

# למען תספר

A Journal of *Divrei Torah*  
in honor of Pesach 5783

*Compiled by the Members of the*



*Bais Medrash  
of Ranchleigh*





A project of the  
**Zichron Yaakov Eliyahu Fund**  
of the Bais Medrash of Ranchleigh

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*Though there* are few references to the strong relationship that exists between Chanukah and Pesach, it is quite clear that when one pays close attention to what goes on beneath the surface as Chanukah arrives, that there is indeed a strong bond between them.

One of these signs, is that all kosher supermarkets must get their Pesach orders in by Chanukah or risk not receiving it in time for Rosh Chodesh Adar (when for some reason, kosher supermarkets start shelving potato starch and pesach goods simply to raise heart rates).

Matzah bakeries begin the baking process in earnest, assuring the Jewish population that there will be no shortage of hand *shemurah*.

In my home, somebody invariably will make the pronouncement during Chanukah, informing family members of how many weeks there are until *Bedikas Chametz* (also to raise heart rates and healthy doses of anxiety).

And in the Bais Medrash of Ranchleigh, Chanukah marks the time when Rabbi Naiman announces that it is *kuntress* season, time to begin assembling the amazing essays and *divrei Torah* on Pesach compiled each year.

I am so grateful to have been allowed to once again sponsor this *kuntress*. It takes on extra meaning this year because in prior years, I have participated knowing of Rabbi Naiman from a distance (even though we both go back a number of decades to our days in Ner Yisrael). Now that I have been *zocheh* to move back to Baltimore, and to attend Bais Medrash of Ranchleigh regularly, absorbing the unique and spiritual atmosphere that Rabbi Naiman has purposefully created, I feel especially privileged to contribute in this small way to his incredible efforts.

I would like to thank Rabbi and Mrs. Naiman and the entire *Kehillah* for welcoming my family so warmly.

The title of this *kuntress*, *Lemaan Tesapeir*, speaks to the majesty of seder night, when seder tables are filled with children and grandchildren, truly a multi-generational experience and obligation. The quote comes from the beginning of *Parashas Bo*, when Hashem instructs Moshe to warn Pharaoh, yet again, of a looming plague. Hashem says he is bringing this plague, “*Lemaan tesapeir b’aznei bincha u’ve bincha...*” so that you may tell your children and grandchildren that which I wrought in Mitzrayim, the signs I have made.

This is a worthy and important goal! But, wonders the *Shaarei Aharon*, why did Hashem wait till just before plague number seven, *arbeh*, to tell us of this? Why didn’t Hashem perhaps introduce all the *makkos* with this *Lemaan Tesapeir* instead of waiting till now? A great question, I think!

He beautifully answers by saying that the approaching plague of *arbeh* differed from all the others because it was the only one in which Pharaoh tried to withhold the children. *Lechu na hagevarim* (10:11), Pharaoh said. “Take the adults-leave the children here.” Had Moshe accepted this negotiation, Egypt may have been spared the plague of locusts. So we see that the whole purpose, the entire goal of this seventh *makkah* of locusts was to show that the children, our future generations, are a main component of *Yetzias Mitzrayim*. As Moshe responded to Pharaoh, we will leave with our young and old, with our sons and daughters, *ki chag Hashem lanu*” (10:9). Our service to Hashem is incomplete and impossible without the ability to transmit and be *mechanech* our children in the ways of the Torah. It is inconceivable to consider an exodus from Egypt without our children.!

*Moshe and Sara Lea Dear*





## Preface

You hold in your hands our twelfth Pesach *kuntress*, the work of the members of our *chashuveh kehillah*, *bs"d*.

This year has been one of extremes.

We have been *zocheh* to the extreme fortune of begin given the opportunity to host Kollel Ruach Chaim, led by HaRav Betzalel Weinberg, *shlit"a*. Most of you have heard the tremendous amount of *hadrachah* I received from his grandfather, HaGaon HaRav Shmuel Yaakov Weinberg, *z"l*, and it is most fitting that his grandson should grace this *Mikdash Me'at* that the Rosh HaYeshivah cared so much about until his final days. We hope this new Kollel will grow in size and in impact on our neighborhood, with the availability of a place to learn throughout the day, the *Kol Torah* permeating the building.

I personally was *zocheh* to publish a new volume in my series of *Sifrei Ramchal* in *lashon hakodesh*, this one containing *Sefer Derech Hashem* together with *Maamar Halkarim*. This volume contains much input from the *chaburos* I've given in our *Bais Medrash* on these two *sefarim* over the years. Therefore, in addition to those who kindly made the publication financially possible, I also thank those who attended the *chaburos*.

Work on this *sefer* was also the catalyst to my research on the first printing of the *Sefer Derech Hashem* that I have included in this *kuntress*. Something that struck me in this research is what one person can accomplish as a catalyst. You will read about a German businessman, who, in addition to financing the *sefarim* of the *Ramchal* and *Gra z"l* in the late 1800's, was also behind the establishment of famous yeshivos, the strengthening of an observant *yishuv* in Eretz Yisrael, and the support of one of the *Gedolei HaDor* of that time. We should also recognize the catalysts we have in our midst, albeit on a smaller scale, with some nepotism. I would like to single out my brother Irvin, who in addition to helping me in my projects, also contributes to whatever our *kehillah* needs, whether it be our Gerald E. Naiman Family Center, the Bais Medrash sanctuary in memory of our father, *a"h*, or the physical contribution of his time in coming early on Shabbos mornings to set up the *kiddush* each week. This, of course, is in addition to his many activities for our family and for the community at large.

But as I mentioned at the outset, this has been a year of extremes; and that means in both directions. We suffered the tragic loss of our *yedid nefesh*, R' Baruch Raczkowski, *a"h*, someone I knew growing up together on the other side of town. We were fortunate to hear his *duchaning* in our Bais Medrash with his father *a"h*, and *yblc"t* his boys, which gave us a feeling of what it might have been like to hear *Birchas Kohanim* in the *Beis HaMikdash*. We hope his family can recover from his loss and share only *simchos* together in the future. And I should also mention the loss of the parents of several of our members: Rabbi David Hyatt, *a"h* (father of

Mordechai) and Mr. Stanley Cohen, *a"h* (father of Mrs. Zahava Kimelfeld), who graced our *minyanim* when they would be staying with their families in the neighborhood; and to Mrs. Betty Davidsohn, *a"h* (mother of Mrs. Lisa Rock). *Yehi zichram baruch*.

I will close with a thank you to the members of the *maareches* who were again indispensable in producing this work: R' Chaim Sugar, R' Arkady Pogostkin, R' Roman Kimelfeld, and R' Moshe Rock. A very special thank you to Rabbi and Mrs. Moshe Dear, who once again dedicated our *Kuntress Lemaan Tesapeir*. And it is a special pleasure to have R' Moshe now contributing his talents close by in our community. Also, thank you to R' Avi Dear for creating another beautiful cover despite his tremendously busy schedule in producing incredible "Visuals" for the entire community and beyond. May the Torah learning the Dears have engendered be a *zechus* for their entire family.

A final thank you is due to my *eishess chayil*, the *Rebbetzin*, who once again allowed me to spend time away from my family duties to work on this *kuntress*.

And with mixed emotions, I would like to conclude with this note. Over the past twelve years, we have had the opportunity to publish thousands of pages containing many hundreds of *Divrei Torah* and *Chizuk*. This enabled us to discuss many *sugyos* together, resulting in a very valuable final product. Speaking of catalysts, I would be remiss if I failed to thank Dr. Michael Samet, who was visiting our shul and inspired this entire project by showing me *kuntreisim* that were put out at that time by two shuls in New Jersey. But כשם שמקבלים שכר על הדרישה כך מקבלים שכר על הפרישה. I feel the time has come to hand over the reins of our *kuntress* project. I will *bs"d* work with whomever wants to take charge to continue what we have begun.

Each year I express the wish that we be *zocheh* to produce another *kuntress* next year, in Eretz Yisrael, with the coming of the *Mashiach*. We have produced another *kuntress*, but sadly we are still in *galus* as of this writing. May we be speedily redeemed with the *geulah sheleimah*, *bimheirah biyameinu*, *amen*.

Abba Zvi Naiman  
Adar 5783

# *Table of Contents*

## **SECTION I: PREPARING FOR PESACH**

### **Chasing the Shadow of the Heichal Building**

Rabbi Yoav Elan..... 1

### **Burning Your Lulav**

Rabbi Abba Zvi Naiman ..... 6

### ***Shabbos HaGadol: A Day of Miracles and Metamorphosis***

R' Mordechai Pollock ..... 8

## **SECTION II: THE AVOS AND GALUS MITZRAYIM**

### **Three “Extra” Words**

Jeffrey Silverberg ..... 15

### **Yosef and Binyamin**

Yitzchak Razckowski ..... 18

## **SECTION III GEULAS MITZRAYIM AND OTHER MIRACLES**

### ***Dever, Mamzerus, and Bechirah Chofshis***

Amitai Barth ..... 21

### **The Uniqueness of *Makkas Bechoros***

Moshe Kravetz ..... 28

### ***Yetzias Mitzrayim* and Havdalah**

Eliezer Shames ..... 31

### **Why I Wear *Techeiles***

Dr. Arie Michelsohn..... 35

### **Hashem’s Justice in Mitzrayim**

Rabbi Moshe Grossman..... 40

### **The Opposite of *Zeidim***

Dr. Eliyahu Eliezer Singman..... 44

## SECTION IV: THE SEDER

### Enjoy Your Maror with *Charoses* and Worms!

Yehoshua Dixler ..... 47

### *Bentching* as a *Gadol* when Eating as a *Katan*

#### In honor of the Bar Mitzvah of Yoel Yeshaya Schuchman

Rabbi Moshe Tzvi Schuchman ..... 53

## SECTION V: THE HAGADAH

### Keeping Your Word

Daniel Menchel ..... 61

### *Hodu LaShem Ki Tov: Connections to the Exodus and Torah*

Yehoshua Dixler ..... 64

## SECTION VI: SEFIRAS HAOMER AND KERIAS YAM SUF

### *Sefiras HaOmer* vs. *Kiddush Levanah*

Rabbi Abba Zvi Naiman ..... 69

### *Yom Leyabasha* and *Kerias Yam Suf*

Rabbi Yitzchak Szyf ..... 71

### *Shiras HaYam* during *Pesukei DeZimra*

Rabbi Abba Zvi Naiman ..... 81

### Why We Believe

Yirmiyahu Lauer ..... 83

## SECTION VII: SHAVUOS AND THE MIDBAR

### The Marriage of Boaz and Rus

Roman Kimelfeld ..... 91

### The Transmission of the Torah to *Klal Yisrael*

Dani Zuckerbrod ..... 97

### Chur ben Miriam

Jeffrey Silverberg ..... 111

### *Badei HaAron* – Raisers of the Lost Ark

Barry J Reiner, MD ..... 118

## Capital Punishment in Judaism: Chapter Four – Deterrence

Rabbi Shmuel Chaim Naiman ..... 125

### Introducing “The Healthy Jew”

Rabbi Shmuel Chaim Naiman ..... 138

## SECTION VIII: *TEFILLAH* ON PESACH AND BEYOND

### Does a Table Count? And other *Tefillah* Topics:

Tachanun at Minchah, The *Gabbai Sheni*, Taking out the Torah  
on Shabbos and Yom Tov

Rabbi Abba Zvi Naiman..... 142

## SECTION IX: *ZICHRONOS*

### My Year in the Mir

Rabbi Abba Zvi Naiman..... 160

### The First Printing of *Sefer Derech Hashem*

Rabbi Abba Zvi Naiman..... 169

## חלק י: מדור לשון הקדש

### ביאורים בהגדה של פסח

הגאון הרב נחום מאיר הלוי לנסקי שליט"א ..... א

### מושב ועומד מהר סיני

הרב רפאל שעפטיל הלוי נויברגר ..... יד

### ל"ג בעומר – תורת ר"ע ורשב"י

הרב אהרן גינזברג ..... כז

### גלוי כבוד מלכותו בקריעת ים סוף ופורים

הרב יהושע משה מגילניק ..... לד

### זה שמי לעלם וזה זכרי לדר דר

ר' אברהם צין ..... מג

### איתנבענין העונש של אחשורוש משום כלי המקדש

בנימין נתן ורגפטמאן ..... סח



- I. Preparing for Pesach
- II. The *Avos* and *Galus Mitzrayim*
- III. *Geulas Mitzrayim* and other Miracles
- IV. The Seder
- V. The Hagadah
- VI. *Sefiras HaOmer* and *Kerias Yam Suf*
- VII. Shavuos and the *Midbar*
- VII. Tefillah
- IX. *Zichronos*







## Chasing the Shadow of the Heichal Building<sup>1</sup>

**Rabbi Yoav Elan**

*Moshe instituted for the Jewish people that they should teach the laws of Pesach on Pesach, the laws of Shavuos on Shavuos, and the laws of Sukkos on Sukkos.*

*Megillah 32a*

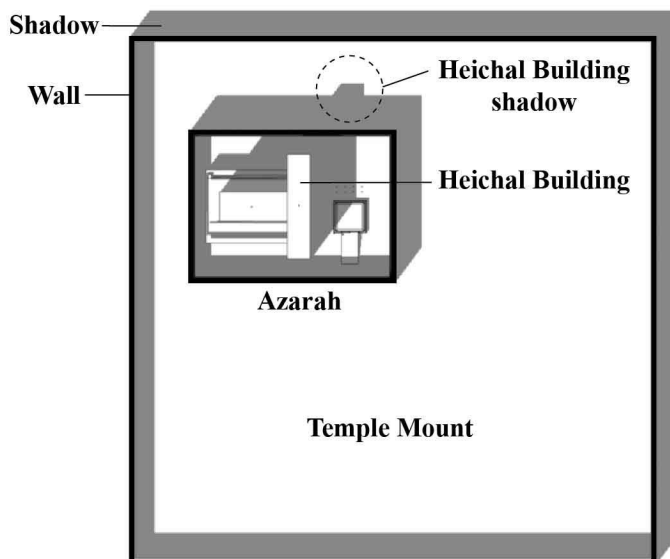
As the period of the Second Beis HaMikdash drew to a close, the greatest sage of the nation was Rabban Yochanan ben Zakkai. A student of both Shammai and Hillel, he undertook to preserve Torah traditions and laws in the turbulent pre-*Churban* era. Not only did he head an academy of brilliant scholars, but he also gave public lectures before, and during, the major Festivals, in accordance with the Gemara in *Megillah* cited above.

These lectures were so popular that there was no study hall large enough to contain the masses of people who wished to attend. As a result, Rabban Yochanan was forced to deliver the talks outdoors in a large open area just off of the Temple Mount. Here, he would stand in the shadow of the Heichal Building [to protect him from the sun] and teach for the entire day (*Pesachim* 26a with *Rashi*). Of course, since shadows move over the course of the day, the podium had to change locations in order to stay in the shade (*He'aros R' Elazar Moshe Horowitz* ad loc.). Using a computer model of the Beis HaMikdash it is possible to show where, exactly, Rabban Yochanan ben Zakkai stood while he was teaching.

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<sup>1</sup> This article is adapted from the author's blog post on this topic and from his book *The Original Second Temple* (Feldheim, 2020). For more information about the Beis HaMikdash and the book please visit [BeisHamikdashTopics.com](http://BeisHamikdashTopics.com).

Diagram A below shows a top view of the entire Temple Mount in sunlight on a typical spring day of the Pesach season.<sup>2</sup> The structure has been simplified to focus on just the key elements, including the walls of the Temple Mount (500x500 amos and 40 amos tall), the walls of the Azarah (187x135 amos and 40 amos tall), and the Heichal Building itself (100 amos tall).



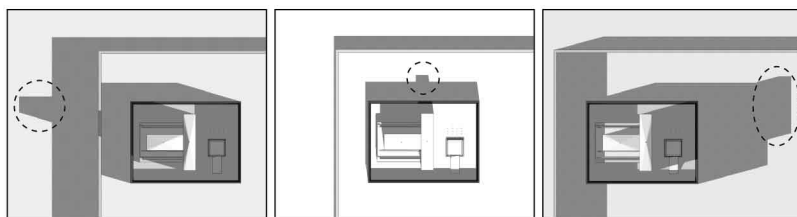
**DIAGRAM A** *Top view of the Temple Mount on a spring day.*

This snapshot was taken shortly past noon, where the sun has begun its decline toward the west and the shadows are tilting to the east. The very top of the shadow of the Heichal Building is circled in the diagram, just visible above the shadow of the Azarah walls. The difficulty is that the shadow is not extending off of the Temple Mount,

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<sup>2</sup> The path of the sun through the sky on the days prior to, and during, Pesach is roughly equivalent to the path it takes during Sukkos, since both Festivals occur near the equinoxes. Although not demonstrated here, from the fall of the shadows seven weeks after Pesach it appears unlikely that Rabban Yochanan ben Zakkai could have “taught in the shadow of the Heichal for the entire day” during the Shavuot season.

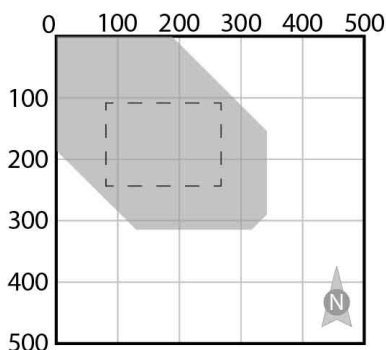
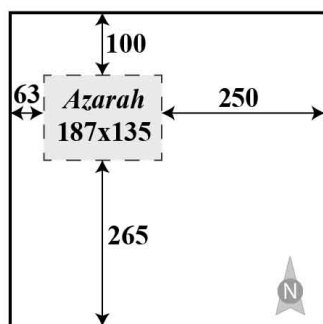
nor is it even close to the Temple Mount walls. This is shown in more detail below in Diagram B.



**DIAGRAM B** (*l to r*) Top view of the Azarah on a spring day in the morning, noon, and afternoon. Heichal shadow is circled.

As can be seen above, the Heichal shadow does make a brief appearance outside the Temple Mount in the early morning hours, however, it is quickly subsumed within the shadow of the Temple Mount walls itself. Thus, Rabban Yochanan ben Zakkai could not have been standing west of the Temple Mount and been in the shadow of the Heichal “for the entire day.” He also could not have been standing north of the Temple Mount because the shadow never reaches outside the northern Temple Mount wall. He also could not have been standing east of the Temple Mount, because by the time the shadow reaches that area, it is almost sunset.

With all the possibilities essentially ruled out, it becomes necessary to reexamine some of the assumptions of the above model. Although the Beis HaMikdash is described at great length in *Maseches Middos*, there are some places where the Tanna is vague. One such detail is the exact location of the Azarah upon the Temple Mount. The Mishnah (2:1) does not give explicit numbers but rather states that the southern area (that is, the area between the southern Temple Mount wall and the Azarah) was larger than the eastern area, and the eastern area was larger than the northern area, and the smallest area was in the west. The commentators to the Mishnah provide sample measurements to illustrate this point. See Diagram C.



**DIAGRAM C** (left) *Traditional placement of the Azarah upon the Temple Mount.*

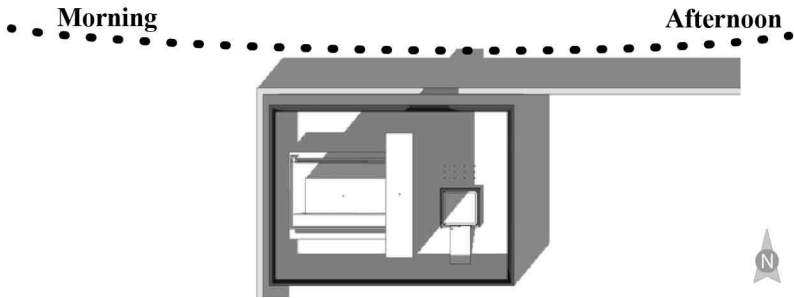
**DIAGRAM D** (right) *Shaded area indicating all allowable placements of the Azarah (dashed line) upon the Temple Mount.*

Although the dimensions in Diagram C satisfy the Mishnah's requirements, there are many other possible locations of the Azarah that would work equally well. In fact, it can be shown that the Azarah may be placed anywhere within the shaded area in Diagram D.<sup>3</sup> This allows the Azarah to be moved much further north compared to its location in Diagram A, and by having the Azarah located closer to the northern Temple Mount wall it will push the shadow of the Heichal beyond the confines of the Temple Mount and spill into the area north of it.

The proposed location of the Azarah is shown in Diagram E, below. In this new location, the shadow of the Heichal does, in fact, sweep across a large swath of land just outside the Temple Mount, and it is likely that this is where Rabban Yochanan ben Zakkai taught the people on the Festival of Pesach (and Sukkos).

<sup>3</sup> For a more detailed explanation of how this result was obtained, please see my blog post: [beishamikdashtopics.com/2016/10/locating-courtyard-upon-temple-mount.html](http://beishamikdashtopics.com/2016/10/locating-courtyard-upon-temple-mount.html)

It should be noted that in order to achieve this result, the Azarah has to be placed quite close to the Temple Mount's northern wall, which means that it has to be even closer to the western wall (in keeping with the Mishnah's requirements, above). The Mishnah (there) states that the sizes of the areas of open space surrounding the Azarah corresponded to the amount of use those areas saw. It would emerge that the northern and western areas were hardly used at all because of their small size, for they were just large enough to allow for foot traffic and no more. <sup>א</sup>



**DIAGRAM E** *Proposed location of the Azarah upon the Temple Mount. Dotted line indicates the path of the podium as it was moved over the course of the day to remain in the shadow of the Heichal.*

## **Burning Your Lulav**

### **Rabbi Abba Zvi Naiman**

When our community began the service of a communal fire for burning our chametz on Erev Pesach, I noticed an interesting phenomenon. Together with solemnly throwing one's chametz into the raging fire, some people were throwing in their lulav as well. I understood the solemnness about getting rid of one's chametz, which represents our *yetzer hara* and all our human foibles? But why did the lulav deserve to be immolated?

At first, I thought that perhaps these people thought that since a mitzvah had been done with the lulav, they were concerned that it would be used for some non-sacred use such as sweeping the floor. So to avoid having their precious lulav meet this fate, they were destroying it to prevent any sacrilegious activity with it. But if that were the case, why were they not throwing their esrog into the fire (unless they had already made jam out of it)? Why would using their esrog as some sort of toy not be as bad as turning their lulav into a broom? And why were they not throwing other mitzvos they were done with into the fire, like old tzitzis, leftover cholent, and the like?


I looked at the *Nitei Gavriel* to see if there was a source for such a *minhag*, and sure enough I found something somewhat related to this practice. He writes (*Dinei U'Minhagei Chag HaPesach* Vol. I 50:13) that *anshei maaseh* (loosely translated: important people) are accustomed to burn the lulav and *hoshanos* of Hoshanah Rabbah, and they burn the chametz with them. For once one mitzvah was done with [the lulav] one should do another mitzvah with it (see *Shabbos* 117b near the bottom).

He cites a source for this custom from the *Maharshal* (*Teshuvah* §87), who writes that his father had learned from his teachers to burn the

chametz with the *hoshanos*, and some people throw them in the oven when they are baking their matzos. The *Aruch HaShulchan* (445:5) also cites those who write to burn the chametz with the *aravos* from Succos, but he concludes that we are not able to keep them that long until *biur chametz*.

So far, we haven't seen anything about the lulav. But the *Nitei Gavriel* also cites a *Teshuvos Mahari Vahl* (§193), which states to use the lulav as fuel for the oven when baking the matzos, because once one mitzvah was done with it one should do another mitzvah with it. And the *Mahari Vahl* concludes that similarly, one should use *pasul tzitzis* as bookmarks in *sefarim*.

Even though we have now discovered a source for burning a lulav, this does not justify the practice of throwing one's lulav in a raging fire to burn it. A careful reading of the sources yields that the lulav should be the fuel used to perform the mitzvah of burning one's chametz or baking one's matzos. Just as no one says to add the lulav or the *aravos* to the flour being baked, no one says that the lulav should be burned together with the chametz. They are saying to start a fire with the lulav and *aravos*, and then use that fire to destroy your chametz. And I also saw someone cite a custom to use the lulav to sweep out the oven before baking the matzos. By the same token, the *Mahari Vahl* does not say to burn your *pasul tzitzis* with the chametz; he says to find a new mitzvah use for it, i.e., holding your place in the *sefer* you are learning.

In conclusion, please do not burn your lulav with your chametz. Rather, burn your chametz with (the fire you made with) your lulav. And if you do not find that practical, you can always discard your Lulav wrapped in a plastic bag. <sup>א</sup> 

## Shabbos HaGadol: A Day of Miracles and Metamorphosis

### R' Mordechai Pollock

As we all know, the Shabbos before Pesach is known as Shabbos HaGadol. What is the reason for this name? What is so great about this Shabbos? Let us explore some of the many ideas, concepts, and lessons behind this momentous Shabbos.

#### What Are We Commemorating?

Let us begin by taking a look at the *pesukim* that describe this Shabbos. The Torah says (*Parshas Bo* 12:3,6): דְּבָרוּ אֶל כָּל עֵדַת יִשְׂרָאֵל לֵאמֹר בַּעֲשֹׂר לַחֹדֶשׁ הַזֶּה וַיִּקְחוּ לָהֶם אִישׁ שֶׁה לְבֵית אָבִתּוֹ...וְהָיָה לָכֶם לְמִשְׁמֶרֶת עַד אַרְבָּעָה לַחֹדֶשׁ הַזֶּה וַיִּקְחוּ הַזֶּה לַחֹדֶשׁ הַזֶּה וַשְּׁחֲטוּ אֹתוֹ כָּל קֵהָל עֵדַת יִשְׂרָאֵל בֵּין הָעֶרְבָּיִם, *Speak to the entire assembly of Israel, saying: On the tenth of this month they shall take for themselves – each man – a lamb or kid for each father's house, a lamb or kid for the household... It shall be yours for examination until the fourteenth day of this month; the entire congregation of the assembly of Israel shall slaughter it in the afternoon.* The Gemara (*Shabbos* 87b) tells us that the Jewish people left Mitzrayim on a Thursday, and based on this, *Tosafos* there calculates that the day Hashem commanded us to take the sheep, the tenth of Nissan, fell out on Shabbos. This, explain *Tosafos*, is the reason why the Shabbos before Pesach is known as Shabbos HaGadol – to remember the miracle that occurred on the day we brought the sheep into our homes.

There are several approaches given in the Midrashim to explain what that miracle was. *Tosafos* quote one version which states that when the Jews gathered the sheep into their homes that Shabbos, the *Mitzri* firstborns asked the Jews why they were doing so. The Jews courageously responded that they were following Hashem's command to slaughter and eat the sheep four days from then, at which time



Hashem would kill all the *Mitzri* firstborn. Terrified, the firstborns rushed to their fathers and to Pharaoh to demand that the Jews be let free before the arrival of this *makkah*. Upon being met with refusal, the firstborns revolted, killed countless thousands of their own fathers, and an all-out civil war ensued. Many more Mitzrim were killed as a result. According to *Tosafos*, this is the miracle that we are remembering on Shabbos HaGadol.

The *Tur* (O.C. 430) brings a different Midrash to explain what miracle Shabbos HaGadol is commemorating. When the Jews brought the sheep into their homes on that historic Shabbos, and the Mitzrim inquired why, the Jews responded that they were following Hashem's command to slaughter the sheep. This greatly infuriated the Mitzrim, who worshiped sheep, and they tried to protect their deity by attacking and killing the Jews. However, they were miraculously prevented from harming the Jews in any way. According to the *Kol Bo* (§47), the Mitzrim were struck with excruciating and debilitating pains and illnesses, which left them completely incapable of putting up any fight. (The *Eitz Yosef* to *Midrash Rabbah Bo* 16:3 explains that this is based on expounding the word *kichu*, take, as *kihu*, which means "to make someone grit his teeth." Thus, the Midrash is understanding that the Jews were commanded to take sheep and thereby cause the Mitzrim to grit their teeth in fury.)

Although some *meforshim* understand the above approaches to be two independent opinions of what happened (see, for example, *Levush*, who brings both approaches as two separate ideas), the *Maharsha* (*Shabbos* 87b) posits that they are really both expressing the same idea. He explains that since the first of the *mazalos* is the *mazal tleh* (lamb) it was worshipped primarily by the firstborns. That is why it was specifically the firstborns who were bothered enough to inquire after the Jews taking their 'sacred' sheep. In response to hearing about their imminent death, they tried to attack the Jews and were miraculously prevented, after which they unsuccessfully attempted to have the Jews sent free, with the ensuing civil war.

A number of other *meforshim* present several other approaches for why Shabbos HaGadol is of such national import and everlasting significance to warrant our commemorating it for all time. The *Chizkuni* (Bo 12:3) explains that Shabbos HaGadol marks the day when the Jewish people began to perform the *korban pesach*, which was the first mitzvah they had been commanded as a nation. The *Me'am Loez* says that that Shabbos was the first time that the entire Jewish people as a whole believed that Hashem created the world in six days and rested on the seventh. And according to the *Shibolei Haleket* and *Tzeidah Laderech*, the name Shabbos HaGadol evolved due to the widespread *minhag* of Jews gathering in their shuls on the Shabbos before Pesach to hear lengthy *derashos* on the *halachos* of Pesach.

### **The Focus on Shabbos**

Now that we understand some of the ideas behind what we are commemorating, let us move on to discuss a basic question discussed by many *meforshim* regarding the concept of Shabbos HaGadol. We know that all of our Yomim Tovim are celebrated on the day of the month that the event occurred on, with no significance given to the day of the week on which it happened. Why is it then, that Shabbos HaGadol is celebrated on the day of the week the miracle occurred, regardless of the day of the month it falls out on? Why don't we celebrate the tenth of Nissan as "Yom HaGadol"?

The *Bach* and *Taz* (430:1) quote one approach that there was another significant miracle that occurred on the tenth of Nissan, namely that the Yarden split for the Jewish people when they were entering Eretz Yisrael. Since Chazal wanted to designate this day specifically as a remembrance of the miracles that occurred in Mitzrayim, they enacted that we should celebrate on the day of the week on which they occurred. This would clearly demonstrate which miracle we are remembering, since the crossing of the Yarden did not happen on Shabbos.

The *Magen Avraham* suggests that since Miriam died on the tenth of Nissan, which resulted in it being established as a day of national mourning (see *Shulchan Aruch O.C.* 580:2, who includes the tenth of Nissan in the list of days of national mourning), they didn't want to make that day a Yom Tov, so they made the Shabbos before Pesach the day of remembrance instead.

The *Chasam Sofer* answers based on a Midrash which says that the Jews were being commanded to pull themselves away from the *avodah zarah* they had been engaged in (see below for further elaboration of this idea). He explains that the tenth of Nissan was the day on which the *nasi* of *Shevet Dan* brought his *korban* by the *Chanukas HaMizbei'ach* (see *Bamidbar* 7:66), and we know that *Shevet Dan* sinned by worshiping an idol known as *pessel Michah* (see *Shoftim* chapters 17 and 18). Therefore, Chazal did not want to enact the Yom Tov which celebrates our forsaking *avodah zarah* on *Shevet Dan's* day, and so they decided to make the Yom Tov on the Shabbos before Pesach instead.

According to these approaches, it seems the tenth of Nissan was originally established to remember the miracle, and only later, after either the death of Miriam, the crossing of the Yarden, or the discovery of *pessel Michah*, was it switched to the Shabbos before Pesach.

Others posit that it was in fact originally established specifically on Shabbos. The *Levush* understands that the Jewish people kept Shabbos fully, with all of its laws (as we know from *Shemos Rabbah* 1:28 that they didn't work on Shabbos), and it was only due to their keeping Shabbos that the miracle happened. He explains that the Mitzrim were aware of the fact that we kept Shabbos, and they knew that we never handled animals on Shabbos due to their being *muktzeh*. This was what prompted them to inquire after our bringing the animals into our homes on Shabbos, to which we responded that we were following a direct command from Hashem to bring them into our homes in preparation for their slaughter.

In a similar vein, the *Perishah* suggests that they were prompted to ask about the sheep because they saw us tying the sheep to our beds on Shabbos, and they knew we never tied knots on Shabbos. Their mistake was that they didn't realize that only a permanent knot is forbidden on Shabbos, and the Jews were tying impermanent knots. We therefore remember the miracles specifically on Shabbos because it was our keeping Shabbos which instigated those miracles.

The *Derishah* explains that Hashem actually wanted them to take the sheep on the Shabbos before they left Mitzrayim since their taking the sheep was a national forsaking of *avodah zarah*, and Shabbos, with its *neshamah yeseirah* and greater potential for spiritual growth, is the day which is ideal for *teshuvah* and coming closer to Hashem. Thus, when Hashem commanded them to take the sheep on the tenth of Nissan, it was only because the Shabbos before they left Mitzrayim happened to fall out on that date. It therefore follows that we also remember the *teshuva* that was done on the Shabbos before Pesach.

Another basic question raised by the *Bach* is why the Mitzrim were so incensed over our slaughtering and eating the sheep; they surely knew that we regularly ate sheep!? The *Bach* explains that the Jews responded to the Mitzrim that together with their slaughtering the sheep, the *mazal* of *tleh*, which the Mitzrim worshiped, would be slaughtered on a spiritual level as well. It was this news that infuriated the Mitzrim so much.

The *Beis Yosef* asks another fundamental question. Why are we only remembering the tenth of Nissan and not all four days, from the tenth to the fourteenth, that the Jews had the sheep tied to their bedposts and the furious Mitzrim were rendered incapable of stopping them? The *Beis Yosef* explains that the main miracle really only happened on the first day, when the Mitzrim first realized what the Jews were going to do to their god. After the first day, however, when they realized they were powerless to do anything, they gave up on their attempts to hurt the Jews.

### Why Was All This Necessary?

To conclude our discussion, let us examine some of the reasons brought for why Hashem commanded the Jews in the mitzvah of *korban pesach* before they left Mitzrayim. The *Mechilta* (Bo 5:28, quoted by *Rashi* to *Shemos* 12:6) explains that although the time had arrived for the Jews to leave Mitzrayim, they were undeserving of the *geulah* due to their lack of mitzvah observance. Therefore, Hashem gave them the two mitzvos of *korban pesach* and *bris milah* for them to earn the *zechus* needed to be worthy of redemption. The *Mechilta* then brings a dissenting opinion which argues that the Jewish people had indeed kept themselves on the level of being worthy of the *geulah*, since, as he goes on to prove, they had refrained from immoral behavior and *lashon hara*, and they had preserved their Jewish names and language. Therefore, this opinion argues that the reason Hashem commanded them to bring the *korban pesach* was to pull themselves away from their attachment to *avodah zarah*. Over the centuries of living in Mitzrayim, they had to a large extent become assimilated into the Mitzri culture and religion, which included worshiping sheep, and now was time to pull themselves away from it. This is derived from the word מִשְׁכּוֹ, *draw forth*, which Moshe used in telling the Jewish People about the *korban pesach* (*Shemos* 12:21). This approach understands that Moshe was urging the Jews to draw themselves away from *avodah zarah* and instead engage in the *korban pesach*.

This brings us to a fascinating point. The Jewish people had already experienced nine of the *makkos* and were days away from the actual *geulah*; how could they have still been engaged in worshiping *avodah zarah*!? Even Pharaoh and his nation were on the verge of capitulating; could it be that the Jews themselves were still holding fast?

R' Gershon Libman (*Degel HaMussar*, quoted in *Chochmas HaMatzpun*) explains that this brings out a fundamental lesson in *emunah* and human nature. *Emunah* in Hashem is not a black-and-white, yes-or-no decision; there are endless nuanced gradations between denial of Hashem and complete, all-encompassing belief. A

person may believe in Hashem and keep the mitzvos fully, yet when undergoing a difficult challenge may ignore what he knows to be true and succumb to sin. This is one of the main goals of Pesach – to deepen and strengthen our belief in Hashem further and further until it consumes our entire being and subconsciousness, and manifests itself in every aspect of life. Therefore, explains R' Libman, the Jewish people without question had long before rejected their idolatrous ways. However, the centuries of exposure to the foreign Mitzri culture, religion, and way of life had left an indelible impression upon them. Although they had forsaken their Mitzri deities, deep down they still harbored subconscious inclinations towards Mitzri culture. Hashem therefore commanded them to take the Mitzri deity and slaughter and eat it in a public and daring demonstration of complete rejection and mockery of all that Mitzrayim held sacred. This bold and audacious act enabled them to finally shake themselves free from the deeply enrooted shackles of the Mitzri spiritual bondage.

On a different, but related note, the *Sefer Shaarei Leil HaSeder*, based on the *Maharal*, says that one of the reasons why Hashem commanded them in the two mitzvos of *bris milah* and *korban pesach* is because they both require a tremendous amount of *mesirus nefesh*. Putting themselves and their children through a *bris milah* was an excruciating process, both physically and emotionally, and as we've seen above, the *korban pesach* required enormous courage and devotion to Hashem. Since they were about to embark on an eternal marriage-like love relationship with Hashem, they needed to demonstrate their unswerving and undying loyalty to Him. They needed to lay the foundation for their existence as Hashem's people as one that is ready and willing to sacrifice anything and everything for their dear Father in Heaven. Indeed, as our history testifies, the Jewish people have continually demonstrated great self-sacrifice, dedication, and loyalty to Hashem in every conceivable condition, just as they did in Mitzrayim so many years earlier. May we merit to continue on their lofty path, to sanctify Hashem's Name in every aspect of our lives. א

## Three “Extra” Words

Jeffrey Silverberg

וַיְהִי כָּל נַפְשׁ יִצְחָק יָרָה יַעֲקֹב שְׁבַעִים נַפְשׁ וַיּוֹסֶף הָיָה בְּמִצְרַיִם, *All the souls that went down with Yaakov to Mitzrayim were seventy souls, and Yosef was already in Mitzrayim (Shemos 1:5).*

*Rashi* asks why the last three words of this *pasuk*, וַיּוֹסֶף הָיָה בְּמִצְרַיִם, are necessary. Are we not already aware that Yosef was included in the count of seventy people listed near the end of *sefer Bereishis* and that he was in Egypt? Famously, *Rashi* tells us that the Torah repeats these facts to tell us that Yosef was righteous. The same person who grew up as a shepherd tending his father’s flock remained righteous and G-d fearing even after becoming the *de facto* ruler of the largest civilization in the world. The Torah stresses that in Yosef’s case, power did not corrupt.

The Tolna Rebbe, *shlit”a*, asks a question on this *Rashi* based on another *Rashi*. Earlier, in *parashas Vayechi*, we find that *Yaakov Avinu* bows to the *Shechinah* present at the head of his bed **because**, says *Rashi*, he saw that there was no *rasha* among his sons and that Yosef, despite having been kidnapped among the nations and becoming a king had maintained his righteousness. It seems that this *Rashi* in *Bereishis* undermines his explanation in *Shemos*! Since we already know about Yosef’s righteousness based on Yaakov’s behavior in *Parashas Vayechi*, the Torah does not need to use extra words to give the same message in this *parashah*! The original question that *Rashi* addresses remains: why indeed did the Torah tell us again that Yosef was already in Egypt?

The *rebbe* questions further: The first *Rashi* refers to Yosef’s past history as a shepherd and seems to suggest that tending flocks is an indication of righteousness. Is this so? The Gemara in *Yevamos* (67a)

holds that those who tend cattle are engaged in a lowly profession and, according to Rabbi Akiva, (*Sanhedrin* 26a) those who tend sheep are even lower! If so, what is the connection between shepherds and righteousness? And why is shepherding not mentioned in the *Rashi* in *Vayechi*?


The Tolna Rebbe cites the *Sefas Emes* in order to explain. The Torah tells us in *Parashas Vayigash* that Yosef was so eager to reunite with his father that he prepared his own chariot. He was the viceroy of Egypt and surely had servants to perform this menial task. But Yosef did not stand on ceremony. He understood that a person's purpose in this world is to accept *ol malchus shamayim*, to truly recognize that Hashem rules the world. This is only possible for a person to achieve if he passes the tests that come before him and is able to conquer the *yetzer hara*, the evil inclination. The *Nesivos Shalom* writes that when a person faces difficult tests, his logic and intelligence leave him. He is left with only his core inner essence and *emunah* as tools of battle. Chazal tell us that the sum total of all the temptation in the entire world was engulfing *Yosef HaTzaddik* when the wife of Potiphar attempted to seduce him. At that moment *Yosef HaTzaddik* was faced with the unimaginable challenge of remaining upright and true to his values. Yet he prevailed, and with that triumph vanquished his evil inclination once and for all.

As a result, Yosef became the ruler of the country of Mitzrayim and of all the unholy desires which exist and are referred to by the term "mitzrayim" with a lower-case letter. The *Sfas Emes* writes that it was only because Yosef reached these *l'maalah min hateva* levels, as ruler in the physical world and as a spiritual ruler over the *yetzer hara*, that *Am Yisrael* was able to withstand the impurity of Mitzrayim. The people were at the precipice of the fiftieth level of impurity. The Midrash (*Vayikra Rabah* 32:5) relates that Yosef went down to Mitzrayim and placed a boundary around forbidden relations and therefore *Am Yisrael* was able to do the same in his merit.



Thus, it was not at all “extra” for the Torah to tell us again that Yosef was already in Mitzrayim. It is mentioned this second time to teach us that he was where he needed to be to accomplish his pivotal role in the continuing existence of *Am Yisrael*.

This also answers the question about the reference to shepherding. The Tolna Rebbe writes that the reference is a metaphor. Yosef began as a shepherd of his father’s flock and subsequently became the moral guide of the Jewish people, who became his flock. This is similar to Moshe leading his sheep into the wilderness to prevent theft. Hashem then chose Moshe to be a shepherd of His people, as we find in *Tehillim: You led your people like a flock by the hand of Moses and Aaron* (77:20). Yosef’s victory resulted in his assuming the role of leader in the area of moral behavior. This only needed to be mentioned in the second *Rashi*, at the time that the *galus* was about to begin, when Yosef’s flock would desperately need his moral leadership and example.

To this day, Yosef’s strength has enabled our people to withstand the oppression of the four millennia since he lived, including two thousand years of subjugations and exile, still able to hold on to the ways of Torah and mitzvos. May it be Hashem’s will that we also make efforts and succeed in conquering our own unworthy desires and that this helps lead to the final redemption, speedily in our days. <sup>A</sup>

## Yosef and Binyamin

### Yitzchak Razckowski

Towards the end of *Sefer Bereishis*, the story of the brothers going to Egypt comes to a dramatic end by Yosef revealing himself. After Yosef had revealed himself to the brothers, he gave the brothers food, clothing, and money. However, Yosef gave his full brother Binyamin more than the rest of his brothers. The rest of his brothers received just one pack of clothes and 100 *ma'os kesef* while Binyamin received five packs of clothes and 300 *ma'os kesef*.

The Gemara in *Megillah* (16a) asks that if Yosef knew the destruction of jealousy based off of favoritism, how could it be that Yosef himself is promoting favoritism — the same thing that caused him so much pain and anguish — by giving his brother more than the rest of his siblings? The Gemara answers that Yosef was revealing a *remez* to the five *levushei malchus* that would come from Binyamin, and therefore there was no worry that the other brothers would have any suspicion of favoritism.

The *Maharsha* asks: what is the premise of the Gemara's question? The favoritism that took place by Yosef was fundamentally different from the favoritism taking place by Binyamin. By Yosef, all the brothers were equally related to each other so when Yaakov showed extra love to Yosef, there was a basis to become jealous. However, it made sense that Yosef gave more to Binyamin because he was Yosef's only full brother. If so, why would the brothers get jealous? The *Maharsha* answers that since Yosef was currently in a state of removing the hatred caused by being sold as a slave, the Gemara is implying that he should have been aware that the extra gifts to Binyamin could be misunderstood by the brothers and therefore cause jealousy.

The Rosh HaYeshivah of Chofetz Chaim in Queens, HaRav Rabbi Dovid Harris, *shlit"á* asked a question on this *Maharsha*. He pointed out that the only motive that would make the brothers misinterpret the gift given to Binyamin was the fact that the brothers had jealousy, because that is the whole focus of the Gemara's question. If this is true, that means in a world with no *middah* of jealousy the brothers would have totally understood why Binyamin had received extra gifts from Yosef. Clearly, we see that the brothers were able to understand the reason behind the gifts. The only thing that stopped them from understanding the proper reason was jealousy, if so what was the reason they could not understand the proper purpose of the gifts? Could the brothers not see though the *middah* of jealousy, the same *middah* that they had once fatally succumbed to before?

To make things even worse, the *Maharsha*'s next comment on the Gemara's answer says that the Gemara did not even answer its question; because although the Gemara addressed the five packs of clothing — which the brothers would recognize as referring to the five *levushei malchus* — it did not explain the extra money. The extra money given to Binyamin did not resemble anything and would surely be taken the wrong way! The *Maharsha* answers that since the money was not as related to the incident as clothing was, it would not lead the brothers to thinking that Yosef favored Binyamin (unfairly); after all, Binyamin was Yosef's only full brother. However, the extra packs of clothing reminded the brothers of *kisones passim*, which was much more integral to the whole plan of the selling of Yosef. Therefore, Yosef had to be especially careful when he gave the extra clothing to Binyamin, but not when he gave the extra money.

Now if we take a step back, we see that had Yosef not specifically given only five extra packs of clothing to Binyamin, the brothers would have had jealousy but not just any jealousy the same jealousy that caused them to commit the sin of selling Yosef. However, simultaneously they knew and understood that Yosef valued and loved Binyamin more than the other brothers for the very logical reason that

he was his only full brother and were perfectly fine with the extra money given to Binyamin. Again, it almost seems absurd to think that the brothers could make the mistake of misinterpreting why Yosef was giving extra gifts to Binyamin. How were the brothers able to make such a powerful mistake yet again? The Rosh HaYeshivah said we see from here just how powerful the *middah* of jealousy is despite knowing that Yosef values Binyamin not because of any unfair favoritism but rather a very logical favoritism that the brothers knew and were okay with when it came to the extra money that Binyamin had received yet, still, the *middah* of *kinah* could have blinded them to become jealous of Binyamin.

This past year, my father, R' Baruch Raczkowski, *hareini kaparas mishkavo*, passed away. My father was a man who taught through action, molding us as we watched his day-to-day life. Truthfully, *kinah* was not a part of his life. He lived with an objective view, utilizing the Torah as his guide throughout his life. He taught us time and time again that there is never an excuse not to do the right thing, and that his ultimate pride was watching his children grow *b'derech Hashem*.

My father was the antithesis of *kinah*. A prime example of this would be my father's countless efforts in starting, maintaining, and growing Motzaei Shabbos Live in Agudah Israel of Greenspring. He knew that this would strengthen boys' love of Torah and encourage father-son learning. My father had worked very hard to create this program, often up until the wee hours of the night coordinating it. Despite all of his efforts for the Agudah, when other shuls approached him to start a similar program, my father gladly agreed. Not only did he agree, but he invested tremendous effort, assisting them in building a program that would be successful. This is one example of many that highlight my father's laser focus on objectively, doing the will of Hashem with impartiality.

May the Torah gleaned from this thought be an *aliyah* for his *neshamah*.<sup>א</sup>

## ***Dever, Mamzerus, and Bechirah Chofshis***

**Amitai Barth**

*Parashas Emor (Vayikra 24:10-12)* records a strange incident of a man uttering Hashem's name and blaspheming:

וַיֵּצֵא בֶן אִשָּׁה יִשְׂרָאֵלִית וְהוּא בֶן-אִישׁ מִצְרִי בְּתוֹךְ בְּנֵי יִשְׂרָאֵל, וַיִּנָּצוּ בַּמִּחָנֶה בֶּן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי: וַיִּקָּב בֶּן הָאִשָּׁה הַיִּשְׂרָאֵלִית אֶת הַשֵּׁם וַיִּקְלַל וַיִּבְיֹאוּ אוֹתוֹ אֶל מֹשֶׁה; וְשֵׁם אִמּוֹ שְׁלֹמִית בַּת דְּבָרִי לְמִטְרֵי דָן: וַיִּנְיְחֻהוּ בַּמִּשְׁמֶר לְפָרֹשׁ לָהֶם עַל פִּי ה'.

*The son of a Jewish woman went out and he was the son of a Mitzri man, in the midst of Bnei Yisrael; and they quarreled in the camp, the son of the Jewish woman and the Jewish man. The son of the Jewish woman pronounced the Name and cursed; they brought him to Moshe, and his mother's name was Shelomis bas Divri of the tribe of Dan. They placed him under guard to clarify for themselves by the mouth of Hashem.*

Apparently, the Blasphemer's action was so unprecedented that even Moshe seemingly did not know the proper response. The novelty of this incident is arguably matched by the unusual manner in which it is recounted; it is very much *sasum* (closed). The subject of the quarrel and the nature of the curse are not revealed. Furthermore, none of the parties actively involved – the Blasphemer, his combatant, and the force that brings him to Moshe and places him under guard – are identified by name.

The *Midrash (Vayikra Rabbah 32:4)* informs us that the Blasphemer was considered a *mamzer*, either because he was technically a *mamzer*, was viewed as such by people, or is compared to a *mamzer*. The *Midrash (Ibid.; Shemos Rabbah 1:28)* recounts how the Blasphemer's mother came to unknowingly have illicit relations with the Mitzri

taskmaster of her husband; the Blasphemer was the product of this illicit union.<sup>1</sup>



In the fifth plague, *dever*, Hashem inflicted an epidemic disease on the livestock of the Mitzrim. The warning that Hashem instructed Moshe to deliver to Pharaoh prior to the plague included the following (*Shemos* 9:4):

וְהִפְלָה ה' בֵּין מִקְנֵה יִשְׂרָאֵל וּבֵין מִקְנֵה מִצְרַיִם, וְלֹא יָמוּת מִכֹּל לֶבְנֵי יִשְׂרָאֵל דָּבָר:  
*Hashem will distinguish between the Jewish livestock and the Mitzri livestock, and nothing from all of Bnei Yisrael will die.*

The Torah's account of *dever* concludes as follows (*Shemos* 9:6-7):

וַיַּעַשׂ ה' אֶת-הַדָּבָר הַזֶּה מִמָּחָרַת יוֹמָת כָּל מִקְנֵה מִצְרַיִם, וּמִמִּקְנֵה בְנֵי יִשְׂרָאֵל לֹא מָת אֶחָד:  
וַיִּשְׁלַח פֶּרְעֹה וְהָנָה לֹא מָת מִמִּקְנֵה יִשְׂרָאֵל עַד-אֶחָד, וַיִּכְבַּד לֵב פֶּרְעֹה וְלֹא שָׁלַח אֶת-הָעָם:  
*Hashem performed this matter the next day; all of the Mitzri livestock died; and from the livestock of Bnei Yisrael not one died. Pharaoh sent and behold! From the livestock of the Jews not even one ("ad echad") died; Pharaoh hardened his heart and did not send the nation.*

Why would Pharaoh check to see if any of the Jewish livestock died, and then harden his heart after determining that none did? The Vilna Gaon on the Torah addresses this issue. He posits that the Blasphemer was halachically not Jewish, citing *Chachmei Tzarfas*<sup>2</sup> who held that patrilineal descent applied before *Matan Torah*.<sup>3</sup> Consequently,

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<sup>1</sup> Not only was the union apparently unintentional, but, to *Bnei Yisrael*'s credit, *Rashi* (*Vayikra* 24:11, s.v. "v'shem imo Shelomis bas Divri") informs us that there was no other instance of a forbidden relationship between a Jew and Mitzri.

<sup>2</sup> Quoted in the *Ramban*, *Vayikra* 24:10, s.v. "vayetzei ben isha yisraelis."

<sup>3</sup> The French Rabbis used this position to explain why the Blasphemer underwent a conversion process according to the *Midrash* (*Toras Kohanim* 14:1, brought down by *Rashi Vayikra* 24:10, s.v. "besoch Bnei Yisrael").

because the Blasphemer was not Jewish, his livestock died just like that of other Mitzrim. However, Pharaoh was not aware that the Blasphemer's father was not Jewish and therefore thought that the Blasphemer was a Jew. So even though indeed **none** of the Jews' livestock died, when Pharaoh checked, he observed that "*they did not die from the livestock of the Jews **ad echad**,*" which the Vilna Gaon explains to mean "except for one," i.e., except for the livestock of the Blasphemer. Because Pharaoh perceived that the livestock of one "Jew" was not spared, he hardened his heart and did not release the Jews.



The *Midrash Rabbah* (*Vayikra* 32:5) quotes R' Yitzchak as explaining that the Blasphemer's mother was "*bas Divri*" because she inflicted *dever* on her son.<sup>4</sup> The *Peirush Maharzu* understands this to mean that because he was the son of a Mitzri, the Blasphemer departed from the ways of the Jews and was ultimately inflicted the capital punishment of stoning. However, perhaps based on the Vilna Gaon we can understand R' Yitzchak's statement differently—by begetting a son from a Mitzri, Shelomis bas Divri caused the son to be subject to the plague of *dever*!



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The *Sifsei Chachamim* address a difficulty that arises from this position. *Rashi* (*Shemos* 2:12, s.v. "*vayar ki ein ish*") indicates that Moshe foresaw via *ruach hakodesh* that no descendent of the Mitzri taskmaster that Moshe killed was destined to convert. But the Blasphemer, who descended from him per the *Midrash*, converted! The *Sifsei Chachamim* suggest that Shelomis bas Divri had already conceived the Blasphemer and that what Moshe foresaw was that no further progeny of the Mitzri would convert.

<sup>4</sup> Alternatively, *Rashi* (*Vayikra* 24:11, s.v. *bas Divri* in brackets) indicates that this part of her name reflects that she was a *dabranis* who chatted with everyone, and this led her to falter.

The connection between *dever* and *mamzerus* does not appear to be an isolated, particularistic one that is limited to the story of the Blasphemer. The *Midrash* in *Parashas Emor* (*Vayikra Rabbah* 32:6) links *dever* and *mamzerus* more directly, and more universally:

אָמַר רַבִּי חֲנוּנַי אַחַת לְשָׁבָעִים שָׁנָה הַקָּדוֹשׁ בְּרוּךְ הוּא מְבִיא דֶּבֶר גָּדוֹל לְעוֹלָם וּמַכֵּה הַמַּמְזֵרִים וְנוֹטֵל בְּשָׂרִים עִמָּהֶם, מֵאִי טַעֲמָא וְגַם הוּא חָכֵם וְנִבָּא רַע (ישעיה לא, ב) וְלֹא הָיָה צָרִיךְ קָרָא לִזְמַר אֶלָּא וְנִבָּא טוֹב, אֶלָּא לְלַמֶּדֶךָ שֶׁאֲפִלּוּ רַעָה שֶׁהַקָּדוֹשׁ בְּרוּךְ הוּא מְבִיא לְעוֹלָם בְּחֻכָּמָה הוּא מְבִיאָהּ, וְאֵת דְּבָרָיו לֹא הִסִּיר, אֵת דְּבָרָיו לֹא הִסִּיר, כֹּל כֵּן לְמָהּ וְקָם עַל בֵּית מְרַעִים (ישעיה לא, ב) וְאֵתֵּיא כְּהֵיִא דְאָמַר רִישׁ לְקִישׁ בְּמִקּוֹם אֲשֶׁר תִּשְׁחַט הָעֹלָה תִּשְׁחַט הַחֲטָאת (ויקרא ו, יח) כֹּל כֵּן לְמָהּ כִּדִּי שְׁלֵא יִתְפָּרְסְמוּ הַחֲטָאִים.

*R' Chunai said: "Once in 70 years Hashem brings dever gadol upon the world and wipes out the mamzerim and He takes upstanding people with them. What is the reason? 'And He is also wise and brings bad'...— the verse ought to have said 'and brings good'! Rather, this is to teach you that even bad that Hashem brings to the world He brings in wisdom. 'And His words He did not retract' — [read it as] 'his dever<sup>5</sup> he did not retract.' Why all of this? 'and He will rise up against the house of evildoers.'"* This is consistent with that which *Reish Lakish* said "'In the place that you will slaughter the olah you will slaughter the chatas' — why all of this? In order that the sinners not be publicized."

The *Midrash* indicates that the reason for Hashem taking upstanding individuals along with *mamzerim* is so that the *mamzerim* are not publicized. The simple understanding of this notion that the *mamzerim* should not be publicized, as evidenced by the context of the *Midrash*, is that Hashem is sensitive to even the feelings of sinners and takes measures to avoid their humiliation and embarrassment.

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<sup>5</sup> Both the *Etz Chaim* and *Yedei Moshe* commentaries on this *Midrash* explain that the word "*divarav*" (his words) can be read as "*divaro*" (his *dever*).



The *Peirush Maharzu* offers a different, profound explanation:

ונוטל כשרים עמהם. שלא לפרסם החטאים כן הוא במ"ר שם וזהו מ"ש בחכמה הוא מביא שלא ירגישו בעוה"ז בעונש החוטאים שלא לבטל הבחירה החפשית.

***And He takes upstanding people with [the mamzerim]*** — *In order that the sinners will not be publicized — so it is [stated] in the Midrash Rabbah there. And this is what is written “he brings [bad] in wisdom” — so that [people] will not sense in this world the punishment of the sinners so that the free will not be nullified.*

Profound theological insights may be derived from this. Why do seemingly bad things happen to virtuous people? The *Maharzu* appears to indicate that this is necessary in order to preserve free will; if only evildoers were stricken with epidemics or other afflictions, the transparency of Hashem's punishment would negate our *bechirah chofshis*. “So that [people] will not sense in this world the punishment of the sinners”— implicit in this is that *l'asid lavo* people will be able to observe the punishment of sinners. *Sechar v'onesh* cannot be fully carried out in this world, for it would abrogate *bechirah chofshis*. However, *l'asid lavo* there will be a complete reckoning, in which mitzvos will be rewarded in full and punishment will be meted out for aveiros, at which point everyone will recognize the completeness and perfection of Hashem's *sechar v'onesh*.



In concluding its discussion of the Blasphemer incident, the *Midrash (Vayikra Rabbah 32:8)* states:

דָּבָר אַחֵר, וַיֵּצֵא בֶן אִשָּׁה יִשְׂרָאֵלִית, הִדָּא הוּא דְּכָתִיב וְשָׁבַתִּי אֲנִי וְאַרְאֶה אֶת כָּל הָעֲשׂוּקִים (קהלת ד, א): דְּנִיָּאל חִטָּא פִּתְר קְרִיָּה בַּמִּמְזֵרִים, וְהִנֵּה דְּמַעַת הָעֲשׂוּקִים (קהלת ד, א) אָבוֹתָם שָׁל אֱלֹו עֹבְדֵי עֲבָרוֹת, וְאֵילִין עֲלֻיבִיָּא מַה אֶכְפֵּת לְהוֹן, כִּד אָבִיו שָׁל זֶה בָּא עַל הָעֲרִיָּה זֶה מַה חֲטָא וְמַה אֶכְפֵּת לוֹ: וְאִין לֵהֶם מְנַחֵם (קהלת ד, א) אָמַר הַקָּדוֹשׁ בְּרוּךְ הוּא, עָלֵי לְנַחֵמן.

*Another understanding* — “The son of a Jewish woman went out”— that which is written “And I returned and I saw all of the oppressed”

(Koheles 4:1) — Daniel the tailor interpreted the verse as referring to *mamzerim*. “And behold the tears of the oppressed”— the fathers of these [*mamzerim*] are transgressors, and these [*mamzerim*] are humiliated; what does this have to do with him? So too the father of this [*mamzer*] comes upon a forbidden woman, what sin did this [*mamzer*] commit and what does this have to do with him? ... “And they have no comforter”— Hashem says, “it is upon Me to comfort them.”

Perhaps *mamzerus* is interwoven with *dever* to highlight the *bechirah chofshis* and *sechar v'onesh* concepts discussed above. Based on the Vilna Gaon's explanation of why Pharaoh hardened his heart, perhaps if Pharaoh had perceived, unlike the 70-year *dever* that kills both *mamzerim* and the upright, that none of the Jews' livestock died, he may not have had *bechirah chofshis* on an intellectual level in the face of Hashem's transparent Divine intervention and would have had no choice but to release the Jews. Along these lines, *Rashi* (*Va'eira* 7:3, s.v. *va'ani aksheh*) cites Chazal's observation that with respect to the first five *makkos*, the *pasuk* doesn't say that Hashem hardened Pharaoh's heart, but rather that Pharaoh's heart became hardened. It was only by the sixth *makkah*, *shechin*, that Hashem began hardening Pharaoh's heart.<sup>6</sup> Accordingly, *dever*, the fifth *makkah*, could potentially be understood as representing the limit of our *bechirah chofshis*.

The status of a *mamzer* is a *chok*. The *mamzer's* parent(s) sinned, yet the *mamzer* is tainted and forbidden to marry into *k'hal Hashem*. What did the *mamzer* do wrong?! Furthermore, why don't the parents have a similar taint?!

Maybe what the Midrash is teaching us is that *chukim* too are necessary for true *bechirah chofshis*. In order for each of us to attain

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<sup>6</sup> *Va'eira* 9:12.

our highest spiritual level, we must do (and not do) things that are beyond our comprehension, that we choose not based on logic or what make us feel good, but solely based on Hashem's directives. The ultimate expression of *bechirah chofshis* and *avodas Hashem* is choosing to subsume our will to Hashem's will.

Perhaps the incident of the Blasphemer is written cryptically in an obscure, *sasum* fashion in part to allude to concepts discussed herein: (1) that there are elements of the Torah that are *chukim*, that we cannot directly relate to or fully comprehend, and (2) that Hashem seeks to avoid embarrassing *mamzerim* and other wrongdoers.

The *Midrash* says that Hashem takes it upon himself to comfort the *mamzerim*. It proceeds to interpret Zecharyah's vision of a menorah of pure gold (*Zecharyah* 4:2)<sup>7</sup> as Zecharyah saying "*I see these people that are all pure gold.*" The *Etz Yosef* and other commentaries explain that, *l'asid lavo*, all of *Klal Yisrael*, including *mamzerim*, will be pure. We *daven* for a *geulah shleimah* greater than *geulas Mitzrayim*, one in which Hashem will reveal himself more fully. While His future revelation would appear to make *bechirah chofshis* impossible, it is only *l'asid lavo* that *sechar v'onesh* can be completely carried out and possible to fully perceive the perfection of Hashem's ways. א

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<sup>7</sup> From the *haftarah* read on *Shabbos Chanukah* and *Parashas Behaaloscha*.

## **The Uniqueness of *Makkas Bechoros***

**Moshe Kravetz<sup>1</sup>**

The plague of the firstborn is unique among all the plagues in that it was carried out by Hashem Himself. In what way would it have detracted if Hashem instructed an angel, a *seraph* or other emissary to carry it out?

There is another question that must be raised about the timing of the plague that is also unique to the plague of the firstborn. Moshe gave a warning to Pharaoh (*Shemos* 11:4) “*At about midnight I will go out in the midst of Egypt.*” The Gemara (*Berachos* 4a) comments: why did Moshe say “about midnight”? Moshe feared that Pharaoh’s astrologers might make a mistake and say “Moshe is a liar.” Moshe feared that the astrologers might err as to the exact moment of midnight and when the plague would not occur at the time they calculated, they would challenge the veracity of his prophecy.

The Gemara is puzzling, for we do not find that Moshe had the same concern about the impending plague of hail. At that time, he went so far as to provide them with a sign of the exact time when the plague would take place, in order to prove that Hashem controls the natural world. The Torah states (*Shemos* 9:18) *This time tomorrow I will rain down a very heavy hail, etc.* Rashi explains: He made a scratch on the wall and told Pharaoh “Tomorrow when the sun reaches this spot, the hail will come down.” Why didn’t Moshe do the same thing when he warned Pharaoh about the plague of the firstborn and give an exact time? Why was it only with regard the plague of the firstborn that he was concerned that the astrologers may make a mistake about the time of day?

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<sup>1</sup> Based on *Dorash Dovid*.

There is a fundamental difference between the plague of the firstborn and the other nine plagues. The plague of the firstborn was a natural result of the revelation of Hashem's *Shechinah*, as opposed to being triggered actively by Moshe and Aharon. When Hashem himself "came down," so to speak, to redeem His nation and to rest His *Shechinah* on them, the revelation was so great that it was impossible for the forces of evil to remain in existence. Rav Tzadok HaKohen teaches (*Resisei Lailah* 58) that the firstborns were "the beginning and the main power and strength of the nation"; they were the root of all depravity and impurity of Egypt. Their deaths, therefore came as a natural result of the revelation of the *Shechinah*, at that time.

This could provide some insight into why *Bnei Yisrael* were commanded (*Shemos* 12:22): *Take a bunch of hyssop, dip it in the blood that is in the basin, and apply some of the blood that is in the basin to the lintel and to the two doorposts. None of you shall go outside the door of your house until morning.* At that time, *Bnei Yisrael* themselves had fallen to the forty-ninth level of the spiritual impurity that characterized Egypt, and they were consequently also in danger of being destroyed by the revelation of Hashem's *Shechinah*. Hashem therefore instructed them to perform these actions so they could be saved from the plague that would take the Egyptians' lives.

Thus, when *Chazal* explain the *pasuk* as teaching that Hashem carried out the plague of the firstborn Himself, rather than sending an angel, a *seraph* or other messenger, they actually reveal the very nature of the plague—that it occurred as a result of the revelation of Hashem's *Shechinah*, with which the forces of evil could not coexist.

We can now understand why Moshe was concerned about Pharaoh's astrologers being unaware of the exact time when the plague would take place only during the plague of the firstborn. The Egyptian astrologers calculated the time of the day or night based on observable natural phenomena, such as the movements of the stars and

constellations in the sky. These phenomena are in effect when the world functions normally, when “the heavens are the heavens of Hashem, and the earth He gave to man,” when the regular cycle of day and night takes place. But on the night of *Yetzias Mitzrayim* the situation was very different.

When Hashem “came down” to Egypt in a great revelation of His Presence, the laws of nature and the normal passage of time were suspended. The Zohar relates that when the plague of the firstborn took place “the night was lit up like the daytime during Tammuz,” as the *pasuk* states (*Tehillim* 139:12), “*And the night shall be light like day; darkness and light will be the same.*” This made it impossible for Pharaoh’s astrologers to determine the exact moment of midnight.

Thus, when *Moshe Rabbeinu* told the Egyptians that “about midnight” Hashem would “go out in the midst of Egypt,” he meant that when Hashem came to Egypt to slay the firstborn, they would be incapable of determining this time, since the normal functioning of nature would be suspended, and they would be able to identify the timing only as being “about midnight.” Even though Hashem is certainly aware of the exact time, and He would “come” to Egypt at precisely midnight, the astrologers would not be capable of verifying the time. Therefore, Moshe was careful to avoid the possibility that they may question his prophecy, and he made it clear that the time the plague would occur would be a time that *they* could identify only as “about midnight.”

As we know, the redemption from Egypt is considered “the root of all redemptions.” As we have learned, the greatness of *Yetzias Mitzrayim* lay in the fact that the redemption was carried out by Hashem Himself, Who suspended all of the laws of nature when He revealed His *Shechinah*. This, then, is the message of the Hagadah’s teaching that the redemption took place “neither through an angel nor through a *seraph*, nor through a messenger,” but rather through the actions of Hashem Himself.<sup>א</sup>

## ***Yetzias Mitzrayim* and Havdalah**

**Eliezer Shames**

The Gemara in *Pesachim* (117b) states that one must mention *Yetzias Mitzrayim* in *kiddush* on Shabbos (Friday night only) because the Torah writes “*yom*” when referring to *Yetzias Mitzrayim* and “*yom*” when referring to Shabbos. By using the same language in both places, the Torah is telling us to mention *Yetzias Mitzrayim* in *kiddush* on Shabbos (a rationale for this will be suggested later in this article). Rabbi Yosef Babad (1801-1874), in the *Minchas Chinuch*, *Mitzvah* §31, asks that according to the opinions who hold *havdalah* is Biblical (just like *kiddush* is Biblical so too *havdalah* is Biblical), why don’t we mention *Yetzias Mitzrayim* in *havdalah*? Just like the Gemara in *Pesachim* (117b) states one must mention *Yetzias Mitzrayim* in *kiddush* which brings in Shabbos, we should also be required to mention *Yetzias Mitzrayim* in *havdalah* which ends Shabbos?

To suggest an answer, in the section below marked Introduction to Answer Part I, we will discuss the dispute between the *Rambam* and *Maggid Mishnah* whether *havdalah* on Shabbos and *kiddush/havdalah* on Yom Tov are Biblical. We will then suggest, in the section marked Introduction to Answer Part II, a reason why the Torah, as explained in the Gemara *Pesachim* (117b), requires one to mention *Yetzias Mitzrayim* in *kiddush* on Shabbos. We will then suggest an answer to the question of the *Minchas Chinuch*.

### **Introduction to Answer Part I**

The *Rambam* states in the *Mishnah Torah*, *Hilchos Shabbos* (29:1) that *kiddush* and *havdalah* on Shabbos are Biblical because there is a requirement to mention Shabbos when it comes in and when it leaves. In *halachah* 18, the *Rambam* states that just like there is *kiddush* and *havdalah* on Shabbos there is also *kiddush* and *havdalah* on Yom Tov as well. Presumably, just like *kiddush/havdalah* are Biblical on

Shabbos, *kiddush/havdalah* are Biblical on Yom Tov. The *Maggid Mishnah* cites an opinion that only *kiddush* on Shabbos is Biblical but *havdalah* on Shabbos and *kiddush/havdalah* on Yom Tov are Rabbinic (this opinion brought by the *Maggid Mishnah* will heretofore be referred to as the “*Maggid Mishnah*”).

What is the crux of the disagreement between the *Rambam* and the *Maggid Mishnah*?

Rabbi Hershel Schachter (*Ginas Egoz* page 24) suggests that the *Maggid Mishnah* holds only *kiddush* on Shabbos is Biblical because the Gemara in *Pesachim* (117b) states that on Shabbos we say “*Mekadesh HaShabbos*,” that is, Shabbos was already sanctified by Hashem as it was already Shabbos on its own without the need for *Klal Yisrael* to arrange the months to determine when Shabbos is, but on Yom Tov we say “*Mekadesh Yisrael vehahazmanim*,” that is, *Klal Yisrael* makes the times holy as *Klal Yisrael* makes the Yom Tov holy by deciding when *Rosh Chodesh* falls out, and to set up the months which makes the day of Yom Tov holy.

Thus, the idea of making *kiddush* on Shabbos is that Hashem wants us to make *kiddush* on Shabbos so that *Klal Yisrael* will put a holiness on Shabbos on top of the built-in holiness that already exists (even though Shabbos has its own holiness without *Klal Yisrael* setting up months to determine the day). A similar idea is found by *bechor*. The Gemara in *Nedarim* (13a) states that one must sanctify a *bechor* born in one’s house even though it was already holy from the womb. The Torah wants a person to put holiness on the item even though it was already holy like Shabbos where we make *kiddush* to sanctify the day even though Shabbos was holy without *Klal Yisrael* making *kiddush* to sanctify the day.

Therefore, the *Maggid Mishnah* holds that only *kiddush* on Shabbos is Biblical because *Klal Yisrael* needs to put the holiness on to Shabbos



like *bechor*, but *havdalah* is not Biblical because it is not putting a holiness on anything. Additionally, *kiddush/havdalah* on Yom Tov are Rabbinic because the holiness of Yom Tov was already made holy by *Klal Yisrael* setting up the month via establishing *Rosh Chodesh*, therefore there is no Biblical need for *Klal Yisrael* to make *kiddush/havdalah* on Yom Tov.

Rabbi Hershel Schachter (p. 25) further suggests that the *Rambam* agrees to the reason of the *Maggid Mishnah* that on Shabbos one makes *kiddush* so that *Klal Yisrael* makes Shabbos holy like *bechor*, but the *Rambam* holds that there is another Biblical reason for *kiddush*. That reason is to differentiate between a weekday and a holy day; this is derived from the word “*zachor*” written by Shabbos. Therefore, according to the *Rambam*, on Shabbos there are two Biblical reasons to make *kiddush*: (1) *Klal Yisrael* should make Shabbos holy through *kiddush* and (2) to differentiate between weekday and holy. However, by *havdalah* on Shabbos and *kiddush/havdalah* by Yom Tov there is only one Biblical reason, that is, to differentiate between weekday and holy.

### **Introduction to Answer Part II**

What is the reason the Gemara in *Pesachim* (117b) wants us to mention *Yetzias Mitzrayim* in *kiddush*? Rabbi Hershel Schachter suggests, based on the *Ramban* (*Bo* 12:2), that “*hachodesh hazeh lachem*” teaches us that *Klal Yisrael* setting the months of the calendar is tied to *Yetzias Mitzrayim* as the months are numbered from *Yetzias Mitzrayim* (hence, in *Rosh Chodesh bentching* we mention *Yetzias Mitzrayim*). Therefore, just like bringing holiness to the day of Yom Tov by setting up the months is tied to *Yetzias Mitzrayim* based on the *Ramban*, so too bringing holiness on Shabbos by making *kiddush* is tied to *Yetzias Mitzrayim* because it is a similar outcome as setting up the months of the year – bringing holiness to specific days.

**Answer**

Answer to question of *Minchas Chinuch*: Rabbi Hershel Schacter suggests the idea of *kiddush* on Shabbos is *Klal Yisrael* bringing holiness to the day of Shabbos, that is similar to *Klal Yisrael* setting up the months which brings holiness to the holidays which is tied to *Yetzias Mitzrayim* (based on the *Ramban*) only applies to *kiddush* on Shabbos. According to the *Rambam* (that *kiddush/havdalah* on Shabbos and Yom Tov are Biblical), *havdalah* on Shabbos and *kiddush/havdalah* on Yom Tov have a different Biblical reason (than *kiddush* on Shabbos) which is that *havdalah* on Shabbos and *kiddush/havdalah* on Yom Tov are merely stating that those days are different than regular weekday (not associated with *Yetzias Mitzrayim*) separate from bringing holiness to the day like *kiddush* on Shabbos (associated with *Yetzias Mitzrayim*). Therefore, there is no mention of *Yetzias Mitzrayim* in *havdalah*, even according to those who hold *havdalah* is Biblical. א

## Why I Wear *Techeiles* <sup>1</sup>

**Dr. Arie Michelsohn**

*Techeiles* has a fascinating relationship to Pesach. Of course, we read the *parsha* of “tzitzis” twice daily, in which we recall *Yetzias Mitzrayim*. But that is a connection to tzitzis generally. There is a far more specific, and mysterious, connection between Pesach and *techeiles* in particular. The Gemara in *Sanhedrin* (61b) cites Rava’s explanation as to why *Yetzias Mitzrayim* is mentioned in the *parshah* of tzitzis: Just as Hashem distinguished the seed of firstborns from those who were not firstborns in Egypt so, too, will Hashem discern those who wear [fake *techeiles* made from the] *kala ilan* [plant] on their garments and [falsely] claim that it is [authentic] *techeiles* [properly extracted from the sea creature known as the *chilazon*].

Now, as a Caltech-trained scientist, I can’t help but find it interesting that the molecule giving rise to the blue color of the indigo plant (which is the same indigo color now made synthetically and used to dye garments worldwide) is, indeed, the same as the molecule that gives rise to the blue color of the dye that has been derived from the sea snail, *Murex trunculus* – which has been considered by at least some Rabbis to possibly constitute authentic *techeiles* from the *chilazon*, and which is currently being cultivated in Israel to dye wool strands for use in tying tzitzis.

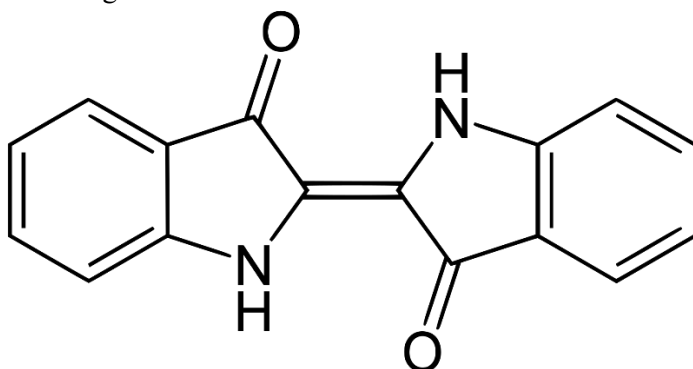
The chemical structure of the indigo molecule really is a marvel of symmetry and chemical reactivity, as its network of conjugated double bonds forms a veritable sea of electrons flowing through all of its atoms together, leading it to efficiently absorb light at a particular

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<sup>1</sup> Editor’s note: This is an account of the author’s personal connection to *techeiles*. One, of course, should not make the *halachic* decision to adopt this practice without consulting his Rabbinic advisor.

wavelength that causes us to perceive the beautiful, blue color reflected into our eyes when we gaze upon objects containing it:

Indigo



Not even the best-trained chemist from Caltech could distinguish the plant-derived indigo from the indigo derived from a snail. Indigo, once purified, is indigo. It will have the same chemical structure as the one shown above, regardless of its source. In fact, you can make it (these days) quite readily, and cheaply, in the laboratory, without resorting to either plants, or snails. We cannot discern whether a particular indigo molecule was originally sourced from a plant, a snail, or a lab. But Hashem can. This is clearly a *supernatural, miraculous* ability—of the very same kind that Hashem employed to free us from Egypt!

*Techeiles* represents the great mystery of Hashem's miraculous omnipotence, His omnipotent ability to perform miracles, to discern the undiscernible, to operate above and beyond the realm of nature. Indeed, the color of *techeiles* is likened to the Throne of Glory, itself, as famously explained by the Gemara in *Menachos* (43a, quoting R' Meir in a *Baraisa*) that *techeiles* is like the color of the sea, which is like the color of the sky, which is like the color of the *even sapir* of the *Kisei HaKavod*. Whenever one wears *techeiles* strings on his tzitzis and gazes upon them, he is compelled to contemplate the great mystery and miraculous nature of Hashem's all-knowing, supernatural

existence. *Techeiles* is indeed the very symbol of Hashem's omnipotence, and omniscience.

To my mind, the very fact that the *Murex trunculus* snail and the indigo plant both render the same blue dye – which cannot be distinguished even by the most sophisticated laboratory – lends at least some air of credibility to the notion that the *Murex*-derived indigo *could* be authentic *techeiles*. It amazes me that using modern spectroscopic and other analytical chemistry methods, we can analyze the chemical structure of molecules in great detail, and in so doing, demonstrate incontrovertibly that the dye derived from *Murex trunculus* by the Ptil Tcheilet Foundation in Israel today is, in fact, the very same indigo known for centuries as the color derived from the indigo plant.<sup>2</sup>

However, we must point out that there is no question that we cannot be *sure* that the dye being derived from *Murex trunculus* in Israel today by the Ptil Tcheilet Foundation is authentic *techeiles*. The *Murex* snail may be said to be consistent with chemical and archaeological evidence but not proven by it. And while it could be said that *Murex trunculus* matches at least some of the descriptions of the *chilazon* in Gemara *Menachos*, it may also at least be said not to necessarily match all of them. There is plainly no incontrovertible evidence that *Murex trunculus* is, or is not, the source of authentic *techeiles*, let alone is there anything approaching rabbinic consensus on the issue. I would not try to convince anyone otherwise. But I would venture to say that at least from a scientific standpoint, neither can we be absolutely sure that *Murex trunculus* is *not* the source of authentic *techeiles*. As such, insofar as at least some rabbis appear to agree that it at least *could* be authentic *techeiles* and have chosen to wear it, I choose to wear it as well.

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<sup>2</sup> One can read the entire story on the Ptil Tcheilet website; it is not my point here to recount or weigh the evidence in order to establish it as fact.

But it is really much more than that for me. I would be remiss if I did not further convey that not only do I *choose* to wear *techeiles*, I feel *compelled* to wear it. I wear it enthusiastically. It inspires me and gives me hope. This is so for essentially two reasons.

First, when I gaze at the *techeiles* on my tzitzis, I remember the circumstances that led me to start wearing *techeiles* in the first place – circumstances that I cannot help but consider for myself to have been nothing short of miraculous. It happened about four and a half years ago, when the last Daf Yomi cycle started learning *Maseches Menachos*, the primary Talmudic source of information about *techeiles*. I had been through some very difficult times. *Be'ezras Hashem*, I managed to start to emerge into a better place. I started going to a *shiur* on the Daf after minyan on a daily basis, and became intensely interested in the *sugya* of *techeiles* through my renewed learning. I then learned from a *sofer* visiting from Eretz Yisrael how to tie *techeiles* tzitzis. And I have worn *techeiles* tzitzis that I have tied by myself, ever since. When I gaze at the *techeiles* on my tzitzis, I am compelled to remember the *hashgachah pratis* of Hashem Yisborach and the miraculous kindnesses He has shown me personally, and this inspires me and gives me great hope.

Second, when I gaze at the *techeiles* on my tzitzis, I cannot help but ponder the fact that the only reason I am able to wear what at least some consider to be *techeiles* tzitzis today is because it is possible for a small cadre of committed *yidden* to cultivate *Murex trunculus* off the coast of Northern Israel and make its dye available for use by Jews worldwide, for the first time in nearly two thousand years. My parents, of blessed memory, both lived through the Holocaust and fought in the Israel War of Independence. I grew up in the company of dozens of their friends, who were also all Holocaust survivors and also fought, together with my parents, in the Israel War of Independence. I grew up going to Israel every summer and attending the Israeli boy scouts with my cousins, whose parents were likewise Holocaust survivors

and likewise fought in the Israel War of Independence. I cannot explain why the modern miracle of the birth of the State of Israel occurred upon the blood, sweat, and tears of six million martyrs, or upon the efforts of secular Zionists. Nor can I understand how Hashem can tell the difference between indigo sourced from a lab or a plant, or a snail. Hashem works in mysterious ways. To my mind, the miraculousness of our times is commensurate with the rediscovery of *techeiles* as a sign for our times.

In short, when I gaze at the *techeiles* on my tzitzis, I am drawn to contemplate Hashem's miracles in my own life and in the modern world, and I experience great hope that we really are, at long last, in the *ikvasa deMashiach*, may the *geulah sheleimah* come *b'mheirah b'yameinu*. אמן

## Hashem's Justice in Mitzrayim

### Rabbi Moshe Grossman

*Yetzias Mitzrayim* is the beginning of the Jewish people. Hashem took us out of Mitzrayim and made us His people. Through the events of *Yetzias Mitzrayim*, Hashem demonstrated to us His justice in the world.

After the Jews had left Mitzrayim and had crossed the *Yam Suf*, where they had witnessed the destruction of the Mitzrim, Yisro, Moshe's father-in-law, joined them. Moshe related to him all that had happened to the Jewish people in Mitzrayim and at the sea. Yisro was amazed and delighted hearing all that Hashem had done for the Jewish people and he declared (*Shemos* 18:11), "Now I know that Hashem is greater than any other power because in the manner that they (i.e., the Mitzrim) had conspired to do against them (i.e., the Jewish people), [He inflicted punishment on them]." From Moshe's description of the events of the Exodus, Yisro concluded that Hashem is the greatest power in the universe. Of all that Moshe had related to him, what prompted Yisro to reach such a conclusion?

*Rashi* explains that the drowning of the Mitzrim in the sea brought about Yisro's recognition of Hashem as the Master of the universe. The Mitzrim tried to annihilate the Jewish people by drowning all the male babies. Hashem, in turn, destroyed the Mitzrim by drowning them in the sea, which was a punishment commensurate with the crime, measure for measure. Such justice can only be meted out if Hashem is all-powerful and absolutely controls all of nature. Whatever method the wicked choose to do evil against others, Hashem will use against them.

But how does this one instance show that Hashem controls all the forces of nature and the entire universe? Perhaps it was just because of the particular circumstances that the Jewish people were in that



brought Hashem to bring such a punishment on the Mitzrim? After all, the Jews were being attacked by the Mitzrim on one side and faced the sea on the other side. To save them, Hashem allowed them to pass through the sea and simply turned it on the Mitzrim to destroy them. The sea was just the available tool through which Hashem saved them.

Although the destruction of the Mitzrim at the sea was the culmination of Hashem's punishment for their crimes, their punishment for their treatment of the Jews began in Mitzrayim with the ten *makkos*. The Malbim (*Shemos* 18:11) explains that Yisro also saw in the execution of the *makkos* that Hashem administers justice measure for measure. He concluded that Hashem must be greater than any other power in the universe in order to accomplish this. If whatever means a person employs to do evil Hashem repays measure for measure, He must possess complete control and mastery of all matter and energy. If not, He could not accomplish such justice in all instances. Additionally, He must know the deepest thoughts and intentions of all people.

How do the *makkos* reveal Hashem's mastery of the universe and of human beings? Rav Shimshon Rafael Hirsch, in his commentary on the Chumash (*Shemos* 7:15 and 18:11), explains how the *makkos* punished the Mitzrim for their crimes against the Jews measure for measure based on the practice of Rabi Yehudah mentioned in the Haggadah. Rabi Yehudah divided the *makkos* into three groups and named each group using an acronym formed from the *makkos* in that group. Rav Hirsch elaborates on the significance of this division.

Rav Hirsch says that the wrongs that the Mitzrim perpetrated against the Jews fell into three categories:

1. Making them outsiders through deprivation of their civil rights
2. Enslavement
3. Extra torture, torment, and suffering beyond that of enslavement

The first *makkah* in each group was punishment for depriving the Jews of their civil rights. The *makkos* of blood, wild animals, and hail made the Mitzrim feel as outsiders in their own land. The *makkah* of blood deprived them of the use of the Nile, literally the lifeblood on Mitzrayim, removing the security that it had provided. The wild animals endangered their lives and removed from them the security of free movement about in the land. The Mitzrim thus could not claim any effective ownership of their land. Mitzrayim had never previously experienced any hail storms. The *makkah* of hail threatened to transform Mitzrayim into a completely different kind of land with different atmospheric conditions. These *makkos* removed their ability to conduct their lives as they had previously and made them strangers in their own land.

The second *makkah* in each group was retribution for the enslavement of the Jews. A slaveholder feels that he belongs to a higher class of humanity than slaves. His wealth and power over his slaves reinforce his feelings of superiority. Frogs are very timid animals that normally flee from the sight of people and hide. That frogs invaded the homes of the Mitzrim and other private areas showing no fear diminished their feelings of superiority since even the humblest of creatures showed them no respect or fear. The pride of Mitzrayim was their horses and other livestock. When the pestilence sent by Hashem killed their livestock, the Mitzrim were brought low. The vast swarm of locusts of the third group consumed all that was left of their crops following the plague of hail and destroyed all their remaining wealth. They were reduced to the level of slaves with no riches.

The third *makkah* in each group served as punishment for the torture, pain, and suffering that the Mitzrim inflicted on the Jews beyond the act of enslavement. The *makkos* of lice and boils caused the Mitzrim terrible physical distress and pain. The darkness of the ninth *makkah* was so deep that the Mitzrim were unable to move for three days, effectively imprisoning them for that time.

Yisro observed that through the *makkos*, Hashem punished the Mitzrim measure for measure, even exacting retribution for their innermost thoughts, and motives, and emotions that drove them to persecute the Jewish people. Yisro concluded that Hashem can probe a person's deepest thoughts and emotions.

By punishing a person measure for measure, Hashem is actually helping to bring that person to *teshuvah*. First, it helps one recognize the *aveirah*. Secondly, the punishment can help one comprehend the seriousness of the offense. In the case of interpersonal wrongs, it enables us to grasp the degree of pain that we have inflicted on others and thereby brings us to a much more sincere *teshuvah*. Punishment in this fashion is, of course, true justice and, by the same token, a magnificent *chesed* that helps us recognize our failings and spurs us to improve. <sup>א</sup>

## The Opposite of *Zeidim* <sup>1</sup>

Eli Lazar Singman

During Chanukah, we add *Al HaNissim* to our *Amidah*, to express our gratitude to Hashem for the “miracles, and for the salvation and for the mighty deeds and for the victories, and for the battles” which He performed for our forefathers. In the body of this prayer, there are distinctions made between those who were helped by Hashem and those who were punished. Specifically, the prayer states that Hashem delivered:

“The ***strong*** in to the hands of the ***weak***”

“the ***many*** into the hands of the ***few***”

“the ***impure*** into the hands of the ***pure***”

“the ***wicked*** into the hands of the ***righteous***”

“the ***wanton*** (malicious, or intentional sinners) into the hands of the ***diligent students of Torah*** (those intensely involved in Torah)”

It is notable that the first four phrases describe obviously diametrically opposed attributes, i.e., opposites. Yet for the last phrase, the two terms seem not so obviously opposite.

We can ask, what would be the opposite of those final two descriptions provided? For intentional sinners, i.e., *zeidim*, we might suggest that the opposite would be “intentional *mitzvah*-doers”. However, our Rav has pointed out that we should be more than just “*mitvah* doers,” so clearly this descriptor would fall short. A corollary question might be why “*oskei torasecha*” (diligent students of Your Torah) was employed rather than what might be considered a more familiar term such as *talmidei chachomim* (Torah scholars). Again, our Rav has

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<sup>1</sup> Editor’s note: As we have done in the past, we include a beautiful *machshavah* about another *geulah* in our *Geulas Mitzrayim* section.

mentioned that studying Torah must be elevated by applying it to our every action, and that there might even be times not to study Torah, such as during the repetition of the *Amidah*. Hence, being a Torah scholar might also fall short of a “diligent student of Torah.”

Another option for the opposite of “wanton sinners” might be gleaned from our prayers that we say just before the *Amidah*, where we list some of the wonderful miracles Hashem performed for us at the *Yam Suf*: “From Egypt You redeemed us...from the house of slavery You liberated us. All their firstborn You slew, but Your firstborn You redeemed; the *Yam Suf* You split; the **wanton** sinners You drowned; the **beloved friends** (i.e., *yedidim*) You brought across...” It seems here that the opposite of “**wanton sinners**” is “**beloved friends**”. Chazal certainly had this example available when they composed our liturgy and yet they clearly felt it would not be appropriate in *Al HaNissim*.

Finally, in our *Amidah*, when we ask Hashem to thwart the plans of those who would harm us, we bless Hashem for humbling *zeidim*. This suggests that the opposite of *zeidim* might be those who are humble. And yet again, Chazal opted to choose a different descriptor for the opposite of *zeidim*.

Perhaps we need to better understand to whom the descriptors of those defeated apply. The “strong” and the “many” certainly seem to refer to the Syrian Greek army. But the other terms, i.e., impure, wicked and wanton (i.e., *temei'im*, *resha'im*, and *zeidim*), would not apply to gentiles. Rather, these terms are applied to the Hellenized Jews. According to R' Hirsch, the impure were Hellenized Jews who preferred the immorality of the Greeks; the wicked were the Hellenized Jews who lacked the restraint to consider their actions in light of Torah law; and the wanton (malicious, willful sinners) were those who sought to eradicate Torah study. This might explain why the term *yedidim* would not be appropriate as an opposite to *zeidim*,

since Hashem loves all Jews, even Hellenized ones, and would welcome their repentance. Furthermore, although humbling of the *zeidim* is a critical step in their repentance, there are further steps needed beyond simply feeling regret, so humility would not be fully opposed to wantonness.

According to R' Moshe Bogomilsky (Chabad.org), the Hellenized Jews made the Chanukah miracle even greater! First, they were an internal enemy who can be more difficult to overcome than an external enemy. Second, Hashem delivered (*masarta*) these Hellenized Jews into the hands of their brothers who clung to the Torah, leading many of these Hellenized Jews to repent and accept a Torah-guided life!

For me, it is now clear why the wanton Hellenized Jews were opposite the diligent Torah scholars. Those diligent scholars not only studied and learned the Torah, but acted zealously to uphold the law and act in accordance with it. What could be more opposite than those who strove not only to eradicate learning Torah but also eliminate behavior consistent with Torah law? אֱלֹהִים

## Enjoy Your Maror with *Charoses* and Worms!

# Yehoshua Dixler

After eating the first matzah of the Seder we then eat maror dipped into *charoses*. While the source of the *minhag* is clear, the reason we dip is not. In fact, according to one view, the reason is pretty gross!

Whether the dipping is *minhag* or *mitzvah* is a dispute brought in a Mishnah (*Pesachim* 114a): הביאו לפניו מצה וחזרת וחרוסת ושני תבשילין: “*They bring before him matzah, maror, charoses, and two cooked items even though charoses is not a mitzvah. R’ Eliezer ben Tzadok says it is a mitzvah.*”

*Charoses*, according to *Bartenura* (ibid.), consists of mashed fruits and nuts mixed with vinegar and topped with long cinnamon strands, all together resembling the mortar and straw used in Mitzrayim. The first opinion holds that it is brought as a curative to “eliminate the sap of the maror which is bad and difficult for the body like poison *eres*.” In contrast, R’ Eliezer holds that it’s a mitzvah to recall the miraculously painless births secreted from the Egyptians in the apple orchards.

*Bartenura's* explanation is based on the commentaries of *Rashi* and *Rashbam* on the Gemara (*Pesachim* 116a) which asks, "If it is not a mitzvah, why is [*charoses*] brought?" The answer is, "Because of *kapa*." Putting the maror in the *charoses* removes the concern of "*kapa*." The continuation of the Gemara also mentions hot things "*chamimi*" (e.g., water) as another curative to counteract the *kapa*.

## What is *kapa*?

מִיָּת וְקָפָה מְרִיחָה מְיִית (Pesachim, 115b). The simple translation is, “*kapa* dies from the smell [of the *charoses*].” This strongly suggests *kapa* is

something alive, since for something to die it must have been alive.<sup>1</sup> Unlike *Bartenura* who, following *Rashi*, explains *kapa* to be a caustic sap of the vegetable, *Rabbeinu Chananel* and *Tosafos* explain *kapa* to be worms, accepting the simple meaning of the Gemara.

### Explaining *Tur Shulchan Aruch* (§475)

אח"כ יקה כזית מרור וישקענו כולו בחרוסת ולא ישהנו בתוכו שלא יתבטל טעם מרירתו ומטעם זה כתב ה"ר יונה שצריך לנער החרוסת מעליו שלא יתבטל טעמא ואין מברכין על החרוסת אע"פ שהיא מצוה לפי שהוא טפל למרור.

According to the *Beis Yosef* (475:9), because the Gemara (*Pesachim* 115b) appears to dismiss the reason of *kapa*, the major early commentators, *Rif*, *Rambam* and *Rosh*, don't say to submerge the maror fully in the *charoses*. However, *Tur* and *Shulchan Aruch* (*Orach Chaim* 471:1) follow *Rokeiach* who requires full coverage of the maror in *charoses* due to the concern for *kapa*. But considering this a mitzvah, he warns us not to make a *berachah*, which sounds like the opposing opinion in the Mishnah.<sup>2</sup> Is the *Tur* trying to have it both ways?

It appears that the *Tur* actually *paskens* like R' Eliezer that this is a mitzvah, as *Kaf HaChaim* explains on *Shulchan Aruch*, but he is also *machmir* like the *Rokeiach* to require full coverage due to the aspect of danger. In fact, the *Taz* (*Shulchan Aruch*, *Yoreh Deah* 116:2) forbids a minimum mixture of meat with fish, even when the ratio is less than 1:60, based on the rule חמירא סכנתא מאיסורא – “[to be] stricter

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<sup>1</sup> *Peirush Katzar* on *Tosefta Terumos*:

וְאֵת קָפָא וְכו' כְּלוּמַר מְחוּבֵּר וְהוּי לִיָּה תוֹלַעַת הַגְּדֹלָה (κάμψη)  
בִּירְקוֹת גִּינָה כְּשֶׁרֶץ הַשּׁוֹרֵץ עַל הָאָרֶץ

Translated into Greek as κάμψη. This is similar to κάμψης pronounced “*kampis*” and translated by Google into “larval.” Worms are often larvae of insects.

<sup>2</sup> According to *Rambam* on the Mishnah, R' Eliezer holds you make a *berachah* when eating *charoses*: ור"א בן צדוק אומר חרוסת מצוה לדעתו שחייב אדם לברך אקב"ו על אכילת חרוסת ואינה הלכה.



for danger than for what is forbidden.” *Kapa* may be a minute amount, but it is a danger which requires extra stringency.

It is also possible that the *Tur* is concerned about the opinion of the *Smak*, quoted by the *Meleches Shlomo* (Mishnah, *Pesachim* 114a): אע"פ שאין חרוסת מצוה ה"פ אין מצוה אלא גם חובה משום קפא, “*Even though charoses is not a mitzvah*” – means it’s not just a mitzvah, instead a requirement because of *kapa* [which is a danger].

### Questions Remain

Many questions can be asked regarding the opinion that *kapa* is worms. For each question I have either sourced or suggested an answer.

- 1) Q: If *kapa* is a worm, why may we eat it? A: *Tosafos* (*Pesachim* 115b, “*Kapa*”) writes, as we *pasken*, worms that are born in fruit and remain in the fruit are permitted to be eaten. See *Kaf HaChaim* (475:23) who elaborates.
- 2) Q: Why not check for the *kapa* worm(s) and remove it instead of killing it and eating it? A: Since we are very strict about possible danger, we are concerned that some worms may have remained even after cleaning (*Tosafos*, *Pesachim* 115b, “*kapa*”) due to their small size or bad lighting.
- 3) Q: If *kapa* is not a worm, is there any requirement to dip into *charoses*? A: We *pasken* like R’ Eliezer (*Kaf HaChaim* 475: 23) who also says to dip maror into *charoses*, as implied by *Tosafos* (*Pesachim*, 114a, *metavel bechazeres*). However, instead of a requirement to submerge the *entire* maror in the *charoses*, which would be necessary to kill the *kapa*, *dipping* is sufficient to remind us how the maror and *charoses* symbolize the bitter slavery imposed upon us to produce bricks with mortar and straw.

- 4) Q: From the commentators it seems *kapa* is unique to *chazeres* (lettuce), which is the preferred maror. If so, why do we dip regardless of the chosen type of maror? A: The answer to question three applies here as well – there is a symbolic lesson when using anything bitter.
- 5) Q: If the *kapa* is a real worm which needs *charoses* to kill it to prevent damage to our health, why is there a dispute in the Mishnah about the importance of dipping (*minhag* vs. *mitzvah*)? A: Perhaps the *kapa* worm was rarely present or is usually removed by cleaning. The dispute is about how much we are concerned about a rare danger: do we require a full submersion, rely on dipping or even just eating the *charoses* after the maror.<sup>3</sup>
- 6) Q: How are we allowed to kill the worm on Yom Tov or even Shabbos? A: Assuming *kapa* is present in the minority of cases (this could be a simple minority) and we have no benefit from killing the *kapa*, this would be a classic case of possible unintended work “*dvar she’ein miskavein*” which is permitted on Shabbos.
- 7) Q: Out of concern for *kapa*, should we also dip the second eating of maror for the Hillel sandwich? A: The *Mishnah Berurah* (475, 1, 17-18) brings two views. According to some late authorities, one should first dip maror into *charoses* before making the Hillel sandwich just as Hillel fulfilled his mitzvah of eating the Pesach and matzah simultaneously with pre-dipped maror. In contrast, the *Gra* and *Levush* say not to dip, as we have already done the two dippings mentioned in

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<sup>3</sup> Another explanation for *kapa* is brought by the *Aruch* quoting Rav Hai Gaon (*Kof* §381) קיפה בלשון ארמית מלשון קיפוי כגון נפיחה והרוח שאוחז במעיים מן המאכלות (Eating *charoses* is enough to work against *kapa*; no dipping is needed).

the *Mah Nishtanah*. There is no concern for *kapa* when eating the Hillel sandwich as the matzah will minimize any impact of the *kapa*, especially if it's warm (see below).

- 8) Q: Why are we not worried about *kapa* when we eat romaine lettuce year-round (maror is *chazeres* = lettuce)? A: Year-round we rely on cleaning, but on Pesach the *Rosh* (*Piskei Rosh, Pesachim* 10:25) writes, "Because the second dipping is a mitzvah, we want there to be no concern of danger [when performing it]."

### Practical Differences

We already mentioned one practical difference between the two opinions mentioned in the Mishnah. The one who says dipping is to kill the *kapa* or remove the sharp taste will require full submersion of the maror while the other says it's enough to perform a symbolic act of dipping. There are other practical differences:

- 1) Just like Pesach, Pesach Sheni requires matzah, maror and *charoses*. According to the first opinion, maror must be inserted into *charoses* to remove the *kapa*, as the danger still exists, but according to R' Eliezer the symbolism of the *charoses* doesn't apply to Pesach Sheni and would not be needed (*Binyan Tzion* 30:4).
- 2) The *kapa* issue can be addressed not only with *charoses* but also with hot things (*Pesachim* 115b). For this reason, it's good to bake matzah shortly before the seder, both on the afternoon before Pesach and the second night of Pesach, as warm matza will nullify the *kapa*. (*Darchei Moshe, Tur Orach Chaim* 458). According to the other opinion, there is no reason to bake matzos on the second night.
- 3)

## **Conclusion**

Sweet, tasty *charoses*, among the popular foods on Pesach, is not only a nice custom, but is also at least a mitzvah *deRabanan*, to recall the slavery of Mitzrayim, and could even be a requirement to protect us from the effects of *kapa*. Whether *kapa* is a poisonous sap or worm, it's not something we want to harm us! On this night of Pesach, which is full of important mitzvos and inter-generational *mesorah*, we want to ensure our safety. So bring out the *charoses* and enjoy the maror in good health! אֱלֹהֵינוּ

## ***Bentching as a Gadol when Eating as a Katan*** In honor of the Bar Mitzvah of Yoel Yeshaya Schuchman

### **Rabbi Moshe Tzvi Schuchman**

The *pasuk* in the beginning of *Parshas Eikev* is the Scriptural source for the mitzvah of *Birkas HaMazon*:<sup>1</sup>

וְאָכַלְתָּ וְשָׂבַעְתָּ וּבֵרַכְתָּ אֶת־ה' אֱלֹהֶיךָ עַל־הָאָרֶץ הַטֹּבָה אֲשֶׁר נָתַן־לְךָ (ח:י)

From the words “וְאָכַלְתָּ וְשָׂבַעְתָּ” *Chazal* derive that the Torah obligation of *bentching* entails two elements: 1) “וְאָכַלְתָּ” – eating<sup>2</sup>; 2) “וְשָׂבַעְתָּ”- being satisfied from that eating<sup>3</sup>.

R’ Akiva Eiger, in his glosses to *Shulchan Aruch O.Ch.* 186, raises a question pertaining to a scenario where, by way of example, a boy’s thirteenth birthday occurs on a Sunday, and he becomes a Bar Mitzvah immediately after Shabbos.<sup>4</sup> If he eats *shalosh seudos* late in the afternoon, filling himself up, and is ready to *bentch* after nightfall, what is his level of obligation? Is his *chiyuv* only *mi’derabanan* since the eating, וְאָכַלְתָּ, took place when he was still a *katan*? Or do we say that since he now is satiated as a *gadol*, וְשָׂבַעְתָּ, therefore his obligation to *bentch* is *mi’de’oraisa*?

R’ Akiva Eiger then takes this question a step further. Assuming that וְשָׂבַעְתָּ, having a full stomach as a *gadol*, is sufficient to create a Torah obligation of *bentching*, even if the eating was done while still a *katan*, what happens if the boy already *bentched* before nightfall? Perhaps

<sup>1</sup> גמרא ברכות כא. - אָמַר רב יהודה: מִיָּנִין לְבִרְכַּת הַמָּזוֹן לְאַחֲרִיָּה מִן הַתּוֹרָה, שְׁנַאֲמַר: “וְאָכַלְתָּ וְשָׂבַעְתָּ וּבֵרַכְתָּ”

<sup>2</sup> *Rishonim* discuss if the חיוב מה"ת is only for eating פת or even for פת הבאה שבעת המינים or even חמשת מיני דגן or even בכיסנין.

<sup>3</sup> ע' גמ' ברכות מט: ובראשונים

<sup>4</sup> Such a scenario applied to Yoel Yeshaya, who became a Bar Mitzvah on מוצש"ק פרשת ואתחנן - יום ראשון לפרשת עקב, י"ז תמוז תשפ"ב

this *Birkas HaMazon* by a *katan* only fulfilled a Rabbinic mitzvah, and now that he became a *gadol* with *שביעה*, satiation from a meal, his obligation was elevated to a Torah-level and he must repeat *bentching* as a *gadol*?

R' Akiva Eiger leaves these questions unresolved. From his analysis it appears that he emphasizes *ושבעת*, the satiation component, treating that as the primary factor obligating the mitzvah, and *ואכלת*, the act of eating, as secondary. Therefore, he entertains the possibility that merely being satisfied as a *gadol* is enough to generate a Torah obligation to *bentch*, even if the *מעשה אכילה*, act of eating, took place as a *katan*.

In contrast, the *Chazon Ish* and others (see *Piskei Teshuvos* 184:7) disagree with this viewpoint. They hold that *ואכלת*, the act of eating, is a primary factor of the mitzvah on equal footing with *ושבעת*. Therefore, if the boy ate his meal as a *katan*, the resulting obligation cannot be stronger than Rabbinic. Experiencing *שביעה* as a *gadol* itself cannot obligate *bentching* on a Torah level. Certainly, they hold, if he already *bentched* as a *katan* he unquestionably does not need to *bentch* again.

But how does R' Akiva Eiger understand the significance of *ואכלת*, eating, in contributing toward the obligation to *bentch*? Surely even R' Akiva Eiger agrees that if someone has food injected into his stomach through a tube, even though he feels very full, he does not *bentch* because an *אכילה* is lacking.<sup>5</sup> What role does he ascribe to *ואכלת* mentioned in the *pasuk*?



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<sup>5</sup> Along these lines, Rav Chaim Ozer Grodzinski writes in *Achiezer* that a *choleh* is permitted to receive nourishment on Yom Kippur through a feeding tube since there is no *מעשה אכילה*.

*Mishnah Berurah* (210:1), citing *Magen Avraham*, rules that the mitzvah of *Birkas HaMazon* requires eating at a pace of ingesting a *k'zayis* of bread within *k'dei achilas p'ras*, the span of a few minutes. A longer interval is not considered a מעשה אכילה, a halachic act of eating, with respect to מאכלות אסורות, transgressing the prohibition of eating forbidden items, or fulfilling mitzvos that involve eating, such as matzah.<sup>6</sup> The word ואכלת in the *pasuk* mandates the same parameter for *Birkas HaMazon*.

He brings *Pri Megadim* who limits the requirement for a halachic מעשה אכילה to *bentching* after eating a *k'zayis*. Regarding ושבעת, the Torah level obligation to *bentch* upon reaching a state of satiation, *Pri Megadim* holds that is achieved even by eating slowly, less than a *k'zayis* within *k'dei achilas p'ras*. He treats ושבעת as independent from ואכלת; the mitzvah depends on ending up full, even when not accomplished by a halachic אכילה.

Conversely, the author of *Mishnah Berurah* himself in *Shaar HaTziyun* (§10) takes issue with this ruling and holds that a pace of *k'zayis* within *k'dei achilas p'ras* must be maintained for the duration of the meal until reaching satiation. He views ואכלת and ושבעת as intertwined; ואכלת must be the outgrowth of ושבעת.

However, R' Akiva Eiger seemingly cannot accept this position. By allowing the eating of a *katan* to contribute toward *Birkas HaMazon* on a *de'oraisa* level he downplays the role of ואכלת and does not require a מעשה אכילה at any point.

This might explain why the *Mishnah Berurah* departs from his usual practice of quoting the insights of R' Akiva Eiger in his commentaries and omits these aforementioned questions. Quite possibly, since they

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ע' שו"ע או"ח ס' תע"ה דאכילת מצה בכדי אכילת פרס הוי רק קיום בדיעבד, ולכחיתילה צריך  
לבוטלעו כולו בבת אחת

imply that no מעשה אכילה is necessary for creating a Torah-level obligation of *bentching*, which is untenable according to the *Mishnah Berurah*, he chooses to leave them out.

For his part, R' Akiva Eiger's understanding of the ואכלת component of *Birkas HaMazon* could follow the approach of his predecessor in the rabbinate of Posen (by about 120 years), the *Maharam Ash* (Rav Meir of Eisenstadt), known by the title of his responsa, *Panim Me'iros*.<sup>7</sup> In *Teshuvos Panim Me'iros* (II:27), he asserts that אכילה for מאכלות אסורות is based on הנאת גורן, a mechanical action by the mouth and throat. That is where the pace of eating a *k'zayis* within *k'dei achilas pras* is required. But, disputing the *Magen Avrohom*, he holds the defining experience for *Birkas HaMazon* is not the act of eating, but rather satisfying one's hunger, ושבעת, and there is no requirement at all for *k'zayis* within *k'dei achilas pras* in creating the mitzvah obligation. He reads ואכלת in the *pasuk* as subordinate to ושבעת; solely a means to reach the objective of satiation. This is consistent with the premise for R' Akiva Eiger's questions.<sup>8</sup>



Such a conventional interpretation of R' Akiva Eiger's understanding of the ואכלת component in *bentching* may be correct, but does not necessarily preclude an opposite approach. Possibly, one can suggest that he too concedes that the Torah's obligation to *bentch* necessitates

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<sup>7</sup> The influence of *Panim Me'iros* is evident throughout the works of R' Akiva Eiger. As a young prodigy R' Akiva Eiger (5521-5598; 1761-1837) learned in the yeshiva of Mattersdorf, one of the *Sheva Kehillos* that were headed by *Panim Me'iros* (5430-5504; 1670-1744) in the last 30 years of his life.

<sup>8</sup> R' Akiva Eiger's son-in-law, the *Chasam Sofer*, goes ever further and holds that one is obligated to *bentch Min HaTorah* for eating even less than a *k'zayis*, which is below the threshold volume of a halachic אכילה, provided he reaches ושבעת. For example, one who is ill, or had not eaten for a very long time. (שו"ת חת"ס אורח חיים ס' מט, פירוש למס' ברכות דף כ:.)



a halachic מעשה אכילה of *k'zayis* within *k'dei achilas pras*. Yet, he also allows the eating of a *katan* to contribute toward that obligation. How would that work?

In his notes to *Sefer Yom Teruah*<sup>9</sup> (*Rosh Hashanah* 28), R' Akiva Eiger holds that a *kiyum*, a mitzvah fulfilled by a *katan*, is not effective for a *gadol*. The case there is about a boy who was born on the afternoon of Rosh Hashanah. According to the *She'iltos D'Rabi Achai Gaon* (and others), one becomes a Bar Mitzvah not at the beginning of his thirteenth birthday (nightfall), but only after *מַעַת לַעַת*, the exact time of day when he was born. Therefore, if he heard shofar in shul in the morning, when still considered a *katan* according to this opinion, he needs to hear it again later in the afternoon as a *gadol*. His *kiyum* as a *katan* cannot discharge his later obligation as a *gadol*. R' Akiva Eiger sees this as a logical extension of the *Shaagas Aryeh* in *Sefer Turei Even* (*Rosh Hashanah* 27) discussing a schizophrenic who hears shofar while insane, thus not deemed a *בר חיובא* (not obligated in mitzvos), if he regains his sanity later in the day, he must perform the mitzvah again as a *בר חיובא*. Likewise, if an *eved*, who is exempt *min haTorah*, hears shofar in the morning and later that same day becomes emancipated, *Turei Even* rules he must hear shofar again. The common feature in all these cases is that a *kiyum* while an individual does not have a Torah obligation cannot be used to fulfill a Torah obligation that comes later.<sup>10</sup>

R' Akiva Eiger's second question is predicated on this same *p'sak*, that *bentching* as a *katan* will not discharge a *chiyuv* that comes later from *שביעה* as a *gadol*, thereby requiring *bentching* to be repeated. But now another point needs clarification: if a mitzvah done by a *katan* is not recognized on a Torah level, how does R' Akiva Eiger allow the

<sup>9</sup> Authored by R' Moshe ibn Chabib (1654–1696), *Rishon LeTziyon* and Rosh HaYeshivah in Yerushalayim.

<sup>10</sup> See also *Netziv* in *Meishiv Davar* §18, and אסופות רבינו חיים הלוי, מסכת יבמות, דף עא, הערה מה

eating of a *katan* to contribute toward a Torah obligation that comes with שביעה as a *gadol*? Ipso facto, R' Akiva Eiger differentiates between the kiyum mitzvah of a *katan*, which is insignificant on a *de'oraisa* level, and the action of a *katan* which is meaningful, even on a Torah level.

This distinction between a *katan*'s *kiyum* and his *maaseh* is quoted in the name of R' Yoshe Ber Soloveitchik<sup>11</sup> to resolve the question raised by the *Minchas Chinuch* (§306) regarding a boy who becomes a Bar Mitzvah during *Sefiras HaOmer*. According to the *Behag* that one who misses counting for one day may no longer continue counting with a *berachah*, then a *katan* whose mitzvah performance, from the perspective of a *gadol*, is meaningless, should not be allowed to continue with a *berachah* beyond his Bar Mitzvah! Rav Soloveitchik explained that although a *katan* is unable to achieve a kiyum mitzvah recognized *min haTorah*, nonetheless, the Torah acknowledges his *maaseh*, action, as valid. *Behag* holds that simply the *maaseh* of counting over the course of the 49 days of *Sefirah* qualifies for תמימות, even when devoid from a *kiyum*. This is proven by the fact he allows one to continue when the previous number was counted at daytime, which does not qualify as a *kiyum mitzvah* (no *berachah* is recited). Therefore, even though counting by a *katan* does not achieve a *kiyum*, it is an act of counting nonetheless, and it preserves תמימות once he becomes a *gadol*.

Just as the verbal counting of a *katan* is recognized as a מעשה ספירה for the purpose of subsequently fulfilling the mitzvah on a Torah level, his מעשה אכילה should function similarly for the ואכלת component of *Birkas HaMazon*. Even if the אכילה of a *katan* cannot accomplish a

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<sup>11</sup> Cited in *Mesorah Journal* (OU), volume 3; *Harerei Kedem* II:112:2.

<sup>12</sup>קיום מצוה, the act combines with שביעה experienced later as a *gadol* to generate a Torah obligation.<sup>13</sup>



Another interesting aspect seen from R' Akiva Eiger's *de'oraisa* level validation of אכילה by a *katan* is with respect to the *Rishonim* who classify *Birkas HaMazon*, or at least the first of its *berachos*, as a ברכת הנהנין, a *berachah* made for the experience of physical enjoyment.<sup>14</sup>

For which הנאה does one need to *bentch*, the act of eating itself, or for the state of gastric satisfaction that was brought on by eating? The Talmudic rule of כל דתקון רבנן כעין דאורייתא תקון teaches that Rabbinic enactments reflect the Torah law upon which they are based. The fact the *Chachamim* patterned their enactment to make a *berachah* prior to eating food on the Torah's commandment of making a *berachah* after eating a meal<sup>15</sup> demonstrates that the impetus for the *berachah* is the pleasure from the very act of eating.

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<sup>12</sup>Accordingly, the *She'iltos* should hold that if the מעת לעת of his ביום is on ליל הסדר and he reached מוצאי מצה before that time, he should eat matzah again as a גדול.

<sup>13</sup> If a *katan* ties *tzitzis* strings to a four-cornered garment, may he continue wearing them after his Bar Mitzvah? *Mishnah Berurah* (*Beur Halachah, siman 14, s.v. L'hatzrich*) holds that he may. This too indicates that a *maaseh* of a *katan* has validity even if his *kiyum mitzvah* does not. See also *Sefer Mi'peninei HaRav*, section on *Hilchos Tzitzis*.

<sup>14</sup> This classification is apparent from *Shitah Mikubetzes* explaining *Tosafos* (*Berachos* 35), also from *Rashi* to *Berachos* 21. Later, in *Berachos* 48, *Rashi* adds an element of ברכה וְהוֹדָאָה, but that does not negate its function also as a ברכת הנהנין. See further: ספר שיעורי הרב על תפילה וק"ש ס' מה ספר מצות המלך (הרב צימענט) חלק א', מצות עשה כ

<sup>15</sup> See *Rambam, Hilchos Berachos*, 1:1-2

If this is true, then R' Akiva Eiger appears to be saying a newly minted Bar Mitzvah boy may have a Torah obligation to *bentch* for the הנאה from his earlier experience of eating as a *katan*!

Although this may seem to be a *chidush*, it underscores the relationship between ואכלת and ושבעת. One might be bothered by a question: if *Birkas HaMazon* (at least, in part) is for the pleasure from the act of eating, separate from the post-eating satisfaction of feeling full, why is the mitzvah limited to when שביעה is achieved? Does not savoring the taste from a small amount of food also yield enjoyment?

We can propose that the sensation of pleasure from eating is not only from the actions of tasting, chewing, and swallowing, rather, it is linked to these acts resulting in hunger being satisfied. When one reaches satiation, there is a lingering pleasure from the eating which obligates one to *bentch*. Beyond that time frame, after satisfaction has waned and hunger returns (שיעור עיכול), pleasure from the eating dissipates and a *berachah* can no longer be recited. If eating is interrupted before reaching satisfaction (either from willpower or lack of food) that causes a frustration which supersedes the הנאה received from consuming the morsel of food and therefore there is no obligation to make a *berachah* (*mi'de'oraisa*).

According to this approach, ואכלת ושבעת וברכת informs us that the *berachah* is for the הנאה from ואכלת which carried forward because it culminated in ושבעת. If so, the new Bar Mitzvah boy is *bentching* not for his previous eating as a *katan*, but for the pleasure of eating in the present due to the current state of ושבעת from that food. ㊤

## Keeping Your Word<sup>1</sup>

**Daniel Menchel**

One of the keys to correctly understanding the Egypt story is that Hashem guided events from start to finish. In case we were hoping to blame the slavery on human free will and attribute the salvation to Hashem, the Haggadah forecloses that option, reminding us that Hashem had promised Avraham that his descendants would wind up in Egypt for four centuries, but that Hashem would eventually rescue them:

בְּרוּךְ שׁוֹמֵר הַבְטָחָתוֹ לְיִשְׂרָאֵל, בְּרוּךְ הוּא. שֶׁהַקְדוֹשׁ בְּרוּךְ הוּא חָשַׁב אֶת־הַקֶּץ, לַעֲשׂוֹת  
כְּמוֹ שֶׁאָמַר לְאַבְרָהָם אֲבִינוּ בְּבְרִית בֵּין הַבְּתָרִים, שֶׁנֶּאֱמַר: וַיֹּאמֶר לְאַבְרָם, יָדַע תֵּדַע כִּי־  
גַר יִהְיֶה זֶרְעֶךָ בְּאֶרֶץ לֹא לָהֶם, וַעֲבָדוּם וְעַנּוּ אֹתָם אַרְבַּע מֵאוֹת שָׁנָה.

Bless the One who keeps His promise to Yisrael, blessed be He; since the Holy One, blessed be He, calculated the end to uphold what He said to Avraham, our father, in the Covenant between the Parts, as it says, “And He said to Avram, ‘You should know that your descendants will be strangers in a land not their own, and they will enslave them and afflict them four hundred years...’”

But if you think about it for a minute, this is faint praise at best. We expect honesty and trustworthiness as threshold requirements from everyone we deal with, let alone the Creator!

What kind of praise is it to say that Hashem keeps His word?

R’ Shlomo Farhi explains that the Haggadah does not mean that Hashem merely keeps His promise; the words literally mean that Hashem protects His promise. Hashem had promised four hundred

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<sup>1</sup> Copied from Gtorah.com, with permission.

years in Egypt, but *Rashi* counts only two hundred and ten. The hundred-and-ninety-year discrepancy can be accounted for in different ways; perhaps that the Jewish People suffered egregiously, such that four hundred years of pain could be condensed to two hundred and ten; or that they had stooped to the lowest depths of depravity and required emergency intervention. The missing years are alluded to in the words for calculating the end – הָשֵׁב אֶת־הָעָץ – because the word עָץ has a numerological value of the missing hundred and ninety years. And yet, if the precise explanation for creative accounting is a little cutesy, the fact of it is deadly serious.

In the state the Jewish People left, they were identifiable by fashion, language, and name only. In every other conceivable way, they had no semblance of Jewish identity. Hypothetically, if Hashem had not acted at that very moment, and had they remained even a little longer, their condition would have deteriorated further, and there might have been nothing left to save, or perhaps only a small remnant might have deserved to be rescued. That could plausibly have been one version of keeping to the promise – Hashem saving whoever was left.

But Hashem did not do that. Hashem did not abandon them to their fates, and Hashem would not let them die or fail. Instead, every single man, woman, and child walked out – even though they didn't deserve to. Because Hashem didn't just keep His promise; He protected it – בָּרוּךְ שׁוֹמֵר הַבְטָחָתוֹ לִישְׂרָאֵל

The *Sfas Emes* notes that our ancestors must have been pretty certain of their tradition that they would be mired in Egypt for four hundred years; so much so that they refused to believe that Moshe was there to save them, and quite rightly so, you'd think – he was two centuries early after all...! And yet, before any explanation, logic, or wordplay about substituting the qualitative intensity of slavery for a given quantity of years, the simple fact was that it was time to go. Regardless

of what had been made explicitly clear by no less an authority than Hashem Himself, the time was now.

Because Hashem protects His promise – בְּרוּךְ שׁוֹמֵר הַבְטָחָתוֹ לְיִשְׂרָאֵל.

On the night we remember redemptions past, fueling our hope for redemptions to come, we ought to remind ourselves that Hashem protects His promise, whatever it takes. We have a rich and vast eschatological literature about what will happen at the end times of Mashiach; will it be easy or painful? Peaceful or tragic? Gradual or sudden? Six thousand years or tomorrow?

The *Sfas Emes* reassures us that whatever we convince ourselves, we actually have no idea whatsoever. Perhaps once again, the qualitative strain of exile can stand in for a required quantity of years. Yet in the final analysis, it's entirely academic because even if our spiritual assets were entirely exhausted of ancestral credit and merit, we could always count on the Creator's bottomless wellspring of compassion; and the highly persuasive precedent for creative accounting when it comes to these things.

Because בְּרוּךְ שׁוֹמֵר הַבְטָחָתוֹ לְיִשְׂרָאֵל – Hashem protects His promise to Yisrael. אֱלֹהֵינוּ

## ***Hodu LaShem Ki Tov:***

### **Connections to the Exodus and Torah**

**Yehoshua Dixler**

*Tehillim* (136:10-24) features fifteen verses focused on the kindnesses Hashem performed for us immediately prior, during, and after the Exodus. *Radak's* commentary provides many interesting insights into the events and the kindnesses Hashem did for Israel.

למִכָּה מִצְרַיִם בְּכּוֹרֵיהֶם כִּי לְעוֹלָם חֶסֶדּוֹ:

*For smiting the first born of the Egyptians, His kindness is eternal.*

Although every plague against the Egyptians was a kindness to Israel, the plague of the firstborn is highlighted, as it was the most proximate cause of the redemption.<sup>1</sup>

וַיּוֹצֵא יִשְׂרָאֵל מִתּוֹכָם כִּי לְעוֹלָם חֶסֶדּוֹ:

*And Israel went out from among them...*

The Jews were miraculously spared from each plague despite being mixed among the Egyptian population.<sup>2</sup>

בְּיָד חֲזָקָה וּבִזְרוֹעַ נְטוּיָה כִּי לְעוֹלָם חֶסֶדּוֹ:

*With a strong hand and outstretched arm...*

All ten plagues are hinted to in the words בְּיָד חֲזָקָה.

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<sup>1</sup> The literal translation is “smiting the Egyptians *with* their first born.” This alludes to the Midrash: before the plague, the first born, fearing for their lives, waged a civil war to force Pharaoh to free Israel.

<sup>2</sup> The abandonment of Moshe in the river; the watchful eye of Miriam; and the subsequent nursing by his mother while he lived in Pharaoh’s palace strongly suggest that even the Levites (Moshe’s tribe) were living in mixed neighborhoods outside of the Jewish center of Goshen. Some say the slavery started when the Jews began to assimilate, likely caused by their physical proximity).



לְגַזֵּר יַם־סוּף לְגִזְגִּים כִּי לְעוֹלָם חֲסָדוֹ:

*To [the One] who cut the sea into parts...*

Hashem did not lead Israel through the territory of the Philistines who would have warred against them. When instead they were confronted with the danger of the Egyptians, who cornered them at *Yam Suf*, Hashem split the sea into twelve channels, providing each tribe with its own safe passage through the waters. This prevented Israel from fleeing in a confused stampede.<sup>3</sup>

וְהַעֲבִיר יִשְׂרָאֵל בְּתוֹכָוּ כִּי לְעוֹלָם חֲסָדוֹ:

“And he passed Israel through it (i.e., the sea) ...”

Although Israel walked into the deepest part of the sea, He made it dry so that their feet wouldn’t become wet or dirty from the muddy seabed.<sup>4</sup>

וְנָעַר פֶּרֶעַה וְחִילוֹ בְּיַם־סוּף כִּי לְעוֹלָם חֲסָדוֹ:

*And he disturbed Pharaoh and his army in the [sea of] Yam Suf...*

Once the Egyptians entered the sea, Hashem disturbed them so they couldn’t find their way out before the water came crashing down upon them. With the Egyptians dead, the Jews then clearly saw the danger was eliminated.

לְמוֹלִיד עַמּוֹ בַּמִּדְבָּר כִּי לְעוֹלָם חֲסָדוֹ:

*To [the One] who led his people in the wilderness...*

Through the barren place, without food, water or clear path to travel, in His kindness He created a cloud to follow and a fire to light the way, while also protecting them from the many dangers of the desert.

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<sup>3</sup> Instead of Hashem creating calm through mind-control, which would interfere with their freedom of choice, Hashem chose the less invasive approach of preventive safety. Hashem does not take away our freedom to choose except in exceptional circumstances, for example, Pharaoh during the later plagues.

<sup>4</sup> Besides mere survival, Hashem was even concerned about our cleanliness and comfort! Perhaps through this cleanliness Israel would be more readily inspired to the prophecy that occurred during the Song of the Sea soon after.

לְמַכֵּה מְלָכִים גְּדֹלִים כִּי לְעוֹלָם חֻסְדּוֹ:  
וַיַּהַרֵג מְלָכִים אַדִּירִים כִּי לְעוֹלָם חֻסְדּוֹ:  
לְסִיחֹן מֶלֶךְ הָאֱמֹרִי כִי לְעוֹלָם חֻסְדּוֹ:  
וְלַעֹג מֶלֶךְ הַבָּשָׁן כִּי לְעוֹלָם חֻסְדּוֹ:  
וְנָתַן אֶרֶצָם לְנַחֲלָה כִּי לְעוֹלָם חֻסְדּוֹ:

*To [the One] who smote mighty kings...*

*And killed strong, arrogant kings...*

*To Sichon king of Emori...*

*And to Og king of Bashan...*

*And He gave [Israel] their land as an inheritance...*

To enhance the praise to Hashem, these five verses detail the consecutive wars against Sichon and Og and Israel's subsequent occupation of their lands. The kings would not let the Jews pass through, instead confronting them in battle with a large, strong army. Yet Hashem gave Israel a complete and total victory enabling them to fully possess the land without fear of partisan attacks. In addition, Hashem prevented other nations from working together to take back the land.<sup>5</sup>

It was a huge kindness to give them this new land, on the east of the Jordan River, which was never promised to Avraham, who was promised only the land of seven nations living west of the Jordan. In contrast, the conquest over the peoples in the land to the west is not mentioned here at all. Although that conquest was also impossible without Hashem's help, since the land was already *promised* to Avraham it was not given to the Jews due purely to His kindness.

וְנַחֲלָה לְיִשְׂרָאֵל עַבְדּוֹ כִּי לְעוֹלָם חֻסְדּוֹ:

*An inheritance to Israel His servant...*

He took the land from idol worshipers and gave it to Israel who worship Hashem alone.<sup>6</sup>

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<sup>5</sup> Some of Sichon's land previously belonged to Moav, yet they didn't attempt to form a military alliance to retake it.

<sup>6</sup> When Israel later worshipped idols, they were exiled.

שֶׁבַּשְׁפִּלְנוּ זָכַר לָנוּ כִּי לְעוֹלָם חֶסֶדּוֹ:

*That in our lowness Her remembered us...*

The word “remembered” is past tense, but refers to the future, which is common for prophecy.<sup>7</sup> Hashem will redeem us from future exiles, including Babylon.<sup>8</sup>

וַיִּפְרֹקֵנוּ מִצָּרֵינוּ כִּי לְעוֹלָם חֶסֶדּוֹ:

*And He extracted us from our oppressors...*

Even in the oppression of exile, Hashem keeps us alive. His kindness is eternal; He will continually redeem us from all our oppressors throughout the time of exile.

### **Creation, Exodus and Torah**

For a psalm so focused on the Exodus in the middle, the initial theme of the psalm appears disconnected. The first nine verses thank Hashem as the truly powerful God, Who does wonders, and created the heaven, earth, sun and moon. How is the theme of Hashem the Creator connected to the next fifteen verses that thank Hashem for the events during and after the Exodus?

This dichotomy, of Hashem as Creator and Redeemer from Egypt, is originally reflected in the Ten Commandments which are recorded twice in the Torah: first in *Shemos* and then in *Devarim*. The first commandments exhort Israel to keep Shabbos in order to remember that Hashem created the world in seven days while the second commandments say Hashem commanded us to keep Shabbos because He redeemed us from Egypt. This chapter of *Tehillim* echoes the two ways we remember Hashem. The first nine verses praise Hashem for creating the world, parallel to the commandments in *Shemos*, while

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<sup>7</sup> Prophecy is often related as if the future already happened, as it certainly will through Hashem’s unlimited abilities.

<sup>8</sup> Although Israel was exiled due to idol worship, after repenting Hashem returned them in His kindness.

the next fifteen praise Hashem for redeeming us, corresponding to the commandments in *Devarim*.

This sequence, first as Creator and then as Redeemer, is repeated in *davening*, with one big addition: Torah. In *Shacharis*, the first *berachah* starts and ends with Hashem as the Creator, of light and darkness, followed by *berachos* concerning Torah and the Exodus. The first *berachah* of *Maariv* talks of Hashem as the Creator of night, the giver of Torah, and then our Redeemer from Egypt. It appears the pattern is Creator, giver of Torah, then Redeemer, with the addition of Torah in the middle. Since Exodus occurred before Torah, why isn't the pattern Creator, then Redeemer, then Torah?

Torah in our *davening* doesn't refer to the *event* of receiving Torah; rather, it refers to our usage of Torah. Only through our knowledge of Torah and keeping its mitzvos that we can recognize that the Creator is also our Redeemer. This contrasts with some philosophers who could logically accept Hashem as Creator, but would not accept Hashem's involvement in the daily affairs of men, what is called *hashgachah pratis*, which makes mitzvos meaningful. When Jews *daven* every morning and night, we emphasize that the miracles recounted in the Torah, especially surrounding the Exodus, clearly demonstrated Hashem's involvement in our affairs.

### **Conclusion**

Judaism is full of patterns; you only need to look. The analysis of *Tehillim* 136, together with the *Radak's* commentary, has revealed the important pattern of Creation and Redemption. This dichotomy is so important Hashem demonstrated it in the repetition of Ten Commandments and we emphasize it twice every day in our prayers. However, we need to remember that only through Torah can we truly recognize our Creator is also our Redeemer or, as we say at the conclusion of Yom Kippur, *Hashem Hu HaElokim*.

*VeHameivin Yavin.* 

## ***Sefiras HaOmer* vs. *Kiddush Levanah***


**Rabbi Abba Zvi Naiman**

We had a question regarding what should be recited first, *sefiras ha'omer* or *kiddush levanah*. When *kiddush levanah* is recited on a normal *Motza'ei Shabbos*, the *minhag* is to count the *omer* in shul at its normal spot before *Aleinu*, and then go outside for *kiddush levanah*. The question arose when it was cloudy on *Motza'ei Shabbos*, and we were reciting *kiddush levanah* on Sunday night after a shiur. In this case, the minyan had already dispersed and there was just a small group reciting *kiddush levanah*. It is possible that only when there is a regular minyan davening on *Motza'ei Shabbos* that everyone counts the *omer* together because there is an advantage in counting it with a *minyan*. But in our case, the *minyan* was gone, and we had to decide what to recite first.

There was no question that *Shema* had to be recited first because it is certainly *tadir* to the other two obligations. The issue was whether *kiddush levanah* or *sefiras haomer* is *tadir*. On one hand, the *omer* is counted 49 times a year, while *kiddush levanah* is recited at most only 12 times a year. However, I thought we had a precedent from Rosh Chodesh Elul, when we recite *Borchi Nafshi* before *LeDavid Ori* even though *LeDavid Ori* will be recited over 100 times while *Borchi Nafshi* is recited only around 18 times during the year. Apparently, we look at the recital of *LeDavid Ori* as a single obligation since it is recited continuously from Elul through Shemini Atzeres. *Borchi Nafshi*, though, is recited at 12 different times throughout the year, and is thus considered *tadir*. I therefore thought that our case was the same. Even though we would be counting the *omer* 49 times, these countings are contiguous and are considered only one mitzvah. *Kiddush Levanah* should therefore come first, because it is recited 12 times per year.

However, R' Moshe Kravetz argued that there is a *shitah* that each night of *sefiras ha'omer* is a separate mitzvah, and if someone forgets to count one night, he is allowed to count the next night with a *berachah*. We do not *pasken* that way because of the *safek* that we should follow the other *shitah* that it is all one mitzvah, and if one day is missed the mitzvah has not been fulfilled. But perhaps the existence of this *shitah* should require us to count the *omer* before *kiddush levanah*.

I later looked into *Sefer Sefiras HaOmer*, who cites a *Divrei Yehoshua* that discusses our *she'eilah* whether *kiddush levanah* should be recited before *sefiras ha'omer* or vice versa. He does not come to a conclusion of what one should do, but he touches upon R' Moshe's *chakirah*. However, he writes that this *shitah* makes it worse for *sefiras ha'omer*. If you hold that each day of *sefirah* is a new mitzvah, *sefirah* is certainly no longer *tadir* because there are no longer 49 mitzvos vs. the 12 of *kiddush levanah*. Each night is a separate mitzvah, so that whatever night you want to recite *kiddush levanah* you have only a single mitzvah of that night's *sefirah* competing.

None of the *sefarim* reached a definite conclusion what to do in our case. But they also did not mention what I think is the good precedent from Rosh Chodesh Elul, when *Borchi Nafshi* is recited before *LeDavid Ori*. [For that matter, if we consider the recitation of each *shir shel yom* as a separate mitzvah (certainly debatable), we should recite *LeDavid Ori* before the *shir shel yom* every day.] I therefore think we were correct in going outside to recite *kiddush levanah* and counting the *omer* afterwards. 

## ***Yom Leyabasha* and *Kerias Yam Suf*:** An unexpected link with the “work of man”

**Rabbi Yitzchak Szyf**

R' Yehuda Halevi, in one of his most beautiful *piyutim* – *Yom Leyabasha* – connects *Kerias Yam Suf* with *bris milah* and *tzitzis*, mitzvos that relate to the number 8. *Rashi*, at the end of *Parashas Shelach* also connects *Kerias Yam Suf* with *tzitzis*, while surprisingly dating the event on the *eighth* day of Pesach. But we all know that *Kerias Yam Suf* occurred – and is celebrated – on the *seventh* day of Pesach. In this article, I would like to suggest a possible understanding of the dual timing of *Kerias Yam Suf*, while highlighting a key takeaway from *Yom Leyabasha*, a *piyut* that appears not once, but twice, in our everyday *siddurim*.

### **The Splitting of the Sea on the seventh day**

We celebrate *Kerias Yam Suf*, of course, on the seventh day of Pesach since that is when it took place. Nevertheless, its connection to the number 7 – and the fact that Hashem orchestrated it to fall on the seventh day – seems odd at first.

If we were to consider what would be the most logical number with which to connect *Kerias Yam Suf* it would undoubtedly be the number 8. As is well known, the number 8 signifies the supernatural and *Kerias Yam Suf* is one of the most famous miracles of all times. The number 7, on the other hand, signifies what we consider “nature.” It is the day on which we celebrate Shabbos – a celebration of the creation of the natural world – and therefore seemingly unfit for a major “supernatural” miraculous event such as *Kerias Yam Suf*.

But there is a major flaw in the above argument. *Kerias Yam Suf* is, in fact, no less “natural” than the rising sun. Both are blessings from Hashem. The number 8 *does* signify the supernatural, but as we will

explain, it means something completely different. At its essence, *Kerias Yam Suf* belongs in the realm of “nature” and the number 7.

In fact, perhaps to prove this point, according to the Midrash (*Bereishis Rabbah* 5:5), Hashem made a stipulation with the sea from the time of creation that it should split for *Bnei Yisrael*. In other words, *Kerias Yam Suf* was literally *built* into nature. Furthermore, *Shiras HaYam* – our daily song about *Kerias Yam Suf* – forms an integral part of our *Pesukei DeZimra*, a series of psalms which focus on “natural” miracles that happen every day, such as the rising sun.<sup>1</sup> It is also noteworthy that the split in the water was orchestrated by Hashem through the use of “a wind from the East,” a process that some understand to have worked within the laws of nature.

### ***Kerias Yam Suf* and the Number 8**

While clearly as “natural” as any other miracle, and fittingly celebrated on the seventh day of Pesach, we nevertheless still see explicit connections of *Kerias Yam Suf* to the number 8.

Perhaps the most striking one is found in the final *Rashi* of *Parashas Shelach*, which discusses the mitzvah of *tzitzis*. *Rashi* explains that the eight strings of the *tzitzis* correspond to the *eight* days that Israel waited from when they left Egypt until the *Shiras HaYam* was sung.

But didn’t *Kerias Yam Suf* take place on the seventh day (as *Rashi* himself explains in *Shemos* 15:5)? How does *Rashi* get to the number 8? *Sifsei Chachamim* explains that rather than counting from the time of the exodus, *Rashi* is counting from the time in which the *korban pesach* was slaughtered, on the fourteenth of Nissan.

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<sup>1</sup> In fact, R’ Yose in the Talmud (*Shabbos* 18b) specifically views *Pesukei DeZimra* as a daily “Hallel” to thank Hashem for the existence of nature.



Perhaps we can suggest that this less conventional way of counting the days of Pesach hints to an additional supernatural aspect of *Kerias Yam Suf*. Let me explain.

### **What defines a supernatural event?**

There is a fascinating *Midrash Tanchuma* (*Parashas Tazria* §5), which quotes a question posed by Turnus Rufus the Evil (provincial governor under the Roman Empire) to R' Akiva, "Which is greater, the work of Hashem or the work of man?" Surprisingly, R' Akiva answers, "the work of man." Not receiving the answer that he wanted, Turnus Rufus shortly thereafter directly asks, "why are your people circumcised?" R' Akiva understands that Turnus Rufus is bothered by the concept that man would have to do something to improve Hashem's creation. He responds by highlighting the greater quality of prepared food – the work of man – over raw food, a fact Turns Rufus could not dispute. R' Akiva then explains that Hashem specifically wanted to involve man (in perfecting the world). Therefore, the work of man is greater.

Based on this, I think we can explain that what we call "nature" is the "work of Hashem" and what we call "supernatural" is the work of man. In addition to meaning that it is beyond nature, the term "supernatural" implies that it is "greater" than what is considered natural, which is consistent with R' Akiva's assessment of the "work of man." *Bris milah* is a prime example of the "supernatural," and it is notably performed on the *eighth* day.

While Shabbos is of course the quintessential seventh day focused on the "natural" creation, *Motza'ei Shabbos* is like the "supernatural" *eighth* day. *Motza'ei Shabbos* signifies *our* creation. It is the time when Adam created fire – man's first act of creation – which we recreate each week when we light the havdalah candle. *Motza'ei Shabbos* is, therefore, connected to *Eliyahu HaNavi* and the concept of Mashiach, which, as discussed below, relates to the supernatural.

Many other “number 8” *mitzvos* and *minhagim* can be understood this way (i.e., to relate to the “work of man”). For example, *Tefillas Geshem* is recited on Shemini Atzeres, the eighth day. I think its connection to the number 8 can be explained as follows: While rain is generally considered “natural” and beyond the scope of man, rain in Israel is not so. It depends on our merits and *tefillas*. As such, there is no better time for the prayer for rain than on the *eighth* day.

Another key example we discussed above is *tzitzis*, which has eight strings. *Tzitzis* clearly reflects the supernatural since its main purpose is to properly direct man and prevent man from acting according to his “natural” animal instinct.

### **Understanding *Rashi*’s connection of *Kerias Yam Suf* and *tzitzis***

At first glance, *Rashi*’s connection of *Kerias Yam Suf* to *tzitzis* with its eight strings seems odd, and kind of forced, since we know that *Kerias Yam Suf* falls on the seventh day. But I would like to suggest that *Rashi*’s placement of this event on the eighth day if – as *Sifsei Chachamim* explains – we count from the *korban pesach* can be understood as follows. The *korban pesach* was our key active step in affirming our allegiance to Hashem and *earning* the exodus from Egypt. As the *meforshim* explain, it was an extremely daring act since the lamb was an Egyptian deity. If we count from *that* moment – the moment when we set the exodus in motion through our actions – the result has a direct connection to the supernatural. It belongs to the eighth day and can be compared to *tzitzis*. In other words, *Kerias Yam Suf* is most openly associated with the seventh day since it is as natural as all of Hashem’s ongoing miracles. But, when counted from our daring action of the *korban pesach*, it falls on the eighth day and thus has a connection to the supernatural.

### **The *Midrashic* connection to *Bris Milah***

While *Rashi* directly connects *Kerias Yam Suf* to *tzitzis*, the Midrash focuses on another “number 8” connection, *bris milah*. Specifically,

the Midrash in *Shemos Rabbah* 23:12 describes that the phrase “*hashirah hazos*” is connected to “*zos bris*” of *milah*. It further explains that the sea split in the merit of the mitzvah of circumcision, which was observed by all Jewish males who left Egypt. It is noteworthy that the connection to a “number 8” mitzvah specifically highlights the *merit* of *Bnei Yisrael*.

Furthermore, there is a custom in many communities to recite *Shiras HaYam* out loud, verse by verse, during *Pesukei DeZimra* on the morning of a *bris*. This again shows the strong connection between *bris milah* and *Kerias Yam Suf*.

To summarize, while *Kerias Yam Suf*, at its core, belongs in the realm of the natural and is celebrated on the seventh day, it is also a result of our merits – specifically the *korban pesach* and *bris milah*.<sup>2</sup> As such, it is connected to other “number 8” *mitzvos* and its celebration matches the eighth day when counting from the merit of the *korban pesach*.

Now, let us see how this all beautifully comes into play within our *siddurim*, and take it one step further.

### **An interesting plea within our *tefillos***

Every morning, during the third and final blessing of Shema, and specifically starting from the paragraph of *Ezras Avoseinu*, we describe *Yetzias Mitzrayim*, *Kerias Yam Suf*, and the *Shirah*. The blessing culminates with *Baruch Ata... Go'al Yisrael* as it leads into *Shemoneh Esrei*. It is fittingly recited in the past tense since it reflects a past redemption. Ashkenazi communities, however, make a short interruption just prior to the actual blessing. We add a mini *piyut* – “*Tzur Yisrael kuma be'ezras Yisrael...*” – each day to our *tefillos*.<sup>3</sup>

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<sup>2</sup> *Kerias Yam Suf* also required an immediate action by a member of *Bnei Yisrael* and occurred only after Nachshon Ben Aminadav took the first step.

<sup>3</sup> The idea of adding these words stems from the *Yerushalmi*, which says to add the words: צור ישראל וגואלו. In the original Minhag Eretz Yisrael, these words were incorporated into the *berachah*, which ended with the words: מלך

Through it, we deviate from the topic of the past and pray for the *future* redemption before returning to the past redemption in the actual words of the blessing of *Go'al Yisrael*, which is in the past tense. This *piyut* uses our past redemption as an opportunity to pray for the future.

But on Shabbos Shirah, the Seventh day of Pesach as well as at a Bris, there is a custom to wait even longer before signing off with the blessing of *Go'al Yisrael* and to daven further about the future. R' Yehuda Halevi's (11th-12th Century, Spain) *piyut* of *Yom Leyabasha* is chosen for the task.

Although *Yom Leyabasha* is a Sephardi *piyut*, it was adopted (and loved) in much of the Ashkenazi world, particularly in Eastern Europe. It appears not once but twice in many of our *siddurim*. It is recited until today in many communities on the seventh day of Pesach right before the blessing of *Go'al Yisrael* (see ArtScroll Yitzchak Yair Hebrew Siddur page 315 or English/Hebrew siddur page 712) and is customarily also sung at a *seudas bris* (page 92 or 214, respectively). It was originally more commonly recited on *Shabbos Shirah* as well and within the davening itself whenever a bris took place on Shabbos<sup>4</sup>, but only a handful of communities today maintain this practice.

Notably, R' Yehuda Halevi weaves the exact three “supernatural” themes discussed above (*Kerias Yam Suf*, *tzitzis*, and *bris milah*) all together in this beautiful *piyut*.

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צור ישראל וגואלו. This is still the practice of the Italian community today and in Ashkenazi communities when reciting *maaravos* (*piyutim*) on Yom Tov night. It can be found in modern *machzorim* such as ArtScroll. The idea of these words is to focus on the current, rather than the past, redemption. The mini-*piyut* of *Tzur Yisrael*, which includes these words while also more directly praying for the future redemption (but not changing the actual *berachah* from גאל ישראל) is likely inspired from this *Yerushalmi*.

<sup>4</sup> This is mentioned in *Magen Avraham* (584) and many times in *Mishnah Berurah*. See, for example, 584:12, where *Mishnah Berurah* discusses what to do regarding *Yom Leyabasha* when Rosh Hashanah falls on Shabbos.

## Section VI: *Sefiras HaOmer* and *Kerias Yam Suf*

First, he directly discusses *bris milah* and *tzitzis* – all within the *piyut*'s overall context of *Kerias Yam Suf* and the refrain of שִׁירָה חֲדָשָׁה שֶׁבָּחוּ גְּאוּלִּים:

*5<sup>th</sup> and 6<sup>th</sup> stanzas of Yom Leyabasha (translation from the ArtScroll Siddur)*

Those who come with You into the covenant of Your seal, and from the womb they are circumcised for Your Name's sake The redeemed ones sang a new song	הַבָּאִים עִמָּךְ בְּבְרִית חוֹתֶמְךָ וּמִבְטֶן לְשִׁמְךָ הֵמָּה נְמוּלִים שִׁירָה חֲדָשָׁה שֶׁבָּחוּ גְּאוּלִּים:
Display their sign to all who see them, <sup>5</sup> and on the corners of their garments, they will make fringes The redeemed ones sang a new song	הִרְאָה אוֹתוֹתֶם לְכָל רוֹאֵי אוֹתֶם וְעַל כַּנְפֵי כְּסוּתֶם יַעֲשׂוּ גְּדִילִים שִׁירָה חֲדָשָׁה שֶׁבָּחוּ גְּאוּלִּים:

R' Yehuda Halevi then uses these *mitzvos* and *Kerias Yam Suf*, as a springboard to beg for the final redemption:

*7<sup>th</sup> and 8<sup>th</sup> stanzas of Yom Leyabasha (translation from the ArtScroll Siddur)*

Whose is this [Torah], inscribed with commandments? Please recognize the truth! <b>Whose is the signet and whose are the threads?</b> The redeemed ones sang a new song	לְמִי זֹאת נִרְשָׁמֶת הַפֶּר נָא דְּבַר אֱמֶת  <b>לְמִי הַחוֹתֶמֶת וּלְמִי הַפְּתִילִים</b>  שִׁירָה חֲדָשָׁה שֶׁבָּחוּ גְּאוּלִּים:
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<sup>5</sup> The “sign” (אוֹת) refers to *tefillin*, which can be seen by all. Given that the *piyut* just discussed *bris milah*. I think it is not a coincidence that *tefillin* were chosen as the external sign since *bris milah* and *tefillin* both share two of the same key descriptions: Both are called an אוֹת (sign) and both a called a חוֹתֶם (seal). I think that we can view *tefillin* as an external representation of the same אוֹת and חוֹתֶם that is represented by *bris milah*.

Betroth her again and drive her out no more; Let her sunrise rise and let the shadows flee The redeemed ones sang a new song	וְשׁוּב שְׁנִית לְקִדְשָׁהּ וְאֵל תּוֹסִיף לְגִרְשָׁהּ וְהַעֲלֵה אֹר שְׁמֶשֶׁה וְנָסוּ הַצִּלְלִים שִׁירָה חֲדָשָׁה שֶׁבָּחוּ גְאוּלִּים:
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The “חֲתָמָת” (signet) and “פְּתִילִים” (threads) are references to the terminology used by Tamar in *Parashas Vayeshev* when she hints to the identity of Yehuda as the father of her children by referring to his signet and cord (as well as his staff) which she held as a collateral.

Just like the “חֲתָמָת” and “פְּתִילִים” were used to prove Yehuda’s identity, R’ Yehuda Halevi argues that *our* true identity as Hashem’s nation worthy of redemption can also be proven from *our* “חֲתָמָת” (*bris milah*) and “פְּתִילִים” (*tzitzis*). Following the *piyut*’s common refrain which highlights the *Shiras HaYam*, the *piyut*, appropriately, goes on to beg for the future redemption.<sup>6</sup>

### The *Shirah* of the Future

To further understand the (behind the scenes) role of the number 8 in *Kerias Yam Suf*, I would argue, based on the *piyut* of *Yom Leyabasha*, that it reflects its place not only as a past and present phenomenon but as one that has built the seeds for the final redemption. The future *geulah*, dependent on our merits, is often associated with the supernatural and the number 8. And the path to *arrive* at that “supernatural” future *geulah* relies on the seeds planted during our passage through the sea at *Kerias Yam Suf* and the key “number 8” *mitzvos* of *bris milah* and *tzitzis*.

<sup>6</sup> The mitzvah of *bris milah* in particular is focused not only on the covenant of the past and present, but also that of the future. It is for this reason that there is a special seat for Eliyahu on which the baby is placed.

R' Jonathan Saks explains that *Bnei Yisrael's* passage through the sea symbolized a move from being “servants of Pharaoh” to being solely “servants of Hashem.”<sup>7</sup> Walking between the two parts of the sea was not just a practical way of getting to the other side. Rather, it symbolized a new covenant of the Jewish people with Hashem, just like the *Bris bein Habesarim* (Covenant of the Parts) when Avraham sliced the animals and the *Shechinah* walked between the parts.<sup>8</sup> Covenants were often marked by the two parties walking through sliced parts, a process which symbolized their strengthening sense of unity with each other. The covenant of *Kerias Yam Suf* is the same one that is guiding us today and into the future.

The highlight of *Parashas Beshalach* is actually a song, *Shiras HaYam*. Song is the ultimate form of expression and it transcends time. By reciting this song each day – a song which begins with the words “*yashir*” in future tense – we are emphasizing the everlasting impact of the covenant and our longing for a closer relationship with Hashem into the future. After reciting the final words of the *Shirah* – “*Hashem yimloch l'olam va'ed*” – itself a statement about Hashem's eternal reign, we end the section with a *pasuk* from *Zechariah* that describes the future redemption – *Vehayah Hashem LeMelech al kol haaretz*. This again highlights the connection between the historic event of *Kerias Yam Suf* and the future redemption.

While it remains a seventh day event, *Kerias Yam Suf* thus involves the supernatural and *our* efforts. It celebrates *Bnei Yisrael's* historic merit that led to the event, reminds us of our status as *Avdei Hashem* – cemented at that time – which constantly requires *our* action and merit, and plants the seeds for us to earn our future *geulah*. It is,

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<sup>7</sup> Covenant and Conversation, Exodus, pg. 115 (Beshalach), essay titled “The Turning Point.”

<sup>8</sup> It is noteworthy that the paragraph of “*V'charos imo habris*” that we say every day and which refers to the *Bris bein Habesarim*, concludes by mentioning *Kerias Yam Suf* and is followed by the *Shirah*.

therefore, related to the *mitzvos* of *bris milah* and *tzitzis*, which are beautifully intertwined with *Kerias Yam Suf* in the *piyut* of *Yom Leyabasha* as we daven for the final *geulah*. Through our recitation of *Shiras HaYam* as well as other *pizmonim* and *piyutim* – including R' Yehuda Halevi's *Yom Leyabasha* – let us use the time of *Shvi'i Shel Pesach* to strengthen the bridge between the past and future redemptions. א





## ***Shiras HaYam* during *Pesukei DeZimra***

### **Rabbi Abba Zvi Naiman**

After reading the informative *sugya* of Rabbi Yitzchak Szyf, I thought it would be a good idea to elaborate on something he touched upon – our custom of reciting *Shiras HaYam* during *Pesukei DeZimra*.

There are two glaring difficulties with this practice. First, we said in *Baruch She'amar* that we were going to recite the hymns of David HaMelech; the *Shirah* is obviously not the product of David. Secondly, for whatever reason we do recite the *Shirah*, why do we say the *pesukim* from the Torah after the *pesukim* from *Nach*? Why, for the *berachos* of *Malchiyos*, *Zichronos*, and *Shofaros* on Rosh Hashanah, the *halachah* is to recite *pesukim* from the Torah before reciting the *pesukim* from *Nach*? Why should our *Pesukei DeZimra* be different?

Before we explain our *minhag*, we can now readily understand the custom cited by the *Rambam* (*Hil. Tefillah* 7:13) that places the *Shirah* between *Yishtabach* and the first *berachah* of *Kerias Shema*. This obviously avoids both of the aforementioned problems.

However, we find various justifications in the Rishonim for our *minhag* of reciting *Shiras HaYam* in *Pesukei DeZimra* after the *pesukim* from *Nach*, like the common practice. We will list some of them:<sup>1</sup>

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<sup>1</sup> There is also a Kabbalistic reason cited by the Acharonim, but that is obviously beyond the scope of this article. See, for example, the sources cited in *Sefer Meseches Shel Tefillah*.

[When I gave this piece to R' Roman Kimelfeld to review (as I do for my *halachah* pieces), he reminded me that over 20 years ago, I gave a *shiur* on this topic (which I did not remember at all) on the last days of Pesach. He said that someone mentioned that we might be basing our custom on the fact

- *Tur* in the name of the *Geonim* (*Orach Chaim* §51) – The fifteen expressions of praise mentioned in *Yishtabach* are linked to the *pesukim* of *Vayevarech David* and the *Shirah*. It is therefore appropriate to read them before *Yishtabach*.
- *Raavan* – Since *Pesukei DeZimra* ends with the *berachah* of *Baruch Hashem LeOlam Amein VeAmein*, we follow that with *Vayevarech David*. And since *Kerias Yam Suf* is mentioned at the end of the passage, we continue with the *Shiras HaYam*.
- *Sefer HaTamid* (*Talmid* of the *Raavad*) – We want to conclude our *Pesukei DeZimra* in the best way possible, with *pesukim* from the Torah itself.

There is certainly much more to discuss about our *minhag*, including the various opinions about whether or not to repeat the last *pasuk* of *Hashem yimloch le'olam va'ed*; whether the *Shirah* should be recited every day or just on Shabbos, whether or not it should be recited on Tishah B'Av, etc. But since most of us follow our Siddur, we will not discuss these issues here.

I would like to conclude with the words of the *Mishnah Berurah* (51:17): One should recite *Shiras HaYam* with joy and imagine in his mind as if he himself had crossed the Sea that day. If someone recites it with joy, all of his sins are forgiven.

Hashem should help us give the proper *kavanah* to all of the opportunities we have in our *tefillos*. ٱ

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that in *Baruch She'amar* we add ונמליכך, we will proclaim Your reign, after saying ובשירי דוד עבדך נהללך, we shall praise You with songs of David Your servant. So it could be that the ונמליכך refers to proclaiming Hashem's reign through the *Shirah* after praising Him with David's words. The *Rambam*, on the other hand, does not have the word ונמליכך in his *nusach* of *Baruch She'amar*; and that is why the *Rambam* has to place the *Shirah* after *Yishtabach*. Although this is a beautiful insight, it actually just switches the question as follows: Why is *Baruch She'amar* formulated this way according to our *nusach*, hinting at the *Shirah* only after the praises of David, and why does it mention the *Shirah* at all?]

## Why We Believe

### Yirmiyahu Lauer

Let us imagine the following scenario: A believer in the Christian religion approaches you one day and tries to create a bit of doubt in your head by saying the following: “I admit that what I believe about my religion which transpired 2,000 years ago has no evidence to back it up. I admit there are zero historians from this time period that documented one word about anything that supposedly transpired. I admit that there is no historical evidence, archaeological evidence or even eyewitness accounts that was written down. I believe in this entirely on blind faith just because I want to. I completely acknowledge this fact. However, the Torah and all the stories and laws and blueprints for life that are contained in it which you wholeheartedly believe in are also all based on blind faith. You don't have any historical data or archaeological evidence outside of the text of the Torah to back it up either. There aren't any historians outside of the Torah telling us about Moshe from that time period. Judaism doesn't have any better claim to their belief system than I do and if you are going to point fingers at me saying I have nothing to substantiate what I believe, well neither do you.”

If such an encounter would occur between you and a person of another faith (it doesn't have to be Christianity), would you have a quick and decisive answer to this? Would you know that in fact there is a tremendous difference between Judaism and every other religion? Would you fumble for a response to this seemingly irrefutable retort or would you know what to say and why there is no comparison? Would this create any sort of doubt in your mind? If you don't know what to say, and I would surmise most Jews don't, you need to learn a clear and concise answer to this that will not only squash this attempt at casting doubt on Judaism but will also embolden your faith and inspire you to have complete *emunah* with a confident response.

The Mishnah (*Pirkei Avos* 2:17) says “know what to answer an *apikorus*.” The *Rambam* says that *apikorus* comes from the word *hefker* because this person is mocking the Torah and considering it as if it is *hefker*. We have an obligation to know how to respond to any accusation against the Torah and prevent a *chilul Hashem* which will inevitably happen when we are ill-equipped with a proper response.

If you think about it, it is really sad that the only way to really counter this obvious dilemma with every religion is to simply try to show how the other person's religion is similarly just as silly. They don't show how their way of life makes sense but rather they try to put you in the same category as them. If your life doesn't make sense either, then somehow the guilt and the doubt disappear.

There is actually an amazing answer to this question which all people, including children, should have on their fingertips. Not only should this question which is frequently used by believers of other faiths not for a second create any doubt in your mind, but the answer should also be a source of inspiration for you throughout your life.

The answer is that the *Bnei Yisrael* experienced a national revelation as opposed to an individual revelation and this is why evidence outside of the Torah is completely unnecessary. The Torah's account of a national revelation is all the evidence needed to not only believe in the Torah's authenticity but to actually know without a doubt that it has to be true.

Let's explore why this phenomenon is so convincing and so powerful. The topic of National Revelation that was first introduced by the *Kuzari* has been discussed by Jewish thinkers and secular thinkers alike in many venues. I will briefly show how it is truly just about the only irrefutable evidence that the story we will tell on Pesach can be nothing but the truth. It shows that *Yetzias Mitzrayim* can only be just as it is recorded in the Torah and the fact that Judaism is the only

religion ever to make this unique claim, can only mean that this story must be true. There is simply no way around it.

Normally, if there is a skeptic out there who wishes to downplay a supernatural event, there is typically room for rationalization. For someone who wants to doubt religion and the existence of Hashem, a true atheist will always find a way, as far-fetched as it might be, to be skeptical and give an explanation. This is the concept of *bechirah*. Hashem always gives us an opportunity to choose.

When it comes to *Yetzias Mitzrayim* however, and the way it transpired, there is truly no way to rationalize it in any honest fashion. I searched far and wide to find skeptics who try to disprove the national revelation phenomenon and I found many attempts, but nothing that would even resemble an explanation as to how it could not be true. Of course, this won't stop someone who is determined to deny it, but it will at least reinforce and strengthen our faith without any doubt.

Let's imagine the following three scenarios and you decide which one of them is believable.

Scenario one: Yesterday I was sitting in my living room and the roof opened up and God's voice permeated from the sky into my house and in a loud voice He commanded me to lead His nation and be His messenger. Would you believe me? Probably not. Is it possible I am telling the truth? Sure, it's possible. However, it's unverifiable, and even though you can't disprove it, it's unlikely you would believe me, since it isn't very probable.

Scenario Two: Yesterday I was sitting in my living room with my entire family and we all saw the roof open up and God's voice permeated from the sky into my house and He commanded me to lead His nation and be His messenger. Would you believe me? It might be

a bit more believable than the first scenario, especially if I bring in my family to verify it. Would you hand over a thousand dollars if I said God said you should? I would assume you wouldn't. Although this is more believable, it is still unverifiable and not probable and it's not likely you would believe me.

Scenario Three: Yesterday I was sitting in my living room with all of you who are reading this article and you all saw and heard God tell me that I am His messenger and that I should lead His people. Would you believe me? If this didn't happen, is there any way possible you would believe me? Of course not. You will know right away this did not happen since it is now entirely verifiable and you know that you didn't see or hear God say any of this.

The Torah says in many places how the *Bnei Yisrael* were not just told about what Hashem said and did, but they actually heard with their own ears and saw with their own eyes: *Only watch yourself and watch your soul diligently, lest you forget the things which your eyes saw and lest they depart from your heart all the days of your life* (Devarim 4:9). *Did ever a people hear the voice of God speaking out of the midst of the fire and live?* (Devarim 4:33). *Hashem spoke with you face to face in the mountain out of the midst of the fire* (Devarim 5:4).

At Har Sinai it's not just that there was such an enormous number of witnesses, which by itself is pretty compelling. The key to this story is that the Torah testifies to the fact that it was EVERYONE. The entire nation of three million people saw and heard everything. This shows that the miracles recounted during and after *Yetzias Mitzrayim* must have actually happened because the entire Jewish people unanimously accepted them as fact since time immemorial. Since the Torah says every single person witnessed this, if anyone didn't, *Moshe Rabbeinu* would have been laughed out of town. Nobody would have accepted the Torah that claims they experienced events that they, in fact, did not experience.

Let's imagine the scene here. Moshe comes down from the mountain and claims "Hey everyone! Take a look at this." And he shows everyone this book he has which says how they ALL heard God speak today. They would have looked at him like he was insane. "WE heard GOD?? We never heard anything. If you told us God appeared to YOU, we might have believed you but now you blew it because now we know you are lying." It is obviously ridiculous to think Moshe could get away with such a claim if it were a lie. This is why we know it must have been true.

Let's examine some of the popular attempts to refute this incredibly powerful evidence, and we will see how they all fall short. One attempt at refutation is that perhaps in remote antiquity most Jews were illiterate and illiterate people can be enlisted in mass conspiracies. First of all, there is no indication that even illiterate people can be part of a mass conspiracy to pull off a hoax. Besides that, there is no historical or anthropological evidence to support such a claim, and the fact that Jews have always been at the forefront of literacy and education makes this very highly unlikely.

Another one is that the events related in the Torah which happened during *Yetzias Mitzrayim* basically did occur; however, they were natural events which were later given supernatural significance. The problem with this, however, is that it is difficult to imagine what natural occurrences could have closely resembled the plagues and other events described at *Matan Torah*. What natural phenomenon could have possibly sounded like Hashem speaking to them or what natural event could have possibly looked like the *Yam Suf* splitting or many of the other supernatural events that the Torah describes? To say that three million people were fooled into believing a natural occurrence was something supernatural in so many spectacular ways is not very likely.

A third argument is that maybe all three million people at Mount Sinai were systematically brainwashed to actually believe this whole phenomenon happened to them when in fact it really didn't. Again, not impossible but highly improbable and unlikely.

A fourth possibility is that these events were concocted later in history long after the supposed events took place so they could not be refuted. This too cannot be because if someone had attempted to convince a nation that these events occurred earlier in history, the people would have immediately said "How come I haven't heard about this before?" If something as momentous as *Yetzias Mitzrayim* had occurred, there is no way such a thing would have been forgotten, especially if the entire nation witnessed it. It's as if someone were to tell you that 100 years ago a space ship landed in New York City and lifted Manhattan 100 feet in the air for a few hours. This story would never be believed because if such a thing had really happened, it would have been passed down through the generations and everyone would know about it.

In addition, if Judaism was somehow reawakened later in history, we would know exactly when that happened and who restarted it. We always know the origins of where various belief systems come from, and we have no such information regarding anyone in history restarting Judaism. If someone brought back this religion which had been forgotten by everyone else until then, we would know exactly how and when that happened, and we don't.

A fifth possibility is that perhaps none of this actually happened and they all knew this. However, all three million of the nation of Israel got together and conspired to fool the next generation into believing this. They all promised to keep the ruse alive and not to let on to any of their offspring how the fanciful tale they are telling everyone is actually a fairytale and fabricated by all three million people.

While none of these possibilities are impossible, none of them are the least bit probable either, and being that Hashem will never make



anything a forgone conclusion until Mashiach comes in order to let us have *bechirah*, you need to always ask the fundamental question; Even though it is possible, what is the most probable?

To date, there are currently about 3,000 cults and over 4,000 religions in the world. Of all of these, the only one that has a claim of a national revelation is Judaism. Every other religion and belief system is based on the claim that one person or a small group had a revelation from God. Why is that? Why not make a religion based on a revelation by everyone? Wouldn't that be a more believable claim?

The answer is that nobody else can make such a claim because it would be easily refuted and it wouldn't get off the ground. Therefore, they all use an unverifiable method so they can't be refuted.

Society today presents us with a huge *nisayon*. Atheism is on the rise throughout the world and the push to doubt the Torah is widespread. Claims that there is a lack of evidence to support what it says in the Torah are all too common. There is constant doubt in the air and it is only getting worse.

*Yetzias Mitzrayim* is without a doubt the single most important event that has ever happened to the *Bnei Yisrael* as a nation. This is why we say twice a day in *Kerias Shema*, "I am Hashem your God who brought you out of Mitzrayim to be your God (*Bamidbar* 15:41) If we are trying to mention the greatness of Hashem, why not mention how He created man or better yet, how He created the world? Why focus on this one event in history? The reason is because this is the one event that constantly shows without a shadow of doubt the existence of Hashem. This is the one event that cannot be disproven and is the evidence for the authenticity of the Torah.

The Dubno Maggid has a great *mashal* for this. There was once a young 12-year-old girl who was able to play the piano with

tremendous talent. One day she put on a performance at a large concert hall. The whole town was there to watch her performance except for one of her neighbors. The next day he came to her father to ask to see her perform because he did not make it the day before and he wanted to see how good she really was. The father said that she would not perform for him because she did her show and proved herself already. There is no need to continue doing this for every person who comes by. Hashem gave us the one event in history to actually leave no doubt as to what we are supposed to do in this world. This was the one time he did this for all generations to come. There was no need to do this in every generation because this one event could not be refuted and was designed to be believed even in later generations.

This is the answer you need to have ready for anyone who tries to equate their unverifiable religion to Judaism. There is no comparison and although there is no proof that their belief system is untrue, there is also no way to prove that it is true. It's never presented in a way you could check into it and verify its legitimacy and this is purposely done so you could never discredit it. Judaism is the only religion that ever existed that can be verified and that can logically be legitimized.

This year when we sit at the Seder and recount the events of our history, let's have a new appreciation for what we believe. When we say in the Haggadah, "A person is obligated to show himself as if he went out of Mitzrayim, that it wasn't our forefathers alone who were redeemed but even we were redeemed" let's remember that it wasn't only our forefathers who were redeemed but we too have been redeemed. Redeemed to be able to know that the events described in the Torah were totally accurate. Let us have a renewed commitment to believe everything without any doubts. Know without any doubt that the Torah is real, Moshe is real, *Yetzias Mitzrayim* really happened and that Hashem is without a doubt watching us. It simply can't be any other way and *Yetzias Mitzrayim* is all the evidence we need. 🕎

## The Marriage of Boaz and Rus

### Roman Kimelfeld

When Boaz married Rus, everyone blessed Boaz that their marriage should be like marriage of Yaakov to Rachel and Leah (*Rus* 4:11) and like marriage of Yehudah to Tamar (*ibid* 4:12). What is the connection of the marriage of Boaz and Rus with these other aforementioned marriages? The *sefer Parashas Derachim* (by the author of *Mishneh LaMelech*) explains this connection.

#### The marriage between Rus and Boaz – controversy

The marriage of Rus and Boaz had an element of controversy because Rus was from Moav. Although the *halacha* is that the Torah only prohibits to marry a man from Moav, but permits to marry a woman from Moav (*Yevamos* 76b, in Mishnah), nevertheless not everyone knew this *halacha*, and it was even contested by Doeg (*ibid*, 76b and 77a). *Parashas Derachim* (*Derush Rishon*) shows that the marriages of Yaakov to Rachel and Leah, and of Yehuda to Tamar also had elements of controversy, and that their marriages actually proved the legitimacy of the marriage of Rus and Boaz. Below is a brief synopsis of *Parashas Derachim* on this topic.

#### *Bnei Yisrael* before *Matan Torah* – full-fledged Jews or *Bnei Noach*?

The discussion in *Parashas Derachim* regarding marriages of Yaakov and of Yehudah, and the connection between their marriages and the marriage of Rus is a part of a broader discussion, regarding whether the Jews before *Matan Torah* had the status of *Bnei Noach* (who kept the Torah as an added stringency) or full-fledged Jews. First, he explains how this distinction impacts the rationale of Yaakov's marriage to Rachel and Leah, as follows below. (Later, we will see how this is connected to marriage of Rus.)

**Rationale of Yaakov's Marriage to Rachel and Leah – if they were full-fledged Jews**

If we say that Yaakov was a full-fledged Jew, then there is no controversy at all with him marrying two sisters. If Yaakov was a full-fledged Jew, it means that he converted Rachel and Leah to Judaism. The *halachah* is that the convert becomes reborn in the sense that he loses all of his prior familial connections. Thus, after their conversion, Rachel and Leah were no longer sisters in the *halachic* sense, and therefore they were both allowed to marry Yaakov.

**Rationale of Yaakov's Marriage to Rachel and Leah – if they were *Bnei Noach***

On the other hand, if we say that Yaakov was a *Ben Noach*, and his observance of the Torah was merely an added stringency, then it becomes harder to explain how he could marry two sisters. There is an opinion in Chazal that all of the illicit relationships that are forbidden to Jews are also forbidden to *Bnei Noach*. If this is the case, then we no longer have an easy explanation why Yaakov was permitted to marry two sisters. Rather, the reason must be that Hashem commanded him to do so. However, this is something that Yaakov would not be able to prove easily to others, because others did not hear Hashem's give such a command to Yaakov.

In summary, if Yaakov had a status of a full-fledged Jew, then he had an easy explanation why he married two sisters (i.e., he converted them, so they were no longer sisters). On the other hand, if he was a *Ben Noach* (who kept all Torah as an added stringency), then he could not prove easily to others why he was allowed to marry two sisters.

**Avraham was saved in the merit of Yaakov – which proves that he was a *Ben Noach***

Now, one way to determine whether *Avos* were full-fledged Jews or *Bnei Noach* is by examining the reason that Avraham was saved from *kivshan haeish*. Jews are obligated to sacrifice their lives rather than

worship idols, but *Bnei Noach* are not, and are therefore forbidden to do so. If Avraham was a full-fledged Jew, it would have meant that he did a great mitzvah at *kivshan haeish*, and therefore he would have been saved in his own merit.

However, *Bereishis Rabah* 63:2 states that Avraham was saved in the merit of Yaakov. This implies that really Avraham was not allowed to sacrifice his life, and therefore he needed someone else's merit to be saved from *kivshan haeish*. This means that Avraham was a *Ben Noach*. Now, while it is a great honor for Yaakov that Avraham was saved in his merit, however it shows that Avraham and Yaakov have a status of *Bnei Noach*. So, now Yaakov does not have an easy explanation that he can share with others why he married two sisters. This can be potentially embarrassing to Yaakov.

**The righteousness of *Shevatim* – a clear proof that Yaakov's marriages were legitimate**

In response to Yaakov's potential embarrassment, Yeshayahu HaNavi reassures him as follows (29:22-23): *Thus says Hashem to the House of Yaakov, who redeemed Avraham. Do not be embarrassed now, Yaakov, and do not turn pale. Because when he sees his children, the work of My hands in his midst, they will sanctify My name, and they will sanctify the Holy One of Yaakov, and they will give strength to the God of Israel.*

As *Parashas Derachim* explains these *pesukim*, Hashem is telling Yaakov that he should not be embarrassed that Avraham was saved in his merit, which proves that Yaakov has the status of *Ben Noach*. Even though Yaakov, as a *Ben Noach*, might not have an easy explanation why he married two sisters, nevertheless, when people will see the sanctity of Yaakov's children, it will prove completely that his marriages were sanctioned by Hashem because those as righteous as the *Shevatim* can only come from perfectly legitimate marriages. (*Parashas Derachim* proves this last point based on a Midrash.)

Thus, Hashem reassures Yaakov, that when people will see the greatness of his children, then they will no longer question the legitimacy of his marriages. And this was the meaning behind the *berachah* given by the people to Boaz that Rus should become like Rachel and Leah, i.e., that the greatness of her future children will remove all doubts about the legitimacy of her marriage to Boaz.

### **Attempt to delegitimize the marriage of Rus and Boaz**

Rus and Boaz established generations of *Gedolei Yisrael*: Oved, Yishai, and Dovid. Their greatness should have proved to everyone that the marriage of Rus and Boaz was legitimate. Nevertheless, as Chazal teach us, Dovid still had detractors who claimed that he was a *mamzer*, due to the forbidden marriage of Rus and Boaz.

*Parashas Derachim* presents a dialog between Dovid and his detractors based on the Midrash *Rus Rabbasi*. In this dialog, Dovid tells his detractors that just like the righteousness of the *Shevatim* proved the legitimacy of Yaakov marrying both Rochel and Leah, so too the greatness of Oved, Yishai, and Dovid is sufficient to prove the legitimacy of the marriage between Rus and Boaz.

To this argument, the detractors replied that the greatness of the children does not prove anything about the legitimacy of the marriage of the parents, and that the marriages of Yaakov were appropriate only because he was an *Yisrael gamur* (he converted his wives, and through the conversions they became unrelated to each other, and it became permissible for Yaakov to marry both of them). Thus, the legitimacy of the marriage between Yaakov and his wife is obvious, it does not depend on the greatness of the descendants.

### **Dovid's counter-argument – a proof that Tamar and Yehudah were Bnei Noach**

To this, Yaakov tells the detractors that it is clear from the union of Tamar and Yehudah that *Bnei Yisrael* had the *din* of *Bnei Noach* prior

to *Matan Torah*. This is because the type of relationship that Tamar had with Er and Onan is considered to be marriage only for *Yisrael*, but not *Bnei Noach*. Thus, if we say that Yehudah and Tamar had a status of *Yisrael*, this means that she was actually married to Er and Onan. This in turn would mean that she had a forbidden union with her father-in-law. On the other hand, if she and Yehudah had the *din* of *Bnei Noach*, it means that she never became actually married to Er and Onan, and therefore she was unrelated to Yehudah and their children were fully legitimate.

### **Completion of proof that the marriage of Rus and Boaz was legitimate**


Since we know that the children of Tamar and Yehuda were fully legitimate, this proves that Tamar and Yehudah had the status of *Bnei Noach*, and so did Yaakov, Rachel, and Leah. Therefore, the only reason why Yaakov was allowed to marry the two sisters was Hashem's command to do so. Therefore, the only way Yaakov can prove to others that his marriage was legitimate is through the greatness of his children. And just like the greatness of the *Shevatim* proves to everyone the legitimacy of the marriages of Yaakov to Rachel and Leah, so too the greatness of Oved, Yishai, and Dovid proves the legitimacy of the marriage between Rus and Boaz.

Therefore, Rus and Boaz were blessed that their marriage should be like the marriages of Yaakov to Rachel and Leah, and also of Yehudah to Tamar, because these aforementioned marriages prove fully the legitimacy of the marriage of Rus and Boaz.

### **Why did these great marriages have to be so controversial?**

Until here is the synopsis of *Parashas Derachim*. We can now see why the marriages between all of these great people were mentioned together at the end of *Sefer Rus*. One might ask, though, why were the marriages between these great people so controversial, why could not these marriages take place in more ideal circumstances?

To answer this question, the last *Malbim* on Rus says, based on *Ari z"l*, that there is a concept that the forces of *tumah* try to prevent great *neshamos* from being born (this concept, called *neshamos ashukos*, is explained in our Mara D'Asra's *sefer* on *Ramchal's Maamar HaGeulah*, in *Iyunim*, section 2). One way for these great *neshamos* to come out is to trick the forces of *tumah* into thinking that the *neshamos* are being born from forbidden marriages. This way, the forces of *tumah* will think that these great *neshamos* will forever remain in *tumah*, under their control. However, after these great *neshamos* are born, then it becomes obvious that the marriages which produced them were perfectly legitimate, and then these great *neshamos* are able to elude the forces of *tumah*.

Accordingly, the greatness of the *neshamos* of the *Shevatim*, Peretz, Oved, Yishai, and Dovid made it necessary to create an appearance of an *aveirah*, even though there was never any *averiah* at all, so that these great souls could come out without being held back by the forces of *tumah*. This is another connection between the marriage of Rus and Boaz with the marriages of Yaakov and of Yehudah, and the reason why they are mentioned together at the end of *Sefer Rus*. 



## The Transmission of the Torah to *Klal Yisrael*

Dani Zuckerbrod <sup>1</sup>

As we all know, one of the most fundamental tenets of the Jewish faith is that we received the Torah from Hashem through *Moshe Rabbeinu* at *Har Sinai*. We usually conjure up a scene of the multitudes of Jewish people standing around *Har Sinai* in the desert hearing Hashem speak the *Aseres HaDibros*. Following the first two *Dibros*, Moshe read off the rest of them and proceeded to tell us the entire Torah. These thoughts always lead me to the *Mishnah Berurah* (494:12), which tells us probably the most famous of reasons we eat dairy foods on Shavuos. The reason, per “*gadol echad*,” is that after the Jews heard the whole Torah, they realized that they had not yet mastered all the complicated *halachos* of *shechitah* and would have an easier time eating kosher dairy food until they reached a level of *shechita* proficiency.

This imagery is based upon the assumption that the Jewish people received the entire Torah, with the exception of what they got at Marah (*Sanhedrin* 56b, *Horayos* 8b, *Shabbos* 87b), at *Har Sinai*. Through a careful look through Chazal, the *Rishonim*, and *Acharonim* we can fine-tune this assumption and have a much better understanding of the transmission of the Torah from Hashem to Moshe, and ultimately to the rest of *Klal Yisrael*.

It is clear in Chazal that *Moshe Rabbeinu* received the entire Torah at *Har Sinai*. The *Toras Kohanim* (*Behar* 1) famously asks why *shemittah* is mentioned in the Torah adjacent to the giving of the Torah

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<sup>1</sup> Much of this article was influenced by R' Yehudah Copperman zt"l's *Sefer Peshuto Shel Mikra* (1:5-1:6). Rav Copperman was the founder of the Michlalah seminary in Yerushayim and the author of the notes on the bottom of the now standard edition of the *Meshech Chochma*. He was also a longtime chavrusa of my father-in-law, Dr. Shalom Kelman.

at *Har Sinai*. It answers that just like *shemittah* was mentioned with all its laws and details so too all of the mitzvos with all of their laws and details were given at *Har Sinai*. This includes even what was going to be said over in the future by *talmidei chachamim* (*Megillah* 19b, *Midrash Rabbah Vayikra* 22:1). Whether you hold like the *Tos. Yom Tov* (Intro to *Mishnah*) that this is literally every single *chiddush Torah* that a *talmid chacham* would ever say, or like the *Maharatz Chayes* (*Megillah* 19b) that it just means the Thirteen Principles through which the Torah is expounded, Chazal are telling us that all Torah was transmitted to Moshe at *Har Sinai*. It is also clear from Chazal (*Yoma* 80a) that all of the Torah was given through *Moshe Rabbeinu* and that no *Navi* would be able to add any *mitzvos* after Moshe.

The area where I would like to expound upon is the transmission of the Torah from Moshe to *Klal Yisrael*. In my above assumption, just like Moshe received everything at *Har Sinai*, so too did *Klal Yisrael* receive everything from Moshe at *Har Sinai*. The Torah (*Behaaloscha* 11:10) tells us that right after the episode with the *mon* and the *slav*, the Jewish people were crying “because of their families” at the door of their tents. *Rashi* brings Chazal (*Sifri* ibid, *Yoma* 75, *Shabbos* 130a) that they were crying about the prohibition of *arayos* that Moshe had given them. The *Mizrachi* (*Behaaloscha* 11:10) asks a simple question: If all of the Torah was given at *Har Sinai*, why are they crying about this prohibition now? They received it at least six months earlier! Maybe Moshe did not give over the Torah in full at *Har Sinai*, even though he received everything from Hashem. Rather it was given over piecemeal throughout the 40 years in the *Midbar*. A support to this can be found in the Gemara (*Gittin* 60a). The Gemara says that on the day the *Mishkan* was set up, eight *parshiyos* were told over to *Klal Yisrael*. *Rashi* points out that these eight *parshiyos* were related to the Kohanim, *avodah*, and *tumah/taharah*, and were all things that would be needed in the *Mishkan*. The *Mizrachi* says we see from the Gemara

that not everything was told over to *Klal Yisrael* at *Har Sinai*; so too the *parashah* of *arayot* could have also been delayed until now.

The *Mizrachi* continues to explain the Gemara (ibid) that there is a *Machlokes* between R' Yochanan and Reish Lakish. One holds that the Torah was given over “*megillah, megillah*” (independent scrolls) and the other holds that it was given over “*chasumah*” (a complete scroll). Hashem gave the entire Torah to Moshe at *Har Sinai* orally and reviewed with him what parts were to be given over to *Klal Yisrael* when. According to the *megillah, megillah* opinion, every time he gave over a portion of the Torah, he wrote it down on a scroll and taught it to *Klal Yisrael*. *Rashi* says that at the end of the 40 years in the *Midbar* the scrolls were sewn together to form the complete Torah. According to the *chasumah* opinion, Moshe would teach the individual portions of the Torah to *Klal Yisrael* at the correct times orally. Only at the end of the 40 years did he proceed to write down the entire text of the Torah in a complete scroll.

The idea of Hashem giving over something delaying its transmission to *Klal Yisrael* is found in other places in Chazal. The *Midrash Rabbah* (*Shemos* 27:6) says that all prophesy that was to be conveyed in the future was given to the *Neviim* at *Har Sinai*. They were not allowed to tell over the prophesy until Hashem told them the proper time to transmit it. Just like *Moshe Rabbeinu*, they had the entire *nevuah* the whole time but had to wait until proper time when Hashem allowed them to communicate specific parts of it.

We also see this concept by the giving over of the mitzvos at Marah (mentioned earlier). Chazal tell us (*Sanhedrin* 56b, *Horayos* 8b, *Shabbos* 87b and *Mechilta Shemos* 15:22) that the Jews received the seven mitzvos of the *bnei Noach* and the mitzvos of *dinim*, *Shabbos*, and *kibud av v'eim* at Marah. There is another Chazal that says (*Yerushalmi Beitza* 2:1, *Midrash Rabbah Eikev* 3:1) that *Shabbos* was given to the Jewish people at Alush, which is a few stops after Marah,

but still before *Har Sinai*. Was Shabbos given over at Marah or at Alush? *Seder Olam Rabbah's* (5) account of the Jews leaving Mitzrayim mentions that they received Shabbos at Marah and at Alush! The *Gr"a* (*Seder Olam Rabbah* 5) says that Moshe received the ten mitzvos from Hashem at Marah, but only transmitted the mitzvah of Shabbos at Alush. The *meforshim* point out that based on the calendar, the first Shabbos they spent outside of Mitzrayim was at Alush; therefore, it was not relevant to give that mitzvah any earlier (i.e., at Marah).

This idea of the *Mizrachi*, that the Jews learned the Torah piecemeal, leads one to wonder what Jewish life was like after the experience of standing at *Har Sinai* but not yet receiving the whole Torah. Were some mitzvos in effect and others not? The *Rishonim* make the assumption that until a mitzvah was taught by *Moshe Rabbeinu*, it was not in effect. We see this in the following question of the *Rosh* and *Radvaz* and a comment by *Rashi*.

The *Rosh* (*Shu"t* 13:22 *Machon Yerushalayim*) was asked about the *Midrash Rabbah* (*Vayikra* 20:9) stating that Nadav and Avihu died for committing four sins when entering the *Kodesh HaKodashim*. One of those sins was entering while intoxicated. How could they have been liable if the commandment not to enter the *Mishkan* drunk was given after the story with Nadav and Avihu? The *Rosh* says that logically, Hashem must have told them all the *halachos* surrounding the *Mishkan* and the *avodah* in advance of them actually starting the *avodah*. The *parashah* is out of place under the principle of *ain mukdam umeuchar b'Torah*; and it was really told over in advance of the story with Nadav and Avihu, which is why they could be held liable for transgressing it.

The *Radvaz* (*Shu"t* 2:615) addresses the same question as the *Rosh*. He answers that the *parashah* of not entering the *Mishkan* intoxicated had not yet been said over to *Klal Yisrael* and Nadav and Avihu should

not have been liable. However, they should have understood the disrespect of entering the *Mishkan* while drunk and/or taken a lesson from what happened to *Noach* while he was drunk. The fact that Nadav and Avihu did not pick up on a basic tenet of respect, especially while in the *Mishkan*, made them liable even before the prohibition was formally given.

Clearly, the *Rosh* and *Radvaz* hold that there was some time in the *Midbar* before this mitzvah was given and that we were not responsible that mitzvah until it was given.

The Gemara (*Yoma* 66b) tells us of a *machlokes* between *Rav* and *Levi*. What was the punishment given to those who served the *egel hazahav*? One said that those who were actually involved in bringing the *karbanos* got *sayif* (beheading), the ones who hugged and kissed the *egel* got *misa bidei Shamayim* (death from Heaven), and those who were just happy in their heart about the *egel* got death through *hadrokun* (test through drinking special water). The other one says that those who served the *egel hazahav* with witnesses and proper warning got *sayif*, ones who served with witnesses and no warning got *misa bidei Shamayim*, and if there were no witnesses and no warning then they got *hadrokun*.

*Rashi* (s.v. *ziveach vikitur*) says that these sins require the punishment of *sekilah* (stoning) and not *sayif* (beheading) based on the *Tosefta* (*Sanhedrin* 10:2), so why were they given the wrong punishment? The regular *misas beis din* had not yet been conveyed to *Klal Yisrael*, so they used the death penalty of a *ben Noach* which is always *sayif* (*Sanhedrin* 56a).

*Rashi*, like the *Rosh* and *Radvaz*, is dealing with *Klal Yisrael* in the transitionary state of the *Midbar*. They have some mitzvos but not others, and only those they have received are in effect.

The *Maharal* (*Gur Aryeh Mishpatim* 21:1) and *Chazon Ish* (*O.C.* 125) give us more clarity into the actual transmission of the Torah during the 40 years in the *Midbar*. The Gemara (*Chagigah* 6b) says that *kelalos* and *peratos*, general rules and specific points of the Torah were said at *Har Sinai*, were repeated at the *Ohel Moed*, and said over a third time at Arvos Moav. The *Maharal* and *Chazon Ish* both say that these were three key events in the transmission of the Torah. Over the course of these Torah teaching conventions, the entire Torah was given to *Klal Yisrael*. Different parts of the Torah were given at the three different locations while some parts (or maybe even everything) may have been repeated at the different places. What we have in the text of the Torah is a recording of the wording used by Hashem, through *Moshe Rabbeinu*, to deliver the Torah to us. Each locale used a different nuance which is why the style of the wording in *Devarim* appears different than that of *Vayikra* and *Bamidbar*.

We find strong support to this in the *Midrash* (*Tanchuma Nitzavim* 3 based on the reading of *Anaf Yosef*). The *Midrash* says that Hashem was *koreis bris*, forged a covenant, with the Jewish people in three places: *Har Sinai*, *Ohel Moed*, and Arvos Moav. Forging a covenant is definitely in line with the three locations and events for transmitting all of Torah to *Klal Yisrael*.

We have now refined our understanding from where we started. *Moshe Rabbeinu* received the entire Torah from Hashem at *Har Sinai*. Instead of doing a large “data download” to the Jewish people, he gave it over to them gradually in three sessions during the 40 years in the desert. Why would Hashem choose to do it this way? Why not give it to them immediately and all at once (the way we originally assumed)?

I think the most basic and simple answer is that Torah is difficult to master. The *Midrash* (*Shemos Rabbah* 41:6) tells us that even *Moshe Rabbeinu* had trouble remembering the Torah after the 40 days on *Har Sinai*, and Hashem ultimately gave him the understanding of the Torah

as a present. An idea that my Rosh Yeshiva, Rav Moshe Meiselman *shlit"á*, used to constantly tell us in Yeshiva was that you need a long period of time with a single-minded focus to truly learn and internalize the Torah. Chazal tell us this in the *Mechilta* (*Shemos* 13:17), that Hashem did not bring us from Mitzrayim to Eretz Yisrael through the shortest route possible. Rather, he took us through a circuitous route in the *Midbar* for 40 years. He did this because if we made it to the Promised Land swiftly, each person would quickly take possession of their field or vineyard and begin working it. No one would have time to learn the Torah and internalize it. Instead, He kept us in the *Midbar* for 40 years where our food, drink and clothing were taken care of; in this way we would “absorb” the Torah into our bodies. The Gemara (*Yoma* 28b) tell us that they set up *yeshivos* in the *Midbar*, and this was probably our people’s main occupation during that time.

This answer explains why it took *Moshe Rabbeinu* 40 years to give *Klal Yisrael* the Torah. It still does not explain the need for the three major venues where the Torah was taught. The same *Midrash* that tells us of the three covenants (*Tanchuma Nitzavim* 3 based on the reading of *Anaf Yosef*) tells us that after the sin with *egel hazahav* we broke the original *bris* with Hashem. We needed a new *bris* after that, which occurred at the setting up of the *Ohel Moed*. A third *bris* was required at Arvos Moav because the Jewish people had a valid claim which could invalidate the agreement at *Ohel Moed*: At the time of the second *bris* the entire Jewish people were in the middle of the desert with their only hope of survival being that Hashem would protect and sustain them. Had they refused Hashem’s offer, they would have surely died. Only when the Jews were at the plains of *Moav*, a luscious green landscape, not far from civilization, could a lasting covenant be put in place with no flaws or claims against it.

The *Ramban* (Intro to *Sefer Devarim*) explains that the need for Moshe to tell over the mitzvos at Arvos Moav was more of a practical one. First, many of the mitzvos would only go into effect once they entered

Eretz Yisrael. These mitzvos needed to be retaught, or at least repeated, right before they were to enter the Land so that the Jewish people would be familiar with them. Second, the generation that left Mitzrayim and experienced *Har Sinai* and *Ohel Moed* had died by this point and Jews needed a new covenant and new transmission from *Moshe Rabbeinu*.

The *Radvaz* (*Shu"t* 5:2143) is bothered by the *Ramban's* reason that the *Mitzvos* given over in *Sefer Devarim*, at Arvos Moav, were ones that were going to be relevant when they entered Eretz Yisrael. Moshe gave over many mitzvos before Arvos Moav that would only go into effect in Eretz Yisrael! Famously, *shemittah* and *yovel* were said at *Har Sinai* and they definitely did not apply in the *Midbar*. Other mitzvos said over at Arvos Moav could have been practiced in the *Midbar*, for example the obligation to say *Birkas HaMazon*. It is only said in *Devarim*, but could have been done during all 40 years in the *Midbar*. The *Radvaz* therefore argues that the reason why some mitzvos were said over at *Har Sinai*, others at *Ohel Moed*, and the rest at Arvos Moav is purely *Ratzon Hashem*, the will of Hashem, and is something we cannot understand.

The *Kli Chemdah* (*Devarim* 4) defends the *Ramban* from the questions of the *Radvaz*. He says that the reason why certain mitzvos were said at Arvos Moav is that they were more applicable to the later generation. However, these mitzvos went into effect much earlier than the end of the 40 years when the Jews camped in the plains of *Moav*. The *Kli Chemdah* says that after Moshe had received the entire Torah at *Har Sinai*, as questions or appropriate times came up, Moshe would teach the Jewish people what to do with regard to their specific situations. For example, *geirushin*, the laws of divorce, are mentioned only in *Sefer Devarim*. Whenever a situation of divorce came up before they reached Arvos Moav, *Moshe Rabbeinu* would instruct the people what to do. So, what happened to the three large Torah transmission events we have been focusing on from the *Maharal* and



the *Chazon Ish*? They were just that, three large and central times when Moshe formally taught all of the Jewish people the Torah in its entirety. This does not mean that he was not transmitting the individual laws in a more practical way. One proof he brings to this is the fact that the two *parshiyos* of *Shema* which are in *tefillin* are only mentioned in *Sefer Devarim*. Could it be that the Jews did not wear *tefillin* the entire 40 years they were in the *Midbar*? Could they wear *tefillin* without all four *parshiyos*? We know from the *Tanna D'Bei Eliyahu Rabbah* (26:6) that the Jews wore *tefillin* in the *Midbar* and Hashem attributed the sin of the *mikosheish eitzim*, violating Shabbos, to the fact that they took off the *tefillin* for Shabbos.

R' Yehuda Copperman zt"l in his *Sefer Peshuto Shel Mikrah* (1:5:1) presents the opinion of the *Seforno* which further shows the need for the Torah to have been transmitted over the extended period of 40 years in the *Midbar* and not all at once. The *Seforno* (*Shemos* 24:12) says that Torah, as the expression of *Ratzon Hashem*, changed throughout the 40 years of the *Midbar*. Hashem originally intended for the Jewish people to be raised up to the level of the world before the sin of Adam and Chava. They would have received a complete Torah written the way the *luchos* were and the *Shechinah* would have dwelled among us. Once *Klal Yisrael* sinned with the *egel hazahav* and again at the time of the *meraglim*, things changed. The *Seforno* continues (*Vayikra* 11:2) and says that Hashem was repulsed by the Jewish people and no longer wanted to remain among them. *Moshe Rabbeinu* davened to Hashem and worked out how Hashem could dwell among the now less-desirable Jewish people. There would now be a *Mishkan*, which demanded a higher level of *kedushah* than the rest of the camp. Certain foods and relations would now become forbidden to further elevate *Klal Yisrael* and make them more worthy of Hashem's presence. The *Seforno* talks about other mitzvos (*Bamidbar* 15:3 and 15:20) that were modified or added as a result of the sin of the *egel hazahav*.

We find places in Chazal that allude to Hashem's *Ratzon* changing after the *egel hazahav* and how it relates to the Torah we have in our hands. The Gemara (*Nedarim* 22b) tell us that had it not been for the sin of the *egel hazahav* we would have only received the Five Books of the Torah and *Sefer Yehoshua*. The *Pesikta D'Rav Kahana* (*B'Yom Shmini Atzeres* 30:21) says that it was the intention of Hashem to give the Jewish people a holiday in every month of the summer. In Nissan He gave us Pesach, in Iyar *Pesach Katan* (*Sheni*) and in Sivan Shavous. In Tammuz Hashem intended to give them a large festival, but through the *egel hazahav* they lost the holidays for Tammuz, Av, and Elul. In Tishrei they were forgiven and granted the holidays of Rosh Hashana, Yom Kippur and Sukkos to make up for the prior three months. Shemini Atzeres is the holiday that was intended for Tishrei itself and not as a substitute for what was lost the previous three months.

Based on this opinion of the *Seforno* (which does necessarily agree with some of the basic points I made in the beginning of the *dvar Torah*) it was very important for the Torah to have time to "settle in" with the Jewish people. The Torah, as an expression of the will of Hashem, was still fluid and was molded to fit the Jewish people and their actions.

When I was working my way through this *sugya* I was bothered by the Chazal (*Bamidbar Rabbah* 19:6) that says that parts of the Torah that were not revealed to *Moshe Rabbeinu* were revealed to R' Akiva. This is usually told over in the story (*Menachos* 29b, *Yalkut Shimoni Shemos* 173) where *Moshe Rabbeinu* went up to *Shamayim* and found Hashem connecting crowns to the letters. Moshe asked Hashem why He was doing this. Hashem responded that in the future, after many generations, there will be a man by the name of Akiva ben Yosef. He will *darshan* many *halachos* from each of these crowns. Moshe asked Hashem to show him this, and Hashem told Moshe to turn around. Instantly Moshe found himself at the *shiur* of R' Akiva; Moshe took a

seat in the eighth row but quickly realized that he could not understand what R' Akiva was saying and became despondent. At some point in the *shiur* a student asked R' Akiva for the source of what he was teaching. R' Akiva responded that it was a *Halacha l'Moshe mi'Sinai*; Moshe taught it to us at *Har Sinai*. At that point *Moshe Rabbeinu* was consoled and returned to Hashem in *Shamayim*. Moshe challenged Hashem by asking "you have someone like this and you chose to give the Torah through me?" Hashem responded, "Silence! You cannot understand My reasons."

It is one thing for Chazal to tell us here that *Moshe Rabbeinu* felt that R' Akiva was as worthy or even greater than he, even to the point that the Torah should have been delivered to *Klal Yisrael* through him. We find other places in Chazal where others were said to be on the level of *Moshe Rabbeinu* and worthy of having the Torah given through them. The Gemara (*Sanhedrin* 21b) says that had the Torah not been given already, *Ezra HaSofer* was worthy, and it could have been given through him. What bothered me was that there was Torah given through R' Akiva that was not given to *Moshe Rabbeinu*! This was one of the pieces in our original assumption which held true perusing through Chazal, *Rishonim*, and *Acharonim*. How could there have been Torah that Moshe had not heard already, had not understood, and still be referred to as *Halacha l'Moshe mi'Sinai*!?

Different answers are given by the *Acharonim*, as they too are bothered by this Chazal and how it meshes with everything we know about the transmission of the Torah from Hashem to Moshe and ultimately to *Klal Yisrael*.

The Brisker Rav (*Chidushei HaGri''z Menachos* 29b) finds a technical reason why Moshe would not have been familiar with what R' Akiva was saying. The Ramban (*Devarim* 27:3) quotes *Sefer Tagei* stating that in the days of *Ezra HaSofer* they copied the crowns of the letters from the stones upon which *Moshe Rabbeinu* wrote the entire Torah,

*be'er heiteiv* – in seventy languages. From these stones they knew how to write the crowns. The Brisker Rav asks why they needed to look back to these stones from *Moshe Rabbeinu*; weren't there any kosher *Sifrei Torah* with crowns in them?

The Gemara (*Sanhedrin* 21b) says that until the time of *Ezra Hasofer* the Torah was written in *Ksav Libonaah*, also known as *Ksav Ivri*. Ezra received a *nevuah* to switch the letters to *Ksav Ashuris* (which we use today). The *Ksav Ivri* letters have no crowns so the *halachos* regarding letters with crowns would not apply until they switched to using *Ksav Ashuris*. This is why Ezra could not look back at any of the *Sifrei Torah* of his time; none of them used *Ashuris*! The only source that had *Ksav Ashuris*, to learn how to make the crowns, were the stones upon which Moshe wrote the entire Torah in seventy languages. R' Akiva's *derashos* concerning the crowns on the letters could only exist in a time when the Torah was written in *Ksav Ashuris* and not in *Ksav Ivri*. The Brisker Rav understands that Moshe was asking Hashem: why did You not give the Torah in *Ksav Ashuris* if there is so much to learn from the crowns? Hashem responded that "you cannot understand My reasons."

The *Ohr Hachaim Hakadosh* (*Vayikra* 13:37) gives a different answer to our question. *Moshe Rabbeinu* received the entire *Torah Sh'Bal Peh* embedded in the *Torah Sh'Bksav* at *Har Sinai*; however, he was not given the links, the *derashos*, how we learn out the different portions of *Torah Sh'Bal Peh* from *Torah Sh'Bksav*. This is the duty of the *ameilei Torah*, Torah workers, in every generation – to find the *Torah Sh'Bal Peh* in the *Torah Sh'Bksav*. When Moshe heard these connections, it was brand new to him which is why he could not understand them.


On a similar note, and consistent with his opinion mentioned earlier, the *Maharatz Chayes* (*Toras Neviim* pp. 135-136) also answers this question. He says that it is impossible that Moshe could have been

taught the multitude of original Torah thoughts that would be developed in the future. Rather, Moshe was taught the Thirteen Principles through which the Torah can be expounded, and that is what Chazal meant that *Moshe Rabbeinu* was taught the whole Torah. This would mean, in simplistic terms, that Moshe was not familiar with R' Akiva's *shiur* because it was really novel to him. He had not learned this before and found it foreign and confusing.

The *Meshech Chochmah* (*Devarim* 17:11) extends the opinion of the *Maharatz Chayes* saying that it would up-end the entire world for Moshe to know all *chidushei Torah* for all time. The balance of *bechirah chufshis*, free will, and *yidiah*, determinism, can only exist when Hashem and only Hashem knows what will happen in the future. The moment that someone knows what will happen, the person whose future is known loses their *bechirah chufshis*. Had Moshe learned all the *chidushei Torah* for all time, it would not be possible for all future *talmidei chachamim* to have *bechirah chufshis* and develop their own *chidushei Torah*.

The last answer I will bring is in stark contrast to that of the *Maharatz Chayes*. It is from Rav Eliyahu Dessler (*Michtav Meliyahu* Vol I, p. 223) who says that of course *Moshe Rabbeinu* learned every last *chiddush Torah* for all time (in accordance with the *Tos. Yom Tov* quoted above). There was nothing he had not been told by Hashem. How could it be that Moshe was unfamiliar with R' Akiva's *shiur* to the point that he became depressed? It is about the perspective of Moshe versus the perspective R' Akiva. Moshe received the Torah directly from Hashem and in *Shamayim*. He was an "insider" when it came to Torah, and this was his entire approach to Torah. R' Akiva had a very different experience with Torah. He grew up an *am haaretz*, ignorant of Torah, at a time when Torah was thriving. He overcame this ignorance and studied diligently to the point of mastery, becoming the leader of his generation, but he was an "outsider." Sometimes the same topic can be presented by two different people, and based on

their approach one hears two different lectures, even if the material covered is identical. The different perspective of R' Akiva was foreign to *Moshe Rabbeinu* which is why he felt lost and despondent in R' Akiva's *shiur*.

This journey through Chazal and the *Rishonim* and *Acharonim* has clarified a number of points about how Hashem intended the Torah to be taught to *Klal Yisrael*. Although the Torah was given over in full to *Moshe Rabbeinu* at *Har Sinai* it was only to be transmitted to *Klal Yisrael* in sections over the course of their 40-year stay in the *Midbar*. Those sections were largely given over in three episodes; however, some segments were communicated as needed on a smaller scale in between those three events. Various reasons were discussed as to why it was necessary to give the Torah over this way. We see from the story of R' Akiva, who uncovered Torah which even *Moshe Rabbeinu* did not receive, that the statement that Moshe received the “whole” Torah at *Har Sinai* has a wide range of interpretations; these range from Moshe receiving every *chidush* for all times to just receiving the Thirteen Hermeneutic Principles. <sup>א</sup> 

## Chur ben Miriam

Jeffrey Silverberg <sup>1</sup>

Let's start with a typical conversation between me and any one of my grandchildren.

"Where did you have your meal on Shabbos afternoon?" I might ask.

"We were **by** the Fischers," comes the answer.

"You were by the Fischers? Why wouldn't they let you come in?" I ask with feigned surprise.

"OK, Zeidy, we were **AT** the Fischers," comes the practiced, but still exasperated reply.

Ah, the struggle between Yiddish norms sneaking into conversation and proper English! I continue to fight this battle even though I know I will never win. My grandchildren, *kenine hora*, hear so much Yiddish usage in their daily conversations with teachers and friends that my efforts usually elicit little more than eyerolls!

Another case:

"Me and Yehuda were playing."

"Don't you mean Yehuda and I?" Not a chance! I am not going to prevail on that one either until they grow up.

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<sup>1</sup> Author's Note: As always, I wish to thank my daughter MBS for her editing skills. Thanks also to my dear wife for her forbearance in these matters, even though in most cases she might prefer that I hold my peace.

Yet I continue to try for two reasons. First, it just hurts my ears. And second, I believe that speaking correctly may very well prove important to them in the future. A prospective employer who did not learn in yeshiva or seminary, or one who is seeking an employee whose duties will include speaking to a more general public, is likely to be unimpressed with colloquial speech habits as opposed to correct English grammar. That matters.

I am not a rabbi or a community leader, and I have no right or mandate to expect that my sensibilities should be adopted as the norm. Still, there are certain areas in which my sense of right and wrong, even of good and evil, is so strong that I feel compelled to speak up when confronted with behavior at odds with those beliefs, even when I know that my protests will likely fall on deaf ears. The prime example of this is racism. I believe that it is ugly, unintelligent, and condescending, and that it serves no good purpose. I firmly believe that it is not in keeping with the will of Hashem, Who created *all* human beings. I am appalled that observant Jews, subject of so much antisemitism, can participate in the dehumanization of another race at any level.

I believe that anyone under eighty years of age who did not grow up in a Yiddish speaking home who uses the term *shvartza* should be challenged, and that our teachers who use this terrible term or who otherwise exhibit racist views are poisoning our children for another generation. It should not be tolerated. It is unbecoming and completely unacceptable behavior.

And when I am confronted with racism, I express my objections. Every time.

I am constitutionally unable to **not** object. I think it matters a lot to be heard, even though I know that the speaker will not accept what I am



saying. My hope is that I remember to make efforts to speak in a respectful, non-personal way. But I cannot just let it slide.

I recently heard a shiur from Rabbi Yaakov Frand, *shlita*, which lends support to my behavior. The remainder of this article is drawn from that shiur.

Near the end of *Sefer Shemos*, the Torah introduces the prime architect of the Mishkan, the Tabernacle. His name is Bezalel ben Uri ben Chur of the tribe of Yehuda (*Shemos* 35:30). Typically, a personality in the Torah is identified by his name and his father's name. Here the Torah mentions the grandfather as well. There must be a reason.

Even more unusual, *Rashi* on the spot comments that Chur “*b’na shel Miriam haya*,” Chur was the son of Miriam. This is of course factual, but I am unaware of any other example of *Rashi* informing us of a Torah personality's mother. Why did *Rashi* include this piece of information? What can be learned from this strange inclusion?

Our encounters with Chur in the Chumash are sparse. We are aware that he was one of the supporters of Moshe's arms during the battle with the Amalekites (*Shemos* 17:10, 12). Before Moshe ascends Har Sinai to receive the Torah, he tells the elders that Aharon and Chur will be available to help settle disputes until he returns (*Shemos* 24:14).

And that's it. There are no other specific mentions of Chur in the text.

However, there is another reference to Chur in *Rashi* (*Shemos* 32:5, *dibbur hamaskil vayomer chag Lashem machar*). *Rashi* endeavors to explain why Aharon placated the rioters when it seemed to them that Moshe was late returning from the mountain. The people reacted by demanding a new god and Aharon tried to delay them until the next day when he expected Moshe to return. He tried to delay them, but he

did not challenge them. He did not rebuke them. The *pasuk* tells us *Va'yar Aharon*, Aharon saw. *Rashi* cites a Midrash (*Vayikra Rabbah* 10:3) that explains that one of the things that Aharon saw was Chur, the son of his sister, protesting against the rioters and being murdered as a result. *Rashi* explains that Aharon felt that protest would not be effective and that it would be better to try to delay than to protest and die in vain.

Why did Chur not choose the same path? He also saw the depraved behavior, the fury of a mob out of control, and he certainly could have envisioned that the situation might turn violent. He had to know that he was putting his life in danger, that he would not succeed in ending the revolt, and therefore he would give up his life in vain.

He knew all of this and he still chose to confront the rioters in an impossible situation. Rabbi Frand suggests that this may be his heritage from his mother, Miriam.<sup>2</sup>

Chazal tell us the reaction of Amram, the *gadol hador*, to the decree of Pharaoh that all male Jewish babies be drowned in the Nile River. In understandable horror at the prospect of the murder of Jewish infants, he directed that husbands and wives separate. Without babies, there cannot be murder of babies.

Miriam confronted her father. Think about that. *Miriam confronted her father*. Amram was the *gadol hador*. He was her *father*. But Miriam was unafraid to point out what she believed to be the errors in his judgment. Pharaoh's decree was lethal to the baby boys, but Amram's directive prevented the birth of girls as well. Pharaoh's decree cost the baby boys their life in this world, but Amram's directive sabotaged their life in the world to come. Amram was a

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<sup>2</sup> Of course, we cannot be certain in ascribing certain traits to Torah personalities without clear direction by Chazal. The lesson is nevertheless worth conveying.

righteous man whose directives were sure to succeed, while Pharaoh was an evil man whose decrees were in doubt.

Miriam succeeded in what could have been a thankless and unproductive effort. She believed that she was right and that it was of vital importance that things change and she was unafraid to stand up and say so.

A few months after Moshe was born, Yocheved was unable to hide him from the Egyptian inspectors any longer. In desperation his family placed him in a basket and put the basket in the river. Miriam hid nearby to see what would happen.

Stop and think about that for a moment. We know that Pharaoh's daughter took pity on him and that he was saved. We know that, but Miriam could not have known that. In the natural course of events, it was much more likely that the basket would be discovered by the Egyptians or float away, or turn over in the river resulting in unimaginable tragedy. But Miriam risked being a witness to any of these possible happenings, ignored the danger of being a witness to her baby brother's death, and tried to do the right thing, futile or not.

Miriam stood up once again after the splitting of the *Yam Suf*. After the great miracles that Hashem performed for *Am Yisrael*, Moshe led the men in the famous song of thanks and celebration that has become part of our daily morning prayers. The women could not join the song because of the prohibition of *kol islah*. But Miriam found a path to join the celebration. She broke out timbrels and led the women in their own thanksgiving. She felt it only proper that the women be included, and she stood up and found a way for that to happen.

Time after time, Miriam was faced with seemingly impossible situations that promised almost certain futility. Time after time Miriam was unfazed by these challenges and resolved to do the right

thing *because* it was the right thing. She knew that a person's *avodah* is to do his or her best and leave the results to Hashem.

Chur was Miriam's son. *Rashi* makes a point of that. Chur saw a riot, a *chilul Hashem* that was perhaps the worst in our people's history. There was violence. There was danger. He knew that he was putting his life in danger and that his remonstrations had little or no chance of making a difference. But he had learned from his mother that doing the right thing *always* makes a difference. And so he did.

And perhaps that is why the Torah goes back an extra generation to include Chur in the ancestry of Bezalel. The ultimate purpose in a Jew's life is to become close to Hashem. The mitzvahs are a guideline towards that goal, but in reality, the goal is ultimately unattainable. No matter what we do, genuine understanding of and complete closeness to Hashem are beyond our ability as *basar v'dam*, human beings, to reach.

Nevertheless, Hashem commanded us to build the Mishkan and gave Betzalel, the grandson of Chur, the understanding of how to build it. The Mishkan was designed to be the place on earth where the Jewish people could become closest to Hashem through the *avodah* of the *korbanos*. And we have to try. There is great value in trying, as in truth, the purpose of our existence is sincere and constant effort to become close to Hashem. But again, it is ultimately futile. The goal is beyond us.

Miriam always made the effort, futile or not. Chur, *b'na shel Miriam*, followed in her footsteps, and indeed gave up his life in a futile effort to stop a revolt. But the Torah makes a special effort to connect Chur to the Mishkan. Do the right thing, make the attempt, and leave the results to Hashem.

I will think about Miriam and her son Chur when my grandchildren pepper their speech with Yiddishisms and when I hear racist rhetoric in casual conversations. Although my efforts to instigate change have not yet been successful, I will continue to speak up for what I feel is right. I can remember that the effort is my responsibility but the results are up to Hashem.

And I will continue to joyfully invite my grandchildren to spend Shabbos *at* my house, even when they stay *by* everyone else who invites them. אב

## ***Badei HaAron – Raisers of the Lost Ark***

**Barry J Reiner, MD**

The Torah requires *badim*, staves, for several of the *keilim* of the *Mishkan*: the *Aron*, the *Shulchan* and the two *Mizbechos*: the *Mizbe'ach HaZahav* and the *Mizbe'ach HaNechoshes*. These long, gold covered rods (copper, in the case of the *Mizbe'ach HaNechoshes*) served the purpose of transporting the *keilim* to which they were affixed. The *badim* affixed to the *Aron* were unique in that their removal is prohibited.

בְּטַבְעַת הָאָרֶן יִהְיוּ הַבַּדִּים לֹא יִסְרוּ מִמֶּנּוּ

From this *pasuk*, the Gemara in *Yoma* (72a) derives the prohibition to remove the *badim* from the *Aron*:

אָמַר רַבִּי אֶלְעָזָר: הַמִּזְיָה חוּשָׁן מֵעַל הָאֵפוֹד, וְהַמְסִיר בְּדֵי אֲרוֹן — לֹקָה, שְׁנֵאמַר: "לֹא יִזַּח" וְ"לֹא יִסּוּרוּ"

The Gemara in *Makkos* (22a) also recognizes this as a *lav*, a prohibition:

מִתְקִיף לֵה אֲבִי וְלִיחֻשׁוֹב נָמִי הַמִּזְיָה הַחוּשָׁן מֵעַל הָאֵפוֹד וְהַמְסִיר בְּדֵי אֲרוֹן וְאִזְהַרְתִּיהָ מֵהֵכָא וְלֹא יִסּוּרוּ וְלֹא יִזַּח הַחוּשָׁן.

The *Rambam* codifies this halachah (*Hilchos Klei Mikdash* 2:13):

וְנִזְהָרִים שֶׁלֹּא יִשְׁמְטוּ הַבַּדִּים מִן הַטְּבָעוֹת. שֶׁהַמְסִיר אֶחָד מִן הַבַּדִּים מִן הַטְּבָעוֹת לֹקָה. שְׁנֵאמַר (שְׁמוֹת כה, טו) בְּטַבְעַת הָאָרֶן יִהְיוּ הַבַּדִּים לֹא יִסְרוּ מִמֶּנּוּ.

The *Sefer HaChinuch* also codifies this halachah (§96):

שֶׁלֹּא לְהוֹצִיא בְּדֵי הָאֲרוֹן מִמֶּנּוּ - שֶׁלֹּא לְהוֹצִיא בְּדֵי הָאֲרוֹן מִתּוֹךְ הַטְּבָעוֹת, שְׁנֵאמַר (שְׁמוֹת כה, טו) בְּטַבְעַת הָאָרֶן יִהְיוּ הַבַּדִּים לֹא יִסְרוּ מִמֶּנּוּ.

It is astonishing that the *Sefer HaChinuch* presumably includes the actual building of the *Aron* (without even mentioning the *Aron* or any specifics) in the previous Mitzvah (§95) and yet has a completely separate Mitzvah devoted specifically to prohibiting the removal of the *badim*:

**מצות בנין בית הבחירה** - לבנות בית לשם ה'... וזאת המצוה כוללת עמה הכלים הצריכים בבית אל העבודה, כגון המנורה והשלחן והמזבח וכל שאר הכלים כלם.

In addition to a prohibition on the individual against removing the *badim*, *Rashi* (Yoma 72a) notes that the *badim* of the *Aron* were required to be constructed in such a way as to make their removal impossible, which presumably was not the case with the remaining *badim*. Thus, the *badim* of the *Aron* were structurally different from the *badim* of the other *keilim*.

**מתפרקין ואינן נשמטים**. בראשיהם היו עבים והכניס ראשן אחד בדוחק בטבעת ובאמצען היו דקין הלכך לא היו נדחקין בטבעות אלא מתפרקין והולכין לכאן ולכאן אבל אינן נשמטין לצאת מהן לפי שהן עבים בראשיהן.

What is the reason for this prohibition and why does it apply only to the *Aron* and not the other *keilim*?

The *Sefer HaChinuch* (§96) writes that the reason for the prohibition is that the *Aron* might need to be moved in haste, such as in time of war, which would make the *badim* more prone to breakage if inserted quickly and carelessly, in which case, the *Aron*, the pinnacle of our Glory, could fall.

משרשי המצוה. לפי שהארון משכן התורה, והוא כל עקרנו וכבודנו, ונתחייבנו לנהוג בו כל כבוד וכל הדר בכל יכלתנו, על כן נצטוינו לבל נסיר בדי הארון ממנו **פן נהיה צריכים לצאת עם הארון לשום מקום במהירות, ואולי מתוך הטרדה והחפזון לא נבדק יפה להיות בדי חזקים כל הצרך, ושמא חס ושלום יפל מידם ואין זה כבודו**. אבל בהיותם בו מוכנים לעולם ולא יסורו ממנו נעשה אותן חזקות הרבה ולא יארע תקלה בהן.

The *Daas Zekeinim M'Baalei Tosafos* (see also *Chizkuni*) explains that the *badim* were to remain permanently in place so as to minimize contact with the Holy *Aron* as much as possible.

לא יסורו ממנו. מפני קדושת הארון לא רצה הקב"ה שימשמשו בו להסיר הבדים ולהכניסם בטבעות אבל כשבאין לנושא מחזיקין בראשי הבדים ונושאים וכשמניחין אותו הולכין להם מיד מחמת אימת הקדושה וה"פ דקרא בטבעות הארון יהיו הבדים שישמם משה ויקבעם שם כדכתיב בפרשת ותכל וכשיושמו שם לא יסורו ממנו.

These explanations are perhaps less than satisfying in that they provide a rationale for why the *badim* should not be removed from the *Aron* but not necessarily why this should be a *lav*, a prohibition, with an emphasis on the punishment of *malkus*, lashes. In other words, perhaps, consistent with these explanations, when the Torah writes לא יִסְרוּ מִמֶּנּוּ, *they shall not be removed from it*, we could have understood this statement as reenforcing and emphasizing the reason behind the need to mount the *badim* permanently without stipulating that this is a bona fide prohibition counted within the *taryag mitzvos*. According to these explanations, like the *badim* for the other *keilim*, the *badei haaron* are mere accessories to the *Aron* and their need to be mounted permanently is related to the differences between the status of the *Aron* as opposed to the status of the other *keilim*. The difference between the *badei haaron* and the other *badim* is merely a reflection of the difference between the *Aron* and the other *keilim*.

Perhaps one can understand the prohibition against removing the *badim* of the *Aron*, as opposed to the other *keilim*, as relating to a fundamental distinction between the *badim* of the *Aron* and all the other *badim*. The *badim* of the *Shulchan* and the *Mizbechos* are functional accessories of those *keilim*; they are there to transport those *keilim*. The *badim* of the *Aron*, in contrast, are an integral part of the *Aron*. They are intrinsic and essential to the *Aron*. Without the *badim*, the *Aron* no longer has the full status of the *Aron*.



That there is a purpose of the *badim* beyond transport of the *Aron* is clear and well-known. Much of the Kohen Gadol's *avodah* on Yom Kippur, including sprinkling of the blood of certain *korbanos* exclusive to this holiest day and the complex *avodas haketores*, took place within the *Kodesh HaKodashim*, in a very small area directly in front of the *Aron* delineated by the *badim*. Additional sprinkling of the blood of these *korbanos* was directed towards the front of the *Aron* just outside the *Kodesh HaKodashim* between the protrusions of the *badim* through the *paroches*. Additionally, the sprinkling of the blood of certain other communal *korbanos* of utmost gravity (שעירי עבודת, פרה כהן, משיח כוכבים, פרה העלם, ופר כהן) took place in this area as well.

This is recited daily as part of the *korbanos* section of *davening* (*Zevachim* 47a):

איזהו מקומן של זבחים קדשי קדשים שחיתתן בצפון פרה ושעיר של יום הכיפורים שחיתתן בצפון וקיבול דמן בכלי שרת בצפון ודמן טעון הזיה על בין הבדים ועל הפרוכת ועל מזבח הזהב ... פרים הנשרפים ושעירים הנשרפים שחיתתן בצפון וקיבול דמן בכלי שרת בצפון ודמן טעון הזיה על הפרוכת ועל מזבח הזהב מתנה.

Thus, the *badim* of the *Aron*, or the protrusions of these *badim* through the *paroches*, served as a definition of what constituted the front of the *Aron*.

The description of the placement of the *Aron* in the *Beis HaMikdash* (*I Kings* 8:8) includes a description of the fastening of the *badim* which suggests this additional role, as well as the intrinsic nature of the *badim*:

וַיֹּאכְרוּ הַבַּדִּים וַיִּרְאוּ רָאשֵׁי הַבַּדִּים מִן־הַקֶּקֶשׁ עַל־פְּנֵי הַדְּבִיר וְלֹא יֵרְאוּ הַחוּצָה וַיִּהְיוּ שָׁם עַד הַיּוֹם הַזֶּה.

Interestingly, the notion that the prohibition against removing the *badim* has nothing whatsoever to do with the role of the *badim* in transport can perhaps be inferred from *Tosafos* (*Yoma* 72a). *Tosafos* entertains the possibility that there were four *badim*: two for transport

which were removable and two which were not used for transport and were permanent and it is regarding these two *badim* not used for transport that the prohibition applied.

ואי לאו דמסתפינא מחברייא הוה אמינא דח' טבעות היו בארון וכן מוכיח הפסוק דכתיב ויצקת לו ארבע טבעות זהב ונתת על ארבע פעמותיו דהיינו ארבע קרנותיו כדמתרגמינן זויתיה והדר כתיב ושתי טבעות על צלעו האחת ושתי טבעות על צלעו השנית משמע דארבע טבעות היו על שתי צלעותיו לבד מאותם ד' שעל ד' פעמותיו בד' טבעות מהם היו בדים קבועין לא יסורו ובארבעה מהם שהיו למטה או למעלה מאותן טבעות היו משימין בדים בשעת סילוק המסעות לשאת את הארון בהם והיינו הנך דכתב בהו ושמך בדיו.

If, as this viewpoint in *Tosafos* states, the prohibition of removing the *badim* is not related to transport of the *Aron*, we must then attempt to understand the actual basis of this prohibition. Perhaps the prohibition relates to viewing the *badei haaron* as an essential and integral part of the *Aron*.

Among the commentators, there are several mystical and *derush* explanations for this prohibition which perhaps also allude to the intrinsic nature of the *badim* vis a vis the *Aron*.

The *Sefer HaChinuch* (§96), in his second answer, suggests that the appearance of the *keilim* in their fullest form (i.e., the *Aron* together with the *badim*) are intended to conjure up noble thoughts and concepts in the mind of the beholder. It is for that reason that this form should not be tampered with, even temporarily.

ועוד טעם אחר, שכל כלי המקדש צורתן מחיבת לרמז ענינים גדולים עליונים כדי שיהא האדם נפעל לטובה מתוך מחשבתו בהן. ורצה הא-ל לטובתנו שלא תפסד אותה הצורה אפילו לפי שעה.

The *Ralbag* suggests that the *Aron*, containing the Torah and covered with the *keruvim*, is holy to the degree that it must be at the pinnacle

of intrinsic completeness. Anything needed on behalf of the *Aron*, including for the purpose of carrying it, cannot be extrinsic to the *Aron*. Its ethereal spiritual reality must be completely self-contained.

והנה באה האזהרה שלא יסורו הבדים מעל הארון לפי שהארון ומה שעליו הכרובים מורה על מציאות שלם והוא מציאות התורה ומציאות הצורות הנבדלות אשר יעמידנו על מציאו' השם יתעלה שהוא בתכלית השלמות ולפי שהדבר השלם הוא מה שלא יחסר בו דבר צוה השם יתע' שלא יצטרך הארון דבר מחוץ כשיצטרך לנשאו אבל ימצאו בו דבריו מכונים.

R' Meir Simcha of Dvinsk (*Meshech Chochmah*) takes a very different approach in explaining this prohibition, which also alludes to the *badim* being an intrinsic and integral part of the *Aron*. The *badim*, he points out, never had any actual functionality in that the *Aron* transported itself (similar to the Menorah whose lighting was never required for the purpose of actual light). To remove them, therefore, would imply that they had functionality when they were attached. Given that, it should be obvious that, according to the *Meshech Chochmah*, there must be another purpose entirely to the *badim* in order for them to be on the *Aron* at all. Perhaps, again, this alludes to the *badim* being an intrinsic and integral part of the *Aron*.

כן הארון שהוא נושא את נושאו (סוטה דף ל"ה) ואין הבדים לשאת אותו שהוא נושא את עצמו כי הוא משכן כבוד הנושא העולמים, לכן צוה כי הבדים בל יסורו ממנו להורות כמו שאין ענין להבדים בעת היותו מונח באוהל מועד, ככה בשעה שנושאים אותו על הכתף אין זה ענין הנצרך להכבוד הנשוא כביכול, לכן לא יסורו הבדים ממנו תמיד כמו שהנרות בהיכל דולקים תמיד ודו"ק.

The continuation of the *Meshech Chochmah*, in a message very suitable and relevant in our very day, beautifully explains that just as the *Aron* represents *Keser Torah*, the Crown of Torah, the *badim*, which support the *Aron*, represent those who support the Torah.

ונראה עפ"י מדרש שהארון רומז לכתר תורה שהוא מונח לכל הרוצה ליקח, והנה ה"ח צריך סעד לתומכו שיהא עשיר מטיל מלאי לכיסו וכתודוס איש רומי ובזה תורתו

מתקיים, וכן אמרו ז"ל גם על הארון ביומא דף ע"ב כתיב ועשית כו' מכאן לת"ח שהצבור מצווין לעשות מלאכתו, ולזה באו הבדים שלעולם הבדים הם המחזיקים בה, הם הסומכים ידי הת"ח שהוא הארון לעדות ד' ותורותיו, ומהראוי שיהיו תמיד אוהזים בארון הברית לא יסורו ממנו.

For a society to have *talmidei chachamim* who are able to thrive, excel and attain *Keser Torah*, there must be, of utmost necessity and intrinsic to that *Keser Torah*, those who have the privilege of being full partners as *Tomchei Keser Torah*. The *badim* must be part of the *Aron*. <sup>A</sup>ט

## **Capital Punishment in Judaism**

### **Chapter Four – Educational Deterrence <sup>1</sup>**

#### **Rabbi Shmuel Chaim Naiman**

*For over half a decade, I have been working on a book about Judaism's death penalty. It is an exciting, ongoing, journey, full of surprises and challenges. Over the last four years I have shared in this journal abridged drafts of the first three four chapters which outlined the three basic doctrines which guide the Torah's death penalty - Discretion, Rescue, and Love – and began exploring its objectives. In last year's excerpt, we learned from Maimonides that the death penalty's primary purpose is deterrence, and asked what deterrence could be accomplished from a justice system that exonerates the vast majority of guilty defendants. This question will set the stage for a deeper understanding of punishment's role in Judaism.*

#### **Chazon Ish**

In the jargon of Torah scholarship, Rabbi Avraham Yeshaya Karelitz (1878-1953) is called by his groundbreaking multi-volume life's work covering the entire corpus of Jewish law, *Chazon Ish* (literally translated as "A Man's Vision"). Serious students dare not open Rabbi Karelitz's books before mastering all earlier writings on the topic, for *Chazon Ish* assumes his readers to already be familiar with any source that may arise in his sweeping presentation. And even then, a quick scan will invariably leave us hopelessly bewildered, lost in the maze of terse, penetrating analysis. His carefully chosen words must be patiently heard and contemplated.

Born in czarist Russia, Rabbi Karelitz spent the first fifty years of his life in relative obscurity – studying, thinking, writing. Not until he

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<sup>1</sup> Editor's note: This is part of a work geared to the wider Jewish public. We have therefore not edited it to conform with our "*Kuntress Style Sheet*."

relocated to Mandatory Palestine did he play any role in communal affairs, and even then, always from the sidelines. Yet this master of the abstract was also a man of his people; arguably the architect of modern Israel's Orthodox Jewish community, certainly one of its most influential spiritual guides. His posthumously published written correspondence, covering all stages of his rich but turbulent life, portrays someone who deeply understood the issues of the twentieth century, carefully crafting age-old Judaism's entry into the modern era.

When the notorious Beilis affair erupted in 1911, threatening to incite deadly pogroms over the old threadbare yarn about Jewish ritual slaughter of Christian youths, *Chazon Ish* penned a fascinating manifesto on the Torah's honorable and humane, even cosmopolitan, worldview.<sup>1</sup> Other letters cover the great dramas and tragedies of the era, from political Zionism to the Holocaust. Authentic Torah principles, maintained *Chazon Ish*, will never lose their relevance when faithfully studied and observed.

While studying the classic collection of his letters and notes, I came across a soulful memo – almost a meditation – about the death penalty's objectives. Accurately translating the poetic prose proved to be a daunting task; what follows is my best effort the most of it. It is classic *Chazon Ish*, groundbreaking while brilliantly grounded in classical sources.

### **Educational Deterrence**

Perhaps, while objectively contemplating the Torah way of life, one will discern an invaluable apparatus for inculcating positive character traits throughout the population: the universal study of Torah legal codes and their punishments for wrongdoing. When youth are absorbed in learning these laws, an aversion for wrongdoing will be implanted in their hearts, *deeply acquired in a cool, casual manner*. Therefore, the primary fruit of legislated punishment is really

character purification, for when severe penalties are attached to iniquities, abhorrence towards the [prohibited] activity will strike root in the nation's heart, and its citizens will come to regard it as alien.

Given this point, penalties function [to prevent crime] in three ways: the simple fear of punishment, the knowledge of punishment, and the study of criminal jurisprudence.

Ultimately, while learning a book entirely composed of kindness, at times that very kindness will teach to seek retribution from the depraved criminal who aroused in the student a loathing of wrong.<sup>ii</sup>

It will now be apparent how the death penalty for murder greatly reduces homicides, saving numerous lives. If the law would treat murder lightly, a lighthearted attitude towards murder would strike root in the nation's heart, [particularly for the] impressionable youth. They will see how the law does not care so much about murder, for in the books of statutes it is only a minor offence.

In fact, the law will achieve this *moral action* much more often than it will actually dispense punishment. After all, the Sages designated a court that kills every seventy years to be a destructive tribunal. How marvelous! A law exacting in its precepts, while severely restricting its implementation through an arduous judicial process. And [study of] this [system of constraints on the death penalty] also positively influences moral character, such as the requirement of a twenty-three-member Sanhedrin and all the extraordinary requisite features.<sup>iii</sup>

*Chazon Ish* was not alone in his analysis. Several decades later, on the other side of the Atlantic, Rabbi Moshe Feinstein wrote strikingly similar lines to New York's Governor Carey (see end of Chapter One):

The death penalty was not enacted from hate to evildoers, nor [was it given from] fear of the destruction of the human race;

for regarding such concerns the Talmud taught, “Let the vineyard’s owner come and destroy his thorns [that endanger his vines].” Rather, its purpose is for people to know the severity of these prohibitions and refrain from them.

Throughout the generations, there have hardly been any Jewish murderers. Not merely because we are afraid of retribution, but as a result of our Torah education – specifically its punishments – that have educated us to understand the stringency of this prohibition.

We have got so much to unpack! Let’s take it slowly, from the ground up.

### **The Torah Experience**

Do you know whether your state practices capital punishment, theoretically retains it but never pursues it in court, or has officially abolished all legislated killing? I’d wager that most people haven’t a clue. Until reading up on the topic, I certainly didn’t. And why should we? If we do not kill a police officer or sell nuclear secrets to China, we probably will not end up on trial for our lives.

Unless you have been trained in law or politics, chances are you do not know too many details of your country’s laws. Maybe some vague recollections of the Constitution from high school civics class, but not much more. Let lawyers pore over dreary tomes of statutes. When you need their counsel, you’ll give them a call. In the meantime, however, you have got more important business to attend to.

Like it or not, such is the reality for most citizens of societies whose laws are published for the sole purpose of being followed.

Yet the Torah, although also a book of statutes, plays a vastly different role in the lives of its adherents. The centerpiece of the Torah’s program for life is the law’s in-depth study, ensuring that its principles



and details will become common knowledge – not just the arcane pursuit of an enlightened few. I cannot possibly over-emphasize the prominence of Torah study in Orthodox Jewish life throughout the millennia, from the ancient Jewish theocracy through contemporary communities all over the world. Jewish law exempts no one from setting daily and nightly regimens for study: wealthy and destitute, healthy and sick, young and old. Schooling begins when the teetering toddler utters his first words – with verses about the basic tenets of our faith – and continues until the day he dies.

We put so much emphasis on Torah study not only to facilitate observance – obviously, I cannot fulfill my duties if I do not know what they are – but because through dedicated mental exertion and ultimate understanding we convert God’s heretofore ethereal wisdom into a human experience. Having donned the Torah’s lenses when looking at the world, performance of its rituals follows naturally.

Consequently, the precise definition of all Jewish religious practices – yes, every last one of the myriad commandments and prohibitions – is the real-life application of the Torah’s teachings. We do not don our phylacteries or decline the pork because we trust some wise man’s evaluation of the spiritual benefits or dangers of these behaviors. Rather, we simply – and quite logically, in my mind – choose to build our lives as manifestations of our Creator’s communicated will. For this reason, the Mishnah values Torah study as equivalent to all the other commandments combined; study spawns all actions. Of course, once inside the magnificent life of Torah, endless layers of wisdom and meaning will unfold from every action and inaction. But the essence of every discipline will always remain the same: another earthly expression of the Torah’s timeless teaching.<sup>iv</sup>

The Hebrew word *Torah* accentuates this point. Were it just another code of statutes legislating the actions and inactions required from every member of Jewish society, it would be more appropriate to dub

it “Commandments” or something similar. And if it was a compilation of God’s insights to life, it should have been called Wisdom. Torah, on the other hand, which literally means “teaching” or “guidance,” includes elements of both the theoretical wisdom and practical instruction. For in His Torah, God *teaches* us the reality of things from an omniscient vantage point – unique to the Creator of it all. Having learned what’s contained in the blueprint of our existence, we automatically strive to align our mortal lives with that revealed wisdom.<sup>v</sup>

Moreover, a cursory glance at the Torah’s internal structure shows it to be something quite different than God’s best effort at a code of spiritual statutes. As I mentioned earlier, the Torah is essentially a meandering world history interspersed with hundreds of laws – all incorporated as part of the story. Here lies its most profound definition: God relating *the story* of His special relationship with the Jewish people, with its abundant high moments and low points, all the while pointing towards His ultimate vision for humanity.<sup>vi</sup>

### **The Death Penalty as Torah**

Like any story that was written to be read, studied, and internalized, the Torah’s target audience is its readers.

Therefore, as with all of its instructions, the primary purpose of its death penalty is not to *threaten* individuals who are contemplating one crime or another, forcing their reluctant compliance, but to *teach* Law-abiding citizens how to build their lives around its program. Yes, ironically enough, Sabbath desecration’s punishment of death by stoning was given mainly for individuals who have no intention of ever desecrating the Sabbath.

Right from the beginning of his memo, *Chazon Ish* made sure we place capital punishment in its correct context, *in Torah*. “While objectively contemplating the Torah way of life, one will discern an invaluable

apparatus... the universal study of Torah legal codes and their punishments for wrongdoing.” *Chazon Ish* comes to his readers with a simple request. He asks that we approach the Torah’s *death* penalty as a function of God’s revealed design for *living*.

*Chazon Ish* then built his refreshingly cogent argument upon this premise. As he continued to explain, studying the laws of capital punishment was primarily directed towards the psyches of its students – who are, let’s remember, the entire nation – in order to carve out neural pathways between transgression and painful death. This in turn develops their characters in line with the Torah’s values, with the natural result of a peaceful, moral society – one which will not need to administer the death penalty very often.

If we wish to give Judaism’s death penalty a fair hearing, we must peer past its unpleasant practice into its “Torah” (read teaching) about the worldview it is coming to uphold: for those who accept it as the authentic, binding contract between God and the Jewish people, its commandments are not optional suggestions, but deadly serious business – nothing less than the Creator’s wish for the world he formed. It was to instill this life-and-death attitude in the hearts of the Torah’s readers that God installed inside it this brilliant, built-in mechanism to convey its supreme value. By repeatedly equating deliberate, defiant transgression with painful punishment, He subliminally educates us as to the weight of the matter being taught.

### **Balancing Deterrences**

Armed with new insight, we return to our difficulties with Maimonides’ assertion that capital punishment deters crime, providing “law and order” to the Jewish society. We puzzled over the doctrines of discretion and rescue that undercut any credible threat of punishment. We wondered what purpose the death penalty can possibly serve according to the Mishnaic scholars who proposed to filibuster all capital trials.

*Chazon Ish* addressed our concerns regarding the (relatively) less extreme opinion of the Mishnah when he happily conceded that the “law will achieve [its] moral objective much more often than it will actually dispense punishment,” and then went on to support his claim from the “less than once-in-seventy years” Mishnaic tradition. Since Torah law’s primary aim is to educate, actual punitive measures can – and must, given the exceptional significance of every human life – be kept to a minimum.

Yet this opinion maintained that facing justice ought to remain a real possibility, however remote that may be. Apparently, this opinion believed that the wrongdoing-equals-death equation will not take emotional hold unless painful death can occasionally materialize, even if only rarely. Certainly, the extreme rarity of actual executions will limit their credibility as a simple threat, but because capital punishment’s primary deterrent function is educational, other factors – discretion and reluctance – override the benefit of instilling raw fear in prospective criminals. Law and order are established primarily by raising generations of upstanding citizens who recoil from wrong as a hand does from a hot flame – not through coercion and repression.

The obstructionist rabbis, it seems, took matters a step farther. They believed the death penalty’s moral objective to be its sole purpose; the elementary fear of punishment plays no role in their understanding of educational deterrence strategy. Therefore, capital punishment ought never to be practiced.

### **Capital Punishment’s Two Layers**

Looking back at our journeys through death penalty jurisprudence, much of what we learned will take on a deeper, richer meaning. Most importantly, the discomfort we and God felt from the Biblical punishments, which ultimately took on the form of an inter-Torah tension between the core penalties and the three doctrines of their

practice are now revealed to be a deliberate strategy for spiritual stability.

God's spoken word, the Written Torah, seeks to set high stakes for His plan for humankind by associating severe transgression with painful death in the minds and hearts of its readers. At this basic level, any form of mitigation, whether through limiting capital punishment's practice or its harshness, will only dilute the shock so necessary for our growth. But do not mistake severity for cruelty, explains the Oral Torah, fulfilling its regular role of deciphering God's word for the His human audience. Apply the doctrines of discretion and rescue to exonerate all defendants with the slightest element of innocence. Even in the rare occasion that you are forced to implement the death penalty, execute with love. Don't worry about undermining its deterrent effect – that's not primarily achieved through killing anyway.

In *Chazon Ish's* words, "How marvelous! A law exacting in its precepts, while severely restricting its implementation through an arduous judicial process." The inter-Torah tension does not portray a confused God, pathetically trapped between conflicting desires. To the contrary, God intentionally crafted a layered message, one which reflects the issue's profound complexity. Regarding the Torah's essential function as the Jewish people's spiritual mentor, both the Written's harsh punishments and the Oral's tempering doctrines come together to achieve one common objective: building the moral characters of their readers. The repeated equating of wrongdoing with painful death draws us away from destructive behaviors, while the practical laws of those very deaths inculcate us with God's respect and love for our lives and wellbeing.

### **It's the Death Penalty for Me!**

I do not see this approach to Biblical capital punishment as pitiful apologetics, or, even worse, historical and religious revisionism to suite modern sensibilities. As we have seen, the historical record, legal

statutes, and the Torah's broader context all firmly substantiate the view of these twentieth-century scholars as God's original intent, lovingly presented on Mt. Sinai over three millennia ago. The esteemed rabbis were merely adding another link to the Oral Tradition's rich legacy of explaining, expounding, and interpreting God's eternally relevant Torah – not by *changing* its content or message to suit whatever moral whims are in vogue, but through patiently probing the ancient texts, *listening* carefully to what He wishes to teach me in every day and age.

Moreover, my personal experience of the death penalty – and thousands of others identical to it – confirms this understanding.

From early elementary school, I have been relentlessly exposed to the sundry methods of capital punishment outlined in Torah law: first in the Pentateuchal verses, then in the Mishnaic teachings, and finally in the Talmud and its commentaries. Scarcely any Biblical portion or Talmudic tractate lacks mention of severe penalties for violation of the Law.

Yet never did the thought cross my mind to heave some boulders on our secular neighbor when she pulls out of her driveway on the Sabbath, shamelessly desecrating the holy day. Nor did I consider renting a B-52 to flatten the cow-worshipping Nepalese countryside. Instead, it was always obvious that every nook and cranny of Torah law, the death penalty included, is God's instruction to *me*, the law-abiding Orthodox Jew. As *Chazon Ish* would say, every time I read of stoning, burning, decapitation, or strangling, another measure of abhorrence towards the prohibited activity struck root in my heart, and I came to regard it as ever more alien.

Later on, upon entering yeshiva (an academy for advanced Torah studies), I learned to “practice” the death penalty as an academic tool, ever deepening its impact on my moral consciousness. For example,

we might classify an action as “forbidden by penalty of strangling” to identify is as the core of a certain prohibition. Punishments also inform us of any given prohibition’s place in the Torah’s view on life: stoning indicates a more central principle than lesser methods of execution, and even the most lenient death penalty marks some fundamental value. Maimonides went so far as to suggest, based on his explanation of a certain cryptic Mishnah, that we can evaluate the reward received for *refraining* from transgressions based on their level of punishment: the more severe the penalty, the greater its payment. Through all of this, as *Chazon Ish* attested, “When youth are absorbed in learning these laws, an aversion for wrongdoing will be implanted in their hearts, *deeply acquired in a cool, casual manner.*”

In such a specialized setting, learning about violent methods of execution does not foster a culture of violence. In fact, as Rabbi Feinstein pointed out, murder amongst Orthodox Jews is virtually non-existent and violent crime rates are negligible. For thousands of years, our communities have been from the safest in the world, for the deep identification of wrongdoing with death guides us to live meaningful, productive lives.

I still view the prospect of stoning, burning, beheading, or strangling anyone as absolutely horrifying. Yet it would be unfair, in fact, simply erroneous, to condemn these practices while ignoring their wider objective and context. Yes, the Torah wants me to feel that horror, but not in order to promote such violent practices nor even to scare us into His conformance. Rather, the horror’s primary objective is to alienate me from harmful activities by teaching me how they are morally equivalent to painful death. The Torah’s death penalty is not about killing: it is about raising generations of physically, emotionally, and spiritually healthy citizens. Its audience is *me*, the law-abiding Orthodox Jew. It firmly aligns my worldview with that of my Creator.

Maybe the death penalty was *never* meant to be administered by Torah courts. If it ever needs to be practiced, this will be a rare occurrence. The perhaps once-in-a-century winning candidate for the death penalty will have somehow gone through an almost impossible vetting process, one which doggedly obstructs the prosecution every step of the way. He will have openly accepted his punishment at the time of his defiant transgression. Even then, he will be executed not because God relishes his demise; in fact, He feels the dying man's pain. The three doctrines that guided this remarkable judicial process – discretion, rescue, and love – are part and parcel of the death penalty's objective, educating me on the value and beauty of every human life.

### **Honest Education**

We have made much progress, but we are not quite finished. The death penalty's cause is noble, and its practical results are usually satisfactory to my moral conscience. But not always. In the rare instance that a Torah court is forced to execute a capital criminal, does that person really *deserve* to die – in a manner that's inherently horrifying, no matter how tempered with love – or is he merely a scapegoat dying in order to lend credence to a well-meant educational project that occasionally goes haywire and kills someone? If it is just the latter, then the whole program is not much more than a meaningless scare tactic. To put it more bluntly, God is setting us up: murder, Sabbath desecration, and incest do not truly equal painful death, but it would do most of us – except for the occasional poor fellow condemned to death – much good to believe that to be the case.

However, I cannot accept that the Torah's death penalty is merely a gimmick. The very definition of Torah demands that its punishments reflect reality. just as through the commandment to observe the Sabbath God *taught* a certain fact of existence, so too the commandment to stone Sabbath-desecrators must be *teaching* another fact of existence. Therefore, when *Chazon Ish* indicated what that fact is – the identification of wrongdoing with death – that means that the



Torah is *teaching* me that wrongdoing really does equal death. I would like to understand how this is so.

In other words, to fully understand *educational deterrence* we must also understand the *retributive aspect* of the Torah's capital punishments. If their deterrent effect would have been achieved through fear of punishment, as in modern legal systems, then there is no proof that the penalties reflect any reality greater than society's consensus or a dictator's whims. But now that we have learned how their primary objective is to build moral character by my identifying wrong with painful death, and I am unwilling to accept that God is playing tricks on me, logic dictates that defiant rejection of God's will truly warrants painful death. א

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<sup>i</sup> Karelitz, R' Avrohom Yeshayah. *Kovetz Igros Chazon Ish* 2:173

<sup>ii</sup> In later chapters we'll return to explain both the second aspect mentioned, "knowledge of punishment," and how punishment derives from kindness.

<sup>iii</sup> Ibid 3:82

<sup>iv</sup> Torah study equal to all commandment: Mishnah *Peah* 1:1. Torah study engenders observance: Talmud *Kiddushin* 40b, as explained by Maimonides *PH"M* to Mishnah *ibid*, *Introduction to PH"M* pp. 56-57 (see commentary pp. 117-118), *M"T Hilchos Talmud Torah* 3:3. See also beginning of *Introduction to PH"M* and *Introduction to M"T* where Maimonides equates commandments with Oral Torah, and also *Re'eh Emunah* pp. 127-128, 205-207, 296-297

<sup>v</sup> Torah and not *Mitzvah* or *Chochmah*: Maharal in beginning of *Derashah al HaMitzvos* and *Gur Aryeh*

<sup>vi</sup> Torah as a story: see *Re'eh Emunah* pp.183-184

## Introducing “The Healthy Jew”<sup>1</sup>

**Rabbi Shmuel Chaim Naiman**

### **The Healthy Jew: Finding Wellness with Purpose**

*The Healthy Jew* is a call to take our health seriously – not only to make a good life possible, but because caring for ourselves is where good choices begin. Maimonides taught that a person enters humankind by using his mind to guide his body’s actions to a single immediate purpose: physical and emotional well-being. Barring such a choice, our actions are not “of a person as a human, but of a person as an animal.”

Caring for our health, wrote Maimonides, is "from the ways of God" which the Torah commands to emulate – not merely to understand. Knowing God isn't only an intellectual pursuit but also a way of life that penetrates every part of a person’s character and guides his every action. The journey begins with choosing physical health - sick people can’t seek wisdom or God - and continues to every area of life: business, relationships, emotions, and more. The Healthy Jew lives well on purpose, consciously infusing his actions with meaning, value, and spirit.

Yet life and its commitments - both earthly and spiritual - can easily distract from the basic obligation to live well on purpose. In the busyness of doing good things for others, we can forget to take care of ourselves. Worn down from physical, emotional, and mental stress, we have much less to offer.

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<sup>1</sup> Editor’s note: We are proud to present to you a new project by someone we know well. We begin with his introduction to the project, followed by a sample article from his archive.

For more information, see <https://thehealthyjew.substack.com/>.

I believe the way to find and keep health is by unpacking life itself. Through learning new ways to live well on purpose, and practicing them in real life, we dig deep roots of health from which the fullness of life can sprout and grow.

To this end, *The Healthy Jew* is an insightful, practical, and concise weekly newsletter about *Finding Wellness with Purpose*. We purposely seek wellness, not waiting for it to somehow magically appear. And the wellness we seek has purpose, nurturing our growth as people and Jews. Every issue concludes with a clear message, either *One Suggestion* or *Food for Thought*.

We now present one of the newsletters in the archive:

## **How to Become a Person**

Some years ago, while studying Maimonides' introductory chapters to the Mishnaic tractate of Avos, I came across a paragraph that shifted the course of my life. You might also find it interesting.

First, some context. Maimonides was explaining how the complete human being does not renounce earthly pursuits, substituting body for soul, quashing self in favor of God. Instead, he uses his *mind* to manage every aspect of his material life and will, directing them toward wellness and wholeness. He notices the temptations to spin right or left, but chooses instead to stick with the straight course.

What is the objective that people seek to achieve when they're well and whole? Where are we headed in life when not looking only for physical pleasure? Sorry, but we're not going to get into this yet. The spiritual journey does not begin with metaphysics. It begins with becoming a person.

Becoming a person, explains Maimonides, begins by choosing to consciously focus all my actions on a purpose, so that no action I take is "an act of nothingness." Once I've left nothingness and joined

purposefulness, I am a card-carrying member of the human race. Then I can take my personhood further and ponder the purpose of all the purposes.

How do I enter the mind-ruled, purpose-driven human life? Where is the trailhead? Unsurprisingly, the turning point between animal and human is something very basic. It cannot be anything that skips necessary steps. We're not looking to understand why lizards don't make good computer programmers, but what value-based decision separates the most advanced ape from the most primitive person.

Here's how Maimonides instructs us to enter personhood: He places the intent of his eating and drinking, intimate relations, sleeping and waking up, movement and rest, only towards his body's health.

Maimonides continues to provide detailed examples. We'll get to them in time, and build from them a model of healthy, balanced living. Today I want to share with you the part that touched me so deeply that I embarked on a new career.


Therefore, the profession of medicine is a very important path toward acquiring intellectual and character assets, knowing God, and attaining true success. Learning and seeking this wisdom are from the most important tasks; it is not just another vocation like weaving and carpentry. For here we evaluate our deeds, and they become human actions that bring achievement and truth.

If a person will eat any enticing food that is tasty to his palate and has a good aroma, even when it's damaging, wasting, and may cause dangerous disease or sudden death – *he and the animal are equal*. This is not the action of a person as a human, but the action of a person as an animal. "They are likened and compared to animals" (*Psalms* 49:21).

The human action will ingest only beneficial food, and sometimes will leave tastier foods and eat more repulsive ones, according to what is beneficial. This action is guided by the *mind*, and with it man is separated from all other creatures.

These words disturbed me. I can observe the full program of my religion, even see myself as a holy and spiritual fellow, but in truth am just an animal, nothing qualitatively different than a cow or a cat. A very religious rabbit, a very holy hare, and a very spiritual snake, but an animal just the same.

There is no skipping steps. I want my life to have meaning and purpose, to be a journey towards something larger. But I must begin by directing my material actions towards healthfulness, thus establishing myself as someone who acts for a purpose. Once my mind directs my body at that most basic level, I have become a human being and am then free to travel on to the realm of the spirit.

*One Suggestion: Next time you eat something, ask yourself: “Is this good for my health or not? Do I see how in this choice I’m deciding whether or not to be a human being?”* 

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## Does a Table Count? And other *Tefillah* Topics

### Rabbi Abba Zvi Naiman

The question came up about the status of the tables in a shul. This is relevant to two different issues: sitting in front of someone who is davening *Shemoneh Esrei* at a table; walking in front of such a person.

#### A. Sitting

The *Mishnah Berurah* cites the leniency of the *Chayei Adam* who permits someone to sit in front of someone davening *Shemoneh Esrei* if there is something separating them. We will examine whether our tables can count as a separation.

First, let us see the words of the *Chayei Adam* (26:4): נראה לי אם המתפלל עומד בצד א' מדבר שהוא קבוע גבוה י' ורחב ד' כדלעיל כלל כ"ב סימן ג מותר לישב בצד השני דהא מפסיק רשות.

The *Chayei Adam* is saying that there has to be a fixed object ten *tefachim* high and four *tefachim* wide to allow someone to sit in front of or on the side of the person still davening *Shemoneh Esrei*.

Let us assume that we can call our tables “fixed” in place. Are they ten *tefachim* high? A standard height for a folding table is 29”-30.” (Most of the tables in our shul are 28”-29” high, with a few being 30” high.) There are various views on the size of *tefach*, ranging from 3.15” (R’ Chaim Na’eh), to 3.54” (R’ Moshe Feinstein), to 4” (*Chazon Ish*). As you can see, even a table 30” high is not ten *tefachim* according to any of these views.

Even if we somehow assume that our tables are fixed in place and ten *tefachim* high, there is another issue. You will notice in the text of the *Chayei Adam* copied above, that he cites as a precedent for his leniency what he wrote in 22:3. In this *halachah*, *Chayei Adam*

discusses the requirement to *lechatchila* not have anything separating the person davening *Shemoneh Esrei* and the wall. An example he gives is something fixed that is ten *tefachim* high and four *tefachim* wide. But he adds that benches and *shtenders* are not considered an interposition between the person and the wall. Accordingly, it would seem that a table, like a bench or *shtender*, would not be considered an interposition to allow someone to sit in front of a person davening *Shemoneh Esrei*.

But it should also be noted that this citation is not definite. The first printing of the *Chayei Adam* sends us to 15:17, which does not have anything to do with this issue. But another later version of *Chayei Adam* sends us to 3:17. In this *halachah*, the *Chayei Adam* is talking about the problem of davening where there is *tzoah* or *mei raglayim* in the room. He rules there that if there is a partition ten *tefachim* high and four *tefachim* wide separating the person from *mei raglayim*, it is permitted to daven there. It seems to me that even if there is a ten-*tefach*-high table permanently attached to the ground, it would not count as a partition since it is mostly open on the bottom. The *Chayei Adam* is obviously talking about a solid partition there. So if he cites this as the precedent for his leniency about sitting in front of someone davening *Shemoneh Esrei*, a typical table with an open bottom would not be sufficient.

To summarize the issues with sitting in front of a table where someone is davening: Our tables very likely cannot be considered fixed in place. Their 29"-30" height is not considered ten *tefachim* according to any of the mainstream opinions. The fact that they are open on the bottom could also disqualify them from this leniency.

If there is a *shtender* on the table, or a stand-alone *shtender*, you would have the proper height, but it would certainly be missing the condition of being fixed. And the former case would have the problem of an open bottom. But this would potentially work for someone davening at the *bimah*. The *bimah* is large enough and solid, so that someone

could sit in front of it. (The only issue might be in the case of our *bimah*, that since we have it on Teflon pads to make it easier to move, it might not be considered fixed.) It would also seem that heavy pews found in some shuls could count since they are seldom moved, are ten *tefachim* high, and are close to the floor.

## B. Walking

Until now we have been discussing sitting in front of a person davening *Shemoneh Esrei*. We will now discuss the other *halachah*, not walking within four *amos* in front of someone in *Shemoneh Esrei*. Will his table allow someone to walk in front of him?

This is actually more problematic than *sitting* in front of the table. In addition to the issues discussed in the last section, let us read how the *Chayei Adam* continues his *halachah*: אבל לעבור מצד השני אפשר אם אינו גבוה כל כך שלא יוכל להסתכל בצד השני אסור ויותר נראה לי דגם זה מותר שהרי חוץ לד' אמות מותר אף על פי שמסתכל.

The *Chayei Adam* at first suggests that it might not be permitted if the partition is not high enough for the person davening not to see someone walking by because you will be disturbing his concentration. The *Chayei Adam*, though, concludes that if it is permitted to walk more than four *amos* in front of someone davening, he presumably also sees you, and it is still permitted. There should be no difference, then, if he sees you walking on the other side of the partition.

However, *Mishnah Berurah* (102:2) does not quote the *Chayei Adam's* conclusion; he stops his quote with the *Chayei Adam's* uncertainty, and then adds that the *Halachos Ketanos* and the *Pri Megadim* rule stringently. The *Aruch HaShulchan*, though, accepts the *Chayei Adam's* leniency also for walking in front of someone davening.

In conclusion, walking within four *amos* in front of someone davening *Shemoneh Esrei* at a table has all of the problems listed above regarding sitting in front of a such a person. In addition, there will be



the stringency of the *Mishnah Berurah* et al. that even a bona fide *mechitzah* would not help unless it is tall enough to block the person davening from seeing someone walking in front of him. Accordingly, even though we saw above that it would be permitted to *sit* in front of a person davening in a pew, walking past him would be subject to the dispute between the *Mishnah Berurah* and the *Aruch HaShulchan*.

### C. Leniencies

Although we have concluded that our tables will not allow someone to sit in front of or walk within four *amos* of someone davening *Shemoneh Esrei*, there are possible exceptions to these prohibitions when there is no other option available. I will briefly outline some of them here:

- A real need to go to the restroom to avoid *baal teshaktzu*<sup>1</sup>
- Kohanim needing to wash in order to *duchan*<sup>2</sup>
- Someone called up for an *aliyah*.

Although the following factors regarding the one davening are not universally accepted, they can sometimes be combined with other situations to create a leniency:

- The one davening *Shemoneh Esrei* has his eyes closed<sup>3</sup>
- He is blocking the aisle.<sup>4</sup>

Accordingly, if someone needing the restroom has a choice of routes out, he should use one of these to leave. אֱלֹהֵינוּ

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<sup>1</sup> *Ishei Yisrael* (29:15) citing *Eishel Avraham*.

<sup>2</sup> Ibid. (29:12), although he says only אִפְשָׁר לְהִקָּל.

<sup>3</sup> *Eishel Avraham*. But both *Mishnah Berurah* (*Beur Halachah*) and *Aruch HaShulchan* (102:13) disagree

<sup>4</sup> Various stories.

## ***Tachanun at Minchah***

Most of those who are reading this will think it is obvious that we should recite *tachanun* at Minchah because that is what we all do. However, there are some shuls that do not recite *tachanun* at Minchah.<sup>1</sup> We will try to explain where such a custom might have originated, and what those of us who do not have such a custom should do when davening in a shul that has the custom.

### ***Tachanun at night***

The *Tur* (*Orach Chaim* §237) cites *Rav Amram Gaon*, who writes in the name of *Rav Sar Shalom Gaon* that it is permitted to do *nefilas apayim*<sup>2</sup> after Maariv, and that this was the custom in Bavel during all weeknight Maarivs (see also *Teshuvos Maharam MiRottenburg* §603). *Rambam* (*Hil. Tefillah* 5:15) writes that the widespread custom is that there is no *nefilas apayim* at Maariv, although there are individuals who do *nefilas apayim* at Maariv.

However, the *Manhig* (§84) concludes that people are not accustomed to this practice other than for Minchah, which is an *eis ratzon* and *chovah*.<sup>3</sup> The *Sefer HaEshkol* similarly writes that if someone wants to be *nofeil al panav* at Maariv, it is fine to do so; however, we are not accustomed to do this because since Maariv is *reshus*, the Rabbis did not require it.

Furthermore, the *Rama* in *Darkei Moshe* there (see also *Bach* there) writes, quoting the *Agur*, that the custom is not to do *nefilas apayim*

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<sup>1</sup> We are not discussing the shuls where they never say *tachanun* based on every day being the *yahrzeit* of some *gadol*. We are talking about shuls that do say *tachanun* at Shacharis, but not at Minchah.

<sup>2</sup> *Nefilas Apayim*, falling on one's face, is the term used for what we call *tachanun*, when we place our head on our arm.

<sup>3</sup> Maariv is considered *reshus*, although the Poskim say that we have accepted it upon ourselves as obligatory.

after Maariv. And he concludes that there is a reason based on *kabbalah* not to do so. The *Rama* therefore writes simply in his *Hagahos* on *Shulchan Aruch* (237:1) that we do not do *nefilas apayim* at Maariv. The *Mishnah Berurah* adds that even if one davened Maariv during the day (after the *plag*), he should not say *tachanun*<sup>4</sup> because his *tefillah* made it nighttime.

Based on the above, if somehow Minchah stretched past nightfall, according to the *Manhig* and *Sefer HaEshkol* there would be no problem in reciting *tachanun* then. For they said it is not obligatory at Maariv because Maariv is *reshus*. This would imply that for Minchah, which is *chovah*, one would recite *tachanun* even at this late hour.

However, here too there would be the problem the *Rama* mentioned from *kabbalah*. In fact, the *Beis Yosef* in discussing the *halachos* of Minchah (§131) cites his *Rebbi*, the *Ri Abuhav*, who said that one should not recite *tachanun* at night because of the *kabbalah* reason; but on nights of *Ashmoros*<sup>5</sup> we are accustomed to recite *tachanun* since it is close to day. And similarly, in *Shulchan Aruch* (131:3) he *paskens* that one should not recite *tachanun* at night; but on nights of *Ashmoros* we are accustomed to recite *tachanun* since it is close to day.

Accordingly, although the Rishonim would have no objection whatsoever to reciting *tachanun* for Minchah after dark, there is an issue raised by the Mekubalim to do so. And the accepted *halachah* is to not recite *tachanun* after dark.

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<sup>4</sup> I am now switching to the language of “reciting *tachanun*,” which is how we refer to *nefilas apayim*. But I refer to where this recital includes placing one’s head down.

<sup>5</sup> Like our *selichos* nights.

The term “night” used by the Poskim refers to when it is dark, at *tzeis hakochavim*. What would they say about reciting *tachanun* between *shekiah* (sunset) and *tzeis*?

To understand the various opinions, we have to first discuss, at our level, the issue the Mekubalim are concerned about when they say that one should not recite *tachanun* at night.

### ***Midas HaDin at night***

The *Ramchal* explains (*Derech Hashem* IV 6:1) that in order for us to have *bechirah* Hashem placed in the nature of the world the possibility of *tumah* to have influence. Included in this system was that there should be a specific time for *tumah* to reign, and this occurs every night. It at this time that we go to sleep, until this power is removed from the forces of *tumah* in the morning. He continues, that at midnight these forces begin to recede at the influence of daytime begins to take place.

The *Pri Megadim* (*Mishbetzos Zahav* 131:8) explains that when we fall on our face with *nefilas apayim* it serves to subdue the *Midas HaDin* of Hashem,<sup>6</sup> and this should not be done at night. According to *Zera Shimshon* (*Va’eschanan*, *Derush* 4), it is based on the *pasuk* (*Devarim* 25:4), *You shall not muzzle an ox in its threshing*. Since an ox portrays Hashem’s *Midas HaDin*, it is not proper to minimize the *Midas HaDin* during its time of influence.

*Teshuvos HaRemez* (R’ Moshe Zachus, cited by *Yechavah Daas* 6:7) explains further regarding the similar issue of reciting the *Yud Gimel Middos* at night, that when we appear to be fighting the forces of *tumah* when they are in action, it can arouse them to confront us. Others quote the *Arizal*, who explains that one performs *nefilas*

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<sup>6</sup> Hashem’s *Midas HaDin* is the source of all shortcomings in the world. Since Hashem wants us to earn our reward through *din*, He placed forces of evil in the world for us to rectify.

*apayim*, it is like being *mosser nefesh le'misah*. Doing so at night can put oneself in danger.<sup>7</sup>

But as the *Ramchal* writes, these forces of *tumah* begin to recede at the second half of the night. This is why even the Mekubalim permit *tachanun* and the *Yud Gimel Middos* to be recited at *Selichos* while it is still dark, towards morning.

### ***Tachanun at bein hashemashos***

We are now ready to discuss the issue of reciting *tachanun* during *bein hashemashos*, the period between sunset and nighttime.

The *Taz* (131:8), commenting on the *Shulchan Aruch*'s ruling not to say *tachanun* at night, writes that one need not be concerned unless it is certainly night. But *bein hashemashos* should be no worse than an *Ashmuros* night, when *tachanun* is said shortly before day. The *Taz* is thus comparing the time just before night to the time just before day. It is only in the darkest part of the night where there is the *kabbaldik* concern about reciting *tachanun*. Therefore, according to the *Taz*, there is no problem in reciting *tachanun* if Minchah stretched past *shekiah* into *bein hashemashos*.

The *Magen Avraham* (131:9) is not so clear. He writes that if Minchah stretched until night everyone agrees that we should not do *nefilas apayim* because the beginning of the night is the most dangerous, which is not the case after midnight.<sup>8</sup> The *Machatzis HaShekel* at first writes that this reasoning contradicts the *Taz*'s comparison between the end of the night, when *tachanun* is permitted, to the beginning of the night. For it is possible that it is permitted at the end of the night because it is well after midnight; but at the beginning of the night, it

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<sup>7</sup> It should be noted that there are different *nuschaos* for *tachanun*, leading to the possibility that only certain parts contain this danger. But that is beyond the scope of our *sugya*.

<sup>8</sup> Which fits with the words of the *Ramchal* cited above.

would be prohibited.<sup>9</sup> On the other hand, he writes that since *bein hashemashos* is only possibly night, it is still no worse than the case of the *Ashmuros*, which is still certainly night.

In practice, the mainstream Poskim like the *Mishnah Berurah* (131:17), the *Aruch HaShulchan* (131:11), the *Shulchan Aruch HaRav* (131:4), and the *Chayei Adam* (33:3) all *pasken* that the prohibition of the *Shulchan Aruch* does not apply to *bein hashemashos*. This is also how *Kitzur Shulchan Aruch* (69:8) seems to hold, since he mentions only “night.”<sup>10</sup>

We should note, though, that the *Kaf HaChaim* (131:51) writes that since the prohibition of *nefilas apayim* at night is so serious, and *bein hashemashos* is possibly night, and there are also those who hold that the entire *nefilas apayim* is only *reshus*, one should not do *nefilas apayim* at *bein hashemashos*. However, *R’ Ovadyah Yosef* (*Yechaveh Daas* 6:7) asks why the *Kaf HaChaim* rules (131:27) that the *Yud Gimmel Middos* can be recited during *bein hashemashos*, where the same issue as *nefilas apayim* should apply. He therefore concludes that one should recite *nefilas apayim* during *bein hashemashos*. For, first of all, there is the opinion of the Poskim who allow *nefilas apayim* even after Maariv; and even according to the Mekubalim, in addition to the opinion of the *Taz* et al., there is also the consideration that according to the *Rabbeinu Tam* the time of *bein hashemashos* does not begin until well after what we call sunset.

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<sup>9</sup> *Elyah Rabbah* makes another *diyuk* to infer that the *Magen Avraham* would not allow *tachanun* during *bein hashemashos*. *Shaar HaTziyun* also does not mention *Magen Avraham* as permitting *tachanun* then. However, the note in *Daas Torah* (131:3, by the *Maharsham*, as published by *R’ Shalom Shvadran*) states that the *Magen Avraham* is not in dispute with the *Taz*. This is a moot point since, as we will see in the next paragraph all of the Poskim accept the opinion of the *Taz*.

<sup>10</sup> However, I did see in some of the modern *halachah sefarim* that in Eretz Yisrael, where *bein hashemashos* is shorter than in America, they are *makpid* not to recite *tachanun* after *shekiah*.

Although the preponderous of the Poskim permit, and thus require, *tachanun* to be recited for Minchah after *shekiyah* before dark, there are certain *Chasidishe kehillos* that do not follow this practice. The Munkatcher Rebbe explains (*Divrei Torah* 3:83; *Nimukei Orach Chaim* 131:3; *Darkei Chaim VeShalom* §322) that this is based on the fact that they daven Minchah and Maariv together, with Minchah recited during *bein hashemashos* in order that the Biblical mitzvah of *Kerias Shema* will be performed when it is certainly night. Although *chazaras hashatz* will be recited very late, since it at least began during *bein hashemashos*, it is permitted.<sup>11</sup> To recite *tachanun* then, which in most cases will be 72 minutes after *shekiah*, when it is certainly night, would not be proper.

This reasoning is obviously not relevant to a minyan that finishes *chazaras hashatz* of Minchah only a few minutes after *shekiah*, when it is still *bein hashemashos*. But *Piskei Teshuvos* (131:13) seems to understand that once they had this reason, they became accustomed never to say *tachanun*, even if they finished *chazaras hashatz* before dark.<sup>12</sup>

### ***Tachanun* at Minchah before *shekiah***

The reasoning of the Munkatcher applies, as he states in all of his writings, to where they daven Minchah and Maariv together. He did not discuss a minyan that is davening just Minchah sometime in the afternoon. Accordingly, there should be no basis to omit *tachanun*.

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<sup>11</sup> This reasoning is, of course, not relevant to those who follow the Poskim and begin *bein hashemashos* at sunset or shortly thereafter. In their view, this Minchah likely began after *bein hashemashos* had ended. Accordingly, they would daven *beyichidus* rather than begin Minchah shortly before *tzeis*.

<sup>12</sup> However, even this reasoning will apply only where the minyan generally does finish Minchah after dark, but sometimes finishes earlier. If the minyan always finishes shortly after *shekiyah*, it should not apply.

However, the Munkatcher writes further that his grandfather, the *Bnei Yissaschar*, used to daven Minchah Gedolah in the afternoon with *Rabbeinu Tam tefillin*, when there was no issue of saying *tachanun* at night. Nevertheless, if he was davening alone in a house where there was no Sefer Torah,<sup>13</sup> he would not recite *tachanun* because of the possible *sakanah*.

Accordingly, if someone is davening alone in his house with *Rabbeinu Tam tefillin* and follows the customs of the *Bnei Yissaschar*, he would be justified in not reciting *tachanun*. But this obviously does not apply to those davening without *tefillin* in a minyan in a shul with a Sefer Torah.<sup>14</sup>

I have not been able to find anyone give a reason not to recite *tachanun* in such a case. However, I did see that the *Sefer Minhag Yisrael Torah* cites *Minhagei Beis Alik* (§25) that supports the custom of not saying *tachanun* at Minchah based on the *Magen Avraham* (108:5), who says in the name of the *Zohar HaKadosh* that after one davens Minchah, the forces of *tumah* get stronger. But this seems curious since the *Arizal* certainly was aware of this issue, yet included *tachanun* in his *kavanos* for Minchah. And the *Magen Avraham* himself had an issue only with reciting *tachanun* at night (or maybe at *bein hashemashos*

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<sup>13</sup> The *Rama* (131:2) writes that when there is no Sefer Torah one should only recite the prayer without putting his head down. The *Mishnah Berurah* (131:11) says that this is based on the *pasuk* where Yehoshua fell on his face in front of the *aron* after the war at Ai (see *Yehoshua* 7:6). However, the *Kamarna Rebbe* writes that one should not put his head down because *nefilas apayim* is a *sakanah gedolah*, and one needs the merit of the Sefer Torah to be protected (*Shulchan HaTahor* 131:8). He also writes that one should also be in a *tzibur*, which fits with the story about the *Bnei Yissaschar*. However, the *Mishnah Berurah* (ibid.) writes that all agree that if there is a Sefer Torah there, a lone person can do *nefilas apayim*.

<sup>14</sup> The *Kamarna* (131:3) clearly writes that there is *nefilas apayim* at Minchah.



according to some). It seems that something is missing from the explanation attempted in that *sefer*.<sup>15</sup>

What should you do if you happen to be at such a minyan? If the minyan is led by a *Rav* who is a *talmid chacham*, you should certainly not be disrespectful and put your head down for *tachanun*. But there is no reason why you should not just say the words of *tachanun*. And if you are at some express minyan factory without a *talmid chacham* in sight, you should say a regular *tachanun* there. Either way, unless you have a clear *mesorah* not to follow the *Mishnah Berurah*, *Aruch HaShulchan*, *Baal HaTanya* et al., you should try to find another place to daven next time. א

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<sup>15</sup> Perhaps it means to add that the *tumah* has gotten stronger or our *kavanah* has gotten weaker since the times of the *Arizal*. But this would not be a good basis for someone who follows the rulings of the *Mishnah Berurah*, *Aruch HaShulchan* et al. to change his *minhag*.

## The *Gabbai Sheni*

The *gabbai sheni* generally serves some or all of the following services: covering the Sefer Torah between *aliyos*, following the *keriah* in his Chumash with the person who had the previous *aliyah*, and giving out *hagbah* and *gelilah*, etc. The question we will discuss is whether this is just a convenience that can be disregarded or a necessary functionary for *Kerias HaTorah*.

### Two Men

The *Yerushalmi* in *Megillah* (beginning of 4:1) relates that R' Shmuel bar Rav Yitzchak once entered a shul during *Kerias HaTorah*, where he saw the “chazan standing and reading.” He told the chazan, “It is forbidden for you to read the Torah without anyone standing next to you.” כָּשֶׁם שְׁנִיתָנָה עַל יְדֵי סָרְסוּר כִּן אֶנוּ צָרִיכִין לְהוֹזִי בָּהּ עַל יְדֵי סָרְסוּר, *for just as [the Torah] was given by means of an intermediary [sirsur], so must we deal with it by means of an intermediary*. That is, Hashem gave the Torah to the Jewish people through Moshe.<sup>1</sup> Therefore, someone reading the Torah must have someone standing next to one.

There is a dispute among the Rishonim pertaining to the role of this *sirsur*. According to *Tosafos* (*Bava Basra* 15a), he is what we call the *gabbai*, the one who call up people to read from the Torah. The *Rambam* (*Hil. Tefillah* 12:7, as explained by *Kesef Mishnah*) understands it to be referring where the *baal korei* got the *aliyah*. In this case, he should not stand alone while reading the Torah. This is *paskened* by *Shulchan Aruch* (141:4).

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<sup>1</sup> The *Mishnah Berurah* quotes the *pasuk* where Moshe Rabbeinu describes to the Jewish people the revelation at Sinai (*Devarim* 5:5), אֲנִכִּי עֹמֵד בֵּין ה' וּבֵינֵיכֶם בַּעַת הַהוּא לְהַגִּיד לָכֶם אֶת דְּבַר ה' כִּי יִרְאַתֶּם מִפְּנֵי הָאֵשׁ וְלֹא עֲלִיתֶם בְּהָר לֵאמֹר, *I was standing between Hashem and you at that time, to relate to you the word of Hashem; because you were afraid of the fire and you did not ascend the mountain, saying.*

Either way, we now have a source that there should be two people standing at the *bimah* during *laining*. According to *Tosafos*, they are the *gabbai* and the *baal korei* (who got the *aliyah*). According to the *Rambam*, they are generally the *baal korei* and the *oleh*; but if the *baal korei* got the *aliyah*, someone should stand with him to have a *sirsur*.

### Three Men

The *Mishnah Berurah* (141:16, quoting the *Levush*) adds that in addition to the *sirsur*, the custom is to have the *gabbai* or the one who bought the right to the mitzvos (i.e., in a place where they auction off the *kibudim*) stand at the *bimah*. He represents Hashem, in that he can decide who should get the *aliyos*; the *baal korei* represents Moshe, the *sirsur*; and the one who received the *aliyah* represents the Jewish people who received the Torah.<sup>2</sup>

The *Mishnah Berurah* adds that there is also an old *minhag* to have three men by the Torah, based on *Meseches Sofrim* (14:9), which gives a different reason for the three. That is, it is not proper for the *chazan* to stand alone reading the Torah; rather, there should be someone to his right and to his left, representing our three *Avos*, Avraham, Yitzchak, and Yaakov.

According to the *Kol Bo* and *Orchos Chaim*, the *gabbai* should be to the left of the *baal korei*, and the one receiving the *aliyah* to the right of the *baal korei*. This fulfills the *pasuk* (*Devarim* 33:2), מִיְמֵינוּ אֵשׁ דָּת, לָמוֹ, *From His right hand He presented the fiery Torah to them*.

*Siddur Beis Yaakov* (*Hotzaas Sefer Torah* §28) has yet another version of the *sirsur*. That is, the *baal korei* represents Hashem; the one getting the *aliyah* represents the Jewish people; and the *gabbai* represents Moshe Rabbeinu.

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<sup>2</sup> The *Mishnah Berurah* further quotes *Shaarei Ephraim*, who writes that since the *gabbai* represents Hashem, it is important to have an appropriate person to serve at this role. See there at length.

*Sefer Gan HaMelech* (§51) writes that the one receiving the *aliyah* represents Hashem and the *baal korei* is the *sirsur*. Accordingly, he writes that if the *baal korei* received the *aliyah*, someone should stand next to him to be the *sirsur*. (It seems from there that this is in addition to the *gabbai*.)

#### **Four Men**

At this point, we recognize three men who should be present during *Kerias HaTorah*: the *baal korei*, the one getting the *aliyah*, and the *gabbai*. There does not seem to be a need for a *gabbai sheni*.

However, the Kamarna Rebbe writes that there should be four men standing at the *bimah*, without giving a reason (*Shulchan HaTahor* 141:3). I thought the reason might be as follows: Since nowadays the person receiving the *aliyah* does not necessarily read the Torah, perhaps the *baal korei* and the *oleh* together represent what would be if the *baal korei* was the one who received the *aliyah*. Instead of saying that he plays two roles – Moshe and the Jewish people – he is only Moshe, and another person should stand there to represent the Jewish people. Similarly, the combination of a *baal korei* and an *oleh* together count only as Moshe, and a fourth person is needed to represent the Jewish people.

This explanation will not work with the Rishonim who already write about the current way we *lain*, yet require only three men. But perhaps there is another justification to have a fourth person at the *bimah*, based on a dispute among the Poskim regarding the proper formation of the three.

The *Aruch HaShulchan* (141:7) writes that we are careful to have men stand on either side of the *oleh*, the *baal korei* on one side and the *sgan* (*gabbai*) on the other. In this way we replicate the giving of the Torah, with Hashem, Moshe, and the Jewish people.

However, *Siddur Beis Yaakov* (end of *Hil. Kerias Hatorah* §13) writes that the *baal korei* should stand in the middle, with the *oleh* to his right and the *sgan (gabbai)* to his left. And he concludes with the warning, ולא יהרסו מצבם שעונם גדול מנשוא.<sup>3</sup>

We are now faced with conflicting views of whether the *baal korei* or the *oleh* should be standing in the middle.<sup>4</sup> Perhaps it is for this reason that there should be a *gabbai* on each side of the *bimah*. In this way both the *baal korei* and the *oleh* are standing in the middle.<sup>5</sup>

Alternatively, there are times when the *baal korei* himself is the *oleh*, in which case someone would need to stand to his right. By having a *gabbai sheni* there at all times, there will not be any confusion in such a case.

### Five Men

Assuming the shul has a *gabbai sheni*, there will usually be five men standing at the *bimah* during *Kerias HaTorah*.

This is based on the *Rama* (141:7) who rules that the *oleh* should not leave until the next *oleh* has arrived at the *bimah*. The *Mishnah Berurah* there (§26) writes that the custom is to wait until the next *oleh* has recited the *berachah*. And those who are scrupulous are concerned that they will not hear the *laining* properly if they are walking to their seat, so they wait at the *bimah* until the next *aliyah* has ended and leave *bein gavra legavra*.<sup>6</sup>

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<sup>3</sup> This is the *lashon* of *Rashi* (*Shemos* 19:21) regarding the formation at *Kabbalas HaTorah*.

<sup>4</sup> These can be tied to the differing views of who the *sirsur* is, but that is beyond the scope of this article.

<sup>5</sup> See *Piskei Teshuvos* note 9 for such an approach. But we should add that according to the *Aruch HaShulchan* there should clearly be a *gabbai* on the right side of the *oleh*.

<sup>6</sup> It is unclear to me whether this includes waiting for the *oleh's* last *berachah*. But R' Roman Kimelfeld pointed out that before leaving the previous *oleh*

Based on this custom, there will be five men at the *bimah*: from left to right – *gabbai*, *baal korei*, *oleh*, previous *oleh*, *gabbai sheni*. At this point, there would certainly be no need for the *gabbai sheni* to be standing there.

However, we will end as we began: The *gabbai sheni* generally serves some or all of the following services: covering the Sefer Torah between *aliyos*, following the *keriah* in his Chumash with the person who had the previous *aliyah*, giving out *hagbah* and *gelilah*. 🕯

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gives the current *oleh*, the *baal korei*, and *gabbai* a *yasher koach*, so he would have to wait for the *oleh* to finish his *berachah*.



## My Year in the Mir

### Rabbi Abba Zvi Naiman

I have used this forum to discuss the experiences I was *zocheh* to have with various Gedolim. This year, I would like to talk about my year in the Mir, over 45 years ago. My focus with be R' Chaim Shmuelevitz, *z"l*, whom I was able to hear and learn from up to seven times a week, as you will see.<sup>1</sup>

Although R' Chaim gave an outstanding *shiur kelali* every week, in which he would ask many seemingly random questions and then answer them with one *yesod*, his most popular offering was his weekly *shmuez*, which was attended even by those who did not learn in the Mir, including a large contingent from Brisk. The Bais Medrash was so crowded that you had to have a *makom kavua* to be able to sit for the *shmuez*.<sup>2</sup>

I'd like to share several of the things I heard in the *shmuezim* that had an impact upon me. Many of you have heard them from me over the

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<sup>1</sup> Of course, R' Nochum Partzovich, *z"l*, was a major attraction in the Mir. I started the year in his shiur, but this was the year his health turned for the worse, and he was out of action for most of the year.

I should add here that when coming to the Mir (or any Yeshivah, for that matter), you present the Rosh HaYeshivah introductory letters from your Rosh HaYeshivah and Rabbeim. I, of course, took a letter from the Baltimore Rosh HaYeshivah, R' Yaakov Yitzchak Ruderman, *z"l*, and presented it to R' Chaim. He read it, and put a short note on the bottom to R' Nochum: נא להבחין, *please test him*. I dutifully went to R' Nochum who read the letter without much reaction. I then gave him a personal letter from my tenth grade Rebbe, R' Boruch Milikowsky, *z"l*, an *alter Mirrer*, who knew R' Nochum from the old country. This triggered a big smile, and I was immediately admitted to the Yeshivah.

<sup>2</sup> The Yeshivah itself was much smaller in those days. The "Main" had not yet been expanded, and there were no other buildings other than the "Main." Obviously, it was not called "Main" in those days.



years in our Bais Medrash, but I feel that they are still worth putting into writing.<sup>3</sup>

- I'll start with the fact that when I was in the Mir, there were three years of *shmuezin* – 5731 through 5733 – available in print (copied from a typewriter). Since it was sometimes hard to understand R' Chaim's speech, many of us would look through these volumes before the weekly *shmuez*. He knew about it and was concerned that we would not pay full attention to what he was saying because we had already supposedly read it. He would say, "If you think you already know the *shmuez*, it's a *rayah* that you *don't* know it. Every time I speak I have something different in mind. Do you want Hashem to tell you that He's already heard your *Shemoneh Esrei* yesterday? You mean something different today!"
- At the beginning of the *zman*, he talked about the different strata of creation. We know there are the four levels of *domeim*, *tzomei'ach*, *chai*, and *medaber*. He would mention that the *Kuzari* added a fifth level, that of a *Yehudi*. R' Chaim would then say there is even a higher level, that of a yeshivah *bachur*. And we would then conclude that the very highest level is "a Mir yeshivah *bachur*."
- He would mention his famous *tefillah* at *Kever Rachel*. Hashem tells *Rachel Imeinu*, מְנַעֵי קוֹלֶךָ מִבְּכִי וְעֵינֶיךָ מִדְּמָעָה, *Restrain your voice from weeping and your eyes from tears* (*Yirmiyah* 31:15). R' Chaim would say, "Ober, *ich zog, vein*

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<sup>3</sup> I'm always amused about the time I said over something from R' Chaim and someone in the shul wanted to corroborate my point by saying that R' Yissocher Frand had said the same thing in his shiur. My response was that I heard R' Chaim say it in person, and R' Yissocher presumably heard it from the tape of the *shmuez* that I had brought back from Eretz Yisrael and placed in the yeshivah's tape library.

*Momme vein* (But I say Cry, Momma, Cry)! But perhaps not as well-known is his relationship with the *Ohr HaChaim HaKadosh*. If R' Chaim would disagree with him in a *shmuez*, he would say that next time he goes to *kever*, he will ask for *mechilah*.

- His humility was evident when he gave an example about how powerful *negiyus*, bias, is. He said when *bachurim* come from America, he would ask them who they speak out in the *shiurim*. When they answer “R’ Chaims,” R’ Chaim said, “I know they mean the Brisker R’ Chaim, and not me; but it still makes me feel good when they say they are learning R’ Chaims.”
- He spoke about the Gemara in Succah (28a), where R’ Eliezer says that he never said anything he had not heard from his *rebbe*. But R’ Chaim asked from places that prove that R’ Eliezer would teach things that had never been heard before. R’ Chaim explained that if someone just repeats everything his *rebbe* said, he’s not a *talmid*; he’s a *meturgeman*! (In English, we would say he’s a tape recorder.) What the Gemara means is that before he would say anything, R’ Eliezer would think whether this is what his *rebbe* would do.<sup>4</sup>

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<sup>4</sup> I’d like to add here that in the middle of the year, my first-Seder *chavrusa* left to America for *shidduchim*. I was left without a *chavrusa* until shortly afterward I saw someone I knew was from Baltimore walk into the Bais Medrash. It was R’ Dovid Gottlieb, who had come to Eretz Yisrael for a Sabbatical. His neighbors in Geulah did not know that this Bostoner chasid would lecture at nights at the university as part of his agreement with Johns Hopkins.

One time, the Bostoner Rebbe came to town (long before he established his *kehillah* in Har Nof; I don’t think Har Nof was even built yet). He was tired and for Shabbos he wanted a private *tisch* at the Gottliebs with just a minyan of men. I, of course, was one of the guests. Some of the locals did hear about it and came in. I remember the Rebbe spoke about the *maaseh* with Pinchas,

- Another important lesson I learned was from his explanation of the meeting Pharaoh had with Yisro, Bilam, and Iyov, seeking their advice about his treatment of the Jewish people. Without getting into too many details, Iyov was quiet, presumably because he knew protesting would not help. As punishment, he was stricken with all the suffering one can imagine. R' Chaim explained the *middah keneged middah*. Iyov was quiet because protesting wouldn't help. Did his screaming from pain help the pain go away? Of course not! We learn from this that even if we cannot change a situation, we should not ignore it; we must feel the pain.
- Finally, I'd like to say over his famous *shmuez* about the *chulda* and the *bor*, [the weasel and the pit]. The Gemara states simply that if one who trusts in a *chulda* and a *bor* has his trust honored to such an extent, all the more so is someone who trusts in Hashem. *Rashi* explains the story: A girl, while on her way home, fell into a pit. A boy came by and promised to rescue her on condition that she marry him. The girl consented, and they made the pit and a passing weasel witness to their agreement. However, the boy left and married another woman. He had two sons from this woman; the first was killed by a weasel, the second fell into a pit and died. When his wife inquired of her husband why such unusual misfortune had befallen them, he remembered his promise to the girl he had saved.  
R' Chaim explained that through considering the *bor* and the *chulda* to be effective witnesses, the boy empowered them with that ability. The Gemara thus teaches that if

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and he derived from there that a true *talmid* has to think on his own, and not just blindly follow whatever his *rebbe* tells him.

we rely upon Hashem, all the more so he will *Kaviyochel* be empowered to help us. R' Chaim added to us, "When you believe I'm going to give a good *shmuez*, I'm able to do it easily; but when you don't think I will, it is very difficult for me to think of something."<sup>5</sup>

As I mentioned in the beginning, there were many opportunities during the week to hear R' Chaim, in addition to the *shiur kelali* and *shmuez* given in the Bais Medrash. These were various *vaadim* he gave in his modest apartment in the Yeshivah building. Most times there were only enough of us to fit around his Shabbos table. I could have sat right next to him many times, but I was too nervous to do it, so I sat one seat away.

My favorite opportunity was the private *chaburah* in his home on Erev Shabbos. In those days, there was no *seder* on Erev Shabbos, which was reserved for the "cleaning crew" to *sponga* the floor of the Beis HaMidrash. There was therefore only a small pool of *bachurim* to join the *chaburah*. So when I was asked to join the few *bachurim* for this *chaburah*, I happily agreed. Besides the more private atmosphere, R' Chaim was more open about certain things. I'll give you an example of what I heard there, which I don't think is printed in any of his *sefarim*.

He had given his famous *shmuez* about the *bor* and the *chuldah* (see above). On Erev Shabbos, he added, "Do you think the Chasidic Rebbes are bigger *tzaddikim* than I am? *Chas veshalom!* The reason they can do *mofsim* is because their *chassidim* believe in them. If you believed in me, I could do *mofsim*, too!

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<sup>5</sup> I think many of us have the experience of being asked questions with various motives. When the person truly thinks we have the information he needs and is therefore asking, it is easy to answer. But if he is actually testing us, wanting to see if we really know something, it becomes harder to come up with the answer.

Shabbos was special in the Mir. Very few *bachurim* stayed in Yeshivah for Shabbos, perhaps 20-30. There was one table that wanted to have some *keviyus* with the same *bachurim* sitting there every week. I did not have too many places to go on Shabbos, so I readily agreed to an invitation to sit at the *kevuah* table. And I was thus *zocheh* to spend every Shabbos with *bachurim* who later became R' Asher Arieli, *shlit"a* and R' Yitzchak Berkowitz, *shlit"a*, among other *chashuva bochurim*.<sup>6</sup>

Another highlight of the Shabbos *seudah* was the *shmuez* we would hear after the *seudah* on *leil* Shabbos from R' Yitzchak Zilber, *z"l*. His wife was the yeshivah cook, so he would come to pick her up after the food had been served. He took that opportunity to talk to us in the dining room. I will admit that my *Yiddish* was not strong enough to understand all his stories, but just seeing him every week, knowing what he had gone through, gave me *chizuk*.<sup>7</sup>

We knew of R' Zilber's *chashivus* from the story going around. When he and his son came to the Yeshivah from the Soviet Union, they went to the home of the Rosh HaYeshivah, R' Beinish Finkel. One night R' Beinish heard noise downstairs, and he went down to find them dancing. When he asked them what they were dancing about, they replied that they had just seen the *Ketzos* in his bookcase, and they

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<sup>6</sup> I often wonder if I had stayed in the Mir, could I have become as *chashuv* as those who were fortunate enough to stay?

<sup>7</sup> I will get off the topic here to talk a little about my *Yiddish*. When I came to the Yeshivah, one of the men I had to interview with was the Mashgiach, R' Aharon Chodosh, *z"l*. He was nervous to accept me because I could not speak *Yiddish*, and I would not be able to understand the *shiurim*. But somehow I conveyed to him that even though I was not fluent in *Yiddish*, I had heard *shiurim* in *Yiddish* in Baltimore from the Rosh HaYeshivah, *z"l*, and R' Yaakov Kulefsky *z"l*. Of course, the rest is history; I was accepted (see note 1 about my experience with R' Nochum, *z"l*) and became very close to the Mashgiach. I was invited to his home on Shabbos, and on my visits to Eretz Yisrael, I would be sure to see him; and he already remembered me, asking how things were in Baltimore.

were so overjoyed that the *sefer* that had been so hard to come by in the Soviet Union was now readily available to them.

Another Shabbos opportunity was the *minhag* from the old country for there to be a *shmuez* in R' Chaim's apartment before Maariv on *leil* Shabbos and after *shalosh seudos* before Maariv on *Motza'ei Shabbos*. Again, there were no big crowds coming, and most of the time everyone fit around his table. We had a glimpse of the this *gadol* as a real person when he would wipe the nose of one of his grandchildren in the playpen on his way to his seat at the head of the table.

A consequence of the *Kabbalas Shabbos shmuez* was that there was no public *tefillah* of *Kabbalas Shabbos* in the Bais Medrash. *Davening* would begin with *Borchu*, and the *bachurim* would go through *Kabbalas Shabbos* on their own. In the middle of the year, someone decided to add more *ruach* to our *Kabbalas Shabbos*, and davened out loud from the *Bimah*, even singing *Lecha Dodi*, in time to finish before the *shmuez*. Lest R' Chaim come up for some reason, there was a *bachur* stationed at the steps to signal him to stop if need be.<sup>8</sup>

And then there was just the opportunity to see R' Chaim learning in the Bais Medrash every Shabbos morning. Shacharis was early enough to make the *Magen Avraham's zman* for *Kerias Shema*, so it was too early to have the *seudah* after *davening*. Instead, we made kiddush in the dining room and then came upstairs to learn before the *seudah*. R' Chaim, too, would come into the Bais Medrash, walk to the front, take off his *kapote*, twirl the long curtain covering the window to let the sunlight in, and sit down and learn. I still see this routine in my mind's eye.

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<sup>8</sup> I should mention that R' Abba Spetner, whom I knew from the Mir, visited Baltimore a few years ago, and I related this memory to him. But he insisted that already in his time, several years before my year in the Mir, they were already saying *Kabbalas Shabbos* publicly. Perhaps, this custom had been stopped in between. I don't think either of our memories are faulty.

If you have been counting, you now know about the weekly *shiur kelali* and *shmuez* in the Bais Medrash, the two *vaadim* in his home on Shabbos, and the private *erev* Shabbos *vaad*. But I mentioned in the beginning that I could hear R' Chaim seven times a week, and these add up to only five. The last two were a *lomdus vaad* and a *mussar vaad* he gave weekly in his apartment on the nights when there was no *shiur kelali* or *shmuez*. Of course, he did not speak all seven times every single week, but the opportunities were very, very regular.

I will close with my departure from the Mir. Of course, I could not leave without receiving *reshus* from R' Chaim. He spoke very often about how you have to have *derech eretz* to ask *reshus* to leave. The *Bnei Yisrael* even had to ask *reshus* from the evil Pharaoh to leave Mitzrayim. When I arrived to ask *reshus*, R' Chaim was learning with his *chavrusa* in his apartment. I mentioned that I was taking ten sets of his *sefarim* (see above) to America. He asked me when I was coming back.

[Here, I will digress a little to say that in those days very few *bachurim* came from Ner Yisrael to learn in the Mir. My year, the only other one who came was my *chavrusa*, R' Yoel Yankelevitz, who was just married (and was my future *shadchan*, *bs"d*). So when I wanted to go to the Mir, I asked the Baltimore Rosh HaYeshivah *reshus*, and he said I could go for a year. So I knew along that I was only allowed to stay for a year. Back to R' Chaim.]

I didn't know exactly how to answer R' Chaim's question, so I said something like "I don't know when I'm coming back." He replied, "You don't know *when*, or you don't know *if*!" I certainly did not want to lie, so I said "if." He asked me if I was at the *shmuez* the day before, and I nodded. He said something like, "Go; שׂאדם הולך מוֹלִיכִים אוֹתוֹ (a person is led in the path he wishes to take)." Now, this is what Hashem had told Bilam when he wanted to go to Balak, so it was not the greatest *berachah* in the world. R' Chaim's *chavrusa* came to my

rescue and told R' Chaim, "give him a decent *berachah*," which R' Chaim, of course did.

We must always realize that Hashem is in charge, and the *hashgachah* certainly placed me in *chutz laaretz* (or *chu"l*, the way it is abbreviated today like everything else). Yet, the year I was *zocheh* to learn in *Artzeinu HaKedoshah* is always with me, a central part of my life. אֱלֹהֵינוּ



## The First Printing of *Sefer Derech Hashem*<sup>1</sup>

**Abba Zvi Naiman**

*Chazal* tell us that everything has its *mazal*, even a Sefer Torah in the Aron HaKodesh. I would therefore like to relate the exquisite *hashgachah pratis* through which the *Sefer Derech Hashem* of the Ramchal was first printed in 5656 (1896), over 150 years after his death in 5504 (1704).

### **Part I: Ets Haim,<sup>2</sup> Amsterdam**

Since the Ramchal composed his *Derech Hashem* while living in Amsterdam from 5495-5503 (1735-1743), it will be worthwhile to begin with some background information about the city, especially the Ets Haim Yeshiva there, which houses the oldest extant Jewish library in the world, and which is where the Ramchal studied while in Amsterdam.

As a result of the Inquisition in Spain and Portugal, many Jews who were forcefully converted to Christianity (conversos) fled to cities such as Antwerp and Amsterdam. At the end of the 16th century the first conversos settled in Amsterdam, and three Sephardic congregations were founded there soon after.

The first, Beth Jacob, was established in 1597. The *hashgachah* here is that a converso named Jacob Tirado sailed from Portugal with other conversos in a vessel that went off course and landed in Emden, Germany. At that time, R' Moshe Uri HaLevi was a teacher and rabbi for the small Ashkenazi Jewish community there. He advised Jacob to travel with his companions to Amsterdam. After his arrival there, he kept mitzvos openly

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<sup>1</sup> This is an enlarged version of the *Mavo* in our newly published ספר דרך ה' ומאמר העיקרים. Because of the difference in nature between a work written in *lashon hakodesh* and one written in English, each version contains information not found in the other.

<sup>2</sup> This is the way the institution in Amsterdam is spelled. The pronunciation is, of course, Etz Chaim.

and acquired a house on the Houtgracht canal, which he transformed into Amsterdam's first synagogue. Services began on Rosh Hashanah in 1597, and the shul was called Bais Yaakov – “the house of Yaakov” Tirado. Later, R’ Moshe Uri himself moved to Amsterdam where he served as a Rabbi and *shochet*, while his son Aaron was the *chazan*.

The shul hired the Sepharadi Chacham Yosef Pardo from Italy, who served there for many years.<sup>3</sup> Another step in the *hashgachah* was when R’ Shaul Levi Morteira became Chacham in 1616. At the age of thirteen he had accompanied the converso physician Elijah Montalto to Paris<sup>4</sup> and served as his secretary at the Louvre until 1616. When Montalto died, R’ Shaul escorted his body from France to Amsterdam, where he remained and became the new Chacham of Beth Jacob. That same year, Beth Jacob founded a school, called “Talmud Torah,” for the conversos who settled in Amsterdam, in order to provide a Jewish education for them.<sup>5</sup> Part of this school was the library Ets Haim, and over the years the school and library were both called Ets Haim.

We now have the beginnings of the Ets Haim organization, but to make the story complete, we will briefly describe the other two Sepharadi congregations that formed in Amsterdam.

Neve Shalom was founded by Isaac Franco Medeiros<sup>6</sup> in 1608. Its first three rabbis were: R’ Yehudah Vega (in office from 1608 until his

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<sup>3</sup> He financed the publication of *Bereishis Rabbah* with the *Yefeh To'ar*. Two of his *bakashos* are printed in *Imrei Noam* (Amsterdam 1628, pp. 158-159).

<sup>4</sup> Montalto became the personal physician of Maria de Medici, the second wife of King Henry IV of France of the House of Bourbon.

<sup>5</sup> We assume that R’ Shaul had something to do with this new school and its library. We will hear more about him below.

<sup>6</sup> At the beginning of the 17th century, he ran his sugar business from Amsterdam, maintaining a series of connections and relatives in the Brazilian and Portuguese ports. [<https://brasilhis.usal.es/es/personaje/isaac-franco-mendes-alias-francisco-mendes-medeiros-de-medeiros>]

departure for Constantinople in 1610);<sup>7</sup> R' Yitzchak Uziel of Fez (1610-1620);<sup>8</sup> and R' Menasheh ben Yisrael (1620).<sup>9</sup>

Ten years later after the founding of Neve Shalom, a third congregation, called “Beth Yisrael” was formed under the leadership of the merchant David de Bento Osorio.<sup>10</sup> R' David ben Yosef Pardo (c. 1591 – 1657)<sup>11</sup> was the first Rabbi. R' Yitzchak Aboab da Fonseca was installed in 1626 at the age of 21.<sup>12</sup>

On April 3, 1639 the three congregations combined to form the congregation Talmud Torah, which later came to be known as the Portuguese Jewish Congregation.<sup>13</sup> The first Chacham of the merged congregation was R' Shaul Levi Morteira, who had been the Chacham of Beth Jacob (see above). He now founded the Keter Torah school, where he taught the highest class. We have five hundred of his *derashos* that were published by his *talmidim*



<sup>7</sup> He was author of *Malchei Yehudah* [available on Hebrewbooks.org].

<sup>8</sup> He was the author of *Maaneh Lashon*, a 16-page *sefer* on *dikduk* [available on Hebrewbooks.org].

<sup>9</sup> R' Menashe studied under R' Uziel, and when R' Uziel died, R' Menashe took over his position.

<sup>10</sup> For his fascinating biography, see <https://www.valsheppard.com/sephardic-jewish-ancestry>.

<sup>11</sup> Not to be confused with the Italian R' David Pardo (1719-1792), the *mechaber* of *Chasdei David* on the *Tosefta* et al.

<sup>12</sup> He was a student of R' Uziel in his early years. In 1642, he became the first Rabbi for the 600 Jews in Recife, Brazil. In 1654, the Dutch colony had to surrender to the Portuguese and R' Yitzchak returned to Amsterdam, where he was reappointed as Chacham. We will hear more about him below.

<sup>13</sup> <https://jck.nl/en/longread/portuguese-synagogue>

in Amsterdam in 1645 in a work called *Givat Shaul*.<sup>14</sup> He was *niftar* in 1660.

Other Chachamim of this merged congregation were R' David Pardo, R' Menashe ben Yisrael, and R' Yitzchak Aboab da Fonseca (after his return from Recife, Brazil in 1654 until his *petirah* in 1693).

R' Yaakov Sasportas, one of the major opponents of Shabsai Tzvi *sr''y*, came to Amsterdam in 1673, where he taught at the Keter Torah Yeshiva.<sup>15</sup> After a brief stay as a Rosh Yeshiva in Livorno between 1678 and 1680, he returned to Amsterdam in the fall of 1680, where he lived for the final eighteen years of his life. He became Rosh Yeshivah of Ets Haim around 1683,<sup>16</sup> and in 1693, after the death of R' Yitzchak Aboab da Fonseca, he became the Chacham of the Portuguese community.

Backtracking a little: From the latter half of the seventeenth century, Jews were permitted to build synagogues that were visible as such from the street. The Jewish Quarter soon acquired two impressive shuls: the Great Synagogue (1671)<sup>17</sup> and the Portuguese Synagogue (1675), also known as the Esnoga (related to the English word “synagogue”).<sup>18</sup> The Ets Haim school and library moved to the Esnoga, and it has occupied premises within the monumental complex of the Portuguese Synagogue in Amsterdam uninterruptedly since then.

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<sup>14</sup> R' Chaim Brisker gave his *haskamah* to the second printing in 1901, noting that we can recognize the *gadlus* of the *mechaber* from what *Be'er HaGolah* writes about him in *Even HaEzer* (16:4).

<sup>15</sup> He had accompanied R' Menasheh ben Israel to London in 1655. When a plague broke out in London in 1665, he went to Hamburg, where he officiated as rabbi until 1673. He wrote *Tzitzas Novel Tzvi* against Shabsai Tzvi in 1666, and *Teshuvos Ohel Yaakov*.

<sup>16</sup> *Teshuvah* §60 in *Ohel Yaakov* recounts discipline problems he had at Ets Haim.

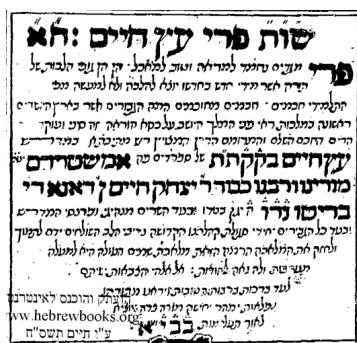
<sup>17</sup> The first Ashkenazim who arrived in Amsterdam were refugees from the Chmielnicki Uprising in Poland and the Thirty Years War. They *davened* at the Great Synagogue, which stood opposite the canal of the Esnoga.

<sup>18</sup> <https://jck.nl/en/longread/portuguese-synagogue>



Esnoga on left with Ets Haim in front; across the canal on right is the Great Synagogue

Back to the Chachamim: The successor of R' Yaakov Sasportas was R' Shlomo ben David de Oliveyra (died 1708).<sup>19</sup> He was followed by Solomon Judah Ayllon who died in 1728. After his death, R' David Yisrael Atias (died 1753) and R' Yitzchak ibn Dana di Britto (died 1760) were chief rabbis together. During their decades-long tenures, the Ets Haim yeshiva deepened its Talmudic and halakhic curricula and trained students to serve as rabbis in an expanding Western Sephardic diaspora. Members of the yeshiva manifested their rabbinic aspirations in *Peri Ets Haim*, a serial publication of halakhic rulings on issues



<sup>19</sup> He was the author of *Darchei Noam* (<https://www.hebrewbooks.org/42077>) among other sefarim. He also, in 1699, introduced a rule that the pupils of the highest class of Ets Haim yeshiva should work out legal decisions every month.

broadly relevant to the community. Under the direction of R' Yitzchak, who served as *rosh yeshiva* of the Ets Haim, teachers and advanced students (many of whom became the next generation's instructors) produced approximately four hundred *pesakim* in the periodical.<sup>20</sup>

After R' Yitzchak Britto's death the rabbinate remained vacant for a short time. In 1762 Chacham Shlomo Shalem (born at Adrianople 1717, died 1781) was called from Sofia to Amsterdam. He presided in the rabbinate nearly twenty years, and became well known as an author.<sup>21</sup> His successor was Chacham David HaCohen de Azevedo (installed 1782, died 1792),<sup>22</sup> who was followed by his son Daniel (installed 1792), during whose period of office the emancipation of the Jews in Holland took place.<sup>23</sup>

Upon the death of Chacham Daniel HaCohen de Azevedo (1751–1822), the congregation appointed no Chacham, but a Bet Din. Among the members of this court was R' Raphael Montezinos, about whom we will hear more in Part III.

We now backtrack once again to the year 1735, when the Ets Haim and the Ets Haim Yeshiva were led by R' David Yisrael Atias and R' Yitzchak ibn Dana di Britto. At that time the Ets Haim Yeshiva also maintained two smaller sister yeshivos, Emes LeYaakov and Ohel Yaakov. They had been established by a wealthy gem merchant Jacob Pereira, who placed them under the auspices of Ets Haim in 1675.

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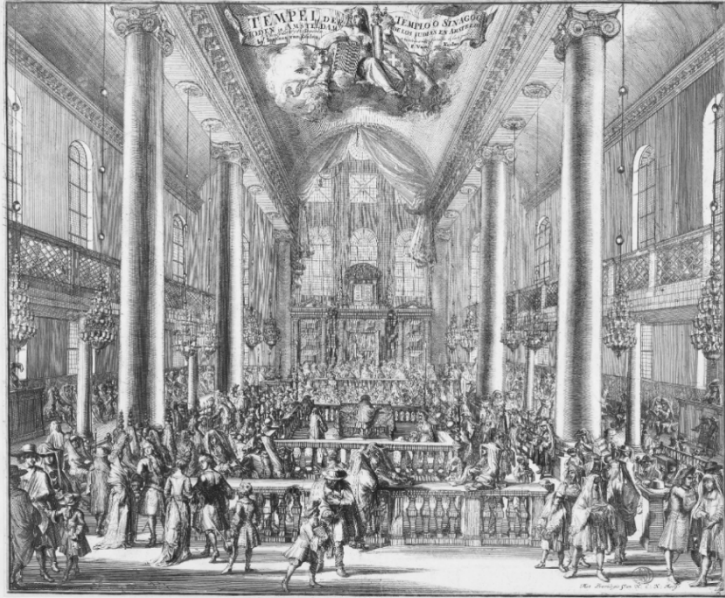
<sup>20</sup> David Sclar.

<sup>21</sup> While staying in Amsterdam to supervise publication of his work *Shoneh Halachos*, he was chosen by the Portuguese congregation as their Chief Rabbi. He later authored *Lev Shalem* (1773), a list of sources for Maimonides' code. See also <https://www.kestenbaum.net/auction/lot/auction-31/031-167/> for a poem written for his installation.

<sup>22</sup> He wrote one of the *haskamos* to the *sefarim* of the Ramchal (*Derech Chochmah* et al.) that were printed in Amsterdam in 1783.

<sup>23</sup> <https://www.jewishencyclopedia.com/articles/1442-amsterdam>

The *hashgachah* now had put in place a Yeshivah in which the Ramchal could study, a shul where he could *daven*, and *talmidei chachamim* with whom he could speak when he would eventually arrive in Amsterdam after tumultuous years in Padua.



Above: Interior of Esnoga in 1695, shortly before the Ramchal's arrival  
Below: R' Moshe Shapira z"l at the Ets Haim Library, several years ago







On *Erev Shavuot* of that year, the Ramchal sent a letter to his Rebbe R' Yeshayah Bassan mentioning the recent death of his father-in-law, R' David Finzi, and his sorrow in leaving his wife and son behind for now. However, he said this was *gam zu letovah* from Hashem. The elders of the community were giving him great honor, considering him like a man who was wise of heart. They were showering him with greater love than they had expressed to newcomers for years. They had given him a place in the Yeshiva, and support for him to live there with his family.<sup>27</sup>

A few months later, on Rosh Chodesh Elul, the Ramchal sent another letter to his Rebbe.<sup>28</sup> In it, he writes how he is honored by the Sephardim, who show him love as if he were their child. Hashem had increased His *chesed* towards him until to the point where they placed him among the heads of their yeshivah.

Two months later, 11 Marcheshvan, 5496, the Ramchal wrote to his disciples in Padua how his parents, wife and son had joined him along with his brother and sister, and how the local residents accepted his family with love.<sup>29</sup> He also wrote that he was able to, thank Hashem, spend his time with his studies.<sup>30</sup>

A few months after that letter, on 25 Teves (1/9/1736), he described to his Rebbe his learning schedule. He had certain hours dedicated to Gemara, and at scheduled times he would review the *halachos* so as not to forget

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<sup>27</sup> *Iggeres* 116. According to note 415 there, this proves that the Ramchal was able to study full time, contradicting the scholars who write that he supported himself in the gem business.

<sup>28</sup> *Iggeres* 118.

<sup>29</sup> In a letter a week later to his Rebbe (*Iggeres* 135), he mentions how his father has been accepted with great respect by the leaders of the land.

<sup>30</sup> *Iggeres* 132. Note 436 there points out again that this disproves the opinion of scholars who say that he supported himself in the gem business.

them, *chas veshalom*. The rest of his time, whatever he was able, he spent in *chachmah hekedoshah*.<sup>31</sup>

As time went on the Ramchal received further support from the community, including from the Avodas HaChesed organization, which provided him with three florins per month between 1737 and 1739.<sup>32</sup>

	Yair	Ivan	Tomy	AB	Orul	Tomy	Henna	Kidul	Shalt	Schalt	Four	Kina
Moshe Laro	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4
Moshe Henriques	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4
Moshe Rapl Canona	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3
Moshe Bannan	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10
Moshe da Bonreca	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10
Moshe Saguy	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10	1/10
Moshe Lusatto	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3	1/3

Image from <https://archieff.amsterdam/inventarissen/details/334>; Ramchal on bottom row

The respect the Ramchal received extended to the Esnoga. In 1738, he was assigned a *makom kavua* in the shul between the *amud* and the *aron hakodesh*, facing the seating platform of the community leaders.<sup>33</sup>

As we know, the Ramchal was also a talented poet. That year he was asked to compose a *piyut* to be sung for the *Chassan Torah* and *Chassan Bereishis* on *Simchas Torah* in the Esnoga.<sup>34</sup>

<sup>31</sup> *Iggeres* 146, where he adds *כי כל ישעי*, *ולבקר בהיכלו ליאור באור החיים*, *וכל חפץ*.

<sup>32</sup> <https://ramchal.net/קורות-חיי-הרמחל/אמסטרדם/>

<sup>33</sup> As understood by *ibid.*, but it is not s clear.

<sup>34</sup> *The Stay of Mozes Haim Luzzato at Amsterdam* by Dr. Jacob Meyer (Amsterdam 1947). See there also for an image of R' David Franco's description

This is a copy of the *piyut* transcribed by his *talmid*, R' David Franco Mendes. The right column is for *Chassan Torah*, the left for *Chassan Bereishis*.

לא אלים בני אלים במקהלים שאו זמורה	בסוד עדה תנו תורה לשם קדשו ולתורה
ביום טובה שמה רבה	לכלכם בלבכם
ישמח אים מריעתו	יצוה את ברכתו
באור פניו יוליך בניו	ויפרכם וירבכם
להתהלל בתהלתו	ושבאתכם אדמותו
ישלם שלם בשלוס רב	יאר כיום בגבורתו
משלים תורת אלהינו	מתחיל תורת אלהינו
יהליל מאור שמשו	מחוללים כחול לבנים
יזרח יצלה לעינינו	ירבה יראה לעינינו

Around that time, the Ramchal studied in the Medras Grande ( בית מדרש ) of Ets Haim Yeshiva, from which he collected seven florins per month.<sup>35</sup> But as noted above at the end of Part I, the Ets Haim Yeshiva also maintained two smaller sister yeshivos, Emes LeYaakov and Ohel Yaakov. The Ramchal received an additional 50 florins per year for *horaah* at the Emes LeYaakov Yeshiva in at least, 1738 and 1741.<sup>36</sup> On the next page is an image of the 5501/1741 stipend, with the Ramchal listed second in the list at the bottom.<sup>37</sup>

in 5799 of the positive impression the *piyut* made on the *tzibbur* when it was sung by the *chazanim*.

<sup>35</sup> <https://ramchal.net/אמסטרום/קורות-חיי-הרמחל/>

<sup>36</sup> Ibid.

<sup>37</sup> I don't understand Dutch or Portuguese, but on the second line you can read "Yesiba Emet LeYahakob dos Jacob pereira."

5501:

Termo da Eleição de 4. Novos estudantes que farão d' m. d. d. na Jesibá Emet LeSahacob, do Jacob Pereira, que d. tem, & Hum estudante que gozará de legado de d. Pereira, para occuparem o lugar do que legou a si hem por haver cumprido seu tempo - proximo do 8. annos, -

Em 23 Sivan / Se juntarão os 2. Parnasim & Secouzeiro de Lithaim, e m. Comp: dos R' Hamamim, Para fazerem eleição de 4. novos estudantes Para gozarem do legado do Jacob Pereira que d. tem, - Em lugar de Jacob Israel atias que faleceu como tambem para aumentar o Salario de 4. estudantes, Por haverem salido os 4. abaixo nomeados por haver cumprido seu tempo: - & Por ultimo, Para admitirem 4. novos estudantes abaixo nomeados para gozarem sua assaca pelo tempo de 2. annos, legados, que abaixo se especifica, Começando a chazar seu salario desde este dia, e depois de haverem discursado sobre os sujeitos benemeritos, tihimabele por eu solo & Galop Com Votos Competentes, os abaixo nomeados, os quaes admitirão & agradecerão o favor sellesfazia, peamita D. Leqatudo para aumento de sua Santa Ley e gloria da Salma do Jacob Pereira que d. tem

Admitido no legado AB, de David fidanque 791:13: Em lugar de Jacob Israel atias que faleceu

Admitidos na Jesibá vel Sahacob -

Hamazaren Cohen de laza de 30: em f 100: em lugar de Si: henxiq: faro que cumprira seu
Moshe haim Cohen de 50: - - - 30: em lugar de Aron Cohen de laza
Daniel Pereira - - - de 50 - - - 30: em lugar de Moshe Lopez Silzedo
David meldola - - - de 50 - - - 30: em lugar de Moshe Sepem Israel

Admitido na Jesibá Emet LeSahacob - - - Moshe haim Cohen de 50: a 50

Image from <https://archief.amsterdam/inventarissen/details/334>

As mentioned at the end of Part I, R' David Yisrael Atias and R' Yitzchak Chaim ibn Dana di Britto were the chief rabbis of the Portuguese Kehillah when the Ramchal arrived, and under the direction of R' Yitzchak, teachers and advanced students produced approximately four hundred *pesakim* in the periodical *Pri Ets Haim*. The Ramchal, though, did not seem to participate in this venture, presumably because of the limited hours he placed on his Gemara learning, as mentioned above.<sup>38</sup> Instead, his writing was focused on the many works he authored in Amsterdam, including the *Derech Hashem*.

<sup>38</sup> However, it is interesting to note that in the twelfth issue, in 1804, a piece from one of his manuscripts regarding the nature of *nevuah* is printed שלא להגיה הנ"י חלק (869 p. 174b). I could not find this passage in any of the Ramchal's printed *sefarim*, so hopefully this manuscript can still be found, *bs"d*. Also note that at least this manuscript of the Ramchal was being used in Amsterdam long after he had left. The passage is copied at the end of this section.

However, this does not mean that the Ramchal did not participate in discussions in the yeshivah. In 5513 (1753), not long after the *petirah* of the Ramchal, his colleague in Amsterdam, R' David Meldola printed a *sefer*, *Divrei David*. In his *teshuvah* about the kashrus of a pheasant (§48), he writes that when the sages of the yeshivah were discussing the issue, the Ramchal, who was then also one of the sages of the yeshivah, entered; and when they showed him the bird under question, he recognized that they were considered kosher in Italy without any question.

בעודם מדברים על הענין הנז'ל חכמי  
הישיבה ה' נכנס מעלת החכם המפורס'  
החסיד כחובב'ל משה חיים לוצאטו ו'ל  
שהיה אז הוא ג'כ אחד מחכמי הישיבה  
הג'ל וסיפרו לו כל הנז'ל ורצה לראות  
ס'אווזות כללו וכשראה אותם הכירם  
בהביטות עין והעיד עליה' שהם מאותם  
הנחב'לים בערי איטליה דנקראים  
פ'אייס'אני וז'לם היה בהם חשש איסור  
ומקסוק בדבר ונאכלו על פיוג'כ חזינו

The first *sefer* that the Ramchal brought to print in Amsterdam was his *Mesillas Yesharim*, in 5500 (1740). R' David Yisrael Atias and R' Yitzchak ibn Dana di Britto gave their warm, joint *haskamah* to the *sefer*.<sup>39</sup>

ושומע לנו ישכון בטח נס'ו : ' כ"ד העומדים על התורה וז'לם  
העבודה תוך אמוני ע"ס ק"ק ת"ת באמשטרדם בפדר ולפרט  
והט'ד'רו והחליפו י'מלותיכם ליצירה :  
דוד ישראל עטיאס : יצחק חיים ג' רנא די בריטו :

<sup>39</sup> R' David Meldola was one of the editors (מגידים) of the *Mesillas Yesharim* and wrote introductory remarks to it. His father R' Raphael Meldola gave one of the *haskamos*. [R' Raphael, an Italian Rabbi, became chief rabbi of Bayonne and St. Esprit in 1729, and he remained Chacham of these congregations until 1741. R' David went with his father to Bayonne, left that city in 1735, and settled in Amsterdam (<https://www.jewishencyclopedia.com/articles/10603-meldola>). R' Raphael's *haskamah* in 1740 states that he was the Rav of Nefutzos Yehudah in Bayonne, France, and its suburbs.]

The same is true of the second *sefer* he published in 5502 (1742), his *Derech Tevunos* (not to be confused with *Daas Tevunos*) on methods of Gemara study.<sup>40</sup>

There are many other *sefarim* that the Ramchal wrote in Amsterdam, but did not publish during his lifetime. They include *Derech Chochmah* (composed in 5498), *Maamar al HaHagados* (presumably 5498), *Maamar HaIkarim* (5498), and *Maamar HaChochmah* (5499).<sup>41</sup> He composed three more works in 5502: *Sefer HaDikduk*, *Sefer HaHigayon*, and *Sefer HaMelitzah*.<sup>42</sup> All seven were transcribed by the Ramchal's *talmid*, R' David Franco Mendes/Chofshi.

This leaves us with one last known *sefer*, the *Derech Hashem*. There is no date on the manuscript, but it was apparently written after *Mesillas Yesharim*. For when discussing love and fear of Hashem (Part IV 3:2), the Ramchal writes that these topics were already explained elsewhere. Presumably, he refers to his *Mesillas Yesharim*. And considering the pattern of his writings, it is very possible that the *Derech Hashem* was written before 5502 when the Ramchal was writing more technical works about grammar and rhetoric.

We are now ready to begin our exploration about how this manuscript was discovered and printed over 150 years after the *petirah* of the Ramchal.

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<sup>40</sup> R' David Meldola was the only editor of this *sefer*, and again writes introductory remarks. But there is no *haskamah* from his father this time.

<sup>41</sup> [See our edition of *ומאמר העיקרים* ספר דרך ה' for how we arrive at these dates.] It should be noted that this work includes commentary on the *tefillos* of the Yamim Noraim, following the Sepharadi *nusach*. This presumably is based on the Ramchal's membership in Portuguese Sepharadi Kehillah. The four *sefarim* were printed together in Amsterdam in 5543 (1783). This printing deserves a chapter of its own, but this article is already over the limit.

<sup>42</sup> *Sefer HaHigayon* was first printed in Warsaw in 5657 (1897). *Sefer HaMelitzah* was first printed in Prague in 5601 (1841), and *Sefer HaDikduk* in Brooklyn in 5754 (1993).

## שאלות וחשובות סט

דדיוקין ומתגס' דהשאל אומר דאס איזא דאסור לאכילה אדכ' אס יוכל להתחייב שחבץ אחר החליטה ימים אחרתו שישכנה לו ולא לאחר הנה דעמי נוסף דהיטעם שניטח כן את האס הוא שבזמן קרוב מבוא השמעה שבתה נחלגז מיבמה ואז חבץ ומיד ישכנה לו ואין בזה שום פירוש כלל ע"ר אס יאסם הרב הערה שמה כי"ר :

**הנה** מוכן וכול לומר דע"כ לא אחריון דאסור לכתחלה לשמרת יבס להשתדך אלא היא עצמה שלא חבגור ברות שבה אהנס בגדון דידן שאזה עצמה אינה עושה השירוך ואינה יודעת כלום כי היא ברחוק מקום אס ישכנה אביה שרי דהא טעמא לא שיהא באבזה אהנס כיון שלא ראינו בשום וקוס לאיזה פוסק שכתוב כן להראי אפינא דאין לסמוך על דיוק' :

ראש חדש אדר שנת תקס"ד לט"ק

זאס העיר **שלמה ישורון ס"ט** !

הראיה כי הנה שימוש הלשון עורר פעמים רבות על הערות ראיות בענס הענין' פי' שהנה הוצאת הפעלים בל' פעולה או הפעל יורה לפעמי' על איזה הנצח בענין המוכר' המשל לו וישמע את הקול מדבר חליו' שזמרו מדבר המ"ס בירק ולא בשבא' הנה הוא דרך כבוד לשכנה' כאלו אינו יקרו לשר דבורו אלבשר ודס באדם שמדבר עם חבירו אלא כמי שמדבר בינו לבין עמו בדרך שימעהו ולחזקו ותיגע לו ע"י זה אינו ידיע' וכן בענייניו הסעל שימש בו הלשון בענין הנבואה שזכרנו יעיר על היותו ית"ש רונה ומתגלה אל הנביא בדרך מיוחד' דרך משל' ע"י הכח הדמיוני' לא שישגיגו הנביא השנה וישרה כמובן ממלת ויראנו את אליו ישראל שורה על היותם הם משיגים הנושא כפי מה שהוא : ש' חמית שגורת כי לא יראנו האדם וזי האז גזרת מוחלטת בלי שום גבול וחילוק' ושע"כ יקשה עליך להגבילה בראית האספקלריא המאירה' אהנס אשאל נא שמך אלה' הנה שסבאותו הענין עצמו נאמר וראית את אחורי ופני לא יראו' הרי שראית את אחוריו ויתנה לו ולא נאמר עליה כי לא יראנו האדם וחי' וכי אינו גבול במאמר' תוכל עתה לומר שהאדם מוחלטת' וכללית' הנה מוכרח אתה לומר שאע"פ שהלשון מראה החלטה אין ההבנה כן' חלום אמתית הדבר שכלל ההשגה הנבואית מתחלק למינים מתחלפים' ואולם יש מין השנה נבואית שתקרא ראית פנים' והשנה אחרת שתקרא ראית אחר' וכן ראיית האספקלריא המאירה' וראית בשאלה מאירה שזכרנו ז"ל :

ואולם

**שאלה ותשובה** בדרך ויבות בין ראובן ושמעון' לוי' ס' לונאטו ז"ל שהתקתי מב' הרב המחבר ושמתי כאן שלא להניח הנייר חלק :

ראובן' שמעון :

**ר'** קשה עלי מאד תקרא שכתוב ויראנו את אליו ישראל' והב"ח אחר בעצמו לרבן של גבאים כלם כי לא יראנו האדם וחי' וחסן הייתי לשמוע תשובה נכונה ומספקת שתשקיע רעיוני בדבר הזה :

**שמעון**

דבר זה כבר חירצנו חז"ל במסכת יבמו' ל"ק כאן באספקלריא המאירה :

כאן בשאלה מאירה :

**ר'** אהנס אינו מבין את דבריהם' ראשונה שחינו יודע מה כוונתם באספקלריא זו שמזכירים' והב"ח אינו חילוקים אלא שכתוב כי המאמר כללי הוא כי לא יראנו האדם וחי' אינו מגביל הראיה באיזה דרך תהיה : שמעון' אף אמור לי מדוע נתקשה עליך פסוק זה שזכרת ולא נתקשו עליך כתובים אחרים כמוהו' וירא אליו ה' וירא ה' אל אברהם' לה' הנראה אליו' ואראה את ה' ודומיהם :

**ד'** יכולני להשיבך חדא מנייחא נקפית' אך אס מתבונן עוד בדקדוק תראה שאין שר' הכתובים קשים להולמם בזה שזכרתי' כי כל אלה באו בל' הפעל והוא מה שבדרך ההשפעה הנבואית' והכבוד העליון מתראה ומתגלה לנביא כמי מה שראה להראות לו ולהגלות עליו' כי הנה אע"פ עמה ששייך בו ההתפעלות שייך בו תומו שגורלה לו :

### **Part III. The Montezinos Family**

We once again return to Part I, where we learned that after the death of Chacham Daniel HaCohen de Azevedo in 1822, the congregation appointed no Chacham, but a Bet Din. One of the Rabbis who eventually served on this Bet Din was Dayan Raphael Montezinos, who was born in 1805 to David Raphael Montezinos (1773-1838) and Rachel Rozette. He married Esther Ferrares in March, 1825.<sup>43</sup> Later, he served as rabbi of the Portuguese community in Amsterdam from 1852 until his death in 1866.

It is interesting to note that at least according to one source, R' Raphael was a direct descendant of Antonio de Montezinos,<sup>44</sup> a converso whose real name was Aharon Levy. On a trip to South America during 1641–42, Montezinos discovered a group of natives in Ecuador who could recite the Shema and were acquainted with other Jewish rituals. He brought this news to Amsterdam in 1644, and the congregational authorities – R' Menashe ben Yisrael among them – had him repeat his account under oath. The assumption was that these natives were a remnant of the Ten Lost Tribes, of the tribes of Reuben and Levi according to Montezinos. At first, R' Menashe doubted his account, but he later accepted that the “Indians of Montesinos” may in fact be related to remnants of the people of Israel. He decided to write a treatise called *Mikveh Israel, The Hope of Israel*, which talks about the Ten Lost Tribes and was published in 1650.<sup>45</sup> This information spurred Menashe to travel to London in 1655 to persuade Oliver Cromwell to grant the Jews permission to resettle in England.<sup>46</sup>

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<sup>43</sup> <https://www.openarch.nl/nha:bc63c65c-16cf-47b9-80e9-e763252e56b4/en>

<sup>44</sup> He should not be confused with the missionary Antonio de Montesinos, who lived over a hundred years earlier. See <https://www.sfarad.es/david-montezinos-y-su-biblioteca/> and [geni.com](https://www.geni.com) for the line from Aharon Levy to Raphael.

<sup>45</sup> For further details, see: <https://nationworldnews.com/are-the-indigenous-people-of-peru-descended-from-the-lost-tribes-of-israel/>

<sup>46</sup> <https://www.sfarad.es/david-montezinos-y-su-biblioteca/>



The title page of the English edition printed in 1650 includes the following description of the work:

*In this Treatise is shewed the place where the ten Tribes at this present are, proved, partly by the strange relation of one Antony Montezimus, a Jew, of what befell him as he travelled over the Mountaines Cordillaere, with divers other particulars about therestoration of the Jewes, and the time when.*

On December 6, 1828, David was born to R' Raphael. He married Dina (born Belinfante<sup>47</sup>) on January 2, 1856. David studied at the Ets Chaim Yeshiva where he obtained the title *Maggid*. Doing some searching, we find that David edited and published many *sefarim* in Amsterdam, mostly involving Sepharadi customs, translating *tefillos* into Dutch. They include: *Seder HaMoadim* (5625/1864), *Ohr Yesharim* (5625), *Niv Sefasayim* (5632), *Bris Yitzchak* (5635), *Seder LeYom Kippur* (5637/1876), and *B'Iyun Nimratz* (5637).

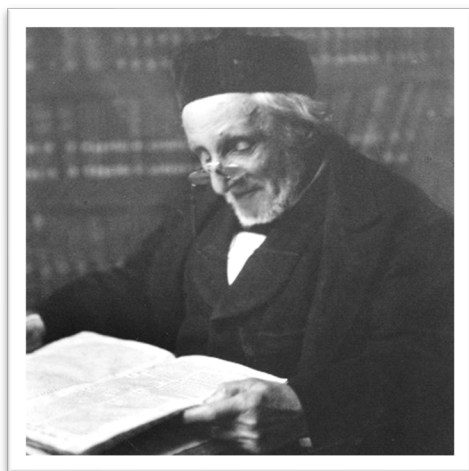


R' David was well respected at Ets Haim, as can be seen by the *haskamos* to the *sefarim* he edited. For example, one of the *haskamos* to *Seder HaMoadim* call him in part (translated loosely, bolded words as found in the original): "One of the fruits of our Beis Medrash, **Ets Chaim**, a scholar the son of a scholar (see *Menachos* 53a), of great lineage, *a wise son gladdens his father* (*Mishlei* 10:1), **David**, the one who humbles himself, the son of the great Rav **Raphael ben David Montezinos**. He is filled with the spirit of wisdom and intellect to be involved in holy work... He has developed words of greatly increased wisdom, *by the benevolence of*

<sup>47</sup> It is interesting to note that a Belinfante is named as one of the patrons of the *Seder HaMoadim* that David Montezinos edited. See below.

*Hashem upon him (Ezra 7:9). David was successful in all his ways, and Hashem was with him (I Shmuel 18:14).*

בגן עדן עם נפשות הנדיקים והחסידים אשר בללו הם יושבים: עד כי העיר  
ה' את רוח איש חס וישר יושב בשבת תחכמוני, פרי מפרי בית מדרשו עץ  
דום, אוריון בר אוריין, שלשלת היוחסין, בן אדם ישמח אב דוד הוא הקטן  
המקטין את עלמו בן כמהר"ר רפ"י ב"ר דוד מנשינוסילין וימלא אותו רוח  
חכמה ודעת לעסוק במלאכת הקדש, ויעשכמו לסבול ודרש וחקר בשבע חקירות  
לתקן השגיאות הנמלאות בהולאה ראשונה, ולחדש בה דברי חכמה תוספת  
מרוצה כי ה' הטובה עליו, ויהי דוד לכל דרכיו משכיל וה' אהיו עמו,  
יגע ומלא כאשר עיני הקורא תחזיקה משרים: ואפריון גמטיה להגביר



R' David acquired one of the largest private libraries of the time.<sup>48</sup> In 1866, the year his father passed away, he was appointed librarian of the Ets Haim library. In 1889, after the death of his wife, he donated his private collection to the library of the seminary, including 20,000 books, pamphlets, manuscripts, and illustrations. The library was

renovated and reopened in 1891 with the new name Ets Haim – Livraria Montezinos.<sup>49</sup>

The *techinah* R' David composed for the reopening of the library is found on the next page. Among the manuscripts in his library were works of the Ramchal, including *Sefer Derech Hashem*. The front spread follows the *techinah*.<sup>50</sup> R' David directed the library until his death in 1916.

<sup>48</sup> It is interesting to note that according to the Dutch archives, his father-in-law Shlomo Belinfante was a bookdealer (<https://www.openarch.nl/nha:09335380-ae23-46b9D817-4ace352be3e5>).

<sup>49</sup> <https://www.sfarad.es/david-montezinos-y-su-biblioteca/>

<sup>50</sup> Note I received from the librarian at Ets Haim on 10/26/22: Thank you very much for asking permission for the image - you have my permission and I share with you a higher resolution image of this beautiful manuscript.

## תפלה לרוד

אשר החתן רוד בכמהריר רפאל מונטיזינוס כליל תנוכת בית עקד ספרים,  
אשר קרש בחייו לבית המדרש עץ חיים של ק"ק ספרדים פה אמשטרדם,  
יום ב' לחדש האביב שנת ע"ז תמ"ד אל ידוה.

כלינו בנין חוד ביפעתו מקום גורא משכן תורה, וחסד  
צלו חכמים יצפנו דעת להורות נתיב משפט וללמד  
אחרות יושר, נגיל ונשמח ביום תנוכתו, הנה מה טוב  
ומה נעים שבת אחים גם יחד:

הן באור תורתך עיני ענק גלית, בחסדך הגדיל האר  
גם עינינו במתריך חיקך, הן לנו לב חרש ויח  
חדשה לחקור ולדרוש במצפוני אמרתך, כי מטמון  
הוא לנו, ולישועתך קינו ה':

נסה גם אור פניך אלך צבאות על נגידים ופקידים  
על מלאכת הקידש, הרבנים המופלגים הושבים  
על כסא דין והוראה, ראשי בית מדרשנו, מהם יצאו  
תוצאות חיים, בהם שאבו כל צמא למעיני הישועה,  
גבורים כאריה שעלה מכבכו הם, להעמיק בחלכח,  
ברכותיך שפך בשפעת טובה עליהם ועל משפחתם,  
תשפת שלום לחקים ולחרים דגל תורתך באמרי  
נגידים באמרות טהורות:

ועל הכל ראה בעין טובה משכינת עך, מנחה  
מרומים על האלופים חקרים מנהיג מדרשנו,  
אשר שמו עין פקחה המיד לחחיק עץ החיים אשר  
פריו מתוק לקיום עולם זה, ולטובה רבה הצפונה  
לעתיד לבוא, נמול נפשם על טרחם ויגיעם, הריק  
עליהם ברכות רב, שים זרעם לשם להפארת ולתהלה:

ועל כל חושבים פה, אשר כברנו כבואם בחוכנו  
אב רחמן צו ישיע, ברכם מקור הטוב, בעשר  
וכבוד, ויורעו כשר וקצור אשר, ויעשו כלם אגודה  
אחת לעשות רצונך, או יבקע כשחר אורנו, ואמת  
מארץ תצמח אכיד:

אנא אל עולם, ניקור-ההושיה, מעין דחבמה; בראת  
שמים מאפס, כאור כוכבים מאפע, ומאין יסדת  
ארץ, בגובר שחק כסאך, כשטחך עלי תבל, אין  
חקך לפלאיך, ואין קצה לחסריך, עשתונות יציר כפיך  
ועלילות גבר לך נחננו, טרם כליותיו יעצוהו ואחר  
חרע, יפעל בנחשכים ואתה תראה, הקשב נא לניב  
שפתי עברך עפר ואפר, אשר אביע בעת ובעונה הזאת  
על כל יושבי בית מדרשנו; הפלה חסריך ליועך  
לגדול כקטן, כשב בלד, דעמלים ודינעים יום וליל  
בהשק רב במתריך חיקך אשר נחת לקדמונינו,  
בדרך אשר צוית לאבותינו בדרך, האצל מרח קדשך  
על בני מדרשנו להבין יסודי תורתך, ושוב ללכד לעם  
בגלותך מעגלי צדק וישר, ולהודיע מסילת ישרים בה  
ישכון אור; דרך אמונה אשרי כל הולך בה, למען לא  
תשכח הלילה התורה והמצוה מלבבי זרענו עד נצח עולם  
ועד, חזק מוסר בלבכם ללכת בדרך יושר, אחבת שכך  
הראתך הפגשנה, ידאח ועבדתה תשקנה, הרבה להם  
תבונה ודעות להשכיל ולדרוש אותך בכל עת,  
ושתעשעו בחקיתך חמיד למען יתרש שאון קמך  
ואויבך עפר ילחבו; נחה צאן ענק, וברעה נאמן  
הרביצים בנאות דשא בשלום ואהבה, הרם דגלם  
ויעמדו לגם יושבי החד, לא יעזבו צד וכצוקה, שים  
במיתך הרצויה על דרכיהם אור שלא יפלו בנתיבות  
חשך ולהיות ויעצו ללא חכמה; און לבתיכם שלום, ולא  
עליהם שבטך, לא שוד ולא שבר לא פחד פחת נפח:  
השמים כסאך ותמיד עיניך פקוחות על שגגי בתי  
חומר, פנה אל תפלת הערער ואל התנעני,  
בתהלת ימי המלואים, ימי הקרבת הנשיאים, חיוכ

# ספר דרך ה'



לחבר משה חיים לוצאטו

שער ספר דרך ה', צילום כת"י ספריית עץ חיים מונטזינוס באמסטרדם





## Part IV: The Printing of the *Derech Hashem*

Everything was now set in place. Shortly after R' David Montezinos had donated his library, a *talmid chacham* from Russia came to Amsterdam, looking to support himself by publishing a manuscript.<sup>51</sup>

This visitor was R' Aryeh Leib ben Yaakov Shapira, who was the Rabbi in Königsberg (Prussia at the time, not

ה'ק' דרך ס' היוגא כעת לאור אשר העתקתיו אות באות מכתבת יד קדשו של המחבר מנאחיו באוצר הספרים של הרב הנגיד הנעלה מוה"ר רוד בבמודוריד רפאל מאנטאזינוס ס' אשר נתן בחיו לחברת מדרש עץ חיים ק"ק ספרדים פה אמשטרדם יע"א – ומהי השלמתו במספר מה ס' ס' ספרים רמח"ל ז"ל.

be confused with the Kovna Rav of the same name, who was *niftar* in 1853) after the *Malbim* had left as chief Rabbi of the Russian and Polish community there.<sup>52</sup> And the manuscript he obtained from R' David Montezinos was the Ramchal's *Derech Hashem*, which he brought to print in (1896).<sup>53</sup>

In his introduction he describes himself as living with distress in Amsterdam. He writes

ערך גדולת הספר דרך ס' אשר העתקתיו בעמל ויגיעה – בבית הספרים ב"פ עופרת – ובתימי דיו בבית – וזויעת אפי לבית הדפוס – ובאין כסף ללא קדון כדוני היום במחשבות סיגות – עד אשר ריחם עלי יד'ג נדיב אחד נ' ועזרני בידים רחבות –

further that he did not have the money to print the *sefer* until a certain generous benefactor helped him with open arms.

R' Yosef Begun, *Hy"d*, in his *Yalkut Yedios HaEmes* edition of *Derech Hashem*, identifies this benefactor as the renowned *tzaddik* and philanthropist from Berlin, R' Ovadiah Lachman, *z"l*.

והנה חבור זה נתגלה בעולם ביציאתו לאור הדפוס בשנת תרנ"ו באמשטרדם, מתוך כתי"ק של המחבר שהיה מונח באוצר הספרים של דוד מאנטאזינוס, אשר לחברת מדרש עץ חיים דקהלת ספרדים באמשטרדם. על ידי הוכאי הרב ר' אריה ליב שאפירא מקניגסברג, בעזרתו של הגביר הצדיק והנדיב הידוע ר' עובדיה לאכמאן ז"ל מברלין. אבל לא נתפשט בעולם

<sup>51</sup> R' Yosef Moshe Spinner, *shlit"a*, in the introduction to his edition of *Derech Hashem*.

<sup>52</sup> The *Malbim* had been there for four years, up until around 1879.

<sup>53</sup> We should note that he thought he was copying the Ramchal's own handwriting (see image of his introduction below), but, in truth, the actual transcriber was someone other than the Ramchal whose identity is still unknown.

We will pause here to give a little background about this remarkable philanthropist, whom the *hashgachah* arranged to make our *Sefer Derech Hashem* available after all those years.

Ovadia (Emil) Lachmann was born on November 22, 1846, in the West Prussian town of Graudenz (currently Poland) to Herrmann and Friederike (née Gotthilf) Lachmann. The Lachmanns were a prosperous family of merchants with a presence in Hamburg and Berlin. It seems that Lachmann joined the family business and also had several impressive mechanical patents registered to his name. He resided for a time in Hamburg before moving to Berlin.<sup>54</sup> He was drawn closer to Torah causes through his relationship with Rav Yisrael Salanter, who resided in Germany in his later years.<sup>55</sup> And this led to his involvement in financing Lithuanian *mussar* Yeshivos.<sup>56</sup>

Doing some searching, I discovered a deep relationship between Ovadia and the *Baal HaLeshem*. First, we know from the brother of one of the *Baal HaLeshem*'s sons-in-law that Ovadia would give 450 rubles to every one of the children when they got married.<sup>57</sup> But more importantly

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<sup>54</sup> *The Mysterious Mussar Magnate*, by Dovi Safier and Yehuda Geberer, *Mishpachah Magazine*, Issue 937, from official records. [Other sources say he as born in 1853 in Berlin.]

<sup>55</sup> Ibid. Another version says he was inspired by a speech of R' Yisrael. Another possibility is that it was through R' Eliezer Yaakov Chavas (see Afterward).

<sup>56</sup> Ovadia was at least involved in the Kovno Kollel, the Slabodka Yeshiva, and Telz (See the *Mishpachah* article cited above; *The Jewish Observer* XXII/Number 2 p. 7; <https://Jewishpost.co.il/הראש-כולל-האברכים>).

The first time R' Eliezer Lachman *shlit"a* met the Rosh HaYeshiva, *z"l*, the *Avodas HaLevi*, the Rosh HaYeshiva asked him if he was related to Ovadia, saying he had given a lot of money to the Slobodka Yeshiva. The Rosh HaYeshiva was not asking if he was a direct descendant, because Ovadia never married.

<sup>57</sup> This son-in-law was R' Mordechai Ferber, brother of R' Tzvi Hersch Ferber, who gives this information. See <https://jewishhomela.com/2017/08/03/memoirs-of-a-forgotten-rabbi-the-troubled-life-of-rabbi-tzvi-hirsch-ferber-part-six-2/>.

to our topic, the *Baal HaLeshem* apparently advised Ovadiah to finance the publication of the Ramchal's *sefarim*.

To explain: The *Baal HaLeshem* wrote on Rosh Chodesh Adar, 5658 (1898), that almost all of the works of the Ramchal until that time were brought to print through “*hishtadlusi v'sibasi* (through my efforts and because of me).”<sup>58</sup>

[ח] ודהנני אומר כי הגה הגם שספרי הרמח"ל ז"ל הם יקרים  
למאד ויש בהם רוב פנינים וזהב מופז הרבה. וכל  
ספריו אשר בידינו עד היום (שהוא ר"ח אדר תרנ"ח) הם כמעט  
כולם נמחדשו וניתנו לדפוס על ידי השתדלותי וסבתי. והגם שלא  
זכיתי ללמוד את ספריו ולא הסתכלתי בהם אלא מעט מן המעט  
עכ"ז דליתי ממנו איזה יסודות המונע לעיקרי החכמה. ויהא זכרו  
לברכה לחיי עולם בכלל כל קדושי עליון אשר עם ה' אלהים.

We can prove that this *hishtadlus* was getting Ovadiah Lachman involved in the Ramchal's *sefarim* that were published by R' Shmuel Luria<sup>59</sup> in the 1880's. In 1880, R' Luria first published the Ramchal's *Adir BaMarom* in Warsaw. At the end of the second printing in 1886, he wrote that the ability to publish this *sefer* and others that he hopes to publish came about through the *Baal HaLeshem*.<sup>60</sup> This cannot be referring to any work the *Baal HaLeshem* did in editing the *sefer* because the *Baal HaLeshem* writes in

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<sup>58</sup> *Sefer HaDe'ah* I 57a.

<sup>59</sup> R' Luria was the nephew of the *Radal*, R' David Luria. For an interesting vignette about R' Luria, see *Zichronos* (Vol. III pp 105-108) by R' Yaakov Mazeh (מזא"ה=מזרע אהרן הכהן). In it, he describes how R' Luria was instrumental in the appointment of the *Malbim* in Mohilev in 1870. When he had to leave town because he was too religious, he became Rav of Königsberg, the position R' Aryeh Leib Shapira took when the *Malbim* left. See more about R' Luria below in the Afterword.

<sup>60</sup> It is not clear why he did not write this for the first printing. The most obvious answer is that he did not receive the funding until 1886, when he published the other *sefarim* of the Ramchal.



the excerpt above that he looked only a little into the Ramchal's *sefarim* even though he held them to be very valuable.<sup>61</sup>

ואצא בברכה כפולה ומשולשת לכבוד הרה"ג התו"ב בנגלה ובנסתר כו' כו', כש"ת  
 מוה"ר שלמה בסודר"ח עליאשאו נ"י. ואודיע, כי ע"י הזכאי ומהור נברא רבא הוה  
 נחילגל זכות הגדול של הדפסת הספר הזה, ועוד כמה ס"ק נפלאים אשר בעזרי אני  
 מו"ל סב"י. והנה כי כן יבורך נבר יר"א הוה כל הימים כפי כל יר"א ואוהבי תורתו,  
 שיאר ה' פניו במאור תורתו, ויוכה לעשות פעלים לתורה ולהגדיל כבודה ולהאדירה,  
 ויפיק רצון מה' למלא כל משאלותיו למנוח כחפץ לבבו המהורה, וכנפש המעתיר  
 ומתפלל בעד שלומו כה"י.  
 המוציא לאור  
 ודהנה השלמנו יום ו' עש"ק י"ד אדר"ק פ"ק, לסדר ולתת עליכם היום ברכה, וזאת הברכה לפ"ק.

To discover what the *Baal HaLeshem* did, we turn to the beginning of the *sefer*, where R' Luria writes that the expenses of the printing were paid by someone who wants to remain anonymous;

ולחיות למזכרת נשמת חוריו מנוחתם כבוד  
 ה"ה  
 כבוד אביו מחזיר צבי ביד אברהם ז"ל, הנפטר ביום י"ט אלול  
 וכבוד אמו מרת פריידא בת ר' בנימין ז"ל, שנפטרה ביום ה' סיון  
 ולמזכרת נשמת אחיו  
 ח"ה חסונה פמ"ד יוסף ביד צבי ז"ל הנפטר ביום י' סיון  
 תנצב"ה

and it should be a memorial for his parents who passed away, Zvi ben Avraham and Freida bas R' Binyamin, and his brother, Yosef.

These parents are obviously Herrmann and Friederike Lachman! The *Baal HaLeshem* had gotten R' Ovadiah involved in the publication of the Ramchal's *sefarim*.

Throughout the late 1880's R' Luria thanks the *Baal HaLeshem*, the anonymous donor, or both, for the *sefarim* of the Ramchal that he has published in Warsaw. For example, he published several of the Ramchal's *sefarim* together in 5649, including *Megilas Setarim* and *Razin Genizin*. In the *shaar*, he writes that the expense of the printing was in memory of the *nediv's* parents and brother. At the end of the *Razin Genizin*, he states that it should be a merit for the one who donated the money to obtain the

<sup>61</sup> See below, note 82, for another point about the *Baal HaLeshem's* role.

manuscripts; and he thanks the *Baal HaLeshem* for making the printing possible.

אֵדָה בְּכָל לֵב וּבְכָל נֶפֶשׁ אוֹרֵה וּמְבָרֵךְ אֶת ה' אֲשֶׁר חֲנֵנִי לִהְיוֹת רִאשׁוֹן לְהוֹצִיא  
לְאוֹר תּוֹרַת אֱמֶת וְרוֹיֵן נְנוּיִן מִבְּיַד הַחֲסִיד הָאֱלֹהִי הַרְמַח"ל ז"ל — וְחֻבְרֵיו שׁוֹתִי  
מִיָּמִיו קְדוּשֵׁי עֲלִיּוֹן וְצוּק"ל. וְהָיָה שְׂבוּכֹת גִּילּוֹי אוֹר תּוֹרָתָם לְעֵינֵי דוֹר אַחֲרָיו יֵאָר  
ה' פָּנָיו אֵלֵינוּ בְּמֵאֹד תּוֹרָתוֹ, וְיַחֲנֵנוּ לְהַבִּין וּלְהַשְׁכִּיל בְּאֵמֶת הַכֶּתֶר. יְחֻדּוּ, וְיִשָּׁם  
בְּלִבָּנוּ אֶהְבֵּתוֹ וְיִרְאֵתוֹ, וְיַחֲשֶׁ לָנוּ עַתָּה גִּילּוֹי אוֹר הַנְּאוּלָה בְּכִי"א :

וּבְרִכָּה וּזְכוּת עוֹלָם לְהַאֲשִׁיחַ אֲשֶׁר הָרִים תְּרוּמַת כֶּסֶף עַל הַשָּׁנָה כָּל הַכְּתִ"ק  
הַגִּיל וְהוֹצֵאתָם לְאוֹר :

וְכֵן יִבְרַךְ נֹבֵר יִרְ"א הַרְחֵג הַחַי"ב חֲכָם הָרִיז כו' מוֹדֵר"ר שְׁלֵמָה בְּמוֹה"ר  
רִי"ח עֲלִיאִישָׁאוֹן נ"י, אֲשֶׁר עָלָיו נִתְגַּלְגַּל כָּל זְכוּת הַדְּרָפָסָה, צְרָקָתָם ,  
הַעֲמִיד לְעַד, וְתִהְיֶה מְשֻׁכָּרָתָם שְׁלֵמָה מֵה' בְּכַמ"ס, כִּנְפֻשָׁם וְנַפְשָׁם  
הַמְּוִיל

R' Luria also published the *Daas Tevunos* in 5649 together with *Maamar HaGeulah*. At the end of *Daas Tevunos*, he writes that it should be a merit for the parents and brother of the one who donated the money to obtain all of the manuscripts of the Ramchal.

וּבְרִכָּה זְכוּת וְצְדָקָה יִחַשֵׁב לְהַאֲשִׁיחַ אֲשֶׁר הָרִים תְּרוּמַת כֶּסֶף לְחַשֵּׁי כָל כְּתִ"ק הַחֲסִיד  
הָאֱלֹהִי הַרְמַח"ל וְלִזְכוּת בָּתָם אַחֲרָיו, וּמִצְוַת גְּדוּלַת חוּמַת תַּחֲיָה לְעִילּוֹי נִשְׁמַת  
תּוֹרָתוֹ וְאֲחֵיו הַגְּדוּל נִחְיֵי נַפְשָׁם. הַנִּצְבִּיחַ

And after the *piyutim* printed at the end of *Maamar HaGeulah*, he again thanks the *nediv* together with the *Baal HaLeshem* almost word-for-word as at the end of the *Razin Genizin*. Also in 5649, he published *Milchemes Moshe*. I have not seen the *shaar*, but at the end he writes that it should be a merit for the one who donated the money to obtain the manuscript. Obviously, R' Ovadiah had purchased the manuscripts of the Ramchal, as well as financing the publication.

Working our way backwards, R' Luria published the *Klach Pischek Chochmah* in 5648. Although my offset copy of it, as well as the version on Otzar HaChochmah, does not mention any *berachos* to supporters, the original printing presumably did have them, as evidenced from the blank

spaces in the *shaar* and at the very end.<sup>62</sup> The same might be true of *Kinas Hashem*, which R' Luria published that year together with *Choker U'Mekubal*, although it has a different style *shaar*. And at the end of *Choker U'Mekubal*, he thanks Hashem for helping him publish the *Klach*, *Pischei Chochmah VeDaas*, and to complete them with *Choker U'Mekubal*.

In 5644, R' Luria printed *Pischei Chochmah VeDaas*, which had been in the library of the *Gra z"l*, and was obtained by his uncle the *Radal* and R' A.S. from Amtzislav.<sup>63</sup>

יצא זה ראשונה לאור מכ"י שהי' גנוז באוצר הב"י של הגאון החסיד ר"א ז"ל בוילנא, והגאון הגדול הרד"ל והגאון המקובל הרא"ש מאמציסלאוו ולל"ה. התאמצו להשיגו, ועפ"י התעוררותם והסכמותיהם בצירוף עוד הסכמות מגדולי הגאונים ומקובלים סודתיים והביאותיו לאור הדפוס בעזה"י עלי שמואל בלא"ט אליעזר אהרן ז"ל לוריא ממאהליב.

At the end he thanked those that helped him, Shmuel David Zalberg and an anonymous donor. I do not know if this anonymous donor is Ovadiah because R' Luria gives a *berachah* to their sons and sons-in-law. This printing was also two years earlier than the first where Ovadiah is definitely hinted at.<sup>64</sup>

<sup>62</sup> I know this is true because this version also has an offset of the first printing of *Pischei Chochmah VeDaas* with it, and it blanks out the *berachos* printed at the end of the original copy, which is available on Otzar HaChochmah. See below.

<sup>63</sup> In the second printing of the *Derech Hashem* in Yerushalayim (5674), R' Yitzchak Meltzen writes in his *hakdamah* that כמה (many or several) of the Ramchal's *sefarim* then in print originated from manuscripts in the *Gra's* library, citing the *shaar* of *Pischei Chochmah VeDaas* (even though it mentions only that manuscript).

<sup>64</sup> We also saw above that in the later *sefarim* Ovadiah is thanked for purchasing the manuscripts of the Ramchal. It is unclear whether this refers to the manuscripts R' Shmuel Luria received from his uncle. But see also the Afterward, where we note that R' Luria thanks Ovadiah in 5646 for helping publish the *Beurei Aggados* of the *Gra* in addition to the *sefarim* he already helped publish. Perhaps this does refer to the *Pischei Chochmah VeDaas*, among others.

Although we have no proof that the *Baal HaLeshem* was directly behind Ovadiah's relationship with R' Aryeh Leib Shapira, who published the *Derech Hashem* several years later than R' Luria's publications, we do have the report of R' Yosef Begun that Ovadiah was the philanthropist behind the *sefer*. We should also point out that the *Baal HaLeshem*'s statement about being behind the publication of the Ramchal's *sefarim* was made two years after the printing of the *Derech Hashem*.<sup>65</sup>

As mentioned above, R' Ovadiah was behind the creation of several Lithuanian Yeshivos. We would be remiss if we did not conclude our discussion about this remarkable man by mentioning that he was also involved in strengthening the *yishuv* of Petach Tikvah in 1883. He established a farm in the area whose income would support a Talmid Torah. The farm was called "Nachlat Zvi" after his father.<sup>66</sup>

As for R' Aryeh Leib, the one who did the work in publishing the *Sefer Derech Hashem*, we do not know how he got connected with R' Ovadiah. Was it through the *Baal HaLeshem*? R' Shmuel Luria? One of those involved in Kollelim and Yeshivos helped by R' Ovadiah? Someone involved in the Petach Tikvah *Yishuv*? Someone else? We do not know. But we do know that he eventually became the Rav in Amsterdam of the *yirei Hashem* from Russia and Poland, taking the place of the *Malbim*, as he signs his name in his *Bris Avraham*, printed in 1908.

**ארי' ליב שפירא**  
בא"מ מורי ורבי מוהרר יעקב ווללה"ה, רב ליראי ד' בני רוס' במשטמרוס  
מלפנים רב בקיב אחר פטירת הגאון רשב"ה מהורמ"ל מלבים וצ"ל.

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<sup>65</sup> And we should note further that *Leshem* was presumably in contact with R' Ovadiah in 1893 when his daughter Chaya Musha, the mother of the future R' Eliashiv, got married (see above).

<sup>66</sup> See <http://www.tidhar.tourolib.org/tidhar/view/16/4951> for further information about Ovadiah Lachman's relationship with this farm.

ס פ ר

# ד ר ך ה'

להרב משה חיים לוצאטו

אך את זה תאכלו  
כי מוצאי מצא חיים ויפק רצון מה'



א מ ס ט ר ד ם

בדפוס האחים לעוויססאן פֿירמא ב' דוד פרופס כ"ץ ז"ל  
תרנ"ו לפ"ק.

שער והקדמת המו"ל לדפוס ראשון של ספר דרך ה', תרנ"ו  
צילום ספרייה הלאומית בירושלים

### An Afterword:

We have read that according to R' Yosef Begun *Hy''d*, the first printing of *Sefer Derech Hashem* was financed by the *gvir* R' Ovadiah Lachman of Berlin. But we left with the uncertainty about how R' Ovadiah became associated with R' Aryeh Leib Shapira. We know only that a decade earlier the *Baal HaLeshem* had encouraged R' Ovadiah to finance the printing of many of the Ramchal's *sefarim* published by R' Shmuel Luria.

Although this is beyond the topic of the printing of the *Derech Hashem*, I would like to take a step back to explore how Ovadiah might have become involved even with the *Baal HaLeshem* and R' Shmuel Luria for the earlier *sefarim* of the Ramchal. This will feature some theories without definite proofs, as well as issues for which I do not even have a theory. My hope is that someone reading what I have discovered can move this discussion forward to solve some of my unanswered questions.

We will begin with what we already know. R' Ovadiah was active in four major projects: (1) financing the Lithuanian Yeshivos, (2) strengthening the *yishuv* Petach Tikvah in Eretz Yisrael, (3) publishing the *sefarim* of the Ramchal, and (4) giving financial support to the *Baal HaLeshem*. How did these different activities evolve?

To add some information, we have to mention that R' Ovadiah was also involved in financing the *sefarim* of the *Gra z''l* and his *talmidim*, R' Menachem Mendel MiShklov and R' Yitzchak Isak Chaver, that R' Shmuel Luria published at the same time he was publishing the Ramchal's *sefarim* – in the late 1880's in Warsaw.

For examples, we will begin in chronological order with *Beurei Aggados* of the *Gra*, published by R' Shmuel Luria in 5646. The *shaar* states that it was funded by an outstanding *nediv* in memory of his parents and brother.

בהוצאות גריב וטופלא אחר אשר למען כבוד ה' התעורר לזכות בן את הרבים •  
ולאזכרת זכות לנשמת הוריו ואחיו ז"ל, בנוחתם כבוד •  
והנבא לדפוס והוגה בעזרה"ת ע"י שמואל לוריא •

And at the end, R' Luria thanks the *nediv* in greater detail for his help in printing this *sefer*, in addition to the ones he already funded<sup>67</sup> and the ones he is planning to fund. And then he adds “a double and triple *berachah*” to the *Baal HaLeshem* for making possible the publication of this *sefer* as well as other precious *sefarim*.

רנשי תודה ואזכרת זכות וברכה .  
 אברך ואודה ה' בכל לבבי שתנני להוציא לאור הספר הקדוש הזה , המלא פנינים יקרים  
 מקדוש ה' ד'נב'י'א וצוק'ל , ואחרי ההחלטה והתורה לאל גומר עלי , הנני קובע  
 ברכה ואזכרת מובה וזכות בשם כל יראי אלהים שוחרי התורה , לכבוד הנריב המספלא  
 והנסתר . איש אשר העיר ה' את רוחו המהורה לתרים תרומת כסף על הדפסת הספר  
 הק' הזה (נוסף על החיבורים הק' הנפלאים שכבר הדפיס בעוה'י ע"י , ואשר עוד ירו  
 נפשי' בעוה'י להוציא כמה כ"י עתיקין קדושים) . וכוונתו ומעשיו המובנים רצונים לזכות  
 בהם את הרבים , ולהיות בן סבבד אב , שיהי' הזכות הגדול הזה לעוליו ולמזכרת  
 נשמת הוריו הישרים חמ"ל . וה' כבוד אביו מורד' צבי ב"ר אברהם ז"ל , הנפטר  
 ביום י"ט אלול , וכבוד אמו מרת פריודא בת ר' בנימין ז"ל , שהלכה לעולמה ביום ה'  
 סיון . ולמזכרת נשמת אחיו מרת יוסף ב"ר צבי ז"ל הנפטר י' סיון , תנצב"ת . וזכות  
 צדקת פורנו של הנריב להרים קין התורה , ולעשות נח"י וכבוד להוריו בג"ע , תוספד  
 לעד , שיסבמו מפעל על כל ברכות מוב אשר תמיד כל יראי אלהים יברכוהו , תוספד  
 חל ואומץ להגדיל כבוד התורה , ויארץ יסיו ושנותיו במוב ובנעימים סלה :  
 וברכה כפולה ומשולשת ותחזק מיבוצא (לשקוא) לכבוד הרה"ג החי"ב בגולה  
 ונסתר כ' כבוד מורד'י' שלמה במורד'י' עליאשאו נ"י . אשר ע"י חוכאי ושותר  
 צברא דרין אתוקם וכותא רבא לארופסי ספרא קדישא דרין , עם עוד כמה ספרי  
 יקרים . תרא משכורתו שלמה סעם ה' ויפלא למובה כל משאלותיו סלה .  
 כננש המעתייר בעד שילום המו"ל .

In the same year R' Luria published the *Mayim Adirim* of R' Menchem Mendel in 5646. Again, the *shaar* says the printing was financed by a *nediv* in memory of his parents and brother, the *nediv* obviously being R' Ovadiah. And the *Baal HaLeshem* was involved here too, as can be seen by R' Luria's thank you at the end, where he also spells out the names of R' Ovadiah's parents and brother.

We can then add the following *sefarim* where the *shaar* states that the printing was in memory of the *nediv's* parents and brother: *Pischei She'arim* (5648), *Bris Yitzchak* (5648), and *Beis Olamim* (5649) of R' Yitzchak Isak Chaver, and *Likutei HaGra* (5649).<sup>68</sup>

<sup>67</sup> I'm not sure what R' Ovadiah funded prior to 5646. Perhaps this refers to *sefarim* that were published earlier in the year. We have seen that several of the Ramchal's *sefarim* were published that year. But also see above, Part IV, regarding the *Pischei Chochmah VeDaas*, which was published in 5644.

<sup>68</sup> However, when R' Luria reprinted the *Gra's Safra* in Vilna in 5642, he did not mention either the *nediv* or the *Baal HaLeshem*. This possibly means that they had not yet met. Or this is another of the *sefarim* that Ovadiah helped publish before 5646.

It is worth adding a few details about the printing of the *Pischei She'arim*. Unlike the other *sefarim*, the *shaar* here states that it was published from a manuscript that was in the possession of R' Moshe Rabinowitz of Yedavna, the son of R' Yitzchak Isak Chaver. R' Moshe writes a *hakdamah* where he thanks R' Ovadiah profusely for spending "a good portion of his wealth" to finance the publication of the *sefarim* of the *Gra z"l*, his son R' Avraham, the Ramchal, and R' David Luria, also thanking R' Shmuel Luria for his efforts.<sup>69</sup> It is worth reading this excerpt for the added details not found elsewhere:

**ועתה** בימינו אלם העיר ה' דוח ממרום בלב אים חי רב סעלים סליס"ל, (רצט זה הוא כבודו להעלים סמו), שלמען כבוד ה' ופירושו ולזכות אלם נשמות הוריו ולחיו נ"ע ססריו סך מסריס, חלק רב ממעורו אשר חוטו ס'. להוציא לאור חמדה גמול ססרי כח"ס סהמסורסמס סליס סליס רליס אשר יסודסס סבררי קודס עס"י חסמס האלס, חסמס סקבלס, אשר אלמס דבור יסו: כזס ממסס סמס סלמלס לסמס ממ סלרס, גלל כי לין לוכל לסכסס נסכס ססרי עין חללס, ומי אשר יסלם ידו ללכול ססריס הלל חן ידו מסמס לללוב מיס כססון ממעין חסוס, לכן בולו נל אלפי ללב אשר ירלס ס' גנע בלבס וסחיוקל סיוכולל לסלי גברל יקירל מעסס ססד עס סחיס וסחיס, וסס לבו לערן נעלה סוס, כלסר ככר הולל מביח כדסוס סכסס מכח"ס סל סנלן סחסד חנר"ל ז"ל סווילנל, וסכסס סנלון מו"ס אבררסס ז"ל, ומ:גלון מו"ס ס"ח לו"צאסו ז"ל, וססנלון סו"ס דוד לו"ריל ז"ל סכיוולו, כל סכס"י סנ"ל סיקרס ססיויס סכרס, סלס כסמיר גורסס כיוולל מוכסס וסויללס ללור סולס סנל"ד. כן מדרסחי ע"י המו"ל סלו סכס סיקר סכסד כס"ס שסוולל לו"ריל ל"י סססלליל, וססס לסיוס לו לער כססס סקדוס סלמסור לו סכס"י מללס"ו סנלון זללס"ס סלכוכיס כגדי סקדס ע"ס חסמס סל לל, כלסר כן סנלנל זכוס ע"י זכלי וס"ל ססוילל ללור על ידי סווללס סליס סנ"ל, ס' בלר יצחק על סלרס לליוס ססכר"ל ז"ל, ס' בלר יצחק על סנלור מיס סלריס סל סלד"ל \*) וססמיון מכי סל מנניסל סכס ליוס סיו, סול סס' סוכמי פלרחי שערסס אשר כסמו כן סול, סומס ססרי סכסס

Going back about twenty years, R' Luria published the *Gra's* commentary on *Tikunei Zohar* in 5627. This manuscript was one of the many in the library of R' Shemaryahu Zuckerman of Mohilev,<sup>70</sup> and R' Shemaryahu writes a long introduction to it. R' Luria's name is not mentioned in it, but he writes about his work with it to a letter accompanying the *sefer* he sent

<sup>69</sup> R' Luria also obtained manuscripts of *Bris Yitzchak* and *Beis Olamim* from R' Moshe to publish. [R' Moshe's brother R' Aharon Fundik also gave R' Luria manuscripts from his father to publish, with the help of R' Ovadiah, but this is going beyond the scope of this article.]

<sup>70</sup> R' Shemaryahu (1817-1878) was married to Sarah, the daughter of R' Raphael Sharlot of Chitovitz, who was married to Chanah, daughter of R' Avraham the son of the *Gra z"l* (<https://www.avotaynu.com/gaontree.html>; see also the record of Shemaryahu Zuckermann at [geni.com](http://geni.com) for pictures of him and his *matzeivah*; the name of his wife is recorded there as Mirel). His wife brought into the marriage many of the manuscripts of the *Gra*, R' Avraham, and the *Radal*.



to the *Malbim* that year, mentioning that it took him four months to work on it.<sup>71</sup> This work was financed by R' Shemaryahu, as stated in the *shaar*. R' Luria, though, had to find another backer for the many other works he published (listed above) because R' Shemaryahu had passed away in 1878. However, it was not necessary for R' Luria to purchase the manuscripts like he had to for the Ramchal's *sefarim* (see Part IV) because R' Shemaryahu's son-in-law R' Chaim Simchavitz lent him the manuscripts of the *Gra z"l* and his son R' Avraham to be able to publish them.<sup>72</sup>

We now know that as of 1886 (5646), the *Baal HaLeshem*, R' Shmuel Luria, and Ovadiah all had some sort of correspondence with one another.

Next, let us go back a few years, to when Ovadiah helped establish the Kovno Kollel. R' Lazer Yaakov Chavas of Yanishuk (future father-in-law of R' Naftali Trop, z"l,) was anxious to find means of promoting an upgrading of the status of Torah in Russia and Lithuania. After discussing the matter with Rabbi Alexander Moshe Lapidus of Rasein, who recommended that he bring his idea to the well-known Torah philanthropist, Ovadia Lachman of Berlin, Reb Lazer Yaakov – penniless at that time – set out by foot from Rasein to Berlin. Mr. Lachman was taken by Chavas's dedication, and allotted him 1,000 ruble (an enormous sum) per year to set up a Bris Emunim Fund to strengthen Torah. On his return, Reb Lazer Yaakov stopped in Memel to consult with Reb Yisrael Salanter on how to use these funds. After careful thought, he advised Reb

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<sup>71</sup> R' David Kamenetzky (*Toras HaGra* p. 576) directs us to the letter printed in *Sefer Zikaron Eshed HaNechalim* (p. 127). R' Luria hints in this letter his discomfort in having a known *maskil* sitting on a nearby table working on his book of *kefirah* (*Zichronos*, Vol. III pp 105-108, by R' Yaakov Mazeh, for more details about this encounter). As to why R' Luria did not mention his name in the *sefer*, perhaps it has something to do with this encounter.

<sup>72</sup> As R' Luria thanks him on the second side of *shaar* of *Aderes Eliyahu*. He also thanks R' Moshe Rabinowitz of Yedvavna, the son of R' Yitzchak Isak Chaver, for lending him the manuscript of his father's *Be'er Yitzchak* on the *Aderes Eliyahu*, hoping that he will be able to publish more of R' Yitzchak Isak's *sefarim*, which we have seen that he did.

Lazer Yaakov to approach R' Yitzchok Elchonon with the idea of founding a Kollel for married scholars in Kovno. Thus, with the vision and *mesiras nefesh* of a Russian Jew, the guidance of *Gedolei Yisrael*, and the generosity of a German-Jewish layman, a Kollel was launched in Kovno, in 1877.<sup>73</sup>

We now have a connection between Ovadiah and R' Eliezer Yaakov Chavas, and indirectly, R' Yisrael Salanter, as of 1877. It should also be noted that R' Eliezer Yaakov's brother R' Yosef Chaim was a general manager in the Lachman business, and he taught Torah to Ovadiah.<sup>74</sup>

We move between these two points in time to 1883. We learned above that Ovadiah was involved in strengthening the *yishuv* of Petach Tikvah that year. According to one source,<sup>75</sup> in addition to R' Aryeh Leib Frumkin, Ovadiah became interested in this project through R' Eliezer Yaakov Chavas, whose brother was a general manager in the Lachman family in the management of their business and he used to teach Ovadiah Torah.

In addition to some contact between the two, we have a direct relationship between the *Baal HaLeshem* and R' Ovadiah through our knowledge of Ovadiah giving presents to the *Leshem's* children at their marriage. I do not know when all of the children were married, but as noted above, Chaya Musha, mother of the future *gadol*, R' Yosef Shalom Elayshiv got married in 1893. R' Mordechai Ferber, brother of R' Tzvi Hersch Ferber who reported this custom of Ovadiah, was born in 1860. I do not know when he got married, but it was presumably not before the 1880's.<sup>76</sup>

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<sup>73</sup> *The Jewish Observer* *ibid.* The *Chafetz Chaim* is reported to have said that the entire Yeshivah world in Lithuania owes R' Eliezer Yaakov tremendous *hakaras hatov* (<https://www.dirshu.co.il/הגאון-הצדיק-רבי-חיים-בריים-זצל-מספר-כי-פ/>).

<sup>74</sup> See <http://www.tidhar.tourolib.org/tidhar/view/16/4951>

<sup>75</sup> *Ibid.*

<sup>76</sup> Some have speculated that R' Ovadiah he was the anonymous benefactor behind the R' Shlomo Elyashiv's *sefarim*, which he called *Leshem Shevo V'Achlamah*. They say that the last word of the title a reference to the name

We can now wonder whether the relationship between the *Baal HaLeshem* and R' Ovadiah preceded the publishing of the *sefarim* of the Ramchal, which began in 1886, or afterwards, depending on the exact year of the marriages. We have mentioned above that Ovadiah had some sort of contact with R' Yisrael Salanter that drew him closer to Torah causes. This presumably occurred before 1877, when R' Eliezer Yaakov Chavas solicited funds from Ovadiah, which he used for the Kovno Kollel after consulting with R' Yisrael. But we would still like to know how the *Baal HaLeshem* came into contact with Ovadiah.

There is one more piece to the puzzle, the reported meeting between R' Yisrael Salanter and the *Baal HaLeshem*. There are several versions of this meeting, discussed at length.<sup>77</sup> R' Eliyah Lopian *z"l* said that R' Yisrael visited the *Baal HaLeshem* in Shavel with a known and understood intent

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Lachmann (R' Nosson Kamenetzky, in *HaMayan* Vol. 46:3 p. 90). But this apparently cannot be true. The first volume of the *Leshem* was printed in 5669 (1909). In it, the *Baal HaLeshem* thanks an anonymous *gvir*, who wanted the *sefer* to be a *zechus* for his parents, Shalom Shachna ben Zev HaKohen and Rivka bas Yekusiel – not Ovadiah's parents. Furthermore, we know that the *sefer* was financed by Ben Tziyon Nurick (R' Aryeh Levine in *Toldos Baal Leshem Shevo V'Achlamah*, printed in *Yeshurun* §22, p. 808. In fact, the *Baal Leshem* hints at this by writing **בן יכבד הוריו**, bolding the word **בן**. Ben Tziyon also rescued the *Baal HaLeshem*'s writings in 1915, when he had to leave Shavel without them because of the Germans – see *Yeshurun* p. 789). And Ovadiah certainly could not have financed the other volumes that were printed well after the *Baal HaLeshem*'s *petirah*. As for the name of the *sefer*, the *Baal HaLeshem* says himself in the *hakdamah* that it hints at this name, *Shlomo ben Chaim*.

Perhaps we can salvage some of this account by saying that Ovadiah had helped the *Baal HaLeshem* with financial support when he was writing the *sefarim*, and the *Baal HaLeshem* also had the hint of the Lachman name in mind when he later named his *sefarim*. For he could presumably have found many other ways to hint at his name in a title.

<sup>77</sup> See, R' Shlomo Yehudah Leib Hoffman (*Yeshurun* Vol. 16 p. 832 ff) and the rejoinder of R' Nosson Kamenetzky (*HaMayan* Vol. 46:3 p. 81 ff), discussing the apparently conflicting reports of R' Yerucham Lebovitz, R' Elyah Lopian, and R' Aryeh Levin.

(בכוונה ידועה ומובנת).<sup>78</sup> According to one opinion, R' Yisrael's intent was to determine if the *Baal HaLeshem* was suited to arrange the manuscripts of the *Gra z"l* that were held by R' Shemaryahu Zuckerman<sup>79</sup> for publication. Furthermore, it is known that R' Yisrael was anxious to bring the writings of the *Gra* to light. The *Mekor Baruch* describes how he was in the *kloiz* of the *Gra* in Vilna when R' Yisrael visited to examine the manuscripts of the *Gra* in the beginning of the 1880's.<sup>80</sup>

R' Tzvi Hersh Ferber writes further that the *Gedolei HaDor* decided in 5640 that the *Baal HaLeshem* was the most appropriate to work on the manuscripts of the *Gra z"l*, the *Ramchal*, and R' Yitzchak Isak Chaver, etc.<sup>81</sup> R' Ferber adds some details to the *Baal HaLeshem's* activity with the manuscripts of the *Gra* and R' Yitzchak Isak Chaver. He writes that R' Shmuel Luria brought these manuscripts that had been held by R' Shemaryahu Zuckerman, and the *Baal HaLeshem* edited them to make them ready for publishing.<sup>82</sup>

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<sup>78</sup> R' Tzvi Hersh Ferber (*Yeshurun* Vol. 5 p. 663). He adds that his wife's uncle, R' Aryeh Leib Lipkin, Rabbi of Kretinge, the nephew of R' Yisrael Salanter, would send him all the *sefarim* that he needed, based on his conversation with the *Baal HaLeshem*.

<sup>79</sup> See about him above, note 70, in the discussion about the publication of the *Tikunei Zohar*.

<sup>80</sup> See R' Nosson Kamenetzky.

<sup>81</sup> *Yeshurun* Vol. 5 p. 661.

<sup>82</sup> See *Haaros U'Miluin Lekoros Sifrei Rabbeinu HaGra* (printed in *Talpiyos* Vol. 5 p. 358). However, we noted above that it was actually the sons of R' Yitzchak Isak who had the manuscripts of their father. R' Ferber writes further (*ibid.*) that R' Shmuel Luria thanks the *Baal HaLeshem* in all the *sefarim* he published in the 1880's for his efforts in editing the manuscripts. However, as we have explained above in our discussion about the *Ramchal's sefarim*, the appreciation was directed at the *Baal HaLeshem* for soliciting R' Ovadiah to finance the projects. On the other hand, we cannot take the words of R' Ferber lightly, because he actually met the *Baal HaLeshem* and talked to him about the manuscripts of the *Gra* (*loc. cit.* p. 359). It is therefore possible that the *Baal HaLeshem's* main work was with the *sefarim* of the *Gra*, and through this he became involved also with the *sefarim* of the *Ramchal*, although in a more superficial way.

If this is true, perhaps we can suggest that when R' Yisrael visited the *Baal HaLeshem* he was also informing him of the *gvir* that could help finance the publication of the *sefarim*, which led to R' Ovadiah's relationship with the *Baal HaLeshem* to the point that he gave generous presents to his children when they got married, and possibly generally helped him financially.<sup>83</sup> But this is only a theory, and we hope that someone can shed more light on how this *nediv* was *zocheh* to fund the publication of the many *sefarim* that have become such a large part of our *mesorah*.

And returning to our *Sefer Derech Hashem*. Is it possible that R' Aryeh Leib Shapira heard about R' Ovadiah from R' Yisrael Salanter? Were they together in Kongsberg at the same time? I hope that one day these questions can be resolved. But we should not lose sight of what should be our primary focus: i.e., learning this *sefer* and the others of the Ramchal and *Gra z"l*, in order to become better *avdei Hashem*.

Nevertheless, our exercise in learning whatever we could about the life of R' Ovadiah has not been in vain, because we have discovered the tremendous achievements one man can accomplish – the yeshivos (think about all the Rosh HaYeshivos that came out of Slobodka, Telz, and Kovno, along with all of their *talmidim*), the *sefarim* (think about the hundreds of thousands who have learned them), the *makom Torah* in Eretz Yisrael (think about the hundreds of families that were able to settle the Land in a Torah environment), and helping a *gadol* (think about all of the *Baal Leshem's* descendants, including R' Elyashiv z"l) – even though he did not have the opportunity of creating a family on his own. But even more importantly, perhaps, we should consider the affect we can have on the world by helping someone, when we consider the impact of whoever it was that inspired R' Ovadiah.<sup>84</sup> א

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<sup>83</sup> R' Nosson Kamenetzky says in a footnote that there is no doubt that R' Yisrael was involved in the relationship between Ovadiah Lachman and the *Baal HaLeshem*. However, he does not link it to this meeting.

<sup>84</sup> And we should not lose sight of the manuscript of the Ramchal we discovered (see note 38), which to our knowledge has never been published.

# English Sections



# מדור לשון הקודש



מדגישים את הזכירה של יצ"מ שכל כולו בא לאפוקי מהשכחה של החושך של הגלות ודו"ק בכל זה<sup>12</sup>.

ויש להוסיף את ד' המהר"ל בנצח ישראל שביאר שם את החילוק בין המלות גלה [גלות] ובין המלה גאל [גאולה] שהחילוק הוא רק באות ה' וא' וביאר הוא ד"ל שכל הענין של גאולה הוא בבחינת וקבץ נדחי עמו ישראל שבגלות כל ישראל נמצא במקומות מרוחקים זה מזה ואין הכל במקום א' וזהו הענין של אות ה' שמורה על ד' כנפות הארץ ונקודה הפנימית באמצע משא"כ האות א' שהוא מורה על אחדות מוחלטת ואיך שהכל מתאחד באמצע בירושלים וזהו השלמה נפלאה למה שבארנו לע' שכל הענין של גאולה הוא להביא אור לעולם ורק כשכ"י נמצא בא"י כא' אז שייך לברכנו אבינו כולנו כא' באור פניך שרק כשכ"י כא' אז שייך לקבל את אורו ית' של הגאולה ודו"ק היטב שהדברים נפלאים עד מאד.

ואח"כ חשבתי להוסיף עוד פרט שמשלים את הדברים עה"פ מלכותך מלכות כל עולמים וממשלתך בכל דור ודור שהוא ג"כ יובן ע"פ הענין הנ"ל. שידוע שהחילוק בין מלכות ובין ממשלה הוא שהמלך מולך ברצון (ומלכותו ברצון קבלו עליהם), משא"כ המושל שהוא מושל בלי רצון העם. וא"כ הוא הוא החילוק בין עוה"ז לבין עוה"ב שעכשיו שאין הכל מכירים אדנותו ית' ואיך הכל נמצא מאתו ית' צריך הוא ית' למשול על העולם וזהו בבחינת ממשלתך בכל דור ודור משא"כ לע"ל שאז אפ' העכו"ם מכירים שד' הוא האלקים והכל מודים לו ויהיה בבחינת מלכותך מלכות כל עולמים במהרה בימינו אמן<sup>13</sup>.

<sup>12</sup> וזהו ג"כ הענין של ויקם מלך חדש על מצרים שפ' ג"כ על החושך שהחדש מורה על דבר שמתחדש עכשיו ואינו תלוי על מה שאירע קודם משא"כ הזכירה שכל כולו מורה על ההתחברות בין העבר ובין ההווה ודו"ק.

<sup>13</sup> אבל לכא' עדיין צ"ב מה שאנו אומרים במודים בזה"ל מודים אנחנו לך שאתה הוא ד' (הויה) אלקינו ואלקי אבותינו לעולם ועד צור חיינו מגן ישענו אתה הוא לדור ודור נודה לך וכו' וד' יאיר עיני.



וממילא, בעוה"ז שאנו נמצאים בחושך ואין אנו מבינים איך שכל מאי דעביד רחמנא לטב עביד ואיך שהכל ואפ' הרע הוא באמת לטובתנו, אבל לע"ל יהא לנו ההבנה בזה איך שהכל באמת טוב מוחלט.

וא"כ מובן היטב מה שבעה"ז אנו קוראים שם הוי' בשם אדנות שהרע נראה לנו כרע ממש וזהו ענין מדת הדין, אבל לע"ל שיתגלה לנו שאפ' הרע הוא לטובתנו אז קריאתו ככתיבתו ואנו קוראים שם הוי' שהוא שם של רחמים ככתיבתו.

וממילא מובן הפ' זה שמי לעולם וזה זכרי לדר דר ששמו ית' שהוא שם העצם הוא לעלם פ' ששייך לעולם הבא [וע"ז ביאר רש"י שלעלם כתיב חסר להורות ע"ז שאין אנו יכולים עכשיו לקרוא אותו ככתיבתו] משא"כ זכרי שהוא איך אנו קוראים אותו הוא לדר ודר שהוא שייך לעוה"ז.

והמבין יבין שהוא הוא פשר הפ' ימלך ד' לעולם אלקיך ציון לדר ודר הללוי' ששם אלקים ג"כ שייך למדת הדין כמו שם אדנות וזהו שאנו אומרים ימלוך ד' לעולם פ' שלע"ל [ימלך בל' עתיד] אבל אלקיך ציון לדר ודר וכו' ששם אלקים שייך לדר ודר וכדהנ"ל<sup>10</sup>.

וביתר ביאור, ידוע שהמלה חושך ג"כ אותו אותיות של שכחה<sup>11</sup>, ומאידך גיסא ידוע שיש לנו הדגשה מיוחדת בענין פרשיות אלו על הזכירה של יצ"מ וכמו שאנו אומרים תמיד זכרון ליציאת מצרים וכו'. ופשר הדבר הוא כדהנ"ל שמי שנמצא בחושך שייך במיוחד לשכחה דליכא בהירות בדבר והכל חשוך ממנו משא"כ הזכירה שמורה על מה שהדברים תמיד בפניו וכמו מי שזוכר את למודו שהכל תמיד בפניו כמו שלומד אותו אתמול. ומטעם זה אנו

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<sup>10</sup> וע' מש"כ לבאר זה בענין קריאת שמע ובביאור למה דוקא בקריאת שמע יש הפסק בין קדוש וברוך לבין ימלך משא"כ בקדושה דחזרת הש"ץ וקדושה שבובא לציון שהוא ג"כ נתבאר ע"פ ענין זה ע"ש.

<sup>11</sup> שמעתי כן מהגר"מ שפירא.

וא"כ א"ש פירוש הפ' להגיד בבוקר חסדך ואמונתך בלילות שבלילה יש הדגשה מיוחדת על האמונה שאע"פ שלכא' הכל חושך וליכא שום מציאות של אור אבל יש לנו אמונה שלימה שלע"ל יהיה אור וזהו בבחינת בוקר שאז יתגלה חסדו ית' ובמה שברא הכל כדי לעשות חסד עם הנבראים.

וזהו הטעם למה בלילה אנו אומרים אמת ואמונה ובבוקר אנו אומרים אמת ויציב ש"יציב מורה על דבר שעומד בפנ"ע ואינו תלוי על דבר אחר וזהו כל הענין של הגאולה שמורה על שיש לכ"י עמידה שאינו שייך עוד לנפילה, וגאולה שאינו נמשך לגלות אח"כ אלא גאולה שקיימת לנצח.<sup>7</sup>

וחוזרים אנו להתחלת דברינו שהחילוק בין דור ודור לבין לעולם הוא שעולם קאי על עוה"ב,<sup>8</sup> משא"כ לדור ודר שמיירי על בתוך מערכת עוה"ז שפירושו דור ודור של עכשיו של עוה"ז וממילא מובן היטב פירוש הפ' כי טוב ד' לעולם חסדו ועד דור ודר אמונתו שפ' הוא כדהנ"ל שחסדו ית' יתגלה רק לע"ל משא"כ בעוה"ז שצריכים אנו להאמין דלע"ל יתגלה אורו וחסדו ית'.

וזהו ג"כ הענין של זה שמי לעלם וזה זכרי לדר דר שידוע ומפורסם הגמ' בפסחים (נ) שהחילוק בין עוה"ז לעוה"ב הוא שבעוה"ז קריאת שמו ית' אינו ככתיבתו (שקוראים אדנ' אע"פ שכתוב הוי') משא"כ לע"ל שאז קריאתו ככתיבתו וביום ההוא יהיה ד' א' ושמו א'.

וידוע<sup>9</sup> שהחילוק בין ב' השמות הוא שאדנות מורה על היחס בין עבד לאדון שהוא בתורת מדת הדין משא"כ שם הוי' שהוא שם העצם שמורה על היחס בין בן לאב שהוא בתורת מדת החסד והרחמים ואכמ"ל.

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<sup>7</sup> ע' בדרשות בית הלוי (ד).

<sup>8</sup> ע' חידושי הגר"ז עה"ת בפ' שמות.

<sup>9</sup> ע' בנפש החיים שער ג'.

אנו נמצאים בגלות, אבל לע"ל יהיה לנו גאולה שלימה ומקבלים אנו שחר שלם עבור זה.<sup>4</sup>

ומענין לענין ידוע שכל הענין של שבת הוא מורה על לע"ל ששבת מעין עוה"ב, וא"כ יש להקשות שהרי במזמור שיר ליום השבת לא נזכר שום זכר לשבת.

אלא שהביאור הוא ע"פ מה שייסד הרמח"ל<sup>5</sup> שיש ב' מיני הוכחות לאחדותו ית' והם הוכחה חיובי והוכחה שלילי. וביאור ב' ענינים אלו הוא שההוכחה חיובי הוא לדוגמא מה שהצדיקים עתידים לקבל שכרם עבור מה שעשו בעוה"ז. ואע"פ שזו הוכחה טובה אבל חידש הרמח"ל, שהעיקר הוכחה לגלוי אחדותו ית' הוא ההוכחה השלילי במה שעתידיים הרשעים לקבל עונשם ובזה יש ראי' מוחלטת שהכל בא מכחו ית' והכל נמצא ברצונו. ובזה ביאר כמה ענינים וכמו מה שבעלי תשובה יכולים לעמוד במקום שאפ' צדיקים גמורים אינם יכולים לעמוד שאע"פ שהצדיקים בוחרים בטוב וזהו עצם רצונו ית' אבל יש גלוי מיוחדת ע"י מה שאדם עובר עבירה ואעפ"כ חוזר בתשובה אח"כ.

ולפ"ז י"ל דלע"ל יתגלה אורו ית' ע"י אלו ב' ענינים, א' במה שוהצדיקים כתמר יפרח ונהנים מזיו השכינה ועוד ע"י הרשעים שעליהם נאמרו ובפרח רשעים כמו עשו ויציצו כל פועלי און וכל התכלית הוא להשמידם עדי עד וזהו עיקר הגילוי דלע"ל וכדהנ"ל.<sup>6</sup>

<sup>4</sup> וע' בד' הגר"א על ההגדה (ד"ה והיא שעמדה) שאמר בזה"ל ולכן בבוקר שהוא דוגמת הגאולה וכו' ובערב שהוא דוגמת הגלות וכו' עכ"ל וע"ש במה שביאר עפ"ז החילוק בין מה שאנו אומרים בבוקר אהבה רבה משא"כ בערב שאנו אומרים אהבת עולם.

<sup>5</sup> בכ"מ ובפרט בדעת תבונות.

<sup>6</sup> ומש"ה בהללוק' שירו לד' שיר חדש (קמט) יש הדגשה על איבוד הרשעים שכל המזמור מדברת על ענין לע"ל וכידוע שבכל מקום שנזכר שיר חדש הוא קאי על לע"ל.

וממילא מובן היטב שכל הענין של ערב הוא כשהדברים בערובי'א והכל חשוך לגמרי, משא"כ בבוקר ששם יש אור ויש בהירות אז הכל מסתדרים כהוגן. ואז שייך רנה וזהו בערב ילין בכי ולבוקר רנה.

וזהו הענין ממש בענין גלות וגאולה. שעכשיו שאנו נמצאים בגלות יש לנו מצב של בכי שהכל חסר מאתנו והנהוג שבעולם נראה מוזר לנו, משא"כ לע"ל שראו כל בשר יחדו כי פי ד' דיבר ונתגלה לעין כל הנהגתו ית' והכל מבינים איך שכל דרכיו במשפט עמנו. ונמצא שיש הדגשה מיוחדת על מה שראו כל בשר יחדו שכל הענין של הגאולה של לע"ל הוא גאולת הראי' שמה שאנו עכשיו עורים באפילה נהפך להיות ראי' של אורו ית' ודו"ק.

וזהו הענין של בכו תבכה בלילה שהבכי שייך במיוחד ללילה וכמו שבט' באב שהאבלות מתחזק עד חצות הלילה אבל בבוקר כבר הוחלשה האבלות וכידוע.

וזהו גם פירוש המלה 'דמעה' שהוא מל' דמוע שהכל מעורב ומבורבב שליכא בהירות בדבר ונמשך מזה דמעות, אבל כשמסדרים את הדברים ונראים שהדברים פשוטים וברורים אז יש שמחה.

ובאמת שזה ג"כ פירוש המילה לילה שהוא מל' כלולה וכמו כלולה בשמן שהכל מעורב זה בזה וכדהנ"ל.

וכאן צריך להוסיף את ד' הגר"א בשיר השירים (א, ג) עה"פ אל תראוני שאני ששחרחרת ששזפתני השמש. שביאר שם הגר"א ז"ל שכ"י אומרת להאמות שאע"פ שעכשיו אני אינו נראה נאה אפ"ה הוה יודעת שזה רק משום ששזפתני השמש ובמה שמחזיק הקב"ה דרך המקרה והטבע עלינו ומש"כ

יתגלה לעין כל איך שכל דרכיו ית' במשפט עמנו אז אנו מבינים הת' לכל הק'.

ולפ'ז ניתן להיאמר שעוה"ז הוא עולם של חושך וגלות משא"כ עוה"ב שהוא עולם של גאולה וכל העולם יתמלא מאורו ית', כמו שאמרו חז"ל שלע"ל הצדיקים יושבים וכו' ונהנים מזיו השכינה.

וזהו ג"כ הענין של (שם ל) בערב ילין בכי ולבוקר רנה שהערב שייך לחושך ונמשך מזה הבכי, משא"כ הבוקר ששייך לרנה ושמחה וכדהל'.

וידוע שהמלה בכי הוא מל' נבוך<sup>2</sup> וכמו נבוכים הם בארץ שמי שאין לו ברירות ואין לו סדר מסיום הוא נמצא במצב של בכי.

וכמו לכל דבר שבעולם שאם יש לאדם בהירות באיזה דבר אז יש לו שמחה, ולדוגמא לענין לימוד תורה שבתחילת כל סוגיא נמצא הלומד במבוכה מוחלט ואינו יודע איך להלך הלאה וא"כ הוא שייך לבכי, אבל לבסוף כשנתברר לו מהלך הסוגיא בכל אנפי' אז הוא מרגיש שמחה גדולה ונמשך מזה הרנה.

ויש להוסיף<sup>3</sup> שהמלה ערב והמלה בוקר ג"כ מורים על ענין זה. שפירוש המלה ערב הוא מל' ערבוב ומעורבים וכמו שכשבאים ענינים מעורבים זה בזה אז אינם ניכרים איך שכל א' מיוחד וחשוב בפנ"ע. משא"כ המלה בוקר מורה על בהירות שהוא מל' בדיקה וכמו לא יבקר בין רע לטוב (ע' רש"י בכורות יד, ב ד"ה לא יבקר) וכמו לענין ביקור חולים שהוא מל' בדיקה ובירור של הדברים.

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<sup>1</sup> וכמו שייסד הרמח"ל בכמה מספריו ועיקרו של דעת תבונות מבוסס על ענין זה, ובפרט איך יתגלה יחוד ה' עי"ז.

<sup>2</sup> שמעתי כן מהגר"מ שפירא

<sup>3</sup> וכך ייסד המהר"ל בכ"מ.

## זה שמי לעלם וזה זכרי לדר דר

ר' אברהם צין

בפרשת שמות כתיב (ג,טו) זה שמי לעלם וזה זכרי לדר דר, וע"ש בפרש"י שאמר בזה"ל, חסר ו' לומר העלימהו שלא יקרא ככתבו. ובהמשך כ' וכן דוד הוא אומר ד' (הויה) שמך לעולם ד' (אדנות) זכרך לדור ודור עכ"ל.

ולכא' צ"ב הקשר בין הרישא ובין הסיפא ובמה שברישא נאמר לעולם ובסיפא נאמר לדור דור וצ"ע. ולכא' יש כמה דוגמאות לפ' הזה וכמו (תהלים ק) כי טוב ד' לעולם חסדו ועד דר ודר אמונתו, ועוד (קב) ואתה ד' (הויה) לעולם תשב וזכרך לדר ודר, ועוד (קמו) ימלך ד' לעולם אלקיך ציון לדר ודר הלולי, ועוד (קמה) מלכותך מלכות כל עולמים וממשלתך בכל דור ודור. וצ"ב פשר הדברים.

לכא' יש לפתוח בביאור הפ' בתהלים (צב) להגיד בבוקר חסדך ואמונתך בלילות וידוע שהענין של חסד-בוקר ואמונה-לילה מתבטא במה שאנו אומרים בברכות קריאת שמע בבוקר אמת ויציב ובלילה אמת ואמונה.

והענין הוא שידוע שעוה"ז נקרא עולם השפל ועולם של חושך. והביאור בזה הוא שאע"פ שאנו יודעים שהכל בא מאתו ית', אבל אין אנו מבינים כראוי את הנהגותיו ודרכיו ית' ואיך שהכל מסתדר בדין.

ולדוגמא שהק' המפורסמת של צדיק ורע לו ורשע וטוב לו שהקשו מרע"ה, איוב, ודוד, ושלמה וכו' אין אנו שייכים להבין אותו בעוה"ז ורק לע"ל שהכל

מטעם שכתבנו שכיון שבשבת יש גלוי ליושר המשפט של הקב"ה, אותו זמן ראוי לומר שירה וכמו שנתבאר בדברינו לעיל.

ועפ"ז יש לפרש מה שאומרים בפיוט "לכה דודי", "עורי עורי שיר דברי כבוד ה' עליך נגלה". ד"כבוד ה'" היינו שהוא המשול ושופט בארץ וכמש"כ לעיל. ולכן בשבת צריך לעורר ולומר שירה מחמת אותו גלוי הכבוד, כמו שהיה בים סוף שאמרו שירה אחרי ש"אכבדה בפרעה".

וכיון שיש שייכות מיוחדת בין יום השבת להענין של שירה, אפשר שמשו"ה נתנו שם מיוחד להשבת של שירת הים וקוראים אותו "שבת שירה".

יציאת מצרים ופורים – שני קצוות

י) והיוצא מדברינו שבקריעת ים סוף ובנס פורים היה גלוי כבוד מלכותו יתברך ע"י שעשה דין ברשעים. כי בעשיית המפשט נתגלה מלכותו ודווקא אז שייך לומר שירה. ונראה שהטעם שהיה אותו גלוי דווקא בשני ישועות האלו הוא משום שהם שני קצוות, דבר והיפוכו ממש. ביציאת מצרים היו נסים גלויים שהראו איך הקב"ה שולט ומשגיח על כל העולם. וכן נתגלה שהוא המלך ומעניש לעובדי רצונו ואין דבר נעלם ממנו ע"י הנס של קריעת י"ס וכמש"כ לעיל. אבל בפורים כל ההשגחה והנסים היו בדרך נסתר כידוע. ומ"מ גם באותו הסתר פנים נתגלה שכל פרט ופרט בא במשפט ומלכותו בכל משלה.

שבת שירה

יש מנהג בישראל שהשבת שקוראים פרשת בשלח נקרא "שבת שירה". ויש לעי' דשאר שבתות שיש להם שם לויי כגון שבת שובה וחזון ונחמו, כולן הם שמות ע"פ ההפטר. ולמה בפרשת בשלח נהגו לקרוא אותו שבת על שם הפרשה עצמה, ולא נהגו כן לשבתות ופרשיות אחרות.

במזמור שיר ליום השבת אומרים "להגיד כי ישר ה' צורי ולא עולתה בו". וכבר הבאנו מדברי הגר"א (בפי' למגילת אסתר ז,ז) שנכלל בהאי קרא הוא עונש המן ומצרים, שאף שנראה כרמאות אפ"ה "לא עולתה בו" והכל היה במשפט. ומשמע שענין זה שייך בפרט לשבת שהרי הוא בהמזמור המיוחד לשבת.

ועוד יש להעיר שלא מצינו יום אחר שיש מזמור בפרט עליו. אין מזמור שיר ליום הפסח וכדומה. ומשמע ששבת שייך במיוחד להענין של שיר. וי"ל שהוא

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וגם נתבאר לעיל שבקריעת ים סוף היה גלוי של כבודו יתברך והיינו שהוא שולט בארץ. ולפ"ז יש לפרש מה שאומרים בהפיוט "לכה דוד", "עורי עורי שיר דברי כבוד ה' עליך נגלה". והיינו כנ"ל שבגילוי הכבוד צריך לאמר שירה. ועי' גמ' חולין (סד:) והכתיב תכבדני חית השדה תנים ובנות יענה (ישעיה מ"ג), ואי ס"ד ביצה, ביצה בת מימר שירה היא אלא וכו'. הרי פירשו ש"תכבדני" משמעו שאומרים שירה.



ומבואר מדבריו שבקריעת י"ס ובנס פורים היה אותו הנהגה שהקב"ה תחילה היטב לצדיק ואח"כ ענש לרשע. ובשניהם ג"כ היה שירה ורינה אחרי העונש של רשעים.

שירה מתוך שלימות

ט) ויש לעי' מהו הטעם שדווקא אחרי מפלת הרשעים אומרים שירה ולא מיד בהטבת הצדיקים. ונראה בפשיטות שבזמן של צרה אע"פ שיש השפעה של חסד לצדיק אין הישועה שלימה כל זמן שדרך רשעים צלחה. ורק אחרי שגם הרע נבער מן העולם ואבדו הרשעים, אז נשלם הישועה. וכשיש השלימות הזה של ישועת ה' אז אומרים שירה.

[ויש שפירשו שמשו"ה קראו חז"ל לדבר ההולך סביב הצואר "שיר", כדאמרינן (שבת נא:): כל בעלי השיר יוצאים בשיר. שהזמן של שירה הוא כשיש שלימות, ולכן התכשיט שהוא עיגול שלם נקרא "שיר"].

ונראה להעמיק בזה ע"פ מה שנתבאר לעיל. שע"י עונש הרשעים יש גלוי מלכותו יתברך, שאין דבר נעלם ממנו ועל הכל יביא במשפט. ובקריעת ים סוף ופורים היה גלוי הזה ביותר, שראו איך שהקב"ה עושה נקמה ברשעים ופרע להם מדה כנגד מדה ממש וכמש"כ לעיל. ומתוך אותה הכרה של שלימות, שמלכותו בכל משלה, אמרו ישראל שירה<sup>4</sup>.

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אבל עי' פי' הגר"א להגדה ש"פ על "ואחרי כן יצאו ברכוש גדול" שכתב וז"ל כלומר שתחלה עושה הקב"ה נקמה ברשעים ואחרי כן עושה טובה לצדיקים עכ"ל, וכ"כ שם על "שפוך חמתך". והוא לכא' סתירה למה שהבאנו מדבריו במק"א. ועי' גמ' מגילה (יז:): שכיין שכלו המינים מתרוממת קרן צדיקים, משמע ג"כ שמתחילה עושה נקמה ברשעים, וצ"ע.

ובאמת על עצם דברי הגר"א בהגדש"פ צ"ע, שהרי לא נענשו מצרים לגמרי עד שטבעו בים סוף. וא"כ איך כתב שבתחילה עושה נקמה ברשעים. וע"כ שיש בחינה של נקמה שכבר נתקיים כשיצאו ממצרים קודם קריעת י"ס, ובחי' זו בא דווקא קודם טובת הצדיקים. והדברים צ"ע.

<sup>4</sup> ואיתא בדברי הגר"א (שה"ש א,א) ששירה כנגד מידת המלכות ולכן דוד מלך ישראל יצא מרות וריוהו להקב"ה בשירות ותשבחות. ויש לפרש [ע"ד הפשט] ע"פ מש"כ שכשיש גלוי המלכות אז אומרים שירה.

לא עולתה בו, אלא כבר הם עשו עולה גדולה וראוים הם לזה, שהקב"ה נפרע מהם מדה כנגד מדה עכ"ל.

ומבואר מדבריו שהמן נענש בדרך מדה כנגד מדה וכמו שהיה אצל מצרים. ולדרכינו י"ל שהוא חלק ממוקצת תיקון כסא המשפט שנעשה בזמן ההוא ע"י מחיית עמלק.

שירה אחרי נקמת רשעים

ח) אחרי קריעת ים סוף אמרו ישראל שירה. ומבואר בדברי הגר"א שגם בזה יש דמיון בינו לפורים. דכתיב (משלי יא, י) בטוב צדיקים תעלוץ קריה ובאבוד רשעים רינה, וז"ל הגר"א (שם) כי כאשר הקב"ה מציל את עמו ישראל מצריהם העומדים עליהם מתחילה גואל אותם ומטיב להם ואחר כך נוקם את נקמתם מהצרים כמו במצרים שמתחילה גאל אותם ואח"כ אבדם בים סוף וכן בהמן מתחילה הטיב למרדכי ואח"כ הפיל אה המן ויתלו אותו בכדי שיהא הוא בעצמו רואה גדולת ישראל ושה' הוא אלקים בכל הארץ, וכאשר הוא מיטב לצדיקים אז כל העיר שמחה אבל עדיין אינן מרננין ומשבחין להקב"ה אך אח"כ כאשר נוקם מהעומדים עליהם אז הם מרננין ומשבחים להקב"ה וזהו בטוב צדיקים תעלוץ קריה כמה שאמר והעיר שושן צהלה ושמחה ואח"כ כאשר נקם הקב"ה מאויביהם אז היה הרינה כמו בים סוף ובפורים, והסוד הוא כמה שאמר בזוהר שמחה בצפרא רננה ברמשא אברהם יגל יצחק ירנן ולכן בטוב צדיקים שהוא סוד החסד אז תעלוץ קריה ובאבוד רשעים שהוא הדין אז הרינה שהוא ברמשא עכ"ל<sup>3</sup>.

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<sup>3</sup> וע"ע בענין זה באדרת אליהו לספר שמואל (ב, א), וז"ל וכמו שאמרו בזוהר (ח"א רכט:): שמחה בצפרא תוגה ברמשא, והם נגד מדת אברהם ויצחק כמו שנאמר יצחק ירנן וכמו שנאמר ברבות צדיקים שמחה ובאבוד רשעים רנה, והוא מדת הדין, ולכן נאמר יצחק ירנן וכן הוא אומר עבדו את ה' בשמחה, וזה בבוקר כאשר יצא אדם לפעלו אז יעבוד את ה' בשמחה זו תפלת שחרית שתיקן אברהם, ובאו לפניו ברננה נאמר בזמן מנחה שתיקן יצחק, כי הביאה נאמר כאשר יחזור ויבואו לעת הערב להתפלל, כמו שנאמר לערב היא באה ובבקר היא שבה. וכן היה בזמן כל הניסים היה בתחילה שמחה ואח"כ רינה, כמו שהיה ביציאת מצרים בצאתם שמחו ולא אמרו שירה עד שראו במפלת מצרים, וכן בכל הגאולות עכ"ל.

והכבוד הזה של הקב"ה בעשיית המשפט ג"כ נתגלה בקריעת ים סוף. ומקרא מלא הוא, דכתיב (יד,ד) וחזקתי את לב פרעה ורדף אחריהם ואכבדה בפרעה ובכל חילו, ופרש"י "ואכבדה בפרעה" כשהקב"ה מתנקם ברשעים שמו מתגדל ומתכבד.

גם בפורים היה גלוי המלכות ומדה כנגד מדה

(ו) הרבה מהענינים שכתבנו על קריעת ים סוף מצינו גם בנס פורים. כתיב (שמות יז,טז) כי יד על כס י-ה מלחמה לה' בעמלק מדור דור. ופרש"י וז"ל נשבע הקב"ה שאין שמו שלם ואין כסאו שלם עד שימחה שמו של עמלק כולו וכשימחה שמו יהיה השם שלם והכסא שלם, שנאמר וכו' כונן למשפט כסאו הרי הכסא שלם עכ"ל. ומבואר שעמלק מתנגד לגילוי הכסא של הקב"ה, ובפרט הכסא של משפט כמש"כ רש"י שבמחיית עמלק יתקיים כונן "למשפט" כסאו. וא"כ נראה שע"י הריגת המן ומחיית עמלק באותו זמן נעשה תיקון במקצת לאותו כסא של משפט.

(ז) וכן מצינו הענין של מדה כנגד מדה בנס פורים. שהרי כל מה שרצה המן לעשות לרע נהפך עליו. כגון העץ שעליו רצה לתלות מרדכי הוא עצמה נתלה עליו, והיום שגזר להשמיד היהודים נהפך ליום שהיהודים הרגו שונאיהם ועשרת בניו. ונראה שהוא מדה כנגד מדה ממש כמו בים סוף שהמצרים רצו לדון ישראל במים והם עצמם נאבדו במים.

ועוד נתבאר בדברי הגר"א שבמפלת המן עשה הקב"ה בדרך רמאות כמו שעשה בים סוף. וז"ל (פי' למגילת אסתר ע"ד הפשט ז,ז) בגמ' (מגילה טז.) אמרו שראה מלאכי השרת נדמו לו כאנשים וכו' [שאחשוורוש ראה מלאכים בדמות אנשים שהיו קוצצים אילני גנתו ואמרו שעושים כן ע"פ ציווי המן, ובוזה נתרבה חמתו על המן], והיינו כיון שהמן הלשין על ישראל בדברי שקר והבאי כך עשה הקב"ה עמו, כמו שעשה לפרעה כמ"ש וינצלו את מצרים, וכן בלבן. וכמו שכתוב כי ישר ה' צורי ולא עולתה בו פי' שהקב"ה ישר ומה שאתה רואה פעמים שהוא עושה כמו עולה כמו כאן ובמצרים ובלבן וכדומה,

כך כשתעשו עוד כזה לא יבואו כלל אצלי לדון על זה, אחרי רואם שלא הועילו ע"ז פעם אחת. וגם אמר כשאתם מילדין בשעת מעשה תחנקוהו אם זכר הוא, וזה [שאמרו בגמ'] שאמר להם סימן אם פניו למטה כו', שלכאורה הוא ללא צורך הסימן הזה. אך לפי מה שביארנו ניהא, שאמר לחנקם מיד בשעת יציאתן מרחם אימא, אך שמה נקבה היא, אמר הסימן פניו למטה כו'. וכן עשה עמו הקב"ה להבדיל באלף הבדלות נגד כל דבר ברמאות דהיינו אצל הים. לכן אמר שאלו כלי כסף וכלי זהב, ודרך שלושת ימים כדי שיהיה פרעה רודף אחריהם וכדי שיבואו אל הים. וידוע דאיתא במדרש כשבא אצל הים מה עשה הקב"ה, עשה הים כאילו נעשה ארץ ולא היה ניכר מקום הים כלל ופרעה היה סובר ארץ אחרת היא.

ומבואר שהיה העונש על מצרים בדרך מדה כנגד מדה עד כדי כך שאפי' נעשה באופן של רמאות כדי להיות עונש הראוי לחטאם שהתחילו ע"י רמאות. וע"י גלוי גדול זה של מדה כנגד מדה נתגלה מלכותו של הקב"ה שעושה מפשט בארץ – מלכותך ראו בניך.

#### כסא המשפט וכסא הכבוד

ה) והנה מצינו שהענין של משפט המלך נזכר בפרט אצל כסא המלך. דכתיב (תהלים קכ"ב) שמה ישבו כסאות למשפט כסאות לבית דוד. הרי שהכסאות של מלכות בית דוד נקראו כסאות "למשפט". ועוד כתוב בתהלים (ט') כי עשית משפטי ודיני ישבת לכסא שופט צדק, וכן (שם) וה' לעולם ישב כונן לשפט כסאו. ואיתא בחז"ל (עי' דברים רבה הו), שעל כסא של שלמה המלך היו ו' מעלות ובכל אחד כתוב פסוק של דינין ומשפט.

והכסא של הקב"ה נקרא כסא "הכבוד". ונראה שגם הענין של "כבוד" שייך לעשיית המשפט. וז"ל הגר"א (פי' למגילת אסתר ע"ד הרמז אד), עיקר הכבוד מחמת שהוא מושל ושופט בארץ כי זהו הכבוד וזהו אמרו כאן כבוד מלכותו עכ"ל.

חילו, שהוא התחיל בעבירה וממנו התחילה הפורענות. וכתוב (יד, כה) וינהגהו בכבדות, פרש"י במדה שמדדו, ויכבד לבו הוא ועבדיו אף כאן וינהגהו בכבדות. וכתוב (שמות טו, ד) טבעו בים סוף, פרש"י מלמד שנעשה להם הים טיט לגמול להם כמדתם ששעבדו את ישראל בחמר ובלבנים. ועוד פרש"י (טו, ה) שהיה חילוק בין אופן מיתתם כפי מה שהיו כשרים. דפסוק אחד כתיב שירדו כמו אבן ובמקום אחר כתיב צללו כעופרת ובמקום אחר כתיב יאכלמו כקש. וביאר רש"י שהרשעים היו כקש הולכים ומטורפין עולין ויורדין, ובינונים כאבן, והכשרים כעופרת שנחו מיד.

מדה כנגד מדה ע"י רמאות

ד) ומדברי הגר"א מבואר שהיה עוד ענין של מדה כנגד מדה שנתגלה על הים. כתיב (שמואל ב כב, כז) ועם עקש תתפתל, דהיינו שצריך לנהוג ברמאות עם רמאי כדאיתא בגמ' מגילה (יג:). ופי' התרגם יונתן ורש"י שם שקאי על פרעה. וכתב הגר"א השיעבוד של ישראל במצרים בא ע"י רמאות, ולכן הקב"ה שילם להם מדה במדה וטבעו בים בדרך של רמאות. וז"ל הזהב של הגר"א (מכת"י, הובא בכמה ספרים על הפסוק דבר נא באזני העם):

אך יש לבאר דהקב"ה שילם מדה כנגד מדה, דבתחילת העבודה שהתחילו עם ישראל היה ברמאות הכל שפרעה מתחילה הלך לעבודה גם כן, אמרו אם המלך עובד כל שכן עבדיו, ואחר כך היה משלם להם במיטב כספו על חד תלת, ועבדו ועשו יותר מהראוי להם לעשות הרבה לבנים כו'. ואחר כך אמר אם היה יכולתם בעד ממון לעשות הרבה לבנים כך וכך, אלף דרך משל, ועתה מוכרחים אתם גם כן לעשות סך הזה. והקב"ה באלף הבדלות גם כן נהג עם פרעה, [שאמר לישראל] שאלו כלי כסף וכסלי זהב כו', ואחר כך אמר אל תתנו להם הכלים. והנה רמאות גדולה היתה כשאמר כל הבן הילוד היאורה תשליכוהו, כי כך היה מתנהג שאמר למילדות העבריות עשו עצמכם כאלו באונס אתן עושים ותשליכוהו ליאור, ואח"כ כשיבואו לפני לדון על זה גם אני אעשה ואמעט הדבר ואצדיק אתכם, ואחר

גילוי המלכות ע"י המשפט מדה כנגד מדה

(ב) והנה ענין של מלך הוא השליט ועושה משפט בארץ, וכדכתיב (משלי כט,ד) מלך במשפט יעמיד ארץ. ויש לומר שמשו"ה היה גלוי של מלכות הקב"ה בקריעת ים סוף. דהנה אף אחרי שיצאו ישראל ממצרים וראו נסים ונפלאות בשידוד מערכות הטבע, עדיין יש נקודה שלא נתקן לגמרי. כי לא הושלם העונש למצרים על ששיעבדו את ישראל כל אותן שנים. וא"כ עדיין קיימת בעולם דבר שהוא כנגד רצון הקב"ה שלא הובא במשפט, ויש חסרון בגלוי מלכותו בעולם. וע"י קריעת ים סוף ראו איך הקב"ה עושה משפט בעוברי רצונו ויש דין ויש דיין, ונתגלה מלכותו.

ויש להעמיק קצת בזה, דהנה יתרו אמר (שמות יח,יא) עתה ידעתי כי גדול ה' מכל האלקים כי בדבר אשר זדו עליהם. ותרגם אונקלס ארי בפתגמא דחשיבו מצראי למידן ית ישראל ביה דנינון. דהיינו שנענשו מצרים בטביעת הים מדה כנגד מדה, וכמש"כ רש"י (שם) שהם רצו לדונם במים והם נאבדו במים, וכמו שאמרו בגמ' סוטה (יא.). [ועוד מבואר בחז"ל (סוטה שם, ע"י פרש"י) שהמצרים רצו להנצל מעונשו של הקב"ה גופא ע"י הנהגת מדה כנגד מדה. שחשבו כיון שהקב"ה כבר הביא מבול לעולם א"א לדון אותנו ע"י המים, ולכן גזרו כל הבן הילוד היאורה תשליכוהו, דע"ז צריך לענשם במים וזה אי אפשר. והם טעו כי השבועה שלא להביא מבול לעולם היינו דווקא לעולם בכלל, ועוד שלא הציף עליהם את המים, אלא הם ירדו לתוך המים כדאיתא בגמ' ע"ש. ונמצא שנתגלה בים סוף ההנהגה של מדה כנגד מדה במדריגה יותר עמוקה, ואפי' במקום שלפי שכל בני אדם לא היה אפשר].

ונראה שע"י עונש של מדה כנגד מדה יש גלוי יותר למלכותו יתברך. כי נתגלה לא רק שהוא עושה משפט ומעניש רשעים אלא גם המשפט עצמו הוא מדקודק לגמרי ואין מגיע לרשע אלא הראוי לו – מדה כנגד מדה.

ומדברי רש"י עה"ת נתבאר כמה פרטים בקריעת ים סוף שהם מורים על ענין זה של מדה כנגד מדה. ע"י מש"כ על מה דכתיב (שמות יד,ד) בפרעה ובכל

## גלוי כבוד מלכותו בקריעת ים סוף ופורים<sup>1</sup>

הרב יהושע משה מגילניק

גלוי מלכותו ית' בקריעת ים סוף

א) מצינו בכמה מקומות שהיה גלוי מלכותו יתברך בנס של קריעת ים סוף. אמרו בשירת הים "ה' ימלוך לעולם ועד". ובברכות ק"ש של ערבית אומרים "מלכותך ראו בניך בוקע ים לפני משה". ולא רק שהיה גלוי המלכות, אלא גם קבלו עליהם עול מלכות שמים. וכמו שאומרים בברכות ק"ש של שחרית, "המעביר בניו בין גזרי ים סוף וכו' ומלכותו ברצון קבלו עליהם וכו'". וכן כתב הגר"א (אד"א וזאת הברכה לג,ה) שעל הים קבלו עליהם עול מלכותו<sup>2</sup>.

ואיתא במדרש (שמות רבה כג,א) שע"י שירת הים "נתיישב" מלכותו, וז"ל אז ישיר משה, הדא הוא דכתיב נכון כסאך מאז, אמר רבי ברכיה בשם רבי אבהו, אף על פי שמעולם אתה, לא נתישב כסאך ולא נודעת בעולמך עד שאמרו בניך שירה, לכך נאמר נכון כסאך מאז, משל למלך... כך אמרו ישראל, באמת עד שלא בראת עולמך היית אתה, משבראת אותו אתה הוא, אלא כביכול עומד שנאמר עמד וימדד ארץ, אבל משעמדת בים ואמרנו שירה לפניך באז, נתיישרה מלכותך וכסאך נכון, הוי נכון כסאך מאז באז ישיר עכ"ל.

הרי מבואר שבקריעת ים סוף היה גלוי מלכותו ית' ונתיישב מלכותו בעולם וגם ישראל קבלו עליהם עול מלכות שמים.

<sup>1</sup> סוגיא הזו נעתיקה מספר החשוב, ויצאו מים, תשפ"א.

<sup>2</sup> וז"ל כי ד' פעמים קבלו ישראל את מלכותו עליהם אחד בים ב' בסיני וכו' בים כתיב זה א-לי וגו' ה' ימלוך לעולם ועד וכו' דהיינו שבפעם הראשון קבלו עול מלכותו ובפעם הב' קבלו עליהם עול תורה וכו' עכ"ל ע"ש. ונקט הגר"א שאמירת "זה א-לי" הוי קבלת עמ"ש, וכן בתפילה אומרים "מלכותך ראו בניך וכו' זה א-לי ענו ואמרו ה' ימלוך לעולם ועד".

ובשעת מיתתו הכריז בפיו מה שהיה עולה מתוך מיתתו והוא שמע ישראל ד' אלקינו ד' אחד. שפסוק זה הוא הגדת עדות על יחודו וכמש"כ הרמח"ל (דע"ת אות ל"ד) ... אבל יחודו אדרבא זה מתגלה ומתברר לנו בירור גמור... וסוף דבר הלא זה עדותנו בכל יום תמיד שמע ישראל ה' אלהינו ה' אחד. ע"כ.

ע"פ כל הנ"ל נראה שיש להעמיק בהענין של יום ל"ג בעומר. דהנה כמה מאורעות נתיחסו לאותו יום. ראשון הוא שיש אומרים שהי"ב אלף זוגים של תלמידי ר"ע פסקו מלמות (ע' בטור או"ח ס' תצג ובמאירי יבמות דף ס"ב ע"ב). וע' בטוב עין להחיד"א (ס' י"ח בביאורו לאו"ח ס' תצג:ב) שמוסיף שביום ל"ג בעומר התחיל ר"ע ללמד להחמשה תלמידים החדשים<sup>4</sup> ועוד שרשב"י מת באותו יום. ונראה לפרש שכל המאורעות האלו סובבים על מסורת תורת ר"ע. דהנה הי"ב אלף זוגים של תלמידים מתו משום שלא נהגו כבוד זה לזה. על פי הנ"ל יש להבין שמיתתם תלויה במה שלא היו יכולים להיות כלי קיבול לתורת ר"ע. שהבאנו לעיל שתורת ר"ע דהיינו תורת תיקון הרע היה כולל עניני מס' אהלות. והבאנו מרצ"ה שהשורש של טומאת מת הוא במידת הכבוד וממילא שתורת ר"ע היתה כדי לתקן מידת הכבוד. הנה אצל תלמידי ר"ע היה נמצא פגם במידת הכבוד שלהם ולא היו יכולים להיות כלי קיבול כדי לקבל ולמסור להדור הבא תורת ר"ע. וזה היה שורש מיתתם. ולא עוד אלא שנמצא במיתתם גופא תיקון להפגם במידת הכבוד שלהם ע"י העברתו וזהו בחינה של תורת ר"ע. וביום ל"ג בעומר נשלם אותו תיקון. לאידך גיסא חמשת התלמידים החדשים של ר"ע קיבלו תורתו באופן שלם, ומזה נמשך תורת ר"ע עד היום. ולא עוד אלא שבכלל אותם תלמידים היה רשב"י שלא רק שקיבל תורת ר"ע אלא היה מעמיק בה עד שגילה הראשית ושורש שלה. וההשלמה של אותם גילויים, תורת רשב"י, היה ביום מיתתו כמבואר בהזוה"ק (ח"ג רצא ע"ב) שאז גילה דברים שעד כאן לא היה מגלה. נמצא שיום ל"ג בעומר הוא יום של גילוי תורת ר"ע, בפרט ע"י רשב"י.

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<sup>4</sup> ע' עוד בספר עד בגל הזה עמ' ה' שמביא מהאר"י ד"ל שבל"ג בעומר נתן סמיכה להחמשה תלמידים ע"ש.



מה שיתקן רבי שמעון בן יוחאי שהיה ניצוץ שלו מזמנא תניינא דסליק משה להר, ולכן כמו שמשנה תיקן ה' ספרים כן רבי שמעון חיבר ה' פרקים ספרא דצניעותא. וזהו סוד פסוק "עלית למרום שבית שב"י" (תהלים סח:יט) נוטריקון 'שמעון' בן 'יוחאי וכו'. ע"כ. אע"פ שדברים אלו עומדים ברומו של עולם אפשר שיש לנו גם למטה השגה כל שהו על ידי כל הנ"ל. שההשוואה בין משה רבינו ורשב"י מובנת קצת ע"י מדריגת תורתם. שכמו שתורת רשב"י היא בתכלית גילוי יחודו ית' גם תורת משה רבינו כן כמו שהבאנו לעיל מהמי השילוח וז"ל נשמת מרע"ה היה נגד דיבור אנכי ועסקו היה בעוה"ז לברר בעולם אחדותו ית' שמו בעולם. ע"כ.

נראה שגם ר"ע בסוף ימיו זכה לגלות שורש תורתו. דאיתא בגמ' ברכות דף ס"א ע"ב וז"ל רבי עקיבא אומר בכל נפשך אפילו נוטל את נפשך תנו רבנן פעם אחת גזרה מלכות הרשעה שלא יעסקו ישראל בתורה בא פפוס בן יהודה ומצאו לרבי עקיבא שהיה מקהיל קהלות ברבים ועוסק בתורה...לא היו ימים מועטים עד שתפסוהו לר"ע וחבשוהו בבית האסורים...בשעה שהוציאו את ר' עקיבא להריגה זמן ק"ש היה והיו סורקים את בשרו במסרקות של ברזל והיה מקבל עליו עול מלכות שמים אמרו לו תלמידי רבינו עד כאן אמר להם כל ימי הייתי מצטער על פסוק זה בכל נפשך אפילו נוטל את נשמתך אמרתי מתי יבא לידי ואקיימנו ועכשיו שבא לידי לא אקיימנו היה מאריך באחד עד שיצתה נשמתו באחד יצתה ב"ק ואמרה אשריך ר"ע שיצאה נשמתך באחד וכו'. ע"כ. תורת ר"ע היא תורה של תיקון הרע. התורה של מס' אהלות שמדבר על הל' טומאת מת. מיתה וטומאתו היא תוצאה ישרה מהרע הקדומה של הבריאה, דהיינו הנחש. שע"י עצתו מיתה בא לעולם. אבל תורת ר"ע היא תיקון לזה, התורה שנוגע למיתה. תורה אחרת של רבי עקיבא היא בכל נפשך אפילו נוטל את נפשך, מיתה על קידוש שם שמים. שונה הלכה זו משאר תורת ר"ע שנמצא בה שגם מיתה יכולה להיות אמצעי של גילוי כבודו ית'. בהלכה זו נמצא שתיקון הרע אינו רק עבודה שלילית אלא עבודה של גילוי, גילוי יחודו ית'. ור"ע היה נאה דורש ונאה מקיים ומסר נפשו על קידוש השם.

מה שתורת רשב"י הוא תורה של גילוי יחודו ית' מצאתי גם בהבני יששכר (מאמרי אייר מאמר ג' אות ב') וז"ל ... הנה רבי שמעון בן יוחאי קראוהו 'בוצינא קדישא' (נר קדוש) כי על ידו נתגלו באיתגליא סודות התורה הוא סוד האור כי טוב (פ' האור של יום ראשון דמעשה בראשית) הגנוז בתורה, על כן נקראו ספרו הקדוש 'זוהר' אור המבהיק מסוף העולם ועד סופו אור הטוב הגנוז בתורה וכו'. ע"כ. יוצא שרשב"י נקרא נר קדוש וספרו נקרא זוהר על שם האור של יום ראשון הגנוז בתורה ונתגלה ביותר ע"י ספרו. ואותו אור של יום ראשון שהקב"ה ראהו שהוא טוב וגנוז לצדיקים, הוא השגת יחודו ית'<sup>3</sup>.

על ידי כל הנ"ל מובן הישוב להערתנו שאיך שייך שחלקו של ר"ע לא היה באגדה אבל חלקו של רשב"י, שהיה עיקר תורת ר"ע, כן היה האגדה. שתורת ר"ע היה שלילית, דהיינו לתכלית העברת רע. אגדה היא חלק התורה של גילוי, כמו שרצ"ה מביא לעיל מהספרי רצונך שתכיר מי שאמר והיה העולם למד הגדה שמתוך כך אתה מכיר את מי שאמר והיה העולם וכו'. וזה לא היה חלקו. תורת רשב"י מגלה שע"י אותו שלילה יש גילוי, דהיינו גילוי יחודו ית'. וזהו מדרגת אגדה. נמצא שתורת ר"ע בפועל אינה בכלל אגדה אבל ראשית תורתו, תורת רשב"י, כן בכלל אגדה.

הובא בשם האר"י ז"ל שרשב"י היה ניצוץ מנשמת משה רבינו(ע' שער הגילגולים סוף הקדמה ל"ו). ע"ע בליקוטי הש"ס ריש מס' שבת וז"ל דע כי רשב"י ע"ה הי' ניצוץ ממש רבינו ע"ה וכמו שמשוה ברח מפני חרב פרעה והשיג שלימותו שם במדבר כך הרשב"י ברח מפני הקיסר והשיג שלימותו שם במערה המדברה בלוד וז"ש בזוהר רות מי לנו גדול כמשה. מהרב זלה"ה. ע"כ. ע"ע במגלה עמוקות רנ"ב אופנים על ואתחנן אופן ע' וז"ל ראה משה

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<sup>3</sup> יסוד זה למדתי מספר של תורת הרב י.א. ויינטרויב זצ"ל. שהיה מדייק ברש"י בראשית א:ה וז"ל יום אחד: לפי סדר לשון הפרשה היה לו לכתוב יום ראשון...למה כתה אחד, לפי שהיה הקב"ה יחיד בעולמו שלא נבראו המלאכים עד יום שני. וכו'. ע"כ. יוצא מדברי רש"י שביום ראשון נתגלה יחודו ית'. וא"כ האור של אותו יום צ"ל בהירות והבנה באותו יחוד. ושוב מצאתי רמז לזה בהרמח"ל דע"ת אות מ' וז"ל ... ומעשי המצוות מאירים עליו האור הגנוז עד שבהשלימו חק מצוותיו נשלם עצמו עמהם ליאור באור החיים האלה וכו'. ע"כ.

כידוע בזוהר הק' (שמות לח ע"א) ועל כן אמרו בגיטין שאמר מדותיו תרומות מתרומות מדותיו של רבי עקיבא. היינו שרבי עקיבא היה השורש דכלל תורה שבעל פה כולה גם הנגלות ורבי שמעון בר יוחאי שנה התרומות שבתרומות היינו העומק ראשית משורש הנעלם שלמעלה מהדעת וכו'. ע"כ. לומדים מדבריו שכונות רשב"י אינה שתורתו היא המובחרת שבתורת ר"ע אלא שתורתו היא הראשית של תורת ר"ע. פירוש שתורתו מגלה השורש של תורת ר"ע. ומה שרשב"י מגדיר תורתו להיות תרומות מתרומות תורת ר"ע כונתו הוא על דרך הפסוק ראשית דגנך תירשך ויצהרך...תתן לו (דברים י"ח:ד) שמפרש שם רשב"י (ד"ה ראשית דגנך) זו תרומה. ונראה שתרומה הוא לשון של ראשית. ובביאור הדברים נראה שיש לתפוס עבודת תיקון הרע בשני מדרגות. המדרגה הראשונה היא שעבודת תיקון הרע היא לתכלית עצמה. העברת כל רע מהעולם. אבל יש גם מדרגה אחרת עמוקה מהראשונה. והוא שהעברת רע היא אמצעי לגלות יחודו יתברך. שעל ידי העברת רע יש גילוי שאין שום שולט ומושל אלא הוא ואין מנהיג לעולמו או לשום בריה בעולמו אלא הוא ואין מעכב על ידו ואין מונע לרצונו וכו' (דע"ת אות ל"ו). וכמו שכותב הרמח"ל עוד שם באות מ' וז"ל כי אדרבה, הרשה הקב"ה והניח לרע לעשות כל מה שבכוחו לעשות, כמו שביארנו. ובסוף הכל – כל יותר שהקשה הרע את עול סבלו על הבריות כן יותר יגלה כח יחודו ית' וממשלתו העצומה אשר הוא כל יכול (כשהוא מעביר כל רע) ומתוך עומק הצרות הרבות והרעות מצמיח ישועה בכחו הגדול. ע"כ. נראין מדברי הרמח"ל שהעברת רע אמצעי לגלות מה שהוא קורא יחוד ממשלתו (ע"ש אות ל"ו). ובמילים אחרות יש מדרגה של העברת הרע שהיא שלילית (עצם העברת הרע) ויש מדרגה אחרת שהיא לגלות (גילוי יחודו ית'). ורצ"ה מפרש שמדרגת תורת ר"ע היתה בתיקון הרע בפועל. ומצד זה יש גילוי רק להמדרגה הראשונה של העברת הרע. משא"כ רשב"י זכה לגלות את הראשית ומקור של תורת ר"ע, דהיינו תיקון הרע. והוא שהשורש של כל המהלך של בריאת הרע והעברתו הוא ברצונו ית' לגלות יחודו.

בעולם ונשמת ר"ע היה נגד לא יהיה לך והוא לברר ולנקות כל רע וסיג פסולת שבלב ישראל להרחיקם מרע שהוא בכלל לא יהיה לך וכו'. ע"כ.

ונראה שדברי המי השילוח מקושרים עם דברי האר"י ז"ל. שתוצאה ממה שר"ע היה מזרעו של עשו ובפרט המשך מהצד קדושה שהיה בו אז עבודתו היתה אותה עבודה של עשו, דהיינו תיקון הרע. ומאחר ולא יהיה לך היא המצוה הכוללת שסגולתה לתקן הרע שורש ר"ע היה משם.

ע"פ דברי המי השילוח הנ"ל רב צדוק הכהן (פרי צדיק הנ"ל) מפרש הגמ' חגיגה הנ"ל וז"ל ... אך ענין נגעים הינו מה שהמצורע משולח חוץ למחנה ישראל. ואהלות הוא שורש פגם הנחש שהביא מיתה לעולם והם משורש קנאה וכבוד. וזה עסק וחלק רבי עקיבא לתקן כל הרע ורב כעס הנכלל במאמר לא יהיה לך. והגדה איתא (ספרי עקב סוף פיסקא מט) רצונך שתכיר מי שאמר והיה העולם למד הגדה שמתוך כך אתה מכיר את מי שאמר והיה העולם וכו' וזה חלק משה רבינו שהוא שרש מאמר אנכי כו'.<sup>1</sup> ע"כ. לפי דבריו יוצא שודאי היה לר"ע חלק בסודות התורה. אבל בעיקר מה שנוגע לתיקון הרע. ונגעים ואהלות הם הסמל של תיקון הרע. שטומאת מת ומצורע מושרשים בכבוד וקנאה.<sup>2</sup> והדינים שלהם הם תיקונם. החלק של תורה הנקרא אגדה בעיקר הוא עניני תיקון הטוב, דהיינו הכרת דרכי הקב"ה. וזה לא היה חלקו של ר"ע.

עד כאן דברנו בענין מדריגת תורת ר"ע. עכשיו עלינו לדבר בענין מדרגת תורת רשב"י. הנה בביאור הגמ' גיטין שהבאנו למעלה כותב רב צדוק הכהן (פוקד עקרים אות ו' ס"ק י"ח) וז"ל אבל רבי שמעון בר יוחאי זכה לגלות ההעלם

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<sup>1</sup> ועי"ש בדבריו שמוסיף לפרש למה דוקא ר' אלעזר בן עזריה היה מוכיח ר"ע על כניסתו לדברי אגדה וז"ל וזה אמר ליה רבי אלעזר בן עזריה דהוא עשירי לעזרא (ברכות כ"ז ע"ב) ועזרא איתא (סנהדרין כ"א ע"ב) ראוי היה שתנתן תורה על ידו לישראל אלמלא קדמו משה וכו'. ועל כן אמר לו כלן אצל נגעים ואהלות שזה חלקך לתקן כל הרע ובהגדה אנכי אדרוש שזה חלק משה רבינו עליי השלום ועזרא. ע"כ.

<sup>2</sup> ע' פרי צדיק פ' ויצא אות ד' שמפרש שנגעים באים על לשון הרע. ושורש של לשה"ר הוא קנאה. ומיתה וטומאתו באים ע"י כבוד. ע"ש.

הנה שלמות עבודת ד' בתיקון העולם יוצאת משני חלקים: תיקון הטוב ותיקון הרע. וכמו שכותב הרמח"ל בספרו קנאת ה' צבאות (גנזי רמח"ל עמ' קיא) בביאור ענין עשו וז"ל דע, כי שני דברים צריכים להעשות: אחד – תיקון הקדושה בסוד התפשטות מדרגותיה ואחד – כפית הס"א תחת הקדושה. והתפשטות הקדושה היה נוגע ליעקב, וכפית הס"א בכל מדרגותיה היה נוגע לעשו. ע"כ. ומלבד מה שהרמח"ל מלמדנו שיש שני דברים הצריכים להעשות אלא מוסיף גם שיכול שעבודות אלו מתחלקת לאנשים שונים. יש מי שעיקר עבודתו לתקן הטוב ויש מי שעיקר עבודתו לתקן הרע. מהמדרש (שהש"ר א:טו) לומדים שגם תורה ומצות נתחלק לשנים, ויש חלקי התורה שמסוגלים יותר לתקן הטוב ויש חלקים מסוגלים יותר לתקן הרע. דאיתא שם וז"ל ר' יהודא אומר בשעה ששמעו ישראל אנכי ה' אלוהיך נתקע תלמוד תורה בלבם והיו למדים ולא היו משכחין... ר' נחמיה אמר בשעה ששמעו ישראל לא יהיה לך נעקר יצה"ר מלבם וכו'. ע"כ. יוצא מהמדרש שיש סגולה מיוחדת במצות אנכי לתיקון הטוב וסגולה מיוחדת בלא יהיה לך לתיקון הרע. ונראה שאין זה דוקא במצות אנכי ולא יהיה לך אלא שבכל מצות עשה יש סגולת תיקון הטוב ומצות ל"ת תיקון הרע. דעיינ בהגר"א ז"ל בפירושו לשה"ש א:ב פירוש א' וז"ל ... ושני דברות הראשונות הם כוללים כל המצוות, אנכי כולל כל מצות עשה ולא יהיה לך כולל כל מצות לא תעשה וכו'. ע"כ.

הנה בביאור הפסוק ויאהב יצחק את עשו כי ציד בפיו וכו' (תולדות כה:כח) הובא בכמה ספרים מהאר"י ז"ל שהציד בפיו של עשו היה הנשמות של תולדותיו הנמשכות מקדושתו והיו עתידים לגייר. ובכללם נמנה רבי עקיבא. רבי עקיבא היה מצאצאי עשיו, הוא היה בן גרים והוא היה נמשך מקדושתו. והנה איתא בספר מי השילוח ח"א פ' בא ד"ה זאת חוקת הפסח וז"ל ... ומשה היה נגד אנכי ור' עקיבא בן יוסף היה נגד לא יהיה לך, כידוע שכל נפשות ישראל המה בשורש דבוקים כל אחד ואחד באותיות התורה. והנה נשמת מרע"ה היה נגד דיבור אנכי ועסקו היה בעוה"ז לברר בעולם אחדותו ית' שמו

## ל"ג בעומר – תורת ר"ע ורשב"י

הרב אהרן גינזברג

איתא בגמ' חגיגה דף י"ד ע"א וז"ל כתוב אחד אומר "כרסיה שביבין די נור" וכתוב אחד אומר "עד די כרסון רמיו ועתיק יומין יתיב" (כרסיה: משמע כסא אחד. כרסון רמיו: שני כסאות הוטלו נתקנו לישיב עליהן – רש"י שם) לא קשיא אחד לו ואחד לדוד כדתניא אחד לו ואחד לדוד דברי רבי עקיבא. אמר לו ר' יוסי הגלילי עקיבא עד מתי אתה עושה שכינה חול (להושיב אדם בצידו – רש"י שם) אלא אחד לדין ואחד לצדקה. קיבלה מיניה או לא קיבלה מיניה ת"ש אחד לדין ואחד לצדקה דברי רבי עקיבא. אמר לו ר' אלעזר בן עזריה עקיבא מה לך אצל הגדה (אגדה) כלך מדברותיך ולך אצל נגעים ואהלות אלא וכו'. ע"כ. לומדים מהגמ' שאגדה לא היתה חלקו של רבי עקיבא בתורה. אע"פ דפשוט הוא שרבי עקיבא היה לומד אגדה וגם היה מחדש דברים עמוקים ואמיתיים בה מ"מ זה לא היה חלקו. ממילא ר' אלעזר בן עזריה טוען עליו שרק מי שחלקו באגדה ראוי ליכנס לפרש את הפסוק הזה. והק' רב צדוק הכהן (פרי צדיק שמות אות י') שאיתא לקמן שרבי עקיבא נכנס לפרדס ויצא בשלום. והענין של כניסה לפרדס הוא לימוד סודות התורה. ממילא בין ממה שר"ע נכנס ובין ממה שיצא בשלום לומדים שהיה לו חלק בסודות התורה. א"כ איך אומר ר' אלעזר בן עזריה שאין לר"ע חלק באגדה.

ונראה להוסיף בזה דהנה איתא במס' גיטין דף ס"ז ע"א וז"ל אמר ר"ש (רבי שמעון בר יוחאי) לתלמידיו בניי שנו מדותי (למדו תורתי – רש"י שם) שמדותי תרומות מתרומות מידותיו של ר"ע (בחרתים ותרמתים מתוך עקרי משניותיו של ר"ע והיינו ברירה אחר ברירה – רש"י שם). ע"כ. יוצא מהגמ' שתורת רשב"י היא עיקר משנת ר"ע. הנה מסתבר הוא שתורת רשב"י כוללת גם את הזוה"ק. ממילא דברי הזוה"ק הם בכלל תורת ר"ע. וא"כ איך אפשר לומר שאין חלקו של ר"ע באגדה וצ"ב.

ובחזון איש (יורה דעה סימן ב ס"ק כז, חושן משפט ליקוטים סימן ו ס"ק ב) הרבה לתמוה על פסק זה, דאם כנים הדברים שכשעבר ונעשה חשוד על עבירה אחת הרי הוא כעבר על השבועה שנשבע מהר סיני, א"כ האיך מצינו ידינו ורגלינו בהלכה הרווחת אצלנו (חושן משפט סימן צב סעיף ג) שאין אדם נפסל לשבועה אלא א"כ עשה עבירות חמורות הפוסלות אותו לעדות, והיינו עבירות שיש בהן מלקות (שם סימן לד סעיף ב), דלפי המתבאר מדברי הפוסקים הו"ל למימר שבכל עבירה קלה יהא פסול לשבועה כיון שכבר נעשה חשוד לעבור על שבועתו. ועוד הוסיף דבלאו הכי אי אפשר לומר כן דהוי כעובר על שבועה, דא"כ מאי טעמא אין לוקין על כל לא תעשה או על ביטול עשה, עיי"ש.

אולם להתבאר יש לומר שאין כוונת הפוסקים דכל העושה עבירה הרי הוא כמי שעבר על שבועה, שכבר נתבאר שאין חלות חיוב שבועה על כל אחד ואחד לדורי דורות רק באותן שעמדו בהר סיני ונשבעו בפייהם. אלא כוונת הפוסקים שכל אחד ואחד מושבע מהר סיני היינו כנ"ל, דכיון שכלל ישראל קיבלו עליהם לחזק ולאדם את עצם קבלת התורה שיהא אמת כמו אמיתות הקב"ה, והיינו ענין השבועה שנקבע על קיום התורה והמצוות לדורי דורות, ממילא אם אחד עבר על עבירה פלונית הרי הוא ערער באמיתות אותו ענין.

ולכן אין האדם נפסל לשבועה משום כל עבירה קלה שעשה, דאע"פ שערער באמיתות אותה עבירה מ"מ יתכן שמודה באמיתות כל התורה והמצוות. ודוקא אם עבר על עבירה פלונית אינו נאמן עליה אף בשבועה, דהרי כל ענין השבועה שבא לעשות על ענין זה המסויים היינו לאמת אותו אמת גמור כאמיתות הבורא, ומאחר שהוא עצמו כבר גילה לנו במעשיו שאינו מאמת הענין לגמרי כיון שעבר על עבירה זו ונעשה חשוד עליה, משום הכי אינו נאמן על ענין זה אפילו בשבועה, אבל לגבי שאר הדברים לא נעשה חשוד כיון דלא כפר באמיתות אותן המצוות, ועיין.

ולפי המתבאר נראה דאדרבה בעלי הגמרא כאן חלוקין על המדרש הנ"ל וסבירא להו דלא היתה שבועה אלא בערבות מואב. ומשום הכי קאמר דוקא מושבע ועומד 'מהר סיני', דאם היו אומרים מושבע ועומד מערבות מואב היה מקום לטעות שכוונת הדברים כפשוטן, דכיון שכבר נתחייב בשבועה אחת שוב אינו יכול להישבע על זה שנית והוי כמו שבועה אחר שבועה דעלמא, וא"כ יקשה הא כל אחד ואחד לא הוציא בשפתיו השבועה ולמה לא יהא יכול לחייב עצמו עכשיו בשבועה גמורה. ולזה מרמזת הגמרא דמושבע ועומד 'מהר סיני', והיינו דאף שבועה זו שנשבעו בערבות מואב לא באה כדי לחייבם עכשיו בדין חלות שבועה, אלא כל מטרתה היתה לאמת את עצם קבלת התורה והמצוות דהר סיני שיהא כמו אמיתות הבורא, וכיון שכן הרי כל ישראל לדורי דורות מחוייבים לקיים אמיתות התורה והמצוות שקיבלו מהר סיני כמו אמיתות הבורא, וזהו דאמרו דוקא 'מהר סיני' כלומר דכל ישראל אף אלו שלא נשבעו מ"מ מחוייבים הם כבר כאילו נשבעו בעצמם, ומשום הכי לא חיילא שבועה על המצוות.

ע"פ האמור יש ליישב דברי הפוסקים דהחשוד על הדבר אינו נאמן עליו אפילו בשבועה (ח) ואולי יתכן לבאר ע"פ כל האמור מה שכתב בשולחן ערוך (יורה דעה סימן קיט סעיף ח) וז"ל, החשוד על הדבר אינו נאמן עליו אפילו בשבועה, עכ"ל. ובביאור הדין כתבו הש"ך (ס"ק כא) והט"ז (ס"ק י) דכיון שהוא מומר לאותו דבר הרי גם עבר על השבועה דהא מושבע ועומד מהר סיני, ונמצא דכל שהוא חשוד על הדבר הרי הוא חשוד גם לעבור על השבועה. וכן הוא במקור הדברים בבית יוסף שם (ד"ה כתוב) וז"ל, כתוב בתשובות להרמב"ן<sup>4</sup> סימן ק"ע וכו', לא אמרו משומד לדבר אחד משומד לכל התורה כולה אלא במשומד לייין נסך ולחלל שבת בפרהסיא וכו', ומכל מקום במה שנחשד הרי אנו רואין אותו כמשומד גמור לאותו דבר, ואפילו בשבועה אינו נאמן, שכבר הוא חשוד לעבור על השבועה על אותו דבר שהוא מושבע מהר סיני, עכ"ל הבית יוסף.

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<sup>4</sup> היינו מה שנקרא בזמנינו תשובות הרשב"א המיוחסות להרמב"ן ונמצא שם סימן קע, וגם הופיעה תשובה זו בשו"ת הרשב"א חלק א סימן סד.



השבועה הוי חילול שמו. דלכאורה צ"ב מאי שנא סתם עבירה דאין בה חילול השם מעבירה על שבועה דהוי חילול השם. אולם לפי האמור דבריו מבוארים, דסתם עבירה בלא שבועה לא הוי חילול השם כל כך, דאע"פ שעובר על ציווי הבורא מ"מ אינו מעיד שהוא שקר ח"ו, משא"כ אחר השבועה דהוי חילול השם בכל עבירה שעושה כיון שמערער על אמיתות הבורא].

ביאור דברי רב גידל דנשבעין לקיים מצוה מהא דאמר דוד המלך 'נשבעתי ואקיימה', וביאור לשון הגמרא 'מהר סיני'

(ו) ולאחר כל זה יש ליישב מהיכן הוה פשיטא ליה לרב גידל שדוד המלך נשבע בעצמו לקיים המצוות, ודילמא מה שאמר 'נשבעתי ואקיימה' כוונתו לשבועה שנשבעו בהר סיני, וכמו שהוקשה לעיל ע"פ המהרש"א. אכן לפי האמור נמצא שלא היה דין שבועה כלל בהר סיני לכלל ישראל לדורי דורות, דרק אותם שנשבעו בפה ממש חל עליהן דין שבועה לכל דיניו, אבל עם ישראל בכללותו לא חל עליו שבועה גמורה בפועל. ומהא דאמר דוד המלך 'נשבעתי' קא דייק רב גידל, דאי אפשר לפרש דאמר כן על הר סיני כיון שבאמת לא נשבע, ועל כרחך שדוד המלך נשבע עוד שבועה גמורה בעצמו לקיים המצוות ומשום הכי אמר 'נשבעתי ואקיימה', ומזה יליף רב גידל דאף כל אחד ואחד מותר לו להישבע כדי לזרוזי נפשיה.<sup>3</sup>

(ז) ושמא יש לבאר בזה גם הא דאייתי בגמרא 'מהר סיני', שכבר הובא לעיל (אותיות א-ב) להקשות בזה דלא מצינו שבועה מפורשת בכתובים אלא בערבות מואב, ואע"פ שבדברי המדרש רבה מבואר שגם בהר סיני נשבעו ישראל, מ"מ צריך ביאור מאי טעמא הביאו בגמרא דוקא הך שבועה דהר סיני, והא טפי הו"ל להגמרא להביא דברים מפורשים מקרא דנשבעו בערבות מואב, ומה מצינו בהר סיני יותר מערבות מואב.

<sup>3</sup> אלא שלא נתיישב לפי דרך זו מה שהוקשה לעיל (אותיות ג-ד) בדברי הר"ן והרמב"ן, וצ"ע.

קדם לזה שום חלות שבועה דהא רק 'ענין' השבועה קיים לכל יחיד ויחיד, וא"כ יש לומר דשפיר יכול לחדש על עצמו חלות שבועה גמור דיחייב אותו לעשות כן. ולזה קמ"ל הגמרא דילפינן מקראי דאף כי האי גוונא חשיב 'שבועה על שבועה', דאמנם אין עליו חלות שבועה קודם מ"מ כיון שכל ענין השבועה שרוצה להשבע עכשיו היינו לקבל על עצמו לאמת הפעולה כפי אמיתות הבורא, ממילא חשיב לגבי זה כ'מושבע ועומד מהר סיני', דענין זה כבר קיים עוד קודם לכן משום השבועה הכללית שנשבעו בהר סיני, וזהו דנתחדש בקרא דאע"פ שמוסיף עכשיו חיוב וחלות שבועה מ"מ אינו מוסיף מאומה במהות השבועה ופעולתה, ומשום הכי לא חיילא שבועתו.

ובזה יתיישבו ג"כ דברי הרמב"ם הנ"ל שכתב דהנשבע לבטל את המצוה לא חיילא שבועתו דהוי כשבועה אחר שבועה. דלפי האמור נראה שאין כוונת הרמב"ם לומר דזהו המקור להאי דינא משום סברא, רק כוונתו לומר דמאחר דילפינן בגמרא מקראי דאף נשבע לבטל את המצוה לא חיילא, הרי בזה נתגלה לן דאף כי האי גוונא הוי בכלל 'מושבע ועומד', ולכן כתב מסקנת הדברים דזהו הטעם דשבועתו לא חיילא כיון שכבר הוא מושבע ועומד. אבל אין בזה שום סתירה לדברי הגמרא דמייתי לדין זה מקראי, דהפסוק רק בא לגלות דאף כאן שייך הטעם ד'מושבע ועומד', וכנ"ל.

וגם יבואר היטב מה הרויח משה רבינו בזה שהשביע את בני ישראל לקיים המצוות, דלכאורה כמו שיעברו על התורה כן יעברו גם על השבועה. דלפי המתבאר נראה שענין השבועה הוא שנתווסף כאן, דאמנם מצד 'חובת קיום' המצוות לא נתווסף מידי דכמו שיכולים שלא לקיים עיקר חובתם לקיים התורה והמצוות כן יכולים שלא לקיים חובת שבועתם, מ"מ פעולת השבועה היתה להעיד על כל התורה והמצוות שהן אמת כמו אמיתות הבורא, דבאמת זהו כל ענין שבועה דעלמא, ולכן השביע את בני ישראל לא משום ה'חלות חיוב' דשבועה אלא משום התוצאה הנפעלת ממנה. [ויתכן שזהו עומק כוונת תלמידי רבינו פרץ הנ"ל דאף בני נח מצווין על חילול השם, ועבירה על

שבועת שקר, כלומר נשבע לקיים דבר ולא קיימו שהיא נקראת שבועת ביטוי וכו', כי הנשבע בשם הגדול לאמת דבר שהיה והוא יודע ששקר בפיו, הנה הוא מקיל ביראת אלוקים כאומר בלבו שאין אמת וכו'. כי פירוש נשבע הוא לפי דעתי שגומר האדם בלבו ואומר בפיו להיות מקיים אותו דבר שנשבע עליו ולא ישנהו לעולם, כמו שהשם ברוך הוא קיים ולא ישתנה לעדי עד, עכ"ל.

ונראה דזהו ביאור הסברא 'מושבע ועומד מהר סיני', דודאי אין כאן דין וחלות שבועה ממש שהרי כל ישראל שבכל הדורות לא נתחייבו בדין שבועה כיון שלא הוציאו בפייהם. אלא 'מושבע ועומד מהר סיני' פירושו שמלבד עצם קבלת התורה והחייב לקיים המצוות מצד עצמם, עוד נוסף על זה שבועת בני ישראל שאם יעברו על המצוות הרי הן כמערערין ח"ו על אמיתות הבורא, דבאמת זהו הנפעל מכל שבועה שלא רק מחוייב לעשות כמו שדיבר אלא שאם עובר על זה הרי זה כמערער על אמיתות הקב"ה. ונמצא בזה, דאע"ג דלא היה חלות שבועה כלל לגבי כל ישראל שבכל הדורות, מ"מ ענין השבועה ופעולתה הוא בכל מצוה ומצוה לדורי דורות, שאם עובר על המצוות הרי הוא כמערער על אמיתות זו שקבעו בהר סיני דיהא אמיתות קיום המצוות כאמיתות הבורא וכו"ל.<sup>2</sup>

ולפי"ז אתי שפיר מאי טעמא הוצרכו ללמוד מפסוקים דאין שבועה חלה לקיים דבר מצוה או לבטלה. דודאי אם הוציא שבועה בשפתיו כבר מסברא אמרינן דאינו יכול להישבע שנית על זה, דאין השבועה השניה יכולה לחול מאחר שכבר נתחייב בשבועה הראשונה. אולם בזה שאני נשבע לבטל המצוה או לקיימה, דלולא הדרשות הו"א שיכול להישבע על דבר מצוה כיון שלא

<sup>2</sup> ובאמת הדברים מוכרחים, דאם נימא שבכל עבירה שעושה הרי הוא כעובר על שבועה ממש, א"כ מאי טעמא אין לוקין על כל העבירות שבתורה, ואף על ביטול מצוות עשה הו"ל ללקות כיון שעובר על שבועה. ועל כרחך דאין כאן דין שבועה גמור כאילו נשבע בעצמו, אלא 'ענין' השבועה הוא הוא דקיים לדורי דורות, וכו"ל. ועיין עוד בענין זה להלן (אות ח).

וביותר יקשה בדברי הרמב"ם (הלכות נדרים פרק ג הלכה ז) שכתב וז"ל, שבועות אין חלות על דברי מצוה, שהנשבע אוסר עצמו על דבר שנשבע עליו וכו' וכבר עצמו מושבע מהר סיני, ואין שבועה חלה על שבועה, עכ"ל. ומבואר בדבריו שכן הוא הטעם אליבא דאמת דהנשבע על דבר מצוה לא חיילא שבועתו, דמאחר שכבר מחוייב הוא מצד שבועתו הראשונה דהר סיני ממילא הוי כמו שבועה אחר שבועה דעלמא. אך זה צ"ע, דהא בגמרא מבואר דלפינן לזה מדרשות ולא מסברא, וכל זה צריך ביאור.

והנראה בזה, דודאי הני שבועות שנשבעו ישראל בהר סיני ובערבות מואב אין זה דין שבועה גמור מפרשת שבועה האמורה בתורה. דהא קיימא לן (שבועות כו:) דשבועה צריכה ביטוי שפתים ואם גמר בלבו לא מהני עד שיוציא בשפתיו, וא"כ ודאי השבועה שחלה על כל הדורות אין גדר דינה כשבועה דעלמא, דהא רק מי שעמד בהר סיני ובערבות מואב הוציא השבועה בשפתיו אבל כל דורי דורות של ישראל לא הוציאו מפהם שום שבועה [ואע"פ דמבואר בגמרא (שבת קמו.) שהמזל של כל אחד מ'ישראל בכל הדורות היו בהר סיני, מ"מ דבר פשוט הוא שלא היה שם 'הוציא בשפתיו' כיון שהגופים של כלל ישראל לא היו שם]. ועל כרחק צריך לומר דהך סברא ד'מושבע ועומד מהר סיני' אין הכוונה לדין שבועה האמור בתורה והיינו שישראל נשבעו ממש בהר סיני או בערבות מואב, אלא כוונת הדברים ש'ענין' שבועה היה בהר סיני.

וביאור הדברים נראה ע"פ מה שכתבו הר"ן והחינוך לבאר מהות השבועה וענינה. דהנה הר"ן (שבועות י. מדפי הר"ף) ביאר מדוע שייך לשון שבועה אף בנשבע על חפצא וז"ל, בדקא אסר חפצא עליה נמי משכחינן להו דהיינו באומר 'ישיבת סוכה עלי שבועה', שענינו שאיסור ישיבת סוכה מקריים עלי בשבועה, כלומר כמו שהשם יתברך קיים, שזהו ענינה של שבועה, עכ"ל. וביתר ביאור כתב החינוך (מצוה ל) וז"ל, משורשי מצוה זו לדעת בני אדם ולקבוע בנפשותם ולחזק האמונה בלבותם, כי הקל ברוך הוא אשר בשמים ממעל חי וקיים לעד אין קיום כקיומו וכו'. ומזה השורש בעצמו הוא ענין

מה שנשבעו ישראל לקיים התורה אינו 'חלות' שבועה המחייבת לדורות, אלא ענינו לקבוע אמיתות התורה כאמיתות הבורא – ביאור 'מושבע ועומד מהר סיני' ע"פ דברי החינוך

ה) ולכן נראה לבאר דברי רב גידל באופן אחר, ובהקדם מה שצריך להבין עצם הסברא ד'מושבע ועומד מהר סיני'. דהנה 'עויין בתוס' תלמידי רבינו פרץ (נדרים כה, א ד"ה ולישבועו) שהקשו מה היה הטעם שהשביע משה את ישראל לקיים התורה והמצוות, והא אם אין תורה אין גם דין שבועה, ומאי אולמיה דחייב שבועה יותר מחייב התורה עצמה. ותירצו ז"ל, יש לומר אף בני נח מוזהרין על קידוש השם, שלא לחלל שמו בשבועת שקר, עכ"ל. ולכאורה גם תירוצו זה אינו מספיק, דאף בזה יש להקשות איזה 'חילול השם' יש במי שלא מקיים שבועתו יותר ממי שעובר על כל התורה כולה בלא שבועה.

עוד יש לעיין בעיקר הדין דנשבע לקיים מצוה או לבטלה דלא חיילא שבועתו. דהנה מקור הדין מבואר הוא בגמרא (שבועות כז, נדרים טז: יז). דהיינו מקראי ד'להרע או להיטיב' וד'לא יחל דברו', דכל שהוא חפצי שמים ואינו בלאו והן אינו בכלל פרשת שבועות, עיי"ש. ולכאורה צריך ביאור מאי טעמא בעינן לזה דרשות מפסוקים, והא בלאו הכי כיון שכבר הוא מושבע ועומד מהר סיני ממילא לא חיילא שבועתו לקיים המצוה או לבטלה. והרי זה ממש כמי שנשבע אותה שבועה פעמיים דמבואר להדיא בגמרא (נדרים יז). דלא חיילא שבועתו השניה ואינו לוקה אלא פעם אחת, והיינו משום סברא פשוטה דאין שבועה חלה על שבועה שהרי הוא כבר מחוייב ועומד, והתם לא ילפינן ליה משום פסוק. וכמו כן מבואר בגמרא (שבועות כט). לגבי נשבע שלא לאכול ככר זו אחר שכבר נשבע בתחילה לאוכלה, דהשבועה השניה אינה חלה כלל כיון שכבר מחוייב הא מצד שבועתו הראשונה לאוכלה. וא"כ יקשה מדוע לגבי נשבע לקיים את המצוות או לבטלן צריך פסוקים מיוחדים ללמדנו דלא חיילא שבועתו.

איפכא לדעת הרמב"ן ודעימיה, דהאיך סבירא ליה להרמב"ן דחפצי שמים אינם בכלל דין שבועה כלל, והיינו דבין שנשבע לבטל ובין שנשבע לקיים לא חיילא שבועתו כלל לא לגבי קרבן ולא לגבי מלקות, והא כבר בתורה מצינו שבני ישראל נשבעו פעמיים לקיים התורה והמצוות, חדא בהר סיני, ועוד בערבות מואב, ומוכרח לכאורה דשייכא שבועה שחלה אחר שבועה.

וגם בלאו הכי אי אפשר לפרש כן כלל דעת הר"ן, דהא להדיא מבואר בגמרא (מכות כב, א) דהאומר שבועה שלא אחרוש ביום טוב לא חיילא שבועתו כלל אף לענין מלקות כיון דמושבע ועומד מהר סיני הוא. ומוכרח מזה, דאף הר"ן והבעל המאור דסבירא להו דנשבע לקיים המצוה חיילא שבועתו לענין מלקות, זהו דוקא שנשבע לקיים מצות עשה, אבל אם נשבע שלא יעבור על לא תעשה בכי האי גוונא לא חיילא שבועתו כלל כיון דאין איסור חל על איסור, וכן כתב הבעל המאור עצמו (שבועות יב, ב מדפי הרי"ף) לחלק בין קיום עשה לקיום לא תעשה, וכן נקט הרעק"א (יורה דעה סימן רלח על הש"ך ס"ק כו) כדבר פשוט בדעת הר"ן.

והשתא אם נימא שכל מקור דברי הר"ן הוא משום דהוקשה לו האיך נשבעו בני ישראל פעמיים, ומזה הוציא את חידושו לחלק בין שנשבע לקיים את המצוה דחיילא שבועתו לבין שנשבע לבטל את המצוה דלא חיילא, הרי לא נתיישבה קושייתו כלל אף למאי דמסיק. דהא אף לדברי הר"ן דחיילא שבועה לקיים המצוה היינו דוקא שנשבע לקיים מצות עשה ולא שנשבע שלא לעבור על לאו וכנ"ל, ואכתי תיקשי האיך בני ישראל נשבעו פעמיים בהר סיני ובערבות מואב, דבערבות מואב נשבעו לקיים כל התורה בין עשה בין לא תעשה, ודוחק לומר דלא חלה השבועה כלל לגבי לאוין.

יש לחלק בין נשבע לבטל את המצוה לבין נשבע לקיימה וכנ"ל, עדיין צריך ביאור מהיכן הוה פשיטא ליה להר"ן חילוק זה, דבפשוטו כיון דמבואר להדיא בגמרא דלחפצי שמים הוא מיחל א"כ סתמא דמילתא הוא כמו שכתב הרמב"ן דחפצי שמים אינם בכלל דיני שבועות, ואין כאן חלות שבועה כלל בין בנשבע לקיים ובין בנשבע לבטל, וסברת הר"ן צ"ב.

אכן זה א"ש לפי מה שנתבאר לעיל שמקור דברי רב גידל בסוגיין דשייכא שבועה אחר שבועה לגבי מצוות הוא מהא דבני ישראל נשבעו שתי שבועות, ורק הוכיח מדוד המלך דזה שייך אף ליחיד שבכל דור ודור. דלפי זה יש לומר דהר"ן הוקשה לו דבר זה, דכיון שכבר בתורה מצינו שבועה אחר שבועה לגבי קיום מצוות, א"כ האיך מבואר בגמרא לקמן דשבועה על חפצי שמים לא חיילא כלל כיון שכבר מחוייב בהן. ועל כרחק צריך לחלק בין ביטול לקיום, דאם נשבע לקיים המצוה שפיר חיילא שבועתו כמו שנשבעו בני ישראל פעמיים, ואלא הא דמבואר בגמרא דליכא חלות שבועה כלל על חפצי שמים היינו דוקא אם נשבע 'לבטל' המצוה, דבזה לא חיילא שבועתו כלל לא לגבי קרבן ולא לגבי מלקות.

ד) אמנם יש לשדות נרגא בכל האמור, דאכתי צ"ע מהיכן ראה רב גידל דהוי דבר הגון והנהגה טובה להישבע לדבר מצוה לזרו עצמו, דודאי בני ישראל שנשבעו פעמיים לקיים התורה והמצוות הרי עשו כן משום שנצטוו על פי הדיבור, אבל מהיכא תיתי דכל אחד ואחד יש לו מצוה לעשות כן. ועל כרחק צריך לומר דאין ראייתו כלל מזה אלא מדוד המלך שאמר 'נשבעתי ואקיימה' וכפשטא דסוגיא, וא"כ שוב צריך ביאור מנא ליה דדוד המלך אמר כן כלפי שבועת עצמו, ודילמא איירי בשבועה הכללית שנשבעו כל בני ישראל, וכדהובא לעיל ע"פ המהרש"א.

ועוד יש להקשות על הדרך הנ"ל, דאם כנים הדברים שמקור דברי רב גידל הוא מהא דבני ישראל נשבעו פעמיים על קיום התורה והמצוות, א"כ יקשה

יב: מדפי הרי"ף). אולם הרמב"ן (מלחמות שם יג: מדפי הרי"ף) האריך להשיג על דעת הר"ן והבעל המאור וז"ל, בשבועות אינו כן, שאפילו לקיים מצות עשה אינן חלות, לא לקרבן ולא למלקות, ד'לא יחל דברו' כתיב וחפצי שמים אינן בכלל, למעוטינהו מלאו דשבועה, עכ"ל.

וביאור דברי הרמב"ן, דהא לגבי נשבע לבטל את המצוה מבואר להדיא בגמרא (נדרים טז: יז:). דמלבד הדרשא ד'להרע או להיטיב' דבעינן ישנו בלאו והן, עוד דרשינן מקרא ד'לא יחל דברו' – דברו לא יחל, אבל מיחל הוא לחפצי שמים. ומשום זה מפרש שם בגמרא שצריך לקיים המצוה ואינו עובר כלל על שבועתו שנשבע שלא לקיימה, דמשני הפסוקים ילפינן דבין בשוגג בין במזיד ליכא חיוב קרבן ומלקות כלל, ע"כ סוגיית הגמרא שם. ומזה למד הרמב"ן דהוא הדין לכל שבועות על דבר מצוה, דבין אם נשבע לבטל במצוה ובין אם נשבע לקיימה, אין כאן חלות שבועה כלל דאין זה בכלל פרשת שבועה, ואינו חייב לא קרבן ולא מלקות, והיינו ד'לחפצי שמים הוא מיחל' הוי דרשא כללית על דיני השבועות ולא דוקא לגבי נשבע לבטל את המצוה.

ובאמת צ"ע מה ישיב הר"ן להוכחת הרמב"ן מהגמרא הנ"ל, דלכאורה מבואר להדיא דליכא לא קרבן ולא מלקות לגבי נשבע לבטל את המצוה, והיינו משום דילפינן לזה מתרי קראי, וכן"ל. והנראה פשוט בדעת הר"ן, דכיון דסוגיית הגמרא שם איירי בנשבע לבטל את המצוה, א"כ יש לומר שדוקא נשבע לבטל את המצוה דנאמר בו שני פסוקים אימעיט גם מקרבן וגם ממלקות, אבל בזה שאני נשבע לקיים את המצוה דלא אימעיט מ'לא יחל דברו' רק מקרא ד'להרע או להיטיב' דבעינן ישנו בלאו והן, ולכן לא נתמעט אלא מקרבן ולא ממלקות.

אבל יש לעיין מנא ליה להר"ן חילוק זה, ואע"פ שהר"ן בסוגיין הוכיח דבריו מסוגיית הגמרא בשבועות, הרי שם מוכח רק דדרשא ד'להרע או להיטיב' איירי בקרבן ולא במלקות, אבל מ"מ כיון דלגבי נשבע לדברי מצוה הרי איכא עוד דרשא ד'לא יחל דברו', א"כ מגלן דבזה אינו נפטר גם ממלקות. ואם כי



להישבע שלישית אם ירצה, דהא שם נשבעו ישראל על פי הדיבור. ורק מאחר שכן מצינו בתורה א"כ מסתבר דאף דוד המלך שאמר 'נשבעתי ואקיימה' לא נתכוין להשבעות הישנות שנשבעו בני ישראל, אלא כוונתו היתה שנשבע עוד שבועה שלישית פרטית לקיים המצוות, ומיניה יליף רב גידל לכל יחיד ויחיד דשרי לזרוזי נפשיה ולהישבע על קיום המצוות.<sup>1</sup>

לפי הנ"ל יש לבאר דעת הר"ן לחלק בין נשבע 'לקיים' מצוה לבין נשבע 'לבטל' מצוה (ג) וע"פ האמור נראה לבאר דעת הר"ן בסוגיין שחילק בין נשבע לבטל את המצוה לבין נשבע לקיימה. דהנה עיקר הדין דשבועה אינה חלה לגבי מצוות, הלא מקורו במשנה במסכת שבועות (כז.) דאיתא שם, נשבע לבטל את המצוה ולא ביטל, פטור, לקיים ולא קיים, פטור וכו', אם אמרת בשבועת הרשות שכן עשה בה לאו כהן, תאמר בשבועת מצוה שלא עשה בה לאו כהן, ע"כ. ובביאור הדין פירש רש"י שם (ד"ה שלא), דילפינן לזה מהא דכתיב (ויקרא ה, ד) 'לְהִרְעֹ אוֹ לְהִטִּיב', שדוקא שבועה שאפשר לעשות הן ואפשר לעשות לאו היא שבועה, אבל לקיים מצוה או לבטלה דאינו יכול בלאו הכי להיפטר מהמצוות, בזה לא חיילא שבועה.

אלא שהראשונים נחלקו בדין נשבע לקיים מצוה, שדעת הר"ן בסוגיין (ד"ה והלא) דכל זה נאמר רק לגבי חיוב קרבן אם עבר עליה בשוגג, אבל עצם השבועה חיילא גם על דבר מצוה, ולכן אם נשבע לקיים מצוה ולא קיימה במזיד הרי הוא חייב מלקות. וכדעת הר"ן כן כתב גם הבעל המאור (שבועות

<sup>1</sup> ובזה יש ליישב מה שהקשה התורת חיים (שבועות לט. ד"ה אין לי) בדברי הגמרא הנ"ל 'אין לי אלא אותן העומדין על הר סיני דורות הבאים וגרים העתידין להתגייר מנין, דלכאורה תמוה מהיכא תיתי דדוקא אותן שהיו בהר סיני יהיו בכלל השבועה שהשביע משה רבינו את ישראל בערבות מואב, והו"ל למימר אין לי אלא אותן שעמדו באותו מקום, והיינו בערבות מואב, ואינו מובן לכאורה מה ענין ערבות מואב אצל הר סיני. אבל לפי המתבאר מדברי המדרש והגמרא כאן שבני ישראל נשבעו כבר בהר סיני על התורה והמצוות, א"כ נמצא דשבועת ערבות מואב היתה שבועה נוספת לחזק את שבועת הר סיני שקדמה לה, ושפיר ס"ד למימר דרק אותם שהיו בשעת שבועה הראשונה בהר סיני הם הם המקבלים על עצמם עכשיו החיזוק שע"י השבועה השנית, אבל הנולדים אחרי כן אינם בכלל השבועות מעיקרא [ובע"ז תירץ בתורת חיים הנ"ל עיי"ש].

המלך נשבע עוד שבועה אחרת מלבד השבועה דהר סיני. ולפי"ז ודאי יקשה מנא ליה לרב גידל דמותר להישבע לקיים את המצוה לזרוזי נפשיה, והא דילמא הכי הוא אליבא דאמת שדוד המלך מעולם לא נשבע עוד שבועה מעצמו, ופירוש הכתוב 'נשבעתי' היינו מה שנשבע בהר סיני, וכנ"ל.

עוד יש לעיין בלשון הגמרא 'מושבב ועומד מהר סיני', דלכאורה לא מצינו שבועה מפורשת בתורה אלא בערבות מואב (דברים כט), ששם השביע משה רבינו את כל עם ישראל לקיים התורה והמצוות. וכן מפורש בגמרא (שבועות טז.), משה רבינו, כשהשביע את ישראל אמר להן, דעו שלא על דעתכם אני משביע אתכם אלא על דעת המקום ועל דעתי, שנאמר ולא אתכם לבדכם וגו' כי את אשר ישנו פה, אין לי אלא אותן העומדין על הר סיני, דורות הבאים וגרים העתידין להתגייר מנין, תלמוד לומר ואת אשר איננו וכו', ע"כ. ולכאורה א"כ הוה ליה להגמרא לאתויי השבועה המפורשת בתורה בערבות מואב, ומהו זה דאיתא מושבב ועומד 'מהר סיני'.

ב) אכן ביאור הדברים נראה ע"פ מה דאיתא במדרש רבה (נשא ט, מז), מנין שבסיני לקחו שבועת האלה, שכן כתיב אלה דברי הברית וגו', מלבד הברית אשר כרת אתם בחורב, הקיש ברית חורב לברית ארץ מואב, מה להלן באלה אף כאן באלה וכו', ע"כ. ומבואר דשתי שבועות נשבעו בני ישראל, האחת בזמן מתן תורה בהר סיני, והשנית בערבות מואב. ונראה דאף תלמודא דידן הכי סבירא ליה כדברי המדרש, שכבר בהר סיני נשבעו ישראל לקיים התורה, וזהו דאמרו בסוגיין 'מושבב ועומד מהר סיני'.

ובזה יבואר מהיכן למד רב גידל חידוש זה דמותר להישבע לגבי קיום מצוות. דכיון דבתורה עצמה כבר מצינו דשייכא שבועה אחר שבועה לגבי קיום התורה והמצוות, דאחר שנשבעו ישראל בהר סיני עוד נשבעו שנית בערבות מואב, מזה למד רב גידל שנשבעין לקיים המצוה. אלא שלא פירש כן להדיא, דבאמת מהתם אי אפשר ללמוד שכן הוא הדין לגבי כל יחיד ויחיד שיכול

## מושב ועומד מהר סיני

### הרב רפאל שעפטיל הלוי נויברגר

מושב ועומד מהר סיני – שתי שבועות נשבעו, אחת בהר סיני והשניה בערבות מואב (א) איתא בגמרא (נדרים ח.), אמר רב גידל אמר רב, מנין שנשבעין לקיים את המצוה, שנאמר נשבעתי ואקיימה לשמור משפטי צדקך, והלא מושב ועומד מהר סיני הוא, אלא הא קמ"ל דשרי ליה לאיניש לזרוזי נפשיה, ע"כ. וכתב שם הר"ן (ד"ה והלא) וז"ל, מעיקרא קס"ד דרב גידל אתא לאשמועינן ששבועה חלה על דבר מצוה כדבר הרשות, ומוכח לה מדכתיב נשבעתי ואקיימה. ומשום הכי פריך 'והלא מושב ועומד הוא' דהא מוכיחין בפרק שבועות שתים בתרא (שבועות כז.) דהא דכתיב 'להרע או להיטיב' בדבר הרשות כתיב קרא, ולא בדבר מצוה. ומתצינן וכו', מנין שדבר הגון הוא להישבע לקיים את המצוה ואפילו כשרים שנמנעין משבועה נשבעין הן בכך, שנאמר נשבעתי ואקיימה, כלומר שהרי דוד היה עושה כן, עכ"ל.

ודברי הגמרא צריכים ביאור, דמאחר שנשבעו ישראל בהר סיני ומשום הכי לא חיילא שבועה לקיים את המצוה, א"כ מנא ליה לרב גידל ללמוד מדוד המלך דהוי דבר הגון להישבע לקיים המצוה, והא גם הפסוק 'נשבעתי ואקיימה' אפשר לפרשו דלא נשבע דוד המלך עוד שבועה נוספת, אלא כוונתו, נשבעתי – בהר סיני לקיים כל המצוות, ואקיימה – לכן עכשיו אקיים המצוות. והאיך מוכח בפסוק שדוד המלך נשבע עוד שבועה אחרת.

ובאמת התוס' שם (ד"ה מושב) הקשו, מאי טעמא פריך בגמרא על רב גידל מהא דמושב ועומד מהר סיני, והא הו"ל להקשות על דוד המלך עצמו האיך נשבע לקיים המצוות הלא הוא כבר מושב ועומד, עיי"ש מה שתירצו. אולם במהרש"א (חידושי אגדות ד"ה מנין) כתב ליישב קושיית התוס' כנ"ל, דמהלשון 'נשבעתי ואקיימה' אין הכרח לומר שדוד המלך נשבע בעצמו דאולי הכוונה לשבועת הר סיני, ורק על רב גידל הקשו כן כיון שפירש כוונת הפסוק שדוד

המלכות. לעת"ל גילוי חצי האחר. וכתב הגר"א ז"ל בענין הרחב פיך, לכן חז"ל תקנו בשמו"ע שברכה של בקשות יתחיל באתה חונן, ההוא בד"ת, ומאחר שיש שאלה של תורה, וזה בחי' הדעת, ומבקש זה, ושאר השאלות הם מה ששייך לאתה חונן. ד' עינויים, ענין יסורין וחסרון בהבריאה, ד' מיני חסרונות, וכששואל אתה חונן, "המעלך מא"מ הרחב פיך ואמלאהו", זה ענין שי"ט ברכות בהגדה, ז' מקודם אכילת מצה, כנגד י"ט ברכות שמו"ע, שהסדר הוא ענין תפילה ובקשה ושאלה.

אבל יכול לחזור לאות ה' במקום קטן שבין הו' קטן והד'. ושם בחי' תשובה שייך. אבל אם הוא סתום, לא שייך ענין תשובה. שהח', אין יכול לחזור ע"י תחתון, כתב שאחר החטא א"א לחזור באותו דרך, וצריך בחי' אחר של צר, וזה מהלך של תשובה. וכמ"ש רי"א, וזה ענין סייגים, לוחות שניות, בחי' תשובה. וראשונות בחי' צדיק. ובמצרים, מצב שלא היה גילוי של בחי' התשובה. וזה ענין האם. ובגאולה נתגלה מבחי' האם.

בבריאת העולם, מלאכים טענו להקב"ה שאדם עתיד למחטי, והאב אמר שלא לברוא, והאם אמרה לברוא ותקבל על עצמה ענין חטא הבן. בפשעכם שלחה אמכם. וזה ענין רבקה שאמרה עלי קללתך בני. שהיא מקבלת, בחי' האם. בחי' האם בחי' התשובה. חוזר למקורו. מי מטהר אתכם. מ"י בגי' נ' שע"ב. בחי' המקוה. בן ארבעים לבניה, מ' סאה של מקוה. וטהרה במצרים מצד שבירת דבר זה. חמץ, תיקון ששייך תשובה. תיקון ע"י השיעבוד ויסורין, תיקון חטא אדה"ר בבחי' כלל ישראל בני בכורי ישראל ותיקון חטא אדה"ר. ונעשה שני מאורות הגדולים בליל פסח וזה לידת המוחין במחשבת האדם. ופטר רחם, פוטר, ענין פתיחת הרחם, ועוד איתא לשון פטר, אין מפטירין אחר אפיקומן. ושם ר"ל שקרבן פסח על השובע, טעימה האחרונה, טעם הפסח, כמו בליל פסח ענין הטעם, טעמי המצות. כמ"ש רמ"מ שזה ענין טעמי מצות, ורי"א מסביר, שזה מדרגה הגבוהה של גילוי התורה. שטעמי המצות הוא שיש שני שלבים, אור של פנימי של תורה, למה תפילין כזה למה של ראש כזה וכו' ונתגלה איזה הבנה לנו, אבל אין הסבר בעצם למה הרבש"ע רצה בתפילין. וזה רק לעת"ל, טעמי המצות ואין מי שמשיג זה, אבל בפסח יש קצת השגה בזה בטעמי המצות. ולכן אין מפטירין אחר הפסח אפיקומן.

ענין פסח, ענין שאלות, הבן שואל, כתב הגר"א ז"ל על אנכי וכו' המעלך מארץ מצרים הרחב פיהו ואמלאהו, ואיתא בגמ' ההוא בד"ת. ענין המעלך מארץ מצרים הוא בחי' שענין שאלה מיצ"מ. שם גלות הדעת וגלות הדיבור. וגאולת דעת ודיבור, שאלה. גילוי מלכות ה'. מה שאלת ומה בקשתך עד חצי

ומזכר הולך האור לנקבה, ומעמיד הנקבה, וכותב שהאות י' במילואו, יו"ד, זה בחי' החכמה. י' הוא כולם בחכמה עשית. אות שבנה כל אותיות הא"ב, מנקודה עושים כל האותיות. ומאיר לבחי' זכר ומאיר בדעת, ואלו שני מאורות הגדולים. יו"ד, זכר ונקבה, מידת החסד ודין. זה מילוי אות י'. מאיר לשניהם, עי"ש. וכותב לכתחילה האות ו' מהאות י', מילוי הי' מה שמגלה, ו"ד, ובתחילה, הו' היה מסתיר ענין האם. ונעשה אות ח'.

זה המהלך משני מאורות הגדולים שבנה זה. והמהלך, שו' שהוא בחי' זכר, והיה סותם ענין האם שהיא אות ה'. ח' סתום. ואח"כ כשמוליד נפתח רחמה בפטר רחם ונעשית ה' ויצאה ממנה אות ו'. זה ענין חמץ שנהפך ביצ"מ למצה שהח' נעשה ה'. ועוד שח' סתום, כחות הרע שולט, וכשנפתח, נשבר אותו חלק הה'. ונעשה מצה. ולכאורה ענין חמץ במצרים, שזה בפנימיות, הרבש"ע היה עושה לידה של כלל ישראל. וזה בא משורש שני מאורות הגדולים, שורש זכר ונקבה, שני מאורות גדולים, שוים, וזה ענין אור הגנוז גנוז תוך השמש. ענין תושב"כ ותושבע"פ בשמש וירח, שהוא ענין אור. אור הוא חסד גמור. אור מגלה הרבש"ע, אור של תורה, בחי' רז. רזי תורה. פנימיות התורה שמגלה. וכמ"ש מאור שבתורה מחזירה למוטב. אור שבתורה. זה אור הגנוז שנגנז בתורה, מציאות אור בהתורה. וזה שני מאורות הגדולים. וזה הנהגת הבריאה. ההשגחה נראה סתום. האור ע"י שמש וירח. בברכת ק"ש אור חדש על ציון תאיר, שיהי' אור חדש, מוציא חמה מנרתיקה, אור הגנוז.

ובליל פסח יש ענין זה, שתלוי בענין מצה וחמץ. בחמץ, סותם. בפנימיות היה מהלך של לידה, והמהלך לזה, מצד חטא עה"ד וזה תיקון עה"ד, בעצב תלדי בנים. חבלי משיח. אשה שמולדת. מטהר הולד. תיקון עה"ד טו"ר ע"י יסורין אלו. ובמצרים מהלך של לידת כלל ישראל. להיות בגלות וסתום, צריך סתימה מצד ענין שאין גילוי של הקב"ה בהשגחה. ובמצב זה של עיבור קודם שיש גילוי של הקב"ה מצד כלל ישראל בהבריאה אז חמץ שולט, ענין מצרים, בחי' חמץ ועושה ה' לח'. וזה ענין שאם אדם חוטא, הולך חוץ מאות ה' מתחתון,

ובליל פסח, אף שבכח כלל ישראל לעשות מצות בבחי' בחירה, אבל גם יש גילוי היחוד שהוא למעלה מזה והוא בגדר ידיעה. היה התקטנות הלבנה, לכי ומעטי את עצמך. ובליל פסח בט"ו בניסן הלבנה בשלמותה. שיש גילוי אור ההטבה. וניזונים מזיו השכינה. וזהו שחוק של לעת"ל, סעודת לויתן.

והנה בפורים ובשמחת תורה שיש בחי' שחוק ורואים במנהגי היום ענין השחוק. ונראה שגם בפסח רואים דבר זה בהמנהג של גניבת האפיקומן דרך שחוק. כנגד ד' בנים, בחי' יצחק, אפיקומן, שחוק.

ותיקון נפש בהמיות בחי' תושבע"פ. ושורש תושבע"פ, ענין יחוד תושב"כ ותושבע"פ. אפילו כולנו חכמים וכו'. שורש של תורה עצמה, מבחי' ליל פסח. וזה מענין תושבע"פ. לעת"ל אשת חיל עטרת בעלה. בליל שני מתחילים התיקון בספירת העומר, תיקון נפש בהמיות ע"י דרך הבחירה. אבל בליל פסח עצמה ניתן לנו שורש התורה שמספרים כל אותו הלילה. ולכן אמר עד שבאו תלמידיהם ואמרו הגיע זמן ק"ש. כל המרבה הרי זה משובח, שהסיפור אין סוף והיה שייך להם להמשיך, שהסיפור הוא א"ס משום שהוא גילוי על הא"ס, גילוי שה' א"ס בכלל הסיפור יצ"מ. שלימות גילוי זה שמצד עצמם היו ממשיכים עוד ועוד בעומק הדבר אף שכולנו חכמים וכו' אעפ"כ מספרים בסיפור יצ"מ. שסיפור יצ"מ הוא השורש של זה. ג' ענינים אלו, חכמה בינה ודעת, חכמים נבונים יודעים. והם עניני מחשבת התורה. וזה גופא חילוק בין חיים ומות. מיתה בא ממה שלא היה גילוי מחשבת הקב"ה בהבריא,ה, ושלימות החיים רק כשיש לאדם מחשבה בשלימותו בהארה, בא', בהארה, בראש, מראש זה חיות האדם.

בליל פסח יש לידה שהוא גילוי מחשבת קב"ה. ובמצות עצמם מגלה פנימיות המצוה, התחדשות בהבנה והשגה. וזה כמו שאמרו בחז"ל, ניזונים מזיו השכינה. נעשה כאכילה, הראי' עצמה, וזה השכר לעוה"ב. ההשגה מצד הראיה. וגר"א ז"ל כתב ויאמר אלקים יהי מאורות, שני מאורות, בחי' זכר

מה שאדם משיג במידת הדין. וזה סעודת לויתן, חידושי תורה מבחי' זו. שנתגלה בפנימיות התורה. הוא דבר של שחוק, ממתיק מידת הדין. ותשחק ליום אחרון. ובלייל פסח, זה האפיקומן. סעודת יצחק. יצחק כנגד ד' בנים דברה תורה, ד' פעמים ב"ן בגי' יצח"ק. הוא בחי' הבן, האב שהיה בחי' בן. וביאתו לעולם כולו ע"י חידוש. ולידת יצחק בפסח. מה שבא ממידת הדין הוא ממדרגה הגבוה ביותר של גילוי החסד. גילוי אור הגנוז שראה מסוף העולם עד סופו. וזהו ענין השני תנינים, סירס הזכר, שנגזז האור. ורק שיירם יש לנו מזה לקיום העולם. וממתיק בחי' דין של האשה. וזה מהברית מילה, שעכשיו הערלה מכסה, ולעת"ל יהי' הסרת הערלה ויתגלה אור הגנוז, ויהי' כתנות אור במקום שהיה כתנות עור.

וזה ענין סעודת לויתן, שלחן עורך הוא דבר בפנ"ע, אינו רק סעודה כמו שיש בכל יו"ט, אלא כנגד סעודת לויתן. וזהו גופא שמחה זו של נפש הבמהיות. בחי' יצחק. יצרת לשחק בו, שחוק מבחי' לויתן. זהו סעודת יצחק כמ"ש חז"ל, וזה בחי' צחוק, צחוק של מידת הדין. קשר בין יצחק וירידת מצרים ויציאה ממצרים. ד' פעמים בן בגי' יצחק. וגם גי' ארבה. במכת ארבה נאמר למען תספר באזני בנך ובן בנך. חז"ל אמרו שהשם של יצחק היה ראוי להיות ישחק, אבל יצחק נתן הש' כדי שיהי' צ', חילוק בין צ' וש' הוא רד"ו שנים, כדי לדלג על הקץ. נתן שנים אלו, בחי' ש' של ישחק, להיות יצחק. ענין מידת הדין, ד' בנים, בחי' בן, כנגד נפש בהמיות, בהמה בגי' ב"ן. אף שהוא מידת הדין ומזה בא בחי' מיתה. שענין יצחק הוא שגופא הדין עצמו הוא בחי' טוב. כדי שיהי' דילוג, בחי' דילוג על הקץ, שאף שמצד מידת הדין גמור ברד"ו שנים, אבל יצחק מידת הדין עצמו, האב של מידת הדין, נתן הגילוי של ישחק ונעשה יצחק, ושלמות הדבר רק יהי' לעת"ל שאז שמו יהי' ישחק, יצרת לשחק בו. שדין עצמו. שחוק בהדין. זה גופא הרד"ו שנים. דילג על הקץ. בא מבחי' שחוק עצמו. ליתן גילוי השלם של השחוק.



להטיב. וכותב שהם בחי' תושב"כ ותושבע"פ. ובלייל פסח, ענין תורה ומצות. תושב"כ ותושבע"פ.

כותב שענין תושבע"פ וענין דרשות תושבע"פ מהפך לפי פשטות התושב"כ, בפ' משפטים באד"א, רוב ענינים שם שלא כפשוטו של מקרא. וזה נקרא בחי' חותם, כמ"ש במשה ובצלאל, שמשה אמר לו ארון תחילה, ואמר שלא מסברא להיות כן, רק שיכנה המשכן תחילה. ומשה אמר בצל א-ל. וכתב ח"ו שמשה יטעה, אלא שבשמים מלמד למשה כפי מדרגת לימוד. ומדרגת לימוד הוא ללמד תכלית הדבר תחילה וזה היה הארון. ומצד תושב"כ, לימוד, ארון תחילה. אבל מצד מעשה, לעשות, כמו שאמר בצלאל שהארון אחר המשכן. סוף מעשה במחשבה תחילה. וזה תושבע"פ. משה רבינו יאמר שבעשיה לעשות כן, אבל אמר כן תחילה כדי לחבר תושב"כ לתושבע"פ שהם אחד. תושבע"פ הוא בחי' החותם המהפך. וזה הגילוי של תושב"כ בתושבע"פ. וכדי לגלות חיבור תושב"כ ותושבע"פ אמר תחילה ענין זה. ובצלאל השיג מדרגה זו קודם שמשה רבינו לימד אותו. שבתושבע"פ ראוי להיות להיפך. עוקר את המקרא, אבל הוא עומק הפשט של שהמקרא. זה העזר כנגדו. ענין תושב"כ ותושבע"פ הם אחד, זה ענין שני מלכים משתמשים בכתר אחד. הרצון ממש אחד אף שבהגהה למעשה הם שני ענינים ונראה כדבר והיפוכו אבל שם מידת הדין נתגלה שהם ממש דבר אחד.

וזה ביצ"מ, משה אמר למה הרעתה לעם הזה. וה' אמר אני ה'. אף שנראה חומר השעבוד, אבל בפנימיות כל כולו חסד. ואף משה אמר למה הרעתה, שזה הנהגת מידת הדין, ונעשה קשה יותר. וה' אמר זה דוקא גילוי של פסח. הקושי השעבוד גרם הגאולה ולולא זה לא יבא, וזה חלק מדילוג על הקץ.

אפיקומן הוא "מה רב טובך אשר צפנת לרעך". צפון, מהלך של דינים. ואכילת אפיקומן כנגד סעודת לויתן. יצרת לשחק. יצחק, שחוק של הדין. והגר"א ז"ל כתב שיש ב' ענינים בחילוק בין אדם ובהמה, שכל ושחוק. שענין שחוק הוא

והתי' הוא יכול מר"ח כו' ביום ההוא שלילה זו נקרא יום. מגלה הנהגת הלבנה בבחי' יום. ועי' בספר יד אליהו שהקשה היאך כלל ישראל מלו בלילה ותי' שלילה כיום יאיר ולא היה ללילה זו דין לילה אלא דין יום. [וכעין מה שכתב הגר"א ז"ל שנעשה לבחי' יום לענין מצות]. עוד כתב הגר"א ז"ל שלעת"ל אור הלבנה כאור השמש, שנעשו שוין, זה בליל פסח לעת"ל. דבר זה מיוחד לפסח.

וזה נקודה של פסח עצמה. שבחי' פסח הוא בחי' אור, גילוי אור של לבנה, גילוי אור תושבע"פ, גילוי נפש של כלל ישראל. כמ"ש הגר"א ז"ל בשרי השירים שנפש שלנו מא"י ומונין ללבנה ויש לנו תושבע"פ שאין לאומות שייכות. גוי מקרב גוי, מצויינים שם, נפרדים, ודבר זה מבדיל בין כלל ישראל ואוה"ע, בחי' הנפש שלהם. ובחי' נפש הוא ענין זה של אדם ובהמה תושיע ה'. נפש של כלל ישראל מצד אור הלבנה, שהוא תושבע"פ, נפש מא"י וזהו בנה לנו את בית הבחירה שהוא הסוף דבר של פסח. וגם ועלו מושיעים וכו' שלימות הגאולה, בחי' נפש זה.

וענין שני מאורות, כתב הגר"א ז"ל בליקוטים שהם ענין זכר ונקבה, והוא ענין מידת חסד ודין, חיבור בין זכר ונקבה, ענין יחוד צד ימין ושמאל, הנהגות כף זכות וכף חוב, הנהגת ימין ושמאל, שהנהגות אלו מתייחד בשותף השלישי, הא' של אנכי וכו'. זה יחוד השני הנהגות. ושני אלו כנגד שני מאורות הגדולים. קודם מיעוט הלבנה היו שוה בשוה, משתמשים בכתר אחד. שכתר הוא רצון של אדם, עומק הרצון שעושה בכל ימיו מצד נקודה שבא מבחי' רצון והוא מקיף כל דבר. הוא שורש כל דבר פרטי. והלבנה טען היאך שייך להיות שני מלכים בכתר אחד, ענין כתר בפרט בכתר מלכות. שמלך, נעשית רצונו, הכל עבדיו משובעדים לעשות רצונו. וצריך להיות רק מצווה ולא עושה. והיאך שייך שבעומק הרצון יהיה שוין, ועוד שאחד מצד ימין ואחד מצד שמאל, חסד ודין. והתי' הוא אה"נ שמידת החסד ומידת דין הוא דבר אחד של חסד, למעלה מחסד פרטי של הזכר. כל דבר הוא כל כולו חסד, רצונו

יש ענין סיפור. חז"ל אמרו שבחי' הדעת, גנוז בפה דמלכות. וזה ענין הדיבור. פה, מלכות. בחי' תושבע"פ. האב שמלמד לבנו, סיפור יצ"מ.

איתא בהגדה אפילו כולנו חכמים וכו'. בחי' תושבע"פ. חכמים מספרים כל הלילה. יש ענין ללמוד הלכות הפסח בכל ליל פסח. מצינו ענין הלכה בפסח כמו שהארכנו לעיל. איתא בזה"ק לבנה הוא ענין ליבון של הלכה. להסיר הסיגים. עי"ש. פסח הוא כנגד תושבע"פ ובחי' נפש. וזה ענין לבנה. הלכה למשה מסיני. וימררו את חייהם וכו' בפרך וכו' בקושיות ופרכות. ענין כיסויים על תושבע"פ. שצריך דרך מרירות לגלות בת המלך, שכל כבודה בת מלך פנימה. לגלות הלכה, הכלה. וזה ענין מח' תנאים ואמוראים, להסיר דברים של חשך. הרמח"ל כתב שיש מזה ומצוה, ו' הוא אור של הזכר, השמש. וכשמייחד מזה, מזה פרוסה, עני, מצד מלכות אין לה כלום, וכשמתעצם באור של דעת נעשה מלא. ויש מזה בלילה.

איתא בגמ' ברכות שג' משמרות הוי הלילה, וכתב הגר"א ז"ל שהם כנגד חמור שור כלב ר"ת חשך. כמ"ש רי"א שרואים בבחי' לילה שליטת הלבנה, שיש שינוי במצבים של עבודת האדם. ואנחנו מונין ללבנה. ענין עבודה שלנו לתקן בחי' לילה. והארץ היתה תהו וכו' וחשך על פני תהום. וכמו הלבנה לפעמים חסר ומלא כן ימי האדם יש ימי עלי' וימי ירידה. ובליל פסח, ענין לילה כיום יאיר. כמ"ש הגר"א ז"ל בביאור שאלת מה נשתנה הלילה הזה, למה הלילה נעשה לבחי' זכר שיש בו מצות בלילה, ושאר ימות השנה אינו בלילה, וזה חילוק זכר ונקבה. זכר יש בו רוב מצות התורה. ונשים אינם כמו זכר בקיום מצות. וזה שאלת הבן, למה לילה זו נעשה הזה לשון זכר. א"כ זה השאלה הכללי, והשאר פרטים בשאלה זו מהו השינויים. אבל בכלליות, לילה נעשה בחי' זכר. והתי' לקושיא זו, ביום ההוא וכו' בעבור זה בשעה שיש מזה ומרור מונחים לפניך, זה התי', שאור הלבנה כאור החמה, לכן לילה זו שונה מכל הלילות.

ובחי' נפש שלהם מא"י. משא"כ אוה"ע. וכותב הגר"א ז"ל שפסח כנגד תושבע"פ, מדרגת הנפש. שזה ההתחלה שהנהגה ע"י כלל ישראל. זה הגילוי שכלל ישראל שייכים לא"י, מלכות שלהם. שליטה מבחי' לבנה. וזה ההנהגה של תיקון הבריאה. ותיקון התהו של הבריאה הוא ע"י בחי' הדעת. לדעת בארץ דרכך. נתינת התורה ע"י משה לדור דיעה.

ב"שני מאורות הגדולים" כתב הגר"א ז"ל שהם כנגד תושבע"פ ותושב"כ. שמש וירח. אור הגנוז שנברא ביום א' גנוז אח"כ בהתורה, והאור משמש וירח. יש ללבנה אור מאור השמש. וגשמיות המאיר לארץ, אינו רק בחיצוניות אלא גם בפנימיות. ולעת"ל מוציא חמה מנרתיקה, ומגלה פנימיות אור השמש. זהו משה כפני חמה ויהושע כפני לבנה. הנהגת משה כפי הנהגת פנימיות השמש. ומחמת החטא העגל כלל ישראל ירדו עד פני לבנה. וזה חילוק בין תושב"כ ותושבע"פ. וזה כשהם נפרדים אחד מאחר. אה"נ אור לבנה משמש, אבל אחרי פטירת משה רבינו הארה זו אינו בשלימותו כמו שיהיה לעת"ל שישתמשו בכתר אחד ויהיה הארת השמש. ואוי לדור מאותו בושח וכו'. משה רצה ליכנס לא"י ולהאיר בחי' השמש תוך א"י. אבל אילו יכנס לא יהי' מקום להארת הלבנה והקב"ה רצה שיהי' הארת הלבנה. וזה בא מחמת חיסרון משום החטא. וביהושע מאיר, ודבוק לרבו, לבנה שדבוק לשמש, וכל דבריו היה ע"פ תורת רבו מהקב"ה. והנהגה בא"י תושבע"פ שמקושר לתושב"כ אבל אינו בשלימותו כיון שבא אחרי פטירת משה רבינו. ודאי יש הארה גשמי משמש ולבנה, אבל גם נכלל בהם מדרגת תושב"כ ותושבע"פ כמ"ש בליקוטי הגר"א ז"ל, והוא גילוי האור של תושב"כ ותושבע"פ. וזה בליל פסח, מתחיל מהחדש הזה לכם בקידוש הלבנה, וזה ההנהגה שגילוי תושבע"פ בא בלילה בליל פסח.

וזה ענין הדיבור בפה. ענין בחי' הדעת שנתגלה בסיפור יצ"מ, אף שיש הארה מאותיות י"ה"ו של השם הוי"ה, אבל צריך להיות גילוי מה' האחרונה. ולכן

במצרים היה גאולת הדעת, ולעתיד לבא יהי' שלימות הדעת, מלאה הארץ דעה כמים לים מכסים. וגם לעת"ל יהי' לדעת בארץ דרכך, שדעת ירד ממש להארץ ובזה הוא תיקון הארץ.

הנה עיקר התכלית של יצ"מ היה לבא לירושלים, כמו שאומרים בהגדה בסוף הכל בנו לנו את בית הבחירה. וירושלים הוא שלימות הלבנה שאין פגם ויש אור מעצמה, ולכן שם ירושלים נקרא על שם ב' דברים אלו, ראייה ושלם. ובתוך ירושלים, בביהמ"ק יש שלימות זו. ובבית השלישי יהי' חיבור קב"ה ושכינתו תדיר. כמו במשכן שהיה בחי' עין בעין וכתב הגר"א ז"ל שאין מדרגה למעלה מזה. אבל במקדש ראשון ושני לא היה כן, שהיה מיתת משה שהוא בחי' השמש. והיה רק לבנה, יהושע, ולא היה חיבור תמידי.

ויש יציאה מעצם ארץ מצרים. שהארץ מסתיר האור של השגחה פרטית, אור הלבנה. והתחלת הגאולה היתה בהחדש הזה לכם, שהוא התחלת הנהגת הלבנה. וזו מצוה ראשונה שנצטוו כלל ישראל, וכמ"ש רש"י בריש בראשית, שראוי היה להתחיל התורה מבהדרש הזה לכם שהיא מצוה ראשונה שנצטוו בה ישראל, אבל התחיל מבראשית משום כח מעשיו הגיד לעמו. וזה נתינת א"י, ושם מקום גילוי הקב"ה בהבריא. ולכן התחיל בספר בראשית, שבו יש גילוי הקב"ה בהבריא ע"י מעשה בראשית וע"י האבות. וארץ מצרים מסתיר זה. וספר שמות הגאולה מזה. והתחלה מהחדש הזה לכם. ולכן אמר כאן יכול מר"ח וכו'.

במצוה זו של קידוש הלבנה נתן התחלה לכלל ישראל. שעד עכשיו לא היה גילוי של הנהגת הלבנה, וכאן נתגלה שתלוי במעשה כלל ישראל. ושם התחלת גילוי המלכות ע"י כלל ישראל, ע"י קידוש בב"ד, שניתן השליטת הלבנה ביד כלל ישראל, אתם אפי' שוגגים וכו' וזהו כח של ב"ד לקבוע החדש. ובבימה"ק וירושלים יש הגילוי שהנהגת הבריא מכלל ישראל. מלכי ישראל מונין ללבנה. וכמ"ש הגר"א ז"ל בשיר השירים שיש לכלל ישראל תושבע"פ

וזהו הולדה של בני בכורי ישראל. יש שלבים שונים בהולדת האדם, עיבור, לידה עם יניקה, וקטנות, וגדלות, ויש עוד שלב של קטנות וגדלות, ושמגיע לזה, זה השלימות, גדלות שני. בזה נעשה שלם בבחי' המחשבה, מחשבתו מלא בהבנה כביכול של רצון הקב"ה ומחשבת הקב"ה. וזכינו לזה בליל פסח. ובכל שנה יש הולדה בפסח בכל יחיד ויחיד כפי מדרגתו ועבודתו, שיש לידה של מחשבה במצות מעשיות וגשמיות. וזה לא רק ההשגה של כל אדם, אלא גם הגילוי שמגלה בהבריאה. הקב"ה ברא את העולם כדי שיהא נודע. שיהי' הכרה של הקב"ה. יכירו וידעו כי מאתך היא מנוחתם, ומדרגה זו בליל פסח. במצות של ליל פסח יש ענין, רשב"ג היה אומר כל שלא אמר וכו'. בשאר מצות לא אומרים שצריך לפרש טעמי המצות, וכאן צריכים לפרש טעמי המצות, לפרש סיבת המצות. הוא משום שענין פסח הוא ההכרה של רצון קב"ה, וגילוי של זה בחוץ. גילוי הדעת, בני בכורי ישראל. והבן שואל, ושואל טעמי המצוה. והאב, צריך לגלות להד' בנים סיבת המצות כפי מדרגת הבן, וזה גילוי של כביכול רצון של קב"ה.

### יכול מראש חודש וכו'

פי' הגר"א ז"ל (הגדה של פסח):

בעבור זה כו' עכשיו הוא מתרץ הקושיא ראשונה של מה נשתנה הלילה הזה מכל הלילות. והיינו שהלילה הזה נתחייב במצוות מכל הלילות, שכל הלילות אין מחויבין במצוות. ומפרש שהכתוב קרא את הלילה זה 'יום ההוא', כמו שכתוב והגדת לבנך ביום ההוא לאמר בעבור זה, ואמר יכול מראש חודש כו' יכול מבעוד יום כו' בעבור זה לא אמרתי אלא בשעה שיש מצה ומרור כו', וזהו דווקא בלילה, כמ"ש בערב תאכלו מצות, והכתוב קורא את הלילה הזה יום ההוא. לכל הלילה נתחייב במצוות, אין לה בחינת לילה כלל.

נראה שפסח מיוחד לענין של מצות. וכלל ישראל עשו הברית מילה בלילה וגם קרבן פסח. הנה ברית מילה כנגד ענין מצות, כמ"ש בגמ' שהיא שקולה ככל המצות, ובזה נשלם הרמ"ח איברים שהם כנגד רמ"ח מ"ע. ובשני מ"ע אלו של ברית מילה וקרבן פסח מצינו שיש עונש כרת שאין זה בשום מ"ע אחרת. ברית מילה הוא ענין יסוד של קשר בין רוח ונפש, רוח וגוף. אברהם נעשה שלם באות ה' כשמל את עצמו, ואז שמו בגי' רמ"ח. אלה תולדות שמים וארץ בהבראם, אותיות אברהם. שתולדות הבריא מבחי' אברהם שהוא ענין הרמ"ח, ענין הברית מילה.

מובא מהאריז"ל שפסח הוא 'פה סח'. כתב הגר"א ז"ל שבליל פסח יש לידת המחשבה שבאדם. במצרים לא היה בחי' מחשבה, שהיא גילוי פנימיות של רצון קב"ה. וענין הגאולה היתה ההולדה של בחי' מחשבה בתוך כלל ישראל, ההכרה בתוך כלל ישראל שהקב"ה א"ס, מנהיג הבריא, דיין הבריא בשם אדנ"י. אברהם אבינו אמר "במה אדע כי אירשנה" וגו' והקב"ה השיבו "ידוע תדע" וגו'. בבשורה על גלות וגאולת מצרים קרא להקב"ה בשם אדנ"י, וזה היה פעם הראשון, ומקודם לאברהם אבינו לא היה מי שקרא הקב"ה בשם אדנ"י, שהוא גילוי המלכות של הקב"ה, וזה מקושר לירושת א"י.

ליל פסח שייך בפרט לענין מצות. איתא בחז"ל מצוה זו תושבע"פ. תושבע"פ הוא הפי' לתושב"כ, וע"י התושבע"פ יש לנו הידיעה היאך לעשות המצות. למשל, לא שייך לקיים מצות תפילין אלא ע"י התושבע"פ שמפרש ענין התפילין. ועוד, כתב הגר"א ז"ל בגמ' בברכות שברכת לעסוק בדברי תורה הוא ברכה על מצוה של תורה, וזה מצד הנקבה. מצות תושבע"פ היא מצד נקבה, ועי"ש שמפרש עניני הזכר. וזה ההארה של מחשבה בקרבן פסח. כמו שהבאנו מהאריז"ל, פסח הוא, פה סח, בחי' מחשבה, דעת, בא מהפה. ולכן אמרו שירה, הלל בליל פסח, מצד אכילת קרבן פסח. שבפסח מוליד בחי' הדעת.

## ביאורים בהגדה – ח"ג

הגאון הרב נחום מאיר הלוי לנסקי<sup>1</sup>

### מה נשתנה הלילה הזה

פי' הגר"א ז"ל (הגדה של פסח):

‘יום’ בכל מקום לשון זכר ו’לילה’ היא נקבה, ואם כן היה צריך לכתוב תמיד אצל לילה ‘זאת’ כמשפטה שהיא לשון נקבה, כי ו”ת הם סימן נקבות, וסימן: זכרי”ם נקבו”ת. ולכן לא מצינו בכל מקום מצוה לעשותה דווקא בלילה. והיינו כמו שאשה פטורה מן המצוות ורוב המצוות הם לאנשים דווקא, כך הם רוב המצוות מצוות ביום דווקא ולא בלילה, ולא מצינו כלל שיהא המצוה דווקא בלילה ולא ביום. ועכשיו נתחייב הלילה דווקא במצות ולא ביום. והיינו מפני שנשתנה למ”ה, והוא סוד אד”ם, שהוא זכר. אבל הלילה הוא סוד חוה – נעלם של מ”ה, בסוד (תהלים י”ט, ג) “ולילה ללילה יחוה דעת”. וכן המצוות אינם רק לזכרים ונקבות פטורין, דוגמת הלילות. וזהו שהקשה, למה נשתנה הלילה שיהא הזה – והיינו מחמת שנשתנה למ”ה, מכל הלילות שהן נקבות, כלומר מפני מה נתחייבה הלילה הזאת במצוות יותר מכל הלילות. וזה הקושיא בכלליות, ועכשיו מפרש בפרטות המצוות שהלילה הזה נתחייב בהם – ‘שבכל’ וכו’.

לומדים מדברי הגר"א ז"ל שענין של מצות מיוחד לליל פסח, שאף הלילה נעשה שייך למצוה, ומצות אלו נוהגות דוקא בלילה. מבואר בספרים שיש לידה ביצ”מ עד קרי”ס, והוא ההולדה של זכר של כלל ישראל, בני בכורי ישראל, פטר רחם. וחז”ל אמרו רחם הוא בגי’ רמ”ח, כנגד רמ”ח מ”ע, גם מזה

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<sup>1</sup> שנת תש”פ. נכתב ע”י הרב אליהו מאיר ליפסקי.



## תוכן הענינים

### **ביאורים בהגדה של פסח**

הגאון הרב נחום מאיר הלוי לנסקי שליט"א ..... א

### **מושבע ועומד מהר סיני**

הרב רפאל שעפטיל הלוי נויברגר ..... יד

### **ל"ג בעומר – תורת ר"ע ורשב"י**

הרב אהרן גינזברג ..... כז

### **גלוי כבוד מלכותו בקריעת ים סוף ופורים**

הרב יהושע משה מגילניק ..... לד

### **זה שמי לעלם וזה זכרי לדר דר**

ר' אברהם צין ..... מג

# מדור לשון הקודש



# ***Dedications***



## לעילוי נשמת

### יעקב אליהו בן דוד ע"ה ניימאן

י ליד באלטימאר מעורב עם הבריה  
ע וד בנערותו שימש גדולים בתורה  
ק יים מצות בשדה מלחמה  
ב אשת נעוריו שמח נ"א שנה

א ח נאמן עד דשבק חיים  
ל אחר שנעשה ע"ז בשנים  
י סורים סבל בסבר פנים  
ה ניח אחריו בנים ובני בנים  
ו כולם עוסקים בתורה וחסדים

נפטר בשם טוב ח' שבט תשס"ה לפ"ק

ת. נ. צ. ב. ה.

In Honor of our Dear Mother,

**Deborah Naiman**

Thank you for all that you have  
done and continue to do for us.

Love,

**Irvin and Family**

In Honor of the Rav, *Shlit"a*,  
For His Tireless Efforts  
In Making the *Kuntress*  
Possible

by  
**Mr. And Mrs. Jeffrey Silverberg**

In Appreciation of  
Rabbi and Rebbetzin Naiman  
for everything they do for the  
community and Bais Medrash

by  
**Bonnie and Yitz Szyf**  
**and family**

In honor of  
the Rav and the Rebbetzin

by  
**Mr. and Mrs. Ari Weiss**



With Gratitude  
to  
Rabbi and Rebbetzin Naiman  
and the  
Bais Medrash of Ranchleigh  
Community

by  
**Dr. Arie Michelsohn**

In Honor of  
the Naiman Family

by  
**the Singmans**

In Honor and Appreciation of  
Rabbi and Rebbetzin Naiman  
for all they do for the Bais Medrash  
and the entire kehillah.

and

לעילוי נשמת

אהרן ישראל בן אריה ליב ע"ה  
הרב חיים אריה בן יצחק אליעזר ז"ל  
מלכה בת קהת הלוי ע"ה  
נפתלי מאיר בן הרב חיים אריה ע"ה

by

**Eli and Janice Friedman**  
and Family

**לזכר נשמת**

**יעקב בן דוד הלוי, ע"ה**

**Wiesel**

**תנצב"ה**

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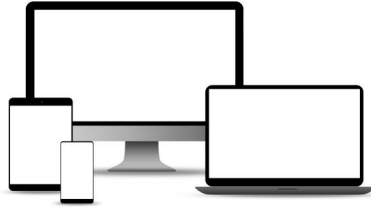
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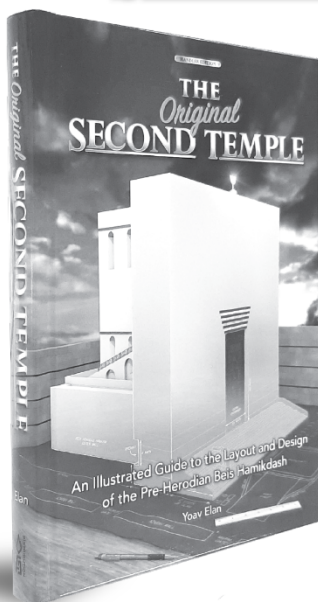
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