

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



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AL EI DESHE

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

The Color of the Kisei Hakavod

גְּדִלִים תַּעֲשֶׂה לָךְ עַל אַרְבַּע כְּנָפוֹת כְּסוּתֶךָ
אֲשֶׁר תִּכְסֶּה בָּהּ.

Twisted threads you shall make for yourself on the four corners of your garment with which you cover yourself (Devarim 22:12).

In *Parshas Shelach* the Torah commands us to add a thread of *techeiles*: ונתנו על ציצית הכנף פתיל *techeiles*—and they shall place upon the

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tzizis of each corner a thread of techeiles (Bamidbar 15:38).

In the Gemara (*Sotah* 17a, *Menachos* 63b) Rabi Meir said: *The color of techeiles is similar to the color of the sea, the color of the sea is similar to the color of the*

sky, and the color of the sky is similar to that of the Kisei Hakavod.

Techeiles thus reminds us of the *Kisei Hakavod*. Rashi explains that Rabi Meir did not simply say that the color of *techeiles* is similar to that of the *Kisei Hakavod*, because it is not really the same color. Rather, *techeiles* is similar to the color of the sea, the sea is similar to the color of the sky, and the sky is similar to the color of the *Kisei Hakavod*.

This raises a question; when a person paints the walls of his house, he can choose exactly the color he desires. Certainly, the same should be the case in matters of eternity. Why not dye the *tzizis* with something that directly matches the color of the *Kisei Hakavod*?

The answer is that the *Kisei Hakavod* is a spiritual entity and thus has no physical color. It is impossible for anything physical to have the color of the *Kisei Hakavod*. Rabi Meir's connecting the color of *techeiles* to the sea, the sky and the *Kisei Hakavod* contains a deep concept.

Chazal¹ tell us that when the upper and lower waters were separated during the six days of creation, the

The Malkos Count

אַרְבָּעִים יִכְנוּ לֹא יִסִּיף פֶּן יִסִּיף לְהַכּוֹתוֹ עַל אֱלֹה מֶכָּה
רַבָּה וְנִקְלָה אַחִיד לְעֵינֶיךָ.

Forty shall he strike him, he shall not add; lest he continue to strike him with many blows beyond these, and your brother shall be degraded in your eyes (Devarim 25:3).

Chazal say (*Makkos* 22a) that although the pasuk specifies *forty shall he strike him*, we do not give a full forty lashes; we give a number which comes to the total of forty, which is one less than forty.

The *Sifsei Chachamim* writes that this means that when the agent of *beis din* reaches the final lash he does not count "thirty-nine," but rather "forty missing one." We must understand, what is the purpose of expressing that the number of lashes he received is forty minus one?

We can explain as follows. Receiving lashes alone does not produce a constructive change in a person. Chazal said (*Berachos* 7a): טובה מרדות אחת בלבו של אדם יותר—*A single pain in a person's heart is better than a hundred lashes*. It is therefore important that besides for the lashes that *beis din* administers, the guilty person should reflect on the severity of his misdeed, and do teshuvah.

Therefore, with the final lash we count "forty missing one." This expresses that even after the lashes have been completed, there is still something missing. The physical punishment administered by *beis din* is complete, but there remains what

¹ *Bereishis Rabbah* 5:4.

Pardoning the Ben Sorer Umoreh

כִּי יִהְיֶה לְאִישׁ בֶּן סוֹרֵר וּמוֹרֵה אִינּוֹ שְׁמַע בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וְיָסְרוּ אוֹתוֹ וְלֹא יִשְׁמַע אֲלֵיהֶם.

If a man will have a wayward and rebellious son, who does not listen to the voice of his father and to the voice of his mother, and they will discipline him, but he does not listen to them (Devarim 21:18).

In *Maseches Sanhedrin* (71a) Rabi Shimon says there never was a *ben sorer umoreh* and there never will be. Why did the Torah write about it? So that we should study it and receive reward.

with the final lash we count “forty missing one.” This expresses that even after the lashes have been completed there remains what only he himself can complete: the pain of regret within his heart.

The Maharsha explains that this does not refer to the reward a person receives in the World to Come for learning Torah. Rather, it refers to a reward in this world: Through studying this parshah, one will merit to have good children.

The lesson of this parshah is the importance of giving children a proper education and cultivating good *middos* in them. We see from the parshah that a child who is not properly disciplined and guided may come to commit *aveiros* to the point of deserving the death penalty. The reward for studying this parshah is that by applying its lesson and recognizing the importance of educating and guiding our children from a young age, we will merit to have children who follow the path of the Torah.

The halachah is (*Sanhedrin* 88a) that if the parents of a *ben sorer umoreh* want to pardon him, they can save him from punishment with their *mechilah*. The *Shem MiShmuel*² asks: a *ben sorer umoreh* is not put to death because of the harm that he did to his parents, but because he is destined to become a thief and a murderer; what impact, then, can his parents’ forgiveness have on this?

2 671.

He answers that regardless of what a Jew has transgressed and what negative traits he may have developed, he can always do teshuvah. This is because doing teshuvah awakens in him a connection to his ancestors all the way back to the Avos. This connection infuses him with a new spirit of life, giving him the strength to abandon his old self and become a different person.

A *ben sorer umoreh* is destined to progress into a thief and a murderer because by rebelling against his parents he has severed his connection to his ancestors. As a result, he will not change. Even if he feels inspired to do teshuvah, it will not endure, and he will eventually return to his old ways.

This is why, if he reconciles with his parents, he is no longer put to death. With the connection to his parents restored, it is no longer inevitable that he will progress to becoming a murderer.

This is a lesson we can learn from this parshah: The importance of maintaining connection between parents and children. This connection preserves the possibility of doing complete teshuvah.

קידושא רבא, כי תצא תשפ"ה

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lower waters cried. This means that the lower waters express a yearning to be close to Heaven. We see the waves of the sea lifting themselves up as if reaching toward the heavens. From a physical perspective, this is a natural phenomenon. From a spiritual perspective, it can be understood as an expression of the physical yearning to break free of the limitations of the physical and rise to the level of the spiritual.

This is the deeper meaning of *Techeiles* is similar to the sea. *Techeiles* is meant to

remind a Yid of the yearning deep within his heart to draw near to Heaven.

Our Rebbes taught that fear of Hashem is called “fear of heaven,” *yiras Shamayim*, because of the Torah’s description of the first days of creation. The *shamayim* is mentioned in the first day of creation, and then in the second day, the pasuk states וַיֹּאמֶר אֱלֹקִים יְהִי רָקִיעַ בְּתוֹךְ הַמַּיִם—*Hashem said, Let there be a firmament in the midst of the water*. Rashi explains, quoting Chazal, that the *shamayim* was created on the first day but then froze into place on the second day, upon

hearing Hashem declare יְהִי רָקִיעַ—and has remained forever frozen in place by the declaration of Hashem. The heavens are an expression of *yiras haromemus*, fear of the exaltedness of the Creator.

This is the deeper meaning of *the sea is similar to the sky*. The love of Hashem expressed by the yearning of the sea is balanced by fear of the awesomeness of the Creator expressed by the sky.

By means of remembering and reflecting on these ideas, *techeiles* connects a person to the *Kisei Hakavod*.

סעודה שלישית, כי תצא תשפ"ה

וְהָיָה אִם בֶּן הַכּוֹת הִרְשָׁע וְהִפִּילוּ הַשֹּׁפֵט וְהַכְהוּ
לִפְנֵי כָּדִי וְשָׁעָתוֹ בְּמִסְפָּר.

It will be that if the rasha is to be flogged, the judge shall cast him down and he shall strike him, before him, according to his wickedness by a count (Bamidbar 25:2).

The *Minchas Chinuch*³ proves from the Rambam and the *Chinuch* that aside from *beis din*'s role in determining the verdict of *malkos*, the punishment must also be carried out in front of a *beis din* of three judges.

The *Chazon Ish*⁴ brings the source for this halachah from the *Sifri* which learns this from the words of our pasuk, *the judge shall cast him down and he shall strike him, before him*. This teaches us that *beis din* must be present when the *malkos* are given; the *malkos* must be given in front of the *dayanim*.

Rav Chaim Brisker⁵ maintains that the halachah requiring the presence of *beis din* during *malkos* is an essential condition of *malkos* itself. A lash given without the presence of *beis din* is not considered *malkos*; it is merely an act of assault. One who receives such lashes has therefore not fulfilled his punishment. A messenger of *beis din* who administers such *malkos* is obligated to pay compensation to the recipient as if he had beaten him without justification—even if he gave the *malkos* by the instruction of *beis din*.

The *Chazon Ish* disagrees. He maintains that the presence of *beis din* is not an essential condition of *malkos*, such that without it the lashes would not qualify as *malkos*. If the messenger of *beis din* administered the *malkos* without *beis din* being present, the punishment has been fulfilled, and the messenger has no obligation to compensate the recipient. The halachah that we learn from the *Sifri* is merely an obligation that the Torah placed upon *beis din* for the benefit of the one being punished. *Beis din* must be present so that they can observe the recipient during the *malkos* and, if they see that he has become weakened to the extent that he can no longer withstand additional lashes, they can stop the *malkos*.

Rav Chaim supported his *chiddush* with the halachah stated in *Makkos* (23a) that if one was tied to the pillar to be given *malkos* and he ran away; he is exempt from any further punishment. We learn this from the pasuk *לְעֵינֶיךָ וְנִקְלָה אַחִיךָ לְעֵינֶיךָ*—and your brother will be degraded in your eyes, from which we learn that “once he is degraded, he is as your brother.” It is clear that this halachah applies only when one is tied to the pillar in front of *beis din*. If the “degrading” is effective only in the presence of *beis din*, so too the *malkos* itself is effective only in the presence of

beis din, for both steps are part of the same procedure.

Why is it obvious to Rav Chaim that being degraded only exempts him when it takes place in the presence of *beis din*? Certainly, being degraded somewhere that has no connection to *beis din*, does not exempt, since such an act has no connection to the procedure of *malkos*. But if he was tied to the pillar by the agent of *beis din*, upon the instruction of *beis din*, in preparation for receiving *malkos*, and then fled, why is it obvious that this does not qualify as being degraded in your eyes?

The *Chazon Ish* maintains that one who was tied to the pillar and fled is exempt even if there was no *beis din* present, as long as he was tied upon the instruction of *beis din*.

Even if we accept Rav Chaim's assumption that “being degraded” requires the presence of *beis din*, we can argue that this does not extend to the *malkos*. The experience of being degraded is greater in front of *beis din*, and without their presence there is reason to say that *נִקְלָה אַחִיךָ לְעֵינֶיךָ* was not fulfilled. However, the pain of lashes stands regardless of the presence of *beis din*. There is therefore no proof from degradation requiring *malkos* to the actual *malkos*.

נמליך בנסהדרין סי' א

3 Mitzvah 594:2.

4 Gilyonos on *Rabbeinu Chaim HaLevi*, *Eidus* 20:32.

5 *Rabbeinu Chaim HaLevi*, *Eidus* 20:32.

The Malkos Count

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only he himself can complete: the pain of regret within his heart, which will ultimately bring about the improvement and change that the punishment is meant to accomplish.

The pasuk says *וְהָיָה אִם בֶּן הַכּוֹת הִרְשָׁע* with a *chirik* under the word *בֶּן*. The Baal HaTurim explains that when vowelized

this way the word signifies *בִּינָה*, understanding.

We may explain that this applies to the recipient of the *malkos*. He is meant to understand the significance of the missing lash. By understanding what is still missing, he will arouse his heart to teshuvah and improve his ways.

Today *beis din* no longer administers lashes, however *Hakadosh Baruch Hu* is shaking the world, and it is incumbent upon us to administer the *מִדּוֹת אַחַת בְּלִבּוֹ שֶׁל אָדָם* on ourselves. To awaken our own hearts, reflect upon our ways, and do teshuvah.

ליל שבת קודש, כי תצא תשפ"ה



Ki Seitzai	Candle Lighting	Motzei Shabbos
Brooklyn	7:27	8:34
Lakewood	7:27	8:34
Baltimore	7:35	8:34
Chicago	7:21	8:24
North Miami	7:32	8:26
Los Angeles	7:14	8:11

Parshah Medley

וּבְכֹתָהּ אֶת אָבִיהָ וְאֶת אִמָּהּ יָרַח יָמִים.

And she shall cry for her father and for her mother for a month (Devarim 21:13).

The *Ohr Hachaim HaKadosh* writes that the phrase יָרַח יָמִים alludes to the month of Elul during which Klal Yisrael are aroused to teshuvah and cry and yearn to return to Hashem. He expounds the whole parshah of תִּצַּא לַמִּלְחָמָה in connection with every Yid's war against his personal enemy, the *yetzer hara*. Following this interpretation, the crying over her father and mother can allude to shedding tears over the distance that our *aveiros* have created between ourselves and our beloved Father in Heaven.

We may also interpret "her father and her mother" based on the teaching of the Rebbe R' Bunim that tefillah is called "davenen" from the word דְּאִבּוּהָן—*of the fathers*, for it is the Avos who gave us the ability to stand and plead before *Hakadosh Baruch Hu*. This is why the very first berachah of Shemoneh Esrei begins by describing Hashem as the G-d of Avraham, Yitzchok and Yaakov. It was they who paved the way for us to stand before Hashem in tefillah.

This is alluded to in the pasuk וּבְכֹתָהּ אֶת אָבִיהָ וְאֶת אִמָּהּ—the power to shed tears in tefillah; is with the assistance of the Avos and Imahos. It is they who gave us this ability, and who join us and plead together with us before the *Kisei Hakavod*.

לחיים, יב אלול יום חמישי פר' כי תצא תשפ"ב

וְלֹא אָבָה ד' אֱלֹקֶיךָ לִשְׁמָע אֶל בִּלְעָם וַיִּהְפֹּךְ
'ד' אֱלֹקֶיךָ לְךָ אֶת הַקְּלָלָה לְבִרְכָּה כִּי אָהַבְךָ ד'
אֱלֹקֶיךָ.

But Hashem your G-d refused to listen to Bilaam, and Hashem your G-d turned the curse into a blessing for you because Hashem your G-d loved you (Devarim 23:6).

The Gemara (*Sanhedrin* 105b) remarks on the word קללה which is written in the singular form. Since Bilaam uttered many curses, why does the pasuk say קללה rather than קללות?

The Gemara explains that even the *berachos* Bilaam uttered were eventually turned into curses—as he intended—during the course of *galus* after Klal Yisrael sinned. The one exception was the destruction of *batei kenesiyyos* and *batei midrashos*. Bilaam intended to curse Klal Yisrael that they should not have *batei kenesiyyos* and *batei midrashos*. Hashem did not allow this, and instead Bilaam was compelled to say. This berachah has remained with us, and *batei kenesiyyos* and *batei midrashos* have never ceased from Klal Yisrael.

The pasuk gives as the reason for this, *because Hashem your G-d loves you*. Hashem loves us and wants us to have a loving relationship with Him. In order for a Yid to feel a love and closeness to Hashem he must have a *beis hakneses*, a place to stand before Hashem in tefillah, and a *beis midrash*, to develop our connection to Him through His Torah. This is why Hashem will never allow the destruction of these institutions.

מלוח מלכה תשפ"ה

From the Desk of the Rosh Yeshivah

A bachur wrote:

We recently had a group discussion about the ideal of *Torah lishmah* and whether it is still attainable today for a *yeshiva bachur*. However, we did not come to any clear conclusion. What guidance can the *Rosh HaYeshiva* provide us on this matter?

The Rosh Yeshiva answered:

By and large, attempting to learn *lishmah* is not an appropriate venture for someone of your age. However, if circumstances occasionally arise in which one is able to learn Torah without the awareness of others, this would be more *lishmah*; one should not, however, deliberately arrange for such circumstances.

There is a spectrum ranging from the lowest levels of *shelo lishmah*, i.e. learning in order to show off, to pristine *lishmah*. The primary goal should be to become accustomed to diligence in Torah, not to waste time, and to have the *kav chomton* of remembering the One who gave the Torah.

Shaul