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Rabbi Nachman On Hungarian Wine ...Page 9

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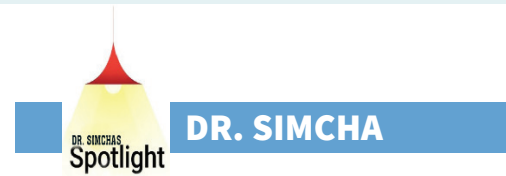
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RABBI COREN



ELUL AND MARRIAGE

I was recently asked to speak under the chupa by a close friend of mine. As I prepared my words I thought of the Gemara in Maseches Eruvin 54.

The Gemara relates to a conversation that took place between Shmuel and his talmid, R Yehuda.

Shmuel told Yehuda, -"Grab and eat, grab and drink, for this world that we are leaving from is like a wedding feast." This sounds quite strange for a message from a Rebbi to his talmid. Why would he be telling him to make sure he grabs lots of food and drinks? Obviously there was a deep lesson here and one that relates to weddings and marriages. The simple meaning can be likened to a person who shows up late to a fancy wedding and goes into a panic at not being able to fully partake in the wide display of foods at the smorgasbord. The sushi and meats are almost all gone and there is no plate or cutlery to be found. He finally finds a somewhat clean fork and considers using it.

This scenario may sound humorous but there is a lot of truth to it. So what is this really all about? I heard an explanation from Rav Avigdor Miller who was discussing the message that this world is a world of chesed--Olam Chesed Yibane --and food is the main ingredient that exemplifies this message. Hashem in his infinite wisdom feeds all creations in ways that science still cannot fully explain. One examples of this involves the echo system that governs nature. We are not aware of most of what goes on in a rain forest but we are provided with glimpses into its forces when trees are cut down putting into play spiraling consequences that reach all the way down to the smallest insect. This is but one of the amazing and marvelous miracles that Hashem created. In a way, this world is one big wedding feast.

There is another explanation to Shumel's statement to his talmid and that is the idea that we are here in this world to do as many mitzvos as possible and that is what he means by snatching food and drink whenever we can. We are talking about the spiritual nourishment that will satisfy our souls for eternity. Now that is a strong take away to leave a wedding celebration with.

However, I thought of an even deeper lesson that one can think about at a wedding and pon-

der about especially in the month of Elul. When a couple or more often when a chosson comes to me for chosson classes I begin with an innocent question. "Why are you getting married?" "The response is usually a funny look. "Now you are asking me?" Imagine if I asked this question to the audience at the wedding hall. It would certainly be entertaining to see the thoughts running through the minds of all the guests gathered there.

The answers I get are typically classical ones: "It's the thing to do" or "I thought it was time." These responses don't give clarity and it really is vital to truly understand the actual reasons as to why one should get married because if a person has incorrect preconceived notions about what marriage is supposed to be like and it turns out differently, the marriage will suffer.

The true answer should be the same as why we do all the mitzvos -- because as the Mesilat Yesarim says this is how we get close to Hashem, how we develop a connection and how we can experience the greatest pleasure possible-- much more than the best piece of meat or sushi that we will ever taste.

Marriage is the ultimate conduit for love of Hashem because if not for this union we would have a difficult time understanding what it means to be in love, what it means to sacrifice, what it means to take the small steps and efforts to ensure our relationship continues to grow and flourish. And that is why the weeks leading up to Rosh Hashana are actually a very auspicious time to get married because this is when, as pointed out by the Rambam, we can fall back in love with Hashem. That is what Teshuva is all about.

Love takes thought and focus and it also requires action. It's not enough to be a good Jew in thought only. A successful marriage doesn't work if a husband spends three hours a day meditating about how much he loves his wife but never washes the dishes. The same applies to the wife who devotes all her time to her work outside the home and has no time to cook her husband's favorite meals.

"Ani Ledodi " means loving each other and this involves both thought and action.

KESIVA VECHASIMA TOVA

In this week's PARSHA of
כי תצא

Let's all get smart & use this power of SIMCHA for ourselves & for helping others to "get out" !!

Wishing all the common sense which is not necessarily so common

to use this tool to enjoy this coming Shabbos Kodesh

Avi Weinberg

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KI SEITZEI



PARSHA
SNAPSHOT

LAZER SCHEINER

Seventy-four of the Torah's 613 mitzvos are in the Parshah of Ki Seitzei. These include the laws of the beautiful captive, the inheritance rights of the firstborn, the wayward and rebellious son, burial and dignity of the dead, returning a lost object, sending away the mother bird before taking her young, the duty to erect a safety fence around the roof of one's home, and the various forms of kilayim (forbidden plant and animal hybrids).

Also recounted are the judicial procedures and penalties for adultery, for the rape or seduction of an unmarried girl, and for a husband who falsely accuses his wife of infidelity. Among other the following cannot marry a person of Jewish lineage; a male of Moabite or Ammonite descent; a first- or second-generation Edomite or Egyptian.

Our Parshah also includes laws governing the purity of the military camp; the prohibition against turning in an escaped slave; the duty to pay a worker on time, and to allow anyone working for you—man or animal—to “eat on the job”; the proper treatment of a debtor, and the prohibition against charging interest on a loan; the laws of divorce (from which are also derived many of the laws of marriage); the penalty of thirty-nine lashes for transgression of a Torah prohibition; and the procedures for yibbum (“levirate marriage”) of the wife of a deceased childless brother, or chalitzah (“removing of the shoe”) in the case that the brother-in-law does not wish to marry her.

Ki Teitzei concludes with the obligation to remember “what Amalek did to you on the road, on your way out of Egypt.”

Haftora Yeshayahu 54:1-10.

This week's haftorah is the fifth of a series of seven “Haftaros of consolation”. Forsaken Jerusalem is likened to a barren woman devoid of children. G-d enjoins her to rejoice, for the time will soon come when the Jewish nation will return and proliferate, repopulating Israel's once desolate cities. The prophet assures the Jewish people that G-d has not forsaken them. Although He has momentarily hid His countenance from them, He will gather them from their exiles with great mercy. The haftorah compares the final Redemption to the pact G-d made with Noach. Just as G-d promised to never bring a flood over the entire earth, so too He will never again be angry at the Jewish people.

“For the mountains may move and the hills might collapse, but My kindness shall not depart from you, neither shall the covenant of My peace collapse.”

MINYAN FOR AMALEK



RABBI BERACH
STEINFELD

Posuk yud zayin in Perek chof heh in Chumash Devarim tells us that we should remember what Amalek did to Bnei Yisroel. That is why we have the mitzvah of Parshas Zachor, to be leined for all to hear.

The Gemara in Brachos, daf mem zayin, amud bais brings down a story about Reb Elazar who came to Shul and found that there were only nine people for the minyan. Reb Elazar freed his Eved Knani, Tevi, who then completed the minyan. The Gemara questions how he was allowed to do that if Reb Yehuda says that one who frees his slave is over an aseh that one should keep an Eved Knani forever. The Gemara answers that since minyan is a mitzvah of a rabim, it therefore was allowed.

The Rosh in siman chof says that the mitzvah of a rabim is stronger than a regular mitzvah because the posuk says “Venikdashti” amongst Klal Yisroel, the source for a minyan. This premise will hold true even if it is for a mitzvah deRabbanan like to hear kedusha or borchu; nevertheless, it will be doche a mitzvah deOraysa of a private person of not freeing a slave. The Rosh concludes that this must be the case because the gemara is not speaking in a case where the tzibbur was laining Parshas Zachor which is min haTorah, so we see that this point of a tzibbur being stronger is even if one is just doing a mitzvah deRabbonon.

The Trumas Hadeshen, based on this Rosh, says in siman kuf ches that the mitzvah of Parshas Zachor is to listen to it with a minyan. Therefore, if one has only one of the following options of either hearing Zachor with a minyan, or Krias Hamegillah with a minyan, one should choose Zachor with the minyan since the mitzvah is min haTorah. The Shulchan Aruch in siman kuf mem vov, seif bais concurs.

The Pri Chodosh in seif koton bais asks where did the Rosh learn this halacha that one needs a minyan for the reading of Zachor? In addition, why don't find a person has a chiyuv to hear any of the other mitzvos of zechiros (for example, remembering Yetzias Mitzrayim or Maaseh Miriam) betzibbur?

The Hagahos Peulas Sachir on the Sefer Maaseh Rav for the Gra says that the chiyuv of tzibbur for Amalek will come as a result of the shita of the Yereim in siman taf lamed heh that holds that the mitzvah of erasing Amalek is not a mitzvah for every private person, but rather a mitzvah on the tzibbur under a king. With this in mind, it makes sense that we should read the parsha of Amalek betzibbur to remind us that this is a tzibburidge din.

There are many poskim who disagree and say you do not need a minyan; however, according to the Rosh we can understand why we need a minyan.

Let us hope we are zocheh to the tzibbur and the king Moshiach to wipe out Amalek!

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RABBI NACHUM SCHEINER

ROSH KOLLEL

CAN ONE FULFILL THE MITZVAH WITH ONLY 10 BLASTS?

We previously discussed the reason for 30 blasts of the shofar – It is all to fulfill the Mitzvah of the Torah of blowing nine sounds. The Gemara gleans from the various pesukim that one must blow three teruas, each one sandwiched between two tekios (a straight sound), which equals 9 blows altogether. The reason for 30 blasts is because there are different types of teruah, broken, crying sounds: a long cry (shevarim), a short cry (teruah), and a combination of a long cry (shevarim) and then a short cry (teruah). This brings us up to a total of 30 blows.

Most Rishonim explain that this was based on an uncertainty that arose over the centuries as to the proper way to blow a teruah. The Rambam and the Shulchan Aruch concur with this explanation.

However, Rav Hai Gaon opines that in essence any option will fulfill the mitzvah, since these are all valid methods used for crying. In fact, each country used to blow in a way that people cried in that vicinity. But Chazal instituted that

all the fashions should be employed, thus unifying all the factions of klal yisroel, so the mitzvah will be fulfilled by all in an identical fashion.

So we have a dispute, whether the 30 blasts of the shofar are to ensure that one is fulfilling the mitzvah or if this was just for the sake of unification.

One practical difference between the two different approaches may be if there is an absolute requirement to blow 30 sounds.

According to the Rambam and the Shulchan Aruch, there is an absolute requirement to blow the 30 different sounds, in order to ensure the fulfillment of the Scriptural mitzvah. In addition, the Shulchan Aruch writes, if there is a town that no one knows how to blow all of the variations, they should definitely blow the type of sounds that they know, being that there is a possibility that they will hit the jackpot and get the correct type of crying sound. However, the Biur Halacha adds, they cannot recite the brocha because we are uncertain if this is a fulfillment of the Scriptural mitzvah.

On the other hand, according to Rav Hai Gaon, the Ritva tells us, the Scriptural mitzvah can be fulfilled even if one only blows one of the variations. In addition, according to Rav Hai Gaon, one can recite the brocha because we are certain of his fulfillment of the Scriptural mitzvah.

We previously discussed a town that got a shofar after

they had already accepted Shabbos. The Mishna Berura rules that they should only blow the bare minimum – tshr”t, tsh”t, and tr”t.

The Mishna Berura writes a similar ruling in regards another case. If one makes a neder not to have any enjoyment from a shofar, the Shulchan Aruch (585:6) rules that he can still listen to the shofar for the mitzvah. This is based on the halachic concept of mitzvos lav leihunud nitnu



– fulfilling a mitzvah is not considered a physical enjoyment and is allowed. However, the poskim write that he should not be the one to blow, because although the mitzvah performance is not considered deriving benefit, the actual blowing can be enjoyable.

However, if there is no one else available to blow, then the Mishna Berura, once again, writes that he should blow the bare minimum, which he writes is 10 kolos – tshr”t, tsh”t, and tr”t.

The poskim point out that these rulings would seem to fit according to Rav Hai Gaon, that with any combination one can fulfill the obligation. However, the Kaf Hachaim states clearly that one would need to blow 3 of each series. The Shoneh Halachos also suggests that this is what the text of the

Mishna berura should say.

HALACHICALLY SPEAKING

The Biur Halacha writes that if one is not blowing all 30 blasts, he should not recite a brocha. Obviously, he is following – or at least concerned with – the opinion of the Rambam, that one cannot be sure of fulfilling the mitzvah with less than 30 blasts.

In Halichos Shlomo, Rav Shlomo Zalman is not so sure about this ruling. According to Rav Hai Gaon, a brocha can be recited, and even according to the others it is a safeik. Maybe, that should be enough to warrant reciting a brocha. The Yaavetz also seems to go with this and allows reciting a brocha on 10 blasts.

In Chut Shani, Rav Nisim Karelitz uses this to allow someone blowing in multiple places, such as in hospitals, to suffice with just 10 blasts – with a brocha – in order to facilitate blowing in as many places as possible. In summary, there is a question if the reason that we blow the 30 blasts of the shofar is to ensure the fulfillment of the mitzvah or if this was just for unification purposes, a nafka mina being if one can fulfill the mitzvah with only 10 blasts.

Wishing you a Wonderful Shabbos,

Rabbi Nachum Scheiner

WHY CHILDREN REBEL THE ARGUMENT BETWEEN MOSHE AND G-D



RABBI YY JACOBSON

TWO PHASES

In a military class the professor asked the students, "What is the difference between an engagement and a battle?" No one in the group offered any answer. The professor was frustrated. "Didn't anyone read the material in the book?" he thundered.

Finally, one guy said that he knew the answer. "An engagement is the thing that came before marriage," he said, "while the battle is what followed it."

THE FIGHT

It is a daring Kabbalistic story, and its origin is in the foundational text of Kabbalah, the Zohar.

It tells of a moment when Moshe argued with G-d over a particular Torah law. The five books of the Torah were dictated by G-d to Moshe, who then transcribed them. Yet, says the Zohar, at a particular point, G-d dictated a law to Moshe, and Moshe refused to transcribe it into the Torah.

It was the profoundly painful law recorded in this week's Torah portion. It was the law of the rebellious son which ends with the parents dragging him to Bais Din and ultimately with the child's death.

"G-d says to Moshe," the Zohar recounts, "'write!' To which Moshe responds: 'Master of the universe! Leave this out. Will there ever be a father who would do this to his son?!'"

"G-d tells Moshe, 'I understand your view, yet you should still write it and you will be rewarded. You know [much], but I know [much] more.' Moshe would still not budge. He cannot accept this seemingly senseless and horrible law.

Only after G-d shows Moshe the deeper mystical interpretation of this Torah law, as it describes the dramatic history of the Jewish people, does Moshe acquiesce. He transcribes the law into the biblical text. Only after learning that this law was attempting to convey mystical, rather than literal, truths does Moshe find comfort with this mandate.

IMPOSSIBLE CONDITIONS

Interestingly, these sentiments of Moshe are echoed centuries later by the Talmudic sages living in the second

century CE. The harshness of the law led these sages to conclude that "there never was nor ever will be a stubborn and rebellious son," i.e. this Torah law was a matter of theory rather than practice. In fact, the rabbis derive from the biblical text so many conditions that were required for this law to be enacted, that its practical application was an impossibility.

To cite just a few examples: Both parents must consent to have their son declared as a "stubborn and rebellious son" and receive the death penalty. The boy must be within three months of his bar mitzvah in order to receive this penalty, not a day younger or older (younger than that, he was still a minor; older, he was not a child). He must have stolen money from his parents, used it to buy a tremendous amount of meat and Italian wine, eaten and drunk it in one go, in a place other than his parents' house, and so on.

This is not enough. For the law to be applied, the Talmud states, both parents need to have identical voices, a similar appearance and profess equal height. Since it is virtually impossible to have all of these conditions in place (unless the father and mother were twin siblings, which would prohibit them from marrying each other anyhow), this particular Torah law could never be applied in the real world.

Why then was it written? The sages answer, "So that we should expound the law and receive reward." What the Talmud seems to be suggesting is that expounding this law in depth will be rewarding for parents; it would enrich parenting and educational skills.

Indeed, when we focus on these verses, we can deduce extensive psychological, emotional and practical guidance on the goals and methods of a moral education. Today, I wish to focus on one aspect.

HOW MANY VOICES IN YOUR HOME?

As usual in biblical study, a discrepancy in the text intimates deeper meanings. This text too, contains such a discrepancy.

"If a man has a stubborn and rebellious son who does not obey the voice of his father and the voice of his mother," is how the case is introduced in the Bible. His parents are described as having two distinct voices: "the voice of his father and the voice of his mother." Yet later on, when the parents bring their son to court to mete out the penalty, we encounter a slight, but meaningful, variance: "They shall say to the elders, 'This son of ours is stubborn and rebellious. He does not obey our voice.'" No more "the voice of his father and the voice of his mother." Now it has become "our voice." Their distinct voices merged into one.

What is the meaning behind this subtle textual change?

The message, it has been suggested, is critical in education. The phrase "If a man has a stubborn and rebellious son who does not obey the voice of his father and the voice of his mother," hints to one possible reason for this son becoming stubborn and rebellious. In his home there was not one voice, but two distinct and dichotomized voices. The voice of the father was not the voice of the mother. Each of them went his or her own way. The parents never managed to merge their distinct "voices" to create a unified and integrated vision for themselves and

their children. Each of the parents was pulling the home in a different direction, and the poor children were left stuck in the middle, torn by the discord of people they love so dearly.

And if this were indeed the case, this child is not rebellious and stubborn at all. He is a victim of his parents' stubborn refusal to work on their emotions and discover peace in their fragmented home. The child need not suffer the consequences for his parent's reluctance to confront their own egos and demons, and build an ambiance of mutual respect and harmony. They may or may not have good reasons for their strife, but the child ought not to be blamed for responding to their wars with stubbornness and rebelliousness. What else do you expect of him?

Of course, even if you did not grow up in an idyllic and loving home, you are accountable for your actions. A human being could overcome his or her past. Yet you can't call this child "stubborn and rebellious."

If we are going to punish this child, we must be sure that his disposition is indeed corrupt from within. Thus, in the continuation of the incident, the Torah states, "They shall say to the elders, 'This son of ours is stubborn and rebellious. He does not obey our voice.'" To determine that this child has embarked on an irrevocable path to disaster (which is, according to the sages, the reason the Torah imposes such a horrific punishment on him), we must ensure that the parents spoke in one voice, that the home was filled with serenity and human dignity. If not, if two voices resided in the home filled with divisiveness and resentment, the blame ought to be placed on the parents, not on the child. Since his distortion is due to his parent's discord, the path of healing is open to the boy.

MUTUAL RESPECT

This may be the deeper meaning behind the Talmud's statement that for this law to be applied, the parents must share identical voices, a similar height and a close resemblance to each other. Only if the voices in this child's life have been integrated by parents who shared an identical value system in life; only when this child observed a father and mother whose spiritual heights were similar; only a child who saw both of his parents projecting a similar vision of themselves, only in such a case may we perhaps conclude that this child, who has demonstrated terrible and destructive inclinations, is turning into a monster. His future may be hopeless.

Since these conditions are virtually impossible, for no parents can be perfect, the Talmud is suggesting that we never have the right to proclaim any child as "stubborn and rebellious," even if we observe in him destructive patterns. The child may be responding, consciously or subconsciously, to the stress and turmoil in his parents' lives.

Parents are not, nor do they need to be, perfect. Yet, as long as we work toward transforming our distinct voices into a single voice, as long as we learn to truly respect the otherness of our spouse and create together a loving ambiance in our homes, we are likely to raise children who will lovingly embrace the morals and values their parents hold dear.



PARSHAS KI SEITZEI

It's all Good.....

”ויהפוך ה' אלוקיך לך את הקללה לברכה” (דברים כ"ג, ו')

“And the L-rd your G-d will transform a curse into an open blessing for you”
We often get upset by events that happen but later realize that they are for our benefit.

Sometimes however, destiny moves like lightning, creating a new reality so radically different from what we expected that we sense a flash of the divine, redirecting and realigning our lives.

Let's listen to a true story that took place around 30 years ago, illustrating this point. R' Reuven Karlenstein, a Maggid from Yerushalayim was forced to move across the ocean and settle in Boro Park. His kidneys were failing and dialysis was not an option for much longer. He put his name on a list at the advice of medical askonim and waited. Six months turned into a year and before long two years had passed, apart from his family. He needed to be close to a potential donor in order to receive the kidney as soon as possible. If he missed the call the organ would go to the next person on the list.

And so it was that after two years the consensus was that he should sign up at the largest Donor Center in the west coast, located in San Francisco. The experts told him that his chances were much better there. Alas R' Reuven did not want to go..” I am barely surviving here- in a Heimish environment. I do not speak English.. I cannot leave Boro Park.”
R' Yitzchok, a dedicated Askon spoke up..” I am volunteering to come with you to San Francisco. We will be matzliach there Bez”H!”
The askon asked his wife if he could go to San Francisco.. the trip may be a long one. She agreed, on one condition..the minute they get to California they should call her- the NY hospital had a list with only 3 hours til the kidney goes to the next person.. The trip is 6 hours. You must call when you get there.. You never know- a kidney could suddenly be found. You might have to turn right around. The two men arrived in the middle of the night. It was before the days of cellphones and R' Yitzchok had forgotten to call.. He awoke with a start an hour later.. But where would he find a phone!.. At 6.30 in the morning, there was loud knocking on the door and two policeman came in..” We received an emergency call from your wife in NY you must call her now- we tracked you down from a list of many hotels.”
By the time they reached NY it was too late.. The kidneys had been given away!!
Hard pressed to tell the frail R' Reuven, R' Yitzchok tried to hold it in, but his face gave

it away..
“Don't fret even a minute!” R Reuven said with a smile that lit his whole face.. this is definitely the hand of G-d. He is saving me from something terrible! Two years I waited for a kidney and the day I went away, one becomes available.. With certainty I can state that it would not be a good kidney, that is why Hashem orchestrated me to fly far away- so I would not take this kidney..The Rav called his family in Eretz Yisroel and with whatever strength he could summon, he danced in happiness telling them the “good news”.
R' Yitzchok (and all of us reading this story) are about to learn a big lesson.
In less than a month a new kidney was found for R' Reuven.
Back in NY, the askon decided to see what had become of the kidneys they had “missed.” Unfortunately, the two patients who had received the donor kidneys died very soon afterwards-the kidneys were infected with a rare disease that had eluded the surgeons. As a happy postscript.. Harav Karlenstein moved back to Eretz Yisroel where he lived another 30 years, passing away a few months ago!
Deep in our Neshama is a Heavenly accounting and a divine plan. There are no mistakes, or forgetting, that does not bear the stamp of our Creator.

Good Shabbos!

Medical Opinion

One afternoon, a man went to his doctor and told him that he hasn't been feeling well lately. The doctor examined the man, left the room, and came back with three different bottles of pills. The doctor said, “Take the green pill with a big glass of water when you wake up. Take the blue pill with a big glass of water after you eat lunch. Then just before going to bed, take the red pill with another big glass of water.” Startled to be put on so much medicine, the man stammered, “Doc, exactly what is my problem?” The doctor replied, “You're not drinking enough water.”

Plain English

The man told his doctor that he wasn't able to do all the things around the house that he used to do. When the examination was complete, he said, “Now, Doc, I can take it. Tell me in plain English what is wrong with me.” “Well, in plain English,” the doctor replied, “you're just lazy.” “Okay,” said the man. “Now give me the medical term so I can tell my wife.”



UFARATZTA

FOCUS

Rebbe's response to a girl who was feeling hopeless in her growing years as she struggled to find a suitable shidduch:
In response to your previous letter - about your situation and your mood and so on - I read it with great shock - If you pay attention to the simple meaning of the 18 morning brachos, in which you bless Hashem at the beginning of every day - You will see that you have been blessed, bli ayin hara, with all of them. In addition, you have been blessed with good health, good parents, good education, a good community, a good profession and livelihood and more. If so, what is the justification for your complaints and so on?!

The only thing that needs to be fixed - is that you are not married yet. And the true cause for that is - that when you are offered a shidduch you look for excuses to get out of it. When you change this attitude, this matter too will come to its resolution.
I will mention you at the Tziyon.

Editor's note: This concept can be applied to solve any other nagging challenges as well. Sometimes when you feel stuck with a challenge that is not going away, instead of focusing on the problem that is bringing you down, disempowering and debilitating you from coming up with a solution, instead focus on the good you have and how successful you are in other important things in your life. Now you have the strength and confidence to solve the challenge or find the right person \ mentor that will help you in your goal. Most important is to trust Hashem that he will have the challenge facing you solved on his time-table, exactly in the right time.

Chai Elul Birthday of the Baal Shem-Tov, 1698; the Alter Rebbe - Ba'at Hatanya V'hashulchan Aruch, 1745.

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Two Brothers, Two Numbers

Rabbi Mashiach Kelaty

כי ישבו אחים יחדיו

When brothers dwell together...
(Devarim 25:5)

It was following the difficult years of the Holocaust that Jerry, who had been living in America all the while, decided to make the move to Israel. Wishing to join the many Jews who were building a new life for themselves in a new country, Jerry sailed across the ocean in anticipation of beginning a new life for himself as well.

It wasn't long before Jerry found a *kibbutz* to settle in, and met a man who had also just moved there, named Yehuda. Yehuda had come from Europe and was considerably quiet and reserved, something which was understandably the result of having personally undergone the pangs of the Holocaust. Yet Jerry was friendly and warm to Yehuda, hoping that perhaps some friendship would spark between them and Yehuda would open up.

One day, Jerry noticed something about Yehuda that he hadn't noted before. Tattooed on his arm were numbers. Recognizing them to be the numbers he was given in the concentration camp, Jerry began thinking how tender and uncomfortable Yehuda's past memories must be. And then Jerry realized something strange. The last four numbers on Yehuda's arm – 7146 – were the same as the last four digits of his social security number.

Wishing to break the ice and seize the moment to converse with Yehuda, Jerry turned aside and said,

"Yehuda, it must be terrible for you, but I noticed the numbers on your arm and I'm not sure it's coincidence that the last four numbers are the same as the last four numbers of my social security." Jerry wasn't sure how Yehuda would react to this comment, though all he wished was to befriend him and start conversation. Before he could do that, though, he first needed to find a topic which would be of some meaning and relevance to Yehuda.

Jerry hit the mark. Yehuda had something to tell Jerry.

"My friend," Yehuda began, "when my family was taken to the camps, they lined up my father, my brothers and me. As we stood next to each other, we received consecutive serial numbers tattooed on our arms. Following that, my father and brothers were selected to go one way, and I was selected to go another way. Ever since then, I have never seen any of my family. I don't know what happened to them. So here I am, alone, trying to make the best of everything. Life is very difficult, but I have no other choice than to move forward."

As Jerry heard Yehuda speak for the first time and relate his past experiences, he was visibly moved.

From that day on, Jerry and Yehuda slowly developed a close friendship, sharing in each other's daily activities and routines. Eventually, Jerry moved away from the kibbutz and became a tour guide. His job was to drive groups of tourists around the country and show them various historical and contemporary sites. He made a nice living and enjoyed meeting new people and sharing in their excitement and amazement in seeing the Holy Land.

Yet one day, as Jerry drove one older gentleman, he was in for a little surprise. The man appeared to be extremely irritable and kept on snapping and shouting at Jerry and nearby bystanders. Something was visibly bothering this tourist.

Jerry, by nature, was a very patient and calm person, though this man's unruly behavior was getting a bit

out of hand. "Is something wrong?" asked Jerry. "Pull over!" screamed the man. Jerry was startled. "Pull over!" he repeated. Not wishing to further upset the passenger, Jerry looked over his shoulder and slowly pulled over to the curbside.

"What would you like to tell me?" Jerry politely asked. The man paused for a moment, catching his thoughts and breath. "You probably think I am very arrogant and nasty," the man said. "The truth is that I am really not. I have just had a very hard life. I went through the Holocaust and lost my entire family. Every night, I cry myself to sleep. My life is miserable." Jerry was speechless. He now understood that the man was not merely having an unexplained fit, but was living a troubled life.

Rolling up his sleeve, the man turned to Jerry. "You see this?" Jerry looked at the numbers. And then he turned white.

The last four digits... 7147.

"Sir," said Jerry, trying not to choke on his own words, "you are not alone. Those last four digits of your number... they have a match..."

Jerry took the man to the kibbutz and called for Yehuda. "Yehuda... your brother is here."

And there, on a kibbutz in Israel, two brothers, with the consecutive numbers 7146 and 7147, reunited. Two brothers, who each believed they were alone and had no family to turn to, found one other.

Jerry probably never considered that his small gesture of conversing with Yehuda would lead to a remarkable result, but it is oftentimes when we are expecting the least in return, that we receive the most in return. Just do your small part, and Hashem will take care of the rest. And trust Hashem, He knows what He's doing.



Rabbi Nachman: What is Yayin Hungary

לא תמיד אנחנו יודעים בדיוק מהו טעמו של היין ההונגרי, הטעם עומד לנו על קצה הלשון, טעם עמום שהנשמה עוד זוכרת מלמעלה, אבל היטב אנו יודעים מהו תחליף זול...

Reb Nachman told a parable of an important trader who was traveling with a consignment of fine Hungarian wine. During the journey his assistant and the carriage driver said to him, "Here we are, traveling with all this wine. It's a very hard journey - give us a little taste of the wine." He agreed to let them have a small taste.

A few days later, the assistant happened to be in a small town with some people who were drinking wine and praising it extravagantly. They said it was Hungarian.

"Let me have a taste," said the assistant. They gave him some, and he said, "This isn't fine Hungarian wine at all!" They were most offended and told him to leave, but he insisted: "I know very well that this wine isn't

Hungarian, because I was with a wine merchant who had genuine Hungarian wine and he gave me some to try. I know what it really tastes like." But they ignored him.

And the Rebbe concluded, "In the future, when Moshiach will arrive, when the "hidden wine" is passed around, there will be those who will be able to be fooled. They will give them inferior Wallachsian's or Strovitsarian's wine and tell then this is hidden wine."

But his followers will not be fooled, for we have tasted the real Hungarian Wine (We know the taste of Torat Emet (real Hungarian Wine) because we have tasted the truth of the real thing.) *Chayei Moharan 260*



Going to a Secular Court (Part 4)

The past few weeks we discussed the importance of going to Bais Din over a secular court and the general stipulations one may make in business agreement so that one's business plan may be upheld even when not guided by certain Halachic parameters. This article will discuss possible legal actions one may take against an opponent without Bais Din approval.

One such case is whether one may take out a lien on another's assets without permission from a Bais Din. For example, Reuven claims Shimon owes him a large sum of money and Shimon is refusing to pay him back and Reuven is thereby summoning Shimon to

a Din Torah. However, Reuven is concerned that Shimon will liquidate his assets before coming to Bais Din and he will not have with what to pay him back. There is disagreement amongst the Poskim whether Reuven may take out a lien on Shimon's assets without Bais Din approval to assure himself that Shimon's assets be available should Bais Din rule in his favor. The possible issue with procuring a lien without Bais Din approval is, since such a lien is issued by a secular court a question arises whether getting such a lien without Bais Din's approval (Heter Arkaot) is included in the prohibition of going to a secular court system.

The RM"A Mipano (Ch:51) states that one is permitted to get a lien without Bais Din permission. Harav Moshe Feinstein (C"M Vol:2 Ch:11) similarly rules that getting a lien on someone else's assets is not considered going to a secular court system and is therefore permissible without permission from a Bais Din. A possible explanation for this Halacha is, that the prohibition to go to a secular court is only when the court is issuing a ruling because for rulings one must go to Bais Din (as we explained a few weeks ago). However, these Poskim held that acquiring a lien is not considered a ruling rather it is just a protective action and is therefore permissible.

Harav Moshe Sternbuch argues by interpreting the opinions that say one may get a lien without Bais Din approval to mean that one may go to a secular court to procure lien only if there isn't enough time to go to a Bais Din. However, if there is enough time one must first go to Bais Din to get permission. Should he not he is violating the Torah prohibition of going to a secular court system. Harav Shmuel Vozner (Vol:10 Ch:10) shares this opinion.

The Kesef Kidoshim writes it is highly recommended to get permission from a Bais Din before procuring a lien. Should one not it is possible that the lien holder will be liable for damages and legal fees accrued by the lienee due to the lien.

Having seen the various opinions in the Poskim it would be advisable to always get Bais Din permission before taking out a lien or at least ask a Rav before doing so.

**Rabbi Avraham Kahan Dayan,
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Chazaras Hashatz Without 10 People Answering

The Shulchan Aruch (OC 124:4) writes that the Chazzan should wait for 9 others to respond before beginning Chazaras Hashatz. Failing that, it is close to making a Bracha l'vatala. In OC 55:6 the Shulchan Aruch seems to contradict himself, by saying that if one of the 10 can't respond as they have begun Davening or fallen asleep, they may still be included. The Achronim explain this

difficulty in different ways. The Perisha and Magen Avraham (55:8) conclude that one doesn't need 9 to answer for Chazaras Hashatz (See Taz, Pri Chadash and Aruch Hashulchan 55:13), while the Shulchan Aruch Harav (55:7), Kitzur Shulchan Aruch (20:2) and Kaf Hachaim (55:48) maintain that there does need to be a Minyan.

The Noda Biyehuda (Kama: EH 54) was asked about someone who was Mesader Kiddushin without checking that there was a Minyan present for the Brachos. He replied, that while certainly lechatchila one needs to have a Miyan present for all Devarim Shebikedusha, Be-dieved if one doesn't have a Minyan, one is still yotzei. He brings

the Gemara Yerushalmi as a proof: If people leave the Davening in the middle, leaving less than a Minyan, the Chazzan may continue.

R' Shmuel Vosner, (Shevet Halevi 4:14) questions this proof, differentiating between starting Chazaras Hashatz when you need a Minyan to bring the Shechina, and already having a Minyan, when the Shechina won't leave just because one or two people do.

In conclusion, one should ideally wait for 9 others to respond for Chazaras Hashatz, you can rely on the more lenient authorities when absolutely necessary (Tzitz Eliezer 12:9 and Yalkut Yosef 124:14).



~Night Kollel~

RABBI NACHUM SCHEINER



INTRODUCTION TO HILCHOS LULAV – KAPOS TEMARIM: DOES THE DATE TREE HAVE TO BE FRUIT BEARING?

When it comes to the esrog, the Gemara discusses at length how we know that the words of the torah: “pri eitz hadar,” is a reference to the esrog. However, in regards to the lulav there is no such discussion, as to which tree a lulav is taken from. This is because the expression used by the Torah: “kapos temarim – branches of a date tree,” is clear what tree the torah is referring to.

IS IT NECESSARY TO USE BRANCHES OF A TREE THAT ACTUALLY HAS DATES?

The Gemara (Menachos 27a), in discussing the four species used, relates that two of them bear fruit – the esrog, which is a fruit, and the lulav that has dates. The other two – the hadas and the aravah – do not bear fruits.

There is a great discussion in the Acharonim as to whether or not there is a need to have dates on the tree. Is it a prerequisite that it must have fruits or it is just referring to the type of tree that gives off dates? There are a number of examples: there are old trees that can no longer give fruit, there are trees found in a cold climate, or they can be planted in non fertile soil. In addition, Rashi (Pesachim 56a) points out that the date trees come as male and female, with only one of them having the ability to bear fruit.

In all of these situations, there can still be branches, but no

fruits, making matters even more complicated since one cannot always be sure what type of tree the lulav branch came from.

REASONS TO ALLOW SUCH A TREE

CHASAM SOFER – THE TYPE OF TREE

The Chasam Sofer (Sukah 34b) rules that there is no problem with using a lulav that is from one of the aforementioned trees, even if fruits will never grow on them. The Torah is referring to the type of tree, not that it needs to be actually bearing fruit. He proves this notion from the halacha of the aravos.

The Torah uses the expression: “arvei nachal,” which means willow branches that grow by a stream. Nonetheless, the Gemara tells us that any willow branches can be used, even if they grow in the desert, and it does not need to grow next to a stream. The Torah was just using the expression to tell us what type of branches should be taken: the ones that usually grow next to the water. But as long as the type of branch is used it is fine. The same can be said for the lulav – the Torah is telling us to use a branch of a date tree, regardless of whether dates actually grow.

CHAZON ISH – A TREE WHICH CAN BEAR FRUITS

The Chazon ish (Kilayim 2:18) discusses a tree that cannot bear fruits. He writes that it is acceptable for another reason: since it can be grafted with another tree, it is considered to

be fruit bearing.

RABEINU BECHAYA – THE TORAH INCLUDES THIS TREE

Rabeinu Bechaya, seemingly addressing this question, writes that the word temarim is used in the plural, meaning a branch from date trees, which is to include both the male and the female date trees.

RAV SHLOM ZALMAN – TEMARIM IS REFERENCE TO THE TREE

In Halichos Shlomo (Dvar Halacha 10:15) Rav Shlomo Zalman Auerbach writes that these lulavim are fine. He explains that if the word temarim would be referring to the fruit of the tree – namely the dates – one can argue that it would be necessary to have the actual fruit. However, the temarim in the Torah is not used to refer to the fruit. The fruits are called in the Torah as devash – sweet, honey like fruit. Since the word temarim is referring to the tree, it is unnecessary to have the actual dates growing on the tree.

Thus, we have a whole list of acharonim who allow a lulav from a tree that does not bear fruits. Interestingly, the Tzafnas Paneach understands that this question is, in fact, a machlokes in the Yerushalmi between Rabbi Akiva and Rabbi Tarfon.

Halachically speaking, the Igros Moshe (4:21:7) also rules that using such a lulav is halachically acceptable.

In summary, although the lulav is called in the Torah a branch

of a date tree, the consensus of the poskim is that one can use a lulav even from a tree that does not have any dates.

COMMUNITY KOLLEL NEWS:

The Night Kollel learning hilchos lulav is pleased to present a shiur by Rabbi Avrohom Reit Shlita, renowned author of the Tekufas Hashana series – halachic works aimed at demystifying everyday mitzvos. “A buying guide for Lulav,” will include a power point presentation. The shiur will take place Sunday August 26, from 8:45-9:45pm, followed by Maariv at 9:45. I also gave an introductory shiur, this past Thursday, on the topic: “kapos temarim – does the date tree have to be fruit bearing?” See above for more details.

I gave a shiur this past Friday morning in Hilchos Tekias Shofer: “Understanding the number of blasts and the different sounds.” See Halacha Corner for more details.

I will also be giving a shiur this Friday morning in Hilchos Tekias Shofer: “Understanding the length of the Tekia and the Teruah.”

Just in time for this week’s parsha, which discusses the issur of shaatnez, the kuntres of the shiurim that were given at the kollel on this topic, will b’ezeras Hashem be available.

Wishing you a Wonderful Shabbos,

Rabbi Nachum Scheiner

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