

This Shabbat is the 360th day (of 383); the 52nd Shabbat (of 55) of 5765 • SIXTH perek of Pirkei Avot this Shabbat
על-פי התורה אשר יורוד ועל-המשפט אשר-יאמרו לך תעשה לא תסור... דברים יב"א

The Package Deal of Judaism

We've done this before - more than once - but it bears repetition, so that we can hopefully renew our commitment to the idea... and even spread it around. Or at least make it a topic of conversation.

Jewish Law involves a package consisting of the Written Word, the Oral Law, and Rabbinic legislation. Not only are these components all important to living a Torah life, but the distinction and interplay between Torah Law and Rabbinic Law is also essential. Let's use food to illustrate, specifically the topic of Basar B'Chalav, rendered into English inaccurately, but nonetheless instructive, as Milk & Meat. Question: Can a Jew cook baby goat milk in its own mother's milk? Of course not. By what authority? Torah law. Correct. Next: Can a Jew eat the dish described in the first question - baby goat meat pouched in its mother's milk? Of course not. By what authority?

If you answered Rabbinic, you would be mistaken. Although the Written Torah uses the term LO T'VASHEIL, thou shalt not cook..., we are taught by the Oral Law that the Torah's prohibitions include eating Basar B'Chalav. Can you feed the above-described dish to your cat? No. And this too is a Torah prohibition. If one were to object to this statement because it is not written in the Torah, then one is missing the significance of the relationship between the Written Word and the Oral Law. BOTH are part of Torah. Eating Meat-in-Milk is no less a prohibition than cooking it, because the former is taught in the Talmud and the latter fits the literal meaning of the Written Word. When the Sages teach us that eating Basar B'Chalav is forbidden, they are not interpreting the Torah, nor are they legislating Torah-inspired laws. They are DEFINING G-d's words to us, as G-d explained them to Moshe Rabeinu.

How about cooking cubes of lamb meat in cow milk? Forbidden, of course. By what authority? Again, the answer is Biblical. Torah Law. D'Oraita. But the lamb and the cow are not related - and the Torah says, G'DI (the young of a

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...

First opportunity for Kidush L'vana for the 3-day after the molad minhag, was Wed. night, Sep. 7th.



KL this month for 7 days after the molad people, is complicated. Some hold 7 full days under all circumstances. For them, first KL this month is Motza"Sh, Sep. 10, from 10:43pm on. Some will say KL on the 7th night, even before the exact time of 7 full days. Some will do that in the winter, when frequent clouds might make KL difficult to "catch". Some will do so on Motza'ei Shabbat. Some will do so on Motza"Sh in the wintertime only.

Tachlis: Say KL this Motza"Sh after Maariv unless you are a strict 7-day minhag no exception person. Then you must wait until 10:43pm.

[Or unless you've said it already from Wed. Sep. 7, following the 3-day after the molad Minhag Yerushalayim.]

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regular	and (earliest)
CANDLE LIGHTING	
HAYDALA TIMES	
Israel Summer Time (DST)	
Correct for TT 684 • Rabbeinu Tam (I'm) - 8:05pm	
6:17pm (5:35) Jerusalem	7:29pm
6:36pm (5:38) Gush Katif	7:32pm
6:34pm (5:37) Raanana	7:30pm
6:33pm (5:36) Beit Shemesh	7:30pm
6:34pm (5:37) Netanya	7:31pm
6:34pm (5:37) Rehovot	7:30pm
6:14pm (5:36) Petach Tikva	7:30pm
6:34pm (5:36) Modi'in	7:30pm
6:34pm (5:36) Be'er Sheva	7:30pm
6:32pm (5:35) Gush Etzion	7:29pm
6:33pm (5:36) Ginot Shomron	7:29pm
6:17pm (5:35) Maale Adumim	7:28pm
6:33pm (5:35) K4 & Hevron	7:29pm
6:27pm (5:34) Tzfat	7:29pm

Ranges are THU-THU 27 4-II Elul (September 8-15)

Earliest Talit & T'filin - 5:28-5:33am
Sunrise - 6:19-6:23am
Sof Z'man K' Sh'ma - 9:27-9:28am (8:41-8:43am)
Sof Z'man T'fila - 10:30-10:30am (10:00-10:00am)
Chatzot (halachic noon) - 12:37-12:34pm
Mincha Gedola (earliest Mincha) - 1:09-1:06pm
Plag Mincha - 5:36-5:28pm
Sunset - 6:59-6:50pm (6:54-6:45pm)

In the Wolinetz Family Shul
OHEL SHMUEL (entrance floor)
"Early Shabbat" Davening
Mincha 5:28pm (15 min. before Plag)
Shabbat afternoon shiur, 5:00pm
Rabbi Alan Greenspan
Mincha at 6:00pm

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domesticated animal) in the milk of its mother? Oral law teaches us that G-d defined the prohibition for Moshe and told him to teach the people His intended guidelines for the mitzva. The meat of cow, goat, and sheep is forbidden to be cooked with the milk of cow, goat, and sheep. By Torah law. We are forbidden to eat such mixtures or derive any benefit from them. By Torah Law.

Can one eat a salami (glatt kosher) and cheese (chalav Yisrael) sandwich? No. By what authority? Rabbinic. The salami and cheese are not cooked together. The making of such a sandwich is not forbidden (even by Rabbinic law). The eating of it is a Rabbinic prohibition. There is much more to say on this specific topic, and more so on the general idea.

Let us suffice it here to say that G-d gave the Sages the awesome responsibility of transmitting Torah to the successive generations of Jews, to protect and promote Torah observance by carefully legislating a wide variety of Rabbinic laws. He commanded us in D'varim 17:11 to faithfully live by the whole package of Torah Judaism.



SHO-F'TIM STATS

48th of the 54 sedras; 5th of 11 in D'varim
 Written on 191.6 lines in a Torah (rank: 27th)
 18 Parshiyot; 3 open, 15 closed
 97 p'sukim - ranks 36th (tied with Tzav, but larger)
 1523 words - ranks 28th
 5590 letters - ranks 31st
 7th in D'varim in all categories
 Relatively large p'sukim, like most of D'varim

MITZVOT:

41 mitzvot - 14 positive, 27 prohibitions;
 ranks 6th in mitzvot among the sedras
 These top 6 mitzva-sedras contain 55% of the Torah's mitzvot. Six sedras make up only 11% of the sedras in the Torah. The 5 sedras with more mitzvot than Sho-f'tim are Ki Teitzei, Emor, R'ei, Mishpatim, and K'doshim.

Aliya-by-Aliya Sedra Summary

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

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

Kohen - First Aliya - 18 p'sukim - 16:18-17:13

[S> 16:18 (3)] Judges to clarify the law (and try cases) and agents of the court to enforce the law are to be appointed throughout the Land [491, A176 16:18], and they are to carry out their duties fairly. They must not slant the law, nor show favoritism, nor take bribes which blind and pervert even the fairest and most righteous of people. Justice is to be ardently pursued so that we will be worthy of living and flourishing in Eretz Yisrael.

What if a judge was going to vote in favor of the briber, even without the bribe. Justice is still being served. Is the bribe any less a serious offense? The answer is NO. A bribe is a bribe. One leads to another, and justice will be perverted.

SDT TZEDEK TZEDEK TIRDOF - Justice you shall surely pursue. The doubling of the word TZEDEK can be seen as a reminder that not only shall justice be pursued, but the means employed in the pursuit of justice shall also be just. We do not subscribe to the concept that the end justifies the means. Perpetrating a mockery of justice and claiming that it is justice, is the greatest offense of all. TZEDEK (B')TZEDEK, justice with justice...

[S> 16:21 (2)] Planting trees in the courtyard of the Mikdash (or near the Mizbei'ach) is forbidden [492, L13 16:21] - it is an idolatrous practice. (This prohibition still applies today.)

Erecting monuments (as is done in idol worship) to G-d (even with "proper" motives) is forbidden [493, L11 16:22]

SDT Perversion of justice is juxtaposed to idolatry to emphasize how serious is the former sin. Pirkei Avot states that "the sword comes to the world because of perversion of justice... exile comes because of idolatry." Both sins cause us to lose our hold on Eretz Yisrael. And conversely, remaining faithful to G-d and dealing with each other with honesty and justice will secure us our hold on our Land. The Gemara states that "appointing inappropriate judges is tantamount to planting a tree near the Altar". Planting a tree in an attempt to beautify the Temple, is a completely misguided act. The beauty of the Beit HaMikdash flows from itself and its spiritual

essence. To think that external decoration can contribute to the beauty is to lack understanding of what the Beit HaMikdash is. So too, to appoint a judge because of personal appearance, wealth, stature, etc. (and not because of scholarship and worthiness to judge) is equally "missing the point".

[S> 17:1 (1)] Sacrificing blemished animals is forbidden [494,L95 17:1]. (Elsewhere the Torah enumerated types of blemishes; the Gemara deals with the details.)

[S> 17:2 (6)] The Torah next stresses that idolatry is a most serious sin. If we find among us a fellow Jew who worships anyone (or thing) other than G-d, we must most scrupulously investigate the case against him (or her). If the person is convicted by the court, the punishment is death by stoning, thereby uprooting evil from our midst.

It is the eye-witness testimony of a minimum of two that shall be necessary to convict. No one can be sentenced to die (or be otherwise punished) by the testimony of only a solitary witness. The witnesses themselves are often to be involved in the carrying out of the sentence.

[P> 17:8 (6)] The Torah next establishes the mechanism for the perpetuation of Judaism throughout the generations (by emphasizing, among other things, that if disputes arise or a halachic point needs clarification, that we are to consult the judges IN OUR TIME) and the dynamic applicability of Halacha for all times (by giving the Sages the mechanism to enact laws for the protection of the Torah and its proper observance).

We are required to do all that the Sanhedrin (the Supreme Halachic Authority) teaches and commands **[495,A174 17:10]**. We must not veer from their rulings "neither to the right nor to the left" **[496,L312 17:11]**.

MITZVA WATCH

Rambam's Book of Mitzvot contains 14 "rules" by which Rambam counts the Torah's 613 mitzvot. Rule #1 states that rabbinic mitzvot such as Chanuka and Purim shall not be counted among the Taryag. This might seem obvious, but Rambam feels compelled to state this rule in opposition to mitzva-counters who DID include some "rabbinic mitzvot" among Taryag.

Why would someone consider the post-biblical mitzvot of Chanuka and Purim as Torah law? Similarly, why is it that the bracha for mitzvot, which states "...Who has sanctified with his mitzvot and commanded us..." is also recited for 6 rabbinic commandments? (Shabbat & Yom Tov candles, Chanuka candles, Megilat Esther and the other Megilot, Netilat Yadayim, Hallel, and the three types of Eiruv.)

The answer to both questions is based on the p'sukim in the beginning of this week's sedra which speak about the authority of the Sanhedrin - mitzvot 495 & 496 above. In essence, the Torah commands us to observe rabbinic law. Therefore, it can be argued that rabbinic law IS Torah Law. It follows that one might consider counting Chanuka and Purim among the 613, and it makes sense to use the mitzva-bracha formula for Rabbinic mitzvot. Rambam does not argue against this. He insists, however, that we cannot possibly count Rabbinic mitzvot separately among the 613. This could lead to the untenable situation of having to re-adjust the

mitzva count each time a Sanhedrin would make a new rabbinic mitzva.

One who does not light Chanuka candles, for example, is at the same time in non-fulfillment of a rabbinic command and double violation of the Torah's mitzvot of TAASEH and LO TASUR. Does this mean that violations of rabbinic law are equivalent to (or even more severe) than violations of Torah law? The general understanding is that the Torah "put its authority" behind rabbinic law, but rabbinic law remains "one notch", so to speak, below Torah law. Without this distinction, Rabbinic Law might have been forbidden because of BAL TOSIF (adding to the Torah).

Included in Sanhedrin-edicts which we are obligated to follow, are their presentation of Oral Law, their derivation of Torah Law by the 13 "Talmudic" principles of analysis, both of which would be considered "D'O'rayta" (Torah law), and the various decrees and measures that the Sanhedrin enacts as protection for Torah Laws, or because of similarity to Torah Law, or for whatever other reason they have for their rulings. We who stood at Sinai, accepted a "package deal" of Judaism (see Lead Tidbit).

A Torah scholar with authority to render Halachic decisions who defies the Sanhedrin and encourages others to disregard their ruling, can (under certain circumstances) be put to death. Such an individual is known as ZAKEN MAMREI and is ultimately judged by the Great Sanhedrin. This shall serve as a deterrent to the People not to behave similarly. The average Jew is not similarly subject to possible execution, but still is warned of the seriousness of flouting Rabbinic authority. [It is likely that there never actually was an individual who was executed as a Zaken Mamrei, yet the idea adds tremendous weight to the seriousness of Rabbinic Law.] We might say that G-d's Plan and his Torah included Rabbinic Law in the total picture of what He wants of us.

Levi - Second Aliya - 7 p'sukim - 17:14-20

[S> 17:14 (7)] When the People will enter the Land, conquer it, and settle down, and they will ask for a king (like the nations around them - this phrase contains an implicit warning against asking for the wrong reasons), it is a mitzva to "place over us" a king (of G-d's choosing) from among the Jewish People **[497,A173 17:15]**; we may not choose a non-Jew as king **[498,L362 17:15]**. The king must not possess too many horses **[499,L363 17:16]** (i.e. in excess of those necessary for his army, etc.) nor may he lead the People back to Egypt - it is forbidden for us to dwell in Egypt **[500,L46 17:16]**. (Visits are permitted.) A king may not have an excessive number of wives (more than 18) **[501,L364 17:17]**, nor may he amass excessive wealth **[502,L365 17:17]**. (referring to wealth for its own sake; any funds necessary for running the kingdom are excluded from the prohibition.)

A king must write a Sefer Torah for himself **[503,A17 17:18]** (in addition to the one he is commanded to write as a Jew - mitzva #613). This Torah is to be copied from THE Sefer Torah of the Beit HaMikdash.

A king of Israel has awesome powers over his subjects. He therefore requires the "humbling force" and moral restraints of the Torah constantly before him. The Torah is his guide for proper rule. A king who is guided by Torah law and values is a great asset to the People of Israel. A king who isn't, is our worst liability.

Shlishi - Third Aliya - 5 p'sukim - 18:1-5

[S> 18:1 (2)] The Kohanim-Leviyim are not to receive land in Eretz Yisrael [504,L169 18:1] (other than the cities which are given to them by the Tribes) nor share in the spoils of war [505, L170 18:1] - their holy service in the Mikdash is considered their share.

[S> 18:3 (3)] (Among other gifts to the kohen,) the kohen is to receive specific parts of every animal slaughtered for food - the forelimb, tongue and surrounding cheeks, stomach and surrounding fat [506,A143 18:3], T'ruma from produce [507,A126 18:4], and the first-shearing of the sheep [508,A144 18:4]. These gifts are due the kohen because of his sacred service.

Note: Whereas T'ruma and other gifts which are sacred, cannot be given at the present time because of issues of ritual impurity, both "gifts" [506] and Reishit HaGeiz [508] apply today and can be given. If this becomes a practical issue for you, consult a Rav for details. First shearing applies only in Eretz Yisrael, even though it is not related to the Land. This is learned from its partner in the pasuk, T'RUMA, and by the use of the word REISHIT.

R'VI' - Fourth Aliya - 8 p'sukim - 18:6-13

[S> 18:6 (3)] Kohanim and Leviyim are supposed to distribute their workloads at Holiday time equally among the different family units [509,A36 18:6].

[S> 18:9 (14)] Another warning follows, to be on guard against learning from and adopting any of the abominable practices of the nations that we will encounter in Eretz Yisrael. The implication here is that we must not "learn to do" the terrible things, but we may learn about them in order to understand their ways and to better instruct our fellow Jews in this area. (Tur Shulchan Aruch, based on the Gemara)

On the practical side of this ruling, one has to be very well established in his own Judaism before reading and learning about other world religions and pagan practices. Such a study should be done under the supervision of one's mentor.

Shun the practices of passing one's children through fire (a vivid example of a reprehensible pagan practice, counted elsewhere), divination and certain types of meditations meant to "read the future" [510,L3 18:10], astrological predictions [counted elsewhere; some other aspects of astrology are not halachically objectionable, but one must be careful), reliance on omens [counted elsewhere], conjuring & witchcraft [511, L34 18:10], incantations [512,L35 18:10], mediums [513,L36

18:11], oracles [514,L37 18:11], and necromancy (seances, contacting the dead) [515,L38 18:11]. All the above- mentioned practices - and there are different opinions as to exactly what each Torah-term refers to - pull a Jew away from his straight- forward, "pure" relationship with G-d. We must strive for that direct, honest relationship.

Chamishi - Fifth Aliya - 22 p'sukim - 18:14-19:13

It is the other nations who listen to the practitioners of the occult arts. G-d did not make us so. We have prophets (like Moshe) who arise from our midst, and it is their prophecies to which we must hearken [516,A172 18:15].

This was part of the "deal" made with G-d at Sinai, when we asked that we not hear G-d's "voice" directly. G-d agreed with our request on the condition that we would listen to true prophets who would communicate to us what G-d asks of us. Anyone who does not listen to the Word of G-d through the prophet will be "answer- able to Him". But a prophet dares not speak in G-d's name under false pretenses [517,L27 18:20], or speak in the name of an idolatry [518,L26 18:20]. How are we to know what is and what isn't G-d's word? A prophet must have a 100% "track record" - anything less is an indication of a false prophet. (Prophecies of bad things to befall the People can be reversed through sincere repentance and therefore do not cast doubt upon the prophet.)

We must not be afraid to defy a false prophet and bring him to justice (and execution) [519,L29 18:22]. Of course, we are not supposed to be afraid to do any mitzva in the Torah. In the case of a false prophet, we are often dealing with a charismatic individual who might have a very large following. Defying him might be a very unpopular thing to do. The Torah is bolstering our resolve to rid ourselves of false prophets by commanding us not to be afraid. Perhaps we can draw from this mitzva a lesson to apply to all mitzvot. Do not be afraid to keep the Shabbat, be kosher, daven Mincha, avoid Lashon HaRa, etc. etc. etc. even when doing so will meet with scoffing of others. Adhere to halacha and don't be afraid or embarrassed to do so.

[S> 19:1 (10)] When matters are settled in Eretz Yisrael, we are required to designate another three cities of refuge [520,A182 19:3]. Roads to the cities are to be prepared and identified so that the killer can easily find refuge. The cities will protect the inadvertent killer from the blood-avenging relative of the the victim. If (when) we will merit expansion of our Land, another three cities will be selected. This is to avoid unnecessary bloodshed.

[P> 19:11 (3)] An intentional murderer also flees to a city of refuge, but is removed therefrom to stand trial. We must not ignore these situations - and those concerning assault [521,L279 19:13], so that we will thereby eliminate the shedding of innocent blood and merit a good life.

Rashi raises an interesting argument against capital punishment, which he rejects. On the words, Do not have pity on him (the killer), Rashi says, don't say that the victim is dead any- way, why should we take another life and there will be two people dead. The implication is clear that despite that argument, capital punishment stands. (One can be opposed to capital punishment in today's society without it being considered clashing with Torah.)

Shishi - Sixth Aliya - 17 p'sukim - 19:14-20:9

[S> 19:14 (1)] One may not encroach upon another's territory **[522,L246 19:14]**. This literally refers to the prohibition of moving a boundary- marker between your land and your neighbor's thereby stealing some of his property. Although stealing is already forbidden (and counted among the 613), this prohibition comes to emphasize the seriousness of stealing land, specifically in Eretz Yisrael.

This prohibition extends to other forms of encroachment, e.g. unfair competi- tion that steals someone's business.

[S> 19:15 (7)] It is forbidden to render judgments (in most cases) based on the testimony of a single witness **[523,L288 19:15]**; a minimum of two witnesses are required. (Some- times, what one person says will point the judges in a certain direction, but not as formal testimony.)

If false witnesses shall plot to victimize the accused (and their plot is uncov- ered in a specific way and at a specific point in the trial) they are to be punished in the manner that they plotted against their fellow **[524,A180 19:19]**.

This topic is known as EIDIM ZOM'MIM - plotting witnesses. It is a subset of false witnesses that differs from "regular" false witnesses in several interesting and sometimes enigmatic ways.

[S> 20:1 (9)] When we go out to battle our enemies and see their horses and vehicles, armaments, etc. and we might tend to panic... we are forbidden to be afraid, because G-d is on our side **[525,L58 20:1,3]**.

A kohein is anointed as chaplain (sort of) and delivers the pre-battle speech to the potential army **[526,A191 20:3]** He and the Sho-t'rim speak to the people and send home those that have recently built a house, become engaged to marry, and/or planted a vineyard. (In all three cases, the point is that each pursuit is as yet "unfinished". Such a person faces seri- ous distraction from the goals of battle.) They also dismiss from service someone who fears that he has insufficient merit to survive battle. (This is one of several ways of looking at this topic.)

Sh'vi'i - Seventh Aliya - 20 p'sukim - 20:10-21:19

[S> 20:10 (9)] Before attacking an enemy city, an offer of peace must be sent **[527,A190 20:10]**. (This applies to all enemies including Amalek!, but excluding Amon

and Moav.) This offer is conditional upon the acceptance of the 7 Noahide Laws and other restric- tions. If these terms are not met, we attack and destroy the male popu- lation. Female captives and spoils of war may be taken, except for the "7 nations" **[528,L49 20:16]**. These nations are to be totally eradicated in order to eliminate their evil influence.

[S> 20:19 (2)] When laying siege to a city, care must be taken not to destroy fruit trees **[529,L57 20:19]**. Only shade trees may be cut down so that siege equipment can be built. This prohibition of BAL TASHCHIT is expanded by Chazal to include many types of wanton wastefulness.

[P> 21:1 (9)] If a corpse is found in a field, and it is not known who has committed the murder, measurements are made to determine the nearest town. The elders of that town perform a ceremony which includes killing a calf **[530,A181 21:1]** to emphasize the senselessness of bloodshed. The area where the ceremony is performed may never be planted nor worked **[531, L309 21:4]**. The elders proclaim that they are not responsible for the loss of life. The whole procedure has a sobering effect on all involved, and hopefully there is sincere mending of ways and atonement granted by G-d because all the People now take "life" more seriously. [3-pasuk Maftir.]

Haftara - 24 p'sukim - Yeshayahu 51:12-52:12

4th of the 7 haftarot of consolation. The predominant message of the haftara is that G-d has a special relationship with the People of Israel (an appropriate reminder for the beginning of Elul) and that we have nothing to be afraid of, because the end to difficult times is coming. This can be summed up by the end of the famous saying (song) of Rabbi Nachman - "And the essential thing is not to be afraid at all".

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

Lesson # 300

Robbing Real Estate

The Trespasser Enriches the Real Estate

Only 109 MLB players have hit 300 or more home runs. Only 22 pitchers in MLB history have won 300 or more games. Only 4 quarterbacks in NFL history have thrown 300 or more touchdown passes. Only 1 person has ever written 300 or more columns on Jewish Law for Torah Tidbits. Kol HaKavod, Rabbi Quint, on this milestone achievement.

Shimon, the owner of real estate, the ("field"), protests and demands that Reuven not enter onto his field and not to do any work there. Reuven nevertheless enters. He has no claims whatsoever against Shimon for the plantings, construction or repairs that he does.

Reuven, without authorization from Shimon, enters upon Shimon's real estate and plants trees thereon. Assume that the

real estate was worth \$100 without the trees thereon and is worth \$130 with the trees thereon and that the expense to Reuven in planting the trees is \$20.

Shimon has several options: (1) He may demand that Reuven remove the trees. (Reuven does not have the option to remove the trees if Shimon demands that they remain.) (2) Shimon may state that the trees should remain on the real estate. (3) Shimon may do nothing. (4) Shimon may complete the plantings started by Reuven.

Assume that the field planted by Reuven is usually not planted by Shimon. (1) If Shimon demands that Reuven remove the trees he must do so and failing to do so Shimon can have the trees removed at Reuven's expense.; this holds true even if Shimon saw Reuven do the planting and did not protest. (2) If Shimon says that the trees can remain on the field, and Shimon was not aware of the planting that Reuven was doing, then Shimon must pay Reuven the lower of Reuven's expenses or the enhancement of the field (in the above case \$20). (3) If Shimon does nothing, Reuven can collect \$20 from Shimon, (4) If Shimon completes the plantings or in any other way shows that he is pleased with the plantings, then Shimon must pay to Reuven the higher of the expenses or the enhancement of the field (in the above case \$30). Once Shimon has shown that he is pleased with the plantings that Reuven made, he can no longer demand that Reuven remove the plantings. Conversely, Once Shimon has demanded that Reuven remove the trees, he may not change his mind and demand that the trees remain there. There is a difference of opinion as to whether or not the demand by Shimon to remove the trees must be made in Beth Din to bind him so that he may no longer change his mind, or if it can be done even by demand made outside of Beth Din.

All that has been said regarding Reuven planting trees in Shimon's field applies to a structure built by Reuven on Shimon's land. For example, Shimon bought real estate to place bungalows thereon and Reuven built a bungalow thereon. It is stated above that Reuven does not have the option of uprooting his plantings. There is an opinion that if Reuven builds a structure on Shimon's field that can be removed without damage to the field then he may do so, although he may not do so regarding plantings. In the case of the structure, this holds true if there is no foundation or anything else that will leave the field in worse condition than it was before Reuven placed the structure thereon. In the case of plantings, the field will always be in worse condition than before if he removes the plantings. Even regarding plantings, he may do so if they have not yet taken root.

Assume that the field where Reuven planted the trees is usually planted by Shimon. (1) If Shimon demands that Reuven remove the trees, he must do so, and failing to do so, Shimon can have the trees removed at Reuven's expense; this holds true even if Shimon saw Reuven do the planting and he did not protest. (2) If Shimon says that the trees can remain on the field, then Shimon must pay to Reuven the higher of Reuven's expenses or the enhancement of the field (in the above case \$30). (3) If Shimon does nothing, Reuven can (in the case above) collect \$30 from Shimon, (4) If Shimon completes the planting or in any other way shows that he is pleased with the plantings, then Shimon must pay to Reuven the higher of the expenses or the enhancement of the field (\$30 in the above case).

If Reuven plans in Shimon's field with Shimon's authority, then Shimon must pay to Reuven the higher of the expenses or the enrichment of the field. In the above example, always \$30. This holds true even if the field is one that is not usually planted.

Assume that Levi possesses Shimon's field as a sharecropper. Reuven plants or does other work in the field. Shimon has no liability to Reuven. Levi does. The amount of the compensation that Levi owes to Reuven is the sum that a sharecropper would pay to have the work done that Reuven did.

Assume that Levi is the husband of a minor girl and possess her field in what we call a NICHSAI MELOG arrangement. In essence he works her field and keeps the profits, he is recognized in the law as a person who enters upon the owner's field with authority and is compensated the higher of the expenses or the enhancement of the field. The Sages of the Talmud instituted this rule so that a husband would take better care of his wife's property.

Assume that Levi and Shimon are partners in the ownership of the field. If Levi makes repairs to the field or plants there, he is deemed a person who enters someone's field with authority. Reuven enters upon Shimon's house and makes repairs and the rents the house to Aharon. The rent that he is paid is deducted from the money owed by Shimon to Reuven for the repairs. To hold otherwise would permit Reuven to do business with Shimon's property. This holds true even if Shimon does not hold out his house for lease.

If Shimon, the owner of a structure that is in danger of collapse, instructs Reuven not to enter upon the structure and not to make any repairs, then if Reuven makes repairs, Reuven will not be compensated and he may not undo the repairs.

Whenever it is held that Shimon must pay to Reuven the amount of his expenditures, Reuven must first take an oath holding a sacred object stating how much he expended. If Shimon is to pay for the enhancement, Beth Din may fix the amount, including asking for expert testimony; in this situation, Reuven need not take an oath.

Assume that Shimon is required to make payments to Reuven as above stated and Shimon pleads that he paid Reuven and Reuven pleads that he was not paid. Reuven will win the lawsuit if he takes an oath that he was not paid. This holds true if there was not sufficient time for Shimon to pay Reuven after the amount of payment was fixed by Beth Din. The best practice would be for Shimon to obtain a receipt when he pays Reuven or to pay him in front of witnesses.

With this lesson we complete the laws of Robbery. IYH the next lessons will return to Dina D'Malchuta Dina.

The subject matter of this lesson is more fully discussed in volume IX chapter 375 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

Confusing the Accuser - part one

A theme which we encounter repeatedly in the mitzva of Shofar is "confusing the accuser" (Satan). For instance:

1. The gemara tells us that we blow the shofar on Rosh HaShana

both sitting and standing "in order to confuse the accuser" (Rosh HaShana 16b).

2. In the siddur of Rav Amram Gaon and in Machzor Vitry, this is given as one reason for the wide variety of different shofar calls we sound on the holiday.

3. The Tur (OC 581) gives it as one reason for blowing the shofar every day in Elul;

4. While the Maharil gives it as a reason why we stop sounding the shofar on the last day before Rosh HaShana.

Let us study the simple meaning and some deeper insights of this concept.

The word satan in the Bible seems to mean merely "opponent". For instance, the angel who obstructs Bilaam's progress is described as a satan (Bamidbar 22:22), and the captains of the Philistines are afraid that if David fights by their side he will not be an ally but rather a satan, an opponent (Shmuel I 29:4).

But many times we find it has a more specific meaning: an angel who is specially designated by God to act as a prosecuting attorney when He judges men (Zekharya 3:2, Iyov 1,2). Although God already knows all of our thoughts and actions, Divine judgment is described to us in Scripture as following equitable and transparent procedures, with advocates making claims and counterclaims, in order to educate us that this judgment it is not arbitrary but rather fair and balanced.

In the Talmud, we find an additional dimension: Satan is sometimes presented not merely as an accuser, but also as a tempter, someone who confronts our righteousness with trials in order to test us.

While we certainly try to avoid Satan and his judgment and adhere steadfastly to the mitzvot, the Gemara also teaches us that we have to respect his mission which is after all a necessary part of the administration of justice in the world. When the sage Palemo cursed Satan, Satan came to embarrass him and then rebuked him for his curses. It's enough to ask Hashem to keep Satan far away; it's not necessary to curse him (Kidushin 81b).

Let's return to confusing Satan by blowing the shofar. The Ran brings an explanation related to the idea of Satan as tempter, identified with "the evil urge": The stirring sound of the shofar instills awe in the listeners and subdues their urges and temptations.

But most commentators seem to associate "confusing Satan" with the idea of Satan as accuser. For example, Rashi writes that sounding the shofar when the congregation is both sitting and standing impresses him with our devotion to the mitzvot; the result is that he is timid in his accusations. Tosafot explains that when he hears the persistence of the shofar (because it is blown so often) he will think that he is hearing the shofar of the final Redemption, when his job comes to an end (because righteousness will reign) (Rashi, Tosafot and Ran on Rosh HaShana 17b). The Maharil (a Rishon who wrote a compendium of customs) gives a slightly different explanation: The shofar announces the day of judgment, which enables Satan to know when he is summoned to "court" to present his case against men. But when the shofar is blown so many times, he may become confused and "miss his court date". Of course Satan is a loyal public servant and will keep coming back each time the shofar is blown in Elul, but then the shofar is omitted on Rosh HaShana eve and he may conclude that the case is over and he can just pack up.

Satan has shown himself to be a remarkably devoted and resourceful functionary, and it is probably not so easy to fool

him. But we also must remember that his function is not to cause us suffering, but rather to create accountability in the world in order to motivate us to righteousness. When we hear the shofar in Elul, it's not only Satan who remembers that judgment day is approaching; we ourselves are reminded. We allow ourselves to be fooled into seeing the Prosecutor right away; thus we subdue our urges (as the Ran states) and are stirred to repentance. When we hear the shofar blast numerous times and ways on Rosh HaShana, staying in shul hours beyond what we are accustomed yet without impatience, we are astounded at our own devotion to mitzvot; this truly silences the accuser. (As we find in Rashi.) When we reach Rosh HaShana in a state of perfect repentance, we may find that our righteousness is so complete that we don't win our case, we actually find it dismissed "for lack of public concern". After all, the purpose of the judgment itself is only to give an incentive for right conduct; when we find ourselves independently motivated to act rightly the trial is superfluous and the prosecutor can go home. (As we find in Tosafot and the Maharil.)

The various customs of blowing the shofar have the effect of "tricking" us into preparing for judgment well in advance; thus we find ourselves well prepared on the Days of Awe and the prosecution will be muted and confused.

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

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

Q: It bothers me that at the shul where I usually daven, we often miss Sof Z'man Kri'at Sh'ma (SZKS) (the end of the time by which Kri'at Sh'ma (=KS) should properly be said). What can I do about this problem, and is it proper for me to continue davening in that shul?

A: In many shuls during certain times of the year, the congregation does not reach KS by SZKS, which is half

way between the beginning of the morning and the middle of the day. (We will have to ignore the discussion as to how to calculate when this time is.) This is an issue primarily on Shabbat and the late minyan on Sunday (in the Diaspora). Even if one missed KS at the proper time, he can recite it normally for at least another full halachic hour, with a qualitatively lower fulfillment of the mitzva (Shulchan Aruch Orach, Chayim 58:6).

We will mention solutions to this problem, in a descending order of preference. If the congregation will miss SZKS by a matter of minutes, you can go ahead (inconspicuously) and recite KS at the right time and wait during the following portion of the tefila, which is the long b'racha after KS. During that time, you should answer only "Amen, Y'hei Sh'mei Rabba...", Amen at the end of Kaddish and Borchu. When the congregation gets up to KS, you should cover your eyes and make believe you are saying it with everyone else, as it is generally important not to look like one who doesn't join in saying KS (Shulchan Aruch, OC 65:3). According to most opinions, one can wait at that point in the tefila for a long time, but it may be preferable to say a sentence every few minutes (Mishna Berura 65:4).

This system works well halachically but is not appropriate for every situation. It is too complicated for some people. Other people are not good at being inconspicuous and/or are in a shul where their neighbors would be upset if they caught him doing such a thing. It may be wrong for people to be so sensitive to that which strikes them as "holier than thou" behavior. However, this reaction is such a common human reaction and its results are so negative that scores of halachot are based on avoiding these feelings.

A simpler idea is to recite the three sections of KS prior to tefila at their proper time to fulfill the main mitzva and repeat them along with their b'rachot as part of tefila. There are opinions that this is a serious problem, as the KS that leads into Shemoneh Esrei should be the one that fulfills that mitzva. However, classical poskim seem to deal with this situation as a reasonable one (Rama 46:9 and Mishna Berura, 46:32). If one is not sure if the congregation will make SZKS, then some say it is possible to have in mind to fulfill the mitzva of KS only if it ends up that the congregation doesn't make it on time (notes of R. Akiva Eiger, ad loc). (There is a fascinating discussion whether or not this works; see Yalkut Yosef, Kriat Shema 4 and elsewhere). If the congregation will not even make it to Sof Z'man Tefila (a halachic hour later), it is halachically better to daven without a minyan at the right time (Mishna Berura 46:32)

The question whether it is okay to daven in a shul that misses SZKS is one that cannot be answered in a vacuum and one that cannot be ignored. Many shuls have a hashkama minyan, and SZKS can properly be a factor in favor of attending it. It is also proper to consider it when picking a minyan on Sunday mornings. Realize that it is a rabbi's responsibility to realistically determine what is best for his congregation, in this regard as well. Once he has done so, it is important for the "religiously stronger" members to consider the needs of the k'lal as something that binds them to make some compromises on that which is halachically preferable. If one cannot do so with a smile, then he might do more harm than good by staying in the shul. One can discuss the matter with the local rabbi, assuming that he can do so in a way that is not only intended to be respectful but is received that way as well.

Ask the Rabbi Q&A is part of Hemdat Yamim, the weekly parsha sheet published by Eretz Hemdah. You can read this section or the entire Hemdat Yamim at www.ou.org or

www.erezhemdah.org. And/or you can receive Hemdat Yamim by email weekly, by sending an email to info@erezhemdah.org with the message: Subscribe/English (for the English version) or Subscribe/Hebrew (for the Hebrew version). Please leave the subject blank. Ask the Vebbe Rebbe is partially funded by the Jewish Agency for Israel

[2] Candle by Day

We find out who our real friends are when we forget to send them an invitation.

From A Candle by Day by Rabbi Shraga Silverstein

[3] CHIZUK and IDUD

(for Olim & not-yet-Olim respectively)

The Talmud (Makot 7) derives from our parsha that outside Israel, courts must be established only in the major population centers, whereas in Israel, they must be set up even in smaller towns. If the role of judges is to adjudicate disputes between litigants, why don't courts have to be set up even in the smaller towns outside Israel?

At the end of our parsha the Torah describes the EGLA ARUFA ceremony. When a murdered person's body is found outside a town and it is not known who caused his death, judges from the nearest town must bring a calf, break its neck and declare that they are not guilty. Who would have thought that the judges were involved in the homicide?! The Talmud (Sota 45) explains that the judges do bear some responsibility, for they acted with insufficient generosity when they failed to provide the murder victim with ample provisions upon his departure from town. Judges do not only resolve legal disputes; they must set a high standard for inter-personal conduct so that the public will learn from their example.

Why then is there a distinction between Israel and Chutz La'aretz? The Torah seems to be hinting at one of the basic underpinnings of Israeli society unique to Eretz Israel. The charge to perform generous acts of chesed is not merely to alter an individual's behavior. Instead its purpose is to inculcate chesed into the very fiber of every hamlet in the Land of Israel. Since Israel is the shared home of the Jewish people and of God we must not only learn the language of our roommate but also establish an environment where we can coexist. The only realm where we can find common ground with God is in the area of chesed. For this reason the Torah stresses the import of establishing courts (whose job goes beyond adjudicating disputes) even in the smallest towns of Israel to help facilitate an atmosphere of chesed and concern for our fellow man so that we can approach God on his terms.

**Chana Tannenbaum,
Dean and Director of Shaalvim for Women**

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

A freethinker, out to provoke R' Elazar Moshe of Pinsk, asked the rabbi a seemingly innocent question.

"Rebbe," he said, "is there any way that smoking is permitted on Shabbos?"

"Indeed there is," answered R' Elazar Moshe.

"And what is it?" the man asked him.

"Have the action carried out by a non-Jew," replied R' Elazar Moshe with a smile.

(Another version of this story, perhaps a similar but different episode, has the rabbi answering, "Perform the action with a shinui (a change), put the lighted end in your mouth.")

[Of course, the real answer should be that you are not allowed to smoke at all.]

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] Review

The name of this week's sedra is typical of many words that begin with a consonant voweled with a CHOLAM followed by a letter with a SH'VA. Many people pronounce the SH'VA as a NACH and attach the SH'VAed letter to the opening syllable - in error. In fact, the CHOLAMed letter is its own syllable and the SH'VA is NA and leads the second syllable. The syllables are SHO and F'TIM, not SHOF and TIM. SHO-F'TIM V'SHO-T'RIM...

[6] Parsha Points to Ponder -SHO-F'TIM

1) The Parsha begins by teaching Judges and Policemen you should give LECHA ? to you. Why does Moshe use the superfluous words TO YOU?

2) Why does the Torah use the superfluous language of RIGHTEOUS- NESS, RIGHTEOUSNESS YOU SHALL PURSUE? (16:20)

3) Why is the Eglu Arufa slaughtered specifically from the back of the neck, forwards?

THESE ARE THE ANSWERS

Ponder the questions first, then read here

1) Rav Moshe Feinstein answers that this teaches that aside from the need for society to have judges and officers, individuals must be both a judge and officer over themselves as well.

2) Rav Elya Meir Bloch answered that this comes to teach that when we pursue righteousness, we must do so with righteousness. We should not fall prey to rationalizations and justifications while pursuing a righteous goal and do so in an inappropriate and unjust way.

3) The Seforno answers that this act, performed by the elders of the city, symbolizes that this murder was done privately and, therefore, could not have been prevented.

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

[7] Torah from Nature

Last week, the MRMH column on the Egyptian Fruit Bat got a little messed up. The electronic versions were more presentable. Without repeating everything, we leave it at this: E. Fruit Bat is one of 32 species of bats found in Israel... 900-1000 species

worldwide... two major types - larger fruit bats and smaller insect-eating bats... 3 species of vampire bats who feed on blood of birds, mammals (and even humans)... local to Central and South America; none here. Vampire bats are the only true parasites among mammals (maybe some humans too). Insect-eating bats are very helpful to the ecology...

GECKO FEET

The following is from a recent New York Times science report:

Geckos, lizards that are notorious for their sticky feet, can run up walls and across ceilings, and hang tauntingly by one toe. They have no suction cups, hooks or glue on their feet, so how do they do it?

5 years ago, researchers at the U. of C., Berkeley; Stanford; and Lewis and Clark College found the secret: 500,000 minute hairs cover the sole of each foot, and the tip of each hair splits into hundreds more. The hairs are so elastic that they can bend or squish to conform to microscopic nooks and crannies under the creature's feet, even on the glass walls of an aquarium. As a result, the tiny hairs touch so much surface area so closely that weak forces of attraction between molecules in the hairs and in whatever surface the animal is walking on add up and become sufficient to let the gecko hang on. The connection breaks when the gecko shifts its foot enough to change the angle between the hairs and the surface. The discovery intrigued scientists, who immediately realized that if synthetic gecko-foot hairs could be made, they might be a great adhesive - strong, glue-free, dry, reusable and capable of working in a vacuum like outer space... recent issue of the journal Chemical Communications... produced synthetic hairs, with 200 times the sticking power of the ones made by nature... "Think of it almost like nano-Velcro" ...synthetic hairs- 1/10000 the width of a human hair - are made of highly flexible carbon cylinders, or nanotubes, embedded in a plastic base like bristles in a hairbrush... strong, practically unbreakable...

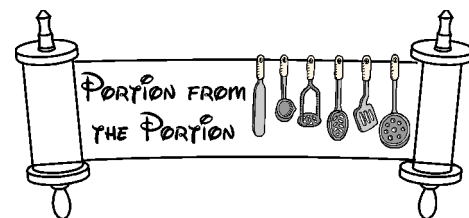
[8] by

Rakel Berenbaum

Every Shabbat I must prepare meals for my family that they will enjoy, but cooking is not one of my favorite activities. One way I have found to motivate myself to cook is to look into the weekly Torah portion to find a recipe that is related (in some way) to the parsha. The family has to find the connection to the parsha and if they can't at least they are more interested in hearing the Dvar Torah. Here I'll start with the Dvar Torah and end with the recipe.

When mentioning the gifts the people must give to the kohanim, it states: "This shall be the law (of what the) kohanim (receive) from the people: When any ox sheep or goat is slaughtered as food, you must give the kohein the shoulder, the jaw and the maw. You must (also) give him the first portion of your grain, wine, and oil and the first of your shearing." (18:3-4)

In order to remind ourselves that everything comes from Hashem, we must give Teruma to the Kohanim from the staples of life. In the merit of separating Teruma, the produce of the field is blessed. But what is the use of this blessing if the owner is ill and can't eat? Oznyim LaTorah says, therefore, the owner of the animal is instructed to give the kohein the shoulder, jaw and maw. This acts as a blessing insuring that the owner will be



in good health and will be able to partake of his bounty. The shoulder signifies the hand - to put the food in his mouth, the mouth and jaw - that he is able to chew, and the stomach (maw) that he is able to digest his food.

I have prepared recipes from the parts mentioned in the priestly gifts - shoulder and jaw (tongue).

Please send FEEDback (pun intended) on the Dvar Torah and recipes and send in your own recipes related to this or other parshiot.

Shoulder Steak Bake

4 shoulder steaks

1 pkg. dry onion soup mix

2 cloves garlic minced

3 tbsp. honey

3 tbsp. apple juice (or any fruit juice)

3 tbsp. soya sauce

1 tbsp. vinegar

¼ tsp. ginger

¼ tsp. chili powder

Place meat in a single layer in a large roasting pan. Sprinkle with onion soup. Mix remaining ingredients and pour over meat. Cover and bake at 350°F for 2 hours, or until tender. Yield: 4 servings

Sweet and Sour Tongue

1 (3lb.) tongue, unpickled (1.360kg)

2 (8 oz.) cans tomato sauce (450g total)

½ cup brown sugar

¼ lb. raisins (a little more than 100g)

1½ cups water

¼ lb. dried apricots (a little more than 100g)

Cook tongue for about 3 hours. Cool, peel off skin and slice thinly. Heat all other ingredients in a pot. Bring to a boil. Place sliced tongue in this sauce. Simmer 45 minutes over low heat. Yield: 12 servings

[9] Divrei Menachem

Shoftim opens with the injunction that, "You shall appoint judges and officers in all your cities... and they shall judge the people with righteous judgment" (D'varim 16:18). This ruling appears immediately after the command to Jewish males to appear three times a year at the Bet HaMikdash in Jerusalem where they would meet the highest judges in the country, the rabbis of the Great Sanhedrin.

Despite the prestige of the Great Sanhedrin, local courts were to be set up in every gate and a high court was to be established for every tribe. The officers of the court would then be responsible to enforce the decisions of the judges.

The Hebrew text indicates that the judges should be set up for you (Lecha). Just as that expression indicated to Avraham that it was for his benefit to go to Eretz Yisrael (Rashi on Lech Lecha), so the creation of a Torah-based judicial system is beneficial to society. The Chassidic masters, however, understood this in a different way: Before you become a judge of others, first

become a judge of yourself!

Not surprisingly, the Torah lays down stringent criteria for the judges and demands that the courts be beyond reproach. This is a timely and fitting preamble for a parsha that goes on to describe the tasks of kings and prophets and others designated to lead a model Jewish society.

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.

Herod Refurbishes the Mikdash

The next couple of Mikdash columns are in answer to a number of emails I received requesting more details about Herod's refurbishing of the Mikdash. Our readers also wanted to know why a "Rasha" like him would even want to restore the Mikdash. The answer is not simple; Herod had an exceedingly complex personality. In contradistinction to the Gemara's narration, where, after consultation with Baba ben Buta, Herod decided to refurbish the Mikdash as a "compensation" to Am Yisrael for "killing the sages" (Baba Batra 4a, see last week's TT), Josephus claims that master builder Herod embarked on this grandiose project simply because he was amegalomaniac and yearned for glory. Stunning in their beauty, size, brilliance, strategic importance and originality, Herod's monumental buildings changed the face of Eretz Yisrael and many Greek cities abroad as well. His most magnificent showpieces in Eretz Yisrael were the new (Greco-Roman) cities Caesarea Maritima and Sebaste. The noted scholar Peter Richardson writes, "Caesarea Maritima... was a major outlet to the Mediterranean, home for the Judean navy, the largest harbor in the Mediterranean... it was a city where Hellenistic and Roman ideals jostled with Jewish convictions (it) included a large number of state-sponsored and royal structures: the harbor itself with its installations and warehouses; water and sewage facilities; gates; streets; ...and the Temple of Roma and Augustus hovering over the whole at the focal point of the harbor. Sebaste... (was) symbolically valuable (and built on the site of) the ancient capital of the Northern kingdom of Israel. The Temple of Roma and Augustus in Sebaste was built directly over the old royal palaces of Ahab, perhaps intended to make explicit the symbolic succession." The celebrated historian, Joseph Klausner, wrote, "All that can truthfully be said, is (that) he (Herod) sought honor and fame wherever he might get it; and since he knew that it was more easily obtained abroad than at home, from the Greeks rather than from the Jews; and since he required abundant wealth for the buildings and statues and munificent acts which alone could ensure his fame and spread his reputation, for this reason he forcibly raised the means from his Jewish subjects and gave it to strangers..."

After the completion of these great projects, Josephus writes, "...Herod ...undertook a very great work, that is to build of himself the temple of G-d, and make it larger in boundary, and to raise it to a most magnificent altitude, as esteeming it to be the most glorious of all his actions... to bring it to perfection; and this would be sufficient for an everlasting memorial... (Antiquities b.15:11;1). Though Herod boasted of his close ties with the ruling Romans, ("I am at amity with and well regarded

by the Romans."), surprisingly enough, the Gemara conveys a totally different impression. When Baba ben Buta suggested that Herod refurbish the Mikdash, he demurred, "I am afraid ... (of Rome)." For all his haughty pretenses, bravado and "administrative massacres", Herod the "Great" understood that he was only a client king. He knew very well that he was not an independent agent and he understood that his Roman masters might not take kindly to his glorifying the Beit HaMikdash, always a center of anti-Roman agitation. They knew that a spectacular "world class" temple in Jerusalem would increase the prestige and renown of the most rebellious city in the Empire. Striving to overcome Herod's fears, Baba ben Buta suggested, "Send an envoy, and let him take a year on the way and staying Rome a year, and in the meantime you can pull down the Temple and rebuild it. He did so and received the following message (from Rome); 'If you have not pulled it down, do not do so. If you have pulled it down, do not rebuild it. If you pulled it down and already rebuilt it, you are one of those bad servants who first do something and then ask permission.'" Even though Herod was "their man" in Eretz Yisrael and his extreme brutality served their interests, the Gemara notes exactly what the Romans thought of him. "Though you strut with your sword, your genealogy (lit. your book) is here. You are neither a Reka (rex, king) nor the son of a Reka. You are Herod the slave..." Rashi explains, "If you are proud of your weapons of war by which you killed the house of your masters (the Chashmona'im and the scores of thousands of other murdered Jews), ...we know exactly what you are, a slave..." (Baba Batra 4a). The mass murderer Herod's sudden interest in the Beit HaMikdash terrified many people and his public address outlining his proposals fell on deaf ears. "...for they were afraid that he would pull down the whole edifice and not be able to bring his intentions to perfection for its rebuilding; and this danger appeared to them to be very great, and the vastness of the undertaking to be such as hardly be accomplished. But while they were in this disposition, the king encouraged them and told them that he would not pull down their temple until all things were gotten ready for building up entirely again. And as he promised this beforehand, so he did not break his word with them, but got ready a 1000 wagons, that were to bring stones for the building, and chose out 10,000 of the most skillful workmen, and bought a 1000 sacerdotal garments for as many of the priests, and had some of them (the Kohanim) taught the art of stone cutters, and others of carpenters, and then began to build: but not until everything was well prepared for the work" (Antiquities b.15:11;2). Herod's beautification of the Mikdash began in the fifteenth year of his reign, 25 BCE.

Rectangular in shape with asymmetrical sides, Herod's refurbished Temple Mount became the site of the largest religious compound in the ancient world. Its unprecedented massive retaining walls measured 485m on the west (the "Kotel" is only a small part), 315m on the south, 460m on the east and 280m on the south for a total length of 1540 meters. Doubling the area of Har Habayit, Herod filled in a valley to the north-east of Har HaBayit and erected a wall rising 38m above bedrock. The valley at the south-west corner of Har HaBayit was also closed in and a buttressing wall built to the height of 32m. Engraved with margins of 8 to 15 centimeters around a flat central boss, the size of the average stone used by Herod's stonemasons was 3m long and 1m high with many stones 12m long and weighing 100 tons. The largest ashlar stones were found in a side tunnel including a giant stone about 60m long, 3m high and 4m wide. This monster stone, the largest carved building block

uncovered anywhere in the world, weighs about 400 tons! In order to withstand the soil pressure of the filling behind the retaining walls, the rows of stones were laid in a "terrace", each row being set back a few centimeters relative to the one beneath it. Constructed of enormous ashlar stones with great precision and without the use of cement, the walls thus slant slightly inward. This factor, the incredible weight of the stones, and the supreme accuracy of the cutting account for the extraordinary stability of these retaining walls. It is likely that the upper exterior faces of these walls - no longer extant - were built with pilasters- half columns - similar to those still visible in the upper courses of the original Herodian structure covering Ma'arat HaMachpeila in Hebron. <to be continued>

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

from page 3 PARSHA PIX

Upper-left are the symbols of SHO-F'TIM (gavel) and SHO-T'RIM (sheriff's star).

Negation circle over the planting of a sapling = prohibition of planting trees in the Mikdash or Mizbei'ach area

Tilted scales = perversion of justice - a recurring theme in the sedra

Crown is for the mitzva of appointing a king.

He must write a special Torah (quill & parchment).

He may not own an excessive number of horses (3 chess knights is too many).

Gift-wrapped present represents MATANOT, the gifts to a kohein, specific- ally the parts of an slaughtered animal.

Negation of veering to the right or left times 2 because all are commanded so, and the king is additionally commanded the same thing.

Rabbit in hat stands for magic (but is not the same kind that the Torah forbids - That's why it is not in a negation circle.)

Ax handle detached from head - classic SHOGEG situation.

Bulldozer (earth mover, as it is called today) (below gavel and above crown) is to prepare the roads to IR MIKLAT for better access to the cities of refuge.

Bottom, from left. Three military deferments: Building new house, engagement to marry, and vineyard.

Lower-right is KI HA'ADAM EITZ HASADEH, for man is like the tree of the field.

Home Sweet Home picture with the pyramids is negated because we are not allowed to return to Egypt to live there.

There is an eye with the letter I in it, which is a play on AYIN B'AYIN. The phrase appears only three times in all of Tanach. Two of those times are Parshat Sho-f'tim and the haftara for Parshat Sho-f'tim!

The dice are double-4, which is for the 4 double words in the haftara - check them out.

The peace symbol in a speech bubble stands for the mitzva to offer peace to an enemy before engaging it in battle.

The recycling symbol reminds us to avoid the prohibition of BAL TASHCHIT.

That leaves 2 unexplained items as visual TTriddles, one of which is a double.

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 (R'EI) TTriddles:

- [1] E.T., cane, cane, sort of all blue
- [2] strong like a stone
- [3] false prophets and witnesses
- [4] Don't try Friday night's suggestion this Shabbat morning
- [5] Shabbat and spring with, all the mitzvot without
- [6] plus two elements from the Parsha Pix, and...

And the envelope, please...

[1] LO TAASUN... Do not do... appears four times in Tanach, all in Chumash, twice in Parshat R'ei. G-d says (in the end of Yitro, after the Aseret HaDibrot), do not do "with me" (ITI, i.e. E.T.) gods of silver... When Moshe is speaking with the leaders of Reuven and Gad, he says V'IM LO TAASUN KEIN... and if you will not do thus... In R'EI, we find KEIN (cane) again: Do not do thus to G-d... and again, do not do K'CHOL, like all that you have done until now... K'CHOL sounds like KACHOL, blue.

[2] RAK (rock) CHAZAK... a strong rock, or strong like a stone. Parshat R'ei has 6 of the 41 RAKs in the Torah. When you listen to the sedra, the word sort of jumps out at you. And one of them said: Make a TTriddle out of me. So we did.

[3] In R'ei, we find the expression KI YAKUM, if there arises from your midst, a (false) prophet of dream dreamer... KI YAKUM occurs only one other time in Chumash - in the portion of the specific type of false witness known as EIDIM ZOM'MIM, plotting witnesses and once more in the book of IYOV. That's it.

[4] In the Friday night davening, at the conclusion of the BAMEH MADLIKIN "interlude between Kabbalat SHabbat and Maariv, we find a quote from Yeshayahu 54:13, V'CHOL BANAYICH LIMUDEI HASHEM... and we are told to read the

word BANAYICH (your sons) as BONAYICH (your builders). This allows a DRASH on the pasuk. However, don't take that suggestion on Shabbat morning of Parshat R'ei, when we read that pasuk in the haftara. If you read the word as BONAIYCH, you will be instructed to reread it correctly - BANAYICH.

[5] SHAMOR ET YOM HASHABBAT L'KAD'SHO... Preserve the Shabbat... (from Va'etchanan, second version of the Aseret HaDibrot). SHAMOR ET CHODESH HA'AVIV... Preserve the spring month - make sure it is spring when you bring the Korban Pesach. Those are the only two times the phrase SHAMOR ET occurs in Tanach. There is one other occurrence with SHAMOR spelled without the VAV that it has the two other times. In Ki Tavo, Moshe and the Elders command the people to SHAMOR ET KOL HAMITZVA... preserve all the mitzvot...

[6] At the top of R'ei's ParshaPix there were three arrows crossed out. They represent the haftara of Machar Chodesh which did not preempt the haftara of R'ei as it ordinarily preempts the weekly haftara of Shabbat Erev Rosh Chodesh. And even those shuls that followed the haftara of R'ei with the first and last pasuk of the Machar Chodesh haftara did not read of the three arrows that were a signal between Yonatan and David.

[7] The small photo is of actor Raymond Burr in his signature role as Perry Mason. In 88 novels, 10 years worth of weekly TV shows, and several movies (not to mention a radio series and other media formats), Perry Mason proved himself worthy of representing, in TTriddle form, the mitzva in R'ei of questioning and cross-examining witnesses - V'DARASHTA, V'CHAKARTA, V'SHALTA HEITEIV...

[8] And that leaves us with the unmentioned - but no less so - TTriddle, namely the Word of the Month Mazal-Pic. Beginning with the torus that replaced Taurus for Iyar, we've had a Minnesota Twins baseball cap for Sivan, a crab (apple) for Tammuz, and Snagglepuss representing Av. To introduce Elul's mazal, here is the subject line of the email received from AW (another CD is due him), "yes, virginia, there is a symbol for the month" AW is correct that the symbol in the Word of the Month box is the outline of the state of Virginia, which was named for Queen Elizabeth the first, who was known as the Virgin Queen.

This week's TTriddles:

- [1] 27 79-47 (8 with 29), 39 47-79, (1 with 29)
- [2] Confused knowledge is surrounded by falsehood
- [3] oaths one witness
- [4] Besides righteous people, whose words?
- [5] plus 2 elements from the ParshaPixs, one of which is a double.