

# OHRNET

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## PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

### Only One Way

*“I have seen this people, and behold! It is a stiff-necked people.” (32:9)*

Two things stick out in my memory of Uncle Solly, *a”h*. One was the enormous glass pickling jars in his greenhouse. Uncle Solly’s “cukes” were the gold standard for the Spivack family. The other thing I remember vividly to this day was an interesting drive with him around the East End of London together with my cousin Gary Lyons. Because of the docks, London’s East End was always the first point of welcome for immigrants. Now even though Britain didn’t exactly have an Emma Lazarus to proclaim, “Give me your tired, your poor, your huddled masses yearning to breathe free,” Britannia received many Jews either willingly or grudgingly during the years of the terrible Russian pogroms at the turn of the 20th century. The East End was Uncle Solly’s “back-yard” – he knew it like the back of his hand. He had a furniture factory under the arches of an elevated section of the railway. I don’t remember exactly where.

Anyway, Uncle Solly and Gary and I were zooming around the East End. (By the way, he was helping us fit out our new recording studio which later would go down in history as the studio where Queen mixed Bohemian Rhapsody.) And, suddenly, he turned sharp right into a tiny street which had two, unmistakable, red “NO ENTRY - ONE WAY” signs on both sides of the street. Gary said to him, “Uncle, this is a one-way street!” To which Uncle Solly replied in his inimitable cockney twang, “Well I’m only going one way, aren’t I?”

*“I have seen this people, and behold! It is a stiff-necked people.” (32:9)*

The Berditchever Rebbe, Reb Levi Yitzchak once prayed: “*Ribono shel Olam*, Master of the World, I want to

propose a deal. We have many sins. You have much forgiveness. Let us exchange our sins for Your forgiveness. And if You should say to me that this is not a fair exchange, then my reply is, ‘If we had no sins, what would You do with Your forgiveness?’”

At first blush this sounds a bit like the old Yiddish joke:

“Shloime, close the window. It’s cold outside.”

“Moishele, and if I close the window, it should be warm outside!”

However, far from being a person with *chutzpa*, the Berditchever was tapping into a truth older than time. Chazal tell us that *teshuva* predates the world. The verse states, “*Before mountains were created... You said: Repent, sons of man.*” (Tehillim 90: 2-3). This teaches that the concept of *teshuva* exists even before a sin has been committed.

G-d created the world for *teshuva*. G-d created the world for forgiveness.

If it’s possible to say, G-d created the possibility of sin – that distance that sin brings – in order that the coming close could be even greater. He created night before day (“And it was evening, and it was morning”) only so that the perception of the light would be that much greater. It is part of His love for His people that however stiff-necked we are, He created those one-way streets of life only to be at the end of them to forgive us.

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# TALMUD TIPS

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by Rabbi Moshe Newman

Chullin 72-78

## The Torah of Life

**A**bayei and Rava both said: “Anything that is for healing is not considered as violating the prohibition of acting in the ways of the Emorites, but if it is not for healing it violates the prohibition of acting in the way of the Emorites.”

This statement is taught on our *daf* since the adjoining Mishna taught an act prohibited due to its being “the way of the Emorites”. Rashi explains that they would bury a miscarried fetus on the crossroads as an omen so that the mother cow should not miscarry again. Such an act of *nichush* (divination), says Rashi, is forbidden by the Torah verse to “not do like their deeds.” (*Shemot* 23:24)

What exactly is meant by Abayei and Rava in our *gemara* by the words “anything which is for healing”? Rashi describes this as “giving the person a (non-medicinal) liquid or a potion, or chanting an incantation over the wound.” These actions are permitted for healing, and are not considered similar to the ways of the Emorites. What is not necessarily clear, however, is what is permitted to chant over the wound?

One commentary likens this chant to the one mentioned in a *mishna* in *masechet* Sanhedrin: “One who chants the verse in *Shemot* 15:26 – *every illness that I put upon Egypt I will not put upon you, for I, G-d, am your healer* – has no share in the World-to-Come.” How could Rashi mean that this chant is permitted according to Abayei and Rava, given the dire consequences taught in Sanhedrin? In addition, Rabbi Yehoshua ben Levi states in *masechet* Shavuot (15b), “It is forbidden to use words of Torah to heal.” Once again, how could Abayei and Rava possibly permit in on our *daf*?

The simplest and perhaps the most elegant answer is that Abayei and Rava did *not* permit chanting words of Torah to heal. They referred only to other incantations that were “special sounds,” but were not words of Torah.

Perhaps one might suggest that the following teaching is a source that permits healing with words of Torah: Rabbi Yehoshua ben Levi said “One who has a headache should learn Torah...” (based on *Mishlei* 1:9). Yes, he is the same Rabbi Yehoshua ben Levi who forbids healing with words of Torah in *masechet* Shavuot! And one might additionally ask: How can a person learn Torah if he has a headache? The Meiri explains that Rabbi Yehoshua ben Levi doesn’t literally mean to learn Torah when unable.

Rather, he teaches that a person who is weak by nature and fears that Torah study will make him unwell should not fear. The Torah will protect his health. The Maharsha states that this *gemara* is speaking about a person who is only not feeling “well” but is not actually ill. The study of Torah will help prevent deterioration to the point of illness.

However, there is another teaching that would seem to permit using words of Torah for healing. Rav Yehuda said in the name of Rav, “A person should always occupy himself with Torah and *mitzvot*, even if it is not for their own sake, because from occupying himself with them not for their own sake he will come to do so for their own sake.” (*Sotah* 22b) Tosefot asks there that this seems to contradict another Talmudic teaching that if person learns Torah not for its sake, it is as a “potion of death” for him. Tosafot answers that the encouraged “not for its sake” is for the sake of honor, to be called “Rabbi”. The negative “not for its sake,” however, is to learn Torah with the intent of mocking it. At first glance it would seem that learning Torah for the sake of healing is comparable to the former and not to the latter, and should therefore be permitted and even encouraged as a stepping stone to learning for the ideal reason – because G-d commanded us to learn it. The reader’s comments are invited on this topic, since it seems that this contradicts the basic premise and halacha of forbidding the use of words of Torah for healing.

Finally, for now, there is a widely established practice for an individual or a congregation to say verses and chapters of Tehillim for the benefit of a person who is ill. One might ask: Why doesn’t this custom to say words of Torah transgress the prohibition against healing with words of Torah? I have heard that there is no issue with this custom since the Tehillim are not being said as words of Torah, but rather as words of prayer to G-d, beseeching the Almighty to heal the person. The status of this practice as prayer can further be seen by the concluding words of the “Tehillim session,” when a “*Mi shebeirach...*” prayer is recited – explicitly mentioning the name of the infirm and asking G-d to grant the person a swift recovery, to which the entire congregation responds “*Amen.*”

• *Chullin* 77b

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# PARSHA Q & A

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1. How many "geira" are in a shekel?
2. What was the minimum age of military service in the Jewish army?
3. What were the three different types of *terumah* donated?
4. The Jews were counted after Yom Kippur and again after Pesach. Both times they numbered the same amount. How can this be? Didn't some 19-year olds turn 20 during that six month period?
5. How many ingredients comprise the incense of the Mishkan?
6. According to Rashi, why are sailors called "malachim"?
7. What is the difference between *chochma* (wisdom), *bina* (understanding), and *da'at* (knowledge)?
8. Shabbat is a "sign." What does it signify?
9. When did the Jewish People begin to give contributions for the building of the Mishkan?
10. How many books are there in Tanach?
11. From where did the men take the earrings that they donated to make the calf?
12. Why did Aharon build the altar for the golden calf by himself?
13. Why did Moshe break the Tablets?
14. How can two brothers belong to two different tribes?
15. Why did Moshe ask that his name be erased from the Torah?
16. How has the sin of the golden calf affected the Jewish People throughout history?
17. In verse 33:2, G-d says that the inhabitants of *Eretz Canaan* would be driven out of the Land. In that verse, only six of the seven Canaanite nations are mentioned. What happened to the seventh?
18. How did G-d show that He forgave the Jewish People?
19. How did Moshe become wealthy?
20. How do the light rays shining from Moshe's face show us the powerful effect of sin?

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## Answers

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*All references are to the verses and Rashi's commentary, unless otherwise stated.*

1. 30:13 - Twenty.
2. 30:14 - Twenty.
3. 30:15 - For the *adanim* (sockets), for the purchase of communal sacrifices, and for the building of the Mishkan.
4. 30:16 - Their ages were calculated based on Rosh Hashana, not based on their individual birthdays.
5. 30:34 - Eleven ingredients were used making the incense.
6. 30:35 - Because they stir (*malach*) the water with their oars.
7. 31:3 - *Chochma* is knowledge acquired from others. *Bina* is the deduction of new knowledge from what one has already learned. *Da'at* is holy inspiration.
8. 31:13 - It is a sign between G-d and the Jewish People that He has chosen them and a sign to the nations of the world that He has sanctified the Jewish People.
9. 31:18 - The 11th of Tishrei.
10. 31:18 - 24.
11. 32:2,3 - From their ears.
12. 32:5 - He hoped that by building it by himself it would take longer and in the interim Moshe would return.
13. 32:19 - Moshe reasoned: If the Torah forbids those who have estranged themselves from the Torah to partake in even a single commandment (Pesach sacrifice), surely the entire Torah cannot be given to a whole nation which has estranged itself from G-d!
14. 32:27 - Half-brothers, sharing the same mother.
15. 32:32 - So people shouldn't say "Moshe was unworthy to plead for mercy on behalf of the Jewish people."
16. 32:34 - Whenever G-d punishes the Jewish People, part of that punishment comes as payment for the sin of the golden calf.
17. 33:2 - The seventh nation, the Girgashites, voluntarily emigrated.
18. 33:14 - He agreed to let His *Shechina* dwell among them.
19. 34:1 - Moshe carved the Tablets out of precious stone. G-d commanded Moshe to keep the leftover fragments.
20. 34:35 - Before the sin of the golden calf, the people would not have been afraid to look at the light rays, but after the sin they were afraid.

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# ASK!

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Your Jewish Information Resource – [www.ohr.edu](http://www.ohr.edu)  
by Rabbi Yirmiyahu Ullman

## Living in the Land

From: Adam

Dear Rabbi,

*Is there any spiritual benefit to living in Eretz Yisrael nowadays when there is no Temple and no prophecy? Or is it the same as living in any other country?*

Dear Adam,

There are definitely spiritual benefits to living in the Land of Israel even after the Destruction and Exile, and it is not like living in any other country.

The Land of Israel is where Adam was brought to life before being placed in Eden and it is where he lived and died after leaving Eden. It is also the land in which our forefathers, Abraham and Sarah, Isaac and Rebecca, and Jacob and his wives, lived and achieved their spiritual elevation and excellence. Someone who lives in this Land connects to the origin of humanity and the foundation of the Jewish People and the major events of its history, which were independent of the Temple. This alone inspires a person and infuses one's life with Jewish significance, meaning and purpose.

In addition, this is the one and only Land in which G-d bestows prophecy to His people Israel. The very nature of the Land is conducive to spiritual elevation and revelation. Only within the confluence of Israel and the Land can one receive prophecy and Divine inspiration. And even without the Temple, and without direct and explicit prophecy, the power of Israel in the Land still promotes spiritual sagacity. This is the meaning of the Talmudic teaching (Bava Batra 158b): "The air of the Land of Israel makes one wise".

For both of the above-mentioned reasons, the Torah learning and mitzvah observance that one does in the Land of Israel is qualitatively elevated far above that performed in exile. This enhanced service of G-d, amplified by the latent spiritual quality of the Land, further purifies and refines one's spiritual state, thereby catalyzing further Jewish growth and elevation.

But not only is one's service of G-d generally *qualitatively* higher in the Land of Israel. It is also

*quantitatively* greater. And this is for the simple reason that many of the Torah *mitzvot* are applicable only in the Land. So, numerically speaking, one can perform many more *mitzvot* in the Land of Israel, and this is an obvious spiritual advantage.

All of the previous reasons apply at any time in history, even when only a small number of Jews live in Israel under non-Jewish rule. And, historically, pious and dedicated Jews throughout the generations made great efforts to move to and live in Israel despite the great difficulties and dangers. Their tremendous self-sacrifice to this end indicates how spiritually beneficial living in the Land of Israel is, even after the destruction of the Temple.

In our times, given the current state of affairs in the modern State of Israel, there may even be potentially more spiritual benefits to living in the Land. For one, the fact that such a high percentage of world Jewry lives in Israel, and that the country itself is a self-proclaimed Jewish State, means that one who lives in Israel is automatically connecting himself to the People of Israel. This tremendously increases one's Jewish identity, affiliation and a sense of "peoplehood". It goes without saying that this bolsters one's Jewishness, which is spiritually beneficial from a Jewish perspective.

Secondly, by merely living among so many Jews in Israel, the likelihood of intermarriage is quite low. Quite simply, the vast majority of Jews who live and marry in Israel will marry other Jews. And even if they are not religious, because of the character of the country, most are more traditional than their secular counterparts in the Diaspora. And, in any case, their children will be Jewish. This is a major spiritual benefit over the silent holocaust of assimilation and intermarriage occurring in exile, which threatens the very existence and continuation of the Jewish People.

Thirdly, since Israel defines itself as a Jewish State, the curriculum of even the secular public school system is full of classes on Judaism and Jewish history, which makes even secular Jews of Israel much more Jewishly

educated than Jews of the Diaspora. In addition, an entire division of the public educational system is comprised of religious schools for religious people. Not to mention the partially state-sponsored religious schools and *yeshivot*.

Fourthly, the fact that Jews in Israel speak and read Hebrew as their primary language makes for an unparalleled Jewish literacy which enables the Jews of Israel to access and understand the Torah, Mishna, Talmud and all other Jewish religious texts, as well as the prayers and the prayer book. In addition, merely speaking, thinking, expressing and living in Hebrew, whose source is the Holy Tongue, has a spiritually beneficial effect on a person.

Finally, the fact that Israel is a Jewish country means that, for one who lives there, the entire year, and one's entire life from birth to death – that is, one's yearly cycle and life cycle – revolve around, and are infused by, the Jewish way of life, the Sabbath, holidays and life events. Thus, in the most simple and natural way, someone who lives in Israel lives Jewishly.

So we see that there are many spiritual advantages, abstract and practical, to living in Israel even after the destruction of the Temple and despite the absence of prophecy. To be sure, much is missing, which we hope to achieve toward the “final redemption.” But, until then, there is still relatively much to gain by living in the Holy Land, the Land of Israel.

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## WHAT'S IN A WORD?

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*Synonyms in the Hebrew Language*  
by Rabbi Reuven Chaim Klein

### Solomon's Seven Names

**M**idrashic Tradition tells us that King Solomon appears in the Bible under several different names. His parents, King David and Batsheba, named him Shlomo, while the prophet Natan named him Yedidyah (see II Sam. 12:24-25). Actually, the name Shlomo was already given to him before his birth in a prophecy to King David (see I Chron. 22:9). Two of the twenty-four books in the Bible open by explicitly ascribing their authorship to Shlomo: *Shir HaShirim* (Song of Songs) and *Mishlei* (Proverbs). A third book, *Kohelet* (Ecclesiastes), ascribes itself to somebody named Kohelet, son of David, king of Jerusalem. According to tradition, *Kohelet* is another name for Solomon. So far, we have three names for King Solomon.

The early Amora, Rabbi Yehoshua ben Levi adds another four names to this list. Although we mentioned that *Mishlei* opens by introducing its author as Shlomo, later parts of that work are described as “the words of Agur, son of Yakeh... to Itiel” (Prov. 30:1) and “the words of Lemuel, the king” (in Prov. 31:1). According to Rabbi Yehoshua ben Levi, all four proper names in these passages are alternate names for King Solomon: Agur, Yakeh, Itiel and Lemuel. This brings our total to seven names.

What do Solomon's seven names mean, and how do they differ from each other? The Midrash turns to Solomon's various names and offers exegetical interpretations of their meaning.

The name *Shlomo* is related to the Hebrew word *shalem* (“complete”) because King Solomon oversaw the completion of the Holy Temple in Jerusalem. *Targum Sheini* explains that the name *Shlomo* is related to the Hebrew word *shalom* (“peace”), because during King Solomon's reign peace and tranquility were to prevail for the Jewish People (see I Chron. 22:9).

Solomon is called *Yedidyah*, which literally means “friend of G-d,” because indeed he was a “friend of G-d”. A cryptic aphorism reads, “May the friend, son of the friend, come and build the friend for the friend, in the portion of the friend, so the friends will be atoned.” The Talmud (*Menachot* 53) explains that this refers to the building of the Holy Temple, and explains who all the “friends” in question are, based on different Scriptural sources. According to the Talmud this saying should be explicated thusly: “May Solomon (II Sam. 12:25), descendant of Avraham (Jer. 11:15), build the Holy Temple (Ps. 84:2) for G-d (Isa. 5:1), in the portion of Binyamin (Deut. 33:12), so the Jewish People (Jer. 12:7) will be atoned.” In short, the name *Yedidyah* is also related to Solomon's role in building the Temple.

Solomon was called *Kohelet* because his teachings were said in gatherings (*hakhell/kahal/kehillah*), as it says, “Then, Solomon gathered...” (I Kings 8:1). Alternatively, Rashi (to Ecc. 1:1) explains that Solomon was called *Kohelet* because he “gathered up” many forms of wisdom.

Similarly, according to the Midrash, Solomon's name *Agur* refers to the fact that King Solomon "gathered up" (*agar*) the Torah's wisdom. Interestingly, *Midrash Agur* (§4) teaches that of all of Solomon's alternate names, his three most precious names are Shlomo, Kohelet, and Agur, because those three names allude to the peace which reigned over the Jewish People in his time.

This Midrash explains that the name *Shlomo* is related to Shalom (as explained above), and the names *Kohelet* and *Agur* are both different forms of "gathering" (as mentioned above), an allusion to the fact that all the Jewish People were gathered together in his times, and there was no in-fighting. In other words, these names stand out because they allude to the fact that King Solomon presided over the *pax Judaica*.

The Midrashim note that the name *Yakeh* alludes to the fact that although King Solomon was initially filled with wisdom, he would later "spit out" (*heykiyah*) his wisdom and forget it all. This refers to the Midrashic assertion that when Solomon began to stray from the path expected of him he lost his superlative wisdom. The Midrash likens this to a bowl which can be filled up with water, but all its water can just as easily be spilled out.

Nonetheless, Gersonides (to Prov. 30:1) writes that Solomon is called *Ben Yakeh* because he "spits out" (i.e. rejects) those ideas and aphorisms which are untrue, so that he is only left with the true ideas which he presents in Proverbs. Others say that Solomon would "regurgitate" to the masses whatever wisdom he had amassed.

King Solomon's sixth name is *Itiel*. According to the Midrash that name is a portmanteau of the words "with me" (*iti*) and "power" (*el*). This phrase reflects Solomon's attitude when violating the Torah's limitations on kings. While the Torah warns a king not have too much horses, gold/silver, or wives (Deut. 17:16-17) – lest these excesses should cause him to stray – Solomon thought he could nevertheless have all those extras and "with me is the power" not to stray. Ultimately, Solomon was unable to take those extra luxuries and still live up to what was expected of him.

King Solomon's seventh name listed in the Midrash is *Lemuel* (Prov. 31:1)/*Lemoel* (Prov. 31:4). The Midrash explains that this name also alludes to Solomon's justification for violating the Torah's limits on kings. Solomon "spoke" (*nam*) "to G-d" (*la'El*), saying that he can take more (horses, gold/silver, and wives) than otherwise allowed for a king, and still not sin. As the commentaries explain, the *NUN* of the word *nam* morphs into a *LAMMED* to become *Lemuel*, because the letters *NUN* and *LAMMED* are interchangeable (as both those letters are considered "dental" letters, i.e., *DALET*, *TET*, *LAMMED*, *NUN* and *TAV*).

Another version of this Midrash understands that the name *Lemuel* reflects a strong condemnation of Solomon's action, as though he threw off from upon himself the yoke of Heaven and said: "For what (*lamah*) do I (*li*) have G-d (*El*)?"

Other commentators take a more positive position in understanding the meaning of *Lemuel*. Ibn Ezra (to Prov. 31:1) explains that Solomon is called *Lemuel* ("to them, a G-d"), because in Solomon's time, the Jewish People worshipped only G-d, and no other deities. Gersonides explains that *Lemuel* means "for Him *El* (G-d)", an allusion to Solomon's election as G-d's chosen king. Similarly, Rashi (to *Sanhedrin* 70b and Prov. 31:1) explains that *Lemuel* means "for him, [for] G-d", because Solomon's deeds and wisdom should be channeled into the service of G-d, and nothing else.

Rabbi Yishaya of Trani (1180-1250) understands that the word *Alukah* which appears in *Mishlei* 30:15 is also another name for Solomon. He explains that Solomon is called *Alukah* (literally, a "leech") because he sucked out and drank all forms of wisdom like a leech. However, the Tosafists (see *Tosafot* to *Eruvin* 19a and *Tosafot/Tosafot Shantz* to *Avodah Zarah* 17a), while conceding that *Alukah* is the name of a person, argue that this cannot be an alternate name for King Solomon because it is not one of the seven names listed in the Midrash.

- For questions, comments, or to propose ideas for a future article, please contact the author at [rcklein@ohr.edu](mailto:rcklein@ohr.edu)

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# LETTER AND SPIRIT

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*Insights based on the writings of Rav S.R. Hirsch*  
by Rabbi Yosef Hershman

## Historic Betrayal Teaches Timeless Truth

Nearly all commentators struggle to understand how a nation which has just experienced a year-long string of unprecedented miracles, including the ten plagues, the splitting of the sea, and the giving of the Torah, could have fallen to the low of declaring a golden calf to be its god. Even before the fire and lightening of the Lawgiving had cooled off, and before the resounding Divinely-uttered command *thou shalt not make for yourself an idol* had dimmed, the people made for itself a golden image.

Instead of focusing on *how* this fall was possible, Rav Hirsch notes the critical lesson we can learn from this historic fact. The non sequitur of such blatant betrayal after clear revelation demonstrates that the people were so far removed from the truths and requirements of the Law that it is nigh impossible that the Law emanated from the people. Whereas all other religious codes emanated from the people, as a product of its spirit and the spirit of the time, Torah stands alone as the code that was presented *to* the people. *To* a people so distant from its core teachings that it could abandon them in the blink of an eye. Had Torah emanated *from* the people, such immediate and radical departure from it would have made no sense. That would have been akin to the American founding fathers establishing a tyrannical dictatorship a month after ratification of the Constitution. Clearly, the Law was presented *to* a

resistant people, who had not yet accepted its fundamental teachings.

At the same time, these events show us the Law in its absolute character. At the very start of the Torah's entry into the world, the unworthiness of the nation that was meant to receive it made it clear that one of the two would have to go: either the Torah or the entire generation of the nation for whom the Torah is destined. The decision was instantaneous: to give up that entire generation, create a new generation descending from Moshe, capable of accepting this Torah. That the nation that had been established in order to receive the Law should be destroyed, while Moshe and the Law would be assured of a future, demonstrated from the outset the absolute character of the destiny of Torah, whose timelessness springs from G-d. If this generation was unworthy, the timeless Torah would wait for another generation, one capable and worthy of its realization.

Torah, with its unalterable ideal requirements, came down to a generation so obviously incapable of fulfilling it, and it so similarly stood as an unalterable ideal throughout the generations. Torah has outlived and outlasted all of those who sought to distort and adapt it to changing times, and stands, as it has always stood, as an ideal to which the people must adapt and strive.

- Sources: Commentary Shemot 32:1

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# MEZUZAH MAVEN

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by Rabbi Ze'ev Kraines

## Ashkenazic, Sephardic, and Chassidic Script

Remarkably, over the centuries and millennia of Jewish history, the text of Torah, *tefillin* and mezuzah scrolls has remained remarkably the same – but different: There are subtle distinctions in the formation of many of the Hebrew letters in the scrolls of the various traditions of world Jewry.

It's important to stress that all of these are merely variants of the original font, referred to as *Ktav Ashuri*. This is the font inscribed in the Tablets and written in the original Torah scroll of Moshe. Although the status of ancient the Paleo-Hebrew alphabet found on ancient Hebrew tomb inscriptions and coins is the subject of some discussion in the Talmud and commentaries, the accepted tradition is that the *Ashuri* script is the original holy font. All scribal writing today, in every community, is based on this font.

The Talmud does prescribe certain minimal forms for many of the letters and insists on precise adherence to several halachic criteria. For example, if a poorly formed letter resembles another letter too closely, it is disqualified. Also, if the ink of one letter merges with another letter, the resulting “blob” is not acceptable. In some cases, these mistakes can be rectified, but some errors can permanently render a mezuzah or *tefillin* scroll non-kosher.

Thankfully, since the differences found in the scrolls of the various traditions do not conflict with these criteria, most halachic authorities rule that a Jew of one tradition may fulfill his mitzvah with a scroll that accords with one of the other traditions. This mutual acceptance was articulated hundreds of years ago, and it has been affirmed by the contemporary Sephardic

decisor Rabbi Ovadia Yosef and the Ashkenazic Rabbi Shlomo Zalman Auerbach, among many others.

However, these authorities also concur that, as in all halachic matters, a person should ideally strive to follow the custom of his community. Thus, one who is buying *mezuzot* should mention his tradition to the seller.

Ironically, the most common Ashkenazic script (*Beit Yosef*) was codified by the Sephardic author of the *Shulchan Aruch*, Rabbi Yosef Karo. In a reverse irony, Sephardic and Yemenite scrolls are written in a different script (called *Velish*), which is reported to be found also in Bohemia.

Yet a third script (*Ketav Ari*) follows the guidelines of the great kabbalist Rabbi Yitzchak Luria, *Ha'Ari HaKadosh* (1534-72). This script, a variant of *Beit Yosef*, has been adopted by most Chassidic communities. Although, as stated, most authorities maintain that this script is also kosher for Ashkenazic Jews, several contemporary decisors, including the Chazon Ish, strongly question the acceptability of its variant form of the letter "צ".

- Sources: *Shabbat* 104a; *Yerushalmi Megillah* 1:1; *Sanhedrin* 21-22; *Shulchan Aruch* O.C. 36; *Shu"t HaRosh* 3:11; *Tur* Y.D. 274; *Yabia Omer* Y.D. 2:20; *Halichos Shlomo* 4, note 31; *Shevet HaLevi* 10:7:2; *Chazon Ish* O.C. 9:6

Got a mezuzah question or story? Email [rabbi@ohrsandton.com](mailto:rabbi@ohrsandton.com) or submit on my website [mymezuzahstory.com](http://mymezuzahstory.com). Free “Mezuzah Maven” book for every question or story submitted (when published in the near future!)

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# INSIGHTS INTO HALACHA

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by Rabbi Yehuda Spitz

## A Tale of Two Adars: Computations and Complications Part 2: Yahrzeits

Part 1 discussed Bar Mitzvahs during a double Adar, explaining that Adar Sheini is deemed the proper Adar to observe the Bar Mitzvah of a lad born in a standard Adar. However, and quite interestingly, Yahrzeit observance seems to be an entirely different story.

The *Shulchan Aruch* rules that if one's parent passed away in a standard Adar his Yahrzeit should be observed in Adar Sheini (similar to the accepted *psak* for a Bar Mitzvah). Yet, the *Rema*, citing the *Terumas Hadeshen* and *Mahari Mintz*, argues that Yahrzeits do not share the same status as Bar Mitzvahs, and conversely they should be observed in Adar Rishon.

### Will the Real Adar Please Stand Up?

The *Terumas HaDeshen* posits that this dispute is actually based on another one: between Rabbi Meir and Rabbi Yehuda (*Nedarim* 63a) concerning which Adar is considered the main one regarding the laws of *nedarim* and *shtarot* – vows and documents. The *Rambam* follows Rabbi Meir's opinion, that Adar Sheini is considered the main one, while most other *Rishonim*, including the *Rosh*, *Ritva*, and *Ran*, follow Rabbi Yehuda (as is the general rule in *Shas*), that Adar Rishon is considered the main one. It appears that regarding Yahrzeits the *Shulchan Aruch* sides with the *Rambam*, while the *Rema* follows the opinions of the other *Rishonim*.

Another understanding of this dispute is that it is based on conflicting Talmudic dictums. Since it is a mitzvah to properly observe a parent's Yahrzeit, wouldn't we say "Ain ma'avirin al ha'mitzvot," meaning that we should not let a mitzvah pass us by? If so, we certainly should attempt to do so as soon as possible, i.e. Adar Rishon, and not wait until Adar Sheini.

Yet, others claim "Akdumei paranusa lo makdimin," meaning that we prefer to delay an observance associated with anguish. This principle might be more important here. We find an application of this principle regarding Tisha B'Av and other fast days, that when a scheduling conflict arises we delay the fast instead of observing it sooner. Similarly, since the accepted practice is to fast on

a Yahrzeit, these same authorities maintain that its observance should be delayed to Adar Sheini.

### Souled!

The *Levush* elucidates the *Rema's* ruling, stressing a critical difference between Bar Mitzvahs and Yahrzeits. As opposed to a Bar Mitzvah, when a child is now considered a man and obligated in *mitzvot*, properly observing a Yahrzeit actually achieves repentance (*kappara*) for the soul of the deceased. Since the maximum judgment of *gehinom* is twelve months, immediately after the conclusion of this period, which, in a leap year would occur in the first Adar, we should observe the Yahrzeit in order to obtain elevation for the person's soul. Why should we prolong his atonement? And once the Yahrzeit is already observed in Adar Rishon, the first year after the passing, it is already set as the proper time to observe for Yahrzeit observance every time there is a leap year.

Yet, other authorities, including the *Chasam Sofer*, disagree, maintaining that although we find regarding the laws of vows and documents that even the *Shulchan Aruch* concedes Adar Rishon to be considered the main Adar, even so, the *Chasam Sofer* asserts that Yahrzeits should be observed in Adar Sheini. He explains that the rule regarding *nedarim* and *shtarot* is that they follow "lashon bnei adam," meaning the common vernacular. Since people are used to calling the month Adar in a standard year, even in a leap year the first Adar is simply colloquially called Adar as well. Yet, concerning Yahrzeits, which concerns *neshamot*, the observance should follow the "lashon HaTorah," the language of the Torah, which clearly establishes Adar Sheini as the main Adar since all Purim-related observances are celebrated in Adar Sheini! Therefore, he concludes, Yahrzeits should be observed in Adar Sheini.

### Double Yahrzeit ?

Generally speaking, the practical halacha here follows the traditional paths of the main halacha codifiers. *Sefardim*, who follow the rulings of the *Shulchan Aruch*, observe an Adar Yahrzeit in Adar Sheini, while *Ashkenazim* would

do so in Adar Rishon. Yet, there are several Ashkezaic authorities who rule like the *Shulchan Aruch* here, maintaining that a Yahrzeit should be observed in Adar Sheini.

However, it is important to note that many of the authorities who rule that Yahrzeit observance is in Adar Rishon also allow one to say Kaddish and *daven* from the *amud* in Adar Sheini, especially if there is no other *chiyuv* that day.

But, to make matters even more confusing, the *Rema* adds that there are those who maintain that Yahrzeits should be observed in both Adars (!!). Although in *Hilchos Aveilus* the *Rema* seems to have dropped this opinion as a viable option, it is nevertheless a *psak* that several later authorities – including the *Shach*, *Magen*

*Avraham* and the *Vilna Gaon* – aver as required. In fact, and although the *Aruch Hashulchan* discounts this opinion, as this is not a matter of prohibition and therefore a *chumra* is non-applicable, still, the *Mishna Berura* writes that if possible one should try to observe the Yahrzeit on both days.

So, what is one to do? He should ask his Rav and follow his local shul's *minhag*. Forewarned is forearmed. This is especially important nowadays when “fights for the *amud* rights” are unfortunately not that uncommon. It is always prudent to ascertain each individual shul's *minhag*, as well as receiving permission from the Rav of the shul before approaching the *amud*.

Yes, *Mishenichnas Adar Marbin B'Simcha*, but sometimes that *simcha* is reserved for resolving halachic doubt.

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## PARSHA OVERVIEW

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**M**oshe conducts a census by counting each silver half-shekel donated by all men age twenty and over. Moshe is commanded to make a copper laver for the Mishkan. The women donate the necessary metal. The formula of the anointing oil is specified, and G-d instructs Moshe to use this oil only for dedicating the Mishkan, its vessels, Aharon and his sons. G-d selects Bezalel and Oholiav as master craftsmen for the Mishkan and its vessels.

The Jewish People are commanded to keep the Sabbath as an eternal sign that G-d made the world. Moshe receives the two Tablets of Testimony on which are written the Ten Commandments. The mixed multitude who left Egypt with the Jewish People panic when Moshe's descent seems delayed, and force Aharon to make a golden calf for them to worship. Aharon stalls, trying to delay them. G-d tells Moshe to return to the People immediately, threatening to destroy everyone

and build a new nation from Moshe. When Moshe sees the camp of idol-worship he smashes the tablets and destroys the golden calf. The sons of Levi volunteer to punish the transgressors, executing 3,000 men. Moshe ascends the mountain to pray for forgiveness for the People, and G-d accepts his prayer. Moshe sets up the Mishkan and G-d's cloud of glory returns. Moshe asks G-d to show him the rules by which he conducts the world, but is granted only a small portion of this request. G-d tells Moshe to hew new tablets and reveals to him the text of the prayer that will invoke Divine mercy.

Idol worship, intermarriage and the combination of milk and meat are prohibited. The laws of Pesach, the first-born, the first-fruits, Shabbat, Shavuot and Succot are taught. When Moshe descends with the second set of tablets, his face is luminous as a result of contact with the Divine.

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