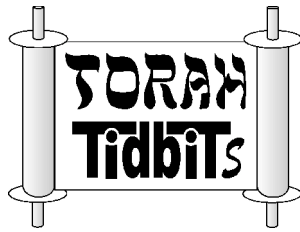




# 724



מטות-מסעי  
מברכים  
כ"ז תמוז תשס"ו  
July 21-22, '06



This Shabbat is the 292nd day (of 354); the 42nd Shabbat (of 50) of 5766

We read/learn the SECOND perek of Avot (Chu"l: 1st perek)

אָבינו מִלְפָּנוּ, בִּטְל מַחְשָׁבוֹת שׁוֹנְאֵינוּ.

## ACHEINU KOL BEIT YISRA'EL...

R' Eliyahu KiTov writes in his Sefer HaToda'a -- It is written in the Zohar that the month of Tammuz and the month of Av that follows it, are days of danger, and evil rules in the world in those days. "Fortunate is the person who merits to be saved from it."

We've got ourselves a "situation". We hope and pray that G-d will help the government and the IDF to succeed in their battles against the terrorists, their organizations, and the states that support, fund, and aid them.

We pray for the safety and well-being of the people of the north and south who are under attack, of the soldiers who are fighting for their safety, of all of the people of Israel - here and abroad.

What else can we do? Here's a multi-faceted plan...

There are several campaigns afoot to send food snacks and toiletry items to soldiers up north and on the Gaza front. NESTO (our youth group for Native English-Speaking Teen Olim) is collecting books in Hebrew to send to soldiers. Participate in one or more of these projects.

People in Jerusalem and other places in the country with the ability to house guests are offering their hospitality to our fellow Jews from communities under attack. If you would like to participate, please call us at 566-7787 ext. 204. If there is no answer, please leave your name and number and any relevant details (room for how many, Shabbat or weekdays, etc.).

Aside from prayer - see box on page 2 - and participation in any of the activities mentioned above or other similar projects, there is something else we can do.

If Tammuz and Av - if the 3 Weeks from 17 Tammuz through Tish'a b'Av - have anything to do with our troubles, then we need to rectify those flaws and faults in ourselves and our community that gave Tammuz-Av its negative flavor. Tammuz and Av are not intrinsically bad. It is because what we, the Jewish People have done (or not done) that brought about the calamities that are associated with 17 Tammuz and 9Av.

## Word of the Month



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

**Rosh Chodesh Av (always one day because Tammuz has 29 days in our fixed calendar) will be on WED, July 26th. When we bench Rosh Chodesh this Shabbat - and we most certainly do, despite some opinions that perhaps we ought not announce the coming of the month upon whose entrance, we minimize our joy - we refer to it as MENACHEM AV.**



ראש חודש מנחם אב יהיה ביום רביעי  
הבא עלינו ועל כל ישראל למנוחה:

The molad as announced:

המולד יהיה ביום שלישי תשע דקות וארבעה חלקים אחרי שש בערב.

which is TUE, 6:48pm Isr. summer time and in Rambam notation: ד' קס"ו

Actual molad: TUE 25 JUL 07:31 sum

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Regular and (earliest)  
**CANDLE LIGHTING & Havdala times**  
Israel Summer Time

Correct for TT 724 • Rabbeinu Tam (l'm) - 9:06pm		
<b>7:08pm</b> (6:17)	Jerusalem	<b>8:24pm</b>
7:25pm (6:19)	Raanana	8:26pm
7:24pm (6:17)	Beit Shemesh	8:25pm
7:25pm (6:19)	Netanya	8:27pm
7:25pm (6:18)	Rehovot	8:26pm
7:05pm (6:18)	Petach Tikva	8:26pm
7:24pm (6:18)	Modi'in	8:25pm
7:23pm (6:17)	Be'er Sheva	8:24pm
7:22pm (6:16)	Gush Etzion	8:23pm
7:24pm (6:18)	Ginot Shomron	8:25pm
7:08pm (6:16)	Maale Adumim	8:23pm
7:23pm (6:17)	K4 & Hevron	8:23pm
7:15pm (6:18)	Tzfat	8:26pm

Ranges are FRI-FRI • 25 Tamuz • 3 Av • (July 21-28)

Earliest Talit & T'filin - 4:51-4:56am  
Sunrise - 5:47½-5:52am  
Sof Z'man K' Sh'ma - 9:16-9:18 am (8:23-8:26am)  
Sof Z'man T'fila - 10:26-10:27am (9:50-9:53am)  
Chatzot (halachic noon) - 12:45½-12:45½pm  
Mincha Gedola (earliest Mincha) - 1:21-1:21pm  
Plag Mincha - 6:17-6:13pm  
Sunset - 7:48-7:44pm (7:43-7:39pm)

In the Wolinetz Family Shul  
OHEL SHMUEL (entrance floor)  
Early Shabbat Minyan  
**Mincha 6:02pm** (before PLAG)  
Shabbat Shiur 5:00pm Mincha 6  
**Rabbi Yaakov Moshe Poupko**

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# Aliya-by-Aliya

## Sedra Summary

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

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

## Kohen - First Aliya - 16+12=28 p'sukim - 30:2-31:12

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

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

## MitzvaWatch

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

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

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

**SDT** Commentaries point out that the People were reluctant to comply because they knew that Moshe would die shortly after successful completion of the battle. Moshe, on the other hand, enthusiastically complies with G-d's command, his personal interests to the contrary, notwithstanding. The Chatam Sofer notes that when G-d commands the battle against Midyan, He calls it NIKMAT BNEI YISRAEL, a revenge for Israel's sake. When Moshe calls the people to battle, he refers to revenge for G-d's honor. If the people would be fighting for their own honor, they might forgo

the battle and not hasten Moshe's end. But to avenge G-d's honor, they dare not refuse.

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

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

## Levi - Second Aliya - 12+17+13=42 p'sukim - 31:13-54

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

**SDT** The SHLA "H HAKADOSH asks and answers: Why did Moshe get angry with the officers for leaving the women of Moav alive? They were not commanded to kill them? He says that we are held responsible for things our logic tells us, even if we were not directly commanded. And we learn this from here.

[S> 31:21 (4)] Elazar HaKohen sets down the laws of purification of vessels. Many of the details of "kashering" and "toveling" of vessels are derived from here.

[S> 31:25 (30)] G-d tells Moshe to order a counting of the spoils of war. The booty is to be divided equally between the soldiers on the one hand and the People on the other. Taxes of 1/500 were imposed upon the soldiers. Detailed itemization takes up many p'sukim of this portion.

And then the half that went to the people is itemized. A tax of 1/50 (the standard amount for Truma) is imposed upon the people. These taxes were turned over to Elazar HaKohen. Detailed itemization takes up many more p'sukim.

The officers approach Moshe with more gifts of gold in thanks to G-d for not losing even one person in battle.

## Shlishi - Third Aliya - 19 p'sukim - 32:1-19

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

Note the unusual pasuk, 32:3, in which each of its 9 words is the name of a city. Rashi just mentions that these were cities in the former territory of Sichon and Og. Targum Onkeles, interestingly, does not leave the city names as they are in the Torah - which is usually the case, but he renders the names into Aramaic.

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

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

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

## R'vi'i - Fourth Aliya - 23+10+39=72 p'sukim - 32:20-33:49

The fourth Aliya is always the BRIDGE Aliya between two sedras when they are combined. This particular R'VI'I is THE longest Aliya in the Torah. There are seven sedras in the Torah with fewer p'sukim than this Aliya.

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

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

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

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

## Travelog

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

From Ra-m'ses (0) to Sukkot (1) to Eitam (2) to Pi HaCherot (3) to Mara (4) to Eilim (5) to Yam Suf (6) to Midbar Sin (7) to Dafka (8) to Alush (9) to R'fidim (10) to Midbar Sinai (11) to Kivrot HaTaava (12) to Chatzeirot (13) to Ritma (14) to Rimon Peretz (15) to Livna (16) to Risa (17) to K'heilata (18) to Har Shefer (19) to Charada (20) to Mak'heilot (21) to Tachat (22) to Terach (23) to Mitka (24) to Chashmona (25) to Moseirot (26) to Bnei Yaakan (27) to Chor HaGidgad (28) to Yotvata (29) to Avrona (30) to Etzion Gever (31) to Midbar Tzin (which is Kadesh) (32) to Hor HaHar (33)...

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

Not only is this the only Yahrzeit mentioned in the Torah, but it is interesting that the date is NOT mentioned in Chukat, where we read of Aharon's death. It appears here in the recounting of the episode - on Shabbat M'vorchim Av.

[S> 33:40 (10)] The Torah then tells us again that our presence was noted by the K'naani king of Arad in the Negev of Eretz Yisrael. We know from earlier in the Chumash, that the K'naani attacked the people after Aharon's death, but that is not mentioned here. Rather, the list of places then continues...

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

Apparently, the counting of the encampments includes their first point of departure, which we marked as 0. So the number 42 holds.

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

The first stop out of Raamses is SUKKOT, G'matriya = 480, the number of years from the Exodus until the building of the First Beit HaMikdash - the arrival of the People EL HAMENUCHA V'EL HANACHALA (D'varim 12:9). So just the first leg of the wandering represents

(numerically) the major first (and second) leg of the journey of Jewish History.

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

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

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

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

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

(Although our numbering of the places identifies Chashmona as the 25th, we only ended up with 41 places. If we were to renumber Egypt as 1, then Chashmona will not work out. If someone can help with this slight problem, please let us know - tt@ou.org)

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

## **Chamishi - Fifth Aliya - 22 p'sukim - 33:50-34:15**

**[S> 33:50 (7)]** G-d speaks to Moshe in Arvot Moav and commands the People to enter, conquer, acquire, and settle the Land, according to the "Divine Lottery". This is one of the 613 mitzvot according to Ramban - The mitzva of YISHUV ERETZ YISRAEL, the mitzva to live in Israel. Ramban says that this mitzva applies in all times, including our own.

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

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

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

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

## **Shishi - Sixth Aliya - 14+8=22 p'sukim - 34:16-35:8**

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

Elazar and Yehoshua are the overall leaders of the Nation. Kalev b. Yefuneh is the leader of Yehuda. Shimon: Shmuel b. Amihud. Binyamin: Elidad b. Kislon. Dan: Buki b. Yogli. Menashe: Chaniel b. Eifod. Efrayim: K'mu'el b. Shifatan. Zevulun: Elitzafan b. Parnach. Yissachar. Paltiel b. Azan. Aher: Achihud b. Shlomi. Naftali: P'dah'el b. Amihud.

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

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

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

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

## **Sh'vi'i - Seventh Aliya - 26+13=39 p'sukim - 35:9-36:13**

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

It is forbidden to kill a murderer until he stands trial and

is found guilty [409,L292 35:12].

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

## MitzvaWatch

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

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

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

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



Last 3 p'sukim are reread for the Maftir.

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

This is the 2nd of the 3 Tragic Haftarot read during the Three Weeks. It is the continuation of last week's haftara. In fact, these two haftaras

are the only continuous portions of the Prophets read as haftaras on consecutive weeks.

G-d, speaking through the prophet, chastises the People of Israel for the terrible double sin of forsaking Him AND turning to gods who are nothingness. Repeatedly, we are asked how it was possible that we turned away from G-d so. Terrible punishment for this betrayal of G-d is prophesied. The haftara ends on the hopeful note that if we return to G-d, then He will return to us and restore His special relationship with us.

Some end the haftara with 4:1-2

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

Lesson 340

### Opening Businesses in Residential Neighborhoods

Reuven, a doctor, is an owner of an apartment in a multi-owned apartment building. Reuven desires to open a medical practice there. The same would apply no matter what type of practice he desires to operate there, a law office; an accountant's office; a sales room; etc. The question involved is, if the office will attract many patients and increase traffic in the building, so when the current occupiers of the building want to use the elevator or are in the hall there are always patients coming and going. Our discussion assumes that this building was always operated as a residential building and apartments were always sold for residential purposes. There are, of course, many apartment complexes where space is originally designated for professional offices, this is not the case of which we speak. In halacha, any resident of the apartment building can go to Beth Din to obtain an injunction to prohibit Reuven from opening his practice. The same applies to residential complexes. Any owner who has an apartment that egresses into the same complex may go to Beth Din to obtain an injunction to prohibit Reuven from opening his business. The case of apartment complexes is more difficult than just one apartment building, since there is an opinion that only a tenant in the same apartment building can enjoin Reuven but not a member of another building in the complex.

The foregoing laws apply even if all but one of the residents of the building or complex agree to Reuven's request to open his office. Reuven may be enjoined from opening his office. Reuven can be enjoined even if he has already opened his office. This is so even if Reuven has maintained his office for three years, which is ordinarily enough time to obtain a presumption in halacha to maintain the status quo. A resident of the building or complex may not lease his apartment to a tenant who will attempt to open an office or business. This should hold true even if the owner cannot find any other lessee. However, any resident may sell his apartment, even though he knows that the purchaser wishes to open a business or office. During Talmudic times, and unfortunately during many subsequent periods of Jewish history, Jews were persecuted by their non-Jewish neighbors. Thus an apartment could not be sold to a non-Jew if it was thought that he would use the apartment for an office or business, since the Jews

could not successfully obtain an injunction against the non-Jew in the secular courts, or most often were afraid to take the non-Jew to court. If a person does purchase an apartment in such apartment house or building complex, he may then have to face the risk of being enjoined from opening a business or office. The seller has no more interest in the apartment that he sold. A lessor, however, retains his interest in the apartment and must know the purpose for which the tenant is renting the apartment and thus the owner is an interested party.

Assume that Reuven wishes to open a manufacturing facility in his apartment. He may do light manufacturing that does not create noise or vibrations in his apartment, if he will sell his product outside of the apartment building or apartment complex. If Reuven was already engaged in manufacturing in his apartment, he has acquired a presumption to continue manufacturing there. In this respect manufacturing differs from a professional office or sales business. In the latter situations, the fact that Reuven has conducted them for some time did not permit him to acquire a presumption to continue their operation; he could even after many years be enjoined from such activities. However, in the case of manufacturing, once it has been acquiesced to, Reuven can no longer be enjoined.

There are some businesses that entail accomplishing a commandment from G-d, such as teaching Oral Torah to students. In such instances, the inhabitants of the apartment building or complex cannot enjoin the teacher from teaching the students, although the students coming and going to the teacher increases the traffic in the building. The same applies to other commandments. Although the practice of medicine may save lives and is thus the performance of an important commandment, it need not be performed in this apartment. It can be done in a medical facility, or the doctor can make house calls. Assume a situation where Shimon already operates an office, business or manufacturing facility in the apartment building or complex, then there are two opinions whether Reuven may open his office, business or manufacturing facility. According to one opinion, once there is such a business operated there by Shimon, Reuven cannot be enjoined from opening or operating such a business. The reason for excluding him if there is no such business there, it is to prevent the increase in traffic. Since such a business already exists, there is already a great amount of traffic and obviously the resident's neighbors are used to it. Reuven's business merely adds to the existing traffic. If the type of business that Reuven does will greatly increase the traffic, he can be enjoined. The fact that Reuven will now be competing with Shimon's existing business does not play a role in the law, since each conducts his own business in his own apartment. If Reuven is from another city, he may be enjoined if he does not pay taxes to the city as does Shimon. For example, there may be an income tax that is payable where a person has his principal residence. It may be that Reuven has his principal residence in City A and he wants to open a business in City B. According to a second opinion, Shimon can obtain an injunction to prevent Reuven from opening up his competing business in the same apartment complex. This assumes that he will draw his clients, patients, and customers from the same apartment building or complex. If he is manufacturing and sells away from the apartment building or the complex, then Reuven cannot be enjoined. Reuven will be

enjoined if he does not pay taxes in the city. If he pays taxes and owns or rents an apartment in the complex, he may enter upon the business.

Merchants, who sell spices and other articles necessary for the Jewish housewife, cannot be enjoined from peddling their wares from house to house. This was one of the ten decrees that were enacted by Ezra in the fifth century b.c.e., when he returned from Babylon at the beginning of the period of the Second Temple. The spice merchant cannot, however, maintain a residence in the apartment building or complex without the consent of the other residents therein. If the spice merchant is a Torah scholar, he may maintain an apartment there.

*The subject matter of this lesson is more fully discussed in volume V chapter 157 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*

## TANACH

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

#### These are the Sons of Yaakov [1]

Names are not something technical but are the nature, definition, and essence of the person or thing named. The very first act of Adam after his creation was naming: "G-d drove all the animals and birds together and brought them to Man, and everything that Man as a living person called names that is its name (B'reishit2:19); Man tested all living creatures in their characteristics and listed them according to what they impressed him as being" (Rabbi S. R. Hirsch). "In the same way that we connect with our fellows physically through bodily contact, so a spiritual bond is created when we use their names. The Torah says: 'These are the names of Bnei Yisrael descending into Egypt' (Sh'mot 1:1). This shows that even while descending into the impurity of Egypt there was still a spiritual connection between them through the calling of their names" (Baal Shem Tov).

When Hashem changed Avram to Avraham and Sarai to Sarah, this was not merely a change in their names but heralded the realization of His promises through a son that was to be born to both of them. Yaakov is changed to Yisrael; this is a change from Yaakov, the one who grasps the heel of Eisav, the downtrodden one, the one in galut, to Yisrael, the one who has power with G-d and with men. "In the verse 'and Moshe was the most humble of all men, anav', is spelt without a yud. Moshe took that yud and added it to Yehoshua's name in order to teach him the merit of humility that is essential to Jewish leadership "(Shem Mi- Shmuel). The choice of names that we give to our children, show our own value judgments, aspirations and ideological basis. When we name a child after a noble person, a saintly one, or after some spiritual occurrence, we are providing the child and the future with a guide that we wish them to follow. When students of mine were named Nimrod and Hagar, their parents were knowingly approving the antithesis of Avraham

and Sarah. When we Hebraized our gentile surnames, we expressed our freedom from the yoke of Golah, through statehood. When in kibbutz we had a host of generals from the Tanach and a whole treasury of agricultural and nature terms, but no names of the Avot or Imahot, the break with our past and the desire to assimilate into the secular Israeli culture was clear, just as the giving of non-Jewish names even by religious Jews in the Golah, was and is an identification with the gentile world.

"There are 4 types of names. Those whose names are pleasant but their actions are not, such is Ishmael, G-d hears, but he does not hear the word of G-d. Those whose names are unpleasant but their actions are pleasant, such as those of the Golah who nevertheless returned from Bavel with Ezra. Those whose names are unpleasant and so are their actions such as the Meraglim like S'thur, Nasi of Asher who was without yosher. Those whose names are pleasant as are their actions, these are the Tribes; Reuven, of whom Leah said: "See the difference between my son and that of my father-in-law. His son, Eisav sold his birthright willingly to Yaakov and then sought to kill him while mine, Reuven, did not, nevertheless he did not object when his birthright as first-born was taken from him and given to Yosef, Yehuda, and Levi" (Yalkut Shimoni, 126).

So the names of Yaakov's children reveal the circumstances of their birth, their characters, and foretell their history. Not only the names but the order in which they appear in various places in the Torah, is related the specific purpose of the listing and a reflection of their spiritual roles. The names engraved on the Shoham, onyx stones on the shoulders of the Kohen Gadol, were according to the order of the birth of the Tribes except that Yehuda is inscribed first. This is either because he and his descendants are destined to be the kings or because his name alone contains all the letters of Hashem's Name (Torah T'mima). Reuven heads the Tribes in the census before they are to begin their journey from Har Sinai, where he is referred to as the firstborn of Israel even though that inheritance was transferred by human courts to Yosef, but because of Reuven's t'shuva G-d here retained his honorable status (Soforno, B'reishit 1:20). In the same listing, the sequence of Leah's sons is interrupted after Shimon, in favor of Gad, placing him before Yehuda, who was his senior. This is because Levi, being excluded in this census, the 5 sons of Leah would not have constituted 2 camps in the order of encampment. So, Gad the son of Zilpa was added to them, but in deference to him being the first born to his mother, he was placed before Yehuda (Ramban). In the order of the camps and their place during the journeying in the desert, we find that these were not in sequence of birth nor according to the mothers, but the vanguard was the camp headed by Yehuda, of whom it is written, 'He is a young lion', and by Dan, 'who will represent the rights of his people', in the rear. These most dangerous positions were headed by the most warlike and strong tribes.

"There is a reference to the redemption of Israel in the names of the Tribes:

Reuven; In Egypt Hashem said, "I have surely seen the suffering of My People" (Shmot 3:7).

Shimon: In Egypt, "G-d heard their groaning" (Shmot 2:24).

Levi: At the End of Days, "And many nations shall join them" (Zecharia 2:15).

Yehuda: At the Geula, "In that day you shall say, 'G-d, I will praise You'" (Yishayahu 12:1).

Dan: In the Brit Bein Habetarim G-d promised Avraham, "And also that nation whom they will serve, will I Judge and afterwards they will come out with great wealth "(Ber. 15:14)" (B'reishit Rabba).

"Part of our spiritual strength comes to us by virtue of our being part of Klal Yisrael, like the stars of whom it is written: He gives them all their names" (Ps. 147: 4). Part of our spiritual strength comes from our own individuality as: "See I have called by name Betzalel... and I have filled him with the spirit of G-d" (Sh'mot 31:2-3)" (Shem MiShmuel).

*This is installment #137 in Dr. Tamari's series on "Tanach and its messages for our times"*

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

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



If one buys a home for \$100,000 and sells it 25 years later for \$250,000, should he pay ma'aser kesafim on the net gain of \$150,000 or can he subtract from the net gain for inflation, mortgage payments, improvements, or other matters?



Few classical sources discuss this common matter these days. This can be explained by changes in economics. Our point of departure is that the sale of a home obligates one in ma'aser on the net gain, as Igrot Moshe, Yoreh Deah II, 114 assumes. However, some of the

technicalities in arriving at the real net gain make it almost impossible to arrive at an exact figure.

Rav M. Feinstein (ibid.) deals with halacha's outlook on inflation's erosion of a currency's value. There are complicated reasons that despite inflation, one who borrows \$1000 returns \$1000, and if he gives more, he violates the prohibition of RIBIT. Regarding ma'aser kesafim, though, he said to adjust the price for inflation to determine the real gain. However, he felt that the government's publicized Consumer Price Index (or madad) is not correct for our context; rather, we should consider only basic, not luxury items. In practice, the CPI may still be the most realistic tool people have access to.

Regarding a mortgage, it does indeed raise the expense of buying the home. However, a major component of that cost is due to the inflation component of the mortgage. Thus, if one took off for 25 years of inflation, he cannot also take off the full added payments of the mortgage. Presenting a mathematical system to deal with this is not practical in this forum.

Certain taxes, home improvements and upkeep that are needed to maintain or raise the house's resale value may also be deducted. However, much work done in a home over 25 years is more related to quality of life during those years than to the home's resale and may not be deducted.

One could claim that the practice of ma'aser is not geared for the purchase and eventual sale of residential real estate, assuming the funds used to buy it were "after ma'aser". When Chazal extended (by their understanding of p'sukim or rabbinic decree or advice) the concept of ma'aser from agricultural produce to include other earnings, they addressed primarily business dealings (see Tosafot, Ta'anit 9a). When one buys \$1000 of merchandise to sell it shortly for \$1500, that is commercial activity to create earnings and is obligated in ma'aser. When one uses earnings from which ma'aser was taken to buy a home to live in that is a matter of consumption not commerce, and he need not give further ma'aser if its price goes up. The question is whether selling it creates a new obligation. One could distinguish between one who bought real estate in order to sell at a profit and one who sells because he needs to change his home for some reason. The case to exempt is strongest when one needs all the proceeds to buy a new home. If two people swap homes, intuition dictates that neither would have to pay for the previous appreciation. It is not clear that is different from a case when one receives money but does so to enable him to pay for a new home.

The prevalent position (see, for example, She'eilat Ya'avetz I, 6) is that calculating ma'aser kesafim is only a proper minhag, not an outright obligation. This justifies being lenient regarding calculations and machlokot, especially if that was one's stated intention when starting the practice. However, ma'aser kesafim is not a simple custom. Rather, it is the recommended, average level of fulfilling the mitzva of tzedaka (see Shulchan Aruch, YD 249:1). One should always want to give tzedaka generously. Cash flow issues often make it difficult, and the sale of a home may give one the opportunity to do so. It may also be a time that one realizes that his home purchase decades before was Divinely blessed and a good time to give significant contributions to those in need. Thus, the question of whether there is a formal obligation of ma'aser, which is anyway hard to calculate, is almost moot.

*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](http://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](mailto: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

**Though we are sometimes much better off being wrong, we would still rather be right.**

From "A Candle by Day" by Rabbi Shraga Silverstein

A Candle by Day • The Antidote • The World Of Chazal by Rabbi Shraga Silverstein • Now available at 054-209-9200

## [3] CHIZUK and IDUD

for Olim & not-yet-Olim respectively

In this week's haftara, the prophet Yirmiyahu has the following prophecy: "And I will bring you to the fruitful land, to eat its fruits and its plenty..." This verse is puzzling. After all, did Hashem bring us into the land of Israel in order for us to eat fruits? Surely, there are fruits outside of the land of Israel as well!

A similar formulation is found in the Al Hamichya blessing recited after eating the seven fruits with which the land of Israel is blessed. We ask Hashem to allow us to eat the fruit of the land: "Rebuild Jerusalem, the city of holiness, speedily in our days. Bring us up into it and gladden us in its rebuilding and let us eat from its fruit and be satisfied with its goodness and bless you upon it."

The holiness of the land is evident not only in the performance of the mitzvot dependent upon the land. The land of Israel is unique in that performing seemingly mundane acts, such as eating its fruits and working the land, can be considered acts of holiness.

The Talmud (Sanhedrin 98) teaches that one of the sure signs of the coming redemption is the abundance of fruit produced in the land of Israel. Anyone who visits Israel today can easily see that Hashem is expressing His love of the people of Israel by returning us to His land and causing the land to produce an abundance of fruits of the highest quality.

**Avraham Hermon, Har Bracha**

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

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

R' Zalman, son of R' Uri of Vilna, was a very learned and wealthy man. He made a point of helping others in need by giving them interest-free loans. Small merchants, storekeepers and tradesmen would come to him when they needed money, and he would happily lend them what they needed, and would allow them to pay back their loans bit by bit.

Once a man came to him for a loan. The man needed 300 rubles for ninety days. R' Zalman had never seen the man before and asked: "Do you have anyone that can act as a guarantor?"

"No," said the man, "I am new here."

"I'm sorry," said R' Zalman, "I need a guarantor for the money."

Tears started running down the man's face as he turned to leave.

"Just one second," said R' Zalman. "Isn't there a single person in the entire city who can serve as a guarantor for you?"

"No," said the man. "My only guarantor is Hashem Himself."

"Well, if that's the case," said R' Zalman, "we couldn't ask for a better guarantor than that."

He took a piece of paper and wrote on it, "He that has pity upon the poor lends to Hashem" (Mishle 19:17). He placed this paper among his loan documents, and gave the man 300 rubles.

Ninety days later the man returned and told R' Zalman: "Hashem helped me in my business venture, and I have come to pay my debt."

"I'm sorry," said R' Zalman, "I can't take the money. The debt has already been paid."

"By whom?" asked the man in astonishment.

"By your guarantor," replied R' Zalman. "He paid me what I had given you. That very day when you were here, after you left, a business deal presented itself to me and I made a profit of exactly 300 rubles."

The man, though, was adamant in insisting on repaying the loan. In the end they agreed that the money would remain with R' Zalman to be used for loans to others, and that the future mitzva would be considered as belonging to both of them.

*Shmuel Himmelstein 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] Parsha Points to Ponder - Matot-Mas'ei

1) When G-D commanded Moshe to fight the Midianim, He said that revenge should be taken for the Children of Israel (see 31:2). Why, then, did Moshe tell the Jews to take revenge for G-D? (31:3)

2) Why did the Jewish people wait until after the laws about purifying their utensils before bringing their sacrifices instead of offering them immediately after winning the battle? (see 31:49-50)

3) Why is an accidental murderer set free from the city of refuge upon the death of the Kohein Gadol?

## THESE ARE THE ANSWERS

Ponder the questions first, then read here

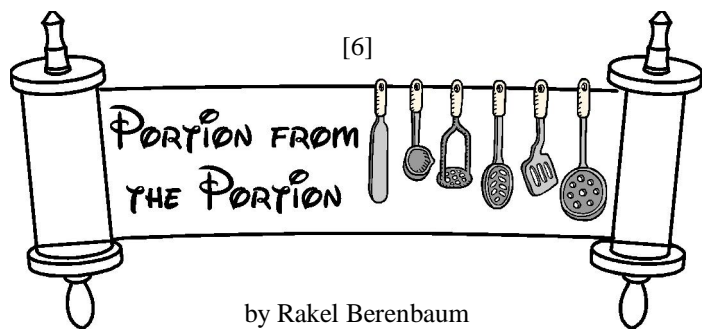
1) The Kli Yakar explains that G-D was concerned with avenging what the Midianim did to the Jewish people and not their inherent challenge to Him. Moshe was concerned that the Jews would not take this personal revenge since they knew that Moshe was going to die after this battle. Therefore, Moshe told the Jews that it was revenge for G-D which they would surely act upon.

2) The Chidushei HaRim teaches that the Jews initially thought that no sacrifice was needed since their sin was one of improper

thoughts when the Midianite women were enticing them. However, once they were taught that that a completely pure vessel must still be purified because their walls might contain some prohibited taste, they realized how far they must distance themselves from sin and that even improper thoughts were a sin. At that point they offered sacrifices to atone for their sins.

3) The Abarbanel answers that the relatives of the victim will be deeply impacted by the death of the Kohein Gadol. The realization that even the great Kohein Gadol ultimately meets his end with death will lead the relatives to squelch their desires for revenge, thus permitting the accidental murderer to safely leave the city of refuge.

*Parsha Points to Ponder is prepared by Rabbi Dov Lipman, who teaches at Reishit Yerushalayim, Tiferet, and Machon Maayan in Beit Shemesh and RBS and is the author of "DISCOVER: Answers for Teenagers (and adults) to Questions about the Jewish Faith", soon to be re-published by Feldheim ppp@israelcenter.co.il*



by Rakel Berenbaum  
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## A thousand from each of Israel's tribes; a thousand from each of Israel's tribes

In the portion of Matot, Moshe is told to prepare the nation for battle, to "take revenge" against the Midianites. After the battle Moshe will die. One thousand men from each tribe were to be selected for the armed force. Rashi says that 1000 men were also sent for the tribe of Levi. And yet in verse 31:5 it states that there was a total of 12,000 troops. There should have been 13,000. Why is there this discrepancy?

Rashi says that when the nation heard that Moshe's death was contingent on fighting this war they didn't want to join the battle. 12,000 had to be brought against their will - "vayimasru" (31:5). The Admor of Gur says that the 1000 from the tribe of Levi came on their own just like they had defended the name of Hashem and killed their brethren at the sin of the golden calf. For Levi, the honor of Hashem always came before sentiments. So in all there were 13,000 combat soldiers, 12,000 who had to be brought and 1000 who came of their own free will.

Rashi says that from here we learn how dear a leader is to the people of Israel. Although they may have complained about him throughout his life, when the question of his imminent death arrived, they realized how much he had done for them. He hadn't been a weak leader who had given in to all their complaints, but had tried to educate and care for them and did everything in their best interest at the word of Hashem.

Verse 31:4 says "one thousand for each tribe" twice. From here Chazal learn that each tribe sent 1000 soldiers

to fight and 1000 men to pray. Both were important to win the battle. The same today - all the nation must be with our soldiers in prayer to help the IDF win our battles of revenge against our enemies and the enemies of Hashem.

## THOUSAND ISLAND DRESSING

This dressing was named for the Thousand Island region of upstate New York, where it originated. It's related to the sedra because of the thousands of soldiers that were enlisted.

- 3 cup low-fat mayonnaise
- 2 Tbsp ketchup
- 2 Tbsp fresh lemon juice
- 2 Tbsp minced bell pepper
- 1 Tbsp minced onion
- 1 Tbsp minced fresh parsley leaves
- 1 Tbsp sweet pickle relish
- Pinch of cayenne
- ¼ cup water
- Salt and freshly ground black pepper to taste

In a blender puree all ingredients until smooth, adding additional water if necessary to thin to desired consistency. Cover and refrigerate. It increases in flavor with refrigeration time, so it is best if chilled overnight before using. Keeps for 1 week. This makes about 1 cup of low-fat dressing. If you want a full-fat version, omit the water and add in 8 cup more of full-fat mayo.

## [7] Torah from Nature

Go to the ant, you sluggard; consider her ways, and be wise... (Mishlei 6:6)

Ants are among the most successful insects... estimate more than 20,000 species of ants in the world... found in deserts and rain forests, mountains and valleys... differ from most other insects in that they are social... live in large cooperative colonies... primary function of the queen is reproduction... may live for many years... male ants are generally winged and usually keep their wings until death... only function is to mate with the queen. Once he does, he dies... Workers are sterile, wingless females who build and repair the nest, care for the brood, defend the nest, feed both immature and adult ants, including the queen... largest ants exceed an inch in length (2.5cm)... smallest about 1mm... some kinds of ants raid colonies of others, and enslave the young.

## [8] A pre-Nine Days reminder

Because of the restrictions of laundering clothes during the Nine Days, and the additional restriction of wearing freshly laundered clothes, it is a good idea to prepare for the Nine Days before Rosh Chodesh by taking several clean shirts, etc. and wearing them each for a brief period of time. This way, they are not considered freshly laundered and may be worn during the Nine Days. (For Shabbat during the Nine Days one may wear freshly laundered clothes.) Clean underwear is considered a

hygienic necessity and not a luxury and therefore may be worn without the "pre-9 days processing" of outer clothes. So too, if one runs out of clean underwear during the Nine Days, he may wash them in private.

Next week's TT will IY"H have a review for Shabbat Chazon, Erev 9Av, and Tish'a b'Av.

## [9] Divrei Menachem

Parshat Masei opens with an elaboration of the journeys of Bnei Yisrael in the wilderness. Our rabbis tell us that the detailed enumeration of the various places is a metaphor for life; that the careful record of each sojourn is like a diary kept by a traveler on an important mission whose every step has meaning and consequence.

In the parsha, 42 encampments are recorded. And in the Shema prayer we are enjoined to speak 'about them' (the teachings of Hashem), the Hebrew numerical equivalent of which is also 42. Thus, each of the sojourns can be thought of as embedding a teaching of Hakadosh Baruch Hu.

Moreover, our Sages, citing Rashi on the opening sentence of Parshat Mishpatim, indicate that the introductory phrase to the journeys, "Eileh", meaning 'these', teaches that each step of the journey in the wilderness was a correction (Tikun) for the previous stage.

No wonder then that the Torah tells us that these travels were in the hands of Moshe and Aharon (Bemidbar 33:1). For it seems that as the people progressed, their attitudes and behavior were increasingly shaped in the spirit of Torah. For even when they were troubled and rebellious, each of the journeys took Am Yisrael one step closer to the fulfillment of their spiritual destiny in the Promised Land. That, indeed, is a metaphor for today.

**Shabbat Shalom, Menachem Persoff**

## Towards Better Davening and Torah Reading

More TTreader Feedback on MISPLACED PAUSES

YL writes...

After avidly reading the discussion on Ha-Melekh HaYoshev..., I find that there is something missing from the Ed. note.

There are obviously two well-supported opinions about the meaning of the words, "HaMelekh HaYoshev 'Al Kisse Ram ve-Nissa".

Either one is viable and obviously equally valid, but the suggestion, "Maybe one should read this phrase without any pause, in order to leave the meaning ambiguous" is really bad. Leaving the meaning ambiguous does not mean leaving both meanings intact, but rather destroying both. One cannot mean both of these at the same time (Shamor v'Zachor was something G-d could do, not us Jews).

It is infinitely better to decide which of the two meanings we wish to express at any particular prayer session and to pause accordingly.

DK contributed a few more misplaced pauses in davening. Take the phrase in ANIM Z'MIROT:

## CHAVASH KOVA YESHU'A B'ROSHO

The proper place to pause is between Y'SHU'A and B'ROSHO. In this case, what puts the pause in the wrong place is the melody. Sing it to yourself and listen to the way it "naturally" comes out. To fit the melody and pause properly is no small trick. This leads to the general question as to whether we can sacrifice proper phrasing for melody. It would seem that we should not. But it will require some practice to refit the melody.

The same applies to incorrect accents and probably to some mispronouncing, as well.

## 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.*

## Miracles in the Mikdash "Food for Thought"

*I have a question to ask you on Mishna 5:7 in Pirkei Avot - the 10 miracles that happened in the Beit HaMikdash. My problem is that when one takes a closer look at many of the so-called "Nisim" they do not appear (at least to me) as miraculous as they do at first glance. For example, the fact that no Keri befell the Kohen Gadol on Yom Kippur - when one views the enormous precautions described in Masechet Yoma to keep him awake at night precisely to ensure that he wouldn't become a Ba'al Keri (a man who had an 'unclean accident' and therefore disqualified from serving in the Mikdash), there doesn't appear to be anything tremendously miraculous about this. Or, that no P'sul (disqualification) was found in the Omer, Sh'tei Lechem (the two loaves of wheat offered on Shavu'ot) or the Lechem HaPanim - again, in view of the great lengths that were taken to search out the finest grain etc. - was this really such a great feat? And even the fact that there was always enough room to bow down in the BHM"K or that no one ever said that there is not enough room to sleep over in Jerusalem - may not have been so miraculous. In light of the verb "said" - i.e. no one ever gave vent to their true feelings, this implies that they really they were extremely pushed for space. They may never have expressed these feelings, but the problems of space were very real in the BHM"K. I'm not sure I can rationalize all of the "Nisim", but I would be interested to hear any thoughts you have on this intriguing subject. --Shimon*

How miraculous the "ten miracles wrought for our forefathers in the Beit Hamikdash" actually were is a very intriguing subject. The late lamented R. Irving Bunim, Darshan, author, and Orthodox activist, wrote, "Many of the extraordinary phenomena that the Mishna lists were helpful in the Sanctuary's ritual procedures, to let them go on without difficulties or interferences... Yet we read explicitly, 'Ten miracles were wrought for our forefathers' - they were for the benefit of the people of Israel. We can assume that each miracle was meant to impart some teaching to our forefathers. And if the Mishna recorded them for all future generations, they must have significance for us too" (Ethics from Sinai III pg. 61).

The Mishna graphically describes the "enormous precautions" designed to prevent the Kohein Gadol from becoming a Ba'al Keri on the eve of Yom Kippur. "If he was a sage, he used to expound [the Scriptures] and if not, the disciples of the Sages used to expound before him... If he sought to slumber, young members of the priesthood would snap their middle finger before him and say to him, 'My lord High Priest, get up and drive away [sleep] this once by [walking barefoot] on the [cold stone floor]. And they used to divert him until the time of slaughtering drew near" (Yoma 1:6,7). Tosafot Yom Tov, in his commentary on the Mishna, addresses this very subject. "There are those who have difficulties [with this Mishna]. Why should the Sages be apprehensive of the possibility that the Kohein Gadol could become a Ba'al Keri? After all, they take strict precautions to prevent this during the entire seven days that he is sequestered in the Mikdash before Yom Kippur (note Yoma 1:1). As a result, he certainly would be in a state of ritual purity and [especially] that night - the eve of Yom Kippur - the elders of the people did not cease 'hastening' him to prevent it. The answer to this question is that the good inclination and the evil inclination [within a person] struggle with each other like enemies. When one of them is almost defeated, it makes every effort to strengthen itself [to defeat the other]... Many people at the point of death will suddenly rally, strengthen themselves, and speak 'rationally' as if they were healthy. [Therefore despite the precautions taken by the Sages, on Erev Yom Kippur,] the Kohein Gadol is really very close to being a Ba'al Keri!" If a Kohein Gadol was ritually defiled and therefore unable to perform the Avoda, it was no great tragedy; an "understudy" could serve in his stead and the performed Avoda would be perfectly valid. "It was told of R. Yishma'el ben Kimchit (the Kohein Gadol) that he went out [of the Mikdash between two Avodot on Yom Kippur] and spoke with a certain lord and a drop of saliva sprayed from the [lord's] mouth onto the garments [of R. Yishma'el and thereby rendering him ritually impure] (Yoma 47a)." (The saliva of a Zav is an Av Hatum'a - a primary source of impurity. By rabbinic decree, all idolaters have the status of Zavim - Nida 34a) In this case, the Segan, the 'understudy', simply stepped in and continued the Avoda. However, as the Bartenura notes, since "the Keri comes forth from his (the Kohein Gadol's) body, it is the most shameful and repulsive (Meguneh u'Mecho'ar) of all impurities."

R. Bunim derives an important Musar Haskeil from this Mishna that we can appreciate in the light of the Bartenura's comment. "There was purpose, then, behind the 'miracle' that our Mishna records. If this particular cause of defilement never happened, Providence evidently wished to spare the feelings of the Kohein Gadol; such an occurrence would have brought him shame and loss of esteem, and doubly so as a mark that perhaps Heaven held him in disfavor. Hence, this was recorded not as an interesting, curious oddment, but for its moral for all generations long after the Sanctuary remained only a hallowed memory in our annals. Providence would not let a man suffer public shame." Bunim concludes, "Let us be as sensitive to the feelings of our fellow-man, in everything we do."

The Mishna reads, "Nothing was ever found in the Omer, the Two Loaves, or the Show bread to ritually defile them [and disqualify them from being offered in the Mikdash]. With reference to the Omer, the Torah says, "When you come into the land ... and reap its harvest, then shall you bring an Omer of the first of your harvest (i.e. barley, Menachot 84b) to the Kohein; and he shall wave the Omer before the Lord... on the day after the Sabbath (in this context, Sabbath refers to the first

day of Pesach... And you shall eat neither bread nor parched or fresh grain, until this very day, until you have brought the offering of your G-d" (Vayikra 23:10-11,14). Despite precautions, the Omer could still become ritually impure, e.g. it could be inadvertently exposed to a dead Sheretz etc. Should the cut barley, which had to be harvested at a specific time (Menachot 10:3), become ritually contaminated between the time of gathering until it reached the Kohein in the Azara, it could not be replaced. R. Bunim notes, "Scripture is clear: no bread or grain from the year's harvest might be eaten unless and until the Omer was brought. Should this sacred measure of barley have ever become ritually impure, it would have meant hardship for the people of Israel... Expecting the Omer to be offered the second day of Pesach, many everywhere would begin at once to eat bread (i.e. baked goods prepared) from the new crop and violate the Torah's law in all innocence... Where the people could not ensure their own safety against transgression, Heaven took a hand. The Omer never became Pasul." <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

An "oldie but goodie" ParshaPix

- 📖 Father and daughter; husband and wife. The two pairs involved in HAFARAT NEDARIM.
- 📖 Five crown plus one with a sword under it refers to the five kings and Bil'am who saw their end during the battle against Midyan.
- 📖 The face-to-face sheep, cows, and donkeys represent the even split of the spoils of war from Midyan, divided between the army and the rest of the people.
- 📖 The pot of gold refers to the contribution of the officers of the battle in thanks to G-d for the zero casualty rate. (And to the need to kasher and purify pots and other vessels taken in wars.)
- 📖 The Pyramids, the many arrows, and the outline of Israel, of course, stand for the travels of the people from Exodus to Eretz Yisrael.
- 📖 The quill refers to the Torah's statement that Moshe wrote down the travelog of Bnei Yisrael.
- 📖 The map above the Pyramids with a big 3 on each side of the Jordan River refers to the Cities of Refuge to be designated in Eretz Yisrael.
- 📖 The scales of justice are for the careful attention that the courts must pay in cases of homicide (the example from this week's sedra) in determining culpability of the guilty party.
- 📖 The road sign to Hebron is one of the requirements for Cities of Refuge (which Hebron is one of). Roads to them must be well-marked to facilitate the escape to them of one who committed a homicide, regardless of the outcome of his trial.
- 📖 The cow with the horns stands for the rare (this once only)

occurrence of the TROP called KARNEI PARA.

- 📖 The big rock under the sword is TZUR, the name of one of the late Midyanite kings. the mathematically incorrect statement, that a quarter is equal to a fifth. A quarter is REVA, one of the five kings (1/5) killed in the Midyanite battle.
- 📖 Lower-right is the logo of YOTVATA; the choir is for MAK-HEILATA; the Lulav for SUKKOT; the dreidel is for CHASHMONA - all names of places of encampment.
- 📖 There is another Chatan-Kallah, this time multiplied by 5, representing the daughters of Zelofchad who marry distant cousins to solve the old "land going from one tribe to another tribe" problem.
- 📖 The 2K over the U with a little attachment is a partner of the cow with the horns. ALPAYIM (2000) BAAMA from Bamidbar 35:5 is the phrase with the rarest TROP marks - YERECH BEN YOMO under ALPAYIM and KARNEI PARA over the word BAAMA.

## TTRIDDLES..

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

### Last issue's (PINCHAS) TTriddles:

[1] One false pause and 30,968 people go missing - from whom?

Several solvers got this one. It was based on a comment from the Towards Better Davening and Torah Reading about misplaced pauses. In the numbers of the counts (census) of each tribe, there is a pause in wrong place pitfall which technically changes the population number. Take, for example, the tribe of EFRAYIM (which happens to be the answer to this TTriddle).

These are the families of Efrayim according to their count: two and thirty thousand and five hundred. That is, of course, 32,500. And the proper place to pause when reciting that number is after the word thousand. But in Hebrew and with the TROP notes, it is easy to put the phrase in the wrong place. SH'NAYIM USHLOSHIM (2 and 30, i.e. 32) has the note combination of DARGA T'VIR. The way many (most ?) BKs (Baalei K'ri'a or Baal Koreis in English) naturally pause too long after a T'VIR. And they don't pause long enough after a TIPCHA, which is under the word ELEF. So it comes out sounding like 32 <pause> one thousand five hundred.  $32+1500= 1532$ . Subtracted from 32,500, you get a drop in population of 30,968. As we once pointed out, there are much more serious distorted results when the pause after a TIPCHA is not long, as it should be, and at the same time, there is too long of a pause after a T'VIR.

[2] Without the 10, the pair can rest

Ed. note: This one is of particular interest to me, my name being PINCHAS. PINCHAS is usually spelled PEI -

YUD-NUN-CHEM-SAMACH. To be specific, the name spelled that way occurs 24 times in Tanach, mostly referring to the son of Elazar who was the son of Aharon HaKohen. Four of the occurrences are in Torah - once in Parshat Va'eira when he birth is noted, and once each in the three consecutive sedras of Balak, Pinchas, and Matot. The other PINCHAS in Tanach is the son of Eli HaKohen and brother of CHOFNI. Not as good or as well-liked as the original Pinchas. There is also one reference to another Pinchas, father of Elazar (not son of). They were Leviyim.

The first syllable of the name is PI (PEI-YUD), the second syllable is N'CHAS, the SH'VA under the NUN is NA, it moves. Only once, Pinchas b. Eli HaKohen is spelled PEI-NUN-CHEM- SAMACH. In that case, without the YUD (without the 10, that is), the SH'VA is NACH. In other words, the pair (of dots that make a SH'VA) can rest (NACH).

[3] The third, the third, (the sixth,) the third

THE THIRD tribe whose count is recorded (GAD), THE THIRD pasuk of the parsha for Gad, mentions THE SIXTH son of Gad, names AROD, whose name is similar to ARAD which means BRONZE which is the medal awarded to THE THIRD place winner in various competitions.

[4] From him comes a confused oldest

This one too is from Shevet Efrayim. The him referred to is Efrayim's first-mentioned son, SHUTELACH. From him is MISHUTELACH, which is an anagram (confused letter order) of METUSHELACH, the oldest person whose name is recorded in the Torah. He lived to 969. BTW, HC, who was one of several solvers to get [1], was the only one to get this one too. KOL HAKAVOD.

## NachKwestion of the Week

Find people and places in Tanach who have a former name also mentioned in Tanach

E.g. Avraham (Avram), Beit El (Luz)

Here's an email from OI...

Hi! I am entering now my first TTriddle answer. I am responding to your recent call to read the TTriddle reports, even if we don't try to solve them each week. I really enjoyed this week's G'matriya and it has given me an incentive to try out this week's riddle. I will see it how it goes. I am really excited about it. [Ed.note: I like this guy!]

Here are some of his his additions to the above Nach-Kwestion:

- Re'uel, formerly Yitro (he had other names as well).
- Hebron, formerly Kiryat Arba.
- King Tzidkiyahu, formerly Matanya.
- Gilgal, formerly Givat Ha'arelot.
- King Yehoyakim, formerly Elyakim.
- Padan Aram, formerly Haran.
- Havot Ya'ir, formerly Eretz Habashan.
- Belshatzar, formerly Daniel (his three friends also had Aramaic equivalents).
- Yedidya (only rarely used), formerly King Solomon.

- Novach, formerly K'nat (last pasuk in Matot)

[Nice job, OI.

Contact us at tt@ou.org to arrange for your prize.]

TTriddles prize this week also to CF, a TTrreader from Buenos Aires for his work on [1].

### This week's TTriddles:

[1] consecutive places that explain "lions and tigers and bear..."

[2] Efrayim, Shimon, and Naftali each had one

[3] Fleishig in kivrot hataava. Where milchig?

[4] בני ישראל דוגי - who are they?

[5] Together they stir up the stone soup

[6] Pick any three: ד ח י כ ל מ נ ש ת

[7] SUN UP BAG CAFE

## NachKwestion of the Week

Pasuk in Torah most often read, How many times in 5766? In 5767? Different answer for Minhag Yerushalayim