



Candles (earliest)	Ki Tavo	Havdala	Next week
6:34pm (5:49)	Yerushalayim	7:46pm	6:25 (5:41) 7:37
6:51pm (5:51)	S'derot	7:48pm	6:42 (5:44) 7:39
6:49pm (5:49)	Gush Etzion	7:46pm	6:40 (5:42) 7:37
6:51pm (5:51)	Raanana	7:48pm	6:42 (5:43) 7:39
6:50pm (5:50)	Beit Shemesh	7:47pm	6:41 (5:42) 7:38
6:51pm (5:50)	Rehovot	7:48pm	6:42 (5:43) 7:39
6:51pm (5:51)	Netanya	7:48pm	6:42 (5:43) 7:39
6:48pm (5:50)	Be'er Sheva	7:47pm	6:40 (5:43) 7:38
6:50pm (5:50)	Modi'in	7:47pm	6:41 (5:42) 7:38
6:34pm (5:50)	Petach Tikva	7:48pm	6:25 (5:43) 7:39
6:34pm (5:48)	Maale Adumim	7:46pm	6:25 (5:41) 7:37
6:50pm (5:50)	Ginot Shomron	7:47pm	6:41 (5:42) 7:38
6:49pm (5:49)	Gush Shiloh	7:46pm	6:40 (5:41) 7:37
6:49pm (5:49)	K4 & Hevron	7:46pm	6:41 (5:42) 7:37
6:49pm (5:49)	Giv'at Ze'ev	7:46pm	6:40 (5:42) 7:37
6:50pm (5:50)	Yad Binyamin	7:48pm	6:42 (5:43) 7:39
6:51pm (5:51)	Ashkelon	7:48pm	6:43 (5:44) 7:39
6:39pm (5:49)	Tzfat	7:47pm	6:40 (5:41) 7:37
6:51pm (5:50)	Zichron Yaakov	7:48pm	6:42 (5:43) 7:39

Rabbeinu Tam havdala - Parshat Ki Tavo - 8:23pm

Ranges are 10 days. WED-FRI  
15-24 Elul (Aug 25 - Sep 3)

Earliest Talit & T'filin	5:18-5:25am
Sunrise	6:11-6:15am
Sof Z'man K' Sh'ma (Magen Avraham: 8:38-8:40am)	9:25-9:27am
Sof Z'man T'fila (Magen Avraham: 9:59-10:00am)	10:30-10:30am
Chatzot (halachic noon)	12:41¼-12:38½pm
Mincha Gedola (earliest Mincha)	1:14-1:11pm
Plag Mincha	5:50¼-5:41pm
Sunset (based on sea level: 7:11-7:00pm)	7:16-7:05pm

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☞ As we get older, we are granted powers for more mature reflection. Many of us, however, assuming that we are what we always were, are not even aware of their presence, and take no advantage of them.

From "A Candle by Day" by Rabbi Shraga Silverstein

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

(Oldie) The Pesach, Shavuot, Sukkot, Chanuka, Purim connections to Bikurim

Johann Carl Friedrich Gauss

When doves are attached to Bikurim basket - Where?

Onion rectangle like a deer

After 20 Shabbatot, we finally get to the source on this Shabbat

May the first part of 60:18 come true doubly in a good way

Her oldest and youngest for hers

3/5 D'varim, 3/12 Torah, 3/15 Tanach in Ki Tavo

.3670886075949 & .55319148936170212765957446808511...

Rise and Shine!

So where do they get the stones?

18 Elul is the 401st yearzeit of the **Maharal of Prague**  
Rabbi Yehuda Loew ben Betzalel

## LEAD TIDBIT cont. from front page

And here is a sobering thought. One that we should spend time mulling over. Neither Tochacha would be necessary if we would just heed the daily warnings that we have.

Second passage of the Sh'ma. We say it every day. At least twice a day. It is written in every Mezuzah and every pair of T'filin - both arm and head. It is much milder, less graphic than the big Tochacha.

*If you indeed heed My commandments with which I charge you today, to love HaShem your God and worship Him with all your heart and with all your soul, I will give rain in your land in its season, the early and late rain; and you shall gather in your grain, wine and oil... Be careful lest your heart be tempted and you go astray and worship other gods, bowing down to them. Then HaShem's anger will flare against you and He will close the heavens so that there will be no rain. The land will not yield its crops, and you will perish swiftly from the good land that HaShem is giving you.*

Straightforward. Clear. If we - as a people and as individuals - would only take these words seriously. We would not need to be hit over the head with the harsh words of B'chukotai or Ki Tavo.

And this second passage of Sh'ma is by no means the only example of mild reproach. The Torah is filled with examples of G-d's deal with us. Listen to G-d, keep the mitzvot, follow Him, be faithful to Him... and everything will

be fine. Great, even. But if we don't... then...

And there is more. Let's go back to Parshat Yitro for a moment (and for only one of many examples). The people are preparing for Matan Torah. For Divine Revelation at Sinai.

*Now if you obey Me and keep My covenant, you shall be My special treasure among all nations, even though all the world is Mine. You will be a kingdom of kohanim and a holy nation to Me.*

Notice what's not there? The flip side. The "but if you don't". There should not be a need for the flip side. Our motivation to follow and obey G-d should be "simply" that He asks us to.

No threats. No harsh warnings.

With a main motivation of AHAVAT HASHEM, Love of G-d, just telling us what to do would be enough for us to be fully Shomrei Torah and Mitzvot.

Obviously - and sadly - just asking does not seem to have been enough. We apparently need the flip side.

And, more sadly, a token negative reminder isn't even enough. We need the klop on the head.

But is that enough? Threat of punishment should do the trick. Once again, sadly, the threat has not been shown to be enough. G-d has carried out the threats... time and again.

This then is (part of) our Elul challenge - make the Tochacha unnecessary.

# Ki Tavo stats

50th of the 54 sedras;  
7th of 11 in D'varim

Written on 233 lines in a Sefer Torah (rank: 13)

21 Parshiyot; 5 open, 16 closed  
(ranks 7th, tied with Vayikra and Va'etchanan)

122 p'sukim - ranks 17th (2nd in D'varim)  
Same number as Vayakhel & Va'etchanan;  
Ki Tavo is larger than Vayakhel, smaller than  
Va'etchanan

1747 words - ranks 16th (2nd in D'varim)  
Same as Ekev. Ekev is a bit larger than Ki Tavo

6811 letters - ranks 15th (4th in D'varim)

P'sukim are longer than average for the Torah,  
but short for D'varim

## MITZVOT

6 of the 613; 3 positives and 3 prohibitions

## Aliya-by-Aliya Sedra Summary

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

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

## Kohen - First Aliya || p'sukim - 26:1-11

[P>26:1] When we come to the Land and settle it, we are commanded to take of the First Fruits [the mitzva of Bikurim has already been counted back in Parshat Mishpatim] of the "7 Species", put them in a basket and go to THE Place (i.e. the Beit HaMikdash). We are to go to the kohen on duty, announce our presence and present him with the basket. He shall take it and place it before the Altar. We are then to recite the Bikurim passage [606,A132 26:5].

## MitzvaWatch

It is said of Bikurim: "Do this mitzva, for in its merit you will enter the Land". The ARI HaKadosh singles out Bikurim as the mitzva which is the "tikun" (repair) for the Sin of the Spies. Bikurim has a Torah-ordained, built-in recitation that helps us to focus our thoughts in a particular direction. With this recitation, the Jew identifies himself with his Jewish Heritage and announces to one and all the centrality of Eretz Yisrael in G-d's plans for the People of Israel. Bikurim makes the statement that we are glad to be here. Being happy about being in Eretz Yisrael grants us the "z'chut" to be here. Joyfully thanking G-d for our being here helps "repair" the opposite attitude as expressed by the 10 spies and echoed by the multitude. The Sin

of the Spies was committed by what the Meraglim SAID, and it was while they were displaying fruits that they brought from the Land, no less. Bikurim is the mitzva that is performed by what the Bikurim bringer SAYS (in addition to bringing the fruits), and while he displays fruits that he brought from the Land. "A perfect match!" (in opposites).

Bikurim is a prime example of "Hakarat HaTov", recognition and acknowledgement of the good that was done for us by G-d. This lesson too must be applied to other areas of mitzvot and life in general.

May we soon be privileged to bring Bikurim with all the joy and Jewish pride that says that we are truly pleased to be chosen by G-d as His People and that we are genuinely thankful for this wonderful Land.

The first four p'sukim of the Bikurim recitation form the main text for the Pesach Seder; they summarize the Egyptian enslavement and subsequent Exodus. The fifth pasuk speaks of coming to Eretz Yisrael. This corresponds to the fifth term of redemption and is represented by Eliyahu's cup.

We all bring Bikurim (including the Levi and the convert) with feelings of joy and thanks to G-d for all we have.

**SDT:** *If Lavan is the Arami referred to in the pasuk (as many commentaries hold), then the pasuk implies that Lavan was responsible for our going down into*

*Egypt. Yet Yaakov returned to his father's house after the time spent with Lavan, and only many years later ended up in Mitzrayim. Commentators point out the following sequence: Lavan deceived Yaakov and gave him Leah as a wife instead of his beloved Rachel. When Yaakov subsequently married Rachel too, there developed a rivalry between the two sisters. This rivalry transferred to the next generation in the form of the "problems" between Yosef and his brothers. Yaakov's giving the Striped Coat led to Yosef being sold into slavery. His descent into Egypt later brought the whole family down there. Therefore, Lavan IS the appropriate beginning of that process that found us in Egypt, hence the pasuk: ARAMI OVED AVI, VAYERED MITZRAIMA.*

The Bikurim recitation is perfectly suited to form the heart of the story of the Exodus, more so than any of the original passages from Sh'mot. The editors of the Hagada found in ARAMI OVEID AVI the "whole" story in only four p'sukim - something we are all capable of handling at the Seder table. The original material is too copious. Furthermore, the Bikurim recitation is in first person singular, rather than narrative form of the original account of the Egyptian experience in the Book of Sh'mot. This fits very well with the maxim: In every generation a person shall portray himself as if he himself came out of Egypt. There are other factors that also favor the Bikurim parsha for Seder purposes.

## Levi - Second Aliya 4 p'sukim - 26:12-15

**[S>26:12 (4)]** After one has completed proper separation and distribution of T'ruma, Ma'aser, and Ma'aser Ani (during the third and sixth year of a Shmita cycle), one is required to formally declare that none of the "holy produce" remains in his possession and that it was actually given to its intended recipients **[607,A131 26:13]**. This declaration is made on the last day of Pesach in the 4th and 7th year of a Shmita cycle.

**Vidui Maaser** implies that there is something wrong in our performance of the mitzvot mentioned. Yet the statement specifically says that we did everything that we were supposed to do. In fact, a person who might have transgressed does not make the statement. Only someone who did not sin at all can make the declaration. Why then, do we get the impression that something was not 100%? Rav Soloveichik zt"l pointed to the word K'CHOL (like all), which is mentioned twice. The implication is that our performance was almost perfect, but not quite. Also, the statement implies that the individual did only that which he was required to do, and did not (often) go beyond the call of duty. Or perhaps we did a mitzva sort of like it is supposed to be done, but maybe without full KAVANA. These implications might be responsible for the title

VIDUI. What an important message this is as we approach Rosh HaShana, when we have to answer for what - AND HOW - we do mitzvot.

It is forbidden to eat Maaser Sheni (the second tithes of years 1, 2, 4, 5 of a Shmita cycle, which remain the owner's property but which must be eaten "with sanctity and ritual purity" in Jerusalem - or be redeemed) while one is a mourner (here it refers to the status of the mourner before burial of the dead - ANINUT) **[608,L151 26:14]** or in a state of ritual impurity **[609, L150 26:14]** (the person and/or the food). It is also forbidden to use the redemption money of Ma'aser Sheni for purposes other than food and drink in Jerusalem **[610,L152 26:14]**.

The literal meaning of this prohibition is not to use the money for "the dead". This can narrowly apply to shrouds, casket, etc., but is also generalized to include all non-food uses.

We next call upon HaShem to "look down" upon His People from on high and bless us and the Land of Israel. [We have kept our promise, we say to G-d (so to speak), now You keep Yours. - Rashi]

It is a common practice (based on the Talmud Yerushalmi) for the Baal Korei (a.k.a. Baal K'ri'a) to raise his voice and emphasize the word HASHKIFA.

## Shlishi - Third Aliya 4 p'sukim - 26:16-19

**[S>26:16 (4)]** This short portion is a summary of our relationship with G-d. We are to keep, preserve, observe, practice all the mitzvot, statutes, laws which Moshe has reiterated for us, with all our hearts and souls. We have pledged allegiance to G-d, promised to follow His ways **[611,A8 26:17]** and to listen to Him. He pledges to take us as His "Chosen Nation" and to elevate us above the nations of the world - IF we keep His mitzvot.

## MitzvaWatch

To follow in G-d's footsteps means to develop and practice various traits that are attributed to G-d. As He is merciful, so too shall we BE merciful. As He is holy, so too must we behave in ways that lead to our becoming holy. From general traits, we can also use specific examples - as G-d clothed the naked, visited the sick, buried the dead, comforted the grieving... so too must we. There are mitzva-counters who define this mitzva as Bikur Cholim, visiting the sick, in addition to generalizing to include all types of acts of kindness.

## R'VI' - Fourth Aliya 10 p'sukim - 27:1-10

**[P>27:1 (8)]** Moshe Rabeinu and

the Elders command the People concerning the inscribing on 12 pillars of stone the words of the Torah (parts thereof; the Book of D'varim or parts of it); this to be done upon crossing the Jordan.

Subsequently, another set of pillars is to be erected and inscribed on Har Eval where a Mizbei'ach is to be built (of whole, uncut stones) and sacrifices are to be offered.

**[S>27:9-10 (2)]** Moshe and the Kohanim next declare to the People that they have grown into complete nationhood at this point, with all the mitzvot of the Torah having been reviewed. Privilege of nationhood goes hand-in-hand with the responsibilities of keeping the mitzvot.

**SDT:** *Moshe, the Kohanim and Leviyim, say to all the people, "on this very day you have become G-d's nation". Rashi says that the Torah emphasized THIS VERY DAY, to teach us that our commitment to Torah and mitzvot should be as if we have entered into a covenant with HaShem on this very day - i.e. everyday. We are challenged to refresh our Judaism continually. This, of course, is not the only place this lesson is learned. But that fact just reinforces the significance of the idea.*

## Chamishi 5th Aliya 22 p'sukim - 27:11-28:6

**[S>27:11 (4)]** Moshe describes what will happen after the People

enter the Land. Six tribes will stand on Mt. Grizim and six on Mt. Eval. There they will hear the blessings and curses that will be the fate of those who keep or don't keep Torah and mitzvot.

Twelve curses are enumerated in this portion touching upon many diverse areas of Jewish life including "between Jew and G-d" as well as interpersonal mitzvot. Each K'LALA is a pasuk long and its own parsha stuma (almost). To each curse, the people are to respond AMEIN...

**[S>27:15 (1)]** he who makes idols...

**[S>27:16 (1)]** he who degrades his father or mother...

**[S>27:17 (1)]** he who encroaches on his neighbor's boundary...

**[S>27:18 (1)]** he who misleads a "blind" (figuratively) person...

**[S>27:19 (2)]** he who perverts the judgment of orphan or widow... he who sleeps with his father's wife... (Note that these two curses share a parsha.)

**[S>27:21 (1)]** he who engages in sexual behavior with animals...

**[S>27:22 (1)]** he who sleeps with his sister (or half-sister)...

**[S>27:23 (1)]** he who sleeps with his mother-in-law...

**[S>27:24 (1)]** he who secretly strikes his fellow...

**[S>27:25 (1)]** he who takes a

bribe and an innocent person is killed...

**[S>27:26 (1)]** he who does not uphold the words of the Torah to do them...

**[P>28:1 (14)]** Once again, Moshe Rabeinu tells us that following G-d's commandments will earn us superior status among the nations of the world. We will also be showered with blessings for hearkening to G-d's voice. We will flourish economically and agriculturally, and be blessed with a healthy increase in population. Our every coming and going will be blessed.

## **Shishi - Sixth Aliya** **63 p'sukim - 28:7-69**

Longest of the 378 Aliyot in the whole Torah (not counting combined Aliyot when a double-sedra is read)

The blessings continue with the promise of victory over our enemies. G-d will "command" His blessings upon us and the Land, and will establish us as a holy nation... on condition that we keep the mitzvot and follow His ways.

[The Torah's expression V'HALACHTA BID-RACHAV is repeated here - emulating G-d is defined as being kind, merciful, charitable, etc.]

The nations of the world will see the special relationship we have with G-d, and be appropriately

reverent towards us and fearful of us. G-d's heavenly treasure-house will open for us and we will flourish. G-d's blessings are conditional upon keeping the mitzvot.

**[P>28:15 (54)]** "But, if we don't listen to G-d..." Thus begins the "Tochacha". The admonition against disobedience of Torah.

There is a custom to read this part in a low voice because of how devastating it is to realize that G-d needs to warn us in such graphic terms, what will happen if the Jewish People do not remain faithful to Him. Unfortunately, we need these harsh words of reproach. Unfortunately, they have turned out to be prophetic more than once. The Tochacha is contained within one Aliya (resulting in the longest Aliya in the Torah) so as not to prolong the discomfort in hearing it. And it is sandwiched (so to speak) between "good" p'sukim, so the Aliya begins and ends on a good note.

The first portion of the Tochacha is the negative mirror image of the blessings previously pronounced in the Torah. The p'sukim then proliferate and describe in shocking and grisly detail that which will occur if we do not remain faithful to G-d. The final pasuk of the Aliya reiterates the "simple" but eloquent covenant with G-d: Keep the Torah and all will be good, if not...

The contrast between the "good times" that Bikurim brings to mind and the terrible times as described

in the Tochacha is overpowering and frightening. It is the difference between contentment and respect on the one hand, and devastation, despair and degradation, on the other. Prosperity in our own Land vs. poverty and exile. The key to the difference is Torah & Mitzvot.

**SBT:** *One of the famous "sum it all up" p'sukim in the Tochacha is 28:47, which says that many of the terrible things will happen to us because we did not serve G-d with joy and a good heart (even while we still had all good things). The Kotzker Rebbe gives this pasuk an interesting spin. Because, not only did you not serve G-d, but the not serving Him was with simcha to you. When a Jew does mitzvot, there is the extra aspect of doing them "with a smile". And, conversely, when a Jew sins, there is the extra aspect of sinning with a smile. Does one who eats non-kosher cry about his betrayal of G-d (probably not), or does he lick his fingers with relish and joy (sadly, probably yes). And if and when the joy of sinning leaves a person, or is driven out by him, then and only then will the person be on the path to T'shuva.*

*In more general terms, this pasuk speaks to Jews who just "go through the motions" of religious observance. They were brought up that way, perhaps, but there is little joy in their religious behavior. How sad! The Baal Shem Tov would say: S'CHAR MITZVA, SIMCHAT MITZVA - the reward for a mitzva is the joy one derives from doing a mitzva.*

**[S>28:69 (1)]** After all those dreadful p'sukim of the Tochacha, this long aliya is concluded with the statement: These are the

words of the covenant that G-d commanded Moshe to make with the people of Israel in the territory of Moav - besides the covenant of Sinai (Chorev).

## Sh'VII - Seventh Aliya 8 p'sukim - 29:1-8

[P>29:1 (8)] Moshe Rabeinu calls to the People, and tells them that they now have seen (and know) all that has happened since the Exodus through the 40 years of wandering until this very moment. It is incumbent upon us to keep our "deal" with G-d. "And G-d did not give you a heart to know, nor eyes to see, nor ears to hear, until this very day." This realization comes after living all the experiences and miracles of 40 years of wandering. Maftir: Last 3 p'sukim.

## Haftara 22 p'sukim Yeshayahu 60:1-22

The uplifting message of the haftara is the coming of the Geula, when G-d will restore His People to the Land and the nations and peoples of the world will flock to Jerusalem to pay homage to G-d and His People.

The concluding words of the haftara are enigmatic: "...I Am G-d, in its (the redemption's) time, I will hasten it." Will the Mashiach come in his appointed time, or sooner? That depends upon us. If we enhance the overall conditions of Jewish Life, increase Torah observance, improve relations between Jew and his fellow - then we might be

privileged to an "early" arrival of the Mashiach and the Geula. If we do not lay the proper groundwork for his coming, then he will come in his (pre-ordained) time.

This is a major part of our Elul challenge. Let's put it this way - the first level of our Elul-time task is personal, individual. This adds another level, that of the community, of Klal Yisrael. Rambam in Hilchot T'shuva "suggests" that we each consider ourselves, and our community, and the entire world to be precariously balanced between merits and demerits. One tiny mitzva on our part cannot only tip our personal scale to the good side for us, but that of our community and that of the whole world as well. One person can make a difference. Each of us has the power to hasten the Mashiach. So, let's do it.

Here's the gloomy side of this issue, (as pointed out by YL in an email, a while back). There is also the possibility that Mashiach's deadline will come and we won't be ready - we will not have prepared properly for it, personally or communally. Let alone that we didn't hasten its coming, but we weren't near ready for its arrival. Then, bad things will happen... let's leave it at that and just say that it is really important to Klal Yisrael that we lay the groundwork for the smooth arrival of the Geula. The good news is we don't have to obsess and focus on the coming of the Geula; we have to become the people and Jews we are supposed to be NOW. In other words, "all" we have to do is live a Torah way of life, influence in a pleasant way our fellow Jews to do the same, and the Geula takes care of itself.

## Divrei Menachem

Ki Tavo - as the name of the Parsha suggests - implies a sense of anticipation. Something is going to change fundamentally when we step into Eretz Yisrael. We will no longer be dependent on the Manna from Heaven; we will toil the land with our bear hands and witness the first buds appearing on those sun-baked saplings.

When the fruits of our labors begin to take shape we are, of course, happy and fulfilled. When the produce mounts up and we are materially successful we enter the phase when, "Yeshurun waxed fat and kicked..." Unfortunately, we might then reach the state described in the Torah where we "become gross" and forsake G-d.

Not surprisingly, therefore, when the Torah confronts us with the Blessings and Curses, on Mount Gerizim and Mount Eval, respectively, we are asked to reaffirm our recognition of the Source of all this bounty. Although the two mountains are close to one another, Mount Gerizim upon which Bnei Yisrael was blessed was covered with green while, in contrast, Mount Eval was desolate and gray.

Surprisingly, it was on Mount Eval where Bnei Yisrael set up a stone monument with the words of the Torah inscribed upon them. Perhaps this was meant to be an eternal testament to remind us not to become too complacent and self-satisfied.

## VEBBE REBBE

**QUESTION:** *We have a local goy shel Shabbat (Shabbos goy). I do not know how and when I am supposed to use him for things other than emergencies. Is it sufficient just to hint to him, and then he can do whatever I want?*

**ANSWER:** There are two realms to discuss regarding the use of a goy shel Shabbat. One is mentchlichkeit. You are apparently talking about one who is paid by the community, whose main concern is its members' most pressing needs. This includes taking people to the hospital, preventing large losses, and helping with a great need of individuals or groups. He is possibility not paid for helping with small inconveniences (and might ask for more money if he is bombarded incessantly). More importantly, he cannot be in two places at the same time, so if he is taking care of one person's small need, he will be temporarily unavailable for someone else's big needs. Sometimes that delay is crucial.

Now we will discuss the laws of Shabbat. While it is not a simple matter, we assume that some types of hints are considered as if the Jew did not make a request. The source is the Magen Avraham 307:31, who distinguishes between types of hints to answer the following contradiction. The Rama (Orach Chayim 307:22) says that whenever one may not do something, he may not hint to a

non-Jew to do it for him. He contrasts that with classical sources that say that one may tell a non-Jew that he cannot read a letter, thereby hinting to open the letter. He answers that one is allowed to mention a need but not tell the non-Jew to do an action in a way that will serve as a hint to do that which he wants the goy to do. The Mishna Berura (307:76) and contemporary poskim accept this Magen Avraham, which is apparently referred to in your question.

However, there are two problems that must somehow limit use of this leniency. Firstly, when one sees a non-Jew doing forbidden work in a Jew's home and/or using the Jew's property on the Jew's behalf, he is required to protest the activity (Shulchan Aruch, OC 252:2). This is because the Jew appears like one who is enlisting the non-Jew's help in a forbidden manner. If it is necessary to protest when the goy initiated the work, how could it be permitted to hint to him to do it in the first place? The other problem is that if a goy does forbidden work on a Jew's behalf, even without his involvement or knowledge, the Jew may not benefit from the result until enough time transpires after Shabbat for that particular chore to have been done (Shulchan Aruch, OC 276:1). Again, a hint is no better, and it should be forbidden to benefit from the result.

Thus several recent poskim limit the efficacy of hinting on Shabbat to cases such as the following: 1) a situation where the Jew could have continued doing what he was doing without the

non-Jew's action, such as eating in a room where there was already sufficient (if less than ideal) light to eat by (Igrat Moshe, YD III, 47.2). 2) The nature of the benefit provided is one of removing impediments, not one of providing something positive new (Orchot Shabbat 23:(46)). Examples include shutting a light and perhaps opening an envelope (the Magen Avraham's case; see various opinions in article #14 at the end of Orchot Shabbat). 3) He will receive benefit only after Shabbat.

In cases of significant need, where it is permitted to ask a non-Jew to perform what would be for us a rabbinic violation, it is also permitted to benefit from whatever work was done. Therefore, if one was careful on the *mentchlichkeit* matter and thus the need is great, there are many additional cases where the benefit element is resolved as well. In any case, if one is not familiar enough with the *halachot*, he may have to ask a rabbi before going to the goy *shel* Shabbat. Many communities help out in the matter by having the goy keep "an instruction manual" (as it were) handy for those who seek his help.

[Ed. note: This VR answer seems to relate to a "professional" Shabbat goy. It would be wise for us to ask for further clarifications when it comes to "borrowing" someone's Filipino for various tasks on Shabbat.]

## THE CHALLENGE OF MONEY: WAGES AND LABOR; EMPLOYER AND EMPLOYEE [part 5]

by **Dr. Meir Tamari**

Theoretically, employer and employee are equal players in determining wages and working conditions, but in real life the individual employee is disadvantaged and his bargaining power is weaker. Employers normally are able to sustain long periods of negotiations or downturns in the market place, unlike the employee who is dependent on wages for his existence and so more vulnerable. Workers have therefore sought to improve their situation and their protection against exploitation or economic upheavals through unionization and collective bargaining. Is unionization and all that it entails legitimate in Judaism and under what conditions?

"Every association organized for one common purpose is to be considered as a city [that has the halakhic right to regulate prices, weights, and wages (Bava Batra 8b)]" (T'shuvot HaRashba 4:185). Modern rabbinic opinions have seen trade unions as associations of this type with recognized rights of organization and penalties for non-compliance. "Chazal recognized the regulations of craftsmen or of workers federations. In order to protect himself, the worker thus has the right to organize and enact suitable regulations" (HaRav Uziel, Chief Rabbi of Tel Aviv; Mishpatei Uziel, Choshen Mishpat 42). This concept of the social

unit-community-state as an entity that has rights and obligations lies at the very essence of the Jewish nation-religion. This is expressed not only in the independent Jewish political states that existed in Eretz Yisrael but was continued in the communities that existed in the Galut till the 19th century emancipation. These were not communities as we have today that are voluntary religious associations, organizationally and conceptually similar to their non-Jewish counterparts, but actual autonomous mini-states that had the right of taxation to fund all communal needs and that of living according to Jewish legislation.

The ability to force all the workers in a certain industry to join or abide by the regulations of a union is the major source of power of organized labor. This monopolistic power is strengthened by the closed shop principle whereby the employer can be forced to accept only unionized labor. Although today unions are less powerful than they once were, these principles are operative in many areas in the economy through licensing, accreditation and academic or professional requirements, so that Judaism's teachings in this respect are of considerable importance and relevance.

All the halakhic rulings and communal enactments regarding restrictive practices and limitations on competition apply to unionization and all the other forms of restraints on entry and on enforced wages, working conditions and pricing policies. In keeping with the principle regarding the rights of a

city, adhered to by almost all the authorities and communities, decisions regarding unions and other such associations required the majority vote of all the members to be valid. "If they do not represent a majority of workers in an industry or profession then all their decisions are worthless. Even where they are a majority of employees it is unclear whether they can enforce decisions against the minority [unorganized workers] who can argue that since they do not share in the benefits of unionization [health insurance, pension plans, etc.] they should not be forced to abide by union rules" (Igrot Moshe, Choshen Mishpat 59).

Guilds, trade unions, licensing boards and professional associations serve a two fold purpose: They 'police' the quality of goods and services provided, through the supervision and training of the labor force, which is beneficial to society. At the same time however they are a barrier to entry of new players, restrain competition, increase costs to the consumers and earn monopoly profits for their members.

The Gemara (Yoma 38a) tells that the priestly House of Garmu refused to teach how to make Lechem HaPanim and the House of Avtinas refused to teach how to make Ketoret. Kohanim from Alexandria were unable to duplicate their products, so those in Yerushalayim demanded and received a 100% raise in salary. When rebuked for holding the Mikdash to ransom, they explained that the family tradition was that the Temple would be

destroyed and they feared that then unworthy people would use the knowledge for personal or idolatrous purposes. The fact that the brides of Avtinas never wore perfume or that in the house of Garmu none ate refined bread, showed that they never used their monopoly for personal benefit.

The Sages then revised the rebuke thereby teaching a powerful lesson that can limit the exploitation, corruption and injustice that all too often flows from the monopolistic nature inherent in bodies like trade unions and professional associations. □

Rabbi Weinreb's Weekly Column:

## KI TAVO

# Walls Have Ears

We all have our secret lives.

I don't mean to say that each of us has a sinister side, which we wickedly act out in some deep, dark, private world. What I do mean is that we all act differently when we are alone, or with a few close intimates, than we act when we are out in public, among others.

There is no one who is so behaviorally consistent that he is the same person in the privacy of his own home as he is in the workplace or marketplace.

Nor do I suggest that there is anything wrong with the fact that we each are two persons, and perhaps

even multiple persons, depending upon the social context in which we find ourselves.

It is problematic, however, when we act hypocritically, presenting a pious and altruistic face to the world, while acting cruelly and crudely in our own homes and with our families.

In this week's Torah reading, there appears a particularly piercing and perceptive verse: "Cursed be he who strikes his fellow in secret - and all the people shall say, Amen."

In no way does the Torah imply that he who strikes his fellow in public is to be blessed. Rather, the Torah recognizes the tendency humans have to reserve the worst side of themselves for their secret social settings, even when they behave meritoriously in their public social worlds. It is the façade, the contrast, between public demonstrations of righteousness and private acts of fiendishness that is cursed.

Sinning in secret is particularly offensive in the religious personality. He or she who believes in a God who is omniscient, and who yet sins in private, is guilty, not merely of hypocrisy, but of heresy. If God knows all, how can you delude yourself into thinking that your secret misdeeds can go undetected?

The Shulchan Aruch, the Jewish code of law, opens with a statement recognizing that a person's behavior, when he is alone at home, is very different from his behavior when he appears before a great king. And it urges the religious

person to be aware that he is always in the presence of the great King of Kings, the all-knowing God.

But it is not only from a spiritual perspective that it is wrong to act demeaningly in private. There is a practical aspect as well to the importance of behaving properly even in secret. There always is the very real possibility that our secrets will be "leaked" and that things we were sure would never be known will become embarrassingly exposed.

I know of no place where this is conveyed more cogently than in these words of caution, to be found in Ecclesiastes (10:20):

*Don't revile a king, even in your intimate thoughts.*

*Don't revile a rich man, even in your bedchamber;*

*For a bird of the air may carry the utterance,  
And a winged creature may report the word.*

Indeed, as our sages say (B'rachot 8b), the walls have ears.

The passage in this week's Torah portion which condemns secret violence also gives quite a comprehensive catalog of other sins which tend to be performed behind closed doors. They include elder abuse, criminal business practices, deceiving blind persons, subverting the rights of the helpless, incest and bestiality, and the acceptance of bribery. Quite a list, and one that has certainly not lost its relevance over the centuries.

I am not so naïve as to think that we

are required to act in an absolutely identical fashion in our "secret chambers" as we do out in the "real world". To a certain extent, it is necessary and right that we maintain a façade of sorts when we interact in public. We all have, and need, our masks and personas.

But many times, we go too far and indeed split our personalities between the Dr. Jekylls of our external visible behavior and the Mr. Hydes of our inner sancta. How well advised we would be to set as an objective for ourselves the words of the Daily Prayer Book:

"A person should always be God-fearing, privately and publicly, acknowledging the truth and speaking it in his heart." □

## The Puah Institute

*for Fertility and Gynecology in Accordance with Halacha*

# Medical Secrets

## Treatment for BRCA

Last week we started discussing the relatively common mutation of BRCA [in fact there are two types – Type 1 & Type 2 - but for the purpose of our discussion here we will call them both BRCA]. This mutation raises the risk of certain types of cancer: specifically, ovarian and breast cancer.

As we wrote last week, the best medical advice for such women is to

undergo an operation - an oophorectomy - to remove the ovaries. This raises a serious halachic question as to the permissibility of such a procedure.

The Torah (Vayikra 22:24) prohibits sacrificing an animal that has been castrated, and then states "...and you shall not do so in your land." These last words imply a prohibition not only against sacrificing such an animal but also against performing the castration itself.

While the Torah discusses this situation as it pertains to animals, the same Torah prohibition applies to human beings, with a difference of opinion as to whether women are included as well. While everybody agrees that there is a rabbinic prohibition, the Rambam (Hilchot Isurei Bi'ah 15:11) is of the opinion that there is no Torah prohibition, whereas the Gaon of Vilna holds that castrating a woman is a Torah prohibition as well. Most authorities follow the opinion of the Gaon of Vilna and therefore would only permit removing the ovaries or the uterus in a case where there was obvious and imminent danger to the woman - as in the case of a woman with cancer of the ovaries.

The case we have been discussing involves the removal of the ovaries in order to prevent the later onset of the cancer - a possible future disease - and not as a treatment of an illness that exists. Since it is not certain that the woman will get the disease if she does not have the oophorectomy, it could

be suggested that one may not undergo preventative removal of the reproductive organs.

However, Rav Moshe Feinstein writes that even the Gaon of Vilna would permit it in a case of real need (sha'at had'chak). Thus, if a woman has been checked and found to be carrying the BRCA mutation it can be claimed that this is considered 'great need' and may be permitted.

Rav Bakshi Doron also permitted the removal of the ovaries since even the Gaon of Vilna permits this procedure in the case of 'danger'. Since women with the BRCA mutation are at a risk that exceeds 50% - and anything over 50% is considered 'dangerous' - he rules that even the Gaon of Vilna would permit it.

In addition, according to many opinions there is no prohibition against castrating a woman who is already infertile. Thus it is permitted for a woman who is post-menopausal to undergo the procedure to remove the ovaries when the doctors consider it to be necessary.

In our next column we will discuss the psychological aspects of these procedures.

## *Praying with Passion*

Giving more meaning to our T'fillah  
One Week at a Time

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## **Birchot HaShachar**

(part five)

בְּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הַעוֹלָם  
שֶׁעָשָׂה לִי כָּל צְרָכָי.

### **Translation:**

Blessed are You, HaShem our God,  
King of the Universe, Who has  
provided me with all my needs.

### **Theme:**

An essential concept of the prayer

### **You've Got It All**

Hashem provides me with my every  
need.

### **Insight:** Deeper meanings...

### **Our Essential Belief**

**SHE-ASA LI KOL TZORKI.** He provided me with my every need-expresses two foundation stones of a Jew's faith. First, that all we have comes from Hashem. Second, the blessing reminds us that Hashem leaves nothing out of His provision for us. "Every need" required for us to succeed at our G-d-given mission in life is provided to us by G-d.

Human nature is such that you look at your rich neighbor and say, "If I had his money, I'd be a big philanthropist too." Or you see your neighbor's perfectly behaved children and think, "If I had such calm, docile children, I'd also be a great mother." A little envy

inevitably slips into our hearts. Yet a person who says the above b'racha with conviction and regularly calls its words to mind in the course of daily life has a powerful anti-envy tool in hand. SHE-ASA LI KOL TZRKI means that G-d has given each of us exactly what we need to live the lives we are meant to live. Therefore, if G-d has not provided you with a particular benefit, it is by definition not something you need for your spiritual growth. In fact, the "asset" may hamper your real success in life.

What if a person has so many challenges that it's hard for him to do mitzvot?

The truth is that performing one mitzva despite great difficulty shows a strong desire to do Hashem's will, and may be far more significant than performing many mitzvot when the waters are calm.

This blessing also teaches the essence of true humility: We may take pride in our talents, intelligence, family background, money or any other asset we have, but this blessing reminds us that these are all simply temporary gifts to us from God.

He gives us what we need to fulfill our mission - none of it is really our own. We are like workers who have been loaned an expensive car in which to drive a dignitary.

We might enjoy driving the car, but we would be foolish to become arrogant over our possession of it.

### **Visualize:**

Images that bring the prayer to life

### **Equipped For Your Mission**

Rav Naftali Amsterdam was a close disciple of Rav Yisroel Salanter. Once, Rav Amsterdam said to his Rebbe, "If I had the brainpower of the Shagas Aryeh, the heart of the author of Yesod V'Shores HaAvodah, and the character of Rabbi Salanter then I would be able to serve G-d." His Rebbe responded, "Naftali, your mission in life is to serve Hashem with your brainpower, your heart and your character. Only then can you be a true servant of Hashem."

As Rabbi Salanter implied, there is no need to despair at achieving that which seems outside our grasp. However, this fact does not provide sanction for a person to stop trying. It is only by using what we have to the greatest extent possible that we can succeed at the mission - whether limited or grand - that G-d has given each of us.

### **Try this:**

Imagine that each morning, G-d leaves at your bedside a suitcase filled with all the equipment you will need for that day - the exact amount of money, the food, the information, technology and so forth. This week, as you say the words SHE-ASA LI KOL TZORKI, feel the security of taking that suitcase in hand, knowing that all you need is within it.

### **Editor's 2¢:**

Here's a bit of a Towards Better Davening... column, within the Praying with Passion feature.

Usually the words ASA and SHE-ASA are accented on the last syllable. For six days a-SA HASHEM the heavens and the earth... On Chanuka and Purim, the bracha she-a-SA ni-SIM...

However, in this bracha, the word SHE-ASA is followed in the same phrase by the single syllable word LI. In such a case - USUALLY, we have an accent shift - known as NASOG ACHOR - from the last syllable to the next-to-last syllable. The MILRA becomes MIL'El. she-A-sa LI.

Is this a big deal? When we daven to G-d or make a bracha - in this case, a statement of acknowledgement and thanks to Him, it behooves us to say things correctly as well as mean them; to mean them as well as say them correctly.

### **Parsha Points to Ponder**

## **KI TAVO**

1) Why does the Torah first describe our settling in Israel as a NACHALA and then, in the same verse describe it as a YERUSHA (26:1)? What is the significance of these terms and this shift?

2) Why does the Torah suddenly identify the Kohanim as speaking to the nation together with Moshe, something we don't find elsewhere in the Torah (27:9)?

3) Why does the Torah say ARUR, cursing people who do specific mitzvot 27:15-26? Why aren't these curses said regarding all sins?

### **Parsha Points to Ponder**

## **Suggested answers**

1) The Kli Yakar explains that NACHALA refers to something which is more of a gift which did not have to be given, while YERUSHA connotes an inheritance automatically passed from one generation to the next. The ideal would be for us to view Israel as a gift from G-D which we have to earn and nurture. However, human nature is to view it as a YERUSHA, something which comes to us via our forefathers - a perspective which leads to abuse. Thus, the Torah begins with the ideal - it is a NACHALA. However, we are going to VIRISHTA - deal with it as an inheritance and abuse it. To combat this, we have the mitzva of Bikurim to remind us that the land is a gift from G-D.

2) The S'forno answers that since the Kohanim were the primary teachers of Torah, they were included in this specific command which warned the people to make sure they studied Torah on an intense level.

3) The Ohr HaChayim says that the sins which receive the word ARUR are sins which are either not noticeable by others or which people are not on the lookout for. Therefore, these sins will never reach the courts due to lack of witnesses and the

Torah wants us to understand that committing these sins leads to a cursed state from heaven, even though the human courts will not be involved. This point is emphasized by the use of the word BASEITER (in secret) regarding two of the sins listed here which people would generally notice.

## Portion from the Portion

### We cried out to G-d... and G-d heard our voice

This week's portion contains the verses recited when one brings his BIKURIM to the Temple. ARAMI OVED AVI... We are familiar with these verses because they are used as the backbone of the Passover Haggada describing how we ended up as slaves in Egypt, how we cried to Hashem, and how he redeemed us and brought us to the land of Israel.

The verse says, VANITZAK EL HASHEM ELOKEINU VAYISHMA HASHEM ET KOLEINU (D'varim 26:6). We cried out to G-d and He heard our voice.

We called to Hashem and He answered us. When the Rabbis looked for a paradigm of true and authentic prayer, they turned to the prayer of a woman, Chana, the mother of the prophet Shmuel. (B'rachot 31a-b). Scrutinizing every detail of her prayer for a child

(Shmuel Alef 1-2), they discovered the basic components of halakic prayer, a model for the "shemoneh esrei" prayer, which is considered the heart of the Jewish prayer book. The two chapters about Chana and her prayers are read as the Haftara on the first day of Rosh Hashana and the nine blessing in the Rosh HaShana Sh'mone Esrei correspond to the nine times she says G-d's name in her prayer.

Chana was barren and suffered doubly because her husband Elkana's other wife, Penina, was fertile and had many children. Each year Chana would accompany the family to Shilo and be brought to tears and wouldn't be able to eat because of her sorrow. Her husband Elkana could not understand her behavior and tries to console her telling her, "Am I not more devoted to you than ten sons?" Elkana's consoling remarks seem touching but point to his lack of true understanding of her feelings of despair. His endearing response drove Chana to the Mishkan to pray. She had never doubted the efficacy of prayer, but until then she had been relying on Elkana's prayer on her behalf. Once she realized that he could never truly feel her pain she realized that only she could be her true advocate before G-d. She went to speak to Hashem. And what a conversation she had!

We pray many times a year and now we are coming to Rosh HaShana and Yom Kippur when we will spend many hours in shul at prayer. How can we make every prayer as meaningful as Chana's? Do we have to be in such severe emotional pain as Chana was

in for our prayers to be sincere? What can we learn from Chana to apply to our prayers?

Our prayers are made up of a number of components: SHEVACH, HODAYA, and BAKASHA - Compliments, thanksgiving, and requests. See if you can find those in Chana's prayer.

It says that Chana, HIRBITA L'HITPALEL LIFNEI HASHEM, she prayed a lot - before Hashem. When praying we must be aware that it is G-d that we are addressing. Everyone must "know before Whom you are standing" (B'rakhot 28b). When we pray we have the opportunity to stand in the presence of G-d. When "one directs one's heart towards heaven" (B'rakhot 31a) he begins his AVODA - work of praying with kavana.

Then he must fully understand the meanings of the prayers. There are many sidurim with English translations. One can take time each week to study the meaning of a new section of the prayer service to make it more understandable. There is still time before Rosh HaShana to take out your machzor and go over the words of the prayers to make them more understandable.

Another aspect of kavana is to free one's mind of all extraneous and interfering thoughts. In this day and age, this can be quite difficult. We are all so busy with so many things that are minds never stop. For help in this area I recommend reading Rav Aryeh Kaplan's book titled Jewish Meditation, in which he explains how reciting the same words every day act as a kind of mantra to clear our minds to help us pray.

At the highest level, KAVANA means to think about the deeper meaning of what one is saying and praying with extraordinary devotion. Kavana is so important that the Shulkhan Arukh (Orach Chayim 1:4) states that if circumstances make it necessary for a person to choose between saying more prayers without kavana or saying fewer prayers with kavana, he should say fewer prayers with kavana.

Like Chana, we must realize that we can't rely on anyone else to say our prayers for us. The Chazan in shul is there to help our KAVANA but he is not there to pray for us. We must invest our whole selves in our prayers. Even in our structured prayer service, there are many opportunities for a silent, personal supplication to G-d.

Prayer is an introspective process. A process of discovering who one is, what one could be, and how to achieve that transformation. By improving ourselves with prayer, we become capable of absorbing G-d's blessing.

May the words of the verses from this week's portion be fulfilled - "We cried out to G-d and G-d heard our voice."

By writing a request to G-d and placing it in the Kotel we may not be fulfilling all aspects of prayer but it may act as a beginning in the process - by focusing us on what we will pray for. This week's recipe is for a cookie we all know as a fortune cookie - which are sometimes also filled with prayers. They actually are originally from the Japanese Tsuji- ura Senbei, a cracker made from unsweetened rice dough.

# ParshaPix explanations

- 🍷 BIKURIM - basket of first fruits placed at the side of the Mizbei'ach...
- 🍷 The bringer is smiling the ultimate smile, as the Torah commands us to rejoice in all that G-d has given us...
- 🍷 And smiley is reciting (speech bubble) about going down to Egypt and about being brought out of Egypt and taken to Eretz Yisrael.
- 🍷 HASHKIFA - G-d, look down upon us from on high (telescope)...
- 🍷 One of the blessings mentioned in the sedra is that if we keep the Torah, then we will be "heads" not "tails". See the two shekel coin images. Just for your information, heads and tails is American coin terminology. The formal numismatic terms are obverse and reverse. The colloquial terms for Israeli coins are PALI and EITZ. PALI is short for Palestine, the name of the country in pre-state days and the word that appeared in three languages on the obverse of coins. EITZ is for the palm tree that was common on the reverse side of the coins.
- 🍷 12 stones upon which were

engraved the Torah (or parts of it).

- 🍷 Opened treasure, as we ask of G-d. That treasure is in the form of beneficial and timely rains, and the bumper crops that result from good and plentiful rain.
- 🍷 THE SKATE is for the word HASKEIT. It is a unique word in Torah and Na"Ch. Words that appear only once are often difficult to translate, since they provide only one context with nothing to compare it with. HASKEIT is rendered as "pay attention" or "be silent" or "form groups". It is followed by USHMA, and listen (or understand), hence the different possibilities for HASKEIT.
- 🍷 The successful basketball shot is for BARUCH TANACHA, blessed is your basket (i.e. fruit, Rashi), or V'SAMTA VATENE - and put it in the basket.
- 🍷 Thumbs up pointing to a cityscape and a field is BARUCH ATA BA'IR UVARUCH ATA BASADEH.
- 🍷 The green pepper with yes and no on it represents the term in the Torah PRI ADAMA, fruit of the ground. YES, that's the bracha it gets (double meaning - we say BOREI PRI HAADAMA and G-d sends His BRACHA (if we follow Him) to our PRI ADAMA. On the other hand - NO, pepper is not one of the PRI ADAMA referred to in the context of BIKURIM,

since we are taught that for the mitzva of BIKURIM, PRI HAADAMA means only the Seven Species, which do not include pepper.

- 🍷 The golf club under the stones is an iron. The haftara says: "For bronze I will bring gold, and for iron I will bring silver, and for wood bronze, and for stones iron..." (Yeshaya 60:17) In Hebrew: V'TACHAT HA'AVANIM BARZEL - and under the stones, iron.
- 🍷 At the top of the ParshaPix is a (spice) rack, representing another promise for our faithful behavior, that will be RACK L'MAALA, just at the top. (Hebrew-English groaner.)
- 🍷 The opened lock is for the prophecy in the haftara, that your gates will be open always, day and night they will not be closed...
- 🍷 The flower next to the 12 stones is a "forget-me-not", as in "... I did not violate any mitzvot, nor did I forget." Part of Vidui Maasrot.
- 🍷 The cow and the bee in the lower-right represent CHALAV and D'VASH, as in ERETZ ZAVAT... A phrase that occurs more in Ki Tavo than anywhere else.
- 🍷 The little elephant at the bottom of the ParshaPix represents the mitzva that an elephant - assuming his reputation is deserved - cannot fulfill, the mitzva of SHICH'CHA,

forgetting the bundles of produce (one or two of them) in the field. As elephants (supposedly) never forget, they would never do this mitzva. But they would be very good at the mitzvot that require us to remember Shabbat, Maamad Har Sinai, Amalek, what happened to Miriam, and others. This, assuming that an elephant is either born to a Jewish mother or converts according to halacha.

- 🍷 And then there is an AYIN with a SEGOL under it and a MEM (sofit) with a SEGOL under it. AYIN-MEM spells AM, nation. This then is an AM SEGULA, as in Chosen Nation, a phrase that occurs twice in Parshat R'ei and once in Ki Tavo.
- 🍷 On the right side of the ParshaPix are three Unexplaineds. (Hint: They all come from the haftara.)

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**WISDOM & WIT**  
by Shmuel Himelstein

[During Elul and] on Rosh HaShana, it is customary for Jews to wish one another SHANA TOVA UMTUKA - a good and sweet year. R' Shlomo of Lechna asked: "Why add 'a sweet year'? If the year is a good year, doesn't that imply it will be a sweet one?"

He then answered his question as follows: "It is quite possible for a year to be a 'good' one, but for a person not to realize it. After all, even when

the Jew is faced by a seeming calamity he says, GAM ZU L'TOVA - this, too, is for the good. Our wish, then, is not only that the year will be a good one, but that it will be perceived by everyone as a sweet and happy year as well." ##

R' Ze'ev Wolf of Strykov would say, "If a person is silent when he has nothing to say, that does not prove anything except that he is not a fool. It is only one who has something to say but who nevertheless remains silent who is the true guardian of his tongue."

Before moving to the United States, R' Moshe Feinstein was the Rav in Luban, Russia, which was then under Communist rule. The Communists did everything possible to prevent Jews from practising their religion, depriving them of the most basic facilities. Thus, in spite of the fact that Luban had many religious Jews, the authorities refused to allow them to have a mikveh. Of course, a mikveh is a basic necessity of Jewish life, so R' Moshe thought of a plan to enable the town to have one.

When the Communists built a swimming pool for the use of the town folk, R' Moshe managed to persuade the contractor to build it in such a way as to become a mikveh. Having done that, one more problem still needed to be addressed. R' Moshe now went to the authorities and thanked them profusely for the beautiful swimming pool which all could enjoy, and which would provide

everyone the opportunity for much-needed exercise. There was one problem, though, he pointed out: due to the modesty of Jewish men and women, they could not swim at the same time. It was only fair that Jews, too, be able to enjoy that magnificent new facility. Heeding his request, the authorities set aside certain hours at night for men and other hours for women.

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

Lesson # 531

### A Background to Halacha

I have been asked questions over the years by the readers of these lessons to show some background material to how at Sinai (1312 B.C.E.) halacha has been transmitted from teacher to student. This tradition has perpetuated Jewish law as the property of the Jewish people. In former years the public teachings and discussion occupied a prominent place in Jewish culture. Today, unfortunately except for a few exceptions such as Torah Tidbits, estrangement from the language of halacha has made it less accessible to the general public. My essays are an attempt to open part of the world of halacha to the Jewish layperson in the English-speaking Jewish community. It is not a comparative study nor a historical survey. I have attempted to analyze Jewish law within its own unique framework. After Sinai, for about 15 centuries, a prohibition against

reducing the Oral Law to written form was scrupulously observed and halacha was transmitted from teachers to students orally. However, because of religious persecutions and dispersions, some principles of the Oral Law were either in danger of being forgotten or had been subjected to conflicting interpretations. Accordingly, it was decided to commit the Oral Law to writing. This was done in two stages. First, at approximately 200 C.E. a concise code of 63 books, known as the Mishna was redacted. The Mishna, however, because of the exceeding brevity of its contents could not convey the vast amounts of law it represented, it therefore became in turn the focal point for further exposition and elaboration known as the Talmud. The problems arising from the oral transmission affected the Talmud as well. The Talmud was therefore also reduced to writing with the Jerusalem Talmud being redacted in Israel around 350 C.E. and the Babylonian Talmud redacted in a much more extensive form about 500 C.E. The Talmud accordingly represents the authoritative final source of the halacha. All subsequent developments of Jewish law is limited to expounding, interpreting, elaborating and applying the Talmudic legal principles to relevant factual situations. The format of the Babylonian Talmud is in the style of an exposition on 37 books of the Mishna and it contains approximately 5,400 printed pages in its current format. Subsequent halachic development was carried forward by Jewish judges and scholars throughout the world. Jewish law thus emanates from three major sources: commentaries; compendiums and codes; and Rabbinic responsa. The

earlier codes were generally fragmentary, dealing with limited topics. A major exception, of course, is the monumental code of Maimonides (Rambam 1135-1204) which covers every facet of Jewish law. The large compendiums of the Talmud by Alfasi (Rif 1013-1103) and Asheri (Rosh 1251-1320) are generally restricted to laws which did not lapse with the destruction of the Holy Temple in 70 C.E. The first major code dealing exclusively with currently practiced Jewish law is that of Tur (1230-1347) who organized the law into four major bodies: (1) Daily observances; (2) Ritual; (3) Marriage and Divorce; and (4) Civil Jurisprudence. More IYH in the next lesson.

**CHIZUK AND IDUD**  
*Divrei Torah from the weekly sedra  
with a focus on living in Eretz Yisrael -  
Chizuk for Olim & Idud for not-yet-Olim*

*Last week's vacation-shortened issue did not have Pearl Borow's Chizuk and Idud D'var Torah. So why should you miss it?*

There is no other Parsha in the Torah that contains as many Mitzvot as Ki Teitzei. These mitzvot cover the entire spectrum of human experience, ritual acts and civic duties, mitzvot that relate to Man's relationship to Hashem as well as those to his fellow man. In the midst of all these, there appears a strange mitzva regarding warfare that seems terribly mundane, almost unnecessary - that of keeping the camp clean and hygienic. The simple teaching, however, ends with an overwhelming statement:

"Because Hashem walks in the midst of your camp, to save you and defeat your enemies, so your camp must be holy..."

In a narrow sense, the word "camp" in this pasuk refers to a military camp preparing for battle. In a greater sense, it is talking about Eretz Yisrael, the camp in which the presence of Hakadosh Baruch Hu, is centered. In this holy camp, even the mundane is raised to the level of Kedusha. Nothing must be allowed to degrade it in any way.

Pearl Borow, Jerusalem

### Chizuk & Idud for Ki Tavo:

*Dedicated to Gili & Chaya Haupt and family, who made aliya this week - along with all the other Modern Day Heroes making aliya this Summer*

The Mitzva of Bikurim is intimately tied up with appreciating the Land of Israel. For Olim Chadashim, it is a mitzva that resonates and instructs.

Bikurim is accompanied by a unique verbal declaration. The farmer offering his Bikurim, begins with a historical account of the People of Israel culminating with their entrance into a fertile land "flowing with milk and honey." He expresses his gratitude for being able to bring the first fruit of the land that Hashem has given him. According to the Rambam, this verbal declaration is a separate mitzva (Hilchos Bikurim 3:10).

Why does the Torah require the farmer to make a special verbal declaration?

There is an idea, attributed to the ARI Z"L, that the Mitzva of Bikurim is a rectification of the Sin of the Spies. In fact, the connection between Bikurim and the Meraglim seems to be hinted at by the Mishna. The Mishna (Bikurim 3:1) describes how one designates his first fruits, and begins: "How do we separate Bikurim? When a man descends into his field and sees figs ripening, a cluster [of grapes] ripening, or a pomegranate ripening, he ties a string to it and says, 'These are Bikurim'..." It is interesting that the Mishna specifies only figs, grapes and pomegranates while all of the seven species must to be separated as Bikurim. Rav Menachem Zemba hy"d, one of the great Torah giants of pre-war Europe, explained that these three fruits are precisely the ones that the Spies bring back with them from the land, as we see in Bamidbar 13:23. By mentioning only these three, the Mishna is alluding to the fact that Bikurim is a tikun, or rectification for the Sin of the Spies.

Sefer Pardes Yosef expands on this idea and shows that those who complain in Parshat Chukat single out these three fruits once again. After the death of Miriam, the People ask, "Why did you have us ascend from Egypt to bring us to this evil place? Not a place of seed, or fig, or grape or pomegranate - and there is no water to drink!" (Bamidbar 20:5). Pardes Yosef points to Mishna B'rachot 6:8 which specifies these three fruits when discussing making the after-blessing of M'ein Shalosh. By mentioning only

these three, the Mishna once again alludes to the complaints of the Jewish People.

Bikurim serves as a rectification for the Sin of the Spies because it requires of us to see the good in the land and express our love for it. In contrast, the Spies "despised the desirable Land" (Tehillim 106:24). By speaking ill of the land, they sinned with their faculty of speech. That is why Bikurim is accompanied by a unique verbal declaration - it requires us to recognize the good in the Land and express our thanks to Hashem verbally.

As olim, there is a lot we feel fortunate for, but also a lot we can complain about. When we complain, criticize and fail to recognize the incredible blessing that Hashem has bestowed upon us, we commit the Sin of the Spies once again. One can choose to see the Land of Israel as a "land that eats its inhabitants", or a land that is "very, very good." Considering aliya, one's attitude can be, "...we cannot ascend..." or that of "we shall surely ascend..." It is all a matter of perspective. The Mitzva of Bikurim reminds us to keep things in the right perspective.

As Rosh HaShana and Yom Kippur approach, it is appropriate to reflect on our appreciation of this great Medina and fulfill our destiny as a Nation that sings Hashem's praises: "This People which I fashioned for Myself that they might declare My praise" (Yeshayahu 43:21).

Rabbi Shimshon Nadel, Jerusalem

### What did they say?

The Torah tells us of the blessings and curses to be pronounced on Har G'rizim and Har Eival, after entering the Land. The list of curses contains 12 items. After the first, the format of the verses is the same: Cursed is one who \_\_\_\_\_, and the entire nation shall say AMEIN.

The first curse is a bit different.

אָרִיר... וְעָנּוּ כָּל־הָעָם וְאָמְרוּ אָמֵן:

... And the entire people shall speak up and say AMEIN.

The notes of V'ANU CHOL HAAM are DARGA T'VIR. There is a tendency to pause after a T'VIR (because of how much breath the DARGA T'VIR take). In this case, one should be careful not to pause, but to include V'AM'RU (with its TIPCHA) in the single phrase, which indicates that the people answered AMEIN.

A pause after HA'AM would give the pasuk a different meaning: Cursed is the man... And the people answered - What? Don't know, but something) - and they (then) said AMEIN. The fact is that they responded only with AMEIN (as is clear in the following eleven p'sukim) to all the curse-statements.

It's a little thing, but it makes the reading clear and beautiful when a BK (Baal K'ri'a or Baal Korei) does it right.

This has an interesting contrast in our davening. Maariv, to be specific.

מְלֻכּוֹתָךְ יְהוָה בְּנִיד, בּוֹקֵעַ יָם לְפָנַי מִשָּׁה,  
זֶה אֵלֵי עֲנוּ וְאָמְרוּ: ה' יִמְלֹךְ לְעוֹלָם וָעֶד.

"Your children beheld Your Majesty as You parted the sea before Moshe. 'This is my G-d', they responded, and then said, 'HaShem shall reign for ever and ever.'"

ZEH KEILI is what the said at the sea. And they also said HASHEM YIMLOCH...

In this case, the ANU and the AM'RU refer to different things that were said. And our pauses should reflect that. In the pasuk above, the ANU and AM'RU are both referring to AMEIN. And the reading should reflect that.



Last issue's (KI TEITZEI) TTTriddles:

#### [1] Maftir Yona before Shavuot

[Ed. note: Personal association from my childhood, no doubt shared by some TTreaders.] Many shuls (used to, still do?) auction off the honors for Yom Kippur. This raises funds for the shul and supposedly avoided the jealousy created when individuals were merely selected by the gabbai or shul committee for kibudim. Of course, it created a jealousy that was money-based. Whatever. The top honors were Maftir Yona and P'sicht Ne'ila. This TTTriddle chose Maftir Yona. The person who pledged money at the auction of kibudim on Yom Kippur has a mitzva to pay up by a certain time - that being the next REGEL (Pilgrimage Festival - Pesach, Shavuot, Sukkot), and a prohibition not to delay redemption of a pledge for a period longer than the passage of three REGALIM. Leaving aside the question as to whether these

mitzvot apply to Beit HaMikdash pledges only, or the others (like to shul) as well, the one who had Maftir Yona needs to pay up by Shavuot - otherwise he violates the prohibition of non-pay-ment.

#### [2] Is there a problem having a regular catseye with a sulphide together?

Catseyes and sulphides are types of marbles. Catseyes are regular sized marbles and a sulphide is usually much larger. Having a small and large stone together is forbidden. Of course, the prohibition applies to weighing stones and the ISUR is having two different sized stones each representing 100 grams (for example). Since they can be used to cheat someone, the mere possession of them is forbidden. There would not be a problem with marbles.

#### [3] When each side of the lock is different

If that would be so, you would need different keys for leaving and entering - KEY TEITZEI and KI TAVO.

#### [4] D'varim's 2 3-end20 mitzvot

3 = GIMEL and end20 = CHAF SOFIT. There are only ten occurrences of words in Tanach that end in GIMMEL-CHAF. Of these, two are mitzvot in the book of D'varim: V'SAMACHTA B'CHAGECHA in R'ei, the mitzva to rejoice on our Chagim, and V'ASITA MAAKEH L'GAGECHA in Ki Teitzei, making a protective fence around one's (habitable) roof.

#### [5] Sh'mot, Vayikra, D'varim: Shoftim, Ki Teitzei twice

The phrase KI TEITZEI occurs five times in Tanach - all in the Torah. Once each in Sh'mot and Vayikra, and three times in D'varim - including once in Sho-f'tim and twice in Parshat KI TEITZEI.

#### [6] Three Unexplaineds from last week's ParshaPix, with a hint that they refer to mitzvot.

The eye whose eyelashes were being applied with mascara represents the prohibition for a man to wear a woman's dress. SIMLAT ISHA does not only mean women's garments, but it also prohibits other things that are recognized as things women do and men generally do not. One wonders whether wearing earrings still falls under this prohibition, but it is safe to say that using mascara does.

Gorilla for sale: The Torah prohibits M'CHIR KELEV, which means that is a dog was "sold" by exchanging it for one or more sheep (or goats, doves...), the animals that are M'CHIR KELEV are not usable as korbanot in the Beit HaMikdash. Would this apply to an animal used to purchase a gorilla? Our preliminary checking is not yet conclusive, but it seems to be that the prohibition of M'chir Kelev is only for a dog. There is a logical argument that other animals might be included - this based on the reason for the ISUR given in some sources, but logic alone does not necessarily determine halacha. Until we are sure, we will leave it at a mere hint at the the prohibition of M'chirt Kelev, without claiming that the five goats used to purchase Magilla Gorilla would be invalid for the Mizbei'ach.

And the third picture was of people paying a taxi fare. This is a reminder of B'YOMO TITEIN S'CHORO, the mitzva to pay a laborer on time. One usually pictures in his mind, the workers hired to pick apples for the day, and other such day-laborers, who must be paid on time - both in fulfillment of this mitzva and to avoid the prohibition of LO TALIN... Do not leave the wages of the worker with you until morning. The scope of these mitzvot include anyone who performs a service for you for which they get paid. Payment must be made at the proper time according to the standard practice for the work done.

For example, if painters are usually paid upon completion of the job after they clean up, then that is when the Torah requires us to pay.

The Chafetz Chayim in the introduction to his Sefer Mitzvot HaKatzar mentions paying a wagon driver (or taxi driver, in our example) when the ride is over. This is the standard practice. The point he makes is that it is something that everyone does as a matter of course, and without a second thought. However, paying for the ride is in fulfillment of a mitzva from the Torah and in avoidance of a violation of another mitzva. Suggests the Chafetz Chayim, have kavana (mindful intention) to fulfill the mitzva. You are doing it anyway, why not do it in the best way, by doing it for the sake of the mitzva, rather than mindlessly. Something to keep in mind (literally) when we pay a babysitter, the barber, and a slew of other people who "work for us".