people, the likes of which this part of the world has not seen since the classic days of the Yishuv. We leave a mixed group, most of whom will handle things responsibly, while a few might let the cause down with thoughtless actions.

Our car rolls over the bridge once again, this time on the way to the Kisufim crossing. Suddenly, a sentence jumps at me from our Tachanun prayer: "Spare your people, Hashem, and do not let your inheritance be for a reproach so that the nations should rule over them." I let out a sigh and we continue on our way.

The Paradoxes of Life in Gush Katif by Chaim Eisen

I. The Holy Routine

At the end of last week, a petition, entitled "Amanat Ma'aminim VeNisharim" ("The Charter of Believing and Remaining"), began circulating among the veteran residents of our newly-adopted town of Neve Dekalim. It eminently captures the moment and the mood here, as the countdown to the day of reckoning enters the single digits. I have done my best to translate the words precisely - although its spirit is, I suspect, incommunicable to someone who does not live here: "We, the residents and family heads of Neve Dekalim, are trusting in our Father in Heaven, are doing whatever is ours to do, and are continuing to live here in Gush Katif, in our usual way of life,

so long as we are not forcibly prevented from doing so. Therefore, we are continuing to remain here, with G-d's help, after Tish'a B'Av [the government's deadline for voluntary exile], without consideration of any material loss. 'And kindness will envelope the one who trusts in G-d' (Psalms 32:10). 'For we trusted in Your Great and Awesome Holy Name; we shall exult and be happy in Your salvation' ("Birkat Ahava", Shacharit)." For us newcomers, staying beyond Tish'a B'Av entails potential exposure to police brutality and violent arrest. For homeowners and long-time residents here, it means, in addition, risking all their earthly possessions. Nevertheless, even the government now concedes that, despite its own claims last week that a majority of the local families had reached an agreement with it to leave Gush Katif voluntarily, only about 10% actually did so. As I noted in my last report, all 16 religious towns and villages here, comprising the overwhelming majority of the Gush, are firmly in place and have adamantly refused to submit to the government's alternating threats and overtures. It is veritably impossible to fathom the wellsprings of faith and spiritual strength that sustain these people.

On the one hand, no one here is living in a "fool's paradise". People are serious, not superficial. If there were ever any illusions here, they are long dead and buried. Everyone is braced for whatever may happen next (this) week: the calm before the storm. Indeed, this may be my last report, since, by this time next week, the electricity may be shut off and the telephones may be dead. Yet, on the other hand, life here continues. With dogged resilience, people maintain their routines. This includes the gamut of small city life - working, playing, shopping, raising children, cooking, cleaning, gardening, coming, and going. In addition, it includes everything that contributes to the uniqueness of the society here, among the most beautiful I have ever seen. The dozens of magnificent, ornately decorated shuls (their presumed fate in the government's hands, G-d forbid, notwithstanding) become only more crowded for regular daily services, as more "guests" arrive to stay. (Current estimates place the number of recent arrivals beyond 10,000.) Yeshivot are filled with growing rosters of students, still engrossed in study. The list of Torah classes offered for adults continues to expand. Moreover, in how many cities do the children ride their bicycles to the shuls for daily services and stand them on the side of the large town square, unlocked, as throngs of people file past? Where else nowadays do people leave their homes unattended and unlocked, even at night, advising newcomers simply to "let themselves inside"? Where else is hospitality so much a way of life that families invite strangers to fill their homes with twice or three times the number of family members - indefinitely? (Our hosts, a retired couple living alone, have eleven people representing five different families living under their roof, with more on the way.)

Particularly moving, the communities here, which have always been characterized by chesed, overflow with it today. E.g., in the town center of Neve Dekalim and elsewhere, large signs advertise private tutoring "for all ages, in all subjects, on all levels" for all the local children - offered entirely "for free, with love", by the students of a large yeshiva recently relocated to Gush Katif for the duration. Teenage boys we know are occupied daily with construction jobs - building the proliferating tent cities and refurbishing derelict Egyptian army buildings to accommodate the multitudes of new arrivals - and fix-it jobs, offering quality repairs for residents' homes, all provided gratis. Altogether, a surprisingly sympathetic article in the left-leaning newspaper Ma'ariv reported that the thousands of people who have descended upon Gush Katif over the past

month cheerfully fill their days not on the beaches or in the parks but in volunteer work, offering their services for the most menial tasks. These include baby-sitting, cleaning, construction, gardening, home repairs, and running errands on behalf of harried locals. And the latter reciprocate with their extraordinary hospitality and warmth. Homes and hearts are wide open.

A special aspect of this chesed pertains to the farmers, the vast majority of whom, as I observed in a previous report, are preparing now for next year's planting. Their extraordinary faith in the future notwithstanding, this might have presented a logistical impossibility, with the predictable shortage of foreign workers who are still manning the hothouses. Yet, the planting is proceeding apace, with hundreds of young people volunteering, in their stead, to toil in the steamy hothouses for free. The only logistical problem now is trying to accommodate all the volunteers and good will. The farmers were also forced to contend with the banks, which this year refused to extend to them the usual loans for planting, considering the prospects for a harvest next year - and pursuant repayment of their loans - remote. In response, as you may know, a group of eminent rabbis founded "Keren Ma'amin VeZorea", to provide matching financing, as interest-free loans, for the sums outlaid by every farmer cultivating crops. A couple of days ago, I spoke with the fund's administrator in his office in the regional council building. He apprised me that they have thus far received over 10.5 million shekalim in contributions. Perhaps most impressive, almost all the money came from well over 10,000 small private donors, from here and abroad, giving all they could. In the end, despite tendentious government and media reports, we can testify to the careful tending of nearly all the hothouses, readying them for the upcoming growing season - with "Keren Ma'amin V'Zore'a" assistance and hundreds of dedicated young volunteers' back-breaking work.

II. The Paradox

All of this highlights a vexing paradox of life in Gush Katif today. I reiterate that people are mostly hopeful here. However, they are heedful of the Talmud's verdict that, "from the day upon which the Temple was destroyed, prophecy was taken from the prophets and given to the insane and small children" (Baba Batra 12b). To that extent, no coherent mortal can presume to know with certainty what will be. Nonetheless, thousands of people here have literally staked their lives and everything they own on an outcome that may remain, G-d forbid, beyond our grasp. How can such determined dedication to a goal be reconciled with that goal's enduringly indeterminate status?

I remember a relevant insight I first heard in my youth from our community's rabbi, Rabbi Solomon E. Drillman. As I recall, he conveyed it in the name of Rabbi Israel Jacob Lubtsansky, the mashgiach of Baranowicze, the yeshiva at which our rabbi studied in pre-War Europe. His comment pertained to the first representatives of our nation to come to this land - the Biblical land of Gerar (see B'reishit 20) - the first progenitors of our nation, Abraham and Sara. Specifically, coming to the Land of Israel, they are described as bringing "the souls they acquired [lit. made] in Haran" (ibid. 12:5). Our tradition (Targumim, loc. cit., Sanhedrin 99b, and Avoda Zara 9a) understands this as a reference to proselytes, who joined the household of Abraham and Sara after the latter converted them to monotheism. Although a later passage (B'reishit 14:14) may allude to their status and prodigious number, the rabbi noted with dismay the lack of any further reference to these neophytes: When Jacob

descended to Egypt (ibid. 46:8-27), only his descendants accompanied him. In addition, the rabbi questioned why the mission of spreading G-d's message was undertaken by Abraham and Sara and not by any of their righteous predecessors - whom we do not reckon among our "patriarchs" - like Shem and Eber. His reply to his first comment was that these erstwhile proselytes evidently eventually backslid into idolatry and oblivion; hence, we read no more about them. Regarding the second question, he proposed that Shem and Eber and the other righteous ancestors of Abraham and Sara anticipated this very degeneration; therefore, they refrained from investing efforts in an apparently doomed endeavor. In contrast, Abraham and Sara also foresaw that their converts would return to their old ways - but that did not dissuade them. They plowed ahead and simply did what needed to be done. For that reason, they - and not their forebears - are considered the first Patriarch and Matriarch of the nation of Israel: Because Israel's historic mission is to advance the causes of justice, goodness, righteousness, and truth, without any regard for expediency or provisional success. Doing what is right remains right, irrespective of its popularity or immediate consequences.

This lesson is not merely historical. We still believe earnestly that the Director of the drama of human history remains resoundingly in control, and, just as these lands were liberated in the miracles of the Six Day War, they may yet be sustained miraculously in the coming weeks. But whatever takes place will not affect either our trust in Divine providence or our conviction that we must unflinchingly do what is right, here and now, oblivious of the observable outcome. On the one hand, we affirm, like Rabbi Akiva, that "everything G-d does is for the good" (B'rachot 60b). We thereby confront the prodigious challenge posed by the Talmud to accept bad tidings, like good ones, "with happiness" (ibid.). They, too, present an opportunity for dialogue and intimacy with G-d, as affirmed by our uttering a blessing - thus, forging a new metaphysical bond with G-d - over them both (see Mishna B'rachot 9:5). Yet, on the other hand, this conviction can never excuse complacency or inaction, much less fatalism. Thus, while Joab, commander of the army of Israel, surrounded by Ammon and Aram, affirms that "G-d will do what is good in His eyes" (Samuel II 10:12 and Chronicles I 19:13), he devises his best strategy to prevail, urging, "Be strong and let us be strengthened on behalf of our people and the cities of our G-d" (ibid.). After all, by acting "on behalf of our people and the cities of our G-d," we make ourselves part of the Divine plan unfolding through our efforts - even as we remain perforce ignorant of the plan's ultimate conclusion. Likewise, Rabbi Tarfon instructed, "It is not upon you to finish the task; however, you are not free to neglect it" (Avot 2:16). Together with maintaining our faith that the task will eventually be completed, our operative mandate is most of all to do our best to affirm and advance what is right. Indeed, our confidence in a divinely ordained future, however inscrutable, reinforces our commitment to do everything that we can in the present, regardless.

Furthermore, the definitions of right and wrong do not depend on our dubious ability to predict that outcome. Indeed, when even well-intentioned people attempt to determine the best course to embrace by "second-guessing" G-d, ignoring divinely ordained standards of morality and ethical behavior, the results are invariably tragic. In Talmudic idiom, "In the hidden pathways of G-d, what is [it] your [business]? What you are commanded, you must do; and what is pleasing before the Holy One Blessed be He will be done" (B'rachot 10a). Moreover, in a deeper sense, we believe that whatever laudable deeds we do,

will advance the final goal. The determinant of the actions' ultimate significance lies in their immutable uprightness, not their temporal success. In that vein, we pray daily that G-d "will open our hearts in His Torah and place in our hearts love and awe of Him and doing His will and serving Him wholeheartedly, so that we shall not toil for emptiness nor beget for consternation" ("Kedusha DeSidra," Morning Service). I submit that we understand not toiling for emptiness as not merely a divine bestowal, rewarding our love and awe and service of G-d, but a direct consequence: If we act properly, we are assured that we shall never have toiled in vain. Our deeds will inexorably bear fruit, irrespective of our own limited capacity to discern their abiding effect.

III. The Bottom Line

The people of Gush Katif are still here, then - joined by many thousands of supporters - not because of any Messianic pretensions. (The messianics of all stripes - secular and otherwise - are more inclined to follow the government blindly, in misguided and misplaced faith in a putative "end" that justifies all means, however bankrupt.) Rather, the government's edict of expulsion, ruining so many thousands of innocent people's beautiful lives and sterling communities - and rewarding, with their painstakingly built homes, farms, and towns, the terrorists who have ruthlessly attacked them relentlessly for the past five years - is simply an unpardonable evil. The evil is only compounded by thereby inevitably encouraging international Islamic terror and empowering a recidivist terror state of an emboldened Hamas in Gaza, threatening Jerusalem, all of Israel, and the entire western world. Opposing that evil - preventing a human tragedy and a travesty of justice of such enormous proportions - is the mandate of every human being with a conscience. Whether we call that "divine law" or "natural law," it obviously supersedes obeying bad laws.

The opposition takes many forms. For those who are here in Gush Katif, it entails tenaciously upholding our routine, regardless. Undoubtedly, it also comprises our utmost efforts not to relinquish the Land of Israel: maintaining and repairing the homes and farms, working the land, and sowing next year's crop - and, above all, like virtually everyone here, not leaving. It certainly also includes the awesome outpouring of chesed throughout the Gush, out of genuine concern to help one another. The Talmud concludes that the Second Temple was destroyed "because there was in it gratuitous hatred" (Yoma 9b). Any student of Jewish history can corroborate this assessment; warring factions in besieged Jerusalem made peace with one another only weeks before they were all overrun by the Romans. Similar hatred is again being foisted upon us, by a government manifestly hell-bent on precipitating yet another calamitous destruction, to advance its self-serving, nefarious goals. We pray that the free dispensation of love that permeates Gush Katif may serve as its antidote. Finally, for

those who are not here and lack the means or the fortitude to come, opposing evil means incessantly opposing the government in every way. On the most direct plane, it demands of us striving indefatigably to convince the soldiers and police, whom the government has summoned as its henchmen, to refuse to assist it even indirectly in perpetrating its crimes. More generally, opposition involves increasing pressure on the government, both here and abroad, through all means available, to shame it into submission or to disrupt its functions sufficiently to bring it to its knees. Again, however, I stress that our prospects for success do not enter this equation; we do what

is right solely because it is right and simultaneously pray that G-d will send His blessings.

In this vein, we may best understand an enigmatic prediction in the Talmud - that the Messiah will come when we do not think of him (see Sanhedrin 97a). For years, I fretted over this condition's ostensible impossibility, given that we pray for Messianic deliverance every day and are instructed elsewhere in the Talmud to anticipate salvation always (see Shabbat 31a). Eventually, I realized that the distraction to which the Talmud refers must be not conceptual but practical. On a practical plane, we are to struggle to do our best to perfect the world and actualize the Messiah's objectives, without thinking about his arrival. If we thereby "ignore" him, we are assured that he will come to crown all our efforts with success. Conversely, if we merely sit back, striving to repair neither ourselves nor the world, passively awaiting deliverance, he will not come, and both the world and we will remain unredeemed.

Appreciate, then, that in this world "man is born to toil" (Job 5:7); there is so much left to do. As long as we live, we are bidden always to go "toward peace" rather than "in peace" (Berachot 64a and Mo'ed Katan 29a). The latter implies stagnation, "resting in peace"; the former ensures relentless dynamism, never giving up our efforts or our hopes. Gush Katif, all of Israel, and the entire world are waiting for us to act. Our last chance may be right now! Will you answer their summons?

TTreader Feedback

After reading last week's report from Gush Katif by Chaim Eisen, I wish to challenge him on the accuracy of a couple of things he included in his article. The first one involves the difference between fact and fiction. Chaim wrote that "during the standoff in Kfar Maimon, it (the government) siphoned so many forces away from the major cities that it knowingly abandoned them to an unprecedented wave of looting and burglary, in the absence of sufficient police to maintain law and order." I have no idea which country he is talking about. Chaim can't be referring to the State of Israel being that no riots took place here nor was there any increase in the number of robberies. These "facts" are nothing more than an invention of the author. It is true that there had been a fear of such an event happening; but it didn't. The police continued to protect our homes and keep our families safe as in the past.

My second criticism might be considered by some a question of interpretation. Chaim wrote about the settlers in Gush Katif that "these people have already buried, in the young and unnaturally expanded cemetery of Gush Katif, their parents and grandparents and siblings and spouses and children - victims of Arab terror and government indifference." What is meant by the words "government indifference?" Is Chaim implying that the Israeli government did nothing to protect these victims of Arab terror? I find this statement to be an insult to the memory of every Israeli soldier who was killed and to those who were wounded while protecting the lives of the people living in Gaza. My former neighbors, the Fischers from Mitzpe Hoshaya in the Galil, sacrificed their oldest son doing his duty in Gaza as a member of the IDF. Last Succot, Gilad was shot and killed while on guard duty at the southern end of the strip. In the encounter, he personally returned the fire that terminated the lives of the two terrorists who were on their way to attack one of the settlements in Gush Katif. Tell me Chaim, do you think that Gilad's attitude was one of "indifference" towards the settlers whose lives he had saved? Or maybe it was the Fischers who

were indifferent to the settlers' plight. Gilad gave his life for the State of Israel and it was the "government" that sent him to Gaza.

Chaim, please don't insult our martyrs to make a point. Don't make their sacrifices seem so trite. You should honor them as we all do.

Howie Kahn, Jerusalem