

This Shabbat is the 299th day (of 354); the 43rd Shabbat (of 50) of 5766

We read/learn the THIRD perek of Avot (in Chu"l: 2nd perek)

אָבִינוּ מִלְכֵנוּ, בְּיַד מַחְשְׁבוֹת שׁוֹנְאֵינוּ.

## More Important than Medicine

You've got a serious condition, the doctor told his patient. You are alive, B"H, but your condition is serious. You must take the medicine I've prescribed. It might seem excessive to you, it might restrict your regular activities, but you must follow my instructions completely.

But there is something vastly more important than the medicine. And that is a change in your lifestyle. You must exercise more. You must change your diet and eat things that are good for you. You must avoid stressful situations.

Remember, the medications are a "holding pattern". They are necessary until your condition improves, but they will not make you better. It is the other things mentioned that can make you better. Do those right and you will live to see the day when the medicines will no longer be necessary. Again: Medicines - required. Exercise, diet, slower-paced, less stressful life - essential, literally vital.

The medicine is the body of halacha, minhag, practice of the Nine Days, of Tish'a b'Av. Must we follow the mournful practices and restrictions of these days? Definitely. But they are a "holding pattern", not a cure.

The cure, as we've written about frequently and as recently as last week, is a change in lifestyle. More exercise and better diet. Exercise of mitzvot and diet of Torah. We, the people of Israel, have suffered a major trauma that indicates serious problems in the national condition. The trauma is Churban Beit HaMikdash. Some of our problems include insufficient commitment to Torah and Mitzvot. Lack of love and concern for our fellow Jews. Lack of commitment to Eretz Yisrael. Some Jews say (or act as if) they have Torah and Mitzvot, what do they need Israel for. Others say (or act as if) they've got Israel, who needs Torah. Both are wrong. Exercise alone is not going to help our patient. Neither is diet alone.

Parshat D'varim always is the Shabbat before Tish'a b'Av. See its prescription for good (national) health and long life. Moshe told the people all that G-d commanded... he reviewed with them (us) the Torah, content and understanding.

## 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...

**There are different customs as to the name of the month; this is a popular and meaningful one.**

**We call the month Menachem Av when we announce it with Rosh Chodesh Benching.**



**We refer to it as Av for its first 10 days. After noon on the 10th, we call the month Menachem Av. This accompanies the comfort that takes over for the mourning of the first third of the month. We begin to feel it with NACHEIM at Mincha of Tish'a b'Av itself. We feel it on Shabbat Nachamu. We feel it on TU b'AV and with the haftarat that follow Tish'a b'Av until Rosh HaShana.**

**Mourning without Nechama is potentially destructive and devastating. With an eye to the fulfillment of the prophecies of Zecharya, it is constructive and hopeful.**

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

**OTHER Z'MANIM**  
Correct for Jerusalem

Ranges are FRI-FRI • 3-10 Av • (July 28 - Aug. 4)  
Earliest Talit & T'filin - 4:56-5:02am  
Sunrise - 5:52-5:56½am  
Sof Z'man K' Sh'ma - 9:18-9:20 am (8:26-8:30am)  
Sof Z'man T'fila - 10:27-10:28am (9:53-9:55am)  
Chatzot (halachic noon) - 12:45½-12:45pm  
Mincha Gedola (earliest Mincha) - 1:21-1:20pm  
Plag Mincha - 6:13-6:09pm  
Sunset - 7:44-7:38½pm (7:39-7:33½pm)

Regular and (earliest)

**CANDLE LIGHTING & Havdala times**  
Israel Summer Time

Correct for TT 725 • Rabbeinu Tam (l'm) - 9:00pm

<b>7:03pm</b> (6:13)	Jerusalem	<b>8:19pm</b>
7:21pm (6:15)	Raanana	8:21pm
7:19pm (6:14)	Beit Shemesh	8:19pm
7:21pm (6:16)	Netanya	8:21pm
7:20pm (6:15)	Rehovot	8:21pm
7:00pm (6:14)	Petach Tikva	8:21pm
7:20pm (6:13)	Modi'in	8:20pm
7:19pm (6:14)	Be'er Sheva	8:19pm
7:18pm (6:13)	Gush Etzion	8:18pm
7:20pm (6:14)	Ginot Shomron	8:20pm
7:03pm (6:13)	Maale Adumim	8:18pm
7:18pm (6:13)	K4 & Hevron	8:18pm
7:10pm (6:14)	Tzfat	8:21pm

In the Wolinetz Family Shul  
OHEL SHMUEL (entrance floor)  
Early Shabbat Minyan  
**Mincha 5:58pm** (before PLAG)  
Shabbat Shiur 5:00pm Mincha 6  
**Rabbi Chanoch Yeres**

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

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

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

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

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



intention to take the people out of Egypt, He also tells Moshe to where He is taking us, where He wants us to be.

In last week's sedra, the connection between the people and the Land comes in the form of a command.

Here in D'varim, Moshe tells the new generation of the "invitation" that was extended to them by G-d, to go into Eretz Yisrael. There will be various other ways the same idea is expressed.

*Within the opening 5 p'sukim of D'varim, there is a repetition of sorts in telling us that Moshe Rabeinu spoke to the People. The Vilna Gaon and others point out that the Book of D'varim can be divided into 3 parts, based on the wording of the opening p'sukim: "These are the things that Moshe spoke to all Israel..." (pasuk 1). This can refer to the first three sedras of the book wherein we have a general review of the brief, but action-packed and significant history of the People to date. In addition, these sedras contain a restatement of the principles of Judaism in the form of the Aseret HaDibrot and the first two passages of the Shma. Also expressed in this opening section of D'varim is the integral link between the People and the Land of Israel. These sedras contain relatively few mitzvot, but they do contain the "basics of Judaism" and its foundations, which are reviewed with "all of Israel".*

**SDT** *The following three sedras contain 170 mitzvot, the greatest concentration of mitzvot anywhere in the Torah. "...Moshe spoke to Bnei Yisrael of all that G-d commanded upon them" (pasuk 3). After laying the foundation of Judaism, Moshe presents the essence of day-to-day life as a Jew - mitzvot of all kinds, between the Jew and G-d, interpersonal mitzvot, mitzvot linked to the Land, general mitzvot.*

*The final section of D'varim, the last 5 sedras, again contains relatively few mitzvot. But it does contain the basis of understanding what being a Jew means. In these sedras we have the admonition against forsaking the Torah, the concepts of Free Will, Reward and Punishment, Repentance, the Chain of Tradition. "...Moshe began to explain this Torah saying:" (pasuk 5)*

I, says Moshe, told you (and G-d) that I could no longer handle the leadership alone. G-d has increased you population greatly; you are today like the stars of the heavens.

On Shabbat, the first Aliya is ended one pasuk early to avoid beginning the second portion with the word "Eicha".

## **Levi - Second Aliya - 10 p'sukim - 1:12-21**

Moshe tells the People again that he had reached a point where he was too weary to lead the People alone, and that he (at G-d's command) designated the leaders of the Tribes as judges of the People.

Judges are to be selected for their Torah knowledge and other appropriate qualities. It is forbidden to appoint a judge for "the wrong reasons" (wealth, charisma, connections - without the important qualities in place) [414, L284 1:17]. Judges must be fair and impartial and must not be afraid to render proper judgments [415, L276

1:17]. Moshe retained the role of final authority on difficult matters.

## **MitzvaWatch**

Even though these two mitzvot are primarily directed towards the leaders of the people whose task it is to choose judges and towards the judges themselves, respectively, there is an element of each mitzva that applies to each and every Jew. Every so often, we can be in the position of choosing someone to fulfill a task. Perhaps a communal function, a teacher, youth leader... whatever. For any of these choices, there are right reasons and motivations and wrong reasons and motivations to guide our choices. This mitzva [414] commands us to always choose based on the proper criteria. And many people find themselves in the position of making a judgment call. We may not be afraid to make a just decision, even in the face of possible unpleasant ramifications.

What was just said about these two mitzvot can apply to the many other mitzvot related to the justice system. There are formal judges, and then there are the rest of us who are put into the judge chair as parents, employers, co-workers, students, etc.

Once again, Eretz Yisrael is shown as the main focus and the People are urged not to fear what lies ahead.

On the phrase from 1:16 - Hear it among your brothers and judge fairly - the Gemara teaches us that judges may not hear one party to a case without the other present.

In the same pasuk, the reference to the convert in the context of judging teaches us that conversion to Judaism must be done by a Beit Din. The Gemara states that if a non-Jew decides on his own that he is Jewish, this does not constitute conversion. A Beit Din is required.

## **Shlishi - Third Aliya - 17 p'sukim - 1:22-38**

Moshe next recounts for the new generation, the episode of the spies.

**SDT** *It is hard to suggest that it was purposely arranged that D'varim would be read on the Shabbat before Tish'a b'Av, but it is impossible to ignore its appropriateness in that role.*

*D'varim always is the Shabbat before Tish'a b'Av. Sometimes the Calendar is manipulated in a strange way (what sedra-pairs are combined and which are separated) in order to keep D'varim right before Tish'a b'Av.*

*The mishna states that one of the tragedies marked by Tish'a b'Av - the first one, the one that gave Tish'a b'Av its dark character - was the decree against the (adult males of the) "Generation of the Wilderness". The sedra serves as a reproach for our poor attitudes and lack of commitment to the Land. It is as if G-d is saying to us: "Do not continue in the ways of that generation. Reverse the effect of that terrible punishment by heeding the call of Kalev and Yehoshua." When we, the Jewish People of today, succeed in "repairing" the negative attitudes and actions of the generation of the spies, the generation whose*

*sins caused the destruction of the first Temple, the generation whose gratuitous hatred and Lashon HaRa caused the destruction of the second Temple, then we will be privileged to rejoice in the building of the third Temple, the restoration of Jews all over the world to this Land, and the spreading of Torah values and commitment to mitzvot to all of Klal Yisrael. D'varim and its message of the significance of Eretz Yisrael and the reminder of G-d's terrible anger against those who denigrate the Land of Israel is the "perfect" introduction to 9 b'Av. Amazing, is it not, how relevant this message is today. "Behold, I have set the Land before you; go in and possess the Land..." May we be deserving (and even if not deserving) to live in peace in all the Land of Israel, with all the People of Israel, according to the Torah of Israel.*

*Notice specifically, that of all the negative things done by the generation of the wilderness, it is only the Sin of the Spies that is spelled out in more detail than we find back in Parshat Sh'lach. Everything else is scant hint and held for later presentation, if at all.*

D'varim says over and over again that the Meraglim were wrong. They believed that the miraculous environment of the Wilderness was perfect for a Torah way of life. Not so. Moshe repeatedly tells us that Eretz Yisrael is the "real" place for the People of Israel.

**On another note...** Comparing Moshe's account with the original text in Shlach yields some interesting differences. It is clear that the original purpose of sending the men into the Land was to determine the best way to enter it and which border cities would be best to attack. It is equally clear that the purpose was NOT to decide whether to go or not. This is the major component of the Sin of the Spies and the people's reaction to their words.

Moshe shares the blame with the spies and announces that he had approved of the suggestion to send them. He explains what had happened as a result of the spies' report. Moshe's arguments (and those of Kalev and Yehoshua) were unsuccessful in calming the people's panic. As a result, G-d decreed that none of the adult males (except for Kalev and Yehoshua) would enter the Land. Moshe tells them that he too was banned from entering the Land. It is to be Yehoshua who will lead the People henceforth.

Moshe seems to say that he too is being punished by not going into the Land because of the Sin of the Spies. But we know that it was the "hitting of the rock instead of talking to it" for which he was punished. One commentary suggests the following: Because of the senseless crying of the Wilderness Generation, the Temple was destined to be destroyed. Had Moshe Rabeinu entered the Land, the Temple would never be destroyed. Hence, he was kept out of the Land so that G-d's full punishment for the Sin of the Spies could be carried out.

We can also see the special qualities of a true leader of the Jewish People. Moshe Rabeinu did not leave the blame for the Sin of the Spies with the people. He shouldered some of it.

## **R'vi'i - Fourth Aliya - 9 p'sukim - 1:39-2:1**

As Moshe Rabeinu is telling the new generation what has happened, he is continually warning them against repeating the blunders of their predecessors. It is specifically this new generation that the previous one worried about. They cried that their children would be orphans. Those same children are now the one's about to enter the Land.

Moshe also tells them of the tragic results in the People's attempt to go into the Land against G-d's wishes. It won't work without G-d's help; it cannot fail with His help. This is the lesson of more than 3300 years ago; this is the lesson for today.

*Rashi records a tradition that the People of Israel spent 19 years - half of the wandering time - in one location, Kadesh. The actual wandering was much less than 40 years. On the other hand, there were places in which the people only spent a day or so.*

As many times as Moshe repeated the story and lessons to be learned from the Sin of the Spies, to the people of that generation, these same stories and lessons have been repeated thousands of times for the benefit of each and every Jew throughout the generations. Why does the Torah tell us to Remember the Shabbat day and make it holy? To remind us that it is important to make Kiddush as Shabbat begins and say Havdala as it ends. Why tell us about Cheit HaMeraglim? Because it is an important reminder for us about the significance of Eretz Yisrael in G-d's Plan for the people of Israel.

## **Chamishi - Fifth Aliya - 29 p'sukim - 2:2-30**

**[S> 2:2 (6 and 12/17 - there is a parsha-break in the middle of 2:8)]** The People next turned northward and were warned not to fight with the people of Eisav, for their land is theirs as an inheritance. Only purchasing food and water for their journey past Eisav's territory would be permitted. **[S> 2:8 (5/17 + 8 p'sukim; this parsha begins in the middle of a pasuk)]** They turned (from Edom) and headed towards Mo'av. Moav's territory was also placed off-limits because it was an inheritance for the descendants of Lot.

Various peoples are named for the different lands in the area.

The wandering took 38 years until G-d told the People to cross into the territory of Amon and Moav, but without fighting there. Both Edom and Amon/Moav had fought for their land as Israel will be doing soon.

**[S> 2:17 (14)]** Next, the people passed Amonite territory. Here too they were not allowed by G-d to fight against the Amonites. Sichon the Amorite was not so fortunate. He was offered peace - same terms as with Eisav's people - but he rejected it, clearing the way for Israel to successfully conquer his land.

## **Shishi - Sixth Aliya - 21 p'sukim - 2:31-3:14**

[S> 2:31 (29)] Moshe continues his narrative with the details of the victories over Sichon and his land. Og, king of Bashan, also fell to Israel. Moshe describes the conquered lands that have been promised to the tribes of Reuven, Gad, and half of Menashe.

The victories on the East Bank of the Jordan helped build Israel's confidence for the difficult times to come upon crossing the Jordan into Eretz Yisrael. This new generation, the children of slaves, needed the multi-faceted preparation that the years of wandering provided, in order to be able to succeed in their conquest and settling of the Land.

## **Sh'vi'i - Seventh Aliya - 8 p'sukim - 3:15-22**

The description of the "East Bank" land continues. Moshe repeats the instructions to the 2½ tribes for settling their territory. Only after the successful conquest and settlement of the Land of Israel, will these men be permitted to return to their families and cities. Moshe has commanded Yehoshua to note well the victories to date and not to fear what is to come. Last 3 p'sukim are reread for the Maftir.

The custom is to give Maftir of Shabbat Chazon to the Rav of the congregation or to a prominent member thereof.

## **Haftara - 27 p'sukim - Yeshayahu 1:1-27**

This is the third of the haftarot of Tragedy. The prophet speaks of the accumulation of terrible sins and acts of unfaithfulness to G-d which lead to the destruction of Zion and Jerusalem. This haftara is "perfectly" suited to precede Tish'a b'Av. Most of this haftara is read in the tune of Eicha, rather than the regular haftara tune. The final p'sukim switch to the regular haftara melody because they contain the promise of an end to exile and the rebuilding of Zion and Jerusalem in a mode of justice and righteousness. This bright note is appropriate for Shabbat, in contrast to the main part of the prophecy which Shabbat has no choice but to tolerate, so to speak, since it is right before Tish'a b'Av.

Yeshayahu contrasts the people of Israel, who had become unfaithful to G-d, with animals, who instinctively acknowledge their owners. "An ox knows its owner and a donkey recognizes its owner's pen." In an allusion to this pasuk, the Yerushalmi tells the story of Rabbi Yochanan ben Torata who sold his ox to a non-Jew. The ox refused to work on Shabbat, until Rabbi Yochanan whispered in its ear that it was now owned by a non-Jew and must work on Shabbat. Which it then did. There is also the story of the donkey of Rabbi Pinchas b. Yair. These stories give us insight into the harsh criticism of the People of

Israel who repeatedly "do not know" their Creator. Loyalty to a master is one of the many lessons we must learn from animals.

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

Lesson 341

### **Partition of Real Property**

Reuven and Shimon own a tract of land as joint owners. They could have become joint owners in any number of ways. For example, they may have purchased the land as joint owners, or they may have inherited the land, or it was given to them as a gift, or Reuven purchased his interest in the land from another person who was a joint owner with Shimon in the land. Or Reuven and Shimon may have simultaneously acquired the land which was ownerless having been abandoned by its former owner. All that we say in this lesson regarding land applies as well to personal property owned by Reuven and Shimon as joint owners. Reuven and Shimon are not in a business of owning the land or personal property, because then they would be bound by the terms of their partnership agreement, or by the custom of the community, if there was no partnership agreement. Also there is no agreement that prevents the joint owners from exercising their rights to partition the real estate or the personal property. Reuven wants to divide the property so that each will own one-half in his own right without owning any part of the property that the other will receive by partition. Reuven cannot demand partition if the parties have agreed by kinyan (binding agreement) that they will not demand partition. Neither can Reuven, if he purchased his half-interest in the property from Shimon and agreed at the time of purchase that he would not demand partition. Reuven may not demand partition if the land or personal property jointly owned them is being held for business in which they are partners unless their partnership agreement, or lacking such an agreement, local custom, so provide. Even if the dimensions of the land is not large enough for Reuven to demand partition and enforce partition, he may do so if the use of the land has been effectively divided between the parties, such as each using a specific half of the land. They may have commenced using different halves by express consent or by usage. They may have to partition the land so that each may build a wall to prevent the other from looking into his land. Even when there is no overlooking harm, Reuven can demand partition and put up a fence between the divided parts of the land. Reuven can demand partition of the land only if it has certain minimum dimensions. The ultimate test is that if the land is partitioned, the part that Reuven and Shimon each receives will be recognized as distinctive, separate, usable tracts of land. The halacha sets definite criteria for such a test. The part that each receives must be at least four cubits square, or about 49 square feet. (Although there are differences of opinion I have used the calculation that holds a cubit to be 21 inches.) This is exclusive of the 49 square feet that each party in the yard has in front of his door opening into the jointly owned yard. In the case of jointly owned agricultural field, it must be large enough to sow 18 quarts of seed in each half of the field after it is partitioned. In the case of a garden it must be large enough to sow one quart of seed in each half of the garden after it is

partitioned. In the case of an orchard, it must contain at least 36 trees for each half of the orchard after it is partitioned. These dimensions are guidelines for land that has a high yield, as in the Land of Israel. In other lands Beth Din shall determine the dimensions taking into account whether it is economically feasible to work such a parcel of land after it has been partitioned. In the case of personal property, the test is not how big the thing is but rather can it be effectively divided. If there is a disagreement between the parties, the Beth Din must decide if partition can be demanded or the parties must avail themselves of the sell or buy option (see the next lesson IYH). The same applies to living things, such as a cow owned jointly by Reuven and Shimon; the cow cannot be cut in half and therefore partition will not be a remedy but rather the sell or buy option is a solution.

Instead of only two joint owners there are three joint owners. Reuven, Shimon and Levi, who as joint owners own a piece of land containing 150 square feet. Reuven and Shimon own forty percent of the land each and Levi owns twenty percent. Should they divide the land Reuven and Shimon will each receive sixty square feet, more than the 49 square feet required for one joint owner to demand partition. But Levi will receive only 30 square feet, which is not sufficient for Reuven and Shimon to demand partition against the wishes of Levi. Levi may prevent the partition since his part of the land will be less than 49 square feet. If prior to partition, Reuven had sold his part to Dan and Naftali each receiving twenty percent and upon partition each would receive 30 square feet. (It does not matter how Reuven's share came to Naftali. It could have been by sale or gift or through inheritance. If Levi or Shimon demands partition, neither Dan nor Naftali may prevent partition since their interest comes from Reuven who could not have prevented partition. However, the converse is not true. Reuven and Shimon each owns a 40% interest in the 150 square feet and Levi owns a twenty percent interest. Thus upon partition Reuven and Shimon each receives 60 square feet and Levi only 30 square feet and thus Levi can prevent partition. Assume that Levi sold his 20% interest to Reuven, and Shimon demands partition. Reuven pleads that he purchased Levi's interest with all of Levi's rights; since Levi could have prevented partition so should Reuven be able to so plead. The halacha is that Reuven cannot so plead.

That which has been said relating to partition was in regards to land. Regarding houses there is not an agreed upon minimum area that must be left to Shimon in the house for him to agree to partition. There is an opinion that there must be the same 49 square feet and there is another opinion that there must be at least 73½ square feet. Beth Din should in each case determine if the house can be partitioned so that each half can be used as a separate unit.

Next week, IYH seats in a synagogue and partition.

*The subject matter of this lesson is more fully discussed in volume V chapter 171 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 [2]

Our custom of naming our children in memory of our parents and relatives is a relatively new one. In the Tanach, people called their children after events, their spiritual experiences or in order to convey a special message. Our own generations of emerging national and spiritual redemption, followed in their footsteps as witness modern Israeli names like Elyashiv, G-d will return, or Sha'ar Yashuv, the remnant will return, or Geula and Nitzan, bud. It is in this light that we have to relate to the names of the children of Yaakov.

These names were given by the Matriarchs, a feature repeated often in the Tanach, as for example with Chana who named Samuel since she had asked G-d for him (Shmuel Alef 1:20), or the daughter-in-law of Eli HaKohen who had named her son Ikavod "saying the glory has departed from Israel" after the defeat by the Philistines (Shmuel Alef 4:21). "Regarding the sons of Bilha and Zilpa, the Matriarchs named them as well, showing that they agreed to free their handmaidens so that the sons would equally be considered the inheritors of Yaakov. This is in contrast to Hagar who named her own son since she remained legally the servant of Sarah, thus disqualifying Yishmael from inheritance of the Abrahamic promises" (Soforno). It seems as though the naming of Leah's third son leaves place to doubt this rule of the Matriarchs naming all the sons, as the text says, "and he called him Levi".

Some of our sources see the pattern of the Matriarchs continuing. So the Zohar sees Leah's naming him as an outburst of her joy in the revelation that, since she had borne 3 children before any of his other wives, she would be buried together with him in Ma'arat HaMachpeila; in accord with those who say that she was a prophetess. "I [Leah] have established by his birth that I am able to bear many sons, as a presumption [chazaka] is established when it occurs 3 times [this was her third birth] (Bava Metzi'a 106b); and this will ensure that my husband will cleave to me" (Soforno).

"God named him Levi because his offspring would be escorted throughout history, by the 24 priestly gifts given to them by Israel; (D'varim Rabba). This child and not Reuven the firstborn, would merit being the performer of the service of G-d" (Or HaChayim). It is interesting to note that of all Ya'akov's sons in connection with whose naming the Torah uses the phrase 'therefore she named him', became populous tribes except for the tribe of Levi (Rashi). This is because there can be no toleration of carelessness in safeguarding the holiness of the Aron HaKodesh and any infringement is severely punished as witnessed by the incidents of the people of Beit Shemesh (Shmuel Alef 6:19) and Uza (Shmuel Bet 6:6-7).

Many other commentators pursue the literal meaning of the text that is that Ya'akov named the child, yet as interpret it in different ways. "Ya'akov named him in accordance with Leah's wishes because he rejoiced in the birth of Levi"

(Radak). Radak sees the naming as a sort of joint effort because now he would join or escort her in a bond that is stronger than the one with Rachel, and "in his joy, Ya'akov agreed with her" (Abarbanel). "The successive names of Leah's children show how Yaakov's attitude to Leah became increasingly more loving in gratitude for the blessings she brought. At first his preference for Rachel was visible, so Leah says with Reuven's birth that G-d had seen her suffering. Then, since she still could detect that preference in his tone and expressions, with the birth of Shimon she realized that G-d heard her suffering. Now with Levi, whose name is derived from debt whereby a special relationship between two people is forged, she felt that they owe their happiness and whole life to one another. It is highly significant that it is Yaakov and not Leah, who actually verbalizes these feelings by naming the child" (S.R. Hirsch).

We may feel that in the naming of Binyamin, it was Yaakov and not Rachel who gave the final name; "She called his name Ben-oni but his father called him Ben-yamin (B'reishit 35:18). This is considering Ben-oni in its sense of son of my grief and sorrow, a reference to Rachel's imminent death. However, Ben-oni also refers to son of my vigor (Devarim 21:17), so that Yaakov, true to Rachel's wishes, using it in this sense, called him Binyamin since the right hand is the more vigorous one.

Accompanying the naming of the children there is a change in the attributes of G-d as symbolized by His Name. Leah uses the Name Hashem, symbolizing His merit of Righteousness and Mercy when she names her first, second and fourth sons: "Hashem saw my affliction"- Reuven, "Hashem heard that I am the hated one"- Shimon, "this time I thank Hashem" - Yehuda. However, when she names the fifth and sixth ones, she refers to Elokim, G-d in His attribute of Justice; "G-d has granted my reward because I gave my maid servant to my husband" - Issachar, "G-d has given me a good portion for I have borne six sons" - Zevulun. When naming her daughter after bearing 6 sons, she refers to the merit of Judgment - Dina. When it was apparent that she was to give birth to another son, Leah prayed that G-d would change its sex, since Justice demanded that Rachel should bear a second son, the last of the 12 tribes so that she would not be inferior to the maid-servants with their two sons each. G-d heard her prayer (Targum, Rashi).

Rachel names Bilha's first son using the Name Elokim, G-d in His attribute of Justice; "G-d has judged me" - Dan. However, when naming her own son, Yosef, she uses both G-d and Hashem. Justice: "G-d has taken away my disgrace"; Mercy: "May Hashem grant me another son".

This understanding by Leah and Rachel, that He is both Mercy and Justice alike, disqualifies any idea of a Divine Duality neither does it leave place for a Deity of Justice only nor of Mercy only. Justice: "He is the great, mighty and awesome G-d, who shows no favoritism and takes no bribe" (D'varim 10:17). Mercy: "He performs justice for widows and orphans, He loves the stranger to give him food and clothing" (D'varim 10:18). Truly, Avinu Malkeinu, Father and King, father of orphans and judge of widows.

*This is installment #138 in Dr. Tamari's series*

## MISC section - contents:

- [1] **Vebe Rebbe**
- [2] **Candle by Day**
- [3] **From Aloh Naaleh**
- [4] **A Touch of Wisdom, A Touch of Wit**
- [5] **Parsha Points to Ponder**
- [6] **Portion from the Portion**
- [7] **Torah from Nature**
- [8] **Old TT's - where to?**
- [9] **Poem for the North**
- [10] **Micro-Ulpan**
- [11] **From the desk of the director**

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

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



I am often unable to take the three steps back at the end of Shemoneh Esrei because of a slow davener behind me. What may I say and do while in this situation?



First, let us review your assumption that you may not take the steps back. In general, one cannot encroach on the 4 amot of the person behind him during his Shemoneh Esrei even in order to take the three steps back (Shulchan Aruch, Orach Chayim 102:5). Many permit entering the 4 amot for the need of a mitzva. However, your ability to daven need not be significantly impaired in this situation, as we will discuss. Do realize that many permit stepping backwards if he is behind you at an angle (see our discussion in Ask the Rabbi of Vayeitzei 5764).

The gemara (B'rachot 29b) identifies two factors that determine whether one has finished Shemoneh Esrei. (The application there is whether, upon realizing at that point that he forgot Ya'aleh V'yavo, one needs to return to the beginning of Shemoneh Esrei.) One factor is whether he has stepped back. The other is whether he usually says tachanunim (additional requests) at the end of Shemoneh Esrei. According to the version of the gemara we accept, even if one has not yet stepped back, if he does not say tachanunim, his Shemoneh Esrei is considered finished. It follows that one who says tachanunim but has completed them is also finished even before stepping back (see Mishna Berura 422:9). The question you raise is still valid: what can one do and what can he not?

The Shulchan Aruch (ibid. 122:1) says that after finishing the last b'racha of Shemoneh Esrei, one can still not answer Kedusha and the like until after saying Y'hiyu L'ratzon. The reason is that it is the sentence that completes Shemoneh Esrei, just as Hashem S'fatai opens it (see B'rachot 9b). The Rama (ad loc.) points out that since Ashkenazim have the practice to say tachanunim (Elokai N'tzor) before Y'hiyu L'ratzon, they can also answer Kedusha before it. In practice, some Ashkenazim say Y'hiyu L'ratzon both before and after Elokai N'tzor (see Taz ad loc.:2). In any case, once one has said Y'hiyu L'ratzon, even if he is in the midst of tachanunim and thus has not stepped back, he can say anything that is permitted during Kri'at Shema (Shut HaRashba I, 807).

This includes Barchu and the main parts of Kaddish and Kedusha (Shulchan Aruch ibid. 66:3; see Mishna B'rura 66:17) and, for Ashkenazim, answering Amen on Hakel HaKadosh and Shomei'ah T'fila (Rama, ad loc.). The reason to refrain from other worthwhile things is that the tachanunim are connected to Shemoneh Esrei, albeit on a lower level (Taz ibid.:1).

The gemara (Yoma 53b), in discussing the concept of taking three steps back after Shemoneh Esrei, compares it to taking leave from a king (Shemoneh Esrei is described as standing before the King). It is understandable, then, that one should feel limited in what he can do before taking leave of the King. Therefore, one even skips parts of Elokai N'tzor to avoid even answering Kedusha before stepping back (Shulchan Aruch, ibid. 122:1). However, as we saw, this does not warrant infringing upon another's 4 amot. However, the Ma'amar Mordechai (ad loc.:2) intuited that if one is ready to step back and is prevented from doing so by a technical reason, e.g., someone is davening behind him, that level of standing before the King does not apply. He says that in that case, one can even answer "baruch hu u'varuch sh'mo", which is only a minhag to say upon hearing Hashem's Name. The Mishna B'rura (ad loc.:4) and many other Acharonim accept this opinion, some mentioning other parts of t'fila, such as Ashrei and Aleinu, which one may also say. The question arises regarding religiously-related utterances that are not directly related to davening (see opinions in Ishei Yisrael 32:20). One may certainly read Divrei Torah at that time and may also say customary T'hilim at the end of davening. Regarding certain other positive talking unrelated to t'fila, it may pay to wait.

*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](http://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

**Along with being fathers to our children, we must be fathers to the child within us.**

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

"Come and Inherit the Land"

The Book of Devarim finds the Jewish people camped on the border of Israel about to enter the Land. Encouraging the nation to set forth and conquer the Promised Land, Moshe proclaims: "Go in and possess the land that the Lord swore to your fathers, Avraham, Yitzchak, and Yaakov, to give them and to their seed after them" (D'varim 1:8). Rashi, in his commentary to this verse, writes: "No one is disputing [your claim to the land] and you have no need for war. Had you not sent the spies you would not have needed weapons."

It was only because of the sin of the spies that Eretz Israel could only be conquered through war. Had the Jewish people firmly believed that the Land of Israel was theirs, there would have been no need to engage in battle. The spies sinned in that they weren't sure that Israel was for them. They wanted to check it out first. The Canaanite peoples intuitively sensed this lack of attachment to the Land as an invitation to wage war against us and dispute our Divine inheritance. Had the Jewish people been absolute in their conviction that Israel belongs only to the Jews, than no one on Earth would have dared to dispute our claim to the land.

Our rabbi's teach that this very lack of conviction and certainty that Eretz Israel belongs to the Jewish people was the underlying cause for the destruction and exile, and all of the calamities that came in their wake (Ta'anit 29b).

To our great dismay, this same lack of conviction regarding our rights to Israel exists to this very day, both in the Land of Israel and the Diaspora alike.

At this time of great uncertainty, danger, and upheaval in our Land, let us hope and pray that we will rise up to a true unwavering conviction that Eretz Israel is ours, and thereby deserve the consoling prophecy of Zacharia: "Thus says the L-rd of hosts... the fast of the fifth [the month of Av] shall become times of joy and gladness" (Zecharia 8:19). Amen.

**Rabbi David Samson, Jerusalem**

*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' Meir Michel of Shat was ordered by his doctor to go for a walk outside the city each day. To get to where he could walk, he would hire a horseman and his carriage for two hours daily.

Once, soon after R' Meir Michel started out in the carriage, he felt sick, and was forced to return home. His son paid the driver for only one hour. At first the driver refused to accept this, arguing that he was entitled to pay for two hours, but in the end he accepted the pay for one hour and left.

That evening, R' Meir Michel thought about what had happened, and came to the conclusion that the driver had been correct and deserved to be paid for two hours. If he waited until the next morning, he would have violated the halachah that a person who is hired by the day must be paid before dawn of the next day.

R' Meir Michel then sent his son in search of the driver in the

middle of the night, to pay him for the extra hour.

*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 - D'varim

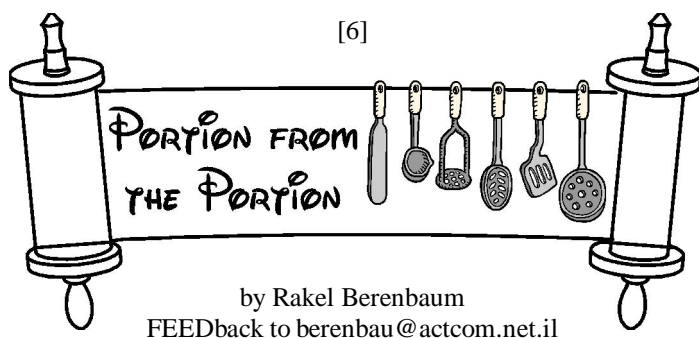
- 1) Why does Moshe point out that he liked the idea of sending the spies as part of his rebuke regarding that incident? (See 1:23)
- 2) The simple reading of the Torah indicates that the spies all reported that GOOD IS THE LAND WHICH G-D IS GIVING TO US (1:25). How can this be reconciled with the negative report which the spies gave about the land? (Rashi explains that Yehoshua and Kaleiv said these words but we still must explain the simple reading which implies otherwise.)
- 3) Why does the Torah use the name HASHEM which connotes mercy when describing G-D punishing the nation? (2:15)

## THESE ARE THE ANSWERS

Ponder the questions first, then read here

- 1) The Sfat Emet teaches that this was also part of the rebuke. Moshe was pointing out that the nation's flaw was so great that it even influenced him negatively and he was caught up in it as well.
- 2) The Chatam Sofer answers that they reported that the land was good and, as a result, its inhabitants would fight hard to retain it making its conquering impossible for the Jewish people.
- 3) Rav Shlomo Kluger explains that the punishment led to the people cleansing themselves and straightening out as indicated by the word TUMAM which means completion and perfection. Thus, the punishment was actually an act of mercy from G-D which enabled them to be better people.

*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*



## LIKE THE STARS

In recounting the history of events that happened in the desert, Moshe explains that because the Jewish people

multiplied so much and were on "that day as many as the stars of the sky", he was not able to lead them on his own (1:10). On this verse Rashi asks a question. How could Moshe say that they were on that day so numerous as the stars when we know that they were only a little more than 600,000? There are many more stars than that and there are many nations with more people than Israel. What did Moshe mean?

Rashi answers that the verse doesn't mean that they numbered as many as the stars, but it is an analogy. Just like the stars, the moon and sun last forever, so too the nation of Israel will remain throughout the generations.

This is a verse that is relevant to us today. We may look around and see all the enemies that surround us who want to destroy us; Hamas in the south, Hizballah in the North and not to forget Syria and Iran. We may think that our end is near, give up, and become depressed. We cannot let the outside world get to us. We have to remember that we are like the stars that remain forever. The Jewish people will survive while all the other nations will disappear.

## Watermelon Star Salad

2 lettuce leaves

2 slices watermelon, one inch thick round slices

2 cups cottage cheese or fruit salad

Line 4 salad plates with lettuce leaves. Cut each watermelon slice into 10 equal wedges; remove rind. Arrange 5 melon wedges on each plate in a circle with points outward to resemble a star.

Spoon cottage cheese or fruit salad into centers of watermelon stars.

## [7] Torah from Nature

### A bit about Birds

Birds' necks have from 11 to 25 vertebrae as opposed to 7 in humans and all mammals. In all birds, they are much more mobile than in mammals, which is why most birds can turn their heads 180°. The neck is one of the strongest parts of its body...Unlike the type of jaw found in mammals, in birds, BOTH the upper and lower jaw are moveable...

No bird has more than 4 toes. Rheas, cassowaries and emus (large, flightless birds) have 3 toes, as do woodpeckers. Only one species, the ostrich, has two toes...

Flight is a highly energetic form of exercise... During flight, a bird increases its oxygen consumption by about 13 times over the resting rate. To facilitate flight, most bones of birds are hollow... Swallows migrating between Europe and Africa must fly for about 50 hours over the Sahara without resting. The American Golden Plover flies over 2000 miles non-stop between Alaska and Hawaii. The Arctic Tern migrates from pole to pole, the round trip totaling some 20,000 miles. Swifts can fly at up to 60-90 miles per hour.

Penguins can swim underwater at about 20 mph. Ostriches can run up to 50 mph...

Birds do see in color...

## [8] Old TTs - Where To?

We've answered this question in the past, but because of several TTreader comments about the prayer for a Refu'a Sh'leima that appeared on page 3 in last week's issue, we'll present the answer again.

The following is based on a p'sak we received from Rabbi Moshe Flumenbaum of HaSofer (in the old Israel Center bldg.), who based his answer on the rabbinic literature on the topic of Geniza (a daily concern to a Sofer STa"m).

Printed Divrei Torah, prayers, Parshat HaShavu'a sheets, photocopied hand-outs for a shiur, and the like, should be disposed of, as follows:

If the pages, sheets, etc. have not been used - i.e. read, learned from, davened from - then they may be recycled. They should not be thrown into the garbage or otherwise disposed of in a disrespectful manner, but they can be put into a paper recycling bin.

If they have been used, then their status changes, it is elevated, and should be put into Geniza (a.k.a. Sheimos).

This applies to Divrei Torah, etc. in Hebrew or any other language, with G-d's name or without. If G-d's name is replaced by a HEI-apostrophe, or ELOKIM is written with a KUF instead of the HEI, etc., the pages still need Geniza, as stated above.

Our policy in Torah Tidbits is to use HEI-apostrophe and to separate the ALEF and LAMED of His names that begin with those two letters, to separate the SHIN and DALET of SHAKAI, the YUD and HEI of KAH, the TZADI and ALEF of TZ'VAKOT. This does NOT remove the obligation of putting the sheets into Geniza; it only attempts to lessen the offense to the Names, if the sheet ends up being discarded in an improper way - intentionally or inadvertently.

Once in a while, names are accidentally left unaltered. We're sorry when that happens, and for the discomfort some people feel in seeing HaShem's Names "vulnerable" to disrespect, but please know that one way or the other, the pages require Geniza if read, learned from, or davened from.

On the topic of the dash many people use in the word G-d, and many people don't - we usually use the dash, but occasionally the "regular" spelling slips in from a contributing columnist. The point is, regardless of how G-d is spelled, or whether the word appears in a Dvar Torah or not, the page will still need Geniza, as above.

One final point. The above represents the p'sak on the issue that we follow. That we explain to TTreaders (as in the piece you are reading at this moment). That we explain to people when they call and ask. Other rabbanim might give a different p'sak when asked. No one is bound by what we have written here, if they receive a different answer from their Rav. We recommend following our guidelines or independently asking the question to your LOR (local Orthodox rabbi).

Okay, that wasn't the final word (for now); this is:

Pages of Torah Tidbits that have no Divrei Torah on them at all, can be disposed of anyway you'd like. (We'd hope they still wouldn't be used to line a bird cage or wrap fish.) And some people actually cut up the TTs separating out the Geniza, to ease the overload on Geniza containers in shuls or wherever they may be found.

## [9] A Poem for the "Situation

Our Hearts in the North  
The warplanes rumble  
Overhead, in the depths of the sky.  
I cannot see them,  
I can barely hear them.

But I know where they are going -  
North, ever northwards  
To defend our borders  
And patrol our skies.

It is Shabbat  
I cannot listen to the radio.  
I do not speak to anyone who has  
But I know deep inside

The situation is serious  
Is this a war?  
Will it escalate out of control?  
Will we lose life's routine?

In shul we say prayers  
for "Gilad ben Aviva"  
And we name the others  
Who have been taken by force

I envision the citizens  
In Nahariya and Haifa  
In Tsfat and Tiberias  
Crowded into "safe rooms."

Unable to pursue  
their usual delights  
Chores and work  
Take on a nostalgic glow.

Here in Jerusalem  
My thoughts are with them  
As I talk to Hashem  
And pray once again.

For the release of our soldiers -  
Send them home safe and sound.  
For the cessation of warfare -  
Let the skies quiet down.

For the healing of the wounded,  
Both in body and in mind.  
Both in battle and at home,  
May their recovery be profound.

These are difficult times -  
We are "bein hameitzarim."  
These past atrocities  
That revisit the present.

Hashem, I beseech You.  
Listen to our prayers.  
Hear the mother's pleas  
Let your kindness rain down.

Cover is in Your grace  
Let us feel your embrace  
Your compassion, never ending  
Redeem us with Your love.

Judy Caspi, Pri Hadash Workshop  
July 16, '06 - Jerusalem

## [10] **MicroUlpan**

How do you say ANTENNA in Hebrew? Oh, I know! Pick me! **אנטנה**, right? No, not really. How about M'SHOSHA.

**משושה**

## [11] **Divrei Menachem**

As we commence the Book of D'varim, we rapidly become aware that Moshe, before bidding farewell to the people, is using his final soliloquy to chastise the people for their wrongdoings. According to the commentators, however, Moshe slowly coaxes the people into a mood of repentance by reviewing previous episodes, awakening the significance of earlier events and talking in a language that all the people could discern, each at his or her level.

In contrast to the first four books of the Torah, in Sefer D'varim, Moshe is the speaker. In this book, Moshe says, "And Hashem spoke to me", whereas previously we were accustomed to the phrase, "And Hashem said to Moshe." Moreover, we learn that Moshe chose in his last weeks on earth to allude to the commandments, as he understood them. Consequently, the Book of D'varim is called Mishneh Torah, often rendered as the 'Review of the Torah.'

The translator and commentator Onkelos prefers an Aramaic rendering of Mishneh Torah that expresses the notion that D'varim is a clarification of the Torah. Clearly, then, we see that Moshe's role as Moshe Rabeinu, Moshe our Teacher, serves as a powerful prototype for all times. For Moshe was more than a conduit for Hashem's words. Moshe was a teacher who explained the meaning of those words and who also served as a source of inspiration that induced Teshuva.

**Shabbat Shalom, Menachem Persoff**

### **Towards Better Davening and Torah Reading**

Misplaced Pauses (once more... at least)

EB writes: I would like to defend my position regarding ambiguous phrases in the Siddur. This, in face of YL's comment (last issue of TT) that my suggestion to read such phrases without a pause is "really bad".

It is interesting, if not fortuitous, that this topic is discussed in the page of Daf Yomi this Shabbat (Devarim). In Masechet Yoma 52A, the Talmud states that there are five verses in the Torah containing a word whose meaning is ambiguous. For example, in the short verse (Sh'mot 25:34 and 37:20):

**וּבַמִּזְבֵּחַ אֲרֵבֶעָה גְבָעִים מִשְׁקָדִים כַּפֹּתָרֵיהָ  
וּפְרִיזֵיהָ:**

it is unclear whether MI'SHUKADIM refers to GVI'IM or to KAFTOREHA UF'RACHEHA

The Ritva and Maharsha disagree whether the issue can be resolved by studying the notes (TROP).

One of the most outstanding poskim on the laws of K'ri'at haTorah - the Shaarei Efrayim - rules that due to the doubt one should read the ambiguous phrase without pausing. (see 2:15). In his words: , Hashem knows the true meaning.

If this is true in Torah where the traditional notes seem to resolve the ambiguity, all the more so in the Siddur where we have no way to discover the real meaning of the phrase.

I feel that my suggestion to read such phrases without a pause is really good.

## **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.*

## **More on Miracles in the Mikdash**

Last week in answer to Shimon's email, we considered some of the miracles in the Beit Hamikdash listed in Avot 5:7 - "Asara Nisim... Ten miracles were wrought for our forefathers in the Beit HaMikdash". Shimon said, "My problem is that when one takes a closer look at many of the so-called "Nissim" they do not appear (at least to me) as miraculous as they did at first glance." We noted that R. Irving Bunim 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, Vol. III, pg. 61). We noted why no Keri befell the Kohen Gadol on the eve of Yom Kippur. According to R. Bunim, "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." This week we will continue examination of the Mishna.

"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]. Should the cut barley (for the Omer CS), 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..."

The same reason applied to the Shte Halechem - the "two loaves" - offered on Shavu'ot. The Torah says, "...you shall count for yourselves from the morrow of the rest-day from the day you bring the Omer of the waving, seven weeks, they shall be complete; until the morrow of the seventh week you shall count, fifty days; and you shall offer a new meal offering (Mincha) to the Lord. From your dwelling places... you shall

bring two loaves of bread [of] fine flour... as first offerings to the Lord" (Vayikra 23:15-17). Rabbi Bunim writes (pg. 70), "Two loaves of bread were offered then [on Shavu'ot] at the Sanctuary, baked from the new harvest of wheat that ripened after the barley. This was the 'new Mincha' - not only from the year's first wheat, but the year's first such meal-offering at the Sanctuary. Only after it was brought, could other meal-offerings be taken, as people needed them, from the new wheat crop. Once again, we have the same situation: the two loaves had to be baked before Shavu'ot began. Should they become ritually defiled during Yom Tov, between the time baked and the time offered, they could not be replaced." The Torah ordained that they be brought on Shavu'ot as an integral part of the day's Avoda and they accompanied the special Korbanot of the Chag. (Strictly speaking, the "two loaves" themselves were not "Korbanot". Unlike other Menachot meal offerings, they were "waved" before G-d twice but they were not offered on the Mizbei'ach.) "...no one could bring a Mincha, a meal offering, until the crop of the following year [ripened]. [Until then], that year, countless Israelites could not achieve atonement for sin... In the religious life of Israel, hardship and misery would prevail. Here again, Providence did its share for a people of faith: the two loaves never became ritually unfit through an accident."

The great Tanna, R. Akiva pictures the Holy One Blessed be He saying, "Bring the Omer before Me on Pesach, so your produce in the field be blessed... Bring the two loaves before Me on Shavu'ot so that the fruit of the trees be blessed (Rosh Hashana 16a)." (Bikurim, which included the first fruits of "Sheva Minim trees", were not brought to the Mikdash before Shavu'ot.)

Incidentally, the exact date of Shavu'ot was the basis of one of the crucial disagreements between the Sages (aka Chaza"l) and the Sadducees, a major dissident group in the Bayit Sheini period. (Adumbrating many other schismatic groups in our history, the Sadducees denied the authenticity of Torah She'be'al Peh, the Oral Law.) Surprisingly, the written Torah does not designate a specific date for Shavu'ot. The Torah does say that the bringing of the Omer (a meal offering of a tenth of an Eifa of newly harvested barley) on Mimacharat HaShabbat - "the morrow after the rest-day" - inaugurates the seven-week period of the "counting of the Omer". The Shavu'ot festival is the fiftieth day, the day following the completion of the counting of the seven "complete" weeks. The Sadducees maintained that the Torah's use of the phrase Mimacharat HaShabbat meant that the counting of the seven weeks was to begin the day after the first Shabbat that fell during Pesach. They interpreted HaShabbat as referring literally to the Sabbath, i.e., Saturday. Since they began counting seven complete weeks on the first Sunday after the first day of Pesach, Shavu'ot by their calculation always fell on a Sunday. However, the Sages, emphasizing the connection between Pesach and Shavu'ot, maintained that in this case, Mimacharat HaShabbat always meant the second day of Pesach. The Sages contended that the first day of Pesach - Yom Tov - is itself the 'Shabbat' prescribed in the Torah, because similar to Shabbat, "work" (Melacha) is forbidden on Yom Tov. The Gemara preserves the sage R' Yochanan b. Zakkai's reply to a doubting Sadducee. "One passage says, 'You shall count fifty days'" (Vayikra 23:16) while the other passage says, 'Seven weeks, they shall be complete.' (Vayikra 23:13). How can we reconcile the two Pesukim?" The first Pasuk refers to counting fifty days without regard to the completeness of the weeks. The second verse refers to seven complete weeks where it is understood that the

counting of the fifty days begins on Sunday. The Gemara continues, "The latter passage refers to the time when (the first day) of Pesach falls on Shabbat i.e., the seventh day of the week (and since the counting begins on Sunday, fifty days would include seven complete weeks). The former Pasuk refers to when the first day of the Pesach falls on another day" [and not Sunday. In this case, the fifty days would not include seven complete weeks] (Menachot 65b). This would prove that Shavu'ot could fall on other days of the week besides Sunday. <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

- At the top is a speech-bubble which contains the main elements of what Moshe said to the People. He told them about the travels from Egypt to Eretz Yisrael and what happened during those travels, of the victories of the People in several battles they fought (that's the V for victory hand signal), and about Torah and Mitzvot that are the essence of Jewish Life. Also contained within that speech bubble is the letter D which is marked 24K which stands for one of the places Moshe mentioned - DI ZAHAV.
- The judge's gavel flanked (above & below) by two negation circles, relates to the mitzvot in the sedra, against appointing judges for the wrong reasons - not because of wealth, nor out of fear or threats. A judge may not be afraid of threats (e.g. the gun).
- The arrows indicating DO NOT ENTER to the right and the left, but only straight ahead, stands for the two instances, as related by Moshe, that we approached nations for permission to pass through their land.
- The graphic of the spies carrying the cluster of grapes stands for one of the major elements in the sedra, namely CHEIT HAMERAGLIM.
- The ghost with the San Francisco Giants logo is a play on the pasuk (2:11), The REFA'IM (ghosts in modern Hebrew; warriors or mighty people in the Biblical context) can be considered giants (or vice versa).
- The silhouettes of the bull and donkey are from the pasuk at the beginning of the haftara in which the prophet contrasts us unfavorably with the animals. The bull knows his master and the donkey, his feeding trough.
- The buttons (computer keys) emanating from a button represent D'varim 2:23.
- The stars at the top represent the description by Moshe of the size of the nation: G-d has caused you to multiply and here you are as numerous as the stars of the heavens.
- The blank face with a question mark is for LO TAKIRU PANIM BAMISHPAT (D'varim 1:17).
- The compass pointing north, as in D'varim 2:3 - ...P'NU LACHEM TZAFONA, turn to the north.
- The snowflake is for D'varim 3:9, which tells us that the Tzidonites called the Hermon Siryon and the Emori called it SNIR. Rashi says that SNIR means snow in Ashkenaz (early

form of German?) and in the Canaanite language.

- Moshe is telling the "new" generation about the previous 40 years. In D'varim 2:7, he mentions G-d's blessing... that going through the Midbar for 40 years... LO CHASARTA DAVAR, nothing was lacking. Literally, nothing was subtracted. Hence, 40 - 0.
- That leaves two unexplained new elements of this ParshaPix Consider them visual TTriddles.

## TTRIDDLES...

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

### Last issue's (MATOT-MAS'EI) TTriddles:

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

"Lions and tigers and bears - oh my!" is the singing chant of Dorothy (from Kansas), the Scarecrow and the Tin Woodsman in the Wizard of Oz. They start to sing it upon entering a dark, frightening forest. The Tin Woodsman told them that they are likely to encounter wild animals, and they in turn suggest lions and tigers and bears. They actually do encounter a lion, a cowardly lion - see further for the Mazal TTriddle. The consecutive places of encampment that suggest fear and singing are CHARADA and MAK-HEILOT, trembling and choirs.

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

The answer is AMIHUD. In Parshat Mas'ei, the leaders of the tribes of the new generation are enumerated. For the tribe of Shimon, the Nasi is Sh'muel b. Amihud. For Naftali, the Nasi is P'dahh-el b. Amihud. (The HEI in P'dahh-eil has a SH'VA under it and is therefore sounded, in contrast to the unvoiced - and therefore silent - HEI in P'DATZUR, father of Gamliel, Nasi of Menashe of the earlier generation, the one that came out of Egypt. Speaking of which, the earlier Nasi of Efrayim was Elishama b. Amihud, giving us three Amihuds from the Torah. And from three different tribes. There are also two other Amihuds in Tanach, mentioned in Shmuel Bet and Divrei HaYamim Alef.

[3] Fleishig in kivrot hataava. Where milchig?

This one was kind of easy, but somewhat surprisingly, several solvers who got it, left out the other possible answer. The first answer (actually the second one) is YOTVATA, the name of a dairy company in Israel with a variety of dairy products and a chain of vegetarian-dairy restaurants. The other possible answer is Midbar Sinai, with Har Sinai also being called GAVNUNIM, with the play on words that relates it to G'VINA, cheese, which is one of the "reasons" for having dairy dishes on Shavuot. Of course we can also add R'FIDIM, where the people had no water to drink, to which some Marie Antoinette type might have said: "Let them drink milk."

[4] BNEI YISRAEL D'ZAGI - who are they?

This works only from the Hebrew and is an example of a purposely misleading (in addition to cryptic) TTriddle. The Hebrew letters are the initials of Binyamin, Naftali, Yehuda, Yissachar, Shimon, Reuven, Levi, Dan, Zevulun, Gad, and Yosef. Being the first letters of each of the Tribes of Israel, the answer to "who are they?" is they are the RASHEI HAMATOT. Levi and Yosef worked out better than Efrayim and Menashe, which is okay, because there are two ways to list the Tribes, this being one.

[5] Together they stir up the stone soup

The fable of Stone Soup has several variations and quite different morals, depending on who is telling the story. It could be a story of what can be accomplished by cooperation or it could be the story of a con artist to get food from people who would refuse a straight request. Regardless, for this TTriddle, we look to two of the Midyanite kings mentioned in the Torah reading: TZUR (meaning stone) and REKEM, an anagram of MARAK (meaning soup). The clue for anagram is the phrase STIR UP.

[6] Pick any three: DALET, CHET, YUD, YUD, KAF, LAMED, MEM, MEM, MEM, NUN, SHIN, TAV

Every once in a while, we end up with a TTriddle like this one - namely, one we don't remember the solution to. Hopefully, it will come to us, but for now, we'll pass on this one.

[7] SUN UP BAG CAFE

These twelve letters rearrange in a specific way, as follows:

Au, Ag, Cu, Fe, Sn, Pb - the symbols for the elements gold, silver, copper, iron, tin, and lead, respectively - all from Bamidbar 31:22, ZAHAV, KESEF, N'CHOSHET, BARZEL, B'DIL, and OFERET.

[8] The Mazal TTriddle (Word of the Month)

Over the years, the Word of the Month box on page 2 had some form of the Zodiac symbol (MAZAL) for the particular month. For over a year now, the symbol has been replaced with some sort of riddle or wordplay. The Mazal of the month of Av is the ARYEI, Leo the Lion. The fellow in the picture on page 2 is the Jewish-American actor, Bert Lahr (b. Irving Larhheim). His most famous role was that of the Cowardly Lion in the 1939 film - The Wizard of Oz. Last year, our Mazal-Pic for Av was Snagglepuss, a Hanna-Barbera cartoon lion created in 1959. His voice and mannerisms were influenced in part by Bert Lahr's portrayal of the Cowardly Lion. JTYLTK.

## NachKwestion of the Week

Pasuk in Torah most often read

How many times in 5766?

In 5767?

Different answer for Minhag Yerushalayim

Not-the-answer is the pasuk VAIDABEIR HASHEM EL MOSHE LEIMOR. This is the most common pasuk in the Torah, occurring 69 times as is. 10 times in Sh'mot, 27 in Vayikra, and 32 in Bamidbar. But that's not what was asked for in this NachKwestion. Not the most common pasuk, but the one pasuk most often read.

The answer is Bamidbar 28:3, from Parshat Pinchas. It is the

pasuk that is doubled on a weekday Rosh Chodesh, in order to give each Aliya the required minimum number of p'sukim.

This year, 5766, it will be read a total of 30 times. That's twice each on two days Rosh Chodesh Cheshvan, twice on Rosh Chodesh Kislev, not on the first day of Rosh Chodesh Tevet (Shabbat) and only once on the second day because Chanuka reading obviates the need to double the pasuk, twice on Rosh Chodesh Shvat, twice each on the two days of Rosh Chodesh Adar, twice on Rosh Chodesh Nissan, twice on the first day of Rosh Chodesh Iyar, not on the second day (Shabbat), twice on Rosh Chodesh Sivan, twice each on the two days of Rosh Chodesh Tammuz, twice on Rosh Chodesh Av, and twice each on the two days of Rosh Chodesh Elul. Plus once on Shabbat Parshat Pinchas as part of the regular reading of Parshat HaShavua.

5767's total will be 31 - you count it.

35 is the most, BTW, and 27 is the least.

As for Minhag Yerushalayim, based on the opinions of the GR"A, Bamidbar 28:3 is not doubled on a weekday Rosh Chodesh, but 28:6-8 are. Those p'sukim share first place for the most frequently read p'sukim in the Torah; the numbers are the same.

### **This week's TTriddles:**

- [1] give under 800
- [2] Very high scoring in the bottom of the first or top of the second
- [3] Wise people, advice, 3 people per
- [4] Yitro, Vayakhel, post-B'reishit
- [5] The familiar one dot father-son team and only once for someone else
- [6] Sort of like PagoPago, just more awake

### **NachKwestion of the Week**

Common factor in each pair: Gid'on/Micha, Zerach/Yaakov, Shimshon/Aholiav, Dan/Bet El, Z'vul/Amon

### **There is a separate PDF file with a review for Shabbat Chazon and Tish'a b'Av**

## **What the Orthodox Union and the Israel Center are doing for the "war effort", and how you can help.**

We are a drop-off and pick-up point for donations of candies and snacks for our soldiers at the front(s) - this via Table to Table.

We are a clearing house for Jerusalemites who are offering home hospitality to people from the north - this in cooperation with AACI.

Our youth group NESTO is collecting books to send to the soldiers of Gil'ad Shalit's unit.

NESTO continues to send food and "care" packages to NESTO alumni in the army.

NESTO is holding afternoon gatherings and activities together with visitors from the north.

Our Makom BaLev program is running specially designed Shabbatonim in "hot spots" such as Nahariya and Sderot.

Our Kehilot Yisrael program, under the dynamic leadership of Meir Schwartz and Eliyahu Farjun, has been going from bomb shelter to bomb shelter all over the north with over 400 volunteers, bringing food and toiletries, much-needed counseling for adults and children, running day camps and other activities.

80 participants of our Bayit Yehudi branch in Tiberias, will be going to a Solidarity & Chizuk Shabbaton in Keshet run by Meir Schwartz and his team.

Israel Center President Yitzchak Fund and the newly appointed Director-General of the OU in Israel Rabbi Avi Berman, met with Tzfat Chief Rabbi Shmuel Eliyahu - see photo below, to plan and coordinate various OU and Israel Center efforts up north.

Our major undertaking at the moment is the running of Camps for kids from Tzfat, Chazor, and Kiryat Shmona. These camps are already active, and it is hoped that by the end of next week, we will be running camps in all of the towns in the north. They will continue IY"H even after the fighting stops. For information about the Camps, to volunteer as counselors, and/or to help fund this project, call 050-556-0249.

The Orthodox Union has collected and distributed thousands of dollars to fund various needs of soldiers and residents of the areas under fire. Please see [www.ou.org](http://www.ou.org) for further details. Contributions can be made via the website or through the Israel Center. Drop by or call us at (02) 566-7787 ext. 204 or 220.

In addition to the activities we are directly involved in, we are helping other organizations publicize their projects via Torah Tidbits. Please note that we cannot take responsibility for the projects mentioned here, except for those of the Orthodox Union and the various departments of the OU Israel Center.