

פרשת צו

*Parashas Tzar*

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A TORAH THOUGHT FOR THE DAY

צו אֶת־אֶהְרֹן וְאֶת־בָּנָיו לֵאמֹר זֹאת תִּזְבַּח הָעֹלָה הוּא הָעֹלָה עַל  
מוֹקְדָה עַל־הַמִּזְבֵּחַ כָּל־הַלַּיְלָה עַד־הַבֹּקֶר וְאֵשׁ הַמִּזְבֵּחַ תִּוְקַד בּוֹ

*Command Aharon and his sons, saying:*

*This is the law of the olah-offering:*

*It is the olah-offering [that stays] on the flame,  
on the Altar, all night until the morning, and the fire  
of the Altar shall remain aflame on it (Vayikra 6:2).*

While most mitzvos of the Torah are preceded by Hashem's order to Moshe to "speak" or "say" to the Jews, here, regarding the *korban tamid*, the twice-daily *olah*-offering, that is not the case. In a rare departure from the standard phraseology, Hashem tells Moshe **צו**, *command*, the Kohanim.

*Toras Kohanim (Tzav 1:1)* explains the stronger term of "command" as an expression of encouragement to the Kohanim, and cites R' Shimon as saying that the Torah uses this phrase whenever the fulfillment of a commandment involves a monetary cost.

The commentators offer several explanations as to what the monetary cost referred to by R' Shimon might be. Some say that, as opposed to the other sacrifices where a portion of the meat is given to the Kohen, in the case of an *olah*, the Kohen receives only the hide. Although he must perform the same work as he does by other sacrifices, he receives less in return.

R' Eliyahu Mizrachi, one of the foremost elucidators of *Rashi*, contends that the monetary cost actually refers to the extra exertion and bother involved in the mitzvah of *terumas hadeshen*, the separation of the ash, that was performed before the daily *tamid* (which was an *olah*-offering). In the preparation for the *tamid*-offering every morning, a fistful of ash was removed from the mound on the Altar and placed at its side. The Kohen who did this had to change into special clothes, and then change back into his regular garments when he was finished. This extra time, asserts R' Eliyahu Mizrachi, is what R' Shimon referred to when he spoke of financial cost.

Another explanation, offered by *Maharal*, is that the "cost" is referring to the *avodah* of the *Beis HaMikdash* as a whole. Since the Kohanim were busy there all day, they had no time to pursue a living.

*Ramban* suggests that the cost might refer to the requirement for every newly ordained Kohen to bring a one-time *minchah*-offering (see *Vayikra* 6:12-15).

*Ohr HaChaim* rejects all the above as “far from my eyes,” and offers two original interpretations. In subsequent verses, says *Ohr HaChaim*, the commandment that the fire “shall burn on the Altar” is repeated three times. The Gemara (*Yoma* 45a) expounds this as teaching that many fires were to constantly burn on the Altar. Depending on the Tanna, two, three, or four fires — with an extra one on Yom Kippur — burned around the clock, regardless of the amount of *korbanos* that needed to be consumed. The extraordinary cost of supplying wood for these fires, avers *Ohr HaChaim*, is what R’ Shimon meant by monetary cost.

An alternative explanation by *Ohr HaChaim* explains the cost as stemming from the halachah (see *Toras Kohanim* 2:10) that no other offering was permitted to be brought on the Altar prior to the *tamid*. Many disparate financial losses can result from this law, says *Ohr HaChaim*. For example:

- (1) With respect to the halachah that animals are disqualified from most *korbanos* at the age of one year, a law unique to offerings counts that year from minute to minute. So if the year is nearly over, and then the person bringing his nearly-year-old animal is delayed for an additional hour while the *tamid* is brought, he must absorb a loss, as he must fulfill his obligation with another animal, while the first one is still prohibited from personal use.
- (2) Perhaps the most dramatic example of paying an exorbitant sum for the *tamid* was during the siege of Jerusalem in the Second Temple era. The Jews would lower a basketful of golden *dinars* over the city walls for every sheep that the besieging Romans gave them. The Jews would not have expended such resources, maintains *Ohr HaChaim*, if not for the halachah forbidding the offering of other *korbanos* before the offering of the *tamid*.

## MISHNAH OF THE DAY: ROSH HASHANAH 1:7

The Gemara (*Sanhedrin* 27b-28a) derives from Scripture that a father and son, as well as certain other close relatives, are ineligible to testify together before *Beis Din*. The Mishnah discusses whether this is applicable to testimony that is offered regarding the sighting of the new moon:

אב ובנו שראו את החדש — *A father and son who saw the new moon*

together **וְלֹכֹו** — *should go to Beis Din.* **לֹא שִׁמְעֵטְרִין** — This is *not because one may join with the other* to provide testimony, since close relatives are invalid to testify together, **אֲלֵא שָׂאָם וּפְסָל אֶחָד מֵהֶן** — *but rather, so that if one of them will be disqualified, the other can join with a different witness.*<sup>[1]</sup> **רַבִּי שִׁמְעוֹן אוֹמֵר** — *R' Shimon says:* **אָב וּבָנוּ וְכָל הַקְּרוֹבִין בְּשֵׁרִין לְעֵדוּת הַחֹדֶשׁ** — *A father and son, as well as all relatives, are eligible to testify together about the new moon.*<sup>[2]</sup> **אָמַר רַבִּי יוֹסִי** — *R' Yose said:* **מַעֲשֵׂה בְּטוֹבִיָּה הַרּוֹפֵא** — *It once happened to Toviah the doctor* **שָׁרְאָה אֶת הַחֹדֶשׁ בִּירוּשָׁלַיִם הוּא וּבָנוּ וְעַבְדּוֹ** — *that he saw the new moon in Jerusalem together with his son and his freed slave.*<sup>[3]</sup> **וְקִבְּלוּ הַכֹּהֲנִים אוֹתוֹ וְאֶת בְּנוֹ** — *And the Kohanim accepted him and his son as witnesses, in accordance with the view of R' Shimon,* **וּפְסָלוּ אֶת עַבְדּוֹ** — *but disqualified his slave.*<sup>[4]</sup> **וּבִשְׁבָּאוּ לִפְנֵי בֵּית דִּין** — *However, when they came before Beis Din,* **קִבְּלוּ אוֹתוֹ וְאֶת עַבְדּוֹ וּפְסָלוּ אֶת בְּנוֹ** — *they accepted him and his slave, but disqualified his son.*<sup>[5]</sup>

NOTES

1. That is, perhaps one of them will be disqualified through the interrogation process (*Rashi*). Therefore, we require both of them to travel to *Beis Din*, to increase the possibility of ultimately having one eligible witness. Should an additional eligible witness appear, there would then be two eligible witnesses to testify before *Beis Din*.

According to *Tosafos* (22b), the Mishnah teaches here that the dispensation of desecrating the Sabbath for the sake of the new moon testimony extends to permit two relatives to travel to *Beis Din* even on the Sabbath.

2. Although R' Shimon agrees that in other matters relatives are ineligible to testify together, his opinion is that *Kiddush HaChodesh* is different. He derives this from the verses in *Shemos* 12:1,2: **וַיֹּאמֶר ה' אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן . . . הַחֹדֶשׁ הַזֶּה לָכֶם** . . . *HASHEM said to Moshe and to Aharon . . . This month shall be for you.* R' Shimon interprets this to mean: *עֵדוּת זוֹ תִּהְיֶה בְּשֵׁרֵי בְּכֶם*, *this testimony* (i.e., about the new moon) *is valid through you* [i.e., you — Moshe and Aharon — are eligible even though you are brothers] (*Rav*).

3. The freed slave referred to here had been an *עַבְדֵי כְּנַעֲנִי*, *Canaanite slave*, who, when freed, attains the status of a Jew regarding all laws other than those for which Jewish lineage is a prerequisite.

4. They disqualified his slave, for they derive from Scripture that one must be of Jewish lineage in order to testify about the new moon (see *Tosafos*).

5. The *Beis Din* followed the opinion of the Tanna Kamma above and thus did not allow Toviah and his son to testify together. In addition, they disagree with the opinion of the Kohanim regarding slaves and permit a freed slave to testify about the new moon, although he is not of Jewish lineage.

The Mishnah cited a dispute between the Tanna Kamma and R' Shimon as to whether two closely related individuals are eligible to testify together regarding the sighting of the new moon. The Gemara discusses the final ruling in this dispute:

Rav Chanan bar Rava said: The law is in accordance with the view of R' Shimon that testimony of relatives may be combined.

R' Huna questions this ruling:

R' Huna said to Rav Chanan bar Rava: Here our Mishnah cites R' Yose, who argues with R' Shimon, and the Mishnah subsequently corroborates R' Yose's view with an incident, and you say that the law is in accordance with R' Shimon?!

Rav Chanan bar Rava responds to this question:

He said to Rav Huna: But there were many times that I said before Rav that the law is in accordance with the view of R' Shimon, and he did not say anything to me. Now if, as you assert, the law is in accordance with the view of R' Yose, surely he would have corrected me!

Rav Huna suspected that there had been a misunderstanding:

He said to Rav Chanan bar Rava: How did you cite the Mishnah before Rav? That is, when you stated the halachah before Rav, how did you cite our Mishnah — which Tanna permits relatives to testify together and which Tanna does not? (*Rashi*).

Rav Chanan bar Rava replies:

He said to R' Huna: I cited it the other way around. [That is, I attributed the opinion that relatives may testify together to R' Yose, and the opinion that they may not to R' Shimon. Rav Chanan bar Rava did not actually *say* that he cited it the opposite way. Such a statement would imply that Rav Chanan bar Rava knew that he attributed the opinions in the opposite manner than was generally accepted. But obviously Rav Chanan bar Rava did not know this, for if he did, he would have realized why Rav did not correct him. Rather, he answered Rav Huna that *his version* of the dispute was that R' Yose was of the opinion that relatives *may* testify together, and R' Shimon's opinion was that they may not (see *Rashbam* to *Bava Basra* 65a).]

Based upon R' Chanan bar Rava's response, Rav Huna continued to challenge him. Rav Huna showed that Rav's lack of response was not a manifestation of tacit approval that relatives may testify together:

He said to R' Chanan bar Rava: That is why Rav did not say anything to you! You actually said to Rav that the law accords with the view of

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R' Yose (that relatives are ineligible), which you reported as being the view of R' Shimon. Therefore Rav did not correct you, for he too rules that the law accords with the view of R' Yose (*Rashi*).

The Gemara concludes with a ruling:

Tavi the son of Mari Tavi said in the name of Mar Ukva, who said in the name of Shmuel: The law is in accordance with the view of R' Shimon, that relatives are eligible to testify together about the new moon.

[The *Rishonim* (*Rabbeinu Chananel*; *Rambam, Hil. Kiddush HaChodesh* 2:1; *Meiri* et al.) rule that the halachah does not accord with R' Shimon, and relatives are ineligible to testify together regarding the sighting of the new moon. This ruling seems to oppose the conclusion of the Gemara here. For a resolution of this difficulty, see *Mefareish* on *Rambam, Hil. Kiddush HaChodesh* (ibid.).]

## A MUSSAR THOUGHT FOR THE DAY

The Gemara (*Avodah Zarah* 3a) refers to the mitzvah of *succah* as a מצוה קלה, *easy mitzvah*, and *Rashi* explains this to mean that there is no need to spend money to fulfill it, presumably because the walls can be made from any substance and the *schach* comes from readily available material. Matzah, too, is inexpensive, as it is termed *lechem oni*, a bread of affliction and poverty. However, nowadays the holidays related to both these mitzvos (*Succos* and *Pesach*) often involve the outlay of significant sums of money.

The *navi* (*Yeshayah* 52:3) declares: כִּי־יָבֹה אָמַר ה' הַנֶּחֱמָה נִמְכַּרְתֶּם וְלֹא בְכֶסֶף תִּגְאָלוּ, *For thus said HASHEM: For naught you were sold, and without money you will be redeemed*. The term *naught* (*chinam*), explains *Rashi*, is a reference to the *yetzer hara*, which comes along with a person at birth, without charge.

A more in-depth understanding of this *Rashi* may be obtained by seeing how *Zohar* (2:128a) describes the *yetzer hara* and its methods. The weapons of the [*yetzer hara*] are effective against things that are free of charge, avers *Zohar*: "Therefore, [the *yetzer hara*] has no control over mitzvos performed with large sums of money."

R' Chaim Vital writes that his mentor, R' Yitzchak Luria, known by the acronym *Arizal*, never bargained over the price of an *esrog* or in the purchase of any other mitzvah article. The more money that *Arizal* paid in his observance of the mitzvah, explained R' Chaim Vital, the more secure he was in the knowledge that it was done according to

the will of Hashem. *Arizal* felt that the monetary burden incurred in the performance of a mitzvah loosens the hold the *yetzer hara* might have over it.

Thus, it can be said that the heavy expenses that crop up before every Yom Tov can actually be considered gifts from Hashem, since they allow the person the opportunity to wrest the Yom Tov from the grasp of the *yetzer hara*, by lavishing the funds that Hashem has given him upon fulfillment of His mitzvos.

A totally different approach to the role that money plays in keeping the spiritual mitzvos pure and holy is suggested by *Kli Yakar* (6:2). He writes that lack of funds cause a person to lose his *menuchas hanefesh*, peace of mind; if a person is worried because of monetary woes or because creditors are hounding him for outstanding debts, then he will not have the presence of mind to do the mitzvos in the proper way. It will be easier for distracting thoughts to creep into his mind, tainting his performance of the mitzvos. On the other hand, if a man has no troubles with debts or bills, then his heart is at peace, his mind is clear, and he has the *menuchas hanefesh* to perform the mitzvos properly.

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## HALACHAH OF THE DAY

As we have learned, *bitul b'rov* is effective in instances where the nonkosher food is similar in taste to the kosher food into which it has become mixed. If, however, the taste of the nonkosher food is noticeable in the mixture, we then encounter the principle of *taam k'ikar*. *Taam k'ikar* dictates that the entire mixture infused with nonkosher taste is to be considered nonkosher material. Thus, the nonkosher substance can no longer be nullified by the majority of kosher material, for all the material is now viewed by halachah as constituting nonkosher material.

Consequently, in mixtures where the taste of the nonkosher matter is discernible within the mixture, *bitul* is effective only if, in addition to nullifying the physical nonkosher matter, its taste is nullified as well. Torah law mandates that in order to legally nullify prohibited taste, a ratio of sixty parts of permissible material to one part of prohibited taste-bearing material is required. This form of *bitul* is known as *bitul b'shishim*.

By Torah law, *bitul b'shishim* is required when the following two conditions are present: First, the mixture under consideration is one

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formed of items with dissimilar tastes — *מִיֵּן בְּשֵׂאִינוּ מִיֵּנוּ*, so that the taste of the prohibited item is noticeable; and second, we are dealing with either a mixture of liquids, or of solids that have been blended or cooked together. If, however, we are faced with a mix of similar-tasting items, or we are dealing with cold solids that have been neither blended nor cooked together, the foods will not impart discernible taste to one another and, per Torah law, *bitul b'rov* (a simple majority) will suffice.

The Sages, however, extended the requirement of *bitul b'shishim* to include cases that resemble scenarios where *bitul b'shishim* is Biblically mandated. The Sages in their wisdom understood that these laws are complex, and that the danger exists of one confusing the laws that pertain to similar-tasting foods with those that apply to dissimilar-tasting foods. Such an error may possibly lead to the transgression of Torah law. Thus, although Torah law requires *bitul b'shishim* only in cases where dissimilar foods are blended or cooked together, Rabbinic law mandates the use of *bitul b'shishim* in cases that possess *either* one of these two factors.

Accordingly, while Torah law necessitates *bitul b'shishim* only when dissimilar foods have been blended or cooked together, Rabbinic decree requires it in cases where even *similar* foods have been blended or cooked together. Likewise, Rabbinic decree requires *bitul b'shishim* in cases where dissimilar foods have become mixed without being blended or cooked. In each of these cases, we are faced with a similarity to the case where the Torah mandates *bitul b'shishim*. However, uncooked and unblended mixtures of similar-tasting foods do not resemble the Torah mandated case in any way; they therefore are governed by the rules of *bitul b'rov* even on the Rabbinic level.

## A CLOSER LOOK AT THE SIDDIR

**S***hulchan Aruch* (*Orach Chaim* 90:9) rules that if a person is unable to daven with a *minyan*, he should at least daven at home at the same time that the *minyan* gathers. The commentators on *Shulchan Aruch* struggle to clarify the term “unable.” Does it mean that the person is physically unable to come to shul, or does this rule apply even if coming to shul is possible, but will cause him a financial loss?

Some authorities permit one to refrain from praying with a *minyan* if he will incur a financial loss thereby. Others, however, categorically forbid it.

*Mishnah Berurah* draws a distinction between averting a monetary *loss*, for which it permits praying alone, and the mere prevention of a *profit*, for which it does not allow praying alone.

*Mishnah Berurah* quotes an anecdote from *Magen Gibborim*: R' Zalman Mirales, a former Chief Rabbi of Hamburg, was once walking to shul when he was stopped by a jeweler. The merchant wanted to sell him precious stones and jewels for a good price. The only condition was that the sale take place immediately; he wanted R' Zalman to accompany him to his house where he would finalize the deal. R' Zalman, who had not yet prayed, and would not be able to pray with a *minyán* if he went to the jeweler's home, requested that the deal wait until after he finished davening. The man refused, and eventually sold the stones to someone else, who made a handsome profit on them.

*Magen Gibborim* writes that R' Zalman, far from being upset at the extraordinary opportunity that he lost, was elated. How often, he exclaimed, does Hashem give a person the occasion to show his love for Him in such a manner?

There is a question that many have asked: How much is a mitzvah worth? Can it be that the same reward is allotted to one who performs a mitzvah nonchalantly as to another who makes it the focus of his day?

One *mussar* master provided a pithy answer: A mitzvah is worth as much as the one doing it regards it as being worth.

Consider a man who stands in shul, savoring every word of *tefillah*, when suddenly a commotion erupts. The police are ticketing cars outside! This man, realizing that his car must be moved, knows that failing to do this may cost him \$100 out of his strained budget — but he does not care! He is in conversation with Hashem and refuses to be distracted. Obviously, the mitzvah of proper *tefillah* is worth more than \$100 to him — and he will be rewarded commensurately in the Heavenly Court.

Another person, however, who stops learning a half-hour early in order to take advantage of a sale that can save him \$10, is showing himself — and Hashem — how much the price of Torah study is worth to him.

R' Yaakov Yosef of Polonoye, author of the chassidic *sefer Toldos Yaakov Yosef* and one of the primary students of R' Yisrael Baal Shem Tov, reportedly refused to accept his master's direction — although he beheld some of his miracles — until the following incident.

The Baal Shem Tov was once traveling by wagon, when he stopped

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to daven *Minchah*. He went to search for water with which to wash his hands (see *Orach Chaim* 92:4). When he realized there was no water available, R' Yisrael was so devastated that he would be forced to transgress a single halachah of *Shulchan Aruch* that he begged Hashem to take him from this world. Amazingly, a spring suddenly appeared and he was able to wash his hands. R' Yaakov Yosef immediately accepted the Baal Shem Tov's mentorship upon himself — not, he explained, because of the miracle, but because of the Baal Shem Tov's willingness to forfeit his life rather than transgress a halachah.

**QUESTION OF THE DAY:**

*Why does the Torah use the word “צו” when issuing this commandment?*

For the answer, see page 62.

וְהָאֵשׁ עַל-הַמִּזְבֵּחַ תֹּקֵד-בוֹ לֹא תִכָּבֵה . . .  
אֵשׁ תָּמִיד תֹּקֵד עַל-הַמִּזְבֵּחַ לֹא תִכָּבֵה

*The fire on the Altar shall remain burning on it,  
it shall not be extinguished . . . A permanent fire  
shall remain aflame on the Altar; it shall not be extinguished  
(Vayikra 6:5-6).*

The Torah commands that the Outer Altar, upon which *korbanos* were offered, was to always have a fire burning upon it. Discussing this mitzvah, *Rambam (Hilchos Temidin U'Mussafin 2:4-5, based on Gemara Yoma 45a; see also Sefer HaChinuch §132)* explains that three different fires were in fact burning on the Altar. The first was called *מְעַרְכָּה גְדוֹלָה*, *the great pyre*, and was used for burning the *korbanos* offered on the Altar. The second was a fire from which coals were taken to be used when offering the incense on the Inner Golden Altar; and the third fire was maintained solely in order to fulfill the mitzvah of having a constant fire on the Altar. The existence of these three pyres is understood, *Rambam* explains, from the three references to the Altar's fires that are mentioned in this Torah passage, namely: *עַל מוֹקֵדָה*, *on the flame, on the Altar* (v. 2); *וְאֵשׁ הַמִּזְבֵּחַ תֹּקֵד בוֹ*, *and the fire of the Altar shall remain aflame on it* (ibid.); and *וְהָאֵשׁ עַל-הַמִּזְבֵּחַ תֹּקֵד-בוֹ*, *The fire on the Altar shall remain burning on it* (v. 5). Additionally, the Torah warns (ibid.): *לֹא תִכָּבֵה*, *it shall not be extinguished*. Aside from the responsibility, assigned to the Kohanim, of ensuring that the Altar's fires were always stoked with enough wood to fuel them, every person, even a non-Kohen, is prohibited to do anything that would extinguish any one of the Altar's fires. [See *A Taste of Lomdus*.]

The mitzvah that the Torah discusses immediately prior to the one regarding the Altar's fires is the mitzvah of *תְּרוּמַת הַדִּשָּׁן*, *separating the ash* that remained from the burning of the previous day's *korbanos*, and removing it from the Altar. What message, we may ask, is the Torah relating in grouping these two mitzvos together?

In answer to this question, the *Vilna Gaon* and *Oznayim LaTorah* suggest that the Torah is addressing a Kohen who wishes to perform the mitzvah of removing the ashes from the Altar. He must ensure that the performance of this mitzvah — which requires him to search for parts of the ashes that have sufficiently cooled off to allow him to carry them — does not cause him to inadvertently extinguish even a tiny part of the Altar's flames or coals.

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The *Sefer HaChinuch* (Mitzvah 131) takes an opposite approach in understanding the arrangement of these verses. He maintains that the reason the Torah placed the mitzvah of constantly maintaining a fire upon the Altar here is not because this mitzvah is a consequence of the Kohanim's removal of the Altar's ashes. Rather, the mitzvah of removing the Altar's ashes each day is performed in order to better fulfill the mitzvah of maintaining a fire on the Altar; removing the leftover ash that filled the Altar, explains the *Sefer HaChinuch*, ensured that the place of the fire would look more impressive and thus more respectful. Alternatively, the Altar's fire would burn better and fuller in a place that was not filled with ashes.

From the words of the *Sfas Emes* (*Parashas Tzav/Parah* 5638) we can gain a deeper insight into the *Sefer HaChinuch's* explanation — that the purpose of cleaning away the ashes accumulated on the Altar was to allow the Altar's flame to burn better. The offering of a *korban* epitomizes a person's desire to become closer to Hashem. As *Ramban* (*Vayikra* 1:9) famously states, the person who is offering a *korban* must envision that it is *he* who is being slaughtered for his wrongdoing, and it is *his* blood that is being thrown, and *his* fats being burned. Moreover, when this person achieves atonement for his misdeeds and thus an added dimension of closeness to Hashem, he has done so with the very urges of physicality that drove him to sin in the first place; the blood and fats of the animal — which epitomize the person's wrongful passions and drives — have themselves been used, or elevated, in the *korban* process. The only thing that remains of this consumed *korban* animal — and which thus stands in the way of the person's entire self being elevated by means of the Altar service — states the *Sfas Emes*, is its ashes. These ashes epitomize the aspects of a person that simply cannot be transformed into *kedushah*, namely, his improper thoughts. However, once the entire person is directed toward Hashem's service and his focus is directed toward *kedushah*, these thoughts are left lifeless and turn into meaningless ash. The final step in the *korban* process is therefore תְּרוּמַת הַדָּשָׁן, in which these ashes are removed and cast away. Thus, it emerges that it is only after the *avodah* of תְּרוּמַת הַדָּשָׁן that the purpose of the Altar's fire is fully achieved.

#### QUESTION OF THE DAY:

*What connection is there between the fire on the Altar and the sin for which a korban is brought?*

For the answer, see page 62.

## MISHNAH OF THE DAY: ROSH HASHANAH 1:8

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The Gemara (*Sanhedrin* 27a) derives from the verse: **תַּלְמִידֵי עֵרְוָה לֹא יִשְׁפָּטוּ**, *Do not place your hand with a wicked man to be a thieving witness* (*Shemos* 23:1), that a thief is ineligible to testify. Biblically, however, this refers only to people who take from their fellow without permission. Others, who are given money knowingly by its owner, even in situations where the monies are not rightfully theirs to receive, are not considered “thieves.” Such individuals are Biblically eligible to testify; however, the Rabbis disqualified them. The Mishnah now discusses the eligibility of such people with regard to testimony about the new moon:

**אֵלּוּ הֵן הַפְּסוּלִין** — *These are the ones who are ineligible* as witnesses with regard to the new moon: **הַמְשַׁחֵק בְּקוּבִיא** — *one who plays with dice*,<sup>[1]</sup> **וּמַלְוֵי בְּרַבִּית** — *those who lend with interest*,<sup>[2]</sup> **וּמַפְרִיחֵי יוֹנִים** — *dove racers*,<sup>[3]</sup> **וְסוֹחְרֵי שְׂבִיעִית** — *sheviis merchants*,<sup>[4]</sup>

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1. These were pieces of bone used in a game (*Rav*), based on a random determination, similar to dice. When one loses and gives payment in such a game, it is considered an **אֶסְמַכְתָּא**, an unwilling payment made by a person based on the unfounded expectation that he will not lose. The Rabbis deemed such a payment non-binding, and thus, when the winner collects his winnings, he is in fact taking money not due him. However, Biblically he is not considered a robber, since one is not labeled a robber until he takes without permission from his fellow, while here he is being handed the money in the course of the game. Nevertheless, since his passion for profit induces him to transgress, the Rabbis disqualified him from testifying for fear that he may lie in exchange for money (*Rashi*).

2. The Torah (*Shemos* 22:24) forbids charging interest on a loan to a fellow Jew. As a result, when one does collect interest he is taking another’s money illegally and thus stealing. However, he is ineligible only from a Rabbinic point of view, since the money was given to him willingly (*Rashi*; cf. *Tosafos*).

3. That is, those who bet their dove will finish first (*Tiferes Yisrael*). The reason for this disqualification is similar to the rationale for disqualifying dice players — see above, note 1 (*Rav*).

4. Fruit that grows in the land of Israel during the seventh (*sheviis*) year of the *shemittah* cycle is governed by special rules. The Torah (*Vayikra* 25:6) states that the produce of the seventh year shall be “yours to eat,” which the Sages expound as meaning: “to eat, but not for commerce.” That is, one may not engage in business with crops that grew during the *sheviis* year. However, one who does so is only Rabbinically disqualified from offering testimony — either because nowadays the prohibitions of *sheviis* are only Rabbinic, or because this prohibition (doing

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וְעֵבְדִים — *and slaves*.<sup>[5]</sup> זֶה הַכֹּלֵל — *This is the general rule* regarding the aforementioned people: כָּל עֵדוֹת שְׂאִיִן הָאִשָּׁה בְּשִׁירָהּ לָהּ אִף הִן אֵינָן בְּשִׁירֵין לָהּ — *Any testimony that a woman is ineligible to offer,<sup>[6]</sup> they too are ineligible to offer.*<sup>[7]</sup>

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business with *sheviis* crops) is not explicit in the Torah (see *Tosafos, Ritva*). The reason for the Rabbinic disqualification is that since his passion for profit induces him to transgress, he is liable to bend the law or lie in exchange for money, and thus cannot be trusted as a witness (*Rashi*; cf. *Tosafos*).

5. Non-Jewish slaves owned by Jews are Biblically ineligible to testify. The Gemara (*Bava Kamma* 88a) derives this disqualification from the following *kal vachomer*: If a woman, who is allowed to marry into the Jewish nation, is nevertheless ineligible to testify, a slave, who may not marry into the Jewish nation, is certainly ineligible to testify (*Rashi*). [As to the reason why the Mishnah included slaves in a list of Rabbinically ineligible witnesses, see *Tosafos, Ritva*, et al.]

6. The Gemara (*Shavuot* 32a) derives from the verse (*Devarim* 19:17): וְעִמְדוּ שְׁנֵי הָאֲנָשִׁים, *And the two men shall stand*, that a woman is ineligible to serve as a witness in most cases.

7. The Mishnah states that the aforementioned people share the same laws as women regarding eligibility to testify. A woman is eligible to testify that a man has died, thereby enabling his wife to remarry (see *Yevamos* 15:4). Similarly, a woman may testify regarding a woman who is suspected of adultery to prevent the *sotah* procedure from being implemented (see *Bamidbar* 5:11-31). In both these cases, the testimony of any of the disqualified witnesses mentioned in our Mishnah is acceptable. Biblically disqualified individuals, however, are ineligible even in these cases (*Rav*).

## GEMS FROM THE GEMARA

The Gemara in *Sanhedrin* (24b) cites an Amoraic dispute as to why a dice-player's activity disqualifies him from offering testimony: A dice-player — what does he do wrong that causes him to be disqualified? Rami bar Chama said: Because the wager-agreement is deemed an *asmachta*, and an agreement of *asmachta* is non-binding.

*Asmachta* (literally, *reliance*) is the term used in the Gemara for an agreement based on speculation. In general, an *asmachta* involves one party (or both) consenting to surrender to the other a certain sum of money, depending on the performance or outcome of a particular event. In each case, the individual obligating himself enters into the agreement “relying” that the outcome will be favorable, and that he will not have to pay. Since a transfer of ownership requires that the object's owner give it willingly, an *asmachta* agreement is non-binding. This is

due to the fact that the obligated party never sincerely meant to obligate himself; rather, he simply relied that events would not cause him to incur a liability.

Rami bar Chama considers gambling an example of *asmachta*, because each player consents to the terms of the game only because he expects to win. Since the loser does not surrender the wagered amount wholeheartedly, the winner is considered to be doing an act similar to theft (*Rashi*). [As noted in the introduction to our Mishnah, this is not a case of outright thievery, since the loser does “voluntarily” pay the winner.]

The Gemara now presents a dissenting opinion:

Rav Sheishess said: Any agreement such as this is not considered an *asmachta*. Rav Sheishess’ view is that a true case of *asmachta* involves a situation in which the man obligating himself has reason to believe that he will not actually have to pay. An example of this would be one who contracts to work his neighbor’s field and stipulates that if he does not live up to his agreement he will pay a fine. He never really expects to pay, because he feels confident that he can do as promised. Since both these cases are *asmachta* agreements, if the contractor is unable to work the field, or the debtor is prevented from paying on time, he is not subject to the agreed-upon penalty. A wager, though, does not constitute an *asmachta*, for each player realizes that as skilled as he may be at the game, the outcome is nonetheless governed by chance. Therefore, he is resolved to pay if he loses, and the winner is thus not guilty of stealing (*Rashi*; see *Tosafos* and the *Rishonim*, who discuss at great length various other cases and the rules that determine whether an agreement is or is not considered an *asmachta*).

Rather, says Rav Sheishess, dice-players are disqualified because they are not involved with furthering the general welfare. People whose sole occupation is gambling are not involved in doing anything socially useful. As a result, they are unacquainted with basic business law and commerce, and have no aversion to illegal activity. However, one who engages also in some other form of occupation is not flawed in this way, and remains eligible (*Rashi*; cf. *Rashi to Eruvin* 82a ד”ה בזמן, *Rambam* in his commentary to this Mishnah, and *Meiri*).

The Gemara analyzes the dispute:

What is the practical difference between Rami bar Chama and Rav Sheishess? The difference between them is in the case where the gambler learned another profession. According to Rami bar Chama, he is still disqualified, by virtue of his accepting winnings based on a non-binding *asmachta* agreement, whereas according to Rav Sheishess he is eligible, because his second occupation is socially useful.

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We continue our discussion of the mitzvah mandating that a fire must always be maintained on the Altar. As we saw in *A Torah Thought for the Day*, the Altar in fact had three different fires burning on it — one in which the offerings were burned, one from which the coals used to burn the incense offered on the Inner Altar were taken, and one that was maintained only in order to fulfill the mitzvah of maintaining a constant fire upon the Altar.

The commentaries are bothered as to the necessity of this third fire. If the Torah requires a fire to be constantly burning, why could the Kohanim not ensure that the main pyre, which was maintained to offer the *korbanos*, should remain constantly ignited? Why was an extra fire, which was not used for any other purpose, needed?

In answer to this question, *Minchas Chinuch* suggests that the mitzvah of maintaining a constant fire *was* in fact fulfilled with the presence of the primary pyre upon which the *korbanos* were offered. The reason for the presence of the extra fire was in case the main pyre was accidentally extinguished, or snuffed out by the weight of the animal *korbanos* that were arranged upon it. The existence of this extra fire ensured that even if something of the sort were to occur, the Altar would never be left without a continuous flame.

*Sefer HaChinuch* himself, however (*Mitzvah* 132), explains that the Torah's explicit statement that a fire must always burn on the Altar — after teaching that the *korbanos* must be burned on the Altar — is to be understood as a command that there must be a constant fire *in addition to* that which was needed for burning the *korbanos*.

*Ohr HaChamah* (to *Yoma* 27a) adds insight to this approach. The mitzvah to arrange a constant fire on the Altar is itself a form of a *korban*, or service of Hashem. Just as animal and flour *korbanos* were offered in the *Beis HaMikdash* in fulfillment of the Torah's commandment, and the Menorah was kindled and *lechem hapanim* (Showbread) arranged on the *Shulchan*, so too, the commandment to “offer” a constant fire was itself a service of Hashem that was performed on the Altar. Accordingly, we may understand that a fire that was kindled and maintained for any other, pre-existing, reason — such as for the purpose of offering animal *korbanos* — was unable to serve as a constant “*korban*” of fire that the Torah commanded be arranged and maintained.

*Sefer HaChinuch* (*Mitzvah* 132) adds that fire is symbolic of the energies of man, which must be channeled into Hashem's service;

we are commanded to have a fire constantly burning on the Altar, to demonstrate that this energy must be constantly focused upon service of Hashem. In response, Hashem will grant us the energy that we need to carry out His mitzvos correctly, and the wisdom and discernment to expend our energies properly (see also *Chinuch, Mitzvah 97*).

[Nowadays, we do not have an Altar upon which we may kindle a literal fire to bond our spiritual “fire” to Hashem’s service in the most spiritually intense manner. However, we may still connect our energies to Hashem. *Kuntres Ashreinu*, citing *Sefer Chareidim*, explains that in our times, the Mishkan that we are meant to build is not one that is the national center of serving Hashem. Rather, it is an arena of Divine service that is in our hearts. Our desire to serve Hashem, and a burning and channeled love for Hashem and His Will, is what connects our energies to *kedushah* nowadays. If we strive to maintain this desire to serve, we can thereby earn Hashem’s blessing of boundless energy to assist us.

## HALACHAH OF THE DAY

**W**e will now explore some applications that illustrate when *bitul b’shishim* becomes necessary:

If a nonkosher liquid falls into a simple majority of kosher liquid, the entire mixture is forbidden, even though they have similar tastes. Since we are dealing with liquids, *bitul b’rov* is not sufficient to nullify the prohibited material.

If a nonkosher solid food fell into a majority of kosher food in a manner that allowed for it or some of its fats to become blended into the kosher food, *bitul b’shishim* is required to nullify the portion of the nonkosher substance that has become blended into the mixture. This is true irrespective of whether the substances that have become mixed are similar or dissimilar in taste. Since the foods have become blended, the Sages require *bitul b’shishim* of the blended portion even if the tastes are similar.

If nonkosher solid foods become introduced into hot kosher foods, or if the two items are cooked together, *bitul b’shishim* is required to nullify the nonkosher food. This is because the heating of the foods causes the taste of the nonkosher food to be transmitted to the rest of the mixture, thus rendering *bitul b’rov* ineffective. Once again, since the food has been heated, the Sages require *bitul b’shishim* irrespective of whether or not the tastes of the foods are similar.

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If dissimilar-tasting foods are mixed, *bitul b'shishim* is required even if the foods are solid, cold, and un-blended. Since they resemble the scenario in which the Torah mandates *bitul b'shishim* — in that they are dissimilar — the Sages require *bitul b'shishim* in order to nullify the prohibited material.

A mixture of dry solids that are similar in taste may be rendered permissible through *bitul b'rov*. However, it is possible for a mixture that has been rendered permissible through the application of *bitul b'rov* to lose its *bateil* status and become subject to the requirements of *bitul b'shishim*. For example, if a cold, dry, nonkosher substance fell into a majority of cold, dry, similar-tasting kosher food, we would view the mix as kosher, because the nonkosher item is nullified by the majority through *bitul b'rov*. If, however, the mixture is then cooked, the heating process will cause the nonkosher substance to transmit its taste to the rest of the mixture. This in turn will cause the halachah to now require *bitul b'shishim* in order to nullify the prohibited taste that is now present in the mixture.

We will discuss this case in greater detail tomorrow.

## A CLOSER LOOK AT THE SIDDUK

**I**n *A Mussar Thought for the Day* we learned that bringing an offering of fire to Hashem (in the form of the constant flame of the Altar) achieves blessing in the area of “fire” — the energies that we expend — in our lives.

*Sefer HaChinuch* offers another insight into the commandment to maintain fires upon the Altar, which may be applied to every area of our lives. The Gemara (*Yoma* 21a) states that one of the constant miracles of the *Beis HaMikdash* was that, in a display of Hashem's love for the Jewish people and His acceptance of the *Beis HaMikdash avodah*, a Heavenly fire would descend onto the Altar and consume the *korbanos*. If this fire was present anyway (as it was during the entire period of the Mishkan, and throughout the entire first *Beis HaMikdash* era), asks *Chinuch*, why was it necessary for the Kohanim to continuously maintain a regular fire to burn the *korbanos* on the Altar?

In answer to this question, the *Sefer HaChinuch* explains that the mitzvah requiring the Kohanim to ensure that an “ordinary” fire is always burning on the Altar teaches us about one of the principles Hashem employs in His guidance of the world. Hashem desires to conceal Himself and His clear ongoing involvement in every area of the



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to the causes in nature that allowed him to survive — such as the doctor or the medicine that effected the cure, or the highly trained firefighters who got him out of a burning building — he must realize that Someone guided these people into doing a successful job. Not all surgeries are successful, and infections develop despite the best of human efforts. Similarly, even an effective sales pitch is meaningless if the customer cannot afford the product. Our responsibility, states R' Yechezkel Levenstein, is to use every benefit in our lives to better realize Who is arranging the world to allow us this pleasure, and to use every occurrence to strengthen our *emunah* — awareness of Hashem. Hashem hides Himself in nature to allow us to truly earn our recognition of — and thus relationship with — Him.

We may remember this perspective every day when reciting *Az Yashir* during our *Shacharis* prayers, as we relate how the Jewish people enthusiastically thanked Hashem for saving them from the oncoming bloodthirsty Egyptian armies. Although, as the *Chinuch* and *Ramban* explain, it was possible for the Jews to attribute their successful crossing of the sea to the natural actions of strong winds, they did not do so, but openly recognized the great act of kindness that Hashem had performed on their behalf. The song of *Az Yashir* shows us that the Jewish people were able to see Hashem's hand, even in a situation where it is easy to be mistaken and ignore it. We may use this daily reminder to do the same, and look beyond “nature,” which Hashem uses to conceal Himself, to better recognize that it is only He Who allows us the great benefits that we enjoy.

## A TASTE OF LOMDUS

**W**e learned in *A Torah Thought for the Day* that the Altar always had a fire burning upon it. Besides the mitzvah incumbent on the Kohanim to ensure that the fire always had enough fuel and would not burn out, the Torah — in stating *אֵשׁ תָּמִיד תִּוְקַד עַל-הַמִּזְבֵּחַ לֹא תִכָּבֵד*, *A permanent fire shall remain aflame on the Altar; it shall not be extinguished* (6:6) — tells us that it was forbidden for any person to extinguish any part of the Altar's fires.

The Gemara in *Zevachim* (91b) discusses how donated wine-offerings were offered in the *Beis HaMikdash*. Were these gifts considered to be offerings, and thus, similar to animal-offerings that were burned in the Altar's fire, they too were poured into the fire? Or perhaps, since these were *wine-offerings*, they were treated like the wine-libations

that accompany other *korbanos*. If that was the case, they would be poured into the special bowls located on the top of the Altar and would descend through tubes to a subterranean cavity (the *shissin*) under the Altar.

One opinion the Gemara cites is that of Shmuel, who states that since the Torah refers to these wine-offerings as *אֵשָׁה*, a *fire offering* (*Bamidbar* 15:10), we may understand that they were poured directly onto the Altar's fire.

The Gemara asks a question on this position. As we have learned, it is forbidden to extinguish even part of the Altar's fire. Since pouring a liquid onto the fire will partially extinguish it, how can Shmuel understand the Torah to be telling us to do just that? [Rather, assumes the Gemara, it is much more reasonable to assume that the Torah wishes that the donated wine-offerings be poured into the designated bowls, which will not extinguish the fire.]

The Gemara answers this question by stating that Shmuel accords with the view of R' Shimon, who rules that a *שְׂאֵינֵנוּ מִתְכוּוִּין*, a *matter that is unintended*, is not included in the Torah's prohibitions. Thus, since the Kohen who poured the wine-offering onto the Altar's fire did not wish to extinguish the flame, and, to the contrary, would even prefer that this flame remain burning in its former intensity, the Torah did not forbid him to pour wine onto the Altar's fire because of the unintended consequence that may occur.

The permission to perform an otherwise permitted action that may result in a forbidden consequence is not limited to the manner in which wine is poured onto the Altar, but is in fact a perspective through which we may view all of the Torah's commandments. This principle is often encountered in the laws of Shabbos. For example, although it is forbidden to uproot grass on Shabbos, it is nevertheless permitted to walk on a grassy area, although some grass may inadvertently be pulled out. Similarly, one may part his hair on Shabbos, although it is possible that in doing so some hairs will be pulled out, in violation of the prohibition of *גִּזְזוּ*, *shearing*. Since it is not the person's intention to uproot grass or pull out hairs — for he is only interested, in our examples, in doing the permitted actions of taking a walk or parting his hair — each of these forbidden consequences are considered to be a *שְׂאֵינֵנוּ מִתְכוּוִּין*, and, should it happen that they occur, the person who caused them will not be held accountable.

However, a difficulty still exists with this explanation. The Gemara (*Shabbos* 75a) states that one exception to the permit of an unintended consequence is when the result is an *inevitable* consequence. [This is known as a *פְּסִיק רִישִׁיָּה*; the origin of this term comes from the phrase:

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פְּסִיק רִישִׁיהּ וְלֹא יָמוּת, *can one cut off its (a chicken's) head and it will not die?*] The reason that an inevitable consequence cannot be permitted through the rule of the unintended consequence is discussed at length by the commentators. One explanation given is that when the outcome is unavoidable, these two disparate actions [to continue one of our examples, of walking

and pulling out grass] are now seen as one extended process. Since this otherwise permitted action is now inevitably linked with — for it will invariably effect — a forbidden result, this otherwise permitted action is transformed into the first step of a prohibited act, and is thus forbidden. [Thus, it is forbidden to brush one's hair on Shabbos with a brush that will *definitely* pulls out hairs, and it is similarly forbidden to drag a heavy bench across grass when it is inevitable that grass will be uprooted.]

The commentaries point out that a liquid that is poured onto a fire will surely extinguish part of it. Thus, the act of pouring wine onto the Altar's fire will inevitably extinguish part of this fire, in violation of the Torah prohibition of *לֹא תִכְבֶּה*, *it shall not be extinguished*. How, then, does the Gemara tell us that Shmuel rules that wine may be poured onto the Altar's fire because the resultant extinguishment is unintended? R' Shimon, on which Shmuel's opinion is ostensibly based, concedes that the permission of *שֶׁאֵינוּ מִתְּכַוֵּין* does not exist in a situation where the forbidden result is a *פְּסִיק רִישִׁיהּ*, and will inevitably occur!

In answer to this question, *Rashi* (ד"ה הא רבי שמעון) explains that when pouring the wine onto the fire, it is possible to sprinkle it in fine droplets, so the heat of the fire will consume the wine before it hits the fire. Thus, it is possible to fulfill the mitzvah of pouring wine-offerings onto the fire in a manner that does not violate the prohibition against extinguishing the fire. *Rashi* continues, and tells us that since it is *possible* to fulfill this mitzvah in this manner, a Kohen need not be exacting in how he pours the wine, and is in fact permitted to pour in a manner in which larger droplets, which do partially extinguish the fire, come out. This is puzzling; while small drops do not extinguish the fire, large ones do. Why, then, is a Kohen allowed to pour the wine-offerings onto the fire in this manner as well?

R' Eliezer Yehudah Finkel (*Divrei Eliezer, Kesubos, Siman 6*) explains *Rashi's* reasoning. As we discussed, the reason why the inevitability of a *פְּסִיק רִישִׁיהּ* removes the usual permissibility of performing an action that may result in an unintended prohibited consequence is because the fact that this action will definitely produce a forbidden result creates a situation in which these two elements of action and outcome are now

considered to be one; such an action is therefore not allowed to be performed from the outset.

Accordingly, explains R' Finkel, we may understand *Rashi* to be telling us that when the Gemara states that a wine-offering is permitted to be poured onto the Altar's fire because this action is a *דָּבָר שְׂאֵינוּ מִתְּכַוֵּיִן*, which will not necessarily extinguish the fire, we are in essence redefining how we view the action of the Kohen. We need not view it as the pouring of wine in large drops, but may see it as a more general one of pouring wine. Since it is permissible to pour the wine in small droplets, the wider action of pouring wine is not one that inherently leads to the prohibition of extinguishing the Altar's fire. Since pouring wine onto the fire is not innately linked to a prohibition, this action may thus be classified as one that is permitted. Accordingly, since we see that there is nothing inherently wrong with pouring wine onto the fire of the Altar, it, like any permitted action, may be performed even in a manner that causes an unintended prohibited result, in our case extinguishing the fire of the Altar.

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וּכְלֵי-חֶרֶשׁ אֲשֶׁר תִּבְשַׁל-בוּ יִשָּׁבֵר

וְאִם-בְּכֵלֵי נְחֹשֶׁת בִּשְׁלָהּ וּמִרְקָה וְשֻׁטָּף בַּמַּיִם

*An earthenware vessel in which it was cooked shall be broken; but if it was cooked in a copper vessel, that should be purged and rinsed in water (Vayikra 6:21).*

The Torah is teaching here that just as a vessel used for nonkosher food absorbs some of its taste and must be purified, a vessel used for *kodashim* (offerings) also absorbs some of the taste of the offering. And just as the offering itself becomes *nosar*, leftover, after a day and a half, the absorbed taste of the offering also becomes prohibited after that time-frame, making the entire vessel forbidden.

In order to cleanse the vessel of its forbidden intake, purging is required. Metal utensils are immersed in scalding water, while earthenware, which cannot be totally purged of absorbed flavor, must be broken. This annuls its status as a vessel and renders its pieces *tahor*. [The Gemara (*Avodah Zarah* 32a) records an unusual method employed by the Roman emperor Hadrian to keep his legions supplied with wine. He would have wine put into earthenware vessels until it became thoroughly absorbed into the vessels. They were then broken into shards, which were distributed among the soldiers. Whenever a soldier wanted wine, he would soak the “Hadrian earthenware,” as the Gemara refers to the shards, in water, which induced the wine to emerge from the material. From this Gemara, it is clear that earthenware vessels are the most absorbent of all matter.]

*Kli Yakar* notes that although *Parashas Vayikra* talks about most of the offerings and the various laws and rules pertaining to each one, this halachah of koshering the vessels used for them is not mentioned until here in *Parashas Tzav*, after the laws of the *chatas*-offering.

He suggests a homiletic explanation of this, based on many places that he cites from the Gemara and Midrash, which refer to people or souls as “vessels.” [For example, writes *Kli Yakar*, the Gemara declares that it is the nature of the common folk to revere a Torah scholar as one would cherish a golden vessel. If the Torah scholar converses with the common person, however, the ignorant person lowers his estimation of the Torah scholar, and accords him prestige similar to that of a silver vessel. However, if the Torah scholar accepts a benefit from the common person, he then looks upon the Torah scholar as no more than a copper vessel.]

From this Gemara and others like it, says *Kli Yakar*, we see that a person can be compared to a vessel. Now, after Hashem instructed Moshe about the procedure for attaining atonement for a sin through the bringing of a *chatas*-offering, He proceeded to teach the laws of absorption of sacrificial flavors, to allude thereby to a principle that has application in the time when there is no *Beis HaMikdash* in which to offer the *chatas*.

The average person is compared to an earthen vessel; its sole rectification is through destruction. This is a metaphor for the *teshuvah* required of a sinner — repenting with a broken heart. Without this component, the *teshuvah* is incomplete. And the reason that an average person is compared to an earthenware vessel, explains *Kli Yakar*, is because it is very difficult for him to completely cleanse himself from sin, just as the earthenware vessel cannot be completely purged of absorbed flavor.

A person who commits a sin, such as *lashon hara* or theft, and repeats it, eventually becomes saturated with it, as it becomes his second nature. The only way to get rid of such a sin is through drastic measures, similar to the destruction needed in the koshering of an earthenware vessel.

A Torah scholar who sins, on the other hand, is somewhat protected by the Torah that he has studied. Thus, he is compared to a metal vessel; it is harder for his soul to become saturated with sin, and easier to clean it off, as it were.

## MISHNAH OF THE DAY: ROSH HASHANAH 1:9

The Mishnah discusses various Sabbath restrictions that are waived to enable witnesses to the sighting of the new moon to testify before the *Beis Din* in Jerusalem:

מִי שָׂרָאָה אֶת הַחֹדֶשׁ וְאִינוּ יָכוֹל לְהֵלֵךְ — Concerning *one who sighted the new moon but is unable to walk* to *Beis Din*, מוֹלִיכִין אוֹתוֹ עַל הַחֲמוֹר — *they may bring him by donkey* even on the Sabbath,<sup>[1]</sup> אֲפִילוּ אֲפִילוּ — and if necessary they may *even* carry him on their shoulders בְּמִטָּה

### NOTES

1. To lead one's loaded animal (מְחֻמָּר) is prohibited on the Sabbath. The Mishnah teaches that Sabbath desecration is permitted even by non-witnesses who are required to accompany and aid the witnesses so that they may testify about the new moon. In addition, the Mishnah teaches that the permit to desecrate the Sabbath for this reason pertains not only to Rabbinic prohibitions such as *techumin*, but also to Biblical prohibitions like מְחֻמָּר (Meiri).

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*in a bed.*<sup>[2]</sup> וְאִם צֹדֶה לָהֶם — *And if they fear that an ambush awaits them,*<sup>[3]</sup> לֹקְחִין בְּיָדָן מִקְלוֹת — *they may arm themselves and take in their hands staffs.* וְאִם הִיְתָה דַרְךְ רְחוֹקָה — *And if the distance to Jerusalem was great,* לֹקְחִין בְּיָדָם מִזֶּמֶן — *they may take in their hands food,* שְׁעַל מַהֲלָךְ לַיְלָה וַיּוֹם מִחֻלְלִין אֶת הַשַּׁבָּת — *because for a journey of a night and a day the witnesses may desecrate the Sabbath and go forth to testify about the new moon.*<sup>[4]</sup> שְׁנֵאמַר — *As it says:*<sup>[5]</sup> אֵלֶּה מוֹעֲדֵי ה' . . . אֲשֶׁר־תִּקְרְאוּ אֹתָם בְּמוֹעֲדָם" — *"These are the festivals of HASHEM . . . that you are to designate in their appointed time."*<sup>[6]</sup>

NOTES

2. The Mishnah now states that even non-witnesses may violate the prohibition of carrying in a public domain. This involves a greater Sabbath desecration than מְחַמֵּר, for it is punishable by stoning, whereas מְחַמֵּר carries no corporal punishment (*Ritva; Meiri*).
3. Sadducees and Samaritans would at times lie in wait and ambush the witnesses to prevent their arrival before *Beis Din*, in order to keep Rosh Chodesh from being declared on the proper day (*Rashi*).
4. That is, if the witnesses can reach *Beis Din* before the end of the Sabbath that falls on the 30th of the month, they are permitted to travel throughout Friday night and the Sabbath day in order to testify. However, if they would require more than a night and a day's journey to *Beis Din*, they may not desecrate the Sabbath, for then they would not arrive until the night after the Sabbath. By then Rosh Chodesh will have been automatically deferred to the 31st of the month, and their testimony would be of no value.
5. *Vayikra* 23:4.
6. Whenever the Torah says that something is to be done בְּמוֹעֲדוֹ, *in its appointed time*, the implication is that it should be done even on the Sabbath (*Rav*).

## GEMS FROM THE GEMARA

The Gemara relates a Baraisa that contrasts the permit to violate normative Sabbath observance for the testimony regarding the new moon with the lack of such a permit for messengers to publicize the declaration of the new month:

The Rabbis taught in a Baraisa: From where do we know that the witnesses may desecrate the Sabbath to testify with regard to the new moon? Scripture states (*Vayikra* 23:4): אֵלֶּה מוֹעֲדֵי ה' מִקְרָאֵי קֹדֶשׁ — *These are the festivals of HASHEM, holy convocations, that you are to designate in their appointed time.* That is, the verse is interpreted as warning us that the proper time for designating

the festivals as “holy convocations” should not be delayed. This refers to *Beis Din’s* proclaiming and sanctifying Rosh Chodesh, as the timing of the festivals is directly dependent on the date of Rosh Chodesh. Thus, the verse teaches that *Beis Din* must proclaim Rosh Chodesh in the proper time. From this we can infer that witnesses may even desecrate the Sabbath to ensure that Rosh Chodesh is proclaimed in the proper time (*Rashi*).

The Baraisa now distinguishes between the permit given for testimony regarding the new month, and the notification by messengers to the Diaspora regarding the exact date of the new month:

From the above verse it might be thought that just as witnesses may desecrate the Sabbath so that the festivals will be sanctified in their appropriate time, so too messengers may desecrate the Sabbath so that the festivals will be kept in their designated time. Scripture therefore states: *אֲשֶׁר-תִּקְרָאוּ*, *that you are to designate*. This implies that you may desecrate the Sabbath only with regard to the designation of the festivals, but you may not desecrate the Sabbath so that they will be kept in their designated time. Thus, messengers may not desecrate the Sabbath to ensure that the people of the Diaspora may observe the festivals in their proper times.

[*Rabbeinu Chananel* adds (based on *Pesachim* 66a) that when the Torah says that something is to be done *בְּמוֹעֵדוֹ*, *in its appointed time*, the implication is that it should be done even on the Sabbath. A parallel Scriptural wording is found in *Bamidbar* 9:2. The Torah states: *וַיַּעֲשׂוּ בְנֵי-יִשְׂרָאֵל אֶת-הַפֶּסַח בְּמוֹעֵדוֹ*, *The Children of Israel shall make the pesach-offering in its appointed time*. The usage of the term *in its appointed time* is also the basis of a permit to perform the *pesach*-offering on the Sabbath, even though it involves activities that are normally prohibited on the Sabbath. This rule is stated in *Rambam* (*Kiddush HaChodesh* 3:2) as well.]

## A MUSSAR THOUGHT FOR THE DAY

**S***efer HaChinuch*, in its discussion of why the Torah forbids breaking a bone of the *pesach*-offering, makes an important statement: The level of a person’s religiosity is determined by what he does, not by his intentions. *Chinuch* phrases it thus: *אָדָם נִפְעַל בְּפִי פְעוּלוֹתָיו*, *A person is molded by his actions*. In other words, a person’s actions impact upon his being. Thus, since Hashem wanted the Jewish people to consider

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themselves as free people on Pesach, He ordered them to act like free men. Similar to an actor who practices his part until it becomes second nature, Hashem told Klal Yisrael to act like kings in order that they should consider themselves royalty. Royals do not suck out meat bones, so Klal Yisrael should also not break a bone. If kings recline when they dine, the humblest Jew shall do likewise, despite the fact that he is far removed from any vestige of royal blood.

Taking this idea a step further, *Chinuch* discusses a hypothetical case of a *tzaddik* who is being compelled to act in a vulgar manner. He is under coercion to sin and not to do any mitzvos. Although technically he is permitted to transgress almost the entire Torah if threatened with death — barring the three cardinal sins of idolatry, adultery, and murder — eventually his actions will pervade his delicate soul, hardening and blackening it until the evil becomes a part of his nature.

The opposite is also true, continues *Chinuch*. If a wicked individual would be forced to do good deeds, this would eventually transform him into a better person. Similarly, if one has a negative trait that he wishes to correct, forcing himself to act in the opposite manner will eventually allow him to overcome his previous nature. Ultimately, concludes *Chinuch*, it is actions that define a person.

[R' Chaim of Sanz, the author of *Divrei Chaim*, said that in his youth he was so miserly by nature, that once when a button fell off his jacket and was lost, he felt almost as if his heart had fallen out after it! He began to work on overcoming this *middah* by giving away any money he had in his possession, until he acquired the quality of being charitable.]

The *mussar* masters suggest that this *Chinuch* is the reasoning behind the dictum of the Tanna, R' Chananya ben Akashya (*Makkos* 3:16): רָצָה הַקָּדוֹשׁ בְּרוּךְ הוּא לְזַכּוֹת אֶת יִשְׂרָאֵל לְפִיכָּה הַרְבֵּה לָהֶם תּוֹרָה וּמִצְוֹת, *The Holy One, Blessed is He, wanted to give merit to the Jews, therefore He increased for them Torah and mitzvos*. Hashem wanted to refine the Jewish nation, so He gave them 613 mitzvos that would make them a holy people. A religious Jew is constantly doing Hashem's will. In the morning, the first thing he does is wash his hands. Then, he says *berachos*, davens, dons *tzitzis* and *tefillin*, etc. This immediate involvement in mitzvos will start his day correctly, and bring him to serve Hashem ever more properly. One who is constantly involved in mitzvos will find that doing Hashem's will is his second nature.

**A**s we learned yesterday, it is possible for a mixture rendered kosher through *bitul b'rov* to then become subject to the requirements of *bitul b'shishim*. The example we gave was that of a cold solid mixture of similar-tasting substances where the majority is kosher. Initially, the mixture is rendered kosher through the application of *bitul b'rov*. When the mixture is subsequently heated, the mixture may once again become prohibited, unless the prohibited substance can be nullified in a ratio of 60:1. This is because even though the mixture is formed of similar-tasting foods, since it has been heated, taste has been transferred, and *bitul b'shishim* is now required.

We may ask: How is it that a prohibited substance that was nullified can now once again render a mixture prohibited? If we apply the explanations that lie behind the mechanics of *bitul* that we have studied earlier, we can see that this is actually quite logical. We have learned that according to most *Rishonim* *bitul* does not transform prohibited food into permissible food. It simply states that we may rely on the probability that food drawn from the mixture comes from the majority kosher portion of the mix. If so, it follows that the prohibited substance is still a part of the mix, and when the mixture is heated, it will impart its taste to the rest of the ingredients. Accordingly, after being heated the mix is subject to *bitul b'shishim*.

The above is true according to the opinions of most *Rishonim*. However, according to the opinion of the *Rosh* noted earlier, the *bitul* process does indeed transform nonkosher material into kosher material. Accordingly, the *Rosh* would not subject a mixture of the type described above to the requirements of *bitul b'shishim* even if the mixture had become heated after the application of *bitul b'rov*.

*Rama* rules that in cases of monetary loss one may rely on the opinion of the *Rosh*. Sephardic Jews, however, do not rely on this opinion of the *Rosh* even in situations resulting in loss.

Of course, a qualified halachic authority should be consulted for a ruling on these matters.

Certain prohibited foods cannot become *bateil* even if they are mixed with a far greater proportion of permissible foods. A variety of different foods are subject to this restriction, for different reasons. Some

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foods cannot become *bateil* due to the unique nature of their prohibition. Others cannot become *bateil* because of the prominence of the food in question. Still others are not *bateil* because, despite the large ratio of permissible material, the nonkosher ingredient remains discernible.

Tomorrow, we will discuss this topic further.

## A CLOSER LOOK AT THE SIDDUK

In the Song of the Day that we recite on Wednesday (*Tehillim* 81:10), it is written: לֹא־יִהְיֶה־בָּךְ אֱלֹהִים זָרִים וְלֹא־תִשְׁתַּחֲוֶה לְאֱלֹהֵי גֵרִים, *There shall be no strange god within you, nor shall you bow before an alien god.* The Gemara (*Shabbos* 105b) asks: What is a strange god that is “within you”? The Gemara says that this refers to the *yetzer hara*, which crouches at the entrance of a person’s heart (see *Bereishis* 4:7).

*Ohr HaChaim* (ibid.) understands this Gemara to mean that the size and strength of any given *yetzer hara* that a person has is determined by the person himself. The *yetzer hara* is strengthened by the decisions of the person in which it resides, and its destruction is likewise dictated by the person’s decision to ignore it.

The Gemara (*Yoma* 86b) quotes R’ Huna as saying that if a person commits a sin and repeats it, then it has already become permitted in his eyes. According to the *Ohr HaChaim*, this is so because the person himself empowered the *yetzer hara* by repeating the sin, and is responsible for establishing it in its now powerful position. Since it is now entrenched, the only way to defeat it is for a person to ignore its urgings. The first time, this will be hard — after all, he has enabled it — but after that it gets progressively easier. Every time he succeeds in ignoring it, he diminishes its power.

To give a simple example: If a person has gotten into the habit of lying, he will become accustomed to do so even in situations where there is no reason for him not to tell the truth. Therefore, it will be extremely hard for him to stop; but that is the only way he will be able to overcome the *yetzer hara* he himself has created.

In *A Mussar Thought for the Day* we quoted *Sefer HaChinuch*, which states that a person is influenced by the actions he performs. This is because the actions create and strengthen the forces that battle for the heart’s attentions. If a person strengthens the *yetzer tov*, then it will have the upper hand in the fight. And the reverse is true as well.

The Gemara (*Arachin* 16b) asks an interesting question. After

discussing the pros and cons of *tochachah*, rebuke, the Gemara asks which is preferable: *Tochachah* for its own sake, or modesty not for its own sake? *Rashi* explains: If someone is wronged but refrains from fulfilling the mitzvah of rebuke, not because he feels unworthy of appearing to be more righteous than his friend, but on account of his fear that this person will hate him for it, this is considered modesty not for its own sake. Is it preferable to rebuke the person for the sake of the mitzvah, or for one to refrain and thereby enhance his trait of עֲנָוָה, *modesty* (being able to accept being wronged without responding)?

The Gemara replies that this modesty, although practiced for an ulterior motive, is still better for the person's soul than the rebuke administered *lishmah*. The reason for this is that the trait of עֲנָוָה is certainly greater than the ability to give *tochachah*. Since we have a rule that doing something *shelo lishmah* brings one to do it *lishmah*, it is irrelevant if his עֲנָוָה has an ulterior motive; merely acting in a humble way will improve him as a person.

**QUESTION OF THE DAY:**

*What does the word וָאֵם, in the phrase  
וָאֵם-בְּכָלִי נְחֻשָׁת*

For the answer, see page 62.

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וְזֹאת תִּנְתֶּנּוּ זֶבַח הַשְּׁלָמִים אֲשֶׁר יִקְרִיב לָהּ  
*This is the law of the shelamim-offering  
 that one will offer to HASHEM (Vayikra 7:11).*

The Torah uses a phrase concerning the *shelamim*-offering that is not found regarding any other *korban* — אֲשֶׁר יִקְרִיב לָהּ, which literally means, “that he draws close to Hashem.” Why is it specifically the *shelamim* — more than the holier *kodshei kodashim* offerings, such as the *olah* or the *chatas* — that brings a person closer to Hashem?

*Midrash Rabbah (Vayikra 9:4)* offers an analogy by which we can understand this. It tells of a king who was receiving people, all bearing expensive gifts. One foreign diplomat had his aides carry in the finest wines from his country, while another ambassador was waiting to convey the greetings and tribute from his monarch. A minister in the royal court wanted the king to be the first to taste his exotic fruits imported from abroad. The royal gardener had his present. Governors, mayors, and dignitaries; aides, palace workers, and military officials — they were all awaiting their chance to visit their king and see his face light up with joy at their gifts.

However, says the Midrash, they were all disappointed. The king seemed uninterested and distant. He smiled pleasantly at the gift-bearers and thanked them for their efforts. But his expression revealed that he was not particularly excited over any of them — until one person came in.

The man appeared to be a simple villager who wanted to honor his king with a selection of his produce. The king seemed overwhelmed with the man’s generosity and kindness. He drew him close, sat him down near the throne, and chatted with him like an old friend. Everyone in the room wondered why this was happening.

Finally, one of the king’s close advisers asked him for an explanation. “Your Majesty, why do you revere the gifts of this plain person,” he inquired, “while you seem uninterested in the much more elaborate presentations offered by the more honored guests and dignitaries?”

The king looked at him and explained, “While the other visitors were more prestigious and their gifts were more lavish, they are suspect in my eyes. Diplomats from abroad desire my goodwill on behalf of their governments, and ministers of state have their own interests in mind. Of all the gifts I received today, this man’s simple one was the

purest — for his intent was just to show his love and devotion for me!”

This, declares the Midrash, is the ultimate reason for the special status of the *shelamim*-offering.

*Shelamim* denotes peace — in the plural. It is an offering to Hashem made without a reason; it is not brought because of a sin that was committed, like the *chatas* or *asham*, or even for sinful thoughts, like the *olah*. The *shelamim* is a gift to Hashem inspired by love and awe. This type of offering draws the person closer to Hashem because there are no ulterior motives involved.

## MISHNAH OF THE DAY: ROSH HASHANAH 2:1

The Mishnah continues discussing which people are eligible to testify about the sighting of the new moon:

אם אינן מבירין אותו — *If they*, the members of the Sanhedrin, *do not know [the witness]* who will testify regarding the appearance of the new moon, מִשְׁלַחִין עִמּוֹ אַחֵר לְהַעֲדוֹ — *they*, the court that presides in the witness’ town of origin, *send with him* to the Sanhedrin *another* pair of witnesses *to testify about him* that he is indeed a trustworthy and faithful Jew.

The Mishnah now explains why the confirming witnesses are necessary altogether:

בְּרֵאשׁוֹנָה הָיוּ מְקַבְּלִין עֲדוֹת הַחֹדֶשׁ מִכָּל אָדָם — *Originally, they would accept testimony regarding the sighting of the new moon from any Jewish man.*<sup>[1]</sup> מִשְׁקַלְקְלוּ הַבְּיִתוּסִים — *When the Boethusians disrupted the process of sanctifying the new moon,*<sup>[2]</sup> הִתְקִינוּ שְׁלֵא יְהוּ — *the Sages instituted that they should accept only from those known* to be trustworthy and loyal Jews.<sup>[3]</sup>

### NOTES

1. For, barring evidence to the contrary, all Jews were assumed to be observant and fit to testify.
2. The Boethusians were a heretical sect that declared their allegiance only to the Written Torah, and opposed the Oral Torah and the Sages. The Boethusians sought to subvert the Sanhedrin’s sanctification of the new moon by hiring witnesses to testify falsely about having sighted the new moon (*Rav*).
3. Like the new-moon witness, the confirming witnesses, too, may desecrate the Sabbath in order to reach the Sanhedrin, since their presence is essential to the acceptance of the witness’ testimony about the new moon (*Tosafos; Rambam, Hil. Kiddush HaChodesh 3:3*).

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The Mishnah stated that originally *Beis Din* would accept testimony about the new moon from any Jewish man, even though they had no prior knowledge regarding his trustworthiness. The Gemara cites a Baraisa that discusses an event that prompted *Beis Din* to change this procedure:

The Rabbis taught in a Baraisa: What disruption of the process did the Boethusians perpetrate? One time, the Boethusians attempted to deceive the Sages into sanctifying Rosh Chodesh on the wrong day. The *Beis Din* will declare day 30 (counting from Rosh Chodesh of the previous month) to be Rosh Chodesh if witnesses testify as to having sighted the new moon on the preceding night (the night following the 29th). If no witnesses come forth on day 30, the next day (day 31) is automatically Rosh Chodesh. In the incident reported here, no witnesses had sighted the new moon on the night preceding the 30th, so the Boethusians sought to deceive the *Beis Din* into accepting false witnesses, as the Baraisa proceeds to relate. In this way, the Boethusians hoped to trick *Beis Din* into declaring the 30th day to be Rosh Chodesh rather than the 31st. [As to the motivation of the Boethusians in attempting this subterfuge, see *Rashi* to Gemara 22b.]

The Baraisa continues:

They hired two people for a total of 400 *zuz*, one of ours and one of their own, to testify falsely that they had seen the new moon. [I.e., while one of the false witnesses was indeed a Boethusian, the other was not, but the Boethusians did not realize that he was indeed a supporter of the Sages (see *Rashi*).]

The Baraisa concludes the narrative:

The witness who was one of their own presented his testimony before the *Beis Din* and left. When the witness who was one of ours came to give his testimony before the *Beis Din*, they said to him, "Tell us how you saw the moon." He said to them, "I was going up Maaleh Adumim, and I saw it crouching between two rocks, its head resembling that of a calf, its ears resembling those of a kid, its horns resembling those of a deer, and its tail placed between its legs, and I looked at it and was startled and fell backwards. And if you do not believe me, behold there are 200 *zuz* bundled into my cloak, which I was given to offer this testimony!" They said to him, "Who involved you in this matter?" He said to them, "I heard that the Boethusians sought to deceive the Sages. So I said to myself: 'I will go and let the Boethusians know of my willingness

to testify falsely for them, lest unworthy people come and deceive the Sages.’ ” Thereupon the *Beis Din* said to him, “The 200 *zuz* are given to you as a present, and the one who hired you should be stretched out on the post to be flogged.” At that time, they instituted that they (the *Beis Din*) should not accept testimony except from those known to be trustworthy and loyal Jews.

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## A MUSSAR THOUGHT FOR THE DAY

There is an ancient custom followed by some in Eretz Yisrael, that at a time of *simchah* or good fortune, the recipients of the kindness go to the *Kosel HaMaaravi* and recite chapters of *Tehillim* that speak of thanks and praise to Hashem, such as Chapter 30, among others. They pour out their hearts in the area where Hashem’s *Shechinah* is still said to reside, in gratitude for the good that came their way.

Aside from how praiseworthy it is for someone to show appreciation to Hashem, the uniqueness of this action is in its acknowledgment of Hashem’s hand in every situation, even a good one. It is sometimes harder to notice the guiding hand of Hashem in a happy occasion than it is in a tragic one. There are many theories advanced to explain why this is so — why people are more apt to consider a happy state of affairs, rather than a tragedy, as resulting from their own actions. Nevertheless, this custom of reciting words of gratitude to Hashem forces them to recognize a Higher Power as the cause of their happiness or success.

*Chovos HaLevavos* compares two incidents, where different people acted according to what would be the normal expectation, but each outcome was different. The introduction to *Shaar HaBechinah* describes a man whose heart is overflowing with kindness and pity for others. One day he encounters a young orphan without anyone to care for him. This man brings the boy home and puts his entire household at his disposal. He provides him with food, clothes, and a loving environment. He hires teachers to educate him and teaches him a trade with which to support himself. When the child grows older, his benefactor marries him off and supplies him with all the household items that he will need. In short, he takes the place of the parent that the boy did not have.

The feelings of gratitude and thankfulness expected to emanate from this orphan should be indescribable, onlookers think, but these emotions are not forthcoming. *Chovos HaLevavos* contrasts this case with another one.

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This same philanthropist heard of a person who was captured by pirates. Shackled, beaten, and seemingly devoid of any spark of life, the prisoner stands listlessly in the slave market as potential owners degrade him and haggle over his potential worth. This person watches the heartrending scene and his heart forces him to do something. He buys the slave and takes him home, feeds and clothes him, gives him his freedom and reunites him with his family. The newly freed man is overwhelmed with gratitude; how can he ever begin to thank this stranger? *Chovos HaLevavos* explains why there is such a difference in the *hakaras hatov* of the two cases. The first incident involves a child; he is too young and immature to appreciate the kindness done to him. By the time his sense of gratitude develops, he is already used to, and indeed continues to expect to receive kindness from his benefactor.

The captive, however, was initiated into the world of this man's kindness suddenly; it is for this reason that his outlook is diametrically opposite to that of the child.

This, concludes *Chovos HaLevavos*, is the reason people have a hard time recognizing Hashem's goodness in life; they are used to it, and often do not recognize it until it is removed, for whatever reason. That is when they begin to appreciate the previous kindnesses.

The solution to this, says *Chovos HaLevavos*, is for people to pay attention to their natural surroundings, and to make themselves aware of the wisdom inherent in the creation. This will allow them to better appreciate Hashem's goodness.

## HALACHAH OF THE DAY

**W**e learned yesterday that there are certain foods that do not become *bateil* due to unique properties that they possess. We will now discuss some of these items, and the reasons that they are not subject to the usual rules that govern *bitul*.

A food that is forbidden at present, but will become permissible with the passage of time, or one that can easily be rendered permissible with the taking of simple action, is known as a *דְּבָר שֶׁיֵּשׁ לוֹ מַתְּוֵרִין*, *an item that has something that will render it permissible*. Such items are not governed by the typical rules of *bitul*. For example:

*Chadash*, grain of each year's new crop, which may not be eaten until after the 16th of Nissan, is a *davar sheyeish lo matrim* because it will become permissible upon the arrival of the 16th of Nissan. *Chadash*

is therefore not *bateil b'rov* under any circumstance. It may, however, become *bateil b'shishim* when mixed with foods of a different type. [In this case, similarity of foods is determined by name (i.e., new or old crop), not taste.]

*Tevel*, produce from which tithes have not been removed, is considered a *davar sheyeish lo matirim* because its prohibition may be removed by simply separating the required tithes. Thus, it is not *bateil* in any amount of similar-tasting food. It can, however, become *bateil b'shishim* when mixed with dissimilar foods.

*Avodah zarah*: Anything that has been worshiped as an idol or anything that has been offered as worship to an idol is forbidden, and cannot become *bateil* in any amount of permissible food.

*Yayin nesech* (wine that an idolater may have used as a libation): Due to the association between *yayin nesech* and *avodah zarah*, it cannot become *bateil* in any amount of permissible wine. However, unlike *avodah zarah*, *yayin nesech* can become *bateil* in a 60:1 ratio of other foods.

Fruits of the *shemittah* year cannot become *bateil* in any amount of similar foods. This is because the fruits of *shemittah* are not *prohibited* foods; rather, they are foods that are subject to certain halachic restrictions. They may, however, be *bateil b'shishim*.

*Chametz* during Pesach is not *bateil* in any amount of either similar or dissimilar food. There are two reasons given for the stringent stance taken by halachah regarding *chametz*. First, *chametz* is not forbidden forever; it will become permissible after Pesach. Thus, *chametz* is a *davar sheyeish lo matirim*. Second, the prohibition against eating *chametz* is unusually severe. The Torah punishes one who eats *chametz* with *kares*, and prohibits even the mere possession of *chametz* on Pesach.

## A CLOSER LOOK AT THE SIDDUK

The Gemara (*Berachos* 54b) quotes R' Yehudah in the name of Rav: אֲרַבְעָה צְרִיכִין לְהוֹדוֹת: יוֹרְדֵי הַיָּם הוֹלְכֵי מִדְבָּרוֹת וּמֵי שְׁהֵיָה חוֹלָה וְנִצָּא וְנִתְרַפָּא וּמֵי שְׁהֵיָה חָבוּשׁ בְּבֵית הָאֲסוּרִים וְנִצָּא, *Four [types of people] must praise [Hashem]: those who navigated the sea, those who traveled the deserts, one who was sick and recovered, and one who was imprisoned and subsequently released.* The Gemara proceeds to reveal that the source of this halachah is a chapter in *Tehillim* (107) that discusses

the distress each of these four categories of people were in, their prayer to Hashem for release, and their subsequent emergence from their respective hardships. Each of the cases ends with the verse: יוֹדוּ לַה' חֶסֶדּוֹ וְנִפְלְאוֹתָיו לְבְנֵי אָדָם, *Let them give thanks to HASHEM for His kindness, and His wonders to the children of man* (107:8, 15, 21 and 31).

From a later verse in the chapter (v. 32), the Gemara derives that this blessing to Hashem must be made in front of a *minyan*, and that included in the *minyan* must be at least two Torah scholars.

*Tosafos* ask: Why did R' Yehudah list these four people in this specific order, when the chapter in *Tehillim* puts them in a different order? (In *Tehillim*, the desert wanderer is mentioned first, followed by the prisoner, the sick, and the seafarer.) *Tosafos* answer that while the verse lists the four in order of danger, the Gemara prefers to catalogue the more common ones first.

Since this chapter is the source of the *berachah* of praise to Hashem and thanks to Him for releasing one from anguish (*Bircas HaGomel*), R' Yisrael Baal Shem Tov instituted saying it before *Minchah* on Erev Shabbos. At the concluding *tefillah* of the week, he explains, it is proper to thank Hashem for all the good that was bestowed upon the person during the week, as well as for the rescues from danger, known and unknown, that Hashem had performed for him.

*Me'or Einayim* understands the psalm not as referring to actual physical dangers, but as a series of allegories. The first situation that the psalmist refers to is one who traveled in the desert. This, explains *Me'or Einayim*, alludes to a man who does not have time during the week for spirituality; he is busy with his livelihood and is cut off from the living waters of the Torah. The second case is that of the prisoner, a man “chained” to his business. Then comes the sick person. David HaMelech describes him as one unable to taste food because of his ailment. This alludes to a person who does not enjoy the sweetness of Hashem’s service. The last one is the sea traveler. He is on the proper path in *avodas Hashem*, yet can be distracted by having the wrong thoughts in the middle of prayer or Torah study, or by taking a bit of pride in his personal achievements, just as one goes astray at sea.

All these people, declares *Me'or Einayim*, should pray to Hashem until He frees them from their hindrances, so that they can serve Him fully. Then, as the verse says: יוֹדוּ לַה' חֶסֶדּוֹ, *Let them give thanks to HASHEM for His kindness.*

[There is a Midrash (*Vayikra* 9:7) that states that in the era of

Mashiach, all offerings and all prayers will be abandoned except for the *todah*-offering and the *tefillah* of *Mizmor LeSodah* (*Tehillim* Ch. 100, which is recited almost every weekday in *Pesukei D'Zimrah*). It is understandable that any prayer based upon *hakaras hatov* will last forever, as the entire *Kabbalas HaTorah* was predicated on it: The *Aseres HaDibros* begin with the nation's responsibility to Hashem as the One *Who has taken you out of the land of Egypt* (*Shemos* 20:2).]

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### QUESTION OF THE DAY:

*Why is it only with respect to this korban that the verse states: אֲשֶׁר יִקְרִיב לֵהּ, implying that the owner is bringing the korban himself?*

For the answer, see page 62.

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יָדָיו תְּבִיאִינָה אֶת אֲשֵׁי ה' אֶת־הַחֶלֶב עַל־הַחֹהֶן  
יְבִיאֵנוּ אֶת הַחֹהֶן לְהַנִּיף אֹתוֹ תְּנוּפָה לְפָנֵי ה'

*With his own hands he shall bring the  
fire-offerings of HASHEM: the fat atop the breast  
he shall bring; the breast, in order to wave it as  
a tenufah-service before HASHEM (Vayikra 7:30).*

A few verses further (v. 32), the Torah says that in addition to the breast, the right thigh must also go to the Kohen, and both must be waved in all four directions and then raised up and down. Although the Torah does not state this explicitly here, it does so in *Parashas Shemini* (10:14): וְאֵת הַחֹהֶן הַתְּנוּפָה וְאֵת שׁוֹק הַתְּרוּמָה, *And the breast of the waving and the thigh of the raising-up.* Rashi states here that since the thigh and breast are both waved and raised up, he does not know why the Torah says that one is waved and the other is raised up.

We may ask: Why, of all the parts of the animal, were the breast and thigh selected for the *tenufah* (waving) service, and ultimately to represent the offering by being given to the Kohen?

*Rabbeinu Bachya* explains that these two parts are essential to the movement of the animal. The heart (located in the area of the breast) serves as a blood pump, receiving its instructions from the brain. It then directs life-sustaining blood throughout the animal into every organ and ligament. With that infusion the animal is able to walk, using its thighs as its main support.

Thus, explains *Rabbeinu Bachya*, when the Kohen holds these two parts, together with the one offering the *korban*, and raises and waves them, they are an illustration of the intelligence of the One Who created them with the ability to move the animal. Indeed, Hashem causes all things in the world to function: the universe itself — with all the planets, stars, asteroids, comets, and galaxies — revolves around His Word. So the *tenufah*-service is essentially a praise to Hashem Who created the world, and keeps it going for ever and ever.

*Rabbeinu Bachya* suggests another explanation for the waving and raising rites. There are several times when the Torah mandates a waving-service, including here by the *shelamim*-offering, as well as by the taking of the Four Species on Succos. In both these cases, the items must be raised and lowered three times, and waved three times back and forth in all four directions. By pointing to the heavens, earth, and the four directions of the compass, the person performing the waving

symbolically offers thanks to Hashem for creating the world and keeping it in balance.

Regarding the requirement to lower the breast and thigh (or the Four Species) before raising them again, and the need to bring them close to the Kohen between every waving, *Rabbeinu Bachya* offers two reasons. We do so to symbolize our belief in Hashem's ultimate salvation: when the Kohen stretches out the objects, it signifies the going out into exile. By bringing them back close, it creates a metaphor for Hashem's ingathering of the Jews at the Redemption. Similarly, raising the animal parts (or the Four Species) signifies Hashem's withdrawing the *Shechinah* from the Jews; lowering them symbolizes its return to us.

Alternatively, he suggests that these actions are symbolic of *techiyas hameisim* — the resuscitation of the dead. By the raising and waving, the departure of the soul is signified. By bringing them back close, the Kohen symbolizes its return to the body.

## MISHNAH OF THE DAY: ROSH HASHANAH 2:2

The Mishnah discusses the methods used to spread the news of the date declared as Rosh Chodesh:

**תְּהִי מִשְׁקֵלְקֵלוֹ מִשְׁוֹאוֹת מְשִׁיבֵי הַיָּם — *Originally, they would light* a relay of torches to publicize when Rosh Chodesh had been declared.<sup>[1]</sup> **הַתְּקִינֵנוּ שִׁיהוּ הַבְּוֹתִים — *When the Cutheans disrupted* the process,<sup>[2]</sup>****

### NOTES

1. Thus, they did not have to hire messengers (as they would subsequently be forced to do) to spread this information to the Diaspora (*Rav*).

2. *Beis Din* either declares day 30 to be Rosh Chodesh, or else day 31 is automatically Rosh Chodesh. If *Beis Din* indeed declared day 30 to be Rosh Chodesh, they would signal with torches that evening to spread the word. If they did not declare day 30 to be Rosh Chodesh, they would *not* signal with torches, and the people would realize from the absence of torches that Rosh Chodesh had been pushed off to day 31 (*Rav*).

On the month that the Mishnah is discussing, *Beis Din* had *not* declared the 30th day to be Rosh Chodesh, and thus did not order the torches to be lit. The Cutheans, however, wished to deceive the people into thinking that the 30th day *had* been declared Rosh Chodesh, and therefore shone torches from their mountaintops (*Rashi*).

[According to *Meiri*, the Cutheans' disruption occurred with regard to Rosh Chodesh Tishrei, which the *Beis Din* that year had delayed until day 31. Thus, the Cutheans, who deceived the people of the Diaspora into thinking that day 30 had been declared Rosh Chodesh, caused them to fail to observe Rosh Hashanah that year on the proper day.]

3. These messengers would carry a written certification from *Beis Din* that would be recognized as authentic by the people in the Diaspora (*Meiri*).

## GEMS FROM THE GEMARA

As mentioned in note 2 of the Mishnah, it was *Beis Din's* established procedure to light torches on the night following the 30th day of the previous month *only if* Rosh Chodesh occurred on day 30. The Gemara questions why this procedure was not also followed to publicize that Rosh Chodesh occurred on day 31.

What is the reason for this difference? R' Zeira said: We do not light torches for Rosh Chodesh following a full month because of a decree on account of the case in which Rosh Chodesh following a deficient month falls on Friday. In that case, when do they do the lighting of the torches to announce that Friday had been declared Rosh Chodesh? Upon the departure of the Sabbath (i.e., on Saturday night). Now, if you say that in general we should do the lighting of the torches even for a full month, then in the present situation (when Friday, day 30, is declared Rosh Chodesh) they (the people of the Diaspora) would come to err when they see the torches on Saturday night. For they would say: Perhaps this outgoing month was deficient [with Friday — day 30 — having been declared Rosh Chodesh], and the reason that he (the agent of *Beis Din*) did not do the lighting of the torches yesterday on Friday night is because it was not possible to do so on the Sabbath! Or perhaps the preceding month was full, with Rosh Chodesh having been delayed until the Sabbath, and they are now doing the lighting of the torches in the proper time, on the night that follows Rosh Chodesh. Now, however, that we have made a rule that torches are lit only for Rosh Chodesh following a deficient month, there is no confusion in the present case. For when the torches are lit on Saturday night, everyone knows that it means that Rosh Chodesh was declared on Friday [day 30] (*Rashi*).

The Gemara questions this and says that this confusion could be avoided if torches would generally be lit even for Rosh Chodesh following a full month:

But let him (the agent of *Beis Din*) generally do the lighting of torches both for Rosh Chodesh following a full month and Rosh Chodesh

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following a deficient month, and if Rosh Chodesh following a deficient month happens to fall on Friday, let him not do the lighting of the torches at all. And since people will see that we did not do the lighting of the torches on Motza'ei Shabbos, though ordinarily we do indeed light the torches for Rosh Chodesh following a full month, they will surely know that the outgoing month was deficient.

The Gemara answers that this proposal would not eliminate the possibility for confusion:

Even so, they would come to be confused. For they would say upon failing to see torches on Saturday night: Perhaps this outgoing month was in fact full, and the reason they did not do the lighting of the torches on Saturday night is because they were prevented by circumstances from doing so. E.g., perhaps the agents commissioned with lighting the torches became intoxicated in the course of their Sabbath feasting and therefore failed to light the torches on Motza'ei Shabbos (*Rashi*; see *Turei Even*).

## A MUSSAR THOUGHT FOR THE DAY

It appears that *Rabbeinu Bachya's* understanding that the waving of the breast and thigh of a *shelamim*-offering symbolizes our gratitude to Hashem for the creation of the world (see *A Torah Thought for the Day*) is actually based on an ongoing theme in *Chovos HaLevavos*, *Rambam*, and other early *sefarim* on Jewish thought. They posit that man is a microcosm of the entire world — an *olam katan*.

The Torah refers in many places to the “eyes of the earth,” “mouth of the earth,” “wings of the earth,” etc. These are usually understood as an allegory, employed in order to place certain concepts on an understandable level. However, *Ohr HaChaim* (*Bereishis* 4:8) understands this, in a limited way, as actually referring to certain areas of the earth that have the characteristics of those very organs (a science we apparently do not know of nowadays, he states).

Conversely, man also has in himself some forces of nature that govern the ways of the world. *Radak* understands the verse (*Tehillim* 8:10): אֲדַנְיָנוּ מִהָאֲדִיר שְׁמֵךְ בְּכֹל הָאָרֶץ, *HASHEM, our Master, how mighty is Your Name throughout the earth*, as referring to the creation of man. *Chovos HaLevavos* (*Shaar HaBechinah*) proclaims that the wisdom inherent in the creation of man shows Hashem's might and intellect more than the creation of any other creature. He writes that, as the

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verse (*Iyov* 19:26) states: **וּמִבְשָׂרִי אֶחֱזֶה אֱלֹהִים**, and from my flesh I see [the judgment of] God, so too, from the birth of a person, the sustenance provided for him, the manner in which his features are formed, and his potential strengths, both physical and spiritual, the secrets that Hashem incorporated into the nature of the world can be discerned.

While the discussion *Chovos HaLevavos* has on this topic is too extensive in scope to examine fully, a few salient points may be raised here. A person, on his journey from conception through adulthood, encompasses all the basic building blocks of the world, as well as all four sorts of creation that exist in the world.

A fetus begins as a combination of inanimate objects, and begins to grow and form. When it emerges into the world it is a living being, finally gaining the power of speech after a year or so. These stages, from **דוּמָם** (inanimate) to **צוֹמֵחַ** (growing) to **חַי** (living) to **מְדַבֵּר** (speaking), encompass all of Hashem's creations.

*Chovos HaLevavos* goes on to note that Hashem created the world to best serve man and provide him with every comfort and pleasure. The way the birthing and nursing processes work, the way that Hashem puts into the nature of the mother and father to love the child and care for him until he is old enough to provide for himself, the way that every one of the organs of the human body work to man's advantage without one of them being harmful or even extraneous — all of these declare His greatness.

*Chovos HaLevavos* continues, detailing how every facet of nature is ultimately for the best, even things like forgetfulness, poverty, and the scarcity of various natural resources.

If the waving and raising up of the *shelamim* fats symbolize gratitude to Hashem for His creating the universe and all its celestial bodies, it can also be used to gain an understanding of how the forces of nature declare Hashem's Omnipresence, and how one's own body, being an *olam katan*, proclaims Hashem's wisdom.

## HALACHAH OF THE DAY

**W**e continue our discussion of foods that for various reasons do not become *bateil*.

Certain foods cannot be nullified either through *bitul b'rov* or through *bitul b'shishim* because halachah views them as being too significant to become *bateil*. The special significance of these items may be due

to either their size or their nature. Let us explore some examples.

A *beriah*, a complete creature, such as an insect, an egg containing an unhatched bird, or even a complete limb torn from a living animal, cannot become *bateil*. The Sages ruled that a complete creature is too significant to become nullified.

A portion of meat of a size and quality fit to serve to a prominent guest cannot become *bateil*. Such a portion is known in halachah as a *חֲתִיכָה הַרְאוּיָה לְהִתְכַבֵּד*, a *portion worthy of significance*. Here, the significance of the item lies in its size and quality.

An object that is sold solely by unit is considered prominent and is not *bateil* when mixed with others of its own type. Such an item is known as a *דָּבָר שֶׁבְּמִנְיָן*. To illustrate: a whole egg of a nonkosher bird that became mixed with other kosher eggs is not *bateil b'rov*, because eggs are sold by the unit of a dozen. Such items are considered too significant to become *bateil* due to the prominence the marketplace has bestowed upon them. [*Shulchan Aruch* lists other items that are not subject to *bitul* because they are a *דָּבָר חָשׁוּב*, a *prominent item*. Examples of such items may be seen in *Yoreh Deah* 110:1.]

As we stated above, there are items that do not become *bateil* because they remain noticeable in the mixture even in minute amounts. Let us see some examples:

A nonkosher food that is added into a mixture in order to color the mixture cannot become *bateil*. The halachah makes no distinction between similar- or dissimilar-tasting items in regard to this restriction.

A nonkosher food added to a mixture in order to solidify or jell the food with which it combines is known as a *דָּבָר הַמְעֲמִיד*, and cannot become *bateil*. For example, cheese that has been curdled through the use of nonkosher rennet may not be eaten although the amount of rennet used is minute and tasteless. Since the effect of the nonkosher additive is clearly recognizable throughout the mixture, it cannot be nullified through *bitul*. Here too, no distinction is made between similar and dissimilar tasting items.

### QUESTION OF THE DAY:

*Why does the verse specify the חִוָּה (and not the חִלּוּב) when speaking of the waving, although both must be waved?*

For the answer, see page 62.



before *Krias Shema*, prior to describing how the angels praise Hashem, we first laud Him upon His creation of the universe. We start out by praising Hashem as the One Who created light and darkness, and describe how all creation, through their obeying of Hashem's command, declare His greatness. Only then do we begin describing the fearful swaying of the angels and their praise of their Creator.

R' Miller explains that it is mainly through the physical creations of Hashem that we can perceive His wisdom. The reason that the praise of the angels is mentioned is because through them we see Hashem's exaltedness: If the angels, with their colossal intellect, continually dread His presence, how much more so should we, with our minuscule understanding!

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A TORAH THOUGHT FOR THE DAY

זאת התורה לעלה למנחה ולחטאת  
ולאשם ולמלואים ולזבח השלמים

*This is the law of the olah-offering,  
the minchah-offering, the chatas-offering,  
and the asham-offering; and the inauguration-  
offerings, and the shelamim-offerings (Vayikra 7:37).*

There is a well-known Gemara (*Menachos* 110a) that expounds this verse, based on the juxtaposition of the word התורה with the listing of the various offerings: “If someone studies the laws of an offering,” declares Reish Lakesh, “it is regarded as if he had actually stood near the Altar and offered it.”

This exposition is the source of the famous dictum that studying the laws of a mitzvah is comparable to performing that mitzvah. Of course, this is only so when it is not possible to fulfill the mitzvah itself, as *Ohr HaChaim* (*Vayikra* 26:3) makes clear.

R’ Yeivi (an acronym for R’ Yaakov Yosef ben Yehudah, a student of the Baal Shem Tov) expands upon this idea, saying that while whoever studies the laws of *korbanos* is considered as if he had offered a *korban* to Hashem, the various sacrifices mentioned in this *pasuk* also allude to the fact that when one is learning Torah in general, he is regarded as having offered a *korban*. Moreover, he says, which *korban* his learning is deemed to represent depends upon the level of *lishmah* — learning for its own sake — that he has achieved.

For instance, says R’ Yeivi, if a person studies Torah purely for its own sake — to bring *nachas ruach* to Hashem and not with the expectation of remuneration for his studies — he is considered as if he had brought the first type of offering mentioned in this verse, the *olah*. The *olah*-offering is completely burned on the Altar, with nothing, aside from the hide, given to the Kohanim. This person who learns completely *lishmah* has also brought an *olah* to Hashem, with his total devotion to Him.

The next *korban* mentioned here is the *minchah*, the offering commonly donated by the poor who cannot afford more. Similar to the *olah*, the owner does not enjoy any benefit from the *korban*, as part of it is offered upon the Altar and the remainder goes to the Kohanim. This, says R’ Yeivi, is the sort of offering a person learning without joy is considered to have brought. Although he has no ulterior motive for his learning, he is just doing what he has to do, without any depth of

feeling or devotion. While he is not on the higher level of the first person, his learning is also considered Torah without ulterior motives.

The next offerings that are mentioned in the verse are the *chatas*- and *asham*-offerings. Brought in case of sin, they are partly burned on the Altar and partly eaten by the Kohanim. This represents those people who study the Torah, but intend to gain reward for their toils. A lesser level than those are the ones whose learning is compared to the inauguration-offering, a *korban* that was eaten by Moshe, Aharon, and his sons. The remainder was either burned on the Altar or thrown into the *beis has'reifah*, a room near the Mishkan that had a continuous fire burning in it. And the final level is that of the *shelamim*-offering, so called since it brings “peace” to everyone — the Altar, the Kohen, and the owner each have a part of it. R’ Yeivi explains that these last two offerings also reflect people who study Torah but desire compensation for their efforts; the level of the learning is commensurate with the lack of ulterior motives.

## MISHNAH OF THE DAY: ROSH HASHANAH 2:3

The next two Mishnayos describe the details of how the torches were lit according to the original procedure, and how their message was relayed to the Diaspora:

מְבִיאִין — *How did they light the torches?* כִּיצַד הָיוּ מְשִׂיאִין מִשׂוֹאוֹת כְּלוֹנָסָאוֹת שֶׁל אֶרֶז אַרוּבֵין — *They would bring long poles of cedar wood,*<sup>[1]</sup> וְקָנִים וְעֵצֵי שֶׁמֶן וְנִעְוֹרֹת שֶׁל פִּשְׁתָּן — *and reeds, balsam wood, and flax combings.*<sup>[2]</sup> וְכוֹרֵף בְּמִשְׁיָחָה — *And one would bundle them around the top of the pole with a string,* וְעוֹלָה לְרֵאשׁ הָהָר — *go up to the top of the mountain,* וּמִצִּית בָּהֶן אֶת הָאוּר — *and set fire to them.* וּמוֹלִיף וּמְבִיא וּמַעֲלָה וּמוֹרִיד — *And he would wave the torch back and forth and up and down,*<sup>[3]</sup> עַד שֶׁהוּא רוֹאֵה אֶת חֲבִירוֹ שֶׁהוּא עוֹשֶׂה בֵּין — *until he sees his counterpart doing the same on the top of the second mountain;* וְכֵן בְּרֵאשׁ הָהָר הַשְּׁלִישִׁי — *and so too, at the top of the third mountain,* and so on, all along the relay.

### NOTES

1. The poles were long, so that their flaming tops would be seen from afar (*Rav*).
2. These materials enlarge the flame (*Rav*).
3. This was necessary so that observers should not mistake it for a shooting star, which moves either vertically or horizontally, but not both ways (see *Tosafos* citing *Yerushalmi*).

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The Mishnah stated that the torches were made from *erez* (cedar wood). *Erez* is not only the name of a specific tree, but is also a general term that encompasses a variety of trees (see *Eitz Yosef* to *Ein Yaakov*, *Bava Basra* 80b). The Gemara commences by discussing what specific species are included in the term *erez*:

Rav Yehudah said: There are four kinds of *erez*: *erez*, *kasrom*, *eitz shemen*, and *berosh*.

The Gemara then cites a divergent opinion regarding which individual varieties of trees are categorized as *erez*:

And it (Rav Yehudah's statement, that there are but four kinds of *erez*) is in conflict with the teaching of Rabbah bar Rav Huna, for Rabbah bar Rav Huna said: They say in the academy of Rav: There are ten kinds of *erez*, as it is stated (*Yeshayah* 41:19): אֶתֵּן בַּמִּדְבָּר אֶרְזוֹ שֵׁטָה וְהֵדַס וְעֵץ שָׁמֶן: אֲשֵׁים בְּעֶרְבָה בְּרוֹשׁ תְּדָהָר וּתְאַשּׁוּר יַחְדָּו *I will set in the wilderness cedar, pine, and myrtle, and balsam; I will place in the desert boxwood, fir, and te'ashur together.* [While only seven varieties are mentioned in this verse, the Gemara subsequently identifies the other three types of trees.]

Tangentially, the Gemara cites an Amoraic exposition of the aforementioned verse in *Yeshayah*:

R' Yochanan said: Each and every pine tree that the conquering non-Jews took from Jerusalem will be restored to her by the Holy One, Blessed is He, in the future, as it is stated (ibid.): . . . אֶתֵּן בַּמִּדְבָּר אֶרְזוֹ שֵׁטָה, *I will set in the wilderness cedar, pine, etc.* And the word מִדְבָּר, *wilderness*, is interpreted here as signifying nothing other than Jerusalem, as it is stated (ibid. 64:9): צִיּוֹן מִדְבָּר הָיְתָה: *Tzion has become a wilderness.* ["Tzion" here refers (as is often the case) to the city of Jerusalem, as is evident from the next words of the verse: יְרוּשָׁלַם שְׁמָמָה, *Jerusalem a wasteland* (see *Hagahos HaBach* and *Ein Yaakov*).]

R' Yochanan then continues expounding the verse in *Yeshayah* cited earlier (41:19), which states: אֶתֵּן בַּמִּדְבָּר אֶרְזוֹ שֵׁטָה וְהֵדַס, *I will set in the wilderness cedar, pine, "and myrtle."* And R' Yochanan said further: Whoever learns Torah and does not teach it to others is like a myrtle in the wilderness. The myrtle, a very fragrant tree, goes unappreciated in the wilderness, where there is no one to benefit from its fragrance. So too is a Torah scholar who does not impart his Torah knowledge to others (see *Ein Yaakov*, and *Yalkut* to *Yeshayah* ad loc.).

Another version:

There are those who say that R' Yochanan's last exposition was:

Whoever learns Torah and teaches it in a place in which there are no other Torah scholars to do so is like a myrtle in the wilderness, which is precious because of its scarcity there.

The Gemara then cites another exposition by R' Yochanan of a verse in *Yeshayah*. [In this verse, Yeshayah prophesies that Hashem will inspire the nations of the world to make manifold restitution to Israel for what the nations and their forebears had stolen from Israel (*Radak ad loc.*).] And R' Yochanan said further: Woe to the idolaters who persecuted the Jews, for there is no remedy for them, as what they have destroyed is irreplaceable. As it is stated (*ibid.* 60:17): תַּחַת הַנְּחֹשֶׁת אָבִיָּא זָהָב וְתַחַת הַבְּרֹזֶל אָבִיָּא כֶּסֶף וְתַחַת הָעֵצִים נְחֹשֶׁת וְתַחַת הָאֲבָנִים בְּרֹזֶל, *In place of the copper I will bring gold; and in place of the iron I will bring silver; in place of the wood, copper; and in place of the stones, iron.* Restitution can be made for these valuables; but in place of R' Akiva and his colleagues who were brutally murdered, what can they possibly bring in their stead? And regarding them it states (*Yoel* 4:21): וְנִקְיְתִי דְמָם: לֹא-נִקְיְתִי *Though I would cleanse [the nations of their other sins, from] the blood [of Israel] [that they have shed] I will not cleanse [them].*

## A MUSSAR THOUGHT FOR THE DAY

There is a famous Gemara (*Horayos* 10b) that cites Rav Yehudah in the name of Rav:

A person should study Torah even if it is not *lishmah*, he asserts, because from that learning will eventually emerge a pure unadulterated Torah. How do we know this, continues the Gemara? From Balak, king of Moav. In order to “pacify” Hashem to allow him to curse the Jews, Balak erected twenty-one altars and offered two sacrifices on each one. His reward was that his great-grandson bore Rus, matriarch of the Davidic dynasty.

The Gemara seems to be saying that Balak’s reward for offering forty-two animals, albeit for his own selfish reasons, was that Rus emerged from his offspring. On the surface, this explanation seems troubling, since in order to bring proof that from a *shelo lishmah* comes a *lishmah*, it would be necessary to show how Balak *himself* ultimately did some good deed on the level of *lishmah* — and nowhere do we find this to be true!

*Cheifetz Hashem*, however, explains the Gemara’s statement that *shelo lishmah* leads to *lishmah* based on the Mishnah (*Avos* 4:2) that says that the reward for a mitzvah is a mitzvah. *R’ Ovadiah of Bartenura* offers two

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understandings of this Mishnah: (1) The reward Hashem bestows on someone who performs a mitzvah is the ability to do another mitzvah, and receive reward for both; or (2) the delight one receives from doing the mitzvah is so great in Hashem's eyes that He gives the person reward for that as well — as if it were a mitzvah.

*Cheifetz Hashem*, however, suggests an alternative explanation: The reward for doing a mitzvah *shelo lishmah* (with the expectation for reward), is that Hashem will enable him (or his descendants) to eventually fulfill it for its own sake. He says that this is what the Gemara means as well: One who does a mitzvah *shelo lishmah* will be rewarded with the ability to perform a mitzvah *lishmah*. And from where do we learn this? From Balak. Balak offered up sacrifices to Hashem in order to give Hashem *nachas ruach*. Although this was done with an ulterior motive, to gain permission to curse His people, Balak's reward was that Rus, his great-great-granddaughter, was his descendant. She, in turn, was the ancestress of David HaMelech, author of *Sefer Tehillim*, who brought *nachas ruach* to Hashem *lishmah*. As the Gemara (*Shabbos*30a) says, Hashem told David: וְעוֹסֵק בַּתּוֹרָה מְאֹלֵף טוֹב לִי יוֹם אֶחָד שֶׁאַתָּה יוֹשֵׁב וְעוֹסֵק בַּתּוֹרָה מְאֹלֵף עוֹלוֹת שֶׁעָתִיד שְׁלֹמֹה בֶּן־דָּוִד לְהִקְרִיב לְפָנַי עַל גְּבֵי הַמִּזְבֵּחַ, *One day of your sitting and studying Torah is worth more to me than a thousand olah-offerings that Shlomo, your son, will eventually offer before Me on the Altar.*

## HALACHAH OF THE DAY

**W**e left off yesterday discussing items that are not subject to *bitul* because either they or their effects remain noticeable in the mixture despite their minority status. One more example of this rule is the case of small slivers of solid nonkosher food falling into a majority of kosher liquid. In this case, the nonkosher items remain noticeable in the mixture due to the fact that their texture is completely different from the rest of the mixture. Accordingly, if a nonkosher solid falls into a pot of kosher soup, *bitul* may not be relied upon to render the soup permissible (when removing the solid is impossible).

At this point we should make note of one important caveat to the rules of *bitul*: If the nonkosher ingredient that has been introduced into the mixture is removable, it must be removed, even if its presence is not noticeable in any way. Thus, if it is an item that can be sifted out, one should endeavor to do so. Similarly, if nonkosher fat was introduced into a mixture, it may be possible to cool the mixture so that the fat will jell, allowing for the nonkosher fat to be removed.

A practical application of the rules of *bitul* that may unfortunately occur in kosher homes is the case of a dish (or piece of flatware) that became *treif* and was then subsequently mixed with other kosher dishes. The *poskim* rule that the dish becomes *bateil* in the majority of kosher dishes. Later authorities, however, advise that one should not use the dishes until a 24-hour period has elapsed since the nonkosher use. Still other authorities suggest that one remove one dish to be kashered. [The question of meat and dairy cutlery that have become intermingled will be discussed in later studies.]

We will now embark on a somewhat complex discussion of questions surrounding adjustments made to the ratio of kosher to nonkosher foods subsequent to the application of *bitul*. It should be noted once again that our goal is to introduce and offer basic understanding of the underlying concepts of Kashrus; questions of practical application must be brought to a competent halachic authority for a ruling.

It may happen that after a nonkosher substance was introduced into kosher material in a ratio that allows for its nullification, additional nonkosher material is once again introduced into the same mixture. Such an occurrence would necessitate that we once again apply the rules of *bitul* to see if the new nonkosher addition to the mixture may also be nullified. In applying the rules of *bitul*, how are we to view the original nonkosher component of the mixture? Do we say that this material was already nullified previously, and is therefore no longer present in the mixture? Or do we say that while the rules of *bitul* prevented the nonkosher matter from rendering the mixture nonkosher, the material is still physically present, and may therefore recombine with the latest nonkosher addition, thus potentially preventing *bitul*?

We will explore this and other similar questions in the coming days.

## A CLOSER LOOK AT THE SIDDIR

Many recite the section of *Korbanos*, as well as the fifth chapter in *Zevachim* that deals with the sacrificial laws — the chapter known as אֵיזְרוּהוּ מִקֹּמֶן — before the beginning of *Pesukei D’Zimrah* in *Shacharis*.

There are many explanations given for why we recite specifically this chapter before prayer; they range from the simple to the homiletic and esoteric.

*Tur* (*Orach Chaim* 50) says that *Chazal* instituted the *minhag* based on the Gemara (*Kiddushin* 30a) that requires every Jew to divide his daily

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learning into three parts: *Tanach*, *Mishnah*, and *Talmud*. Therefore, we say the Torah verses affiliated with the daily *olah*-offering; the *Mishnayos* of *מְקוֹמֵי הַקֹּרְבָּנוֹת*, which discuss the various offerings; and the *Midrash* — which is essentially *Talmud* — beginning *רַבִּי יִשְׁמַעְיָאֵל אָמַר*, that comes from the preface to *Toras Kohanim*.

According to this directive, any *Mishnah* would have sufficed, but *Tur* adds that the reason we choose this specific chapter is because of the verse (*Malachi* 1:11) that states: *וּבְכָל-מְקוֹם מְקַטֵּר מִנְחָה*, *לְשֵׁמִי וּמִנְחָה טְהוֹרָה*, and in every place [where offerings] are presented to My Name, and also pure *minchah*-offerings. The *Gemara* (*Menachos* 110a) explains this as suggesting that, although it is permitted to bring *korbanos* only in the *Beis HaMikdash*, this verse refers to Torah scholars, who study the laws of the *korbanos* in all places, and their study is considered as if they brought an offering to Hashem.

*Beis Yosef* accepts this explanation, but adds another one in the name of *Re'ah* (*Berachos* 32a). He says that *מְקוֹמֵי הַקֹּרְבָּנוֹת* is the only chapter in the *Mishnah* that does not contain a single difference of opinion. This renders it the pure *halachah* that Hashem conveyed to Moshe on Har Sinai.

Both reasons convey the understanding that it is for its Torah-study value that this *perek* is recited. Therefore, unlike the rest of the daily prayers that may be said even though they are not understood, when saying these *Mishnayos* it is appropriate that the person comprehend what he is saying. Therefore, suggests *Magen Avraham* (*ibid.*), this *perek* should be studied in depth in order for one to be able to say it in lieu of Torah study rather than just as a recitation of the words. *Shelah* even requires that it be said in the sing-song manner used for Torah study. Indeed, *Arizal* had a particular tune he would use in his Torah studies, which he also used while reciting *מְקוֹמֵי הַקֹּרְבָּנוֹת*.

There is an alternative reason for saying *מְקוֹמֵי הַקֹּרְבָּנוֹת* that is offered by *Beis Aharon*: Saying this *perek* (*Gra* explains that all the *korbanos* are alluded to in it) cuts a path through to the Heavenly Throne, and this enables a person's *tefillah* to pass through undeterred. This, he says, is similar to the function of the *korbanos* that were offered in the *Beis HaMikdash*.

#### QUESTION OF THE DAY:

*What special blessing is awarded to those who study the laws of korbanos in depth?*

For the answer, see page 62.

In this week's *Haftarah*, Yirmiyah berates the nation for their insincere service in the *Beis HaMikdash*. Hashem clearly stated that He would rather they “follow along the entire path,” meaning, keep all the mitzvos, rather than offer *korbanos* to Him in an attempt to buy their way into His good graces. The final verses challenge the underlying arrogance of those who believe they can do as they wish and will be protected as long as they donate to the Temple. Neither their intelligence, nor their strength, nor their wealth will protect them. Those qualities are tools provided by Hashem to be used in His service — not as the means for fueling their own arrogance.

The verse in this week's *Haftarah* states (*Yirmiyah* 9:22-23): אֵל-יְתִהְלֵל חָכָם בְּחַכְמָתוֹ וְאֵל-יְתִהְלֵל הַגִּבּוֹר בְּגִבּוֹרָתוֹ וְאֵל-יְתִהְלֵל עֲשִׂיר בְּעֲשָׂרוֹ. כִּי יְתִהְלֵל חָכָם בְּחַכְמָתוֹ וְאֵל-יְתִהְלֵל הַגִּבּוֹר בְּגִבּוֹרָתוֹ וְאֵל-יְתִהְלֵל עֲשִׂיר בְּעֲשָׂרוֹ. כִּי יְתִהְלֵל חָכָם בְּחַכְמָתוֹ וְאֵל-יְתִהְלֵל הַגִּבּוֹר בְּגִבּוֹרָתוֹ וְאֵל-יְתִהְלֵל עֲשִׂיר בְּעֲשָׂרוֹ. *Let not the wise man glorify himself with his wisdom, and let not the strong man glorify himself with his strength, let not the rich man glorify himself with his wealth. For only with this may one glorify himself: in discerning and knowing Me.*

The Midrash (*Bamidbar Rabbah* 22:7) says that Hashem gave three presents to humankind: wisdom, strength, and wealth. If someone merits any one of the three, he is assured the bounty of the world. However, this is only so if they are gifts “from Heaven, awarded with the strength of Torah.” If they are only the attainments of human endeavor, they are nothing.

What does the Midrash mean when it says that they are gifts “from Heaven, awarded with the strength of Torah”? The *Maadanei Shmuel* explains that Hashem assigns success in a two-step process. First, He awards the individual a full measure of success; then, the heavenly court judges the merits of the award on the basis of Torah law and adjusts it accordingly. It is possible for someone to achieve success; however, it will not be beneficial or lasting unless it has been ruled by the heavenly court to be deserving. The importance of the two-step process is that every person needs to know that Hashem assigns him a full measure of lasting success; however, whether or not it will be realized depends on his *avodas Hashem*. If his success is ill-begotten, or he does not react to his success correctly by giving the proper amount of charity, Hashem punishes him with its loss. However, this too is Hashem's kindness, for He would rather remove the wealth from the man than remove the man from his wealth.

The meaning of the final verse in the *Haftarah* is now clear. **בִּי אִם-בְּזֹאת יִתְהַלַּל הַמִּתְהַלֵּל הַשֶּׁכֵּל וְיִדַּע אוֹתִי**, *For only with this may one glorify himself: in discerning and knowing Me*. To “know Hashem” means to understand what He commands and how He relates to His creations; He wishes that we should follow His mitzvos, and upon that basis we will be rewarded or punished.

Hashem desires our success and assigns us its full measure. However, it comes in two steps, as the verse continues: **כִּי אֲנִי ה' עֹשֶׂה חֶסֶד** *for I am HASHEM Who does kindness, judgment, and righteousness in the world, for in these is My desire*. First comes *kindness* and then *judgment*, followed by *righteousness*. Hashem’s *kindness* is in desiring our success and providing us with the means of achieving it; and His *judgment* is in fairly adjusting our success to the level of our service. Ultimately, all is perfectly balanced to assure *righteousness* in the world, for that is what Hashem desires.

## MISHNAH OF THE DAY: ROSH HASHANAH 2:4

**T**he Mishnah continues to describes the original method that was used to notify the Jews when Rosh Chodesh had been declared: **ומאין היו משיאין משואות** — *And at which vantage points would they light the torches?* [i.e., which mountaintops were the points in the relay?] **מהר המשחה לסרטבא** — *From the Mount of Olives they would shine torches to Sartava,*<sup>[1]</sup> **ומסרטבא לגרופינא** — *and from Sartava to Grofina,* **ומגרופינא לחורן** — *and from Grofina to Chavran,* **ומחורן ומבית בלתינ לא זוו** — *and from Chavran to Beis Baltin. they would not move from there;* **אלא מוליך ומביא ומעלה ומוריד** — *rather the signaler would wave the torch back and forth and up and down,* **עד שהיה רואה כל הגולה לפניו במדורת האש** — *until he would see the entire Babylonian Diaspora*<sup>[2]</sup> *illuminated before him like a bonfire.*<sup>[3]</sup>

### NOTES

1. They began at the Mount of Olives, which is right outside Jerusalem [to the east (*Rav*)]; from there, they signaled to Mount Sartava (*Rashi*).
2. The Gemara explains that “the entire Diaspora” here refers only to the city of Pumbedisa. The people in Pumbedisa would then inform all the people throughout Babylonia (*Rashi*).
3. The Pumbedisians would go up to their roofs and wave flaming torches (*Rav*), thus making the entire city appear like a mass of fire.

The Gemara identifies two locations mentioned by the Mishnah:

What is Beis Baltin? Rav said: This is Biram. [Biram is at the extremity of Eretz Yisrael, at the point closest to Babylonia (see *Rabbeinu Yehonasan* and *Meiri*).]

What is meant in the Mishnah by “the Diaspora”? [Certainly, the Mishnah cannot mean here literally the *entire* Babylonian Diaspora, because it would be impossible for the signaler to see the entire Babylonian Diaspora from Beis Baltin (*Aruch LaNer*).]

Rav Yosef said: This is Pumbedisa. Pumbedisa is called “the Diaspora” because it contained the main Jewish settlement in Babylonia (*Rashi* to *Sanhedrin* 32b).

A Baraisa lists additional points at which the torches were lit:

It was taught in a Baraisa: R’ Shimon ben Elazar says: Torches were lit also on the mountains of Charim, Chayar, Geder and its companions. There are those who say that these points added by R’ Shimon ben Elazar are situated between those points mentioned by the Mishnah. And there are those who say that they are situated on the other side of Eretz Yisrael. According to this latter opinion, then, one master enumerates the relay points on one side of Eretz Yisrael, whereas the other master enumerates the relay points on the other side of Eretz Yisrael. [Two different sections of Eretz Yisrael stretch out toward Babylonia (*Rashi*). According to the latter opinion, torches were lit in relays along both routes. The Mishnah lists the relay points along one of those routes, whereas R’ Shimon ben Elazar lists the relay points along the other.]

The Gemara comments on the distance between the relay points listed in the Mishnah:

R’ Yochanan said: Between each and every one of the five relay points listed in the Mishnah was a distance of eight *parsaos*. [A *parsah* (plural: *parsaos*) is four *mil*, or 8,000 *amos*; it is the equivalent of between 2.3 and 3 miles.]

The Gemara asks:

How much are the combined distances between the five points from the Mount of Olives to Beis Baltin? Thirty-two *parsaos* (four spaces of eight *parsaos* each between the five points). But surely, nowadays there are many more *parsaos* than that between the Mount of Olives and Beis Baltin!?

The Gemara answers:

Abaye said: The direct roads between these locations have been closed, for it is written (*Hoshea* 2:8): לָכֵן הִגְנִי לְכַן אֶת־דַּרְבָּךְ בְּסִירִים שָׁךְ, *Therefore, behold I will hedge your way with thorns.* This closure forced travelers to take circuitous and thus longer routes (*Rashi*). Thus, while the distance between the extreme points is indeed thirty-two *parsaos*, the actual travel distance is much greater.

The Gemara cites another Scriptural source for the fact that the roads have been closed.

Rav Nachman bar Yitzchak says: It is derived from the following verse: For it is written (*Eichah* 3:9): נָתִיבְתִי עֵנָה, *He twisted my paths.*

## A MUSSAR THOUGHT FOR THE DAY

The trait of arrogance is evaluated by *Rabbeinu Yonah* (3:34) as: מִן הַעֲבִירוֹת הַחֲמוּרוֹת הַמְאַבְדוֹת וּמְכַלּוֹת הַנַּפְשׁ, *among the most severe sins, that destroy the soul.* *Rambam* in *Hilchos Dei'os* defines it as a characteristic that should be eradicated from an individual's personality. The Gemara equates arrogance with idolatry. *Shlomo HaMelech* (*Mishlei* 16:5) states: תּוֹעֵבַת ה' כָּל־גִּבְוַת־לֵב, *HASHEM despises an arrogant heart.*

In this light, let us examine the verse we cited in *A Torah Thought for the Day*: כִּי אִם־יִבְזֹאת יִתְהַלֵּל הַמְתַּהַלֵּל, *For only with this may one glorify himself.* We may ask: Given the dangers associated with arrogance, why would the *navi* say that a person may *glorify himself* in the course of his *avodas Hashem*? Moreover, the *Rambam* severely cautions anyone from expressing any form of arrogance — even when it could be justified as an appropriate response. He feared that any level of arrogance could open the door to inappropriate expressions of this undesirable trait. What, then, is the prophet's meaning?

The *Dubno Maggid* in his *Kochav Yaakov* presents a parable explaining why one is permitted to brag about his level of *avodas Hashem*, and why this is an exalted expression that has nothing to do with arrogance. He compared a present given to a person by a contemporary and a present given to the same person by the king. Regardless of how meaningful or expensive the present of the contemporary might be, there is little gain in boasting about the fact that So-and-so gave the present. On the other hand, the present given by the king, regardless of its intrinsic value, is something that gives the receiver the right to brag about his personal relationship with his king.

When expressing our awareness and thanks to Hashem for all He

gives us, nothing transcends the gifts of wealth, wisdom, and strength. As the Midrash (cited in *A Torah Thought for the Day*) states: *If someone merits any one of the three he is assured the bounty of the world.* The *navi* tells us that when recognizing that all we are and all we have is a present from Hashem, bragging about this is not priding ourselves in any way. In fact, it is just the opposite! It is praising Hashem, His love for us, and His awesome ability to provide for everyone and everything in the universe. It also emphasizes that Hashem is compassionate and fair in His dealings. The average person tends to leave Hashem out of the equation of his or her financial success. When the individual acknowledges that Hashem is the source of his wisdom, strength, and wealth, he proclaims to all that Hashem truly rules the universe and does so in a compassionate and concerned manner. In fact, it expresses to others that the key to individual success is more the acknowledgment of Hashem as the source than anything else. Arrogance is equated with idolatry because the arrogant person replaces Hashem with himself. In that regard, arrogance is despicable and dangerous; however, when we brag that what we have is a gift from “the King,” it glorifies Hashem, not us.

## HALACHAH OF THE DAY

Yesterday, we began to discuss cases where changes were made to the ratio of kosher to nonkosher material in a mixture after the rules of *bitul* have been applied, and we posed the question as it may apply in one direction: If *bitul* has already been employed to nullify a minority nonkosher portion of a mixture, and then subsequent to this nullification additional nonkosher material was introduced into the mixture, does the original nonkosher matter figure into any new *bitul* calculations? Do we view the already *bateil* material as still being significant, or not?

This question may also be posed in the reverse. Let us say that a measure of nonkosher food fell into kosher food and it proved to be too great an amount to become *bateil*. In accordance with the rules of *bitul*, we now view the entire mixture as being nonkosher. What if additional kosher material is now introduced into the mixture, so that the ratio of kosher (new plus original) material to nonkosher material will now allow for *bitul*? Do we figure the original kosher material into our calculations? Or, do we perhaps say that subsequent to our disallowance of *bitul* as a result of our original analysis, the entire mixture

must be viewed as nonkosher material, thus requiring a much larger amount of kosher matter to nullify it?

The law states that if additional nonkosher food is introduced to a mixture after *bitul* has already been employed, the entire mixture must now be re-evaluated. If there is no longer a sufficient amount of kosher food to allow for the *bitul* of all the nonkosher matter — including the original matter to which we already applied *bitul* — the original *bitul* is no longer effective. The Sages refer to this phenomenon as the rule of *chozeir v'nei'or*, a reawakening of the original nonkosher material.

For example: A cold piece of nonkosher meat becomes mixed with two pieces of kosher meat. Since we are dealing with a mixture of cold unblended similar solids, the nonkosher piece is *batel b'rov*. However, if another piece of nonkosher meat now falls into the same mixture, the meat is rendered nonkosher, since there is no longer a majority of kosher meat to the nonkosher meat. Although the first piece of nonkosher meat was already nullified through *bitul b'rov*, its nonkosher nature is reawakened with the addition of the second nonkosher piece, and the mixture must be re-evaluated, taking the new reality into consideration.

## A CLOSER LOOK AT THE SIDDUK

**W**e continue our study of the Shabbos morning prayers. Before beginning *Mussaf*, we return the *Sefer Torah* to the *aron kodesh*. As the *Sefer Torah* is being returned, we recite Psalm 29, which begins: *הָבוּ לַיהוָה בְּנֵי אֱלֹהִים, הָבוּ לַיהוָה כְּבוֹד וְעֹז*; *A Psalm of David. Render unto HASHEM, you sons of the powerful; render unto HASHEM honor and might.* This psalm is recited while the *Sefer Torah* is returned only on the Sabbath; on festivals, we recite the psalm that is said on weekdays (Psalm 24).

The reason for this difference, as explained in *Tur* (§284), is because this psalm (29) was written with reference to the giving of the Torah. The Torah was given on Shabbos, and was given with seven different *קולות*, *sounds* (which are listed in this psalm). The seven portions of the Shabbos Torah reading, which are read by the seven people who ascend to the Torah on Shabbos, correspond to these seven voices (see *Berachos* 29a). The seven *berachos* that make up each Shabbos *Shemoneh Esrei* also reflect this number. For this reason, the recital of this psalm is applicable only on Shabbos morning, for it is the day when

the Torah was given, and the day when seven people are called up to the Torah. The *Bach* therefore concludes that those who recite Psalm 29 (instead of Psalm 24) when the Torah is returned to the *aron kodesh* on Rosh Chodesh and festivals are mistaken.

*Mateh Moshe* brings down a custom to say this psalm four times. This is because the psalm mentions Hashem's Name 18 times (which, incidentally, is one of the sources for the 18 blessings the Sages instituted for our *Shemoneh Esrei*; see *Berachos* 28b). Four times 18 is 72, which is the number of letters in the 72-letter Name of Hashem, through which the Torah was given. [In other words, that is the Name Hashem used when He said אֲנִי ה' אֱלֹהֶיךָ, *I am HASHEM, your God.*] *Mateh Moshe* adds that this is hinted at in the following verse (*Shemos* 19:9): הִנֵּה אָנֹכִי בָּא אֵלֶיךָ בְּעַב הָעָנָן, *Behold, I come to you in the thickness of the cloud.* The letters עב of the word בְּעַב have the numerical value of 72. This is an allusion to the fact that Hashem would reveal Himself to Klal Yisrael using His 72-letter Name.

פְּרָשָׁת  
צו

SHABBOS

PARASHAS  
TZAV

#### QUESTION OF THE DAY:

*To whom is the verse (8:1) in the Haftarah referring when it says that their bones will be removed from their graves?*

For the answer, see page 62.

## ANSWERS TO QUESTION OF THE DAY

### **Sunday:**

The Torah uses the emphatic term **וַיִּזְרַח** to indicate that the Kohanim are being urged to be especially zealous in performing this commandment.

### **Monday:**

The fire on the Altar atones for the fire of the *yetzer hara* that drives a person to sin (*Rabbeinu Bachya*).

### **Tuesday:**

*Sifra* derives from this word that this law applies to utensils made of other metals as well.

### **Wednesday:**

*Panim Yafos* explains that this *korban* is brought as a present (rather than for atonement), and a present is offered in person (unlike an appeasement, which is often brought by an intermediary).

### **Thursday:**

*Sforno* explains that the **קֹרְבַן** was offered on the Altar, so it was clear that it was offered to Hashem. The **הַקֹּרְבַן** is specified because the Torah wished to emphasize that it was considered Hashem's portion as well.

### **Friday:**

*Zohar* states in *Parashas Vayeira* that even the angels that announce a person's sins are forbidden to harm the people who study the *korbanos* in depth.

### **Shabbos:**

*Metzudas David* states that this refers to false prophets and the priests of the *Baal* idol.