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התלמידים השלוחים

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מוקדש

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ויוליכינו קוממיות לארצינו, בעגלא דידן, ממש !



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Dedicated in honor of:
Elana Leah Bas Shaindel Rochel
Kasle

That she should have a complete
and speedy recovery in a good and
revealed way.



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D'VAR MALCHUS

The Men of the Great Assembly formulated the text of the holiday Amidah as well as the Kiddush that is recited at the beginning of every festival.

The text reads: And you, L-rd our G-d, have given us in love, festivals for rejoicing (L'simchah), holidays and seasons for gladness (L'sasson).

This is then followed by mentioning the particular holiday, in our case:

... the festival of Shavuos, ... the Season of the Giving of our Torah....

(See Siddur, Amidah, Festivals)

The Amidah prayer, being so thoroughly sanctified, does not have extra words merely because of poetic license. Clearly, when the liturgy was formulated there was a specific meaning and hence, a unique theme, intended in each of the phrases: (1) festivals for rejoicing (simchah), (2) holidays and seasons for gladness (sasson).

This means that simchah and sasson are two distinct levels and categories of joy, and that simchah is associated with "festivals" and sasson is associated with "holidays and seasons."

Let us analyze the terms simchah and sasson.

Superficially we will discover that simchah usually indicates revealed joy, while sasson indicates hidden happiness. Chassidus says that "Simchah is thoroughly revealed and sasson remains in the heart" (Shaarei Orah). With this in mind we would probably deduce that sasson and simchah are really the same

emotion: the first, when it is still submerged, the second, when it becomes revealed; two states of the same feeling, one substance.

This, however, would cause difficulty in explaining the sequence of the verse "... festivals for simchah," followed by "holidays and seasons for sasson." If you already have the revealed joy of simchah on the holidays, what will be added by "holidays and seasons for sasson?" Clearly there must be some superior quality in sasson, albeit still hidden, which simchah does not have and for this reason we must add "holidays and seasons for sasson" -- after the simchah!

We may clarify this whole matter by referring to the Gemara in tractate Sukkoh:

There were once two Minim (sectarians), one was called Sasson and the other Simchah, "I am better than you, since it is written: 'They shall obtain Sasson and Simchah.'" "I," said the Simchah to Sasson, "am better than you, since it is written: 'The Jews had Simchah and Sasson.'"

(Sukkoh 48b)

The Talmud is not jesting with this strange allegory. Rather, in a symbolic way, our sages revealed to us that each, simchah and sasson has qualities making it superior to the other, thus presenting the debate: which is really superior?

Let us now digest another Gemara. In an exegetic discussion of the verse, "The Jews had light and rejoicing (imchah) and gladness (sasson) and honor" (Esther 8:16), the Gemara states:

Simchah means (lit. is) a feast day (Yom-Tov); and so it says, "and you shall rejoice in your feast day." Sasson means (lit. is) circumcision; and so it says; "I am glad (sasson) at Your word."

(Megillah 16b)

Festive days and circumcision (Yom-Tov and Bris Milah) are two completely unrelated subjects. If we follow our initial pattern of analysis and say that simchah and sasson are two states of the same entity, one revealed and one

sequestered, then how does this fit with the statement that simchah is the holiday and sasson is circumcision as they have no relationship to each other?

An attempt might be made to qualify the analogy, that the Gemara in Megillah means that Yom-Tov brings simchah and Bris Milah brings sasson. But that really is not what the Gemara says. It states clearly that the two equal (or "are") the two, and it indicates that the essential theme of simchah is Yom-Tov and the essential and intrinsic context of sasson is Bris Milah.

From this discussion we may deduce the following: simchah and sasson are not just two states of the same thing -- revealed and hidden; there really is a difference in their intrinsic and inner being. At the same time, simchah is essentially associated with external factors. Sasson, on the other hand, is essentially tied to internal factors. As a result, simchah is extroverted, while sasson is introverted.

This fits well with the association to Yom-Tov and circumcision. Yomim Tovim, the festivals, are basically an external observance, as the Torah says: "Rejoice in your holidays," to which the Gemara adds: "There is no rejoicing without meat and wine" (Pesachim 109a); down to earth, physical celebration (with the external revealed).

Sasson refers to the inner hidden aspects, such as Bris Milah; "I am glad at Your word," this is the inner joy and contentment of fulfilling the command of the Holy One, Blessed be He, -- i.e., spiritual joy (with the inner hidden aspects). A proof to this theory:

And as Dovid Hamelech entered the bath and saw himself standing naked, he exclaimed, "Woe is to me that I stand naked without precepts about me!" But when he reminded himself of the circumcision in his flesh, his mind was set at ease.

(Menachos 43b)

Now if Dovid Hamelech at first felt anguish and said, "Woe is to me," then when he remembered the Bris Milah he should have experienced a surge of unsurpassing joy. Why does the Gemara blandly say that his mind was "at ease"? And why did he say the verse "I am glad (sasson) at Your word," when he should have said, "I rejoice (sameach) at Your word"! The explanation is as we clarified earlier: there is nothing inferior about the inner joy in that it does not reveal itself -- it is just as intense -- but it is essentially introverted and it remains sequestered.

As a result of this interpretation we will understand that simchah and sasson each has a characteristic and quality which the other lacks.

Sasson has the quality of being intrinsic and essential, which in a sense makes it loftier even than simchah. So now the prayer in the Amidah makes sense: "festivals for rejoicing (simchah)," and then on to the higher level of "holidays and seasons for gladness (sasson)."

Yet, simchah retains a superior quality to sasson because it is extroverted, and it is felt and revealed in exuberance. Thus, in the aspect of revelation, simchah is higher than sasson.

So when we speak of its essential existence sasson is superior and when we speak of human expression and outward emotion simchah supercedes sasson.

Is the simple meaning of simchah -- rejoicing -- now compatible with the Gemara's adage, "Simchah is Yom-Tov"? In a manner of speaking it is when we speak of the essential context of simchah. It is, after all, the festival day, and when we speak of the expression of simchah it is rejoicing.

Similarly, the essential context of sasson is Bris Milah and it is expressed in serene gladness.

Returning to the Amidah now, we see that the language of the liturgy in describing the happiness of the holidays speaks first of "festivals for rejoicing," the clearly expressed extrinsic exuberance, and then it describes the superior

level of "holidays and seasons for gladness," a tranquil intrinsic, inward gladness (delight).

Having thus explained simchah and sasson we can now turn our attention to analyzing "festivals, holidays and seasons," since simchah is placed with festivals -- "moadim," and sasson is put with holidays and seasons "chagim -- U'zemanim."

The term "moed" -- literally means set times, as we find, "I will meet with you at set times" (Shemos 25:22). This would indicate that the designated times or days are different from all other times and are unique in some special way. However, we are still in the dark -- we don't know just what these days are designated for. So we must add the word "chagim" -- holidays (which also connotes the sacrifices: "bind the festival offerings (chag) with cords ..., Tehillim 118:27).

Hence, when speaking of the "moadim" which is the general external reference to holidays, we use the word simchah and when the term "festivals" is added, which portrays the inner theme, we use the term sasson.

What about the double term "chagim" and "zemanim". Here a close scrutiny will also reveal two levels of internal and external. The next verse in the same paragraph of the Amidah lists the names of the holiday, Shavuos, Sukkos and Pesach, and then explains: the Season of the Giving of our Torah ... Rejoicing and ... Freedom. The name of the holiday clearly is an external aspect, relating to counting weeks, or eating matzah, etc. The "season" however indicates the internal, intrinsic theme of that holiday: The Giving of the Torah, Freedom, etc. The double term clearly refers to this twin aspect: chagim -- holidays -- refers to the extrinsic names Shavuos, Pesach, Sukkos; and zemanim -- seasons -- relates to the intrinsic themes, Torah, Freedom and Rejoicing.

What is the actual theme of the "Season of the Giving of our Torah"? to influence the physical world; that the corporeal existence shall become an object of holiness.

Intellectual Torah study existed before Mattan Torah.

The Torah preceded the creation of the world by two thousand years.
(Bereishis Rabbah 8:2)

Adam studied Torah,

Avraham ... was an elder who had a seat at the yeshivah (scholar's council), and similarly with Yitzchok and Ya'akov: "Our ancestors were never left without yeshivah. In Egypt they had yeshivah" (Yoma 28b). This system of study and discussion of Torah continued till the time of Moshe, our teacher.

What was lacking? Pre-revelation Torah could not effect holiness in the worldly physicality. The Torah remained aloof from worldliness.

Mattan Torah innovated the union of the sublime and the nether, in the order of: "And I will begin." (Shemos Rabbah 12:3) For the Torah tells us that "G-d came down on Mount Sinai" (Shemos 19:20). Mount Sinai remained here and was not sublimated, but G-d descended and caused a unity of physical and spiritual, so that now through mitzvos we can also convert the physical to spiritual.

What innovation did Mattan Torah bring relative to the era of the Patriarchs? That G-dliness can penetrate the material world and infuse the corporeality with holiness. The sages of Talmud stated:

All agree in respect to Shavuot that we require it to be "for you" too. What is the reason? It is the day on which the Torah was given.

(Pesachim 68b)

Mattan Torah initiated the involvement of Torah and mitzvos in the physicality of the world and this is expressed in the simple physical function of eating and drinking, "for you."

This discussion will bring us to the understanding that the joy of the "Season of the Giving of our Torah" must penetrate the physical and must be evident

and obvious by everyone in the expression of clapping his hands and dancing on his feet to rejoice in the joy of the holiday.

The point! One might argue that his joy stems from Torah study. "The mandates of the L-rd are upright, rejoicing the heart" (Tehillim 19:9). Rather than finding joy in eating meat and wine he will rejoice in studying a Chassidic discourse which intellectually explains the meaning of the holiday!

Of course, for the sake of "domestic peace" he will take his meals with his family and drink a cup of wine -- but as soon as he can, he will return to his intellectual pursuits.

Tell him to clap his hands and dance? "Why even a child can do that, it is not fitting for me!" He is a respected Jew with a long grey beard, who considers himself to be a Chassidic scholar and devout servant of G-d. He must seek out the inner joy. So he closes his eyes and trails off into meditation.

He further argues, "If I were to dance and sing, I would not be able to pursue my studies and mental exercises to find the solution for a troublesome Rambam and Rashi or Tosefos. No human can do two things at once!"

Well, it is for this individual that the prayers of the day direct us to the inner meaning of "The Season of the Giving of our Torah" -- "Torah must act in the world." The joy must penetrate the simple physical action and must burst forth in exuberance and outward rejoicing. Don't close your eyes in meditation, open them and see if your feet are dancing! Do it because you really feel the joy. And let others see how you rejoice and influence them to rejoice likewise.

You say it is hard to abandon your study, your thoughts and meditation, and your understanding of Torah in order to dance and rejoice! No doubt! The Rambam has told us that, "Rejoicing ... is a supreme act of Divine worship." Supreme and sublime! Difficult yet essential! The Rambam goes on:

... as it said: King Dovid was leaping and dancing before the L-rd, etc. (Shmuel II 6:16)

This was the custom of Dovid Hamelech, King of Israel, which the Rambam prescribes as a directive for all Jews!

If, despite this clear directive, there is a person who thinks, "How can I shame myself -- I know my greatness in Torah -- I will make a fool of myself by clapping and dancing."

The answer is that you are not the first one. What does the Prophet tell us about Dovid Hamelech? When Michal, daughter of Shaul, saw Dovid dancing in front of the Ark she was displeased and "She despised him in her heart" (II Shmuel 6:16). And she was brazen enough to express her displeasure:

How honored was today the King of Israel, who exposed himself today in the eyes of the handmaids of his servants, as would expose himself one of the idlers. (Ibid 20)

Was Dovid intimidated? No!

And if I be demeaned more than this and be abased in my own eyes [yet] of the maidservants of which you have spoken, with them will I get my honor. (Ibid:22)

Michal, the daughter of Shaul, was no simple woman, the Talmud relates: Michal, the daughter of Shaul, wore Tefillin and the Sages did not attempt to prevent her. (*Eruvin* 96a)

Clearly, aside from being a pious woman, Michal had certain extra qualities and characteristics which made her exceptional. Her derision of Dovid must have had a legitimate basis. "How can you dance -- you should study the Torah - - and express your joy in that manner!" This was the implication of her words.

However, when Dovid answered and explained: "and if I be demeaned more than this ...," which the Rambam includes in his Halachah, this becomes the eternal teaching. Now should anyone question how a respected Jew with a long white beard can dance and hop and clap and rejoice -- let it be known that a great Jewess already asked the question and Dovid, King of Israel, answered the

question. And, once it has been established in Halachah, there is no longer room for such questions!

May G-d grant that these words will lead to action, and that everyone will rejoice and dance in a manner of "hopping and dancing before the L-rd" with rejoicing and gladness of heart.

(Adapted from a Sicho of Shavuos, 5745)



NIGLEH

Ramban on Wool

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In the mishnah in bava metzia on daf 21a the mishnah lists various lost items one may keep being that they are items that do not have an identifying symbol.

The Ritva asks: why does it list all of these items? Couldn't the mishnah just give a general rule, that one may keep all lost objects that do not have a siman? The Ritva answers, that each item that the mishnah lists, has something that one would presume is a siman, and the mishna then tells us that this specific sign is not considered a valid siman. For example the iggulei diveilah, the fig cakes; one might think that the fact that the figs

are in cake form is a siman, so the mishnah teaches us that this is not in fact a siman (assumedly being that it is too common).

One of the items that the mishnah list is tongues of (imperial) purple wool, so the mishnah says that you may have thought that the color is a siman, when in fact says the mishnah it is not.

The gemara on 22b says that brings Rabah's opinion that a siman that can be trampled (i.e., things that aren't too big that are left in a public domain) is not considered a valid siman, as Rashi explains that the owner despairs of retrieving the object, since the owner assumes that there's no hope of getting it back because the siman will be destroyed and there will be nothing to identify it by, once it is found. And the opinion of Rava is that it is a valid siman because the first person that finds it will pick it up because of, as explained by many meforshim, the mitzvah of Hashovas Aveido and will therefore, in fact, not get trampled.

The gemara then asks on Rabah, based on the mishna about bread from a baker in a public domain on 21a, and infers from our mishna that it IS considered a siman. The gemara answers for Rabah to say bread is different since according to Rabah people don't leave food lying on the ground, so bread will not get trampled on, and therefore only by food is a siman in a public domain valid since it won't get trampled upon. As opposed to the Rava who holds that people will not only leave it lying on the ground, but they will even trample on it.

The Ritva then brings the Ramban who asks, instead of inferring from the mishna one can ask clearly from the case of piles of money and fruit (which is mentioned in the mishnah at the bottom of 24b) and tongues of imperial purple wool, which are likely to be trampled on, and yet the mishna says you must announce them, which means that the owner has not yet given up hope, which means that he still considers the

siman to be a good siman, which is a clear proof that siman which will be trampled on IS considered a good siman, because if not, why would he announce it, surely the owner gave up hope!

The Ramban answers that people surely wont trample on fruits because they will get dirty and completely ruined, so therefore there is no question because fruits will for sure NOT get trampled on even according to Rovo. Therefore there is no proof from fruits that their siman is a good siman even though they will get trampled; because, in truth, they will NOT get trampled as opposed to the bread which is inferred from our mishna, that will not get destroyed completely, and therefore, according to Rovo, people will trample on it and this poses a good question against Rabah (which Rabah simply answers that people will NOT trample on it, and are like the fruits, even though it won't get completely destroyed, rather, they will pick it up out of concern of disgracing the food) and money is "choshuv" and therefore will also for sure not get trampled on, rather it will be picked up. That means that money does not fall under the category of something will be trampled upon, which therefore Rovo did not ask from this case onto Rabah. And for the tongues of imperial purple wool he answers that even though it will get trampled on, since the colour is a siman, the siman will remain valid even after its trampled upon, and therefore in this case the siman WILL be valid according to Rabah, since the colour of the dye will not go away even after being trampled upon.

The Ritvah makes no further comment about this Ramban, which would make one assume he agrees with the Ramban, because otherwise he would argue as it is Kdarkoi. There are seemingly a number of issues with this Ramban as brought by the Ritvah.

a) where do we find anywhere that “tongues of imperial purple wool” one must announce, on the contrary, the mishnah on 21a says one may keep them! Because, as the Ritvah HIMSELF explains that their colour is NOT a siman (which leads us to problem b).

b) The Ritvah states CLEARLY over here that according to the Ramban the colour of the wool IS siman, which is in complete contradiction to what the Ritvah says on 21a that the colour of the wool is NOT a siman!

These questions become even more wonderous when one looks in the Ramban Himself and sees what he says. The Rambam in his Chiddushim, does in fact ask the question that the Ritvah says from the case of the fruits and money. however, he makes no mention of tongues of imperial purple wool at all, rather, he asks from the case of the same mishna that mentions the money and fruits, that SHEARINGS of wool that came out of the craftsman one must announce, even though they will get trampled on, which would seemingly be a proof that this thing has a siman which can be trampled on and yet you still must announce it, implying that the siman IS valid, like Rovo! The ramban answers that Rovo didn't want to ask on Rabah from that case since these shearings themselves are a siman, and therefore they can be trampled upon the whole day and their siman will still be valid, presumably because no craftsman processes wool the same way, and therefore in essence are unique. It comes out therefore that these Shearings are very different to the tongues of purple wool, that Rashi says are very common, and are not unique. If so, why would the Ritvah quote the ramban to say the tongues of wool as opposed to the shearings, which they are, in essence different?

And even if, through a doichok godoil meod, you want to say he learns there is no difference between the tongues and the shearing (which is a doichok godol, because, as stated above, the 2 mishnas THEMSELVES

make a difference, that you may keep the tongues but not the shearings, also because do shearings of wool from the craftsman even have a colour!?) and that he is only using loose terms, and saying loosely purple tongues instead of shearings from a craftsman, why would he learn that the siman that it has in essence is the COLOUR, if this would just be contradicting himself in regards to what he says earlier on the mishna that the colour of the wool is NOT a siman! Vztoruch Iyun Godoil!



Machlokis in Minimum Sukkoh Size

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There is a machlokes- Beis Shammai and Beis Hillel in two cases in one mishnah. They argue about the minimum size of a kosher Sukkoh (lets call it case A): Beis Shammai says 'Roshoi Ruboi Ve'shulchoi (able to hold his head, most of his body, and his table, roughly equivalent to 7 tefachim by 7 tefachim), and Beis Hillel says 'Roshoi Ve'Ruboi (able to hold his head and most of his body, roughly equivalent to 6x6 tefachim).

They also argue about the case of a Sukkoh which could be large, but where the table is not inside the Sukkoh (case B): Beis Shammai says he has not fulfilled his obligation, but beis hillel say he has.

The gemarah provides us with a reason for beis shammai regarding case B, that we make a decree because of the worry that if a person is sitting by the entrance of his Sukkoh and eating from a table outside, he may lean out over his table and be eating outside the Sukkoh.

It also concludes that in case A, the halachah is like beis shammai that you need 7x7 tefachim.

Rif and Ran disagree about beis shammai's reasoning for case A, with far reaching halachic implications.

Rif explains that cases A+B are not isolated cases. Case A is actually based on case B (at least as far as Beis shammai's reason). In case B we conclude that beis shammai holds that you table cannot be outside your Sukkoh. THIS is actually also Beis shammai's reason in case A, that since he requires that the table be inside (case B), he decrees (mi'derabbonon) that there must be room for the table, so the minimum size must be Roshoi Ruboi **Ve'Shulchanoi**.

Ran, however, explains beis shammai's reason in case A completely differently, not linking it at all to case B. He explains that a structure less than 7x7tefachim is not considered a diras kevah (strong, permanent structure) at all. Although a Sukkoh cannot be a complete diras kevah (see Sukkoh 2a), it cannot be a completely unstable structure. A Sukkoh less than 7x7tefachim is defined by Ran as 'a smelly dwelling', meaning that it is not fit for habitation at all, not even for the seven days of sukkos. This machlokes actually affects the halachah in case B. If we pasken like Rif, we accept Beis shammai's logic in case A, as we pasken like him, so therefore the halachah is also like beis shammai in case B because it is the same reason. But if we pasken like Ran, there is no reason to pasken like beis shammai in case B, because case A and B are not at all related. Therefore we go back to the general rule that when Beis Shammai and Beis Hillel argue, the halachah is like Beis Hillel. It also affects whether beis shammai holds that a Sukkoh has to be 7x7tefachim de'oiraisoh or derabbonon. According to Rif, it is only derabbonon, as deoiraisoh the shiur is 6x6, but 'we decreed'-derabbonon

that it has to be 7x7. However, according to Ran, 7x7 is the shiur mi'deoiraiso.

The difference between Rif and Ran can also be demonstrated in a hypothetical case, proposed by Rabbi Akiva Eiger. If a person is sitting in a Sukkoh 6x6 tefachim, and his table is in another, larger Sukkoh. According to Rif, beis shammai would say that such a case is fine, as even if a person is eating over his table, he is still in a Sukkoh. But according to Ran, beis shammai would not allow such a Sukkoh at all, regardless of where the table is. The Sukkoh is less than 7x7 tefachim, so it is not kosher.

Another possible difference can be shown in the following case, proposed by Sfas Emes. If a fat person was sitting in a Sukkoh 7x7 tefachim, but he fills up the Sukkoh, so that there is no room for the table. Rif would pasken that b"sh holds that such a person has not fulfilled his obligation, as his table is outside the Sukkoh, and maybe he will be drawn after his table. Ran would pasken that b"sh holds that such a person has fulfilled his obligation, as the table is not relevant. What is relevant is the size of the Sukkoh, which has to be large enough for it to be considered a dirah (dwelling), and this Sukkoh does fulfil this quota (7x7 tefachim).

It is interesting to note that tosfos here paskens like Ran, (see very long tosfos 3a, dibbur hamaskil- Deomar Loch Moni...), that a large Sukkoh with the table outside is kosher, like beis hillel, and that with the 6x6 Sukkoh there is a psul mdeoirisoh. Tosfos (2a dibbur hamaskil- Deoiraisoh Tani Pesula), says that the term Possul refers to a psul mdeoirisoh, which could perhaps be the reason for paskening like Ran here, as the mishnah says, beis shammai 'Poislin', which doesn't fit

with Rif, who says that mdeoirisoh, a 6x6 is kosher, but as the gemarah says 'gazrinon-we decree' mderabbonon. However Ran can easily push off this proof of gazrinon, as that is said by the case of the large Sukkoh, and Ran holds that there is no connection.

We now see that Rif argues with tosfos, who clearly paskens like Ran, and clearly says that a 6x6Sukkoh is possul mdeoirisoh. Tosfos, furthermore has the proof of possul, and also the proof of Kayemes, which it says in the original version of the mishnah (28a), that one who sits in a Sukkoh with the table outside has never fulfilled (kayemes) his obligation, according to beis shammai, and tosfos clearly says that this is mdeoirisoh, and as the two cases are related according to Rif, they must both be mdeoirisoh.

Rif now has to push off tosfos's proofs, of kayemes and possul. He can simply say that kayemes does not refer to a deoirisoh. But what does Rif say about possul. Perhaps, we could say that Rif use Rashi's argument with tosfos on 2a against tosfos here. Rashi there said that since the fact that Sukkoh has been around since moshe m'sinai, it is fitting to use the term possul, but with a new halachah that is just being made, in our specific case, it is not fitting to say possul, as who made it possul? So if tosfos/ran's main proof is from possul, than Rif can side up with Rashi, that possul is not necessarily mdeoirisoh, and kayemes is only d'rabonnon, and of course, Rif still has the proof of gazrinon, even though Ran doesn't accept that. Rif can therefore push of tosfos's proofs, and hold firm in his opinion.



P'SHUTO SHEL MIKRA

Dinah- Yaakov's Daughter

Rabbi Ari Shachter
Member of Anash

Why does the Torah say “These are the children of Leah... and Dinah **his** daughter” (Bereshis 46:15)?

Rashi (Bereshis 46:15) answers that Dinah is called **Yaakov's** daughter so we can learn that “Ish mazra'as techile yoledes nekeivo” (When a man gives forth first a girl is born).

The Rebbe (Hisvaaduyos 5748 Vol 2 Pg 179-183) asks what it proves since Leah was carrying a male and davened for the baby to change gender (Rashi on Bereishis 30:21)?

The Rebbe leaves the question unanswered and charges the public to attempt to try and provide an answer

A possible answer could be (based on the Targum Yonason Bereishis 30:21) that Yaakov loved Rochel and he was Mazria Techilo with her, so she conceived a girl; and since Leah was the instigator in her relationship her baby was to be a boy. Leah davened that Rochel would not be shamed for mothering less of the Shvotim than the maidservants, so then the fetuses were swapped.

When Rashi notes that Leah's tefilo changed the fetus to a female, he does not rule out the possibility that the fetus was swapped as he uses the word "venehepach" to denote the change.

Leah, who was carrying a male child (and therefore Yaakov was not Mazria Techilo with her) begged Hashem to change the gender of her child. We can therefore understand that because Dina is called specifically the daughter of Yaakov, as a girl, her conception would have been through Mazria Techilo, and she would therefore have started as his beloved Rachel's baby but was switched.



Yosef's Revelation

Rabbi Ari Shachter

Member of Anash

In Parshas Vayigash Yosef reveals himself to his brothers. Rashi (Bereishis 45:4) explains that he proved he was Yosef by showing his brothers his Bris Milo.

At that time the Bnei Yishmoel/Keturo practiced Bris Milo as descendants of Avrohom (Bereishis 17:),. The Mitzriyim were circumcised as Rashi states in Parshas Mikeitz (Bereishis 41:55), that Yosef made all of the men of Mitzrayim have a Bris in order to receive food during the famine.

If that is the case, how could Yosef showing the brothers his Milo prove he was Yosef?

The **Chizkuni** (also quoted in the Be'er Heitev and the Tzeido Laderech on Bereishis 45:4) asks this question and answers that since Yishmoelim/Bnei Keturo have a bris at 13 years old, the effect of the Priyo that happens on its own is recognisably different than having a Bris with Priyo at 8 days old.

The Mitzriyim had a Bris because they were poverty stricken and were required to in order to get food during the famine, whereas Yosef was visibly wealthy and would not have been forced to.

Alternatively the Shvotim didn't know that all of the Mitzriyim were circumcised so they immediately recognised Yosef as one of them.

The **Tzeido Laderech** comments on the Chizkuni that the Priyo from a Bris at 8 days old would not be visually different to Priyo that takes place on its own as seen from Avrohom in Parshas Lech Lecho.

The Tzeido Laderech answers, that since Yosef was born circumcised (Bereishis Rabbo 84:6) the Shvotim could recognise Yosef via the uniqueness of his Milo.

When one has relations with a Goyo the Orlo is redrawn. Yosef showing his complete Milo is proof that he is Jewish and married to a Jew.

There are questions with the answer of the Chizkuni:

1) Children born in the house of Avrohom's or Yitzchok's slaves had a Bris at 8 days old (Based on Likuttei Sichos Vol 10 page 136). Therefore, Yosef's Bris at 8 days did not prove he was Jewish.

2) Yosef may not have always been wealthy. Perhaps he was poor and would have been forced to have a Bris to receive food and only became wealthy afterwards.

There are questions with the answer of the of the Tzeido Laderech:

- 1) Rashi doesn't explain that Yosef was born circumcised.
- 2) Goyim can be born circumcised e.g. Bilom (Ovois Derebbi Nosson 2:5).
- 3) Perhaps Yosef was celibate and did not have relations with a Goyo which would have altered his Orlo. Alternatively his wife was Jewish and therefore his Orlo was not altered.

A possible answer could be that when the famine came Yosef forced the Egyptians to have a Bris since they became like his slaves (Likuttei Sichos Vol 10 page 136). This would have been embarrassing to admit that they were enslaved and they would not have been proud of it.

Therefore the mere fact that Yosef proudly showed his Milo and was not embarrassed of having been circumcised could prove that he was not an Egyptian.

Further study is required to clarify how Yosef proved that he was not from Bnei Yishmoel/Keturo.



HALACHA

***Paskening* from Electronic Images**

Such as a Digital Photograph or Scan.

By Rabbi Eli Gutnick

Sofer umagiha musmach

Introduction

When checking *STa”M* (*Sifrei Torah, tefillin and Mezuzos*), it is not uncommon for an examiner to encounter a *shailos chochom*, a question that requires the *psak* (ruling) of an expert *rav* or *moreh horoah*. However not all *morei horoah / rabbanim* are comfortable answering technical *shaalos* in *STa”M* - as a matter of fact very few are. Additionally, virtually all the noteworthy *poskim* in *STa”M* today live in *Eretz Yisroel*.

As a *sofer* living in Melbourne, I have personally relied heavily on overseas *rabbonim* to answer my questions, either by telephone or by email. If the question concerns a *tzuras haos* (formation of a letter), very often I will take a clear digital photograph or high resolution scan and email it to the *rov* for a ruling.

In the past, upon receiving an answer, I would often share the email with other *sofrim* around the world who were on my email list. Likewise,

many of them shared their answers with me. (Over the years I have amassed hundreds if not even thousands of such emails.)

Then, about two years ago, I started an online forum where *sofrim* from around the world could post their *shailos* directly online and everyone could see the responses and discuss it. (This was the first such online forum for *STa”M* and it proved to be a big success. Hundreds of *sofrim* from around the world view the forum daily and there are quite a number of *teshuvos* posted on a regular basis from renowned authorities such as Rav Shammai Gross and Rav Moshe Weiner.)

Is an electronic image reliable?

One of the problems with electronic images (or even printed images) is that often they do not really portray the exact “*metziyus hadavar*” and cannot compare with seeing the *shailah* in real life. A decade ago, an image sent by fax or low resolution scan was often too blurry and lacked detail. Today, a high resolution photograph may have the opposite problem, that it enlarges the image in great detail and may show too much, causing one who sees it to be potentially *machmir* (stringent). Other factors such as the image being too bright or too dark can be an issue. Some cameras cannot zoom in enough to get the detail required, some images are a little blurry due to camera shake and some scanners actually thicken the letters a little.

It is interesting to note that of all the hundreds of *teshuvos* and *seforim* on *STa”M* written in the past few hundred years—many which discuss very detailed technical *shailos* oftzur *haosiyos* - very few of these *poskim* actually print images or figures of the *shailo*. Today, such “picture books” (as one Rov I know calls them) are more common. This Rov told me that the reason why the “*poskim* of old” did not include pictures, is because they were worried that a printed image would not

portray the exact *shailo* as it appeared in real life, and therefore did not want to take the responsibility of possibly misleading their readers.

I think it goes without saying that even the clearest of images cannot portray a *shailo* exactly as it appears in real life. For example on the abovementioned STa”M Forum, the average size of images uploaded and posted are substantially larger than “life size”. Yet if one shrinks it down to “life size” it simply will not be as clear as the real life image when viewed on a computer monitor.

On the other hand, it is still far easier for a *rav* to *pasken* (rule) from such an image long distance via email than from a verbal telephone description. And for those without a local *rov* prepared to answer the question, there is often no other choice.

Poskim on this issue

To the best of my knowledge there are no *teshuvos* (responsa) printed on this issue, however there are *teshuvos* that discuss the use of a magnifying glass that enhances an image.

However the issues pertaining to the use of electronic images and the use of a magnifying glass are not really the same. The only common ground they have is when the digital image is high resolution and very large, it has magnified the *shailo* in the same manner as a magnifying device, in some cases making the *shailoh* seem worse. But all the other problems that can potentially arise from a digital image such as contrast, brightness, resolution and general accuracy etc are not really discussed in these *teshuvos*.

What is interesting however is that there are many renowned authorities today who still choose to *pasken* from photos and scans even though they

know it does not necessarily portray the *shailo* in the exact same manner as real life. (Rav Shammai Gross has personally *paskened* from over 250 images posted on our Forum.) This seems to send the message that it is acceptable to *pasken* from electronic images.

My discussion with Rav Friedlander

During a recent visit to *Eretz Yisroel*, I had a two hour meeting with Rav Mordechai Friedlander, *Moreh Tzedek* of the Va'ad Mishmeres Stam and Badatz Eidah Hacharedis. Rav Friedlander is familiar with my Forum and one of the questions I asked him is if a *rav* can *pasken* from a digital image posted there.

He said that he agrees that an electronic image will never really be exactly the same as the real thing. However he felt that certain *shailos* were more of an issue than others. Together we viewed several recent *shailos* posted on the forum.



One of the *shailos* was a *mem* that had the *churtem* (connection between the right *chof* part of the *mem* and left *vov* part of the *mem*) connecting very low down on the *vov* on the left side of the *mem* (see above figure). He argued that the size and clarity do not really affect the ruling here because the *halacha* is that as long as the connection is above the bottom

of the base (of the *chaf* on the right side of the *mem*) it is kosher (and can be fixed to make it proper). This criteria needed to render it kosher was apparent both on the scan and would be easily apparent in real life as well. So he felt that such *shailos* (which are not “size” or “clarity” sensitive) should be acceptable for a *rav* to *pasken* from an electronic image.

However he said other *shailos* are too risky to *pasken* on based on an electronic image alone, because the size and other factors may lead to a misrepresentation of the *shailoh*.

He related an incident that occurred with Rav Elyashiv, who was once brought a *parsha* with a *shailoh* (of a *chof* which had a small protrusion on the back of the lower right side which made it look a little like a *beis*). Rav Elyashiv *paskened* it was kosher. The next day someone else brought him an enlarged photocopy of the same *shailoh*. Rav Elyashev *paskened* it was *possul*. The second person then told him it was a blown up image of the same *shailo* he was *machshir* the day before. Rav Elyashev responded by saying that obviously the *shailo* will look worse when blown up (because it will exaggerate the protrusion), and that the *sofer* should follow the first *psak* and ignore the second.

Rav Friedlander argued that the same would apply to a digital image which enabled the *rav* to come to a different conclusion based on discrepancies between the image (size, clarity etc) and the real life *shailo*. Many *shailos* in *stam*, particularly small *negiyos* (touching letters) and *nifsakim* (broken letters) are extremely sensitive and should really only be judged by the naked eye in real life.

However he did say that a *rav* who has lots of experience with both viewing digital images and real life images, and who has a good feel for the way a real life *shailoh* will translate itself into a digital image, can use

his “mind’s eye” to *pasken* from a digital image. This would mean that he would be able to use his judgment to translate how the digital image presented before him would look in real life. He said not many rabbis are be able to do this but it was certainly possible by one who had the correct expertise and experience. Obviously there are still certain *shailos* that remain impossible for even the most expert rav to judge accurately from an electronic image. Examples of this include small breaks in letters, holes, questions pertaining to ink texture and colour, etc. Often you need to look at these shailos from different angles and different lighting (such as backlight) which cannot be done with even the best images.



Number Sixty-The Udder

Yehoshua HaLevi Lefkowitz

Smicha Program of 770 Heichal Menachem Mechon Chaim

When it comes to meat and milk, we go out of our way to avoid any sort of contact. Yet in reality we have millions of milk and meat mixtures growing naturally out there in the fields. Despite the daunting prospect of having to deal with an udder, surgically removing its milk and even then only preparing it in a meticulous and exhausting predefined fashion, we actually have a leniency crop up in its Halachos and leave us in shock.

We know how it works. When some forbidden food falls into a mixture of what we were planning on eating that afternoon, if there is sixty times the amount of ‘good’ food to forbidden then our lunch is saved. The small quantity of disallowed food spreads out so thinly amongst the large

quantity of kosher that it is rendered nullified. But not for an udder. It only needs fifty-nine times the amount.

Why? Rashba explains the calculation. Unlike by an ordinary forbidden food, the udder itself is not forbidden - the only problem is the milk held inside being cooked with the meat. So if the udder falls into a pot of fifty-nine other pieces the same size as itself, the milk will spread out evenly amongst all sixty pieces – including the permitted meat of the udder – and becoming nullified.

Rambam, however, disagrees. Rather, the reason why an udder needs fifty-nine and not sixty is because of a much broader rule – that ALL foods that are not forbidden by the Torah but by the Rabbis only need fifty-nine to nullify them. An udder is but one example. Accordingly, we must say that Rambam argues on Rashba's logic, understanding that when a problematic liquid is being held within an otherwise problem-free solid, that solid cannot join up to nullify it.

To illustrate the difference of opinion, let's look at the following case. A person took an udder, put it in a pot with too little water to nullify its milk, and cooked it. Only then did he take it out and add it to a large pot of fifty-nine udder-sized pieces of meat. Now what? We know that the meat of the udder itself became forbidden due to being cooked with milk in the first pot, so according to Rashba we have no leniency of using the meat of the udder itself to nullify the milk. According to Rambam, however, there's no difference – either way the prohibition is Rabbinic, because the contained milk is only considered milk due to a Rabbinic ruling, and so we still have our 'fifty-nine times' leniency.

So far so good. Each opinion has one leniency granting an udder an easier ruling. Rashba holds a solid can be combined to nullify a liquid

sourced within it, but that there is no leniency due to a restriction being Rabbinic. Rambam holds the inverse, that a solid cannot be combined and that there is a leniency due to the Rabbinic nature of the prohibition.

The question though is on Rosh. When it comes to blood inside meat, Rosh sides with Rambam, stating that the solid cannot join to nullify the forbidden blood. Yet when it comes to an udder, Rosh understands like Rashba, that it can, and that for this very reason an udder has its leniency (Rosh does not hold of Rambam's rule that all Rabbinically prohibited foods need only fifty-nine). Hagaos V'heoros (M'chon Yerushalayim) asks the burning question - what caused Rosh to distinguish between the two cases of blood and milk?

In order to answer, let's look at a different question we can ask on an udder. Generally we have a rule (although the exact details are a debate): when a solid soaks up a forbidden liquid, even once the liquid has been nullified, the rest of the mixture may be allowed but that very solid itself is not. The fact that the disallowed juice was inside renders it irreparable. And yet by an udder Rosh does not mention this, and instead gives another reason why it can never be restored. Why?

Mle Haroim explains that we only apply this rule, of the solid being irreparable, when there remains some liquid within it (even though it is nullified). But by an udder we know for a fact that it ALL comes out, and so we have a leniency.

Using this idea we can answer up for Rosh. True, normally a saturated solid cannot help nullify its forbidden liquid content, like by the case of blood inside meat. In a case of an udder though things are different – unlike blood, the milk is destined and free to move about the mixture (as we see from Mle Haroim's answer), unconstrained by the fact that it came from a particular piece. As a result we must treat this mixture like

one where the milk of the udder fell in separately from the meat. In such a case the meat of the udder would indeed join to nullify it, like any of the others pieces. This means that by an udder we only need fifty-nine other pieces the same size, and explains the difference between blood inside meat and milk inside an udder!

A proof for this is in Rosh's words. Rashba and Rosh both say that the udder joins up to nullify the milk, as we saw above. According to all opinions though the udder itself is forbidden to eat, by the mere fact that it was cooked with its milk still inside, even when there was enough meat around to nullify the milk (this is unlike the case brought before in the fifth paragraph, where the udder was cooked with less than enough meat to nullify the milk). Rashba and Rosh say that the reason why the udder is forbidden is a Rabbinic ruling. Rashba explains the reason for this ruling is because we are worried that not all the milk came out. Rosh explains differently – really all the milk will come out. We are just worried that someone will remove the udder too early and eat it before it can happen! Hence we see the Rosh understands that all the milk does come out of an udder. Therefore the milk does not leave the meat irreparable, the meat of the udder is treated as a separate entity to the milk, and the difference between milk in an udder and meat in blood is clear.

And so we have defended the Rosh.

