



Yesodos m' ha Sedra

LESSONS IN HASHKAFKA & HALACHA FROM THE PARSHA

In memory of R' Shmuel Shmelka ben HaRav Moshe Kizelnik z"l



*From the desk of
the Rosh Kollel...*

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תשפ"ו

THE GREAT SCENT OF THE SMALL CONSTANT

There is an oft-quoted medrash regarding the korban tamid which appears in a more fuller form in the introduction to the sefer Ein Yaakov. There, three opinions are cited as to which posuk best encapsulates the entire Torah. The first opinion claims that it is the first posuk of krias shema. This opinion doesn't need much elaboration. It is our daily declaration of our belief in and commitment to serving our Creator as the Only Master of the Universe.

A second opinion maintains that v'ahavta l'reiacha kamocha is the foundation of Torah and mitzvos. Indeed, it is about this posuk that R' Akiva exclaimed "zeh k'lal gadol ba'Torah" (this is a great principle of the Torah) and when a prospective convert asked to be taught the entire Torah while standing on one leg, Hillel told him not to do to others that which he wouldn't want done to him and that the rest is commentary. There is a lot of depth and wisdom in Hillel's answer and choice of wording, but on a basic level we can understand why interpersonal relationships might be the topic of choice to represent the entirety of Torah.

Then there is a third opinion: "es ha'keves ha'echad taaseh ba'boker, v'es ha'keves ha'sheini taaseh bein ha'arbaim" – the commandment to offer a single lamb as a korban tzibur every morning, and again every evening. The commentaries grapple to understand the significance of this posuk. While the korban tamid was an essential avodah in the Beis Ha'Mikdash, it is difficult to understand how it could somehow serve as a foundation of the whole Torah?

Perhaps we can suggest the following approach:

The mishna in Avos teaches us that the world stands on three pillars: Torah, avodah, and chesed. We are meant to focus on all three. Yet, what if that were not possible? What if we had to pick one of the three? Perhaps this is the issue debated in our medrash. The first opinion maintains that complete subservience to Torah is key. Encapsulated by the posuk "shema Yisroel", we declare that Hashem is everything and that everything is from Hashem. Indeed, Chazal tell us that the Torah was the blueprint for the world, and Hashem looked into

the Torah before He created it.

Yet, true as this may be, it is a lofty concept and difficult for the average Jew to apply to life, and so, the second opinion suggests "v'ahavta l'reiacha kamocho" as a more suitable approach, as this is something that everyone can relate to.

The problem is though, that as practical and pragmatic as this may seem, a person can become completely immersed in helping others and lose sight of Hashem. So, in search of an approach that is both practical but focused on avodas Hashem, the medrash suggests the korban tamid and all that it represents to serve as a guiding light in life:

The tamid, as its name indicates, was a sacrifice which was offered constantly, ever single day. Not only did this include Shabbos and yom tov and even Yom Kippur, but the morning korban tamid was always the first thing offered, and, with the exception of the korban Pesach, was always the last korban offered on any given day. This was without exception. Yet, as important as this korban was, it consists of just a single lamb. Contrast this with the korban musaf offered on Shabbos which consisted of two, or that of rosh chodesh which also including oxen or the myriad of combinations of animals offered every yom tov. Additionally, the Torah stresses that we should offer one lamb in the morning, and one lamb just before the evening.

It is also worth noting the Torah's choice of wording, as it instructs us "taaseh" – to make or do. Perhaps the Torah here is giving us instructions for life, what we should do as far as hishtadlus, and that the rest we should leave to the Ribono shel Olam. In the eyes of Chazal, the lamb is a small, but complete entity (often representing the Jewish people as a whole, but not necessarily). The Torah is instructing us to put in a full amount of effort, but it should be minimal. Of course each person must figure out what that means for himself, but our hishtadlus should be constant, day in and day out, regardless of the results that it brings. He should make that same hishtadlus in the morning, when things look bright and positive, and no more than that, even though there is so much more time and opportunity to expend greater efforts. And in the evening, when things appear to be getting darker, he should make the same hishtadlus, even though it doesn't appear to be fruitful.

This does not mean that one should not have a business plan and adjust to circumstances. Nor does it mean that one cannot think about a career change, but the underlying message of the korban ha'tamid is that there is no connection between what a person does and the outcome. Hishtadlus is something that we must do, at all times, regardless of the results. Sometimes the apparent result will be bright, and sometimes it will appear dim, but this is all by Hashem's decree and not a result of what we do.

This lesson is so vital that it encapsulates the entire Torah. It pertains to both the material and the spiritual. We have to make constant efforts in both realms but the results are beyond us. If we take this lesson to heart, the posuk (Bamidbar 28:8) terms it a rei'ach nicho'ach (fragrant aroma) for Hashem!.

דְּבַרֵי יְרֵמְיָהוּ בֶן־חִלְקִיָּהוּ מִן־הַכֹּהֲנִים אֲשֶׁר בְּעִנְיָנוֹת בְּאֶרֶץ בְּנִימִן: (יְרֵמְיָה א:א)

Our haftarah is not connected to the parsha. In most chumashim it is printed after parshas Matos but is only read then on rare occasions, when Matos is not read together with Maasei, but doesn't really have anything to do with that parsha either. Instead, this is one of those times that we deviate from the standard of the haftarah reflecting on or connecting to that week's parsha, but is instead tied to the calendar: During bein ha'metzarim - the three weeks between the 17th of Tamuz and Tisha b'Av - we read the three haftarah's of puranusa (affliction), as is fit for the days when we mourn the destruction of the Beis HaMikdash.

Our haftarah is the first of those three, and the first perek of Sefer Yirmiyahu, the same navi who wrote the Megillas Eichah which we read on Tisha b'Av: The Ribono shel Olam conscripts Yirmiyahu to be His emissary to the Jewish people and convey warnings of destruction and urge them to repent. Yirmiyahu resists claiming 'I am only a youth' (ki naar anochi). However, the Ribono shel Olam insists, telling him, "don't say I am a na'ar", insisting that he carry out his mission.

The haftarah always ends on a positive note (even if we have to skip pesukim or reread earlier ones). Here, Hashem tells Yirmiyahu to go tell Yerushalayim that Hashem remembers the chesed of our youth, the love of wedding day, and how we walked behind Him in the unplanted desert. The meforshim explain that the chesed of our youth refers to the times of the Avos, the younger, innocent years of the Jewish people. Hashem remembers their actions and we, as their descendants tap in to their bank account of merits. The wedding day, of course, is a reference to matan Torah when we, as a nation, became Hashem's bride as we accepted His Torah with love. From there we continued to follow Hashem with faith in the desert, where we were vulnerable to the elements. Nevertheless, we placed our emunah and bitachon in Him. Some explain that these words mean that we continue to follow Him into golus as we wandered the spiritual deserts of the world.

This Thursday is the 17th of Tamuz, a day on which we mourn five tragedies: (1) When Moshe descended from Har Sinai, he found the Jewish people had constructed a golden calf and smashed the two luchos (tablets) that he had brought to give them; (2) The daily offering of the korban tamid in the Beis HaMikdash was discontinued; (3) The walls of Yerushalayim were breached; (4) Apostumos burned a Sefer Torah; (5) An idol was placed in the Beis HaMikdash. Let us take this opportunity to study the nature of the halachos of the "minor" fasts as they differ from Tisha b'Av and Yom Kippur, and perhaps this time we will approach the fast with a slightly intensified attitude.

The Navi (Zechariah 7:3) records that when K'lal Yisroel returned to Eretz Yisroel upon the rebuilding of the second Beis HaMikdash, they wanted to know whether or not they should still mourn Tisha b'Av and observe the other fasts. In response, the Navi says (8:19) that Hashem will transform the four rabbinic fast days into days of rejoicing. The Gemara (Rosh Hashana 18b) asks why the Navi refers to these days as ones of both fasting and rejoice and answers that in times of sholom - i.e. the Beis HaMikdash is built (Rambam, Tur), it is a time of joy. In times of sh'mad - when we are oppressed by other nations, it is a time to mourn. When we lack the Beis HaMikdash, but do not suffer at the hands of the goyim, it is up to k'lal Yisroel (i.e. as a group and not up to each individual) whether or not to fast and mourn.

The Tur writes that we currently fit into this last category, however, we have chosen to continue mourning and fasting and not one who does not is guilty of breaching the walls of halacha. He further adds that this is especially true nowadays (i.e. times of the Tur) that Jews in many places suffer from their oppressors. The Beis Yosef writes although k'lal Yisroel accepted to continue to fast, with the exception of Tisha b'Av, we accepted only to fast during the day, but not from the night before. The Bach writes that the same is true regarding the other 4 prohibitions (wearing [leather] shoes, bathing, anointing, and marital relations), that we accepted these as days of fasting, only. It is clear however that in times when klal Yisroel is oppressed, one would have to begin fasting from sunset the day before and would be bound by all 5 prohibitions.

The Ran however, writes that the reason why the other prohibitions are not observed on these fasts is because most people would view it as excessive and would not properly adhere to them. Based on this, the Taz writes that a baal nefesh (meticulous person) should be stringent regarding all five prohibitions, with the exception of not wearing shoes since this would incite ridicule. See Levushei S'rad who insists that indeed, it is an established custom not to bathe, unless asara b'Teves comes out on erev Shabbos when it is a mitzvah to bathe l'kavod Shabbos. (It seems clear that the Levushei S'rad refers only to bathing the entire body, and that one need not limit hand washing to the knuckles only as he would on Tisha b'Av or Yom Kippur.)

The Gra however, takes issue with the above approach. He understands that there is no reason to be stringent regarding all other prohibitions, based on the following: The Gemara (Megilla 5b) says that in addition to the other fast days, Rebbi wanted to uproot Tisha b'Av. Most understand this to mean that Rebbi wanted Tisha b'Av to be dependant on the decision of k'lal Yisroel, as explained above. The Gra however, explains that the gemara means to say that just like Chazal lifted all the other prohibitions on the minor fast days, Rebbi wanted to do so for Tisha b'Av as well. Accordingly, reasons the Gra, it wasn't that k'lal Yisroel chose to forbid only eating and drinking, but rather, because it is only these things that were prohibited in the first place. However, it seems that the Gra would agree that in times of oppression, all prohibitions are in effect and when k'lal Yisroel is suffering, these too, would be prohibited. The Mishna Berura however, rules in accordance with the Taz, that a baal nefesh should in fact conduct himself

stringently, and in the Shaar Hatziyun he adds that this is especially true in contemporary times where many suffer oppression from the non-Jews around them.

The poskim however point out that one should not follow the more stringent opinion where it interferes with other halachos or mitzvos. For example, when Asara b'Teves is on a Friday, one should bathe in honor of Shabbos as he usually does. This year when the 17th of Tamuz is on Sunday, one who wishes to fast from the night before would not be able to eat melaveh malka, and one should be therefore discouraged from beginning the fast from the night before. Also one should take into account how fasting extra hours will affect his limud ha'Torah and davening. Perhaps this is another reason why most people do not indeed fast from the night before even when times are difficult for klal Yisroel.

The significance of the 17th of Tamuz in halacha, however goes far beyond not eating or drinking. Rooted in the p'sak of the Rema, no weddings are held and by extension, dancing is also prohibited. For similar reasons, the poskim rule that one should not listen to music, especially music that one would be prone to dancing to. Slow and inspirational music is permitted according to some opinions, and many poskim are lenient when music is needed for exercising and certainly for staying awake at the wheel on long road trips. Some authorities also permit soft background music. Similarly, one who is prone to depression has what to rely on if music will uplift their spirits, but listening to music "in public" (as opposed to through earphones) should be avoided.

On the other hand, while some do permit acapella music, many poskim rule stringently when it sounds too real. One should consult his or her rav for guidance but one should bare in mind that the reason music and dancing is prohibited is because it is a time of national mourning. As such, it is an auspicious time to strengthen ourselves in all areas of avodas Hashem including Torah and tefilah. One who can dedicate his or her 'listening time' to availing themselves of the multitudes of shiurim on and offline will gain tremendously on multiple levels.

May we merit to see our days of fasting and mourning be transformed to yomim tovim, bi'mheira b'yameinu!



ALL FOR THE BOSS

12 Tamuz 5727

R' Yaakov Yosef Herman was born R' Yitzchok Isaac and Minna Rivka Herman in 1880 in Slutsk (Belarus). When he was 8 years old, his parents moved with him and his younger sister to New York in search of a better life but due to the challenges of a Shabbos observant Jew finding parnasa in those years in America, his family returned to Europe, however since they couldn't afford to take everyone, they left their bar mitzva bochur behind to fend for himself.

Initially, young Yaakov Yosef boarded with relatives for on dollar a week while he worked for a shomer Shabbos furrier for \$1.25 a week. A few weeks later, they raised the weekly fee to include that last twenty five cents he earned and so he spent the entire Shabbos alone in a park, promising himself that he would build a home where he would host the lost and lonely so nobody should ever have to feel what he experienced that day. He soon found new employment and began to advance, and a few years later was able to send for his family to rejoin him in New York; now, he was in a position to help support them, while his father worked as a rebbe earning an otherwise insufficient income.

When he was 21, R' Yaakov Yosef met Aidel Andron, the woman who was to become his partner in life. Although the shiduch was almost cancelled on account of her parents' financial situation, the chosson funded her dowry and they got married and raised a family of five children. From the outset, he told her about the promise he had made as that 13 year old child in the park and the couple began to host guests ranging from gedolei rosh yeshiva of Europe who were fundraising in America, to misfits and unwanted guests with emotional challenges and who were socially off. Although he lost a tremendous amount of money during the great depression in 1929, they continued to invest in their 'business' of hachnasas orchim.

In the early years in America, shemiras ha'mitzvos was not what it was today. Aside from the challenges associated with keeping Shabbos, there was tremendous ignorance and laxity among the masses. Fighting for Hashem and His Torah, he campaigned against businesses who remained open on Shabbos and publically protested mixed dancing and swimming and tried to encourage women to observe basic standards of tznius, including but not limited to his own children's weddings. He worked hard to raise the standards of kashrus and observance of any and all other mitzvos.

He also invested a lot in his own Torah learning, and eventually began delivering public shiurim and encouraged dozens of young American boys to go study in the great yeshivos in Europe. Among those who he influenced were R' Avigdor Miller and R' Chaim Pinchas Scheinberg who at R' Yaakov Yosef's own suggestion, married his daughter. The couple spent their first five years of marriage 'roughing it' in the town of Mir as R' Chaim Pinchas grew leaps and bounds in Torah. He also send his only son, R' Nochum Dovid, and his daughter and son-in-law, Moshe and Ruchoma Shain to learn in Mir.

In the summer of 1939, on the eve of the outbreak of World War II, the Hermans moved to Eretz Yisroel, where they continued their business of hachnasas orchim. When their ship arrived in the Holy land, it was Shabbos. Although they were permitted to exit the ship, R' Yaakov Yosef refused to take any of his belongings with him. Although he was warned that there wouldn't be anything to claim motzei Shabbos, when he arrived after havdala, everything was in tact, having been guarded by one of the porters. Aidel passed away about seven years later and R' Yaakov Yosef remarried an almana and remained active in communal matters of mitzvos and chesed until he fell ill a few years before the end of his rich life.