

פרשת אחרי

Parashas Acharei

וַיְדַבֵּר ה' אֶל־מֹשֶׁה אַחֲרֵי מוֹת שְׁנֵי בְנֵי אַהֲרֹן בְּקִרְבָּתָם
לִפְנֵי־ה' וַיָּמָתוּ . . . בּוֹאֵת יָבֵא אַהֲרֹן אֶל־הַקֹּדֶשׁ
*HASHEM spoke to Moshe after the death
of Aharon's two sons, when they approached
before HASHEM, and they died . . . With this shall
Aharon come into the Sanctuary (Vayikra 16:1,3).*

The question may be asked: Why does the Torah juxtapose the death of the sons of Aharon with the description of the service of Yom Kippur? The *Yerushalmi* (*Yoma* 1:1) learns from this that just as Yom Kippur atones for sins, so does the death of the righteous. *R' Meir Simchah of Duinsk* (in his *Meshech Chochmah*) notes, however, that one must keep in mind that the atonement afforded by the death of the righteous is subject to the same rules as the atonement of Yom Kippur. Just as one who does not recognize the holiness of Yom Kippur does not benefit from the atonement it affords, so too, one who did not appreciate the righteous person, and does not feel a loss at his passing, is not granted atonement as a result of that death.

R' Yitzchak Elchanan Spector, Rav of Kovno, points out another parallel between the atonement of Yom Kippur and that of the death of the righteous, citing an incident related in the Gemara (*Kesubos* 103b). On the day of the death of Rebbi (R' Yehudah HaNasi), a Heavenly voice proclaimed: "Whoever was present at the death of Rebbi is made ready for the World to Come" (i.e., he will face no preparatory judgment or punishment prior to receiving his portion in the World to Come) (*Tosafos*). Why was Rebbi singled out in that only the participants in his funeral merited so great a reward?

R' Spector explains that with regard to the atonement of Yom Kippur, it is the view of Rebbi that one can be granted atonement even without repentance (*Yoma* 85b). The *Chachamim* (Sages) disagree, and hold that the atonement of Yom Kippur is provided only when one repents. Since the atonement effected by the death of the righteous is parallel to that of Yom Kippur, it follows that the same two views prevail there as well. According to Rebbi, one would receive atonement by merely participating in the funeral of the departed *tzaddik* even without repentance, while the *Chachamim* hold that only when the *tzaddik's* death was the cause of introspection and repentance would one be granted atonement in its wake.

Just as with regard to Yom Kippur the final ruling follows the opinion

of the *Chachamim* that one does not receive atonement without repentance, so too does this ruling apply with regard to the death of the righteous. One must therefore repent at the death of a *tzaddik* in order to benefit from the special atonement of that time. However, while this is the case regarding the deaths of all righteous people, an exception was made in the case of Rebbi himself. At this occasion, it was decreed in Heaven that the ruling should follow his view. Thus, everyone attending the funeral, even if they did not make a special effort to repent, were guaranteed — if they would but guard themselves from future sin — direct entry into their portion in the World to Come.

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MISHNAH OF THE DAY: ERUVIN 6:10

The Mishnah continues to discuss the case of two courtyards that are one within the other. It now deals with cases where both courtyards had *erwin*, but not necessarily valid ones:^[1]

שָׁכַח אֶחָד מִן הַחִיצוֹנָה וְלֹא עִירַב — If one resident of the outer [*chatzeir*] forgot and did not join in the *eruv* of his *chatzeir*, הַפְּנִימִית מוֹתֶרֶת — the inner one is permitted וְהַחִיצוֹנָה אֲסוּרָה — and the outer one is restricted.^[2] מִן הַפְּנִימִית וְלֹא עִירַב — If one person from the inner [*chatzeir*] forgot and did not join in the *eruv*, שְׁתֵּיהֶן אֲסוּרוֹת — both of them are restricted.^[3]

Until now, the Mishnah has discussed cases in which each courtyard had its own *eruv*. The Mishnah now discusses cases where the two courtyards had joined together in one common *eruv*:^[4]

NOTES

1. The rulings in this section of the Mishnah where some, but not all, of the residents joined in an *eruv* are identical to the rulings in the previous Mishnah, where no *eruv* at all was made in one of the *chatzeiros* (see R' Yehonasan).

2. The negligent resident of the outer *chatzeir* restricts his colleagues, but cannot restrict the members of the inner *chatzeir*, who are separated from them by a partition.

3. The inner *chatzeir* is restricted because of the failure of one of its members to participate in the *eruv*. As a consequence, they restrict the outer one because of their right of passage (*Rashi*). This is in accord with the opinion of the Tanna Kamma in the previous Mishnah — that the right of passage of a person who is restricted in his own *chatzeir* restricts the outer one.

4. In order to carry from one *chatzeir* to another, they joined together in a common *eruv*, to merge their *chatzeiros* into a single incorporated entity. The food that is collected for this common *eruv* is placed in a house in one of the *chatzeiros*, so that all the residents of both *chatzeiros* are considered residents of that same house.

נִתְּנוּ עִירוּבֵן בְּמִקוּם אֶחָד — If *they placed their* joint *eruv* in one place, i.e., in the outer *chatzeir*, וְשָׁבַח אֶחָד בֵּין — and one resident of either the inner [*chatzeir*] or outer one forgot וְלֹא עִירַב — and did not join in the *eruv*, שְׁתִּיהֶן אֲסוּרוֹת — both of [the *chatzeiros*] are restricted.^[5]

The Mishnah concludes with a case of two courtyards, one within the other, where a joint *eruv* is not even required:

וְאִם הָיוּ שְׁלֹשׁ יְחִידִים — If [the two *chatzeiros*] were inhabited by individuals,^[6] אֵינָן צְרִיכִין לְעִרַב — they need not join in an *eruv*.^[7]

NOTES

5. The *chatzeir* in which the negligent resident dwelled is certainly restricted. The Mishnah teaches that even the residents of the adjoining *chatzeir* are restricted, as follows: The inner *chatzeir* is restricted even if a member of the outer *chatzeir* forgot to join in the *eruv*, because the inner *chatzeir* cannot dissociate itself from the outer one and dissolve their joint *eruv* merger, because its *eruv* bread was placed in the outer *chatzeir*. And the outer *chatzeir* would be restricted if one of the members of the inner *chatzeir* forgot to join the *eruv*, because of the right of passage through this *chatzeir*, which is itself restricted (*Rashi*).

See *Gems from the Gemara* for why this is true only in a case where the *eruv* was placed in the outer *chatzeir*.

6. Each *chatzeir* contained only one inhabited house.

7. Since the inner *chatzeir* is permitted, its right of passage does not restrict the outer *chatzeir* according to the Rabbis who disagree with R' Akiva. If either of the *chatzeiros* contained two residents, however, the outer *chatzeir* would be restricted. [If the inner *chatzeir* contained two residents it would be restricted, and consequently would restrict the outer one because of its right of passage.] Even if the outer *chatzeir* contained two residents and the inner *chatzeir* only one [who should not restrict the outer *chatzeir*], we ban the outer *chatzeir* in order not to come to permit a case when the inner *chatzeir* has two residents and the outer one has one (*Rashi*).

GEMS FROM THE GEMARA

The Mishnah taught that if they placed their joint *eruv* in one place, and one resident of either *chatzeir* forgot and did not join in the *eruv*, both of them are restricted. The Gemara explains that the Mishnah refers specifically to a case in which the joint *eruv* was placed in the outer *chatzeir*. [The Mishnah refers to the outer *chatzeir* as “one place” because it is the one place that is designated for the residents of both *chatzeiros* (as even the residents of the inner *chatzeir* have a right of passage through it).] Only in that case would each *chatzeir* be restricted in the event that a member of the other *chatzeir* forgot to join in its own *eruv* (see above, note

5). If, however, the joint *eruv* was placed in the inner *chatzeir*, the inner *chatzeir* would not necessarily be prohibited if a member of the outer *chatzeir* forgot to contribute to the *eruv*, as the Gemara proceeds to explain.

As taught in a Baraisa, where the two *chatzeiros* placed their joint *eruv* in the inner *chatzeir*, if one member of the inner *chatzeir* forgot and did not join in the *eruv*, indeed both *chatzeiros* would be restricted. The inner *chatzeir* is certainly restricted because one of its residents did not join in the *eruv*. Since the outer *chatzeir* cannot unilaterally terminate the inner *chatzeir*'s right of passage, it too is restricted. In addition, even if the outer *chatzeir* could dissociate itself from the inner *chatzeir*, it would still be restricted, because the *eruv* is not available to it, having been placed in the inner *chatzeir* (*Rashi*).

But if a member of the outer *chatzeir* forgot and did not join in the *eruv*, the outer *chatzeir* is certainly restricted, because one of its residents did not join in the *eruv*. Concerning the inner *chatzeir*, the Baraisa cites a Tannaic dispute. R' Akiva holds that the inner *chatzeir* is also restricted; the inner *chatzeir* may not dissociate itself from the outer one, because the *eruv* that is placed in the inner *chatzeir* accustoms the members of the outer *chatzeir* to use the inner one. However, the Sages say that in this case, the inner *chatzeir* is permitted; the inner *chatzeir* does not become restricted because of the forgetfulness of a resident of the outer *chatzeir*, since those in the inner *chatzeir* can figuratively “close its door,” i.e., bar passage, and dissociate itself from the outer *chatzeir* (*Rashi*).

[This figurative “closing the door” is not possible in any other case. If the *eruv* was placed in the outer *chatzeir*, the inner *chatzeir* cannot “close its door,” because it must remain associated with the outer *chatzeir* where its *eruv* is located. If the *eruv* was placed in the inner *chatzeir* and one of its residents had forgotten to join in the *eruv*, the inner *chatzeir* would be restricted even if it could close its door. Only if the *eruv* was placed in the inner *chatzeir* and one of the residents of the outer *chatzeir* had forgotten to join in the *eruv* is it possible for the inner *chatzeir* to close its door and be used.]

The Gemara further explains that the Sages allow the inner *chatzeir* to dissociate itself, even though the *eruv* accustomed the outer *chatzeir* to use the inner one, because [a resident of] the inner *chatzeir* can say to [a resident of] the outer *chatzeir*, “I merged with you to improve my situation, and not to detract from it.” Therefore, since in this case the *eruv* would cause the inner *chatzeir* to be restricted, the Sages permit it to dissociate itself from the outer *chatzeir* and dissolve the *eruv*.

And R' Akiva, who does not let the inner *chatzeir* say, “I merged with you to improve my situation, and not to detract from it,” maintains that

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the outer *chatzeir* can say to the inner one, “We, the residents of the outer *chatzeir*, relinquish back to you the rights that we gained in your inner *chatzeir* through the *eruv*.” In this manner the inner *chatzeir* would again become solely the province of its own residents, and would no longer be restricted by the residents of the outer *chatzeir*. Since it is possible to restore the inner *chatzeir*'s rights in this manner, they cannot simply annul the *eruv*. [According to this, R' Akiva's ruling that the inner *chatzeir* is restricted applies only until the outer *chatzeir* relinquishes the rights it acquired from the *eruv* back to the inner *chatzeir* (*Rashi*).]

A MUSSAR THOUGHT FOR THE DAY

R*ashi* explains that the verse at the beginning of our *parashah* mentions the death of Nadav and Avihu to underscore to Aharon the severity of improper entry into the Sanctuary. R' Elazar ben Azaryah compared this to a sick person who had to be cautioned not to eat cold food or sleep in a damp place. One doctor merely gave him the instructions, while the second doctor told him, “Unless you avoid these things you will die, as did So-and-so.” The second warning is clearly much more effective than the first.

R' *Yehudah Leib Chasman*, in his *Ohr Yahel*, learns an important lesson from this. We are speaking here of Aharon HaKohen, the brother of Moshe and a great prophet in his own right. Was it really necessary to use such vivid imagery to enforce Hashem's warning? Would he not have listened to Hashem's instructions even unaccompanied by the example of the death of his sons? Consider, in the above comparison, if it were a doctor who fell ill. Would he also need to be given a strong version of the warning for it to be heeded?

We learn from here that the pull of the physical side of man must never be underestimated. No matter what level a person reaches in his life, he must realize that he is still attached to the body, to that which desires only physical pleasures and seeks to hide from truth and live in fantasy and indulgence. And it can always be the cause of one's fall.

It is true that *avodas Hashem* based on fear of punishment is only the very first step in the service of Hashem. After this level, a person should progress to serving Hashem from an appreciation of His greatness and power. From there a person can reach the highest level of service and be motivated by pure love of Hashem. However, even after he has

reached these heights, he must never forget the original fear of punishment with which he started, for a person is made up of a combination of the angelic and the animal, and the animal portion of man understands nothing but the stick and the rod. Thus, even one on as high a level as Aharon should not disregard the warnings that are directed at the body: If you disobey, you will die as did your sons.

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This method of exhorting a person to stay on the proper path — using such bold imagery — is called *mussar*. The word *mussar* is cognate to the word *yissurim* (afflictions). Its job is to teach a person that this life is not the goal, and that there is a world that is more important than this one. And it cautions a person not to do that which will cause him harm. If even Aharon HaKohen had to be warned in such a stark manner through the use of such *mussar*, we must recognize *our* great need for it and never think that we are above it.

HALACHAH OF THE DAY

Continuing our discussion of creating temporary roofs on Shabbos, we will now turn to a discussion of cases where creating a temporary roof is permissible.

The prohibition against creating a temporary roof applies only when the supports of the roof are erected prior to the creation of the roof itself. If, however, the roof is put in place before the walls that will be used to support it, the roof may be erected without violating the prohibition. This leniency applies both to cases where erecting the roof is prohibited only in concert with the erection of walls (as is true of a roof not used for the benefit of people or animals), as well as cases where erecting a roof is prohibited even without the presence of walls (as in the case of a roof intended for the benefit of people or animals).

Thus, if one person were to hold the roof in the air while another placed walls or supports beneath it, they would not violate the prohibition of creating a temporary *ohel*, since the roof was assembled in reverse order.

To illustrate this point: We have said that it is generally prohibited to spread a mosquito net over a baby carriage, since this creates a protective roof over the baby. However, if one person holds up the net while another wheels the carriage under the net, there is no violation of the *melachah*, since the roof was erected before its supports.

The Rabbinic prohibition against creating a temporary roof is limited

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to the creation of a *new* roof. The Sages did not prohibit the extending of a pre-existing roof. To illustrate: If one has a tarpaulin that is rolled open in order to cover an area (or closed in order to expose an area), as long as an area of a *tefach* was covered prior to the onset of Shabbos, the tarpaulin may be unrolled completely closed on Shabbos. Since a *tefach* was already covered prior to Shabbos, unrolling the tarpaulin is seen as extending a pre-existing roof — an act not prohibited by the Sages.

It is important to emphasize that a roof is considered to be halachically viable only if it measures at least a *tefach*. Any covering smaller than this minimal measurement is not considered a roof; therefore, extending it would be prohibited.

A common application of these laws presents itself on the Yom Tov of Succos. Many people use tarpaulins to protect their *succah* from the elements when it is not being used. In order for it to be permissible to unroll a tarpaulin over the *succah* on Shabbos, one must make sure that at least one *tefach* of the tarpaulin was unrolled before Shabbos. If this was done, he may unroll the tarpaulin to cover the *succah* completely on Shabbos.

This applies to cases where the tarpaulin does not rest directly on the *s'chach*, and there is a *tefach* of empty space between the underside of the tarpaulin and the *s'chach*. If, however, the tarpaulin does rest directly on the *s'chach*, it is not necessary to have a *tefach* covered before Shabbos. Since, as we have explained, there must be a *tefach* of space underneath a roof in order for it to be considered a halachic “roof,” spreading out the tarp over the *s'chach* does not create a roof, and is thus not prohibited. [Note that where the covering is wound onto a roll and the roll itself is a *tefach* wide, the roll cannot be counted as the minimum 1 *tefach* that must be covered before Shabbos. This is because the roll itself is not seen as a valid roof. Rather, the permit applies only where a *tefach* of the covering was spread out before Shabbos.]

We will continue this discussion tomorrow.

A CLOSER LOOK AT THE SIDDIR

The Yom Kippur service, as the beginning of our *parashah* makes clear, is of paramount importance and is central to the goal of achieving the atonement of Yom Kippur. Ever since the destruction of the Temple, the Jewish people have accessed the atonement of Yom Kippur through the recitation of the service of the day in their prayers.

This follows the well-known rule that in the absence of the ability to actually carry out the service, our learning about the service and our speaking of it is accepted by Hashem in its stead (see *Rashi* to *Yoma* 36b).

Over the years this recitation has taken many forms. In an earlier time, there were those who recited the Mishnayos of *Maseches Yoma*, which describes the service of Yom Kippur from beginning to end (*Shibbolei HaLeket* §320). In general, however, *piyutim* were composed to be recited as part of the *Mussaf* prayer, the prayer that corresponds to the special services of the day.

Although many versions of such *piyutim* were composed at different times of our history, today there are two that are recited by most congregations. They are *אָמִיץ בָּח* (*O Vigorously Strong One*), composed by R' Meshullam ben Klonimos and recited by *Nusach Ashkenaz*; and *אַתָּה בּוֹנֵנֶת* (*You have established*), composed by Yose ben Yose Kohen Gadol (High Priest), which was accepted by *Nusach Sefard*. The latter is an extremely early composition. According to *Abudraham*, Yose ben Yose may have actually served in the Second Temple, or he may have been a descendant of one who served there. According to others, he was simply referred to as "Kohen Gadol" due to his greatness and the fact that he was of Priestly descent (see also *Responsa of Noda BiYehudah, Orach Chaim* §113).

While the language of the *אַתָּה בּוֹנֵנֶת* *piyut* is simpler and clearer, there are few substantive differences between it and the *אָמִיץ בָּח* *piyut*. One difference pertains to the process of the *פְּיִיסוֹת*, *lots*, which determined which Kohanim were to do the various daily services. In *אָמִיץ בָּח* the composer adds the following line: *עֲלֶצוּ תְרוּם דְּשֵׁן בְּפִיס ראשון*, *Joyously [the Kohanim] drew the first lot for the privilege of removing the ash*. However, according to most commentaries, no lots were performed on Yom Kippur, since all the services of the day were performed by the Kohen Gadol. Indeed, in *אַתָּה בּוֹנֵנֶת* this reference does not appear.

Matteh Ephraim writes that it is proper for one to take time before Yom Kippur to study the *piyut* describing the *avodah*, in order to understand what he is going to be saying on Yom Kippur. This *piyut* should be recited with a sense of sorrow for the glory that once was, for which we must now substitute our words, accompanied by the hope that we will soon merit the rebuilding of the *Beis HaMikdash*.

QUESTION OF THE DAY:

In what "cloud" does Hashem appear?

For the answer, see page 59.

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וְהִתְנַדָּה עָלָיו אֶת־כָּל־עֲוֹנֹת בְּנֵי יִשְׂרָאֵל
וְאֵת כָּל־פְּשָׁעֵיהֶם לְכָל־חַטָּאתָם

*And he shall confess upon it all the iniquities of
the Children of Israel, and all their rebellious sins,
among all their [unintentional] sins (Vayikra 16:21).*

From the simple reading of the verse, it would seem that in the actual confession of the Kohen Gadol, the iniquities are mentioned first, followed by the rebellious sins, followed by the unintentional sins. This indeed is the opinion of R' Meir, in *Yoma* 36b; the *Chachamim* (Sages), however, disagree with him. Since unintentional sins are less severe than the others, it is illogical to first confess the egregious sins and afterward to add the lesser ones. Therefore, they hold that the actual order of the confession was first for the unintentional sins, and only then for the iniquities (intentional sins), followed by the most severe rebellious sins.

Although the *Chachamim* explain their position according to logic, the question of the order of the types of sins in the verse remains. Why, if the Kohen Gadol mentions the unintentional sins first, are they written last in the verse? *Maharsha* answers this question by calling attention to the exact wording of the end of the verse. The verse does not state: *חַטָּאתָם וְאֵת כָּל־חַטָּאתָם וְאֵת כָּל־פְּשָׁעֵיהֶם וְאֵת כָּל־חַטָּאתָם*, which would translate as: *the iniquities of the Children of Israel, and all their rebellious sins, and all their [unintentional] sins*. If the verse had been written this way, it would surely be implying the order of the confession. However, the actual words used by the Torah are *לְכָל־חַטָּאתָם*, which mean *among*, or *in addition* to their unintentional sins. Thus, the verse is actually implying that the unintentional sins had already been mentioned by the time the other classes of sins are confessed.

Our question about the *Chachamim*'s reading of the verse is thus resolved. However, with this answer another question is brought into sharper focus: Why is the verse written in such a manner? Would it not have been more forthright to simply write the sins in the order that the Kohen Gadol is to recite them: *אֶת־כָּל־חַטָּאתָם וְאֵת־כָּל־עֲוֹנֹתָם וְאֵת־כָּל־פְּשָׁעֵיהֶם*, *all their [unintentional] sins, and all their iniquities, and all their rebellious sins*? Why first introduce the other sins, and then, at the end of the verse, inform us that the unintentional sins had to have already been mentioned?

Shaarei Aharon explains that the Torah is teaching us here an important lesson regarding unintentional sins. *Alshich* writes that one who is

totally free of sin will not be allowed by Heaven to sin unintentionally. It is only one who has already sinned, whether in deed or in thought, who is allowed to sin in an unintentional fashion. Thus, he explains, the order in our verse alludes to the order in which the sins were committed. If one is guilty of unintentional sin, it must be that he has already committed intentional sins. Only after one has sinned intentionally is he in danger of stumbling by committing unintentional sins.

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MISHNAH OF THE DAY: ERUVIN 7:1

The previous chapter dealt with cases where several *chatzeiros* joined together in one communal *eruv*. The first five Mishnayos of this chapter now delineate the following three possible situations:

(a) When two *chatzeiros* cannot join in one *eruv*, but must each make their own *eruv*: Where the two *chatzeiros* are totally separated from one another by means of a partition, the residents of one *chatzeir* may not make a joint *eruv* with the residents of the other *chatzeir* for the purpose of passing objects back and forth over the partition.

(b) When they cannot make independent *eruv*, but must join in one *eruv*: Where the two *chatzeiros* adjoin each other, and are not adequately separated, they are considered one *chatzeir*, and the residents of both *chatzeiros* must share one communal *eruv* before they may carry from their homes even into their respective areas. There is no option for each *chatzeir* to make its own *eruv*.

(c) When they are afforded the choice of an independent or joint *eruv*: There are instances when a partition is judged sufficient to separate two *chatzeiros*, yet it does not preclude the making of a common *eruv* by the two *chatzeiros*.

Our Mishnah discusses this last situation, the case of two *chatzeiros* that are separated by a wall at least 10 *tefachim* high;^[1] however, the wall has a window, through which objects might be passed. The Mishnah discusses the conditions under which these two *chatzeiros* may be joined together by a communal *eruv*:

חלון שבין שתי חצירות — In a case of a window^[2] between two

NOTES

1. The minimum height for a partition is 10 *tefachim*. If the wall is of lesser height, the two *chatzeiros* are considered one unit and a mutual *eruv* is required (Gemara 79a).
2. The window discussed in our Mishnah is an opening in the wall permitting transfer between the two *chatzeiros*. [There is no windowpane (of glass) to seal the window.]

chatzeiros אַרְבָּעָה עַל אַרְבָּעָה — that is at least **four tefachim by four tefachim** in size בְּתוֹךְ עֶשְׂרֵה — and located **within ten tefachim** of the ground,^[3] מְעַרְבִין שְׁנַיִם — **they** [the residents of the two *chatzeiros*] **may join in two** independent *erubin*, because the *chatzeiros* are still considered separate areas,^[4] וְאִם רָצוּ מְעַרְבִין אֶחָד — **or if they desire they may join in one** commu-

nal *eruw*, because the window connects them.^[5]

פְּחוֹת מְעַרְבֵיהָ עַל אַרְבָּעָה — However, if the window is **less than four by four tefachim** in size, אוּ לְמַעַל מְעַשְׂרֵה — **or is entirely above ten tefachim** from the ground, מְעַרְבִין שְׁנַיִם — **they must join in two** independent *erubin* וְאִין מְעַרְבִין אֶחָד — **but may not join in one** common *eruw*, because in this case the *chatzeiros* are considered two completely separated areas.^[6]

NOTES

3. The window begins at a point in the wall that is within 10 *tefachim* of the ground. It is sufficient for even a minute portion of the window opening to be within these 10 *tefachim*.

4. Since most of the wall is intact, it constitutes a valid partition between the two *chatzeiros*, even though it does not reach 10 *tefachim* at the place of the window. This small breach is considered a portal (פְּתָח), which is a feature common to walls.

Each *chatzeir* may then make its own *eruw* and need not participate with the other *chatzeir*. In this case, they may carry only from their houses into their *chatzeir*, but not from one *chatzeir* to the other (*Rashi*).

5. Since the height of the wall to the window is less than the 10-*tefach* minimum height of a partition, and since the window's size qualifies it as a portal, the two *chatzeiros* are considered connected, and so may join in a mutual *eruw*. The *eruw* permits transfer of objects between the *chatzeiros*, either through the window, over the wall, or through cracks or holes in the wall (*Rashi*).

6. Either of two factors disqualify a window from attaining the status of a פְּתָח, *portal*, that serves to connect two *chatzeiros*: (1) if it lacks the requisite size of a portal (4 *tefachim* by 4 *tefachim*), or (2) it is not located anywhere in the area of the essential, 10-*tefachim* high wall. In either case, the remaining wall is a solid, if minimal, partition that completely divides the two *chatzeiros* (*Rashi*).

GEMS FROM THE GEMARA

Our Mishnah ruled that a window between two *chatzeiros* must measure at least 4 *tefachim* by 4 *tefachim*, and be partially within 10 *tefachim* of the ground, in order to permit the *chatzeiros* to join in a communal *eruw*. Rav Nachman explained that this latter ruling is limited to a window that is between two *chatzeiros*. But if a window is between

two houses, even if it is completely above 10 *tefachim*, the occupants of the two homes may join in one mutual *eruv*, and objects may then be transferred between the two houses. The Gemara explained that this is because a house is regarded as being “full of objects.” Hence, the window is considered as though it were not higher than 10 *tefachim* from the floor.

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The Gemara seeks to understand Rav Nachman’s principle, and wonders in which sense a house is regarded as being “full.” The concept has two possible interpretations. It can mean that a house or other enclosed structure is ordinarily filled with furniture or other objects. As applied to our case, this interpretation suggests that these objects can serve as platforms that make a high window more accessible and convenient to use. Alternatively, the concept may mean that since the air inside a house is filled with vapor, the interior airspace is as though it were a solid mass, and therefore non-existent. Hence, it is halachically impossible to measure height within the structure, and so a window can never be regarded as exceeding the height limitation of 10 *tefachim*.

Now, in the case of a window in a wall, a house is considered “full” according to either interpretation. The Gemara gives another case in which there is a practical difference between these interpretations. Does an overhead window that opens from a house to an attic require a permanent ladder to serve as a portal in order to permit the joining in a common *eruv* by the owners of the house and attic? Or does it not require a permanent ladder to permit them to join in an *eruv*? [As explained in our Mishnah, two areas may join in a common *eruv* as long as the areas are not totally separated. Rav explains (on 59b) that a ladder 4 *tefachim* wide can serve as a portal between two areas even when no other opening exists between them, thereby making feasible a common *eruv*. However, only one of the two interpretations is appropriate if an overhead window is to be judged a valid portal, as we will explain.]

For if, as in the first interpretation, a house is regarded as being “full” in that a window in a wall above 10 *tefachim* is accessible and convenient to use, this is true only in reference to a window in the wall of the house [since benches and crates are ordinarily placed along the walls of the house, and one can stand upon them to reach the window (*R’ Yehonasan*)]. But an overhead window, which is not readily accessible or convenient to use [since furniture is not customarily placed in the middle of a room], might not be able to serve as a connecting portal between the attic and the house. And so, an overhead window that opens from a house to an attic would require a permanent ladder to serve as a portal.

But if, as in the second interpretation, airspace inside a house is “filled” with vapor as though it were a solid mass, it is halachically impossible to measure height within the structure. If so, it makes no difference where the window is located, since in any event the interior airspace of an enclosed structure is regarded as non-existent. And so, even an overhead window is a valid

portal, and a permanent ladder is unnecessary.

The Gemara concludes that a ladder is not required (apparently following the second interpretation).

A MUSSAR THOUGHT FOR THE DAY

In a talk given before Yom Kippur, *R' Shimshon Pincus* used the mitzvah of *viduy*, confession, to bring out the importance of serving Hashem from within the framework of a relationship with Him.

One may have thought that the confession, which is an integral part of repentance, could be recited independently of the prayers of Yom Kippur. In practice, however, the confession is recited only as part of the *Shemoneh Esrei*, or as part of the *Selichos* prayers. This is due to the fact that the essence of *viduy* is not merely a listing of our sins. Let us explain: The word *viduy*, besides meaning *confession*, is also used to describe words spoken to Hashem that tell of the fulfillment of His commandments by the one speaking (see *Devarim* 26:13). *Viduy* is a term that can describe any words spoken before Hashem that have the effect of bringing the person closer to Him. Our *viduy* — confession of our sins — is in essence a turning to Hashem, with the words, “Master of the World! There exists a barrier between us in the form of my sins. Please grant that I can return and once again become close to You.” [Indeed, the root of the word *teshuvah*, repentance, means *to return*.]

As an introduction to the confession prayer, we say: אֵין אָנוּ עֲוֵי פְּנִים . . . וְקָשִׁי עֲרַף לִדְמוּת לְפָנֶיךָ . . . צְדִיקִים אֲנֵהוּנוּ וְלֹא הָטָאנוּ *We are not so brazen and obstinate as to say before You that we are righteous and have not sinned.* The question may be asked: Why is it necessary for us to begin by stating what we are *not* about to say? Furthermore, why would anyone think that we are about to claim innocence? For what purpose have we come to pray, if not to confess our sins?

According to what we have explained, however, the prayer becomes clear, for *viduy* need not be only for confession of sins. Here, we are comparing the *viduy* that could have been with the *viduy* that now has

to be. In essence we are saying: Hashem, if only we could come before You to speak a *viduy* containing words of closeness, borne of complete fulfillment of Your laws. Alas, we have sinned and that is impossible, but we are not so brazen as to deny our faults. We now have to speak different words, and rebuild this closeness through confession of our misdeeds and a declaration of our intention to repair what we have damaged.

Thus, the confession must always be a part of prayer. When a person stands in prayer, he is at the point of his closest connection with Hashem. It is this time that must be used for the *viduy*, the words of closeness and connection to Hashem.

There are many people whose service of Hashem, although encompassing their entire life, is only one-sided. A person can know that Hashem exists, and expend much effort to live according to His “rules,” but this does not mean that there is a relationship between that person and Hashem. A person can share a room with someone, and take care not to engage in any activity that would bother that person, without there being any real connection between the two.

The most basic aspect of true *avodas Hashem* is that there exist a bond and relationship between the person and Hashem. This is the lesson that we must seek to learn from the *viduy*.

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HALACHAH OF THE DAY

We spoke yesterday of the permissibility of extending a roof on Shabbos. While it is permissible to extend a pre-existing roof on Shabbos, one may add to an existing roof only in a manner that actually extends the existing roof. Thus, while it is permissible for one to extend the roof indefinitely from the point where it ends and cover as much additional area as he desires, he may not begin spreading out a tarpaulin from the opposite side of the structure that was not covered before Shabbos.

The Rabbinic prohibition against creating a temporary *ohel* does not apply to opening a folding canopy that was assembled before Shabbos. Since the Rabbinic decree forbids only the assembly of a roof, this canopy, which was already assembled prior to Shabbos, is not included in the decree.

According to many *poskim*, the above holds true even when the folding canopy will be used to benefit people. Thus, one is permitted to

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unfold the hood of a baby carriage on Shabbos in order to protect the child from the sun or rain, provided that it was attached to the carriage before Shabbos. [There are other *poskim* who rule that if the canopy protects a person, it may not be unfolded on Shabbos.]

The prohibition against construction of a temporary *ohel* applies only when the covering is independently supported through the use of poles, walls, or other support structures. An *ohel* that has no support other than a person holding it in place is therefore not prohibited. Thus, one is permitted to protect himself from the rain by holding his coat a *tefach* above his head.

As we stated earlier, the two parts of a temporary *ohel* — the roof and the walls — are viewed from the standpoint of halachah as being two different entities.

We have completed our discussion of the guidelines governing the creation of a temporary roof. We will now discuss the laws of creating a temporary wall. In most cases, it is permissible to erect a temporary wall (one intended to stand for only a few days) on Shabbos. Since walls are not seen as being the primary part of an *ohel*, the Sages did not extend their prohibition to them.

For example, it is permissible to divide a room using free-standing folding or portable partitions in order to create a *mechitzah* separating men and women during davening.

A CLOSER LOOK AT THE SIDDIR

There is a requirement on Yom Kippur to confess our sins. The Gemara rules that this requirement can be fulfilled by saying the words: אָבִל אֲנַחְנוּ חָטְאוּנוּ, *in fact we have sinned*. We add to these words the word וְאֲבוֹתֵינוּ, *and our fathers*, following the advice of *Rabbeinu Yonah* (*Shaarei Teshuvah* 1:40) that we are to confess the sins of our fathers as well.

In addition to these words, we add two sets of confessions — אֲשַׁמְנוּ and עַל חַטָּא, both in the order of the *aleph-beis*. *Chayei Adam* (143) explains that the sinner, through his actions, has brought destruction to the world that was created with the letters of the Torah; he must therefore confess using all these letters.

R' Yonasan Eibeshitz (in *Yaaros Devash*) gives another reason for the alphabetical setup of the words of the confession. He explains that it is comparable to one who approached a very great king and was faced with

the task of addressing him with titles befitting his greatness. Seeing that he would not be able to do the king justice, he took a large piece of paper and started to write titles for the king on the bottom of the page. He was thus demonstrating that the greatness of the king was so limitless that he did not wish to fill up the top of the page with the titles that he could think of. He therefore left it blank, in case more appropriate titles would be found. In a similar way, when we confess using every letter of the *aleph-beis*, we are expressing the thought that our transgressions are so numerous that any sins able to be expressed with the letters of the *aleph-beis* are applicable to us.

In addition to this general confession, there are some who maintain that a person is required to enumerate his own individual sins. Doing this increases one's shame over his sins, and this shame brings atonement (see *Yoma* 86b and *Tosafos* to *Gittin* 35b). Although we rule that a person need not enumerate his sins (*Shulchan Aruch, Orach Chaim* 607:2), *Chayei Adam* (143) writes that it is preferable to do so. The detailed list of sins in the *עַל הַטָּא* listing does not constitute an enumeration of one's sins, since everyone says the same set text. It is therefore no more than part of the order of the prayers (*Rama* to *Shulchan Aruch* *ibid.*).

Chayei Adam therefore advises that one insert his individual sins in their appropriate place in the order of the *aleph-beis*. For example, after *אֲשַׁמְנֶנּוּ*, he should add, if applicable, *אֲכַלְתִּי דְבָרִים הָאֲסוּרִים, אֲכַלְתִּי בְלֵא, בְּרֵבָה* (I have eaten forbidden things, I have eaten without the proper blessings, etc.). [If a person is unfamiliar with the Hebrew language and cannot articulate his personal sins in the *aleph-beis* order, he may add them at any point in the confession where they are appropriate.]

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QUESTION OF THE DAY:

Why does the verse say that the chatas goat atones “for [Israel’s] sins,” but the goat that is sent away to Azazel atones “for all [Israel’s] sins”?

For the answer, see page 59.

כִּי-בַיּוֹם הַזֶּה יִכַּפֵּר עֲלֵיכֶם לְטַהֵר אֶתְכֶם
מִכָּל חַטָּאתֵיכֶם לִפְנֵי ה' תִּטְהַרוּ

*For on this day he shall provide atonement for you
to cleanse you from all your sins before HASHEM
you shall be cleansed (Vayikra 16:30).*

The punctuation for the verse above, according to *Maharsha* to *Yoma* 85b, is the basis of a disagreement between R' Elazar ben Azaryah and R' Akiva. In the last Mishnah in *Yoma*, R' Elazar ben Azaryah learns from this verse that the atonement of Yom Kippur serves to cleanse only sins between man and Hashem. In his view, Yom Kippur atones only for 'ה' לִפְנֵי ה', *all your sins that are before HASHEM*, not those sins between man and his fellow (for which atonement cannot be granted until he appeases the one against whom he sinned). Thus, the words לִפְנֵי ה' *before HASHEM*, are read as the conclusion of the previous phrase — *to cleanse you from all your sins before HASHEM*.

Cited immediately after the words of R' Elazar ben Azaryah are the words of R' Akiva: "Fortunate are you, O Israel! Before Whom do you cleanse yourself? Who cleanses you? Your Father in Heaven!" From where in this verse does R' Akiva see the special role of Hashem in cleansing the Jewish people? The answer is that R' Akiva reads the words ה' לִפְנֵי ה' as the beginning of a new sentence: לִפְנֵי ה' תִּטְהַרוּ *Before HASHEM you shall be cleansed*. R' Akiva explains that the verse is informing us of the fact that the Jewish people are assured that Hashem Himself will cleanse them. According to R' Akiva, then, there is no indication in the verse that Yom Kippur atones only for sins between man and Hashem.

Netziv (in his *Haamek Davar*) provides a different understanding of R' Akiva's exposition of the verse. He explains that R' Akiva maintains that the position of the phrase ה' לִפְנֵי ה' lends itself to be interpreted both as the conclusion of the words preceding it, *and* as the opening of the next clause. In the first interpretation, we are being told that on Yom Kippur one is cleansed and made fit to stand "before Hashem" and to serve Him. In the latter interpretation, we are enjoined to cleanse ourselves "before" or prior to, Hashem's cleansing. *Netziv* explains this with a parable:

A child soiled himself, and his father was approaching to clean him. A bystander turned to the child and told him, "Take care to cleanse yourself as well as you can before your father comes; do not leave the

entire task to him. After you do what you can, your father will come and complete the job.”

Similarly, Yom Kippur atones at the conclusion of the day. The Torah is telling us that before the moment of Hashem’s cleansing comes, we should repent and atone for whatever we can. After we do what is in our power, Hashem will complete the cleansing. This is the lesson

in the words of R’ Akiva: “Fortunate are you, O Israel! Before Whom do you cleanse yourself? Who cleanses you? Your Father in Heaven!” We should therefore try our best to cleanse ourselves before He comes and cleanses us: **לפני ה', תטהרו**, *Before HASHEM comes, cleanse yourselves!*

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MISHNAH OF THE DAY: ERUVIN 7:2

The Mishnah continues its discussion of the status of two *chatzeiros* that are separated by a wall:

וְאִין מְעָרְבִין — If a solid wall standing between two *chatzeiros* is ten tefachim high and four tefachim wide, i.e., thick, **וְאִין מְעָרְבִין שְׁנַיִם** — they [the residents of the two *chatzeiros*] may join in two independent *eruv*, **וְאִין מְעָרְבִין אֶחָד** — but they may not join in one common *eruv*. Since there is no portal in the wall, the two *chatzeiros* are completely separate areas.^[1] **וְאִין מְעָרְבִין אֶלּוּ עוֹלִין** — If there was fruit on top of the wall, **וְאִין מְעָרְבִין מִכָּאן וְאִין מִכָּאן** — these residents may ascend from here [i.e., from their *chatzeir*] and eat the fruit, **וְאִין מְעָרְבִין מִכָּאן וְאִין מִכָּאן** — and those residents may ascend from here [i.e., from the other *chatzeir*] and eat the fruit — **וְאִין מְעָרְבִין מִכָּאן וְאִין מִכָּאן** — provided that they do not bring any fruit down into their respective *chatzeiros*.^[2]

NOTES

1. A wall of even nominal thickness effectively divides the *chatzeiros* and precludes a communal *eruv*. The Mishnah mentions a thickness of 4 tefachim because of its relevance to the Mishnah’s second case. In fact, this first ruling is not at all novel in itself; it can be derived from the previous Mishnah. This clause serves only to introduce the following one concerning the placing of objects on top of the wall (*Rashi*).

2. Since the top of the wall is 4 tefachim wide and 10 tefachim high, it qualifies as a separate and distinct area. Hence, carrying on top of the wall is unrestricted, but to carry from atop the wall to either *chatzeir* below is forbidden (according to the Rabbis cited in Mishnah 9:1). According to R’ Shimon (*ibid.*), however, one may transfer from the wall to each *chatzeir*, and from *chatzeir* to *chatzeir*. He therefore explains that the Mishnah prohibits carrying from atop the wall to the houses of the courtyards.

עד עשר נפרצה הכותל — If *the wall was breached* עד עשר — *up to* a length of *ten amos*, מערבין שנים — *they may join in two* independent *eruvim*, ואם רצו — *or if they desire they join in one* communal *eruv*, מערבין אחד — *because [the breach] is like a portal* and so the partition remains valid.^[3]

מפני שהוא כפתח — However, if the breach *is more than that*, יותר מכאן — *they may join in one* common *eruv*, ואין מערבין שנים — *but may not join in two* independent *eruvim*. A breach wider than 10 *amos* is too large to be considered a portal, and thus nullifies the partition.^[4] Therefore, the *chatzeiros* are considered one area, and if the residents desire an *eruv* they must join in one common *eruv* for both *chatzeiros*.^[5]

NOTES

3. The two *chatzeiros* are now in the category of areas separated by the wall between them, but which still have easy access to each other because of the entranceway in that wall. Therefore, they may elect to have two *eruvim* (one for each *chatzeir*), in which case carrying is prohibited from one *chatzeir* to the other, or they may make one joint *eruv* and thus be permitted to carry from one courtyard to the other.

4. Ibid.

5. Therefore, should each *chatzeir* make its own *eruv*, the residents are prohibited from carrying even into their own *chatzeiros* (*Rashi*).

GEMS FROM THE GEMARA

The Mishnah had discussed the case of a wall 4 *tefachim* thick. The Gemara wonders what the law would be if the wall were less than 4 *tefachim* thick. Rav said that the two unmerged *chatzeiros* control the top of the wall; therefore, one may not move anything on it, even as much as the fullness of a hair. [Although it is sufficiently tall, the top surface of the wall is too narrow to be considered a separate domain. Rav therefore understands that the wall is subsumed by both *chatzeiros*, so that any carrying on the top is deemed a transfer from one *chatzeir* into another (*Rashi*.)] But R' Yochanan said that the residents of both *chatzeiros* may bring food up from their *chatzeiros* to the top of the wall, or from the top of the wall down to their *chatzeiros*.

The Gemara explains that R' Yochanan's ruling differentiating between the two types of walls is based on a similar ruling of his taught in the matter of הוצאה, the Biblically prohibited act of *transferring* between public and private domains. The law is that an area less than 4 *tefachim* by 4 *tefachim* that is situated between a *reshus harabim* and a *reshus*

hayachid is considered a *תְּחוּמֵי פְטוּר*, an exempt area, into which one may carry from either the *reshus harabim* or the *reshus hayachid*, provided that one does not transfer an object from the *reshus harabim* to the *reshus hayachid* (or the reverse) via this exempt area. [That is, one may not take an object from the *reshus hayachid*, place it in the exempt area, and then remove it to the *reshus harabim* (or vice versa). Although each of these two actions is in itself permissible, when performed together they appear to constitute the *melachah* of carrying from a *reshus hayachid* to a *reshus harabim*. The Rabbis therefore prohibited it, so that people would not mistakenly conclude that the actual *melachah* was permitted.] If, however, this intervening area measured 4 by 4 *tefachim* or more, its status would be that of a *karmelis*, a separate and distinct domain, and one would be forbidden to carry between it and the *reshus harabim* or *reshus hayachid*.

R' Yochanan thus holds that just as it is permitted to transfer objects to an area whose dimensions are less than 4 *tefachim* by 4 *tefachim*, he also permits food to be transferred onto the wall between neighboring *chatzeiros* as long as it is not 4 *tefachim* wide. However, if the top of the wall exceeds that measure, it is considered a separate area, and transferring onto it from the *chatzeiros* is prohibited.

The Gemara asks how it is that Rav does not accept this ruling of R' Yochanan (inasmuch as it is supported by a Baraisa in *Shabbos* 6a). The Gemara answers that if we were speaking of domains prescribed by Biblical law [i.e., a *reshus harabim* and a *reshus hayachid*, as in the case of Rav Dimi], Rav would indeed concur with Rav Dimi's ruling, which permitted carrying from a *reshus harabim* or a *reshus hayachid* into an exempt area. The Sages were not concerned that from this leniency people would conclude that carrying directly between a *reshus harabim* and a *reshus hayachid* is permissible. However, here in the dispute between Rav and R' Yochanan, we dealing with a case that involves domains between which transfer is prohibited by Rabbinic decree. [Since each *chatzeir* is a *reshus hayachid*, carrying between the two (either between the two *chatzeiros* according to the Rabbis, or between a house and the opposite *chatzeir* according to R' Shimon) is prohibited only by Rabbinic decree (*Rashi*).] And the Sages strengthened their own enactments more than they would in cases where carrying between domains is prohibited by Biblical law, prohibiting one to carry even atop the narrow wall. [In Rav's view, the Sages were concerned that if carrying from a *chatzeir* to the exempt area atop the wall were permitted, people would eventually carry from one *chatzeir* into another, since people tend to be more conscientious about observing Biblical law than observing Rabbinic law (*Ritva*).]

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Not in all cases of Rabbinic law do the Sages “strengthen their own enactments” by adding stringencies. Only when the likelihood that people will violate the Rabbinic law is reasonably strong, such as here where only the *reshus hayachid* (i.e., the two *chatzeiros*) is involved, will they do so. However, in the case of an exempt area situated between a *karmelis* and a *reshus hayachid*, Rav would agree that one may carry between the exempt area and either domain, even though carrying directly between a *reshus hayachid* and a *karmelis* is Rabbinically prohibited. Since in that case two different types of domains are involved, one would not mistakenly come to carry directly between them if the leniency were granted (*Tosafos*).

A MUSSAR THOUGHT FOR THE DAY

In his introduction to the laws of *Aseres Yemei Teshuvah* (Days of Repentance) and Yom Kippur, *Chayei Adam* (§143) also alludes to the above-mentioned interpretation of the verse לִפְנֵי ה' תִּטְהָרוּ, *prior to Hashem's cleansing, you shall cleanse yourselves* (see above, *A Torah Thought for the Day*). He applies it to the days preceding Yom Kippur, which must be filled with added Torah study and kindness, as well as careful introspection. In this way, one will arrive at the day of Yom Kippur already in a pure state.

In addition, one must be sure to appease those whom he has wronged, for Yom Kippur cannot atone for those sins until he is forgiven. If one stole money, before Yom Kippur can atone for this sin the money must be returned and one must also seek the forgiveness of the one from whom he stole.

Chayei Adam warns that a person must not delude himself into thinking that due to the numerous mitzvos that he fulfills daily he will surely emerge unscathed from the judgment of Yom Kippur, for he must remember that a person stumbles constantly and performs many sins without even noticing that he is sinning. This is most prevalent with sins associated with speech, which are numerous and often committed unthinkingly.

There are people who spend the Days of Repentance in intense prayer and repentance, and then do as they wish throughout the year, sure that their sins will be forgiven the next Yom Kippur. This is a grave error. The Mishnah in *Yoma* (8:9) states that one who says, “I will sin and Yom Kippur will atone for my sin,” does not benefit from the atonement of

Yom Kippur. One who does what he wishes the entire year, relying on his repentance and the power of Yom Kippur to atone, will not find atonement in Yom Kippur. To the contrary: One must be careful to live the entire year as if it is the period of the Days of Repentance, and during the actual Days of Repentance he must increase his observance even more.

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Chayei Adam writes that not even one day in the year should go by in which one does not spend at least some time learning from the *sefarim* that teach about fear of Heaven (*yiras Shamayim*). This must be done even at the expense of other Torah studies. While it is very important for every person to study the laws of the Torah so that he knows how to execute Hashem's will, it is still better to remain a relative ignoramus and retain one's fear of Heaven than to become a great Torah scholar lacking in this most important of qualities — fear of Heaven.

HALACHAH OF THE DAY

Yesterday, we began discussing the guidelines that govern the erection of temporary walls on Shabbos.

While it is generally permissible to erect temporary partitions on Shabbos, there are exceptions to this rule.

A temporary partition that bears too strong a resemblance to a permanent one may be forbidden. For example, we have learned previously that one may not set up a curtain to divide a room if the curtain is secured both on top and on bottom. Even though the intent in hanging the curtain is strictly for its temporary use, since the curtain is firmly fixed in position, this resembles permanent construction and is forbidden.

Another exception to the rule allowing for the erection of temporary walls is the case of a partition that is required for halachic reasons. In such cases, since the construction of the partition has halachic effect, the wall is by its very definition a significant construct, and putting it up is therefore forbidden.

To illustrate: One may not set up a partition in a bedroom in order to cut off an area where there is a *Sefer Torah* or *sefarim* (whose presence in a bedroom create certain halachic restrictions). Since the presence of the *Sefer Torah* creates a halachic need to have a divider between it and the bedroom proper, such a halachically dictated partition is seen as a substantial construction and is forbidden. This type of prohibited partition is known as a *מְחִיצַת הַמְתַּחַת*, a *partition that permits*.

Despite this rule, we have written above that a temporary partition may be erected in order to act as a *mechitzah* between men and women for the purpose of davening. This is because the *mechitzah* required for the purposes of davening does not halachically serve as a wall that divides the room in two; rather, it need only serve as a tool that prevents men and women from mingling.

Even in the case of a *מְחִיצָה הַמְתַּרְתָּ* described above, if a *tefach* of the required wall was erected prior to Shabbos, it may be extended on Shabbos. For example, in the case of the divider required to separate a part of a bedroom that contains a *Sefer Torah*, one may completely close off the temporary dividers on Shabbos, as long as they were already blocking an area of a *tefach* prior to the onset of Shabbos.

A CLOSER LOOK AT THE SIDDIR

Three times a day, in the *Shemoneh Esrei* prayer, we request of Hashem: *סְלַח לָנוּ אֲבוּנוּ בִּי הִטָּאֵנוּ*, *Forgive us, our Father, for we have sinned*. The *Shemoneh Esrei* prayer was instituted for all Jewish people, among them the greatest saints. Can it be that every one of them has sinned daily and is in need of forgiveness?

Furthermore, we recite this request at the *Maariv* prayer after the conclusion of Yom Kippur. Have we not, just moments before, achieved complete forgiveness for all our sins? Why must we ask for forgiveness immediately afterward, as if we have already sinned in the few minutes since Yom Kippur ended?

Rav Schwab (in *Maayan Beis HaSho'eivah*) addresses these questions and answers them by explaining that there are two levels of repentance. A person can repent out of fear of Hashem's punishment, either in this world or the next. In His kindness, Hashem accepts such repentance and the sin is hidden from sight. However, it does not disappear. The repentant is freed from any punishment as a result of the sin, but he is not free of all its effects. The distance that was created between the person and Hashem has yet to be bridged; his personal spiritual level that existed prior to the sin has yet to be regained.

The second, higher level of repentance is that performed out of a sense of love for Hashem. In this scenario, a person, by recognizing the greatness of Hashem and realizing that his sin has created a chasm between himself and his Creator, is moved to repent and come closer to Him. There is no limit to the levels of this repentance. The higher one's

understanding of Hashem and His ways, the more one is motivated to become close to Him. This repentance is a constant process, emanating from a person's continued growth in the service of Hashem.

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The power of Yom Kippur to atone for sins is similar to the way sin is removed when one repents out of fear. The blessing of Yom Kippur is: מַעֲבִיר אֲשֶׁמוֹתֵינוּ בְּכֹל שָׁנָה וְשָׁנָה, *He removes our sins each and every year.* This is a mere removal

of our sins from open sight. Our real responsibility starts after Yom Kippur, when, freed from the shackles of our sins, we are able to pursue the higher level of *teshuvah* out of our love for Hashem and a deeper understanding of His ways. Thus, at the very close of Yom Kippur, we immediately ask: סְלַח לָנוּ, *Forgive us,* הֲשִׁיבֵנוּ, *Help us to come closer to You.*

Indeed, every person at every time, after he has prayed for increased understanding in אֲתֵה דוֹנָן (the blessing of understanding), is in a new position to request a deeper connection to Hashem in the following blessings of תְּשׁוּבָה, *Repentance,* and סְלִיחָה, *Forgiveness.*

QUESTION OF THE DAY:

Why does the verse stress that the atonement will be for sins that were committed “before Hashem”?

For the answer, see page 59.

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וְכֹל-נֶפֶשׁ אֲשֶׁר תֹּאכַל נְבֵלָה וְטֶרֶף וְטָרֵף בְּאֶזְרָח וּבְגֵר
וְכֹכֵס בְּגִדָיו וְרֹחֵץ בְּמֵיִם וְטָמֵא עֲדֵי-הָעֶרֶב וְטָהַר

*Any person who will eat [a bird] that died or was torn —
the native or the proselyte — he shall immerse his
garments and immerse himself in the water;
he shall remain contaminated until evening,
and then become pure (Vayikra 17:15).*

Although the Torah does not clearly identify what creature it is that, having *died or was torn*, contaminates a person who eats it, *Toras Kohanim* (see *Rashi* to our verse and to *Vayikra* 11:40) explains that the subject of this verse can be readily divined when it is read closely and contrasted with other verses in the Torah. This unique *tumah* that comes from eating a carcass, explains *Toras Kohanim*, cannot result from eating a dead unslaughtered *animal*, for earlier (ibid. vs. 38-40) the Torah already taught that an animal carcass contaminates a person who merely *handles* it, even if he does not eat from its flesh. Consequently, the *tumah* described as transmitted by eating can be referring only to something that, since it is not included in the laws of *tumah* transmitted by touching or carrying, does not otherwise transfer *tumah* — and this is a dead bird. Additionally, the Torah is clear that this *tumah* transmitted through eating comes only when the bird *died* — on its own — *or was torn* — instead of being slaughtered — implying that if not for these problems, this bird would be permissible to be eaten. This is not the case with a bird from a nonkosher species, which is of course forbidden to be eaten even when properly slaughtered. Thus, concludes *Toras Kohanim*, the verse decreeing *tumah* on a person who eats a carcass that *died or was torn* can be speaking only of someone who eats a טָהוֹר עוֹף טְהוֹר, *the carcass of a kosher species of bird that died without being properly slaughtered*.

The *Klausenburger Rebbe* suggests that this *tumah* may be considered a סִיג (s'yag), a *protective fence* that the Torah ordained in order that we should not come to eat this form of forbidden food. This *s'yag*, explains the Rebbe, is necessary only in regard to bird carcasses; since the Torah previously commanded us regarding the *tumah* of animal carcasses, there is no fear that people — who are in any case careful not to handle them in order not to become *tamei* — will come to eat them. However, since, as we explained, a bird carcass does not transmit *tumah* when touched, an extra protection — the decree of *tumah* when swallowed — is needed in order to make sure that people will not eat this forbidden food.

R' Yaakov Kamenetsky points out that the context of our *parashah* does not seem to be the proper place for a commandment that introduces a new form of *tumah*. This Torah passage begins (17:1) with the prohibition of שְׁחוּטֵי חוּץ (*shechutei chutz*), slaughtering *korbanos outside the Beis HaMikdash*. Having established that slaughtering an animal for an offering in a place where it may not be used as a *korban* is so severe that: דָּם יִחָשֵׁב לְאִישׁ הָהוּא דָם שָׁפָךְ, *it shall be considered as bloodshed for that man, he has shed blood* (17:4), the Torah then proceeds to teach us other laws that are based on the importance of blood: the prohibition against consuming blood and the mitzvah of *kisui hadam*, covering the blood [when slaughtering a wild animal (*chayah*) or a fowl in order to eat from its flesh, the blood must immediately be covered with earth]. Why is a *tumah* that is based on eating a *niulas ohf tahor* — the carcass of a kosher species of bird that died without being properly slaughtered — included in our Torah passage?

R' Yaakov answers that the reason behind this sequence becomes clearer based on the *Ramban's* (*Bereishis* 1:29) explanation of the prohibition against eating an animal that has not been properly slaughtered. Originally, explains the *Ramban*, mankind was not permitted to slaughter an animal for food. It was only after the Flood, when all of animal life owed their physical survival to man — Noach — that mankind was allowed to slaughter and eat animals. However, although man was now allowed to eat an animal's physical body, he was not given authority over its more esoteric *nefesh*, life force. This is the reason we are not allowed to consume the blood of an animal; the Torah, in our *parashah*, tells us (17:14): נֶפֶשׁ כָּל בְּיֹטֵט, *the life of any creature*, דָּמוֹ בְּנִפְשׁוֹ, *its blood represents its life*, דָּם כָּל-בְּיֹטֵט לֹא תֹאכְלוּ, *you shall not consume the blood of any creature*, כִּי נֶפֶשׁ כָּל-בְּיֹטֵט דָּמוֹ הוּא, *for the life of any creature is in its blood*.

Continuing, *Ramban* explains that this prohibition against consuming blood is also the reason behind the Torah's requirement to properly slaughter an animal before eating its flesh, for only by doing so will the blood satisfactorily leave the body.

With this in mind, we may now understand why the *tumah* transmitted to someone who swallows a *niulas ohf tahor* belongs in the Torah passage that centers on the importance of blood. Unlike other forms of *tumah*, which are transmitted by *handling* a contaminated item, this contamination is unique in the sense that it is transmitted by eating a forbidden food — a bird carcass that was not slaughtered. Accordingly, the reason this food is prohibited — and causes *tumah* to a person who

swallows it — is because it contains blood. We can therefore see, concludes R' Yaakov, that the underlying reason for this *tumah* is based on the same principle as the other mitzvos commanded in this Torah passage — the role of blood as a creature's life force requires that it be treated with special regard, and does not allow it to be consumed in any form.

MISHNAH OF THE DAY: ERUVIN 7:3

The Mishnah continues its discussion of two neighboring *chatzeiros*, discussing under what circumstances a ditch running between them will prevent them from joining in one *eruv*:

עמוק עמוק — *If a ditch between two chatzeiros*^[1] — *עמוק עמוק* — is *ten tefachim deep and four tefachim wide*,^[2] *עשרה ורוחב ארבעה* — *they* (i.e., the residents of the two *chatzeiros*) *may make two independent eruvim*, *ואין מערבין אחד* — *but may not make one common eruv*,^[3] *מערבין שנים* — *even if the ditch is filled with stubble or straw*.^[4] *מלא קש או תבן* — *However, if it is filled with earth or pebbles*, *מלא עפר או צרורות* — *they may make one common eruv, but may not make two independent eruvim*.^[5]

NOTES

1. Two adjoining *chatzeiros* are separated by a ditch that runs along the entire length of their boundary (*Rashi*). If the ditch does not extend along the entire boundary, leaving a segment 4 *tefachim* or more in width between the two *chatzeiros* uncut by the ditch, or if the ditch itself lacks the minimum dimensions along a span of 4 *tefachim*, that space is considered an entrance between the two *chatzeiros*, and they make either one *eruv* together or two *eruvim* separately (*Rama, Orach Chaim 372:17* and *Mishnah Berurah* there §118).

2. If it is shallower than this minimum, it is considered as if it were level and they must make one joint *eruv* (*Ritva*). If the ditch is less than 4 *tefachim* wide, it is easy to step over, and so is not considered a partition (*Rashi*).

3. Since at these dimensions the ditch separates the two areas totally, it precludes them from joining in a common *eruv*.

4. It is assumed that the stubble or straw is being stored temporarily in the ditch, and that the owner will eventually remove it (for use as fodder). Hence, the ditch is not considered filled in (*Rashi*).

Our Mishnah refers to stubble and straw that are not *muktzeh* (*Tosafos*) and may therefore be removed even on the Sabbath (see *Gemara 77a*).

5. Since the earth or pebbles will likely remain in the ditch permanently, and thus become a part of it, the ditch no longer constitutes a partition between the two *chatzeiros*; hence, they must be regarded as one and cannot make two separate *eruvim*.

Our Mishnah taught that if the ditch is filled with earth, it is considered permanently filled, presumably even if one has not declared his intention to leave the earth there. The Gemara argues that this apparently contradicts another Mishnah (*Oholos* 15:7) that deals with the *tumah* of a corpse. According to Biblical law, a corpse radiates *tumah* above and below itself. The *tumah* even penetrates a covering to contaminate people above it. However, if there is at least a *tefach* of empty space between the corpse and the covering, the covering is classified as an אהל, tent, and in most cases the *tumah* does not penetrate the covering (*Berachos* 19b). The Mishnah discusses a case in which a house was filled to the ceiling with straw or pebbles, and one abandoned them by declaring that he will not remove them, so that they become a permanent filling of the building. That Mishnah taught that since the space is negated, the effectiveness of the roof as a barrier is also negated, and if a corpse is inside, the *tumah* penetrates through the roof.

That Mishnah thus indicates that straw or pebbles are considered permanently in place only if one has abandoned them. But if one did not abandon the straw and pebbles, they are not considered permanently in place. [Therefore, in the absence of an express declaration of abandonment, the roof of the house still covers a space at least a *tefach* high underneath, and intervenes to prevent *tumah* from rising above it (*Rashi*).] Why, then, does our Mishnah rule that pebbles close the ditch even without a declaration of abandonment?

The Gemara gives a number of answers to this question:

- (1) Our Mishnah follows the opinion of R' Yose, who maintains that although we are not aware of the owner's plans, he probably has no use for the pebbles, and it is considered abandoned as a matter of course, even without any declaration of abandonment. However, the Mishnah in *Oholos* records a dissenting opinion stating that pebbles are not ordinarily considered abandoned, but must be declared abandoned.
- (2) In this discussion of whether pebbles or earth are ordinarily considered abandoned, the laws of *tumah*, discussed in the Mishnah in *Oholos*, cannot be compared with the laws of the Sabbath, discussed in our Mishnah. In the case of the laws of the Sabbath, the prohibition of *muktzeh*, which proscribes the movement of certain objects on the Sabbath, will cause a person to abandon on the Sabbath (at least

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temporarily) even a purse filled with money, because it may not be moved. Similarly, although pebbles and earth ordinarily are not considered abandoned (as we see from the Mishnah in *Oholos*), they are so considered for the duration of the Sabbath because they may not be moved.

(3) A house and a ditch cannot be compared. It is acceptable, in the case of a ditch, to presume that the pebbles that fill it are abandoned, because a ditch is customarily filled in. [Therefore, even those who, in the Mishnah of *Oholos*, maintain that earth that fills a house is considered abandoned only when an express declaration to that effect has been made, agree that earth or pebbles that fill a ditch are considered abandoned without a declaration (*Rashi*).] However, it is certainly not customary to fill up a house, and therefore, the Mishnah in *Oholos* teaches that the pebbles are not presumed to be abandoned.

A MUSSAR THOUGHT FOR THE DAY

The *Klausenburger Rebbe* explains (see *A Torah Thought for the Day*) that the Torah decreed *tumah* (contamination) on someone who swallows a *niulas ohf tahor* as a *s'yag*, a protective fence, to ensure that people will not come to inadvertently eat this forbidden food. [The *Klausenburger Rebbe* (*Divrei Yatziv* 6:124) in fact notes that the relationship between these two elements — *tumah* and forbidden foodstuffs — is the focus of a dispute between *Rambam* and *Ramban*. *Ramban* (*Vayikra* 22:8) maintains that the *niulas ohf tahor* is forbidden only so people will not become *tamei* and contaminate sanctified items or places. A close reading of the *Rambam*, however, implies the opposite view, that the *tumah* is present only in order to ensure that people will not consume this foodstuff. See also *Rivash*, cited in *Shaarei Aharon*.]

At first glance, the effect that a decree of *tumah* will have in deterring a person who wants to eat forbidden foodstuffs is puzzling. If a person desires to transgress the sin of consuming nonkosher food, why would he care if he becomes *tamei*? Moreover, this question is strengthened when we realize that for a person who does not plan on entering the *Beis HaMikdash* or eating sanctified food (*kodashim*), there is in fact no general prohibition against becoming *tamei*! [Of course, a Kohen is forbidden from contracting corpse-*tumah*. However, no inherent restriction

exists against his contracting other forms of *tumah*, as long as he does not handle sanctified foods.]

R' Chaim Shmulevitz asks a similar question on the Gemara (*Berachos* 22a) that speaks about a person who was driven to sin with a married woman, and was deterred only when he realized that he would not have a *mikveh* to immerse in after his adulterous deed. Asks R' Chaim: Why

should a person who is ready to violate the cardinal sin of adultery care about Rabbinic impurity? In answer to this question, he explains that this Gemara is providing us with a great insight into human nature; the reason people do things that they clearly know are wrong is because they convince themselves that their actions do not really matter. A person tempted by sin will rationalize: "Committing this sin will not change who I am; an action, as soon as it is over, is history." Of course, if a person would realize the everlasting effect that every action — good or bad — has on his *neshamah*, he would never sin. However, since this spiritual impact is not tangibly apparent, we allow ourselves to be persuaded by temptation. This lesson, explains R' Chaim, is in fact taught in the Gemara's statement (*Sotah* 3a) that a person sins only when a *רוח שטות*, a *spirit of foolishness*, enters his body. If a person were to rationally look at the action that he is going to do, he would realize that he is going to permanently blemish himself. The only way to sin is by *foolishly* ignoring this reality.

This is the reason, explains R' Chaim, why the would-be adulterer, by realizing that his sin would make him *tamei*, was deterred from committing it. Even the Rabbinic requirement to immerse in a *mikveh* showed him that his action was a reality that, even on a physical level, would change who he is. Thus, once he was conscious of some of the impact an *aveirah* has on a person, he was unable to rationalize that what he wanted to do would not really matter and that he would remain the same person afterwards. Once he realized that what a person does really matters, sin was no longer possible.

Perhaps this idea taught by R' Chaim may be used to understand the Klausenburger Rebbe's explanation that the *tumah* that comes from consuming a *nivlas ohf tahor* is a *s'yag* to ensure that people will not come to eat this food. It is true that there is nothing wrong with being *tamei* if the person does not handle sanctified objects, while eating nonkosher food is a serious sin. However, a person who becomes *tamei* sees a tangible change — he knows that he must now immerse in the *mikveh* to purify himself — which he does not see when he eats forbidden foods. Thus, a person will be careful to ensure that he does not become *tamei*. Understanding this, the Torah decreed *tumah* to ensure that people do not eat the forbidden *nivlas ohf tahor*.

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The next of the thirty-nine labors forbidden on Shabbos is the *melachah* of סוּתֵר, *demolishing*. As in the case of the other forbidden *melachos*, this one is based on an activity that took place in the Mishkan. When the Bnei Yisrael broke camp in the Wilderness they had to dismantle the Mishkan in order to travel to their next destination.

The *melachah* of *demolishing* is defined as the dismantling of any object, or any part of an object, whose creation would be a violation of the *melachah* of *building*.

As we have mentioned several times previously, as a general rule the *melachos* that are forbidden on Shabbos are forbidden only when they are done for some beneficial purpose. Acts that are simply destructive, for no benefit, are not forbidden on Shabbos.

Accordingly, the Biblical prohibition against demolishing includes only acts of demolishing that are done for some beneficial reason. A primary example of a Biblically forbidden act of demolishing would be the demolishing of a building in order to make way for new construction. However, we shall see that certain acts of demolition that are done for other beneficial reasons are also Biblically forbidden.

It is forbidden by Biblical law to demolish a structure in order to replace it with an improved structure in the very same place. An obvious example of this would be demolishing a house in order to replace it with a larger structure on the same lot. Less obvious examples of the same prohibition would be removing a carpet in order to replace it with a new one, or removing a burnt-out bulb from a socket in order to replace it with a new one.

It is also forbidden by Biblical law to do an act of demolishing for beneficial purposes that are not connected to any future plans of building. For example, one who removes a nail that is protruding from a wall in order to prevent anyone from harming themselves violates the *melachah* of *demolishing*.

While the Biblical prohibition against demolishing applies only to cases where there is some constructive purpose behind the act, the Sages extended this prohibition to cover even purely destructive acts on Shabbos. As we have seen in regard to other *melachos*, the Sages were concerned that allowing destructive (i.e., non-beneficial) acts of *demolishing* would lead one to inadvertently transgress the *melachah* by performing constructive acts of *demolishing*.

We will discuss the Rabbinic prohibition tomorrow.

R' Chaim Shmulevitz (see *A Mussar Thought for the Day*) explains that the reason a person, who knows intellectually that what he is about to do is wrong, is nevertheless able to transgress is because he rationalizes that his doing this action will not affect him. The person concludes that since he will remain the same person even after he sins, there is no reason why he should not give in to the temptation of the moment. R' Chaim cites a Midrash that states that the only way Yosef was able to withstand the temptation to sin with Potiphar's wife was by realizing the unalterable change that the sin would bring about. What will happen, Yosef thought, if Hashem will soon appear to me as He has appeared to my forefathers? He will find me impure, and I will not be fit to fully serve Him!

The Midrash relates another example that Yosef used to convince himself of the immeasurable impact that every action makes: he thought about Adam who, although he had committed a relatively minor transgression, was banished from Gan Eden. If I commit the serious crime of adultery, thought Yosef, I too will be punished severely! Only by thinking of the impact that transgressing Hashem's word would have on him, concludes R' Chaim, was Yosef able to avoid sinning.

The *Mesillas Yesharim* (Chs. 3-4) comments that the awareness that transgressing Hashem's commandments will have permanent impact does not come automatically. In fact, this perspective requires much thought, as we may understand from a phrase that is part of the וְהוֹא נְחַפְּשֵׁהוּ prayer recited during *Shacharis* on Monday and Thursday: נְחַפְּשֵׁהוּ וְנִחַרְנוּ וְנִחַרְנוּ וְנִחַרְנוּ אֵלֶיךָ, *we will search our ways and examine them and return to You!* (based on *Eichah* 3:40). It is only through much introspection that a person will become fully aware of the impact his actions will have on him; only then will he be able to avoid sinning and thereby attain closeness to Hashem.

Mesillas Yesharim explains that there are several things a person may concentrate on to make himself aware that the actions he performs will have long-term effects. The very righteous, who are already conscious of their lifelong goal of achieving perfection, need only realize that their spiritual perfection will be tarnished by not following Hashem's word. With this on their minds, they will not give in to sin. *Mesillas Yesharim* counsels lesser people, who are not so altruistically driven, to think about the level of reward that they desire in *Olam Haba*, and how embarrassed they will be — for eternity — if someone whom they consider as lesser than themselves will earn a greater portion.

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Before every challenge, they should realize that the decision they make now will affect them forever. For a person who is not able to rouse himself to perform mitzvos for the sake of his portion in the World to Come, *Mesillas Yescharim* offers a different suggestion: Realize that Hashem's reward and punishment — even in this world — is meted out מְדָה כְּנֶגֶד מְדָה (*middah keneged middah*), *measure for measure*. Anything that you do will come back to you in a similar manner. Although these three motivations vary, they are all based on one idea — a person must concentrate on maintaining an awareness that his actions are not momentary, but have the power to change who he is and to affect the quality of his life both in *Olam Hazeah* and in *Olam Haba*. Once a person becomes cognizant of the fact that every action has a consequence, it will be immeasurably easier for him to overcome challenge; he will come to the conclusion that he does not wish to be hampered by the negative consequences of sin.

A TASTE OF LOMDUS

When stating the laws of the *tumah* (contamination) that results from eating a *nivlas ohf tahor*, the carcass of a kosher species of bird that died without being properly slaughtered, *Rambam (Hilchos Avos HaTumah 3:1)* rules that the person who eats a *kezayis*-size piece of this carcass becomes impure when the food reaches his throat. This is understood, explains *Rambam* (based on *Toras Kohanim*), from the description that the Torah uses to refer to a person who ate from this bird: נֹכֵחַ, which, literally translated, means *life force*. Thus, the Torah is telling us that the throat — which is the part of the body that, by swallowing food, sustains life — is the place that the dead bird must reach to cause *tumah*.

R' Chaim Soloveitchik (*Chidushei Rabbeinu Chaim HaLevi al HaRambam, Hilchos Avos HaTumah 3:3*) observes that it is unusual for the Torah to specify the part of the body that the food must reach in order to fulfill a mitzvah or violate a transgression. For example, when commanding us to eat matzah on the first night of Pesach, the Torah simply commands: בְּעֶרֶב תֹּאכְלוּ מִצֹּת, *in the evening you shall eat matzos (Shemos 12:18)*, without explaining to us how this eating is to be performed. Similarly, the prohibitions against eating forbidden foods also do not contain a warning — such as the use of the word נֹכֵחַ — that the food is not to reach our throat, or any other part of the body; we are

simply told not to eat certain items. Why does the Torah, through the use of נִיּוּלָס, emphasize the place where *niulas ohf tahor* contaminates the body?

R' Chaim also points out something else — food reaching the throat is in fact *not* the determining factor in the other mitzvos or prohibitions that involve eating. In all other areas of the Torah, the act of “eating” is considered to have been completed when the food reaches the stomach; a person who chews a *kezayis* of matzah and is unable to fully swallow does not fulfill his mitzvah. Similarly, the Gemara in *Kesubos* (30b) rules that a non-Kohen who eats *terumah* is not liable if he spits it out while it is still in his throat, before it reaches his stomach. The only exception to this rule is the *tumah* transmitted by eating *niulas ohf tahor*, where a person who unsuccessfully attempts to swallow a piece of bird carcass will nevertheless become *tamei* as soon as the *kezayis* has reached his throat. Why are the laws of the *tumah* transmitted from eating a bird carcass different from the other laws in the Torah that involve eating?

In answer to these questions, R' Chaim explains that *Rambam* has a slightly different perspective in understanding the Torah's instruction regarding the *tumah* generated when a *niulas ohf tahor* is eaten. The Torah is not, strictly speaking, telling us about a *tumah* that comes from *eating* something. Rather, a clearer definition of the Scriptural decree of *tumah* that is generated when the bird carcass reaches the throat is just that — a new type of *tumah* that contaminates a person when a certain substance (a *niulas ohf tahor*) is contained by a certain part of the body (the throat). Accordingly, unlike regarding the commandments to eat matzah and refrain from eating nonkosher foodstuffs, where the Torah did not have to give further instruction beyond commanding “eat” or “refrain from eating” — for the basic act of eating is obvious to all — the *tumah* transmitted from ingesting a kosher bird carcass is not related to the act of eating. Therefore, the Torah, by employing the word נִיּוּלָס, is telling us which part of the body must contain the *niulas ohf tahor* in order to trigger this *tumah*; it is not the mouth or the stomach, rather, it is the throat.

R' Chaim points out that this perspective of what the Torah is instructing us in regard to the *tumah* of *niulas ohf tahor* — not that *eating* a bird carcass makes one *tamei*, rather, this *tumah* is caused by the food being *contained* in one's throat — explains why *Rambam* omitted one apparently basic law from his otherwise comprehensive list of the laws of this *tumah* — the qualification of *kedei achilas pras* (i.e., the time span it takes to eat a half-loaf of bread). When the Torah speaks of eating, it does not mean that the full amount of food should be ingested

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instantaneously. Rather, every food mentioned in the Torah — whether mitzvah or prohibition — is seen as having been “eaten” as long as a full *kezayis* (olive’s volume) is eaten in the close proximity of the time span of *kedei achilas pras*. [The exact period of time is disputed by the authorities, and ranges from 2 to as many as 9 minutes.] Thus, a person fulfills the mitzvah of eating matzah as long as he eats the full *kezayis* of matzah in this time span, and someone who eats a *kezayis* of nonkosher food is liable if it was eaten in this amount of time. [If, however, the food is eaten spread out over a longer period of time — e.g., after consuming the first half-*kezayis*, the person pauses for 10 minutes before continuing with the second half — no act of “eating” has been accomplished.] Why, asks R’ Chaim, does *Rambam* not tell us, as he does concerning the many other mitzvos of eating, that eating a *kezayis* of *niulas ohf tahor* causes *tumah* even when the entire *kezayis* was not swallowed at once, but is spread out over *kedei achilas pras*?

This question falls away, answers R’ Chaim, for we explained that *Rambam* understood that the *tumah* that comes from swallowing a bird carcass is not a *tumah* transmitted through *eating*, but is a *tumah* that the Torah decreed when the throat *contains* a *kezayis* of *niulas ohf tahor*. Thus, since the time span of *kedei achilas pras* is applied only to combining two otherwise separate acts of eating, and does not serve to combine other types of actions (for example, if a person touches a half-*kezayis* of animal carcass, removes his hand, and then touches another half-*kezayis*, he has not become *tamei*), the rule of *kedei achilas pras* does not apply to *tumah* that comes from a bird carcass being *contained* in the throat; as long as the full *kezayis* is not present in the throat at one time, the person remains uncontaminated.

QUESTION OF THE DAY:

If a person is dangerously ill and he requires meat, is it better to slaughter an animal for him on Shabbos, or should he be given meat from a nonkosher animal?

For the answer, see page 59.

בַּמַּעֲשֵׂה אֶרֶץ־מִצְרַיִם אֲשֶׁר יִשְׁבַּתְּמֶ־בָּהּ לֹא תַעֲשׂוּ
וּבַמַּעֲשֵׂה אֶרֶץ־כְּנָעַן אֲשֶׁר אָנִי מוֹבִיא אֶתְכֶם
שָׁמָּה לֹא תַעֲשׂוּ וּבַחֻקֵּיהֶם לֹא תִלְכוּ

*Do not perform the practices of the land of Egypt,
in which you dwelled; and do not perform the practices
of the land of Canaan, to which I am bringing you;
and do not follow their traditions (Vayikra 18:3).*

Rashi, citing *Toras Kohanim* (13:6-7), explains that the Egyptians and the Canaanites were the most depraved of all the nations. Thus, the Torah singled them out when warning the Jewish people not to follow the pagan and idolatrous practices of the nations.

Be'er BaSadeh adds that the fact that these nations were the greatest offenders in matters of idolatry was in fact because of the Jews. He explains that while the Jews were in Egypt, the Egyptians worshiped their deities with extra fervor, in the hope that this would allow them to retain the Jews as slaves. And when the Jews were liberated from Egypt and began making their way to Eretz Yisrael, it was the nations of Canaan that became the most zealous idolaters, in the hope that they could thereby prevent the Jews from inheriting Eretz Yisrael.

Kli Yakar, however, finds Rashi's explanation problematic. He asks: Why would the Torah warn against following the practices of the *worst* idolaters, thereby implying that following the practices of lesser idolaters would not be forbidden? Surely *any* hint of idolatry is forbidden by the Torah!

Kli Yakar therefore interprets the verse in the opposite manner. He maintains that the Egyptians and the Canaanites were *not* the most zealous of idolaters. In fact, it was for this reason that Hashem arranged that the exile of the Jews would happen in Egypt, and that the land they would inherit was occupied by the Canaanites. Since these nations were *not* such fervent idolaters, there was less concern that the Jews, when coming into contact with them, would learn from their idolatrous ways. Nevertheless, the Torah warns against following after even the ways of the Egyptians and the Canaanites — and certainly it is forbidden to follow after the ways of more fervent idolaters.

This, explains *Kli Yakar*, is why the verse identifies Egypt as *the land in which you dwelled*, and Canaan as *the land to which I am bringing you*. One might have thought that since these were the lands that Hashem

had selected, it could be deduced that contact with their citizens and learning their ways would not be injurious. Thus, the Torah states explicitly: In spite of the fact that you dwelled there, you may not follow the practices of the Egyptians. And in spite of the fact that I am bringing you there, you may not follow the ways of the Canaanites.

For a defense of *Rashi's* explanation, see *A Mussar Thought for the Day*.

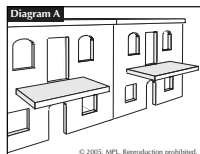
MISHNAH OF THE DAY: ERUVIN 7:4

The Mishnah continues its discussion of two neighboring *chatzeiros* with a ditch running between them, explaining how the two courtyards, or a similar case of neighboring balconies, might be easily connected, allowing them to join in one *eruv*:

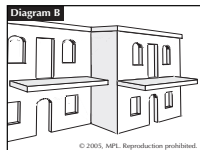
נָסַר שְׂרָחַב אַרְבַּעַה טְפָחִים — *a board that is four tefachim wide*,^[1] וְכֵן שְׂתִי גְזוּזְטָאוֹת זֶו כְּנֶגְדֵו זֶו — *and, similarly, two balconies whose sides face each other precisely*,^[2] וְיִבְנוּ בֵּינֵי שְׁנֵי — *they*^[4] *may make two independent eruvim*, וְאִם רָצוּ מְעַרְבִין אֶחָד — *or, if they desire they may make one mutual eruv*, because the board serves as a portal connecting the two areas. פְּחוֹת מִכָּאן — *But if the board is less than this* (i.e., less than 4 *tefachim* wide), מְעַרְבִין שְׁנֵי — *they may make two separate eruvim, but they may not make one common eruv*, because the board is too narrow to serve as a portal.

NOTES

1. He bridged the ditch with a board 4 *tefachim* wide, creating a portal to connect the two *chatzeiros*.



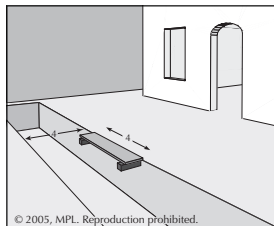
2. וְכֵן זֶו כְּנֶגְדֵו זֶו describes two balconies from two adjoining residences situated on the same side of a *reshus harabim* (*Rashi*; see diagram A). וְזֶו שְׁלֹא כְּנֶגְדֵו זֶו describes two balconies, alongside each other on the same side of the *reshus harabim*, that are not vertically or horizontally aligned see (diagram B). Such balconies may not be joined by means of a board spanning from one to the next.



3. I.e., if the board placed between them as a bridge measures 4 *tefachim* in width, it qualifies as a portal (*Rashi*).

4. I.e., the residents of the *chatzeiros* on both sides of the ditch or the residents of the adjoining houses with the balconies (according to *Rashi*).

Our Mishnah said that if one placed over the ditch a board that is 4 *tefachim* wide, it connects the *chatzeiros*. Rava qualified this ruling by saying that a board 4 *tefachim* wide is required only when one placed the length of the board across the width of the ditch, to serve as a bridge across the ditch. However, if he placed it along the length of the ditch [with the board supported by pegs (*Rashi*; see diagram)], even a board of minimal width suffices to permit the *chatzeiros* to join in a mutual *eruv*, since he reduced the width of the ditch to less than 4 *tefachim*. Hence, this section of the ditch is considered a portal between the two *chatzeiros*. [If the board is at least 4 *tefachim* long, the length of this narrowed section of ditch corresponds to the minimum width of a portal (*Rashi*).]



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The Mishnah taught that neighboring balconies that are *זו כנגד זו* may be joined by means of a board stretching from one to the next, implying that two balconies that are *זו שלא כנגד זו* cannot be joined by a board. Now, as explained above, *Rashi* describes the case of *זו כנגד זו* as two balconies from two adjoining residences situated on the same side of a *reshus harabim*, and *זו שלא כנגד זו* as two balconies, alongside each other on the same side of the *reshus harabim*, that are not vertically or horizontally aligned. [Since the connecting board must be placed at an angle, a board even 4 *tefachim* wide is not adequate (*Rashi*), since people are afraid to cross a board that runs at an angle or is inclined (*R' Yehonasan*).]

There is a difficulty with this interpretation, for as stated in the Mishnah (*Shabbos* 96a), one is Biblically prohibited from handing objects (*מושיט*) from one balcony to another so situated. Moreover, even when the Biblical prohibition does not apply (e.g., the object is thrown rather than handed), it is Rabbinically forbidden to transfer objects between two such balconies in all instances. *Pri Megadim* (*Mishbetzos Zahav* 373:1) suggests that in this case one may carry objects from balcony to balcony because the space over the connecting bridge is not considered to be “over the public domain” (although it would then follow that one would not be able to transfer objects through the airspace between the two balconies).

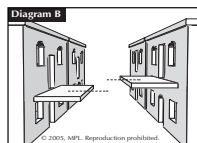
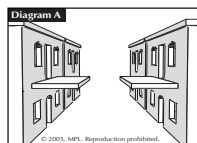
Most other *Rishonim* understand the two cases of *זו כנגד זו* and *זו שלא כנגד זו* as follows: *זו כנגד זו* describes two balconies on two sides of the

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reshus harabim directly opposite each other (see diagram A), and זו זו שלא כנגד זו describes two balconies not directly opposite each other, i.e., they are not at the same height, or are separated on a horizontal plane (see diagram B). Indeed, *Ritva's* version of *Rashi* concurs with this interpretation.



Now, Rava added that the rule that a board does not connect two balconies זו זו שלא כנגד זו is true only when there are at least 3 *tefachim* of space between the balconies. However, if there is not a space of 3 *tefachim* between them, the two balconies are considered one crooked balcony, and the two residences may join in a mutual *eruv* even if the balconies do not face each other precisely. [A board 4 *tefachim* wide would suffice to bridge the gap between the balconies, since people are not afraid to cross at such a slight angle or slope (*R' Yehonasan*).]

A MUSSAR THOUGHT FOR THE DAY

In *A Torah Thought for the Day*, we explained that according to *Rashi*, the Egyptians and the Canaanites were the most deprived of the idolatrous nations. *Kli Yakar* asks: Why would the Torah single out the most deprived nations as the ones whose practices may not be followed? Surely any idolatrous practices are forbidden!

R' Moshe Feinstein (in *Darash Moshe*) notes that the verse does not forbid us from practicing the *depraved acts* (תועבות) that were practiced in Egypt; it simply tells us not to act as the Egyptians and Canaanites did. He therefore understands that the Torah is cautioning us not to make the mistake of thinking that it is permitted to act as the Egyptians did, if we emulate the “good” people among the Egyptians. Rather, we must not follow *any* of the practices of the Egyptians or Canaanites — even the “good” ones.

Why is this so? *R' Moshe* explains that the correct way to avoid falling into sin is not simply to avoid the sinful behavior; one must distance himself from all things that are likely to *lead* to the sin. This is the way that a Jew who serves Hashem must live. The Egyptians and Canaanites, however, had no such aspirants among them. Even their noblest citizens were content with simply attempting to abstain from sin; they did not guard themselves from behavior that would increase their desire to sin.

And, of course, their attempts at refraining from sin were ultimately futile.

Thus, R' Moshe explains, the Torah is telling us: Learn the lesson from the nations that are the most zealous idolaters, and do not even act as the good among them did. For if you will act as they did, and simply avoid sin itself, in the end you will come to be as depraved as they are. According to this approach, we can understand why the Torah singles out Egypt and Canaan, the worst offenders. The Torah focuses on the worst of nations to tell us not to be complacent and sure of ourselves. Once a person relaxes his vigilance and does not guard himself against taking even the first step down the slippery slope that leads to sin, he is in danger of becoming every bit as depraved as the idolaters of Egypt and Canaan. The only way to ensure that one will not succumb to sin is by not emulating the nations at all. Rather, one must always strive to distance himself from places, people, and situations in which his desire to sin might be inflamed.

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HALACHAH OF THE DAY

As we learned yesterday, the Biblical prohibition against *demolishing* applies to acts of demolishing that have constructive purpose. The Sages forbade even purely destructive acts of demolition as well.

For example, one may not break the window of an abandoned vehicle on Shabbos even if there is no beneficial purpose behind the act at all. As another example, one may not break down the door of a locked room on Shabbos. [This is *not* a Biblical violation, however. While a benefit is derived from the removal of the door, the benefit is not from the *destruction* of the door — opening the door without destroying it would accomplish the same objective.] Therefore, the act of destruction is seen as being purely destructive, and is forbidden only by Rabbinic decree.

However, if a young child who is unable to unlock the door becomes locked in a room on Shabbos, it is permitted to break down the door and free the child. The halachah views this as a potentially life-threatening situation; therefore, one may break down the door or take any other action deemed necessary to free the child.

According to most *poskim*, demolishing a structure in order to make use of its components to build another structure elsewhere is forbidden by Rabbinic decree. However, others maintain that this too is Biblically forbidden.

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The *melachah* of *demolishing* is, in essence, the converse of the *melachah* of *building*. It therefore follows that any structure that may not be erected on Shabbos is also subject to the restrictions against *demolishing* on Shabbos. If the erection of a particular type of structure violates Biblical law, its demolition violates the Biblical law as well; if the erection constitutes a violation of Rabbinic decree, the demolition also violates Rabbinic decree. By the same token, a structure that may be built on Shabbos may also be destroyed on Shabbos.

As we have seen in our discussion of the *melachah* of *building*, making improvements to the ground is forbidden on Shabbos. Conversely, one is forbidden as part of the *melachah* of *demolishing* to reverse any improvements that have been made to the ground.

For example, packing down earth in order to create a firm, level pathway or floor is a violation of the *melachah* of *building*. It therefore follows that tearing up the packed-down earth on Shabbos is forbidden as well, for it is a violation of the *melachah* of *demolishing*.

A CLOSER LOOK AT THE SIDDIR

We continue our discussion of the first of the *Sheish Zechiros*, the Six Remembrances, which bids us to remember daily the occurrence of *Yetzias Mitzrayim*, the Exodus from Egypt, by reciting the verse: לְמַעַן תִּזְכֹּר אֶת-יְיָ יוֹם צֵאתְךָ מֵאֶרֶץ מִצְרַיִם כֹּל יְמֵי חַיֶּיךָ. *That you remember the day of your departure from the land of Egypt all the days of your life* (*Devarim* 16:3).

Last week, we discussed the nature of this remembrance, that it is primarily that of the heart, and that it is to be a constant realization. Now we will discuss some of the meanings and implications of the Exodus for the nation and for the individual.

The most basic significance of the Exodus from Egypt is that it is the foundation of our obligation to serve Hashem. When Hashem revealed Himself to the entire nation at Sinai, He introduced Himself, not as the Creator of the heavens and the earth, but as the One Who redeemed us from Egypt. The special relationship between Hashem and the Jewish people does not trace itself to the creation of the world, but to Hashem's acquiring us as His own by redeeming us from servitude. [See *Rashi* to *Shemos* 20:2 with *Re'em* and *Gur Aryeh*; *Ramban* ad loc.]

In addition, the events surrounding the Exodus served at the time as

a refutation of the contentions of those who denied the existence of Hashem or His involvement in the world. When a prophet declares that a certain miracle will occur, and it occurs exactly as foretold, it is clear that there is an All-powerful God, Who by virtue of having created the world is in full control of its every aspect. It also becomes apparent that He takes a great interest in what is happening in this world.

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Now, Hashem will not make such miracles for every generation, or for the benefit of every denier. Instead, He commanded us to perpetuate the memory of these events for all generations and for all times. In this way we will always know His greatness, and the basic tenets of our faith will be clear to all (*Ramban to Shemos 13:16*).

In a different vein, *R' Tzadok HaKohen (Pri Tzaddik, Pesach 24)* writes that this mitzvah is to serve as a source of personal encouragement. There are times when a person finds himself sunk into some impure desire or sin, and feels that he cannot, try as he may, rid himself of it. The more he attempts to stop or disengage from it, the more entrapped he feels. As his situation seems hopeless, he is inclined to simply give up. In this state, it becomes important that he keep in mind the Exodus from Egypt.

The Jewish people in the land of Egypt had sunk to the lowest possible level of impurity — so much so that it was nearly impossible to distinguish between Jew and gentile. And then, suddenly, Hashem pulled them out from beneath all their impurity, and they were free — ready for a new beginning and spiritual greatness.

One must remember that no matter how far he has sunk, and as hopeless as his situation may seem, he has still not descended to the level of his forefathers in Egypt. His spiritual predicament cannot be worse than theirs. He must remind himself of the Exodus and internalize its meaning. He can then look toward the time when Hashem, in His mercy and in His kindness, will simply lift him up, freeing him from his seemingly hopeless state, and allowing him to begin his spiritual ascent anew.

QUESTION OF THE DAY:

Why does the verse repeat the words “you shall not do”?

For the answer, see page 59.

וּשְׁמַרְתֶּם אֶת־הַקְּטִי וְאֶת־מִשְׁפְּטֵי אֲשֶׁר
יַעֲשֶׂה אִתְּכֶם הָאָדָם וְהִי בְּהֵם אֲנִי ה'

*You shall observe My decrees and My laws,
which man shall carry out and by which
he shall live — I am HASHEM (Vayikra 18:5).*

The plain sense of this verse, according to *Ramban*, refers to the framework of Torah laws, spelled out in *Parashas Mishpatim* as well as in other places, that govern the fiscal relationships between people. These include torts, pecuniary measures, and many aspects of civil law (משפטים). It is this part of the legal system of the Torah that ensures the peaceful running of society; hence, these mitzvos are described in this verse as laws *by which [man] shall live*.

Ramban writes that *Chazal* interpreted the “life” mentioned at the end of the verse as the reward for the person who keeps all the Torah’s mitzvos. However, just as each person’s service of Hashem is different, so, correspondingly, is the “life” that he receives. Following is a description of the four levels of reward that *Ramban* lists, with a few added words of explanation from *R’ Dovid Kviat* in his *Succas Dovid*.

- (1) The first level is the reward given to a person who keeps the Torah for the sole purpose of receiving his reward in this world. Although the optimal place for receiving reward is in the World to Come — for all the good of this world cannot measure up to the pleasures of the next world — one who desires his reward in this world is granted his wish. He thus receives his “life” in the form of long years, filled with wealth and honor.
- (2) One who serves Hashem, not for the reward of this world but out of fear of punishment in the next, receives his primary reward in the next world. The conditions of his life in this world will not reflect his good deeds, for the only true place to receive reward for keeping the Torah is in the next world.
- (3) The ideal motivation for serving Hashem is that of love. One who, while involved in all the necessary functions of life, such as planting and reaping, still serves Hashem in the elevated manner that is an outgrowth of love, receives his complete reward in the next world. However, such a person is also granted success in this world. This is not a form of reward for his actions, but the result of the special assistance that Hashem gives to His most loyal servants, to enable them to continue to serve Him in the most complete way.

(4) The highest level of attachment to Hashem results in the most rare and exalted form of “life.” This is one who completely cleaves to his Creator, to the extent that he totally abandons all things worldly, such as earning a living or tending to physical needs, striving only to attach himself in every thought and action to Hashem. This true servant of Hashem elevates his life to such a level that he, as the prophet Eliyahu, rises above the clutches of death. He continues to live, both in body and soul, forever.

The observance of the Torah carries with it the promise of life. As we see from the words of the *Ramban*, the level and quality of that life depends on the level and quality of one’s individual observance.

MISHNAH OF THE DAY: ERUVIN 7:5

The Mishnah teaches the final case involving two neighboring *chatzeiros* separated by a temporary wall, again dealing with the question of whether they may make one joint *eruv* or separate *eruv*:

גְבוּהַ מֵעֶשְׂרֵה טְפָחִים — If a *haystack between two chatzeiros*^[1] — **מֵעֶרְבֵין שְׁנַיִם** — is *ten tefachim high*, it completely separates the *chatzeiros* and **מֵעֶרְבֵין שְׁנַיִם** — *they* (i.e., the residents of the two *chatzeiros*) **מֵעֶרְבֵין שְׁנַיִם** — *may make two independent eruv*, **וְאֵין מֵעֶרְבֵין אֶחָד** — *but they may not make one eruv*.^[2] **אֵלוּ מֵאֲבִילֵין מִכָּאן** — *These* (i.e., the residents of one of the *chatzeiros*) **מֵאֲבִילֵין מִכָּאן** — *may feed* their livestock **מֵאֲבִילֵין מִכָּאן** — *from here*,^[3] **וְאֵלוּ מֵאֲבִילֵין מִכָּאן** — *and those* (i.e., the residents of the other *chatzeir*) **מֵאֲבִילֵין מִכָּאן** — *may feed* their livestock **מֵאֲבִילֵין מִכָּאן** — *from here*.^{[3],[4]} **נִתְמַעֵט הַתֶּבֶן מֵעֶשְׂרֵה טְפָחִים** — *If before the*

NOTES

1. Two adjoining *chatzeiros* are separated by a haystack that runs the entire length of their boundary (*Rashi*).

2. The law of the haystack is identical to the law of a dividing wall — transfer between the two *chatzeiros* is prohibited.

[Although the haystack separates the *chatzeiros* only temporarily, it is nevertheless a valid partition since, at least for the present, the two *chatzeiros* are in fact separate. This is in contrast to Mishnah 3 in which the hay, because it was placed in a trench on a temporary basis, does not invalidate the trench’s status as a partition.]

3. I.e., from their side of the haystack.

4. The residents need not be concerned that their animals will consume so much straw without anyone noticing that the height of the haystack will shrink to below 10 *tefachim* (in which case the two *chatzeiros* become one domain into which none of the residents may carry), since a partition is not considered breached until its height has been reduced to under 10 *tefachim* along a continuous 10-*amah* stretch, and it is highly unusual for an animal to eat so much during one Sabbath (*Rashi*).

Sabbath^[5] *the height of the straw was reduced from ten tefachim*,^[6] מִעַרְבֵינָא אֶחָד — *they may make one common eruv*, וְאִין מִעַרְבֵינָא שְׁנַיִם — *but they may not make two eruvin*. Since a legal breach has been created in the partition, the two *chatzeiros* are considered one area.

NOTES

5. *Rashi*. If the breach occurred on the Sabbath, it is too late for the two *chatzeiros* to make a common *eruv*.

6. Either along a 10-*amah* section of the haystack, or along the entire common boundary of the *chatzeiros* if it is not 10 *amos* long (*Rashi*).

GEMS FROM THE GEMARA

Our Mishnah allowed one to have his animals eat on the Sabbath from a haystack that divides the *chatzeiros*. In the Gemara, Rav Huna qualifies this leniency by saying that the owner may have his animals eat from the haystack only if he does not put straw into his basket and feed them from it. *Rashi* gives two explanations for this. First, in such a case we are concerned that he may unwittingly take too much straw and invalidate the partition; this would combine the two *chatzeiros* into one domain into which none of the residents are permitted to carry, and the residents may unwittingly carry there. However, when the animals feed themselves, they do not generally eat enough to invalidate the partition. Alternatively, the owner himself may not handle the straw because it was designated before the Sabbath as a partition, and so it is *muktzeh*. But the *muktzeh* prohibition does not apply to livestock.

Now, Rav Huna prohibited the owner only from “taking” the straw, implying, however, that one may lead his animal to the straw to eat. Apparently, then, Rav Huna is not concerned that the owner will unintentionally transgress the Rabbinic prohibition against taking the straw. The Gemara questions this from Rav Huna’s own ruling elsewhere that a person may lead his animal to grass on the Sabbath, because we are not concerned that he might uproot the grass for his animal. [As this is the Biblically forbidden *melachah* of קוֹצֵר, *reaping*, we assume that people are scrupulous when a Biblical prohibition is involved, and would not err in this matter (*Rashi*).] But a person may not stand his animal over fodder that is *muktzeh* on the Sabbath [e.g., straw that has been designated for building purposes (*R’ Yehonasan*)]. Since the prohibition of *muktzeh* is only Rabbinic in origin and is perceived to be less severe, we

are concerned that he might be less scrupulous and err, inadvertently handling the *muktzeh* himself. Similarly here, the Gemara concludes its question, since the prohibition of taking the straw from the partition is also only Rabbinic in origin — either because he might thereby invalidate the partition or because the haystack is *muktzeh* — leading an animal to the straw should also be prohibited, because he might come to remove the straw himself.

The Gemara then cedes this point, saying that the Mishnah does not speak of his physically leading the animal to the haystack. Rather, it allows the owner only to stand in front of the animal to block it from going elsewhere, and the animal will go to the straw of its own accord and eat from it. Thus, since he may not actually lead the animal to the haystack, he will not inadvertently handle the straw himself.

The Gemara challenges Rav Huna's qualification (that one may not put straw from the haystack into his basket) from a Baraisa that teaches about a house that is between two *chatzeiros* [and one house from each *chatzeir* opens into this house (*Rashi*)], and it is filled with straw that forms a partition between the two *chatzeiros*. The Baraisa teaches that the residents of the two *chatzeiros* may make two independent *erwin*, but may not make one mutual *eruw*, since there is no connection between them. The Baraisa further teaches that the residents of each *chatzeir* may put straw into their baskets and feed it to their animals, but if the height of the straw was reduced from 10 *tefachim*, the residents of both *chatzeiros* are prohibited from taking more straw. [This is because at a height of less than 10 *tefachim*, the haystack can no longer function as a partition between the two houses. Hence, the entire area of the three houses becomes one large unmerged *chatzeir*, into which the residents of neither house may carry (*Ritva*).]

The Baraisa clearly permits the residents of the *chatzeiros* to put straw into their baskets and feed it to their animals. This contradicts Rav Huna's contention that straw that divides two *chatzeiros* may not be handled!

The Gemara resolves this contradiction by distinguishing between the cases as follows: In the Baraisa's case, it was a house that was filled with straw, and since there is a ceiling, when the haystack becomes diminished it is noticeable, since the space between the top of the haystack and the ceiling increases. Therefore, should the haystack be reduced to a height of less than 10 *tefachim*, people will notice and refrain from removing any more straw, lest they destroy the partition. And according to the alternative explanation of Rav Huna's prohibition (that the straw is *muktzeh* — see above), since only the lower 10 *tefachim* of straw have

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been designated as a partition, people in a house may take from the straw above, which is not *muktzeh*, since they will notice when the 10-*tefach* level has been reached (*Rashi*).

Here, however, in the case of our Mishnah, it is not noticeable when the haystack becomes diminished, since it stands outside and there is no ceiling. Therefore, Rav Huna prohibited the owner from removing the straw by hand, lest the height of the haystack be reduced inadvertently to under 10 *tefachim*.

A MUSSAR THOUGHT FOR THE DAY

People have the impression that *kiddush Hashem* (sanctifying the Name of Hashem) means dying or getting killed for the sake of Hashem. *Rav Elazar Menachem Man Shach* develops the theme, based on the verse וְהָיָה בְּךָ לְחַיִּים, and by which he shall live, that it is no less important, and perhaps even more important, for man to *live* with *kiddush Hashem*.

The Torah values life over death, as we see in the verse cited in *A Torah Thought for the Day*. The *kiddush Hashem* that one must perform with his life is to rise to every occasion, face every obstacle, and live — according to the mitzvos of the Torah.

In a certain sense, to die for a cause is easier than to live a difficult life for it. Throughout history, millions have given their lives for one cause or another. Many of these, however, could not stand up to the challenges of the simplest of their desires. The charge of the Torah is the exact opposite of this. The goal is not to die, but to live one's life with dedication and a readiness to give up whatever he must in the pursuit of adherence to the laws of the Torah.

R' Akiva was killed in an extremely cruel fashion for teaching Torah in public. It is a well-known story: As his flesh was being raked with combs of iron, R' Akiva recited the *Shema*, accepting upon himself the sovereignty of Hashem. His soul left as he said the word *echad*. On the surface, this seems to be a story of supreme self-sacrifice, of willingness to die for Hashem and accept His decree.

However, a careful reading of this narrative in the Gemara (*Berachos* 61b) reveals another angle. "It happened that the time that R' Akiva was led out to be executed was the time for the recitation of *Shema*." R' Akiva did not recite *Shema* as a part of his glorious death for the sake

of Hashem. R' Akiva recited the *Shema* because the appropriate time for its reading had arrived. And in this, as in all other situations in R' Akiva's life, he reacted by fulfilling the commandments incumbent upon him at that time. The Gemara is relating the greatness of R' Akiva, not in his dying, but in his living for the sake of Hashem, even in the most extreme of circumstances.

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A Jew is obligated to keep the Torah's commandments in all situations and at all times. Up to the very end of one's life, one is obligated to keep whatever mitzvos he still can. This is the lesson that we must learn from R' Akiva.

HALACHAH OF THE DAY

Just as one is forbidden to erect a structure upon the ground on Shabbos, so too one may not demolish any structure that has been built upon the ground. The prohibition applies irrespective of whether the structure is attached to the ground or merely standing upon it; and it applies no matter what the style of the structure and no matter what types of materials are used in its construction.

Included in this prohibition would be the destruction of a wall, fence, or even the removal of a protective border around a garden that has been created out of bricks or pavers firmly set in place in the ground. Just as is true of the prohibition against *building*, it is forbidden to destroy a structure built upon the ground even if the components of the structure are not tightly joined.

Removing objects that are attached to a structure is likewise forbidden under the *melachah* of *demolishing*. Even if the objects are only loosely attached to the structure — for instance, a doorknob assembly that has become loose — their removal is a violation of Biblical law. If, however, the items being removed are entirely unsecured, their removal is a violation of Rabbinic law only.

There are cases where the removal of an item attached to a structure is permissible. The prohibition of *demolishing* does not apply to the removal of an object whose normal use entails detaching it from and reattaching it to the structure. Detaching such an item is not an act of *demolishing*, for it simply represents the normal use of this item and is therefore permissible.

For example, one may remove the spring-loaded holder that holds a roll of bathroom tissue in place on its dispenser. Since the tube is meant

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to be removed and replaced, removing it does not constitute an act of *demolishing*, and, as we have stated previously, replacing it is not a violation of *building*.

Something that is attached to a structure only in a flimsy manner is not seen as truly being a part of the structure, and it therefore may be removed from the structure on Shabbos. For example, we have stated previously that a curtain may be hung on Shabbos in order to divide a room provided that it is held in place only on top and not on the bottom. Since the curtain may be hung on Shabbos without violating the *melachah* of *building*, on account of its not being seen as truly attached to the structure, it may also be removed on Shabbos without violating the *melachah* of *demolishing*.

A CLOSER LOOK AT THE SIDDIR

During the Days of Repentance, and especially on Rosh Hashanah and Yom Kippur, we repeatedly pray to merit being judged for “life.” Primary among these prayers is the *זְכַרְנוּ לְחַיִּים* request added to the first blessing of the *Shemoneh Esrei*: *זְכַרְנוּ לְחַיִּים מִלֶּךְ הַפֶּיץ בְּחַיִּים*: *Remember us for life, O King Who desires life; and inscribe us in the Book of Life, for Your sake, O Living God.* R’ Moshe Chaim Luzzato explains that the “life” we pray for in this short prayer is not favorable circumstances (such as riches and prosperity) in the life of this world. Here we are asking that we be counted among the righteous who are inscribed in the Book of Life (see *Rosh Hashanah* 16a).

This, however, is difficult to understand. How can one request to be designated as a righteous person and be inscribed as such, if he is in fact not righteous? And if he already falls into that category, why must he pray to be so inscribed? R’ Chaim Friedlander (in his *Sifsei Chaim*) answers this question in his detailed explanation of this prayer.

זְכַרְנוּ לְחַיִּים, *Remember us for life* — We ask to be remembered, not for the transient “life” of the physical world, not even for the illusory “life” of keeping the Torah out of habit, but for a true life — a life filled with behavior in accordance with our full recognition of our responsibilities, and in the light of genuine fear of Heaven.

Our honest plea for life of this quality is in itself cause for Hashem to define our spiritual essence as being among the *tzaddikim*.

זְכַרְנוּ לְחַיִּים, *Remember us for life* — We want to live the kind of

life that our King would desire us to live. This is a life lived to bring increased honor to His Name.

וְנִכְתְּבֵנוּ בְּסֵפֶר הַחַיִּים, *And inscribe us in the Book of Life* — As a result of this very request to live life in such a manner, inscribe us in the Book of those who are truly considered alive — the righteous.

לְמַעַנְךָ, *for Your sake* — Just as a soldier receives all his needs from the army in which he serves, for his life is in the service of his king, so do we ask to receive a full measure of spiritual and even physical assistance, for we wish to live our life for Your sake.

אֱלֹהִים חַיִּים, *O Living God* — We stress that we wish to receive life only from the true Source of life — Hashem. A person may be granted the power and ability to rebel against Hashem, as part of his free will. Thus, we proclaim that we want nothing at all to do with “life” from these sources. We reject such a life, for Hashem does not desire that life. Our sole purpose is to receive from, and live for, the Living God.

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QUESTION OF THE DAY:

What practical halachah do we learn from the words נָחִי בָהֶם, and by which he shall live?

For the answer, see page 59.

A TORAH THOUGHT FOR THE DAY

וּשְׁמַרְתֶּם אֶת־מִשְׁמַרְתִּי לְבַלְתִּי עֲשׂוֹת מַחְקוֹת הַתּוֹעֵבֹת
אֲשֶׁר נַעֲשׂוּ לְפָנֶיכֶם וְלֹא תִטְמְאוּ בָהֶם אֲנִי ה' אֱלֹהֵיכֶם

You shall safeguard My charge not to do any of the abominable traditions that were done before you and [you shall] not contaminate yourselves through them; I am HASHEM your God (Vajikra 18:30).

As *Rashi* explains, this verse is addressing the courts and commanding them to enact safeguards around the laws of the Torah, to prevent any transgression. For example, to distance a person from any of the forbidden relationships, the Sages forbade a number of relationships that are even further removed than those listed in this chapter.

Ohr HaChaim explains that these safeguards are important because without them one may come to violate one of the laws of the Torah unintentionally. And, while a person is not punished for his unintentional violations, he is affected by them. This is explained in the end of the verse: *and [you shall] not contaminate yourselves through them.* I.e., the actions themselves, however they are done, cause you to be impure.

The verse's conclusion, *I am HASHEM your God*, underscores this message. It is only when we are free from any form of immorality that Hashem identifies His Name with us. In the presence of immorality, intentional or not, the Divine Presence cannot remain.

Another explanation of the function of these safeguards is offered by *Alshich*. Often, the desire of a person for that which is forbidden is not primarily based upon the item that is prohibited *per se*. It is rather the very fact that it is *forbidden* that is so attractive. [This thought is expressed in the verse (*Mishlei* 9:17): מֵיִם־גְּנוּבִים יִמְתְּקוּ; *Stolen waters are sweet.*] Therefore, the Sages set up other prohibitions that one will encounter before violating the actual Torah prohibition. In this way, even if a person will be unable to control himself, he will be "satisfied" with the violation of the Rabbinic prohibition and will not need to proceed to the actual sin.

Thus, the verse reads as follows: *You shall safeguard My charge*, i.e., you shall enact Rabbinic prohibitions surrounding the actual sins; [so that] *you will not come to do any of the [actual] abominable traditions.*

One may claim that such enactments will not be enough to prevent a sinner from violating even the Torah laws. To this claim, the verse responds: *You will not contaminate yourselves through them;* you are assured that as a result of enacting such legislation and creating distance between yourselves and the actual prohibitions of the Torah, you will not fall prey to these sins. For, *I am HASHEM your God*, and those who fear Me I will protect from sin.

The Mishnah now discusses the particulars of making a *shitufe mevot*. One way to accomplish this is to collect adequate amounts of food from each household in each of the courtyards. Obviously, this is a very cumbersome procedure, and so the Mishnah considers a more practical solution:

מניח — *How do we make a shituf for a mavoi?*^[1] **בני מבו** — *One places a barrel*, containing his own food,^[2] **את החבית** — *and declares*, “*Let this belong to all the residents of the mavoi,*” **על** — *and he confers ownership upon them*^[3] **ועל ירי עבדו** — *through his adult son or daughter*,^[4] **ושפחתו העברים** — *or through his Jewish manservant or maidservant*,^[5]

NOTES

1. I.e., what is a practical way of establishing a *shituf*?
2. The barrel contains an amount sufficient for everyone's contribution. [The required amount will be discussed in the Mishnah below (7:8).] In order to satisfy the requirement that each resident own his share of the *shituf*, he transfers ownership to them in the manner described below.
3. The formal act of taking possession consists of transferring an object from the hand of the current owner to the hand of the recipient or his proxy. The current owner cannot be the proxy for the recipient, since physically placing the object into his own hand is not considered a legal transfer from the hand of one person to the hand of another. As will be seen below, certain other people, such as the young children of the current owner who are still under their father's control, are also disqualified from acting as a proxy, for their “hand” is considered the “hand” of the owner. Since a man does not have monetary control over his adult children, they may act as proxies vis-a-vis their own father (see *Meiri*). Actually, anyone may serve as the proxy — not only the people mentioned here. These are mentioned only in contradistinction to those categories disqualified in the second part of the Mishnah.
The act of transferring ownership of the *shituf* consists of a declaration by its owner to the proxy, charging him to accept the *shituf* and to confer its ownership upon all the residents of the *mavoi* (*Rashi*), and of the proxy's lifting the barrel 1 *tefach* from the ground (Gemara below).
4. There is a dispute between Amoraim (*Bava Metzia* 12b) whether even an adult child is considered subject to his father's monetary control (regarding some aspects) if his board is provided by his father. The *Rishonim* differ as to whether the Amoraic dispute has any relevance concerning *eruv* law. Some assert that according to all Amoraim an adult child may confer ownership, even if he is dependent on his father for his board (see *Tosafos* and *Ritva* here; *Beis Yosef Orach Chaim* §366). In addition, there is some dispute as to the precise age of majority for a girl, relevant to this law (see *Tosafos* ומוכה בדין).
5. A Jewish servant is not the common property of his master, but is more like an indentured servant. Therefore, although one has placed himself in servitude, he nevertheless retains legal control over his own possessions.

אֶבֶל אִינוּ מְזוּכָה — *or through his wife.*^[6] לֹא עַל יְדֵי בְנוֹ — *But he may not confer ownership through his minor son or daughter,* וּבִתּוֹ הַקְטָנִים — *through his minor son or daughter,* וְשִׁפְחָתוֹ הַכְנַעֲנִים — *or through his Canaanite slave or slavewoman,*^[7] מִפְּנֵי שְׂדֵדָן בְּיָדוֹ — *because their hand is like his hand,* and he cannot confer ownership of the *shituf* upon the other residents of the *mavoi* if it is still under his control.

NOTES

6. Although the husband exercises some control over his wife's possessions, this is not sufficient to preclude her from acquiring the *eruv* food for others.

The Talmud (*Nedarim* 88b) implies that the status of a wife in regard to this law is the subject of a disagreement between R' Meir and the Sages. The halachah is also in question, as some authorities rule in accordance with R' Meir and others with the Sages. Both views are represented in *Shulchan Aruch* (*Orach Chaim* 366:10); see also *Tosafos* ועל ד"ה ועל *Tosafos*.

7. The term "Canaanite" embraces slaves of all nationalities. According to Torah law, the master owns all his slave's belongings. Since whatever the slave acquires automatically reverts to his master, the donor cannot use his own slave as the proxy since that is the equivalent of being the proxy himself.

GEMS FROM THE GEMARA

Our Mishnah stated that food donated for a *shituf* must be acquired by the other residents of the *mavoi* through a proxy. The Gemara (80a) cites a dispute regarding this matter.

Rav (who has the status of a *Tanna*, and therefore has authority to disagree with the opinion of a Mishnah or Baraisa) said that someone donating food for a *shituf* does not need to confer ownership upon the other residents. [Rav maintains that since without a *shituf* the owner would not be permitted to carry into the *mavoi*, the owner definitely resolves to make a unilateral transfer of ownership to the other residents of the *mavoi*, thereby obviating the need for a formal act of acquisition (*Rashi*.)] But Shmuel said that he must confer ownership upon the other residents (as indicated by our Mishnah).

In regard to food donated for an *eruv techumin*, the Gemara says that these two opinions are reversed: Rav said that he must confer ownership upon each beneficiary of the *eruv*; since an *eruvei techumin* benefits each of its owners individually, the donor is unaffected by his neighbors' status vis-a-vis the *eruv*. Hence, he is not motivated to confer ownership upon the others unilaterally, as in the case of *shituf* (see previous paragraph),

and so a formal acquisition is necessary to entitle the others. But Shmuel said that he does not need to confer ownership. *Tosafos* (ר"י רב) advance three explanations of Shmuel's opinion: (1) Joining in a *shituf* involves a quasi-acquisition of another's domain, whereas joining in an *eruvei techumin* does not. Hence, in the case of *shituf* the donor must actually confer ownership upon the other residents, while in the case of *eruvei techumin* that is not necessary. (2) Since an *eruvei techumin* may be made only to facilitate the performance of mitzvos outside of the *techum* (see *Erubin* 31a), the donor is definitely willing to transfer ownership in the *eruv* to enable others to perform mitzvos. (3) Since a donor cannot compel others to accept membership in an *eruvei techumin* (since perhaps they wish to go in other directions on the Sabbath), the expression of their desire to be included serves in lieu of a formal act of acquisition.

For all practical purposes, Rav Nachman rules, on the basis of an accepted tradition from our teachers, that the donor must formally confer ownership of the food upon the people for whom the *eruv* or *shituf* is made, in the cases of *eruvei techumin*, *eruvei chatzeiros* and *shitufei mevo'os*.

The Gemara questions whether a donor of food for an *eruvei tavshilin* must also formally transfer ownership. [According to Biblical law, one may cook and make other preparations for the Sabbath on Yom Tov, just as one may prepare on that day for the Yom Tov itself. However, as a preliminary to preparing for the Sabbath on Yom Tov, the Sages required that one set aside a special dish before Yom Tov. This dish serves a symbolic function and is called תְּבַשְׁלִין, *eruvei tavshilin* (lit., *blending* or *mingling of dishes*).]

The Gemara notes that in this case Shmuel presents an undisputed opinion — when one wishes to donate food for an *eruvei tavshilin*, he must confer ownership upon each of the people for whom the *eruv* is being made.

A MUSSAR THOUGHT FOR THE DAY

The second “gate” of *Shaarei Teshuvah* (Gates of Repentance) by *Rabbeinu Yonah* arranges the various Torah laws into ten levels of severity, ranging from the Rabbinic enactments to safeguard the Torah, to the most severe — those that carry the penalty of losing one's portion in the World to Come.

In explaining the first, and apparently least severe, of the levels, *Rabbeinu Yonah* explains that in fact there is an aspect of Rabbinic law that is more severe than the actual Torah law. *Chazal* tell us that one who violates the words of the Sages is liable to death (imposed from Heaven), while many Torah prohibitions do not carry such a penalty. There are two points that make the willful violator of the words of the Sages worse than one who violates a Torah law.

First of all, one who violates a commandment of the Torah generally does so under the influence of his *yetzer hara* (evil inclination), which succeeded in causing him to sin. After he has sinned, and the desire has faded, he will usually regret his actions and feel bad about what he did. This is not so with one who violates Rabbinic law. Usually, one who willfully transgresses these laws does so out of disregard for the importance of the words of the Sages. He either does not appreciate, or does not believe in, the gravity of these prohibitions, and therefore does not trouble himself to fulfill them. With these actions he puts himself into the same category as the *zakein mamrei*, who rebels against the ruling of the *Sanhedrin* and is liable to the death penalty.

Second, a person who violates Rabbinic law is generally not inclined to repent his actions or desist from them in the future, while one who fell into a Torah sin will usually try to rectify what he has done or at least abstain from such sins in the future. Thus, through repetition, the Rabbinic violation, albeit less severe, can become more severe than the once-violated Torah prohibition.

There is another aspect to the special status that these enactments have. Just as a person makes fences around the parts of a field that are most dear to him, the Sages have made “fences” around the laws of the Torah to protect that which is most dear to us — the laws of the Torah. When one is careful to avoid something that may bring him to violate a Torah law, he is demonstrating his fear of Heaven, which is the foundation for all the mitzvos in the Torah. The reward for one who keeps these mitzvos is therefore commensurate with the reward for the all-encompassing mitzvah of fearing Hashem.

QUESTION OF THE DAY:

*According to some Rishonim,
what mitzvah finds its source in this verse (18:30)?*

For the answer, see page 59.

HALACHAH OF THE DAY

פרשת
אחרי

SHABBOS

PARASHAS
ACHAREI

As we taught in regard to the *melachah of building*, large utensils are seen by halachah as having the same law as structures that have been built upon the ground. It therefore follows that just as one may not demolish a structure even if its components are not tightly joined together, so too it is forbidden by Biblical law to disassemble a large utensil even if its components are not tightly joined together.

For example, one may not remove the sliding door of a large bookcase from its track on Shabbos. Since such a bookcase is treated by halachah in the same manner as a building, the removal of the loose-fitting door is a violation of the *melachah of demolishing*.

One who assembles a small utensil whose components are tightly joined together also violates the *melachah of building*. The converse is therefore also true — one who disassembles a small utensil of this type violates the *melachah of demolishing*. For example, one may not unscrew the the head of a broom from its broomstick. One who does this in order to reattach the head in a tighter, more effective way, violates the Biblical prohibition against *demolishing*, since the act is being done for a constructive purpose.

Just as is the case in regard to the building of small utensils, there are cases where small utensils may be disassembled on Shabbos. A utensil whose parts are not made to be tightly joined together may be disassembled on Shabbos. Since the parts of the utensil are never firmly attached one to the other, they are not regarded as comprising a single object; the *melachah of demolishing* therefore cannot apply to such a utensil. Examples of this would be the removal of a pendant from its necklace, or the removal of a loose-fitting door from a small curio cabinet.

Many *poskim* maintain that where a utensil's normal use involves its being assembled and disassembled, one may disassemble it even though its parts have been tightly assembled. For example, one may unscrew the top of a salt shaker in order to refill it, since this is done in the course of the normal use of the shaker.

A CLOSER LOOK AT THE SIDDIR

We continue our study of some of the *zemiros* that are sung at the Friday night meal.

One of the *zemiros* that is somewhat less well-known is the *zemer* of

לְיִשְׂרָאֵל, יוֹם זֶה לְיִשְׂרָאֵל, *Yom Zeh L'Yisrael*. Some attribute it to *Arizal*, based on the fact that the acrostic of the six stanzas most commonly included in the *zemer* spells Yitzchak, followed by ל"ח which some translate as *Luria*, *Chazak* (the *Arizal's* name was R' Yitzchak Luria, and *Chazak* [May he be strong!]) was commonly appended to such signatures). Indeed, later versions of the song have

additional stanzas, filling in the acrostic so that it reads *Yitzchak Luria Chazak*. However, this *zemer* is written in Hebrew, which militates against its having been written by *Arizal*, who composed mainly in Aramaic.

The *zemer* begins by focusing on the special nature of the Sabbath day, from its ability to soothe pained souls through its festive meals, to the presence of the *neshamah yeseirah*, "the additional soul" that every Jew receives on the Sabbath.

Then, the *zemer* speaks of the great reward in store for those who observe the Sabbath. It states: אֲזַכֶּה דוֹד מְלוּכָה אִם שָׁבַת אֶשְׁמְרָה, *I will merit royal glory if I keep the Sabbath*. This is possibly a reference to the coming of Mashiach, in line with the well-known Midrash stating that proper observance of the Sabbath by the entire Jewish nation can trigger the ultimate redemption. The *zemer* then continues: אֶקְרִיב שֵׁי לְמוֹרָא מִנְהוּהָ מְרֻקְהוּהָ, *I will bring near a tribute to the Fearsome One, a perfumed minchah-offering*. This is a reference to the passage in *Tehillim* (Ch. 76) where Dovid HaMelech states that Hashem will punish the nations who disobey Him. In gratitude for being spared Hashem's wrath, one will bring an offering to *the Fearsome One*, Who causes all those who are evil to fear His retribution. Since this retribution will occur upon the ultimate redemption, which in turn can be brought about by the observance of the Sabbath, the *zemer* connects them in this stanza.

In the closing of the standard version of this *zemer*, we conclude with a plea: חֲדַשׁ מִקְדָּשֵׁנוּ וְזָכְרָה גְּהָרָבָת, *Renew our Sanctuary, and remember the destroyed (city of Jerusalem)*. We ask that this boon be granted to: גְּעַצְבָת יוֹשֶׁבֶת בְּזִמְר וּשְׁבָחָה, *the saddened one who (nevertheless) spends the Sabbath in song and praise*. Although we are currently in exile, the joy of the Sabbath is for us a ray of light, which we must use as a window to the redemption of the future. And we ask Hashem, in the merit of our not losing hope, to bring the redemption soon.

ANSWERS TO QUESTIONS OF THE DAY

Sunday:

Hashem “appears” in the cloud created by the incense offered by the Kohen Gadol (*Rashi*).

Monday:

The atonement of the *chatas* goat applies to sins involving the *Beis HaMikdash* and the *korbanos*, while the atonement of the Azazel goat is more inclusive.

Tuesday:

Sins that are committed only before Hashem — that is, in private — can always receive atonement on Yom Kippur. For sins done in public, however, if they involve desecration of Hashem’s Name, Yom Kippur alone does not atone (*Panim Yafos*).

Wednesday:

If he requires the meat immediately, he should be given the nonkosher meat; if he can wait, the animal should be slaughtered for him (*Orach Chaim* 328:14).

Thursday:

The repetition forbids doing both the things that you have already seen (from the Egyptians), and the things that you will see in the future (from the Canaanites).

Friday:

We learn that a danger to life overrides the Sabbath, for one should not die in order to observe a mitzvah (with the exception of the three cardinal sins).

Shabbos:

This verse is the source for the mitzvah to make safeguards to protect ourselves from transgressing the Torah’s laws (see *Ramban* and *Sforno*).