

לעילוי נשמת  
מרת עקא עדנה  
צפורה ע"ה  
בת משה מנחם הלוי ז"ל



# על ארץ

## AL EI DESHE

Weekly Torah Insights and inspiration on the Parsha from the Rosh Yeshiva Shlit"za of Gur

## What Are We Waiting For?

What do we yearn for during these three weeks as we mourn the Beis Hamikdash?

The Rebbe R. Zusha was once staying at an inn that belonged to a simple villager. Observing R. Zusha's copious weeping as he recited *Tikkun Chatzos*, the innkeeper asked him what he was crying about. R. Zusha began describing our former days of glory with the Beis Hamikdash, which was destroyed due to our sins. "When Mashiach comes," concluded R. Zusha, "we will all

us so terribly!" The villager replied, "Ok, so instead of us going to Eretz Yisrael with Mashiach, let Mashiach take all the gentiles to Eretz Yisrael, and we'll stay here with our *kretchmehs* and animals!"

Anyone who hears this story laughs incredulously at the simple-mindedness of the villager. Is that what we need Mashiach for—so that we can keep our animals? But the truth is, every person needs to take a long, hard look at why he wants Mashiach – and whoever does, will realize that his reasons may be not much better than the innkeeper's. Perhaps our aspirations are a little more refined, but the idea is essentially the same: we want Mashiach in order to have a more comfortable stay in this world. When we daven, "ותחזינה עינינו בשובך לציון," ברחמים – Let our eyes witness Your return to *Tzion* with mercy," what is our intention? As *tzaddikim* said, the Mashiach that we are waiting for will never come, and the Mashiach that will come will not be the one we were waiting for.

Deep down, most people simply want to keep their present existence, minus the difficulties. To determine if this is true of himself, a person should ponder: if he were granted a goodness-filled life devoid of all difficulty, would he still be pained over the *galus* of the Shechinah?<sup>1</sup>

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We await Mashiach  
eagerly so that *kevod*  
Shamayim will be  
revealed for all to see;  
so that we will become  
close and connected  
with Hashem

be gathered and brought back to Eretz Yisrael, as the pasuk (Yeshayah 27:12) says, וְאַתֶּם תִּלְקָטוּ לְאַחַד אֶחָד בְּנֵי יִשְׂרָאֵל – and you will be gathered up one by one, Children of Yisrael." The villager replied, "That doesn't sound like a good idea to me. Here, I have my *kretchmeh* (inn) and my animals; I don't want to lose all that and go to Eretz Yisrael." R. Zusha responded, "But here in *galus* there is such hardship, and the gentiles persecute

## Don't Jump the Gun

וְאִשָּׁה כִּי תִדְרֶה לְהַיָּחֵד לָהּ וְהָיָה יִסְלַח לָהּ כִּי הִנִּיא  
אֲבִיהָ אֹתָהּ

*But if a woman will take a vow to Hashem... and Hashem will forgive her, for her father restrained her. (Bamidbar 30:4-6)*

Why does a woman need Hashem's forgiveness for violating her *neder*, if her father or husband undid it? Rashi explains, citing a *Beraisa* in *Maseches Kiddushin* (81b), that this refers to a woman who took a vow of *nezirus*, and not knowing that her husband had undone it, she violated her vow. Even though the *nezirus* was already undone, she nevertheless needs forgiveness for violating it.

Why is this specific to a vow of *nezirus*? Shouldn't the same apply to any type of *neder*? After all, the pasuk makes no mention of *nezirus*. In fact, in *Maseches Nazir* (23a) the *Beraisa* explains our pasuk simply in the context of "a woman who took a vow."

We may take one approach in a manner of *peshat*. The *sefer Yesh Seder L'Mishnah* writes that the *Beraisos* were composed as augmentations to the *Mishnayos*, expanding on their discussions. Accordingly, since the *Mishnah* in *Nazir* (23a) deals with a woman who takes a vow of *nezirus*, the corresponding *Beraisos* – explaining our pasuk – refer to such a case as well. However, only the *Beraisa* in *Kiddushin* states this explicitly. The *Beraisa* in *Nazir* is understood in this way implicitly, since it is set on the very

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1 See *Derashos Chasam Sofer*, 7 Av 5594 ד"ה במדרש, p. 335 column 3



# What Are We Waiting For?

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It's true that there will be no difficulties when Mashiach comes, as the pasuk (Michah 4:4) says, וַיֵּשְׁבוּ אִישׁ תַּחַת גִּפְנוֹ וְתַחַת תְּאֵנָתוֹ וְאִין מִחֲרִיד – *They will sit, each man under his vine and under his fig tree, and none will make them afraid.* But that will not be important at all. The focus of life will be only (Tehillim 73:28) קְרִיבָת אֱלֹקִים לִי טוֹב – *closeness to Hashem is to me good.*

The closest period in history to a Messianic existence was the time of King Chizkiyahu.<sup>2</sup> Yet there is no record of it having been a time of great wealth and material excess; rather, the Jews of the time were enveloped solely in a spirit of purity. The entire Jewish nation abandoned the pursuit of materialism and pursued only Torah, until the entire population was verified to be expert in the minutiae of halachah – men, women and children. This is how it will be when Mashiach comes; we will once again be enveloped in *taharah*, as the pasuk says (Yeshayah 11:3) וְהִרְחוּ בְיָרְאֵת ה' – *He will be imbued with a spirit of fear of Hashem.*<sup>3</sup>

We must drill this into our consciousness: we await Mashiach eagerly so that *kevod Shamayim* will be revealed for all to see; so that we will become close and connected with Hashem; so that there will no longer be a separation between Him and us.

We must daven וְתַחֲזִינָה עֵינֵינוּ with a desire for the revelation of Hashem's *Shechinah*, for closeness with Hashem, and for the ability to learn Torah *lishmah*. The Baal Shem Tov explained Chazal's exhortation,<sup>4</sup> “When a person learns Torah, he should envision opposite him the one who taught that teaching” – as referring to Hashem,

Who gave us the Torah and taught it to us.<sup>5</sup> When Mashiach comes, we will merit the Presence of Hashem as we learn Torah, as the pasuk (Yeshayah 30:20) states, וְלֹא יִכְנָר עוֹד מוֹרְיָה וְהָיוּ עֵינֶיהָ רְאוּת אֶת מוֹרְיָה – *your Teacher will no longer be hidden behind His garment, and your eyes will behold your Teacher.* That is why we daven, “שיבנה בית המקדש ותן חלקנו” – that the Beis Hamikdash should be rebuilt, and we be granted our portion in the Torah”; at that time, Torah learning will be on a completely different and sublime level.<sup>6</sup>

And we must yearn for the rebuilding of the Beis Hamikdash in order that we can use our hearts and mouths properly for *tefillah*. As the Gemara (Berachos 32b) states, “From the time the Beis Hamikdash was destroyed, the gates of *tefillah* have been closed.” This doesn't mean that the heavenly gates are closed to *tefillah*; even today, a good, heartfelt *tefillah* is answered.<sup>7</sup> It means that the gates of our hearts and mouths are shuttered; we cannot daven a proper *tefillah* with full *kavanah* and pure longing. Our davening is as the pasuk (Tehillim 78:36-37) describes, וַיִּפְתּוּהוּ בְּפִיהֶם וּבְלִשׁוֹנָם יִכְזְבוּ לוֹ, וְלִבָּם לֹא נָכוֹן עִמּוֹ – *But they sought to charm Him with their mouth, and they deceived Him with their tongues; their heart was not constant with Him.* The reason for this is that as long as we are in galus, there is a partition separating us from Hashem.

During these days of mourning, we can attain true desire and longing for closeness to Hashem, as the sefarim hakedoshim read the pasuk (Eichah 1:3) כָּל רֹדְפֵיהָ הַשִּׁיגוּהָ בֵּין הַמְּצָרִים: All who seek Hashem will find Him during Bein Hametzarim.

(בבאות דשא – מטות מסעי תשכ"ב)

# Look In, Not Out

רֹאשֵׁי הַמִּטּוֹת לִבְנֵי יִשְׂרָאֵל... זֶה הַדְּבָר אֲשֶׁר צִוָּה ה'  
*The leaders of Bnei Yisrael... this is the word that Hashem commanded (Bamidbar 30:2)*

## Rabbeinu Shlita was asked:

I plan *b'ezras Hashem* to publish a *sefer* on the topic of *emunas chachamim*. In it, I relate that someone once asked the Brisker Rav *zt"l* about Rabbeinu Tam's opinion on the time of nightfall: How could Rabbeinu Tam be right? After all, long before his *zeman*, the sky is fully dark. The Brisker Rav replied, “Don't look at the sky; look in the *Shulchan Aruch*, in the Torah. That's where we look, not out there.” I relate, too, that when the same question was posed to Rav Aharon Kotler *zt"l*, he replied, “One cannot refute Rabbeinu Tam's words with one's senses.”<sup>22</sup>

But people have showed me that in the Siddur of the Baal HaTanya,<sup>23</sup> he writes that this opinion of Rabbeinu Tam is extremely problematic based on what we see. So the Baal HaTanya does refute Rabbeinu Tam's opinion on grounds of what can be perceived by the senses. On the one hand, Rav Aharon Kotler's words carry great inspiration for *emunas chachamim*. On the other hand, maybe I shouldn't print it, since it seems the Baal HaTanya disagrees. Should I or should I not print it in my *sefer*?

## Rabbeinu Shlita responded:

In my opinion, it should be left in the *sefer*, and the Baal HaTanya's statement should be noted in a footnote. In all likelihood, the Brisker Rav and Rav Aharon Kotler meant that simple people cannot elect to resolve a debate between Torah greats, but certainly *gedolim* could deliberate such topics.

There is a *vort* from one of the *gedolim* on this theme. Why does the Mishnah (Berachos 2a) state the time of reciting *Krias Shema* as, “From the time the Kohanim enter to eat their *terumah*,” and not simply as, “From the time of nightfall”? In order to teach that we don't learn halachah by looking out the window, but by asking the Kohanim, the *talmidei chachamim*.

(בבאות דשא – מטות מסעי - ר"ח מנחם אב תשכ"א)

22 רבינו תם קען מען נישט אפ פרעגן מיט א חוש

23 *Seder Hachnasas Shabbos*

2 See Sanhedrin 99a

3 See Rambam, end of *Hilchos Melachim*; *Orchos Tzaddikim, Sha'ar HaSimchah* השיבני השבועי

4 Yerushalmi, Shabbos 1:2

5 See *Pnei Menachem*, Vayigash p. 360, 377 and other locations

6 See Midrash Rabbah, *Pesichah* to Eichah, וְנִמְצָא מַלְכָּה וְשָׂרִיָּה בְּגוּיִם אֵין תּוֹרָה; *Derashos Chasam Sofer*, vol. 3 p. 13 and on (in the new edition: the first *drush* for Rosh Hashanah)

7 See *Toras Chaim*, Bava Metzia 59a; *Iyun Yaakov*, ibid

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Mishnah that discusses this. Why does the Mishnah discuss a woman's vow of *nezirus* in particular? In order to teach that a woman, too, incurs *malkos* (lashes) for violating *nezirus*.<sup>8</sup>

Let us now explain in a different manner, with a lesson for us. Typically, *nedarim* are made out of anger.<sup>9</sup> If a woman took such a vow and subsequently violated it, unaware

It is improper to assume the mantle of extra kedushah when one can't meet the basic obligation of upholding one's vows

that her husband had already undone it, she is not harshly condemned; after all, she did not take the vow of a calm frame of mind. But *nezirus* is made when a person decides, in a deliberate manner, to increase his *kedushah* by abstaining from certain pleasures of this world. If a woman vows *nezirus* and then violates it – even if her husband has already undone her vow – she is to be harshly sanctioned. It is improper to assume the mantle of extra *kedushah* when one can't meet the basic obligation of upholding one's vows. In the words of the *Chovos Halevavos*,<sup>10</sup> “Extras are not welcome until one's duty has

been done.” This woman needs Hashem's forgiveness.

The Gemara (*Nazir* 34a) records R. Tarfon's words: “לא ניתנה נזירות אלא להפלאה – *Nezirus* was only given for abstention.” Based on the above we may explain that only one who abstains from sin and temptations is fitting to vow *nezirus*. It was R. Tarfon who made this statement because he was very wealthy and yet he abstained from the pleasures that his money could have afforded him.<sup>11</sup> Such a person may vow *nezirus*.

(בנאות דשא – מטות מסעי - ר"ח מנחם אב תשפ"א)

8 See *Asvan D'Oraysa*, end of *Klal* 18; *Pardes Yosef*, Bereishis no. 45

9 See *Kesubos* 71a, באשה נדרנית, אי אפשי

10 *Sha'ar Yichud HaMa'aseh*, chap. 5

11 See *Nedarim* 62a and *Bechoros* 28b; see also *Benayahu*, *Sanhedrin* 33a

## In Hashem's Company

והקרייתם לכם ערים ערי מקלט תהיינה לכם ונס  
שמה רצח מכה נפש בשגגה

*You shall designate cities for yourselves, cities of refuge shall they be for you, and a murderer shall flee there – one who takes a life unintentionally.* (*Bamidbar* 35:11)

The Gemara (*Makkos* 10a) states that when a student accidentally kills a person and flees to an *ir miklat*, his *rebbe* takes refuge with him. The Gemara derives this from the pasuk (*Devarim* 4:42), ונס אל אחת מן הערים האל, ונס וחי – *he shall flee to one of these cities and live*. Since Torah learning is the essence of a Yid's life, his *rebbe* accompanies him to *galus* so that he can continue living.

This is relevant to all of us. Chazal say that Hashem keeps all the mitzvos of the Torah. My father explained<sup>12</sup> that indeed, Hashem kept this mitzvah when the Jews were sent into *Galus Bavel*. The Gemara (*Gittin* 88a) relates that before the whole

Jewish population was exiled to Bavel, the *Cheresh* and the *Masger* – the foremost *talmidei chachamim* and *tzaddikim* – were exiled first. Hashem orchestrated this so that there would be an infrastructure of Torah learning in place when all the Jews were later exiled to Bavel. But additionally, since “כל השונה שכינה שונה כנגדו”, whoever studies Torah – Hashem does so opposite him,” these *chachamim* brought Hashem's Presence into *galus* in preparation for the Jewish People.

Indeed, the Gemara (*Megillah* 29a) teaches that Hashem exiles Himself to wherever Bnei Yisrael are exiled, as the pasuk says (*Yeshayah* 43:14), כה אמר ה' וגו' למענכם שלחתי, בבלה – *Thus said Hashem... Because of you I sent [Myself] to Babylonia*. The same is true of the current *galus* as well; when Hashem redeems us, He will redeem Himself as well, as the pasuk (*Devarim* 30:3) states, ושב ה' אללקיך, ואת שבוךך – *Then Hashem, your G-d, will come*

*back with your captivity*. What is the reason Hashem joins *Klal Yisrael* in *galus*? In order to provide us with life: with a life of holiness, in proximity to the *Shechinah*.

The Sfas Emes<sup>13</sup> interprets the above halachah in a novel fashion: the Gemara does not mean that a *rebbe* must accompany his student, only that if he chooses to do so, the townspeople of the *ir miklat* must accommodate him by providing his lodging free of charge.

This too is relevant to us. Hashem is willing to descend and join us in our *galus ruchnis*, our spiritual *galus*. But we must make room for Him. We must welcome Hashem and feel His Presence and connect with Him. When our hearts become pure and fitting to host the *Shechinah*, then we can request of Hashem that He allow us to see the rebuilding of the *Beis Hamikdash*.

(בנאות דשא – מטות מסעי תשפ"ב)

12 *Pnei Menachem*, *Acharei Mos-Kedoshim* p. 142 יח ד"ה

13 *Makkos* ibid, הללו, ד"ה



# Double-Headed Murder

וְנִסְ שְׂמֵה רָצַח מִכָּה נִכְּשׁ בְּשִׁגְגָה

*And a murderer shall flee there – one who takes a life unintentionally.* (Bamidbar 35:11)

The Midrash<sup>14</sup> expounds: “Unintentionally – this excludes one who strikes another on Shabbos.” *Panim Yafos* and other *mefarshim* explain that if one murders unintentionally on Shabbos, he does not go to *galus* in an *ir miklat*, because the severity of the *aveirah* precludes the atonement of *galus*.

This seems difficult to understand. The transgressions of Shabbos and of murder are two distinct transgressions; although the same person violated Shabbos, why can't his act of murder be atoned with *galus*?<sup>15</sup> *Tzafnas Pa'ane'ach*<sup>16</sup> explains that two transgressions violated together can combine as one severe transgression.<sup>17</sup>

*Panim Yafos* questions this exclusion from *galus* of one who killed on Shabbos. There is a rule that אין איסור חל על איסור – *A transgression does not take effect upon another transgression* (Yevamos 13b). Since the prohibition of murder precedes that of Shabbos (as it is in effect before Shabbos starts), the violation of Shabbos should not take effect – and thus, the murder should be fit for atonement with *galus*. *Panim Yafos* answers based on the Gemara's statement (Yevamos 32b) that although *ein issur chal al issur*, nonetheless, one who commits two *issurim* concurrently is an extreme *rasha*, fit to be buried among complete *resha'im*. Accordingly, a murder committed on

Shabbos is not fit for atonement of *galus* even though the transgression of Shabbos does not take effect. In truth, however, there is a discussion among the *Acharonim* whether the Gemara's conclusion upholds this assertion.

*Meshech Chochmah* answers differently. There is a fundamental difference between a violation of Shabbos and a transgression of murder. On Shabbos we are commanded to rest from *melachah*, so when a person does *melachah*, by that action he has failed to rest. Thus, *chillul Shabbos* relates to the violator himself. But murder is not about the murderer's action; it is about the victim being killed. Because of this difference, the rule of *ein issur chal al issur* does not apply.

*Meshech Chochmah* supports this approach with a statement of *Tosafos*.<sup>18</sup> The Gemara cites a case where a person incurs four obligations of *Korban Chatas* with one act of eating. R. Meir adds that if it occurs on Shabbos, and the person carries the food outside in his mouth, he transgresses *hotza'ah* as well. *Tosafos* explains that *ein issur chal al issur* does not apply between violations of eating and carrying, since they are two distinct types of activity. In the same manner, concludes *Meshech Chochmah*, transgressions of Shabbos and of murder are distinct from one another, and can thus both take effect.

But there seems to be a difference. Eating and carrying are two disparate activities. Although in the above scenario

they occur by the same act (since swallowing the food constitutes *hanachah*, which completes the act of carrying), they are essentially unrelated. But when one murders on Shabbos, both applicable transgressions – murder and taking a life on Shabbos – are defined by an act of killing. Thus, *ein issur chal al issur* may still apply.

*Kovetz Ha'aros*<sup>19</sup> answers a different question based on the above statement of *Tosafos*. The Gemara (Shavuos 21b) states that a *shevuah* (oath) to refrain from an act already forbidden by the Torah does not take effect, because “he stands bound by oath from Har Sinai.” *Noda B'Yehudah*<sup>20</sup> wonders about this: the *shevuah* should not take effect regardless, because *ein issur chal al issur*, so why is this special reason needed?

Based on the above *Tosafos*, *Kovetz Ha'aros* points to a distinction: whereas a forbidden act is linked to that specific activity, for example, eating; violating a *shevuah* is specifically about not upholding one's word. Thus, *ein issur chal al issur* would not apply.

But here, too, *Tosafos'* statement may not be applicable. Since the *shevuah* was to abstain from eating a certain forbidden food, the oath's violation would be the act of eating – the very same act already forbidden by the Torah. This is different from *Tosafos'* scenario of concurrent eating and carrying, since those two acts are inherently unrelated.<sup>21</sup>

(בנאות דשא – מטות מסעי תשכ"ב)

14 Sifri Zuta

15 See *Shiurei R. Shmuel*, Makkos no. 341

16 Makkos 8b

17 See *Asvan D'Oraysa*, end of *Klal* 16; *She'elos U'Teshuvos Avnei Nezer*, Y.D. 451:15

18 Yevamos 34a s.v. *V'hotzi'o*

19 Beginning of 33

20 *Mahadura Kama*, O.C. 36

21 Although one could argue for *Kovetz Ha'aros'* parallel to *Tosafos'* case, that of *Meshech Chochmah* certainly seems difficult.